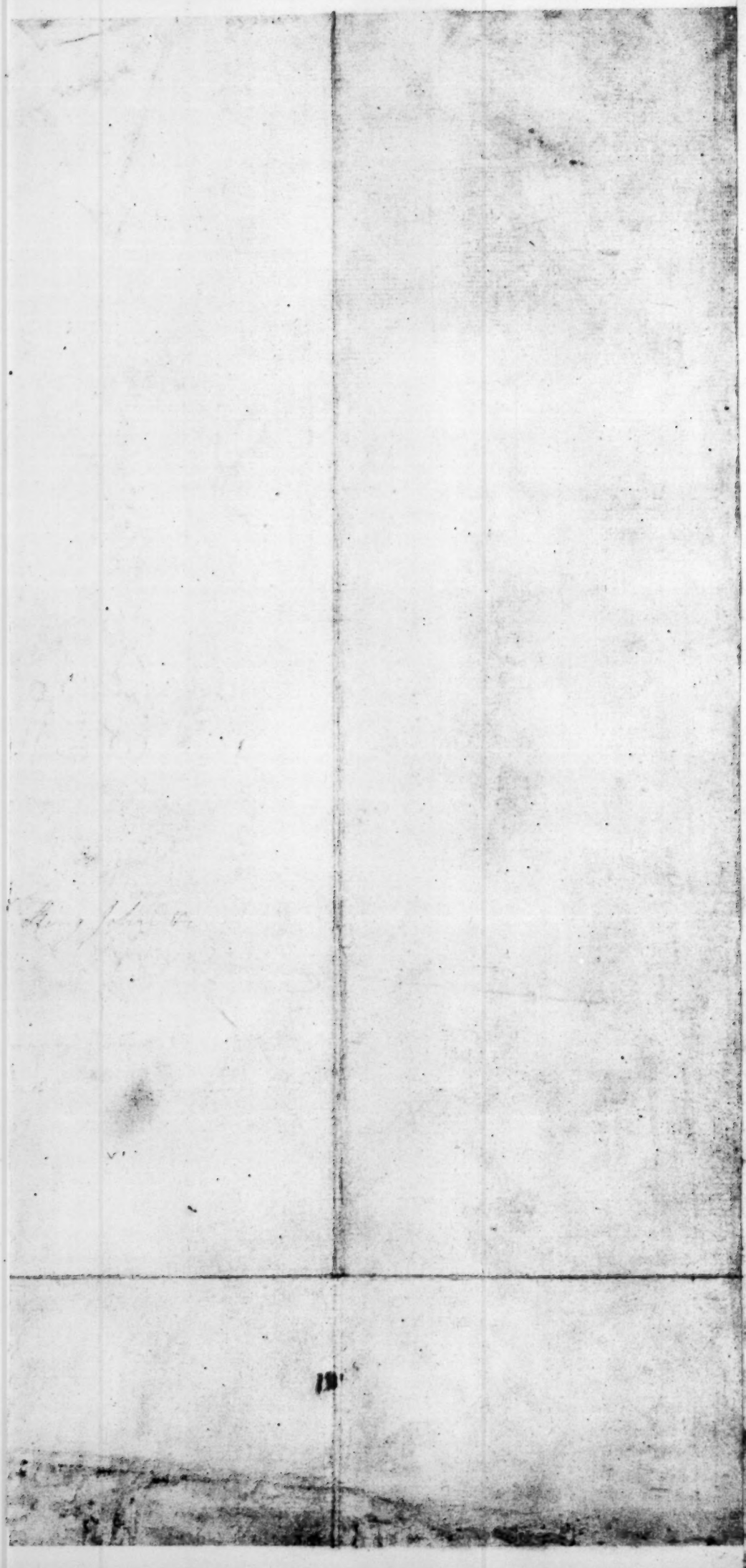
1
Ba: 44. 23
8



THE HISTORY OF King John, King Henry III.

And the Most ILLUSTRIOUS

King EDWARD the I.

WHEREIN THE

ANCIENT SOVEREIGN DOMINION OF THE

KINGS

OF

ENGLAND, SCOTLAND, FRANCE,

and *IRELAND,*

Over all PERSONS in all CAUSES, is asserted and vindicated, against all *Incroachments*, and *Innovations* whatsoever.

The Mistakes in some *Printed Statutes, Cannonists, Law-books, Histories,* &c. and other Matters of Moment, are rectified, and rescued from Oblivion.

Collected out of the Ancient Records in the Tower of London:

And now Published for the better advancement of LEARNING, maintainance of the KINGS SUPREMACY, the SUBJECTS LIBERTIES, and the LAW of the REALM, &c.

By WILLIAM PRYNNE *Esq; a late Bencher, and Reader of* Lincolnes-Inne, *and* Keeper *of His* Majesties Records *in the* TOWER *of* LONDON.

And finished a little before his death.

Deut. 32. 9. *Remember the days of Old, consider the years of many Generations; Ask thy Father and he will shew thee; Thy Elders and they will tell thee.*

LONDON,

Printed by Tho. Ratcliff, *and* Tho. Daniel, *for* Philip Chetwind, *in* Aldersgate-street, *next door to the* Black-Horse; Nathaniel Brook, *at the Angel in* Corn-hill; *and* Edward Thomas, *at the* Adam *and* Eve *in* Little Brittain. 1670.

THE
Epiſtle Dedicatory.

To the Right Honourable Arthur *Earl of* Angleſey, *one of His* Majeſties *moſt* Honourable Privy Counſil, *and Treaſurer of His* Navy Royal; *the Honourable Sir* Harbottle Grimſton *Baronet*, Maſter of the Rolls; *Sir* Matthew Hale *Knight*, Chief Baron *of the Court of* Exchequer; *Sir* Edward Atkins *Knight*, *one of the* Barons *of that Court*; *Sir* Wadham Windham *Knight*, *one of His Majeſties* Juſtices *of the* Kings Bench; *Sir* Richard Rainsford *Knight*, *a* Baron *of the Court of* Exchequer; *The Right Worſhipfull Sir* Robert Atkins, *Knight of the* Bath, Sollicitor General *to the* Queens Majeſty; *and the reſt of the Worſhipfull* Readers *of the* Honourable Society *of* LINCOLNS-INNE; *his ever-Honoured kind* Friends, *and* Fellow-Readers *of that* SOCIETY.

MY *common relation* to You all in *general*, as the *eminenteſt Members* of the *Famous Society* of *LINCOLNS-INNE*, (a *fruitfull Mother* for ſundry ages, of many *able*, *learned*, *reverend*, *renowned Privy Counſellors*, *State-Officers*, *Judges*, *Juſtices*, *Barons* in all *Courts* of *Law*, or *Equity*, both in *England* and *Ireland*, as well as of Eminent *Serjeants*, *Readers*, *Barreſters* and *Students* of the *Lawes* of *England*;) and my *particular Obligations* to each of You as my *highly honoured cordial Friends*; have engaged me (in point of *duty* and *gratitude*)

to *dedicate* to Your *Eminencies*, this THIRD TOME, of *An Exact Chronological Vindication*, & *Hiſtorical Demonſtration of the* SUPREME ECCLESIASTICAL JURISDICTION *of our* Britiſh, Roman, Saxon, Daniſh, Norman, Engliſh KINGS, **In, and Over all Matters, Cauſes, Perſons Spiritual as well as Temporal, throughout their Realms and Dominions**: More particularly, during the Reigns of KING *JOHN*, and *HENRY* the THIRD, (by way of *Appendix* to my *Second Tome*:) but principally of our *glorious* KING *EDWARD* the FIRST, (the chief Subject matter of this *Volume*;) and emboldened me to publiſh it to the World, under the ſhelter of Your *Venerable Names* and *Patronage*.

And ſo much the rather was I induced thereunto, becauſe this *Volume* conſiſts for the moſt part of ſuch *Records*, *Writs*, *Prohibitions*, *Bulls*, *Patents*, *Epiſtles*, *Procurations*, *Negotiations* during their reigns, not formerly publiſhed, (illuſtrated with ſome few *Hiſtorical paſſages*) as are proper for your reſpective *Conuſances*, *Profeſſions*; which, in my *humble opinion*, will much conduce to aſſiſt and inable You in the faithfull diſcharge of thoſe *high*, *honourable*, *publike Places* of *Truſt* or *Judicature*, to which moſt of You are already, and the reſidue of You may hereafter be *deſervedly advanced*, through *His Majeſties royal Favour*, by Your vigilant *ſtrenuous Defence* of THE KINGS SUPREME ECCLESIASTICAL AUTHORITY, **and of * all Juriſdictions, Privileges, Preeminences, Rights, Prerogatives annexed to his IMPERIAL CROWN, or Courts of Law; & the maintenance of all juſt Liberties of the conſciences, perſons, eſtates of his loyal Subjects, againſt the illegal exorbitant diſloyal Claims, Innovations, Uſurpations, Extortions, Vexations, Impoſitions, Cenſures, Practiſes, Conſpiracies or Deſigns of the Popes, See, Court of *Rome*, or other Eccleſiaſtical domeſtick Prelates, Perſons, Courts, or their ſubordinate Officers,** *to eclipſe, diminiſh, invade, undermine, or ſubvert all or any of them in the leaſt degree*: by *furniſhing* You with great *pleuty*, *variety* of *notable ancient Preſidents*, *Writs*, *Prohibitions*, *Judgements*, *Edicts*, and *Legal proceedings of all ſorts*, even in the heighth of *Popery* and *Prelacy*, to *reſtrain*, *countermine* their *diſloyal Vſurpations*, *extravagancies*, *oppreſſions*, *exceſſes*, tending either to the *prejudice* of the *Kings* or *peoples Rights*. All which (if I miſtake

* See 1 Eliz. cap. 1.

miſtake not) will adde much *light*, *luſtre*, and ſome *conſiderable Supplements* to our ancient *Treatiſes of the Common Law*, the broken Caſes in *Fitzherberts Abridgement*, and *proceedings* in our *Courts* of *Juſtice*; yea, to the Hiſtory of our Church, State affairs, the Treaties, Negotiations between our *Kings*, the *Biſhops*, *Cardinals*, *Legates*, *Court* of *Rome*, and *forraign Princes*, during the reigns of the *premiſed Kings*, conteined in ſundry of their reſpective *Epiſtles*, *Procurations*, *Bulls*, *Appeals*, *Inſtructions*, *Commiſſions*, *Patents*, and *Memorials* (not extant in our printed *Hiſtorians*) which I diſcovered in the *White Tower Chappel*, and elſewhere, in our *over-much neglected Records*; many of which I reſcued as well from *putrefaction* as *oblivion*, and here moſt humbly preſent to Your moſt *judicious peruſal*.

It was my primitive intention, yea hope, to have compleated and publiſhed this *Tome* long ſince; but the late raging *Peſtilence* within the *City* and *Suburbs* of *London* (occaſioned by the outragious (*a*) *Plague of Sinne in our own hearts*, *lives*) which (*b*) *ſwept away with the beſom of deſtruction* more thouſands of people than any Plague therein in former ages, inforcing me to retire from the *Records* for divers *Moneths*; and the *dreadfull conſuming fire* ſucceeding it, (*c*) *kindled* and *enraged* by the ſuperabounding of all kinds of (*d*) *Sodomitical ſinnes and flames of luſt*, therein committed) which within few dayes ſpace turned the greateſt part of that *Great*, *Rich*, *Famous City* into (*e*) *deſolate heaps of aſhes*, *rubbiſh*, and conſumed my *Printers Houſe*, with all his *Printing-Preſſes*, yea, moſt of his *Caſes*, *Letters*, and of the *printed Copies* of my *Firſt* and *Second*, with 40. *printed Sheets* of *this Third Tome*, therein, to my *great loſs*; together with my *daily long attendance* in ſeveral *Seſſions of Parliament*, beſides other *diverſions* ſince, and my want of convenient Lodgings in the *Tower* near the *Records*; ſo much *obſtructed*, *retarded* my *progreſs* therein, and peruſal, ſorting, digeſting into order all the *Records* and *Monuments* in theſe 3. *Kings reigns* pertinent to my *Theame*, that I could not poſſibly compleat it ſooner; and may juſtly excuſe its long expected *publication*, together with all *defects of ornament*, *method*, and the *Supplemental Appendixes*, or *Inſertions* in improper places of this *Tome*, of ſome *Records* caſually omitted in their *Chronological ſeries*.

(a) 1 Kings 8 37, 38.
(b) Iſay 14. 23.
(c) Jer. 17.27. c. 50. 32. Lam. 4. 10. Ezech. 20. 48.
(d) Ezech. 16. 46, to 51. Jude 7. Amos 4. 11.
(e) Iſay 17. 1. c. 25. 2.

If

If any of Your *Honours*, *Worſhips*, or other *curious Peruſers* thereof, ſhall chance to *blame* or *cenſure* me (as I fear they will) as guilty of ſeveral *ſuperfluities*, or *redundancies* which might have been well omitted, eſpecially in theſe particulars:

1. For the *multitude* of *Prohibitions*, *Suits*, *Informations* or *Attachments* on them for things, cauſes of the ſelf-ſame *kinde*, or *Nature*.

2ly. For the *ſuperfluity* of *Patents*, *Procurations* of the ſame to Perſons employed to *Rome*, *France*, or in the Collections of *Diſmes*, and the like.

3ly. For the *Repetitions* of Licenſes to elect *Archbiſhops*, *Biſhops*, *Abbots* in *England* and *Ireland*, and *Patents* to *confirm*, *conſecrate*, *reſtore* their *Temporalties* when elected, or confirmed by our Kings.

(f) Here, p. 587, to 603. 662, to 685, 699, to 722.

4ly. For the *exceſſive multiplicity* of the (*f*) *Names of Biſhops*, *Abbots*, *Priors*, *Deans*, *Chapters*, *Parſons*, *Prebends*, *Vicars*, *Prebendaries*, *Religious Houſes*, *Pariſhes*, and their reſpective *Chappels*, *put out of King* Edward *the firſt his protection for refuſing to grant him an Ayde*, *without the Popes precedent aſſent thereto*, *for defence of the Church and Realm*; *who afterwards were enforced to make fines to*, *and compoſitions with him*; *whereupon they procured both general and particular Protections from him*, *at dearer rates then their denyed Ayde amounted to.* And of the (*g*) *Names of thoſe Biſhops*, *Abbots*, *Priors*, *Earls*, *Barons*, *Knights*, *Clergy-men and Laymen of* Scotland, *who made ſolemn*, *reiterated Oathes*, *Obligations*, *Deeds under their hands*, *ſeals*, *before ſpecial Commiſſioners*, *of their fidelity*, *obedience*, *and allegiance to King* Edward *the* 1. *and yet ſoon after moſt perfidiouſly violated them*, *by confederating with the* French, *and rebelling and taking arms againſt him.*

(g) Here, p. 504, to 519, 550, 584, 653, to 666. 2051, 2052.

To the 1. of theſe I anſwer: *That this ſtore can be no ſore*, nor *blameworthy redundancy* in me, ſince uſual in all our *Yearbooks*, *Reports*, eſpecially in (*h*) *Abridgements* of the *Law*, ancient or modern; reporting ſeveral *Prohibitions*, *Caſes*, *Suits* between different perſons, in divers *Terms*, *Years*, *Kings reigns* of the *ſelf-ſame kinde*, *form*, without any *blame* or *cenſure*, as I have here done; on purpoſe to evidence the ſucceſſive reſtleſs *Uſurpations*, *Innovations*, *Encroachments* of *Popes*, *Popiſh Prelates*, *Eccleſiaſtical Courts*, *Judges*, *Perſons* from year to year, upon theſe *Kings Crowns*, *Rights*, *Prerogatives*,

(h) See *Statham's*, *Fitzherbert's*, *Brooke's*, *Aſhe's*, *Hughes*, and Serjeant *Rolls* their Abridgments, Tables, & Serjeant *Moore's* and Judge *Crooke's* Reports.

rogatives, *Courts of Law*, and the *peoples liberties*; with their own *Royal*, and their *Counſils*, *Judges* care, diligence to reſtrain, prohibit, puniſh them; Which being the *principal Subject-matter* of this and my former *Tomes*; my omiſſion of any of them as *ſuperfluous*, might juſtly be cenſured not only for *folly*, but *treachery* in me both to the *King*, *Subjects*, and the *Cauſe* I plead.

To the 2. I return the ſelf-ſame anſwer, with this addition; that different *Patents*, *Procurations*, *Commiſſions* to the ſame or diverſe perſons, upon the ſame, like, or different occaſions, at divers times, under ſeveral or the ſame Kings, though running in the ſame or not much different general forms, muſt neceſſarily be recited, as well in my Collections as in the Records themſelves; elſe the *Negotiations*, *Treaties*, *Things* to which they relate, would become *altogether defective*, *maimed*, *unintelligible*, of *little uſe*, and give no *ſatisfaction* to any Judicious Readers. II.

The 3d. will eaſily be juſtified by the precedent anſwers to the two former, with this further reaſon; that the *vacations*, *elections*, *confirmations*, *ſucceſſions* of our *Engliſh* and *Iriſh Archbiſhops*, *Biſhops*, *Abbots*, *Priors*, our Kings Prerogative in, over them from time to time; the *Clergies irregularities*, *uſurpations*, *abuſes* in them, to the prejudice of our *Kings Crowns*, *Dignities*, *Prerogatives*; with their *Royal Reprehenſions oppoſitions*, *preventions*, *puniſhments*, or *pardons* of them, out of *meer grace*, not *right*; and the *Eccleſiaſtical Hiſtory*, *affairs*, of the *Churches* of *England* and *Ireland* could not poſſibly have been faithfully or fully related, nor well underſtood, without the frequent recitals of their ſeveral ſucceſſive *Licenſes*, *Elections*, *Confirmations*, *Patents of reſtitution* and the like, *eſſential* to *Letters* my *Hiſtorical Demonſtration*. III.

For the 4th. (which ſeems moſt liable to exception:) I anſwer, 1. That the Names of all thoſe *perſons*, *places*, being particularly enrolled, recorded with ſpecial care, by King *Edwards* expreſs command, into the *Original Records* themſelves, for a laſting *monument*, *evidence* to *Poſterity* of his *Soveraign Right*, *Dominion*, *Juriſdiction*, and *Authority* over the *Clergy* of *England*, and the *Church*, *Prelates*, *Clergy*, *Nobility*, *Commonalty*, *Realm* of *Scotland*, and of their *ſubmiſſion*, *ſubjection*, *Oaths*, *Covenants* and *Allegiance* made unto him *in a moſt ſolemn publike manner*, upon the premiſed extraordinary IV.

traordinary occaſions ; I could not deem it a *ſuperfluity*, but my neceſſary *bounden duty*, upon the ſame accounts carefully to inſert them all at large into their Tranſcripts ; which I likewiſe did upon 4. other Conſiderations : 1. To gratifie our *Engliſh* and *Scotiſh Heraulds*, and *others* delighting in *Pedegrees*, who may make good uſe of theſe *Names* of the *Prelates*, *Nobility*, *Knights*, *Gentry*, *Clergy* of *England* and *Scotland*, and the places of their *reſidence*, upon ſeveral occaſions. 2ly. To evidence what places had *Religious Houſes*, *Pariſh-Churches*, *Chappelries* in that age ; and what rates, compoſitions they then payd to the King ; which will eaſily ſhew to all concerned, what alterations have ſince been made in any of them. 3ly. To manifeſt the *general Confederacy* of the *Engliſh Prelates*, *Clergy*, in oppoſing the *Aydes demanded of them by King* Edward, *without the Popes precedent licenſe :* and their general and particular ſubſequent late *repentances* for it. 4ly. To evidence the univerſal deteſtable *perjury*, *treachery* of the *Scotiſh Nobility*, *Nation*, but eſpecially of their *Prelates* and *Clergy*, in violating their *reiterated ſolemn Oathes* and *Obligations* to King *Edward*, by their *confederacy* with the *French*, and *rebellions*, *wars* againſt him, not without the *Popes* clandeſtine inſtigation, and abetment.

Having cleared theſe exceptions, I hope to all ingenuous Readers ſatisfaction, I muſt crave leave to inform Your *Honours* and *Worſhips*, that ſince my Compleating of this *Volume* (upon other publike accounts, eſpecially that of *Queengold*) I have peruſed moſt of the *Great Rolls* and *Records* of King *Henry* the 1, 2. King *John*, *Henry* the 3d. and *Edward* the 1. (beſides other Kings reigns) in the *Pipe*, *Kings*, *Lord Treaſurers Remembrancers*, and the *Clerk of the Pleas* reſpective *Offices*, and other *Treaſuries* of *Records* in the *Exchequer* Court at *Weſtminſter*, wherein I found ſundry Tranſcripts of ſeveral *Popes Bulls*, relating to the *Impoſitions*, *Grants* of *Diſmes* and *Aydes* on, or by the *Clergy* of *England* or *Ireland* for our *premiſed Kings* themſelves, or *pretended relief* of the *Holy Land*, or to confirm ſome *Priviledges*, *Exemptions*, granted by them and our *Kings* to *Religious Orders* or *Monaſteries*, recorded or pleaded at large in that Court, the Originals whereof, for the moſt part, are extant in the *Tower*, or their tranſcripts enrolled in the dorſes of

the

the *Realm*, to avoyd the Kings, Nobles, peoples diſpleaſures, and dyed in *exile*; whereupon his *Conſtitutions* were totally rejected as *Nullities*, and never put in execution for 85. years ſpace. But then his ſucceſſor *John Stratford* Archbiſhop of *Canterbury* (as ungratefull perfidious a Traytor to King *Edward* the 3. as *Boniface* was to King *Henry* the 3d.) in a *Convocation of the Clergy* held at *London* Anno 1342. in high contempt of the *Kings Soveraign Authority*, (from which *he* * *alleged he was totally exempted, unaccountable to, and not to be judged by him for any crimes objected againſt him*) *revived* and *enlarged* the *exploded Conſtitutions* of *Boniface*, with ſundry Additional Articles and new Clauſes of Excommunications, by his own uſurped Pontifical power, to the manifeſt derogation of the Rights and Prerogatives of the Kings Crown and Dignity, which he thereby endeavoured to wreſt from him: And then like an abſolute Legiſlator and **Pope of our other World**, commanded them to be publiſhed and inviolably obſerved throughout his Province in future times, in this imperious ſtile; (z) *Hujus autem Concilii Conſtitutiones, & proviſa remedia* **præcipimus** *in noſtra* Cantuarienſi *provincia*, **futuris temporibus inviolabiliter obſervari. Mandantes Coepiſcopis et Suffraganeis univerſis, ut ipſas Conſtitutiones per ſe et alios, ut jus exigit, publicent et facient publicari, ac in publicam notitiam deduci**; together with the old General Sentence of Excommunication, having ſundry new Clauſes of his own added thereunto: Hereupon King *Edw.* the 3. by two ſeveral *Royal Writs*, or *Letters* (made with adviſe of his *Counſil*, and ordered to be publiſhed at *Canterbury* and other places to all his Subjects,) ſtrictly prohibited the publication or execution of theſe Excommunications or Conſtitutions; therein at large relating this Archbiſhops ingratitude, treachery, inſolency, affronts, ſlanders of him, his Counſil, and Officers, and rendered this Character of him, them, and his deſignes in publiſhing them. (a) *Idem Archiepiſcopus quam regalis benignitas beneficiis & honoribus magnificis ampliavit, &c. ſubito in virum onerоſum & gravem crudeliter eſt converſus, & beneficiis acceptis ingratus, fremens arrogantia benefactorem perſequitur, & illam nobis retributionem impendit, quem vulgariter proverbium dicit*; **Mus in pera; Serpens in gremio; Ignis in ſinu; ſuis conſueverunt hoſpitibus exhibere, &c.** *Opem tamen noſtram & innocentiam,*

* Antiq. Eccleſ. Brit. p. 245.

(z) Provincialis Gul. Lindewode lib. 1. de Conſuetudine f. 13. 14. who makes a large gloſſe thereon; Jodacus Badius Conſtit. Provinciales f. 137. b. Spelmanni Concil. Tom. 2. p. 591.

(a) Stephanus Byrkington, & Archbp Parker out of him, Antiquitates Eccleſiæ Britannicæ, p. 241 242, 244. See Tho. Walſingham, Hiſtor. Angliæ, p. 236, to 231. Daniels Hiſtory, p. 228, to 230.

innocentiam, & Conſiliariorum & Officialium noſtrorum regalem perſequentium fidelitatem & diligentiam convitiis lacerat, publice prædicando, &c. Et callidis inventionibus et reprobis conſiliis, quasdam Excommunicationis ſententias in Libertatis Eccleſiaſticæ et Magnæ Chartæ violatores in genere dudum latas, ad ſugillandum opinionem Regiam, et præfatos Miniſtros Regios defamandos, et ſeditionem in populo nobis commiſſo PRODITORIE ſuſcitandum, et devotionem Comitum, Procerum et Magnatum regni noſtri Majeſtati Regiæ ſubtrahendum; ſpecificatis nonnullis Articulis, propter et contra ſolitum modum IN CONCILIO PROVINCIALI TRADITUM, mandavit per ſuas literas publicari. (b) Quinimo cum ipſe et alii Prælati Regni, qui de nobis Eccleſiarum ſuarum temporalia recipiunt, ex debito fidelitatis juratæ, fidem, honorem, et reverentiam deberent exhibere; ipſe ſolus pro fide perfidiam, pro honore contumeliam, et contemptum pro reverentia reddere non veretur; Unde etſi parati ſimus et ſemper fuerimus Patres ſpirituales ut convenit revereri, EORUM TAMEN OFFENSAS, QUAS IN NOSTRI ET REGNI NOSTRI PERICULUM REDUNDARE CONSPICIMUS, NON DEBEMUS CONNIVENTIBUS OCULIS PRÆTERIRE, *&c.* Et quia de conſervatione Jurium et Prærogativarum noſtrarum Regalium, quæ Progenitorum noſtrorum Regum *Angliæ* digne recolenda pietas magnifice defenſavit, ſumus ut debemus ſumme ſolliciti; ac idem Archiepiſcopus ad concitandum contra Nos Clerum et populum, et ad impediendum expeditionem guerræ noſtræ quam per ejus conſilium principaliter aſſumpſimus, quaſdam denunciationes et publicationes ſententiarum excommunicationum ac monitiones injurioſas, AC JURI CORONÆ ET REGIÆ DIGNITATIS NOSTRÆ PRÆJUDICIALES, CUM PER EAS NITITUR IN MULTIS ARTICULIS A NOBIS AUFERRE JURISDICTIONEM NOBIS NOTORIE COMPETENTEM, CUJUS CUM SUMUS REX INVICTUS (*miſprinted for* INUNCTUS, *as I conceive*) CAPACES ESSE DINOSCIMUR; ET QUÆ NOS ET PROGENITORES NOSTRI, ſcientibus et tolerantibus Summis Pontificibus, Prælatis et Clero regni noſtri USI SUMUS PACIFICE AB ANTIQUO, fecit, et per alios fieri et publicari mandavit, IN MAJESTATIS NOSTRÆ LÆSIONEM, ET JURIUM ET PRÆROGATIVARUM

(b) Ibidem, p. 254, 255.

GATIVARUM NOSTRARUM REGALIUM DEROGATIONEM MANIFESTAM; **Vobis diſtricte et ſub incumbenti periculo PROHIBEMUS, ne publicationes, denunciationes, ſeu monitiones hujuſmodi indebitas,** ET JURIBUS AC PRÆROGATIVIS NOSTRIS REGIIS DEROGATORIAS ET PRÆJUDICIALES, **vel alia per quæ fideles noſtri contra nos ſuſcitari, vel expeditionem guerræ noſtræ in ſubverſionem noſtri et fidelium noſtrorum poſſint, quod abſit aliqualiter impediri,** AD MANDATUM IPSIUS ARCHIEPISCOPI **vel alterius cujuſcunque, quomodolibet per vos vel alios faciatis, vel quantum in vobis eſt ab aliis fieri permittatis. Et ſi quid per vos in hac parte attemptatum fuerit CELERITER REVOCETIS.** *T. meipſo apud* Turrim London 31 *die* Martii, *Anno*, &c.

Hereupon thoſe *Antimonarchical Excommunications* and *Conſtitutions* of Archbiſhop *Boniface* revived by him, together with his own, thus publikely cenſured, revoked by the King and his Counſil, were totally neglected, and not put in execution by our ſucceeding Archbiſhops, Biſhops, or Eccleſiaſtical Judges for 80. years ſpace or more, as *William Lindewode* himſelf thus acknowledgeth in his Preface to *Henry Chichely* Archbiſhop of *Canterbury*, præfixed to his ***Provinciale;** *Conſideravi equidem, quod quamquam Conſtitutiones ipſæ ex interioribus medullis Scripturarum, & ſacrorum Canonum, indubitatiſque tam Theologorum,* **quam Juris Canonici et Civilis** *autenticorum Doctorum ſententiis ad utilitatem Provinciæ* Cantuar. *ſubditorum extractæ:* **A compluribus (tamen) dictæ Provinciæ tam Patribus aliiſque Prælatis et Judicibus, quam ipſorum ſubditis neglectui quodammodo habeantur, adeo quod temporibus his perpauci ſunt qui ipſorum obſervationi, ut ratio exiget, invigilent.** Whereupon this great Doctor of the *Canon* and *Civil Law*, (being then *Official* to the Archbiſhop of *Canterbury*, to bring theſe neglected *Canons* into credit, uſe, to enlarge the Juriſdiction of our Eccleſiaſtical Courts and Prelates) in the year 1423. at *Bois St. Vincents* in *France*, collected theſe two, and our other Archbiſhops *Provincial Conſtitutions* into one Body (as (*c*) himſelf thus relates) *reſecatis ſuperfluis & quibuſdam ex eis abbreviatis correcte in unum Opus collegi, & ſub congruentibus Titulis ad inſtar libri* Decretalium *ſerioſius collocavi.*

* Antwerpiæ, 1525.

(c) In eadem Præfatione.

Anno

Anno tunc ſequenti eadem Statuta gloſſare propoſui ; which having accordingly gloſſed and accompliſhed about the 3d year of King *Henry* the 6. he dedicated his *Provinciale* to this Archbiſhop, **tanquam veræ juris lucernam in Eccleſia** *Anglicana* **radiantem** : which was afterwards printed *Antwerpiæ, ſumma cura & diligentia* Chriſtopheri Endovien. *Anno ſalutis noſtræ* 1525. 20 *die* Decembris ; *Venales habentur* London, *in Cimiterio Sancti* Pauli, *apud* Franciſcum Bryckman : By this his *Provinciale* and large Gloſſes on theſe *Conſtitutions* they began by degrees to be put in practiſe by our Biſhops and Canoniſts, as binding Eccleſiaſtical Lawes and Canons, to which all Clergymen and Laymen muſt ſubmit, enforcing obedience to them by their *Eccleſiaſtical Courts* and *Cenſures*. To further which deſign thus begun by *Lindewode*, and reinforce theſe exploded Antimonarchical Conſtitutions, *Jodocus Badius Aſcenſius*, and *Johannes Chappuys* (two great Doctors of the *Canon* and *Civil Law*) An. 1504, collected, corrected, abridged, and printed the *Legatine Conſtitutions* of *Otho* & *Othobon* the *Popes Legates*, made in *England* in two *Councils* held under them at *London* in the reign of King *Henry* the 3d, An. 1236. & 1248. with *Johannes de Athon* or *Acton* his *Gloſſe* upon them (a Doctor of the *Civil* and *Canon Law* flouriſhing in the reign of King *Edward* the 1. as * *Johannes Balæus* conjectures, though perchance of punier times) together with the *Conſtitutiones Provinciales* of ſundry other Archbiſhops of *Canterbury*, (*d*) printed there together : *Solertiſſima accuratione atque Arte Magiſtri* Wulfgangi Hopilii, *impenſis ejuſdem, & probiſſimi Bibliopole* Joannis Confluentini, *in inclyta* Pariſiorum *Academia. Ad laudem & gloriam Optimi Maximi Domini noſtri* Jeſu Chriſti, *ejuſque pientiſſimæ Matris*, (ranged in equipage with him) *& totius cœleſtis Curiæ, necnon AD CONSERVATIONEM LIBERTATIS ECCLESIÆ* ANGLICANÆ, **et ad ſalutem atque eruditionem totius Cleri, omniumque Chriſti fidelium inclitiſſimi Anglorum regni,** *Anno Domini* 1504. *ad Idus* Septembris, (full 21. years before *Lindewodes Provinciale* was printed, and not long after *Printing* was firſt *invented*) dedicating them to *William Warham*, then Archbiſhop of *Canterbury, ut Archiepiſcoporum* Cantuarienſium *ſtatuta, ad excellentiſſimum Archipræſulem redirent.* Which illegal, oppugned, Antimonarchical, exploded, nulled Conſtitutions of Archbiſhop

* Scriptorum Brit. Centur. 4. cap. 66.

(d) Ibidem, f. 155. b

Archbiſhop *Boniface* and *John Stratford*, with thoſe of the *Council* of *Reading* under *John Peckham* Archbiſhop of *Canterbury*, Anno 7 E. 1. (for which he was convented before the *King* and *Parliament*, and inforced to make a publike (e) *revocation* of ſeveral Clauſes and proviſions contained in his General Sentence of Excommunication therein made, as *derogatory and prejudicial to the Kings Crown, Dignity, and Prerogative*) being the Principal parts of *Lyndwodes Provinciale*, and our *Canon Lawes* introduced by him, began to be cryed up and put in execution by the Biſhops and their Eccleſiaſtical Officers, to the great prejudice and diſhonor of the King, and oppreſſion of his Subjects; For effectual redreſs wherof, King *Henry* the 8. and his Parliament in the 25 year of his reign, upon complaint, **That divers Conſtitutions, Ordinances, and Canons Provincial or Synodal had heretofore bene enacted, thought not only to be much prejudicial to the Kings Prerogative Royal, and repugnant to the Lawes and Statutes of this Realm, but overmuch onerous to his Subjects; which the Clergie of England therein not only acknowledged to be true, but alſo moſt humbly beſought his Highneſſe, that the ſaid Canons and Conſtitutions might be committed to the examination and judgement of his Highneſs, and of xxxii. perſons of the Kings Subjects, to be choſen and appointed by the KINGS MAJESTY; whereof xvi. to be of the Upper and Nether Houſe of Parliament of the TEMPORALTY, and other xvi. to be of the CLERGY of this Realm. And all the ſaid xxxii. perſons to be choſen and appointed by the KINGS MAJESTY. And that ſuch of the ſaid Conſtitutions and Canons as the Kings Highneſſe, and the ſaid xxxii. or the more part of them, ſhall deem and adjudge worthy to be continued, kept, and obeyed, ſhall be from thenceforth kept, obeyed, and executed within this Realm; ſo that the Kings moſt Royal aſſent, under his Great Seal, be firſt had to the ſame. And the reſidue of the ſaid Canons, Conſtitutions, and Ordinances Provincial, which the Kings Highneſs, and the ſaid xxxii. perſons, or the more part of them, ſhall not approve, or deem, and judge worthy to be abolite, abrogate, and made fruſtrate, ſhall be abolite, void, and of none effect,** (as in truth they were from their beginning, being made not only without, but againſt the Kings Royal aſſent and authority, and not ratified by our Parliaments) **and never be put in execution within this**

(e) See Here, p. 230, 235, 236. Clauſ. 7 E. 1. 1. dorſo. Revocationes Proviſionum Concilii *Reading*.

Realm. It was thereupon accordingly declared and enacted by the ſucceſſive Statutes of 25 *H.*8. c.19. 27 *H.*8. c. 17. 31 *H.* 8. c. 16. 37 *H.* 8. c. 17. *&* 3, *&* 4 *Edw.* 6. c. 11. Which alſo **provided and enacted, that theſe Acts ſhall not extend, or be interpreted, to give any authority to the ſaid two and thirty perſons, or to the more number of them, or to the Kings Highneſs, for to compile, ſtabliſh, or ſet forth any Eccleſiaſtical Law, repugnant or contrary to any Common Law, or Statute of this Realm, or the Kings Prerogative.** Yet notwithſtanding, theſe their *Canons* and *Conſtitutions*, though thus contemptuouſly made, publiſhed, complained againſt, yea cenſured, exploded by our Kings, and Parliaments from time to time, with *Lyndewodes* and *Atons* Gloſſes on them, are ſtill obtruded on us, and magnified, juſtified, aſſerted, executed by our Biſhops, Clergy, their Eccleſiaſtical Courts, Officers, and Doctors of the Canon Law, as the legitimate, irrefragable *Eccleſiaſtical Lawes* both of the **Church, King and Kingdom** of *England*, not only to juſtifie their diſtributions of *Inteſtates goods*, againſt the expreſſe Practiſe of our (*f*) *Saviour Jeſus Chriſt*, and St. *Pauls Doctrine*, if we believe (*g*) St. *Bernard*, (of which *goods* they were ſuch *ill Stewards* and *diſpenſers* from the very beginning, that not only (*h*) *Bracton* and (*i*) *Fleta* write, but (*k*) Archbiſhop *Stratford* himſelf acknowledgeth in his *Conſtitutions*, *that they* **unduly uſurping them in the name of the Church**, yet NULLAM VEL SALTEM INDEBITAM **facientes diſtributionem,** *converted them to their own uſes*, to the defrauding of their Creditors, Wives, Children, kinred; and I fear they have not been much better Stewards * ſince;) But likewiſe to countenance their holding all their *Eccleſiaſtical Courts*, *Viſitations*, and iſſuing out all their *Citations*, *Proceſſe*, *Probate of Wills*, *Letters of Adminiſtrations*, *Cenſures*, in & under their own *Names*, *Rights*, *Stiles*, *Seals*, as in times of the *Popes Uſurpations*, not the *Kings*, (whoſe (1) *Image*, *ſuperſcription*, *ſtile they ought to bear*, as well as his *Coyn*, *Common Law Courts* & *Proceſs*, or elſe they are none of his) and to warrant all the *extravagant vexations Excommunications*, *Viſitation Oathes*, *Articles*, *Proceedings*, *Extortions*, lately revived ſince His Majeſties *moſt happy Reſtauration*, and the Statute of 13 *Caroli* II. chap. 12. to the derogation of **his Majeſties Soveraign Eccleſiaſtical Authority, and great grievance, oppreſſion, vexation of his loyal Subjects;** For redreſſe

(*f*) Lu. 12. 13, 14. 2 Tim. 2. 4.

(*g*) De Conſiderationc ad Eugenium Papam, l. 1 See here, p. 138, 139.

(*h*) Lib. 2. c. 26.

(*i*) Lib. 2. c. 57.

(*k*) Spelmanni Concil Tom. 2. p. 586.

* See Sir *John Bennets* Impeachment & Cenſure in Parliament, Anno 1621.

(1) See 1 Ed. 6. c. 2. 1 Eliz. c. 1. 37 H. 8. c. 17. Mat. 22. 20, 21.

dreſſe whereof I thought it neceſſary to inform both our *Prelates*, *Canoniſts*, but eſpecially the Profeſſors of the *Common Law*, how theſe Canons, Conſtitutions were originally made, oppoſed, exploded, yet ſince by degrees revived, and put in execution, notwithſtanding our Kings, Nobles, Parliaments Appeals, Oppoſitions, Complaints, and Acts againſt them, wherewith few of them are acquainted.

And here I cannot but obſerve, That Sir *Edward Cooke*, as he hath in his (2) *Commentary* upon *Articuli Cleri*, taken ſpecial Notice of Archbiſhop *Boniface* and his *Suffragans* forementioned *Conſtitutions*, as *made directly againſt the Lawes and Statutes of the Realm*, and the *Kings Royal Crown, Dignity, which occaſioned much difference between the Common and Eccleſiaſtical Law, Judges, Courts:* So he likewiſe addes, *That this Archbiſhop and his Clergy in a Parliament holden in the* 51. *year of* H. 3. *(which was their* ultimum refugium, *yet the right way) exhibited many Articles as grievances, called* **Articuli Cleri**; *which either by accident or induſtry are not to be found, yet ſome of their anſwers are extant*; which he there recites, **Ex fragmento Rotuli Parliamenti** Anno 51 *H.* 3. as his *Margin* affirms, without any directions where to finde it. But under his correction, I conceive he is much miſtaken therein. For firſt, The *Articles* of Archbiſhop *Boniface* and his *Clergy*, were drawn and exhibited by them to King *Henry* the 3. and his Counſil, not Anno 51. but 41. of his reign, when theſe his Conſtitutions were made in purſuance of them, againſt the Kings Prohibitions. 2ly. Theſe *Articles* are mentioned by (3) *Matthew Paris* in his *Hiſtory*, and ſince printed in his (4) *Additamenta*; and in my (5) *Second Tome*, being 50. in number. 3ly. King *Henry* the 3d and his Counſil refuſed to give any anſwer at all to them, or any of them, upon their *reiterated requeſts*, but abſolutely rejected them, as the Archbiſhop and Clergy premiſe in their (6) *Proeme* to their *Eccleſiaſtical Conſtitutions* then made; neither doth *Mat. Paris* make mention of any anſwers to them, as no doubt he would have done, had there been any given. 4ly. There is no ſuch *Fragment* of any Parliament or other *Roll* An. 51 *H.* 3. now extant in the *Tower* or elſewhere that I can find, nor any Parliament held that year, but two in Ann. 52 & 53 *H.* 3. wherein the Statutes of *Marlebridge*, and *Dictum de Kenilworth* were made. 5ly. Not

(2) 2 Inſtitutes p. 599, 600, 601.

(3) Page 910, 921, 922.

(4) Page 199. to 204.

(5) Page 891, to 898.

(6) See Tome 2. p. 899, 200. & Here, p. 20.

one of our *Hiſtorians* or *Antiquaries* make mention of any ſuch *Articles* of the *Clergy* in An. 51 H. 3. 6ly. The Anſwers he prints are unſutable to thoſe Articles in *Matth. Paris* Anno 41. both in their number, and matter, as all may clearly diſcern by comparing them. 7ly. *Othobons Conſtitutions* (made in a Council at *London* An. 52, or 53 H. 3. not 42. as * Sir *Henry Spelmans* Edition, and *John de Atons* too miſtake, as (7) *Matthew Paris*, (8) *Matthew Weſtminſter*, (9) *Matthew Parker*, and others, with the *Clauſe* and *Patent Rolls* of 49 & 50 H. 3. aſſure us, he arriving not, *nor acting as a Legate till then within this Realm*) make no mention of them. Upon all which conſiderations, I cannot but repute theſe *anſwers* he hath printed to be *Apocryphal*.

* Spelman. Concil. p. 263.
(7) Mat. Paris his Continuator, p. 973.
(8) Mat. Weſt. An. 1268. p. 388. Holinſhed, & others.
(9) Antiquitates Eccleſ. Brit. p. 190.

But his moſt unpardonable Overſight and Miſtake, is this; That in his very *Proeme* to his Second Inſtitutes on *Magna Charta*, he aſſerts, that the Writ of Proclamation iſſued by King *Henry* the 3d. 11 *Decembris* in the 19th year of his reign to the Mayor and Sheriffs of *London*, to prohibit all *Schooles* and *Lectures* of the *Canon Lawes* and *Popes Decretals*, (as King *Stephen* had done before him) then newly *poliſhed*, *abridged* by *Raymundus*, at Pope *Gregory* the 9th. his requeſt; **qui eas ſolenniter et autentice per totius mundi latitudinem LEGI PRÆCEPIT & DIVULGARI, et ab multorum perniciem publicavit**; as (10) *Matthew Paris*, (11) *Platina*, (12) *Balæus*, and (13) *others* relate; **Uetuitque Jus Civile legi Lutetiæ, et aliis in locis vicinis**: as (14) *Gilbertus Genebrardus* a *Pariſian* Divine obſerves, by theſe new *Decretals*, to which all other Lawes muſt give place, that they alone might rule the World; whereupon King *Henry* iſſuiſſued this Writ to prohibit them to be *read* upon, publiſhed, or put in execution; as being moſt derogatory to his *Royal Prerogative*, *Lawes*, *Courts*, and *Subjects liberties*, to be meant and intended only, of *Schooles of the Common Law*, and *Readings* upon the two *Great Charters of Liberties* and the *Foreſt*, which he had formerly ratified, and ſworn to obſerve. Which grand miſpriſion of his as I have (15) *here refuted* at large, by pregnant evidences; ſo the very ſeaſon wherein it was iſſued, ſoon after his removal of his ill Great Officers, Counſellors, Chief Juſticer, and putting honeſt, faithfull ones in their places, upon his *comming to himſelf*, *ſight of his former miſcarriages*, and *reconciliation* to his faithfull

(10) Hiſtor. Angliæ, f. 403.
(11) In Vita Gregor. 9.
(12) De Romanorum Pontificum Actis, p. 302.
(13) Creſpin, Bucholcerus, & Faſciculus Temporum, An. 1230.
(14) Chronograph. l. 4. p. 641. & Marc. de Vulſon, De la Puiſſance du Pape, l. 1. c. 18. p. 56. as Honorius the 3d. did before him.
(15) Page 86, 87, 88.

full native *Lords* and *Subjects*, formerly rejected, perſecuted by him; with his *confirmation* of theſe *Charters* under his *Great Seal* in the Parliament of *Merton* within few moneths after, as *himſelf* obſerves, and the excellent Laws therein made by him *for the common benefit of his Subjects, Nobles, Realm*; atteſted by (16) *Matthew Paris*, (17) *Matthew Weſtminſter*, other (18) *Hiſtorians*, and by the *Clauſe* and *Patent Rolls* of the 18, 19, & 20th. years of his reign, will ſo irrefragably refute it, that I hope no *Common Lawyers* will from henceforth be ſeduced to believe it upon his *Ipſe ſcripſit*, nor any *Canoniſts* or *Civilians* reap advantage by this his egregious *Error*; nor yet by his aſſerting *Circumſpecte agatis* (a meer *contrivance* of the *Biſhops* to enlarge their Juriſdictions) to be a *Statute* made, or *Writ enacted* in the *Parliament* of 13 E. 1. which I have (19) *here* likewiſe evidenced to be an apparent *untruth*.

(16) Hiſtor. Anglix, 390, 391.
(17) Flores Hiſtor. p. 140.
(18) Holinſhed, Speed, Daniel, Mr. Dugdale his Chronica Series, p. 10.
(19) Page 336, to 342. 1270, 1271.

How farre Popes, Biſhops, and their *Canon Law Doctors* have by their own *Canons*, *Conſtitutions*, and *Gloſſes* on them enlarged their *Juriſdiction* even to the nulling, altering of the *Teſtaments* and *Legacies* of deceaſed Perſons to pious uſes, contrary to their expreſs wills, thoſe who pleaſe may read at leiſure in the large folio Volume of *Auguſtinus Barboſa*, a grand Doctor of the *Canon Law*, & *Epiſcopus* Eugentinus, **De Officio et Potestate Episcopi**, (dedicated to the Virgin *Mary*) licenſed, printed at *Rome*, and newly reprinted *Lugduni* 1665. Pars 3. Alleg. 80 & 81. & Alleg. 50. nu. 41. & *Johannes Bertachinus* **de Epiſcopis**, lib. 4. Quæſt. 4. with ſundry other *Canoniſts* quoted by them.

(m) Tom. 1. Epiſtle Dedicatory, & Tom. 2. p. 5, to 10.

In what particulars they have advanced Themſelves, their Pontifical Mitres, Lawes, above the Imperial Crowns of all Chriſtian Emperors, Kings, and their municipal Lawes, I have (*m*) *elſewhere* evidenced, and ſhall here demonſtrate only in four other Inſtances worthy ſpecial obſervation.

(n) 1 Sam 10. 1, 2. Kings, 9, 6. Pſal. 23. 5. & 1 Chron. 1. 39. 45. 2 Kings 11. 12. Mat. 26. 7. Mar. 14. 3.
(o) Exod. 29. 7. c. 30. 30. c. 40. 13. 15, 16, 32. Pſ. 133. 2.
(p) See Mr. Seldens Titles of Honor, part 1. c. 8. ſect. 1. p. 144, 152.
(q) 1 Sam. 15. 17. Judg. 11. 8. 11. 2 Chron. 9. 8. Ordo Romanus, Bibl. Patrum, Tom. 8. p. 466, 467.

First, they advance not only every *Pope*, but *Biſhop*, farre above all Chriſtian *Emperors* and *Kings* in the manner of their *Unctions* and *Conſecrations*: For whereas the *Kings of Iſrael*, when anointed to be *Kings*, had a *Viol of Oyl*, by *Gods* appointment, *powred out upon their* (*n*) *HEADS*, as it was upon the (*o*) *High Prieſts Head, and were annoynted with the ſame Oyle that the High Prieſts* were, as (*p*) *moſt* affirm; to evidence to all, *that they were thereby made the* (*q*) *chief*

HEADS

HEADS of all *Gods people committed to their government*, and Gods own VICARS upon Earth, ſitting upon HIS THRONE, *to be* KINGS *for the Lord their God:* Which practiſe of *anoynting the Heads* of *Chriſtian Emperors* & *Kings* at their Coronations, was anciently uſed both in the *Eaſtern* and *Weſtern Empires*; (r) Pope *Leo* the 3d. himſelf anoynting *Charles the Great* with *Oyle* from HEAD to foot *after the cuſtom of the Jewes*, and likewiſe in the Coronation of our *Britiſh* and *Saxon Kings* before the Conqueſt, as this *Prayer* uſed at their Coronations in the ancient *Ceremoniale* made in the *Saxons* time aſſure us; (ſ) **Chriſte perunge tuum REGEM in regimen, &c.** *Tua ſacratiſſima unctio ſuper CAPUT ejus defluat, atque ad interiora deſcendat, atque cordis illius intima penetrat, &c. In Nomine Patris, & Filii, & Spiritus Sancti,* **proſit tibi hæc unctio Olei in honorem et Conſecrationem æternam** *in ſecula ſeculorum, Amen.* Which Cuſtome hath continued ever ſince; all our Kings at their inaugurations (notwithſtanding *Popes Conſtitutions* and *Ceremonials* to the contrary, to which they would not ſubmit) having their HEADS anoynted; as our Hiſtories relate, and all the (t) *Ceremonials* of their *Coronations* thus expreſly injoyn in the Rubricks, UNGATUR CAPITE: with Oyl and Criſme, as well as on his *hands, breaſt, back, ſhoulders*; and then uſing this Prayer. *Deus Dei Filius Jeſu Chriſte Dominus noſter*, qui a Patre Oleo exultationis unctus eſt præ particibus ſuis, *ipſe per præſentem ſacri unguinis infuſionem Spiritus Paracliti*, SUPER CAPUT TUUM *infundat benedictionem, eandemque uſque ad interiora cordis tui penetrare faciat, &c.* Which even our Antimonarchical Arch-Traytor *Thomas Becket* thus acknowledged in his Epiſtle to King *Henry* the 2. An. 1166. (u) **Inunguntur** REGES IN CAPITE, **etiam Pectore et Brachiis, quod ſignificat gloriam, ſanctitatem, et fortitudinem:** And (x) Cardinal *Hoſtienſis* alſo not long after in theſe termes; **Sed et Conſuetudo antiqua circa hoc obſervatur; nam ſupradictorum** REGUM *FRANCIÆ* & *ANGLIÆ* CAPITA INUNGUNTUR: And although (y) *Auguſtinus Barboſa* affirms; *Sicut* Chriſtus, *id eſt* Unctus, *appellatur Dominus noſter* Jeſus; *ita* REGES *inunguntur, conſecrantur, & coronantur,* **ut intelligant ſe** A CHRISTO UNCTO (not from the Pope) **poteſtatem habere, et in eo regnare.** Yet notwithſtanding, (z) Pope *Innocent* the 3d. (who deprived

(r) Mr. Seldens Titles of Honor, part 1. ch. 8. ſect. 1. p. 147. Landulphus Sagax Hiſtor. l. 23.

(ſ) Seldens ib. p. 144, 151, 152, 153, 155, 156.

(t) See the ſecond Part of My Signal Loyalty & Devotion of pious Chriſtians towards their Kings, p. 158, 207, 227, 243, 252, 279, 281, 282.

(u) Mat. Paris Hiſt. Angl. p. 101.

(x) Summæ, l. 1. De ſacra Unctione, ſect. 8. f. 81. b.

(y) De Officio & Poteſtate Epiſcopi, pars 2. Allег. 31. p. 364. in. 8.

(z) See Tom. 2. p. 259, 260, 264, to 293, 539.

prived King *John* of his Crown, to wreſt a ſurrender of it to himſelf; and excommunicated, depoſed the Emperor *Otho* by Treaſon, Rebellion, then ſet up, crowned *Frederick* the 2. in his ſtead:) not only to perpetuate the *antichriſtian* abſolute Soveraignty of himſelf and his ſucceſſors over all *Chriſtian Emperors and Kings*, as the only Heads of the Univerſal Church, but alſo to deprive them of their *Headſhip*, *Soveraignty* over the Churches, Prelates within their own Dominions, & advance every of their Biſhops paramount them; tranſlated their Unctions from the *Head* to the *Arm* or *Shoulders*, and that only with *Oyle*, not *Criſme*, upon this account, (a) *That after ſuch time as our Savior was anointed with the oyl of gladneſs above his fellows*, qui ſecundum Apoſtolum eſt CAPUT ECCLESIÆ, (therefore not the Pope) Principis unctio a CAPITE ad brachium eſt tranſlata, UT PRINCEPS EXTUNC NON UNGATUR IN CAPITE, ſed in brachio, ſive humero, vel armo, in quibus Principatus congrue deſignatur, *juxta illud quod legitur*, (Iſay 9. 6.) *Factus eſt* Principatus ſuper humerum ejus. Whereupon the (b) *Roman Ceremonials* and *Pontificals* ſince compiled, preſcribe, that *Emperors* and *Kings* ſhall be anoynted only on the *Arm*, *Shoulders*, not the *Head*, but Popes and Biſhops only on the *Head*: when as the ancient * *Ordo Romanus*, ad Regem benedicendum, compiled about 800 years after Chriſt, (as *Jodocus Coccius* and others aſſert) and uſed till this Pope *Innocents* time, expreſly preſcribes; *Dominus Metropolitanus ungat de Oleo ſanctificato* CAPUT, *Pectus & Scapulas*, *ambaſque compages brachiorum ipſius*, *ita dicendo*, Ungo te in REGEM, *de Oleo ſanctificato*, *&c.* And their very New *Ceremonials* and *Pontificals* ſtill retain the forementioned Prayer after their anoynting in the *armes*, as they uſed when their *heads* were anoynted: The reaſons of which alterations, worthy obſervation, they thus render to us. (c) Solus Pontifex Chriſmate in CAPITE ungitur, *ex balſamo et oleo confecto*, myſtica ratione; ſed Imperatores et Reges tantum oleo in brachio exorciſato in modum Crucis inunguntur; ut oſtendatur quanta ſit differentia inter auctoritatem Pontificis et Principis poteſtatem. Ungitur primo in Capite Epiſcopus qui conſecratur, ut auctoritas et dignitas ejus declararetur, eum ſcilicet eſſe CAPUT ET PRINCIPEM ECCLESIÆ SUÆ, (not the Emperor, or King) et ut oſtendatur eum eſſe VICARIUM CHRISTI, ejuſq; dignitatem et auctoritatem

(a) Extrav. de Sacra Unctione, ſect. *Unde*, & Selden, p. 155.

(b) Pontificale Romanum Clementis 8. Antwerpiæ 1627. p. 167. Cæremoniale, Sacr. l. 1. ſect. 1. c. 3. & cap. 1.

* Printed in Bibl. Patrum, Coloniæ Agr. 1628. Tom. 8. p. 466, 467.

(c) Reſtaurus Caſtaldus, de Imperatore, qu. 19. nu. 3. Auguſt. Barboſa, de Offic. & Poteſtate Epiſcopi, pars 2. Alleg. 31. nu. 12. & pars 1. Tit. 1. c. 5. nu. 10. p. 31.

auctoritatem gerere qui eſt ſuper omnia, et quem conſtituit Deus CAPUT (therefore not the Pope) SUPER OMNEM ECCLESIAM. Ideo Reges non JAM in CAPITE, (as antiently) ſed in humero unguntur: *Primum*, ut is præcipuus honor ſit illius, quem Deus conſtituit excelſum ſuper omnes Reges Terræ, et quem oleo lætitiæ excellentius, & anguſtius unxit præ conſortibus ſuis. (For which reaſon, if meant of *Chriſt* himſelf, not any *Pope* or *Biſhop*, as the * *Scripture* reſolves, neither *Popes* nor *Biſhops* ſhould be anoynted on the *head*, being an honor proper only to *Chriſt* himſelf:) Deinde, ut oſtendatur, quod primo ante omnes Reges et Principes perſona Capitis Pontificali Officio repræſentetur. Ungitur tamen et REX in humero, ut neque ipſe plane excludatur a repræſentatione ejuſdem Capitis; nam et hujus principatus, (ut dicit *Iſa.* 9. 6.) fuit ſuper humerum ejus; et ut ſciat ſe eſſe miniſtrum ad portandam Crucem (when as the Text is *Gladium*) JESU CHRISTI, ad laudem bonorum, vindictam autem malorum, *Rom.* 13. 4. Yet as if this diverſity in their Unctions were not ſufficient, to advance the *Pontifical* above the *Regal* Authority, the Pope at his enſtallment, by pretext of our famous Chriſtian Emperor *Conſtantines* Donation of his *Imperial Crown* to Pope *Silveſter*, (which many of their *Paraſites* aſſert to be genuine, and amongſt others, (d) *Auguſtinus Barboſa*, (e) *Andræas Victorellus*, with ſundry other *Canoniſts* quoted by them, though *Laurentius Valla*, with farre more *Pontificians* reject it, as a *palpable forgery* upon unanſwerable reaſons, as well as *Proteſtants*, branded as *Palea* even by *Gratian* himſelf, *Diſt.* 96. as I have (f) *elſewhere* evidenced,) (g) in ſignum Imperii utitur CORONA IMPERIALI, et in ſignum Pontificis utitur MITRA. *Sed* Mitra *ſemper utitur & ubique*, Corona *autem non ſemper*, quia Pontificis authoritas eſt prior et dignior, et diffuſior Imperiali poteſtate; Et utrumq; gladium habet; unde et Reges et Imperatores deponit; immo non ſolum Imperium et Regnum conſtituat, ſed et transfert; as being Rex Regum et Dominus Dominorum quantum ad poteſtatem; though Servus ſervorum Dei quantum ad humilitatem, as they diſtinguiſh.

2ly. Popes and the Doctors of their *Canon Lawes* aſſert; That (h) *Omnes, ſive Patriarchæ cujuſcunque apicem, ſive Metropoliorum primatus, aut Epiſcoporum cathedras, vel Eccleſiarum, ſive cujuſcunque Ordinis dignitatem* inſtituit Romana Eccleſia. *Illam vero ſolus ipſe fundavit, & ſupra petram fidei*

* Pſal. 45. 7. Heb. 1. 8. Mat. 26. 7. Iſay 61. 1. Lu. 4. 18. Acts 10. 38. Lu. 14. 3.

(d) De Officio & Poteſtate Epiſcopi, pars 1. Tit. 9. nu. 2. p. 138, 139, 140.

(e) Recognitiones, ad Edit. Alphonſi Cracovii de Vitis Pontif. Romanorum Romæ 1630. p. 20, 21.

(f) Tom. 1. p. 56, to 60. & 102, 103, 104. See Marc de Vulſon, De la Puiſſance du Pape, l. 3. c. 14.

(g) Gratian Diſt. 10, 21, & 22. & 96. *Si Imperator*. Hoſtienſis Summa lib. 1. De Sacra Unctionis, f. 49. b. Auguſt. Barboſa, De Offic. & Pot. Epiſcopi pars 1. Tit. 3. c. 11. p. 140. nu. 88, 89, 90. & c. 2. p. 331. nu. 18. with ſundry others there quoted by him.

(h) Gratian Diſtinctio 22. cap. *Omnes*, & all Canoniſts in their Gloſſes thereon.

fidei mox naſcentis erexit, qui beato Petro *æternæ vitæ clavigero* **terreni ſimul et cælestis Imperii jura commiſit.** That (*i*) **totum jus eligendi et creandi Epiſcopos ad** Romanum **Pontificem pertinet tanquam ad Succeſſorem** Petri, **cui data a Chriſto Domino ſumma poteſtas in totam Eccleſiam**; whence they inferre, (*) *That the Pope hath the ſole power of erecting, dividing, uniting, transferring from place to place, ſuppreſſing, depriving, reſtoring all Archbiſhopricks, Biſhopricks, Monaſteries, Biſhops, Abbots, Priors, Eccleſiaſtical Dignities, Offices, Benefices, Prieſts, Officers, Incumbents, at his pleaſure; and to indulge what priviledges or exemptions he pleaſe to any of them, both from all Regal and Epiſcopal Juriſdiction and Cenſures:* And, *to prohibit Emperors, Kings, or any other Laymen to give Inveſtitures of Biſhopricks or other Eccleſiaſtical dignities,* **under pain of Excommunication both of the givers and receivers of ſuch Inveſtitures**; *That Chriſtian Emperors, Kings, Lay-men have no right to elect, promote any Patriarchs, Archbiſhops, Biſhops, Abbots, Priors, Prebends, or Clerks to any Biſhopricks, Monaſteries, Prebendaries, Benefices, or Church-dignities, whereof they have the Patronage by right of their foundations, or endowments of them with Temporalties, Priviledges, or otherwiſe, but only by the grace and donations of Popes, for certain politick reaſons of State, who may reſume them at their pleaſures, if they ſhall judge they abuſe their power therein.*

(i) Auguſtin. Barboſa, De Officio & Pot. Epiſcopi, pars 1. Tit. 1. c. 3. p. 12. nu. 2, 6, 7. & nu. 29. 31 32. & c. 4. nu. 6.

(*) Gratian. Cauſ. 2. qu. 6, 6, 7. Cauſ. 3. qu. 6, 8. Cauſ. 11. qu. 1. Cauſ. 16. qu. 1. Gratian Diſtinct. 22. Innocentius 3. c. 1, 2. De Tranſlatione Epiſcopi & ad can. *Cum Olim.* Dr. Marta de Juriſdictione, pars 3. c. 21. n. 15, 16, 17. pars 2. c. 34. n. 28. Marc. de Vulſon, De la Puiſſance du Pape, l. 1. c. 10. to the end of c. 18. & the Popes Canoniſts, & others there cited by him. And See Tom. 1. p. 379, to 430. 486, 498.

3ly. From thence they inferre, and magiſterially reſolve, that, (*k*) **Semper et in omni tempore Proviſio beneficiorum et Eccleſiarum, etiamſi Cathedrales, Metropoliticæ, vel Patriarchæ ſint, ad Summum Pontificem de jure pertinuit, et uſque in hunc diem pertinet,** (*l*) **Cui nullum tempus præfixum eſt ad conferenda beneficia, quia non habet ſuperiorem qui ejus negligentiam poſſet ſupplere.** And hence they aſſert his Papal Right and Juriſdiction to diſpoſe of all Epiſcopal, Eccleſiaſtical Dignities, Monaſteries, Benefices whatſoever, both before & after their vacancies to whomſoever he pleaſeth by his *Proviſions*, notwithſtanding his own grants to the contrary; and that in all ſorts of caſes imaginary: of which I ſhall render you this account in ſuch particulars wherein they moſt frequently granted their *Proviſions* to *Archbiſhopricks*, *Biſhopricks*, *Monaſteries*, *Prebendaries*, *Benefices* in *England* and *Ireland*, during the reigns of our 3. premiſed Kings, as well as in other forreign kingdomes, (grounded

(k) Aug. Barboſa, Ibidem. & the Canoniſts on Gratian diſtinct. 22.

(l) Aug. Barboſa Ibid. pars 3. Alleg. 126. p. 384. nu. 81, 82. & p. 589.

upon their own Apocryphal Papal Epiſtles, Canons, and Decrees,) as they and their Canoniſts thus generally, and more particulary reſolve; (*m*) **Summus Pontifex in beneficialibus liberam et pleniſſimam habet poteſtatem. Beneficia omnia reſpectu S. Pontificis ſunt manualia, et in eis uti poteſt plenariam poteſtatem, ac Clericum ſuo beneficio ſine cauſa a Clerico data, ſed ex cauſa majoris boni Eccleſiæ univerſalis, privare. Et licet poteſtatem in Epiſcopos tranſtulerit, ut quilibet in ſua Diœceſi beneficia ibidem conſiſtentia conferre poſſet, penes ipſum major remanſit, adeo quod impoſſibile ſit Papæ ſuæ derogare ſententiæ, ſeu ita privilegium alicui concedere, ut non poſſit abſolute per ipſum revocari, cum in hoc non cadat quæſtio poteſtatis, ſed voluntatis tantum; et ſic poteſtati Epiſcoporum a ſe conceſſæ derogare, ſibique collationes reſervare poteſt; et per conſequens de omnibus beneficiis, et in omnibus menſibus providere, et libere diſponere valet: in quo ideo non detrahit alieno juri, ſed proprio utitur, nec inde modo aliquo ordo Eccleſiaſticus turbatur. Quod Summus Pontifex beneficia diſſita per totum orbem in quibuſvis diœceſibus ac provinciis quadruplici jure providere poteſt. *Primò* concurſus, quatenus tanquam Epiſcopus univerſalis concurrit cum cæteris inferioribus collatoribus. *Secundo* jure devoluto, quia videlicet ex cauſa aliqua jus conferendi de inferioribus collocatoribus ad ipſum facta ſit devolutio. *Tertio* jure præventionis, cum videlicet præveniendo vacationem beneficii mandat ea ſuccedente certæ perſonæ conferri, etiam ipſe ex tunc confert. *Quarto* jure reſervationis. *Quinto* denique ſimplici via juris. Unde etiam in menſibus quos Papa Ordinario conceſſit de novo, non abdicavit totaliter a ſe poteſtatem conferendi, ita ut ſi ipſe præveniat; valeat ejus collatio.** More particularly they aſſert, (*n*) **In primis reſervantur de jure diſpoſitioni *Romanæ* Pontificis, omnia beneficia vacantia apud ſedem Apoſtolicam, ſeu in Curia: in tantum, quod ſi Ordinarius provideat de beneficio quod vacavit in Curia, provi-ſus non habebit titulum coloratum. Et illud beneficium dicitur vacare apud ſedem Apoſtolicam, ut ſit reſervatum, quod vacavit in locis vicinis ipſius Sedis Apoſtolicæ, et *Romanæ* Curiæ, quod prope eam intra duas dietas legales. Beneficia etiam apud ſedem ſeu in Curia vocare dicuntur non ſolum per obitum in illa, quia beneficium illius qui eſt mortuus in Curia, dicitur reſervatum,**

(m) Auguſtinus Barboſa De Officio & Poteſtate Epiſcopi, Pars 3. Allegatio 58. p. 150. ſect. 3. to 13. Dr. Matta de Juriſdictione, pars 3. c. 21. n. 15, 16, 17. Melchior Lottorius de Re Beneficiaria, lib. 2. qu. 15, 16.

(u) Auguſt. Barboſa, De Offic. & Poteſtate Epiſcopi, pars 3. All. 58. ſect. 19, to 35. with others here quoted.

ſed

ſed etiam per reſignationem factam in manibus Papæ, quam conſtat vere et legaliter dici reſignationem in Curia, etiamſi mediante procuratore alibi conſtituto. Yea, reſignantes beneficia in Curia *Romana* permutationis cauſa, ſi moriantur extra Curiam ambo, vel unus illorum ante permutationem completam, vacare ea beneficia in Curia tenent, quia non habetur ratio temporis in quo mortui ſunt Clerici, ſed ejus in quo reſignarunt, quia tunc beneficia vacaſſe intelliguntur. (o) Sic etiam in Curia beneficia vacare dicuntur, quando ibi privatio, aut alii vacationis modi inducuntur. Ubi privatio inducitur a jure, ſeu ex decreto propter actum poſitivum; per ſententiam privationis latam in Curia contra ſe defendentem, verum contumacem, qui de jure habetur pro præſenti. *Secundo*, Reſervatione beneficia diſpoſitioni *Romani* Pontif. pertinent per ſolam appoſitionem ſuæ manus, quamvis inutiliter factam; ita quod ſi Papa providet alicui, vel provideri mandat de aliquo beneficio, ſi proviſio fuerit nulla, utpote facta inhabili vel incapaci, aut propter ſubreptionem, vel alium defectum, beneficium remanet Papæ affectum, et in illo Ordinarius non poteſt ſe intromittere. *Tertio*, Reſervantur diſpoſitioni Summi Pontificis beneficia vacantia ſede Epiſcopali vacante, (either by death, or tranſlations to other Sees) cujuſcunque ſpeciei et qualitatis ſint. To which *Auguſtinus Barboſa* and others quoted by him, adde at leaſt 18 *Heads* of *Reſervations* more, by which Popes *have right to preferr perſons by their Proviſions to all ſorts of Eccleſiaſtical dignities, benefices, and preferments, by their own Conſtitutions and Canons*; ſo as none could eſcape their clutches, which thoſe who pleaſe may there peruſe at leiſure.

(o) Auguſt. Barboſa Ibidem, ſect. 24. & 32.

That which encouraged Popes to theſe Extravagant Uſurpations in their *Proviſions* to, and *Reſervations* of all *Eccleſiaſtical Dignities* and *benefices*, was the good ſucceſſe and victory they had gained in the Controverſies between them the Emperors of *Germany*, and our King *Henry* the 1. (after above 30. years hot and bloody conteſts) in the Caſe of *Inveſtitures* of *Biſhops* and *Abbots per Annulum & Baculum*; whereof I ſhall render you this brief account. * The *Roman Emperors* both claimed and exerciſed this *Soveraign Prerogative*, that no *Pope*, *Patriarch*, *Archbiſhop*, or *Biſhop* ſhould be elected, confirmed, or conſecrated within their Empire, but by their precedent ſpecial licenſe, ſubſequent Confirmation and Inveſtiture; for the better preſervation whereof, after the

* See Fox Acts & Monuments Edit. ult. Vol. 1. p. 386, 387, 388.

tranſlation of their Courts & reſidence from *Rome* to *Conſtantinople*, the Biſhops of *Rome* by their order, uſed to ſend *Certificate* of their *elections* to the *Emperor* to his royal City, and to give a certain ſum of money to him before they *were conſecrated*. This Pope *Vitalian* did An. 665. (1) **ſecundum antiquam conſuetudinem**: which ſumme of money *Conſtantinus Pogonatus* in the time of Pope *Agatho* about the year 680. *releaſed*, but ſtill reſerved the former priviledge of *confirming* Popes before they were conſecrated (as well as of queſtioning, impriſoning, baniſhing, yea depoſing them, which ſome Emperors did) as *Gratian* himſelf, *Bartholomæus Brixienſis*, *John Thierry*, in their *Gloſſes* on him, *Blondus*, and others atteſt. Upon the tranſlation of the Empire from the *Germans* to the *French* by *Charles* the *Great* himſelf (by his own ſword and the *Romans concurrent aſſent*, as (2) *Marſilius Patavinus*, and (3) *others* prove at large, not by the Popes Authority,) (4) *Pope Adrian* the 1. An. 773. (before *Charles* was crowned *Emperor*, in a *Univerſal Synod* at *Rome* of 153. religious *Biſhops* and *Abbots*, **Dedit ei jus eligendi Pontificem, et ordinandi Apoſtolicam ſedem, dignitatem quoque Principatus; inſuper Archiepiſcopos et Epiſcopos per ſingulas provincias AB EO INVESTITURAM ACCIPERE definivit; et ut niſi A REGE laudetur et INVESTIATUR EPISCOPUS, a nemine conſecretur. Omneſque huic Decreto rebelles anathematizavit, et niſi reſipiſcerent bona eorum publicari.** Which Priviledge (5) Pope *Leo* the 3d. confirmed to this Emperor *Charles*, at his Coronation, and Pope *Leo* the 8. to the Emperor *Otho* the 1. in another *Council* Anno 963. as (6) *Waltramus* Biſhop of *Naumburg* in his Excellent Treatiſe againſt Pope *Hildebrand*, **De Epiſcoporum Inveſtituris per Imp.** aſſerts; (wherein he affirms, that this *priviledge* of *Inveſtitures* was uſed by the Kings of *England*, *Scotland*, *Spain*, *Hungary*, and of other *Realms*,) with *Gratian* himſelf and ſundry others (wherin theſe their *confirmations* are recorded at large) acknowledge. This Priviledge was enjoyed by, and continued ſacred, inviolable in Emperors and Kings for above 200 years, as *Waltramus*, (7) *Antoninus*, (8) *Johannes Aventinus*, and others prove at large; till that Antichriſtian firebrand Pope *Gregory* the 7. in a *Council* at *Rome* in the year 1076. (to wreſt this Right of Inveſtitures from the

(1) Gratian Diſtinct. 63. cap. Agatho. Blondus, l. 4. Dec. 1. Cent. Magd. 7. c. 7. col. 235. c. 10. col. 285. Anaſtatius in vita Agath.

(2) Defenſor. Pacis, pars 2. c. 17. 24, 25.

(3) Otto Friſingenſis, l. 5. c. 31, 32. Dr. Crakenthorp, Defence of Conſtantine, c. 14. p. 322. to 344.

(4) Sigeberti Chron. & Mat. Weſtm. An. 773. Polychron. lib. 5. c. 26. Antonini Chron. Tit. 14. c. 1. ſect. 6. Aventinus Annal. Boiorum, l. 4. Platina, Barns, Balæus, others in Adriano 1. Cent. Magd. 8. c. 7. 9. col. 511, 572.

(5) Gratian Diſtinct. 63. cap. *Vota*.

(6) Printed in Flacius Illyricus his Catal. Teſtium Veritatis Appendix. f. 54. and in Goldaſtus.

(7) Chron. Tit. 1. c. 3. ſect. 21. f. 123. Tit. 17. c. 1. f. 177.

(8) Annal. Boiorum l. b. 5.

the *Clauſe*, *Patent*, or other *Rolls*: which having publiſhed in this and the preceding *Tomes*, I ſhall not here repeat. Yet obſerving in the *Great Rolls* in the *Pipe-Office* in the 29, 30, 32, 33, & 34 years of King *Henry* the *Second*, (ſoon after the murder of that *obſtinate*, *perfidious Antimonarchical* * *Arch-Rebel*, as well as *Archbiſhop of Canterbury*, *Thomas Becket*, canonized for a moſt *glorious Saint* and *Martyr* for his oppoſitions againſt the antient *Soveraign Eccleſiaſtical Rights* and *Prerogatives* of this Victorious King over all Eccleſiaſtical perſons, Cauſes, within this *Realm*, and other his *Dominions*; which encouraged his ſucceſſors and other *Engliſh Popiſh Prelates* to uſurp a new *Monopoly* of holding *Plea* and determining the right of *Temporal Cauſes*, *Lay-fees*, *Advowſons*, in their Eccleſiaſtical Courts, as well as of Spiritual matters) and diſcovering ſeveral Fines impoſed by his Judges on ſundry perſons eſtreated into the *Exchequer*, and proceſſe thereupon iſſued to levy them, for proſecuting, or holding ſuch Pleas in their Courts, and Conſiſtories, againſt his Crown, Dignity, and Prohibitions; being the ancienteſt *Records* of this kinde now extant, not formerly taken notice of by any *Lawbooks* or *Hiſtorians*, I thought fit here to preſent Your Honours with them as *Rarities*, rather then to ſmother or pretermit them, though not ſo proper for this *Tome*, which they precede in time.

* See Tom. 1. p. 602, to 632.

*In *Rotulo Magno* Anno 29 Regis *Henrici* 2. Rot. 2. dorſo. under the Title, De Placitis Curiæ. *Richardus de Baſinges* redd. Comp. de 1. marc. quia placitavit in Curia Chriſtianitatis de laico feodo. In theſauro liberavit, et quietus eſt.

* In Officio Pipæ in Scaccario.

In *Rotulo Magno* Anno 30 *H.* 2. *Norhantonſcire*; under the Title, *De Placitis* Ranulphi de Glanvil, *&c. et ſociorum ejus.* Adam de Hanvilla *redd. Comp. dimid. marc.* pro placito de laico feodo in Capitulo.

Ibidem. *Norff.* & *Suffolkſcire.* Simon de Medelwolde *debet* x. *marc.* quia placitavit in Curia Chriſtianitatis de laico feodo. *Sed mortuus eſt.*

Ibidem. *Ewyereſcire*; De Placitis Curiæ: Epiſcopus *Dunolmenſis* debet D. marc. (a great, yet reaſonable fine in that age, becauſe a great rich Biſhop, for this grand offence againſt his Oath and loyalty to his Soveraign) quia tenuit placitum de Advocatione cuiuſdam Eccleſiæ in Curia Chriſtianitatis: For the levying of which fine of 500 marks I find proceſſe iſſued and reiterated againſt him in the Great Rolls of Ann. 32 *H.* 2. rot. 7. & An. 33 *H.* 2. rot. 7.

Ibidem. *Wyreceſtreſcire*; under the Title of Nova placita per *Gilbertum Pipard*, &c. *et ſocios ſuos.* *Prior de* Wireceſtre *redd. Comp. de* x. *mar.* quia tenuit placitum de laico feodo in Curia Chriſtianitatis.

In *Rotulo Magno* Anno 32 *H.* 2. rot. 3. dorſo. Titulo De placitis Curiæ:

Curiæ. Willielmus Scure *redd. Comp. de* **v s.** iv *d.* **quia placitavit in Capitulo de laico feodo.**

In *Rot. Magno* **Anno** 34 *H.* 2. (the laſt Roll in his reign) *Bereresciré*; **Willielmus Scure** *debet* **xvi** *d.* **quia placitavit in Capitulo de laico feodo.**

Ibidem Rot. 7. dorſo. **Johannis Bud** *redd. Comp. de* x. *marc.* **quia trarit placitum ad Chriſtianitatem de laico feodo.** *In theſauro liberavit, et quietus eſt.*

By theſe and other like preſidents in this eminent Kings reign, we may diſcern his own, and his Judges, Officers, Courts of Juſtice care, vigilancy to reſtrain and prevent not only by *Writs of* **Prohibition** (extant in (*k*) *Glanvil*) but likewiſe by *Fines* and *pecuniary mulcts*, to puniſh the then ſpringing, encreaſing *Innovations*, *encroachments* of his ambitious, avaritious, uſurping *Biſhops*, their *Courts*, and *Officers*, upon his *Royal Crown* and *Temporal Courts*, in proſecuting and holding Pleas of *Lay-fees*, *Advowſons*, and other ſecular matters, whereof they had no legal conuſance, againſt their Oathes and Allegiance to Him; whereof there are multitudes of like preſidents in all our next ſucceeding Kings reigns in the **Pipe Rolls**, which I pretermit; becauſe the Prohibitions, Attachments, Suits for proſecuting ſuch Pleas collected in this *Tome*, will abundantly evidence the verity thereof.

(k) De Conſuetudinibus & Legibus Angliæ, l. 12. cap. 21, 22.

Beſides, I took notice of this memorable Clauſe concerning *Inteſtates goods*, in *Rotulo Magno* Anno 18 Regis *Henrici* 2. Rot. 9. dorſo, under the Title of *Abbatia de Bello* (in *Suſſex*) **Petrus de Bello redd. Comp.** (to the King) *de* xxxiiij. *lib. &* xiiii *ſol. de Catallis* Pelokini *Ballivi de Abbatia*, **qui obiit Inteſtatus.** *In theſauro liberavit, & quietus eſt.* Which verifies this aſſertion of (*l*) *Ranulphus de Glanvilla*, (Chief Juſtice under this King) in his *Tractatus de Legibus & Conſuetudinibus* ANGLIÆ, compiled by him in that age, for Law; **Cum quis vero Inteſtatus deceſſerit, omnia Catalla ſua ſui Domini eſſe intelliguntur: ſi vero plures habuerit Dominos, quilibet eorum Catalla ſua recuperabit quæ in feodo ſuo reperiet, &c.** towards the ſatisfaction of all Heriots, Debts and Duties owing to them or others by the Inteſtate; which being fully diſcharged, the King and Lords (not the Biſhop, Ordinary, much leſs his Vicar or Official) were to divide the reſidue of the Inteſtates goods amongſt his Wife and Children if he had any, by the (*m*) *Lawes of King Knute*, *Edward the Confeſſor*,

(l) Lib. 7. cap. 36.

(m) See here, p. 18, 19, 141, 142, 332.

feſſor, *William the Conqueror*, and *King Henry the* 1. his Charter, *& ſecundum conſuetudinem terræ meæ*; as (*n*) *Glanvill*, the Writs *de rationabilibus diviſis* grounded thereon, and the Statute of *Magna Charta*, *c.* 18. intimate, and (*o*) *Bracton*, with (*p*) *Fleta* expreſly affirm, (yet others deny) even in the caſes of Lay-men: But in the caſes of *Biſhops*, *Abbots*, and *Clergymen*, (prohibited to marry by *Councils*, *Canons*, and *Popes Decretals* in that age) if they died *inteſtate*, all their goods, chattels, monyes, *of right accrued to the King by his prerogative*, who thereupon uſually *ſeiſed* and *converted* them to his *proper uſe*; whereof we have a memorable preſident in the caſe of (*q*) *Geoffry Rydell* Biſhop of *Ely*; who dying *inteſtate* on the 12. of the *Kalends* of *September* Anno 1289. (between the death of King *Henry* the 2. and 4. dayes before the Coronation of King *Richard* the 1. his Sonne;) thereupon, **quia Epiſcopatus inteſtatus deceſſit, ejus bona confiſcata ſunt univerſa,** to King *Richard* the firſt, as (*r*) *Radulphus de Diceto* ſtories; or as (*ſ*) *Mat. Paris* relates, *Eodem tempore* Gaufridus Elyenſis *Epiſcopus* **Inteſtatus deceſſit, unde de reliquiis ſuis confiſcata ſunt tria millia marcarum argenti, cum ducentis marcis auri.** *Superlectilis ſui numerus tàm in auro, quàm in argento, tàm in equis quàm in veſtibus precioſis, tàm in bladis quàm in inſtauramentis in immenſum excrevit.* All which King *Richard* the 1. converted to his proper uſe, by his Prerogative Royal in ſuch caſes, as *Radulfus de Diceto*, *Matthew Paris*, (*t*) *Godwin*, and others obſerve; notwithſtanding the Uſurper King * *Stephens* Charter to the *Biſhops*, and *Clergy*, *whom they perfidiouſly Crowned* againſt their †*Oaths* to Queen *Maude*, (purpoſely to enlarge their Eccleſiaſtical Juriſdiction over *inteſtate Eccleſiaſtical Perſons Chattels*, and their own goods, chattels, with other particulars) by diſinheriting their lawfull Soveraign, for which moſt of them ſoundly ſmarted, their Caſtles, Treaſures being ſeiſed, and their perſons impriſoned by him, notwithſtanding their *Rochets*, *Canons*, and his own new *Charter* to them.

(n) Lib. 12. cap. 20.

(o) Lib. 3. cap. 26.

(p) Lib. 2. c. 57.

(q) Mat. Weſt. Flores Hiſt. An. 1189. p. 62. Mat. Paris, p. 147.

(r) Hiſtoriæ Anglicanæ Scriptores, col. 647.

(ſ) Hiſtoriæ Angliæ, p. 147.

(t) Catalogue of Biſhops, p. 262.

* Here, p. 28. & Tom. 1. p. 491, 492.

† See Tom. 1. p. 489, to 494. 501, to 508, &c.

Upon this occaſion, and our *Biſhops*, *Canoniſts* former and late *claims* of an *ancient unqueſtionable legal right*, *Juriſdiction* veſted in them, to *diſtribute all Laymens goods*, *chattels*, *dying inteſtate*, *to pious or other uſes for the ſalvation of their ſouls*; I thought fit to take ſpecial (*u*) *Notice* in this *Tome*, what *new clauſes* our ſeditious trayterous Archbiſhop *Stephen Langeton*

(u) Tom. 2. p. 356. Here, p. 18, 19, 20.

and his *Confederates* cunningly thruſt into King *Johns Great Charter of Liberties*, not extant in King *Henry* the *firſts Charter*, which they at firſt pretended he ſhould only ratifie. Which enlarged *Charter*, as it was within 2. years after quite nulled, by the *Pope* at King *Johns* requeſt, and ſo gave the *Biſhops* no *legal power* at all over *inteſtate Freemens goods*; ſo at the reviving thereof by King *Henry* the 3d. in the 9th year of his reign, the Clauſe concerning the diſtribution of the Inteſtates Goods, by his kinred, parents, or friends, PER VISUM ECCLESIÆ; (from whence* *Bracton* and *Fleta* inferred, *ad* ECCLESIAM *& ad amicos pertinebit executio bonorum*) thruſt in by the Biſhops, who interpreted the *Church* to be only the *Biſhop*, was quite expunged out of his *Great Charter*, and all others, ſince confirmed by near 50. *Parliaments*. Whereupon the Biſhops, to ſupport their new encroached Juriſdiction over *Inteſtates goods and chattels* by colour of this expunged Clauſe, which King *Henry* and his *Counſil* ſtrenuouſly oppoſed, and *would never aſſent to*, after many *reiterated ſupplications*, ſet on foot a meer *imaginary Ordinance*, which they reported to be made by the *Prelates*, with *the conſent of the King and his Barons*, and inſerted into * *Otthobons Conſtitutions* Anno 52 *H.* 3. and after that into *John Stratfords*, Anno 1342. but *when*, *where*, or by what *Prelates*, *King* and *Barons* that *Ordinance* was made, they neither then expreſſed, nor poſitively affirmed, nor can yet reſolve. Yet by colour of this *Ordinance*, (*y*) Archbiſhop *Boniface* with his Suffragans made ſundry *Antimonarchical Conſtitutions* in the *Council of Lambheth* Anno 1257. (41 *H.* 3. moſt contemptuouſly called and held by them *againſt the Kings expreſſe Writs of Prohibition iſſued to them*,) and among others, denounced a ſolemn Excommunication againſt **all thoſe Lords (not excepting the King & his Officers) who ſhould hinder Ordinaries diſtributions of Laymens goods to pious uſes, as violaters of the Churches Liberties**; Which *Conſtitutions* were no ſooner known, but they were *publikely appealed*, *complained againſt by the King in his own and the Kingdomes name and behalf*, *to two ſeveral Popes*, *as moſt illegally made*, **to the prejudice and grievance of his Crown, Royal Dignity, and againſt the Liberties and Cuſtomes of his Realm of** *England*: for which and other contempts, this *Archbiſhop* was enforced to flye the

* Lib. 2. c. 26. & lib. 2. c. 57.

(x) Tom. 2. p. 356. Here, p. 18, 19, 20.

* See here, p. 18, 19, 20.

(y) See Tom. 2. p. 890, 891, 899, 909, 910. Here, p. 20, 21. Par. 45 H. 3. pars 1. m. 8. Par. 46 H. 3. m. 17, 19. Johan de Aton Conſtit. Legitimæ, f. 138. Gul. Lindewode Provinciale, l. 3. f. 199. & l. 5. f. 224, to 227. Spelmanni Concil. Tom. 2. p. 313, 585, 586.

the Emperor *Henry* the 4. and his ſucceſſors, and all other Chriſtian *Kings* and *Laymen*) decreed; (10) **Si quis deinceps Epiſcopatum vel Abbatiam de manu alicujus laicæ perſonæ ſuſceperit, nullatenus inter Epiſcopos vel Abbates habeatur, nec ulla ei ut Epiſcopo vel Abbati audientia concedatur. Inſuper, ei gratiam B. *Petri* et Eccleſiæ introitum interdicimus, ſuſpendimus, quouſque locum quam ſub crimine tam inobedientiæ quam ambitionis, ex quo idololatria cæpit, reſipiſcendo non deſerit. Similiter et de inferioribus dignitatibus conſtituimus.** *Item*, **Si quis Imperatorum, Regum, Ducum, Marchionum, Comitum, vel quælibet ſummorum poteſtatum aut perſonarum Inveſtituram Epiſcopatuum, vel alicujus Eccleſiaſticæ dignitatis dare præſumpſerit, ejuſdem ſententiæ vinculo ſe eſſe obſtrictum ſciat.** And becauſe the Emperor *Henry* the 4. would not hereupon quit this right of *Inveſtitures*, he ſolemnly excommunicated him: upon which *Henry* in a (11) *Council at Worms degraded him from his Papacy, as an Intruder, Thief, Wolf, Tyrant, and no Paſtor or Pope*; He by way of revenge (12) *abſolved all his Subjects from their allegiance, and raiſed his Prelates, Nobles, ſet up* Rodulphus, *and at laſt his own Son* Henry *againſt him, who by force of arms after many battels, crowned his Son Emperor in his ſtead, forcibly deprived him of his Empire, impriſoned him*, (being likewiſe *excommunicated* for the ſame cauſe by Pope *Clement* 3. *Victor* 3. and *Urban* 2. who confirmed *Hildebrands*, and made new Canons and Conſtitutions againſt *Inveſtitures* in ſeveral *Councils*) *and after his death he had his Corps digged out of his grave, and kept uninterred for* 5. *years ſpace upon this quarrel.* Which yet his Son *Henry* revived: who comming to *Rome* to be crowned there by (13) Pope *Paſchal* the 2. Anno 1111. *intreated him to confirm all the Biſhops he had inveſted, and this right of Inveſtitures, which the Emperors had enjoyed above* 300 *years*: which he refuſing to do, againſt Pope *Hildebrands* and his 3. *ſucceſſors decrees againſt Inveſtitures*, he *commanded his Soldiers forthwith to apprehend and impriſon the Pope & his Cardinals in the Mount of St.* Sylveſter, *untill they ſhould all reſtore and confirm to him by their Deeds*, **inveſtiendi Jus *Carolo Magno* datum**; and crown him Emperor; which at laſt they yielded to do; this Pope

(10) Chron. Antonini, Tit. 16. c. 1. Tit. 17. c. 1. Gratian cauſ. 16. qu. 7. & Diſtinct. 33 Centur. Magd. 12. c. 7. col. 374, 485. Fox Acts and Mon. Tol. 1. Benno Cardinalis in vita Hildebrandi.

Nota.

(11) Abbas Uſpergenſis, Chron. Anno 1076. p. 221. Marianus Scotus, l. 3. An. 1077. p. 436. Martini Polonı Supput. p. 184. Aventinus Annal. Boior. l. 5. p. 453. Paulus Beurirecdenſis in vita Greg. 7. p. 83 Centur. Magd. cap. 8. col. 424, 425. Fox Acts & Monuments Vol. 1. p. 336, &c.

(12) See Cuſpinian, Anonymus, Grimſton, Abbas Uſpergenſis, & others in the lives of H. 4. 5. & Rodulfus; Aventinus Annal. Boiorum, l. 5. & Platina, Onuphrius, Balæus, Barns, Centur. Magd. Volaterranus, Faſciculus Temporum, Hermannus Schedel, Baronius, & others in the lives of theſe Popes; Crantzius Saxoniæ, l. 5. in Sylveſter 2.

c. 24, &c. (13) Platina, Stella, Balæus, Barns, Laertius Cherubinus, Ciaconius, & others Abbas Uſpergenſis. Annis 1111, 1112.

by

by his Charter by himſelf, and 25 Cardinals by another, (recorded in the (14) *marginal Authors*,) reſtoring and ratifying this Priviledge to him and his ſucceſſors, which they likewiſe confirmed by a moſt *ſolemn Oath:* But the Emperor was no ſooner crowned, and departed from *Rome*, but this Pope with a few Cardinals and Biſhops in a *Council* there ſummoned by him, moſt *perfidiouſly nulled and revoked theſe their Charters, and this Priviledge of Inveſtitures*, ſtiling it *Pravilegium, non Privilegium*, excommunicating this Emperor therein, and raiſing ſuch Rebellions againſt him, that at laſt, (15) *after* 33. *years bloody wars and conteſts between his father and him, and ſeveral Popes, to purchaſe his peace and abſolution, he was enforced to quit and releaſe this ancient Right by a Deed under his ſeal to Pope* Calixtus *the* 2. *Anno* 1127. **maximo et adhuc nunquam deleto *Germaniæ* et Imperii totius decore. Atque ut notiſſima eſſet victoria et Cæſaris probitas, Papæ Legati eas literas in loco campeſtri ſpacioſiſſimo prope *Rhenum* clara voce proclamant et denunciant. Ea diplomata ubi ad *Romam* delata ſunt incredibilem excitaverunt lætitiam et tripudium. Ut autem triumphus ille de manubiis Cæſari ereptis communior et illuſtrior eſſet, Sanctiſſimus Papa Cæſar *Calixtus* 2. eas literas de extorta reſignatione et renunciatione Juris Cæſarii de Inveſtitura Epiſcoporum, in Eccleſia *Lateranenſi* publice ſuſpendi juſſit, omnibus ut riſum et inſultationem, more ſcilicet vere Apoſtolico, moveret:** Juſt 12. years after Pope *Paſchal* had extorted it from our King *Henry* the 2. Anno 1108. by the treachery, obſtinacy, and rebellion of *Anſelme* Archbiſhop of *Canterbury*, after many years conteſts, as I have (16) *elſewhere* evidenced; Yet notwithſtanding this forced renunciation of this Priviledge by the Emperor *Henry* the 5th his Deed, *Lotharius* the *Emperor* demanded the reſtitution of this right of *Inveſtitures* from Pope *Innocent* the 2. (whom he reſtored to the Papacy, when expelled from *Rome* by *Anacletus* his Competitor;) (17) *Inveſtitures then ſpringing up in all places like* Hydraes *heads*, notwithſtanding all Popes or Councils ſucceſſive decrees, fulminations, and above 50 years conteſts againſt them; till St. *Bernard* by his mediation with *Lotharius* and the *French King* compoſed this ancient difference by an amicable accord between the Pope, Emperor and them, ingaging the *Emperor*, *French King*, and other *Chriſtian*

(14) Simeon Dunelmenſis de Rebus Geſtis Angl. col. 232, to 237. Radulphus de Diceto, Abbr. Chron. col. 502 Hen. de Knyghton de Event. Angliæ, l. 2. c. 7 col. 2372. Otto Friſingenſis Chron. l. 7. c. 14 Abbas Uſperg. Chr. An. 1111, 1112. Aventinus Annal. Boiorum, l. 6. Centur. Magd. 12. c. 9.

(15) Aventinus Annal. Boiorum, l. 6. p. 480, to 491. Appendix Catalogo Teſtium Veritatis, p. 53. Abbas Uſpergenſ. Chron. Ann. 116, 117, 1122 p. 267. Otto Friſingenſis l. 2 c. 16. Albertus Crantzius Saxoniæ, l. 5. c. 41 42. Simeon Dunelmenſis Hiſt. col. 244, 245. Henr. de Knyghton de Event. Angliæ, l. 2. c. 8. col. 2377. Centur. Magd. 12. c. 9. col. 1001, 1008. Fox Acts & Mon. Vol. 1. p. 256.

(16) See Tome 1. p. 352, 353, 400, to 429, 486.

(17) Willelm. Malmesburienſis de Geſtis Regum, l. 2 c. 3 p. 84. Bernardi Epiſt. 164. & Serm. in Cœna Dòmini de Baptiſmo, f. 32. See Tome 1. p 486.

ſtian Princes in a *Warre* againſt the *Saracens*, the better to divert them from reſuming this their ancient *Priviledge*, that ſo Popes alone (under a pretext of preventing *Simony* in Lay-men) *might ingroſſe the ſale of all Biſhopricks, Church-Dignities, Benefices into their own hands alone*, and make all Biſhops, Clerks become their devoted ſworn ſervants, on whom all their preferments depended.

What ſtrenuous oppoſitions King *John*, and *Hubert* Archbiſhop of *Canterbury* made againſt Pope *Innocent* the 3. his *Proviſions*, when firſt ſet on foot within his Dominions, you may read in my (p) *ſecond Tome* in the caſe of *Gilardus*, on whom he conferred the Biſhoprick of St. *Davids* by his Proviſion, who yet was enforced to quit it. To which I ſhall here annex his memorable *Patents* prohibiting both the ayding and conſecrating of *Sylveſter* (this Popes Archdeacon) to the Biſhoprick of **Sajis* (*Sagienſis*) in *Normandy*, under the Archbiſhoprick of *Rhoan* about the ſame time, there caſually omitted.

(p) Page 234 to 238.

* Auguſt Barboſa, De Offic. & Pot. Epiſcopi, p. 51.

REX, &c. *Omnibus Clericis per Epiſcopatum* Sagienſem *conſtitutis*, &c. *Datum eſt nobis intelligi*, quod vos in pecunia et aliis ſuccuritis Silveſtro *Archid.* Sagienſi, qui contra Nos et dignitatem noſtram in Epiſcopatu Sagienſi nititur promoveri. *Unde vobis mandamus*, quod de auxilio ei conferendo vel in pecunia vel alio modo deſiſtatis, quod niſi feceritis omittere non poterimus, quin de vobis faciemus ſicut de illis qui contra Nos et dignitatem noſtram operantur. *Teſte meipſo apud* Argent. 12 *die* Aug.

Par. 4 Johan. Regis, m. 18.

REX, &c. W. *Dei gratia* Rothomag. *Archiepiſcopo*, &c. *Audivimus*, quod Dominus Papa in Silveſtrum *Archid.* ſuam contulit voluntatem, quod Juri ſcripto et noſtræ pariter contrarium exiſtit dignitati, ſi exinde non fuerimus requiſiti. Et præterea cum ſit notorium, illum ſuper crimine adulterii publica laborare infamia, quod coram vobis, vel ubi fuerit neceſſe ſufficienter oſtendetur; unde appellavimus et adhuc appellamus, rogantes, ne contra jus et dignitatem noſtram, necnon et in dedecus Eccleſiæ Sagienſis, immo totius Eccleſiæ Dei, munus ei conſecrationis impendatis. *Teſte meipſo apud* Cenom. 13 *die* Auguſti.

Par. ibid. m. 16.

Sub eadem forma ſcribitur Ph. Senon. Archiepiſco de eodem Silveſtro.

To which I ſhall ſubjoyn this Patent, evidencing his Eccleſiaſtical Soveraignty and Juſtice, in the equal diſtribution of the Rents of the Church at *Poictiers*, which ſome Non-reſident Canons had engroſſed, to thoſe who did their duties in it,

it, by his own Royal Authority, without the Pope, who alone claimed this as his Papal Prerogative.

Par. 4 Johan. Regis, m. 9.

REX, &c. *Seneſcall.* Pict. *et Seneſc.* Andeg. *Datum eſt nobis intelligi,* quod quidam Canonici Eccleſiæ beati Hilarii Pict. tenent ad firmam redditus ejuſdem Eccleſiæ; ita quod alii Canonici qui aſſidue ibi Deo deſerviunt inde parum aut nichil percipiant. Et quia hoc nolumus ſuſtinere, Vobis mandamus, quod ſine dilatione omnia bona prædictæ Eccleſiæ quæ ſunt per ballivam veſtram in commune redigi faciatis; Ita quod bona illa per legales portiones ſingulis Canonicis per eoſdem Canonicos, ſicut fieri debet dividantur.

What other oppoſitions were made againſt Papal *Proviſions* by our King *John*, *Henry* the 3d and *Edward* the 1. the *Records* in the *Second*, and *Index* to this *Third Tome* will inform you.

(q) Here, p. 684, &c.

4ly. Whereas (*q*) Pope *Boniface* the 8th. prohibited by his *Conſtitutions*, any Subſidy to be granted to King *Edward* the 1. or any other King, by Biſhops or any Eccleſiaſtical perſons for defence of the Church or Realm, without his and his Succeſſors previous aſſents thereto, and their concurring conſents, under pain of Excommunication; yet Popes, Biſhops, and Canoniſts averre, That every *Biſhop*, *Archbiſhop*, *Patriarch*, *Cardinal*, *Pope*, and *Popes Legate*, may both by Law and right demand & exact charitable Subſidies from their Clergy, Churches under them, without the previous conſent of their *Kings*, upon ſeveral occaſions; which they thus expreſs.

(r) Bartholmæus Bellencinus Tractat. de Charitativis Subſidiis throughout. Auguſtinus Barboſa, De Officio & Poteſtate Epiſcopi, Pars 3. Alleg. 87. Epiſcopus Charitativum ſubſiduum quando & à quibus exigere poteſt, ſect. 1. to 56, with ſundry others there cited by them.

(r) Epiſcopi, Archiepiſcopi, Primates ſeu Patriarchæ, in Civitatibus et Diocæſibus ſuis, poſſunt data manifeſta et rationabili cauſa, jure exigere charitativum ſubſidium, et ſubditos Clericos et Eccleſias compellere ad tale ſubſidium ſolvendum; And that, in cauſa quæ ſpectat ad dignitatem et honorem Eccleſiæ; Pro ſua conſecratione; pro ſolutione debitorum in Eccleſiæ utilitatem contractorum; cum magnas fecerit expenſas in negotiis totius Diocæſis communibus pertractandis; pro fabrica ſuæ Eccleſiæ, vel alia re continente illius publicam utilitatem, vel conſervationem. Si iter ſit facturus ad Papam, vel Imperatorem, vel Regem ob Eccleſiæ ſuæ utilitatem; Si viſitaturus ſit limina Apoſtolorum; ſi velit ire ad Concilium provinciale; ſi impenſas neceſſarias et alicujus momenti fecerit in adventu Imperatoris, Regis, Principis vel Legati; And that quoties rationabilis cauſa ſubſit non

ſolum

ſolum ſemel, ſed etiam pluribus vicibus poſſunt charitativum ſubſidium exigere, and alſo ex urgenti cauſa ultra taxam ſolitam. Yea *Cardinales, cum in Eccleſiis ſuorum titulorum habent Juriſdictionem*; may do the like. As for the Pope, (18) De *Romano* Pontifice dubitari non poteſt quin hoc ſubſidium poſſit exigere ab omnibus Clericis et Eccleſiis; tum quia liberam habet adminiſtrationem omnium beneficiorum, tum quia eſt Dominus et Ordinarius cunctorum, Epiſcopus univerſalis Eccleſiæ, et Ordinarius Ordinariorum. Hinc generalis exemptio non cenſetur extimere a ſubſidio per Papam impoſito; niſi qui ſpeciali privilegio ab hujuſmodi onere nominatim eximeretur, quod non eſt præſumendum, quippe quod illud concedi non conſuevit. And that Legatus Papæ cui commiſſum eſt plenæ legationis officium in ſua provincia, cum omnia libere et immedite poſſit quæ quilibet Ordinarius jure vel conſuetudine poteſt, habet jus exigendi hujuſmodi ſubſidium in Eccleſiis provinciæ ſibi delegatæ. Upon which grounds, *Popes*, *Cardinals*, *Popes Legates*, *Nuncioes*, and other *Romiſh Harpyes* impoſed, exacted many Diſmes, Subſidies, Procurations, and other exceſſive Payments of divers kindes from our *Engliſh* and *Iriſh Prelates*, *Clergy*, and our Archbiſhops, Biſhops, from the inferiour Clergy during the premiſed Kings reigns, to their great oppreſſion; which they frequently oppoſed, complained againſt, and our Kings thereupon prohibited by their *Writs*, *Lawes* here re-cited.

(18) Bartholmæus Bellencinus Tractat. de Charitativo Subſidio, qu. 1. nu. 1. qu. 58. nu. 3. qu. 9, & 12. Auguſtinus Barboſa, De Officio & Poteſtate Epiſcopi, Pars 3. Alleg. 83. ſect. 22. 23, 24. with other Canoniſt quoted by them; & Marc. de Vulſon, De la Puiſſance du Pape, l. 1. c. 15.

I might adde to theſe the Soveraign power Popes claim not only over all *Chriſtian Kings*, *Princes*, but all *Lay-mens* perſons, eſtates, and reputations, (*t*) as to *condemn, or declare them hereticks, or infamous perſons, uncapable to enjoy, inherit, conferr lands, goods, offices, Legacies, to make Teſtaments, or proſecute ſuits in any Courts to recover their rights; to ſuſpend them from their temporal offices, or reſtore them when ſuſpended, deprived by their Princes, and their fames, when deemed infamous; yea to abrogate their temporal Lawes, Statutes, Cuſtoms: to exempt children from the power of their parents, and Subjects from their obedience, oathes, ſervices to their Lords, and Soveraigns: to make and declare Baſtards to be legitimate, and lawfull children illegitimate, as eſpecially to Crownes, ſo to all temporal goods and inheritances*; To *interdict their Realms, Cities, Lands, Rents, and all communion with them*; yea to *impriſon, kill, burn them as hereticks, infidels, blaſphemers a-*

(*t*) Gratian Cauſ. 15. qu. 6. Cauſ. 16. qu. 7. Cauſ. 23. qu. 5. Marc de Vulſon, De la Puiſſance de la Pape, l. 1. c. 1. 16, 18. Aug. Barboſa, De Officio & Por. Epiſcop, pars 1. Tit. 3. c. 2, Dr. Matta, de Juriſdictione, pars 4. Caſus 4. to c. 53. & the Popes, Authors quoted by them.

gainſt the Holy Ghoſt, and accurſe, damn them to all eternity, for oppoſing or denying this their tranſcendent power. Yea they aſſert this for Catholick Apoſtolike Law and Doctrine; (*u*) **Non ſunt homicidæ qui adverſus excommunicatos zelo Catholicæ matris Eccleſiæ accenſi excommunicatos interficiunt;** as Pope *Urban* the 2d. and *Gratian* poſitively determine: And Pope *Nicholas* the 2d. in his Letter to the *French Army* imployed againſt the *Waldenſes*, ſuperaddes thereto; **Omnium veſtrum noſſe volumus charitatem, quiſquis in hoc belli certamine fideliter mortuus fuerit** (though otherwiſe never ſo flagitious a perſon) **regna illi cæleſtia minime negabuntur.**

(u) Gratian, cauſa 23. qu. 5. cap. *Omnium & Excommunicatum*, f. 460. in my Edition, Pariſiis, 1531.

Theſe, with many other Aſſertions of like nature, you may read at large in *Gratian*, Pope *Innocent* 3. *Corpus Juris Canonici*; the *Extravagants*, *Aſtexanus*, *Aſtenſis*, Dr. *Marta*, *Auguſtinus Barboſa*, *Auguſtinus Triumphus*, *Alex. Carerius*, *Reſtaurus Caſtaldus*, *Petrus Ancharanus*, *Sylveſtre*, *Baptiſta Trovomala*, *Angelus de Clavaſio*; *Franciſcus Zerula*, *Bartholomæus Brixienſis*, Cardinal *Hoſtienſis*, *Antonius Corſetus*, with ſundry other *Popes* and *Doctors* of the *Canon Law*, quoted by them; by whoſe *Codes*, *Books*, *Gloſſes*, *Lectures*, the *Popes* and *Prelates* Soveraignties, Uſurpations over all *Chriſtian Emperors*, *Kings*, *Princes*, *Nobles*, *Laymens* Crowns, kingdoms, perſons, conſciences, eſtates, Lawes, Liberties, have been principally aſſerted, advanced, ſupported, and continued in the world.

By what Popes, perſons, means, arts, and for what ends the *Canon Law* was firſt compiled into a *Code* or *Body*, publiſhed, taught, ſtudied, propagated, read on, profeſſed, executed, and the Doctors, Students, Profeſſors of it encouraged, multiplyed, maintained in Univerſities, and advanced to the Higheſt Offices, Dignities, Preferments in the Church, as well as in Eccleſiaſtical Courts, and entruſted with the vigorous execution of them under Popes, Archbiſhops, Biſhops, as their *Vicars-Generals*, *Chancellors*, *Commiſſaries*, *Surrogates*, *Officials*, *Delegates*, and what bad effects it produced, to the great prejudice and injury of all Chriſtian Kings, Subjects, Realms, (to avoyd all ſuſpition of *prejudice* or *partiality* in my ſelf;) I ſhall crave leave to inform you in the words of a moſt learned *French Civilian*, *Marc de Vulſon* (an *Advocate* in the Court of *Paris*, afterwards a *Counſellor* of the *French King* in the *Court of Parliament of Dauphine*, a perſon beyond exception) in his Book, *De la Puiſſance*

(x) A Geneve, 1635. p. 200, to 204.

iſſance du Pape, & des Libertez de l'Egliſe Gallicane, lib. 3. c. 17. *de Decret de* Gratian, et du Corps du Droict Canon; wherein, after a brief Account of the time and manner of the Emperor *Juſtinians* compiling his *Code* and *Body of the Imperial Lawes*, and their diſuſage for near 600 years both in *Italy, France, Germany*, and the *Weſtern Empire*, till about the year 1118. *when the Emperor* Lothaire *the* 2. *at the inſtigation and ſollicitation of* Irnerius, *who then newly found them, ordered that they ſhould be read in Schools, and the Judges to judge according to the* Roman *Civil Laws, to the great contentment of the learned Doctors and Studens thereof*: thereupon informs us; that in imitation of the Emp. *Juſtinian*;

† Les Papes, qui deſia avoyent beaucop empieté ſur la Juriſdiction et authorite des Empereurs et Rois, *recognoiſſans* que par le reſtabliſſement de ces belles loix, *leur deſſein ſeroit grandement empeſche*, qui eſtoit de ſeruyr Souverains, auſſi bien au tempoyel comme au ſpirituel: et de formet un Eſtat et Souveraineté, dans l'Eſtat et Empire des Rois, Princes et Monarques, *eſtimerent qu'il faloit a l'envi et imitation du dit* Juſtinian, dreſſer un Corps et Code de leurs Loix et Conſtitutions, le faire lire et interpreter es Eſcholes et Univerſitez, et donner ordre que touts les affaires ſe jugeaſſent par icelles, ſi faire ſe pouvoit. A ces fins fut compile par Gratian le grand Decret, qui fut publie et authoriſe par le Pape Eugene 3. l'an 1151. *et ainſi vingt ans apres que le Corps du droict de* Juſtinian *fut reſtabli en* Italie *et* Almagne *par* Lothaire. Et pour le faire tant plus facilement recevoir, *ledit livre et volume de* Gratian *ne fut pas ſeulement compoſe des Ordonances des* Papes, *comme le* Code *de* Juſtinian *des* Conſtitutions *des* Empereurs, *mais auſſi de quelques paſſages de* l'Eſcriture Saincte: *de pluſieurs ſentences des* anciens Peres: *de quelques loix prinſes deſdites* Digeſtes *es* Code *de* Juſtinian, *et autres vrais et bons autheurs.* Vray eſt que les uns ſont tronquez, les autres alleguez a contre-ſens, les autres falſifiez ouvertement: Et ſur tout, le dit livre eſt rempli d'un treſgrand et quaſi infini nombre de paſſages tirez des eſcrits faux et ſuppoſez, dont a eſte parle † cy devant: comme ſont les Canons dits des Apoſtres; les Epiſtres attribuees aux premiers Eveſques de Rome, qui y ſont quaſi entierement tranſcrites, (*tant avoit-il peur d'y faillir,*) du Concile tenu a Rome ſous Sylveſtre: de l'acte ou inſtrument de la pretendue donation de Conſtantin: des Capitulaires attribuez a Charlemagne et autres.

† Ibid. p. 201, 201.

Nota.

† Lib. 3. c. 12, 13, 14.

Pour interpreter ces Loix et Canons, Gratian meſme compilateur d'iceux fut incontinent envoye a Paris, et par ce moyen le Droict Canon fut pluſtoſt receu en France, que le droict de Juſtinian, *ainſi qu'a tresbien remarque* Monſieur *de* l'Eſtrang *Preſident en Cour de Parlement de* Toloſe *en ſon* Arreſt 8. *Et au livre 6. ch. 9.* de ſon Hiſtoire de Gaules, *Et pour le mieux authoriſer*, Celeſtin 3. (*qui ſiegea l'an* 1191.) ofa mesme donner, qu'a Paris les cauſes pecuniaires des Clercs ſeront decidees par le droict Canon *C.* quod Clericis extra de foro comp. Et Honorius 3. environ l'an 1210. fut ſi hardi de † defendre, ſous peine d'excommuni-

† See Tom. 2. p. 8. Dr. Marta de Juriſdictione, pars 4. Caſus 50 & 60.

munication, de lire et ovir le Droict Civil a Paris, afin que tant mieux on s'addonne a ſon Droict Canon (qu'il appelle les Saincts cayers) (*ſacram paginam*) *c. ſuper ſpecula, extra. de previleg. et exceſſ. privileg.* comme ſi cela eſtoit quelque beau privilege, de ſe mettre en la place du Roy, et d'enterprender de faire les loix en ſon Royaume, et de defendre la lecture du Droict Civil. *Et* Alexandre 3. *ſous pretexte de corriger les abus*, s'ingere de bailler des loix a l'Univerſite de *Paris*, et defend au Chancellier, ou Recteur d'icelle, d'exiger aucune choſe pour la licence et permiſſion d'y enſeigner les ſciences, *c. quanto de Magiſtris.* *Et* Innocent 3. *fit auſſi certaine ordonnance*, Que ſous peine d'excommunication, aucun ne print a louage le logis loue par un autre: ce qui n'appartient qu'au Roy. Par la reception de ce corps Canon es Univerſites de France, fut faite une *Nota.* ſi grande breſche a nos Egliſes *Francoiſes*, que les Papes et leurs armees y ſont entrees a cheval. Et de la en avant, ils ont a leur plaiſir erige des Eſcholes et Univerſitez France, ce qu'ils n'avoyent oſe enterprendre au paravant: Ont * donne des privileges a celles qui avoyent eſte eſtablies par nos Roys, et aux membres d'icelles: Ont eſtabli leurs Doctorats, et preſcrit la form et les ceremonies de leur eſtabliſſement: Ont inſtitue, et eſtabli eſdites Univerſites des Juges conſervateurs de leurs privileges, ſe ſont fait preſter ſerment: Ont donne ordre que tous les ſuppoſts et membres deſdites Univerſites et Colleges, du moins les principaux, fuſſent Clercs non maries: Que les principales charges, et benefices Eccleſiaſtiques fuſſent affectes aux Docteurs, ou licenties en Droict Canon, ou en la Theologie de Pierre Lombard, et non a autres: Que les Eſcholiers eſtudians auſdites Univerſites, fuſſent exempts de la Juriſdiction civile: Que ſans la licenſe, et exprelle permiſſion du Siege Romain, aucun de l'Univerſite de Paris ne puſt eſtre excommunie, ou interdit pur quelque cauſe et ſujet que ce fuſt: Que les Eſcholiers de l'Univerſite de Paris, ſoyent exempts de tauts ſortes de peages; Que les Docteurs de Paris puiſſent lire et enſeigner par tout le monde. Incontinent un nombre infini de perſonnes s'addonna a la profeſſion du Droict et ſcience Canonique, puiſque le profit et l'honneur eſtoit evident et certein. Pluſieurs taſcherent a l'envi de commenter, gloſer, et apoſtiler ledit Decret, et d'extoller la dignite et puiſſance du Pape. Par ce moyen le Pape *Nota.* s'acquit une grande arme de creatures et ſuject au milieu de la France: et ſans frais et deſpens forma un puiſſant Eſtat dans les Eſtats du Roy. Et le tout ſous le beau manteau de conſcience, religion, et ſpiritualite; au veu et ſceu de nos Roys, et de leurs principaux Officers et de tout les *Prelats de France, qui demeurerent muets en ceſt endroit. *Bien eſt vray, que les* Decretales *des* Papes *depuis le dit* Eugene 3. *ayans eſte publiees ſeparement, et ſans meſlange d'aucune bone piece, premierement par* * Gregoire 9. *environ l'an* 1230. *& conſequement par* Boniface 8. Clement 5. *et* Jean 22. *le laider d'icelles* en fit conſiderer l'importance, et au Roy et a ſa Cour de Parlement de Paris, aux Prelats de France et a l'Univerſite: et fut cauſe de l'oppoſition et impeſchement donne a la reception deſdites Decretales. Mais ce fut bien tard, et apres la bataille gaignee. Et ceux la ce trompent, qui eſtiment que ſeulement des lors les Decrets prindrent

* The like they did in our Univerſities of *Oxford* and *Cambridge* in *England*; and in the Univerſities in *Italy*, *Germany*, *Spain*, and advanced the Greateſt Doctors of the Canon Law as their beſt Advocates, aſſertors of their uſurped Eccleſiaſtical & Secular Monarchy, to the greateſt offices and preferments. See 37 H. 8. c. 17.

* Whoſe power & Juriſdiction they aſſerted, enlarged, as well as the Popes.

* Upon which occaſion our King *Henry* the 3d. publiſhed his premiſed Proclamation againſt them.

dient des ailes. Car les Decretales des quatre vingts quatorze Papes precedents, vrayes ou ſuppoſees qui ont eſté inſerees audit Decret de Gratian, contiennent en ſubſtance les meſmes choſes que les dernieres, qui ne font que mieux exprimer et mettre en practique les Doctrines et maximes des premieres, que ſe reduiſent a ceci; Que le Pape eſt *Lieutenant de Jeſus Chriſt*, et a tout pouvoir tant au temporel qu'au ſpirituel: Eſt juge de tout le monde, et ne puit eſtre juge par aucune creature. † Que ſes Conſtitutions et Decretales doivent eſtre inviolablement obſervees par tous: Que celuy qui meſpriſe ou enfreint ſes mandements, ou diminue ſes privileges et ſon authorite, ou n'eſt d'accord avec luy, commet crime d'hereſie et d'infidelite, blaſpheme contre le Saint Eſprit, eſt anatheme et damne. Et auſſi nos Roys ont permis par meſgarde et tolerance, que l'eſdites Decretales ayent eſté leues et interpretees es Univerſites, et que la jeuneſſe Fraincoſe fuſt imbibee de ceſte doctrine. *Et neantmoins ces oppoſitions, quoy que tardives, ſervirent a empeſcher*, que la liberte des Eſgliſes de Gaule ne fuſt intirement eſteinte, *comme ſera dit cy apres.*

† See his lib. 1. c. 1, 2, 3, 4, 5.

By which memorable Diſcourſe of *De Vulſon*, and the apparent frauds of *Popes*, *Gratian*, and other *Canoniſts*, in leaving out of their *Codes* and *Collections* of *Councils* all *Canons* made in the general, famous, ancient *Councils* of *Epheſus*, *Laodicea*, *Conſtantinople*, *Chalcedon*, and thoſe they *falſly attribute to the Apoſtles*, which contradict the Popes Supremacy, and inſerting *ſpurious Canons*, *Councils*, *Synods*, *Decretal Epiſtles* of *antient Popes* into them, which only advanced their *Papal* and *Epiſcopal Hierarchy* and *Juriſdictions*, in, over all Temporal and Spiritual perſons, cauſes, (which (*a*) *he* and others at large demonſtrate;) we may clearly diſcern, both the reaſons, providence, prudence, juſtice of our King *Stephen* and *Henry* the 3d, in prohibiting, cruſhing the *Books*, *Readings*, *Schooles*, *Profeſſion* of the *Canon Laws* and *Decretals* in the Univerſity of *Oxford*, and in *London*, when firſt introduced into our Realm, like ſo many (*b*) *Cockatrice eggs*, which would ſoon prove *fiery flying ſerpents*, yea *vipers* to *them*, their *ſubjects*, *Realms*; of King *Henry* the 3. and *Edward* the firſt their *Prohibitions*, *Appeals*, *Proteſts* againſt the *Conſtitutions* of Archbiſhop *Boniface*, *Peckham*, *Stratford*, with the forecited Statutes of King *Henry* the 8. *Edward* the 6. and their Parliaments, made againſt them and the Canon Law; and what little reaſon our *Kings*, *Parliaments*, *Nobles*, or *Commons* have, to countenance or ſupport theſe *Canon Lawes* and *Conſtitutions*, or the ſtudy, profeſſion, uſe, or execution of them within their Dominions; againſt which not only two eminent

(a) De la Puiſſance du Pape, l. 3. c. 2. to 18. See Petrus de Marca, De Concordia Sacerdotii & Imperii, lib. 7. c. 20 n. 1, to 8. c. 25 n. 1. 3. lib. 3. c. 5. n. 11.

(b) Iſa. 14. 29. & 59. 5.

nent *Martyrs*, to wit, Mr. *William Tyndall*, and (e) Sir *John Borthwicke*, together with *William Wraughton* in his *Hunting* and *Reſcuing* of the *Romiſh Fox*, (the Pope and his Prelates) dedicated to King *Henry* the 8. the Author of a judicious *Treatiſe, expreſſing the Cauſes of the Diviſions between the Spiritualty and the Temporalty*, printed *cum privilegio* in *Henry* the 8. his reign, ch. 3, 4, 5, to 16. with others in that age have made many large *Diſcourſes*, ſetting forth their *dangers*, *miſchiefs*, together with their *Nullity*; but even our famous learned King *Henry* the 2. long before them, moſt ſtrenuouſly oppoſed and ſuppreſſed. For, (e) *Lucas Dacherius* (a modern *Benedictine* Monk) and (f) *Stephanus Balluzius*, a learned Reverend *Canon* and *Canoniſt* of *Rhemes*, relate; that this our Noble, prudent, learned King *Henry* then Duke of *Normandy*, was ſo highly diſpleaſed with *Hugo* Archbiſhop of *Rhoan* for putting the *Canon Law* and new *Canons* made and confirmed by Pope *Innocent* the 2d. in the *Council* of *Rhemes* in execution, (without his *Royal aſſent*, and the States of *Normandy*) by *exacting profeſſion and obedience from the Abbots of* Normandy, **contra conſuetudinem**, (a *punctilio* in reſpect of other incroachments upon his Regality of an higher nature, by *Becket* and our *Prelates*) and for his juſtification therof, **vetuſtis Canonibus**, *qui volunt Abbates eſſe in poteſtate Epiſcoporum*, **et Decreto Concilii *Rhemenſis* paulo ante celebrati**; *ut vel* OB HOC IPSUM *ad* Innocentium *ſcribens*, MINATUS EST APERTE DIVORTIUM AB APOSTOLICA SEDE, NISI PRÆSUMPTIO ILLIUS ARCHIEPISCOPI REPRIMERETUR: which ſo terrified this Pope, that he thereupon writ thus to the Archbiſhop; *Quod profectò, quamvis juſtum fuerit*, **et a nobis in Concilio *Rhemenſi* mandatum**; *pro ejus (tamen) caritate aliquando condeſcendere debemus, & pro tempore*, **ipſius voluntati aſſenſum præbere.** Beſides, this our learned prudent King, (g) **propter diſſentiones et diſcordias ſæpius emergentes inter Clerum et Juſticiarios Domini Regis et Magnates Regni**, occaſioned by theſe *Canon Lawes*, made ſundry Edicts expreſly againſt the *Popes*, *Councils*, *Prelates Canons and Conſtitutions exempting Clerks* from *Secular Juriſdiction* and puniſhments by Temporal Judges for Murders, Robberies, Rapes, and other Offences; Concerning the *elections*, *homages* and *fealty* of *Biſhops*, the vacancies of *Biſhopricks*, *Excommunications*,

(e) In his Obedience of a Chriſtian man *London* 1573. *Cum privilegio* p. 114, 115.
(d) Fox Acts & Mon. Edit. ult. Vol. 2. p. 610.
(e) Tom. 4. Spicilegii.
(f) Admonitio de Editione 11 Sect. l 3. c. 13. Sect. 9. Petri de Marca Archiep. Pariſienſis, De Concordia Sacerdotii & Imperii, Pariſ. 1663 *Cum Privilegio*, p. 198, 199.
(g) Mat. Paris Hiſt. Angl. p. 96, 97. Gervaſii Chron. col. 1286, 1387 Gul. Neubrigenſis Rerum Angl. l 2. c. 6. & Here Tom. 1. p. 609, to 617.

communications, *Appeals*, *Citations*, and *accuſations of Laymen before Biſhops*, of *Pleas* of *Advowſons* and other cauſes not belonging to their Juriſdiction; Which Lawes and **Avitæ Conſuetudines regni**, ſpecified in 16. *Articles* drawn up in the *forecited* Council of *Clarendon*, (*h*) **Archiepiſcopi, Epiſcopi, Abbates, Priores, Clerus, cum Comitibus et Baronibus ac Proceribus cunctis** (by his Royal command) **juraverunt, et firmiter in verbo veritatis promiſerunt viva voce tenendas et obſervandas, Domino Regi et hæredibus ſuis, bona fide et abſque malo ingenio inperpetuum.** *His itaque geſtis*, **poteſtas laica in res et perſonas eccleſiaſticas, omnia pro libitu,** (as *Mat. Paris* complains) **ECCLESIASTICO JURE CONTEMPTO, uſurpabat; tacentibus, aut vix murmurantibus Epiſcopis, potius quam reſiſtentibus;** except only that Trayterous Archbiſhop *Thomas Becket*, whoſe goods, temporalties the King ſeiſed, and baniſhed him the Realm for oppoſing them, *againſt his Oath*; which brought him to a tragical death.

(h) Mat. Paris Hiſt. Angl. p. 97. Mat. Parker, Antiq. Eccleſ. Brit. p. 122, 123. See Tom. 1. p. 616. &c.

What great Cauſe he and our premiſed Kings had thus to oppoſe, ſuppreſs the Canons and Conſtitutions of Popes, yea of their own Prelates in their Councils and Synods, will further appear by theſe remarkable Clauſes in the moſt inſolent Epiſtle of *John Peckham* Archbiſhop of *Canterbury*, Ann. 9 E. 1. who then making ſundry Conſtitutions in a Provincial Council, prejudicial to the Kings Crown and Dignity, againſt (1) *two ſucceſſive Writs of Prohibition* to him and his Suffragans; for which King *Edward* the 1. was highly incenſed againſt them, the Archbiſhop thereupon thus juſtified them by theſe Antimonarchical Topicks, among others; (2) **Quia igitur ab antiquo tempore inter Reges et Magnates Angliæ ex parte una; et Archiepiſcopos et Epiſcopos, ac Clerum ejuſdem Regni ex altera, duravit amara diſſentio, pro oppreſſione Eccleſiæ, contra Decreta Summorum Pontificum, contra Statuta Conciliorum, contra Sanctiones orthodoxorum Patrum, in quibus tribus ſumma authoritas, ſumma veritas, ſumma ſanctitas exiſtit.** *Supplicamus Regiæ Majeſtati, &c.* (inſtead of ſubmitting himſelf and his Conſtitutions to the King and his Laws, as he ought;) to ſubmit himſelf, his Crown, Lawes, to the *Canons*, *Lawes*, and *Conſtitutions* then made by him and his Suffragans in the Council of *Lambheth*; becauſe there was no other means but this, to put a period to the conteſts between them, concerning the Churches pretended Liberties,

(1) Par. 8 E 1. m. 10. & Par. 9 E. 1. m. 6. intus. Here, p. 252.

(2) Spelmanni Concil. Tom. 2. p. 341. & Here, p. 264, 265.

niſi

niſi vos ſublimitatem veſtram prædictis tribus, ſcilicet *Decretis Pontificum, Statutis Conciliorum, & Sanctionibus orthodoxorum Patrum* (as curtailed, miſ-cited, miſ-applyed by Popes, Prelates, and *Gratian*) jurta Domini beneplacitum, cum Catholicis Imperatoribus dignemini inclinare: Ex his enim tribus SUNT CANONES AGGREGATI, et Jura Coronæ veſtræ Chriſti Coronæ ſubponenda; cujus ſunt Diadema ac ſponſæ ſuæ monilia, *univerſæ Eccleſiaſticæ Libertates. Decretis autem Summorum Pontificum, auctoritatem dedit ſummus omnium Imperator, &c. Ergo, nulla obſtante conſuetudine obediendum eſt Canonicis Jerarchice impoſitis; hoc eſt, ſacris arbitriis Prælatorum, &c. (3) Idem eſt ergo Sanctorum Patrum definitionibus reſiſtere (publiſhed in their Canons and Conſtitutions) quod Spiritus Sancti oraculis adverſari. Hæc attendentes Imperatores Catholici LEGES SUAS OMNES SACRIS CANONIBUS SUBDIDERUNT, NE SCISMATICI, VEL HÆRETICI PUTERENTUR. A right Papal and Archiepiſcopal Reſolution, directly contradictory to (4) St. *Pauls* and (5) St. *Peters* Doctrine and Practiſe.

* *Nota.*

(3) Gratian Diſt. 22 & Cauſa 15. qu. 1 Marc de Vulſon, De la Puiſſance du Pape, l. 1. c. 4.

(4) Rom. 13. 1, to 7. Tit. 3. 1. (5) 1 Pet. 2. 12, 13.

I ſhall therefore cloze up this large Diſcourſe concerning the danger, miſchiefs of, & publike oppoſitions againſt Popes, Prelates *Decretals*, *Canons*, *Conſtitutions*, and the *Canon Laws* both in *England* and *elſwhere*, by evidencing their Nullity, invalidity to oblige either *Kings* or *Subjects*, eſpecially *Laymen*, unleſs ſpecially approved, received, ratified by them, their Nobles and people by † common conſent in Parliament; with the Reſolution of learned (i) *John Gerſon* Chancellor of *Paris*, yea of (k) *Didacus Covarruvias*, (l) *Navarrus*, (m) *Driedo*, (n) *Armilla*, (o) *Johannes Major*, and *Petrus de Marca*, late *Archbiſhop of Paris*, in his excellent elaborate learned Volume, (p) *De Concordia Sacerdotii & Imperii*, *ſeu Libertatibus Eccleſiæ* Gallicanæ, reviſed, enlarged by *Stephanus Baluzius*, printed *Pariſiis* 1663. *cum privilegio Regis*; (who quotes all theſe *Doctors*, and aſſerts their joynt Reſolutions herein in theſe poſitive termes,) **Certum eſt Legem nullam vim obtinere, ſi ab initio recepta non fuerit a ſubditis (eſpecially a Regibus) Nam et maxime præſumendum eſt eam legem quæ a Republica non recipitur, minime ea convenire. Huic conditioni magis videtur obnoxia Lex Eccleſiaſtica quam civilis, duplici ratione. Prima eſt, quia poteſtas Eccleſiaſtica conceptis verbis data eſt, (q) in ædificationem, non autem in deſtructionem**

† See Here, Tom. 1. p. 411, 429.

(i) Tract. de vita Spir. c. 4. (k) Lib. 2. Var. Reſolut. c. 16. n. 6. (l) In Summa c. 23. n. 41. (m) De Liberr. Chriſtiana, l. 1 c. 9. d c 2. (n) Verbo Lex. nu. 11. (o) Lib. 4 Diſt. 15. qu. 4. (p) Lib. 2. c. 16. n. 5. p. 176. & l. 7. c. 28. n. 3. p. 292, 293.

(q) 2 Cor. 13. 10.

deſtruction em

ſtructionem; *ut teſtatur Apoſtolus; unde ſequitur,* **nihil obtrudendum eſſe fidelibus quod eos offendere aliquo pacto poſſet: atque ideo legem Eccleſiaſticam minus commodam pro non ſcripta eſſe habendam.** *Secunda vero ratio hæc eſt, quia Chriſtus ipſe diſcrimen utriuſque poteſtatis in præceptis dandis, auctoritate ſua conſtituit;* (r) **Reges gentium dominantur eorum; Vos autem non ſic, &c.** *Et ipſe* **Petrus, Non dominantes in Clero, ſed forma facti gregis,** *Ita ut verus Dominatus ſit penes Reges, non autem penes Sacerdotes. Vehementer eſt* (ſ) Bernardus, *& fere totus in eo, ut hanc ſententiam* Eugenio *Pontifici perſuadeat,* **Planum eſt, Apoſtolis interdicitur Dominatio, indicitur Miniſtratio.**

(r) Mat. 20. 25. Lu. 22. 25.

(ſ) De Conſiderationc, l. 2. cap. 6.

Upon which grounds this learned Archbiſhop *Marca* (though a great aſſerter of the Popes, *Canons*, Prelats Authority in other particulars) proves at large in *his 7 & 8 Books, *De Concordia Sacerdotii & Imperii*; That the Kings of *France*, *England*, *Spaine*, and *Emperors of Germany*, did moſt juſtly reſerve and retain to themſelves the Soveraign power in *elections*, *approbations*, *confirmations*, *inveſtitures and inſtitntions* of *Archbiſhops*, *Biſhops*, *Abbots*, *Priors*, *Deans*, *Prebends*, and other Eccleſiaſtical dignities, and juſtly receive the fruits, profits of *Biſhopricks*, *Monaſteries*, and preſent to the Prebendaries annexed to them during their vacancies by death, or tranſlations; yea, ſeiſe the *goods of Biſhops*, *Abbots*, *and others dying inteſtate*, *to their proper uſe*; as belonging to them by the ancient Lawes, Cuſtom of (t) *France*, *Normandy*, and *England*, though inhibited, condemned under ſevere Eccleſiaſtical Cenſures, by ſundry *Canons*, *Conſtitutions* of Popes, Biſhops, Synods, as *Sacriledge*, unleſſe in the Caſes of ſuch particular Churches, Monaſteries, as are exempted from ſuch ſeiſures of their Temporalties and profits by Kings, their Founders, or Patrons *ſpecial Charters*, out of *meer grace*, not *right*; yea he proves in his firſt Book and Chapters by ſundry *preſidents*, and particularly complains in his (u) *Dedicatory Epiſtle* to the late Grand Stateſman, Cardinal Duke of *Richelieu*, *Quod frequentes & pæne quotidianæ in actu rerum poſitis occurrunt contentiones, quæ ſecundum varias cauſarum figuras* **ob dignitatem læſam, vel diminutam auctoritatem accenduntur, et Chriſtianæ Reipublicæ Principes inter ſe committunt;** *& ambæ illæ Poteſtates* (ECCLESIASTICA ET REGIA) *quæ amico fœdere conjungi debuerant, in dedecus Chriſtiani nominis aliquando divellantur ab invicem, hominum vitio*; and that prin-

* See alſo his lib. 3. c. 2. to 10. And lib. 4. cap. 8. to 21. in ſeveral particulars.

(t) See Here, Tom. 1. p. 615. Marca ibid. l. 8. c. 18, 19. p. 343, to 351. & c. 23, 24, 25, 26. & Pierre de Pithou, Des Libertez de L'eſgliſe Gallicane, p. 598, 1262. Here, p. 19.

(u) Prefixed to his Books, De Concordia Sacerdotii & Imperii.

cipally by executing of Popes, Prelates Canons, and Canon Laws, not publikely confirmed by the concurrent Authority of Chriſtian Kings, Parliaments, Realms, but obtruded on them againſt their wills. Which differences, Schiſms, Miſchiefs, can be neither totally nor finally compoſed, nor prevented, ſo long as ſuch Canons, Conſtitutions, Decrees ſhall have any force, countenance, continuance, and be rigorouſly executed in Eccleſiaſtical Courts, by Judges, Delegates, Officials, Canoniſts, only in Popes, or Biſhops own Names, rights, ſtiles, under their own ſeals alone, as * *independent* on the Crown.

* 1 Ed. 6. c. 2. 1. & 2. Phil. & Mar. c. 8.

For the clearer demonſtration whereof in our own Kingdom, I have with no ſmall pains and diligence, collected out of all the whole or decayed *files*, and confuſed heaps of broken, ſcattered *Original Writs*, and the *Plea-Rolls*, *Patent*, *Clauſe* and other *Rolls* in the *White Tower* Chappel or elſewhere, all Writs of Prohibitions iſſued out, and Attachments, Suits at our Kings or their grieved Subjects proſecutions, brought for contempts of them, yet extant, during the reigns of the 3. premiſed Kings, either againſt Popes Nuncioes, Collectors, Delegates, or our Archbiſhops, Biſhops, Archdeacons, Officials, Eccleſiaſtical Judges, or other perſons, upon ſeveral occaſions; but more eſpecially for holding, proſecuting ſuits belonging to theſe Kings Temporal Courts, and vexing their Subjects by illegal Excommunications, and Writs *de Excommunicato capiendo* grounded on them, on purpoſe to diſcourage, or diſable them, and deterr all others from ſuing for Prohibitions to reſtrain their Extravagant Uſurpations, in high contempt, and to the grand prejudice of the *Kings Crown*, *Dignity*, *Courts*, and *Royal Authority*; that ſo they might by degrees ingroſſe all temporal ſuits, cauſes into their own Courts, and trample all Secular Powers, Courts, Subjects, Laws, Liberties under their feet without controll; whereof I found ſuch multitudes, yet remaining, beſides thoſe quite putrified, torn, loſt or periſhed, as may not only *ſatiate* but *ſurfet* their *Readers*: the moſt whereof I have abbreviated, and inſerted into this *Tome*, as for the vindication of theſe Kings *Eccleſiaſtical Soveraignty*; and evidencing the inconſiſtency of theſe Canon Lawes and Conſtitutions with it, or the Kingdoms, Subjects peace and felicity; ſo for theſe two following reaſons.

First,

Firſt, To juſtify the practiſe of our late and preſent Judges in granting Prohibitions to Eccleſiaſtical Perſons, Courts, to reſtrain their uſurpations, and extravagances of all kindes, according to their Oathes, dutyes, againſt the * *frequent clamors, and unjuſt complaints of our Archbiſhops, Biſhops, Canoniſts*, and others to our Kings and their Counſil, as well ſince the Reformation of Religion as before; being warranted by ſuch multitudes of Preſidents from year to year even in times of Popery, when Popes and Prelates were moſt predominant: which will make a conſiderable Addition to the Preſidents of Prohibitions in punier times, formerly collected by the Judges for their own defence.

* See Cooke 2 Inſtitutes, p. 599, to 619. & The Judges Treatiſe and Collections of Prohibitions upon Archbiſhop Bancrofts Complaint, 3 & 7 Jacobi.

Secondly, To evidence the manifold unceſſant grievances, oppreſſions, vexations of the Subjects of this Realm in former ages, by reaſon of theſe diverſities of Laws, Juriſdictions, Courts, eſpecially ſince the *Eccleſiaſtical* depend not on the King, Parliament, or Common Lawes of *England*, and are not executed by ſpecial Commiſſions from the King, limiting their Juriſdictions, Proceedings, (*y*) *by a derivative power from, by, and under him, nor in his Name, Right, Stile, Seal alone, like other Courts, and Proceſſe*; Nor yet by our Biſhops and Ordinaries themſelves, who ought perſonally to execute their Eccleſiaſtical Judicatures and Juriſdiction (eſpecially if appropriated by *divine right* to their Epiſcopal office, as many of them pretend;) who cannot delegate their Judicial authority to any ſubordinate Officers, no more then the Kings Judges, or Juſtices of Peace, and ought to judge in proper perſon, not by Proxy; or elſe totally to diſclaim their Judicial authority, if they want leiſure or skill to execute it; and not to ſell, rent, or farm it out upon account to indigent, covetous Chancellors, Vicars, Commiſſaries, Officials, Surrogates who will give moſt for it, or to their kinred or neareſt allyes; ſince theſe (*z*) *Officials, Surrogates in all ages, to fill their purſes, and make hay whiles the Sun ſhines, have moſt grievouſly vexed, fleeced, fleyed the people committed to their Epiſcopal care*, by Citations, Interdicts, *Ex officio*, and other illegal Oathes, Articles, proceedings, Excommunications, impriſonments upon Writs *de Excommunicato capiendo*, for pretended offences, defamations of hereſie, incontinency, perjury, or other crimes, upon fames, or accuſations raiſed by themſelves or their creatures,

(*y*) See 2 Ed. 6. c. 2. 37 H. 8 c. 17.

(*z*) Tota Officialis intentio eſt, ut ad opus Epiſcopi ſuæ, juriſdictionis commiſſus miſerimas oves, *quaſi vice illius tondeat, emungat, excoriat.* Iſti enim Epiſcoporum ſunt ſanguiſugæ, &c. & execrandis acquiſitionibus nihil ſibi præter peccati ſordem & fæculentiam retinentes. Iſti quaſi ſub umbra Epiſcopi, & obtentu juſtitiæ palliatæ *ſubditos opprimunt, Eccleſiaſ gravant*, &c. Pet. Bleſenſis Epiſt. 25. See Here, Tom. 2. p. 949, 950.

tures,or for trivial matters,contempts,non-payment of illega fees, or ſuing out Prohibitions to relieve themſelves by due courſe of Law, againſt their holding pleas of cauſes not belonging to them;whereby they have not only been banded up and down from *Court* to *Court*,*place* to *place*,like *Tennis Balls*, but even grownd to powder, like *corn between two Milſtones*, to their extraordinary oppreſſion, impoveriſhing,and diſcontent. Yea, the charges, delayes, difficulties in ſuing out *Prohibitions* for their juſt relief (eſpecially when Biſhops become predominant State-Officers) have been ſo great, that they have oft-times proved as bad, nay worſe then the maladies they ſhould redreſſe; ſo that thouſands have rather choſen to ſubmit to their Uſurpations, extravagant exactions, cenſures, and to purchaſe abſolutions from their excommunications, vexations, ſequeſtrations upon any terms, at deareſt rates, or to languiſh, periſh under them, then to ſeek redreſs againſt, and ſtrenuouſly to oppoſe them.

If theſe my Collections through Gods bleſſing on, and Your honorable Protection of them, ſhall prove inſtrumental to redreſs theſe publike abuſes and uſurpations,upon the Crown,Laws, & peoples Liberties; to ſettle a future conſtant harmony between the *Crown* and *Miter*, the *Laity* and *Clergy*, to the Glory of God,the Safety and advancement of the Proteſtant Religion; that ſo we may all from henceforth (*a*) *endeavour to keep the unity of the Spirit in the bond of peace*, (*b*) *increaſe and abound in love one towards another*; (*c*) *love one another with a pure heart fervently*; and *not* (*d*) *bite*, *devour one another* any longer, leſt we *be conſumed one of another*, and become a *prey* to our *common Romiſh adverſaries*, now ſwarming every where amongſt us, (fomenting our *Diviſions*, *Schiſms*, *animoſities* againſt, and uſurpations upon each other;) I ſhall bleſs God for ſuch a happy ſucceſs thereof; and endeavour (through his Divine aſſiſtance) with all convenient expedition to compleat, publiſh my intended ſucceeding *Tomes* of this *Heroick Subject*.

(a) Epheſ.4.3.
(b) 1 Theſ. 3. 12.
(c) 1Pet.1.22. c. 3. 8.
(d) Gal. 5. 15.

In the mean time, I moſt humbly crave Your *candid Acceptation* and *Protection* of this *Volume*, and the continuance of Your former *cordial affections* to,

Your Honors, Worſhips moſt devoted Servant,

From my Study in *Lincolns Inne*, *July* 25. 1668.

WILLIAM PRYNNE.

To

To the Ingenuous Readers, *especially* Professors, Students *of the* COMMON LAW, *and* ENGLISH ANTIQUITIES.

GENTLEMEN,

I Here present to your judicious *View* and *perusal*, a large *Tome*, consisting for the most part of *Records*, *Writs*, *Epistles*, *Patents*, *Bulls*, *Procurations*, *Antiquities* not formerly printed, relating principally to the *Ecclesiastical*, and some *Civil* affairs of greatest note, in *England*, *Scotland*, *France*, *Ireland*, *Rome*, during the reigns of King *John*, *Henry* the 3d. and *Edward* the *first*: many of which I rescued as well from *dust* and *putrefaction*, as *oblivion*, and here bring forth to publike light; for the *information*, benefit of the *present* and *succeeding* age. Their particular *Contents* you may read at leisure in the *Tome* it self, all Epitomized in the *Title*, *Chapters*, but especially in the 14 *Tables to it*; wherein every of you may with *speed* and *facility* finde, select such *Records* and *passages*, as are most suitable to his *Profession*, *Studies*, *Genius*, or emergent *Occasions*; and all *Great Officers* both in *Church*, *State*, *Courts of Justice*, *Common Lawyers*, *Canonists*, *Parliament Members*, *Historians*, *Heraulds*, *Divines*, as well of the *Roman* as *Reformed Religion*, may find some *Antiquities*, *Rarities*, which may either *instruct*, *direct*, *assist*, *advantage* them at some time or other, though perchance sundry of them may seem *trivial*, *useless*, or *superfluous* for the present, unto many.

The *multiplicity*, *variety* of the *Records* are such, that I could only collect and digest them into a *Chronological Order*, (like Cases in our *Year-books* and *Reports*, independent on, and *diverse* from each other,) and that in a *rude*, *plain*, *unpolished stile*, most suitable to *old moth-eaten*, *lacerated*, *musty Records* and *Antiquities*, overspred with *dust* and *Cobwebs* (as very many of them were) my other *publike imployments* and extraordinary *Diversions*, affording me not sufficient time to *polish* or set them forth in a *neater Dresse*, or in *delicate Language* now most in *fashion*, fitter to garnish *new Comedies*, *Play-books*, than *grave*, *serious Antiquities*.

Since the finishing of my *Additional Appendix* of *Records* in the reigns of King *John*, and *Henry* the 3. prefixed to this *Tome*, I perused most of the *Records* in their reigns and *Edward* the firsts, (with all of *Henry* the 1. and 2.) extant in the several *Treasuries*, *Offices* in the Court of *Exchequer*; some whereof I have inserted into my *Epistle Dedicatory*: I shall here make bold to present you with two more in the Reign of King *Henry* the 3d. worthy special observation.

The 1. of them thus evidenceth his Royal piety, zeal, and Soveraign Authority in coming personally into the Court of Exchequer with his Counsil, and there with his own mouth *commanding all the Sheriffs of* England *to attach all blasphemers of the Name of* Jesus, *and bring them to publike Justice at such time and place as he should prescribe*, (a president worthy imitation in this *atheistical*, *blasphemous*, *unzealous* age) with his care for the execution of speedy Justice to all, especially *Pupils*, *Orphans*, *Widdows*; to prevent all oppressions of his Subjects by Sheriffs, or great men; and to preserve the *Churches just Liberties*, together with the *rights of his Crown*.

Dis

Adhuc Communia de Termino S. Mich. An. 35 H. 3. Rot. 2. intus. Præceptum Domini Regis.

D*ie Veneris, proximo ante Feſtum beati* Edwardi, *Anno regni Regis* Henrici *tertii* 34. *venit Dominus Rex cum ſuo Conſilio ad* Scaccarium, *& ibidem proprio ore præcepit omnibus Vicecom.* Angliæ *tunc ibidem exiſtentibus. Inprimis*, quod modis omnibus obſervarent, et manutenerent * Libertates Sanctæ Eccleſiæ; *et ſimiliter manutenerent Pupillos, Orphanos, & Viduas, & celerem eis juſticiam exhiberent.* Et ſi inveniant aliquem Blaſphemantem nomen Jeſu Chriſti, ſtatim attachietur, erinde reſpondend. ad diem et locum, quos Dominus Rex præceperit. Item, *quod nullus ruſticus diſtringatur pro debitis Domini ſui, quam diu Dominus ſuus habuerit per quod poterit diſtringi. Et quod debitè inquirant & reſtitui, qualiter Magnates ſe gerunt erga homines ſuos; et ſi invenerint ipſos tranſgredientes, corrigant tranſgreſſiones quatenus poterunt. Et ſi fortè non poſſunt plenariè corrigere, tunc oſtendant eaſdem Tranſgreſſiones Domino Regi.* Item, † *quod nullus Vic. ponat* Hundr. Wapentake, *vel alias* Ballias *ad firmam, pro majori queſtu habendo alicui, niſi tali qui cum juſticia tractet populum.* Item, *quod diligenter inquir. qua ſunt Mercata Adultera, vel ad nocumentum vicinorum Mercatorum levata, & hoc ſciri faciant Domino Regi.* Item, quod ſalvo cuſtodient omnia jura, et libertates Domini Regis, *nec facient returnum de Brevibus Domini Regis alicui, nec permittent aliquem habere niſum* Franci pleg. *nec* Turnum Vic. *nec auxilium Vic.* nec alias Libertates quæ ad Coronam Domini Regis ſpecialiter pertinent, ſine Warranto, niſi illos qui cartas Domini Regis inde habuerint, vel illos qui cartas libertatis ab Antiquo obtinuerunt.

† See 9 E 2. Statute of Sheriffs, *Raſtal* Sheriffs 2. 4 E. 3. c. 15.

The 2d. (more pertinent to my *Theam*) moſt clearly evidenceth his Supreme *Eccleſiaſtical Juriſdiction*, in commanding his *Judges* of the *Jewes* Exchequer by ſentence in that Court, *judicially* to deprive *Elias* the *London Jewes* High-Prieſt and Biſhop, of his *Prieſthood*, for an *offence* againſt him and his *Brother*, then granting them a ſpecial licenſe to *elect* another in his place, and ſo in ſucceſſion, and after to preſent him to him for his confirmation in his office, (as in caſe of his other Biſhops.)

Inter Communia infeſto S. Trin. An. 41 H. 3. Rot. 20. dorſo. *Philippo Lovell*, Pro Judæis de Sacerdote eligendo.

REX mandavit *Philippo Lovell*, et Juſtic. ad cuſtod. Judæorum aſſignatis, Quod cum *Elias* Epiſcopus *Judæorum London*, pro tranſgreſſione, quam fecit tam Regi, quam Fratri ſuo Regi *Almaine*, à Sacerdotio Communitatis *Judæorum Angliæ* coram prædictis *Philippo* et Juſticiariis, quos ad tranſgreſſionem illam conbincendam aſſignavit, per Judicium eorundem ad Scaccarium fuerit adjudicatus, Et de ejuſdem Sacerdotii officio, et etiam de omnimodis aliis Officiis, et ballibis, quæ a Rege optinuit, ſit depoſitus. Rex de eorundem conſilio Juſtic. *conceſſit* prædictæ Communitati *Judæorum Angliæ*, per finem trium Marcarum Auri, quem *Creſſe* et *Haginus*, Fratres ejuſdem *Judæi*, cum Rege pro eadem Communitate fecerunt; Quod prædictus *Elias* Sacerdocium illud nunquam in poſterum habeat, et recuperet. Et quod de cætero, nullus Sacerdos ſit de illa Communitate, niſi per communem electionem Communitatis ejuſdem. Et quod illa Communitas, poſt deceſſum cujuſlibet Sacerdotis taliter electi, alium quemcunque voluerit Sacerdotem eligere liberam habeat facultatem. Et ipſum Regi præſentand. cum aſſenſu Regis, ut ſuper hoc optineat Regis ſaborem. Et datus eſt eis dies ad eligend. Sacerdotem ſuum, citra feſtum Sancti *Petri ad vincula.*

a 1 Kings 2. 26, 27. 35. b Gratian Diſtinct. 22. 96. 98. Barth. Brixienſis, & Johannes Thierry in their Gloſſes thereon, Gul. Durandus Rationale Divin. l. 3. Alvar. Pelagius de Planctu Eccleſ. l. 1. Artic. 13. Bellarm. de Roman. Pontif. l. 4.

This preſident of his, is ſufficiently juſtified by divine Authority; for [a] King *Solomon* depoſed *Abiathar* the *High Prieſt* from his Prieſthood, for *Conſpiracy* and *Treaſon* againſt him, in adhering to *Adonijah* who *uſurped the kingdom*, and made *Zadok High Prieſt in his room*, by his Supreme Eccleſiaſtical royal Authority: by which he might likewiſe have put him to death, as he told him, *yet he ſpared his life for the preſent*, out of meer grace; *becauſe he did bear the Ark of the Lord God before* David *his father, and becauſe he had been afflicted in all wherein his father was afflicted*, when he fled from *Abſolon* who uſurped his Crown. A clear Scripture Authority, that Chriſtian Emperors or Kings may *lawfully depoſe* not only *Archbiſhops*, *Biſhops*, and other *Clergy-men* from their *Offices* and *Biſhopricks*, but likewiſe *Popes* themſelves, (who pretend they [b] ſucceed *Aaron* the *Jewes* *High-*

High-Prieſts in their Authority, as well as St. *Peter*, and thence deduce Arguments for their Supremacy, and Title of Pontifex Maximus, which even the Chief Pagan *Roman Prieſt*, and afterwards their [c] *Conſuls* or *Emperors* only enjoyed) for *Treaſon*, *Rebellion*, or other *Grand Offences*, and likewiſe put them to death, without any violation of the *Churches Liberties*. For St. *Paul* himſelf (though an *Apoſtle*, [d] equal to St. *Peter*, and [e] *joynt Biſhop of Rome together with him*,) when he was [f] *accuſed by the* Jewes *before* Feſtus, (*who layd many and grievous complaints againſt him, as an offender both againſt the Temple and* Cæſar, *to whoſe Judgement ſeat he appealed from their Judicature*;) made this anſwer, *If I be an offender, or have committed any thing worthy of death,* I refuſe not to dye; (to wit, by a legal Trial before *Cæſar*) where I ought to be judged: where he and St. *Peter* were afterwards condemned to death, *Paul* being beheaded, and *Peter* crucified at *Rome* with his *head downwards*, as [g] *Hiſtorians* relate; yea *both of them expreſly enjoyn* [h] *every ſoul* (whether an Apoſtle, Prophet, Pope, or other Clergyman, as well as Laick, as St. *Chryſoſtome*, *Theodoret*, *Theophylact*, *Oecumenius*, and others comment on it) to be ſubject, and ſubmit themſelves to the higher Powers, and to the King as SUPREAM, and that for Conſcience ſake, FOR SO IS THE WILL OF GOD; and that in an Epiſtle written to all that be in Rome, called to be Saints, by expreſſe *evangelical* precepts, backed with their own examples in *ſubmitting to their capital Judgements, executions*, as our [i] *Saviour Chriſt himſelf did before them, leaving all Popes, Prelates, how great ſoever, an example, that they ſhould follow their ſteps therein*, as [k] *many* of the firſt Martyred Biſhops of *Rome* did; without pleading any ſuch [l] *Priviledges, Exemptions from Kings and Emperors Tribunals, or Corporal, Capital puniſhments, or Taxes* (*which they paid*) as they ſince pretend to by their own *Antimonarchical Canons, Decrees*, and *Conſtitutions*, (or by *Charters* forcibly extorted from *Chriſtian Emperors* and *Kings* themſelves) or ſuch an unlimited power, as Popes and other Prelates now claim; *That they are the Superior Judges of all Emperors and Kings, as well as inferiour Subjects, but they themſelves are to be judged by none but God himſelf*; or at leaſt by *Popes* and *Biſhops* themſelves in *Councils*; Which they prove from the much perverted Text of St. *Paul*, 1 Cor. 2. 15. *But he that is ſpiritual* (that is, regenerated by Gods Spirit) *judgeth* (that is, diſcerneth) *all things* (that are revealed, taught by the Spirit of God) yet he himſelf is judged (or diſcerned) of no man; that is, of *no natural or carnal man*, for thoſe ſpiritual things, (not for viſible Crimes, or Capital offences) *who perceiveth not the things of the ſpirit of God, neither can he know them, becauſe they are ſpiritually diſcerned*, as the Text it ſelf and all *antient Orthodox Commentators* on it expreſly reſolve, againſt the abſurd ridiculous falſe *Gloſſes* of Modern *Popes, Canoniſts*, and Sycophants of *Rome*, who appropriate this Text only to the Pope himſelf, and to *Biſhops, Clergymen*, though meerly carnal, voyd of the Spirit of God, and that only for viſible carnal things and Crimes; whereof it never was, nor can be intended, againſt St. *Pauls*, and St. *Peters* expreſſe Doctrines in the forecited Texts, ſeconded with their practiſe.

And here I ſhall crave leave to inform you, how Popes, and Popiſh Archbiſhops, Prelates, Clergymen firſt procured, and then enlarged, ſupported their Exemptions from, and Eccleſiaſtical Juriſdiction over Chriſtian Emperors and Kings; not only *by granting diſpenſations with their Oaths, Vows, unlawfull, inceſtuous, libidinous marriages, divorces, interpoſitions in their Treaties of Peace, Leagues, Wars againſt each other, by grants of Diſms, Indulgences, Priviledges for pretended aſſiſtance of the Holy Land againſt* Saracens *and* Infidels; *by declaring Baſtards to be legitimate heirs, and themſelves to be ſole Judges of Heretiks, Hereſy, Schiſms, and by confirming of Kings, Emperors grants, Priviledges, Exemptions to Monaſteries and other Churches*; (which I have demonſtrated by ſeveral Inſtances in this and the precedent Tomes;) but more eſpecially by Monopolizing to themſelves by degrees the ſole power of *conſecrating, crowning Emperors, Kings*, and preſcribing *Interrogatories, Oathes, Articles, Ceremonials*, to them at their *Coronations*, eſpecially when they Crowned *Uſurpers*, and put by the right heirs from the Crown; which becauſe not hitherto fully cleared by any, I ſhall crave leave to preſent you with my collections, and obſerva-

c Cornel. Tacitus, Annal. l. 3. Suetonius, Eutropius, Grimſton, & others in the lives of Titus, Veſpatian, & Trajan, Godwins Rom. Antiquities, l. 3. ſect. 1. c. 9. & l. 3. 3. 8.

d Gal. 2. 5. to 15.

e Epiphanius contr. Hæreſ. l. 1. c. 7. Euſebius Eccleſ. Hiſtor. l. 3. c. 31.

f Acts 25. 6. to 13.

g Euſebius, Nicephorus, Platina, Cent. Magd. Onuphrius, Genebrard, Ribadenieta, Mat. Weſtm. An. 66 & ſundry others.

h Rom. 13. 1, to 8. 1 Pet. 2. 13, 14, 15. Tit. 3. 1. Mat. 10. 17, 18.

i Mat. 27. Mar. 14. & 15. Lu. 23. & Joh. 18. 1 Pet. 2. 21, 22, 23.

k See Platina, Balæus, Euſebius, Theodoret, Zozomonus, Nicephorus, Baronius, Genebrard, in their lives.

l Gratian, Cauſ. 9. qui 7. Cauſ. 11. qu. 3. Cauſ. 7. qu. 4. & Diſtinct. 21. 40. 96. Extrav. de Majoritate & Obedientia, Auguſtinus Triumphus, Marta, Barboſa, & Bellarm. de Romano Pontif. & Clericis, Marc. de Vulſon, De la Puiſſance du Pape, l. 1. c. 2. 17, 18. Dominicus Soto, m. 4. ſent. diſt. 25. qu. 2. Didacus Covarruvias in Prælect. quæſt. 31. Concluſ. 3, 4. Mariana, l. 1. c. 10. De Inſtit. Regum.

tions

tions of this kind, both in the Eaſtern and Weſtern *Roman* Empires, in the *French*, and our *Britiſh*, *Saxon*, *Norman*, *Engliſh Kings Coronations*, antecedent to King *Johns*, and *Henry* the *Thirds*; The rather, becauſe I have manifeſted how Popes and Biſhops advance themſelves above Emperors, Kings, in the late form of their *Unctions* not on the *head* but *ſhoulders* in their Coronations, in my *Epiſtle Dedicatory*. The [a] *Hiſtories* of the *Roman Emperors*, and other *Kings lives* inform us, *that the Pagan and firſt Chriſtian Emperors, Kings, in all or moſt Kingdomes, were not Crowned or Conſecrated Emperors or Kings by Prieſts, Archflamines, Popes, Patriarchs, Archbiſhops, Biſhops or Clergymen, but only by themſelves, or their Predeceſſors, who aſſociated them in the preſent Government of their Empires, Kingdomes, or declared them to be their immediate ſucceſſors; or elſe by their Military Officers, Souldiers, Guards, or Nobles, by inveſting them with Imperial* or *Regal Ornaments, Robes, Scepter, or ſetting a Fillet, Diadem, or Crown of Gold upon their heads, with other Ceremonies*, according to the uſage of their ſeveral Countries. But as for their Queens, they were uſually Crowned by the Emperors and Kings [b] themſelves with their own hands, not by any others.

(a) See Ælius Lampridius, Flavius Vopiſcus, Diodorus Siculus, Suetonius, Polybius, Dion Caſſius, Juſtin, Tacitus, Cuſpinian, Eutropius, Paulus Diaconus, Alberrus Crantzius, Volaterranus, Grimſtons Imperial Hiſtory, Antoninus, Matthew Weſtminſter, Hector Boetius, Marianus Scotus, the General Hiſtories of Spain, France, Denmark, and Mr. Seldens Titles of Honor, pars 1. ch. 8. p. 167, 168. Alexander ab Alexandro, Geneal. Dierum, l. 1. c. 28. l. 2. c. 19. & Boemus de Moribus Gentium. (b) Eſther 2. 17.

I ſhall begin with the Coronations of the Chriſtian *Roman* Emperors of the *Eaſt*, and their *Empreſſes*, recorded in their Hiſtories. Upon the death of (1) *Theodoſius* the younger, *Pulcheria* promoted *Marcianus* though ancient to the Empire, upon condition to marry her; whereto he aſſenting, ſhe, *Patriarcha & Senatu acceſſit*, **Imperatorem** *ſalutat*, & **Diademate cingit**. After him *Baſiliſcus* being ſaluted Emperor, Zenonidem *Auguſtali Corona ornat*, & Marcum *filium* Cæſarem *appellat*, & *tyrannico Edicto Concilium* Chalcedonenſe *abrogavit*; which Decree the people enforced him to retract: The firſt Emperor crowned, or who had any *Coronation Oath* or *Writing* preſcribed him by the Patriarch of *Conſtantinople*, was (2) *Anaſtaſius*, who being elected Emperor by the Senate and Souldiers, about the year 486. *Euphemius* then Patriarch of *Conſtantinople* ſuſpecting him to be addicted to the Hereſie of *Eutychius* and the *Manichees*; thereupon would no wayes conſent to his Coronation, but peremptorily refuſed to Crown him, untill he ſhould deliver him a Writing under his hand, *ratified with* HIS OATH, *wherein he ſhould plainly declare*, **that if he were crowned Emperor, he would maintain the true faith, and Synod of Chalcedon during his reign, and bring no novelty into the Church of God**: Which Writing being aſſented to, drawen and ratified by his Oath, *was delivered to* Macedonius *the Treaſurer to keep*; *and then the Patriarch Crowned him*, **quaſi jam tunc a Pontificibus Reges et Imperatores coronarentur, et eorum ſacro miniſterio Imperia ſuſciperent**; as (3) *Gilbertus Genebrardus* obſerves. After which, the Emperor baniſhed *Euphemius*, *deprived him of his Patriarchſhip*, and made *Macedonius* Patriarch in his place; from whom he demanded his premiſed *Hand-writing*: **For it is** (ſaid he) **a great diſcredit unto our Scepter, that our hand ſhould be kept to teſtifie againſt us, or that we ſhould be tyed to pen and paper.** Which he refuſing to deliver up to him, ſaying, *It ſhould never be reported by him, that he betrayed his faith*: the Emperor likewiſe *baniſhed* and deprived *Macedonius*. ſo much was he exaſperated by the exacting of this Hand-writing and Oath from him at his Coronation. *Platina* and (4) *ſome others* write, that Pope *Gelaſius* the 1. excommunicated this Emperor, becauſe he favoured Hereticks and *Acacius*, who oppoſed his Supremacy; though others write, he only denyed *communion* with him; the firſt uſurpation of any *Pope* of this nature over an *Emperor*, which their ſucceſſors and Paraſites ſince, do much inſiſt on. The next Emperor I read of, *Crowned* by a *Patriarch*, was [b] *Juſtinus* the 2. crowned at *Conſtantinople* by *Eutychius* or *John* the Patriarch, Anno Chriſti 558. by *bleſſing him*, and *ſetting the Crown upon his head*, as *Coryppus*, and *Eutropius* inform us: which done *Juſtin* himſelf *uxorem ſuam* Sophiam *nomine*, **et coronavit Auguſtam**, as [c] *Zonaras* and *Eutropius* ſtory: Indeed [d] *Anaſtaſius* only, and [e] *Baronius*, with [f] *Bernardinus Saccus* out of him affirm, that *Juſtinus* the 1. was in the 5th year of his reign *Crowned* Emperor the ſecond time by

(1) Joan. Zonaras, Annal. Tom. 3. f. 123. 125.
(2) Evagrius Eccl. Hiſt. l. 3. c. 32. Niceph. Calliſt. Eccl. Hiſt. lib. 16. c. 26. Joan. Zonaras Annal. Tom. 3. f. 126. Cent. Magdeburg. 5. c. 10. col. 1214, 1215. Genebrardi Chron. p. 453. Petrus de Marca, De Concord. Sacerdotii & Imperii, l. 4. c. 9. n. 6.
(3) Chronograph. p. 453.
(4) Platina, & Dr. Barnes in Gelaſio 1. & Sabellicus Centur. Magd. 5. c. 10. col. 1278, 1279.
b Selden Titles of Honor, part 1. c. 8. p. 146, 168. Eutr. Rer. Rom. Hiſt. l. 16 p. 208. Onuphr. de Comitiis Imp. c. 2. 5.
c Annal. Tom. 3. f. 130 b.
d In Johann. 1.
e Annal. Tom. 7. An. 525, p. 106.
f Ticinenſ. Hiſtor. l. 8. c. 2.

by Pope *John* the 1. about the year of Chriſt 516. who repaired to him concerning the *Arrian* Hereſie, being formerly Crowned by *John* Patriarch of *Conſtantinople*, which ſeems improbable, becauſe no other Hiſtorians mention it; and [g] *Johannes Zonaras* expreſly writes of this Emperor, that falling ſick, *morbique in ſpe vitæ dubia invaleſcente, Patriarcha* Epiphanio *& Primoribus advocatis*, Juſtinianum *Nepotem* **Imperatorem decernit, et ſuis manibus ejus Capiti Diadema imponit**; according to ancient Cuſtome, though the Patriarch himſelf was preſent, which is obſervable, he receiving no other *Coronation* after his death. From the death of *Juſtinus* the 2. [h] *Zonaras*, [i] *Eutropius*, and others make no mention of any Emperors Coronation, till that of Tiberius *An.* 571. *ab* Eutychio *Patriarcha* **Coronatus**. After him, *An.* 577. Mauritius *à Patriarcha* Johanne *jejuniatore* **Cozonatus**, *rerum adminiſtrationem ſuſcepit*; who being ſlain with his Wife and Children by the Uſurper [k] *Phocas*, (inſtigated by Pope *Gregory* the 1. becauſe he would not upon his reiterated Epiſtles to him command the Patriarch of *Conſtantinople* to renounce the ſtile and title of UNIVERSAL BISHOP, which he uſed, to the derogation of his *Papal Supremacy*) Phocas, *cum populo* Phraſinæ *factionis* Hebdunam *ingreſſus*, *Anno* 595. as ſome, or 605. as others compute it, *ſummoned the Patriarch, Senate and People to come to him. Hoc igitur facto, & cunctis convenientibus apud* Septimium, **tunc Patriarcha** *Cyriacus* **a tyranno de orthodoxa fide, et ut ſine perturbatione ſerbaret Eccleſiam**, EXTORSIT PROFESSIONEM, (as *Eutropius* ſtories.) Which profeſſion being made, *ibi à* **Patriarcha Diademate ornatus**, *inde in Regiam ſe contulit, & quinta die* Leontiam *uxorem* Auguſtam **coronabit**, (by ſetting the Crown upon her head as the Cuſtome then was, with his own hands.) This Uſurper contrary to his extorted profeſſion Anno 609. *à* Bonifacio *Papa, rogatus*, Phocas *Imperator cum magna tamen contentione*, **ſtatuit, ut Eccleſia** Romana **eſſet aliarum Eccleſiarum magiſtra et domina. Nam antea Eccleſia** Conſtantinopolitana **Domina ſeſe ſcribebat omnium Eccleſiarum**, as † *Matthew Weſtminſter*, and *ſundry others* ſtory. Which highly incenſed the *Greek* Patriarchs and Church againſt him. He at the inſtigation of *Heraclius*, being deſervedly ſlain for his tyranny by his own guards, *Anno* 613. [l] Heraclius *à* Sergio **Patriarcha Cozonatus** *in Oratorio Sancti* Stephani *in palacio ſuo*: **Cozonata eſt etiam eodem die** Eudochia **ſponſa ejus in** Auguſtam, **et accepit uterque a** Sergio **Patriarcha Nuptiarum cozonas**: *& uno eodemque die* **Imperator** ſimul **et ſponſus oſtenditur**, ſo *Eutropius*; or as *Zonaras*, **ſtantem etiam** Eudociam **ſponſam diademate ornat**: The next Coronation I finde, is that of [m] *Stauratius*, An 796. Nicephorus *Imperator coronavit filium ſuum* Stauratium *per* Tharaſium *ſanctiſſimum Patriarcham in ambone majoris Eccleſiæ* **in Imperatorem**. In all theſe and their ſucceſſors Coronations by the Patriarch, I find no mention at all of any *anointing*, *Oath* or *promiſe* made by any *Greek* Emperor to the Patriarch, to maintain the *Churches liberties, Rites* or *Juriſdictions, but only the right faith*; though they frequently by their Imperial power deprived, impriſoned, baniſhed many Patriarchs, and ſet up new in moſt of their places, reſtoring only ſome of them, as *Zonaras, Cedrenus, Eutropius, Nicephorus*, and the *Magdeburgian Centuries* record. [n] An. 804. after the death of the Emperor *Nicephorus*, ſlain in his warrs againſt the *Bulgarians*, when *Stauratius* his ſon, Crowned Emperor by his father, came to *Adrianopolis*, wounded in that battel, *et magiſtratuum quorundam ſtudio* **Imperator eſt declaratus**: he intending to leave the Empire to *Stauratia* his Siſter, maried to *Michael Curopolata*, and ſeiſe upon *Michael* to put out his eyes; thereupon ſhe and the Senate calling the ſcattered Legions together in the night, declared *Michael* to be Emperor a little before day-breaking: Michael *ubi diluxit, magnam Eccleſiam ingreſſus* **a Patriarcha** Nicephoro, **Imperatorio diademate eſt ornatus, poſtulato prius ſcripto, quo promitteret, ſe nulla Eccleſiæ ſtatuta violaturum** (to wit, of the ſecond Council of *Nice*, for the ſetting up and adoring Images in Churches) **neque Chriſtianorum ſanguine manus contaminaturum eſſe**, as *Zonaras* informs us; *Eutropius* thus relates it, *Porrò*, Nicephorus **Patriarcha ſcriptum a** Michaele **propriæ manus exegit de recta fide, et ut ſine ſanguine manus a Chriſtianis ſervaret, ac de ſacris hominibus ſeu Monachis, et de toto Eccleſiaſtico Catalogo, ne percuterentur ab illo**; which he not only performed, but alſo of his bounty *donavit Patriarchæ auri libras* L. *& Clero* XXV. *Poſt dies aliquot* Procopiam *uxorem* Auguſtam *ſalutavit*,

g Annal. Tom. 3. f. 128. Imperium Juſtin. Thracis.

h Annal. Tom. 3. f. 131, 132.

i Rerum Rom. Hiſt. 16 & 17. p. 212.

k See my firſt Tome, p. 102. 103, 104. Eutropius, l. 17. p. 232, 233.

† Anno 609. p. 209. See Here, Tom. 2. p. 103, 104.

l Zonaras Annal. Tom. 3. p. 133. Eutropius Rerum Rom. l. 18. p. 237.

m Eutropius l. 24. p. 337. Zonaras Tom. 3. f. 141.

n Zonaras Annal. Tom. 3. f. 142, 143. Eutropius l. 24. p. 145, 146.

vit, & Coronavit *in Triclinio, multiſque donis liberalibus auxit Senatum.* Omnes autem Patricios et Senatores, Sacerdotes et Summos Sacerdotes, et militantes Monachos et Pauperes, tam in Regia Urbe quam in Thematibus degentes locupletavit. Stauratius *autem acclamatione hujus audita, ſtatim comam totondit,* & *Monachicis indutus veſtimentis, per* Simeonem *Monachum,* implored the Patriarch and *Michael* to ſave his life; for which end he thus ſuddenly became a Monk, which requeſt he obtaining ſoon after died of his wounds, *cum duos duntaxat menſes* & *ſex dies imperaſſet.* This preſident or Charter is the *firſt promiſe* (not Oath) *demanded from, or given by any* Roman *Emperor or King* I read of at his *Coronation,* for *confirming the Churches, Biſhops, Monks Priviledges;* not to be puniſhed by him; and the firſt of *rewards* given to Patriarchs, Biſhops, Prieſts, Monks, Senators, and that by a forcible Uſurper, to ſecure his uſurped Empire to him and his ſon; who ſoon after *Filium* Theophylactum Imperatorio nomine dignatus eſt, et a Patriarcha diademate ornandum curavit. But this could not ſecure the Empire to them, nor Patriarchſhip to *Nicephorus,* nor yet their perſons againſt Gods *retaliation;* for *Michael* being routed in a battle by the [o] *Bulgarians,* as *Nicephorus* was, and flying to *Conſtantinople;* thereupon *Leo* ſtirred up the remainder of his Legions againſt him, as he had done againſt *Stauratius,* who proclaiming *Leo* Emperor, *Michael* upon the tydings thereof, *poteſtatis inſignia* Leoni *miſit, ecq; Regiam ingreſſo, cum uxore* & *liberis in ædem quæ eſt in* Pharo, *ſupplex confugit. Inde avulſi,* Michael *in inſula* Phota *Monachus factus vitam exegit,* Theophylactus *filius ejus,* qui Imperator appellatus fuerat, *virilibus exactis cum matre* & *fratribus eſt relegatus. Hunc exitum habuit* Michaelis *imperium cum id biennium tenuiſſet?* As for [p] *Nicephorus* the Patriarch, who Crowned him and his Sonne, and likewiſe *Leo,* in ambone majoris Eccleſiæ, (but without any Oath, Charter, or promiſe, like that of *Michaels*) he deprived him of his Patriarchſhip, and baniſhed him to *Præconeſtra* upon this account. *Leo* being very zealous againſt Images, and the Inſtitutions of the ſecond *Counceil* of *Nice,* (which *Michael* at his Coronation promiſed him not to violate) eas omnes tolli juſſit, by the perſwaſion of a Monk, a quo imperium ſibi prædictum fuerat. *Cumque Patriarcham* Nicephorum *in ſuam ſententiam pertracturus eſſet, ille verò acriter adverſaretur,* & *edictum illud* & *ſcriptis* & *orationibus impietatis argueret,* virum relegat. Nicephoro *ſua Eccleſia pulſo, in ejus locum introductus eſt* Mileſſenus Theodotus, *qui ſacra Cathedra indignè conſcenſa, cum Imperatorem ſuffragatorem haberet audacter in ſacras imagines graſſatus eſt.* After *Leo,* I finde theſe Emperors of the *Weſt,* viz. [q] *Michael Balbus, Romanus Lacapeni, Nicephorus Phocas, Theodora, Conſtantinus Monomachus, Nicephorus Botoniata,* Crowned by the Patriarchs of *Conſtantinople,* without any unction, oath, promiſe, or Writing whatſoever: and [r] *Theophylus* the Emperor crowning his Sonne *Michael* with a Diadem, and declaring him Emperor: *Conſtantine* the ſonne of *Leo* crowning and declaring his ſonne *Romanus* Emperor, bota faciente *Theophilacto* Patriarcha *Joannes Zimiſca, filium ſuum* Baſilium *Diademate* & *Imperatorio nomine ornat,* & Alexius Comnenus, *qui* Johannem *filium ipſe Imperio ornaret. Romanus Lacapeni* crowned his Empreſſe himſelf, and *Alexius Commnenus* did alſo the like. I read that *Johannes Zimiſca* who moſt barbarouſly murdered his Soveraign [s] *Nicephorus Phocas* the Emperor, and uſurped the Empire by force and treachery, after he had reſtored thoſe Biſhops whom *Nicephorus* had baniſhed, qui ei libro ſubſcribere recuſarunt, quo ſanxerunt, ne quis Pontifex ſe inſcio deſignaretur; Deinde in magnam Eccleſiam abiit, ut ibi diademate ornaretur; *ſed* Polyeuctus *Patriarcha eum ut cæde* Pollutum, ingredi ædem ſacram non eſt paſſus. *Quam increpationem* Zimiſces *æquo ferens animo, pro defenſione attulit, ſe cædem ſuis manibus non perpetraſſe, ſed* Abalantem, & Azyphotheodorum Theophanonis *juſſu* Nicephorum *ſuſtuliſſe. Contra,* Patriarcha *poſtulavit, ut* Theophano *Regia pulſo* relegaretur, et Nicephori percuſſores in exilium agerentur, et liber cujus mentionem fecimus, lacararetur, et ipſe pœnas daret. Ille ſe omnia facturum policitus, *ſtatim miſſis ſatellitibus* Theophanonem *Regia educit,* libram ab ſe allatum lacerat, et quas privatus opes habuiſſet, ſe diſtributurum pauperibus promiſit. *His factis natali Servatoris* & *Dei noſtri,* ſimul in Eccleſiam admittitur, ſimul diademate ornatur, Theophanone in Præconeſum relegato. *Sic appellatus Imperator, cum magna*

o Zonaras Annal. Tom. 3. f. 143, 144. Eutropius, l. 23. p. 350, 351.

p Zonaras & Eutropius Ibidem, Paulus Diaconus De Geſtis Longobardorum, l. 6. p. 439.

q Zonaras Annal. Tom. 3. f. 144 b. 146 a. f. 156 a. 158 a. 159 a. 166, 168 a. b. 172 b. 177 b.

r Zonaras Annal. Tom. 3. 147 a. 156 a. 158 a. 159 a. 178 b. 180 b.

s Zonaras Annal. Tom. 3. p. 161.

na Antiochia *Pontifice careret, Monachum quendam* Theodorum, *qui Imperium ei prædixerat, neque feſtinare aut rapere, ſed numinis deſignationem expectare juſſerat, Pontificem nominavit.* This Patriarch by Crowning this bloody Uſurper upon theſe precedent conditions, (whom he ſhould have totally refuſed) gained a revocation and reſcinding of that lawfull Book and *Imperial Privileoge*, (as prejudicial to the Churches Liberties) which prohibited *any to be made or aſſigned a Biſhop, without the Emperors privity.* Some years after, [t] *Michael* ſurnamed *Senex* being made Emperor, by the Empreſſe *Theodora*, when ſhe lay ſick deſpairing of life, by advice of her familiars, a qua ſtatim diademate redimitus: ſanctiſſimo prius juramento adactus eſt, ſe nihil ſine illorum conſenſu in Imperatoris adminiſtrationibus decreturum. Not long after by fraud and practiſe he was perſwaded by *Michael* Patriarch of *Conſtantinople* and others to reſign the Empire to *Iſaac Comnenus*; *Paulo poſt* Comnenum *aperte Imperatorem ſalutarunt, etiam Patriarcha ſuffraganie & adjuvante* (againſt their Oaths to him;) *qui* Michaeli *nunciaret, ne cunctaretur, & præmium ſuffragii poſtularat*, et Imperatori inſolentius nunciaverat, ut Regia decederet. *Quo nuncio à primariis Sacerdotibus accepto* ſenex Michael *percontatus eſt*, quod ſibi præmium pro Imperio daturi eſſent? *Illiſq; reſpondentibus*, Regnum cœleſte: *ſtatim inſignibus abjectis* Regia deceſſit. *At* Comnenus, *firmato Imperio, eos à quibus adjutus fuerat, liberaliſſime eſt remuneratus.* Patriarcham magnopere veneratus eſt, *& fratris ejus filios magnis honoribus affectos, ſuperbis magiſtratibus præfecit. Præterea*, in Patriarchæ gratiam, etiam Eccleſiaſticarum rerum procurationem Eccleſiæ attribuit. *Nam cum ad id uſque tempus & magnus Oeconomus, & vaſorum cuſtos ab Imperatore deſignari ſoleret:* utrunque ſo munus Patriarchæ poteſtati ſubjecit, amota publica autoritate. Hereupon, though the Emperor thus ſetled grew very proud, yet as *Zonaras* ſtories, Neque vero Patriarcha ſuperbia illi cedebat, ſed imperare illi volebat, ac ſi quando non impetraſſet ea quæ petierat, ægre ferebat, increpabat: denique minabatur, quemadmodum Imperium illi contuliſſet, ita ſe idem illi exepturum. Quæ cum talis Imperator ferre æquo animo haud utique poſſet, prohibit, *ut malum daret potius quam ferret. Cum igitur Patriarcha in ſuum Monaſterium, ad feſtivitatem cœleſtium copiarum, quæ ibi colebantur*, ſplendidius celebrandam iturus eſſet: *miſſa illuc cohorte militum* (nec enim cum ex Eccleſia verbi divini ſapientiæ abellere voluit, ne vel Cleri vel populi motus oriretur;) et ipſum et nepotes ejus relegat. *Deinde*, de abrogando illi Patriarcatu cogitans, *opera quorundam primariorum Sacerdotum utitur, & Pſelli, variarum & abſurdarum criminationum coacervatorii, quas in oratione contra illum ſcripta congeſſit, & per quoſdam viro ſignificat, ut ſimulet*, ſe ultro Pontificatu cedere, quem aliqui inbitus cum publica infamia ſit amiſſurus. *Ut autem ille refragabatur, Imperatoris de ejus exantoratione ſollicitudinem mors ſuſtulit.* [u] *Nicetas* Chronicata renders us this Account of the Coronation of *Manuel Comnenus. Facta igitur ve divina pro declaratione & Imperii auſpiciis, de Patriarchi throni ſucceſſore & eccleſiaſticæ functionis gubernatore deliberat*, a quo in templo Domini Corona Imperatoria ornaretur; *Nam* Leo Styppiora *morte rebus humanis exemptus erat. Proinde ſententiam cum cognatis, Senatoribus & Sacerdotibus communicat; qui* Michaelem Acuti *Monaſterii Monachum deſignabant, virum & virtute celebrem et literis noſtris eruditum: Is igitur Patriarcha declaratus* eum a quo unctus erat, vicissim ungit, *Imperatorioque diademate* ornabit, ſacram ædem ingreſſus. And of young *Alexius* his Coronation; he writes; [x] Andronicus *auctor eſt* coronandi Alexii (Comneni) *eumque in humeros elatum lachrymans in magna Eccleſiæ ambonem pertulit, atque inde retulit, ut patrem pietate ſuperare videretur, & adoleſcentis Imperatoris præſidium haberetur, cum ipſe aliud habebat in mente*, ac Davidicum *illud agitaret, elatum meuniſſet.*

Upon the death of *Johannis Ducæ* the Greek Emperor, *Theodorus Laſcaris* his ſonne and heir, *totius populi ſuffragiis eſt creatus Imperator, in clypeo ſedens, more à majoribus accepto*, as [a] *Nicephorus Gregoras* ſtories; [b] *Georgius Pachymerus* informs us, *Imperatorio clypeo inſidet, id qui Imperio deſignatur, ac pedibus primum imperatoriis inſignibus ornatis & manibus*, hinc Pontificum *inde Procerum elatus, Imperatoriis hymnus & plauſibus ab omnibus celebratur.* The Patriarchſhip of *Conſtantinople* being then voyd, *Nicephorus Blemmydes* though unanimouſly elected refuſing

t Zonaras Annal. Tom. 3. Nicetas Chron. Annal. f. 9. 172 173. Centur. Magd. 11. c. 3. col. 38. c. 10. col. 516, 517, Cent. 12. col. 1282.

Nota.

u Annal. l. 1. f. 9. b. See Cent Magd. 12 col. 871.

x Annal. p. 31. b.

a Hiſt. Romanæ, l. 3. f. 9.
b Capta, l. 2. f. 61.

to accept it, Arſenius *Monachus* (about the year 1262) *Patriarcha creatus communi Pontificum ſententia & ſuffragio*, Imperatoze maxime appzobante, et Pontificium illud ſuffragium (uti mozis eſt) confirmante, Imperatoz a Patriarcha unctus et diademate oznatus eſt; without any Oath, promiſe or Charter mentioned in the *Greek Hiſtorians*. This Emperor falling into a deadly ſickneſs, *Moriens*, Muzalonem, [c] *cum Patriarcha Curatorem Imperii reliquit, donec filius* Joannes *ſextum tunc agente annum ad maturam ætatem adveniſſet*: This Patriarch and *Muzalo* (generally hated by the Nobles) to ſecure the perſon of their pupil, and *Muzalo* from danger, cauſed the Nobles to take two Oathes one after another; the laſt whereof (more ſacred than the former) was in this form. *Iurant omnes tàm Nobiles quam ex plebe militari; ſibique ac familiæ ſuæ quilibet exitium imprecantur, ni quod juraſſent, ſanctè ſervarent, ac* Muzaloni *tutelam*, Imperatozis vero filio Imperium inſidiarum expers, et inviolatum, ad omnem ejus poſteritatem tuerentur. Within few dayes after at the Emperors funeral, the Soldiers entring the Temple with drawn Swords, barbarouſly ſlew *Muzalo* who fled to the holy table, with others of his adherents, and ſo terrified the Patriarch, that he reſigned the cuſtody of *John*, to *Michael Palæologus*, till he ſhould come to age: who aſpiring after the Empire, *tum honoris cauſa populi* Romani, *tum etiam ad ſtatum interregni firmandum*, Deſpotæ *titulo ornatur*, tam a Patriarcha, quam a filio Imperatozis: Soon after, *viri auctoritate & nobilitate præſtantes circa* Magneſiam clypeo inſidentem Michaelem Palæologum, Imperatozem appellant. *Quo Patriarcha* Arſenius *audito, vehementer perturbatus, puero metuebat: ac primum in animo habuit*, tam eum qui appellatus eſſet Imperatoz, quam qui appellaſſent, ſacris interdicere. *Deinde mutato conſilio, moderatius & melius eſſe ratus eſt*, eos ſancto jureſurando aſtringere, ne vel pueri vitæ inſidientur, vel de Imperio illi per dim aut fraudem eripiendo cogitent; *itaque factum eſt Calendis* Decembris. *Sed priuſquam menſis elaberetur, iis ipſe qui hac timuerat, & illa ipſa pro ſecuritate pueri egerat, ſuis manibus*, in ſacro ſuggeſtu Michaelis Palæolgi capiti cozonam imponit, et Imperatozio diademate virum oznat, *ſententiis Senatus & ſacri ordinis impulſus. Cæterum non perpetuum illi decernit imperium, ſed quod tum rebus ità cogentibus, id ab eo adminiſtrandum eſſet, donec legitimus illius hæres & ſucceſſor adoleviſſet: tùm vero illi ſoli cedendum eſſe ultro & ſolio Regio, & omnibus Imperii inſignibus.* Atque hæc ſanctioze jureſurando quam pzius firmabit: *Poſt hæc* Arſenius *relicta ſede Patriarcha, ſe in maritimum* Paſchatii *Monaſteriolum quieſcendi cauſa contulit: Cauſa illius receſſus fuit* Joannis *contemptus*. Whoſe eyes being ſoon after burnt out by *Palæologus* to make him uncapable of the Empire; thereupon after many complaints *Arſenius Palæologum ſacris interdicit*: who patiently endured his cenſure for ſome ſpace to pacifie the Patriarch; but not complying with him, he thereupon impeached him of ſeveral crimes, deprived him of the Patriarchſhip, baniſhed him, and promoted *Germanus* to the Patriarchſhip: who not long after deſerting it, upon the clamors of the people, that he uſurped the See living *Arſenius*, the Emperor made *Joſeph* Patriarch in his ſtead: by whoſe adviſe, to ingratiate himſelf with the people, and expiate his ſinnes, *Imperator* Michael, *cum Patriarcha primum ſacrificium in Eccleſia cum cæteris Pontificibus peragiſſet, ante veſtibulum ſacri ſuggeſtus proſtratus, duo ſua peccata*, perjurium, et illi Imperatozis execcationem pzofitetur, ſibique condonari petit. *Primus igitur Patriarcha illi jacenti aſtans*, condonationis ſingraphum quandam, ac poſt eum Pontifices ſuo quiſque ozdine eandem recitarunt. *Ita lætus diſcedit Imperator tàm ob illam condonationem, quam quod Deum etiam ſibi placatum & reconcilatum exiſtimabat*, though he reſtored not the Crown to the right heir, whoſe eyes he thus put out. From whence I ſhall obſerve, 1. That this uſurping of the Empire by this perjured Emperor, was the ground of the Patriarchs impoſing a New Oath upon him at his Coronation. 2ly. That his perfidious violation of this Oath, encouraged the Patriarch to excommunicate him. 3ly. That this excommunication was the occaſion of this Patriarchs deprivation and baniſhment by this uſurper. 4ly. That this Uſurper to ingratiate himſelf with the people and Prelates, made a publike confeſſion of his perjury, and crime in putting out the eyes of the right heir, and received publike abſolution both from his crime and ſentence thereupon, by a Writing made under the new Patriarchs and Biſhops hands.

[c] Niceph. Gregoras Hiſt. Rom. l. 3. f. 11. a b. 10. & l. 4. f. 12, 13, 14. Cent. Magd. 13 col. 21, 606, 982, 983, & Cent. 12. col. 1382, 1383.

After

After which this perjured Uſurper about the year 1270. to ſecure the Empire to himſelf and his poſterity, [d] Andronico *filio ſuo* Annam Pannoniam *deſponſavit, ſimulque illum inſignibus Imperii ornat*, in his life time, and for ſecuring his own life, Empire, and priviledges of the *Greek* Patriarchs, Clergy, (to induce them to crown him without oppoſition) he preſcribed his ſon this Coronation Oath by the Patriarchs adviſe. *Cum* Andronicus *inſignibus Imperii à patre* Michaele Palæologo *ornaretur*, **ipſe patri jurat, ſe Det Eccleſiam pie veneraturum, ejuſque privilegia modis omnibus culturum, et inviolata conſervaturum eſſe:** (A Clauſe never inſerted into the Oath, Writing, promiſe of any precedent Emperor) **Poſtea, ſe bitam et Imperium patris ſui expertem inſidiarum uſque ad ejus obitum pro viribus conſervaturum.** *His peractis, omnis* Romanus *populus* uſitatum juſjurandum Andronico novo *Imperatori dedit.* **Patriarcha vero et Collegium Sacerdotum juſjurandum ſuum præſcriptum, in ſacros codices retulerunt: ſe et ſucceſſores ſuos, ejus Imperio non eſſe inſidiaturos, profitentes.** *Pater autem permiſit, edictis ſubſcribere rubris literis, cæterum ſine menſe & indictione: ſed*, Andronicus, **Chriſti gratia Imperator** Romanorum.

d Nicephorus Gregoras Hiſt. Romanæ, l. 4. f. 15. Centur. Magd. 13. col. 684.

Soon after this Oath preſcribed and taken, [e] *Charles* King of *Italy*, and Earl *Baldwin*, raiſing great forces to beſiege *Conſtantinople*, and unite the Empire thereof to that of *Germany*, by the Popes inſtigation; to prevent this danger *Palæologus* the elder ſent Embaſſadors to Pope *Gregory*, to mediate an accord between the *Greek* and *Roman* Churches; *Cujus hæc tria Capita fuerunt; Primum*, ut in ſacrorum voluminum **Pſalmodiis Papæ, cum quatuor Patriarchis mentio fieret.** *Alterum*, ut **liceret cuivis** *Romam veterem*, quæ Curia major et perfectior eſt, appellare. *Tertium*, ut illi **Principatus in omnibus deferretur.** Which agreement was ſo much oppoſed by the Patriarch *Joſeph*, that he deſerted his See, and the Colledge of the Prieſts mutinied the people againſt him: whom he could not pacifie by his perſwaſions, nor yet by impriſonments, exiles of *Becas*, & other Patriarchs, Biſhops, Prieſts who obſtinately oppoſed this accord; which rendred him ſo odious, that, *poſt obitum* Græcorum *Imperatorem* Palæologum *ſacra arcent Sepulturæ* Conſtantinopolitani **Sacerdotes, quod** Romanæ **Eccleſiæ ſententiam in Concilio** Lugdunenſi **amplexus eſſet**; whereupon he was privately buried in the night by his ſons command *procul à caſtris, vix plebeia ſepultura, multa terra obrutus, id ſolum cavens, ne à feris diſcerperetur.* After which, the Patriarchs of *Conſtantinople* grew ſo rebellious and refractory againſt the Emperors, that they were either baniſhed, deprived by them, or reſigned their Patriarchſhips when they could not have their wills. Whereupon they made choyce of aged, ſimple, and illiterate perſons to be Patriarchs, who through ignorance and ſimplicity were moſt apt to obey them, [g] **ut dicto eis obedientes ſint tanquam mancipia et nullo ipſis verbo reſtragentur**; no Oath at all (for ought I find) being impoſed on the ſucceeding Emperors, whether crowned in their Fathers or Grandfathers life, or after their deaths; witneſſe the [h] *Coronation* of *Michael Palæologus* the ſonne of *Andronicus* 4. Nonas *Februarii, octava Indictione.*

e Niceph. Gregoras Romanæ Hiſt. l. 5. f. 16, 17, 19, 20. Cent. Magd. 13. col. 783, 1355. See Here, p. 148, 149.

f See Niceph. Gregoras Rom. Hiſt. l. 6, 7, & 8. & Cent. Magd. 12 & 13 cap. 10. in their lives.

g Niceph. Gregoras, l. 8. f. 32. a 1. 39 a 1.

h Ibid. l. 8. f. 40. & Georg. Pachym. Hiſt. l. 3. f. 62 b.

Moreover it is obſervable, that in the form of the *Coronation* of he *Greek* Emperors collected by [y] *Johannes Cantachuzenus* about the year 1330. (afterwards Emperor himſelf) ſeconded by *Codinus*, and printed in [z] Mr. *Selden*, there is no mention of any Oath, condition or promiſe at all made by the Emperor at his Coronation to the Patriarch, relating to the Churches or Clergies priviledges or Liberties; only *Patriarcha in formam Crucis* VERTICEM *Imperatoris, ſacro unguento perluit, & elato voce addit*, **Sanctus**: *Quod ſi adeſt Imperator antea coronatus*, **cum Patriarcha novo Imperatori coronam imponit**, & exclamat Patriarcha, dignus, &c. *Tum deſcendit de ambone Imperator, & paratam ibi Coronam à propinquis, aut Eunuchis, eam ſimiliter tenentibus*, uxoris capiti imponit (according to their ancient Cuſtome, not the Patriarch) *quæ maritum Imperatorem adorans, ità ſe illi ſubjectam profitetur.* **Hoc igitur modo Imperator Conjugem ſuam coronat.** *Si antea Corona ipſe indutus fuit, inter ſacra nuptiarum id facit.* After which follow ſome prayers, without any Oath or promiſe exacted from him by the Patriarch, to prevent all ſuch Uſurpations over the Emperors by their Patriarchs, as ſome of them exerciſed, and Popes uſurped by degrees over the *German* Emperors by their Coronations.

y Cantachuz. Hiſt. l. 1. c. 41.

z Titles of Honor, Part 1. ch. 8. p. 146, 168, 189, to 193.

The

The Cuſtome of Crowning the *German* Emperors, and anointing them on the *Crowns of their heads* at firſt, like the *Roman*, (ſince tranſlated by Pope *Innocent* the Third to their *ſhoulders* or *armes*,) [z] *was derived to them from the Greeks*, as *Onuphrius*, and Mr. *Selden* inform us.

The firſt Emperor Crowned in *Rome* by any Pope, was [a] *Charles the Great*, Anno Chriſti 800. crowned by *Leo* the Third (after his purgation *upon Oath* on the *Holy Evangeliſts* made before *Charles*, as his reſtorer, and Soveraign Judge of the Crimes objected againſt him,) *cuncto* Romano *populo acclamante*, Carolo Auguſto A DEO coronato (originally, but only miniſterially by the Pope) Magno et pacifico Imperatori Romanorum, vita et victoria. *Poſt quas laudes, unctus oleo ab Apoſtolico in templo Sancti* Petri, *à* CAPITE uſque ad pedes, et circundans Imperatoria veſte atque Corona 8 *Kal.* Januarii, *Indictione nona*, antiquorum jure Principum, ab eo adoratur, (not the Pope by him) et ablato Patricii nomine, Imperator & Auguſtus appellatur; without any Oath, Promiſe, homage, fealty or ſubjection then made by him to the Pope, or *Roman* Church; But on the contrary, *Charles* then *received from this Pope*, a Priviledge to elect and inveſt both the *Pope*, and all *Archbiſhops*, and *Biſhops* in his Empire, as [b] *Ludovicus Pius* his Sonne did, An. 815. and the Emperor *Otho* the 1. An. 964. who depoſed Pope *John* the 13. expelled *Benedict*, (ſet up by the *Romans* without his licenſe) created, and afterwards reſtored *Leo* the 8. who confirmed this priviledge, and Crowned him Emperor. Yea *Henry* the 5th, (though ſet up by Popes in his depoſed Fathers ſtead, by tyranny, war, rebellion, for defence of this Priviledge of *Inveſtitures*) when he came to *Rome* to be Crowned by Pope *Paſchal* the 2d. not only received [c] *a new Charter* of the premiſed *Priviledges* granted to *Charles* the *Great*, *from this Pope and his Cardinals, ſubſcribed with their hands, ſeals, and ratified by their ſolemn Oathes*; but likewiſe refuſed to take any corporal Oath to them to confirm his Covenants and agreement, upon their releaſe out of Priſon; *dicens*, Imperatorem nemini jurare debere, cum juramentorum ſacramenta ab omnibus ſunt ibi adhibenda; as [d] *Hermoldus* expreſly records. Which proves this Oath of Fealty which *Gratian* inſerts into his [e] *Decrees*, as made by the Emperor *Otho* to Pope *John* before his comming into *Rome* to be crowned, to be an Impoſture, ſince mentioned by no old *Hiſtorians*, yea contradicted by *Othoes* depoſing *John*, ſetting up another in his ſtead, and the new Priviledge of *Inveſtitures* granted him by *Leo* at his Coronation; *Juramentum* Ottonis *quod fecit Domino Papæ* Joanni. Tibi Domino Joanni Papæ ego Rex Otto promitto et jurare facio, *per Patrem, & Filium, & Spiritum ſanctum, & per lignum hoc vivificæ crucis, & per has reliquias Sanctorum, quod ſi permittente Domino* Romam *venero*, ſanctam Romanam Eccleſiam et te rectorem ipſius exaltabo, ſecundum meum poſſe; et vitam aut membra nunquam, neque ipſum honorem quem habes, mea voluntate, aut meo conſilio, aut meo aſſenſu, aut mea exhortatione perdes. Et in Roma nullum placitum aut ordinationem faciam de omnibus quæ ad te aut ad Romanos pertinent, ſine tuo conſilio; Et quicquid de terra ſancti Petri ad noſtram poteſtatem perdenerit tibi reddo, et cuicumque Italicum regimen commiſero jurare faciam illum, ut adjutor tui ſit ad defendendum terram ſancti Petri ſecundum ſuum poſſe. This Oath though forged, with ſome new Additions to it, Popiſh Canoniſts, Advocates hold the Emperor ought to take to the Pope, as bound thereto not only out of reverence, and ſpiritual devotion to the Pope and Church of *Rome*, whom he ought by natural right to defend, but as an Oath of Fealty, as being the Popes Vaſſal and inferiour, from whom he receives and holds his Crown; Upon which ground he ought to kiſſe the Popes feet, lye proſtrate before him when crowned, ſerve him as his Subdeacon, yea hold his ſtirrop, and then lead his horſe by the bridle for ſome ſpace, as you may read in [f] Dr. *Marta*, and others quoted by him; whoſe Arguments [g] *Antonius de Roſellis* (a learned Lawyer under the Emperors *Sigiſmund* and *Frederick* the 3.) recites, and then refutes in a *ſpecial Chapter*, to which I refer you. What Oathes of fealty and allegiance Popes have ſince extorted from the *German* Emperors at their Coronations, [1] by depriving thoſe who op-

z Onuphrius de Comitiis Imperialib. c. 5. & Mr. Seldens Titles of Honor, part 1. c. 8. p. 146.

a Mat. Weſtm. An. 801. p. 294. Eutropius Rerum Rom. Hiſt. l. 23. f. 332. Zonar. Annal. Tom. 3. Lambertus Sagax, Hiſt. l. 23. Mr. Seldens Titles of Honor, part 1. ch. 8. p. 147. 168. Onuphrius de Comitiis Imperial. c. 5.

b Fox Acts & Monuments Vol. 1. p. 205, 216, 226. Centur. Magd. 8 & 9. col. 331. My Epiſtle Dedicatory, & Gratian Diſtinct. 63. Mar. Weſt. An. 815. 1033.

c Simeon Danelmenſis De Geſtis Regum Angliæ, col. 232. to 237. Otto Friſingenſis, l. 7. c. 14. Radulphus de Diceto Abbrev. Chronicorum col. 502

d Chron ca Sclavorum, l. 1. c. 40.

e Diſtinctio 63. Tibi Dominus f. 112. & Bartholomæus Brixienſis, Johannes Thierry & others in their Gloſſes thereon. See Pope Adrians Letter to the Emperor Frederick Barbaroſſa, Fox Acts & Mon. Vol. 1. p. 263. & 273.

Dr. Marta de Juriſdictione, pars 1. c. 4. n. 9. 11, 12, 15. c. 18. n. 12, 13. to 24. Cent. Magd. 10. col. 410, 406

f Dr. Marta de Juriſdictione, pars 1. c. 18. n. 7. to 24.

g De Monarchia Tract. pars 1. cap. 71. in Melchior Goldaſtus his Monarchia S. Romani Imperii, pars 1. p. 301, & 233.

poſed

poſed their uſurpations by tumults and wars raiſed againſt them, and ſetting up Uſurpers in their ſteads,) will appear by theſe 2. Verſes engraven by the inſolent Pope *Innocent* the 2. on the walls of his Palace in *Rome*, after he had crowned [h] *Lotharius* Emperor.

Rex venit ante fores, jurans prius Urbis honores;
Poſt homo fit Papæ, ſumit quo dante Coronam.

I ſhall only obſerve, that [i] *Popiſh Canoniſts*, and *Romiſh* Doctors from the *Popes* Coronation of *Emperors* and *Kings*, argue his *abſolute Spiritual and Temporal Monarchy over them, as their Soveraign Lord*; becauſe they receive their Crowns and unction from him. A meer ridiculous conſequence, *becauſe as they are both real and actual Emperors, Kings, before and without their Coronations*, ſo Popes and Prelats are but their [k] *meer Miniſterial Officers therein*, to *anoynt and ſet their Crowns upon their heads*, when, where, and by what Biſhops they pleaſe to appoint, (as the Nobles are who carry their Imperial Robes, Crowns, Swords, Scepters, and perform other Services at their Coronations,) as they likewiſe are when they *baptize*, *marry* them, not their Lords: elſe if this Argument holds firm, the Cardinals who elect, conſecrate, crown the Pope himſelf, and his Confeſſor who abſolves him, muſt be his Lords Paramount both in his Spiritual and Temporal pretended *Monarchy*; and every Biſhop who conſecrates his Metropolitan, muſt thereby become his Soveraign, and abſolved from all ſubjection to him; which will prove fatal to the Popes Supremacy, and to Patriarchs, Metropolitans, Archbiſhops *Hierarchies*. All Pontificians therefore muſt renounce this Argument, and ſubſcribe to the reſolution of [l] *Thomas Waldenſis*, (a great ſtickler for the Pope, Biſhops, yet ingenuous in this particular.) Quanquam miniſterio Epiſcoporum ſolennitates adhibentur Regibus unctionis, jusjurandi, fidei et coronæ, non tamen habet Regia illa dignitas ortum a Sacerdotio, quanquam per Miniſterium Sacerdotis habeta Deo; ſicut nec ordinatus quiſquam habet ordinationis ortum a Præſule, aut Sacramentum Euchariſtiæ a Sacerdote quolibet celebrante; ab homine enim eſt ſolennitatis miniſterium, Deus vero ſolus largitur efficium: not the Pope or Biſhops.

I ſhall now paſſe from the Emperors to the Kings of *France*. After *Charles* the *Great* and *Ludovicus Pius*, were anointed Emperors by Popes at *Rome*, for defending them and that Church againſt their enemies, and declared it to be their duty, [m] *ut defenſio, et exaltatio vel honor Sanctæ Dei Eccleſiæ congruus maneat, et pax et juſtitia in omni generalitate populi magis confirmetur*; the Kings of *France* who were no Emperors, began to be crowned by their own Biſhops, who thereupon contrived and impoſed an Oath upon them at their Coronations, to advance their own *Prelacy* and *Canons*; which Oath, as [n] *Peter de Marca* Archbiſhop of *Paris* obſerves, ea mente eiſque verbis olim ita conceptum fuit, ut Reges tempore inaugurationis ſuæ, CUSTODIAM CANONUM ſubditis ſuis promitterent, Quod eo pertinebat, ut ſponderent nec a ſe violandos Canones, nec ab aliis. *Extat illius Sacramenti antiqua formula, quod* Philippus 1. *patre* Henrico *Rege ſuperſtite, ac illius auctoritate præſtitit, anno* 1059.

Ego *Philippus*, Deo propitiante, mox futurus Rex *Francorum*, in die ordinationis meæ promitto coram Deo & ſanctis ejus, quod unicuique de vobis et Eccleſiis vobis commiſſis CANONICUM PRIVILEGIUM, et debitam legem atque juſtitiam conſervabo, et defenſionem quantum potero (adjubante Domino) adhibebo, ſicut Rex in ſuo Regno, unicuique Epiſcopo et Eccleſiæ ſibi commiſſæ, per rectum exhibere debet. Populo quoque Nobis credito diſpenſationem legum in ſuo jure conſiſtentium, noſtra authoritate conceſſurum.

Hujus formulæ rotiora verba (adds *Marca*) *tranſcripta ſunt ex ea quæ* Hincmarus Remenſis *Archiepiſcopus* a ſe conceptam Ludovico Balbo Caroli Calvi *filio porrexerat, cum Regnum Compendii ſuſcepturus ungeretur Anno* 877. *Sponſio autem illa* [o] Ludovici *excerpta eſt à Capitulis quæ* [p] Carolus Calvus *eodem Anno apud* Cariſiacum *ſtatuerat. Quam quidem promiſſionem, non* ſacramentum, *vocant Proceres* Gallicani, *ſed* pardonationem: Eſt pardonatio, quam Dominatio veſtra nobis fidelibus

h Carolus Sigonius de Regno Italiæ, l. 11 p. 262, 263. Radevicus, l. 1. n 9. 10. D. Marta de Juriſdict. pars 1. c. 18. n. 21.

i Bartholomæus Caſſanæus, Catal. Gloriæ mundi, quinta pars 29. Conſideratio. Cent. Magd. 9. col. 351. & Dr. Marta de Juriſdictione l. 1. c. 18. n 6. to 24. & ſundry others there quoted, Doctor Crakenthorps Defence of Conſtantine, c. 14 § 42, 343.

k Jacobus Almain De Poteſtate Eccleſ. & Laic. qu. 2. c. 10. Lupoldus de Jure Regis & Imperatoris c. 4. & 11. Dr. Crakenthorp Defence of Conſtantine, c. 14. p. 342, 343.

l Doctrinalis Fidei, Tom. 1 l. 3. Artic. 3. c. 78. p. 389, 390, 391.

m Capitularia Car. Magn. & Ludovici, lib. 2. Tit. 1. c. 2.

n De Concordia Sacerdotii & Imperii, lib. 4. c. 9. n. 5 & 6. p. 254, 255.

o In Capitulis Ludovici II. Tit 1.

p Capitula Caroli Calvi apud Cariſiacum, Tit. 43. cap. 4.

delibus veſtris pardonavit & ſubſcripſit. *Unde* Ludovicus Balbus *eodem verbo utitur in ſponſione ſua :* Promitto & pardono vobis, *id eſt*, concedo & indulgeo. *Ante illa tempora* ſponſio quidem a Regibus inaugurandis concipiebatur, ſed aliis verborum ſolennibus, *quamvis eadem ſignificatione; ut patet ex repromiſſione quam* Carolus Calvus *præſtitit, cum in urbe* Metenſi Lotharii *Regnum adipiſceretur Anno* 869.

q Capitula Caroli Calvi, Tit. 35. poſt Caput 3.

q Sciatis, me unicuique in ſuo Ordine ſecundum ſibi competentes leges tam Eccleſiaſticas, quam mundanas, legem & juſtitiam conſervare : *Quod etiam repetitum eſt in ſecundo capite conventus apud* Cariſiacum *habiti.* In eandem ſententiam Reges Galliarum ſe deinceps uſque ad hæc noſtra tempora jurejurando adſtrinxerunt, etſi formulis diverſis. By vertue of this Coronation Oath, he informs us, that *Philip* the 4. and *Charles* the 6. and 7. of *France*, held themſelves obliged to defend the Rights of Biſhops, their Canons, and Eccleſiaſtical diſcipline. The Ceremonies, Prayers, Unction and Oath uſed at their Coronations in later ages, you may peruſe in r Mr. *Seldens Titles of Honor*, and *Laurentius Bochellus* his *Decreta Eccleſiæ Gallicanæ*, l. 5. Tit. 2. *De Conſecratione & Coronatione Regis* Franciæ, c. 1. who cap. 4. inſerts a learned Epiſtle of *Ivo Carnotenſis* to the Pope, juſtifying his Coronation of *Lewes* King of *France*, againſt the complaint of the Archbiſhop and Church of *Rhemes*, who pretended that the *Right* of Conſecrating the *French King* belonged only to them, refuting this their Monopoly by ſundry preſidents of *French Kings* Crowned elſewhere by other Biſhops, in other Churches, aſſerting this claim of theirs to be warranted by no Law, nor Cuſtome, and to be prejudicial to Kings themſelves, as well as to other Biſhops and Churches.

r Part 1. ch. 2. p. 222, &c.

I ſhall not inſiſt upon the Unctions or *Coronations of the Kings of *Jeruſalem, Spaine, Hungary, Denmarke, Sweden, Poland, Norway, Sicily, Scotland*, or their *Coronation Oathes*, which were not *ab origine*, but came in by degrees in later ages, by the Practiſe of their Biſhops, to advance their Juriſdiction and Power over them, as their Vaſſals; witneſſe this Magiſterial reſolution of s *Martinus Laudenſis*, t Dr. *Marta*, and other Canoniſts, Omnes Reges qui unguntur ab Eccleſia, ſunt Vaſſalli Eccleſiæ; ergo idem dicendum eſt de Imperatore; *& nullus eſt Regum qui non ſit ſubditus* Romanæ *Eccleſiæ.* When theſe forraign Kings began to make any Corporal Oathes to Popes or their Metropolitans at their Coronations, I cannot certainly determine, only it is obſervable, that the Kings of *Sicily* (claimed by Popes as St. u *Peters Patrimony*, and thereupon uſually crowned by them) never uſed to take any *Corporal Oath* upon any occaſion, by the Cuſtom of that Kingdom; therefore not at their *Coronations*, as is evident by this Epiſtle of *William* King of *Sicily* to our x King *Henry* the 2d. Anno 1176. in anſwer to the requeſt of his Meſſengers, *Qui & poſtulaverunt inſtantius*, (to confirm a Mariage-contract between his daughter and this King with his Corporal Oath) ut idem manu propria juraremus : Quod quia regni noſtri ſemper, et noſtris fuit progenitoribus inſuetum PERSONALITER JURARE, non duximus expedire. *Quare tradicti nuncii veſtri quæſierunt, ut ſicut ab honorabilibus perſonis feceratis illud* in anima veſtra jurari, ſic et nos ſimiliter in anima noſtra fieri faceremus. Nos equidem, et quod a noſtris nunciis in veſtra præſentia conſtitutis ſuper conceſſione matrimonii ex parte noſtra juratum eſt, ratihabitione firmamus, et quod vobis præſentibus in anima veſtra juratum eſt, *grato aſſenſu recepimus*, ac ſi manu propria juraſſetis, cum unum et idem putemus Sacramentum quod vel manu propria fit, vel in anima jubentis et præſentis juratur. If then the Kings of *Sicily* never uſed in that or former ages to make or ſubſcribe any Corporal Oath with their own hands; Whereupon this King refuſed, though importuned to ratifie this marriage agreement with ſuch an Oath, ſubmitting only, that his proxies ſhould ſwear for him on his Soul, as King *Henries* likewiſe did, it is certain they then never made any perſonal Oath to the Pope, or their *Metropolitans* at their Coronations; and probably very few Kings elſe, till ſucceeding ages.

* For which, See Centur. Magd. 13. cap. cap. 7. p. 682, 683, 684, 685.

s Tractatus de Principibus Notabil. 22.

t De Juriſdict. pars 1. c. 18. n. 11, 12. & c. 27. n. 1, &c.

u Dr. Marta de Juriſdict. pars 1. c. 26. nu. 2, 3, 6. to 24. & Baronius de Regno Siciliæ, Pariſ. 1605.

x Radulphus de Diceto, Ymagines Hiſt. col. 593, 594.

For our ancient *Britiſh* Kings Coronations, Diadems, Crowns, before they became Chriſtians, a *Geoffry Monmouth* ſtories, that *Dunvallo Molmutius, cum totam Inſulam omnino ſubjugaſſet*, fecit ſibi diadema ex auro. *Hic Leges quæ* Molmutinæ *dicebantur inter* Britones *ſtatuit, quæ uſque ad hoc tempus inter* Anglos *celebrantur.* After whoſe deceaſe, *Duo filii ejus*, Belinus *videlicet & Brennius contendebant* uter eorum regni diademate inſigniretur. *Poſt* Garguunt, Guithilinus,

a Hiſtoriæ Regum Britanniæ l. 2. c. 17. l. 3. c. 1. 13, 16, 17, 18, 20.

regni

regni **Diadema ſuſcepit.** *Poſt* Marciam Tifilius **ſumpto diademate regni** *gubernaculo potitus eſt. Poſt* Gorbonianum, Arthgallo *frater ejus* **Regio diademate inſignitur.** *Defuncto* Eliduro, *ſuſcepit* Gorboniani *filius* **regni Diadema.** [b] *Poſt* Heli, Caſſibellanus *in* **Regem** *ſublimatur, mox que ut* **Diademate inſignitus** fuit, &c. *contigit ut totius regni Monarchia ſibi cederet:* During his reign *Julius Cæſar* invaded our Iſle of *Britain: Cui ſucceſſit* Tenuantius, **Diademate igitur inſignitus** *regnum in diligentia obtinuit,* Anno Chriſti 124. *Defuncto* Coilo, *filius ejus unicus, cui nomen erat* Lucius, **regni Diademate inſignitus eſt,** who ſoon after [c] *embraced* the *Chriſtian Religion,* and was *baptized,* (being the firſt *Chriſtian King* in this Iſle, or world) and converted the Heatheniſh *Archflamins* Sees in this Iſle into Archbiſhopricks, and the *Flamines* into Biſhopricks, as our ancient Hiſtorians generally write, though our greateſt Antiquaries of modern times refute it, as fabulous. He deceaſing without iſſue, after many Conflicts between the *Britains* and *Romans,* [d] *Triumphatis Romanis, cepit* Aſclipiodorus **regni Diadema, et Capiti ſuo, populo annuente impoſuit;** without any Archbiſhop, Biſhop, or Prieſt. *Poſtea inſurrexit in Regem* Aſclepiadorum, Coel *Dux* Coleceſtriæ, *& prælio conſerto eum peremit,* **regnique diademate ſeſe inſignivit.** Not long after *Conſtantius* the Emperor arriving in *Britain,* made a firm league with *Coel,* who dying 8. dayes after, **inſignivit ſe** Conſtantius **regni Diademate,** *duxitque filiam* Coel, *cui nomen erat* Helena, on whom he begat *Conſtantine* the *Great,* to whom he gave the Kingdom of *Britain* at his death, 11 years after; who alſo obtained the Empire of the world. [e] *Octavius* uſurping the Crown, he gave his daughter together with the Realm to *Maximianus,* **cum Diademate:** who being ſlain at *Rome,* thereupon [f] *Gratianus Municeps* **capit Regni Diadema, et ſeſe in Regem promovit.** During whoſe reign the *Britains* being infeſted by the *Scots, Picts, Norwegians,* and the *Romans* after ſeveral requeſts being unable to aid them, they thereupon *An.* 435. ſent Guithelin Londonienſis *Archiepiſcopus* to *Aldroenus* King of *Little Britain* in *France,* proffering him the Kingdom, to ayde them againſt theſe inſulting enemies; who refuſing it for himſelf, recommended his Brother *Conſtantine* to them, furniſhing him with ſouldiers to aſſiſt them. *Cum grates ei egit Archiepiſcopus, vocato* Conſtantino, *ei in hac verba arriſit:* **Chriſtus vincit, Chriſtus imperat, regnat Chriſtus; Ecce Rex** Britanniæ **deſertæ,** *Adſit modo Chriſtus.* **Ecce ſpes noſtra et gaudium.** Who preſently arriving in *Britain,* and obtaining a victory over their enemies by his own and the ſcattered *Britiſh* forces reſorting to him: *Facta intra* Ciceſtriam *concione,* **erexerunt** Conſtantinum **in Regem, regnique Diadema capiti ejus impoſuerunt,** Anno Chriſti 435. *Defuncto* Conſtantino, An. 455. there being a difference between the Nobles which of his ſonnes ſhould ſucceed, *Conſtans* his eldeſt ſonne being a profeſſed Monk, [g] Vortigernus *Comes* Gewiſſanorum *qui omni niſu in regnum anhelabat,* goes to *Conſtans* at *Wincheſter,* perſwading him to accept the Regality; who *maxime gaudio* aſſented to him, *& quicquid callebat ipſum velle,* **jurejurando promittebat.** *Capit igitur eum* Vortigernus, *duxitque* **Regiis ornamentis indutum Londonias,** *atque vix annuente populo,* **in Regem erexit.** *Tunc defunctus erat* Guithelinus *Archiepiſcopus,* **nec fuit alius qui ipſum inungere præſumſiſſet,** *quia ex Monacho transferebatur.* **Nec tamen idcirco poſtpoſuit Diadema, quod ipſe** Vortigernus **vice Epiſcopi capiti ejus impoſuit.** *Sublimatus igitur* Conſtans, *totam Juſtitiam regni* Vortigerno *commiſit, &c.* who ſoon after ſuborning his guard of *Picts* to murder *Conſtans;* [h] *Tandem cum neminem ſibi parem conſpexiſſet,* **impoſuit capiti ſuo Coronam** Britanniæ, An. 454. *Magnates* Britanniæ *Regem* Vortigernum *penitus deſerentes, unanimiter* Vortimerum *filium ſuum* **Regem ſublimaverunt.** Anno 464. *Merlin* prophecied, *interfecto* Hengeſto Ambroſius **coronabitur.** *Non mora, craſtino die applicuit* Aurelius Ambroſius; *convenerunt itaque* Britanni, *& convocato regni Clero* **unxerunt et erexerunt** Aurelium in **Regem, regnique Diadema capiti ſuo imponens, &c.** After whoſe death, Anno 498. Uther Pendragon *cum feſtinatione* Wintoniam *venit, & convocato populo regni & Clero,* Britanniæ **Diadema ſuſcepit, annuentibuſque cunctis ſublimatus eſt in Regem;** After whoſe death, *defuncto Rege,* **convenerunt Pontifices cum Clero regni et populo,** *& ipſum infra Choream Gigantum more Regio humaverunt. Quo facto,* Dubritius *urbis* Legionum **Archiepiſcopus, ſociatis ſibi Epiſcopis et Magnatibus,** Arthurum *filium ſuum juvenem* 16. *annorum* **Regni diademate inſignivit, et**

b Galfridus Monmutenſis, lib. 4. c. 11. 17.

c See here, Tom. 1. p. 17, to 38.

d Galfr. Monmut. l. 5. c. 5, 6, 11.

e Galfr. Mon. l. 6. c. 1 [illegible]

f Mat. Weſtm. Flores Hiſt. p. 149, 150, 152. See here, Tom. 1. p. 125, 126.

g Galfr. Monm. l. 6. c. 8. p. 150, 151.

h Galfr. Mon. l. 8. c. 2, 17. l. 9. c. 1, 12. Mat. Weſtm. p. 170, 182, 185.

in regem magnifice erexerunt, one of the firſt Kings crowned by our Biſhops. *Leland* writes, that he ſaw the form of his Crown in his Seal, repreſented to us in [i] Mr. *Selden*, and *Speeds* Hiſtory, An. 537. King *Arthur* after all his foreign Victories returning into *Britain* in triumph, reſolved to be new CROWNED at *Caerleon* on the *feaſt of* Pentecoſt. The form and ſolemnity of his ſecond and his Queens Coronation too, (the firſt of this kind, if real) is thus related by [k] *Geoffry Monmouth*. *Cum igitur ſolennitas* Pentecoſtes *advenire inciperet, poſt tantum triumphum maxima lætitia fluctuans*, Arturus *affectavit Curiam ilico tenere in urbe* Legionum, regnique Diadema capiti ſuo imponere. Wherupon, inviting and ſummoning by his Meſſengers all the Kings, Dukes, Nobles, and Metropolitans ſubject to him, there appeared 12 Kings, ſundry Dukes, Conſuls, Nobles from all quarters (whoſe names he recites) *Trium etiam Metropolitanarum ſedium Archipræſules*, Londonienſis *videlicet*, Eboracenſis, *necnon ex urbe* Legionum Dubritius. *Hic* Britanniæ *Primas, &* Apoſtolicæ ſedis Legatus (if we may credit him) *tanta religione clarebat, ut quemcunque languore gravatum ſuis orationibus ſanaret. Omnibus denique in urbe congregatis, ſolennitate inſtante*, Archipræſules ad palatium ducuntur, ut Regem diademate regali coronarent. Dubricius *ergò, quoniam in ſua dioceſi Curia tenebatur, paratus ad celebrandum obſequium*, hujus rei curam ſuſcepit. Rege tandem inſignito, *ad templum Metropolitanæ ſedis ornatè conducitur: à dextro enim & à levo latere*, duo Archipontifices ipſum tenebant. *Quatuor autem Reges*, Albaniæ *atque* Cornubiæ, Demetiæ *&* Venedociæ, *quorum illud jus fuerat, quatuor aureos gladios ferentes ante ipſum, præibant. Conventus quoque multimodorum ordinatorum, miris modulationibus præcinebat. Ex alia autem parte* Reginam ſuis inſignibus laureatam, Archipræſules atque Pontifices ad templum Deo dicatarum puellarum conducebant. *Quatuor quoque prædictorum Regum Reginæ quatuor albas columnas de more præferebant. Mulieres autem quæ aderant illam quam maximo gaudio ſequebantur. Poſtremò peracta proceſſione, tot organa, tot cantus fiunt in utriſque templis, ita ut pro nimia dulcedine milites qui aderant neſcirent quod templorum prius peterent. Catervatim ergò nunc ad hoc, nunc ad illud ruebant, nec ſi totus dies celebrationi deditus eſſet, tædium aliquod ipſis generaret.* Divinis tandem obſequiis in utroque celebratis, Rex et Regina diademata ſua deponunt, *aſſumptiſque levioribus ornamentis, ille ad ſuum palacium cum viris, hæc ad aliud cum mulieribus exaltata incedunt.* I omit the reſidue of this ſolemnity, wherein I obſerve no ſolemn Unction or form of Prayers, or ſetting the Crown on the Kings head in the Church, but only in his Palace, mentioned in this ſolemnity, without any Oath adminiſtred to him. [l] An. 540. Mordredus Arthuri *Nepos* (in his abſence) *cui idem* Arthurus Britanniæ *regnum commiſit, per tyrannidem et proditionem* Diademate ipſius ſeſe fecerat inſigniri. An. 542. *Rex* Arthurus *de vita deſperans*, Conſtantino *cognato ſuo* Britanniæ conceſſit Diadema. After whoſe death, Anno 545. Aurelius Conanus, *per omnia* Diademate dignus, *niſi civilis belli fuiſſet amator, regnum obtinuit*, by force, treachery and tyranny, impriſoning his Uncle who ought to have reigned, and murdering his two ſonnes. After which as [m] *Gildas* our antienteſt *Britiſh* Hiſtorian, (who writ about the year 564. or ſoon after,) complains and relates. UNGEBANTUR REGES non per Deum, *ſed qui cæteris crudeliores extarent, & paulo poſt ab* UNCTORIBUS, *non pro veri examinatione trucidabantur, aliis electis truncioribus, &c.* Reges habet Britannia, *ſed* TYRANNOS; which paſſage is recited *verbatim* by *Galfr. Monmutenſis* Hiſt. Brit. lib. 9. c. 3. Whence ſome conceive our *Britiſh* Kings were anointed when crowned, and that ſometimes by their Archbiſhops, or Biſhops; other times by their Nobles, who ſoon after murthered, and ſucceeded them; rather as Tyrants then Kings. After many Civil Wars and Uſurpations between the *Britiſh Tyrants*, and *Saxon* invaders, about the year 603. [n] *Cadwin* by the unanimous conſent of all the Princes and Nobles of the Britons aſſembled together at Legeceſter, was elected and made King of the Britons; Inſignito illo regni Diademate. He conquering the *Saxons*; thereupon *regabat* Cadwinum Edwinus, ut ſibi Diadema habere liceret; *ut advenæ* Saxones, *quiſquis proditores ejus extiterant*, in uno cum illo Regio Diademate incipiant inſigniri. Which his Counſellors refuſed to aſſent unto; *aiebant enim*, Contra jus, veterumque traditionem eſſe, Inſulam UNIUS CORONÆ DUOBUS CORONATIS SUBMITTI DEBERE; *Cadwallo* after him [o] *Quendam ſolemnitatem* Pentecoſtes Diadema Britanniæ portando celebravit, where *univerſi* Anglorum *Reges præter* Oſwinum *ſolùm adeſſent*;

Of

[i] Titles of Honor, part 1. ch. 8. p. 171.

[k] Hiſtoriæ Regum Brit. l. 9 c. 12, 13.

[l] Galfr. Monm. l. 10 c. 13. l. 11. c. 2, 3, 5. Mat. Weſtm. p. 191, 192, 193. & Galfr. Monm. Hiſt. l. 1, 2. c. 1, 5.

[m] Printed in Rerum Brit. Scriptores, De Excidio & Conqueſtu Britanniæ: See Archbp. Uſher de Britannicarum Eccleſiarum Primordiis, p. 533, 534, 536. Mr. Seldens Titles of Honor, part 1. c. 8 p. 149. Galfr. Monm. l. 12. c. 6.

[n] Galfr. Mon. l. 11. cap. 1, 2, 3, 11.

[o] Galfr. Mon. l. 12. c. 11.

Of his or *Cadwalladers* the two laſt *Britiſh* Kings Unctions, there is no expreſs mention in our Hiſtorians, of any Coronation Oath, or promiſe made by them or any *Britiſh* King, much leſſe to maintain the Churches or Clergies Liberties.

As for our firſt *Saxon* Kings who expelled the *Brittons*, and by their ſwords erected their ſeveral kingdoms, there is no mention of their Coronations or Unctions in *Beda*, *Florentius Wygornienſis*, *Simeon Dunelmenſis*, *Henry Huntindon*, or other of our antient Hiſtorians. The firſt of our *Saxon* Kings preſented to us with a Diadem, is *Aidulf* King of the *Eaſt-Angles*, about the year 674. After him, upon the expulſion of *Beorred* King of *Mercia* for his Tyranny, *Offam* [p] *in Regem* tam Clerus quam populus coronavit, An. 758. who ſtamped a Crown *on his coyns*; whoſe ſucceſſors uſed ſeveral forms of *Crowns* till the *Conquerors* time; which you may view in *Speeds Hiſtory*, and Mr. [q] *Seldens Titles of Honor*. The firſt *Saxon* King we read to be anoynted, was *Egbert*, about the year 790. whom his father King *Offa*, loving his eaſe, [r] ante mortem ſuam in Regem inunctum ſucceſſorem dimiſit. *Ille ſedulo paternæ immanitatis veſtigia declinans*; privilegia omnium eccleſiarum, quæ ſeculo ſuo genitor attenuaberat (by ſevering all the Biſhopricks in his Kingdom from the See of *Canterbury*) prona devotione rebocavit; *Prædium quoque quod Pater* Malmesburiæ *abſtulerat*, *reddidit in manus* Cuthberti *tunc illius loci Abbatis, hortatu* Athelardi *Archiepiſcopi* Cantuariæ, *ſtrenui ſanè & Deo digni viri*; moſt likely at his anoynting him King; as the coherence of the ſtory intimates, he living but 4. moneths after. Anno 854. Æthelwlfus *Rex filium ſuum* Ælfredum (being but 5. years old) *magno nobilium & etiam ignobilium numero conſipatum, maximiſque muneribus honorifice* Romam *tranſmiſit, quo tempore Dominus* Leo *Papa* 4. *Apoſtolicæ ſedi præerat; qui præfatum infantem* Æthelredum *oppido ordinans*, UNXIT IN REGEM, (*ſui patris rogatu*) *& in filium adoptionis ſibimet accipiens, confirmavit*; as [s] *Aſſerius Menevenſis* his Tutor, [t] *Simeon Dunelmenſis*, (who adds, *& ad patriam atque ad Patrem cum benedictione Sancti* Petri *Apoſtoli direxit*) [u] *Florentius Wygornienſis*, [x] *Radulphus de Diceto*, [y] *Johannis Bromton*, and others out of them relate. [z] *William Malmesburienſis* writing of his advancement to the Crown, An. 872. after *Æthelwlfus* death, records, Ælfredus *filius* Æthelwulphi *junior*, qui unctionem Regiam et Coronam a Papa Leone olim Romæ ſuſceperat, *ut prædiximus*, regnum accepit; without any new Unction or Coronation that wee read of. [a] *Matthew Weſtminſter* ſtories, Anno Chriſti 854. *Rex magnificus* Occidentalium Saxonum Æthelwulphus, *cum honore maximo* Romam *profectus, duxit ſecum* Ælfredum *filium ſuum juniorem, quem cæteris omnibus plus dilexit, ut à Papa* Leone *moribus pariter & Religione informaretur ibidem* (which *Florentius Wygornienſis*, and the premiſed Hiſtorians referr to the year next after his premiſed miſſion thither, and Unction) *ubi cum anno integro Rex cum filio demoratus fuiſſet*, fecit filium ſuum ibi a Papa in Regem coronari; atque ad patriam rediens; *exorta eſt contra Regem prædictum quorundam Magnatum conſpiratio, ita quod facta conſpiratione ab* Æthelbaldo *filio Regis primogenito, &* Sciriburnenſi *Epiſcopo* Alſtano, *cum* Eandulfo Somerſatenſis *pagi Comite, quod à* Roma *repatrians nunquam reponeretur in regnum. Cauſa una erat, quod filium minorem* Ælfredum, *quaſi aliis à regni ſorte excluſis*, in Regem Romæ fecerat coronari; Whereupon he divided his Realm between himſelf and his eldeſt ſonne *Æthelbald*. Our elegant Hiſtorian [b] *Aelredus Abbas Rievallu* informs us, that this King, Ælfredum *filium ſuum minorem miſit* Romam, *ut ſanctiſſimorum Apoſtolorum precibus commendaretur, & à Summo Pontifice benediceretur. Venerabilis autem Summus Sacerdos* Leo *vultum & ſtatum pueri contemplans, cum in eo divinæ præſentiam majeſtatis ſcintillantium virtutum indiciis perſenſiſſet, tempus & ætatem regnandi* Regiæ unctionis Sacramento præbeniens, *ſicut quondam ſanctus* Samuel *puerum* David, ita eum in Regem ſanctiſſimus Præſul devotiſſime conſecrabit. *Verum poſtmodum cum Patre* Romam *repetens, paternorum honorum in omnibus cooperator & adjutor eſſe promeruit.* To which he ſubjoynes of King *Edward*, *A famoſiſſimo quippe & chriſtianiſſimo Rege* Aluredo omnium Regum Angliæ *ſanctus* Leo *Papa* in ipſa urbe Roma conſecravit et unxit in Regem, generatione ſextus. Hence [c] *Johannes de Bromton* writes, Regiam unctionem primus omnium Regum a Papa, *ut ſcribitur*, accepit. And [d] *William Thorn* in his Chronicle affirms, *Iſte* Elfredus fuit primus Rex Angliæ qui inunctus erat. Yet [e] Mr. *Selden* thinks this Unction was only at his *Confirmation*, and was miſtaken

[p] Mat. Weſtm. An. 758. p. 273

[q] Part 1. ch. 8. p. 171.

[r] Gul. Malmsberienſis de Geſtis Regum Angl. l. 1. c. 4. p. 53.

[s] In vita Ælfredi, p. 3.

[t] De Geſtis Regum Angl col. 130, 53. 132, 18.

[u] Chronicon, p. 296, 297.

[x] Abbrev. Chronicarum, col. 350, 22.

[y] Chronicon, col. 809. 31.

[z] De Geſtis Regum Angl. l. 2. c. 4. p. 42.

[a] Flores Hiſt. p. 307, 308.

[b] De Vita & Miraculis Edwardi Confeſſoris, col. 352, 29. 371, 63.

[c] Chronicon, col. 809.

[d] Col. 1777. l. 59.

[e] Titles of Honor, p. 150.

miſtaken for his Royal Unction at his Coronation, by all theſe Hiſtorians; (which is improbable) thoſe who were confirmed in that age being anoynted with *holy Chriſme* in the foreheads.

After this I find frequent mention of our *Saxon* Kings conſecrations at their Coronations by their own Metropolitans or Biſhops, but none of them by the Pope: for the very next year after, [c] An. 855. Eadmundus *ex proſapia antiquorum* Saxonum *originem ducens, provinciæ* Orientalium Anglorum *culmen regiminis ſuſcepit*, anno à nativitate ſua 13. **ab omnibus regionis illius Magnatibus et populis Rex electus**, et **ad regimen multum renitens compulſus**, ab Humberto Helmhamenſi **Epiſcopo**, *in villa Regia quæ* Bures *nuncupatur*, **munus conſecrationis accepit, et coronatur.**

[d] Anno 901. after King *Alfreds* death, Eadwardus *ejus primogenitus, regni* Angliæ **diademate eſt inſignitus, conſecratus in Regem a** Pleimundo Dorobernenſi **Archiepiſcopo** *apud* Kingeſtune; After his deceaſe, [e] Anno 940. Æthelſtanus, *or* Adelſtanus *filius ejus primogenitus apud* Kingeſtonam, *Regiam Villam* **Rex creatus**, *ab* Æthelmo Dorobernenſi **Archiepiſcopo conſecratur.** [f] Anno 945. Eadmundus *Rex* Anglorum **conſecratus eſt** ab Odone Dorobernenſi **Archiepiſcopo** *apud* Kingeſtune; after whoſe murder, An. 946. Eadredus frater ejus **conſecratus eſt** ab Odone **Archiepiſcopo** *apud* Kingeſtune, **et regni Diadema ab eo ſuſcipit.** An. 955. *Succeſſit ei in regnum* Eadwinus, Eadmundi *Regis filius, & apud* Kingeſtonam *ab* Odone Cant. **Archiepiſcopo Regiam unctionem ſuſcepit**; as *Mat. Weſtminſter*; or **Rex conſecratus eſt**, as others ſtory. [g] An. 973. Eadgarus *Rex* Anglorum Pacificus (in the 15. or rather 16. year of his reign, not before) *Anno ætatis ſuæ* 30. 5 *Idus* Maii *die* Pentecoſtes, *à beatis Præſulibus* Dunſtano & Oſwaldo, **et à cæteris totius** Angliæ **antiſtitibus, præſentibus Magnatibus univerſis** *apud* Akemanceſtre, or *Civitate* Acamanni, *quæ hodiè* Bathonia *dicitur*, **Coronam poſtabit, et ibidem cum maximo honore benedicitur, conſecratur, et in Regem inungitur.** After his deceaſe [h] Anno 975, there ariſing a conteſt which of his ſonnes ſhould ſucceed him, thereupon *Archipræſules* Dunſtanus & Oſwaldus *cum Coepiſcopis, Abbatibus, Ducibuſque quamplurimis in unum convenerunt, et* Eadwardum, (*ut pater ejus præceperat*) *eligerunt*, **electum conſecrarunt, et in Regem unxerunt apud** Kingeſtune. Upon his treacherous murder by his Mother-in-law to advance her ſonne, his Brother *Æthelredus* **a ſanctis Præſulibus** Dunſtano Cantuarienſi, & Oſwaldo Eboracenſi, *& decem Epiſcopis die Dominica* 8. *Kal.* Maii [i] Anno 979. *in* Kingſtona **Regni diadema ſuſcepit, et ad regni faſtigium eſt conſecratus.** All theſe conſecrations of our *Saxon* Kings were without any ſolemn Oath or promiſe made by them at their Coronations, to or before their Archbiſhops or Biſhops. Mr. [k] *Selden* hath printed an ancient *Saxon Pontifical* concerning the Ceremonies, Rites and Prayers uſed in the *anoynting*, and *crowning* of our *Saxon* Kings and Queens, made by their Biſhops much about this time, having no Coronation Oath or Interrogatories; many of which prayers, as well as the *anoynting* and *crowning* are ſtill retained, and yet uſed at the Coronations of our Kings and Queens.

King *Æthelred* deceaſing [l] Anno 1016, *poſt multas hujus vitæ tribulationes, Canutus* the *Dane* then invading and poſſeſſing a great part of the Realm: *Poſt mortem ejus, Epiſcopi, Abbates, Duces, & quique Nobiliores* Angliæ, *& maxima pars Regni, tàm Clericorum quam Laicorum, in unum congregati, pari conſenſu, ad eum in* Suthamptoniam *venientes*, **in Dominum et Regem ſibi Canutum eligerunt, omnemq; progeniē Regis Æthelredi coram illo abnegando repudiantes, pacem cum eo compoſuerunt, et fidelitatem juraverunt: Quibus et ille JURAVIT, Quod et ſecundum Deum et ſecundum ſæculum fidelis eſſe vellet eis Dominus.** This is the firſt ſolemn Coronation Oath I find made by any of our Kings, and that by a foreign invader, uſurper of the Crown, upon the abjuration of the Right heir, and *Saxon* royal Line by treacherous perfidious Biſhops, Abbots, Clergymen, Nobles, to eſtabliſh him and his poſterity in the Royal Throne. *Cnute* hereupon, after his pilgrimage to *Rome*, more advanced the Privileges of the Clergy then any of our former Kings, putting them only to their purgations for *Capital crimes* whereof they were accuſed before the Biſhops, *the* [m] *original ground of exempting Clergymen from ſecular Juriſdiction for capital crimes*, and of other incroachments in ſucceeding ages. *At Cives* Londonienſes, *& pars Nobilium qui eo tempore conſiſtebant* Londoniæ, *Clitonem* Eadmundum **unanimo conſenſu in Regem lebavere**, *qui à* Levingo Dorobornenſi *Archiepiſcopo*

c Mat. Weſtm. An. 855. p 308 Chron. Johan. Bromton, col. 745, 13. 754, 58.

d Mat. Weſtm. An. 901, p. 351 Radulphus de Diceto Abbrev Chron. col. 453, 61. Chron. Johan. Bromton, col. 831, 28.

e Mat. Weſtm. p. 363. Joann. Bromton Chr. col. 837, 44. Henr. Huntindon Hiſt. l. 5. p. 354.

f Radulphus de Diceto, col. 454, 455. Simeon Dunelm. Hiſt. col. 156. 17. Mat. Weſt. p. 369.

g Simeon Dunelm. Hiſt. col. 159. Florentius Wygorn. p. 353 Mat. Weſtm. p. 374. Hoveden p. 426. Henr. Hunt. Hiſt. l. 5. p. 357.

h Florentius Wygornienſis, p. 361. Radulphus de Diceto, Abbr. Hiſt. p. 458, 35. Chr. Johan. Bromton, col. 872. Mat. Weſtm. p. 376.

i Florent. Wygorn. p. 362. Mat. Weſtm. p. 378. Roger. Hoveden, p. 427. Henr. Huntindon Hiſt. l. 5. p. 357.

k Titles of Honor, p. 150, 151, &c. 158, to 180.

l Simeon Dunelmenſ. de Geſtis Regum Angl. col. 173. Florent. Wygorn Chron p. 384 Mat. Weſt p. 401. Roger Hoved. Annal. pars 1. Chr. Jo. Bromt. p. 903.

m Here, p 342.

chiepiſcopo apud Londonias **conſecratus eſt**; without any Oath at all, like his predeceſſors, being right heir to the Crown; who ſoon after conquered *Cnute* in 5. ſet battles, and had probably for ever driven him and the *Danes* quite out of the Realm, had thoſe perfidious Prelates, Nobles, and others who revolted to, and Crowned *Knute* for their King, adhered to him, and thoſe *Saxons* who crowned him being their lawful King. After *Cnutes* deceaſe, [n] *Harald* his reputed Son, **regni Angliæ diademate inſignitus eſt**; without any mention of his Unction or Oath. He dying about 4. years after, An. 1040. *Hardecnute* then in *Flanders*, was ſent for by the unanimous conſent of the Nobles, as well *Engliſh* as *Danes*, as right heir to *Cnute*, *ut ad* Angliam *veniret*, **Regni Diadema ſuſcepturus.** *Qui conſiliis Magnatum illico adquieſcens, æſtate media venit in* Angliam, *& gratanter ab omnibus ſuſceptus, ab* Eadſio Cantuarienſi *Archiepiſcopo* **in Regem eſt conſecratus, regnique ſolio mox ſublimatus, apud** Londoniam, without any Oath.

After his ſhort reign, [o] Anno 1042. *ejus frater* Edwardus (ſtiled the Confeſſor) *annuente Clero & populo* Londoniis **in Regem eligitur**, *& ab Archiepiſcopo* Cantuarienſi Eadſio, *&* Eborac. Alfrico, *cum ſibi ſubjectis Epiſcopis* **in Regem** *magna pompa apud* Wintoniam (*or* Weſtm. as others ſtory) **coronatur, ungitur, et conſecratur**, *prima die* Paſchæ *Nonas* Aprilis; not one of our Hiſtorians making mention of any Coronation Oath then miniſtred unto or taken by him; only *William* of *Malmesbury* ſtories, that before his arrival in *England*, when he was ſent to by the Nobles to be Crowned, upon terms propoſed to him by Earl *Godwin*, *Nihil erat quod* Edwardus *pro neceſſitate temporis non polliceretur*; *ita utrinque fide data, quicquid petebatur* (privately by *Godwin*) **Sacramento firmabit**, before his arrival in *England*. I find Archbiſhop *Stratford* in his inſolent Epiſtle to King *Edward* the 1. (wherein he advanceth the Popes, Biſhops Authority, Canons, Conſtitutions, above the Crowns, Lawes, Cuſtomes of Kings and Emperors, who muſt ſubject their necks to them; and that Clergymen are not obnoxious to any Secular Powers, Judges, for Capital offences, but only to their Biſhops, by the Lawes of King *Cnute*) affirms, *Sanctus etiam* [p] Edwardus *in regnum* Angliæ *ſublimatus*, **PRIUS JURAVIT, ſe Leges** Canuti **Regis inviolabiliter ſervaturum.** And then aſſerts, that the Church was in poſſeſſion of the Liberties he contended for, **tribus temporibus Regum diverſarum linguarum Inſulæ prædictæ, et præcipue et indubitanter tempore Sancti** Edwardi; who ratified the Lawes of *Knute*. I muſt acknowledge, that in the Laws of [q] King *Edward* the *Confeſſor*, cap. 17. (not in *Cnutes*) I find this Law inſerted, *De Regis Officio, & de Jure & appendiciis Coronæ regni* Britanniæ. *Rex autem*, **quia Vicarius ſummi Regis eſt**, *ad hoc eſt conſtitutus, ut regnum terrenum, & populum Domini*, et ſuper omnia ſanctam **veneretur Eccleſiam ejus, et regat, et ab injuriosis defendat, et maleficos ab ea ebellat, et deſtruat, et penitus diſperdat.** *Quod niſi fecerit, nec nomen Regis in eo conſtabit, verum teſtante Papa* Joanne **nomen Regis perdit**, &c. (After which followes in a different Character, as an additional Appendix ſince annexed to this Law.) *Debet verò de jure Rex omnes terras & honores, omnes dignitates, & jura & libertates Coronæ regni hujus* **in integrum cum omni integritate, et ſine diminutione obſervare, et defendere; diſperſa et dilapidata, et amiſſa regni jura in priſtinum ſtatum et debitum ſtatum omnibus rebocare**, &c. **Debet vero Rex Deum timere ſuper omnia et diligere, et mandata ejus per totum regnum ſuum ſervare. Debet etiam ſanctam Eccleſiam regni ſui cum omni integritate et libertate, juxta Conſtitutiones Patrum et prædeceſſorum ſervare, fovere, manutenere, regere, et contra inimicos defendere, ita ut Deus præ cæteris honoretur, et præ oculis ſemper habeatur. Debet etiam bonas leges, et conſuetudines approbatas erigere, prabas autem delere, et omnes a Regno deponere. Debet judicium rectum in regno facere, et juſtitiam per conſilium Procerum regni ſui tenere. Iſta vero debet omnia Rex in propria perſona, inſpectis et tactis ſacroſanctis Evangeliis, et ſuper ſacras et ſanctas reliquias coram regno, et Sacerdotio, et Clero JURARE**, antequam ab Archiepiſcopis et Epiſcopis regni coronetur. From whence ſundry perſons have concluded, that King *Edward* the *Confeſſor*, yea all or moſt of our *Saxon* Kings before him at their *Coronations*, took ſuch an Oath as this Law mentions, before they were Crowned by the Archbiſhops and Biſhops; but finding no mention of any ſuch Oath preſcribed to him or his predeceſſors, in any of our ancient Hiſtorians,

n Mat. Weſt p. 410, 411, 412. Florent. Wygornienſis Chr. p. 400, 401. Hoveden Annal. pars 1. p. 438. Hen. Huntindon Hiſt. l. 6 p. 364, 365. Simeon Dunelm. col. 180. Radulphus de Diceto col. 474. Chron. Johan. Bromton, col. 922, 923.

o Flor. Wygor. Chron. p. 404. Mat. Weſtm. p. 415. Will. Malmesburienſ. de Geſtis Regum Angl. l. 2. c. 12. p. 56. Hen. Huntindon Hiſt. l. 6 p. 364. Hoveden Annal. pars 1. p. 439. Sim. Dunelmenſis col. 181. Æthelredus Abbas Rievallis de Genealogia Regum Angl. col. 366. De Vita & Mirac. Edwardi Confeſſoris, col. 375 Chron. Joan. Bromton, col. 937. Gervaſius Act. Pontif. Cantuar. col. 1652. Henr. de Knyghton de Event. Angliæ, l. 1. c. 8. col. 2329 Polychron. Polydor. Virgil, Fabian, Caxton, Grafton, Holinſhed Speed, and others in his Life.

p Spelmanni Concil. Tom. 2 p. 342. Here. a. 266.

q Gul. Lambardi Archaion, f. 130. & Abrahamus Whelocus Arkaionomia, p. 242.

rians, and ſome Clauſes thereof being tranſcribed *verbatim* out of the *Great Charter* of King *John*, and *Henry de Bracton*, I cannot but eſteem it a figment of punier times, after ſuch Oathes impoſed on ſucceeding Kings by our Biſhops at their *Coronations*, to enlarge, ſupport their own and their Churches Juriſdictions, priviledges, beyond their antient limits.

r Lib. 3. de Actionibus, c. 9 f. 107.

As for the Coronation Oath mentioned in *Bracton*, viz.[r] *That the King* (*of* England) *at his Coronation ought* BY AN OATH *taken in the Name of our* Lord Jeſus Chriſt, to promiſe theſe 3. things to the people ſubject to him. *Imprimis, ſe eſſe præcepturum, et pro viribus opem impenſurum, ut* ECCLESIÆ DEI *& omni populo Chriſtiano vera pax omni ſuo tempore obſervetur. Secundò, ut rapacitates, et omnes iniquitates, omnibus gradibus interdicat: Tercio, ut in omnibus judiciis æquitatem præcipiat & miſericordiam, & quod per juſtitiam ſuam firma gaudeant pace univerſi*: without any Clauſe concerning King *Cnutes* Lawes, or defence of the Churches Liberties, it relates not to *Edward* the Confeſſors *Law* or *Oath*. It is very true, that the [f] *Pope* and *Prelates* taking advantage of this King *Edwards* extraordinary devotion and ſimplicity, encroached ſome more priviledges then they had before, eſpecially the Monaſteries of *Weſtminſter* and *Ramſey*, as his Charters to them demonſtrate; which he thus prefaced; [t] **Summum Regibus et Principibus bonum eſt ſanctam Eccleſiam Dei exaltare et honorare, quia cum eam exaltant et honorant, cum ea, et in ea, et per eam exaltantur et honorantur**; Which though true in a right ſence; yet not as abuſed, to the diminution of the Rights, Prerogatives, Revenues of the Crown, the Common Lawes of the Realm, or Laymens Liberties, or to advance the Prelates, Clergy above them, as their Lords paramount, who then engroſſed to themſelves alone, the Title of the *Church*, excluding the *Laity*, whereas this King included the Chriſtian Laity within the Title of the *Church*, as well as the *Clergy*.

f See Here, Tom. 1. p. 319. to 330.

t Monaſticon Angl. Vol. 1. p. 236.

After this King *Edwards* funeral, An. 1066. *Comes* Haroldus, *contra ſtatum & Jurejurandum, contemptor præſtitæ fidei* (to wit, to *William* Duke of *Normandy*, that he ſhould ſucceed *Edward*) *ac nequiter oblitus ſui Sacramenti*, **throno Regio ſe intruſit, per Archiepiſcopum Eboracæ Aldredum ſolenniter coronatus**, as [u] *Ingulphus* Abbot of *Croyland* living in that age, relates. [x] *Florentius Wygornienſis*, [y] *Radulphus de Diceto*, [z] *Eadmerus*, [a] *Roger de Hoveden*, *Grafton*, and others ſtory; Haroldus *Comes* Godwini *filius*, **quem Rex ante ſuam deceſſionem Regni ſucceſſorem elegerat, a totius Angliæ Primatibus ad Regale culmen electus, eodem die ab** Aldredo Eboracenſi *Archiepiſcopo* **in Regem eſt conſecratus**, without mentioning any Oath propoſed to or by him. Yet [b] *Matthew Paris*, *Matthew Weſtminſter*, and ſome others ſtory, *extorta fide à Majoribus*, **capiti proprio impoſuit Diadema, ſibique Regnum ſine Eccleſiaſtica authoritate imponendo aſſeruit, unde Papam** Alexandrum, **et omnes Angliæ Prælatos ſibi creabit inimicos**: being loath this their acquired priviledge of Crowning Kings ſhould be interrupted, as if thereby they received their Crownes and Regal authority from them alone, and that upon ſuch Conditions, Oathes as they ſhould preſcribe them. But though *Harold* when Crowned King by Archbiſhop *Alfred* took no Coronation Oath, yet *Florentius Wygornienſis* ſtories of him, **Qui ut regni gubernacula ſuſceperat, leges iniquas ſtatuere, æquas cæpit condere, Eccleſiarum et Monaſteriorum patronus fieri; Epiſcopos, Abbates, Monachos, Clericos, colere ſimul et venerari**; to obtain their favour and aſſiſtance; he being as (*a*) *Ingulphus*, (*b*) *William Malmesbury*, (*c*) *Ailredus Abbas*, (*d*) *Henry Huntindon*, (*e*) *Mat. Paris*, (*f*) *Mat. Weſtminſter*, the Chronicle of (*g*) *Bromton*, (*h*) *Henry de Knyghton*, (*i*) *Thomas Walſingham*, (*k*) Mr. *Fox*, (*l*) Mr. *Lambard*, (*m*) *Speed* and others, ſtile him a *perjured Uſurper of the Crown*, to which he had no colour of Title, but by a feigned *deſignation* of King *Edward*, by which alſo *William* of *Normandy* claimed it, when as *Edgar Athelin* had the ſole legal hereditary right and title to it, as all Hiſtorians accord.

u Hiſtoria, p. 900.
x Chron. p. 428
y Abbr. Chron. col. 479.
z Hiſt. Novorum, p. 5.
a Annal. pars prior, p. 447.
b Hiſtoriæ, p. 2
Flores Hiſt. p. 433.

(a) Hiſtoriæ, p. 900. (b) De Geſtis Regum, l. 2. c. 11. (c) De Vita & Miraculis Edwardi Confeſſoris, col. 400 (d) Hiſt. l. 6. p. 384. (e) Hiſt. Angliæ, p. 2. (f) Flores Hiſt. p. 433. (g) Chron. col. 957. (h) De Event. Angl. l. 2. c. 6. (i) Ypodigma Neuſtriæ, p. 28. (k) Acts and Monuments Vol. 1. p. 214. (l) Britannia, p. 145, 146. (m) Hiſtory of Great Britain, p. 419.

King[n] *William* the 1. ſtiled the *Conqueror*, by the ſlaughter of *Harold* and moſt of his Army in a bloody battel, claiming the Crown but by a little better Title than he,

n See Here, Tom. 1. p. 329. to 339.

as

as (though a baſtard) near allied to *Edward* the Confeſſor, who deſigned him to be his heir and ſucceſſor, (his ſword proving more ſucceſsful than *Harolds*,) refuſed to be crowned by *Stigand* Archbiſhop of *Canterbury*, (whom he ſoon after deprived, impriſoned till his death,) but was crowned by *Aldred* Archbiſhop of *Yorke*, (though he conſecrated and crowned *Harold* King) who preſcribed him an Oath, as [o] *Simeon Dunelmenſis*, [p] *Florentius Wygornienſis*, [q] *Roger de Hoveden*, [r] *Thomas Stubbs*, and others thus relate. *Ipſa Nativitatis die ab* Aldredo Eboracenſium *Archiepiſcopo apud* Weſtmonaſt. *in Regem totius* Angliæ *ſublimiter coronatum* inunxit, et conſecrabit honorifice, *prius* (ut idem Archiepiſcopus ab eo exigebat) ante Altare Sancti Petri Apoſtoli, coram Clero et populo JURE JURANDO PROMITTENS, se belle Sanctas Eccleſias ac Rectores earum defendere, (which Clauſe occurrs not in any former Oath) necnon et cunctum populum ſibi ſubjectum juſte et regali prœvidentia regere; Rectam legem ſtatuere et tenere; rapinas, inſuſtaque judicia penitus amovere, or interdicere. [s] *William of Malmesbur*) one of our exacteſt Hiſtorians, living in or near that time, renders his Oath thus, without this firſt Clauſe; *Exhortatus* Aldredus *conſecrationem egit*, tracto prius coram omni populo JURAMENTO, quod ſe modeſte erga ſubditos ageret, et æquo jure tam Anglos quam Francos, tractaret. The [t] Chronicle of *Bromton* thus relates the ſtory of his Coronation and Oath. *Cumque* Willielmus *Dux* Normanniæ, *Conqueſtor* Angliæ, *tyranni nomen exhorreſceret*; *& nomen legitimi Principis induere vellet*, *à* Stigando Cantuarienſi *Archiepiſcopo in Regem petiit conſecrari*; *Ille verò, ut quidem dicunt, cruento viro, & alieni juris invaſori manus imponere formidans, nullatenus adquievit: undè licet ipſe* Willielmus *eundem* Stigandum *ut noverat, multis modis blandè honoravit, ipſum tamen nunquam poſtmodum cordialiter amavit, &c. Requiſitus igitur* Eboracenſis *Archiepiſcopus* Aldredus, *vir utique bonus & prudens, intelligenſque cedendum eſſe tempori, & divinæ nequaquam reſiſtendum ordinationi*; [*] *Hoc modo hominem ferociſſimum ſpirantem adhuc, minarum & cædis in populum mitem reddidit, & religioſis pro conſervanda republica, tuendaque Eccleſiæ diſciplina ſacramentis aſtrinxit, & in ipſo proximo ſequenti die Nativitatis Domini poſt victoriam de prædicto Rege* Haraldo *habitam*, Londoniis *apud* Weſtm. *hoc munus implevit*, ipſumque Regem Willielmum ad jura Eccleſiæ Anglicanæ tuenda et conſervanda, populumque ſuum recte regendum, et leges rectas ſtatuendum, ſacramento ſolempniter aſtrinxit. [u] *John Peckham* Archbiſhop of *Canterbury*) in his arrogant Epiſtle to King *Edward* the firſt in the 9. year of his reign, affirms; Willielmus *etiam Rex, cui ſanctus* Edwardus *regnum contuſit, Leges ipſius Sancti ſervandas eſſe conceſſit*, as if he promiſed it by his Oath at his Coronation. But this was no expreſſe clauſe in the Oath preſcribed him by *Aldred* at his Coronation, but in a ſubſequent Oath Anno 1072. (as *Speed* computes it) *when King* William *entring into a Parley with the* Engliſh *Nobility* (*who intended to ſet up* Edgar Atheling *King*, *for violating their ancient Lawes*, *and introducing new*) *he by Archbiſhop* Lanfrancks *adviſe*, taking his Oath upon the Holy Evangeliſts, *and the Reliques of St.* Alban *the Martyr*, (the Oath being miniſtred to him by Abbot *Frederick* of St. *Albans*, elected Captain of the forces then raiſed againſt him.) [x] Jurabit bonas et antiquas regni Leges, quas ſancti et pii Angliæ Reges, et maxime Rex Edwardus ſtatuit, inviolabiliter obſervare. [y] *Et ſic pacificati ad propria læti receſſerunt*; which Clauſe was afterwards inſerted into ſundry of our Kings Coronation Oathes. This [z] Archbiſhop *Aldred* from his very Crowning and preſcribing this Coronation Oath to King *William*, grew ſo inſolent, and exerciſed ſuch authority over him, like a Father, ut cum ille cæteris imperaret, ab eo ſibi imperari æquanimiter ſineret. I ſhall inſtance only in two memorable particulars: The Sheriff of [z] *Yorke* by this Kings Writ ſeiſing upon ſome proviſions of this Archbiſhops to victual the Caſtle of *York*, refuſing to reſtore them upon his demand, the Archbiſhop thereupon repaired to the King for reparations to *Weſtminſter*; *Cum autem veniſſet coram Rege, & Rex ei aſſurgere & oſculum porrigere paraſſet*, ille ſubſtitit, et cum baculo Pontificali ſtola circumdatus, nil territus Majeſtatem Regiam, neque aſtantium Principum prœterbiam, eum talibus verbis allocutus eſt. Audi, *inquit*, Willielme *Rex*, cum eſſes alienigena, & Deo permittente, noſtræque gentis ſuperbiam puniente Regnum *Britanniæ*, quamvis multò cum ſanguine optinueſſes, ego te in Regem conſecrabi, et coronam capiti tuo

o De Geſtis Regum Angl. col. 195.
p Chronicon p. 422.
q Annal. pars prior, p. 450
r Acta Pontif. Ebor. col. 1702 See Præfatio *Rogeri Twiſden* ad Leges Willielmi primi, in Archaionomia Abrahami Whelechi, p. 155, 156.
s De Geſtis Pontif. Anglorum, l. 3. p. 271
t Col. 962.
* Gulielmus Neubrigenſis, l. 1. c. 1. p. 1, 2.
u See here, p. 269.
x Mat. Paris in Vita Fritherici Abbatis 13. S. Albani, p. 30. Speeds Hiſtory p. 440, 441.
y Gul. Neubrigenſis l. 1. c. 5. p. 2. Chron. Johan. Bromton, col. 962.
z Tho. Stubs Acta Pontif. Ebor. col. 1703, 1704.

tuo cum benedictione impoſui; *Nunc autem quia ita meruiſti*, pro benedictione maledictionem tibi imponam, ſicut Eccleſiæ Dei Perſecutori et Miniſtrorum ejus oppreſſori, et promiſſionum atque juramentorum quæ mihi coram Altare Sancti Petri juraſti, tranſgreſſori. *Ad hæc verba Rex tremefactus* procidit ad pedes ejus, *humiliter aſſlagitans*, ut in quo tam grabem meruiſſet ſententiam aperiret. *Qui verò aſſiſtebant Regi* Primates regni in Archiepiſcopum frementes, miniſque et terroribus adverſus eum inſurgentes, ipſum merito de medio debere tolli, vel in exilium extra Regnum expelli, qui tanto Regi tantam injuriam irrogaſſet, urgebant eum ut Regem quam citius erigeret. *Ille vero non minis vel terroribus territus*, Sinite, *inquit*, boni viri, finite illum jacere; non enim jacet ad pedes Aldredi, ſed ad pedes Petri Apoſtoli. Debet enim experiri Petri potentiam, qui non eſt veritus Petri Vicario irrogare injuriam. To which I ſhall adde another inſolency of his towards this King, upon the ſame account that he was crowned and bleſſed by him, thus recorded by [a] *Malmesbury*. *Cum Rex importabilis tributi penſum à Provincialibus exigeret, convenit eum per legatos Antiſtes, quos agrè admiſſos cum turbulento reſponſo abegiſſet*; non moratus ille, maledictionis telum in illum et omnem ejus vibrabat progeniem. *Præfatus*; Poſſe ſe maledictionem dare merito, qui benedictionem dediſſet immerito; *quod cum relatum eſſet Regi amicorum admonitione delinitus miſit, qui Epiſcopum exorarent. Verumtamen prævenerat Nuncios mors Antiſtitis, qui ex agritudine animi (ut plerumque fit) contracto morbo decubuerat*, becauſe he could not have his will in all things.

a De Geſtis Pontificum Angl. l. 3. p. 271

King *William* the Conqueror being ſick, deviſed *Normandy* to *Robert* his eldeſt ſonne; the Realm of *England* to *William Rufus* his ſecond; and a great ſumme of money to *Henry* his youngeſt ſonne, and then deceaſed 27 *Sept.* 1087. in *Normandy*. Whereupon [b] Willielmus *filius ejus, qui cum regni faſtidia fratri ſuo* Roberto, *præripere geſtaret et* Lanfrancum, ſine cujus aſſenſu in regnum aſciſci nullatenus poterat, *ſibi in hoc ad expletionem deſiderii ſui non omnino conſentaneum inveniret*, berens ne dilatio ſuæ conſecrationis inferret ei diſpendium cupiti honoris, *cepit tàm pro ſe, quam per omnes quos poterat* FIDE, SACRAMENTOQUE Lanfranco promittere, juſtitiam, æquitatem, et miſericordiam ſe per totum regnum, ſi Rex foret, in omni negotio ſerbaturum, PACEM, LIBERTATEM, SECURITATEM ECCLESIARUM CONTRA OMNES DEFENSURUM; necne præceptis atque conſiliis ejus per omnia et in omnibus obtemperaturum. *Sed cum poſt hæc in regno fuiſſet confirmatus* poſtpoſita pollicitatione ſua (made to *Lanfranc* in *Normandy*, not at his Coronation as *Eadmerus* ſtories) in contraria dilapſus eſt. *Super quoçùm à* Lanfranco *modeſtè redarguaretur*, et ei ſponſio fidei non ſerbatæ opponeretur, furore tumens ſuccenſus. Qui, *ait*, eſt qui cuncta quæ promittit implere poſſit? *Ex hoc igitur non rectis oculis ſuper Pontificem intendere valebat.* After this Oath and promiſe thus made, he haſting into *England* with *Lanfranc*. [c] *Sexto Kal.* Octobris *die Dominica in* Weſtmonaſterio à Lanfranco Archiepiſcopo conſecratus eſt in Regem; quo authore et annitente coronatus. [d] *Gervaſius Doroborneñſis* in the life of *Lanfranc* writes. *Convocatis Epiſcopis & Primoribus* Angliæ, Lanfrancus elegit Willielmum *filium Regis*, ſacrabit et coronabit in Regem: *hunc enim antea educaverat & militem fecerat*: Not one of our Hiſtorians mention any Oath adminiſtred to, or taken by him at his Coronation; Soon after all the *Norman* Nobility but *Lanfranc*, reſolving to make *Robert* his elder Brother King of *England*, and to deliver him up priſoner to him, or murder him; raiſing up arms againſt him for that end in ſeveral places. [e] *His auditis, Rex fecit congregari* Anglos, *et oſtendit eis traditionem* Normannorum, *et rogavit, ut ſibi auxilio eſſent eo tenore, ut ſi in hac neceſſitate ſibi fideles exiſterent*, meliorem legem, quam bellent eligere, eis concederet, legeſque promiſit eroptabiles, et omne injuſtum Scottum interdixit, *et conceſſit omnibus ſylvas ſuas et venationem*: (an apparent evidence he made no ſuch Oath or promiſe to them at his Coronation) *Sed quicquid promiſit parvo tempore cuſtodivit.* Yea he bore ſuch a ſecret hatred to *Lanfranc* for exacting the premiſed Oath and promiſe to him, and reprehending him for breaking it, that he baniſhed him the Realm for a time as ſome write; and immediate-

b Eadmerus Hiſt. Novor. l. 5. p. 13, 14.

c Simeon Dunelmenſis Hiſt. col. 214. Radulfus de Diceto Abbr. Chr. col. 488. Chr. Joan. Bromton col. 983. Will. Malmsburienſis De Geſt. Reg. l. 4 p. 120. Mat. Paris, Hiſt. Ang. l. p. 13. Rog Hoveden Annal. pars prior, p. 463. Mat. Weſtm. p. 12. Thomas Walſingham Ypodigm. Neuſtriæ, p. 35. Florentius Wygornienſis, Chron. p. 450. Hen. de Knyghton, de Event. Angl. l. 2. c. 5. col. 2351. Ceſtrenſis, Polydor Virgil, Speed, Daniel, in Will. Rufus, Mat. Parker, Antiqu. Eccleſ. Brit. p. 99, 100. d Acta Pontif. Cant. col. 1655. e Henr. Huntindon. Hiſt. l. 7. p. 372. Hoveden, p. 461.

ly upon his deceaſe, [f] *ipſam totius* Angliæ, Scotiæ *et* Hiberniæ, *necnon adjacentium Inſularum matrem, Eccleſiam ſcilicet* Cantuarienſem, *invaſit, cuncta quæ juris illius erant, intus et extra, per Clientes ſuos deſcribi præcepit, taxatoque victu Monachorum ibi Deo ſervientium,* reliqua ſub cenſum atque in ſuum dominium redigi juſſit, &c. keeping the Temporalties near 5. whole years in his hands before he advanced another Archbiſhop to that See. *Nec iſta quæ diximus Eccleſiæ* Cantuarienſi *facta ſunt, deſævit immanitas iſta etiam in cunctis filiabus, qui viris ſuis, Epiſcopis ſcil. ſeu Abbatibus decedentibus, in viduitatem ea tempeſtate, cadebant. Et quidem* *ipſe primus hanc luctuoſam oppreſſionem Eccleſiis Dei indixit, nullatenus eum ex paterna traditione excipiens.* Deſtitutas ergo Eccleſias ſolus in Dominio ſuo tenebat; as *Eadmerus*, then living complains. Thus *Lanfranck* and our other Prelates endeavouring to exalt, enlarge the Liberties and Priviledges of the Church, by advancing *William* to the throne, putting by *Robert*, and obliging him by Oath, *to preſerve the peace, Liberties, Immunities of the Church againſt all men, and to obey their precepts, counſils intirely in all things*; were by divine retaliation more fruſtrated of their expectations and pretended or real Liberties by him, then by his Father the Conqueror.

f Eadmerus Hiſt. Novor. l. 1. p. 14. See Antiq. Eccleſ. Brit. 100, 102. & Gervaſius, Actus Pontif. Cantuar. and Godwin in Lanfranco.

* A miſtake: See Godwins Catalogue of Biſhops, p. 10, 12, 15, 20, 32.

William Rufus being ſlain by *caſualty* or rather *treachery* in *New Foreſt* An. 1100. (thereupon as our ancient Hiſtorians relate;) [g] *Cum Magnates* Angliæ *ignorarent quid actum eſſet de* Roberto *Duce* Normannorum, *Regis defuncti fratre primogenito, qui jam per quinquennium in expeditione* Hieroſolymitana *moram pertraxerat, timuerunt diu ſine regimine vacillare. Quod* Henricus *fratrum ultimus & juvenis ſapientiſſimus, cum callidè cognoviſſet, congregato* Londoniis *Clero* Angliæ *& populo univerſo,* præmiſit emendationem legum, quibus oppreſſa fuerat Anglia tempore patris ſui et fratris nuper defuncti, ut animos omnium in ſui promotionem accenderet et amorem, et ut illum in Regem ſuſciperent et patronum. Hereupon the Biſhops and Clergy, to regain and enlarge their Priviledges, Ad hæc Clero reſpondente *& Magnatibus cunctis, quod ſi animo volente ipſis vellet concedere, & charta ſua communire* illas libertates et conſuetudines antiquas, quæ floruerunt in regno tempore Sancti Regis Edwardi; in ipſum conſentirent, et in Regem unanimiter conſecrarent. Henrico *autem hoc libenter annuente*, et ſe id facturum cum juramento affirmante, conſecratus eſt in Regem *apud* Weſtmonaſterium, *in die Aſſumptionis beatæ* Mariæ, ſavente Clero et populo, *cui continuò à* Mauritio Londinenſi *Epiſcopo, & à* Thoma Eboracenſi *Archiepiſcopo*, (in the abſence of *Anſelm* Archbiſhop of *Canterbury*) corona capiti imponitur. [h] *Eadmerus* writes, that he ſent Meſſengers and Letters to Archbiſhop *Anſelm* then in exile, to haſten his comming into *England*; ſeipſum regnumque ſuum, ejus conſilio ac moderamini ſe ſubjecturum pollicens: *In ipſo ſuæ conſecrationis die*, bonas et ſanctas omni populo Leges ſe ſervaturum, et omnes oppreſſiones et iniquitates, quæ ſub fratre ſuo emerſerant in omni ſua Dominatione, tam in Eccleſiis quam in ſecularibus negociis prohibiturum et ſubverſurum ſpoſponderat. Et hæc omnia JUSJURANDI interjectione firmata per totum regnum divulgatum ire præceperat. Cum fuerat diademae inſignitus, has libertates ſubſcriptas in Regno, ad exaltationem Sanctæ Eccleſiæ, et pacem populi tenendam conceſſit. * *Henricus* Dei gratia Rex *Angliæ, Hugoni de Boclande* Vicecomiti, & omnibus fidelibus ſuis, tàm *Francis* quàm *Anglicis* in *Herefordſcyre*, ſalutem. Sciatis, me Dei miſericordia, & communi Conſilio Baronum Regni *Anglia*, Regem eſſe coronatum. Et quia Regnum oppreſſum erat injuſtis exactionibus, ego reſpectu Dei & amore, quem erga vos omnes habeo, ſanctam Dei Eccleſiam liberam facio, ita quod nec eam vendam, nec ad firmam ponam, nec moztuo Archiepiſcopo, vel Epiſcopo, vel Abbate, aliquid accipiam de dominio Eccleſiæ, vel de hominibus, donec ſucceſſor in eam ingrediatur, &c. This was one of the firſt conſiderable uſurpations our Archbiſhops and Biſhops made upon the Kings and Crown of *England* by virtue of this Kings Coronation Oath and Charter in purſuit thereof (being not next heir to the Crown, but *Robert*, whom they deprived of it) whereby they deveſted them of their ancient prerogative, to ſell, farm out, or receive the fruits, profits of all or any Archbiſhopricks, Biſhopricks, Abbies, Monaſteries Temporalties during their vacancies, till their plenarties, under pretext of the Churches Liberties: and encouraged the Pope and Archbiſhop *Anſelm* to extort from him ſoon after the anci-

g Mat. Paris, p. 52, 53. Eadmerus, Hiſt. Novor. l. 3. p. 55. Will. Malmsburienſis, Hen. Huntindon, Roger Hoveden, Mat. Weſt. Chron. Joan. Bromton, Gervaſius, Hen. de Knyghton, Polychronicon, Fabian, Holinſhed, Daniel, Speed, Graſton, Anno 1100. in Henrico 1.

h Hiſt. Novor. l. 3. p. 55.

* Mat. Paris, Hiſt. Angl. p. 53, 54. Hens. Tom. 1. p. 400, 401. & Leges Henrici 2. in Abraham Wheloc. Spelmanni Concil. Tom. 2. p. 28, 31.

ent Right, Priviledge of *Inveſtitures* of Archbiſhops, Biſhops, Abbots, per annulum et baculum; and publickly to renounce it, to the prejudice of his Succeſſors, in a * Council at *London*, *Anno Dom.* 1107. wherein, *annuit Rex & ſtatuit, ut ab eo tempore in reliquum*, nunquam per donationem baculi paſtoralis vel annuli, quiſquam de Epiſcopatu vel Abbatia per Regem vel quamlibet laicum manum Inveſtiretur in Anglia; to the great impairing of the Rights of his Crown, Nobles, the diſhonour of himſelf and his ſucceſſors, and grand advancement of the Popes and Prelates Juriſdictions. Moreover this priviledge of crowning our Kings, and preſcribing an Oath, Charter to King *Henry* when crowned, ſo puffed up Archbiſhop *Ralph*, (*Anſelms* next ſucceſſor) that at the ſolemn Coronation of his Queen *Adeliſia*, he imperiouſly commanded the King to pull off his Crown, and could hardly be perſwaded by the Nobles preſent not to pull, or ſtrike it off his head in a moſt arrogant manner, becauſe he or his predeceſſor had not ſet it thereon; thus related by [i] *Matthew Parker* his ſucceſſor, and others. *Cum Rex poſt* Pentecoſten Londinum *rediens* coronâ inſignitus in throno ſederet, et tum Regina conſecranda et coronanda eſſet, Rodulphus *Archiepiſcopus tunc miſſam celebraturus, ſacris altaribus aſſitiſſet, advertit Regem ſedere in ſolio ſuo* coronatum, *& admiratus eſt*; Sciens regni coronam ſe illi non impoſuiſſe, nec illam ab alio poſitam ſe præſente, jure ferre debuiſſe. *Divertit igitur infulatus & ſui Patriarchatus ſtola redimitus ab altari, &* ad Regem (*quia abſente* Anſelmo, *à* Thoma Eboracenſi *Archiepiſcopo*, in conſecratione Diadema impoſitum ei eſt) acceſſit. *Cui accedenti Rex comiter aſſurrexit. Quæſivit Archiepiſcopus*, quis ejus capiti Coronam impoſuiſſet? *Ad quo Rex demiſſo vultu*, Mea, *inquit*, haud refert, ideoque neque illius memini. At Archiepiſcopus atra bile percitus, inquit: Nullo id jure fecit, quiſquis ille fuerit: proinde aut tu a gerenda Corona ceſſabis, aut ego ab adminiſtranda miſſa, nec quamdiu capiti ſuo hoc modo inſederit, propoſiti negotii executor non exiſtam. *Ad hæc Rex nihilò turbatus, vultu placido & modeſto reſpondit*: Si, ut ais, hoc Diadema capiti meo non jure imponitur, tu id facias, quod juri cenſeas conſentaneum, ego non refragabor. *Quo dicto*, acceſſit propius Archiepiſcopus, manuſque ad Diadema Regis capiti detrahendum attollens, *cum Rex etiam fibulam ſub mento ligatam, qua Diadema capiti vinciretur, ſolveret*; Proceres, Regis modeſtiam, et Archiepiſcopi iracundiam admirantes, *una voce in Archiepiſcopum ferebantur, inſtabantq;* ne in tam ſolemni Reginæ coronatione Regi Diadema auferret. *Quorum clamoribus actus* Rodulphus vix eſt inflexus, quin Regiam coronam de capite Regis excuſſiſſet. *Eadmerus*, and *Gervaſius Dorobornenſis* write; Pontifex elevatis manibus ſuſtulit coronam de capite Regis. *Quod hi qui circumſtabant intuentes, omnes clara voce Pontificem parcere*, et Regio capiti Coronam remittere petiverunt. Adquievit ille, et mox juxta Regem Coronatum aſtans, *Canticum* Gloria in excelſis, *exorſus eſt, & ſubſequentia, ut conſuevit, choro canente, miſſa illa quietè peracta eſt.* Ex quo perſpici poſſit (writes Archbiſhop *Parker*) quam intempeſtive et impudenter lenitate Principis, illius generis homines abuſi ſunt, qui Monachali ſanctitate ſe digniores reliquis, et in Principes habere imperium putabant; by this pretended Right of Crowning them.

Upon the death of this Archbiſhop *Ralph*, his next ſucceſſor *William Corbell*, together with the reſt of the Biſhops advanced by this Kings favour, after his deceaſe, thinking that King *Henry* (though very indulgent to them) uſed himſelf not altogether for their purpoſe, and that they ſhould do God good ſervice in providing for the better advancement of the Church, if they might ſet up and create a King chiefly by their eſpecial means and authority, who would follow their Counſel better, and reform ſuch things as they judged amiſſe, (as [k] *Raphael Holinſhed* obſerves) contrary to their expreſſe Oathes to King *Henry*, and *Maude* his right heir (*to crown her Queen after his deceaſe*,) moſt perfidiouſly put her by the Crown, (as they did *Robert* his elder brother, when they crowned him in his ſtead) electing and Crowning *Stephen* his Nephew againſt his and their Oaths, for their King; Willielmus *quoque* Cant. *Archiepiſcopus*, qui primus Sacramentum fecerat Imperatrici de regno Angliæ, Stephanum (proh dolor, adds *Hoveden*) in Regem benedixit. The Solemnities and Prayers uſed at his and his Queens Coronation, are at large recorded in *Gervaſius Tilburienſis* his Chronica, col. 1587, 1588. to which I referr you. What new Oath, Articles the Prelates and Clergy for enlargement of their

Juriſdiction

* Eadmerus Hiſt Novor. l. 4. p. 91. Mat. Par. p. 60. Mat. Weſtm. p. 26. Spelmanni Concil. Tom. 2. p. 27, 28. See Here, Tom. 2. p. 427.

i Antiqu. Eccleſ. Brit, p. 111, 112. Eadmerus Hiſt. Novorum, l. 6. p. 137. Polychronicon l. 7. c. 15. Chron. Johan. Bromton, col. 1013. Gervaſius Acta Pontif. Cantuar. col. 1661, 1662. Hen. de Knyghton de Event. Angliæ, l. 2. c. 8. col. 2380. Speeds Hiſtory of Great Britain, p. 475.

k Chronicles, Vol. 3. p. 96: Hoveden Annal. pars 1. p. 481. See Here, Tom. 1. p. 489, 490.

Juriſdiction and Liberties preſcribed to him, and what a new Prelatical Conditional Oath of fealty they took to him; [l] *William of Malmesbury* living in that age will beſt inform us, who relates, Anno 1135. **Non multo poſt adventum Comitis, juraberunt Epiſcopi fidelitatem Regi,** (conditionally, that is, *Trayt. rouſly* I might ſay, writes [m] *Speed*) **quamdiu ille libertatem Eccleſiæ et vigorem diſciplinæ conſerbaret: Ipſe quoque jurabit juxta tenorem ſcripti, *quod ſic habetur in ſubditis. Ego* Stephanus *gratia* Cleri et populi in Regem Angliæ electus, et a Domino Willielmo Archiepiſcopo Cantuariæ, et Sanctæ Eccleſiæ Romanæ Legato conſecratus, et ab Innocentio Sanctæ ſedis Romanæ Pontifice poſtmodum confirmatus, reſpectu et amore Dei, ſanctam Eccleſiam liberam eſſe concedo, et debitam reverentiam illi confirmo. Nihil me in Eccleſia, vel in rebus Eccleſiaſticis Symoniace acturum, vel permiſſurum eſſe promitto. Eccleſiaſticarum perſonarum et omnium Clericorum, et rerum eorum juſtitiam et poteſtatem, et diſtributionem bonorum Eccleſiaſticorum in manu Epiſcoporum eſſe perhibeo et confirmo. Dignitates Eccleſiarum privilegiis earum confirmatas, et conſuetudines earum antiquo tenore habitas, inviolate manere concedo et ſtatuo. Omnes Eccleſiarum poſſeſſiones et tenuras, quas die illa habuerant, qua Willielmus Rex, avus meus, fuit vivus et mortuus, ſine omnium calumniantium reclamatione eis liberas et abſolutas eſſe concedo. Si quid vero de habitis aut poſſeſſis ante mortem Regis, quibus modo careat, Eccleſia deinceps repetierit, indulgentiæ et diſpenſationi meæ, vel diſcutiendum, vel reſtituendum reſervo. Quæcunque vero poſt mortem Regis liberalitate Regum, largitione Principum, oblatione vel comparatione, vel qualibet tranſmutatione fidelium collata ſunt, confirmo: pacem me et juſtitiam in omnibus facturum, et pro poſſe meo conſervaturum promitto.** *Foreſtas, quas* Willielmus *Rex avus meus, &* Willielmus *ſecundus Avunculus meus inſtituerunt & tenuerunt, mihi reſervo. Cæteras omnes, quas* Henricus *Rex ſuperaddidit,* **Eccleſiis et Regno, quietas reddo et concedo. Si quis autem Epiſcopus vel Abbas, vel alia Eccleſiaſtica perſona ante mortem ſuam rationabiliter ſua diſtribuerit, vel diſtribuenda ſtatuerit, firmum manere concedo. Si vero morte præoccupatus fuerit, pro ſalute animæ ejus Eccleſiæ conſilio eadem fiat diſtributio. Dum vero ſedes propriis fuerint paſtoribus vacuæ, et ipſæ et omnes earum poſſeſſiones in manu et cuſtodia Clericorum, vel proborum hominum ejuſdem Eccleſiæ committantur, donec paſtor canonice ſubſtituatur.** *Omnes exactiones & meſcheningas, & injuſtitias, ſive per Vicecomites, vel per alios quoſlibet male inductas funditus extirpo. Bonas Leges, & antiquas, & juſtas conſuetudines in murdris, & placitis, & aliis cauſis obſervabo, & obſervari præcipio, & conſtituo: apud* Oxeneford *Anno incarnationis Domini* 1136. *Regni mei primo. Nomina teſtium, qui multi fuerunt, apponere faſtidio, quia penè omnia ita perperam mutavit,* (being deſtructive to, and inconſiſtent with the ancient Rights of the Crown) *quaſi ad hoc tantum juraſſet,* ut prævaricatorem Sacramenti ſe regno toti oſtenderet; as *Malmesburienſis,* and *Matthew Paris* too concludes almoſt in the ſame words, who recites the Heads of his Oath and Charter.

[l] Novellæ Hiſt. l. 1. p. 179. Mat. Paris, Hiſt. Angl. p. 71. who recites the heads of this Oath and Charter.

[m] Hiſtory of Great Britain, p. 484. nu. 4.

And here I cannot but obſerve the admirable Providence and divine Juſtice of God upon our perjured Biſhops and Prelates; who violating their ſacred Oaths to the Empreſſe *Maude* and her father, in diſinheriting her and Crowning *Stephen*, to advance their own Hierarchy, Canons, Liberties and Juriſdictions, to which they obliged him both by his premiſed Coronation Oath, Charter, and incouraged him thereby to violate them ſoon after; yea, *made him a principle inſtrument to impriſon their perſons, ſeiſe their Caſtles, Treaſures, and trample their Canons under feet, burn, tear the Books of the Canon Law, by which he would not be judged, and prohibit all Lectures of it by* Vacarius *and others in the Univerſity of* Oxford, *to their great diſappointment, diſcontent; and involved the whole Kingdom in bloudy wars during moſt of King* Stephens *reign*, wherein theſe perfidious, ambitious Prelates were the *greateſt ſufferers*, as my [n] *Firſt Tome* will at large inform you. Moreover, it is obſervable, how God croſſed the King by his Biſhops, and made them enemies to each other in the point of crowning his ſon; *An. 17 regni ſui Rex* Stephanus *filium ſuum* Euſtachium **Regio Diademate voluit inſignire: poſtulans igitur ab Archiepiſcopo Cantuarienſi Theobaldo et cæteris Epiſcopis, ut eum in Regem ungerent, et benedictione ſua confirmarent, repulſam paſſus eſt.** *Papa ſiquidem literis ſuis* **Archiepiſcopo prohibuerat, ne filium Regis in Regem ſublimarent;** *videlicet,*

[n] Page 537, to 574.

quia Rex Stephanus regnum contra juſjurandum præripuiſſe videbatur. *Intimo igitur dolore decoctus & ira animia ferveſcens, tàm pater quàm filius in domo quadam* omnes includi juſſerunt, et vehementer angariantes, ut poſtulata peragerent, compellabant. *Illi ſummo perterriti timore*, (*Rex namque* Stephanus *nunquam Clericos liquidè dilexerat*, by reaſon of their perjury and encroachments on the Crown, *& pridem duos incarceravit Epiſcopos*) *reſtiterunt tamen*, capitum ſuorum periculo nihil metuentes. *Receſſerunt tamen* omnes illæſi, poſſeſſionibus quidem ſpoliati, *quæ poſtea Rege pœnitente habuerunt*; as [o] *Henry Huntindon* and others ſtory.

[o] Hen. Hundon Hiſt. l. 8 p. 395. Chronica Gervaſii col. 1371. & Actus Pontif. Cant. col. 1668. Antiqu. Eccleſ. Brit. p. 117. Holinſhed, Vol. 3. p. 57, 59. Godwins Catalogue of Biſhops, p. 41. See Here, Tome 1. p. 368, 369.

Upon the death of King *Stephen*, Anno 1154. who (after many years bloody inteſtine warrs) to procure his peace was enforced to adopt and declare *Henry* the 2d, ſon of the Empreſſe *Maude*, to be both his adopted ſon, ſucceſſor, and right heir to the Crown. *Henry* ariving in *England*, [p] 14 *Kalendas* Januarii *die Dominica apud* Weſtmonaſterium *ab omnibus* Rex acclamatus, *à* Theobaldo Cantuarienſi *Archiepiſcopo* in Regem conſecratur, benedicitur et inunctus eſt, præſentibus Epiſcopis, *& Baronibus regni* Anglorum *& Ducatus* Normannorum; (Radulfus de Diceto addes, *præſente Archiepiſcopo* Eboracenſi *& aliis Epiſcopis* Angliæ, Rogerus Eboracenſis *Archiepiſcopus* manum non oppoſuit:) *hæreditariumque regnum* ſine diminutione ſuſcepit, *congaudentibus & conclamantibus turbis*, Vivat Rex; writes the Chronicle of *Bromton*: *Aſtantibus & cooperantibus* Archiepiſcopis duobus, Epiſcopis 14. *Comitibus & Baronibus* Anglicanis *et tranſmarinis*, *& innumera multitudine plebis. Regina quoque* Alienora, *à Rege* Francorum Ludovico *repudiata*, cum ipſo Cozonata eſt; as *Gervaſius Dorobornenſis* ſtories. Anno 1158. *qui erat Annus* 4. *regni ſui*, *idem Rex* Henricus *ſecundò ſe fecit* cozonari *apud* Lincolniam *extra muros Civitatis in* Wickeford. *Anno Gratiæ* 1159. *qui erat Annus* 5. *regni ſui*, *idem Rex* Henricus *tertiò* fecit ſe, et Alienor. uxorem ſuam cozonari *apud* Wereceſtre; *ubi cum ad oblationem venirent*, depoſuerunt cozonas ſuas, et eas ſuper altare obtulerunt; *voventes Deo*, quod nunquam in vita ſua de cætero cozonarentur; as [q] *Roger de Hoveden*, with [r] *others* ſtory. I finde no mention of any Oath preſcribed to him by the Biſhops, or taken by him at either of theſe 3. Coronations in any of our Hiſtorians, which they would have mentioned, had he taken any; the laſt Oath preſcribed by the Biſhops to King *Stephen* being ſuch, as the Biſhops who oppoſed his Title durſt not tender him at his Coronations.

[p] Mat. Paris Hiſt. Angl. p. 88. Mat Weſt. p 47. Henry Huntindon Hiſt. l. 8. p. 398. Radulfus de Diceto, Ymag. Hiſt. col. 529. 616. Chron. Johannis Bromton col. 1043 Chronica Gervaſii Doroborneſis col. 1376, 1377 & Actus Pontif. Cant. col. 1668 Polychronicon, Fabian, Caxton, Polydor Virgil, Grafton, Holinſhed, Speed, Daniel, Baker in Henry 2.

[q] Annal. pars poſterior, p. 491.

[r] Mat. Weſtm. p. 44. Matth. Paris, p. 93.

[ſ] Anno 1170. King *Henry* the 2d. reſolving to Crown his ſon *Henry* King in his life-time, *Idibus* Julii, *Convenerunt ad mandatum Regis* Anglorum Henrici *apud* Weſtmonaſterium, Rogerus *Archiepiſcopus & omnes Suffraganei* Cantuarienſis *Eccleſiæ Epiſcopi* ad Cozonationem Henrici filii Regis primogeniti, qui patre jubente cozonatus eſt ſolenniter a Rogero Eboracenſi Archiepiſcopo 14 *Kalendas* Julii, contra prohibitionem Domini Papæ; *qui literas ipſi Archiepiſcopo & aliis Epiſcopis in hæc verba direxit.* — Univerſitati veſtræ auctoritate Apoſtolica penitus inhibemus, ne quiſquam veſtrum novum Regem cozonando, ſi fortè caſus emerſerit, abſque aſſenſu Cantuarienſis Archiepiſcopi, et Cantuarienſis Eccleſiæ conniventia, ſecundum ejus antiquam conſuetudinem et dignitatem manum apponere, qualibet occaſione præſumat, aut id aliquatenus attemptare. — Sed hæc ſtruſtra, *quia antequam literæ eſſent promulgatæ, negotium fuerat conſummatum.* Hereupon, [t] Pope *Alexander* the 3d. (at Archbiſhop *Beckets* inſtigation, then in exile for his Rebellion and Sedition againſt the King,) excommunicated the Biſhops of *London*, *Salisbury*, and moſt other Biſhops of *England*, and ſuſpended the Archbiſhop of *Yorke*, the Biſhop of *Durham*, together with the Biſhops of *Exeter*, *Cheſter*, *Rocheſter*, *St. Aſſaph* and *Landaff*, ab omni officio Epiſcopali et dignitate, pro temeraria præſumptione in Cozonatione novi Regis, commoto Thoma Cantuarienſi Archiepiſcopo, ad cujus officium de antiquo jure dinoſcitur pertinere. In Cozonatione vero illius, NULLA de more, DE CONSERVANDA ECCLESIÆ LIBERTATE, CAUTIO JURATORIA EST PRÆSTITA, NEC

[t] Gul. Neubrigenſis Rerum Angl. l. 2. c. 25. Gervaſii Dorobern. Chron. col. 1413 Mat. Paris Hiſt. Angl. p. 117, 118. Hoveden Annal. pars poſterior, p. 518, 519. Radulfus de Diceto, Ymag. Hiſtor. col. 553 554. Speeds Hiſtory p. 505, to 512. Here, Tom. 2. p. 680, to 690.

NEC (*ſicut aiunt*) A VOBIS EXACTA: (as this Pope writ to theſe Biſhops, for which he and *Becket* were much incenſed againſt them) *Sed potius* JURAMENTO ASSERITUR CONFIRMATUM, ut Regni conſuetudines antiquas, SUB QUIBUS DIGNITAS PERICLITATUR ECCLESIÆ, illibatæ debeant omni tempore obſervari. *In quo etſi multum præſumpti Regis vehementia nos perturbat*, amplius tamen de veſtra et aliorum Epiſcoporum veſtrorum poſſumus infirmitate moveri, qui quod dolendo dixim̃us, facti ſunt arietes non habentes cornua, &c. *Noveritis itaque vos*, tamdiu ab Epiſcopali officio, commiſſa Nobis a Deo auctoritate ſuſpenſos, donec ad ſedem Apoſtolicam, de tanto exceſſu ſatisfacturi, accedatis, niſi præfato Archiepiſcopo ita ſatisfacere curaveritis, ut pœnam iſtam ipſe judicet relaxandam. Theſe high affronts, (together with [u] *Beckets* inſolent Letter to the King, telling him; That by the Canon not Common Lawes, nor yet by the Secular power, but by the Biſhops and Prieſts, Almighty God would have the Clergy of the Chriſtian Church to be governed and ruled; that Chriſtian Kings ought to ſubmit all their doings unto Eccleſiaſtical Rulers, and not to preſerre themſelves; for it is written (in the Canon Law) That none ought to judge the Biſhops, but only the Church, neither doth it pertain to mans Law to give ſentence upon any ſuch; but many Biſhops have excommunicated Kings and Emperors, &c.) ſo highly incenſed [x] King *Henry* the 2d. againſt Pope *Alexander*, that by the adviſe of *Gilbert* Biſhop of *London* and others, he ſent expreſſe Meſſengers and ſolemn Letters to this Pope, in quibus expreſſe Domino Papæ denunciarent, quod niſi ſuperbiam Thomæ Cantuarienſis Archiepiſcopi ſeveritatis pede contereret; Ipſe, et omnes Barones Angliæ, cum viris Eccleſiaſticis ab ejus obedientia recederent: And the King was ſo extraordinarily enraged againſt Archbiſhop [y] *Becket*, that he was almoſt beſides himſelf; *aſſerens*, ſe ignobiles et ignavos homines nutriviſſe, quorum nec unus tot ſibi illatas injurias voluerit vindicare. Whereupon 4. of his Courtiers juramento ſe conſtrinxerunt, to reduce *Becket* to a dutifull ſubmiſſion to the King, by abſolving thoſe Biſhops excommunicated and ſuſpended for Crowning his ſonne; (unde videtur, quod et vellet Coronam de Capite tollere; as they told *Becket*,) or elſe to kill him; who refuſing to abſolve them upon the Kings Meſſage to, and their expoſtulations with him, they thereupon ſlew him as an *incorrigible obſtinate Traytor, and Rebel to his Soveraign*, though ſoon after Canonized, adored by the Pope and Clergy for a moſt glorious Saint and Martyr for the Liberties of Holy Church, whoſe blood was more effectual to ſave thoſe who prayed to him, then the blood of Chriſt himſelf.

u Fox Acts and Monuments Vol. 1. p. 278, 279. Here, Tome 1. p. 651, 668.

x Mat. Paris Hiſt. Angl. p. 106, 107. See Tom. 1. p. 669, 670.

y Gul. Neubrigenſis, l. 2. c. 25 Chronicon Gervaſii, col. 1414, 1415. Hoveden Annal. pars poſterior. p. 525, 526 Here, Tom. 1 p. 685, 686. &c. See Speed, Holinſhed, Crafton, Daniel.

From which paſſages, I ſhall obſerve theſe three particulars; 1. What a uſurped abſolute power *Becket* and the Archbiſhops of *Canterbury* claimed, in and by reaſon of their frequent Coronation of our Kings, that they muſt not be crowned but by what Biſhops they pleaſed, as a right belonging to them, the violation whereof, though by our Kings expreſſe commands in their abſence, demerited the ſevereſt Eccleſiaſtical cenſures. 2ly. Pope *Alexanders* and *Beckets* outragious indignation againſt the Archbiſhop of *Yorke*, and other Biſhops who crowned young King *Henry*, for not propoſing to, and exacting from him a Cautionary Oath at his Coronation, *for the confirmation of the Churches Liberties*, which they impoſed on and exacted from *Henry* the 1. and King *Stephen*, to the great derogation of the Churches honor and priviledges, but only this laudable, uſual Oath, *perpetually* to maintain the antient Conſtitutions and Liberties of the Kingdom, by which the pretended Liberties and Canons of the Church they contended for were endangered. 3ly. King *Henry* the 2. his great indignation, magnanimous Oppoſition and reſolution againſt theſe uſurpations and proceedings both of the Pope and Archbiſhops, as tending to his *uncrowning*, *unkinging*; threatning totally to renounce and caſt off both the Pope and Church of *Rome*, if they did not right him therein againſt *Beckets* inſolencies: and animating his Courtiers to kill him as an unſufferable, incorrigible Arch-Traytor, not worthy to breath any longer within his Dominions.

King *Henry* deceaſing Anno 1189. *Richard* the 1. his ſon and heir repairing into *England*, was Crowned with extraordinary ſolemnity, ceremonies and prayers by *Baldwin* Archbiſhop of *Canterbury*, Anno 1189. *die Dominica* 3. *Septembris*; the ſolemnities and prayers uſed at his Coronation are at large related by [z] *Radulphus*

z Ymag. Hiſt. col. 647.

phus de Diceto,[a] *Gervaſius Dorobornenſis*,[b] the *Chronicle* of *Bromton*,[c] *Henry Huntindon*,[d] *Matthew Paris*,[e] *Thomas Walſingham*, and[f] *others*. The Oath he then took at the High Altar in *Weſtminſter* Abbey, is thus regiſtred in *Bromton*. *Coram prædictis Archiepiſcopis, Epiſcopis, Abbatibus, Comitibus, Baronibus*, (there named) **Clero** & *populo* Richardus *Dux hæc tria Sacramenta fecit. Inprimis, itaque* **jurabit** & *vovit* **Sacroſanctis Evangeliis**, & *plurimorum Sanctorum reliquiis coram eo poſitis*, **quod pacem et honorem et reverentiam omnibus diebus vitæ ſuæ portabit Deo et Sanctæ Eccleſiæ, et ejus ordinatis.** *Deinde*, **jurabit** *quod rectam juſtitiam exercebit in populo ſibi commiſſo. Deinde*, **jurabit** *quod Leges malas & conſuetudines perverſas, ſi aliquæ ſint in Regno ſuo, delebit, & bonas cuſtodiet. Deinde exuerunt eum veſtibus ſuis quibus indutus fuerat*, &c. *Deinde Archiepiſcopus* Cantuar. **unxit eum in Regem, infundens oleum ſanctum deſuper eum in tribus locis**, *ſcilicet* **in capite, in ſcapulis, et in brachio dextero**, *cum orationibus*, &c. *Deinde poſuit ſuper caput ejus conſecratum pannum*, &c. *Deinde veſtierunt eum Regalibus veſtimentis*, &c. *Deinde tradidit ei Archiepiſcopus gladium*, &c. *Deinde indutus mantello, ductus eſt ad altare*, **et conjuratus ab Archiepiſcopo et prohibitus ex parte Dei, ne hunc honorem ſibi aſſumat, niſi in mente habeat tenere ſacramenta et vota quæ ſuperius fecit,** (not uſed to any of our precedent Kings at their Coronations) *Et ipſe reſpondet*, **Se per Dei auxilium omnia ſuprædicta obſervaturum bona fide.** *Deinde cepit coronam de altari, & tradidit eam Archiepiſcopo, qui poſuit eam ſuper* **caput Regis**; **et ſic Coronatus**, *Rex ductus eſt ad ſedem ſuam*, &c. *Quia verò tunc temporis* Londonienſis *vacabat Eccleſia*, Radulphus de Diceto *Eccleſiæ S.* Pauli *Decanus*, **tam in Oleo ſancto, quam in Chriſmate** *miniſtravit Archiepiſcopo*, as *Diceto* himſelf and *Walſingham* relate.

[a] col. 1587, 1588.
[b] col. 1157, 1158, 1159.
[c] Annal. Pars poſter. p. 656, 657.
[d] Hiſt. Angliæ, p. 146, 147.
[e] Ypodigma Neuſtriæ, p. 45, 46.
[f] Speeds Hiſtory of Great Britain, p. 540.

[g] Anno 1194. King *Richard* the 1. upon his return from the *Holy Land*, and redemption from his long captivity; in the 5. year of his reign, *apud* Wintoniam *in Octabis* Paſchæ, *Conſilio Primatum ſuorum, licet aliquantulum renitens ignominiæ captivitatis jam deterſa*, **quaſi Rex nobus ſolemniter Coronatus eſt**, Huberto Cantuarienſi *Archiepiſcopo miſſam celebrante*, & Williemo *Rege* Scottorum *piiſſimo tunc præſente. Poſt* **Coronationis ſuæ ſolempnia** (not particularly related) *portus marinos ſtatuit obſervare*, &c. I find no Coronation Oath then preſcribed to or taken by him at this his ſecond Crowning.

[g] Mat. Paris Hiſt. Angl. p. 169. Chronicon Joannis Bromton, col. 1258. Henr. de Knyghton de Event. Angl. l. 2. col. 2408.

King *Richard* deceaſing Anno 1199. thereupon Earl *John* his brother, was crowned and ſworn Duke of *Normandy* at *Rhoan*, and afterwards crowned King of *England*, rather by election then as an hereditary King, (*Arthur* Duke of *Britain*, ſon of his elder brother, having the beſt right to the Crown, as many aſſerted) whoſe Coronation[h] *Mat. Paris*, *Hoveden*, and others out of them, thus relate. *Comes* Johannes Rothomagum *veniens, in Octavis* Paſchæ *gladio Ducatus* Normanniæ *accinctus eſt, in matrice Eccleſia, per Miniſterium* Walteri Rothomagenſis *Archiepiſcopi, ubi Archiepiſcopus memoratus ante majus Altare in capite ejus poſuit Circulum aureum, habentem in ſummitate per gyrũ roſulas aureas artificialiter fabricatas.* **Et Dux coram Clero et populo jurabit ſuper reliquias ſanctorum et ſuper Evangelia ſacroſancta, quod ipſe ſanctam Eccleſiam et ejus Dignitates bona fide et ſine malo ingenio defenderet, et ordinatos honoraret:** *Juravit etiam, quod Leges iniquas, ſi quæ eſſent, deſtrueret, & bonas ſurrogaret. Per idem tempus, Dux* Normanniæ Johannes *transfretavit in* Angliam, *& apud* Sorham *applicuit octavo Kalendas* Junii, *& in craſtino vigilia, viz.* Dominicæ Aſcenſionis, Londonias *venit, ibidem coronandus. Congregatis itaque in adventu ejus*, **Archiepiſcopis, Epiſcopis,** *Comitibus, & Baronibus, atque aliis omnibus, qui ejus coronationi intereſſe debuerunt*, **Archiepiſcopus** *ſtans in medio omnium, dixit:* Audite univerſi, Noverit diſcretio veſtra, **quod nullus prædia ratione alii ſuccedere habet regnum, niſi ab univerſitate Regni unanimiter, invocata Spiritus gratia electus, et ſecundum morum ſuorum eminentiam prælectus;** ad exemplum & ſimilitudinem *Saul* **primi Regis inuncti, quem præpoſuit Dominus populo ſuo,** non Regis filium, nec de Regali ſtirpe procreatum. Similiter, poſt eum *David Semei* filium: hunc quia ſtrenuum & aptum dignitati Regiæ, illum quia ſanctum & humilem. Ut ſic qui cunctos in regno ſupereminet ſtrenuitate, omnibus præſit & poteſtate & regimine. Verum ſi quis ex ſtirpe Regis defuncti aliis præpolleret, **prono et promptius in electionem ejus eſt conſentiendum.** Hæc idcircò diximus, pro inclyto Comite *Johanne*, qui præſens

[h] Mat. Paris Hiſt. Angl. p. 189. Roger Hoveden Annal. pars poſterior, p. 792, 793. Matthew Weſtm. p. Ralph Holinſhed, p. 457. Speeds Hiſtory p. 549, 550. Polydor Virgil. Angl. Hiſt. l. 15. p. 265. Daniels Hiſtory, p. 127, 128.

preſens eſt, frater illuſtriſſimi Regis noſtri *Richardi* jàm defuncti, qui hærede caruit ab eo egrediente, qui providus & ſtrenuus & manifeſtè nobilis, quem nos, invocata Spiritus ſancti gratia, ratione tam meritorum, quam ſanguinis Regii unanimiter elegimus univerſi. *Erat autèm Archiepiſcopus vir profundi pectoris, & in regno ſingularis columna ſtabilitatis, & ſapientiæ incomparabilis.* Nec auſi erant alii ſuper his adhuc ambigere, ſcientes quod ſine cauſa hoc non ſic diffiniverat. *Verum Comes* Johannes *& omnes hoc acceptabant, ipſumque Comitem in Regem* eligentes et aſſumentes, exclamant dicentes, VIVAT REX. *Interrogatus autem poſtea Archiepiſcopus* Hubertus, quare hæc dixiſſet; *reſpondit, ſe præſaga mente conjecturare, & quibuſdam oraculis edoctum & certificatum fuiſſe,* quod ipſe Johannes Regnum et coronam Angliæ ſazet aliquando corrupturus, et in magnam confuſionem præcipitaturus. Et ne haberet liberas habenas hoc faciendi. Ipſum electione non ſucceſſione hæreditaria, eligi debere affirmabit. Archiepiſcopus autem imponens capiti ejus coronam, unxit eum in Regem apud Weſtmonaſterium, *ſcilicet in Eccleſia Principis Apoſtolorum,* Dominicæ Aſcenſionis *die, ſexto Kalendas* Junii, Philippo Dunelmenſi Epiſcopo appellante, ſed non obtinente, ne coronatio illa fieret in abſentia G. Archiepiſcopi Eboracenſis. In hac Coronatione Rex *Johannes* triplici involutus eſt ſacramento: Quod *viz.* Sanctam Eccleſiam et ejus ordinatos diligeret, et eam ab incurſione malignantium indemnem conſervaret: *&, quod perverſis Legibus deſtructis, bonas ſubſtitueret,* et rectam juſtitiam in Regno Angliæ exerceret. Deinde adjuratus eſt ab eodem Archiepiſcopo ex parte Dei, et diſtricte prohibitus, ne honorem hunc acciperet præſumeret, niſi in mente habeat opere, quod juraverat, adimplere. Ad hoc ille reſpondens, promiſit ſe per auxilium Dei, bona fide, ea quæ juraverat, ſervaturum. *In craſtino autem, homagiis & fidelitatibus acceptis, &c.*

In this Kings Coronation (during whoſe reign the Pope and Prelates uſurped more, and greater Juriſdictions over his Perſon, Crown, Realm, than in all former Kings reigns, as [i] *I have already evidenced*) we may obſerve: Firſt, Archbiſhop *Huberts* arrogant, cunning, diſloyal ſpeech; wherein by his own Archiepiſcopal Authority (as the Grand Oracle, Pillar both of Church and State) he proclamed before all the reſt of the Biſhops of *England*, (being 13 in number named by [k] *Hoveden*) beſides *Johanne Dublinenſi*, & *de Kaguſe Archiepiſcopo*, & *Rogero de Sancto Andræa* in *Scotia*, being there preſent and aſſenting to it, and before all the Nobles and people then preſent at his Coronation; *That the Crown of* England *was meerly Arbitrary*, and elective at the peoples devotion, adding to the Lay-Peers *Conditions*, theſe his *Clergy Sophiſmes*, and ſecond ſeed-plot of Treaſons; implying, That as he got the Crown by election, ſo he might as juſtly loſe it, by ejection or demerit, (as he afterwards did, upon this very ground, as [l] *John Speed* obſerves.) 2ly. That he preſcribed him a Coronation Oath, different from, and larger in the firſt Clauſe concerning the Church, then that of King *Richard* the firſt.

[i] Tom. 2. p. 337, 338. & Here, p. 18, 19, 20.

[k] Annal. pars poſterior, p. 793.

[l] Hiſt. of Great Britain, & ſucceſſion of Monarchs, p. 549, 550.

In the 9th year of his reign, the [m] Biſhops of *London*, *Ely*, *Worceſter*, *Hereford*, *Bath* and *Wells*, interdicting the Realm by Pope *Innocent* the 3d. his command; (at the inſtigation of *Simon Langeton* Archbiſhop of *Canterbury*) who afterwards at their inſtigation excommunicated and deprived King *John* of his Crown, and before his abſolution by *force* and *fraud* they compelled him to take this Oath, for ſatisfying of 40000 Marks, and all other damages to themſelves, ratified with his Charter, and the Oathes, Charters of the Nobles and other Sureties therein named.

[m] See Tom. 2. p. 253, to 300.

EGO Johannes *Dei gratia Rex* Angliæ, *Dominus* Hiberniæ, *Dux* Normanniæ, Aquitaniæ, *& Comes* Andeg. præſtito juramento promitto, *quod tantam pecuniam in manus venerabilium patrum* S. Cantuar. *Archiepiſcopi*, *&* W. London, H. Lincoln. *ac* E. Elyenſis *Epiſcoporum, vel eorum quos ad hoc duxerint deputandos, reſtituam hiis quibus facienda eſt reſtitucio, computatis illis quam perſolvi eidem Archiepiſcopo & Epiſcopis, aut aliis hoc negocium contingentibus, de ipſius conſilio vel mandato,* quod ſummam Quadraginta Millium marcarum complebo; *quibus ſolutis, et cautione præſtita inferiùs annotata, necnon relaxata* ſententia Interdicti, deinde ſingulis annis duodecim Millia marcarum in duobus terminis, *commemoratione videlicet* Omnium Sanctorum ſex Millia, et totidem feſto Aſcenſionis, *apud Eccleſiam*

Clauſ. An. 16 Johann. m. 9.

Eccleſiam Sancti Pauli London. *eiſdem faciam exhiberi*, donec tota ſumma fuerit perſoluta quæ taxante Summo Pontifice, declarabitur per inquiſicionem de mandato ejus prœinde factendam. *Et ad hoc fideliter exequendum*, obligo me per prœmium juramentum, ac per patentes literas ſigillo meo munitas, necnon per

* See Here, Tom. 2. p. 276, 277.

* fidejuſſionem venerabilium patrum P. Winton. & J. Norwic. *Epiſcoporum*, *ac nobilium virorum* Ceſtrenſis & Winton. *Comitum*, & Willielmi Briwerr. *atque* Willielmi Mareſcalli *Com. de* Penbroc, *ſi fuerit præſens in* Angl. *vel Comitis de* Ferrar. *ſeu Com.* Arundell *ſi dictus* Willielmus Mareſcall. *forſtan abſens fuerit*, eorum ſuramentis et litteris roboratam; Ita quod tam hæredes mei quam ſucceſſores eorum pari obligacione teneantur aſtricti. *Et ſi forſitan quiſquam de ſucceſſoribus eorundem vel nequiverint vel nolnerint ad hanc obligacionem induci, ego alium idoneum fidejuſſorem conſtituam, ſecundum formam inferius annotatam: Actum autem eſt hoc apud* Andegav. *ſeptimo-decimo die* Junii, *anno regni noſtri ſexto-decimo, Coram Magiſtro* Pand. *Domini Papæ Subdiacono & familiari* ad hoc ſpecialiter deſtinato, *in præſencia venerabilium patrum* J. Norwic. & W. Andeg. *Epiſcoporum*; R. *Com.* Ceſtr. W. *Com. de* Ferrar. *Magiſtri* Alani & Walteri *Clericorum Domini* Cantuar. *Archiepiſcopi*, Regin. de Pontibus *ſenioris*, Pagani de Rupe forti, & Thom. de Erdinton.

† See Tom. 2. p. 276, &c.

This Oath and † Caution being given to them before their return into *England*, upon their arrival here ſoon after in the 15. year of his reign, they likewiſe enforced him to take theſe New Oaths they preſcribed to him, before they would abſolve him from his Excommunication, and the Kingdom from the Popes Interdict; thus related by *Matthew Paris*.

n Tom. 2. p. 279 Mat. Paris Hiſt. Angl. p. 229, 230.

n *Rex autem cum Epiſcoporum adventum cognoviſſet, venit obviam illis, & viſo* Archiepiſcopo et Epiſcopis, cecidit prœnus ad terram ad pedes eorum, lachrymis prœfuſis, ut de ſe et de regno Angliæ miſericordiam haberent. *Videntes ergo Archiepiſcopus & Epiſcopi* tantam Regis humilitatem, (which had better became them than him) *cum lachrymis illum de terra levaverunt, ducentes à dextris & à ſiniſtris, ad eſtium Eccleſiæ Cathedralis, ubi cum* Pſalmo Quinquageſimo, *videntibus Magnatibus cunctis, & ubertim præ gaudio flentibus, ſicut mos eſt Eccleſiæ, illum abſolverunt in Capitulo* Wintonienſi. *In hac autem abſolutione* jurabit Rex, tactis ſacroſanctis Evangeliis, (as if he were then re-crowned, and made King *de novo*) quod ſanctam Eccleſiam, ejuſque ordinatos diligeret, defenderet et manuteneret, contra omnes adverſarios ſuos prœ poſſe ſuo; quodque bonas leges Anteceſſorum ſuorum, et prœcipue Leges Edwardi Regis revocaret, et iniquas deſtrueret, et omnes homines ſuos ſecundum juſta Curiæ ſuæ judicia judicaret, quodque ſingulis redderet jura ſua. *Juravit etiam*, quod omnibus ab Interdicti negotium pertingentibus infra prœximum Paſcha plenariam reſtitutionem faceret ablatorum, ſin autem, in prœfatam excommunicationis ſententiam revocaretur. *Juravit præterea* Innocentio *Papæ* ejuſque Catholicis ſucceſſoribus, fidelitatem et obedientiam, ſicut * ſuperius in ſcripto redactam continetur. Theſe new Oaths being thus extorted from him, this Trayterous Archbiſhop on the 8. of *September* being aſſembled *cum Epiſcopis, Abbatibus, Prioribus, Decanis, & Baronibus in Civitate* London. *apud Sanctum* Paulum; *In hoc colloquio convocatis ſeorſim quibuſdam regni Proceribus cepit affari eos ſecretius in hunc modum*, (to raiſe up a new Rebellion againſt him;) *Audiſtis quomodo* IPSE *apud* Winton, *Regem abſolvi*, ET IPSUM JURARE COMPULERIM, *quod leges iniquas deſtrueret, & leges bonas, viz. Leges* Edwardi revocaret, et in regno faceret ab omnibus obſervari, &c. Which Clauſe thus impoſed on, and extorted from him in his new Oath by this Archbiſhop, differing from that at his Cornation, (agreeing with that extorted for the Conqueror) was afterwards inſerted into the Coronation Oaths of King *Edward* the 3d. and *Richard* the 2d. by their Biſhops, and is ſtill continued.

* See Tome 2. p. 290.

King *John* ſoon after at the Biſhop of *Londons* requeſt, iſſued this Writ to releaſe a Clerk impriſoned in the Fleet, from proſecuting a ſuit in Court Chriſtian for a Lay-fee, againſt his Prohibition.

Pat. 16 Johan. Regis, pars 2. m. 6. intus.

REX *Cuſtodi Carceris le* Flete, *ſalutem*. *Mandamus tibi, quod* Willielmum de Bureford *Clericum*, qui captus fuit et incarceratus, eo quod ſecutus eſt placitum

citum in Curia Chriſtianitatis de laico feodo Willielmi de Fulebret & Sibillæ *uxoris ſuæ* contra Prohibitionem Juſticiariorum, *liberari fac. Venerabili patri* W. London. *Epiſcopo; quia ille manucepit, quod ille recto habebit, ubi illum habere debebit. Et in hujus, &c. T. meipſo apud* Novum Templum London. 20 *die* Novembr. Clergymen being then impriſoned for ſuch contempts, notwithſtanding their pretended Liberties, and this Kings new Oath.

[o] King *John* departing this life An. 1217. (qui ſe multis exoſum præbuit, tum propter tributum, quo ſub perpetua ſervitute regnum Angliæ & Hyberniæ compedibit, tum propter guerram quam ſua merita provocarunt, ac. bis alicujus meruit lamentatione deplorari; as *Mat. Weſtminſter* writes.) *Lewes* the *French* Uſurper and the Barons adhering to him being then poſſeſſed of *London* and *Weſtminſter*, *Henry* the 3d. his ſonne was thereupon Crowned at *Gloceſter* (when he was but 9. years of age,) thus related by *Matthew Paris*. *Defuncto* Johanne Anglorum *Rege, convenerunt apud* Gloverniam *in vigilia Apoſtolorum* Simonis & Judæ, *in præſentia* Walonis Apoſtolicæ ſedes Legati, Petrus Wintonienſis, Jocelinus Bathonienſis, & Sylveſter Wygornienſis *Epiſcopi*; Ranulphus *Comes* Ceſtrenſis, Willielmus Mareſchallus *Comes* Pembroc. Willielmus *Comes de* Ferrariis, Johannes Mareſcallus, Philippus de Albeneio, *cum Abbatibus, Prioribus, & turba multâ nimis, ut* Henricum Johannis *Regis filium primogenitum in Regem* Angliæ *exaltarent. In craſtino autem, paratis omnibus ad* coronationem neceſſariis, *Legatus ſupradictus aſſociatis ſibi Epiſcopis & Comitibus memoratis, duxerunt eum ad Eccleſiam Conventualem cum proceſſione ſolemni,* Regem acclamando. *Ubi ante majus altare conſtitutus,* juravit coram Clero et populo, *appoſitis ſibi ſacroſanctis Evangeliis & plurimorum Sanctorum reliquiis,* dictante juramentum Jocelino Bathonienſi, Quod honorem, pacem, et reverentiam portabit Deo et Sanctæ Eccleſiæ, et ordinatis, omnibus diebus vitæ ſuæ. Juravit etiam, *quod in populo ſibi commiſſo, rectam juſtitiam tenebit: quodque Leges malas, & iniquas conſuetudines, ſi quæ ſunt in regno, delebit, & bonas obſervabit, & ab omnibus faciet obſervari.* Deinde, fecit homagium Sanctæ Romanæ Eccleſiæ et Innocentio Papæ de regno Angliæ & Hyberniæ; et juravit, quod mille marcas, quas Pater ejus Romanæ contulerat Eccleſiæ, fideliter perſolveret, quamdiu prædicta regna teneret. *Et his ita geſtis,* Petrus Wintonienſis & Johannis Bathonienſis *Epiſcopi,* ipſum in Regem ungentes, coronaverunt ſolenniter cum canticis et modulationibus, quæ in coronationibus Regum ſolent decantari. [p] *Henry de Knyghton* writes, *Coronatus eſt & in Regem conſecratus, aſtante* Cantuarienſi *Archiepiſcopo* Stephano, *per manum* Walli, Apoſtolicæ ſedis Legati. But *Matthew Paris* living and writing in that age, and *Thomas Walſingham* are to be credited before him, who writ but in the latter end of King *Richard* the 2d. his reign. *Tandem expletis Miſſarum ſolenniis, duxerunt Regem cum proceſſione ſolemni, Epiſcopi & Comites ſæpedicti, regalibus indutum, ad menſam; ubi omnes in ordine ſuo conſedentes, epulabantur in lætitia & exultatione.* In Craſtino autem Rex cepit homagia et fidelitates ab omnibus Epiſcopis, Comitibus, et Baronibus, aliiſque omnibus qui aderant, et omnes ei fideliſſimum obſequium promiſerunt.

o Mat. Paris Hiſt. Angl. p. 27. Mat. Weſt 103, 104. Thom. Walſingham Ypodigma Neuſtriæ, p. 56.

p De Eventib. Angl. l. 2. c. 15. col. 2427.

Wherein we may obſerve; 1. That King *Henry* by and with the adviſe of the Popes Legate, as well as of his Nobles, was anoynted and crowned King, not by the Archbiſhop of *Canterbury*, but by the Biſhops of *Wincheſter* and *Bath*; and that not as an elective King, as his Father King *John*; and as *Lewes* the *French* Kings ſon, elected, crowned King by the rebellious Barons, but ſoon after rejected, and ſent packing into *France*, never to return again into *England*. 2ly. A Coronation Oath adminiſtred to him though but an infant of 9. years, the ſame in ſubſtance with that which his Father King *John* took at his Coronation. 3ly. A new Additional Clauſe added to it by the Popes Legate, never taken by any King before or ſince, *faithfully to pay the* 1000. *marks which his father had conferred on the Church of* Rome, *ſo long as he ſhould hold the Kingdomes of* England *and* Ireland, for which he made his homage to the Church of *Rome* and Pope *Innocent* before his actual Unction and Coronation, as King. 4ly. That the next day after he received all the Homages and Fealties of the Biſhops, Earls, Barons, and others, as his father did at his Coronation, who very ill obſerved them.

q Mat. Paris, p. 298. Henr. de Knyghton de Ev.nt. Angl. l.2 c.15. col. 2427. Matth. Weſtm. p 109. See Fabian, Gratton, Holinſhed, Speed, Daniel.

q Anno 1220. *Coronatus eſt idem Rex apud* Weſtmonaſterium, *in die Sancta* Pentecoſtes *à* Stephano Cantuarienſi *Archiepiſcopo, præſente Clero & populo totius regni*; or *præſentibus* Pandulpho *Legato, Epiſcopis, & aliis Prælatis, Comitibus, Baronibus & Majoribus* Angliæ; as *Matthew Weſtminſter* ſtories; 16 *Kalendas* Junii, *Anno regni ſuo quinto*; without any new Oath or Unction mentioned by our Hiſtorians (whether antient or modern) who relate it.

r See Here Tom. 2. p. 891, 896.

r In the laſt of thoſe 50 Articles *pro quibus* **Epiſcopi** Angliæ **fuerant pugnaturi**, drawn up by them in the 41 year of King *Henry* the 3d. they thus complained. **Cum Dominus Rex juraverit in Coronatione ſua conſervare jura et libertates Eccleſiis datas, et eas confirmaverit in principio** Magnæ Chartæ; *inceſſanter tamen a Miniſtris ſuis impugnantur, turbantur, & mutilantur, non ſolum generales, ſed etiam ſpeciales, datas ſcilicet per prædeceſſores ſuos, & ab ipſis confirmatas, & etiam de novo datas, &c.* But I finde no ſuch expreſſe Clauſe as this mentioned by our Hiſtorians in the Coronation Oath preſcribed to him, as they here alledged, but only in * *ſubſequent Oaths*; by which they endeavoured to juſtifie all their encroachments upon the Kings Prerogative and Subjects Liberties, compriſed in their 50. Articles, and their Antimonarchical Conſtitutions made in the Council of *Lambeth* under Archbiſhop *Boniface* held that year, againſt the Kings expreſſe *Prohibitions*.

* *Multoties invasit tuni Eccleſiæ Libertatem & ſtatum.* Mat. Paris Auctuarium, p. 152.

King *Henry* after a very troubleſom, yet the longeſt reign of any King before or ſince, departing this world Anno 1272. when his Sonne Prince *Edward* was warring in the Holy Land againſt the *Saracens*; he was preſently proclaimed King, but not crowned till after his arrival in *England* in the year 1274. the manner whereof is thus related by [f] *Matthew Weſtminſter*, [t] *Walſingham*, and [u] *others* out of them, *Dominica inter Octavas Aſſumptionis B. Virginis, in Eccleſia* Weſtm. Eadwardus **in Regem inungitur, et** Aelianora, **ſoror Regis** Hiſpaniæ, **in Reginam, a** Roberto **Archiepiſcopo** Cantuar. xiiii. *Kal.* Septembr. **pariter coronantur.** *Huic Coronationi interrerant* Alex. *Rex* Scotiæ, *&* J. *Comes* Britanniæ, *cum ſuis uxoribus, ſororibus quidem Regis* Eadwardi. *Et in craſtino Coronationis ſuæ recepto publicè homagio & fidelitate* Alexandri *Regis* Scotiæ, &c. Not one Hiſtorian or Record mention any particular Oath or demand then exacted from, made or taken by him to or before this Archbiſhop at his Coronation. In the Patent Rolls in the ſecond year of his reign there is only this *Memorandum* entred of his Coronation. * *Memorandum, quod* Edwardus *Rex* Angl. *applicuit apud* Dovorr. *die Jovis proxima poſt feſtum Sancti* Petri *ad* vincula *Anno Domini* M.CC.LXXIV. *Et die Dominica prox. ſequente* **ſollempniter coronatus fuit in Eccleſia beati** Petri Weſtm. *Anno Domini ſupradicto, & anno regni ejuſdem Regis ſecundo*; Without recording any Oath then taken or Promiſe made by him, to maintain the Biſhops, Clergies, Churches pretended exorbitant Rights, Liberties, and Uſurpations on his Crown or Dignity; Yet certain it is he took an Oath to maintain and preſerve the rights of his Crown and the Lawes, as theſe Clauſes and the like (frequent in ſundry of his Prohibitions to Popes Delegates, Biſhops, and others) evidence, *Tepeſcere non poſſumus, quin exhæredationem noſtram quæ ſtatum Coronæ noſtræ contigit, ſicut* EX SACRAMENTI VINCULO ASTRINGIMUR *pro viribus evitemus.* [x] **Ne Coronæ et dignitatis noſtræ jura depereant ſtudioſam nos debet operam adhibere, et ad ea manutenenda et conſervanda eo potius debemus eſſe ſolliciti, quo ad hoc** VINCULO JURAMENTI TENERI DINOSCIMUR & ASTRINGI; he oppoſing the Popes and Prelates Incroachments of uſurped Juriſdiction to the prejudice of his Crown, more then all his premiſed predeceſſors, as obliged thereunto by his Coronation Oath.

f Flores Hiſt. p. 363.

t Hiſtoriæ Angl. p. 5.

u Polychron. l. 7 c 38. Hen. de Knyghton de Event. Angl. l. 3. c. 1. col. 2461. Speed, p. 648. Daniel p. 186. Caxton. part 7. Fabians Chronicle, part 7. f. 123. Holinſhed, and Gratton.

* Pat. 2 E. 1. pars unca, m 9. Memorandum de Coronatione Regis.

x Clauſe 18 E. 1. dorſ. 10. Cl. 32 E. 1. m. 36. dorſo. Here, p. 417, 418, 1028. & 1188.

His Sonne [y] *Edward* the 2d. ſucceeding him, and reigning as a King by deſcent one whole year or more before he was Crowned, Anno 1309, *ſexto Kal.* Martii, *die videlicet Sancti* Matthæi *Apoſtoli* **Rex et Regina cum ſolennitate maxima apud** Weſtm. **ab Epiſcopo** Winton. and others, (**Commiſſione** Roberti **Archiepiſcopi** Cantuariæ **exulantis**, as ſome; or as *William Thorne* ſtories, **adhuc in** Romana **Curia agente, et eidem vices ſuas committentis**) **magnifice coronatur.** *Ciceſtrenſis* and *Henry de Knyghton* adde, theſe Biſhops crowned him **auctoritate Papæ** Clementis, **eo quod** Robertus Cantuarienſis **tunc apud** Romam **exulabat**, for his Treaſons againſt King *Edward* the 1. Of which this Pope made this advantage, to interpoſe his uſurped Authority in this Coronation: (as his predeceſſor did in the caſe

y Tho. Walſingham Hiſt. Angl. An. 1309 p 69, 70. Ypodigm. Neuſtriæ p. 99. Chronica W Thorn. col. 2007. Ciceſtrenſis, l. 7. c. 32. Henr. de Knyghton de Event. Angl. l. 3. c. 13. col. 2532.

caſe of young King *Henry* during *Beckets* exile) which yet met with ſome rubbs from the Nobles, who requeſted him to remove *Peter Gaveſton* from his Court; *ſed Rex noluit conſentire:* idcirco propoſuerunt Comites Coronationem Regiam impedire. *Quod Rex intelligens*, promiſit bona fide, ſe facturum illis in Parliamento proximo quicquid peterent, tantum ne coronatio differatur; yet he indiſcreetly, Coronam *Sancti* Edwardi (wherewith he was Crowned) tradidit Petro ad portandum manibus inquinatis; *ex quo non immeritò* indignati ſunt populus atque Clerus. *Fuit autem ibi tanta congreſſio populi*, ut nec Regi Coronato, nec Epiſcopis ipſum Coronaturis pepercit violentia populi, et ideo cum feſtinatione nimia et quaſi ſine reverentia fuit iſta ſolemnizatio conſummata; as *Walſingham* ſtories. What Oath they then adminiſtred to the King in this crowd and confuſion, is not particularly related by any Hiſtorian or Record I have ſeen: Only I finde in the [z] *Regiſter of Writs* and ſundry Records, that this King inſerted this Clauſe into his *Prohibitions* and *Writs*, *ad Jura Regia*; *Eo ſtudioſius nos decet operam adhibere, & ſolicitius extendere manum noſtram*, quod ad hoc VINCULO JURAMENTI *teneri dinoſcimur & aſtringi*. And that in the 14th year of his reign he refuſed to ſecure or remove from him the two *Spenſers* till the next Parliament, upon ſome of the Barons demands, or to give them a ſafe conduct to repair to his Parliament beſides his Writ of Summons, upon this ground among others; [a] *Poſtremò cum juramento addidit*, quod noluit Sacramentum violare ad quod adſtrictus fuerat IN CORONATIONE SUA, concedendo literas pacis et indulgentiæ tam notoriè delinquentibus in ſuæ perſonæ contemptum, et totius regni perturbationem, et Majeſtatis Regiæ læſionem; as thoſe Lords were guilty of, who refuſed to come to his Parliament upon *ſummons*, raiſed forces againſt him and the *Spenſers*, and yet preſumed to demand his Letters of pardon for themſelves and their Companions; which Clauſes referr only to the ſecond Clauſe in the Oath of King *Edward* the 2d. and 3d, concerning the peace of the Realm.

Anno gratiæ 1327. Upon the forcible trayterous impriſoning, depoſing of King [b] *Edward* the 2d. by his Queen, and Earl *Mortimer*, and electing his ſon *Edward* the 3d. King in his ſtead, whiles living, *cui Electioni* conſenſit Archiepiſcopus Cantuariæ et omnes Prælati, *& Archiepiſcopus aſſumpto themate*, Vox populi, vox Dei *ſermonem fecit populo, exhortans omnes, ut apud Regem Regum intercederent pro electo*; Coronatus eſt apud Weſtmonaſterium per Cantuarienſem Archiepiſcopum Walterum in Regem (qui Regem patrem plane deſeruit) *die Dominica in vigilia* Purificationis, as *Ciceſtrenſis* and *Matthew Weſtminſter*; or *in* Converſione *Sancti* Pauli, *viz.* 8 *Kalendarum* Februarii, as others write. None of our Hiſtorians make any particular mention what Oath he took; I ſhall therefore preſent you with this Memorandum both of the day of his Coronation, and the Interrogations and Oath then tendred to him out of the *Clauſe-Rolls* in the *Tower*.

z Regiſtrum Omnium Brevium, &c. part 2. f. 61, 67.

a Walſingham Hiſt. Angl. p. 92 & Clauſe 14 E. 2. m. 17. Schedula, & Clauſ. 15 E. 2. dorſ. 32.

b Tho. Walſingham, Hiſt. Angl. p. 107, 108. Ypodigma 110. Henry de Knyhton de Event. Angl. l. 3. c. 16. col. 2550. Ciceſtrenſis, l. 7. c. 44. Matth. Parker Antiqu. Eccleſ. Brit. p. 219. Caxton, Fabian, Polydor Virgil, Grafton, Holinſhed, Speed, Daniel, in Ed. 2. & 3. Chron. Will. Thorn, col. 1039.

MEmorandum, *quod die Dominica poſt feſtum* Converſionis *Sancti* Pauli *Anno Domini Milleſimo CCC viceſimo ſexto, litera Dominicali currente per* V. coronatus fuit in Regem, et inunctus Dominus Edwardus *filius Regis* Edwardi *poſt Conqueſtum* tercius, *anno regni ſui primo, in Eccleſia B.* Petri Weſtm. *ante magnum altare*, per manus venerabilis patris W. Cantuar. Archiepiſcopi, totius Angl. Primatis, *præſentibus tunc ibidem venerabilibus patribus* J. Elien. *Cancellar.* A. Hereford. *Theſ.* J. Winton. J. Ciceſtren. T. Wygornien. L. Dunolmen. H. Lincoln. J. Landaven. *&* W. Norwycen. *Epiſcopis*, Thoma Norff. *&* Mareſcallo Angl. Edmundo Kanc. Henr. Lanc. Johanne Surr. *&* Suſſex, Johanne de Boun Hereford *&* Eſſex *Comitibus*, Johanne de Hanaud, Rogero de Mortuo Mari, Hen. de Bello Monte, ac aliis Magnatibus totius Regni. Et fuerunt verba Regis in coronacione prædicta ſub Juramento præſtito, *ut patet inferiùs.*

Cl. 1 E 3. pars 1. m. 24. dorſo.

Sire, volez vous granter, et garder, et per veſtre Serement confirmer au poeple Dengleterre, les Leys et les Cuſtumes a eux grantes per les auncienes Rois Dengleterre voz predeceſſours, droitus et devoz a Dieu, et nomément les Leys, les Cuſtumes, et les Fraunchiſes grantez au Clerge et au poeple par le glorious Roy Seint Edward veſtre predeceſſour?

Reſpons. Ieo les grante et promette.

Sire, garderez vous a Dieu et a Seinte Eglife et au Clerge, et au poeple, pes et acozd en Dieu entierement, ſolonc veſtre poair?

Reſponſ. Ieo les garderai.

Sire, frez vouz faire en toutz voz jugementz obele et dzoite juſtice et diſcreci-on, en miſericozde et verite a veſtre poair?

Reſponſ. Ieo les fray.

Sire, grantez vous a tenir et garder les Leys et les Cuſtumes dzoitureles, les quelz la Communate de veſtre Roiaume aurai eſlu, et les defendzez et affozcerez al honeur de dieu, a veſtre poair?

Reſponſ. Ieo les graunte et pzomette.

Without any other Interrogation, Admonition or Clauſe, concerning maintaining and defending the holy Church and her Liberties. The firſt Clauſe in this Oath, was taken *verbatim* out of the premiſed Oath enforced upon King *John* by *Stephen Langeton* Archbiſhop of *Canterbury* before his abſolution from his Excommunication, not extant in his Coronation Oath.

I find in moſt of the Writs of *Ad Jura Regia*, (of which there were multitudes in this King *Edwards* reign) this Clauſe relating to this his Coronation Oath, quod ad hoc, or pzout JURAMENTI VINCULO tenemur et aſtringimur. And in the printed ſtatutes of 15 E. 3. Parl. 1. and the Kings Proclamation for reverſing it, 18 E. 3. Stat. 3. c. 1, 2. & 25 E. 3. Stat. 6. againſt *Proviſions*, there are theſe Clauſes inſerted concerning this Oath: By the bond of OUR OATH, we be bound to the obſervance and defence of the Lawes and Cuſtoms of the Realm; The King as he is bounden by HIS OATH to doe the ſame to be kept as the Law of this Realm. *The King having regard to the quietneſſe of his people, which he chiefly deſireth to maintain in quietneſſe and peace, and to govern according to the Lawes, Uſages, and Franchiſes of this Land*, AS HE IS BOUND BY HIS OATH MADE AT HIS CORONATION.

After King *Edward* the 3d. departed this life, his Grandchild *Richard* the 2d. was crowned King. The [b] *Petitions, Claims* of *Nobles and others to do ſpecial ſervices* at his Coronation, by their *tenures*; with the Judgements given on them; and the ſolemnities, Ceremonies uſed at his Coronation, are ſpecially recorded at large in the *Clauſe Roll* of An. 1 R. 2. m. 43, 44, 45. with this Title to them. *Proceſſus factus in Coronatione Domini Regis* Angliæ Richardi *ſecundi, Anno regni ſui primo.* At the cloze whereof there is this Memorial entred. *Memorandum, quod prædictus Rex* Caſtellæ & Legionis, *Dux* Lancaſtriæ & *Seneſchallus* Angliæ; *iſtum proceſſum per manus ſuas proprias in Cancellaria Domini Regis liberavit, ibidem in Rotulis Cancellariæ irrotulandum.* In which unqueſtionable Record, the Oath which the Archbiſhop of *Canterbury* (*Simon Sudbury*) then preſcribed to and received from him, is thus recorded.

b Moſt of them printed in John Speeds Hiſtory of Great Britain, p. 728, 729, 730.

[c] *Dominus Rex, &c. ſubſequenterque capto per præfatum Archiepiſcopum* Cant. Sacramento Dom. Regis cozpozali, de concedendo et ſervando cum ſacra confirmatione Leges et Conſuetudines ab antiquis juſtis et Deo devotis Regibus Angliæ, pzogenitozibus ipſius Regis plebi regni Angliæ conceſſis, et pzæſertim leges, conſuetudines et libertates a glozioſiſſimo et ſanctiſſimo Rege Edwardo Clero populoque regni pzædicti conceſſis: et ſervando Deo et Eccleſiæ Sanctæ Domini; Cleroque et populo pacem et concozdiam integre in Deo, juxta vires ſuas: et de faciendo fieri in omnibus judiciis ſuis æquam et rectam Juſticiam et diſcretionem in miſericozdia et veritate; et etiam de tenendo et cuſtodiendo *juſtas leges et conſuetudines Eccleſiæ; ac de faciendo per ipſum, Dominum Regem eas eſſe pzotegendas, et ad honozem Dei cozroborand. quas vulgus juſte et rationabiliter elegerit juxta vires ejuſdem Domini Regis: *Prafatus Archiepiſcopus ad quatuor partes pulpiti prædicti aſcendens, expoſuit & enarravit univerſo populo, qualiter dictus Dominus Rex hujuſmodi pzæſtitit Sacramentum: *inquirens ab eodem populo*, Si ipſi conſentire vellent de habend. ipſum Regem Dom. ſuum ligeum, & ad obediendum ei tanquam Regi & Domino ligeo? *Qui utique unanimiter conſenſerunt.* Then follow ſome other ſolemnities, and the Homages made to the King by ſundry Noble men, while the Biſhops were chanting their Maſſe. After that the manner of the Kings return from the Church to his Palace; in what Order the Biſhops, Nobles, and others

c Clauſ. 1 R. 2 m. 44.

*Note this new Additional Clauſe.

others ſat at his Feaſt; and his ſolemn Proceſſion to *Pauls* Church with his Prelates, Nobles, Trayn the next day; with the ſumme of their Prayers for his happy Reign and Government.

In the Parliament Roll of 1 *H.* 4. nu. 16 & 17. after the recording of King *Richard* the 2. his Renunciation of his Right to the Crown, and the Articles then publiquely drawn up and read againſt him in that Parliament, they thus record the particular branches of the Coronation Oath which the Kings of *England* uſed to make to the Archbiſhop, and King *Richard* took at his Coronation.

Sequitur forma Juramenti ſoliti in conſueti præſtari per Reges Angliæ *in eorum coronatione*, quod Archiepiſcopus Cantuar. ab eiſdem Regibus, exigere et recipere conſuevit; prout in libris Pontificalium Archiepiſcoporum et Epiſcoporum plenius continetur: *Quod quidem Juramentum* Richardus *Rex* Angliæ *poſt Conqueſtum ſecundus, in Coronatione ſua* præſtitit, *& ab Archiepiſcopo* Cantuar. *erat receptum*, et illud idem Juramentum dictus Rex poſtmodum iterabit, *prout in Rotulis plenius reperiri poterit de Recordo.*

Servabis Eccleſiæ Dei, Cleroque et populo pacem ex integro, et concordiam in Deo, ſecundum vires tuas. *Reſpondebit*, Servabo. Facies fieri in omnibus Judiciis tuis æquam et rectam Juſtitiam et diſcretionem in miſericordia et veritate, ſecundum vires tuas, *Reſpondebit*, Faciam. Concedes juſtas leges et conſuetudines eſſe tenendas, et promittis pro te eas eſſe protegendas, et ad honorem Dei corroborandas, quas bulgus elegerit ſecundum vires tuas. *Reſpondit*, Concedo et promitto. Adjicianturque prædictis interrogationibus quæ juſta fuerint. Pronunciatiſque omnibus, confirmet Rex ſe omnia ſervaturum Sacramento ſuper Altare præſtito coram cunctis.

[a] *Thomas Walſingham*, who at large relates the Form and Solemnities of this King *Richards* Coronation, hath added this New Clauſe to the beginning of his Oath then taken, not extant in the premiſed Records; nor in *Juramentum Regis quando coronatur*, printed in *Totles Magna Charta*, *London* 1556. part 1. f. 164. After the Biſhops Sermon, (writes he) Jurabit Rex coram Archiepiſcopo, et Proceribus *qui ibi aderant*, *quoniam ipſi* ſoli Juramentum audire poterunt.

a Hiſt. Angliæ, p. 193, 194, 195. See My Signal Loyalty &c. Part 2. p. 294.

Primò, quod Eccleſiam ſuis permitteret gaudere libertatibus, et eam et Miniſtros ejus honoraret, et fidem rectam teneret; *& rapacitatem, & omnes iniquitates in omnibus gradibus interdiceret.*

Secundò, ut leges terræ bonas ubique ſervari faceret, *& præcipuè Leges Sancti* Edwardi *Regis & Confeſſoris, qui in eadem requieſcit Eccleſia, & malas leges faceret abrogari.*

Tercio, *ut non eſſet perſonarum acceptor, ſed judicium rectum inter virum & virum faceret, & præcipuè miſericordiam obſervaret, ſicut ſibi ſuam indulgeat miſericordiam clemens & miſericors Deus.*

Quibus expletis Archipiſcopus, præcedente eum Mareſcallo Angliæ, *Domino* Henrico Percy, *convertit ſe ad omnes plagas Eccleſiæ*, indicans populo Regium juramentum, *& quæreus, &c.* as in the *Clauſe Roll* of 1 R. 2. forecited.

From which Records and Hiſtorian I ſhall obſerve: 1. That this and other our Kings Coronation Oaths were compiled by our Archbiſhops and Biſhops, and entred by them in their Pontificals. 2ly. That they aſſumed this tranſcended Juriſdiction to themſelves, to preſcribe what new Articles, Interrogations they thought meet to our Kings at their Coronations, which they muſt ſolemnly promiſe and ſwear to obſerve, before they would crown them; for which end they inſerted this Clauſe into their Pontificals, immediately after the Kings Oath; [b] Adjicianturque prædictis Interrogationibus quæ juſta fuerint. Pronunciatis omnibus, Rex confirmet ſe omnia ſervaturum, Sacramento ſuper Altare protinus præſtita coram cunctis, &c. 3ly. That they cunningly inſerted into this young Kings Coronation Oath this new Clauſe, not extant in any former Oath, Et etiam de tenendo et cuſtodiendo juſtas Leges et Conſuetudines Eccleſiæ, &c. to advance their own Eccleſiaſtical Laws, Canons, and Cuſtomes, made for their own grandeur and advantage in their Convocations, without the conſent of King, Lords and Commons in Parliament; and that (as I conceive) in oppoſition to the Petition of the Houſe of Commons in the Parl. of 51 E. 3. ſome few moneths before; [c] That the Commoners ſhall not be bound by any of the Conſtitutions made

b Rot. Parl. An. 1 H. 4. nu. 16. Totles Magna Carta p. 164. See my Signal Loyalty &c. p. 270. Cl. 1 R. 2. m. 44.

c Rot. Parl. An 51 E. 3. nu. 48.

made by the Clergy for their advantage, without the Commons aſſent thereto in Parliament; car eux ne veullent eſtre obligez a nul de voz Eſtatutes ne Ordinances faitz ſanz lour aſſent: with King *Edward* the 3d. and other our Kings Writs, Appeals, Proteſtations againſt them, mentioned in my Epiſtle Dedicatory. 4ly. If [d] *Tho. Walſingham* may be credited againſt our *Records*, they likewiſe added another new Clauſe to King *Richards* Oath, placed in the very front thereof; which they backed with theſe other paſſages inſerted into their Pontificals for their own advancement, honor, protection by our Kings above all other Subjects, as receiving their Crowns, Swords, Scepters from them alone, for their ſpecial defence. For after the Kings anoynting by them on the *Crown of his head, breaſt, ſhoulders, ſhoulder-blades, hands and boughes of both his arms*, they uſed theſe ſpeeches to him at the delivery of his Sword and Scepter. *Poſt hæc Archiepiſcopus cum Epiſcopis tradidit ei* gladium, *ita dicens*; Accipe gladium per manus Epiſcoporum, licet indignos, dice tamen et autoritate ſanctorum Apoſtolorum conſecratas, tibi regaliter impoſitum, noſtræque benedictionis officio ad defenſionem ſanctæ Eccleſiæ divinitus ordinatum, et eſto memor de Pſalmiſta, *qui prophetavit, dicens*: Accingere gladio tuo ſuper femur tuum potentiſſime, *ut per eundem vim aquitatis exerceas, molem inquitatis potenter deſtruas*, et ſanctam Dei Eccleſiam, ejuſque fideles propugnando protegas, nec minus ſub fide falſos in Chriſtiani nominis hoſtes execretis ac deſtruas, &c. *Statim poſt hæc, &c. Archiepiſcopus dans ei Sceptrum, &c.* dicens, *Accipe Sceptrum Regiæ poteſtatis inſigne, virgam ſcilicet regni rectam, virgam veritatis*, qua te ipſum bene regas, ſanctam Eccleſiam, populum *viz.* Chriſtianum tibi a Deo commiſſum, (not the Biſhops and Clergy only, who would appropriate the Title of the *Church* to themſelves) Regia virtute ab impiorbis defendas, prabos corrigas, rectos Pontifices, et ut viam rectam tenere poſſint tuo jubamine, dirigas, &c. Oſculatus eſt Rex Epiſcopos omnes et Abbates (but none of his Nobles) *à quibus ſtatim ductus eſt poſtea ad Regale ſolium, Epiſcopis inchoantibus hymnum*, Te Deum laudamus. *Finito hymno, Archiepiſcopus ita cum allocutus eſt: Sta, & retine amodò locum quem hucuſque paterna ſucceſſione tenuiſti hæreditariè*, indico tibi delegatum per autoritatem Dei omnipotentis, et præſentem traditionem noſtram, ſcilicet omnium Epiſcoporum, cæterorumque Dei ſervorum; et quanto Clerum ſacris Altaribus propinquiorem, tanto et potiorem in locis congruis honorem impendere memineris, *quatenus mediator Dei & hominum, te mediatorem plebis in hoc regni ſolio confirmet, & in regnum æternum regnare faciat* Jeſus Chriſtus *Dominus noſter*. Which words and form they have ſince continued.

[d] *Hiſtor. Angl. p. 194, 195.*

The ſame Solemnities, Ceremonials, Prayers, Speeches uſed at this King *Richards* Coronation, and the Interrogations, Oath preſcribed to K. *Edward* the 3d. (without the new additions to King *Richards*) for ought appears to me continued without any alteration till K. *Edw.* the 6. together with this Petition, or Monitio Epiſcoporum ad Regem, et legitur ab uno, (not mentioned by *Walſingham*, but in the *Roman*, & other of our own *Pontificals*, tending only to eſtabliſh Biſhops Canonical Priviledges, Lawes and Conſtitutions;) *Domine Rex, à vobis perdonari petimus*, ut unicuique de Nobis et Eccleſiis Nobis commiſſis, Priuilegium et Debitam Legem atque Juſtitiam et defenſionem exhibeatis, ſicut Rex in ſuo regno debet unicuique Epiſcopo et Abbati et Eccleſiis ſibi commiſſis. Whereunto Reſpondit ſic Rex, (by their preſcription, before he muſt be Crowned) *Animo libenti & devoto promitto vobis*, et perdono vobis et unicuique veſtrum, et Eccleſiis vobis commiſſis Canonicum Priuilegium, (defined by the Popes and their own Canons) *& debitam legem & juſtitiam ſervabo, & defenſionem quantum potero, adjuvante Deo exhibebo*; ſicut Rex in regno unicuique Epiſcopo, Abbati, et Eccleſiis ſibi commiſſis, per rectum exhibere debet. But by reaſon of King *Edward* the 6. his tender years, and the changes then made in the Religion publikely profeſſed, ſome Alterations were made both in the Ceremonies, Prayers, and Oath it ſelf at his Coronation, by the Lord Protector and ten of the Privy Counſils adviſe, whereof *Thomas Cranmer* Archbiſhop of *Canterbury*, and *Cuthbert Tonſtall* Biſhop of *Durham* were two; who preſcribed him this new Oath, different in ſome particulars from all preceding it.

The Archbiſhop ſtanding before the King, ſhall ask him with a loud voyce in manner and form following;

Will ye grant to keep to the people of England *and other your Realms and Dominions, the*

the Laws and Liberties of your Realm, and other your Realms and Dominions. * I grant and promiſe.

* The Kings Anſwers.

You ſhall keep to your ſtrength and power, to the Church of God, and to all the people, holy peace and concord. I ſhall keep.

You ſhall make to be done after your ſtrength and power, equal and rightfull juſtice in all your Dooms and Judgements, with mercy and truth. I ſhall do.

Do ye grant to make no new Lawes, but ſuch as be to the glory and honour of God, and to the good of the Commonwealth; and that the ſame ſhall be made by the conſent of your people, as hath been accuſtomed? I grant and promiſe.

Then ſhall the King riſe out of his Chair, and by them that before aſſiſted him, be led to the High Altar, where he ſhall make a ſolemn Oath upon the Sacrament, laid upon the High Altar, in the ſight of all the people, to obſerve the premiſes; *and laying his hand again upon the Book, ſhall ſay;*

The things which I have before promiſed, I ſhall obſerve and keep: So God help me and theſe holy Evangeliſts, by me bodily touched upon this holy Altar.

At the Coronations of King *James* and King *Charles* the 1, and 2. the Interrogations to, and Oath taken by King *Edward* the 3d. were uſed and taken by them, with moſt of the premiſed Ceremonies, Prayers, paſſages uſed at King *Richard* the the 2d. his Coronation, ſome whereof were omitted at King *Edward* the ſixths. Which having [a] *elſewhere* publiſhed at large, I ſhall here omit.

a In the Second Part of My Signal Loyalty. &c. p. 241, to 327.

By theſe Hiſtorial Collections of the Coronations of forreign Emperors, Kings, and our own *Britiſh, Saxon, Daniſh, Norman, Engliſh* Kings, by Popes, Patriarchs, Archbiſhops and Biſhops, with the ſeveral Oathes, promiſes they exacted from them, and altered, enlarged by degrees when crowned, eſpecially when they ſet the Crown upon Uſurpers heads, and diſinherited the right lawful heirs, you may moſt clearly diſcover, what ſucceſſive encroachments they made upon their Royal Soveraignties. What ſtrange Concluſions many *Popes, Popiſh Biſhops, Canoniſts* and others have thence deduced, I ſhall here briefly inform you.

1. That all Chriſtian Emperors, Kings, Princes, receive their Crowns, Swords, Scepters, Royalties, and Royal dignities only from Popes, Patriarchs, Archbiſhops, Biſhops, as Pope *Boniface* the 8. with ſundry other Popes, Popiſh Canoniſts, Jeſuites, and our Archbiſhops *Aldred* of *Yorke*, *Ralph* and *Hubert* of *Canterbury* have aſſerted; who are ſolidly refuted by [b] *John Servin*, Advocate to King *Henry* the 4th. of *France* in his *Vindicia*, and others forecited.

b In Melchior Goldaſtus Monarch. Rom. Imperii, Tom. 3. Francofurti 1613. p. 269, to 2134.

2ly. That the Pope and every Biſhop is Superior to Emperors and Kings, becauſe without contradiction the *leſſe is bleſſed, conſecrated by the greater*, Hebr. 7. 7. as Emperors, Kings, are by Popes and Biſhops, not they by them; Yea, Epiſcopus ſuperminet Regibus, et quibuſcumque aliis terrenis Principibus dignitate eſt præferendus, quantum plumbum bincitur ab auro: Et Sacerdotium tanto maius eſt Imperio et omni ſeculari Principatu, quanto cœlum terra præcioſius, et anima eſt corpori præferenda; as our [c] *Thomas Waldenſis*, Cardinal [d] *Bellarmin*, and others determine.

c Doctrinale Fidei, Tom. 1. l. 2. Artic. 3. c. 74, 75.

d De Pontifice Romano, l. 1. c. 7. De Laicis, c. 8 & 10. See my Epiſtle Dedicatory to Tome 1.

3ly. That as they conſecrate, bleſſe, crown them Emperors and Kings: ſo by the like reaſon they may execrate, excommunicate, uncrown them, if they violate the Oaths and Conditions preſcribed to them at their Coronations: which was our Archbiſhop *Aldreds*, *Ralph* and *Huberts* doctrine, as well as Popes. Hence Pope *Gregory* the 9th, upon Sir* *Robert de Twenge* and others threſhing out the corn and plundering the goods of *Italian Clergymen* beneficed in *England* by Papal proviſions, was ſo highly offended with King *Henry* the 3d, that in an overſharp Letter to him, he vehemently reprehended him for ſuffering ſuch rapines in his Realm to be done to Eccleſiaſtical perſons, non habens reſpectum ad juramenta quæ juraverat tempore Coronationis ſuæ, non ſolum de pace Eccleſiæ manutenenda, verum etiam de recta juſtitia tam Clericis quam Laicis ſervanda. *Mandavit igitur Regi in eiſdem literis* ſub pœna Excommunicationis et Interdicti firmiter præcipiens, *quatinus diligenti facta inquiſitione, ſi quos hujus violentiæ inveniret authores tam graviter puniret obnoxios, ut ex pœna illorum cæteris metum incuteret & terrorem.*

* Mat. Paris Hiſt. Ang'. p. 362. Here, Tom. 2. p. 496.

4ly. That Emperors, Kings are but the Popes, Biſhops Vaſſals, and their Coronation Oathes meer Oathes of Fealty to them, as their ſuperiour Lords.

5ly. That

5ly. That by theſe their Oathes, and the Liberties, Priviledges of the Church, the perſons of Popes, Biſhops, and all inferiour Clergymen, are totally *exempted from the ſecular Juriſdiction, Judicature of Emperors, Kings, their Judges, and Courts; ſo that they neither can nor ought at all to impriſon, condemn, execute, baniſh, deprive them for any capital Crimes or Offences whatſoever, but muſt referr them wholly to be tried, judged, purged in, by and before a Synod of Biſhops, or their own Metropolitans or Ordinaries; & that they ought not to put them to death till firſt convicted, degraded, and delivered up by them to the ſecular powers. Upon which account [e] *Adam de Arleton* Biſhop of *Hereford* in the 17. year of K. *Edward* the 2. being *accuſed, arreſted and examined* of **High Treaſon**, *before the King and all the Lords in Parliament, for receiving, ayding, counſelling, maintaining* Mortimer, *with other Enemies of the King, and furniſhing them with great ſtore of armed men: peremptorily refuſed to anſwer his Charge without the connivance and conſent of the Archbiſhop, and the other Biſhops his Peers, becauſe he was a Miniſter, a Member of the Church, and a Biſhop. Whereupon the Archbiſhop and Biſhops preſently demanded him as a Member of the Church, to be delivered to their Cuſtody and Triall: Some few dayes after the King reſolving to arraign him for this Treaſon before his Royal Tribunal; the Biſhops hearing of it, thereupon the Archbiſhops of* Canterbury, York, *and* Dublin, *accompanied with ten Biſhops more, and a great troop of men, with their croſſes born up before them, marched to the Court where he was to be arraigned, chaſed away the Kings Officers, took the Priſoner from the Barre by force before he had made any anſwer, and carryed him away with them; firmly enjoyning all there preſent on the behalf of God, that none of them under pain of Excommunication ſhould preſume to lay violent hands upon this Traytor to bring him back to the barr, whom they had thus violently reſcued from publike Juſtice. The King being exceedingly moved with this unparalleld inſolency and affront,* as he had reaſon, *commanded the Inqueſt to be impannelled in his abſence; who* finding him guilty of the Treaſon and Rebellion *whereof he was indicted, according to the truth of the matter: he thereupon ſeiſed his Temporalties, Lands, Goods, and baniſhed the Biſhop; who notwithſtanding his proſcription, was by confederacy of theſe Archbiſhops and Biſhops with ſtrong hand kept ſafe from the Kings Juſtice,* in the Archbiſhop of *Canterbury* (*Walter Reynolds*) his cuſtody: And not long after, this *Trayterous Prelate* and his *Reſcuers* confederating with the *Queen* and *young Prince Edward*, by force of armes *impriſoned, depoſed* the King himſelf, without any Trial, Crowned his Son King in his ſtead; and then murdered him, by this Trayterous Biſhops ambiguous unpointed Adviſe, Edwardum *occidere nolite timere* **bonum eſt.**

6ly. That Kings and Emperors *by the Oathes taken at their Coronations*, are bound to obey, maintain, execute all the Popes, Biſhops Eccleſiaſtical Decrees, Canons, Conſtitutions, Cenſures of Excommunication, Interdicts, Deprivation, yea of death it ſelf in caſes of Hereſy or Apoſtacy, and to become their Bayliffs, Gaolers, Executioners, without examining the juſtice or legality of their proceedings or ſentences, under pain of being excommunicated, interdicted, and deprived of their Offices; as not only Popes, but [f] *Boniface, John Peckham, John Stratford*, and other Archbiſhops of *Canterbury* and their Suffragans have reſolved in their *Convocations*, and *Conſtitutions*. Hence our learned Martyr *William Tyndall*, in a [g] *Book* printed *Cum Privilegio, London* 1573. complained, **That the Biſhops with the Pope by a certain Conſpiration and ſecret Treaſon, have with falſhood taken from all Kings and Emperors their right and duties, which now they call their Freedoms, Liberties and Priviledges,** AND HAVE MADE EVERY KING SWEAR TO DEFEND THEIR FALSHOOD AGAINST THEMSELVES. **So that if any man ſhall contend to reſtore Kings again unto their Duties and Right, and to the room and authority which they have of God, and of ſhadowes to make them Kings indeed, and to put the World into order again, then the Kings deliver up their ſwords and authority unto theſe Hypocrites to ſlay them. The Emperors and Kings are now adayes but even Hangmen unto the Popes and Biſhops, to kill whomſoever they condemn, without any more adoe,** as Pilate **was unto the Scribes and Phariſes, and the High Biſhop (or Prieſt) to Hang and Crucify Chriſt.** *For as thoſe Prelates anſwered* Pilate (*when he asked* what ill he had done?) If he were not an evil doer, we would not have brought him unto thee; *as who ſhould ſay,* we are

* Marta, de Juriſdict. pars 4. Cent. 2. caſus 132, 133. & all Canoniſts, *De clericis, & Immunitate clericorum.*

e Tho. Walſingham Hiſt. Angl. p. 98, 99, 101, 103, 104, 105. Ypodigm. An. 1326, 1327 Antiqu. Eccleſ. Brit. p. 226, 227. Ralph Holinſhed, p. 319, 339, 340. Godwins Cat. of Biſhops, p. 232, 233. Speeds Hiſt. p. 667, 677, 679, to 686.

f See Tome 2. p. 890, to 912 & Here, Epiſtle Dedicatory, & p. 235, 236.

g Obedience of a Chriſtian man, p. 155. & 137, 138.

are too holy to do any thing amiſſe, thou mayſt believe us well enough, *yea*, † and his blood be on our heads, *ſaid they:* kill him boldly, we will bear the Charge, our ſouls for thine; *We have alſo A LAW by which he ought to dye, for he maketh himſelf Gods ſonne. Even ſo ſay our Prelates, He ought to dye by our Law, He ſpeaketh againſt the Church; *And*, YOUR GRACE IS SWORN TO DEFEND THE LIBERTIES & ORDINANCES OF THE CHURCH, and to maintain our moſt holy Fathers authority, our ſoules for yours, ye ſhould do a meritorious deed therein. *Nevertheleſſe as* Pilate *eſcaped not the judgement of God, even ſo it is to be feared leaſt our Temporal Powers ſhall not.* † Wherefore, be learned ye that judge the earth, leaſt the Lord be angry with you, and ye periſh from the right way. *So this our Godly Martyr*, who experimented the truth thereof ſoon after, for * *oppoſing* the Popes and Biſhops Uſurpations on the Crown, &c. and tranſlating the Bible into *Engliſh*.

† Mat. 27. 23, 24, 25.

* John 19. 17.

† Pſal. 2. 10, 12.

* See Fox Acts & Monuments, Vol 2 p. 362, 363, &c.

7ly. Some Popes, Popiſh Prelates, and Canoniſts both at home and abroad, have pleaded an Exemption from all Subſidies, Aydes, Taxes even for the defenſe of the King & Realm againſt foraign Enemies, unleſs ſpecially authorized & approved by the Popes antecedent Bulls, as being contrary to their Coronation Oath, and the Churches Liberties. Witneſſe the inſolent Bull of [a] Pope *Boniface* the 8. and the conteſts thereupon between King *Edward* the 1. his Biſhops and Clergy, here recited at large, before which his Predeceſſor Pope *Honorius* the 3d. ſeemed to be of a contrary opinion in this memorable Bull of his to the Archbiſhops, Biſhops, Abbots and Clergy of *Ireland*, for a liberal Ayd to King *Henry* the 3. thus enrolled in the Patent Roll of Anno xi *H.* 3. caſually omitted in its proper place.

a See Here, p. 684, 685, &c. See Tom. 2. p. 721. 1022, 1025. Corpus Jan Cauſa 23 q. 8 Dr. Matta de Jurisdict. p. 2. c. 4 Cent. 1 Caſ. 1, 10, 11, 13 & the Canoniſts in their Titles, *de Immunitate Eccleſiæ.*

[b] HOnorius *Epiſcopus, Servus ſervorum Dei, Venerabilibus Patribus, Archiepiſcopis & Epiſcopis, & dilectis filiis Abbatibus, Prioribus, & aliis Prælatis ac Rectoribus Eccleſiarum in* Hibernia *conſtitutis, ſalutem & apoſtolicam benedictionem.* Non læditur libertas Eccleſiaſtica, ſet defenditur, cum defenſori eius ſtatu rerum et temporum exigente, [c] ſubſidium liberaliter exhibetur. *Cum ergo kariſſimo in Chriſto filio noſtro* H. *Regi* Anglorum *illuſtri, multa immineant neceſſariarum honera expenſarum, ac propter hoc ſibi mandaverimus à Clero* Angliæ *ſubſidium exhiberi; Univerſitatem veſtram ſollicitandam duximus & hortandam, per Apoſtolica vobis ſcripta mandantes*, quatenus cum regnum Hiberniæ ad ipſum pertinere noſcatur, ac per hoc eidem incumbat defendere veſtrarum Eccleſiarum libertates et jura, boſque deceat ipſi cum eroſcere videtur neceſſitas liberaliter ſubvenire, collectam, penſatis ſingularum Eccleſiarum facultatibus, factis ad expenſarum ipſius Regis honera ſuppoztenda, *cum conſilio venerabilis fratris noſtri Archiepiſcopi* Dublin. *aliquos viros notæ prudentiæ ac probatæ fidei eligentes, qui pecuniam recipiant per ſubventionem hujuſmodi colligendam, ipſamque aſſignent ipſi Archiepiſcopo & duobus aliis qui ad hoc idonei videbuntur, per eos ad expenſas ipſius Regis quæ videbuntur ei & regno ſuo magis neceſſariæ miniſtrand. Mandatum noſtrum taliter impleturi*, quod ipſum Regem ad veſtrum et Eccleſiarum veſtrarum ſabozem per hoc ſpecialiter inclinetis, gratamque vicißitudinem ab eo expectare poſſitis tempoze opoztuno. Nolumus autem quod exhibitio ſubventionis hujuſmodi trahatur ad conſequentiam, vel præjudicium generet Eccleſiaſticæ libertati. *Dat. &c.*

b Pat. 11 H 3. pars 1. dorſ. 12.

c See Tom. 2. p. 396, 406, 407.

Moreover, this Pope was very wary in denouncing any Excommunications, whether general or ſpecial, againſt the King or his Brother, without his ſpecial mandate, as this Record then entred with it informs us.

HOnorius *Epiſcopus, &c. dilecto filio* R. Sanct. Angeli *Diac. Card. Apoſtolica ſedis Legato, ſalutem, & Apoſtolicam benedictionem. Diſcretioni tuæ auctoritate præſentium mandamus, quatenus kariſſimi in Chriſto filii noſtri illuſtris Regis* Angliæ, *vel nobilis viri* R. *Com.* Pict. *fratris ſui*, ad denunciationem vel prælationem generalis et ſpecialis ſententiæ Excommunicationis per te vel per alium non procedas, niſi ſuper hoc mandatum noſtrum ſuſciperis ſpeciale, *Dat.* Lat. *Id.* Maii, *Pontif. noſtri, &c. An.* x°. Though *Boniface* and other Popes ſince made no bones at all to excommunicate all Emperors, Kings, Princes, who ſhould demand,

Ibidem.

and all Clergymen who ſhould pay any Subſidies, without his antecedent ſpecial licenſe. Upon which account, [d] Doctor *Marta*, and ſome other Canoniſts cited by him peremptorily reſolve; *Eccleſiaſtici ſunt immunes a quibuſcunque Talliis, Collectis, Tributis, et ſimilibus oneribus realibus, perſonalibus et mixtis. Eccleſiam nullo modo teneri ſolvere Tributum, etiam de illis bonis quæ antea Tributaria erant, et poſtea in Eccleſiam ſunt tranſlata. Prædia tributaria in Eccleſiam tranſlata, et locus ſuppoſitus Tributo, Eccleſiæ traditus, non debent amplius ſolvere tributum, quia ſunt hæc omnia Deo dedicata;* [e] *Rex nullo modo poteſt imponere extraordinaria ſubſidia, quando iſtud jurabit, prout facit Rex Neopolis, quando invaditur ab hoſtibus, nulla præcedente culpa Principis aut Civium; niſi de conſenſu eorundem ſubditorum propter magnam neceſſitatem, qui poſſunt remittere juramentum.*

[d] De Juriſdict. pars 4. Centur. 1. Caſ. 10 & 11. nu. 21, to 50.

[e] Dr Marta, lib. pars 4. Cent. 1. Caſ. 10 nu. 11. p 413, 655, 656.

8ly. That Popes and Biſhops by their own inherent Papal and Epiſcopal Authority, both in their Eccleſiaſtical Synods, Conſiſtories, and Viſitations, may lawfully make what [f] *Oathes, Canons, Viſitation Articles* they pleaſe, and impoſe, enforce them not only on their own Clergy and Under Officers, but likewiſe on Church wardens, and other Laymen, yea excommunicate them for refuſing to take ſuch Oathes, or make preſentments by vertue of them on all ſuch Articles which they preſcribe them, till they ſubmit thereto; ſeeing they have from time to time both made, preſcribed Oathes, Articles to Emperors and Kings themſelves at their Coronations, and altered or enlarged them as they thought meet: Witneſſe the Oathes not only introduced and impoſed on King *John* before his abſolution from his Excommunication and the Kingdoms Interdict by the Popes Legate and his Biſhops, with * Pope *Gregory* the 9th. his new Oath of Homage and Allegiance impoſed on all our Biſhops and Abbots; the Oathes *de Calumnia, & veritate dicenda*, and Viſitation Oaths enforced by Biſhop *Groſthead*, his Officers, and others, againſt our Lawes, and King *Henry* the 3d. his [g] *Prohibitions* to reſtrain them, related in my 2d *Tome*; but likewiſe the Oaths preſcribed by *Robert Winchelſey* Archbiſhop of *Canterbury* An. 1293. to his *Judges, Advocates, Clerks, Officers, Proctors in the Arches*; and this Oath of *John* Archbiſhop of *Yorke*, and other our Biſhops impoſed upon the *Lollards* in their Provinces and Dioceſſes, to *worſhip Images, &c.* and obey their Lawes, Canons, Conſtitutions; entred with this ſpecial *Memorandum* in the Clauſe Rolls of *Anno 19 R. 2.*

[f] See Henrici Spelmanni Concil. Tom. 2

* See Tom. 2. p. 460, 464, 465.

[g] Tom. 2. p. 271 272, 276, 279, 287, 318, 866, 400, 464, 466, 467, 830, 831. 489. 707, 699, to 711, 728, 760. 810, 818, 838, 191, 896. Fox Acts and Monuments, Vol. 1. p. 298.

†Clauſ. 19 R 2. m. 17. dorſ. & Spelmanni Concil. Tom. 2 p. 413, 414, 655, 656.

†*Memorandum, quod primo die* Sept. *Anno regni Regis* Richardi *ſecundi poſt Conqueſtum decimo nono*, Willielmus Dynet, Nicholaus Tayllour, Nicholaus Pouther, & Willielmus Steynour *de* Notyngham, *in Cancellaria ipſius Regis perſonaliter conſtituti*, ſacramenta dibiſim præſtiterunt ſub eo qui ſequitur tenore. *I* Willyam Dynet *befor yhowe* worſchipefull Fader and Lorde Archbiſſhop of Yhorke and yhowr Clergie with my frée wyll and full aviſede, ſwere to Gode and to all his ſeyntes, upon this holy Goſpells, yat fro this day forthwarde I ſhall worſhip ymages, with prayng and offeryng unto hem in the worſchip of the Seintes, yat pey be made after; and alſo I ſhal never mor deſpyſe pylgremage, ne ſtates of holy Chyrche in ne degrée: And alſo I ſhall be buxum to the Lawes of holy Chyrche, and to yhowe as myn Archbyſſhop, and to myn oyer Ordinars and Curates, and kepe yo lawes upon my power, and meynten hem. And alſo I ſhall neuer more meynten, ne tôcben, ne defenden Errours, concluſions, ne techinges of the Lollardes, ne ſwych concluſions and techinges that men cleppyth Lollardes doctryn. Ne I ſhall her bokes, ne ſwych bokes, ne hem or ony ſuſpect or diffamede of Lollarderye reſceyve or compayn withall wyttyngly, or defende in yo matters; and if I knowe any ſwych I ſhall wyth all the haſte yat I may do yhowe or elſe yo ner officers to wyten, and of her bokes. And alſo I ſhall excite and ſtirre all yo to goode doctryn yat I habe hinderd with myn doctryn up my power. And alſo I ſhall ſtonde to yho declaracion wych es hereſy, or errour, and do yerafter. And alſo what penance yhe woll for yat I habe don for meyntenyng of this fals doctryn injoyn me, I ſhall fulfill it; and I ſubmit me yerto up my power. And alſo I ſhall make no other gloſe of this myn othe bot as ye wordes ſtonde. And if it be ſo that I com agayn, or do agayn this Orth, or any party therof, I yholde me here convpable as an Heretyk, & to be puniſhed be ye lawe as an Heretyk, & to forfeit al my godes to the

Kynges

kynges will withowten any othir proceſſe of Lawe: and yerto I require ye Notarie to make of all this, ye which is my Will an Inſtrument againe me. *Et ex habundanti* idem Willielmus Dynet eodem die voluit et recognovit, quod omnia bona et catalla ſua mobilia nobis ſint forisfacta in caſu quo ipſe juramentum prædictum, ſeu aliqua in eodem juramento contenta de cætero contrabenerit ullo modo.

In this impious Oath, compiled and enforced upon the Kings Subjects by the Archbiſhop of *Yorke*, then Lord *Chancellor* of *England*, by his own Archiepiſcopal Authority, we may obſerve: Firſt, that it is directly contrary to the letter of the ſecond Commandement, to ſundry other Texts in the Old Teſtament, and to *Acts* 17. 24. *to* 30. *Rom.* 1. 22, 23, 25. 1 *Cor.* 8. 4, 5, 6. *c.* 10. 7, 19, 20. 2 *Cor.* 6. 16. 1 *John* 5. 21. *Rev.* 9. 20. in the New. 2ly. Againſt the expreſſe * Laws, Statutes of the Realm, and Liberty of the Subjects perſons, conſciences. 3ly. That it preſcribes a blinde obedience to all the Canons, Laws, preſcriptions of the Archbiſhop or other Ordinaries and Curates. 4ly. That it ſubjects thoſe perſons who took it to a confiſcation of all their goods to the King, for the breach of it, or any particular Clauſe, Article thereof, without any other legal proceſſe, trial, conviction, and likewiſe to a Writ de Hæretico comburendo; though the violation of any branch thereof was never declared Hereſie by Scripture, nor by any of the 4. firſt *General Councils*; nor was againſt any Article of the *Nicene* or Apoſtles Creeds. 5ly. That it obliged them to ſubmit to all penances they ſhould impoſe upon them, and to betray, diſcover to them and their Officers, both the perſons, books, writings of all others reputed *Lollards*. By which exorbitant Oath and proceedings, the Biſhops became Maſters of all mens lives, liberties, eſtates whom they pleaſed to accuſe of *Hereſie*, or declared to be *Hereticks*, and would not wholly ſubmit themſelves to their Eccleſiaſtical uſurped authority; which made every Archbiſhop and Biſhop an abſolute Pope within his own Province and Dioceſſe.

* Mag. Chart. c. 29. 5 H. 3. c. 22. See Tom 2. p. 699, 704, 705, 708, 709, 710.

What ſtrange, * *&c.* and *Viſitation Oaths, Articles*, for *turning our Communion Tables into Altars, and railing them in Altar-wiſe againſt the Eaſt end of Chancels, bowing to, or towards the Altar; receiving the Communion only at their new Rayles*, with other Innovations, tending *to the countenancing or introduction of Popiſh ſuperſtition, devotion, Ceremonies*, contrary to our Lawes, have of late times been rigorouſly *impoſed upon Miniſters, Church-wardens* and others, by Eccleſiaſtical cenſures, to the general diſcontent, ſcandal, oppreſſion, grievance of the people, by ſundry *Archbiſhops, Biſhops, Archdeacons*, in their Synods, Viſitations, enforcing every *Church-warden* to pay 4 *s.* 4 *d.* or more, for taking his *Oath*, and 6 *s.* 8 *d.* or 12 *d.* for their *Books* of *Articles*, beſides extorted fees for every preſentment on them; (a new extortion, againſt all Lawes and Canons too) their own printed Canons, Conſtitutions, Viſitation Oathes, and Books of Articles, ; with the * *Votes* paſſed againſt them in Parliament, **That they were againſt the Kings Prerogative, the fundamental Lawes of the Realm, the Liberty and property of the Subject, and of dangerous conſequence**; the *Impeachments* of ſeveral *Biſhops* for them by the whole *Houſe of Commons*, and the Statutes of 17 *Caroli* 1. ch. 17. & 13 *Car.* 2. ch. 12. & 13 *Car.* 2. ch. 1. declaring, condemning *ſuch Oaths and all others made or impoſed by any Authority without the Kings Majeſties royal aſſent, and both Houſes of Parliament*, **to be null and voyd in their firſt Creation to all intents and purpoſes whatſoever, and againſt the fundamental Lawes and Liberties of this Kingdom**, will at large demonſtrate.

* See Canterburies Doom, p. 19, 26, 40, 93, to 104.

* Decemb. 16. 1640.

9ly. Some of our Archbiſhops of *Canterbury* have grown ſo inſolent, that becauſe ſome of our Kings were not crowned by them, or their predeceſſors in their abſence, when exiled by them for their Treaſons and Rebellions, as upon that account alone to pull the Crown violently from the Kings head at the ſolemn Coronation of the Queen; and to excommunicate all thoſe Biſhops who preſumed to Crown them by their royal appointment, without their licenſe or deputation, as the premiſed inſtances of *Ralph de Turbine* and *Thomas Becket* evidence: whoſe ſucceſſors (like the Archbiſhops of *Rhemes* in *France*) have claimed it as their peculiar priviledge, to crown all our Kings, as if they had no Liberty or Prerogative

left them to be Crowned by what Biſhops, perſons, and at what times, places themſelves ſhall think meet to appoint, as they have frequently done.

10ly. Sundry Popes, Popiſh Prelates, Canoniſts heretofore, yea Popiſh Prieſts and Jeſuites of late, have from hence affirmed, the Coronations of Emperors, Kings by them to be an eſſential antecedent qualification to conſtitute them real, legal Emperors, Kings, and that they were not ſuch by *deſcent* or *election*, *before they were conſecrated by*, *and received their Crowns, Scepters, and other Enſignes of Royalty from the hands of Popes or Biſhops.* Upon this falſe pretence, *Watſon* and *Clarke*, two *Italianated Roman Prieſts*, conſpired with the Lords *Cobham*, *Gray*, and others to ſeiſe King *James* and Prince *Henry* his ſonne at *Greenwich*, upon their firſt arrival out of *Scotland*, and to impriſon them in *Dover Caſtle*, or the *Tower*, *till they ſhould obtain their own pardons*, **a toleration of the Popiſh Religion**, *and a removal of ſome Counſellors of State*; *or elſe to put ſome further project in execution againſt them*; affirming to thoſe they drew into their Conſpiracy, and pleading it at their arraignments for this Treaſon; [h] **That the Act was lawfull, and no Treaſon, being done before the Coronation, for that King *James* WAS NO KING Of *ENGLAND*, BEFORE HE WAS ANOYNTED; and the Crown ſolemnly ſet on his Head**: Theſe Prieſts **were condemned and executed as Traytors**, but the Lords *Cobham*, and *Gray*, and other their ſeduced Proſelytes were pardoned by the Kings grace, upon their acknowledgement of, and craving pardon for their Treaſon, grounded upon this falſe Doctrine. Upon this account, the *Guyſian Jeſuitical* faction in [i] *France* aſſerted ſome few years before, **That they might lawfully take up arms againſt, depoſe, murder and ſtab King *Henry* the 4. of *France* to death, becauſe he was not Crowned and anointed King by their Popiſh Biſhops, from whom he ſhould have received his Royal Crown and Authority; and ſo was no lawfull King, but a Tyrant.** Which erronious treaſonable Doctrine, is largely refuted by *ſundry preſidents*, *reaſons* in point of Law and Divinity, by [k] Sir *Edward Cooke* in *Calvins* caſe, by Dr. *Crakenthorpe*, in his *Defence of Conſtantine*, c. 14. p. 341, 342. and [l] *Johannes Servin* Advocate to King *Henry* the 4, in his *Vindiciæ*, to whom I referr you; who prove the *Coronation*, *Unction of Kings to be a meer Ornamental Ceremony*, *which many Emperors, Kings never uſed, received, being Emperors, Kings, by and from their very Elections, deſcents, without and before this Ceremony*; as Hiſtorians atteſt, and ſundry eminent [m] *Lawyers* and [n] *Divines* reſolve.

h Speeds Hiſtory of Great Britain, p. 1242 1243. Sir Edward Cooke 7 Report, Calvins caſe, f. 10, 11.

i John de Serres & Grimſtons General Hiſtory of France, p. 866.

k 7 Report, f. 10, 10.

l Melchior Goldaſtus Monarchia Sacri Romani Imperii, Tom. 3. p. 208, to 214. in Hierom. Balbus de Coron. p. 68. m Cuſanus, l. 3. c. 4. Jac. Almain. de Poteſtate Eccleſ. & Laic. qu. 2. c. 10.

† See My Unbiſhoping of Timothy and Titus, p. 136, to 141.

* *Sed & ubi tres, Eccleſia eſt, licet Laici.* Tertul. exhortatio ad Caſtitatem, Tom. 2. c. 5. p. 179. Pariſiis 1566.

11ly. Sundry Popiſh Biſhops and Prieſts have inferred from hence, that they only are the *holy Church*, and *Gods inheritance* intended in theſe Kings *Coronation Oathes*, *Charters*, with a ſecluſion of the Laity; † appropriating the Title of the *Church*, *Clergy* to themſelves alone: when as they were never ſtiled *the Church*, *Congregation of God*, *or Chriſt*, in any one Text throughout the Old or New Teſtament, but the *believing* * *Laity*, *Saints and people of God*, as diſtinct from them, and they only the *Miniſters*, *Biſhops*, *Angels*, *Paſtors*, *Elders*, *Servants* **of the Church, or Church of God**, *whom they are to feed, inſtruct, and take care of*, as their *Servants*, not *Lords*, as the ° *marginal Texts*, all Expoſitors on them, and Mr. *William Tyndall* in his excellent *Treatiſe*, What the *Church* is, reſolve and evidence; Whence the *Church* and *Parliament* of *England* in the 19th *Article of Religion*, and all *Proteſtant Churches* elſe in their publike *Confeſſions*, thus define the Church. *The viſible Church of Chriſt* **is the Congregation of faithfull men**, *in the which the pure Word of God is preached*, *and the Sacraments be duly adminiſtred according to Chriſts Ordinance*; (not the Pope, Biſhops or Clergy) and of the Authority of this Church alone, (not the Biſhops or Clergy) they affirm Article 20. *The Church hath power to decree Rites and Ceremonies*, *and authority in contro-*

° Acts 2. 47. c. 8. 1. c. 11. 26. c. 14. 23, 27. c. 15. 3, 22, 41, c. 16. 5. c. 20. 17, 24. Rom. 16. 1, 4, 5, 16, 23. 1 Cor. 4. 17. c. 6. 32. c. 10. 1. c. 11, 16, 18. c. 14. 4, 5, 22, 23, 33, 34. c. 16. 1. 19. 1 Cor. 1, 2. 2 Cor. 1. 2. c. 8. 1, 18, 19, 23, 24. c. 11. 8, 28. c. 12. 13. Gal. 1. 2, 13, 22. Epheſ. 3. 21. c. 5. 23, to 33. Phil. 1. 1. c. 4. 15. Col. 1. 18, 24. c. 4. 15. 1 Theſ. 1. 1. c. 2. 14 2 Theſſ. 1. 1, 4. 1 Tim. 3. 5. c. 5. 16. Philem. 2. Hebr. 2. 12. c. 12. 13. Jam. 5. 14. 1 Pet. 2. 19. c. 5. 1, 2, 3. 2 John 6. 9, 10. Rev. 1. 4, 5, 11, 50. c. 2. 1, 7, 12, 17, 18, 19, 23. c. 3. 1, 7, 13, 14, 22. c. 22. 16. And the Harmony of Confeſſions.

verſies

verſies of faith, &c. yet not to ordain any thing contrary to Gods written Word; as many Popes, Biſhops have done in their Councils and Synods, wherein themſelves preſided: Therefore the Chriſtian people muſt be included under the Title of *Holy Church*, which our Kings ſwear to defend, as well as the Biſhops and Clergy; and their own demands to our Kings, for themſelves, and all the **Churches committed to their Care**, with the forms of Inſtitutions to Churches, evidence the *people* rather to be the *Church* then themſelves, who are but *Overſeers* Paſtors and Curates of the *Church*.

12ly. Popes and Popiſh Prelates have from hence uſurped a power to impoſe and enforce upon Emperors, Kings, and other Laymen whom they have interdicted or excommunicated, a cautionary Oath, [p] **De ſtando et parendo mandatis Eccleſiæ**, before they would abſolve them; now lately revived by ſome, againſt the expreſſe Cuſtom, Lawes, Liberties of our *Realm*, declared and ſworn to by all the Biſhops and Nobles of the Realm in the Parliamentary Great Council held at *Clarendon* under King *Henry* the ſecond: Yet they themſelves by ſeveral [q] *Canons* declare, that no *Pope* nor *Biſhop* ought to ſwear or take an Oath before any Emperor, King, or Council, but only in the caſe of *faith*, to purge himſelf from ſuſpition of Hereſie; nor any Clerk to take an *Oath* as a Witneſſe or otherwiſe in any *Temporal Court*, or cauſe, eſpecially if *trivial*, as all Laymen ought to do, *without the Popes or Biſhops ſpecial licenſe firſt obtained*; but their aſſertions, in **verbo Epiſcopi**, or **Sacerdotis** muſt be allowed, inſtead of an Oath, as equivalent to it; *Ne manus per quam corpus & ſanguis Chriſti conficitur* JURAMENTO polluetur; as I have [r] elſewhere more largely evidenced.

13ly. A reverend *French* Doctor of *Divinity* promoted in our Church, in a [s] *Treatiſe* newly publiſhed, recites our *Kings Coronation Oath* at large, and from thence obſerves, *That the King in his Oath*, **ſwears in a manner**, THRICE FOR THE CLERGY PARTICULARLY, **and for no other eſtate of the Realm beſides**; *to intimate, that as your Law calls the Clergy*, **A High State**, **and One of the greateſt States of the Realm**; *ſo it deſerves* **a ſpecial Care and High regard proportionable**. *That by this* Juratory Oath, *the King ſwears in ſpecial*; **That he will be a Protector and Defender of the Biſhops and Clergy**, *not only* **of their Perſons**, *as ſo qualified* **with ſuch Rights, and Liberties**, *but alſo of their* **Poſſeſſions**: By vertue of which Oath the King and all others *are in point of Conſcience obliged* **to reſtore to the Church, Biſhops, Clergy**, *not only all the lands and poſſeſſions taken from them during the late Warrs*; but likewiſe all *Mannors, Lands, Rents, Revenues whatſoever, heretofore taken away from any Biſhopricks, Abbies, Monaſteries, Monks, Nounes, Maſſe or Chantry Prieſts whatſoever by any of our Kings by the Legiſlative power in Parliaments, in former ages*, [t] **under pain of incurring the ſins of Periury, Sacrilege, and drawing down the Curſes of God and their founders, and exemplary deſtruction, judgements on themſelves, their families, yea the whole Kingdom and Nation**; as he magiſterially reſolves, becauſe, *being once given, conſecrated to God and his Church, they can never be taken away from them, or converted to any ſecular uſes by Kings, Parliaments, or other Soveraign powers, for any offenſes, idolatrous or ſuperſtitious uſes limited by the donors, nor for any crimes or abuſes of thoſe to whom they were given, there being an eternal holineſſe annexed to them, which cannot be obliterated.* For anſwer whereunto; I would deſire this confident Doctor to reſolve theſe *Quares*; 1. Whether any Archbiſhop, Biſhop, Prieſt or Clergyman, can or ought by the Law of God to covet or deſire any more, *than a* [u] *competent, convenient maintenance, anſwerable to his diligence, labor, care in the conſciencious diſcharge of his Miniſterial Function, in feeding the flock of Chriſt which he hath purchaſed with his own blood?* And whether thoſe *who labor not in the Word and doctrine, preach not in ſeaſon and out of ſeaſon, neglect their paſtoral duties, feeding themſelves not their flocks, or reſide not with them*, can lay any claim by divine right to any Church-revenues; ſince Chriſt himſelf reſolves, [x] *that none but Labourers in and Preachers of the Goſpel, are worthy of their meat, hire*: and thoſe *that labor not*, (by [y] St. *Pauls* reſolution) *ought not to eat?* Whence this Maxime in Law and Divinity, **Beneficium propter officium**, had its original. If ſo: Whe-

p See Tom. 2. p. 271, 272, 279, 287, 288, 311, 384, 651, 652.

q See Tome 2. p. 830, 831.

r Concil. Tributerſe ſub Arnulpho. Surius Concil. Tom. 3. p. 561. See here, Tom. 2. p. 707, 708.

s Dr. Iſaac Baſire, his Sacrilege arraigned by St. Paul, London 1668. ch. 9. p. 168, to 174. & p. 220, 228.

t Ibidem ch. 6. throughout & c. 9, 10, and elſewhere.

u Prov. 30. 8. Mat. 6. 11. 1 Tim. 6. 8. Lu. 10. 7. Rom. 15. 27. 1 Cor. 9. 7, 8. 15. Gal. 6. 6. 1 Tim. 3. 2, 3. c. 5. 17, 18. c. 6. 6, 10. Act. 20. 28, 29, 36. Phil. 4. 10, to 20. Heb. 13. 5. 17. 1 Pet. 5. 2, 3. 1 Theſſ. 5. 12, 13. x Mat. 10. 10. Lu. 10. 7. 1 Cor. 9. 13, 14. John 21. 15, 16, 17. 2 Tim. 4. 2, 5. 7, 8, 9, 10, 11. Ezech. 34. 2, 3, to 11.

y 2 Theſſ. 3.

ther

ther Chriſtian Kings and States may not lawfully without guilt of Sacriledge, or violation of their *Oaths*, reſume and take away ſuch ſuperfluous Mannors, Lands given by their Anceſtors from the Crown to any Archbiſhops, Biſhops, Prieſts or other Clergymen, for the neglect of their paſtoral duties, eſpecially in caſes of publike neceſſity, ſo as they reſerve a competent, ſufficient maintenance for thoſe who are pious, laborious, worthy of * *double honour* and encouragement?

* 1 Tim. 5. 17, 18.

2ly. Whether *High-Prieſts*, *Prieſts*, *Levites* under the Law, and *Apoſtles*, *Biſhops*, *Prieſts*, *Deacons* under the Goſpel, *though of divine inſtitution, ſolemnly conſecrated for Gods immediate ſervice*, and the inſtruction, ſalvation of the peoples ſouls, may not juſtly loſe, forfeit, null theſe their *Sacerdotal* conſecrations, and be legally deprived of their reſpective *holy Orders*, and the maintenance belonging to them for their *vicious ſcandalous lives*, *Hereſies*, *Seiſmes*, yea actually † *executed and put to death* for their *Murders*, *Treaſons*, *Rebellions*, without any Sacriledge, their *conſecrations* becomming *unconſecrations*, (as the [z] *Jews circumciſion became uncircumciſion*, by their prophaneſſe, crimes, and *violations* of *Gods Lawes*? If ſo: as the Preſidents of [a] *Elyes* ſonnes, [b] *Abiathar* the *High Prieſt*, with [c] *others in the old*, and of [d] *Judas*, who fell from his Apoſtleſhip for *ſelling* and *betraying* our Saviour Chriſt, *in the new Teſtament*; with *hundreds of* [e] *preſidents* of *Popes*, *Patriarchs*, *Archbiſhops*, *Biſhops*, *Prieſts* degraded, executed in all ages, *Churches*, *Kingdoms*, and our own; together with the [f] *Roman Pontificals* in the forms of their *depoſitions*, *degradations* of *Patriarchs*, *Archbiſhops*, *Biſhops*, *Prieſts*, *Deacons*, reſolve paſt all diſpute, and this Doctor dares not deny. Then much more may the Temporal Lands and Revenues given to them, being not of divine inſtitution, nor ſo immediately conſecrated to Gods ſervice, nor capable of any real inherent holineſſe, as they are, loſe their relative holineſſe, by their Crimes, or abuſes of them; and thereupon be converted to other uſes by our Kings and Parliaments, without any Sacriledge, if they ſee juſt cauſe: ſo as Gods ſervice be ſtill ſupported in all places neceſſary.

† See my Supplemental Appendix to *John Hus* his Diſputation, p. 49, to 78.

z Rom. 2. 25, 26, &c.
a 1 Sam. 2. 22, to the end, c. 3. 11, to 19. c. 4. 10, to 19. c. 14. 3.
b 1 Kings 2. 26, 27, 35.
c Neh. 7. 64, 65. c. 12. 28. Jer. 23. Ezech. 34. & Mal. 2. throughout. Ezech. 44. 7. to 25.
d Acts 1. 16, to 26.

e See Platina, Balæus, and others de Vitis Pontificum, Euſebius, Evagrius, Theodoret, Sozomen, Nicephorus Callistus Eccleſ. Hiſtoriæ, Annales Baronii, Johannes Zonaras & Nicetas their Annales. Fox Acts and Monuments.
f Pontif. Romanum, p. 457, 458.

3ly. Whether Temples, Sanctuaries, Cathedral, Parochial, Collegiate Churches, and private Chappels, ſolemnly erected, conſecrated to Gods ſacred Worſhip, with their reſpective materials, ornaments, veſſels, veſtments, utenſils, when *forſaken*, *abhorred by God*, decayed, demoliſhed, or deſerted by fire, inundations, earth-quakes, wars, peſtilence, or ſeiſed on by conquering Enemies of a different Religion, expelling the Natives who erected them, for the Biſhops, Prieſts, or peoples ſinnes, together with the ſoyl whereon they were built, and Churchyards adjoyning to them, do not thereby loſe their Conſecrations, and become common or prophane? If ſo: as (1) *ſundry ſacred Texts*, the preſidents of (2) *Shiloh*, *Gods own Houſe*, *Temple*, in the (3) *Holy City* of *Jeruſalem*, all the (4) *Synagogues of God* in the *Holy Land*, the famous Churches of *Epheſus*, *Antioch*, *Philippi*, *Coloſſe*, *Theſſalonica*, *Thyatira*, *Pergamus*, *Philadelphia*, *Sardis*, *Corinth*, *Smyrna*, *Conſtantinople*, *Alexandria*, with many hundreds of particular Churches, Chappels deſtroyed, ſuppreſſed by the invaſions of the *Goths*, *Vandals*, *Saracens*, *Turkes*, *Tartars*, *Danes*, throughout *Aſia* and *Europe*, and our own Realms, evidence; and *Hugo Grotius*, de Jure Belli & Pacis, l. 3. c. 5. with the Authors there cited by him prove at large. Yea [g] *Popes*, and *Popiſh Biſhops*, *Canoniſts* (who attribute moſt holineſſe to conſecrated places) unanimouſly determine, *Si Eccleſia in*

(1) Jer. 12. 7. Pſal. 78. 60. Lam. 2. 6, 7. Jer. 7. 12, 14. c. 16. 6, 9.
(2) Pſal. 78. 60.
(3) 2 Kings 25. 9, to 18. 2 Chron. 36, 16, to 21. Jer. 5. 2. 13, to 18. 5. 26, c. 9, 12. Iſay 63. 10. 64. 11, 22. Lu. 10. 44. c. 21. 5, 6. Mat. 24. 2, 3. Pſ. 74. 1, to 10. Pſ. 80. 1, 2. Dan. 11. 31. Lam. 1. 10. c. 2. 7, 20. c. 4. 1.

g Ignius Papa, Gratian, de Conſecratione, Diſtinct. 1. Barth. Brixienſis, Johannis de Thierry, & others in their Gloſſes thereon, Angelus de Clavaſio, Summa Angelica; Conſecr. Eccleſiæ, nu. 3. Auguſtinus Barboſa, De Officio & Poteſtate Epiſcopi, Part 2. Allegatio 27. nu. 13, to 20. Paulus Piaſecius, in Praxi nova Epiſc. D. c. 5. nu. 4. Gambarupta, De Caſibus reſervatis, c. 25. caſ. 2. c. 2. Vgolinus Diſt. 29. nu. 4. v. 1, Lud. Miranda, d. art. 4. Concl. 2. Marius Alterius de Conſecra. Tom. 2. Diſ. 3. c. 2.

totum

totum corruit, vel deſtruitur quoad tectum & parietes, aut in majori parte, ità ut oporteat eos noviter ſimul reficere; vel ſi parietes ipſi igne decruſtentur intus & exterius, **minime retinent antiquam conſecrationem, et execrata cenſeantur.** *Etiam quando Eccleſia inſimul & in totum deſtruitur, eo animo ut iterum readificetur ex eadem materia: Vel ſi parietes corruunt in totum vel in majori parte* **erit Eccleſia execrata cenſenda, et noviter conſecranda.** And they further reſolve, [h] *Si populus noluit Eccleſiam quæ minatur ruinam, reſtaurare,* **ea debet penitus deſtrui, et Epiſcopus poteſt vendere lapides Altarium vel Eccleſiarum deſtructarum: Eccleſiæ beraſtate collapſæ, quando reparari nequeunt, ſunt in totum deſtruendæ,** without any ſinne or Sacriledge. Yea the *Act* for Rebuilding of *London* made this Parliament An. 19 *Caroli* 2. c. 3. enacts, That *the Pariſh Churches to be rebuilt within the City of* London *which were demoliſhed by the late fire ſhall not exceed the Number of* 39. *And that the Scites and Materials of the other* (40) *Churches which are not intended by this Bill to be rebuilt, together with the Churchyards, ſhall be and are thereby veſted in the Lord Major and Aldermen of the City of* London *for the time being, and that ſuch of them as ſhall not upon the rebuilding of the City of* London *be layd into the ſtreets, ſhall be ſold or otherwiſe diſpoſed of (for buildings or market places) by the ſaid Lord Mayor and Aldermen, or the major part of them, by and with the conſent of the Archbiſhop of* Canterbury, *and Biſhop of* London *for the time being: and the money raiſed by ſuch ſale diſpoſed of and imployed towards the rebuilding of ſuch Pariſh Churches, as by this Act are intended to be rebuilt.* Yea the *Canoniſts* themſelves reſolve, That both Cathedral, Collegiate, and Pariſh Churches, may be tranſlated from one place to another, either by reaſon of the incurſions of Enemies, the unwholſomneſſe of the air, the peril of inundations, or remoteneſſe from the pariſhioners; and that they may be demoliſhed, and Forts, Caſtles built in their places to binder the incurſions of foreign enemies in times of Warr, ſo as other lands by way of exchange be given in recompenſe for them, without any Sacriledge: Therefore there is no ſuch *inherent inſeparable holineſſe in them*, as this Doctor ſurmiſeth: much leſſe in the Lands and Temporalties belonging to them, which were never *ſolemnly* conſecrated, and *revert to the founders or Donors themſelves, when the Churches are deſtroyed, ruined, deſerted, tranſlated to other places*; as our Judges, Lawes, have long ſince reſolved, *Ingulphi Hiſtoria*, p. 895, 896. 8 H. 5. Tit. *Abbe.* 28. 20 H. 6. 8 b. 20 H. 8. *Brooke* Extinguiſhment 35. & Corporation 78. 11 E. 4. 4. a. per *Chok.* 7 E. 4. f. 11, 12. *Fitzh.* Graunt 17. & *Cookes* 3 Report, f. 75. b.

h Joan. Aloyſius Riccius in Praxi Aureæ, Reſol 201, 208 Fran. Zerula in Prax. Epiſc. 2. Verb. Paroch. Sect. 6. 9. Navarrus de ſpoliis Cler. Sect. 18. nu. 11. verſ. 1. De Epiſcopis, nu. 15. Auguſt. Barboſa, de Offic. & Poteſtate Epiſcopi, pars 3. Allegat. 66. nu. 14, 15, 17, 19.

4ly. Whether God himſelf hath not expreſly commanded in [i] *ſeveral Texts*, all *Temples Places, High-Places, Altars, Groves, Images dedicated to the Worſhip of Idols, falſe Gods*, or to be *utterly deſtroyed, cut down, and burnt with fire*, though dedicated with a pious, but erronious intention, for the honor, worſhip of a Deity, though falſe, *and that the conſecrated Prieſts of theſe Idols, and their worſhippers, revolting from the true God, ſhould be put to death*; which King *Hezekiah, Joſiah, Jeſus* under the Law, and [k] *Conſtantine* the Great, with other Chriſtian Emperors, Kings under the Goſpel, zealouſly executed, for which they were highly applauded? Whether [l] *Moſes* himſelf did not thus deſtroy *the Golden Calf, made and conſecrated by* Aaron *to repreſent, worſhip the true God in and by it*, (as the ſacred Hiſtory, and [m] *Divines* accord) *and burn, grind it to powder, ſtrow it upon water, and make the children of* Iſrael *drink thereof?* Whether *Jeroboams* Calves, and their Temples at *Dan* and *Bethel*, made to repreſent *and worſhip God in and by them*, (which proved the *deſtruction* of him and his *family*,) were not likewiſe *deſtroyed* by *Joſiah*, as being directly contrary to the ſecond Commandement? And whether *Hezekiah did not break in pieces the brazen ſerpent which* Moſes *had made, becauſe the children of* Iſrael *did burn Incenſe unto it*, to Gods diſhonor, *though a* [o] *Type of Chriſt?* If ſo: Whether by the ſelf ſame reaſon, *Temples, Monaſteries, Chappels, Chauntries, Images of the ſacred Trinity, of God the Father, Sonne, Holy Ghoſt*, of the *Virgin* Mary, other *Saints, Angels*, erected in times of *Popery*, for the worſhip of the true God in an *Idolatrous, ſuperſtitious, erronious uſes*, againſt his Word and precepts, may and ought not by the ſelf-ſame reaſon to be demoliſhed by our *Chriſtian Proteſtant Kings, Parliaments*; and the

i Levit. 26. 30. Numb. 33. 52. Deut 7. 5, 6. c. 12. 2, 3. c. 13. Judges 2. 2. 2 Kings 18. 4, 22. c. 23. 5, to 17. 2 Chron. 14 3, 4, 5. c. 17 1, 5. c. 31. 1. c. 34 3, to 8. 1 Kings 13. 2. 2 Kings 10. 19, to 31. Ezech. 6. 3, 6. c. 18. 30.

k See Here, 1. p. 46. 120.

l Exod. 32. 1, to 25. Deut. 9. 21. Pſ. 106. 19, 20, 21.

m See Dr. Raynolds de Idololatria Romanæ Eccleſiæ, l. 2. c. 3. nu. 16, 17. &c. Calvins Inſtitutes, l. 1. c. 11. See the Homily againſt the peril of Idolatry.

n 1 Kings 12. 26, to the end, c. 13. 1, 2. 2 Kings 1.

o 2 Kings 18. 4. Numb. 21. 8.

p John 12. 32, 33.

Lands,

Lands, Revenues, annexed to them for the maintenance of Popiſh idolatry and ſuperſtition, be lawfully confiſcated, and converted to publike ſecular uſes, without any *Sacriledge*, or violation of *Prov.* 20. 15. *Act.* 5. 1. *to* 17. *Rom.* 2. 22. or any other ſacred Text? And whether Gods ſpecial direction to *Moſes*, * *to make broad plates for the covering of the Altar of the brazen cenſers of* Korah *and* Dathan *which were hallowed*, on purpoſe, *to be a memorial to the children of* Iſrael, *that no ſtranger, which is not of the ſeed of* Aaron *come near to offer incenſe before the Lord, that he be not as* Korah *and his company*, (on which this Doctor much relies) be any way pertinent, to prove it Sacriledge, to convert ſuch lands to ſecular uſes.

* Num 16. 37, 38, 39.

5ly. Whether Churches built, conſecrated, endowed with lands, revenues by Hereticks and Schiſmaticks, may not lawfully be demoliſhed or taken away from them by [q] *Chriſtian Emperors, Kings*, and confiſcated to their *Exchequers* without any *ſacriledge* or *impiety*, (as in the caſes of the *Donatiſts*, *Novatians*, *Manichees*, *Arians*, and other *Hereticks* and *Schiſmaticks* in former ages) being the moſt probable means to ſuppreſſe their Hereſies and Schiſms? If ſo: (as I preſume this *Doctor*, who much inveighs againſt Schiſmaticks throughout his *Treatiſe againſt Sacriledge*, will readily grant;) then by the ſelf-ſame reaſon our Kings and Parliaments might juſtly ſuppreſſe, demoliſh all *Monaſteries* to ſuppreſſe *Popiſh Idolatry*, *Hereſie*, *Superſtition*, and confiſcate moſt of their lands and revenues to the Kings Eſchequer, without any Sacriledge or impiety.

q See Juſtinian Codicis l. 1. tit. 1. & 8. De Hæreticis & Manichæis, Gratian de Conſecration: Diſtinct. 1. Heree, Tom. 1. p. 48, 49. & My Sword of Chriſtian Magiſtracy ſupported.

6ly. Whether the Lands or Revenues given and dedicated to one religious Order of Monks or Nunnes, upon their diſſolution, can be juſtly challenged by any other religious Order to whom they were never granted nor deſigned; any more then lands given or bequeathed to one perſon and his heirs, or to one City or Corporation and their ſucceſſors, can be juſtly claimed by another perſon or Corporation upon the attainders or diſſolutions of thoſe to whom they were given, for any treaſon or felony? If not, as is moſt certain by [r] *all divine* and *human Lawes*: then how can any of our Evangelical Biſhops, Presbyters, Prieſts or Deacons, who are of *divine inſtitution*, by any Lawes of God or man, challenge a lawfull Title, right, intereſt in, or to all or any the Livings, Lands, Tenements, Rents, Revenues heretofore given, dedicated, appropriated to any Orders of *Monks*, *Freers*, *Nunnes*, *Monaſteries*, of meer *Papal*, not *Divine inſtitution*, by any of our antient Kings or others, either for the expiation of their horrid ſcandalous Sinnes, Murders, Rapines, Adulteries, Whoredoms, Perjuries, or other Crimes; or elſe for the ſalvation of their own and others ſouls, and ranſoming them from Hell or Purgatory flames, by their merits, faſtings, alms, or prayers for them to the *Virgin Mary*, and other Saints *departed*; in high derogation of the *all-ſatisfactory merits*, *mediation* of our Lord Jeſus Chriſt, *the* [ſ] *ſole Mediator between God and man, the only Advocate and propitiation for the ſins of men*: and condemn it as moſt *impious*, *inexpiable Sacriledge*, not to reſtore them to their actual poſſeſſion, to whom they were never given, dedicated, nor intended, and that for the performance of ſuch ſuperſtitious Popiſh ſervices, which themſelves condemn, and neither can nor ought to perform? If then St. *Pauls divinity* be orthodox, and his aſſertion legal, [t] *We have an Altar* **whereof they have no right to eat**, *which ſerve the Tabernacle. And the Prieſthood being changed, there is made alſo of neceſſity a change of the Law*: ſo that the Cities, Glebes, Oblations anciently belonging to the Jewiſh High Prieſts, Prieſts and Levites aboliſhed by Chriſts prieſthood, could not be thereby legally challenged or tranſmitted to the Apoſtles and Miniſters of the Goſpel. Our clamorous *Doctor* and his Confederates muſt henceforth give over their pretended divine and legal claims, titles, to all or any of our diſſolved Abbyes and Monaſteries, Lands, Revenues, with their Satyrical invectives againſt all who refuſe to reſign or reſtore them to thoſe Churches, Church-men, to whom they were never given, and from whom they were not taken; for fear they incurre the Prophet *Iſay* his Cenſure of the covetous lazy Prieſts in his age; [u] *They are all dumb doggs, ſleeping, lying down, loving to ſlumber:* **Yea, they are greedy doggs, who can never have enough: ſhepherds that cannot underſtand, they all look to their own way, every one for his gain from his quarter. Come ye, ſay they, we will fetch wine, & we will fill our ſelves with ſtrong drink, and to morrow ſhall be as this day, and much more abundant**; as the fat lazie Monks and Abbots did; eſpecially if they can

r *Semel donata, data & relicta à fidelibus in ſuum Eccleſiarum utilitatem & unum caſum primatam jure antiqua, quàm nova Concilii* Tridentini *Conſtitutum applicari non poſſint, ſine Papæ auctoritate.* Auguſt. Barboſa, de Officio & Poteſtate Epiſcopi, pars 3. Alleg. 64. nu. 17.

ſ Hebr. 9. 15. 1 John 2. 1, 2.

t Hebr. 13. 10. c. 7. 12.

u Iſay 56. 10, 11, 12.

can once effect their long proſecuted deſign of gaining all antient Abbey Lands and Revenues by their Satyrical invectives againſt *Sacrilege*.

Now whereas this [a] *Doctor* argues; that *admit the Clergymen were guilty of all the crimes laid to their charge, yet their perſonal delinquency cannot forfeit their Lands which they have* in Jure Eccleſiæ, & in Jure Dei, *they being but uſufructuaries of the profits of them during their lives; and in nature of Tenants for life, who cannot forfeit* Gods inheritance *and fee.*

a Sacriledge arraigned, ch. 8 p. 156, 157.

I anſwer: 1. That all our [b] *Lawbooks* reſolve; that *Biſhops, Abbots*, and other *Clergymen* are ſeized of their *Lands in fee* in *Jure Eccleſiæ*; and *not tenants for life*. 2ly. That they may therefore forfeit the *Lands* they have *in Jure Eccleſiæ & Dei*, either by [c] *alienations of them for life*, or *in fee to their baſtards, whores, kinred, others*, againſt the donors intentions, or *by their neglecting and ceaſing to perform the Divine ſervices, and works of piety, charity, devotion* for which they were *ſpecially given to them*; and that by the expreſſe proviſion, words of the Statutes of 13 E. 1. c. 41. & 6 E. 1. cap. 4. which gives the Donors and their heirs Writs of *Contra formam collationis*, and of *Ceſſavit*, to recover the Lands ſo *forfeited* by their *abuſes*, or *non-performance* of the *divine ſervices*, or *almes for which they were given*. 3ly. This is evident by ſundry memorable preſidents, recorded in our *Hiſtories, Records* and *Law-books*: The 1. is that of the [d] *Abbeſſe* and *Nunnes* of *Berkeley* in *Gloceſterſhire*, who being all bigg with childe by Earl *Godwins Nephew*, and ſo found by inquiſition, King *Edward* the *Confeſſor* thereupon diſſolved the Monaſtery for their whoredoms, and gave the Lands to Earl *Godwin*, from whom the *Barons* of *Berkeley* have enjoyed it as the ſeat of their *Barony* for many hundred years. The 2. the [e] Abbeſſe of *Ambresbury*, who having three baſtard children after her profeſſion, and about 30. of her *Nunnes* being likewiſe convicted of incontinency; thereupon *their order was diſſolved*, and their lands given by King *Henry* the 2. to the Nuns of the Order of *Font-Ebrard* in *Picardy* by the adviſe of Pope *Alexander*, *Richard* Archbiſhop of *Canterbury*, and the reſt of our Biſhops, Earls, and Barons, as the [f] *Charters, Patents* of *Henry* the 2. *Richard* the 1. King *John*, *Henry* 3. 4. & 6. aſſure us, and *Roger Hoveden*, *Gervaſius*, *Bromton*, *Henry de Knyghton*, and others ſtory. To which I might adde the preſidents of the Nuns of St. *Eligius* in *Paris*, Anno 1107. of *Argentol*, and of St. *Johns* of *Laudune*, Anno 1129. who for their *infamous, diabolical whoredomes*, were deprived, ejected, ſuppreſſed, and their Lands, Monaſteries, transferred to others. *Nunneries* (as [g] *Nicholaus de Clemangiis* and others complain) degenerating frequently into *Stewes* and *Brothels*, Non Dei ſanctuaria, ſed Veneris execranda proſtibula. The 3. is the famous Order of the Knights of *the Temple of Jeruſalem*, who being inſtituted about the year of Chriſt 1118. and endowed with moſt [h] ample poſſeſſions, priviledges both by Chriſtian Emperors, our own and other Kings, Popes Bulls, and Decrees of Councils, for the defence of the *Holy Land*, *Chriſtianity* and *Chriſtians* againſt the *Saracens* and other *Infidels*, were yet for their intollerable *pride, avarice, abuſe of priviledges, Apoſtacy, Sodomy, and other crimes*, (*whereof many of them were accuſed, and found guilty by their own confeſſions*, if we believe Pope *Clements Bull*) upon the frequent complaints of the *French King* & others againſt them, *after near* 200 *years continuance*, notwithſtanding their Bulls, Priviledges, in the *General Council of Vienna, totally and finally ſuppreſſed by that Council and Pope* Clement *the* 5*th*. An. Dom. 1312. whereupon all their perſons were *impriſoned in one day* throughout *England, France* and *Chriſtendom*; their Manors (amounting to 9000. in all places,) with their Lands, goods in *England, ſeiſed into the hands of K.* Edw. *the* 2. as eſcheated to him & other Lords by Law by their diſſolution; though *moſt of their lands afterwards by the Decree of this Council, and a ſpecial Act of Parliament*, were tranſlated to the *Hoſpitallers*, as our * *Records*, [i] *Hiſtorians* and the Bulls of this Pope to the Archbiſhops and Biſhops of *England*, and Archbiſhop of *Yorke*, at large relate. The 4. is

b 2 E. 3. 29. 6 E. 3. 10. 24 E. 3. Juris Utrum 4. 25 E. 3. 54. 38 E. 3. 19. 12 H. 4. 11. 9 E. 4. 6. Dyer 238. Cooks 1 Inſtit. f. 300 b. 341 a. b. 2 Inſtit. f. 457.

c Fitz. & Bro k contra formam Collationis, 7 R. 2. Ceſſavit 18. Regiſt. 238 a. Old Nat. Brev. 241. b 32 E. 3. Ceſſavit 24. 9. 12 H. 4. 24 a. Fitz. Nat. Br. 209. to 212. Lit. ſect. 136. 137. Coo. 2 Inſtit. p. 457. to 460. Here, p. 234.

d Gualter Mapes de Nugis Curialium, MS. in Bibl. Bodleiana: Cambdens Britannia, p. 262, 263. Here Tom. 1. p. 310, 311.

e Chartæ Antiquæ GG. & nu. 8. Cart. 1 Joan. Regis, n. 103. Cart. 12 H. 3. nu 11. Cart. 8 E. 2. nu. 24. Pat. 3 H. 4. pars 1. n. 24. Pat. 22 H. 6. nu. 11. 04. Here, Tom. 1. p. 759, &c. Tom. 2. p. 228. Monaſticon Angl. Vol. 2. p. 191, 192. 856.

f Joannis Lydii ad Clemangem Analecta, p. 23, 24, 25. Gulielmus de Nurgiaco Chronol. Anno 1129.

g De Corrupto Eccleſiæ ſtatu, cap. 23. Ivo Carnotenſis, Epiſt. 70.

h Cart. 1 Johan. Regis nu. 7, to 23. & 91, to 102. Chron. Gervaſii, Anno 1453, 1454. Mat. Paris, An. 1118. p. 64, 596. Surius Concil. Tom. 3. p. 707, 624. Antoninus Tit. 15. c. 20. Polychronicon, l. 7. c. 16.

* Clauſ. 1 E. 2. dorſ. 12. Cedul. Cl. 7 E. 2. d. 16. Ced. & d. 12. Cl. 17 E. 2. m. 4. 1. 7, & 17.

i Chron. Johannis Bromton col. 1008. Chron. Gervaſii col. 1454. Tho. Stubs Actus Pontif. Ebor. col. 1730. Henr. de Knyghton de Event. Angl. l. 3. c. 14. col. 2531. Surius Concil. Tom. 2. p. 459, to 463.

the Caſe of [k] *Thomas Pype* Abbot of *Stonely*, who had more *Baſtards* then *Monks*, An. 38 E. 3. and of many Abbots, Monks of *England*, who *being found guilty by ſeveral Inquiſitions upon Oath of moſt deteſtable Sodomies, Adulteries, Whoredoms*, and other Crimes in King *Henry* the 8. his reign, epitomized by [l] *John Bale*, and [m] *Speed* in his *Hiſtory of Great Britain*, were thereupon totally ſuppreſſed, and their Lands by Act of Parliament confiſcated, and transferred to this King, his heirs and ſucceſſors; who ſold and converted moſt of them to ſecular uſes: Which alienations, together with his reſumptions, alienations of ſeveral Mannors from our Archbiſhops and Biſhops, were ratified as legal, by the Popiſh Parliament, and all our *Prelates, Clergy*, the Statutes of 1. & 2 *Phil.* & *Mary*, chap. 8. and by the *Bull* of Pope *Julius* to *Queen Mary*; without the guilt of *Sacrilege*, wherewith this Doctor now aſperſeth them, as I have [n] *elſewhere evidenced at large*; and therefore ſhall no further inſiſt on.

k See Cooks 2 Inſtit. p. 334: & Here, p. 458.
l Acts of Engliſh Votaries. m Page 1042, 1043. Henry Stephen his Apology for Herodotus, cap. 21. f. 183.
n My Supplemental Appendix to John Hus his Diſputation, p. 92, to 112.

I pretermit all other particular advantages, and encroachments of Juriſdiction of leſſer moment, which Popes, Popiſh Archbiſhops, Biſhops, Prieſts, Canoniſts, and Divines have uſurped by, and deduced from the Coronation Oathes preſcribed by them to Emperors and Kings. But theſe recited are of ſuch publike, grand concernment to their Prerogatives, Soveraignties, Crowns, their Kingdoms, Peoples Laws, Liberties, and ſo pertinent to my Subject-matter in this, the precedent, as well as ſubſequent *Tomes*, that I could not pretermit, but recommend them to your ſpecial obſervations.

I have only one thing more to inform you of; that ſince the finiſhing of this *Tome*, I have diſcovered two groſſe miſtakes together, relating to King *John*, his ſucceſſors and Realm, in a modern Great *French* Hiſtorian, *Andre de Cheſne* his *Hiſtoire D'angleterre, Deſcoſſe, & D'irland*, [x] newly printed in two large fobo Volumes at *Paris*: who relating the ſtory of King *Johns* reſignation of his *Crown*, and Realms of *England* and *Ireland* to Pope *Innocent*, and homage to him as his Vaſſal and *Tributarie* under the annual rent of 1000 marks; affirms, 1. *Que de ſon temps meſme*, et juſque a ce que le Roy Henry 8. renonca le Pape et Leſgliſe Romaine l'an MD. XXXIV. le cens et tribut annuel fut tous jours payen: when as the *payment* *thereof was oft oppoſed, and conſtantly denyed from the* 17 *year of* Edward the 1. ſince which it was never payd, though demanded by Popes from him and his ſucceſſors; yea it was unanimouſly and magnanimouſly reſolved againſt both by the King, Prelates, Nobles and Commons in the Parliament of 40 E. 3. Rot. Parl. nu. 7, 8. in caſe the Pope ſhould demand it. 2ly. *Que Roys* Inas *par une humble piete*, tenoit ſon Royaume tributaire a l'Egliſe Romaine, *environ l'an* 740. *teſtement que chacun maiſon* deboit payer une piece de argent, *& les appelloient vulgairement*, Les deniers de Saint Pierre: which he ſtiles and reputes le Tribut annuel; et deſlors l'Angleterre n'aboit jammes faitly de faire la maitly donne aux Papes juſque a ce que Henry viii. tout le premier fit defenſe de leber cet argent. When as *Peter-pence was never granted nor payd as a* Tribute *to the Pope or Church of* Rome, but as a *meer voluntary Almes* to the *Engliſh School* in *Rome*, and its payment *frequently interrupted, denyed*, before our King *Henry* the 8. aboliſhed it by *Act of Parliament*; as I have [y] *largely evidenced*, againſt *Baronius* and other Pontifician *Hiſtorians* and *Divines* before this new Hiſtorians Books came forth in print: The very ſame I finde [z] *likewiſe aſſerted* in, *Divers Traitez ſur les Droicts & Prerogatives des Royes de* France, printed *A Paris, avec Privilege le Roy*, Anno 1666. p. 79. who from thence argues, the Precedency of the Kings of *France* before the Kings of *England*, for that they held their Crowns immediately from God, when as the Kings of *England* (as *Offa, Inas, Ethelwolfe*, and King *John*) rendred themſelves Tributaries and Vaſſals to the Pope.

x Anno 1666. Avec Privilege du Roy, lib. 12. p. 514. & lib. 20. p. 54, 55.
* See Tom. 2. p. 299, to 302, 306, to 315. & Here, p. 157, to 160, 390, 391.
y Tom. 1. p. 202, to 209.
z Tom. 2. p. 301 302, 314. & Here, p. 390, 391.
z Refuted by Dr. *John Tillotſon*, in His *Rule of Faith*, p. 92, 93, 97, 98 107, 119, 123, to 132, 154, to 158, 227, 158, 159, 284, 294.

Since the compleating of this *Tome* and the *Epiſtles* to it, one Mr. *Creſſy* a *Benedictin Monk* (an Apoſtate from the *Church of England*, who writ two or three * *Pamphlets* againſt our *Church* & *Religion* to ingratiate himſelf with the *Roman party*, and advance *Oral Tradition* above the *Scriptures*, as the *only Rule of Faith*) hath publiſhed a large * *folio Volume, of the Church Hiſtory of Britany*, from the *beginning of Chriſtianity till the Norman Conqueſt*, dedicated to the QUEEN: wherein though he impertinently mentions my *Church-Hiſtory* in his Preface to the *Reader*, yet he neither refutes nor takes Notice of any paſſages in my former *Tomes* throughout his *Hiſtory*, as I and others expected.

* Printed at *Paris* 1668, newly brought over by the *French* Embaſſador.

If

If upon perusal of this *Tome*, any Readers shall reap satisfaction, information, or profit by my *Collections* or *Observations* therein, let me enjoy the benefit of their *prayers*, at least a *candid* acceptation of these my *Labors*, and if they shall chance to discover any involuntary real *mistakes* therein, (besides the *Errata*es at the Presse, which I have amended, and desire them to correct before they read this *Volume*) I shall humbly crave their friendly advertisement of them, that so I may rectifie them if there be just cause upon second thoughts. *Farewell.*

From my Chamber in the Tower *of* London, August 18. 1668.

William Prynne.

A TABLE of the several *Chapters* and their *Contents* in this *Third Tome*; to which I have made some small *Additions*, where needfull.

BOOK V. CHAP. I. *Containing sundry* Records, Popes Bulls, Writs, Prohibitions, Attachments *for suits in* Courts Christian, *not formerly printed*; *and some* Historical Passages, *during the reigns of King* JOHN, *and* HENRY *the Third, relating to their* Ecclesiastical Jurisdiction, *the* Church-affairs *in* England *and* Ireland: *Their Transactions with* Popes, Popes Legates, Nuncioes, Delegates, Popish Prelates: *together with their several* Usurpations *on*, Attempts *against their* Royal Rights, Prerogatives, Subjects Liberties, Properties; *and these* Kings, *their* Nobles, Parliaments, Counsils, *and* Judges *Oppositions against them: With the Elections, successions, Acts of* Popes, *of* English *and* Irish Bishops, *and what concerns them*; *as an* Appendix *to the Second* Tome. Page 2. *to* Folio 133.

CHAP. II. *Containing several* Records, Prohibitions, *and* Historical passages, *evidencing the* Ecclesiastical Supremacy *of our renowned King* EDWARD *the* 1. *in and over all* Persons, Causes Spiritual, *as well as* Temporal, *in* England, Ireland, *and other his* Dominions. *His Oppositions against* Papal, Prelatical Usurpations, Incroachments *upon the* Rights *of his* Crown, Laws, Subjects Liberties. *The chief* Transactions, Bulls, Letters *between* Him, *and the* Popes, Court *of* Rome: *And the Elections, Confirmations, Successions, Acts of* Popes, Archbishops, Bishops, Abbots, *and other Clergy-men in* England, Ireland, *and his forraign Dominions, from the beginning of the* First, *to the end of the* Tenth Year *of his raign. With some other particulars of* Note *and* publike concernment, p. 117. (next after fol. 133.) *to* p. 298.

CHAP. III. *Comprising several evidences out of* Records *and* Histories *of King* Edward *the* 1. *his* Soveraign Ecclesiastical Jurisdiction *over all* Persons, Causes, *and chief management of all* Ecclesiastical affairs *in* England, Ireland, Scotland, *and other his* Dominions: *With* Popes, Bishops *various* Encroachments *thereon*: *And* His, *his* Parliaments, Counsils, Judges Oppositions, Prohibitions *against them*: *together with the most considerable* Negotiations *between* Him, *and the* Popes, Cardinals, Court *of* Rome; *the Elections, Confirmations, Successions of* Bishops *in* England, Ireland, *his Dominions in* France, *and of* Popes *in* Rome; *from the beginning of the* 11. *till the end of the* 20. *year of his* Reign: *As also the* Transactions

ſactions *concerning his* Superiority *over the Realm of* Scotland, *as* Soveraign Lord *thereof; with the Pleadings of the* Competitors *to the* Crown *of* Scotland *before him as their* Superior Lord; *and his Judgement given therein for* John Bailiol, p. 298. *to* 549.

CHAP. IV. *Conteining King* Edward *the* 1. *his Claim, exerciſe of* Soveraign Eccleſiaſtical Juriſdiction *over all Perſons, Cauſes within* England, Ireland, Scotland, *and his other* Dominions. *His* Oppoſitions, Prohibitions, Edicts *againſt* Biſhops *and other* Clergy-mens Encroachments *thereon; eſpecially Pope* Boniface *the* 8. *his* Conſtitution, *prohibiting all* Clergy-men *under pain of* Excommunication *to grant or pay any Taxes, Subſidies to any* King, *or for* Kings *to demand or receive them, without the* Popes *precedent licenſe: He puts his* Biſhops *and* Clergy *out of his Protection for ſubmitting to it, and denying him an Ayde demanded, till they were inforced to purchaſe general and particular Protections from him. A Catalogue of thoſe Eccleſiaſtical and Religious perſons who purchaſed ſuch Protections for their ſafety. His Oppoſition againſt this* Popes Bulls *concerning his* Soveraign Dominion, Title, *to the* Realm *of* Scotland *and other* Kingdoms. *The negotiations between King* Edward, *the* Popes, Court *of* Rome, *the* French, *and* Scots. *The French King* Philips, *and Pope* Boniface *the* 8. *their* Conteſts, Proceedings, *and* Declarations *againſt each other. The Elections, Succeſsions, Acts of* Popes, Engliſh, Iriſh Archbiſhops, Biſhops, *and other* Church, State-affairs, (*eſpecially the Conteſts between the King and his Barons, concerning the Confirmation of the* Great Charters, Deafforeſtations, *and between the* Scots *and Him*) *faithfully collected out of* Records *and* Hiſtorians *from the beginning of the* 21, *to the end of the* 30*th year of his Reign; The* Scots Kings, Prelates, Nobles, Commons *ſolemn reiterated* Oaths *to him; with their Names, perfidious* violations *of them, and* puniſhments *for it.* p. 549, *to* 980.

CHAP. V. *Conteining the impriſonment, death of Pope* Boniface *the* 8. *The* Letters, Bulls, Negotiations *between King* Edward *the* 1. *and this* Popes Succeſſors, *with their Succeſsions in the See of* Rome. *This Kings* Acts *of* Soveraign Eccleſiaſtical Juriſdiction *over the Churches, Prelates, Clergy of* England, Scotland, Ireland, *and Soveraign Dominion over* Scotland. *His* Prohibitions, Statutes, Edicts *againſt* Papal Proviſions, Extortions, *and* Prelatical Uſurpations *upon the* Rights *of his* Crown *and* Temporal Courts. *The Elections, Acts, Succeſsions of* Archbiſhops, Biſhops, Abbots, *and other* Prelates, Prieſts, *in the Churches of* England, Ireland, Scotland, *and Forraign Dominions; With other Particulars relating to our* Publike Church *and* State-Affairs, *from the beginning of the* 31. *year of King* Edward *the* 1. *till his death, in the* 35*th year of his reign; Collected out of the* Records *of thoſe years and* Hiſtorians, p. 980, *to* 1204.

A Supplemental Appendix *of* Records, Bulls, Prohibitions, Epiſtles, Petitions, *to the Raign of King* Edward *the* 1. *from the* 2*d. to the* 25*th. year of the ſaid King, to the ſame effect as thoſe in the* 2, 3, *and* 4. *premiſed* Chapters, p. 1204. *to* 1308.

14 *Several* Tables *Containing all the particular Matters in this Tome, printed at the end thereof.*

THE

THE HISTORY OF King JOHN, HENRY the Third, And the Most Illustrious King EDWARD the First.

The PROLOGUE.

MY constant daily attendance in Parliament *during its* Sessions, *besides other* publick Imployments, *and the extraordinary increase o' the late* raging Pestilence (*Anno* 1665.) *in* London *and its* Suburbs, *interrupting me in my perusal of all the ancient* Records *in the* White-Tower-Chappel (*there buried in* dust *and* oblivion *in one* confused Chaos *for many years past*) *necessitated me to omit in my* second Tome *and* Appendix, *sundry pertinent* Records, Popes Bulls, Letters, Writs, Prohibitions, Attachments *at the* Kings *and grieved parties prosecutions against the* Usurpations, Citations, Provisions, Excommunications, Interdicts, Exactions, Innovations *of* Popes, Popes Legates, Delegates; *and our* Arshbishops, Bishops, Ordinaries, Archdeacons, Deans, Officials, *their* Courts Christian *and* Officers *upon the ancient* Rights *and* Prerogatives *of the* Crown, *the* Liberties, Properties *of the* Subjects, *the* Temporal Courts, Laws of the Land, *during the reigns of King* John *and* Henry *the* 3. (*with some material passages in our* Historians) *which I have since discovered, not unworthy publick view; Which (according to my* Chronological *method*) *I shall here present to the Readers in a* distinct Chapter, *before I proceed to the Reign of King* Edward *the first; with some brief, useful* (*and I hope not* unseasonable *nor* unacceptable) Observations *on and from some of them, for the better* information *as well of the* Professors *as* Students *of the* Common Law; *and a clearer* detection *than hitherto hath been made, of such* usurped Jurisdictions *in some* Temporal causes, *which the* Popish Prelates, Councils, Clergy, Courts Christian *in these Kings reigns endeavoured to* monopolize *into their* own hands, *and wrest out of* these Kings *and their* Courts: *and other* Prelates, Canonists *since,* (*yea in this very age*) *have* overboldly *claimed by confident false* averments, *in their* Councils, Canons, Decretals, Glosses, Writings, Arguments, *as the ancient* sacred Rights, Liberties *of Holy* Church, peculiar *to* Courts Christian, *upon apparent* Mistakes *and* Forgeries *of their own coyning, which they would then and now obtrude upon the* ignorant World *as* undoubted Truths, *to enlarge their* Phylacteries, *advance their* Papal Canon Laws *above the* Common, *the* Popes *and* Bishops Miters *above the* Imperial Crown. *The* discovery *and* countermining *of which* long-agitated Design *in successive ages, is the principal scope, end of these my* Chronological Collections, *to which I shall now address my self without further* Prologue, *in the ensuing Chapter; augmented with new Additions* (*especially of* Prohibitions, Suits *and* Attachments *on them against* Ecclesiastical Judges, Officers, Persons) *in this re-impression, the most part of the former printed* Copies, *and the preceding* Tomes *being burnt to ashes by the late* consuming Fire *in the* Printers house, *to my great losse, and retarding of this* Volumes *publication.*

BOOK V. CHAP. I.

Containing sundry Records, Popes Bulls, Writs, Prohibitions, Attachments *for Suits in* Courts Christian, *not formerly printed; and some Historical passages during the Reigns of King* John, *and* Henry *the* III. *relating to their Ecclesiastical Jurisdiction, the Church-affairs of* England *and* Ireland, *their transactions with* Popes, Popes Legates, Nuncioes, Delegates, Popish Prelates: *together with their several Usurpations on, attempts against their Regal Rights, Prerogatives, Subjects Liberties, Properties; and these Kings, their Nobles, Parliaments, Counsils and Judges oppositions against them.*

TOME 2. Page 227. Line 3. after *Christians* ; insert ; King JOHN was no sooner possessed of the Realm of *England*, but he immediately (in the very first year of his Reign) evidenced to all the World, not onely his Piety and Regal Duty, but *Ecclesiastical Soveraignty*, both by ratifying, protecting, enlarging the Ecclesiastical as well as Temporal Liberties, Priviledges, Churches, Chappels, Tithes, Lands, Possessions granted by his Ancestors, to several *Archbishopricks*, *Bishopricks*, *Monasteries* in *England*, *Ireland* and *Normandy*, by sundry [a] *Charters* extant in his Charter-rolls in the *Tower*: using this expression in the Prologue of confirmation to the Monastery of *Cirencester*.

An. 1. Johan. *Regis.*

a See Cart. 1. Johan Regis. pars 1. nu. 5, 7, 10, 15, 18, 31, 37, 41, 45, 51, 53, 57, 59, 60, 61, 63, 68, 86, 90, 98, 101, 132, 133, 156, 158, 159, 162, 171. And pars 2. n. 5. 11, 25, 32, 38, 48, 56, 57, 58, 60, 68, 70, 71, 76, 81, 86, 123.

[b] *Iohannes* Dei gratia, *&c.* Quoniam honori nostro condecens et saluti nostræ necessarium, loca sancta et religiosa quæ ab avo patris nostri Rege *H.* primo, sunt fundata, et a Rege *H.* secundo patre nostro confirmata defendere, custodire, et amplificare, Inde est, quod Deo & Ecclesiæ Sanctæ *Mariæ* de *Cirecestr.* & Canonitis Regularibus ibidem Deo servientibus, damus & concedimus, *&c.* (*the Liberties and Lands therein mentioned at large*) Dat. per manum *H. Cantuar.* Archiep. Cancellar. nostri apud *Sag.* 7. die *Augusti*, Anno Regni nostri primo. *Which Prologue he likewise used in other of his Charters.*

b Chart. primo Johann. n. 68. m. 24 parte prima.

Moreover to manifest his superintendency over, and special care even of *Hubert* Archbishop of *Canterbury* his Chancellors soul, as well as of his person or estate, he inserted this expression into his Charters, whereby he authorized him to make a Will, and devise his goods, which he could not then legally do without his Royal license.

Chart. An. 1. Johan. parte 1. m. 8. n. 160.

Iohannes Dei gratia, *&c.* Quanto venerabilem patrem nostrum in Christo *H. Cant.* Archiepiscopum artiori vinculo dilectionis amplectamur tanto magis cupimus & frequencius optamus omnia quæ Personam suam tangunt, et ea maxime que ad salutem animæ pertinent, in summa firmitate et stabilitate permanere. Volumus igitur & firmiter præcipimus, quod testamentum quod idem Archiepiscopus tàm de bonis Archiepiscopatus *Cant.* quàm de aliis quibuscunque bonis suis, secundum Deum condiderit, firmum sit et stabile, nec alicujus voluntate immutetur in aliquo vel impediatur. His testibus *S. Andr.* Episcopo, *&c.* Dat. per manus S. Archid. *Wellen.* 7. de *Grei*, &c.

Lo here this Archbishop, who used to prove and confirm other mens Wills after their deaths, had his own Will ratified by this Kings Royal Charter *for the good of his soul*, as *Supreme Ordinary*, during his life, to make it valid, irrevocable after his decease.

About the same time the King confirmed to this Archbishop and his Successors all the donations of Lands, Liberties, Customs, Exemptions, and all other things granted to the Church of *Canterbury* by any of his Predecessors, or any other Ecclesiastical or Secular Persons, by this short Charter.

Chart. An. 1. Johan. Regis, part. 1. p. 159.

Iohannes Dei gratia, *&c.* Noveritis nos pro salute animæ nostræ, & animarum antecessorium & successorum nostrorum, et ob reverentiam beati *Thomæ* Martyris & omnium Sanctorum quorum in *Cant.* Ecclesia reliquiæ requiescunt, concessisse, & præsenti

præſenti Carta noſtra confirmaſſe Deo & Eccleſiæ Chriſti *Cant.* & venerabili patri noſtro *H.* ejuſdem loci Archiepiſcopo & ſucceſſoribus ſuis imperpetuum, omnes donationes terrarum, tenementorum, libertatum, & liberarum conſuetudinum, quietanciarum, & omnium aliarum rerum & poſſeſſionum quæ ex donatione noſtra, vel anteceſſorum noſtrorum, vel ex donatione quarumlibet aliarum perſonarum Eccleſiaſticarum vel Secularium adepti ſunt: Statuentes & firmiter præcipientes, ne quis eis contra prædictas donationes aliquam injuriam vel moleſtiam inferat, aut in aliquo contra libertatem prædictarum donationum venire præſumat. Volumus eciam & firmiter præcipimus, quod prædictus Archiepiſcopus & Succeſſores imperpetuum omnia prædicta adeò benè & quietè, liberè & integrè habeant in omnibus, & poſſideant ſicut debent & ſolent, & ſicut hucuſque habuiſſe & poſſediſſe dinoſcuntur, & ſicut Chartæ quas inde habent rationabiliter teſtantur. Teſte *R* Epiſcopo Sancti *Andreæ*, *Roberto* Com. *Leirceſtriæ*, &c. Dat. per manum *J. Wellen.* Archid. & *Johannis de Grei* apud *Chinonem*, 26. die *Sept.* anno regni noſtri primo. *An.* 1. Johan. *Regis.*

He likewiſe ratified by his Soveraign Eccleſiaſtical Authority and † *Charter* the * *premiſed Charter* of King *Richard*, touching the exchange between Archbiſhop *Hubert* and the Biſhop and Monks of *Rocheſter*, of the Mannor of *Lambheth* for other lands, and the Clauſe therein, *authorizing the Pope*, *Archbiſhop of* Canterbury, *Biſhops and Clergy of* England, *to excommunicate the infringers thereof.* Beſides, he appropriated ſeveral *parochial Churches in perpetuity to the Biſhoprick of* Coventry *and* Litchfield; converted other parochial Churches into præbendaries; and ratified the Orders made by Biſhop *Hugh* for the better Regulation of that Church, by theſe two Charters. † Chart. 1 Johan. Regis, pars 1 nu. 158. * Here, Tome 1. pag. 1102.

JOhannes Dei gratia, *&c.* Sciatis nos pro ſalute animæ noſtræ, & anteceſſorum & ſucceſſorum noſtrorum animabus, dediſſe & conceſſiſſe, & præſenti Charta noſtra confirmaſſe *G. Coventr.* Epiſcopo, omnibuſque ſucceſſoribus ſuis Eccleſiam de *Wellehale*, & Eccleſiam de *Forton*, cum omnibus ad eas pertinentibus, in puram & perpetuam Eleemoſynam, habendas et tenendas in prædictis uſibus ſuis, libere et quiete, et ſine omni exactione in perpetuum. Præterea confirmamus Deo & Eccleſiæ Sanctæ *Mariæ* & Sancti *Cedde* de *Lichfeld*, & prædicto Epiſcopo & ſucceſſoribus ſuis Eccleſias de *Ruggeleg* & de *Canoch*, quæ ex dono Regis *H.* patris noſtri in prædicta Eccleſia de *Lichfeld* ſunt præbendatæ. Quare volumus & firmiter præcipimus, quod prædictus Epiſcopus & ſucceſſores ſui præfatas Eccleſias cum earum pertinentiis (ſicut prædictum eſt) habeant & teneant liberè & quietè, honorificè & pacificè in perpetuum. Teſte *G.* filio *Pet.* Com. *Eſſex*, *W. Mareſcal.* Com. de *Pembroc. Rob.* fil. *Rob. &c.* Dat. per manus *S. Wellen.* Archid. & *J.* de *Gray* Archid. *Glouc.* apud *Porceſtr.* die 25. die *April.* Anno Regni noſtri primo. Chart. 1. Johan. Regis, pars 2. n. 147.

JOhannes Dei gratia, *&c.* Sciatis nos pro amore Dei, & pro ſalute animæ noſtræ, et animarum anteceſſorum et ſucceſſorum noſtrorum, dediſſe et conceſſiſſe, et præſenti Carta noſtra confirmaſſe Deo et Eccleſiæ Sancti *Mariæ* et Sancti *Cedde* de *Lichfeld*, et venerabili patri noſtro *G. Coventren.* Epiſcopo, et ſucceſſoribus ſuis Eccleſiam de *Bathekewell*, cum præbendis et omnibus aliis ad Eccleſiam pertinentibus, ut ſecundum ordinem et diſpoſitionem quem *Hugo* bonæ memoriæ *Coventr.* Epiſcopus ſuper eadem Eccleſia de *Bathekewell* fecit, ea cum omnibus pertinentiis ſuis in proprietatem de *Lichfeld* Eccleſiæ convertatur; Salvo tamen ſervitio tum Presbyterorum qui in eadem Eccleſia de *Bathekewell* deſerviant, et juxta arbitrium Epiſcopi Dioceſani rationabilem ſuſtentationem habebunt. Ordinationem namque *H.* prædicti Epiſcopi, quam ſuper hoc fecit, ratam habemus, et futuris temporibus ſemper habebimus. Eccleſia autem de *Lichefeld* conceſſit nobis unum Presbyterum præbendarium in Eccleſia de *Lichfold*, qui ſingulis diebus vitæ noſtræ Miſſam cantabit pro ſanitate et incolumitate noſtra, et poſt mortem noſtram omnibus diebus Miſſam pro ſalute animæ noſtræ cantabit imperpetuum. Quare volumus, et firmiter præcipimus, quod prædictus *G.* Epiſcopus, et ſucceſſores ſui poſt eum habeant et teneant prædictam Eccleſiam de *Bathekewell*, cum Præbendis, et omnibus aliis ad eam pertinentibus benè et in pace, liberè et quietè, integrè, plenariè et honorificè, cum omnibus libertatibus et liberis conſuetudinibus ſuis, ſicut prædictum eſt. Teſte *Willielmo Mareſcall.* Com. de *Pembroc. Willielmo* Com. *Sarum*, *Johanne* de *Pratell*, *Rob.* de *Turnham*, *Tho. Baſſet*, *&c.* Dat. per manum *S. Wellen.* Archid. apud *Valen.* 3. *Feb.* Anno Regni noſtri primo. Cart. 1. Johan pars 2. num. 25.

The like Charter of confirmation of Churches, Tithes, and Liberties he made to the

An. 1 & 3 Joh. *Regis.*

Bishop of * *Exeter* and his successors the same year; which those who please may peruse in the Charter Roll.

A great difference arising between this King, and the Bishop, Sheriff of *Lexovio* concerning his and the Sheriffs rights within that City, he referred it to a legal trial in his Court; and then ratified the Bishops rights by this ensuing memorable Charter, reciting the proceedings therein; and his care to protect the Churches dignities.

* Chart. 1. Johan. pars 2. num. 73.

Chart. 1. Johan. pars 1. m. 13. dorso. Carta Lexovien. Episcopi de Vicecom.

Johannes Dei gratia, *&c.* Inter ea quæ ad conservationem justiciæ pertinere noscuntur, nihil specialius Regibus et Principibus Christianis incumbit, quam dignitates Ecclesiasticas in sua stabilitate tueri. Et ne fortè per * obliviones hominum, rerumque ac temporum mutabilitates, ea quæ pia consideratione gesta sunt, præcipuè per judicium diffinita, novis in posterum possint implicari calumpniis, auctenticorum scriptorum patrocinio communire. Cum autem inter nos et dilectum nostrum in Christo *Willielmum de Rupetra Lexoviensem* Episcopum, super jure et potestate ab antiquis temporibus antecessorum nostrorum in Civitate et Banlenca *Lexovien.* ad nos pertinente contentio verteretur, tandem ne quid de jure Episcopi et Ecclesiæ *Lexovien.* videretur nobis aliquatenus usurpasse, fecimus per multitudinem legitimorum et antiquorum Militum de vicinia illa juramentis interpositis recognosci, quantum juris ad nos in Civitate et in Banlenca prædicta, quantum ad ipsum Episcopum *Lexoviensem*, et quantum ad Militem quendam *Robertum* scilicet cognominatum *Vicecomitem* pertinebat, qui videlicet Miles Vicecomitatum sibi apud *Lexovium* hereditario jure competere asserebat. Recognitum est autem in Curia nostra coram nobis et Baronibus nostris per testimonia Decem et octo Militum juratorum, nos tantummodo tria placita quæ de Spata vocantur, in illa Civitate et Banlenca habere, videlicet de summonicione exercitus, De via Curiæ nostræ, et de moneta. Quæ etiam tria placita per manum dicti Episcopi vel Ballivorum suorum ante nos vel Senescallum nostrum ibidem inter assisas nostras debent adduci. Ita tamen, quod nihil de emendis alicujus istorum trium placitorum sibi posset Episcopus vendicare; Sed eas per manum ipsius vel Ballivorum suorum debemus habere. Et præter hæc tria placita nichil nobis juris in prædicta Civitate remanet aut Banlenca. Cætera autem omnia jura et placita, tam de Spata quam alia quibuscunque modis vel causis eveniant, cum eorum emendis ad Episcopum sine omni contradictione pertinent et querela. Recognitum fuit eciam per eosdem Milites, quod prædictus *Robertus* nichil juris vel hæreditatis habuit in prædicto Vicecomitatu. Ipsequa *Robertus* postmodum in Curia nostra coram nobis et Baronibus nostris remisit ipsi Episcopo et successoribus suis imperpetuum totum jus quod sibi vendicaverat et clamaverat in Vicecom. illo. Quare volumus et firmiter præcipimus, quod idem Episcopus et omnes successores sui libere habeant, teneant et possideant Civitatem et Banlencam suam cum omnibus immunitatibus suprædictis, absque omni molestia, gravamine et exactione per nos seu per ministros nostros ibi deinceps facienda, sicut superius in hac pagina prænotatum est.

* Which confutes the grounds, and shewes the absurdity of the New Popish Doctrine, of Oral Tradition.

King *John* having occasion to constitute a Proctor in the Court of *Rome*, as well to promote the affairs of the Emperour *Otho* his Nephew, as to prevent the malicious designs of the Bishop of *Senns* against him and his Realm, with whom he had a controversie, constituted *Peter Barell* his Proctor by this Charter.

Chart. 1. Johan. pars 1. dorso, m. 6. num. 16.

SAnctissimo Patri et Domino *Innocentio*, Dei gratia sanctissimo Summo Pontifici, et Dominis in Christo venerabilibus Episcopis, Presbyteris et Diaconis sanctissimæ Sedis Apostolicæ Cardinalibus, universisque has litteras inspecturis: *Johannes* ejusdem gratiæ dono Rex *Anglia*, Dominus *Hyberniæ*, Dux *Normanniæ*, *Aquitaniæ*, Com. *Andegaviæ* salutem. Super controversia quam *Hamelinus Senon.* Episcopus personæ nostræ et Regni persecutor publicus nititur intentare, dilectum et familiarem Clericum nostrum Magist. *P. Barell* loco nostro Procuratorem constituimus, et ejus objectionibus respondalem. Ratum habituri quicquid per *G.* ratione prima statuetur. Teste meipso apud *Rupem Aurinal.* 14 die *Januarii*.

* Chart. 1 Johan. pars 1. nu. 12. dorso. & pars 2. n. 3.

What monies the King borrowed of others for this Proctors accommodation at *Rome*, the * *Charter-Rolls* of that year record.

An. 3 Johan. *Regis.*

Tome 2. p. 234. after *Marcii*, insert; King *John* in the third year of his Reign by his Ecclesiastical Soveraignty licensed *Peter Builler* to enter into what Religion he pleased, by this memorable *Charter*.

a Pat. 3. Johan. m. 8. nu 32.

a REX, *&c.* Omnibus, *&c.* Sciatis nos dedisse licentiam *Petro Builler* transferendi se ad quam voluerit Religionem. Et inde has litteras nostras patentes

ei re-

ti relinquimus in teſtimonium. Teſte meipſo apud *Barnevill*, 29 die *Octobris*. *An.* 3 & 4 Joh. *Regis.*

The ſame year King *John* ſending two ſpecial meſſengers to *Rome*, to promote his Affairs there (where nothing could be procured without money) authoriſed them to take up 500 marks in *Silver* from any Merchants, which he obliged himſelf by this Patent to ſatisfie them.

J. Dei gratia, *&c.* Univerſis mercatoribus has literas inſpecturis, ſalutem. Noverit univerſitas veſtra quod nos latores præſentium, *Hugonem de Feritate* & *Rob. de Sablenc.* pro negotiis noſtris promovendis ad *Romanam* Curiam deſtinamus, et mercatoribus a quibus pecuniam uſque ad D. marcas argenti pro ipſis negotiis promovendis mutuo acceperint, ipſam pecuniam perſolvere tenebimur; & nos per præſentes literas principales ſuper hoc conſtituimus debitores, et terminum ſtatutum ſecundum conventionem inter prædictos Clericos noſtros et mercatores factam, illis qui præſentes litteras nobis vel mandato noſtro reddent, una cum literis prædictorum Clericorum patentibus, ſummam pecuniæ mutuo acceptæ, proteſtantibus prætaxatam pecuniam ex integro faciemus perſolvi. Teſte meipſo apud *Silham*, 6. die *Januarii*. Pat. 3. Regis Johan. m. 6. & 10.

After which follow three Obligations more, with two Sureties for borrowing and repaying this *D. marks* and *M. marks* more; for what end, unleſs to oppoſe the * Popes *proviſion* to the Biſhoprick of Saint *Davids*, or the † *Iriſh* Biſhops uſurpations in electing an Archbiſhop of *Armach* without his licenſe, againſt whom he appealed, I cannot conjecture.

* See Tom 2. p 234. to 238.
† Tom. 2. pag. 240.

The ſame year the King iſſued this Writ to the Barons of *Britain* to maintain the Counteſs of *Britains* Will, leſt the Pope by his uſurped authority, or ſome other ſhould ſeiſe upon her goods, belonging to him.

Johannes Dei gratia, *&c.* Bar. *Brit.* Mandamus vobis rogantes quod Teſtamentum *C.* quondam Comitiſſæ *Brit.* ſicut ipſa illud rationabiliter condidit, & ſecundum Deum teneri faciatis in his quæ ad nos pertinent, ne Dominus Papa vel alius ad hoc valeat manus apponere. Teſte meipſo apud *Hich.* 30 die *Jan.* Pat. 3. Regis Johan. m. 5.

The King the ſame year to ſecure himſelf againſt his enemies and the Popes uſurpations, entred into this offenſive and defenſive League with *Sancius* King of *Navarre*, againſt all perſons whatſoever (not excepting the Pope) ſave only the King of *Marocco*, not mentioned by any of our Hiſtorians.

Sancius Dei gratia Rex *Navar.* Omnibus Chriſti fidelibus ad quos litteræ iſtæ pervenerint, ſalutem & ſinceræ vinculum caritatis. Vobis omnibus præſentium ſignificatione facimus manifeſtari, quod nos facimus & firmamus pacem & veram amiciciam cum Domino *Johanne* illuſtri Rege *Angliæ* & ſucceſſoribus ejus, & ſuper Crucem & Evangelia ſancta Juramus, nos illam toto tempore vitæ noſtræ firmiter et fideliter ſervaturos. Juramus et firmamus, quod bona fide et ſine omni fraude dabimus eidem Regi conſilium et auxilium modis omnibus pro poſſe noſtro, tam per nos ipſos quam per homines et fideles noſtros, et cum pecunia noſtra contra omnes homines, ſolo Rege *Marroccorum* excepto; nec cum aliquo inimicorum prædicti Regis ſine conſenſu et voluntate ipſius pacem vel concordiam, aut Treugam aliquam faciemus. Ad majorem autem hujus rei memoriam & certitudinem, præſens inde ſcriptum fieri præcepimus, & ſigillo noſtro muniri. Et notandum, quod hæc Carta facta fuit apud *Chin.* 14. die *Octobris*, anno regni Domini Regis tercio, & liberata fuit in Camera *B.* Clerico, eodem die. Pat. 3. Regis Johan. m. 9.

The *French* King perfidiouſly breaking his Truce with King *John*, made in the firſt year of his reign, (endorſed on the † *Charter Roll*) to carry on that War, he not only demanded a Supply of monies from his Nobility and Clergy, but likewiſe from the * *Ciſtercian* Abbots; by this memorable Letter enrolled in his *Patent Rolls*.

† Chart 1. Johan. part. 1. dorſo.
* See Mat. Paris Hiſt. Angl. p. 201.

"REX, *&c.* Univerſis Abbatibus *Ciſtercienſis* Ordinis per *Angl.* conſtitutis, ſalutem. Diſcretionem veſtram nequaquam credimus ignorare, qualiter Rex *Franciæ* rupta fide fœderis & pacis inter nos initæ, contra multimoda Juramenta ſua et Cartas, nos nititur inſeſtare, & terras noſtras ad deſtructionem & direptionem ſecus quam deberet exponere. Unde quia ad defenſionem capitis, æquum eſt univerſalem membrorum ſubventionem accurrere; Univerſitatem veſtram rogandam duximus, quatinus vos qui de bonis et largitionibus prædeceſſorum noſtrorum fundati eſtis et ditati, ad tanti hoſtis propulſandam violenciam, gratuitum nobis et efficax conferatis auxilium. Ita quod vobis inde debeamus grates condignas impendere, & in his quæ à nobis duxeritis expetenda devotionem veſtram *An.* 4 Johan. *Regis.*
a Pat. 4 Johan. ſub nu 101

An. 4 Johan. *Regis.*

ſtram benignius expedire; Scituri pro certo, quod nos hujuſmodi ſubventionem a vobis impoſterum faciendam in conſequentiam non trahemus, immo et veſtra favorabiliori tuitionis præſidio manutenere curabimus et fovere. Et quid in hac parte duxeritis efficere, id nobis per dilectum & fidelem Clericum noſtrum *S.* Præpoſitum *Beverlaci*, quem ob hoc ad vos ſpecialiter duximus deſtinandum, quam citius ſcire faciatis: Cui etiam in his quæ vobis ex parte noſtra proponet fidem plenam adhibeatis. Teſte meipſo apud *Ar.* 11 die *Decembris.*

He alſo writ Letters in this form to the Abbots of the *Ciſtercian* Order throughout the Province of *York*, to lend him monies upon this occaſion, which he promiſed to repay them.

Pat. 4 Johan. m. 12. vel 13.

REX, *&c.* Univerſis Abbatibus de Ordine *Ciſtercienſi* per Provinciam *Eborum* conſtitutis, *&c.* Satis noſtis ſicut norunt univerſi, qualiter Rex *Francia* contra pacem inter nos factam, & Juramento & Cartis confirmatam, nos aliter quam deceret impugnat, & qualiter ad exhæredationem noſtram omnibus modis aſpirat. In hac autem neceſſitate tam veſtram quam aliorum fidelium noſtrorum nullatenus debet vel poteſt deeſſe ſubſidium. Rogamus igitur vos quatinus ſicut nos & honorem noſtrum diligitis, de pecunia ad opus noſtrum mutuo querenda, ſic, & cum tanta diligentia vos intromittatis, ut veſtram diligentiam nobis ſentiamus fructuoſam. Et vobis in agendis veſtris cum opus habueritis benignè & efficaciter ſubvenire debeamus; et nos dictam pecuniam in terminos quos ſtatueritis integre perſolvi faciemus, et in hujus rei teſtimonium has literas noſtras patentes fecimus. Teſte meipſo apud *Bonum Portum*, 6 die *Julii.*

Sub eadem forma ſcribitur Abbatibus ejuſdem Ordinis per Provinciam *Cant.* exceptâ hac clauſulâ poſt, faciemus: Et inde Dominum *Cant.* & *G.* fil. *Petri* Juſtic. noſtrum fidejuſſores conſtituimus; & in hujus rei, *&c.*

What ſucceſs theſe Letters had with theſe exempt covetous Abbots, I cannot reſolve; only I read, that this year, * Innocentius *Papa*, *cum ab Ordine* Ciſtercienſium *infinitam pecuniam ad iter Cruceſignatorum*, ut dixit, *ab occultandam ſuam avaritiam violenter exigeret*, a beata Maria, ejuſdem Ordinis advocata, nimis acriter correptus, ab hac quievit exactione, timore percuſſus. To which intended voyage all others contributed the 40th part of the Rents of all their Churches, *ad inſtantiam* Innocentii *Papæ*, when theſe *Ciſtercians* went ſcot-free.

* Mat Weſtm. An. 1101 p. 77. Mat. Paris, pag 200.

The ſame year the Church and City of *Rhoan* being conſumed with fire, King *John* granted them his Letters Patents for a liberal contribution throughout *England* towards the repair of that Church, principally for the Virgin *Maries* ſake, to whom it was dedicated, then †adored more than God himſelf: Of whoſe Image at *Sardenay*, and the oyl dropping out of it curing moſt diſeaſes, yea turning into fleſh and bloud, and of fleſhy Paps growing out of this her idolized Image; you may read at large in * *Matthew Paris*, if you dare credit the Miracle.

† See Tom. 2. p. 13 to 64.
* Hiſt. Anglix, An. 1204. p. 201, 202, 203. Mat. Weſtm. p. 80.

Pat. 4 Johan. m. 8.

REX, *&c.* Omnibus, *&c.* Ad veſtram credimus noticiam perveniſſe, qualiter Eccleſia *Rothomagenſis*, Mater Eccleſiarum *Normanniæ* & Magiſtra, cum tota Civitate flammis irruentibus ſit everſa. Nos autem tenerè diligimus & ſincerè, tum quia fratrum & amicorum noſtrorum ſepultura nobis eam venerabilem imperpetuum commendat, tum quia floret in ea beneficium Sanctorum, quorum meritis Regni noſtri & honoris proſperitas augeatur. Ea propter vos rogamus & exhortamur in Domino, quatinus nuncios ejus cum ad vos venerint benignè recipere, & efficaciter audire velitis, & eleemoſinas veſtras ad reparationem ejus intuitu Dei et beatæ Virginis, in cujus honore dedicata eſt, tranſmittere velitis formam & exemplum noſtris ſubditis nobiſcum pariter tribuentes, qui ei juxta Regiæ dignitatis munificentiam ſubvenimus. Talem igitur ad preces noſtras eiſdem Nuntiis liberalitatem impendatis, ut de impenſa veſtra merito noſtras preces ſibi gaudeant affuiſſe, & nos debeamus veſtram devotionem in Domino commendare. Prohibemus autem ne quis prædictis Nunciis injuriam inferat vel gravamen, & ſi quis eis in aliquo forisfecerit, id eis ſine dilatione faciatis emendari. Et duret iſta prædicatio à die Purificationis beatæ *Mariæ* Regni noſtri anno quarto, in duos Annos. Teſte meipſo apud *Rothomagum*, 16 die *Octobr.* *The firſt Patent of ſuch a Collection I have yet met with.*

Page 243. l. 11. King *John* having by his ſpecial Charter granted to *William* Biſhop of *London* (though he had Parks of his own) the *Tithe of all his Veniſon* taken in *Eſſex* for his own uſe; iſſued this Patent to his Foreſters to ſee it duly executed.

REX

[a] REX, *&c.* Omnibus Foreſtariis *Eſſex*, ſalutem. Præcipimus vobis, quod ſine impedimento faciatis habere venerabili Patri noſtro in Chriſto Domino *W. London* Epiſcopo, decimam venationis quæ capietur ad opus noſtrum in *Eſſex*, ſecundum tenorem Cartæ noſtræ quam inde habet, et prohibemus ne ſuper hoc verationem aut moleſtiam faciatis aliquam, aut fieri permittatis. *An.* 6 Johan. *Regis.* [a] Pat. 6 Johan. m. 10. nu. 25.

How ill this Beaſt of the Foreſt and fleſhly undutifull Prelate requited him for this ſpecial favour, in *interdicting his whole Realm*, and inciting the Pope to *excommunicate* and *deprive him of his Crown*, I have at large related in my * *Second Tome*. On whoſe behalf King *John* this year, as ſupreme Protector of the Church and Churches poſſeſſions, iſſued this Writ to ſeveral Sheriffs, to prohibit any perſon to intrude himſelf into any the Lands of this Biſhop of *London* or his Church without his licenſe or aſſent, and to remove all ſuch who had ſo intruded, out of poſſeſſion. * See there, p. 253, 268, &c.

REX, *&c.* Juſtic. Vicecom. *&c.* Sciatis quod nos prohibuimus ne aliquis mitteret ſe in feodum venerabilis patris noſtri in Chriſto *W. London.* Epiſcopi, vel in feodum Eccleſiæ ſuæ abſque aſſenſu & voluntate ipſius Epiſcopi, vel exempto vel vadio; Et adhuc prohibemus, ne aliquis de cætero in feodum ipſius Epiſcopi ſe ſic mittat; undè vobis mandamus & firmiter præcipimus, quod ſi aliquis inveneritis qui ſe abſque aſſenſu & voluntate præfati Epiſcopi in feodum ſuum vel Eccleſiæ ſuæ ità miſerit, et contra prohibitionem noſtram venerit, ipſum à feodo illo ſine dilatione expellatis, & omnem vim amoveatis, ita quod juſtitia noſtra in hac parte firmiter obſervetur, et prædicto Epiſcopo feodum illud in bona pace habere faciatis, ut inde facere poſſit quod facere debebit. Teſte *G.* filio *Petri*, apud Turrim *London.* tertio die *Novembris*, Anno, *&c.* ſexto. Pat. 6 Johan. memb. 10.

What favour and juſtice he likewiſe expreſſed to the Biſhop of *Chicheſter*, in aſſiſting him to recover all things alienated from his Church, in his own or the Kings Courts by the aſſiſtance of his Juſtices, this Patent will demonſtrate.

REX, *&c.* Omnibus, *&c.* Sciatis nos conceſſiſſe venerabili patri noſtro in Chriſto *Simoni Ciceſtrienc.* Epiſcopo liberam & plenam poteſtatem per has literas noſtras patentes, revocandi in Curiam ſuam per judicium Curiæ ſuæ, omnia alienata ab Epiſcopatu ſuo; Et ſi quæ loquelæ in Curia ipſius Epiſcopi motæ authoritate literarum iſtarum, tales fuerint, quod Curiam ſuam inde noluerit ponere in Curia noſtra ad habend. aſſenſum Juſtic. noſtrorum de judicio inde faciendo; concedimus quod eis in Curia noſtra ponat; præcipientes quod cum Juſtic. noſtri ſuper hoc requiſiti fuerint, non expectato alio mandato, ad audiendas loquelas illas & terminand. diligenter intendant, ſalvis in omnibus prædicto Epiſcopo miſericordiis & aliis inde provenientibus. Teſtibus Domino *H. Cantuar.* Archiepiſcopo, *G.* fil. *Petri* Com. *Eſſex.* Comite *W. Mareſcallo* apud *Oxoniam*, tertio die *Auguſti*, anno regni noſtri ſexto. Pat an. 6 Regis Johan, m. 10.

How ungratefully this undutifull treacherous Biſhop likewiſe recompenſed him for this favour, in interdicting his Realm, and inſtigating the Pope to excommunicate and deprive him, enforcing him to reſign his Crown, I have * elſewhere related. * Tom. 2. pag. 253. to 280.

The King having granted the Patronage of the Chappel of *Boſeham* within the Dioceſſe of *Chicheſter*, to the Biſhop of *Exon* and his Succeſſors, he thereupon claimed it to be exempt from the Biſhop of *Chicheſter's* former Juriſdiction: whereupon the King declared the contrary by this Patent, though he might have ſpecially exempted it from his Diocœſan Juriſdiction and Viſitation, had he pleaſed, as afterwards it was exempted. Pat. 6 Johan. Regis, m. 10.

REX, *&c.* Omnibus, *&c.* ſalutem. Licet Domino *Exon.* Epiſcopo quantum ad patronum pertinet dederimus Capellariam noſtram de *Boſeham*, nunquam tamen prætencionis aut propoſiti fuit dictam donacionem facere eo intuitu ut Juri Dioceſani Epiſcopi et Eccleſiæ *Ciceſtrienſis* in Eccleſia de *Boſcham* & ejus pertinenciis in aliquo præjudicaret, ſed ut ſalvum ſit eis jus ſuum in omnibus, id per præſentes literas noſtras patentes duximus proteſtandum. Teſtibus *W.* Comite *Sarum*, *Warino* fil. *Geroldi*, *Hugone* de *Nevill* apud *Newton* 27 die *Jan.* anno regni noſtri ſexto. Pat. 6 Johan. m. 10. n. 29.

How pious this King was, in offering one Ounce of *Gold* to GOD every Lords-day and Holiday, which the Archbiſhop of *Canterbury* then offered and diſburſed for him, or claimed as his fee, being allowed it in the Exchequer upon his account, theſe Records beſides others will inſtruct us,

REX,

An. 5 & 6 Joh. *Regis.*

Clauſ. 6 Johan. Regis, memb. 12.

REX, *&c.* Baronibus de Scaccario, *&c.* Computate Domino *Cantuar.* Archiepiſcopo in debito quod nobis debet, debita ſubſcripta quæ ei debemus de oblationibus noſtris quæ aretro ſunt; ſcilicet de die Sancti *Johannis Baptiſtæ*, anno regni noſtri ſexti 1 uncium Auri, de die Apoſtolorum *Petri* & *Pauli* proximò ſequenti 1 uncium Auri, de die Sancti *Petri ad vincula* proximò ſequenti 1 uncium Auri, de die Aſſumptionis beatæ *Mariæ* proximò ſequenti 1 uncium Auri, de die Nativitatis proximò ſequenti 1 uncium Auri, de die Sancti *Michaelis* proximò ſequenti 1 uncium Auri, de die *Omnium Sanctorum* ſequenti 1 uncium Auri. Teſte meipſo apud *Weſtmonaſterium*, primo die *Novembris*. *And*, Ibid. m. 22. nu. 228. Faciatis etiam ei computari in debito quod nobis debet debita ſubſcripta, quæ eis debemus de oblationibus noſtris quæ aretro ſunt; ſcilicet de die *Dominica in ramis Palmarum* anno regni noſtri quinto 1 uncium Auri, de die *Paſchæ* prox. ſequenti 1 marc. Auri, de die *Aſcenſionis Domini* prox. ſequenti 1 unc. Auri. Teſte meipſo apud *Mereton*, 14 die *Junii*.

An. 5 Johan. *Regis.*

Ibid. m. 11.

Tom. 2. p 241. l. 8. after *Conſtitutis*, ſubjoyn; This year the men of *Holderneſs* refuſing to pay their *Traves* due to S^t. *John* of *Beverly* out of their ploughed lands to the Farmer of them, as they did to the Provoſt and Chapter before, the King by his Prerogative iſſued this Writ to the Sheriffs of *York* to ſeiſe the perſons and goods of thoſe the Provoſt and Chapter ſhould excommunicate, and detain them till payment, ſince he and his Tenants duly payd them out of his and their demeſnes.

Pat. 5 Johan. Regis, mem. 5.

REX, *&c.* Juſtic. *Angl.* & Vicecomitibus *Ebor.* ſalutem. Mandavimus omnibus hominibus de *Holderneſs*, firmiter præcipientes, quod ſine contradictione & difficultate reddant de Carrucis ſuis ad hoſtia Grangiarum ſuarum travas Sancti *Johannis Beverlac.* per manum propriam, vel ſervientium ſuorum, ſicut facere ſolebant antequam travæ illæ datæ eſſent ad firmam, cum & ſic nos faciamus de Dominicis noſtris in *Waldo*, & homines de *Waldo* ſimiliter tam in Dominicis noſtris quàm alibi; quod ſi non fecerint; mandamus vobis & præcipimus, quatinus vos vel alter veſtrum qui prius indè requiſitus fuerit, eorum corpora et catalla capi faciatis, quos Præpoſitus & Capitulum *Beverlac.* vobis propter hoc denunciarunt excommunicatos, et tamdiu incarceratos, ſecundum conſuetudinem *Angliæ* et libertatem *Beverlac.* Eccleſiæ teneri faciatis, donec prædictis Præpoſito et Capitulo inde fuerit plene ſatisfactum. Teſte Domino *W.* Arch. *Roth. W.* Com. *Arundel*, *W. de Prunos* apud *Roth.* 9 die *Novembr.* Anno regni noſtri quinto.

An. 6 Johan. *Regis.*

Clauſ. 6 Johan. Regis, m. 6.

Geofry Fitz-Peter the Kings Chief Juſtice and Counſellor having formerly taken the Croſs upon him for the Holy land, being ſummoned by the Pope to go in that ſervice, King *John* becauſe he could by no means ſpare him in regard of the preſent ſtate of his affairs and Realm, by reaſon of wars and inſurrections, ſent this Letter to the Pope to reſpit his voyage thither for 4 or 5 years.

REverendiſſimo patri in Chriſto, *&c. J.* Dei gratia ſummo Pontifici, *&c. J.* Dei gratia Rex *Angl.* &c. & debitam ac devotam in omnibus reverentiam. Quoniam in tali ſumus ſtatu, quod grave eſſet nobis fideles noſtros qui nobis familiarius adhærent, et de quorum fidelitate non dubitamus, et per quorum conſilium terra noſtra regi debet et defendi, maxime quia dies mali ſunt, et de die in diem viſum fuit tranſfugis fraudulenter et doloſe a fidelitate et ſervicio noſtro recedere, et in nos inſurgere, per quod ſtatus terræ noſtræ, ſicut novit Sanctitas veſtra, turbatur. Excellentiæ veſtræ, ea qua poſſumus devotione ſupplicamus, quatinus habita conſideratione ad ſtatum noſtrum, differre velitis uſque ad quatuor vel quinque annos peregrinationem dilecti et fidelis noſtri *G.* fil. *Petri* Juſtic. noſtri Cruceſignati, cujus præſentia nobis et terræ noſtræ ita eſt neceſſaria quod eo nullatenus carere poſſumus, et nos, Domino dante, tam ipſum quam alios Cruceſignatos in terr. *Jeruſal.* mittemus ſicut terræ redierint; moveat igitur et ad hoc inducat paternitatem veſtram ſtatus noſtri conditio, ita quod vobis proinde merito grates ſcire debeamus. Teſte meipſo apud *Winton.* 14 die *Novembris*.

Tom. 2. pag. 243. lin. 11. after *age*, ſubjoyn; I find by theſe three Writs in the Clauſ-Roll of *Anno* 6 of King *John*, that as the King ſeiſed the Biſhop of *York's* Temporalties, and impriſoned two of his ſervants for denying and oppoſing the Sheriff of *York* in levying in his *Eſcuage*; ſo upon his ſubſequent ſecurity to pay it, he ordered his Temporalties to be reſtored, and that he might levy *Eſcuage* from his Tenants

nants by Knights ſervice, and enlarged his ſervants upon bayl to appear and render themſelves to Juſtice before him when he ſhould come into thoſe parts. *An.* 6, 7 & 8 Joh. *Regis.*

PRæceptum eſt Vicecomiti *Glouc.* quod faciat habere Domino *Eborac.* Archiepiſcopo plenariam ſeiſinam de omnibus terris ſuis in Balliva ſua cum pertin. quæ ſeiſitæ fuerunt in manum Domini Regis, occaſione ſcutag. quod ipſe debet Domino Regi. Per Juſtic. Clauſ 6 Iohan. Regis, memb. 14.

REX, *&c.* Vicecomiti *Leyceſtr.* &c. Præcipimus tibi, quod ſi Archiepiſcopus *Eborac.* te ſecurum fecerit reddendi ſcutagium quod ipſe nobis debet, tunc diſtringas omnes Milites & liberè tenentes in Balliva tua, quod ſine dilatione ei reddat ſcutagium quod ei facere debent, & facere conſueverunt de tenementis quod ipſi de eo tenent. Teſte *G.* filio *P.* apud *Waltham* 13 die *Octobris.*

REX, *&c.* Vicecomiti *Eborac.* &c. Præcipimus tibi, quod replegiari facias per bonos et ſecuros pleg. Domino Archiepiſcopo *Eborac. Warinum* et *Mall.* homines ſuos qui ſunt in priſona noſtra, ita quod eos habeat coram nobis cum venerimus in partes illas ad ſtand. recto in eo ſtatu quo modo ſunt. Per *G.* fil. *Petri.*

Moreover King *John* out of his piety, to prevent prophaneſs of the Lords-day, the ſame year removed the Market of *Launceſton* from the Lords-day, whereon it was formerly kept, to the Thurſday, as this Record atteſts. *An.* 7 Johan. *Regis.*

HOmines de *Lanſtaveton* dant 5 marc. per ſic, quod Mercatum de *Lanſtaveton* quod eſſe ſolet per diem Dominicum, fiet per diem Jovis. Ita tamen quod non ſit ad nocumentum vicinorum Mercatorum. Et mandatum eſt Vicecomiti, quod ſic ita faciat. Rot. Fin. 7 Ioh pars 1. m. 12. Cornub.

King *John* ſending for the Prior of *Bath* and Canons of *Wells*, who differed about the election of their Biſhop, in the ſeventh year of his Reign, to the Court at *Nottingham*, and after that to *Windſor*, to make an election of a new Biſhop, where they attended the Kings leiſure, and at laſt elected * *Joceline*, whom he recommended; (who yet afterwards proved a Traytor to him, *interdicting* the Realm and flying out of it to *Rome* with other Biſhops who joyned with him in that *Interdict*) he allowed them twenty Marks out of the Temporalties of the Biſhoprick for their expences, as this Writ teſtifies; and for their Committees entertainment of him one night at *Glaſton* and another night at *Pilton*.

* See Godwins Catalogue of Biſhops, pag. 296. Here, Tom. 2. pag. 253.

REX, *&c.* Baronibus, *&c.* Computate *H.* Archid. *Wellen.* & *W.* de *Wrotham* Archid. *Tanton.* Cuſtodibus Epiſcopatus *Bathon.* de exitibus Epiſcopatus *Bathon.* xx. marcas, quas liberaverunt Priori *Bathon.* et Canonicis *Wellenſis* Eccleſiæ, ad expenſas ſuas veniendo ad nos apud *Notingh.* et apud *Windleſore*, et in mora eorum in Curia noſtra ad electionem Epiſcopi faciendam; & *xxv.* ſol. liberatos Magiſtro *Rogero* nepoti Decani *Well.* de termino Sancti *Mich.* & *xxv.* ſol. liberatos *Thomæ Turnay* de eodem Termino, & *xij. ſ. vj. d.* liberatos *Herveo de Traſcy* de eodem termino de præbendis ſuis, quas habuerunt ante tempora *S.* quondam *Bathon.* Epiſcopi, & *xiij. l.* & *xvij. ſ. iij. d.* & ob. in expenſa noſtra apud *Glaſton* per unam noctem, & apud *Pilton* per aliam noctem, & *xl. d.* liberatos *H.* Archid. *Wellenſi* de redditu ſuo antiquo de *Glaſton*. Teſte meipſo apud *Windleſore* 4 die *Novembris.* Clauſ. 7 Iohan. Regis, m. 10.

King *John* being informed that his Archbiſhops, Biſhops and Clergy intended to hold a Council at Saint *Albans* by the authority and command of Pope *Innocent* the third, about the payment of *Romeſcot* againſt cuſtom, and ſundry other unuſual exactions, to the great deſtruction not only of the Laity, but of the whole Realm, and derogation of his prerogative Royal, in ſummoning *Councils* within his Realm, notwithſtanding the reverence he bare to his faith and the Pope, upon complaint thereof by his Nobles and people, iſſued this memorable Prohibition to them, expreſly forbidding them upon their Allegiance, not to hold any *Council* there by the Popes or any other authority, nor to conſult or treat of thoſe things, nor to act or ordain any thing againſt the cuſtom of the Realm, as they endred him or this honour, or tranquillity of the Kingdom, until he conferred with the general Counſil of his Realms about it.

REX Archiepiſcopis, Epiſcopis, Abbatibus, Archid. et omni Clero apud *S. Albanum* ad Concilium convocato, ſalutem. Conquerente univerſitate Comitum, Baronum, Militum et aliorum fidelium noſtrorum audivimus, quod non ſolum in laicorum gravem perniciem, ſet eciam in totius regni noſtri intollerabile diſpendium ſuper *Romſcote* præter conſuetudinem ſolvendo, et aliis pluribus inconſuetis exactionibus, auctoritate ſummi Pontificis conſilium inire; et Concilium celebrare decreviſtis; Nos vero licet ob honorem fidei noſtræ, et debitum reverenciæ quam *An.* 8 Johan. *Regis.* Pat. An. 8 & 9 Ioh. Regis, num. 3.

An. 8 & 9 Joh. *Regis.*

Sanctæ *Romanæ* Eccleſiæ impendere tenemur, voluntati ejuſdem patris noſtri Domini Papæ *Innocentii* optemperare cupiamus, tamen omittere non poſſumus quin querelis fidelium et ſubditorum noſtrorum clamantium, et de jactura ſua ſibi timentium, prout neceſſe eſt, ſubveniamus, et emergentibus cauſis quæ indempnitati pacis et unitatis regni noſtri obviare poſſunt, qua decet celeritate et diligencia occuramus. Vobis igitur præcipe mandamus, et exprecſe prohibemus, ne ſuper prædictis, vel aliquibus aliis Concilium aliquod auctoritate aliqua, in fide qua nobis tenemini, teneatis, vel contra regni noſtri conſuetudinem aliquid novum ſtatuatis, ſed ſicut nos et honorem noſtrum, et communem regni tranquillitatem diligitis, a celebracione hujuſmodi Concilii, et a prædictis tractatibus ad præſens ſuperſedeatis, quouſque cum univerſitate noſtra ſuper hoc colloquium habuerimus: Scientes pro certo, quod expediet honori Sanctæ *Romanæ* Eccleſiæ, et Domino Papæ, et nobis et vobis, quod iſtud ad præſens negotium differatur, donec generalem habuimus conferenciam quomodo poſſit commodius et honeſtius explicari: et quod vobis hæc mandamus, pro honore et commodo ſacroſanctæ Eccleſiæ, et noſtro, et regni noſtri id facimus: Quia talia audivimus, quod hæc ita fieri neceſſario expedit, ſicut vobis dicemus cum vobiſcum locuti fuerimus. Teſte meipſo apud *Ebor.* 26 die *Maii*.

See Mat. Paris, Hiſt. Angl. p. 281.

The Archbiſhops, Biſhops, Abbots, Priors and Great men of *England* having granted King *John* an Ayd for defence of the Realm againſt his enemies, and recovery of his Rights in *France*, ſent this Writ to the Archdeacons, Official, and all the Clergy of the Province of *Canterbury* to do the like, and each of them to ſet down the particular ſumm he would give.

Pat. 8 & 9 Iohan. Reg. n. 2.

REX Archid. et Officiali, et toto Clero Archiepiſcopatus *Cantuar.* ſalutem. Noſtis ſatis quod Archiepiſcopi, Epiſcopi, Abbates, Priores, & Magnates regni noſtri auxilium nobis fecerint ad defenſionem regni noſtri, et recuperationem terrarum noſtrarum; verum quia de vobis confidimus, quod nos et honorem noſtrum diligitis, et defenſionem regni noſtri, et recuperacionem terrarum noſtrarum affectatis, vos rogamus attencius, quatinus tale auxilium nobis exemplo veſtro ex parte noſtra faciatis, ut inde grates vobis ſcire debeamus; et quod alii rectores Eccleſiarum vicini veſtri ad auxilium nobis faciendum exemplo veſtro facilius invitentur. Et quantitatem auxilii quod nobis quilibet veſtrum facere voluerit, quilibet veſtrum ſeparatim inbreviari faciatis; Ita quod per ipſos infra Octabas ſanctæ *Trinitatis* inde poſſimus certificari. Teſte meipſo apud *Ebor.* 26 die *Maii*.

* See Tom. 2. p. 240, 241.

King *John* having ſeiſed and detained in his hands the Temporalties of the Archbiſhoprick of *Armach* in *Ireland*, for that the Archbiſhop was * elected without his licenſe, againſt his will, and Appeal; two Monks coming to him, proffering him 300 Marks a year in Silver, and 3 Marks a year in Gold for to have the lands, liberties and rights thereof; he returned them to his Chief Juſtice there, to do what was fitting in it, by this Writ.

Pat. 8 & 9 Johan. m. 3. dorſo.

REX Juſtic. *Hibern.* &c. Sciatis quod *Benedictus* Monachus, & Frater *Giraldus de Mellifonte* venerunt ad nos, et obtulerunt nobis pro Archiepiſcopo *Armach.* ex parte ſua CCC. marc. argenti, et tres marc. auri, pro habendis terris et libertatibus quæ recognitæ fuerunt eſſe jus Eccleſiæ *Armach.* coram *Hamone de Valoniis*, quondam Juſtic. *Hiberniæ*; unde vobis mandamus, quod faciatis inde ſecundum ſtatum terræ noſtræ, & ſecundum quod tempus ſe habet, ſicut nobis videritis expedire. Et ſciatis, quod mandavimus *Hugoni de Laſcy*, quod faciat de terris prædictis id quod ei ex parte noſtra dicetis. Teſte Domino *P. Wint.* Epiſcopo apud *Cliton.* 30 die *Auguſti*, anno regni noſtri 8.

John Reumond coming from *Rome* to lay claim to a Prebendary in *Haſtings*, ſued to the King for his licenſe and ſafe conduct to come into and return from *England*; which he granted upon this condition, that upon his arrival he ſhould give ſecurity, that he came hither for no ill to the King, nor for any other buſineſs but that Prebendary.

Pat. Annis 8 & 9 Johan. Regis, m. 5.

REX omnibus, *&c.* Sciatis quod dedimus *Johanni Reumond* licenciam & ſalvum conductum veniendi in *Angliam* propter Præbendam de *Haſting*, quam dicit eſſe ſuam, & revertendi, data ſecuritate ubi applicuerit, quod propter malum noſtrum non veniet in *Angliam*, nec propter aliud quam propter Præbendam illam. Et duret conductus iſte a die Sancti *Johannis Baptiſtæ* in 15 dies. Anno regni noſtri 8. Et in hujus rei teſtimonium, *&c.* Teſte Comite G. filio *Petri* apud *Winton.* 14 die *Maii*.

The like licenſe he granted to the Archbiſhops brother *Simon Langton*, upon the ſame and ſtricter conditions.

REX

REX Magiſtro *Simoni de Langeton*, ſalutem. Sciatis quod conceſſimus, quod vos et veſtri qui vobiſcum venient, Salvo veniatis in *Argl.* ad loquendum nobiſcum, ſicut continetur in literis noſtris patentibus de Conductu quas vobis mittimus; Ita tamen, quod coram Abbate de *Bixedon* ſecuritatem faciatis, quod nec vos, nec veſtri qui vobiſcum venient, aliquid facietis in hoc itinere in terra noſtra, per quod aut nobis, aut regno noſtro malum aut dampnum poſſit evenire, et quod tantum de loquela quæ eſt inter nos et fratrem veſtrum tractabitis, et de nulla alia. (*So ſuſpitious was the King of all Nuncioes and others coming from* Rome, *that they had ſome ill deſigns to the hurt and damage of him and his Kingdom, which he had then found by wofull experience.*) *An.* 8 & 9 Joh. *Regis.* Clauſ. 9 Joh. Regis, m. 8.

What allowances the King made this year to his Chancellor for Gold for his Oblations; this Record will inform us.

REX *W.* Theſaurario, & *G.* & *R.* Camer. *&c.* Liberate de Theſaur. noſtro dilecto & fideli noſtro *W. de Gray* Cancellar. noſtro pro Oblationibus noſtris quæ ei retro ſunt; ſcilicet de die *Omnium Sanctorum*, anno regni noſtri nono, 15. ſol. pro una uncia Auri; de die *Natal. Domini* proximo ſequenti, 18. marc. pro duabus marc. Auri; de die *Circumciſionis Domini*, 15. ſol. pro una uncia Auri; de die *Epiphan. Domini*, 15. ſolid. pro una uncia Auri. Teſte meipſo apud *Lambh.* 22 die *Jan.* anno regni noſtri nono. *Per Rich. de Mariſco.* Ibid. m. 9.

Tom. 2. p. 246. l. 28. after *aſſent*, adde; This appears to be the buſineſs, by this memorable Letter ſent by King *John* to the Pope by ſpecial meſſengers, to claim and juſtifie this antient undoubted right which he and his Royal anceſtors enjoyed, to provide and prefer Archbiſhops and Biſhops to the See of *Canterbury* and all other Cathedrals, atteſted by the Letters of the Biſhops of *England* and other credible perſons, deſiring him to preſerve the rights of the Church and Realm of *England* entire and inviolable by his fatherly proviſion.

SAnctiſſimo patri & Domino *J.* Dei gratia ſummo Pontifici, *J.* eadem gratia Rex *Angl.* &c. Deſtinamus ad pedes Sanctitatis veſtræ latores præſencium nuncios noſtros, attencius rogantes, quatinus dignitates noſtras quas nos et anteceſſores noſtri habuimus ſuper proviſionibus tam Eccleſiæ *Cant.* quam aliarum cathedralium ſedum, quod vobis per litteras Epiſcoporum *Angliæ* et aliorum fide-dignorum conſtare poterit, integras et illæſas conſervare velitis, et Eccleſiæ *Anglicanæ* et regno in arto conſtitutis paterna proviſione providere. Teſte *G.* filio *Petri* Comite *Eſſex.* apud *Porec.* 26 die *Maii.* Pat 8 & 9 Johan Regis, nu. 18.

Who the Nuncioes were the King then ſent, what ſumms of money he allowed them to take up from Merchants, and how to ſecure their payment, theſe following Records will fully inform us; by the latter whereof it will appear what their expences, bribes, penſions payd to the Popes and Cardinals Nephews and Officers at *Rome*, were, in that and their former journey thither. Pat. 8 & 9 Johan. Regis, n. 5. m. 3.

REX omnibus Mercatoribus, *&c.* Sciatis quod quicumque accommodaverit dilecto & fideli noſtro *H.* Abbati de *Bello loco*, quem pro negociis noſtris ad Curiam *Romanam* mittimus, pecuniam uſque ad ſummam *xl.* marcarum, nos ei vel certo nuncio ſuo litteras iſtas ad nos deferenti cum litteris ipſius Abbatis præſtitum id teſtificantibus, pecuniam illam perſolvemus, & ad hoc per has litteras noſtras patentes nos obligamus. Teſte *P. Winton.* Epiſcopo apud *Niorc.* 25 die *Auguſti*, anno, *&c.* 8.

REX omnibus Mercatoribus ad quos, *&c.* Sciatis quod quicumque mutuo tradiderit *H.* Abbati *Belli loci*, & *Thomæ de Ardinton*, & *Amfredo de Dene*, nunciis noſtris, quos miſimus ad Curiam *Romanam* pro negociis noſtris, quingentas marcas; nos ei vel nuncio ſuo has litteras noſtras referenti una cum litteris prædictorum nunciorum teſtificantibus ſummam illius mutui, eas plenè perſolvemus; & ad hoc nos obligamus per has litteras noſtras patentes. Teſte Domino *P. Winton.* Epiſcopo apud *Rokingham* 20 die *Febr.* anno regni noſtri 8. Et injunctum eſt *Thomæ de Ardinton* & *Anfredo de Dene*, qui habent in hac forma quatuor paria Cartarum, ſingulas de D. marcis; ita quod per totum ſunt M. M. marcæ: quod nichil inde expendant ſicut diligunt corpora ſua, ante conſummacionem negocii pro quo remittuntur ad Curiam: Et debent reddere Juſtic. Cartam de M. marcis de priore Itinere ſuo, in quo tulerunt Cartas de M. M. M. marcis, et non expenderunt per totum niſi M. M. marcas, et 25. marc. vacatis inde 30. marc. de uno anno de feodo *P.* fil. *Ric.* fratri Domini Papæ, et *O. Hannibal* 60. marc. et ad dict. termin. caſſand. de 50. marc. et repoti Domini *Port.* de 20. marc. Et præceptum eſt Juſtic. quod Cartam illam affe- Quatuor Cartæ miſſæ ad Cur. Roman. pro mutuo, M. M. marcarum, per Tho. de Ardinton & Anfredum de Dene.

An. 9 Johan. *Regis.* rat Regi; & præceptum eſt *Thomæ de Hardinton* quod Cartam nepotis Domini *Port.* quæ liberetur antequam, nomen inſerebatur, (afferat) quoniam nomen neſciebatur cum Carta ſcripta fuit.

The King granted this licenſe to the Executors of the Biſhop of *Chicheſter* to adminiſter his moveables according to his Teſtament under ſeal, except the ſtock, chattels and goods on his Temporalties, and one Legacy.

Clauſ. 9 Johan. Regis, m. 14. REX Magiſtro *Roberto* de *Glouc.* &c. Cuſtodibus Epiſcopatus *Ciceſtr.* &c. Mandamus vobis quod permittatis, quod executores Teſtamenti Domini *H.* Epiſcopi *Ciceſtr.* exequant Teſtamentum ipſius juxta tenorem autentici ſcripti ſui à quo ſigillum ſuum dependet, de rebus ſuis mobilibus; ſalvis inſtauris, et aliis catallis et rebus quas invenit in eadem Epiſcopatu, et ſalvis centum marcis quas legavit pro anima Domini *H.* quondam Archiep. *Cant.* Teſte meipſo apud *Herpet*, 16 die *Septemb.*

Tom. 2. p. 254. l. 22. after *Worſhip*, adde; Amongſt others, I find theſe Writs of the King for ſeiling, ſequeſtring and committing all the Mannors, Lands, Chattels and goods of the Biſhop of *Coventry*, Abbots, Priors, Religious perſons and Monks within the County of *Derby*, and all the lands of the *Templers*, for ſubmitting to the Popes and Biſhops Interdict of the Realm, and not celebrating Divine ſervice, as the King enjoyned them.

Clauſ. 9 Johan. Regis, m. 4. REX Vicecomiti *Derby*, ſalutem. Præcipimus tibi quod liberes *Thomæ de Ardinton* omnia maneria Epiſcopi *Coventr.* quæ ſunt in Balliva tua, cum omnibus in eis inventis, et omnes terras et res Abbatum, Priorum, Religioſorum et Clericorum de Balliva tua, ad faciend. inde præceptum noſtrum; ita tamen quod nobis ſcire facias quæ ei liberaveris, & quæ receperit. Teſte meipſo apud *Cler.* 21 die *Marcii.*

Ibidem. REX, *&c. G. de Atyes, &c.* Sciatis quod comiſimus *G.* fil. *Petri* Juſtic. noſtro, omnes terras, redditus et res fratrum Militiæ Templi in *Angl.* quæ ſeiſiti fuerunt in manum noſtram, occaſione interdicti; Quia ipſe nobis inde reſpondebit: & ideo tibi præcipimus quod omnia prædicta in Balliva tua ei habere facias. Teſte meipſo apud *Sutton* 9 die *Aprilis.*

Moreover, he commanded all the Prebendaries of the *Romans*, *Lombards* and *Cardinals* to be ſeiſed; and ordered the Farmers to pay their Rents to him, or where he ſhould appoint, at the terms reſerved in their Leaſes, as theſe Writs aſſure us.

Cl. 9. Johan. Reg. m. 3. REX *Roberto de Veteri Ponte*, &c. Sciatis quod conceſſimus quod Præbendæ *Romanorum* et *Lombardorum* in Eccleſia *Eborum*, liberentur Firmariis qui eas tenuerunt, ad reſpondendum nobis, vel ubi illos attornabimus de firmis quas inde reddere conſueverunt, et ad eoſdem terminos ad quos illas reddere ſolebant. Et ideo vobis mandamus, quod accepta ſecuritate à prædictis Firmariis de firmis illis reddendis, nobis vel ubi illas attornabimus ad terminos ad quos illas reddere ſolebant, prædictas præbendas illis liberari faciatis, et illos eas bene et in pace per prædictas firmas tenere permittatis. Teſte meipſo apud *Notingh.* 15 die *Auguſti.* Per ipſum Regem.

Cl. 9 Johan. Regis, m. 15. REX *Briano de Inſul.* Mandamus vobis quod permittatis Priorem de *Novo loco* tenere Præbendam de *Exſton* ad firmam, ſicut eam tenuit de *Gregorio* Cardinali *Romano*; ita tamen quod nobis de firma illa reſpondeat. Teſte meipſo apud *Ludeham*, 14 die *Auguſti.*

Tom. 2. p. 254. l. 52. after *reſpondebat*, add; On the contrary the King likewiſe iſſued this Writ for the reſtitution of the Lands, rents; and protection of the perſons and goods of the Biſhop of *Bath*, his Canons, Monks and Clerks, who conformed to his Royal *Writs* and commands, and ſaid Divine Service notwithſtanding the Popes *Interdict.*

Clauſ. 9 Johan. Regis, m. 3. REX *G. de Aties*, &c. Scias quod reddidimus Venerabili patri noſtro *J. Bath.* Epiſcopo omnes terras & tenementa, redditus & priſones quæ ad ipſum & Cathedrales Eccleſias ſuas pertinent. tam Canonicorum quam Monachorum, & omnes terras & tenementa, redditus & priſones eorundem Canonicorum & Monachorum, & etiam Clericorum qui de advocatione ipſius Epiſcopi, vel prædictorum Canonicorum, Monachorum & de feudis ſuis tenentur, adeo integrè cum omnibus pertinentiis ſuis, ſicut ea habuerunt ante Interdictum. Et ideo tibi præcipimus, quod omnia prædicta quæ ſunt in Balliva tua ei ſine dilatione haberi facias, et ſi quid inde amotum fuerit poſtquam occaſione interdicti in manum noſtram capta fuerunt, id eis ſine dilatione reddi facias. Et præterea reddi facias eidem Epiſcopo omnes oblationes integre

integre quæ pertenerunt, et receptæ vel arrestatæ sunt a tuis in Balliva tua post interdictum. Et prohibeas omnibus in Balliva tua, quod sicut corpora sua diligunt, malum non faciant nec dicant viris religiosis vel Clericis de Episcopatu *Bathon.* set eis firmam pacem nostram portent. Teste meipso apud *Merleb.* 10 die *Aprilis.* *An. 9 & 14 Joh. Regis.*

Yea he was so zealous to protect all such dutifull, loyal, religious persons, Clerks, from violence by any of the Popes Instruments or others, that he commanded the Sheriffs to make this publike proclamation throughout their Counties by way of terror; that he would hang up any on the next Oak that should be attainted of doing or speaking any evil against them contrary to his protection.

PRæcipimus tibi, quod clamari facias sine dilatione per Com. tuum, quod nulli sicut diligunt corpora et catalla sua, malum faciant vel dicant viris religiosis, vel Clericis, contra pacem nostram. Et si quem inde attingere possumus, ad proximum quercum suspendi faciemus. Teste meipso apud *Merleberg*; 11 die *Aprilis.* Clauſ. 9 Joh. Regis, m. 3.

The like restitution and protection he granted by several Patents, to *William* Priest of *Bradewater*, *William de Wrotham* Archdeacon of *Taunton*, the Abbot of Saint *Edmund*, the Canons of *Exeter*, and sundry others. Ibid. m. 3, 5. 7, 8, 9.

The Church of *Exeter* wanting a Bishop during the Interdict, the King out of his piety and Ecclesiastical soveraignty, sent the Archbishop of *Armach* Primate of *Ireland*, thither, to execute his Episcopal Office in that Bishoprick, giving order to defray his expences out of the Mannors of the Bishoprick, as this Writ records.

REX Custod. Episcopatus *Exon.* &c. Sciatis quod misimus venerabilem patrem *E. Armachan.* Archiepiscopum et *Hiberniæ* Primatem, ad exequendum Episcopale officium in Episcopatu *Exon.* Et ideo vobis mandamus, quod cum contingerit ipsum facere transitum per dominica maneria Episcopatus, inveniatis ei rationabile esturerium suum cum sex equis: et computabitur vobis ad Scaccarium nostrum. Teste meipso apud *Divis.* 19 die *Julii.* Cl. 9 Johan. Reg. m. 3.

Thus did the King provide for his peoples souls, which the Pope and Bishops who interdicted the Realm endeavoured to starve and destroy, by interdicting all Divine publick worship, Service and Sacraments.

Moreover, the King the same year soon after the Interdict, by his Ecclesiastical prerogative, nominated and sent a Bishop into *Ireland* to the Bishoprick of *Limerick* then void, commanding his Justice of *Ireland* first to invest him therein, and then to induce the Clergy thereof to elect and receive him for their Bishop; as this Record assures us.

REX *M.* Justic. *Hybern.* &c. Sciatis, quod concessimus Magistro *Gaufrido* Personæ Ecclesiæ de *Dungarvan* Episcopatum *Lymeric.* qui vacat: Et volumus et assentimus, ut præficiatur Episcopus Ecclesiæ *Limericensi:* Et ideo vobis mandamus, quod Episcopatum illum ei habere faciatis, et moneatis et inducatis Clerum illius Episcopatus, quod ipsum eligant et recipiant in Episcopum. Teste meipso apud *Frigidum Mantellum*, 5. die *Decemb.* Cl. 9 Johan. Reg. m. 11.

The loss of all Charter, Clause, Patent and Fine-Rolls of King *John*, from *Anno* 9. till 14. of his Reign, have deprived us of sundry occurrences during those years.

Tom. 2. p. 268. l. 55. after *Anglia*, adde. The *Archdeaconry* of *Stafford* becoming voyd by the Election and confirmation of * *Henry London* Archdeacon thereof to the Archbishoprick of *Dublin* by the Kings nomination and consent during the Interdict, the King granted it by this Patent to *Robert de Glouceſter.* *An. 14 Johan. Regis.*

* Mat. Westm. An. 1213. p. 94.

[a] REX omnibus Decanis, Personis, Vicariis & Clericis in Archidiaconatu *Stafford.* constitutis, salutem. Sciatis quod concessimus intuitu Dei, & quantum ad nos pertinet dedimus dilecto Clerico nostro Magistro *Roberto de Glouceſtr.* Archidiaconatum *Stafford.* cum omnibus pertinentiis suis, qui fuit dilecti nostri *H. Dublin.* electi, qui in Archiepiscopum est confirmatus, & qui ad nostram spectat donationem, ratione Episcopatus *Ceſtrensis* vacantis et in manu nostra existentis: Et ideo vobis mandamus, quatenus ei tanquam Archidiacono vestro sitis in omnibus quæ ad officium suum pertinent intendentes & obedientes. Et in hujus rei testimonium has literas nostras Patentes vobis mittimus. Teste meipso apud *Windleſor*, 5. die *Marcii.* Per Dom. *Winton.* Episcopum, & per Consilium. [a] Pat. 14 Joh. Reg. m. 2.

In which Patent there are 4. points observable; 1. That by an *English* Archdeacons taking an Archbishoprick in *Ireland*, his Archdeaconry in *England* became voyd in Law even in K. *John*'s reign, upon his confirmation before his consecration. * See Crooke 2 Report, p. 691. Woodlyes case.

2ly. That

An. 14 & 15 Joh. *Regis.*

† Vid. ibid. 41 E. 1. 11 H. 4. 37. Brooke Presentment, al Esglise. 3, 14, 48, 50, 61. 17 E. 3. 40. a.

2ly. That the King claimed the right of granting this Archdeaconry upon his translation to the Archbishoprick, only by reason of the Bishoprick of *Chester's* vacancy, to whom the patronage belonged; † not by reason of his Translation: Of which there are many like presidents in antient Records. 3ly. That he granted it by way of collation, not presentation. 4ly. That during King *John's* Excommunication, and his Kingdoms Interdict by the Pope, there are above one hundred presidents of his presenting Clerks to Benefices, Archdeaconries, Prebendaries belonging to vacant Bishopricks, Abbies, and others, which he seised into his hands for the Treasons or Contempts of the Archbishop, Bishops, Abbots and Clergymen, who interdicted and fled out of the Realm, or submitted to the Interdict, as likewise sundry Licenses granted by him for Elections, and his Royal assent to elections of Bishops, Abbots and Priors, extant in the *Patent-Rolls* of 9, 14, and 15. years of his reign. So little did he regard his Excommunication or Interdict by the Pope.

An. 15 Johan. *Regis.*

a Mat. Westm. An 1213. p. 93. See Tom. 2. p. 283.

Tom. 2. p. 274. l. 44. after *clamante*, adde. [a] *Mat. Westminster* passeth this censure of King *John's* Resignation, Charter of his Kingdom, and Homage to Pope *Innocent*: Resignavit igitur (Rex *Johannis*) Coronam *Angliæ Innocentio* Papæ, et ei fecit homagium, et fecit de libera regione ancillam, ut princeps provinciarum fieret sub tributo, chartam inde conficiens, omnibus eam audientibus lugubrem et detestabilem. The Charter which he registers differs from that in *Mat. Paris* in these words, clauses; *gratia ipsa* sancta *inspirante*, *ad* optimum consilium *Baronum meorum offerimus*: which *Mat. Paris* thus amplifies; *gratia Sancti Spiritus inspirante*, non vi Interdicti, nec timore coacti, sed nostra bona spontaneaque voluntate, ac communi consilio Baronum nostrorum conferimus. *Mat. Westm.* adds after *successoribus ejus*, omne jus patronatus, quod habemus in Ecclesiis *Anglicanis*, (not in the Charter Roll, nor printed Copies of *Matthew Paris*, nor of *Henry de Knyghton*) *totumque regnum* Angliæ, &c. *& amodo illa* a * Deo *& Ecclesia* Romana *tanquam* feudatarius *recipientes*. Mat. Paris renders it, *Ejusque Catholicis successoribus, totum Regnum* Angliæ, &c. *& amodo illa* ab eo *& Ecclesia* Romana *tanquam* secundarius *recipientes*, Mat. Westm. *adds*, Fidelitatem *exinde Domino Papæ, &c. Mat. Paris* omits *Fidelitatem*. Matth. Westm. *is*, *Ad indicium autem hujus perpetuæ* oblationis; agreeing with the * Record in the *Tower*. Mat. Paris *and* Hen. de Knyghton *render it*, *Hujus* obligationis. Mat. Westm. *pro omni consuetudine*. Mat. Par. *pro omni* servitio et consuetudine. † *Henry de Knyghton*, relating the manner how King *John* was decoyed to make this Charter whiles under the Popes Excommunication and Interdict, adds; *Antequam beneficium absolutionis posset promereri*, de libero fecit se servum, et de Dominante servientem, terramque Anglicanam quæ esse solebat libera, et ab omni servitute quieta, fecit tributariam et ancillam pedissequam, subjectionemque suam confirmavit per scriptum suum in hæc verba conceptum. Johannes *Dei gratia Rex* Angliæ, &c. *Universitati vestræ per hanc Chartam* aurea Bulla munitam, *volumus esse notum*, &c. *nec quid quod digne offerre possumus pro satisfactione Deo & Ecclesiæ faciendo* nisi nos ipsos habemus et regna nostra: volentesque (which words in the Record, and him, were omitted by the Printers negligence in my second Tome, p. 289. l. 17.) nos ipsos humiliare, *&c. Henry de Knyghton* his Copy agreeth verbatim with the Charter Roll, except in 5. words, whereof *obligationis*, for *oblationis*, is most material: After which Charter he immediately subjoyns of King *John*, Sicque de libero servus effectus est, *& beneficium absolutionis apud* Winton. *consecutus*, *& Interdicti relaxatio facta est statim*, *in eodem anno* 1214. *sexto Non.* Julii *feria sexta*, facta prius restitutione cuilibet petenti. All by his Popish Prelates Treachery.

* Agreeing with the Charter Roll.

* Chart. 15 Johan. Regis, nu. 289.

† De Eventibus Angliæ, l. 2. c. 15. col. 2419, 2420.

Tom. 2. p. 278. l. 33. after *delay*, adde; He was enforced to restore to these Trayterous Bishops Proxies, before their arrival, in the presence of *Pandulfus* the Popes Legate, their respective Bishopricks, to remit his indignation against them; and receive them with their adherents persons, lands, goods into his Royal protection before the *Interdict* released; as these ensuing Records most fully evidence.

Pat 15 Johan. in Rot. mmore, m. 8. in majori, m. 12.

REX Omnibus tenentibus de Episcopatu *Herefordensi*, *&c.* Sciatis quod reddidimus Domino *E. Herefordensi* Episcopo per manum Magistri Pandulphi Domini Papæ nuncii Episcopatum *Herefordensem*, cum pertinentiis suis; Et idem Episcopus constituit coram eodem Magistro *Pandulpho* Decanum & Thesaurarium *Herefordenses*, *&c.* generales Procuratores suos ad prædictum Episcopatum nomine suo suscipiendum & custodiendum. Et ideo vobis mandamus, quod eisdem Decano & Thesaurario tanquam generalibus procuratoribus suis sitis intendentes quamdiu eidem

Episcopo

Epiſcopo placuerit. Teſte Domino *P. Wintonienſi* Epiſcopo apud *Windeſ.* primo die *Junii*, anno 15. Per eundem, & *G.* filium *Petri Mareſcallum.* *An.* 15 Johan. *Regis.*

Eodem modo ſcribitur tenentibus de Archiepiſcopatu *Cantuarienſi* committendo Magiſtro *Roberto de Penn*; & tenentibus de Epiſcopatu *Londonienſi* de *Richardo Capellano* & *Willielmo Clerico*; & tenentibus de Epiſcopatu *Elyenſi* de *Simone de Inſula*; & tenentibus de Epiſcopatu *Bathonienſi* de *Petro de Ciceſtria*; & tenentibus de Epiſcopatu *Lincolnienſi*, de Decano *Lincolnienſi*, & tenentibus de Prioratu *Cantuarienſi* de fratre *Ricardo* Monacho. Teſte eodem.

REX Juſticiariis, Vicecomitibus, Præpoſitis, & omnibus Ballivis & fidelibus ſuis, *&c.* Sciatis quod venerabilis pater noſter Dominus *W. Londonienſis* Epiſcopus plenam gratiam noſtram habet, & ipſum & omnes homines, terras, res, & omnes poſſeſſiones ſuas in protectionem & defenſionem noſtram ſuſcepimus: Et ideo vobis mandamus, **quod ipſum et omnia ſua protegatis et defendatis tanquam noſtra dominica. Et prohibemus, ne ponatur in placitum de aliquo tenemento quod in pace tenuit die quo ultimo ab *Anglia* receſſimus in *Pictaviam* ad transfretandum, donec inde reverſi fuerimus in *Angliam*.** Et in hujus rei teſtimonium, *&c.* vobis mandamus. Teſte ut ſupra. Ibid. nu. 13.

REX omnibus Vicecomitibus, & Foreſtariis, & Ballivis in quorum Ballivis Dominus *H. Sarisberienſis* Epiſcopus & Canonici ſui terras habent & tenementa, ſalutem. Præcipimus vobis, quod ſine dilatione & occaſione faciatis habere venerabili patri noſtro Domino *H. Sarum* Epiſcopo & Canonicis ſuis plenariam ſaiſinam de omnibus terris & tenementis Epiſcopatus & Eccleſiæ *Sarum* in Ballivis veſtris, **et dominicis, et feodis et gardis, et omnibus libertatibus ita integre ſicut melius et liberius tempore inchoatæ diſcordiæ ea habuerunt, et cum omnibus exactis quæ provenerunt de terris ſuis a tempore inchoatæ diſcordiæ inter nos et ipſos.** Teſte meipſo apud *Porceſtriam*, 18 die *Julii*. Anno regni noſtri 15. Pat. 15 Johan. m. 8.

REX omnibus Vicecomitibus, & Foreſtariis, & Ballivis ſuis, ſalutem. Præcipimus vobis, quod Priorem & Monachos *Cantuarienſes* pacificè habere permittatis omnes libertates & liberas conſuetudines ſuas in ballivis veſtris, **ſicut habuerunt a tempore diſcordiæ inter nos et ipſos motæ.** Teſte Rege apud *Wintoniam*, 21 die *Julii*. Anno regni noſtri 15. Ibidem.

Eodem modo ſcribitur Archidiacono *Dunelmenſi*, & *Philippo de Uletot*. Teſte eodem.

REX omnibus Ballivis & fidelibus ſuis, *&c.* Sciatis quod recepimus in gratiam noſtram *Willielmum* filium *Walteri* Archidiaconum *Herefordenſem*, **et ſi indignationem noſtram dimiſimus quam erga ipſum habuimus * occaſione receſſus ſui ab *Anglia*.** Et ideo vobis mandamus, **quod ipſum tanquam dilectum et fidelem Clericum noſtrum, et omnes homines, redditus et res ſuas in Ballivis veſtris manuteneatis et defendatis, nec ei, vel ſuis faciatis, vel fieri permittatis injuriam, moleſtiam vel gravamen: Et ſi quid eis forisfactum fuerit, id ei ſine dilatione faciatis emendari.** Et in hujus rei teſtimonium has literas patentes vobis inde mittimus. Teſte meipſo apud *Wintoniam*, 21 die *Julii*. Anno regni noſtri 15. Pat. 15 Johan. m. 10. minoris roculi. * See Tom. 2, pag. 267.

REX *Gilberto* filio *Reinfredi*, &c. Mandamus vobis, **quod ſicut nos et abſolutionem noſtram diligitis**, ſtatim viſis literis iſtis ſine dilatione plena fiat reſtitutio de omnibus terris, feodis, & tenementis *Euſtac. de Veſcy*, ſicut melius & liberius tempore inchoatæ diſcordiæ ea habuit, quæ propter hoc ad nos venerint, ſcientes, * **quod in eandem ſententiam in qua prius ſutnius incidemus niſi citius hoc feceritis.** Scire autem faciatis venerabili patri noſtro *S. Cantuarienſi* Archiepiſcopo, et *G.* filio *Petri* Juſticiario noſtro quando hoc feceritis. Et in hujus rei teſtimoniam has literas noſtras patentes vobis inde mittimus. Teſte meipſo apud *Wintoniam*, 21 die *Julii*. Anno regni noſtri 15. Pat. 15 Johan. m. 8. nu. 34. * See Tom. 2. p. 279.

REX omnibus fidelibus ſuis, ſalutem. Sciatis quod præcepimus ut *Roberto* filio *Walteri*, & *Euſtachio de Veſcy*, & ſuis ſine dilatione plena fiat reſtitutio omnium immobilium ſuorum & libertatum ſine difficultate, ſtatim poſtquam nos vel illi quibus curam regni noſtri committemus ſuper hoc infra Natale Domini fuerimus requiſiti. Et ſi fortè (quod Deus avertat) ita non fieret, **conceſſimus, et * concedimus bona fide, quod liceat venerabili patri noſtro *S. Cantuarienſi* Archiepiſcopo nos, appellatione remota, in eundem ſtatum reducere in quo fuerimus ante formam pacis a nobis acceptatam.** *(To which unworthy condeſcentions he was enforced to ſubmit, by his Trayterous Biſhops, before he could be abſolvid from his former Excommunication.)* Pat. 15 Johan. m. 8. n. 35. * See Tom. 2. p. 279.

Et

An. 15 Johan. *Regis.* Et in hujus rei teſtimoniam has literas noſtras patentes vobis inde fieri fecimus. Teſte meipſo apud *Wintoniam*, 19 die *Julii*. Anno regni noſtri 15.

Tom. 2. p. 282. l. 45. after *ſupradictis*, adde; King *John* to give ſome preſent ſatisfaction to theſe Trayterous Prelates for their damages during their flight and exile, (only to effect his Excommunication and dethroning) was enforced to pay them 15000 Marks forthwith, for which he iſſued this Writ.

Pat. 15 Johan. m. 5. REX *Hugoni de Nevill, &c.* Mandamus vobis, quod ſine dilatione viſis Literis iſtis liberari faciatis certis nunciis Domini *Cantuarienſis* Archiepiſcopi, et Epiſcopoꝝ *Londonienſis*, *Elyenſis*, *Herefordenſis*, *Bathonienſis*, et *Lincolnienſis*, literas noſtras patentes deferentibus 15 millia marcarum de denariis noſtris qui ſunt in cuſtodia veſtra apud *Merlebergiam*. Et in hujus, *&c.* apud *Reding*, 12 die *Decembr.*

Tom. 2. p. 282. l. 13. after *remeavit*, adde; The King being at *Porteſmuth* with his Forces to paſs over into *Poictiers*, made *Peter* Biſhop of *Winton* Cuſtos of the Realm; and committed it likewiſe to the cuſtody, protection of God, the Church and Pope of *Rome*, and of his Legate, during his abſence, as theſe Patents inform us.

Pat. 15 Johan. m. 5. n. 12. REX Archiepiſcopis, Epiſcopis, Abbatibus, Comitibus, Baronibus, Juſticiariis, Vicecomitibus, Præpoſitis, & omnibus Ballivis & fidelibus ſuis, *&c.* Sciatis quod conſtituimus Juſticiarium noſtrum *Angliæ* venerabilem patrem noſtrum *P. Wintonienſem* Epiſcopum quamdiu nobis placuerit, ad cuſtodiendam loco noſtro terram noſtram *Angliæ*, et pacem regni noſtri. Et ideo vobis mandamus, quod ei tanquam Juſticiario noſtro *Angliæ* intendentes ſitis & reſpondentes. Et in hujus rei teſtimonium, *&c.* vobis mittimus. Teſte meipſo apud *Porteſmuth.* 1 die *Februarii.* Anno regni noſtri 15.

Ibidem. REX Archiepiſcopis, Epiſcopis, Abbatibus, Comitibus, Baronibus, & omnibus fidelibus ſuis has literas inſpecturis, *&c.* Sciatis, quod pro magnis negotiis noſtris tranſfretamus ad præſens in *Pictaviam*, et regnum noſtrum *Angliæ* ad cuſtodiam et protectionem DEI, et Sanctæ *Romanæ* Eccleſiæ, et Domini Papæ, et Domini *N. Tuſculanenſis* Epiſcopi, Apoſtolicæ ſedis Legati commiſimus, et loco noſtro ad pacem regni noſtri tuendam venerabilem patrem noſtrum Dominum *P. Wintonienſem* Epiſcopum conſtituimus. Et ideo vobis mandamus, quod ei ad defenſionem regni, & pacis conſervationem, auxiliantes ſitis & intendentes. Et in hujus rei teſtimonium, *&c.* vobis mittimus. Teſte ut ſupra.

He likewiſe granted the Biſhop power, to give reſtitution of the Temporalties of all Churches, to whom he or his Commiſſioners ſhould give his Royal aſſent, and to all elections to them upon voydances, during his abſence.

Pat. 15 Johan. m. 5. n. 10. REX Domino *P. Wintonienſi* Epiſcopo, *&c.* Mandamus vobis, quod cum electi Eccleſiarum vacantium qui electi fuerint de aſſenſu noſtro, vel aſſenſu dilectorum et fidelium noſtrorum Abbatum de *Eboraco*, et de *Bello loco*, et de *Seleby*, et *Willielmi Briwerr*, et *Willielmi de Cantilupe*, quos ad hoc loco noſtro aſſignavimus, ad vos venerint, eis liberam aſſignationem terrarum ſuarum, & omnium poſſeſſionum ad Eccleſias ſuas ſpectantium habere faciatis. Et in hujus rei teſtimonium, *&c.* vobis mittimus. Teſte meipſo apud *Porteſmuth.* 1 die *Febr.* anno regni noſtri 15.

The King amongſt other conſtitutions to be obſerved by his *Army* then raiſed, made theſe enſuing for the preſervation of the Churches Priviledges, to pleaſe his Clergy.

Clauſ. 15 Joh. pars 2. m. 8. dorſo. DOminus Rex habeat in qualibet terra ſua duos Mareſcallos; ſcil. de *Anglia Radulphum de Bray*, & *Radulphum de Mandevill*; de *Normannia*, *Philippum de Albiniaco*, & *Engmerguey de Boun*, de aliis terris, illos quos Dominus Rex elegerit.

Conſtitationes faciendæ in exercitu Domini Regis. Iſti jurabunt, quod bene et fideliter pacem Eccleſiæ obſervari facient. Ita quod ſi neceſſe fuerit aliquid de Eccleſiis vel Cimiteriis, pro defectu exercitus capere, illi qui præerunt Eccleſiis commoneantur, ut venditioni exponant ea quæ neceſſaria fuerint exercitui, et antequam aliquid inde amotum fuerit eis ſatisfaciant de præcio. Quod ſi forte cuſtodes Eccleſiarum abſentes fuerint, vel id facere neglexerint, præcium rerum venalium in Eccleſia reponetur ad opus illorum quorum venalia illa fuerint, &c.

Hoc idem quilibet Baro, et quilibet Miles, et quilibet Capitalis ſerviens familiæ ſuæ ſe firmiter obſervaturum jurabit. Ita quod ſi aliquis tranſgreſſor hujus inſtitutionis inventus fuerit, Mareſcallis inde tradatur ad faciendum inde quod juſtum fuerit.

Moreover K. *John* out of his piety, to prevent prophanations of the Lords-day, the

ſame

ſame year removed the Market of the City of *Exon* from the Lords-day, whereon it was formerly kept, to the Monday, as this Record atteſts. *An.* 14 Johan. *Regis.*

REX Vic. *Devon.* &c. Sciatis quod Civibus noſtris *Exon.* conceſſimus, quod habeant Mercatum ſuum in Civitate noſtra *Exon.* per diem *Lunæ*, quod habere ſolebant per diem Dominicam. Et ideo vobis mandamus, quod hoc ita fieri faciatis. Teſte meipſo apud *Dorec.* 29 die *Julii.* *Before which, in the ſeventh year of his reign, he made the like alteration of the Market of* * Lanceſton, *from the Lords-day.* Clauſ. 15 Joh. pars 3. m. 3.

* Here, pag. 9.

Tom. 2. pag. 283. l. 41. after *eundem*, adde; The King likewiſe to gratifie the Pope, granted a licenſe and ſafe conduct to the Freers of the Hoſpital of St. *Maries* in *Rome*, to preach and make collections throughout *England*, for the maintenance of their Hoſpital, (built by the Pope) by theſe Letters Patents.

REX omnibus fidelibus ſuis in *Anglia*, tàm Clericis quàm Laicis, ad quos præſentes literæ pervenerint, ſalutem. Sciatis, quod conceſſimus fratribus Hoſpitalis Sanctæ *Mariæ* in *Saxia* quod apud *Romam* a Domino Papa de novo eſt conſtructum, licentiam fideliter prædicandi in regno noſtro *Angliæ*, et fidelium eleemoſynas karitative petendi et accipiendi ad ſuſtentationem pauperum prædicti Hoſpitalis, ſecundum formam privilegii Apoſtolici quod inde habent. Et ideo vobis mandamus, rogantes quatinus prædictos fratres & nuncios & homines eorum quocunque venerint in *Angliam* benignè & honorificè ſuſcipiatis, & eis de bonis veſtris intuitu Dei benefaciatis, nec permittatis eis moleſtiam fieri vel impedimentum, quia eos et omnia ſua in protectionem noſtram ſuſcepimus. Conceſſimus etiam eiſdem fratribus, ut ipſi & res ſuæ per omnem terram noſtram et aquam liberum habeant tranſitum et ſecurum. Et in hujus rei teſtimonium, literas, *&c.* eis fieri fecimus, per totum hunc annum duraturas. Teſte meipſo apud *Reading.* 10 die *Decemb.* Anno regni noſtri 15. Pat. 15 Johan. m. 7. n. 20.

REX omnibus Ballivis et fidelibus, *&c.* Sciatis nos ſuſcipiſſe in protectionem noſtram fratres Hoſpitalis Sanctæ *Mariæ* de *Kertevall*, præſencium latores, in eundo per totam poteſtatem noſtram ad prædicandum et petendum eleemoſynas domini ſui karitative conferri. Et ideo vobis mandamus, quod nullum eis ſuper hoc faciatis vel fieri permittatis impedimentum. Et in hujus, *&c.* Teſte meipſo apud *Grantam*, 1 die *Aprilis.* Pat. 15 Johan. m. 1.

Tom. 2. pag. 287. lin. 29. after *Septembris*, inſert; This Epiſtle to the Popes approaching Legate he ſeconded with another of the ſame date.

VEnerabili Patri in Chriſto *N.* Dei gratia *Tuſculanenſi* Epiſcopo Apoſtolicæ Sedis Legato, *F.* eadem gratia Rex *Anglia*, &c. & debitam Patri cum devotione reverentiam. Audito adventu veſtro verſus partes noſtras, nos cum toto Regno noſtro gaviſi ſumus in Domino, de Religione et honeſtate veſtra fiduciam gerentes pleniorem. Miſiſſemus autem ad vos (ſicut decens et dignum eſſet) Nuncios noſtros, niſi communis relatio nos decepiſſet, quæ vos in feſto exaltationis Sanctæ Crucis Capitulo *Ciſtertienſi* debere intereſſe aſſerebat. Cum vero certos * de appropinquatione veſtra audiſſemus, fuimus in remotis Regni noſtri partibus ultra *Eboracum*; et ſtatim latores præſentium prudentes viros et familiares noſtros *Eborac.* et *Seleby* Abbates in occurſum veſtrum miſimus; mandantes quod bene veneritis, et plures et ſolempniores nuncios miſiſſemus, ſi vix fidelibus noſtris tutæ eſſent. Nos vero in occurſum veſtrum verſus mare venire feſtinamus: Veſtram rogantes Sanctitatem, quatinus quam citius poteritis in *Angliam* venire feſtinetis, et voluntatem veſtram nobis, ſi placet, ſignificetis. Teſte meipſo apud *Thikehill*, 19 die *Septembris.* So highly did he court this Legate, on whom he conferred the cuſtody of St. *Edmond's* rich Abby, after his arrival. Clauſ. 15 Johan. pars 1. m. 7. dorſo.

* Deeſt rumores, or nuncios.

Tom. 2. p. 297. l. 23. after *dying day*, adde; Yea *Mat. Weſtminſter* (though a Monk) obſerves, that the very ſame year King *John* reſigned his Crown, Realms to the Pope, became his Tributary, and put himſelf under his protection, though he confederated with the Earl of *Flanders* and other foreign Nobles, *qui* * *magnum exercitum, de conductitiis ſtipendariis, diſtribuentes Regium theſaurum prodigaliter, conflaverunt; propoſitum habentes, ut Regem* Francorum Philippum, die Dominica, non conſuetum tali die arma portare, ſubito invaderent et confunderent. Yet, *Rex* Franciæ (though he had three horſes ſlain under him) *triumphum inopinabilem, Deo propiciante, reportavit, apud* Boumes *in* Flandria. *Capti ſunt multi magnates tàm de Imperio quàm de regno* Angliæ. *Imperator autem* Otho *cum ſuis qui aderant paucis, elapſus eſt, &*

* Flores Hiſt. An. 1214. pag. 96, 97.

nunquam postea est fama sua redintegrata. Ad majorem confusionem *Regis* Johannis Anglorum, *amotus est idem Rex à castro quod* Rupes Monachorum *dicitur; quod obsiderat cum magno exercitu, per adventum* Ludovici *filii Regis* Francorum; *ita quod audito rumore de captione magnatum suorum apud* Bolves, *& impotentia resistendi ex alia parte,* comperit Deum et homines, sibi esse undique offensos et eosos. Fugit igitur turpiter et ignominiose a prædicta obsidione, et nisi dans XI. millia marcarum argenti pro treugis triennalibus citius in *Angliam*, procurante *Roberto de Curci*, tunc in *Francia* Legato, recessisset, profecto prorsus captus extitisset. Rex igitur *Angliam* confusus et ingrorius 14 kal. *Novembris* venit. Where he was soon after abandoned, renounced by most of his Prelates, Nobles, people; and *Lewes* of *France* called in and crowned *King* in his stead: Whereupon Pope *Innocent* the III. in a general *Council* at *Rome*, *anno gratiæ* 1215. Ludovicum *Regis* Francorum *primogenitum*, et omnes Comites et Barones *Angliæ*, cum complicibus suis conspirantes, et insurgentes in Regem *Angliæ*, *Romanæ* Ecclesiæ vassallum, die Sancti *Andreæ* Apostoli excommunicavit: who slighted, derided this his Papal thunderbolt with greatest contempt. *Crescebat jam guerra in* Anglia *de die in diem*, *Baronibus totam patriam* Northampton, *cum ipsa villa occupantibus. Barones verò inde venerunt* London, *& 15 kalendas* Junii *civitatem ingredientes, nullo contradicente, occuparunt.*

ann. 15 Johan. *Regis.*

Tom. 2. p. 333. l. 22. after *Patents*, insert.

Pat. 15 Johan. m. 15.

REX dilectis sibi in Christo Priori & Conventui S. *Edmundi*, salutem. Sciatis, quod concessimus venerabili Patri nostro Domino *Tusculanensi* Episcopo Apostolicæ Sedis Legato custodiam Abbatiæ vestræ cum omnibus pertinent. suis quamdiu nobis placuerit, salvo nobis Regali nostro, scilicet in electione Abbatis, et in redditibus Ecclesiasticis vacantibus et exeatis conferendis. Et ideo vobis mandamus quod ei tanquam Custodi vestro sitis intendentes. Et in hujus rei testimonium has literas nostras patentes vobis inde mittimus. Teste meipso apud *Turrim London.* 3 die *Jan.* Anno regni nostri 15.

Tom. 2. p. 336. l. 51. after *dilecti*, adde; Besides, the Archbishop and Bishops covertly to gain into their hands and power the administration and disposal of the Chattels and Personal estates of all *Lay-persons* and *Free-men* of *England* dying intestate, inserted this new *Clause* into K. *John*'s Charter, [a] Si aliquis liber homo intestatus decesserit, catalla sua per manum propinquorum, parentum et amicorum suorum per visum Ecclesiæ distribuantur, salvis unicuique debitis quæ defunctus ei debebat: not extant in King *Henry* the 1. his Charter, *anno* 1100. whose confirmation they [b] pretended onely to contest for, and to have ratified, running only in these words; [c] *Si quis Baronum vel hominum meorum infirmabitur, sicut ipse dabit vel dare disposuerit pecuniam suam, ita datam esse concedo.* Quod si ipse præventus armis, vel infirmitate, pecuniam suam nec dederit, nec dare disposuerit (by his last Will and Testament) uxor sua, sive liberi, aut parentes, aut legitimi homines ejus (not the Church, Bishop, or Ordinary not mentioned in this *Clause*, or *Law*) eam pro anima ejus dividant *SICUT EIS MELIUS VISUM FUERIT*; without the Churches, Ordinaries view or disposition; according to the precedent *Laws* both of [d] King *Knute* and *Edward* the Confessor ([e] elsewhere cited:) Notwithstanding which, the King and all Lords of Manors before this his *Charter* made, especially during the reigns of King [f] *William the Conqueror* and *William Rufus*, usually claiming, seising, disposing of the Goods, Chattels, Moneys, Personal estate of all their Barons and Tenants dying intestate, to the great prejudice of their Wives, Children, Parents, Kinred; which grievance among others, King *Henry* the 1. (*to induce the Bishops and Nobles to crown him King*) *at their request promised by his Oath to reform*, and redressed by this *Clause* in his *Charter*. After this King *Stephen*, (at the Bishops request, who most treacherously, [g] *against their Oathes, Loyalty to King Henry the 1. and his Daughter and heir Queen* Maude, *elected and crowned him King*) inserted this farther *Clause* into his *Charter of Liberties* granted to the Bishops and Clergy, *Anno* 1156. at his *Coronation*. [h] Ecclesiasticarum personarum et omnium Clericorum et rerum eorum justitiam et potestatem, et distributionem bonorum Ecclesiasticorum in manu Episcoporum esse perhibeo et confirmo. Si quis autem Episcopus vel Abbas, vel alia Ecclesiastica persona ante mortem suam rationabiliter ita distribuerit, vel distribuenda statuerit (by his Will) firmum manere concedo. Si vero morte præoccupatus fuerit, pro salute animæ ejus Ecclesiæ consilio eadem fiat distributio. This is the first *Charter*, for ought I can find, that gave *Clergy-men* power

a Mat. Paris, Hist Angl. p. 208
b Mat. Paris, p. 230, 245.
c Mat. Paris, Hist. Angl. p. 52, 53. Spelman Concil. Tom. 2 p 33. Lib. Rub. in Scac. f. 161.
d Chron. Johan. Bromton, col. 914, 929, 930. Spelm. Council. Tom. 1. p. 332.
e Here p 141, 142, 332.
f See here, Tom. 1. p 400. Mat. Paris, p. 52, 53 & Magna Charta cap. 18 Cooks 9. Report, f. 38
g See Tom 1. p. 491, 492. Glanvil, l. 7. cap. 16.
h Will. Malmesburiensis Hist. Novellæ, l. 5. p. 179. Spelm. Concil. Tom. 2. p. 38.

power to diſpoſe of their Church-goods by Will, and Biſhops or Ordinaries Juriſdiction to diſtribute their Clerks Goods dying inteſtate, for the good of their Souls, they then having no Wives nor Children, as Lay-men had, to whoſe goods therefore this *Charter* never extended; but only to Church-mens goods belonging to their Churches. *An.* 15 Johan. *Regis.*

Before this *Charter* of King *Stephen*, the antient Law, cuſtome of *England* was, that if any Biſhop, Abbot, or other Eccleſiaſtical perſon who held of the King, and received his Temporalties from him deceaſed, all his goods and chattels (except the ornaments of his Church, Chappel dedicated to God's Service, or the ſtock annexed to his Biſhoprick by the Kings ſpecial *Charters*) [a] *belonged of right to the King*, eſpecially if he dyed inteſtate; neither could any of them by Law make a Will, or deviſe his goods or chattels, unleſs the King out of his ſpecial grace, by ſpecial Patents authorized them to deviſe them by their Teſtaments; neither did the Laws of King [b] *Cnute*, the *Confeſſor*, and *Conquerour*, or Charter of K. *Henry* the 1. extend to Biſhops, Abbots or Clergy-men, who had neither Wives nor Children, being then prohibited by ſundry Canons to *marry*, but only to the temporal Barons and Lay-ſubjects who had Wives and Children, as the words of their Laws, Charters, the old Writs *De rationabili parte bonorum* grounded on them, and the words thereof, ([c] Cum ſecundum conſuetudinem regni noſtri hactenus obtentam, pueri poſt mortem patrum ſuorum habere debent rationabiles partes ſuas quæ fuerunt patrum ſuorum, *&c.*) demonſtrate, and King *Stephen*'s Charter intimates; which had been needleſs, uſeleſs, had the Law or cuſtome of *England* been then concurrent with it. Neither was this the Prerogative only of the Kings of *England* in that age, but alſo of *France*; as is evident by this memorable acknowledgement of the Biſhop elect, Dean and Chapter of *Maſcon* in *France* to King *Philip Auguſtus*, *Anno Domini* 1201.

[a] Glanvil, l. 7. c. 16. Here, p. 130 to 134, 222, 332, 333, 350, 381, 386, 543, 544.

[b] See here, p. 141, 142, 332, 333.

[c] Glanvil, l. 12. c. 20 Bracton, l. 2 c. 26 f. 60, 61. Fleta l. 2. c. 57. Bundela Brevium, An. 15 E. 2. in Turre Lond. Here, p. 352.

* *Notum quod ego* P. *electus* Matiſconenſis *veniens ad Dominum noſtrum* Philippum, *illuſtrem Regem* Franciæ, *poteſtatem habens à Decano & univerſo Capitulo* Matiſconenſi, *per literas ejuſdem Decani & Capituli patentes*, Cognovi Jus Dom. Regis Franciæ quod habet in Regalibus Matiſconen. *ſcilicet*, quod mortuo Epiſcopo Matiſconenſi, *vel quotieſcunque Sedes* Matiſconenſis *vacaverit*, omnia Regalia et omnes proventus Regalium exiſtentes in regno Franciæ libere ſunt Dom. Regis Franciæ, *ſicut & ea Epiſcopus poſſidebat.* Et ſi Epiſcopus Matiſconen. deceſſerit inteſtatus, tam omnia mobilia quam proventus omnes ſunt Domini Regis Franciæ integre et abſolute. Quod ut ratum et firmum pronunciavit, &c. *Actum* Pariſiis, *An. Dom.* 1201. *menſe* Martio. Yea *Johannes Andræas*, and † *Pierre de Pithou* aſſert, Que les Roys de France et d'Angleterre in hoc ſunt antiquo jure defendendi. And that this was the ancient Law, right, prerogative of the Kings of *Scotland* then, and in the reign of our King *Edward* the 1. I ſhall * elſewhere evidence by our own Records. If then the Biſhops and Clergy of *England* and *Scotland* could not diſpoſe of their own goods and chattels by Will, but by the Kings ſpecial licenſe, and abſolutely and wholly belonged to the Kings of *England*, *France* and *Scotland* if they *dyed inteſtate*, by their *Prerogatives*; not to the Archbiſhops, Biſhops or Church to diſpoſe, or diſtribute to their Kinred, Churches, or any pious uſes for their Souls pretended benefit: then doubtleſs they had no legal Juriſdiction or authority at all to diſtribute or diſpoſe of any Lay-mens goods or chattels in thoſe times, to any pious or other uſes.

* Pierre de Pithou, Preuves des Libertez de l'Egliſe Gallicane, Chap. 16. ſect. 5. p. 538.

† Ibidem.

* Here, p. 543, 544.

Whereupon the Biſhops not long after to revive, confirm and enlarge this their new-acquired Juriſdiction granted them by this *Uſurper's* Charter (which † expired with King *Stephen*, and never bound his Succeſſors and extended only to the Goods of Clergy-men) endeavoured to extend it to the Goods, Chattels of all *Engliſh* Free-men of the Laity; for which end they cunningly inſerted the premiſed *Clauſe*, amongſt others, into King *John*'s Great Charter: Which, although in the Kings and Nobles intentions, it gave them no Juriſdiction at all either to grant Adminiſtrations of, or diſtribute any Inteſtates Goods for the benefit of their Souls, which they wholly left by expreſs words to the adminiſtration and diſtribution of their neareſt Kinred, Parents, Friends, yet by colour of theſe three words, per viſum Eccleſiæ, *by the view of the Church*; (which if a perſonal Truſt repoſed in the Biſhop himſelf by this *Grand Charter*, as our Biſhops and Canoniſts thence argue, was certainly to be executed perſonally by the Biſhop alone, not by

† See here, p.

An. 15 Johan. *Regis.*

his Vicar General, Commissary, Official, or Judge of the Arches, who now grant all Administrations, and make the distributions of Intestates personal estates, against the expres words and intention of this Law, which might be more properly interpreted of the *Parson*, *Church-wardens*, and *Parishioners* of the *Parish* where the deceased person lived, than of the *Bishop*, his *Chancellor* and *Under-officer*, being single Persons, and no * *Church:*) the Bishops and their Officers by pretext of these words, (which at most gives them only the oversight, not power of or in the distribution, and no more authority to dispose of the Goods, than Overseers usually named in Wills have, wherein there are likewise Executors appointed, to whom the right, power and disposition of the Testators Goods alone belong by Law) [a] usurped a Jurisdiction soon after by degrees, not onely over all deceased Lay-mens Wills, Chattels, but over the Goods and Chattels of all Lay-men dying intestate, committing their administration and distributing them by their Vicars, Commissaries, Chancellors and other Officers at their pleasures to such persons and pious uses as themselves, or their Officials thought meet; yea many times [b] appropriated them to themselves and their Churches, against the true intent of King *John* and his Barons. Whereupon at the renewing of this *Great Charter* by K. *Henry* the 3d. in the 9th year of his Reign, in a grand Parliamentary Council, this premised *Clause* concerning Intestates Goods, inserted by the Bishops fraud, craft covertly to usurp a Jurisdiction over the Laity, and all Intestates estates, was wholly [c] *expunged*, as prejudicial to the Kings Prerogative and the *Nobles*, *Free-mens* franchises, liberties, properties; and that *Charter* was then and hath been since successively ratified by above 40. Parliaments, without this *Clause*; Yea the King and Lords then and immediately after would by no means permit the Bishops or Ordinaries to intermeddle with the Goods and Chattels of any Free-men dying intestate, or to distribute them for their Souls good at their pleasures; although Saint [d] *Edmund* Archbishop of *Canterbury*, and *Boniface* his next Successor (Uncle to King *Henry* the 3d. his Queen) with the rest of the Bishops, *frequently importuned King* Henry *the* 3d. *his Nobles and Counsil, not to hinder their Tenants or Villains to make Wills*, or prove them before their Ordinaries, nor to disturb or prohibit Bishops *to distribute the Goods of Persons dying intestate for their Souls health*; nor would they grant them this power upon any termes, but prohibited them to do it, as is evident by this passionat *Complaint* thereof by Archbishop *Boniface*, his *Suffragans* and *Clergie*, in the *Prologue* to their *Constitutions* in the *Council* of *Lambeth*, Anno 1251. [e] Regem ipsum frequenter monuimus ac supplicavimus ei, et supplicari fecimus cum instantia sæpius reverenter, necnon apud Principes et Magnates regni, et Consiliarios quorum moderamine disponuntur negotia regni, precibus et exhortationibus pulsavimus importuna oportunitate et frequenter, quatinus intra memoriam recolentes quot plagis Ægyptii tuere percussi, &c. Huic privilegio tam pio, tamque nobili præcio comparatæ deserrent humiliter, ob reverentiam Redemptoris; permittendo Clerum Anglicanum in sollicitudine libertatis sacrificium laudis Domino immolari, &c. Licet autem in precibus inculcandis diu laboraverimus sustinendo, et sustinuerimus laborando; adhuc cum instantia nostra sæpius iterata, ad exauditionis gratiam ingressum mereri non potuit, nec effectum potiri diutius expectatum. Compared with their Articles of *Complaint*, [f] *Art.* 25. Item, mortuo laico intestato, Dominus Rex, et cæteri Domini feodorum, bona defuncti sibi applicantes, non permittunt de ipsis debita solvi; nec residuum in usum liberorum et proximorum suorum, et alios pios usus per loci Ordinarium quorum interest, aliqua converti; and their *Constitution* made against it in this *Provincial Council* summoned at *London* by this *Archbishop*'s usurped authority (against the *King*'s expres *Writ of Prohibition* directed to him, printed in my 2d *Tome*) attests.

Indeed I find in the [g] *Constitutions* of *Othobon* the *Popes Legate*, made in a *Council* held at *London* but 11. years after, (*Anno* 52. *H.* 3.) *De Bonis Intestatorum*, mention of a *Provision* antiently made by the *English* Prelates with the assent of the King and Nobles concerning Intestates Goods, which he thus confirms and orders to be strictly observed: Provide super bonis decedentium ab intestato, provisionem quæ olim a Prælatis Regni *Angliæ* cum approbatione Regis et Baronum dicitur emanasse, firmiter approbantes, districte inhibemus, ne Prælati vel alii quicunque bona intestatorum hujusmodi quocunque modo recipiant vel occupent contra Provisionem prædictam. Which *Provision* I find likewise mentioned in [h] Archbishop *Stratford*'s *Constitutions* made *Anno Dom.* 1342. What this *Provision* should be, or when or where made, our learnedst *Canonists* cannot resolve: [i] *Will. Lindewode* the chiefest of them,

in

* See Mr. Will. Tyndals Treatise, What the Church is.

a See Cooks 9 Reports, f. 33, 38. Hensloes case.

b As Othobons Constitutions and Aton's Glosse thereon, f. 95. affirm.

c See Magna Charta, ch 18. and Cook's 2. Institutes thereon.

d See Tom. 2. p. 870, 891, 899, 909, 910. Mat Paris Additamenta, pag. 199, 200, 201.

e Joh. de Aton Constit Legit f. 138. Guil Lindewode, Provincial, l. 5. f 226, 227. Here, Tom. 2. p. 899.

f Mat. Paris Additamenta, p. 200, 201. Here, Tom 2. p. 893.

g Johan de Aton Constitutiones Legitimæ, p 94, 95.

h Lind wode Provinc l. 3. f. 125, 150. Johan. de Aton Provinc Con f 137. Spelman Concil. Tom. 2. p. 585.

a Provincial. l. 3 de Immunitate Ecclesiæ, f. 199.

in his Gloſs on Archbiſhop *Stratford's Conſtitution*, on the words *abolim*, writes ingenuouſly, *Cujus Regis temporibus hoc ordinatum ſit, non reperio*: But [b] *John de Aton* in his Gloſs on *Ottobon's Conſtitutions*, refers it to the *Statute* of *Weſtm.* 2. *Anno* 13 E. 1. *ch.* 19. But this being made at leaſt 18. years after *Othobon's Conſtitutions*, and not ab olim, long before them, muſt needs be a groſs miſtake; therefore (if real, not forged by the Biſhops, or a meer dubious report then raiſed by them, without ground or truth, as *Ottobon's*, *dicitur*, implyes) we may well conclude, ſince Archbiſhop *Boniface*, his Prelates, Clergy in the Council and Articles of *Lambheth* but 11. years before, made no mention at all thereof, (as queſtionleſs they would have done, had there been any ſuch *Proviſion*) it can be no other, but either the premiſed *Clauſe* and *Proviſion* inſerted by the Prelates into King *John's Charter*, expunged out of K. *Henry* the Thirds, and *Edward* the Firſts *Great Charters*, in all our manuſcript Statutes, in the Statute-Roll in the *Tower of London*, and all our printed Statutes of *Magna Charta* 9 *H.* 3. *ch.* 19. wherein that Clauſe of *Inteſtates Goods* is omitted: Or elſe it muſt be the Proviſion in the Laws of King *Cnute* confirmed by the *Confeſſor*, *Conquerer*, or Charter of K. *Henry* the 1. to which *Ottobon's Conſtitution* ſeems moſt probably to relate, being the moſt antient *Proviſion*, prohibiting Biſhops, as well as the King and Lords, to diſpoſe of Inteſtates Goods, as his *Conſtitution* likewiſe doth in my opinion, ſince made ſoon after K. *Henry* the 3. and the Kingdoms complaint and appeal to the Pope againſt the *Conſtitutions* of Archbiſhop *Boniface* and his Suffragans, promulged by them in præjudicium juris et dignitatis Regiæ, contra libertates, et conſuetudines Regni noſtri *Angliæ*, et in noſtri et Coronæ noſtræ præjudicium et gravamen, as the King declared in his *Patents* of *Procuration* and *Appeals* againſt them to the Pope, *Pat.* 45 *H.* 3. *pars* 1. *m.* 8. and *Pat.* 46 *H.* 3. *m* 17, 19. Which *Conſtitutions* of *Boniface*, though thus ſolemnly condemned, appealed, proteſted againſt by the *King* and *Kingdom*; who would by no means aſſent to them or their *Articles*, after ſo many reiterated prayers, monitions and importunities, are yet ſince printed, Gloſſed on by *Lindewode* and *Aton*, yea now cryed up by ignorant Canoniſts for the *Canon-Law* of *England*, and that of *Inteſtates Goods* revived, enlarged without any legal authority, by Archbiſhop *Stratford*, in his [c] *Provincial Conſtitutions*, though not put in practiſe before; *& etiam à multis in dubium revocatum*. Which voyd illegal *Conſtitutions* of *Boniface* and *Stratford* are in truth the ſole foundations I can yet diſcover, of our Ordinaries uſurped Power to compell Adminiſtrators by bonds and cenſures to diſtribute the ſurpluſage of *Inteſtates Goods*, to ſuch pious uſes as they ſhall appoint, againſt the expreſs Proviſion of the Royal Charters of *Henry* 1. and *Hen.* 3d. Whereupon our Judges of late times upon Complaints of Adminiſtrators, after grand deliberation and debates, have granted [d] Prohibitions out of the *Kings Bench* and *Common Pleas*, to reſtrain ſuch coercive dividents of *Inteſtates Goods* by Ordinaries, as miſchievous, grounded only on theſe illegal Conſtitutions, miſ-interpreted Charters, and this old *Popiſh error*, [e] *That the diſtribution of* Inteſtates Goods *after their deceaſe, (though without their order, knowledge) by the Biſhop, or their Adminiſtrators, would expiate and procure pardon of their Sins, redeem their Souls from purgatory, or abate the pains thereof, or of Hell*; which being exploded by the authorized Doctrine of our Church, the Ordinaries pretended Juriſdiction of diſtributing *Inteſtates Goods to pious uſes*, in remedium peccatorum et pro ſalute animæ, muſt be exploded with it. Which power of diſpoſing *Inteſtates Goods* and *Eſtates*, being reputed by our Biſhops and Nobles, unſafe to be veſted in the *King* himſelf, as the premiſed Charters of *Henry* the 1. imply; was, and is much more unfit for every inferiour indigent Ordinary, Archdeacon, Chancellour, or Commiſſary then or now to be inveſted with, uſurp or exerciſe upon ſuch falſe and ſandy foundations.

An. 15. Johan. *Regis.*

b Conſtit Legat. f. 95.

* See Tom. 2. p. 983, 990, 991.

c Lindewode, l. 3. f. 124, 125, 190. Aton, fol. 137. Spelman. Concil. Tom. 2 p. 585, 586.

d Hobards Reports, p. 83, 151. Judge Crooks Reports, Part 1. p. 61, 63, 201. Mores Reports, p. 804.

e See Othobani Conſtit. and Atons Gloſs thereon, p. 94.

Tom. 2. p. 338. l. 43. before *this Charter*, adde: The King to maintain his Royal Prerogative, and prevent ſchiſmes in elections of Biſhops and Abbots, appointed certain Commiſſioners to be preſent at, and give their and his Royal aſſent unto them; as theſe with other Charters evidence.

Pat. 15 Johan. m. 6.

REX Priori & Conventui de *Eveſham*, ſalutem in Domino. Quoniam Eccleſia veſtra jam diu ſine Paſtore extitit deſolata, vellemus et deſideramus ſuper hoc ei ſalubriter provideri. Unde mittimus ad vos dilectos et fideles noſtros *H.* Abbatem de *Bello Loco*, *Willielmum Briwerr*, & *Willielmum de Cantilupo*, quod invocata Spiritus ſancti præſentia, Paſtorem vobis et Abbatem ſine dilatione eligatis, quia prædictis fidelibus noſtris vices noſtras commiſimus ad præſens, ut electioni quam ſecundum Deum et Regni noſtri conſuetudinem et Regiam dignitatem feceritis, aſſenſum præſent ex parte noſtra, ut id quod illis præſentibus et aſſentientibus inde feceritis

An. 15 & 16 Joh. *Regis.* feceritis ratum habebimus et acceptum. Et si forte prædicti tres fideles nostri præsentes esse non possint, duobus eorum præsentibus id quod prædictum est fieri volumus. Et in hujus rei testimonium, *&c.* vobis mittimus. Teste meipso apud *Waltham* 2. die *Januarii*. Anno, *&c.* 15.

Eodem modo scribitur Priori & Conventui *Wygorn.* de Episcopo eligendo. Teste eodem, data eadem, & ibidem.

The Prior and Covent of *Worcester* having elected a Bishop according to the Kings license and Patent, in the presence of his Commissioners, the King thereupon thus certified his Royal assent thereto, to the Archbishop of *Canterbury* for his confirmation.

Pat. 15 Johan. m. 16. REX Domino *S. Cantuariensi* Archiepiscopo, totius *Angliæ* Primati, & Sanctæ *Romanæ* Ecclesiæ Cardinali, *&c.* Noverit paternitas vestra Priorem & Conventum *Wigorn.* canonice elegisse sibi in Episcopum *Walterum de Gray* Cancellarium nostrum, et nos eidem electioni assensum nostrum præbuimus, ipsumque *Walterum* ad vos transmittimus, * a nexibus Curiæ absolutum. Rogantes quatinus beneficium confirmationis ei impendere velitis. Et in hujus rei testimonium, *&c.* vobis mittimus. Teste meipso apud *Porcestriam*, 26 die *Januarii*. Anno regni nostri 15.

* *Nota.*

The like License in *Terminis* issued to the Prior and Covent of *Evesham*, Pat. 15. *Johannis*, nu. 15. And the like to the Prior and Covent of St. *Swithune* in *Winchester*, with this variation.

Pat. 15 Johan. m. 2. REX Priori & Conventui Sancti *Swithune Wintoniæ*, salutem. Volentes Ecclesiæ vestræ provideri in Pastore idoneo vobis præficiendo, mittimus ad vos venerabiles viros *P. Eboraci*, *H. Belli loci Regis*, & *R. de Seleby* Abbates, & dilectos & fideles nostros *Willielmum Briwer*, & *Willielmum de Cantilupo* Senescallum nostrum. Mandantes quatinus secundum Regni nostri consuetudinem virum idoneum vobis eligatis in Pastorem; sciturі quod quicquid inde actum fuerit cum uno vel duobus prædictorum Abbatum, salva libertate nostra et regni nostri indempnitate, ratum habebimus et inconcussum. Et in hujus rei testimonium has literas patentes vobis mittimus. Teste meipso apud *Engolismum*, 6 die *Aprilis*, Anno regni nostri 15.

An. 16 Johan. *Regis.* Tom. 2. p. 331. l. 48. after *Valete*, adde: Earl *Ferrers* in pursuance of the Popes award, and King *John*'s Oath, entred into this ensuing Obligation, before *Pandulphus* the Popes Legate, as the King's Surety for satisfaction of the fugitive Bishops damages, which he ratified likewise with his Oath, as this Record demonstrates.

Pat. 16 Johan. Roc. Spiff m. 17. dorso. W. Comes de *Ferrariis*, Omnibus præsens scriptum visuris, salutem in Domino. Noveritis quod cum Dominus meus *Johannes* Rex Illustris *Anglorum* singulis annis post relaxationem Interdicti duodecim millia Marcarum in duobus terminis, Commemoratione videlicet *Omnium Sanctorum* sex millia Marcarum, et totidem in *Ascensione Domini*, in manus venerabilium patrum *S. Cantuariensis* Archiepiscopi, *London. Elyensis*, ac *Lincoln.* Episcoporum, vel eorum quos ipsi ad hoc durerint deputandos, in Ecclesia Sancti *Pauli London.* tenetur solvere, donec tota Summa fuerit persoluta, quæ tarante Summo Pontifice declarabitur per Inquisitionem de mandato ejus perinde faciendam: Ego una cum aliis quinque fidejussoribus, constitui me fidejussorem in solidum pro ipso Rege et hæredibus suis, per solempnem stipulationem promittens, quod si ipse et hæres suus (quod absit) in solutione antedicta cessaverit, ego infra quatuor menses postquam fuero ammonitus vel requisitus, sine dilatione et difficultate qualibet inde satisfaciam eisdem. Pro quo observando obligavi me, et omnia bona mea. Renuncians in hoc privilegio fori, et novæ Constitutionis beneficio, omnique alii exceptioni mihi competenti vel competituræ. Insuper tactis sacrosanctis Evangeliis juravi in præsentia Domini *Pandulphi*, Domini Papæ Subdiaconi et ejus familiaris ad hoc destinati, et *J. Norwicensis* Episcopi, *Thomæ de Erdinton*, & Magistri *Alani* & *Walteri* Clericorum Domini *Cantuariensis* Archiepiscopi, me bona fide et sine fraude observaturum hæc omnia supradicta. Et in hujus rei testimonium huic scripto Sigillum meum apposui. Actum apud *Rupem fortem*, 16 die *Junii*. Anno regni Regis *Johannis* sextodecimo.

Thus must these Traytors have both the King *and* Nobles *Obligations*, *Charters*, *Oathes*, *for restitution of their goods*, *profits*, forfeited by, *and* * seized on for their Treasons *before the Interdict released*, *without any oath made or sureties given by them to the* King *for their future loyalty and obedience to him.*

* See Henr. de Knyghton, de Event. Angl. l. 2. col 2418.

Tom. 2. p. 333. l. 48. adde: King *John* to ingratiate himself with the *Romish* Cardinals

Cardinals and Court, granted them annual penſions out of his Eſchequer, the arrears whereof he ordered to be ſatisfied in the firſt place; and likewiſe gave Benefices or Prebends to their Nephews and Creatures, as theſe Records atteſt. *An.* 16 Johan. *Regis.*

REX Domino *P. Wintonienſi* Epiſcopo, *&c.* Satis novit prudencia veſtra qualiter redditum conceſſimus dilecto Conſanguineo noſtro Domino *Guidoni Petro Leonis* Cardinali Sancti *Nicholai in Carcere T.* ad Scaccar. noſtrum percipiendum; unde vobis mandamus, quod de Conſilio Domini *Norwicenſis*, Abbatis de *Bello Loco* Regis, & *Thomæ de Ardinton*, per rotulos Scaccarii noſtri diligenter inquiratis, quantum redditus ei conceſſimus, et quantum inde perceperit poſtquam primo ei redditum illum conceſſimus; et computatis annis, Veſidouum procuratori ſuo reſtitui faciatis in primis redditibus ad Scaccarium noſtrum aſſignandis quicquid inde reſtat reddendum. Mandamus autem vobis, quod in fide qua nobis tenemini quicquid aliàs vobis mandaverimus de redditibus aſſignandis, aſſignetis *Johanni Pet. Leonis* nepoti præfati *Guidonis* in primo beneficio Eccleſiaſtico quod de donatione noſtra vacare contigerit, tantam ſummam beneficii quanta eſt ſumma redditus quem præfato *Guidoni* conceſſimus ad Scaccarium noſtrum. Et in hujus rei teſtimonium, *&c.* vobis inde mittimus. Teſte meipſo apud *Ruſellam*, 9 die *Julii.* Anno regni noſtri 16. Pat. 16 Johan. pars 1. m. 15. ſub n. 8.

SImon Nepos Domini *N. Tuſculanenſis* Epiſcopi, & Apoſtolicæ ſedis Legati, habet literas Domini Regis patentes de Archidiaconatu *Eborum* qui vacat, & ad donationem Regis ſpectat, ratione Archiepiſcopatus *Eboracenſis* acantis & in manu Regis exiſtentis, ſcilicet ad reſignationem *Sampſonis* nepotis prædicti Legati. Et diriguntur literæ Decano & Capitulo *Eborum*, rogantes, quod ipſum ad prædictum Archidiaconatum admittant, ſtallum in choro, & locum in Capitulo ſecundum conſuetudinem Eccleſiæ *Eboracenſis* aſſignantes. Teſte Rege apud *Novum Templum London.* 11 die *Nov.* Anno regni Regis *Johannis* 16. Ibid. m. 8.

REX Decano & Capitulo *Eborum*, ſalutem. Sciatis, quod ad reſignationem venerabilis viri Magiſtri *Stephani* de *Foſſa nova* Domini Papæ Camerarii, conſilimus, & quantum ad nos pertinet dedimus dilecto Clerico noſtro *Petro* nepoti ejuſdem Magiſtri Præbendam de *Neuband*, cum omnibus pertinentiis ſuis quæ ad noſtram ſpectat donationem ratione Archiepiſcopatus *Eborum* vacantis & in manu noſtra exiſtentis, Ipſum vobis per has literas noſtras patentes ad dictam Præbendam præſentamus. Rogantes quatenus ipſum in corporalem poſſeſſionem illius Præbendæ ſine dilatione inducatis, ſtallum ei in choro, & locum ſecundum Eccleſiæ veſtræ conſuetudinem aſſignantes. Teſte meipſo apud *Windeſores*, 14 die *Maii.* Anno, *&c.* Pat. 16 Johan. pars 1. m. 1.

Thus theſe *Roman* Locuſts ſucceeding one another devoured the wealth, and poſſeſſed themſelves of the Eccleſiaſtical promotions of our Church. He likewiſe granted protections to thoſe Delegates the Pope imployed in any buſineſs, as this Record atteſts.

VEnerabilibus in Chriſto patribus *G.* Dei gratia *Bituricen.* Archiepiſcopo, & *Aurelian.* Epiſcopo; *Johannes* eadem gratia Rex *Angliæ*, *&c.* Cum Cauſa habeatur inter Priorem *Grandimontenſem* & quoſdam malos & inobedientes Ordinis ſui fratres converſos; et Dominus Papa vos ſuper eadem Cauſa delegaverit Judices, ut audiatis: Notum vobis facimus, quod vos et omnia ad vos pertinencia, et omnes qui vobiſcum, vel ſine vobis pro dicto Priore venerint, quociens hac de cauſa ad *Grandimontem* acceſſeritis, in ſalvo conductu in toto poſſe noſtro et coadjutorum noſtrorum recipimus, et omnibus ad nos et noſtros pertinentibus Regia diſtrictione præcipimus, ut vos ex parte noſtra in eundo et redeundo, ſalvos cuſtodiant et indempnes. Ut hoc autem notum ſit omnibus, vobis patentes literas ſigillatas ſigillo noſtro deſtinavimus. Teſte meipſo apud *Rupem Monachi*, 23 die *Junii.* Anno regni noſtri 16. Pat. 16 Joh. m. 16. ſub nu. m. 10.

REX omnibus Ballivis & fidelibus ſuis, *&c.* Sciatis quod ſuſcepimus in ſalvum conductum noſtrum venerabilem patrem noſtrum Dominum *Bituricenſem* Archiepiſcopum in eundo ad Eccleſiam *Grandimontis* & redeundo, ad mandatum Apoſtolicum exequendum. Et ideo vobis mandamus, quod eum per partes veſtras in eundo illuc & redeundo, liberè & ſine impedimento tranſire permittatis. Et in hujus rei teſtimonium, *&c.* Teſte meipſo apud *Spinam*, 11 die *Junii.* Anno regni noſtri 16. Ibidem.

Eodem modo ſcribitur omnibus Ballivis & fidelibus Domini Regis pro Domino *Aurelianenſi* Epiſcopo. Teſte ut proximo ſupra.

How he courted all the Cardinals with his Letters to facilitate his affairs in the Court

An. 16 Johan. *Regis.* Court of *Rome*, as well as gratified them with gifts, penſions, and conferring benefices on their Nephews, this his Epiſtle will inform us.

Pat. 16 Johan. Regis, m. 11. REX univerſis Sanctæ *Romanæ* Eccleſiæ Cardinalibus, ſalutem. Quoniam propter varium periculum devotioni ſingulorum veſtrorum ſcribere non poſſumus, Univerſitatem veſtram ſollicitare, & ea quæ præſenciam veſtram ex parte noſtra tangunt, ſub modulo unici tenoris ſupplicare compellimur; hoc enim in multis univerſaliter et ſingulariter vobis gratiarum actionibus ex eo nos facitis fortius obligatos, quod indeſinenter perſeveratis in procurandis honoribus et utilitatibus noſtris, ſicut ex frequenti relacione Nunciorum noſtrorum et experimentis probatiſſimis comperimus. Inde eſt quod paternitatem veſtram negotiis noſtris honorare, et ſpeciali confidencia Nuncios noſtros, et quocies emergerint negocia noſtra imponere et commendare audacter volumus. Mittimus autem ad pedes Papæ, dilectos & fideles noſtros Abbatem *Belli Loci*, Fratrem *Alanum Martell*, *Thomam de Erdinton*, & *Petrum Sarum*, pro negotiis noſtris; ſupplicantes, quatinus conſueta devotione ipſos et eadem negocia promovere velitis in omnibus ſicut videritis melius expedire, amicabiliter procedentes. Teſte meipſo apud *Novum Templum London.* 18 die *Novembris.*

Tom. 2. 334. l. 8. after *Quinto*, adde; He likewiſe iſſued theſe following Patents and Writs to his Officers on behalf of the Trayterous Biſhop of *Lincoln.*

Pat. 16 Johan. m. 11. intus. REX Vicecomitibus, Foreſtariis, & omnibus Ballivis & fidelibus ſuis, ſalutem. Sciatis nos recepiſſe in plenam gratiam, amorem et familiaritatem noſtram venerabilem patrem noſtrum *H. Lincolnienſem* Epiſcopum, ſicut unquam aliquo tempore melius fuit, & ipſi omnem indignacionem, ſi quam erga ipſum hactenus concepiſſe videbamur, omnino remiſiſſe. Volentes & firmiter præcipientes, quod omnes fideles noſtri ipſum tanquam fidelem et familiarem noſtrum habeant, *&c.* ſicut nos diligunt arctius commendare. Vobis igitur univerſis & ſingulis diſtricte præcipimus, quatinus ipſum, & Eccleſiam ſuam, & omnia ipſos tangencia ſpecialiter cuſtodiatis, manuteneatis, & promoveatis, non inferentes vel inferri permittentes eis vel hominibus ſuis, rebus, poſſeſſionibus, feodis, juribus, aut libertatibus eorum moleſtiam, injuriam vel gravamen, ſet ipſos et omnia ſua ſicut noſtra propria defendatis, manuteneatis, promoveatis et protegatis, ut ſollicitudinem veſtram poſſint et debeant merito commendare.

Thus muſt this Traytor and all his be pardoned, protected by the King, againſt whom he notwithſtanding continued trayterous and rebellious to his death.

What reparations he and his heirs were bound to make of the Trayterous Biſhop of *London's* Caſtle of *Stortford*, which he ſeiſed during the Interdict, this Record will inform us.

Pat. 16 Johan. m. 11. REX omnibus fidelibus ad quos præſens ſcriptum pervenerit, ſalutem. Sciatis quod ad rationabilem ſummonicionem venerabilis patris noſtri *W. Londonienſis* Epiſcopi tenemur reparare Caſtrum de *Storteford*, adeo bene et forte ſicut fuerit in inicio diſcordiæ inchoatæ inter nos et Clerum *Angliæ*. Et ſi fortè de nobis humanitus contigerit priuſquam prædictum Caſtrum reparavimus, hæres noſter id facere tenebitur: ſi verò prædictus Epiſcopus in fata conceſſerit priuſquam prædictum Caſtrum reparatum fuerit, ad rationabilem ſummonitionem ſucceſſoris ipſius Epiſcopi, nos vel hæres noſter illud reparabimus. Et in hujus rei teſtimonium has literas, *&c.* Teſte Domino *P. Wintonienſi* Epiſcopo apud *Novum Templum London*, 22 die *Novembris*. Anno regni noſtri 16.

Moreover to gratifie the Archtraytor *Stephen Langeton*, he granted the Patronage
* Tom. 2. p. 339. of the Biſhoprick of *Rocheſter* to him and his ſucceſſors by his * forecited Charter, and this Patent.

Ibidem. Pat. 16 Johan. m. 11. REX Priori & Monachis *Roffenſibus* ac liberè tenentibus de Epiſcopatu, ſalutem. Sciatis quod reddidimus venerabili patri noſtro Domino *S. Cantuarienſi* Archiepiſcopo, patronatum Epiſcopatus *Roffenſis* cum omnibus pertinenciis, tanquam jus ſuum. Et ideo vobis mandamus, quod ei tanquam Domino & patrono ejuſdem Epiſcopatus ſitis in omnibus intendentes. Et in hujus rei, *&c.* Teſte ut proximo ſupra.

Beſides to remunerate the Trayterous Biſhop of *Ely* for his pardoned Treaſons againſt him, he granted him by this Patent the patronage of the Abby of *Torney.*

REX

REX Abbati & Conventui de *Tornia*, ſalutem. Sciatis quod intuitu Dei conceſſimus venerabili patri noſtro *R. Elyenſi* Epiſcopo & ſucceſſoribus ſuis in perpetuum **Patronatum Abbaciæ prædictæ, cum omnibus pertinentiis, dignitatibus, et liberis conſuetudinibus ſuis**, ſicut plenius continetur in charta noſtra, quam ei inde fieri fecimus. Et ideo vobis mandamus, quod ei inde & ſucceſſoribus ſuis de cætero **tanquam Dominis et patronis veſtris in omnibus ſitis intendentes et reſpondentes**, ſecundum cartæ noſtræ tenorem. Teſte ut proximo ſupra, anno eodem ut ſupra. *The King thus parting with the rights of his Crown, to make theſe Traytors more then Lords, and himſelf leſs then a King.* *An. 16 Johan. Regis.* Pat. 16 Johan. m. 5.

REX Domino *P. Wintonienſi* Epiſcopo, *&c.* Significavit nobis venerabilis pater Dominus *N. Tuſculanenſis* Epiſcopus Apoſtolicæ ſedis Legatus, quod Prior *Coventrenſis* electus de *Seleby*, paſtoralem ejuſdem domus curam penitus recuſavit, & quod expediens eſt tam honori noſtro, quam animæ noſtræ ſaluti, ut de gremio Eccleſiæ ſuæ ſibi paſtorem eligi concedamus. Et ideo vobis mandamus, ſi ita eſt, electioni quam **Monachi** ejuſdem domus fecerint dicto modo per conſilium ejuſdem **Domini Legati de perſona domui ſuæ utili, et nobis fideli**, favorem vice noſtra præbeatis et aſſenſum. Eodem modo ſcribitur Magiſtro *R.* de *Mariſcis* & Domino *W. Briwerr.* Teſte Rege apud *Partiniacum*, 30 die *Aug.* Pat. 16 Johan. m. 13.

Tom. 2. p. 335. l. 23. after *adjecit*, inſert; How zealous King *John* was to extirpate Hereticks out of his Dominions, appears by this Record; an excellent evidence of his piety and care of Religion in the midſt of his troubles.

REX, &c. *R. de Pontibus* Seneſcallo *Waſcon.* ſalutem. **Audivimus quod de novo** in terra noſtra cœpit in partibus *Waſcon.* deteſtanda hæreticorum quorundam pullulare perfidia, quæ cum fidelibus ſit omnibus odibilis et inimica, * **Nobis tamen** ad præſens reſtat a finibus noſtris et noſtrorum præ cæteris extirpanda, ne in terra noſtra et dominio noſtro maliciæ recipiatur alicuius erorem, per quod in poſterum poſſit univerſitati fidelium provenire diſpendium; **Nobis igitur in fide qua nobis tenemini mandamus**, ſicut nos diligitis, et ne pro defectu veſtri dampnum, quod abſit, aliquatenus incurramus, ne ipſorum etiam hæreticorum nequitiæ videamur ſequaces et participes, quatinus cum omni poſſe veſtro, qualiter et occaſione et dilatione poſtpoſitis, qui ſint, vel per quos hujuſmodi malicia fuerit de novo ſuborta, efficaciter et diligentiſſime inquiratis, eoſque, cum ipſorum deteſtabili nequicia funditus confundendo, penitus extirpare curetis. **Mandavimus** etiam per literas noſtras **Magiſtro P. de *Bevenent*, prædictæ *Romanæ* Eccleſiæ Cardinali et Apoſtolicæ Sedis Legato attencius exorantes, quod nobis ob reverentiam Dei et dilectionis veſtræ obtentu ad hujuſmodi negocii conſummationem efficaciter conſulat, et ſit in auxilium, et ad ipſorum nequicias viriliter eradicandas ſollicitudinem adhibere ſtudeat efficacem.** Teſte meipſo apud *Novum Templum London.* 20 die *Novembris.* Pat. 16 Johan. m. 10. b. 25. * *Nota.*

Tom. 2. p. 343. l. 52. before *Cumque*, inſert: Beſides theſe two Epiſtles printed in *Mat. Paris*, I find two other Bulls and Epiſtles of Pope *Innocent* recorded in the Patent-Rolls in the *Tower*, and three original Bulls I lately diſcovered in the *White Tower*; the firſt to King *John* himſelf, to encourage him to proceed in his voyage for relief of the *Holy Land*, for which end he had made a Truce with the King of *France*; the next to *Euſtace de Veſcy*, (a principal ſtickler againſt him * formerly baniſhed, whom he had reſtored to his lands and favour, *to continue with a ſincere heart and mind* in his ſworn loyalty to the King; and not to attempt, hinder or ſuffer others to diſturb the King's Officers in the execution of their offices) the other three to the Biſhops, Barons and Commons of *England*, not mentioned by any of our Hiſtorians; wherein he ſharply reprehends the Archbiſhop and Biſhops for not endeavouring to compromiſe the differences between the King and Barons, but fomenting, and ſiding with them all they could; and rebukes, cenſures the Nobles for ſeeking to wreſt their Liberties by Rebellion and force of arms from their King, which they ought humbly to petition for, if there were cauſe; and exhorts the generality of the Barons and Commons to all dutifull obedience and humble ſubmiſſion to the King, thereby to appeaſe and reconcile him to them; and with all humility and dutifulneſs, not with inſolency or armed violence to requeſt what they deſired from him, preſerving his honour and regality, whom he had intreated and conjured graciouſly to grant all their juſt requeſts; and not to hearken or adhere to thoſe few factious Barons who would ſtir them up to Rebellion; that ſo the publick peace of the Realm might be eſtabliſhed, the relief of the *Holy Land* promoted, and he * See Tom. 2. pag. 359.

 might

might more readily bestow on them his assistance and favour in all their necessities; with which I shall present you in order, as not unworthy publick view.

An. 16 Johan. *Regis.*

Anno 16 Johan. Regis, in Turre London.

INNOCENTIUS Episcopus, servus servorum Dei, charissimo in Christo filio JOHANNI Regi *Anglorum* Illustri, salutem & Apostolicam benedictionem. Literas quas nobis Regia sublimitas destinavit recepimus benignitate. Et quæ de treugis initis cum charissimo in Christo filio nostro *Ph.* Rege *Francorum* Illustri significasti, per eas notavimus diligenter. Cum igitur treugas ipsas ut subveniri possit expeditius Terræ Sanctæ asseras initas, ——— Serenitatem tuam rogamus attentius, monemus et exhortamur in Domino quatinus ad ejusdem Terræ succursum intendas sollicite ac potenter. Dat. *Lateran.* 14 Kal. *Novembris*, Pontificatus nostri anno septimodecimo.

An. 16 Johan. Regis, in Turre London.

INNOCENTIUS Episcopus, servus servorum Dei, dilecto filio nobili viro *Eustachio de Vesci*, salutem & Apostolicam benedictionem. Cum per illius gratiam qui fecit utraque unum, discordantes parietes copulans in se lapide angulari, sit omnino sopita discordia quæ olim inter Regnum et Sacerdotium in *Anglia* vertebatur, occasione cujus confœderationes et conjurationes contractæ fuisse dicuntur, quia pace reddita & concordia reformata, cum causa cessare debet effectus; Comitibus, Baronibus et aliis nobilibus per *Angliam* constitutis dedisse memminimus in mandatis, ut in fidelitate charissimi in Christo filii nostri *Johannis* Illustris Regis *Anglorum* et hæredum ejus, sincero corde ac puro animo perseverare deberent, tales se circa devotionem ipsius per omnia exhibendo, quod tam a nobis quam ab ipso possent merito commendari. Ut igitur mandatum illud majoris roboris consequatur effectum, Nobilitati tuæ per Apostolica scripta mandamus, quatinus prætextu confœderationum et conjurationum illarum in solicitudine Regia nullius difficultatis opponas obstaculum; Justiciarios et alios Officiales Regis ejusdem, nec per teipsum impediens, nec patiens quantum in te fuerit per alios impediri, quominus commissa ipsis officia efficaciter exequantur. Dat. *Lateran.* Non. *Novembris*, Pontificatus nostri anno septimodecimo.

Pat. 16 Johan. pars 1. m. 1. dorso.

INNOCENTIUS Episcopus, servus servorum Dei, venerabilibus fratribus *S. Cantuariensi* Archiepiscopo, Sanctæ *Romanæ* Ecclesiæ Cardinali, & Suffraganeis ejus salutem, & Apostolicam benedictionem. Mirari cogimur et moveri, grave gerentes plurimum et molestum, quod cum inter vos et charissimum in Christo filium nostrum *J.* Regem *Angliæ* Illustrem, par ad honorem Dei et Ecclesiæ sit feliciter reformata, dissentiones inter ipsum et quosdam Magnates atque Barones, necnon complices eorundem, dissimulatis hactenus, et conniventibus oculis pertransitis, ad sopiendum illas non curantes interponere partes vestras, quamvis nullatenus ignoretis, quod nisi celeriter fuerint prudenti consilio ac studio diligenti sopitæ, tantum et tale scandalum eorum occasione possit accidere toti Regno, quod scire nequiret absque multo dispendio ac magno labore sedari, nonnullis suspicantibus et dicentibus, quod super quæstionibus contra ipsum Regem noviter suscitatis, * vos illis præbetis auxilium et favorem, cum temporibus claræ memoriæ patris et fratris sui, necnon ipsius usque post pacem inter nos et ipsum vestra sollicitudine reformatam, hujusmodi quæstiones non fuerint suscitatæ. Illud autem reprobamus omnino, si quemadmodum a multis asseritur, conspirationes fecerint ausu temerario contra ipsum, quodque cum * armis irreverenter et indevote repetere præsumpserunt, quæ cum humilitate ac devotione, si opus esset, repetere debuissent. Ne igitur ipsius bonum propositum hujusmodi occasionibus voluerit impediri, fraternitatem vestram rogamus et exhortamur in Domino, per Apostolica vobis scripta præcipiendo mandantes, quatinus ad reformandam inter utrosque concordiam diligens studium impendeatis, et operam efficacem; omnes conjurationes et conspirationes præsumptas a tempore subortæ discordiæ inter Regnum et Sacerdotium Apostolica denuncientes auctoritate cassatas, et per excommunicationis sententiam inhibentes, ne talia de cætero præsumantur: præfatos Nobiles monendo prudenter, et efficaciter injungendo, per devotionis et humilitatis indicia ipsum Regem sibi placare ac reconciliare procurent, exhibentes ei servicia consueta quæ ipsi et prædecessores sibi et suis prædecessoribus impenderunt. Ac deinde si quid ab eo duxerint postulandum, non insolenter, set reverenter implorent, Regalem ei conservantes honorem, ut sic quod intenderint valeant facilius optinere. Nos enim eundem Regem rogamus, et obsecramus in Domino, in remissionem sibi peccaminum injungentes, quatinus prædictos Nobiles benigne pertractet, et justas petitiones eorum clementer admittat, ut et ipsi

* *Nota.*

* Did not this Pope himself do so, to enforce K. John to resign his kingdoms to him?

congau-

congaudientes conquieſcant, eum divina gratia faciente in meliorem ſtatum eſſe mutatum. Ac per hoc ipſi et hæredes eorum ſibi et ſucceſſoribus ſuis promptius et devotius debeant famulari. Dat. *Laterani*, 14 Kal. *Aprilis*, Pontificatus noſtri anno octodecimo. *An.* 16 Johan. *Regis.*

INNOCENTIUS, &c. Dilectis filiis Magnatibus & Baronibus *Angliæ* ſalutem, & Apoſtolicam benedictionem. Grave gerimus et moleſtum quod ſicut accepimus, inter kariſſimum in Chriſto filium noſtrum *J.* Regem *Anglorum* Illuſtrem, et quoſdam veſtrum propter quæſtiones noviter ſuſcitatas diſcordia eſt ſuborta, grave diſpendium parituræ, niſi celeriter fuerint prudenti conſilio ac ſtudio diligenti ſopitæ. Iſtud autem * reprobamus omnino, ſi quemadmodum a multis aſſeritur, conſpirationes aut conjurationes feceritis auſu temerario contra ipſum, quodque cum armis irreverenter et indevote repetere præſumpſiſtis, quæ cum humilitate ac devotione, ſi opus eſſet, vos repetere debebatis. Ne igitur ipſius bonum propoſitum hujuſmodi occaſionibus volueritis impedire, nos omnes conſpirationes et conjurationes præſumptas a tempore ſubortæ diſcordiæ inter Regnum et Sacerdotium, Apoſtolica denunciamus auctoritate caſſatas, et per excommunicationis ſententiam inhibemus, ne talia de cætero præſumantur; Vos monendo prudenter et efficaciter inducendo, ut per manifeſta devotionis et humilitatis indicia, ipſum Regem vobis placare et reconciliare curetis, exhibentes ei ſervicia conſueta, quæ vos et prædeceſſores veſtri ſibi et ſuis prædeceſſoribus impendiſtis; ac deinde ſi quid ab eo duxeritis poſtulandum, non inſolenter, ſed cum reverencia imploretis, Regalem ei conſervantes honorem, ut ſic quod intenderitis valeatis facilius optinere. Nos enim eundem Regem rogamus et obſecramus in Domino, in remiſſionem ei peccaminum injungentes, ut vos benigne pertractet, et juſtas petitiones veſtras clementer admittat: ſic et vos ipſi congaudiendo cognoſcatis eum divina gratia auxiliante in meliorem ſtatum eſſe mutatum, ac per hoc vos et hæredes veſtri ſibi et ſucceſſoribus ſuis debeatis promptius et devocius famulari. Quocirca nobilitatem veſtram rogandam duximus et monendam, per Apoſtolica vobis ſcripta mandantes, quatinus tales in hoc vos exhibere curetis, quod Regnum *Angliæ* optata pace lætetur, et nos in neceſſitatibus veſtris cum opus fuerit, neceſſarium vobis impendere debeamus auxilium et favorem. Dat. *Laterani*, 14 Kal. *Aprilis*, Pontificatus noſtri anno octodecimo. Pat. 16 Johan. m. 1. dorſo.

* Yet the Biſhops and all his other Subjects muſt thus conſpire, &c. againſt him. before his Charter of reſignation, by this Popes inſtigation, to effect his deſigns againſt him.

* *Nota.*

If Pope *Innocent* himſelf, or his predeceſſors before, or ſucceſſors after him, had obſerved theſe inſtructions he gave to the Archbiſhops, Biſhops and Nobles of *England*, there had not been one quarter ſo many Rebellions and inſurrections againſt King *John* and other Chriſtian Kings, Emperors in *England*, *Germany*, *Italy*, *France*, and other Kingdomes, as there have been by Popes contrary Bulls and Epiſtles, exciting them to rebell and take up arms againſt their Soveraigns, to depoſe or expell them by force, for not ſubmitting to their Papal uſurpations over, or antichriſtian Edicts, Cenſures denounced againſt them.

The Barons notwithſtanding this Papal *Bull* perſiſting in their armed violence and Rebellion againſt the King, the Pope thereupon in *July* following, ſent this enſuing * *Bull* to the univerſality of the Barons and Commonalty of *England*.

* The original whereof I found in the White Tower, ſomewhat defaced in the firſt lines. An. 16 Regis Joh. in Turre London.

INNOCENTIUS Epiſcopus, nobilibus viris univerſitati Baronum *Angliæ* hanc paginam inſpecturis, ſalutem & Apoſtolicam benedictionem. De partibus *Angliæ* nuper auribus noſtris rumor acceſſit ——— Regni *Angliæ* ſed etiam aliorum ——— quoſdam inter eos & cariſſimum ——— eſſet cum humilitate ac devotione ——— ſuper hoc iidem Barones ſuos ad nos nuncios deſtinaſſent; & nos (venerabilibus * patribus *Cantuarienſi* Archiepiſcopo, et Epiſcopis, Archidiaconis) dediſſemus literis in præceptis, ut conſpirationes et conjurationes præſumptas a tempore ſubortæ diſcordiæ inter Regnum et Sacerdotium Apoſtolica (denunciaret auctoritate caſſatas per excommunicationem inhibentes) ne talia de cætero temptarentur; injungerent Baronibus antedictis ut per devotionis et humilitatis indicia tam animum Regis placare quam reconciliare ſibi ſtuderent; et ſi quid ab eo ducerent poſtulandum, conſervando ſibi Regalem honorem, exhibendo ſervitia debita, quibus ipſe Rex non debebat abſque judicio ſpoliari; ac inſuper moneri mandavimus Regi præfato in remiſſione peccaminum ſibi injungendo, quatinus benigne pertractans nobiles antedictos, juſtas petitiones eorum clementer admitteret, plena eis in veniendo, morando ac redeundo ſecuritate conceſſa pariter atque data. Ita quod ſi forte non poſſet inter eos concordia

* Tom. 2. p. 337, 341.

* See Tom. 2. p. 341. Mat. Paris, Hiſt. Angl. p. 156, 157.

An. 16 Johan. *Regis.*

cordia provenire, in Curia sua per pares eorum secundum Regni consuetudines atque leges, mota deberet dissentio terminari, Barones ipsi, nostro non expectato responso, postquam idem Rex signum Crucis assumpsit in subsidium Terræ sanctæ, contemptu justitiæ, quum ipse Rex superhabundanter offerebat eisdem, contra dominum suum arma movere temeritate nefaria præsumpserunt, non timentes taliter Crucis negotium impedire, ac Regni periculum procurare, cum pecunia quam pro liberatione Terræ sanctæ deberet expendere, in destructionem etiam terræ suæ profundere compellatur: Quodque nefandum est et absurdum, cum ipse Rex quasi perversus Deum et Ecclesiam offendebat, illi assistebant eidem; cum autem conversus Deo et Ecclesiæ satisfecit, ipsum impugnare præsumunt, sicque videtur quod conspirationem inhierint detestandam, ut eum taliter de Regno possint ejicere, dominio et fidelitate sibi præstitis penitus violatis; quod quam crudele sit actu, et horrendum auditu, cum pernicioſi exempli materia sit et causa nostris temporibus inaudita, manifeste cognoscit quicumque judicio utitur rationis: Unde valde dolendum exstitit cum hoc in injuriam summi Dei, Ecclesiæ *Romanæ*, ac nostrum contemptum, Regis et Regni obprobrium et periculum, et Terræ sanctæ ad cujus subsidium se devoverat Rex præfatus, nimium detrimentum redundet. Cum igitur debeamus & libenter velimus pacem Regni *Anglia* procurare, ipsius turbationes propellere, ac dicti Regis QUI VASSALLUS NOSTER EXISTIT conservare justitias, et injurias propulsare; maxime cum idem propter caeteram Crucis assumptum sub nostra protectione specialiter consistat, præfatis Archiepiscopo et Suffraganeis ejus in obedientiæ virtute districte dedimus in præceptis, quatinus, nisi præfati Barones infra octo dies post susceptionem literarum nostrarum ab eis vel aliquo ipsorum diligenter ammoniti, receperint et servaverint formam descriptam superius a nunciis eorum præsentibus cum multa deliberatione provisam, idem, omni cavillatione postposita, eos et fautores ipsorum sublato cujuslibet contradictionis et appellationis obstaculo, excommunicationis mucrone percellant, et terras illorum Ecclesiastico subjiciant Interdicto, facientes utramque sententiam per totam *Angliam* singulis diebus Dominicis et festivis solemniter publicari. Ne igitur propter quosdam perversos universitatis sinceritas in *Anglia* corrumpatur, quæ hactenus ab infidelitatis contagio fuit prorsus immunis, universitati vestræ per Apostolica scripta præcipiendo mandamus, et in remissionem injungimus peccatorum, quatinus præfato Regi adversus perversores hujusmodi opportunum impendatis auxilium et favorem, ita quod in confusionem ipsius et aliorum Regnorum non possit tanta nequitia prævalere, sed tempestate sedata, Regnum ipsum optata tranquillitate lætetur. Scientes pro certo, quod si Rex ipse remissus esset aut tepidus in hac parte, nos Regnum *Angliæ* non pateremur ad tantam ignominiam et vilitatem deduci, cum sciamus per Dei gratiam et possumus talium insolentiam castigare. Dat. *Terentini*, 14 Kal. *Julii*, Pontificatus nostri anno octodecimo.

* *Nota.*

From this memorable *Bull* not (extant in any of our Historians) we may observe, 1. This Popes zealous censures of and declamations against all undutifull, contemptuous proceedings, conspiracies, insurrections of the Barons against K. *John*, to extort their demanded liberties from him by force of armes, not by humble petitions, dutifulness and obedience to him as their Soveraign, after he became his sworn Vassal; diametrically contrary to his *Bulls*, *Excommunications*, *Interdicts* and *Excitations* of his own Subjects, Barons, Prelates and the *French* King against him, to depose & un-King him before he surrendred his Crown, Kingdoms to, and resumed them from him by his detestable Charter. 2ly. That King *John's* Charter and subjection of his Crown, Realm to the Pope and Church of *Rome*, as their Vassal, was the principal cause of his Barons and Nobles insurrections against him, and that in contempt of the Pope, Church of *Rome* and their anti-monarchical usurpations, who for the most part constantly adhered to him against the Pope during the *Interdict* and his *Excommunication*. Therefore doubtless, they never assented to, but opposed his Charter of Resignation, and this clause inserted into it, De consensu omnium Baronum suorum, must needs be a forgery, as this his *Bull* demonstrates. 3ly. That the ground of these his *Bulls*, was not any real piety or zeal to God, or King *John*; but because he was *HIS VASSAL*, and under his Papal protection, as Crossed to relieve the *Holy Land*. 4ly. This Popes Antichristian spirit, pride, insolency, in denouncing *Excommunications* and *Interdicts* not onely against the Barons, but menacing

menacing to chaſtiſe King *John* himſelf, in caſe he were remiſs or cold in executing what he preſcribed by this *Bull* for the Barons juſt ſatisfaction, and the Kingdomes tranquillity. *An.* 16 Johan. *Regis.*

I ſhall here preſent you with the greateſt part of a memorable Letter (the reſidue being illegible) which I found in the *White Tower* Chappel, ſent from *Rome* to King *John* by *W. Mauclere* his devoted Clerk and meſſenger by whom he ſent Letters to the Pope, rendring this account of his negotiation, and of the Popes, Cardinals and Barons proceedings and complaints againſt him by the Barons Proctors in the Court of *Rome*, and the affairs of the Emperour his Nephew, worthy publick view.

REverendo Domino ſuo *J.* Dei gratia Rex *Angliæ*, Dominus *Hyberniæ*, Duci *Norman. Aquit.* & Com. *Andegav.* ſuus *W. Mauclere* ſemper valere, fidelis & devotus Clericus ſalutem & cum debita ſubjectione ſemper fidele ſervicium. Noverit excellentia veſtra, Domine reverende, quod quamvis magna infirmitate in itinere eſſem detentus, tandem Dei gratia ſecurus & incolumis die *Martis* prox. ante feſtum Beati *Michaelis* Apoſtoli *Romam* veni; & inveni Dom. Papam apud *Lateranum*, & eodem die acceſſi ad eum, et eum ex parte veſtra cum debita reverentia ſalutavi, et literas veſtras porreri; quas ipſe benigne ſuſcipiens, et diligenter inquiſivit de ſtatu veſtro, ac de pace Regni veſtri. Cum autem per reſponſionem meam intelligeret, quod omnia circa perſonam veſtram bene haberent, multum gavisus eſt, gratias inde referens Altiſſimo. Set poſtea, ſcilicet die Sabbati prox. ante diem Cinerum, venerunt ad Curiam *Johannes de Roreby* Clericus, *Euſtachius de Veſcy*, & quidam Capellanus dictus de *Paris*, *Johannes* Sancti *Osberti* nomine, deferentes literas Magnatum *Angliæ*, ſuper literas illas in receſſu latoris præſentium Dominus Papa nondum audivit, & quid in literis illis contineatur nondum plenè mihi conſtiterat: Set hoc ſcio pro vero, ſicut didici ex relatione Dom. *Johannis de Columpna* fideliſſimi amici veſtri, et relatione aliorum amicorum veſtrorum, quod Magnates *Angliæ*, ſcilicet Barones, & ut prædicti Nuncii dicunt Papæ, omnes Barones totius *Angliæ* inſtanter Domino Papæ ſupplicant, quod cum ipſe ſit Dominus *Angliæ*, vos diligenter admoneret, et ſi neceſſe fuerit compellat, antiquas Libertates ſuas per Cartas anteceſſorum veſtrorum et propio juramento veſtro confirmatas, eis illæſas conſervare. Dicunt autem prædicti Nuncii, quod cum vos a prædictis Baronibus inde requiſiti fueritis in Epiphania Domini apud *London*, ſpreto propio ſacramento veſtro, non tantum libertates ſuas antiquas et conſuetas eis concedere contempſiſtis, immo voluiſtis quod ipſi vobis promitterent, et etiam per Cartas ſuas darent, quod nunquam de cætero tales libertates a vobis vel ſucceſſoribus veſtris exigerent. Quod omnes Barones præter Dominum *Wynthon*, & Comitem *Ceſtriæ*, & *Willielmum Brimerr* hoc facere renuerent: Supplicant autem Domino Papæ, quod ipſe ſuper hiis eis provideret; cum ſatis conſtet ei, quod ipſi audacter pro libertate Eccleſiæ ad mandatum ſuum ſe vobis opponerent, et quod vos annuum redditum Domino Papæ et Eccleſiæ *Romanæ* conceſſiſtis, et alios honores quos ei et *Romanæ* Eccleſiæ exhibuiſtis, non ſponte, nec ex devotione, imo ex timore et per eos coactus, feciſtis. Doleo autem Domine, quod tales rumores oportet me Excellentiæ veſtræ ſignificare; Set quia credo, quod expedit honori veſtro, quod vobis ſuper hoc caute quàm citius poteritis provideatis, nullo modo auſus fui tacere. Præterea ſciatis Domine quod multum deſiderant amici veſtri, Dominus *Camerarius*, & Dom. *Johannes de Columpna*, quod vos Domino Imperatori Nepoti veſtro efficax conſilium impendatis. Dicitur autem in Curia, quod in bono ſtatu eſſet ſi haberet pecuniam, quia multi de Magnatibus Imperii ad fidelitatem ejus redeunt. Et ut nobis quantum ——— ipſe Dominus *Moirguntinus* ——— *Fredericus* verò *G.* pacem fecit cum Imperatore, & eſt de familia ipſius, ut dicitur, in Curia. Præterea ſciatis Domine ——— treugarum quærelæ ——— quod pro reverentia veſtra, tantam inveni gratiam tam in conſpectu Domini Papæ, quam in oculis omnium Cardinalium, quod dicitur in Curia, quod non fuerit aliquis, &c. omnes Cardinales qui ——— uberius ——— de tua veſtra gratiam inveniret ——— qui & ——— gratiam invenio ——— Domino *Ph. de Colet*, & fidelitatis ——— pro amore veſtro fecerunt: Et ſciatis, quod Dom. Papa et omnes Cardinales doluerunt quod non potui negocium meum; quod dicto *Ph. de Colet* per veſtras oſtenditur (*the next line is illegible*) *An.* 16 Johan. Regis, in Turre Lond.

Nota.

An. 16 Johan. *Regis.* *is illegible in most words)* ——— Et sciatis ——— quod non habui adversarium in Curia, set quod potuit in ——— benigne Dominus Papa. Scribatur autem Domino Papæ Judicibus quod Magister *W.* ——— *(the two next lines are illegible)* ——— Miratur Dominus Papa & amici vestri in Curia quod Nuncii vestri ad Curiam non venerunt, & consilio quantum audio, quod nisi ——— *(about 7 lines more are illegible.)*

The close of the Letter concerns the advancement of some particular person to a Deanry, whose preferment the Pope and Cardinals did most desire, and the suspension of another, with some advice concerning it; which is so sullied and defaced, that I think fitter to omit, then to present some broken fragments of it. From the former part thereof concerning the Barons complaint and suggestions to the Pope against the King, it is observable; First, that the Pope made use of the Barons as well as the Bishops to enforce the King to make his detestable Charter of his Crown, Realm, and resume them from him under an annual rent, sore against his will; which they used as the strongest inducement to perswade the Pope to compell K. *John* to grant and confirm those Charters, Liberties to them which they contested for. Therefore this Clause inserted into his Charter by the Popes Agents; **Non vi inducti, nec timore coacti, set nostra bona, spontaneaque voluntate offerimus et libere concedimus Deo et sanctis Apostolis ejus, &c.** must needs be a notorious falshood. 2ly. That the King after this detestable Charter and surrender, made use of the Popes power, Bulls, Excommunications and Interdicts to curb the Barons and Archbishop, and * *null the Charter of Liberties* they forcibly extorted from him, and to enforce them to disclaim them. Such an *ambidexter* was he to promote his own usurped authority over them both, as his Vassals, and make them the new instruments of their own servitude and bondage.

* See Tom. 2. p. 340, to 348.

Tom. 2. pag. 356. l. 28. after *Aprilis*, adde; I find this special License to elect a Bishop, granted by the King to the Chapter of *Bangor* upon their petition, wherein hee recommended a Pastor to them, whom they thereupon elected.

Pat 16 Johan. pars septissima. m. 5. n. 33.

REX dilecto sibi Capitulo *Bangorensis* Ecclesiæ, *&c.* Literas vestras clausas suscepimus, continentes in pluribus, ut **licentiam eligendi pastorem vobis concederemus.** Et licet hoc facere * non consueverimus, tamen ad preces vestras **licentiam eligendi quam postulastis vobis concedimus; rogantes, quatinus Abbatem de *Alba Landa* vobis eligatis in pastorem, et cum elegeritis, mittatis nobis literas vestras patentes et testificantes, quod ipsum elegeritis ad petitionem nostram, et nostrum electioni vestræ petetis assensum adhiberi.** Et in hujus, *&c.* vobis mittimus. Teste meipso apud *Suton*, 13 die *Marcii*, anno regni nostri 16.

* The King conferred Bishopricks before, without Petitions or *Conge-delires.*

The effect whereof in complying with the King, is thus recorded.

Ibid. m. 4.

ARchiepiscopo *Cantuarien*s Rex, *&c.* Sciatis quod Canonici de *Bangor* invocata Spiritus Sancti gratia, unanimiter elegerunt sibi in Episcopum & Pastorem laudabilem virum *C.* Abbatem de *Alba Landa*: **Nos autem huic electioni regium impendentes favorem, paternitati vestræ supplicamus rogantes, ut eidem Electo munus consecrationis impartiri velitis.** Teste meipso apud *Oxoniam*, 13 die *Aprilis*.

The Prior and Covent of *Ely* electing *Robert* of *York* the same year for their Bishop, contrary to the Kings pleasure and Royal dignity, he thereupon sent three Prohibitions and Appeals against it: one to the person elected, not to accept of his election or confirmation to it; another to the Archbishop, not to confirm his election; a third to the Prior and Monks, not to proceed in the election; and committed the Temporalties of the Bishoprick during his pleasure, to his own special Trustees, as these Records assure us.

Pat. 16 Johan. m. 4. vel 5.

REX Magistro *Roberto* de *Eborum*, &c. **Audivimus quod Prior & Conventus *Elienses* de persona vestra nominationem quandam fecerunt de electione sibi facienda in Episcopum: Et quoniam jamdudum tam in Capitulo eorum, quam alibi, pro jure nostro et Regia dignitate appellavimus, et postmodum appellationes easdem innovavimus, cum ista nominatio de persona vestra facta nostræ dignitati contraria esse dignoscatur, appellamus; prohibentes vobis ne ad electionem vel confirmationem procedatis, nec circa personam vestram super hoc ad promotionem vestram aliquid contra dignitatem Regiam statuatur. Et ad appellationem nostram innovandam mittimus fideles Clericos nostros *Robertum de Aremes*, & *Jocelinum de***

Alta

Alta ripa. Et in hujus, *&c.* vobis inde mittimus. Teſte meipſo apud *Rading.* 14 die *Aprilis*, anno regni noſtri 16. *An.* 16 Johan. *Regis.*

VEnerabili in Chriſto patri *S.* Dei gratia *Cantuarienſi* Archiepiſcopo, *&c. J.* eadem gratia Rex *Angliæ*, *&c.* ſalutem. Audivimus quod Monachi *Elienſes* contra appellationem a nobis pro dignitatibus noſtris ad Dominum Papam dudum interpoſitam, et poſtmodum coram vobis et alibi multoties innovatam, quantum in eis eſt Magiſtrum *Robertum* de *Eborum* nominarunt. Quia vero hoc contra nos et dignitates noſtras erpreſſe factum eſſe reputamus, ad ſedem Apoſtolicam appellàmus, ne illam nominationem ſive electionem, ſi tamen eam pro electione habeatis, confirmetis. Et ad hanc & alias appellationes innovandas latores præſentium *Paganum* & *H. de Vic.* paternitati veſtræ tranſmittimus. Et in hujus, *&c.* vobis mittimus. Teſte meipſo apud *Radinges*, 14 die *Aprilis*, anno regni noſtri 16. Ibid. n. 26.

REX Priori & Conventui *Elien.* &c. Sciatis vobis conſtat nos ſæpius tàm in Capitulo veſtro quàm alibi, pro jure noſtro appellaſſe, ne quid contra dignitatem et libertatem Regiam fieret ſuper electione in Eccleſia veſtra facienda, et appellationes noſtras innovaſſe. Et quoniam datum eſt nobis intelligi, vos nominationem quandam feciſſe de *Roberto* de *Eborum* vobis in Epiſcopum eligendo, adhuc appellationes noſtras innovavimus, prohibentes ne contra dignitatem noſtram in electione aliqua circa perſonam præfati *R.* vel alicujus alterius procedatis. Et in hujus, *&c.* vobis mittimus. Teſte meipſo apud *Radinges*, 14 die *Aprilis*, anno regni noſtri 16. Ad has autem appellationes innovandas ad vos mittimus Magiſtrum *Robertum de Aremes*, & Magiſtrum *Jocelinum de Alta ripa.* Teſte eodem. Ibidem.

REX Militibus & liberè tenentibus & omnibus aliis ad Epiſcopatum *Elienſem* pertinentibus, ſalutem. Sciatis quod commiſimus dilectis & fidelibus noſtris *Radulpho de Normanvill*, & *Roberto de Kancia* Epiſcopatum *Elienſem* cuſtodiendum, quamdiu nobis placuerit. Et ideo vobis mandamus, quod eis ſitis intendentes & aliis negotiis noſtris quæ ipſi vobis dicent. Et in hujus, *&c.* vobis mittimus. Teſte meipſo apud *Walingeford*, 14 die *Aprilis*. Ibidem.

Tom. 2. p. 357. l. 41. after *diſcrimen*, inſert; Pope *Innocent* the 4th. under pretext to relieve the *Holy Land*, but in truth to exerciſe and enlarge his Papal Juriſdiction over Kings and Kingdoms, enjoyned King *John* and the King of *France* to make a *Truce*, under pain of inflicting his Eccleſiaſtical Cenſures on them, as this Bull and Epiſtle of his to King *John*, not formerly printed, informs us.

INNOCENTIUS Epiſcopus ſervus ſervorum Dei kariſſimo in Chriſto filio *J.* illuſtri Regi *Anglorum*, ſalutem & Apoſtolicam benedictionem. Cum ex guerra quæ vertitur inter te & kariſſimum in Chriſto filium noſtrum *Philippum Francorum* Regem illuſtrem, impediatur Terræ Sanctæ ſuccurſus, ad quem pro ſalute populi Chriſtiani, ardentiſſime aſpiramus, aliaque innumera timeantur ex ea pericula proventura; Nos Apoſtolicæ ſervitutis debito provocati, ad reformacionem pacis intendimus interponere partes noſtras, unde conſulitur nobis a viris prudentibus et honeſtis, quatinus tibi ac præfato *Francorum* Regi firmiter injungamus, * per cenſuram Eccleſiaſticam vos, ſi neceſſe fuerit, compellendo, ut pro tot et tantis periculis evitandis, treugas ineatis et obſervetis adinvicem, ſaltem uſque poſt generale Concilium in proximo celebrandum, rebus in eo ſtatu manentibus in quo erint cum ipſæ treugæ à partibus firmabuntur. Et duo mediatores pacis abſque malicia eligantur, qui fideliter interim tractent de concordia reformanda: Quæ, ſi forte provenire non poſſet, noſtro vos arbitrio committatis, præſtitis ſuper hiis cautionibus quæ tanto aut tali negocio fuerint oppoſitunæ, ut extunc ad tam periculoſam diſcordiam ſopiendam nos ipſi perſonaliter intendamus. Quocirca ſerenitatem Regiam rogamus, monemus & exhortamur in Domino, quatinus habita ſuper his deliberatione prudenti, nobis non differas per idoneum nuncium reſpondere. Dat. *Romæ*, apud Sanctum *Petrum*, 10 Kal. *Maii*, Pontificatus noſtri anno ſeptimo-decimo. Pat. 16 Johan. m. 17.

* See Tom. 2. Epiſtle Dedicatory, and Tom. 2. p. 6.

Theſe Popiſh Trayterous Prelates were ſo harſh and ungratefull to King *John*, that after their reſtitution and reparation, they ſtirred up ſeveral Abbots to demand what they freely gave the King during the Interdict, as if he had took it away by force; whereupon he writ thus to them, not to demand reſtitution thereof, but remit it, being freely given to him.

REX Abbatibus, Prioribus, & Clericis in Epiſcopatu *Elyenſi* conſtitutis, ſalutem. Memoriter retinemus & benè recolimus quod vobis tenemur in multis, et Pat. 16 Johan. m. 10.

marime

An. 16 & 17 Joh. *Regis.*

maxime in hiis quæ nobis ded.ſtis tempore Interdicti, et quæ tunc ablata vocantur. Et vos rogamus, ut ea quæ nobis dediſtis, nunc nobis remittatis data, non repetendo, ſet er mera liberalitate veſtra ea nobis concedatis, ut ad gratiarum vobis teneamur actiones, et de cætero vobis obnoxiores efficiamur. Et quid er mera liberalitate veſtra nobis facere volueritis, per dilectos et fideles *Simonem* de *Inſula*, *Guyemara* de *Baſſingeburne*, & Archidiaconum *Sarrum* nobis ſignificetis. Teſte meipſo apud *Novum Templum London.* 22 die *Novembris.*

An. 17 Johan. *Regis.*

Tom. 2. p. 351. l. 38. after *Sword*, this ſhould have followed. * *Mat. Weſtminſter* renders us this account of this Kings military proceedings againſt the Barons, and ſad conſequence of this unhappy Civil War, as well to the Biſhops and Clergy as Barons and Laity. *Stipatus igitur agmine deteſtabili alienigenarum, cujus Dux & præceptor* Falcaſius de Breaute, *vir quidem ignobilis, & genitura baſtardus, Neuter genere conſtitutus eſt*; *Rex* Johannes *furia invectus, partes* Angliæ *Aquilonares cœpit devaſtare, Caſtra Baronum vel diruere, vel ſibi mancipare. Aulas & municipia immiſericorditer, quæ Baronum fuerant, concremare, incolas excogitatis tormentis, ut pecuniam extorqueret, exagitare, ità ut videretur Dominus furore iraſci populo ſuo*, et hæreditatem ſuam abominari: ubique luctus, ubique miſeria. Factus eſt Sacerdos ut populus, et * ſceptra Eccleſiæ prophanantur. Proſcribuntur Epiſcopi, effugientibus paſtoribus gregum agmina diſperguntur. *Eodem tempore*, quia fuit corrector, et in quo potuit, corrector Regis *Johannis*, ſemper tamen recalcitrantis, ab officio ſuſpenſus eſt *Stephanus Cantuar.* Archiepiſcopus, quaſi eſſet tantor adverſariorum vaſſalli Domini Papæ, *ſcil.* Regis *Johannis*, per omnia deſipientis. In Concilio etiam generali ſuſpenſionem prænotatam Dominus Papa confirmavit. Tandem vir, multis tamen elaborantibus, meruit idem Archiepiſcopus abſolutionis beneficium obtinere. * *Interea afflicta eſt* Anglia *afflictione magna, dum nobilium mulieres ludibrio irarentur, domus comburerentur, ſylvæ ſuccideren tur, terra alienis donarentur*, pecunia a quovis, tormentis exquiſitis, extorqueretur. *Depopulata eſt Inſula* Elienſis *per* Falcaſium, qui etiam Eccleſiam ipſam Cathedralem equum inſidens, evaginato gladio irreverenter intravit, extrahenſque inde nobiles viros et matronas, necnon et Clericos, ipſumque Dominum Stephanum Riddel, *virum clariſſimæ famæ, honeſtum & dapſilem*, ad graviſſimam compulit redemptionem. *Et dum talia agerentur, ad inſtantiam Regis*, qui quaſi ad Dominum ſuum Papam nuncios crebro deſtinavit, ipſe Summus Pontifex, ut vaſſallum ſuum novum, novus Dominus protegeret viriliter et efficaciter, Barones *Angliæ*, quos prius excommunicavit in genere, jam iterato excommunicavit * nominatim, et in ſpecie. *Barones autem, jam in arcto conſtituti, poſtquam cognoverunt*, quod Dominum Papam pro ſubjectione regni, et vaſſalagio Regis inclinati validum haberent perſecutorem, quem prius habuerunt defenſorem: Ludovicum, *primogenitum* Philippi *Regis* Francorum, *ſibi in Regem electum diutius expectarunt. Cui obſides cum Chartis, & aliis obligationum generibus de fidelitate, & ligantia tranſmiſſis, ſolennibus legationibus deſtinarunt, qui parandis præparatis adventum maturavit. Rex verò* Johannes, *audiens de adventu* Ludovici *in* Angliam, Cantuariam *advolavit. Et interim applicuit* Gualo *Legatus*, miſſus a Domino Papa Innocentio 3. ad tuitionem Regis Johannis. *Qui tranſitu facto per Regem* Francorum Philippum, ex parte Domini Papæ omnibus modis diſſuaſerat, *ne filium ſuum* Ludovicum *in ſuccurſum excommunicatorum tranſmitteret*, ne Eccleſia Romana patrimonio ſuo privaretur. *Quod cum intellexiſſet Rex* Philippus, *hoc de regno* Angliæ *dictum fuiſſe, ita mox reſpondit*; Regnum Angliæ patrimonium Petri, vel Eccleſiæ Romanæ nunquam fuit, nec eſt, nec erit.

Tom. 2. p. 360. l. 4. after *XVIII.* adde: To procure this Excommunication and Interdict, and the Popes confirmation of his Charters of Queen *Berengaria* her *dower*, K. *John* diſpatched *Pandulph*, the Popes Legat, and ſeveral Proctors to *Rome* to Pope *Innocent*; as theſe enſuing Records and Letters atteſt; wherein he complained, that the Barons who were devoted to him before he ſurrendred and ſubjected his Realm to the Pope, had ſince for that very reaſon, as they publickly proteſted, moſt violently riſen up in rebellion againſt him, imploring his ayde and protection of Himſelf and Realm againſt them; and the obſtinacy, diſobedience of his treacherous Prelates, who hindred the good effects of his former care and endeavours to protect and ſupport him; for which he returned him all poſſible thanks.

Pat. 17 Johan. m. 16.

REverendo Domino ſuo & Patri ſanctiſſimo *J.* Dei gratia Summo Pontifici *J.* eadem gratia Rex *Angliæ*, &c. ſalutem & debitam tanto Domino ac Patri reverentiam.

* Anno 1215. p. 98.

* *ſepta.*

* Anno 1215. p. 100.

* See Tom. 2. p. 359, 360.

rentiam. Cum Comites et Barones *Angliæ* nobis devoti eſſent antequam nos et noſtram terram Dominio veſtro ſubjicere curaſſemus, extunc in nos ſpecialiter * ob hoc, ſicut publice dicunt, violenter inſurgunt. Nos vero poſt Deum vos ſpecialem Dominum et Patronum habentes, defenſionem noſtram et totius Regni (quod veſtrum eſt) eſſe credimus veſtræ paternitati commiſſam, et nos quantum in nobis eſt Curam et ſollicitudinem iſtam veſtræ reſervamus dominationi; devotius ſupplicantes, quatinus in negotiis noſtris quæ veſtra ſunt conſilium et auxilium efficax apponatis, prout melius videritis expedire. Latores præſencium venerabiles Patres *W. Burdegal.* & *H. Dublin.* Archiepiſcopos, Magiſtrum *R.* Canc. noſtrum, Abbatem *Belli Loci:* Magiſtrum *P. Ebor.* Eccleſiæ Præcentorem, & *H.* Archidiaconum, & Magiſtrum *R. de Arenio* Canonicum *Eborum*, & Nobiles viros *J. Mareſcallum*, & *G. Luterell* fideles noſtros, quos propter hoc ad pedes veſtros tranſmittimus benignius exaudientes. Nos enim ſuper omnibus quæ ad nos et Regnum noſtrum pertinent vices noſtras et auctoritatem ſanctitati veſtræ committimus. Ratum habituri et firmum quicquid inde cum conſilio nunciorum noſtrorum duxeritis ordinandum. Teſte meipſo apud *Doveram*, 13 die *Septembris.* (*A ſtrange enforced condeſcention.*) *An.* 17 Johan. *Regis.* * *Nota.*

What fruit and effects theſe Letters and Proctors produced for the Kings and Kingdomes defence againſt the Barons, you heard out of *Matthew Paris:* what his other Complaints were againſt his refractory Biſhops, this his memorable Letter to the Pope will inform us.

ITem, Domino Papæ, *&c.* In conſpectu Paternitatis veſtræ nos humiliamus, ad grates multiplices prout melius ſcimus et poſſumus exhibendas, pro Cura et ſollicitudine quam ad defenſionem noſtram et Regni noſtri *Angliæ*, Paterna veſtra benevolencia indeſinenter apponit, licet * duricia Prælatorum *Angliæ* atque inobediencia maliciose impediant piæ veſtræ proviſionis effectum. Nos tamen pro affectu ſincero quem ad nos geritis clementiæ veſtræ devocius inclinamus, qui etſi ad præſens a ſuperbis et a malevolis ad inſipienciam ſibi cenſeatur inefficax, nobis erit Domino concedente ad tuicionem et pacem, et inimicis noſtris confuſionem et terrorem inducet. Et licet Dominus *Pandulphus* fidelis Subdiaconus veſter *Norwicenſis* Electus nobis perneceſſarius eſſet in *Anglia*, utpote qui honorem Eccleſiæ *Romanæ* ac veſtrum, et totius Regni noſtri fideliter et devote procurat, quia tamen nullo modo de ſtatu noſtro et Regni paternitas veſtra certificari poterit melius quam per ipſum, ad pedes veſtros eundem deſtinamus invitum, devocius ſupplicantes quatinus per ipſum ſpecialiter, et per alios fideles noſtros illatæ vobis in perſona noſtra injuriæ, veritate comperta ad regimen Regni noſtri et noſtræ obſervandam dignitatis paternæ manum ſollicitudinis apponatis, prout excellens veſtra diſcretio viderit expedire, quod per Dei gratiam laudabiliter facitis et feciſtis. Pro certo habentes, quod poſt Deum perſonam veſtram et auctoritatem Apoſtolicæ Sedis habemus unicum et ſingulare præſidium, et ſub veſtri confidencia patrocinii reſpiramus, (*after he became their Vaſſal*) Teſte, *&c.* Pat. 17 Johan. m. 15. dorſo. * *Nota.*

DOmino Papæ, *&c.* Erga Sedem Apoſtolicam habentes multa proponere, et per Dei gratiam et veſtram plurima impetrare, coram vobis in propria perſona noſtra ſummo deſiderio deſideravimus intereſſe: quia tamen juxta hujus voluntatis noſtræ deſiderium, impediente locorum difficultate pariter & Viarum, necnon perturbatione Regni noſtri quam ex inopinato patimur, coram præſentia veſtræ ſanctitatis in propria perſona noſtra comparere non poſſumus, * venerabiles Patres noſtros *Burdeg.* & *H. Dublin.* Archiepiſcopos, Magiſtrum *R.* de *Mar.* Cancellarium noſtrum, & Nobiles viros *J. Mareſcal.* & *G. Luterell* præſencium portitores ad Sedem Apoſtolicam deſtinamus, quos ita Procuratores conſtituimus in Cauſis et negotiis quæ ſive de *Anglia*, ſive aliunde habemus, ſive habuimus in Curia *Romana* expedienda, ſive in agendo, ſive defendendo, acſi ſingula ſingulariter expreſſa fuiſſent, non tantum illis generalem ſed adminiſtracionem liberam in omnibus concedentes. Ratum habituri & gratum quicquid per jam dictos Procuratores, aut tres, aut ſaltem duos eorum in veſtra præſencia factum erit. Promittimus eciam pro eis judicatum ſolvi, ſi opus fuerit. Hæc ita Sanctitati veſtræ ſignificanda duximus, ut eadem adverſariis noſtris, ſi qui in præſentia veſtra apparuerint intimentur. Teſte, *&c.* Pat. 17 Johan. m. 15 dorſo. * Idcirco.

ITem, Domino Papæ, *&c. omnia ut ſupra uſque huc*: venerabiles Patres noſtros *W. Burdegal.* & *H. Dublin.* Archiepiſcopos, Magiſtrum *R.* de *Mar.* Cancellar. noſtrum, Abbatem *Belli Loci Reg.* Magiſtrum *B. Ebor.* Eccleſiæ Præcentorem, & *H.* Ibidem.

An. 17 Johan. *Regis.* Archidiaconum, & Magiſtrum *R.* de *Aren.* Canonicum *Ebor.* & Nobiles viros *J. Mareſcallum*, & *G. Luterell* fideles noſtros pro negotiis noſtris quæ habemus vel habuerimus in Curia *Romana* expedienda, ſive de *Anglia*, ſive aliunde, ad Sedem Apoſtolicam Nuncios deſtinamus, quibus ſi placet Apoſtolicæ ſerenitatis gratiam exhibentes, in hiis qui ex parte noſtra, & pro nobis paternitati veſtræ propoſuerint indubitanter credatis, & eos in noſtris iſtis peticionibus clementer audire & paternaliter exaudire velitis. Teſte, *&c.*

King *John* having at this time made two Charters touching the Dower of Queen *Berengaria*, wife to his deceaſed Brother King *Richard* the 1. ſent them by theſe his Proctors to the Pope to procure his confirmation of them, according to his Covenant therein ſpecified.

Pat. 17 Johan. m. 16, dorſo. REverendo Domino ſuo & Patri in Chriſto ſanctiſſimo *Innocentio* Dei gracia Summo Pontifici, *Johannes* eadem gracia Rex *Angl. &c.* & debitam tanto Domino & Patre cum devocione reverenciam. Mittimus, Pater ſanctiſſime, tranſcriptum Convencionis factæ inter nos & Reginam *Berengariam*, de verbo in verbum, cujus tenor talis eſt. *J.* Dei gratia Rex *Anglorum*, *&c.* Omnibus ad quos præſens ſcriptum pervenerit, ſalutem: Sciatis, ita conveniſſe inter nos & Dominam Reginam *Berengariam* quondam uxorem Domini *Richardi* Regis Fratris noſtri, de dote ſua quam petebat, & de quadam quæſtione quæ quondam inter nos & ipſam facta fuit ſuper eadem dote, de qua mille Marcas de nobis recipere debebat annuatim, videlicet; quod nos modo ad præſens damus ei duo millia Marc. pro omnibus arreragiis, & pro ſolucione præſentis anni, & de cætero dabimus ei annuatim mille Libras bonorum & legalium ſterlingorum; ſcilicet quingentas Libras in feſto Omnium Sanctorum, & quingentas Libras in feſto Aſcenſionis. Hanc autem pecuniam ſolvemus ei in domo *Novi Templi* apud *London*. Licebit autem eidem Dominæ Reginæ repetere dotalicium ſuum ab omni detentore extra Regnum *Angliæ*, præterquam à nobis & Succeſſoribus noſtris, & nos de hoc non erimus contra eam, niſi nos teneamur de jure illud ei warrantizare; & neque nos, neque Succeſſores noſtri poterimus capere in manum noſtram res illas ſuper quibus ipſa in cauſam traxerit detentores, ſalvo nobis & hæredibus noſtris poſt ejus obitum jure noſtro. Concedimus eciam quod ipſa Regina & homines de familia ejus liberum habeant omni tempore introitum in terram noſtram & exitum ab eadem, poſſintque ibi morari quamdiu voluerint, & tam eos quam omnes res eorum ſalvum conductum noſtrum & fidelem ſecuritatē noſtram recipiemus inveniendo, in redeundo, & morando, præſtito Sacramento, quod per eos nobis malum non eveniet aut Regno. Concedimus eciam quod in omnibus portubus maris liberum habeant tranſitum quando voluerint, prohibentes quod nullus Balliverum vel hominum noſtrorum ipſos impediat, vel conſuetudinem recipiat ab eiſdem. Compoſicionem autem facimus tam pro nobis quam hæredibus noſtris; ſtatuentes quod ſi forte, quod abſit, nos vel aliquis Succeſſorum noſtrorum ipſam Convencionem infringeremus, quod facere non poſſumus ſalva fide, & infra *xl.* dies commoniti, nos vel Juſticiarius noſter ſi extra Regnum fuerimus, id non emendaverimus, dotalicium ſuum integrè reſtituere teneamur eidem omni dilacione & occaſione remota. Præterea fecimus turare in animam noſtram *Gaufridum Luterell*, Militem noſtrum, quod omnia quæ in Carta iſta continentur obſervabimus illibata. Et ad majorem ſecuritatem ea omnia a Domino Papa confirmari impetrabimus. Rogamus eciam Dominum Papam et humiliter petimus, ut præſenti Compoſicioni addat ſecuritates quas viderit expedire, et nos ratum habebimus quicquid inde ſtatuerit. Volumus eciam quod omnia fideliter obſerventur, & nolumus quod prædicta poſſit ſuper hæc ab aliquo in poſterum moleſtari. Et ſciendum eſt, quod in hoc feſto Omnium Sanctorum anno Regni noſtri 17. ſolvemus dictæ Dominæ Reginæ primas quingentas libras de ſupradictis mille Libris ſibi annuatim ſolvendis. Hiis teſtibus Dominis *P. Winton*, & *S. Exon.* Epiſcopis, Magiſtro *Pand. Norwicenſi* Electo, *H.* Abbate de *Bello-Loco*, Fratre *Alano Marſell.* Magiſtro *P.* Archid. *Surr.* Dat. per manum Magiſtri *Ric.* de *Mar.* Cancellarii noſtri apud *Donr.* 2. die *Septemb.* anno Regni noſtri 17. Cum igitur, Pater reverende, volumus hanc Conventionem Sedis Apoſtolicæ munimen optinere, præces Sanctitati veſtræ effundere decrevimus, ſupplicantes quatinus in majorem hujus Conventionis ſecuritatem, eidem Convencioni quas videritis expedire ſecuritates apponi jubeatis, facientes, ſi placet, eandem perpetuo Sedis Apoſtolicæ munimine gaudere. Teſte meipſo apud *Donr.* 11 die *Septemb.* a. r. n. 17.

Kariſſimo

KArissimo Domino suo & Patri in Christo sanctissimo *I.* Dei gratia Summo Pontifici, *F.* eadem gratia Rex *Angliæ*, &c. Mittimus vobis, Pater reverende, transcriptum cujusdam Conventionis factæ inter nos & Dominam *Berengariam*, cujus de verbo in verbum tenor talis est. *F.* Dei gratia, *&c.* Omnibus, *&c.* Notum vobis facimus nos concessisse Dominæ *Berengariæ* quondam *Angl.* Reginæ Uxori Regis *Ricardi* Fratris nostri, quod si fortè per pacem suam cum Regæ *Franciæ*, vel aliquo modo Civitatem *Cenomann.* recuperare poterimus, ipsam habeat in tota vita sua & possideat, cum tota *Quinta* liberè, & in pace, & quietè. Concedimus etiam quod si Castra de *Segreio* & de *Mairenent* ad manum nostram devenerint in vita ipsius Reginæ, nos ei sine dilacione Castra illa restituemus. Habendum quamdiu vixerit tanquam partem dotalicii sui: & ut contra Composicionem nos vel Hæredes nostri venire aliquo modo non possimus, fecimus *Gaufridum Luterel* Militem nostrum jurare in animam nostram, et omnibus illis obligacionibus in hac Carta nos eidem Reginæ obligavimus quibus sumus ei obligata in alia Carta, in qua ei assignavimus mille Libras sterlingorum annuatim. Supplicamus etiam Dom. Papæ quod Cartam istam confirmet sicut et aliam, et addat etiam securitates quas viderit expedire, et ratum habebimus quicquid inde statuerit. Testibus Dominis *P. Winton*, & *S. Exon.* Episcopis, Magistro *Pandulpho Norwicensi* Electo, Abbate de *Bello-Loco*, *Alano Martell*, *Hugone* de *Burgo* Justic. nostro. Dat. per manum Magistri *Ricardi* de *Mar.* Cancellar. nostri apud *Dour.* 4 die *Septemb.* anno regni nostri 17. Petimus igitur, sanctissime Pater, sanctæ Sedis Apostolicæ Conventionem istam munimine roborari, et securitates quas videritis expedire addi eidem, quia quicquid inde vestra statuere providencia decreverit nos ratum habebimus. Teste meipso apud *Douram*, 4 die *Septemb.* a. r. n. 17. *Thus this holy Father the Pope must ratifie the King's Temporal Contracts, and adde what further Clauses and Securities to them he should deem meet, for this Queens satisfaction.* *An.* 17 & 18 Joh. *Regis.* Pat. 17 Johan. Regis, m. 16. dorso.

Tom. 2. p. 358. l. 49. after *Bull*, this should have followed. King *John* having sufficient experience of the treachery, perjury, disloyalty of most of his Bishops, Abbots, Clergy, by their Interdicting the Realm, procuring the Pope to excommunicate, depose him, and give away his Kingdom; and by their confederating with his Barons in their Wars against him, after their restitution, and his reconciliation to them notwithstanding their unparallel'd Treasons; did thereupon in the last year of his reign insert a new clause into his Licenses for electing Bishops, Abbots, Priors both in *England* and *Ireland*, as this Record assures us. *An.* 18 Johan. *Regis.*

REX Subpriori & Canonicis de *Coventre*, salutem. Suscepimus literas vestras per quas nobis significastis, quod Prior vester viam universæ carnis est ingressus, petentes à nobis licentiam Priorem vobis eligendi, unde licentiam vobis concedimus, mandantes quatinus talem virum & tam idoneum vobis unanimiter præficiatis in pastorem, qui nobis et regno nostro utilis sit ac fidelis, et domui vestræ competens et bonestus. Teste meipso apud *Cerff.* 29 die *Junii*, a. r. n. 18. *Which form hath been generally observed with very little variation in after ages.* Pat. 18 Johan. pars 1 & 2. m. 6. intus.

Tom. 2. p. 367. l. 6. after *death*, this should have been inserted: * *Ranulfus Cestrensis* renders us this account of K. *John*'s death, and what common fame there was that he was poysoned by a Monk. *Rex* Johannes 17 *regni sui anno, & sexto mense, obiit apud* Newerk *morbo dissenterico die Sancti* Calixti *Papæ, set apud* Croghton *Monasterium ordinis* Præmonstracensis *exenteratus est, & apud* Wygorniam *in medio Chori Monachorum sepultus.* Tradit tamen vulgata fama, quod apud Monasterium Swynhenede alborum Monachorum intoxicatus est. *Juraverat enim ibidem (ut asseritur) prudens*, quod panem tunc obolum valentem faceret infra annum si viveret 12 denarios valere. *Quod audiens*, unus de conversis fratribus loci illius venenum confecit, Regi porrexit, set et ipso sumpto prius viatico catholico simul cum Rege interiit. * *Henry de Knyghton* a Canon of *Leicester* superaddes another cause and way of poysoning him, and what became of him after his death: *Rex ipse* Johannes *ad Monasterium de* Swynshened, *quod à Sancto* Botolpho *distat per quinque leucas, hospitandi causa declinaret. Audivit Abbatem ejusdem loci pulchram habere sororem, Priorissam cujusdam loci propinqui, accensusque ex more libidine, misit satellites suos ut eam adducerent ad se. Quod cum audisset Abbas frater ejus, tristis admodum effectus est, nolaitque à fratribus consolationem accipere. Cui dixit unus conversus suus qui curam gerebat hospitii, & familiaris, & notus Domino Regi*, Quidnam habes Pater? cur decidit vultus tuus, & tristior solito est facies tua? *Cui Abbas*; Sororem habeo, *inquit*, unam, sponsam Christi, * Polychron. l. 7. c. 33. * De Event. Angl. l. 2. c. 15. col. 2425.

An. 18 Johan. *Regis.*

Christi, quam dilexi; Proponit eam deturpare Rex. *At ille*; Ignosce mihi pater, & ora pro me, et auferam vitam iniqui a terra, et timorem ipsius a conversatione hominum. *Cui ille*; Nellem hæc, *inquit*, fili mi; non tamen licet in personam Regis manum extendere. *Processit itaque conversus, & tulit pira nova, quibus ipsum Regem libenter vesci sciebat*, apposuitque venenum in singulis præter tria, quæ cum cæteris reposita optime denotabat. *Denique cum Rex sederet in mensa & confabularetur cum suis militibus qui assiderant, accepto uno pane, non quidem ut Dominicam cœnam faceret, sed ut in pernitiem suam loqueretur & mortem*: *Quæsivit à ministru*, quanti pretii esset panis ille si venditioni traheretur? *At illi*; Valeret, *inquiunt*, obolum. *Et ille*; Verè, *inquit*, fertilitas ista maxima fecit Barones & populum meum insurgere in me; nunc autem si per annum integrum comites mihi fuerint vita & salus, faciam tanti panem ponderis 12 obolos valere. *Et scandalizati sunt ministerii ejus in verbo isto, & retrocedebant quidam eorum.* Conjurant omnes cum converso in mortem ipsius. *Venit itaque conversus ille, & applausit Regi sicut & alias facere consueverat, & dixit ei*; Placetne tibi, ô Rex, comedere de fructu novo? Placet, *inquit*, vade, & affer: *Tulitque præparata pira, & statuit ea coram Rege. Moxque lapides pretiosi, qui coram Rege fuerant, in sudorem vertebantur*: *Et ait Rex*; Quid attulisti frater? nunquid venenum porrexisti? *At ille*; Non venenum, ô Rex, sed fructum optimum. *Et Rex*; Comede, *inquit*, de fructu tuo. *Moxque apprehenso uno ex piris cognitis comedit*: *Et Rex*; Comede, *inquit*, & alterum; *& comedit*: Adde, *inquit*, & tertium; & fecit sic. *Nec se ulterius potuit continere Rex*, apprehenso uno ex venenatis comedit, eadem nocte extinctus est. *Nec tamen periit conversus, set inter manus eorundem tantum dilapsus est*, liberavitque Deus per mortem Regis iniqui prædictam Sanctimonialem sponsam suam a novo (ut creditur) sponso Diabolo. *Mortuo itaque* Johanne sic extincto, *tandem postmodum sepultus est* Wygorniæ *die Sancti* Lucæ *Evangelistæ, Anno Domini* 1216. *& regni sui anno* 17. *Sepultus dico est, sed non cum honore, quia terra quæ in ejus pessimis turbata extitit, non ad plenum pacificata quievit. Sacerdos quidam qui Regi* Johanni *familiariter adhæserat in vita sua, post mortem ejus ab amore ipsius non est ex toto separatus. Profusit enim lachrymis & precibus multis Deum frequenter exorabat, ut si ejus voluntas esset, ostenderetur sibi in signo aliquo, utrum cum anima Domini sui judicialiter vel misericorditer ageretur. Cumque diu in hac voluntate permansisset, tandem in visione nocturna apparuit ei vir splendidus in vestibus quasi deauratis, dicens ei*; Quid fles? Quid ploras? surge, tolle & lege *Psalmum* 52. Quare gloriaris in malitia? et ibi videre poteris quid meruit Dominus tuus. *At ille expergefactus à somno rediit in se*, et nihil boni inveniens in Psalmo illo, cessavit prece sua. The *Chronicle* compiled at St. *Albans Anno* 1483. printed by *Will. Caxton.* Anno 1502. thus more particularly relates his poysoning, *Pars* 7. of the death of King *John*: *The Kyng came by the Abbey of* Swyneshead, *and there hee abode two dayes*; *And as he sate at mete, he axed a Monke of the house*, How moche that loof was worth that was sette before hym uppon the table? *And the Monke said*, That the loof was worth but an half-penny. *O said the Kinge tho*, Here is grete chepe of brede; *Now sayd he tho*, And I may lyve ony while, such a loof will be worth xx. shillinges or half a year be gone. *And so whan hee sayd this worde, moche hee thought, and often hee sighed, and toke and ete of the brede, and sayd*; By God, the worde that I have spoken, it shall be soth. *The Monke that stode before the Kynge was for this worde full sory in his herte, and thought rather hee would hymselfe suffre deth, and thought yf he might ordeyne therefore some manere remedye.* And anone the Monke wente unto his Abbot and was shriven of him, and tolde the Abbot all that the Kynge had sayd; And prayed his Abbot for to assoyle him, for he would yeve the Kynge such a drynke, that all Englonde sholde be glad thereof and joyfull. *Tho yede the Monke into a gardeyne*, and sounde a grete Tode therein, and toke her up and put her in a Cuppe, and pricked the Tode thorugh with a broche many tymes, till that the venym came out of every syde in the Cuppe. *And tho toke the Cuppe and filled it with good ale*, and brought it before the Kynge, *knelynge sayenge*; Sir, *sayd hee*, Wassayll, for never the dayes of all your lyfe dronke ye of so good a Cuppe. Begyn Monke, *sayd the Kynge*: *And the Monke dranke a grete draught*, and toke the Kynge the Cuppe, and the Kynge dranke also a grete draught, and set downe the Cuppe. *The Monke anone ryght wente into farmerye and there dyed anone*, on whoos soule God have mercy, *Amen.* And syne Monkes synge for his soul specially, and shall whyle that the Abbaye standeth. *The Kynge rose up*

anone

anone full evyll at eaſe, and commaunded to remove the table, and axed after the Monke, and men tolde him that hee was dead, for his wombe was broken in ſunder. *When the Kynge herde this, he commaunded for to truſſe, but it was for nought,* for his belly began to ſwelle for the drynke that he had dronke, and within two dayes hee dyed, *on the morowe after ſaynt* Lukis *daye.* Such execrable Traytors were the Prelates and Monks to King *John*, as thus to deprive him both of his *Crown, Life.*

King Henry III.

Tom. 2. p. 370. l. 43. after *videbant*, inſert.

An. 1 H. 3.

UPon the untimely death of King *John* by poiſon, *Anno* 1216. his young ſon *Henry* the 3d. being crowned King at *Glouceſter* by *Gualo* the Popes Legate, (more out of zeal to preſerve the Popes new acquired intereſt in *England*, by King *John*'s Charter of Reſignation, then any cordial affection to the King or Kingdom,) [a] *Hujus* (Gualonis) *conſilio & admonitione* idem Puer cruce ſignatus eſt in feſto Omnium Sanctorum eodem anno. Puer novem annorum in Regem erigitur viribus et induſtria Gualonis Legati Papæ, Wintonienſis Epiſcopi, *Comitum de* Pembroc. & Ceſtriæ: of whom *Henry de Knyghton* gives us this character. *Rex verò novus qui patri barbato impubes ſucceſſit, præventus à Deo benedictionibus dulcedinis à teneris innocentiæ ſuæ annis,* ſuperni Regis amorem fervoremque concepit in tota vita: *titulo humilitatis & innocentiæ, puritate conſcientiæ, morum ſuavitate & gravitate ſic excellit,* ut prædeceſſores ſuos, *quibus ſolo nomine Regio congruebat,* quaſi ſanctus et inter homines imperabat, et terrenus quidem Angelus videretur. *Unde fertur ipſum novum Regem dum die quadam coram altari beati Virginis & Filii ſui* Regis (pictured like an * Infant in his Mothers lap) aſſiſteret; *tale verbum protuliſſe*, Rogo te puerum Regem, ut me Regem puerum de cætero reges et defendas.

a Henry de Knyghton de Event. Anglix, l. 2. c. 15. col. 2127. c 16. col. 2418. Polychron l 7. c. 34.

* See Tom. 2. p. 13, 14, 15.

After his Coronation, the Legate excommunicating the Uſurper *Lewes*, with all his adherents, every Lords-day and Holy-day, the Barons adhering to him being informed of his ſecret deſign to baniſh and diſinherit them all, ſo ſoon as he had conquered *England*, deſerted him; [b] præterea ſententia excommunicationis, quam Angli præ omnibus nationibus formidant, (as *Mat. Weſtminſter* obſerves) ipſos Barones ad priorem Dominum naturalem, ſpreto Ludovico, diutius revocavit: Et viriliter ſe habentes Barones, (in fighting for King *Henry*) meruerunt abſolvi, et Regis novi dilectionem. Whereupon the Uſurper *Lewes* craving leave peaceably to depart out of *England*, taking an Oath never to return into, or infeſt it more, departed into *France* with diſhonour.

b Mat. Weſt. Ann. 1216, 1217. p. 104. Henry de Knyghton de Event. Anglix, l. 2. c. 16.

How prevalent this Legate then was in the Kings Counſils, how carefull to ſettle peace, prevent diſcontents, inconveniences, and promote the welfare of the Realm of *England*, will appear by this Record, to ſtop the Earl of *Cheſter*'s preſent pilgrimage to the *Holy Land*, which would prove miſchievous to the whole Realm at that ſeaſon.

Clauſ. 1 H. 3. dorſo 21.

Gualo miſeratione divina titulo Sancti *Martini* Presbyter Cardinalis, Apoſtolicæ ſedis Legatus, *H. Dublinenſis*, *W. Eborum* Archiepiſcopi, *P. Wintonienſis*, *J. Bathonienſis*, *S. Glaſtonienſis*, & *Wigornienſis* Epiſcopi, *W. de Laſcy*, *L. de Monemat*, & *H. de Mortuo mari* Nobili viro, *Petro de Manlay*, ſalutem. Cum Nobilis vir *R.* Comes *Ceſtriæ* Cruceſignatus, qui ſemper bene et fideliter ſervivit et ſervit Dominis ſuis Regibus *Angliæ*, votum peregrinationis ſuæ inſtanter adimplere decreviſſet exeundo a regno, Regem et regnum ipſum ſic deſolatum volens relinquere, motus maxime et ad hoc inductus, quod *Will. de Lancaſtr.* quem ei præcepit liberari, pridem & ſæpius Dominus *H.* Rex *Angliæ* illuſtris, habere non potuit. Ipſe tamen ad maximam inſtantiam noſtram, et preces multiplices ad præſens a peregrinatione illa ſubſtitit. Aſſumpta jam Cruce in pectore ad proſequendum hoſtes Dei & Eccleſiæ, adverſarios Domini ſui Regis *Angliæ*, unde cum ipſis obſequium tam laudabile Domino Regi et regno plurimum ſit expediens: Vobis mandamus, quatinus ſicut honorem ipſius Domini Regis, et regni utilitatem diligitis, ipſum *Willielmum* ſtatim, & ſine omni occaſione & difficultate ſub ſalvo conductu mittatis uſque *Glouc.* & eum

An. 1 H. 3. eum ibi liberari faciatis *Radulpho Muſard* Vicecomiti *Glouceſtriæ*. Scientes pro certo, quod niſi iſtud quam citius feceritis, poterit inde, quod Deus avertat, Domino Regi et regno magnum dampnum accidere, quod totum non immerito vobis poterit imputari. Valete.

Soon after the Legate and Kings Counſil ſent * *Henry de London* Archbiſhop of *Dublin* into *Ireland*, both to *inſtruct* and comfort his Church, and reform the ſtate thereof, by the advice and aſſiſtance of the *Chief Juſtice*, as this Patent informs us.

* Mat. Weſtm. Anno 1213. p. 94.

Pat. 1 H. 3. m. 8. Hibern. REX dilectis & fidelibus ſuis Baronibus *Hiberniæ*, ſalutem. Licet præſentiam venerabilis patris noſtri Domini *H. Dublin.* Archiepiſcopi in partibus *Angliæ* nobis & regno noſtro ſcierimus extitiſſe perneceſſarium, ipſiuſque conſilio vix carere valeamus. Ipſum tamen ad partes *Hiberniæ* deſtinamus, ut Eccleſiam ſuam ejus abſentia jampridem deſolatam, inſtrueret et conſoletur, ſtatuſque terræ noſtræ *Hiberniæ* emendationi, et agendorum noſtrorum in partibus veſtris expeditioni poſt veſtrum conſilium et juvamen intendat: Unde vobis mandamus, quod ei in omnibus quæ ad nos ſpectant ordinandis & diſponendis ſitis intendentes, unà cum dilecto & fideli noſtro *G. de Mariſco* Juſticiario noſtro *Hiberniæ*. Volumus etiam & præcipimus, quod omnia ad nos ſpectantia per ipſius Domini Archiepiſcopi diſpoſitionem, una cum Juſticiarii noſtri & veſtro juvamine & conſilio ordinentur. Et in hujus rei teſtimonium has literas noſtras patentes, *&c.* vobis mittimus, Teſte *Comite* apud *Wintoniam*, 16 die *Aprilis*, anno regni noſtri 1.

I find in the Clauſe Rolls of 1 *H.* 3. this memorable Writ ſent to the Chief Juſtice of *Ireland*, giving him a full account of K. *John*'s deceaſe, of King *Henry*'s being anointed and crowned King at *Glouceſter* by the Popes Legate, of his confirmation of the Charters and Liberties granted by King *John*, his promiſe to redreſs all juſt grievances, of the *Engliſh* Barons and Prelates homages and fealties done to him at his Coronation, and in a Council held at *Briſtol*, (not mentioned by our Hiſtorians) and his granting the ſelf-ſame Charter of Liberties to *Ireland* as the *Engliſh* Free-men enjoyed; with an order to receive the fealty of all the Nobles of *Ireland* to him, beginning with thanks for his former fidelity to his deceaſed Father, and to be now exhibited to himſelf.

Clauſ. 1 H. 3. m. 25. dorſo. REX *G. de Mareſcallo* juſticiario ſuo *Hiberniæ*, ſalutem. Multiplices vobis referimus gratiarum actiones de bono & fideli ſervitio veſtro fœlicis memoriæ *J.* quondam Regi *Angliæ* patri noſtro exhibito, nobiſque exhibendo, & de hiis quæ per fidelem noſtrum *Radulphum de Norwico* Clericum nobis ſignificaſtis. Cum igitur jubente ipſo cujus famulantur imperiis mors & vita, Dominus & pater noſter ex hac luce fæliciter commigravit, cujus animam * cœleſtibus collocetur; vos ſcire volumus, quod celebratis ſollempniter ex more debito regalibus exequiis in Eccleſia beatæ *Mariæ Wigornienſi*, convenerunt apud *Glouceſtriam* plures regni noſtri Magnates, Epiſcopi, Abbates, Comites et Barones, qui patri noſtro viventi ſemper † conſtiterunt fideliter & devotè, & alii quamplurimi; ubi in feſto Apoſtolorum *Simonis* & *Judæ* in Eccleſia beati *Petri Glouceſtriæ* applaudentibus Clero et populo, per manus Domini *G.* titulo Sancti *Martini* Presbyteri Cardinalis, et Apoſtolicæ ſedis Legati in *Anglia*, et Epiſcoporum tunc præſentium, invocata Spiritus Sancti gratia, publice fuimus in Regem *Angliæ* inuncti et coronati, fidelitate et homagio omnium illorum nobis exhibitis. Quod vobis ut fideli noſtro duximus intimandum, ut de honore et ſucceſſu noſtro fœlici gloriemini. Sanè cum audierimus indignationem quandam inter memoratum Dominum patrem noſtrum, & quoſdam Nobiles regni noſtri exortam, cum cauſa vel ſine cauſa nos neſcimus, ſic agitatam extitiſſe, et illam volumus imperpetuum aboleri et oblivi ſci, quod nunquam menti noſtræ adhæreat, et ut ceſſante cauſa ceſſet effectus, quicquid extiterit erga ipſum conceptæ indignationis, parati ſumus et volumus pro viribus noſtris expiare, ſingulis præbendo quod ratio dictaverit cum ſubditorum conſilio, et deletis de regno pravis conſuetudinibus in libertatum et liberarum conſuetudinum innovatione dies nobilium patrum noſtrorum reformare gratioſos, unicuique tribuendo, quod ſibi debebit cum ratione competere. Ad hoc ſciatis, quod celebrato nuper Concilio apud *Briſtoll*, ubi convenerunt univerſi *Angliæ* Prælati, tam Epiſcopi, Abbates, quam Priores, et multi tam Comites quam Barones, qui etiam univerſaliter fidelitatem nobis publice facientes, conceſſis eis libertatibus et liberis conſuetudinibus ab eis prius poſtulatis, et ipſis approbatis, prompti et proni ad mandatum noſtrum in partes ſuas cum gaudio ſunt reverſi. Speramus quidem & in Domino confidimus, quod

* Not in Hell, where the Monks would place it, Tom. 2. p. 366.

† adhæſerunt.

regni

regni noſtri ſtatus, divina favente clementia in melius commutabitur. De Domina Regina matre noſtra vel fratre noſtro mittendis in *Hiberniam*, vobis reſpondemus, quod habito conſilio fidelium noſtrorum et aſſenſu, quod nobis et commodo noſtro et regni noſtri expedire viderimus faciemus. Rogamus igitur dilectionem veſtram, quatinus etſi bonæ memoriæ *J.* patri noſtro fideles extiteritis et devoti, tanto nobis fideliores exiſtere curetis, quanto ſcitis nos auxilio et conſilio veſtro in hac teneritate noſtra plurimum indigere, capientes fidelitatem de ſingulis *Hiberniæ* Magnatibus, et aliis qui nobis ipſam facere tenentur. Retinuimus adhuc nobiſcum *Radulphum de Norwico*, ut de his & aliis per ipſum voluntatem noſtram plenius vobis ſignificemus, volentes ut eiſdem vos et cæteri fideles noſtri *Hiberniæ* gaudeatis libertatibus quas fidelibus noſtris de regno *Angliæ* conceſſimus, et illas vobis concedemus et confirmabimus. Teſte, *&c.* *An.* 1 H. 3.

The Canons of *Carliſle* contemning both the Popes and his Legates authority and Cenſures, contumaciouſly celebrating Divine Service and Sacraments notwithſtanding their Interdicts; adhering, ſubmitting, and ſwearing Fealty to the King of *Scots*, King *Henry*'s and the Popes declared Enemy; yea electing an interdicted, excommunicated Clerk for their Biſhop, againſt the Kings and Legates wills; and dividing the antient Revenues of the Biſhoprick amongſt themſelves, the Kings Counſil thereupon ſent this Epiſtle to Pope *Honorius* the 3d. (* who ſucceeded *Innocent* the 3d. this year) in the Kings name, totally to remove theſe Schiſmatical Canons, and place Prebends in their rooms; to augment the Biſhops Revenues, (being ſo ſmall that no able or loyal perſon would accept thereof) and diſplace the intruded Biſhop, for the reaſons expreſſed in this memorable Record. * Mat. Weſtm. An. 1217. pag. 1005.

REverendo Domino ac Patri in Chriſto kariſſimo *Honorio*, Dei gratia Summo Pontifici, *Henricus* eadem gratia Rex *Angliæ*, &c. ſalutem, et debitam cum omni honore et ſubjectione Reverentiam. Noverit ſancta Paternitas veſtra quod Canonici *Carleolenſis* Eccleſiæ faventes & adhærentes Regi *Scociæ*, et aliis adverſariis et inimicis veſtris, et noſtris, procurantes quantum in ipſis eſt exhæredacionem noſtram, * ſpreta penitus auctoritate veſtra, et Sedis Apoſtolicæ Legati, in locis interdictis et excommunicatis irreverenter, et impudenter, et contumaciter divina celebrare non verentur. Prædicto etiam Regi *Scociæ* inimico *Romanæ* Eccleſiæ et noſtro, interdicto et excommunicato, urbem *Carleolenſem* hoſtiliter occupanti ſe ſubdiderunt, et ipſum in Patronum et Dominum receperunt, et fidelitatem ei fecerunt Ita etiam quod in præjudicium juris noſtri et Eccleſiæ *Eborac.* ad inſtanciam dicti Regis *Scociæ* inimici noſtri, quendam Clericum ſuum interdictum et excommunicatum eligerunt ſibi in Epiſcopum et Paſtorem. Cum etiam prædicta Eccleſia *Carleolenſis* ſita ſit in confinio Regni *Scociæ*, maximè expediret tranquillitati & Paci noſtræ, & Regni noſtri, quod tale ibi conſtitueretur caput et talia membra, per quæ nobis et Regno noſtro utiliter et efficaciter proviperi, et adverſariis noſtris facultas nocendi poſſit recludi. Paternitati veſtræ devote ſupplicamus, quatinus conſulentes nobis et Regno noſtro, ſtatum Eccleſiæ prædictæ in melius commutare velitis. Amoventes, ſi placet, funditus ab eodem prædictos ſciſmaticos et excommunicatos. Cum enim ipſi in multis habundent, Epiſcopus eorum ita hactenus egeſtate afflictus eſt et inopia, quod vix habet ubi caput ſuum reclinet: Et non invenitur aliquis, qui in aliquo nobis utilis eſſe poterit aut neceſſarius, qui Epiſcopatum illum recipere voluerit. Scientes pro certo, quod non poterit nobis melius provideri in partibus illis, prout de conſilio fidelium et Magnatum noſtrorum evidenter intelleximus, quam ſi prædicti Sciſmatici et excommunicati penitus amoveantur, et loco eorum qui dicuntur Regulares, (cum ſint prorſus irregulares et Eccleſiæ *Romanæ* Inimici et inobedientes) conſtituantur Præbendarii; qui *Romanæ* Eccleſiæ obedientes, et nobis in Conſilio ſint prudentes, et in auxilio efficaces, ut eorum pœna a conſimili delicto alios deterreat. Et ſuper hiis voluntatem veſtram kariſſimo Amico noſtro Domino Legato ſignificare velitis. Et quia nondum habuimus ſigillum, has Literas ſigillo Comitis *Willielmi Mareſcalli* Rectoris noſtri & Regni noſtri, ſigillavimus. Teſte eodem Com. apud *Wynton.* 26 die *Aprilis.* Pat. 1 H. 3. m. 3. dorſo. * *Nota.*

Upon which Letter the Pope ordered *Gualo* his Legate by the Kings Royal aſſent to conſtitute * *Hugh* Abbot of *Beleia* Biſhop of *Carliſle*, as the Kings Letters Patents for augmentation of the Revenues of his Biſhoprick, (*Pat.* 3 Hen. 3. *memb.* 5. *dorſo*) atteſt. * See Tom. 2. pag. 357, 376.

Gualo

An. 2 & 3 Henr. 3. Mat. Westm. An. 1218. p. 107, 108.

Gualo the Popes Legate, having made an accord between *Lewes*, King *Henry*, and his Barons, and setled the Realm in a peaceable posture, *An.* 1218. Clitellis, auro et argento refertis, *Romam* postquam electionem *Richardi de Marisco* plenius procuraverat, et de multis *Anglorum* ad libitum redditibus disposuerat, remeavit. Hereupon, Pandulphus *electus in Episcopum* Norwicensem, *qui recedente* Gualone *Legato* successit in Legationem eidem, *venit* London, *apud Sanctum* Paulum, to execute his Legantine domineering authority, fill his purse, and rule all things at his pleasure. Soon after, *Rex* Henricus *proprium sigillum sibi fecit fabricari*; sealing all his Patents and Writs till then with the Legate *Gualo's*, or *Earl Marshals* Seals.

Clauſ. 2 H. 3. m. 3, 6. Clauſ. 3 H. 3. m. 4. 6, 9, 11, 12, 13.

Tom. 2. p. 373. l. 4. after *seige*, adde. I find in the * *Clause-Rolls* of *An.* 2, & 3 *H.* 3. that the King by his Ecclesiastical Prerogative and Writs, removed the respective Markets of *Numanton* in *Devonshire*, of *Wallingford* in *Berkshire*, of *Berchamsted* in *Bedfordshire*, of *Leominster* and *Bracle* in *Glocestershire*, of *Rosne* in *Lincolnshire*, of *Winburne*, *Lyminster*, *Persor*, *Watham*, and *Woburn* (in *Worcestershire*) usually held on the *Lords-day* before, to *Mondays*, *Thursdays*, or *Saturdays*, out of his piety, and that honour he then gave to the due observation of the *Lords-day*, much prophaned by those Markets held thereon.

An. 3 H. 3.

Tom. 2. p. 374. l. 7. after *King*, insert. To these I shall annex this memorable Record evidencing the Kings Soveraign Ecclesiastical Jurisdiction in *Ireland*. The Canons of *Lismore* electing a Bishop without the Kings precedent License, and sending their Proctors into *England*, to procure the Kings royal assent to their Election; the King's Council declared it to be illegal and null, being made against his antient Prerogative, ratified by the Pope himself, that * *no Elections ought to be made without his special precedent Royal License to elect.* Whereupon these Proctors renounced the first Election as void, and by vertue of their Procuration, by the *Kings* special License re-elected the same Bishop; which election the King approving, issued this Writ to the Chief Justice of *Ireland* to restore his Temporalties.

* See Tom. 2. 338.

Pat. 3 H. 3. pars 1. Rot. Spiſſ. m. 6 Hibernia. De electione Liſmorensis Eccleſiæ in Hibernia, m. 6. & part. 2. m. 5.

REX *G. de Mar.* Justiciario *Hiberniæ*, venientes ad nos in *Angliam* Magister *Macrobius* & *David* Canonici *Lismorensis* Ecclesiæ, in præsencia Domini R. Dei gratia *Norwicensis* Electi, Domini Papæ Camerarii & Apostolicæ Sedis Legati, coram Consilio nostro proposuerunt, quod Magistrum *Robertum de Bedeford* elegerunt in Pastorem Ecclesiæ suæ prædictæ tunc vacantis, et petierunt assensum huic electioni Regium erhiberi; set statim objectum fuit eis a Consilio nostro, quod nulla fuit electio illa, nec rite celebrata, cum secundum dignitatem nostram multis diebus optentam, et a Domino Papa confirmatam, debuit electionem suam petita et impetrata a nobis eligendi licencia præveniſſe. Intelligentes igitur dicti Canonici, quod non rite processum fuit in hac parte, renunciaverunt electioni tali, dicto Magistro *Roberto de Bedeford* eidem pro se renunciante, porrigentes Consilio nostro literas Capituli *Lismorensis* continentes, quod dictos Magistros *M.* & *D.* tam in electione facienda, quam cæteris Ecclesiæ suæ negociis Procuratores constituerunt; Ratum habituri quicquid ex parte Capituli in his ducerent disponendum. Audito verò earum literarum tenore, & data eis audientia, petierunt a nobis humiliter licentiam eligendi: quæ ut laboribus eorum et Capituli parceremus, eis benigne concessa, præhabita deliberatione eundem Magistrum *R. de Bedeford* in Pastorem sibi elegerunt. Quorum electioni cum sic rite facta fuisset, nostrum præstituimus favorem et assensum. Hæc igitur vobis protestantes, præsentibus literis vobis mandamus, quatinus eidem Magistro R. vel Procuratori suo plenam seisinam habere faciatis de Episcopatu *Lismorensi*, cum omnibus maneriis ad eundem pertinentibus, & cum omnibus pertinenciis suis plenam seisinam habere faciatis. Teste Domino *P. Wintonienſi* Episcopo apud *Westmonasterium*, 12 die *Decembris*, anno regni nostri tertio. Per eundem & Comitem *Marescallum.*

By the like reason the Bishops keeping Courts and exercising all manner of coercive Ecclesiastical Jurisdiction by their own authority in their Dominions, without the Kings special License, was as void, illegal, and as much *against the Law*, *Kings Crown and Dignity*, as their *first Election*, the Earl of *Cornwalls* Sonne holding Plea of an Assize of *Mordanceſter*, or of *Novel disseisin*, and constituting Justices of Assise in *Cornwall* in his *County Courts* by his own authority, without the Kings License; which being then complained of to the *Kings Counsil*, they resolved to be against

againſt the Kings honour, Crown, and dignity, and thereupon prohibited by this memorable Writ of *Prohibition*. *An.* 3 H. 3.

H. Dei gratia, *&c.* Archiepiſcopis, Epiſcopis, Abbatibus, Prioribus, Comitibus, Baronibus, Militibus, liberè Tenentibus, & omnibus de Comitatu *Cornubiæ*, ſalutem. Intimatum eſt Conſilio noſtro, quod *H.* filius Comitis *Corn.* Aſſiſam quandam de mozte Anteceſſozis capi fecit in Comitatu *Cornubiæ* ſine pzæcepto noſtro, et ſine Juſticiariis ad hoc conſtitutis ex parte noſtra; et quod * auctozitate pzopzia Juſticiarios conſtituit ad Aſſiſas novæ diſſeiſinæ capiendas ad quemlibet Comitatum, unde mandavimus ei et firmiter injunximus, ut a talibus deſiſtat, nec placitum aliquod ad Cozonam noſtram pertinens teneat, ſine ſpeciali pzæcepto et warranto noſtro, nec quicquam attemptet quod cedere poſſit in diſpendium dignitatis noſtræ. Vobis igitur mandamus firmiter injungentes in fide qua nobis tenemini, ne hujuſmodi fieri permittatis pzo poſſe veſtro; et pzohibemus diſtricte, ne aliquis liber homo in hujuſmodi Aſſiſas ſe ponat vel poni permittat, ſine ſpeciali pzæcepto noſtro, cum ſint manifeſte tales Aſſiſæ contra honozem Regiæ dignitatis. In cujus rei teſtimonium, *&c.* has Literas noſtras patentes vobis mittimus. Teſte *H.* de *Burgo* Juſticiario apud *Novum Templum London.* 17. die *Septembris*, anno, *&c.* tertio. Coram Domino Legato & *P. Wintonienſi* Epiſcopo. Pat. 3 H. 3. m. 2. De Aſſiſibus Cornubiæ.

* As Archbiſhops then and ſince conſtituted Chancellors, Officials, Vicars, and other Eccleſiaſtical Judges under them, by their own authority.

The ſame year *Pandulphus* the Popes Legate, by his Legatine authority, took upon him to write to the *Kings Counſil* to releaſe *William de Latham* a Clerk, who had been a long time impriſoned, (unleſs his Offences were ſuch for which he ought not to be releaſed by Law) by putting in Pledges or ſufficient caution, not hereafter to oppoſe the King or *Church of Rome* (which it ſeems he had formerly done) as this Record relates.

REX *Waltero de Godarvill*, ſalutem. Literas Domini Legati recepit conſilium noſtrum in hæc verba: *Venerabili in Chriſto Patri* P. *Dei gratia* Wintonienſi *Epiſcopo & Nobili viro* W. *Mareſcallo* Angliæ, Pandulphus *eadem gratia* Norwicenſis *Electus*, *Domini Papæ Camerarius*, et Apoſtolicæ ſedis Legatus, *ſalutem*, *& ſinceræ dilectionis affectum.* *Cum* Willielmus de Letham *Clericus ſub cuſtodia* Walteri de Godardvill teneatur carceri mancipatus, ac diu fuerit ibidem oppzeſſus, diſcrecioni veſtræ Legationis qua fungimur auctozitate mandamus, quatinus eum in diutinis miſeriis ejus eidem compati teneamur, ipſum facientes reſtitui pziſtinæ libertati, et quod Domino Regi et Eccleſiæ Romanæ ſe de cætero non opponet, quinimo eozundem fidelis exiſtens, eozum Jura modis omnibus ſervabit illæſa, cautionem ab eodem Clerico recipiatis ſufficientem, niſi talis fuerit ejus exceſſus pzo quo merito debeat retineri. Dat. &c. Et ideo vobis mandamus quatinus, niſi exceſſus ejus talis fuerit pzo quo merito ipſum retineri debeat, ipſum mittatis ad Conſilium noſtrum a Pziſona liberatum, accepta ab eo ſecuritate ſufficienti, quod fidelis erit Sanctæ Romanæ Eccleſiæ et nobis, et eidem Sanctæ Romanæ Eccleſiæ ſe de cætero non opponet: et ſi pzo exceſſu ſuo merito retineri debeat, ſignificetis Domino Legato exceſſum ſuum pzo quo captus eſt, et detentus. Teſte *Comite* apud *Weſtmonaſterium*, 20 die *Jan.* anno regni noſtri tercio. Per ipſum *Comitem* coram Domino *Wintonienſi* & Juſticiariis. *By which Record it is evident, that Clerks in that age were ſubject to impriſonment and other puniſhments for their Offences againſt the King, as well as Lay-men, and to give ſecurity and caution for their dutifull obedience and loyalty to the King as well as Pope, before their enlargement out of priſon.* Pat. 3 H. 3. m. 5. De liberatione Willielmi Letham Clerico.

The King having made a New Great Seal in the 3d. year of his reign, to prevent the diſinheriting of the *Crown* by granting Lands or Liberties under it to any Eccleſiaſtical or Temporal Perſons during his minority, the *Popes Legate*, with his Counſil, Biſhops, Abbots, Earls and Nobles, by common advice made this memorable *Conſtitution*, ratified under his New Great Seal by this Patent, the very firſt they ſealed therewith, that all Patents ſealed with this New Seal, againſt this ordinance, during his minority ſhould be voyd.

* Pat. 3 H. 3. m. 6. Primæ Literæ Novi Sigilli Dom. Regis de Cartis vel Literis Patentibus non faciendis, & hic incipit Sigillum Dom. Regis currens.

HENRICUS Dei gratia Rex *Angliæ*, &c. omnibus has literas inſpecturis, ſalutem. Sciatis, quod pzoviſum eſt per commune Conſilium Regni noſtri, quod nulla Carta, nullæ Litteræ Patentes de confirmacione, alienacione, vendicione vel donacione, ſeu de aliqua re quæ in perpetuitatem, ſigillentur Magno Sigillo noſtro uſque ad ætatem noſtram completam, Teſtibus *Gualone* tituli Sancti *Martini* Presbytero Cardinali, & Apoſtolicæ Sedis Legato; Domino *S. Cantuarienſi* Archiepiſcopo, *Willielmo Mareſcallo* Comite *Pembrok*, *Huberto de Burgo* Juſticiario noſtro

An. 3 H. 3. noſtro *Angliæ*, coram *W. Londonienſi*, *P. Wintonienſi*, *R. Dunolmenſi*, *J. Batonienſi* & *Glaſtonburienſi*, *H. Lincolnienſi*, *S. Exonienſi*, *W. Coventrenſi*, *R. Sarresburienſi*, *B. Roffenſi*, *H. Herefordenſi*, *R. Ciceſtrenſi*, *W. Wigornienſi* Epiſcopis, & *H. Carleolenſi* Electo, *H.* Abbate Sancti *Edmundi*, *W.* Abbate *Weſtmonaſterii*, *A.* Abbate Sancti *Auguſtini Cantuariæ*, *W.* Abbate de Sancto *Albano*, *R.* Abbate de *Burgo*, *H.* Abbate *Rameſienſi*, *R.* Abbate de *Bello*, *R.* Abbate de *Waltham*, & *S.* Abbate *Radingenſi*, *W.* Comite *Sarresburienſi*, *W.* Comite *Arundel*, *G.* Comite *Glouceſtrienſi*, *H.* Comite *Herefordenſi*, *W.* Comite *Arbimarliæ*, *W.* Comite *Eſſexiæ*, *R.* Comite *Oxonienſi*, *H.* filio Comitis, *Roberto*, filio *Walteri*, *Roberto de Ros*, *Galfrido de Say*, *Willielmo Briwerr*, *Petro* filio *Hereberti*, *Petro de Manlay*, *W. Mareſcallo* juniore, *Willielmo de Cantilupo*, *Falk. de Breant*, *Willielmo de Hunting*, *Roberto de Cardigan*, *Johanne Mareſcallo*, *Willielmo de Albiniaco*, *Willielmo de Bello Campo*. Prȝoviſum eſt, et per Commune Conſilium Regni noſtri, et coȝam prædictis omnibus, quod ſi aliqua Carta, vel aliquæ Literæ Patentes factæ ſecundum aliquarum prædictarum ſoȝmarum ſigillatæ inveniantur prædicto Sigillo, irritæ habeantur et inanes. Teſtibus prænominatis, et multis aliis.

After which the *King* conſtituted *Proctors* in the Court of *Rome*, for or againſt all things that concerned himſelf, his Guardians, Counſellours, or Bailiffs, by this Patent.

Pat. 3 H. 3. m. 5. De Procuratoribus conſtitutis in Curia Romana.

SAnctiſſimo Patri & Domino *Honorio*, Dei gratia Summo Pontifici, *H.* eadem gratia Rex recommendationem & pedum oſcula. Moveritis, Pater ſancte, nos conſtituiſſe Prȝocuratoȝes in Curia veſtra dilectos et fideles noſtros Magiſtrum *Galfridum de Caleto*, & *Deodatum*, ac *Willielmum* de Sancto *Albino* Clericos, latoȝes prȝæſentium, ad impetrandum, contradicendum, et Judices eligendos, prȝout viderint expedire, in omnibus negociis quæ prȝo, vel contra nos, et Conſiliarios, Rectoȝes, et Ballivos noſtros fuerint prȝopoſita in Curia veſtra. Ratum habituri quicquid circa prædicta cum eis et coȝum altero fuerit expeditum. Durent autem Literæ illæ à Natali Domini anno regni noſtri tercio, uſque ad Feſtum Sancti *Michaelis* anno eodem. Teſte Domino *P. Wintonienſi* apud *Weſtmonaſterium*, 14 die *Decembris*, anno regni noſtri tercio.

The ſame year by this Legates, and his Counſils advice, the King changed the heatheniſh, unnatural, long-continued antient Trials in criminal Cauſes by *Fire* and *Water*, into other wayes of trial, and puniſhments by impriſonment or abjuring the Realm; as his fore-cited Writs iſſued to all his *Juſtices itinerant*, Tom. 2. *Appendix*, p. 20. atteſt; to which this Patent ſhould have been added.

Pat. 3 H. 3. m. 5.

EOdem modo ſcribitur Domino *Batonienſi* & *Glaſtonienſi* Epiſcopo, & ſociis ſuis Juſticiariis Itinerantibus in Comitatibus *Somerſet.* & *Dorſet.* & Juſticiariis Itinerantibus in Comitatu *Oxoniæ*, & Juſticiariis Itinerantibus in Comitatu *Kanciæ*, & Juſticiariis Itinerantibus in Comitatibus *Eſſex.* & *Hereford.* & Juſticiariis Itinerantibus in Comitatu *Eborum*, & Juſticiariis Itinerantibus in Comitatibus *Bedf.* & *Buking.* & Domino *H. Lincolnienſi*, & ſociis Juſticiariis Iterantibus.

King *John* having committed the poſſeſſion and cuſtody of his Caſtle of *Merpis*, and Hoſtages to *R. de Ponte* a kinſman to the Biſhop of *Carnton*, who refuſed to ſurrender them to the tuition and protection of the See of *Rome*, and treacherouſly ſurrendring the Caſtle by the Biſhops conſent into the hands of his Enemies, and releaſing the Hoſtages, Pope *Honorius* upon complaint thereof iſſued this Bull to the Biſhop of *Engoliſm* and others to excommunicate *R. de Ponte*, and enforce him to reſtore the Caſtle and hoſtages to him, the original whereof I found in the *White Tower*.

An. 3 H. 3. in Turre Lond.

HOnorius Epiſcopus ſervus ſervorum Dei, venerabili fratri Epiſcopo *Engoliſm.* & dilectis filiis Abbati de *Nancolio Pictav.* Diocœſis, & Decano *Burdegalenſi*, ſalutem & Apoſtolicam benedictionem. Quanto libentius, hactenus venerabili fratri noſtro Epiſcopo *Cauntonen.* detulimus & deferre intendimus de gratia ſpeciali; tanto ab hiis ſe accuratius convenit abſtinere; per quæ nobis diſpliceus reputari poſſit ingratus. Muin potius ita debet ſe noſtris beneplacitis coaptare, quod de gratia in gratiam prȝovehi mereatur. Kariſſimus ſiquidem in Chriſto filius noſter *H.* Rex *Angliæ* illuſtris ſuam ad nos querimoniam deſtinavit, quod cum claræ memoriæ *Johannis* pater ejus Caſtrum ſuum de *Merpin* cuſtodiæ nobilis viri *R. de Ponte* ſenioris, germani Epiſcopi ſuprȝadicti, fiducialiter commiſiſſet, nunc prȝænominato *J.* viam univerſæ carnis ingreſſo, prædictus *R.* Caſtrum ipſum & obſidem ipſum & obſides

ſides eidem Regi reddere denegavit pluries requiſitus: quinetiam, ad ſuæ infidelitatis nequitiam palliandam, ad partes tranſmarinas (vel potius, ut dicitur, in *Hiſpaniam*) ſimulata devotione ſe transferens, doloſe intendit prædictos obſides liberare; tanquam per ipſius affectatam negligentiam, quæ utique aperta eſt, malitia evaſuros: & ut qualem fidelitatis affectum ergà Regem habebat exhibebat in effectu, tales in ipſo Caſtro dimiſit, qui non ſolum præfato Regi Caſtrum et obſides reddere aſpernantur, verum etiam prædictos rebellantes, ipſius homines hoſtiliter perſequuntur; et (quod vix credere poſſumus) hoc perpetrant non ſine ipſius Epiſcopi conſilio et aſſenſu; cum a prædicto fratre ſuo diſpoſitioni ejuſdem credamur eſſe commiſſi. Quod ex eo ſiquidem præſumitur probabiliter, quia cum illi ſint in ſua Diocœſi conſtituti, eos non ſolum non reprimit, verùm etiam fovere favorabiliter non deſiſtit. Cum igitur cauſam prædicti Regis pupilli, Cruceſignati, et cuſtodiæ Sedis Apoſtolicæ tercticti, omnibus modis defendere teneamur; eidem Epiſcopo per ſcripta noſtra firmiter vedimus in præceptis, ut ſæpedicto Regi Caſtrum ſuum et obſides reddi procuret; detentores eorum ſpirituali et temporali diſtrictione compellens. Ita quod non ſolum nulla ex hoc contra ſe poſſit ſuſpitio oriri, verum etiam ſua exinde poſſit circumſpectio commendari. Quocirca diſcretioni veſtræ per Apoſtolica ſcripta mandamus, quatinus detentores Caſtri et Obſidum prædictorum ad reſtitutionem eorum præfato Regi debitam faciendam, per cenſuram Eccleſiaſticam appellatione poſtpoſita compellatis; et ſuper hiis inquiratis diligentius veritatem. Quæ inveneritis ad nos fideliter remittentes, ut per veſtram relationem inſtructi, procedamus ſuper hiis ..... dium et juſtitiam viderimus expedire. Quod ſi non omnes, *&c.* tu ea (frater Epiſcope) cum eorum altero, *&c.* Dat. *Rom.* apud Sanctum *Petrum* ..... Pontificatus noſtri anno tertio. *An.* 3 H. 3.

About the ſame time, (as I conjecture by the * fore-cited Writs) Pope *Honorius* ſent this Bull to the Biſhop of *Wincheſter* and others of the Kings Barons, (the original whereof I found in the *White Tower*, having the firſt lines, date, and laſt words of each line cut off) wherein he complained to the Biſhop and other Barons, that ſundry Earls, Barons and *Caſtellans*, who in words profeſſed themſelves faithfull to the King, were yet enemies to him by their deeds, in detaining his Demeſnes, Lands, Caſtles, and due ſervices from him, enjoyning them to aſſiſt *Pandulphus* his Legate to enforce them to reſtore them by temporal power and diſtreſſes, ſince they contemned his Eccleſiaſtical Cenſures; as this *Fragment* of it (which I have ſupplyed in ſome places by words, in a *Parentheſis*) atteſts. Tom. 2. pag. 378, 379.

(H*Onorius*, &c.) ——— erat et patenter, quia fruſtra et ridiculoſe fides prætenditur ubi operis evidentia (refutatur) Comites, Barones, Caſtellani et alii Nobiles ſe fideles Regios appellantes, ſed in (diſpendium) chariſſimi in Chriſto filii noſtri *H.* Regis *Anglorum* illuſtris dampnabili aviditate detinent ——— utpote qui Cruceſignatus, pupillus et orphanus ſub ſpeciali Apoſtolicæ Sedis protectione ——— præcipiend. mandavimus ut prædicta omnia Regi reſtituentes eidem (debita ſervicia, *as I conjecture*) impendant, et alias de cætero vita ſua ſine diſficultate perſolvant; et quoniam alio ——— luctari, dilecto filio *P. Norwicen.* electo Camerario noſtro Apoſtolicæ, ſedis Legato noſtra (vedimus in mandatis,) aut eos * temporali diſtrictione, appellatione remota, compellat. Cæterum quia frater qui a fratre ——— attente per Apoſtolica ſcripta mandantes, quatinus eidem Legato ſuper hiis et (aliis aſſiſtatis, ut) coercere inquietos, et puſillanimes valeat conſolari, et nos devotionem (veſtram commendamus.) Dat. *Viterbii*, 2 Idus *Maii*, Pontificatus noſtri ———. An. 3 H. 3. in Turre Lond. * quatinus rebelles.

Which Bull hath this endorſment on it; Quod Barones aſſiſtant *Pandulpho* Legato, et reſtituant Caſtra et Dominia Regi: for diſobeying whereof the * Earl of *Albemarle* and others were excommunicated, and by Lay-force compelled to ſurrender the Kings Lands and Caſtles to him. * Tom. 2. pag. 378, 379.

The Biſhops to advance their Power and Juriſdiction as well in Temporal as Eccleſiaſtical affairs, procured this Infant King (againſt their own *Canons* and *Conſtitutions*) to conſtitute them not only his chief Counſellors and State-officers in *England* and *Ireland*, but alſo his *Juſtices itinerant*, by his Patents; witneſs *Benedict* Biſhop of *Rocheſter*, *Richard* Biſhop of *Sarum*, *Hugh* Biſhop of *Lincoln*, *William* Biſhop of *Bath* and *Glaſtonbury*, *Richard* Biſhop of *Durham*, *H.* Abbot of *Rameſy*, and

An. 3 & 4 Henr. 3. other Clergy-men, all made *Justices Itinerant* this year; as the *Patent-Roll* of 3 *H.* 3. atteſts.

To which Juſtices Itinerant the King iſſued this memorable Writ for the ſpeedier execution of Juſtice in Aſſiſes, where the Writs of *Aſſiſe* after the Jurors ſworn, and view of the Lands, were loſt, through the negligence or knavery of Sheriffs.

Pat. 3 H. 3. m. 5. REX venerabili Patri in Chriſto *H.* eadem gratia *Lincolnienſi* Epiſcopo & Sociis ſuis Juſtic. itinerantibus in Comitatibus *Linc. Notingh.* & *Dereby*, ſalutem. Monſtratum eſt Conſilio noſtro multis conquerentibus, quod cum plura brevia Aſſiſarum perquiſita fuerint jampridem et Vicecomitibus porrecta, unde Juratores electi fuerunt & viſus terræ factus fuit, brevia illa poſtea deperdita ſunt, propter quod multorum negocia differentur. Et ideo vobis mandamus, quod cum de hujuſmodi brevibus deperditis querela coram vobis venerit, diligenter inquiri faciatis per Juratores Aſſiſarum illarum, et per probos homines ejuſdem viſneti, ſi Juratores Aſſiſarum electi fuerint, et viſus terræ factus ſicut conquerentes dicunt; et ſi ita inveneritis, non obſtante eo quod brevia illa deperdita ſunt, Aſſiſas prædictas capiatis per recordum et teſtimonium ipſorum Juratorum. Teſte Domino *P. Wintonienſi* Epiſcopo apud *Weſtm.* 24 die *Jan.* anno regni noſtri tercio.

Eodem modo ſcribitur Juſtic. Iinerantibus in Comitatibus *Eſſexiæ* & *Bedf.* & *Buking.* & *Eborum*, & *Northumberl.* & Juſtic. Itinerantibus in Comitatu *Southampt.* & Juſtic. Itinerantibus in Comitatu *Cumberl.* & Juſtic Itinerantibus in Comitatu *Kanciæ*, & Juſticiariis Itinerantibus in Comitatibus *Somerſetiæ* & *Dorſetiæ*. *A very memorable Preſident, worthy the knowledge of thoſe of the long Robe.*

An. 4 H. 3. The Biſhoprick of *Ely* becoming voyd by the death of *Euſtace* the trayterous Biſhop thereof, *anno* 1214. * *Robert* of *York* being elected Biſhop againſt King *John's* good liking, who denied to give his Royal aſſent thereto, appealing againſt it to the Pope and Archbiſhop, Pope *Honorius* thereupon nulling his Election, recommended the Ordination of a new Biſhop in that See, by way of Proviſion, to the Archbiſhop of *Canterbury*. *Pandulphus* his Legate, and the Biſhop of *Saliſbury*; who, upon deliberation made choyce of *John*, Abbot of *Fountain* (a *Ciſtercian*) to be Biſhop of *Ely*; to which the Pope aſſenting, they certified it, and ſent him to the King, admoniſhing him to aſſent to this their Election, and receive his fealty; which the King allowing, thereupon writ to the Chancellor and Chief Juſtice to iſſue Writs for the reſtitution of his Temporalties; as appears by this his Mandate in two Bundles of Writs and Letters, *An.* 4. H. 3. which I found in the *White Tower* Chappel, and reſcued from oblivion.

* See Mat. Paris and Mat. Weſtm. Anno 1220. Godwins Catalogue of Biſhops, p. 207. miſtaken in the year.

Bundela Brevium & Lit. An. 4 H. 3. in Turre Lond. EGregio Domino *H.* Dei gratia illuſtri Regi *Anglorum*, Domino *Hib.* Duci *Normanniæ* & *Aquitaniæ*, & Comiti *Andegaviæ*, *Pandulphus* miſeratione divina *Norwicenſium* Electus, Domini Papæ Camerar. Apoſtolicæ Sedis Legatus, Salutem in auctore Salutis. Cum venerabilibus in Chriſto Patribus Domino *Cantuarienſi* Archiepiſcopo, & *Saresbirien.* ac nobis ordinationem *Elienſ.* Eccleſiæ Dominus Papa duxerit commendendam; nos poſt diutinam deliberationem habitam inter nos, communiter convenimus in virum venerabilem Abbatem de *Fontibus*, ordinis *Ciſtertienſium*, vita & fama meritò commendabilem; & de ipſo ad honorem Dei & veſtrum, *Elienſi* Eccleſiæ duximus providendum. Qui noſtræ præviſioni auctoritate Domini Papæ de ipſo factæ (ſicut decuit) aſſenſum præbentes, ipſum ad veſtram duximus præſentiam tranſmittendum; rogantes celſitudinem veſtram et commonentes in Domino, ut ipſum benigne recipientes, fidelitatem ab ipſo (ſicut moris eſt) recipiatis. Credimus enim & ſperamus in Domino, quod Deo acceptus erit, ac vobis et toti regno utilis et fidelis. Dat. apud *Wellen.* 12 Kal. *Februarii.*

In eadem Bundela. VEnerabili in Chriſto Patri Dei gratia *Wintonienſ.* Epiſc. & Nobili viro *H.* de *Burg.* Juſticiario *Angliæ*, *Pandulphus* eadem gratia *Norwicen.* Electus, Dom. Papæ Camer. Apoſtolicæ Sedis Legatus, ſalutem in Domino. Cum nos, & venerabiles in Chriſto Patres *Cantuarien.* Archiepiſcopus & *Saresburien.* Epiſcopus auctoritate Domini Papæ, virum venerabilem Abbatem de *Fontibus Elien.* Eccleſiæ (ſicut ſcitis) in Paſtorem duximus providendum, et ad præſtandam fidelitatem Domino Regi tranſmiſimus eundem, monemus diſcretionem veſtram et mandamus, ut Ballivis Epiſcopatus *Elienſis* per Sigillum Regium demandetis, ut univerſa Regalia ſine dilatione ac difficultate aſſignent eidem. Dat. apud *Wellen.* xvij. Kalend. *Februarii.*

* See Godwins Catalogue, p. 426. * *Henry* Biſhop of *Landaff* dying about the year 1218. thereupon *Pandulph* the

Popes

Popes Legate preſumed by his new uſurped power, by way of proviſion rather then by a free election, to confer it upon *William* Prior of *Goldcliffe*, as this orignal Letter of his to King *Henry* to receive his Fealty, (filed in a bundle of his Legatine Letters I found in the *White Tower*) informs us. *An.* 4 H. 3.

EXcellentiſſimo Domino *H.* Dei gratia Regi *Angliæ*, Domino *Hiberniæ*, Duci *Normanniæ* & *Aquit.* & Com. *Andegav. Paudulph.* miſeratione divina *Norwicenſ.* Electus, Dom. Papæ Camerarius, Apoſtolicæ Sedis Legatus, ſalutem. A veſtra memoria non credimus excidiſſe, quatinus dilecti filii Canonici Eccleſiæ *Landaven.* a vobis et a nobis Eccleſiæ ſuæ paſtorem eligendi licentiam impetrarunt. Verum quia Eccleſia illa diu erat viduata paſtore, nec eam volumus diutius paſtore carere: dilectum filium *Willielmum* Priorem de *Goldclivia*, virum providum & honeſtum, & ut credimus vobis & Regno veſtro utilem & fidelem, illi Eccleſiæ providimus et conceſſimus in paſtorem. Ideoque excellentiam veſtram rogandam duximus & monendam, quatinus electioni ipſius Regium præbentes aſſenſum, Juramentum fidelitatis, ſicut mos eſt, recipiatis ab ipſo. Datum *Salop.* 5 Idus *Julii.* Bundela Brevium in Turre London. An. 4 H. 3. nu 3.

He likewiſe ſent this Letter directed to the Pope in the Kings name, for relief of the Citizens of *Bayon* againſt the Archbiſhop of *Auxitan*'s oppreſſions, and other enemies; commanding the King's Chancellor to ſeal it under the King's Great Seal, and then to return it to the bearer thereof.

PAndulfus Dei gratia *Norwicen.* Electus, Dom. Papæ Cancellarius, Apoſtolicæ ſedis Legatus, *R.* de *Nevill* Domini Regis Vicecancellario, ſalutem & ſinceræ dilectionis affectum. Cum pro facto *Baionen.* Rex ſcribat Domino Papæ, et nos tibi mittamus ſub ſigillo noſtro ſecundum quem debeat ſcribi; mandamus diſcretioni tuæ, quatinus ſecundum formam ipſam literas fieri facias ſigillo Regio ſigillari, & latori præſentium vel Magiſtro *Johanni* nuncio committatis; quam uni ipſorum ſine qualibet difficultate aſſignes. In eadem Bundela, nu. 3.

SAnctiſſimo in Chriſto patri Domino ſuo kariſſimo Domino Honorio, *Dei gratia ſummo Pontifici*, Henricus *eadem* & ſui gratia, &c. Cum in meis et meorum negotiis fidelium, in vobis et ſacroſancta Romana Eccleſia ſpes mea conſiſtat et fiducia, pro his quociens neceſſitas imminet, ad auxilium gratiæ veſtræ recurro humiliter et devote. *Hinc eſt quod ad pedes Sanctitatis veſtræ latorem præſentium Magiſtrum* Johannem *fidelem noſtrum, nuncium Civium* Baionen. *fidelium noſtrorum quos* Auxitanus *Archiepiſcopus, adverſarius & inimicus noſter capitalis, aggravat in odium noſtrum multipliciter & moleſtat, tranſmitteres: omni qua poſſum paternitati veſtræ ſupplico devotione, quatenus ipſum benignè recipientes ſuper his quæ à Sanctitate veſtra pro defenſione fidelium noſtrorum juſtè petient, conſilium & auxilium veſtrum impendatis ſecundum quod veſtra pietas viderit expedire:* Ita quod et nos a noſtris æmulis non confundemur, ſet de protectione ſedis Apoſtolicæ potius relivemur.

Ferè in eundem modum (ſcribitur) Cardinalibus univerſis.

The Archbiſhoprick of *Burdeaux* becoming voyd about the ſame time, by the Archbiſhops death, thereupon the Biſhop of *Wincheſter* adviſed *Hubert de Burgo* Chief Juſtice, to write and ſend a Letter to the Dean and Chapter in the Kings name, with an incloſed Licence to them under the Great Seal, to elect ſuch an Archbiſhop as might not to be ſuſpected to the King, (then under the cuſtody and protection of the Church of *Rome*) but really wiſhed and loved the Kings honour, with the profit of him and his Realm, and ſafely to keep the Caſtles belonging to the Biſhop, for the Kings benefit.

PDei gratia *Winton.* Epiſcopus amico in Chriſto cariſſimo Domino *H.* de *Burg.* Juſtic. *Angliæ*, Salutem & ſinceræ dilectionis affectum. Innotuit nobis per Dominum *G.* de *Nevill.* Camerarium, quod Archiepiſcopus *Burdegalenſis* ingreſſus eſt viam carnis univerſæ. Undè expedire credimus, & conſulimus, quod vos faciatis ſcribi ſub Sigillo Domini Regis Decano & Capitulo *Burdegalenſi*, quod ipſi provideant de tali Paſtore, qui non ſit ſuſpectus Domino Regi et Conſilio ipſius, immo qui velit et diligit honorem et utilitatem Domini Regis et regni; præſertim cum Dominus Rex ſit ſub cuſtodia et protectione Eccleſiæ *Romanæ.* Faciatis etiam ſcribi Domino *Alano* de *Monte Morelli*, quod Caſtra, quæ tenet ex præcepto prædicti Archiepiſcopi, ſalvo cuſtodiat ad commodum et fidelitatem Domini Regis; & Literas, quas mittimus Decano & Capitulo *Burdegalen.* ſi placet, ſimul cum Literis Domini Regis eis faciatis deferri. Vale. In eadem Bundela.

He

An. 4 H. 3.

He alſo writ this Letter to the Dean and Chapter of *Burdeaux* to this effect.

An. 4 Hen. 3. In eadem Bundela, in Turre London.

VIris venerabilibus & in Chriſto dilectis, Decano & Capitulo *Burdegalen. P.* divina miſeratione *Wintonien.* Eccleſiæ Miniſter humilis, ſalutem & ſinceræ dilectionis affectum. Quia bonæ memoriæ Archipræſulem veſtrum audivimus deceſſiſſe, diſcretionem veſtram rogamus atque monemus in Domino diligenter, quatinus circumſpectis ſtatus terræ veſtræ et Regis *Anglia* circumſtantiis, qui in defenſione et cuſtodia *Romanæ* Eccleſiæ conſiſtit; in proviſione paſtoris taliter vos habeatis, quod & dignitas Eccleſiæ veſtræ illibata ſervetur, et vos et Eccleſia veſtra (quantum ad Regem naturalem Dominum veſtrum) gaudere debeatis temporalibus incrementis. Et quoniam hujuſmodi negotium aliquantam deliberationem capit, conſulimus in Domino, quatinus penſatis omnibus ſicut prædiximus, honore videlicet Eccleſiæ veſtræ & utilitate, atque patriæ tranquillitate, in hoc facto providè & conſultè vos ſtudeatis habere. Nos verò quantumcunque cum honeſtate poterimus, ad executionem boni propoſiti veſtri, & alios conſiliarios Domini Regis per nos habebitis & benignos. Valeat univerſitas ſemper in Domino.

About the ſame year this imperious *Legate* ſent this Letter to *Peter* Biſhop of *Winton* and *Hugo de Burgh*, to prohibit and ſuppreſs the Uſury of the *Jews* taken from Chriſtians, and to ſtay a ſuit brought by a *Jew* againſt the Abbot and Covent of *Weſtminſter* before the Juſtices of the *Jews*, wherein he exacted Uſury from them, to the great ſcandal of Chriſtianity and the Kings diſhonour, and to joyn ſome diſcreet, honeſt perſons with the Sheriff in each County for the collection of *Amerciaments*, to prevent their malice and extortions.

In eadem Bundela.

VEnerabili in Chriſto patri *P.* Dei gratia *Wintonienſi* Epiſcopo & nobili viro *H. de Burg.* Juſticiario, *Pandulphus* eadem gratia *Norwicenſis* Electus, Domini Papæ Camerarius, Apoſtolicæ ſedis Legatus, ſalutem in Domino. Frequentes ac aſſiduos Chriſtianorum clamores contra *Judæorum* perfidiam vir ſam tolerare valemus; qui

* Did not the Popes Uſurers do the like?

propter * graves et immodcratas Uſuras, quas a Chriſtianis nituntur omnimodo, contra ſtatuta *Lateranenſ.* Concilii, extorquere; Chriſtiani facultatibus propriis ſic exhauſtis, vix poſſunt etiam reſpirare; ſuper quo vobiſcum meminimus nos habuiſſe tractatum. Sane dilectis filiis Abbate et Conventu *Weſtmonaſt.* referentibus nos noveritis accepiſſe, quod *Iſabac* Judæus de *Norwico*, coram Juſticiariis Judæorum eos ſuper iniuſta Uſurarum veratione moleſtare non ceſſat. Nos igitur volentes ſuper præmiſſis honori Regio (cui in hiis maxime derogatur) et Chriſtianorum indemnitatibus providere; diſcretionem veſtram rogamus, monemus, atque conſulimus pro honore veſtro, quatinus dictis Juſticiariis inſungatis, ut, uſque ad adventum noſtrum ad partes illas, in cauſa ſuperſedeant memorata: ut tunc de noſtro et aliorum prudentum noſtrorum conſilio hiis malis ad honorem Dei et Eccleſiæ et Domini Regis; et ad tantum ſcandalum abſciendum de Regno finis debitus apponatur. Præterea, cum de conſilio fuerit communi proviſum, ut ad colligenda amerciamenta propter malitiam Vicecomitum ſocii eis darentur, miramur, quod generaliter eſt ipſis mandatum, ut ipſi per ſe ipſa colligant, quod ad damnum non modicum Domini Regis noſcitur redundare. Quare vobis mandamus, ut (ſicut communiter fuit ſtatutum) ad colligenda amerciamenta ipſa Vicecomitibus in quolibet Comitatu, viros diſcretos & Domino Regi fideles, dari ſocios faciatis; mandantes per literas Regias *Waltero Maucler.* ut amerciamenta in Comitatibus *Lincoln. Nottingh. Dereb.* una cum ipſis Vicecomitibus colligere ad opus Domini Regis ſtudeat fideliter & devoté. Dat. *Wenlee*, Non. *Julii.*

How buſie *Pandulphus* the Popes Legate was to promote the peace and welfare of the King and Kingdom, (then under the Popes protection) and the prolonging of the Truce with *Lewelin*, and *France*, he thus relates in theſe his Letters to *H. de Burgo* Chief Juſtice of *England.*

In Bundela Literarum in Turre Lond.

PAndulphus Dei gratia *Norwicen.* electus, Domini Papæ Camer. Apoſtolicæ ſedis Legatus, Nobili viro & amico cariſſimo *H. de Burg.* Juſticiario *Angliæ*, ſalutem & ſinceræ dilectionis affectum. Utinam quod ſinguli et univerſi, qui ſciunt et poſſunt Regis et regni prodeſſe negotiis, ea ad promovenda darent operam efficacem, (ſicut tenentur) neceſſitate temporis exigente. Nos enim (teſte Deo) ad ea facienda, quæ Regi expedire videntur et regno fideliter intendimus et libenter; nec pepercimus nobis adhuc in laboribus vel expenſis. Verum quia difficile nobis eſſet (maximè tempore iſto) venire verſus partes *London.* & exinde verſus *Wigorn.* laborare, ubi præfixus eſt dies *Lewelin.* & aliis de *Marchia* in Octavis Purificationis,

non

non miremini ſi ad præſens ſecundum quod ſcripſiſtis non accedimus ad partes ipſas: Unum autem vellemus, et hoc conſulimus et mandamus inſtanter, ut ſecundum formam quam vobis mittimus intercluſam, vel aliam meliorem (ſi videritis) fiant literæ ex parte Domini Regis ad Regem *Franciæ*, pro treugarum prorogatione requirenda, ſecundum formam quam tranſmiſit, ſi habere nequiverimus meliorem. Et mittatis ipſam ſine mora per aliquem virum religioſum, quem ad hoc videritis opportunum: Proviſuri ut (ſi unquam eſſe poterit) apud *Wigorn.* prædicto termino veniatis. Interim ad factum Scaccari detis operam efficacem, ſicut Regi et regno cognoſcatis expedire. Hiis nos ſcribimus, *Winton.* Epiſcopo, & Domino *W. Briwer.* Dat. *Bathon.* 4 Idus *Jan.* *An.* 4 H. 3.

The form of the Letterr to the King of *France* and Popes *Nuncio* concerning the Truces prorogation he then ſent to *H. de Burgo* was this, wherein he relates the Popes (uſurped) imperative power in commanding Kings to make Peace and Truces at his pleaſure.

ILluſtri Regi *Francorum*; venerabilis Pater & Dominus noſter Summus Pontifex, nuper & ſæpius nobis per literas ſuas intimavit, quod Excellentiæ veſtræ ſua ſcripta direxerat pro treugarum prorogatione, quæ captæ fuerunt inter vos & bonæ memoriæ *J.* patrem noſtrum. Verumtamen nobis injunxit, ut ad hoc efficiend. ex parte noſtra ad præſentiam veſtram nuncios mitteremus. Et nos ſuis monitis et mandatis obedire volentes, et cupientes habere pacem et gratiam veſtram, literas & nuncios noſtros propter hoc jam ſæpius miſimus, & adhuc latores præſentium mittimus ad præſentiam veſtram: Celſitudinem veſtram rogantes, ut ſecundum mandatum Apoſtolicum et prout nobis veſtris literis intimaſtis, treugas ipſas prorogare velitis. Nos enim parati ſumus per Prælatos, Comites & Barones regni noſtri treugas ipſas aſſecurare, cum veſtros duxeritis propter hoc nuntios tranſmittendos. Anno 4 H. 3. in eadem Bundela in Turr. London.

Item; Magiſtro *Petro de Collomedio* Domini Papæ Capellano, dilecto Clerico & amico ſuo. Intellecto ſtudio & diligentia tua, quæ circa negotia noſtra apud Dominum Regem *Franciæ* fideliter adhibuiſti; prudentiæ tuæ gratiarum referimus actiones, fidem & devotionem tuam dignis in Domino laudibus commendantes. Verum quia juxta mandatum Domini Papæ per te et latorem præſentium prorogationem treugarum a Domino Rege *Franciæ* duximus requirendam; monemus diſcretionem tuam & rogamus, ut una cum ipſo ad ipſius præſentiam accedentes, ei noſtras literas præſentetis, & procedatis in facto ſecundum quod videritis expedire.

Iſtis formis addatis & ſubtrahatis, quicquid vobis melius viſum fuerit; & injungatis nuntio, ut ſtatim, habito reſponſo Regis, nobis ſtudeat intimare; nec recedat de *Francia* donec recipiat reſponſum noſtrum.

Hereupon it ſeems the Truce was renewed and prolonged by theſe Kings, as this Charter and Oath of Earl *Waren* to obſerve it (filed with theſe Letters) intimates.

OMnibus Chriſti fidelibus præſentes literas inſpecturis vel audituris, *W.* Comes *Waren.* ſalutem. Noveritis nos juraſſe tactis Sacroſanctis Evangeliis, in præſentia venerabilis patris noſtri Domini *Pandulphi* Dei gratia *Norwic.* electi, Domini Papæ Camer. & Apoſtolicæ ſedis Legati; Domino noſtro *Henrico* Rege *Angl.* præſente & mandante; & præſentibus etiam nunciis Domini *Philippi* Regis *Franciæ*, videlicet, Magiſtro *Simone de Domibus* Clerico, & Domino *Willielmo de Valle Oloris*, quod toto poſſe noſtro & bona fide obſervabimus & obſervari faciemus Treugas captas inter Dominum *Philippum* Regem *Franciæ*, & Dominum noſtrum *H.* Regem *Angliæ*, ſicut in literis Domini *Philippi* Regis *Franciæ*, & Domini *H.* Regis *Angliæ* ſuper eiſdem Treugis confectis continetur. Quod ut firmum ſit & ſtabile, præſens ſcriptum ſigilli noſtri munimine roboravimus. Actum apud *London.* anno ab Incarnatione Domini Milleſimo ducentiſſimo decimo nono, menſe *Martio.* In eadem Bundela.

It ſeems *Pandulphus* was purpoſely ſent for to *London* by *Hubert de Burgo* about this Truce and affair, as this Epiſtle to him ſeems to import.

PAndulphus Dei gratia *Norwic.* electus, *&c.* Nobili viro & amico ſuo *H. de Burg.* Juſticiario *Angl.* ſalutem in Domino. Quod verſus partes *Walliæ* appropinquavimus, non pro utilitate fecimus ſpeciali, ſed quia honoſt Domini Regis et ſuorum fidelium ſic vidimus expedire. Et licet grave ſit nobis plurimum et moleſtum (non peracto negotio quod incepimus, quod erat jam ad perficiendum paratum) diſcedere à partibus illis; tamen quia non venimus facere voluntatem noſtram, In eadem Bundela.

An. 4 H. 3. noſtram, ſed quæ honori Eccleſiæ et utilitati Regis et regni expedire noſcuntur, mutato propoſito, juxta veſtri conſilii inſtantiam pro certis & multis neceſſitatibus, quæ (ſicut dicitis) occurrerunt de novo, verſus *London.* direximus iter noſtrum; et ſumus (ducente nos Domino) in veniendo. Utinam veſtrum conſilium utilitatem contineat, et noſter ſit labor utilis et fructuoſus. Dat. apud *Cirenceſtr.* 3 Kalend. *Februarii.*

In another Bundle of Letters about the ſame year in the *White Tower*, I found this Letter of *Pandulphus* to *Hubert de Burgh* concerning *Poictiers*, and his prohibition of *Torneys* and *Juſts* under pain of Excommunication, prohibited likewiſe by * *ſeveral Writs* and the Common Counſil of the Realm, under pain of confiſcation of all their goods, which yet notwithſtanding ſome had tranſgreſſed, whoſe lands he deſired to be ſeiſed into the Kings hands for their contempt.

* Pat. 1 H. 3. m. 2. dorſo. Pat. 2 Hen. 3. dorſ. 3. Pat. 3 H. 3. m. 32.

Bundela Brevium in Turre Lond. An. 4 Hen. 3.

PAndulphus Dei gratia *Nowic.* electus, Domini Papæ Camer. Apoſtolicæ ſedis Legatus, nobili viro et amico ſuo *H. de Burgo* Juſtic. *Angliæ*, ſalutem in Domino. Literas quas nobis miſit *Philippus de Uletot* vobis mittimus præſentibus interclusas; monentes diſcretionem veſtram et mandantes, quatinus provideatis terræ illi quæ per defectum Conſilii Regis videtur manifeſtè perire: Nos enim nullam fiduciam habuimus de *Ph. de Uletot* ut illuc ire deberet, quamvis vos videremini eſſe valdè certi in negotio ipſo, ambulando ſemper ſuper maria et montes, et querendo illa quæ non poſſunt haberi, dilatum eſt uſque adhuc non abſque multo rubore, et valde timemus ne dampnum veniat inde grave, præterea ſicut noſtis, inhibuimus, hoc anno torneamenta et excommunicavimus publice torneatores, et de Communi Conſilio fuit ſtatutum ut ſi nec ſic deſiſterent a torneando, eorum bona confiſcarentur: Unde cum nunc, ſicut dicitur, congregentur ad torneandum, monemus et mandamus, ut eis per literas Regias inhiberi facientes, terras eorum præcipiatis capi in manus Domini Regis, qui mandata Regis nolunt obedire. Expectavimus enim ut veniretis verſus partes *Dorceſtriæ* in quibus nunc ſumus, ut de facto *Cornubiæ* tractaremus, & miramur quod non veniſtis. Dat. apud *Cery*, 8 Kal. *Septembris.*

He likewiſe writ a Letter to the Biſhop of *Wynton* to the ſame effect, as this his anſwer thereto imports.

In eadem Bundela Anno 4 Hen. 3.

REverendo in Chriſto patri *Pandulpho* Dei gratia *Norwicen.* electo, Dom. Papæ Camerario, Apoſtolicæ ſedis Legato, *P.* divina miſeratione *Winton.* Eccleſiæ Miniſter humilis, ſalutem, & paratum ſemper cum devotione obſequium. Super hoc quod nobis mandaſtis, ut pro negotio *Pictav.* ſolliciti eſſemus: Sciatis quod propter hoc Deo volente hac inſtanti die Dominica poſt decollationem Sancti *Johannis* Baptiſtæ *Winton.* veniemus, ubi cum Domino Juſticiario inde tractatum habebimus, & circa idem negotium omnem quam poterimus curabimus diligentiam adhibere, & ibi ſi poſſet fieri præſentia veſtra eſſet neceſſaria. Hac de cauſa etiam virum venerabilem Decanum *Pictav.* qui nuper venit ad nos detinemus nobiſcum, eo quod ipſum idoneum, & utilem eſſe credamus, pro mandato hujuſmodi exequendo, ad treugas videlicet impetrandas, vel ad negotium alio modo, prout melius poterit, procurandum. Cum autem de proceſſu negotii hujus, juxta quod proviſum fuit certi eſſe poterimus, veſtræ Sanctitati curabimus intimare, præfatum etiam Decanum retinebimus, quouſque ſuſcepimus mandatum veſtrum. De torneatoribus, noverit veſtra Paternitas, quod nullum eorum recepimus vel recipiemus ſcienter in domo noſtra qui ad ultimum fuerit torneamentum, ſed nec aliquis de noſtris Militibus ibi fuit; Et ſi ſciremus aliquem de noſtris ibi fuiſſe à familiaritate noſtra perpetuò eſſet excluſus, nec de cætero ſine mandato veſtro apud nos gratiam inveniret. Per totum quoque Dioceſim noſtrum terras eorum qui ibi fuiſſe noverimus, ſubjiciemus interdicto, quouſque nobis conſtiterit, qui de ipſis veſtræ placuerit Sanctitati. Nepotes quidem noſtros & quoſdam alios de Militibus noſtris hac conſideratione ad partes noſtras remiſimus, ne in *Anglia* ferrent arma. Pro negotio Domini *Rob. de Cardin.* qui pro fidelitate & ſervitio Domini Regis dampna plurima, & injurias graves ſuſtinuit; veſtræ Paternitati humiliter ſupplicamus, quatinus & taliter providere velitis ad honorem Dei, & Sanctæ Eccleſiæ, & Domini Regis, ut alii exemplum inde capiant, ne veſtram de cætero audeant offendere Sanctitatem. Valeat Sanctitas veſtra ſemper in Domino.

Moreover he ſent this Letter to Chief Juſtice *Hubert* to iſſue Writs to prohibit Sheriffs to exact any thing for *Robert Fitzwalter*, who had Croſſed himſelf for the

Holy

Holy Land, and was in Christs ſervice; againſt the Decree of a General Council, exempting ſuch from all exactions. *An.* 4 H. 3.

P*Andulphus* Dei gratia *Norwicen.* Elect. Domino Papæ Camerar. Apoſtolicæ Sedis Legat. Nobili viro & kariſſimo amico *H. de Burgo* Juſticiario *Angliæ*, ſalutem, & ſinceræ dilectionis affectum. Cum omnes Cruceſignati exiſtentes in ſervitio Cruciſixi ab omnibus exactionibus immunes eſſe debeant et collectis, juxta conſtitutionem Concilii generalis, monemus diſcretionem veſtram et mandamus, quatinus pro dilecto filio *Roberto filio Walteri* exiſtente in ſubſidio Terræ ſanctæ, Domini Regis literas prohibitorias ad Vicecomites *Eſſex. Hertford. Norff.* & *Suffoleiæ* fieri faciatis, ne occaſione Domini Regis aliquid exigerent ab eodem, quod tamen in ſervitio Terræ ſanctæ conſtitit eum eſſe. Dat. *London.* 8 Kal. *Octobris.*

To which I ſhall annex this Letter to the Biſhop of *Wincheſter* and *William Briwer*, to receive the Caſtle of *Fodring* from the Earl of *Pembroc* for the Kings poſſeſſion, in obedience to the Popes premiſed Bull, and his Legates commands and cenſures.

VEnerabili in Chriſto Patri *P.* Dei gratia *Wintonienſi* Epiſcopo, & nobili viro *Willielmo Briwer*; *Pand.* miſeratione divina *Norwic.* electus, Domini Papæ Camer. Apoſtolicæ ſedis Legatus, ſalutem in Domino. Si nullum adhuc miſiſtis pro recipiendo Caſtro de *Fodring* à nobili viro *W. Mareſcallo* Comite *Pembr.* quia nos nullum miſimus, monemus diſcretionem veſtram & mandamus quatinus ſecundum quod inter nos condictum fuerat, mittatis aliquem de familia Domini Regis cum literis ipſius patentibus pro recipiendo Caſtro ipſo à nobili memorato, qui illud diligenter cuſtodiat, donec cum Domino Rege *Scotiæ* locuti fuerimus. Dat. apud *Stamford.* 8 Idus *Octobris.* In eadem Bundela.

He likewiſe writ this Letter to the Chief Juſtice, *Hubert.*

P*Andulph.* Dei gratia *Norwicen.* electus, Domini Papæ Camer. Apoſtolicæ ſedis Legatus, Nobili viro & amico ſuo *H. de Burg.* Juſtic. *Angliæ*, ſalutem in Domino. Viſis & intellectis univerſis literis quas *P. de Hulecot* ſuper facto *Rog. Bertran.* miſit, & vos nobis ſuper eodem deſtinaſtis, dolemus plurimum & movemur, quod indiſcreto uſus conſilio, Domini Regis ac noſtrum mandatum exequi non curavit, occaſiones frivolas præponendo. Et quia propoſiti noſtri eſt exceſſum hujuſmodi non dimittere impunitum, et hæc offenſa tangere noſcitur totum regnum, abſque veſtro et aliorum Regis fidelium conſilio procedere nolumus in hoc facto; ne fortè temerarium diceretur ab æmulis, vel minus providum, etiamſi eſſet ſatis bonum ſolum conſilium noſtrum. In proximo enim cum ſimul erimus circa partes *Wigorn.* ubi vos et omnes alios volumus et rogamus habere præſentes, de hiis et aliis pluribus, quæ imminent, taliter auctore Domino cum deliberatione provida diſponemus, quod ad honorem Domini Regis et infidelium confuſionem cedet, et ſtatuta noſtra debitam firmitatem tenebunt. Si enim ſuper hiis veſtrum & aliorum qui ſunt in Scaccario expreſſiſſetis conſilium, proceſſiſſemus forſitan adhibito conſilio veſtro. Dat. apud *Malmesb.* 8 Kal. *Februarii.* In eadem Bundela.

I pretermit all his other Letters in that Bundle, being of leſs publick importance; theſe tranſcribed being ſufficient to manifeſt this Nuncioes domineering power in the Realm, during the Kings minority.

In the ſame Bundle I find this Petition of the Prior of S^t. *Patrick* of *Dune* in *Ireland* to the King to grant them ſome ſmall Cell to reſide in in *England*, their houſes in *Ireland* being frequently burnt and conſumed by the Wars, for S^t. *Patrick*'s and other *Iriſh* Saints ſakes, whoſe Reliques they then ſent to the King for a preſent.

VEnerabili Domino ſuo *H.* Dei gratia illuſtri Regi *Angliæ*, Domino *Hiberniæ*, Duci *Normanniæ*, Comiti *Andegaviæ* & *Aquitaniæ*; Prior & Conventus Eccleſiæ Sancti *Patricii* de *Duno*, ſalutem & orationes in Chriſto. Excellentiæ veſtræ tranſmittimus Monachum noſtrum cum feretro patronorum *Hibern. Patricii*, *Columbæ* & *Brigidæ*, & eorum reliquiis; quatinus pro eorum reverentia & pro promiſſo quod Dominus noſter pater veſter promiſit; ſcilicet, ſe benefacturum Eccleſiæ noſtræ, et pro vobis qui Dominus eſtis totius terræ, patronum *Hiberniæ* et patronus, aliquam manſiunculam in *Anglia* ubi cum opus fuerit poterimus hoſpitari, nobis caritative detis; domus verò Sancti *Patricii* ſæpe per Werram deſolatæ ſunt & combuſtæ, cum Eccleſia quæ de novo incipit reedificari; undè auxilio veſtro quamplurimum indigemus. Valete. In eadem Bundela.

An. 4 H. 3. In the ſame Bundle alſo I found this Letter of the Prior and Covent of S^t. *Edmunds* to the Dean of *Lichfield*, not to ſue or ſuffer his Officers to moleſt their Tenants at *Hingham* for Tithes of Hay, Mills, Heaths and other things which they had peaceably enjoyed Tithe-free for 40 years; there being Lands given them in lieu of Tithe-hay.

An. 4 Hen. 3. In eadem Bundela, in Turre London.

VEnerabili viro Domino & amico in Chriſto, chariſſimo *R. de Nevill* Decano de *Lichfeld*; *H.* Prior Sancti *Edmundi* & Conventus ejuſdem loci, obſequiorum plenitudo cum ſalute. Serenitati veſtræ ſuper beneficiis totiens nobis & noſtris liberaliter impenſis gratiarum referimus actiones; rogantes quatinus ſolita liberalitate veſtra præcipiatis Capellano & ſervient. veſtris apud *Hingham*, ne nova et indebita exigant a Dominicis noſtris et hominibus noſtris, ratione Decimarum; turbando nos et noſtros ſuper his quæ pacifice poſſedimus per quadraginta annos; videlicet, Decimas de Fœno, et de Polendinis, et de viduis Denar. Sancti *Petri*; quod eſt noſtris partibus inauditum. Præterea non lateat vos, quod antiquis temporibus data fuit una Acra Prati pro decimatione Fœni; et eſt Eccleſia, ſicut dicitur, in poſſeſſione illius Acræ. Item, exigunt Decimas de Bruariis, quas nunquam dedimus, nec aliquis vicinorum noſtrorum. Rogamus igitur, ut de pacifica poſſeſſione gaudere poſſimus, donec colloquium habuerimus ſuper hiis vobiſcum. Valete in Domino.

The Biſhop of *Lincoln* and Abbot of *Dorkeſter* moleſting, ſuing, and excommunicating the Tenants of the Manor of *Benſington* held of the King, to their great injury and grievance for their Lay-fees, to defraud the King of his right; they thereupon prayed the Chief Juſtice to ſtay their proceedings, and to aſſign a day to hear both parties before the King and his Counſil in the Exchequer, where they would defend the King's right and Title againſt their encroachments.

In Bundela Literarum, &c. An. 4 H. 3. in Turre Lond.

DOmino & amico chariſſimo *H. de Burgo* Domini Regis Juſticiario, ſuus *Engel. de Sigon.* ſalutem, & paratam ad obſequia voluntatem. Noveritis, Domine, quod Dominus *Linc.* Epiſcopus, occaſione cujuſdam excluſæ quam idem tenet de Domino Rege, per ſervitium duorum ſolidorum per annum, & Dominus Abbas de *Dorkeſtr.* occaſione cujuſdam prati, quod tenet de Domino Rege per ſervitium trium ſolid. & ſex denar. per annum; Domino Regi michique & hominibus Domini Regis de Manerio de *Benſington*, magnam injuriam et gravamen diebus ſingulis pro poſſe ſuo inferre non ceſſant, Dominum Regem de jure ſuo intendentes, procul dubio ſpoliare; ſuper quod Dominus *Linc.* Epiſcopus de duabus cauſis prædictis, homines noſtros Dominicos, et homines dicti Manerii, quia jus Domini Regis et ſuum pro poſſe ſuo defendunt, Excommunicationis ſententia innodavit, et adhuc tenet excommunicatos; ad quod dilectionem veſtram omni quâ poſſum devotione deprecor, quatinus literas Domini Regis prædicto Domino *Linc.* et Domino Abbati de *Dorkeſtr.* directas de defenſo, quod non procedant de Feodo laicali quod tenent de Domino Rege ſicut dictum eſt; et quod intendunt in puram Elemoſinam trahere, nobis veſtri gratia habere faciatis eiſdem; et de loquela quæ vertitur inter ipſos et nos, pro jure Domini Regis, diem certum coram vobis et aliis Conſiliariis Domini Regis ad Scaccarium aſſignatis; & ego in propria perſona mea una cum hominibus meis dicti Manerii, ad jus Domini Regis obſervandum intereſſe procurabo: ſuper quibus veſtri gratia, pro honore veſtro, et jure Domini Regis obſervandis curam apponatis. Valete.

About the ſame year, in the ſame Bundle, I met with this Epiſtle of a *Roman* Cardinal, (formerly a Notary, to whom King *John* had granted an annual penſion of 20 Marks a year for his good ſervices to him) writ to King *Henry* his ſucceſſor, importuning him to pay all the arrears of it due unto him for 6 years, and likewiſe to augment his ſtipend ſince his advancement to an higher degree, for the grand ſervices he had done, and would alwayes do for him in the Court of *Rome*.

In eadem Bundela.

MAgnifico & ſublimi Principi amico kariſſimo Domino *H.* Dei gratia Regi *Anglorum* illuſtri, *R.* miſeratione divina Sanctæ *Mariæ* in *Coſmidin.* Diac. Cardinalis, ſalutem & ſinceræ dilectionis affectum. Si regia circumſpectio ſuæ Serenitatis inflecteret oculos, ut ſuorum merita reſpiceret amicorum, nos fortè cenſeret collato nobis beneficio Regio non indignos. Si enim ſciretis plenius, & retineretis memoriter labores multiplices, anxietates et ſollicitudines quas nos olim pro claræ memoriæ Domino *J.* parte veſtro et vobis, non ſine ſudore vultus noſtri et vigiliis multis pertulimus, nullo modo dubitare poſſemus, quin devotionis

noſtræ

noſtræ haberetis diligentiam cariorem. Sanè cum in minore dudum conſtituti officio, *Notariæ gerentes exercitium*, pro negotiis Regiis frequenter nobis commiſſis cum omni ſtudio et diligentia laborabimus die noctuque, cum id ſumma neceſſitas poſtularet, quæ ſe ſubſequentibus caſibus ingerebat; ipſe Dominus Rex pater veſter hoc audito à pluribus nuntiis ſuis, (qui quod viderant fideliter retulerunt) annuum redditum viginti marcarum nobis liberaliter contulit; promittens nobis in uberiori beneficio, prout Regiam deceret munificentiam et recipientis ſtatus exigeret, providere. Cum autem poſtmodum nos Dominus in gradum provexit altiorem, eodem patre veſtro (ſicut Domino placuit) ſublato à medio, ſinceræ devotionis affectum, quem ad ipſum habuimus, ad vos extendimus ſucceſſive, pro vobis utique (ſicut feceramus pro ipſo) quotiens expedire vidimus, indefeſſa laborare ſollicitudine non ceſſantes; ſicut nuntii veſtri, qui pro vobis frequenter ad ſedem venerunt Apoſtolicam, vobis potuerunt et poterunt (ſi voluerint) plenius declarare. Undè non immerito credimus & ſperamus, ut et vos paternis veſtigiis inhærentes, dilectionem illam, quam erga nos Dominus Rex pater veſter habuerat, habere velitis, et erga nos ſuæ liberalitatis propoſitum impleatis. Veruntamen vehementer cogimur non ſine cauſa mirari, quod jam per ſex annos noſtrum nobis non fuerit beneficium perſolutum. Quare Celſitudinem Regiam affectione qua poſſumus exoramus, quatinus reddit*us* noſtros totius temporis præcedentis venerabili patri Do nino * *P. Norwicen.* Epiſcopo, vel ei quem ipſe ad hoc procuratorem noſtrum conſtituerit, facientes (ſi placet) cum integritate perſolvi. Nobis in antea in aliquo uberiori beneficio, (aſſignando in aliquo certo loco) juxtà quod veſtræ liberalitatis munificentiam deceat, providere velitis; Scituri pro certo, quod nos vobis omni tempore (quantum cum Deo et honeſtate noſtra poterimus) de bono in melius cupimus et diſponimus totis viribus complacere. *Out of lucre to gain a Penſion, without which Popes themſelves, their Officers and Cardinals would diſpatch no buſineſſes for him.*

An. 4 H. 3.

* Therefore this was written before his return out of England, Anno 5 H. 3.

Tom. 2. p. 379. l. 41. after *Wars*, inſert; * *Mat. Weſtminſter* thus relates this buſineſs: *Circa idem tempus* Guſielmus de Fortibus *Comes de* Alba Marla, *occupans quadam Caſtra injuſtè, ad pacem Domini Regis nolens redire, excitavit contra eum hoſtilem rebellionem in* Lincoln. unde Epiſcopo (who confederated with the Earl againſt the King) et ſingulis fautoribus ejus a Legato Pandulpho et Epiſcopis et Clero Angliæ, ob ſcelus tale perpetratum, excommunicatis, idem Comes irreverenter coactus eſt ad deditionem, quibuſdam ex ſuis carceribus mancipatis, quibuſdam exilium perpetuum ſubeuntibus.

* Mat. Weſtm. p. 111.

The ſame year I meet with this memorable Record, concerning a marriage contract between *Alexander* King of *Scots*, and King *Henry* the 3d (then an Infant) that *Alexander* ſhould marry *Joan*, eldeſt Siſter of King *Henry*, by a ſet time; and that King *Henry* ſhould cauſe both of the King of *Scots* Siſters ſent into *England* to be there married to his and their honour by a certain time, or elſe to return them ſafely into *Scotland*; which ſeveral Biſhops and one Abbot, as the Kings ſureties, promiſed only in the word of truth to ſee performed, and to *excommunicate* all oppugners thereof within their reſpective Dioceſſes; but the Temporal Lords which were his ſureties, took a *ſolemn Oath* before the Popes Legate to ſee performed; as if their promiſe upon their *Honours*, *Truth*, without an Oath, were not ſo valid or obligatory as the Biſhops and Abbots words, who then upon all occaſions advanced themſelves and their Eccleſiaſtical Cenſures too, over Kings and Nobles, even in caſes of civil contracts *ratified by an Oath.*

REX Archiepiſcopis, Epiſcopis, Abbatibus, Comitibus, Baronibus, Militibus, & liberè tenentibus, & omnibus fidelibus ſuis ad quos præſens ſcriptum pervenerit, ſalutem. Ad univerſitatis veſtræ notitiam volumus pervenire, quod nos dabimus dilecto & fideli noſtro *A.* illuſtri Regi *Scotiæ*, *Johannam* primogenitam ſororem noſtram in uxorem, ad feſtum Sancti *Michaelis* anno ab Incarnatione Domini 1220. ſi eam habere poterimus, & nos & conſilium noſtrum laborabimus ad eam habendam. Et ſi fortè eam habere non poterimus, dabimus ei in uxorem *Iſabellam* juniorem ſororem noſtram infra 15 dies proximos ſequentes poſt prædictum terminum. Maritabimus etiam *Margaretam* & *Iſabellam* ſorores ipſius *A.* Regis *Scotiæ*, à feſto Sancti *Dionyſii* anno ab Incarnatione Domini 1220. in unum annum in terra noſtra, ad honorem noſtrum & ipſius Regis *Scotiæ*; vel ſi eas non maritaverimus infra prædictum terminum, reddemus eas dicto *A.* Regi *Scotiæ* ſalvo & liberè in terram ſuam infra menſem proximum poſt terminum prædictum. Domi-

Pat. 4 H. 3. m. 5.

An. 4 & 5 Hen. 3. nus *W.* autem *Eboracensis* Archiepiscopus, *P. Wintoniensis*, *R. Dunelmensis*, & Cancellarius noster, *H. Carleolensis* Episcopi, & *S.* Abbas *Reding.* promiserunt * verbo veritatis, quod bona fide laborabunt quod omnia prædicta compleantur, et quod compellent contradictores, singuli scilicet in Parochiis suis, per censuram Ecclesiasticam quod prædicta observentur, et super hoc Cartas suas dederunt eidem *A.* Regi *Scotiæ*. *H.* etiam de *Burgo* Justiciarius noster *Angliæ*, *W.* Comes *Waren. W.* Comes *Albemarliæ*, *Robertus de Ros*, *Falkasius de Breant*, *Willielmus de Cantilupo*, *Willielmus de Lancastria*, *Galfridus de Nevill*, *Radulphus de Trublevill*, *Robertus de Vallibus*, *Phil. de Albiniaco*, *Hugo de Bolebec*, *Rogerus Bertram*, *Osbertus Giffard*, *Johannes Russel*, juraverunt se observaturos bona fide hoc idem quod Archiepiscopus et Episcopi promiserunt in verbo veritatis, et inde similiter Domino *A.* Regi *Scotiæ* Cartas suas fecerunt. Et nos ad majorem rei hujus securitatem hanc Cartam eidem *A.* Regi *Scotiæ* fieri fecimus, sigillo nostro sigillatam. Dar. apud *Eborum*, in præsentia Domini *Pandulphi Norwicensis* electi, Domini Papæ Camerarii, et Apostolicæ sedis Legati, 15 die *Junii*, anno regni nostri quarto.

* Without Oath.

An. 5 H. 3. The same year the King, at the Legates instigation, both under pain of imprisonment and forfeiture of Lands and Goods, and likewise of Excommunication by the Popes Legate, (not Archbishop or Bishop of the Dioceſſe) prohibited Torneys or Justs to all his Nobles and Subjects, by this Writ; though King * *Henry* the 2d. sometimes commanded and authorized them, against sundry Canons of Popes and Councils.

* Here, Tom. 1 p. 1049, 1050.

Par. 5 H. 3. m. 3. REX omnibus qui venturi sunt ad Torneamentum die Martis in Octabis Apostolorum *Petri* & *Pauli*, salutem. Mandamus vobis firmiter præcipientes, quatinus in fide qua nobis tenemini sicut corpora vestra, res, terras, & omnia catalla vestra diligitis, nullatenus ad Torneamentum conveniatis apud *Brackel*, nec Torneamentum ibi teneatis. Quod si feceritis, proculdubio indignationem nostram, et sententiam excommunicationis a Domino Legato latam incurretis. Et insuper nos ad corpora vestra, terras, res, et catalla vestra nos capiemus. Teste *H.* apud *Kidem.* 4 die *Julii*. *Here is a quadruple penalty threatned, for this one offence.*

* Mat. Westm. p. 109, 110. Tom. 2. p. 383. l. *ult.* after *relation*, adde; * *Mat. Westminster* renders us this brief account of the Kings second Coronation, and premised contention between *Richard* Bishop of *Durham* and his Monks: *Anno* 1220. *Rex* Henricus *coronatus est apud* Westmonasterium *die Pentecostes à* Stephano Cantuarienſi *Archiepiscopo*, *præsentibus Domino* Pandulpho *Legato*, *& Episcopis aliis*, *Prælatis*, *Comitibus*, *Baronibus & Majoribus* Angliæ, *à quo Archiepiscopo prædicatur ibidem* Crucis signato. *Hoc etiam anno*, *imminente tempore Adventus Dominici*, orta est contentio gravissima *inter* Dunelmensem *Episcopum* Richardum, *& Monachos*, eo quod esset substantiæ Ecclesiasticæ indiscretus et prodigus dilapidator. *Undè sub appellatione se protegens Episcopus*, plus solito profusis opibus, Romam adiit, ubi Ecclesiam suam plusquam triginta millibus marcarum conflavit: (such was the fruit of his appeal, such the intollerable bribery and corruption of the *Roman* Court.) Prioratus vero et Episcopatus hac continuata controversia, damna incurrit imprecabilia, as *Matthew Westminster* observes.

* Mat. Westm. p. 110, 111. See Tom. 2. p. 384. Tom. 2. p. 384. l. 23. after *consecratur*, adde; * Benedicto Roffensi *Episcopo*, *gerente vices Domini* Stephani Cantuarienſis *Archiepiscopi*, *qui tunc propter spiritualia negotia sanctæ Ecclesiæ & regni* Angliæ, *in partibus agebat transmarinis*, *Legato verè præsente*. *In brevi postea*, *die* Lunæ, *videlicet proxima ante festum beatæ* Mariæ Magdalenæ, Pandulphus Norwicen. *electus* cessit legationi suæ ex mandato Domini Papæ Honorii, *præsentibus* Richardo Sarisbur. Petro Winton. Eustachio London. *Episcopis*, *apud* Westmonasterium, nullo alio tunc ei in legatione succedente. *Ille quidem multos bellicos tumultos*, *nondum congelatos*, auctoritate sibi tradita tempore legationis viriliter compescebat. *Idem* recessit ab Anglia *post festum Sancti* Michaelis.

Several persons seising and detaining the Lands and Escheats belonging to King *Henry* the 3d. during his infancy, and detaining them in their hands to his prejudice, being under the Popes protection as an Orphan, (*crossed* for the *Holy War*) he thereupon sent this Bull to his Privy Counsil, to compell them by the power given them to restore them to his hands notwithstanding any Appeal, or former Bull of his to the contrary; the Original whereof I found in the *White Tower*.

An. 5 H. 3. in Turre Lond. HONORIUS Episcopus, servus servorum Dei; venerabili fratri *Wintoniensi* Episcopo, & dilectis filiis nobilibusque viris *H. de Burgo* Justiciario, *R.* Comiti

Comiti *Ceſtriæ*, *Willielmo Briguere*, ac aliis Conſiliariis chariſſimi in Chriſto filii noſtri *H.* Regis *Anglorum* illuſtris, ſalutem & Apoſtolicam benedictionem. Cum chariſſimus in Chriſto filius noſter *Henricus* Rex *Anglorum* illuſtris Cruceſignatus et Orphanus ſub ſpeciali ſedis Apoſtolicæ protectione conſiſtat, indignum eſt penitus et abſurdum, nobiſque poſſet non immerito imputari, ſi eum qui propter ætatis defectum ſe defendere nequit fraudari ſuis juribus pateremur. Cum igitur ſicut ex parte ipſius noſtris eſt auribus intimatum, *Gaurdæ* & *Eſcheatæ* pertinentes ad Regem detineantur à pluribus occupatæ, qui eas Domino invito contrectant; Univerſitati veſtræ per Apoſtolica ſcripta mandamus, quatinus ipſas ad manus Regis ejuſdem revocare curetis, contradictores poteſtate vobis tradita, ſublato appellationis obſtaculo compeſcendo: nullius literis obſtantibus a ſede Apoſtolica impetratis, cum non ſit veriſimile nos in Regis præjudicium, aliquas literas de certa ſcientia conceſſiſſe. Dat. *Lateran.* 3 Kal. *Maii*, Pontificatus noſtri anno quinto. Dorſo. *De reſtituendis Terris & Caſtris Regi; ſcribendum eſt Papæ ultimum verbum.* *An.* 5, 6 & 7 Hen. 3.

Tom. 2. p. 384. l. 19. after *ſexto*, adde; This year Pope *Honorius*, who by his former Bulls conſtantly endeavoured to preſerve the rights of the infant-King againſt the Barons and others who detained his Lands, Caſtles, Wards, Eſcheats and ſervices, endeavoured to deprive him and his Temporal Courts of all their Juriſdiction in caſes of Præbendaries and Advowſons, commanding his Legates to inhibit the King Juſtices to hold Plea of a Præbendary which the Archbiſhop of *York* pretended to belong to his Church, at the ſuit of *Henry de Percy* who laid claim unto it, inhibiting the Kings Counſil to countenance his ſuit, as contrary to the Churches liberties, menacing to take ſome ſeverer courſe againſt them if they did it not, by this inſolent Bull, the original whereof I found in the *White Tower*.

HONORIUS Epiſcopus, ſervus ſervorum Dei; dilectis filiis Conſiliariis chariſſimi filii noſtri *H.* Regis *Anglorum* illuſtris, ſalutem & Apoſtolicam benedictionem. Venerabilis frater noſter Archiepiſcopus *Eboracen.* tranſmiſſa nobis petitione monſtravit, quod cum olim nobilis vir *Richardus de Percy* Miles, ſuæ Dioc. ipſum ſuper collatione cujuſdam Præbendæ *Eboracen.* ad donationem ejuſdem Archiepiſcopi pertinentis, per literas Regias ad forum ſeculare traxiſſet, licet dilecti filii noſtri *G.* titulo Sancti *Martini* Presbyter Card. primo, poſtmodum *P. Norwicen.* electus, tunc Apoſtolicæ ſedis Legati literarum ipſarum uſum exprefſe interdixit Militi ſuprædicto, Juſticiariis Regis nichilominus inhibendo, ne ſuper hujuſmodi contra libertatem Eccleſiæ interponerent partes ſuas tamen; idem Miles ſuper Eccleſia de *Dunigthue* quæ ipſius Præbendæ membrum exiſtit, novam contra eundem Archiepiſcopum ſuſcitans quæſtionem, ipſum in eodem foro nititur convenire. Cum igitur non ſolum abſurdum ſit, ſed etiam abuſivum, ut Eccleſiaſticæ cauſæ in foro ſeculari tractentur, nec nos id deceat æquanimiter tolerare; diſcretionem veſtram monemus et hortamur attente, quatinus vos nullatenus intromittatis de proſecutione hujuſmodi quæſtionis, nullumque Militi prædicto ſuper hoc præſtetis ſuffragium vel favorem, ita quod exinde aliter procedere non cogamur. Dat. *Alatri*, 7 Kal. *Junii*, Pontificatus noſtri anno ſexto. *An.* 6 H. 3. In Turre London. An. 6 H. 3.

Yet notwithſtanding this Bull the King and his Judges held * Plea of Advowſons and Præbendaries, and granted Prohibitions to Eccleſiaſtical Courts not to hold Plea of them againſt the rights of his Crown. * See Tom. 2. pag. 388, 389, 725, 874 to 878.

The Popes Delegates holding Plea in a caſe of Matrimony between *William Taleboth* and the Wife of S^r *William de Breant*, her husband thereupon to preſerve his intereſt, appealing from the Delegates to the Pope, procured this enſuing Bull to them; the original whereof I found in the *White Tower*. *An.* 7 H. 3.

HONORIUS ſervus ſervorum Dei, venerabili fratri Epiſcopo *Wintonienſi* & dilectis filiis Abbati & Priori de *Dorkeſtre Lincoln.* Dioc. ſalutem & Apoſtolicam benedictionem. Ex relatione *Willielmi* Militis de *Breante* nos noveritis accepiſſe, quod cum *Will. Taleboth* laicus *Sariſburien.* Dioc. de *Merlai*, uxorem ipſius Militis coram venerabili fratre noſtro Epiſcopo *Lincoln.* & conjudicibus ſuis auctoritate noſtra ſuper matrimonio convenirent, dictus Miles rem ſuam agi conſpiciens, et ſibi ex hoc metuens præjudicium generari, noſtram pro ſure ſuo audientiam appellavit; ideoque diſcretioni veſtræ per Apoſtolica ſcripta mandamus, quatinus ſi eſt ita, revocato in ſtatum debitum quicquid poſt hujuſmodi appellationem in ipſius Militis præjudicium temere inveneritis attemptatum, audiatis quod idem Miles pro ſe duxerit proponendum, et hinc inde propoſitis intellectis quod Canonicum Anno 7 H. 3. in Turre London.

An. 7 & 8 Hen. 3.

Canonicum fuerit appellatione postposita statutis, facientes quod statueritis per censuram Ecclesiasticam firmiter observari. Alioquin partes ad Priorum Judicum remittatis examen, appellantem in expensis legitimis condemnantes; Testes autem qui fuerunt nominati si se gratia, odio, vel timore subtraxerint per Censuram eandem appellatione cessante cogatis veritati testimonium perhibere. Quod si non omnes his exequendis potueritis interesse, tu frater Episcope cum eorum altero ea nichilominus exequaris. Dat. *Laterani*, 3 Kal. *Maii*, Pontificatus nostri anno septimo.

Dorso. *Judicibus super quodam Matrimonio.*

Tom. 2. p. 387. l. 21. after *Norwic.* adde; It appears by this ensuing Writ that King *Henry* the 3d. his Officers seised and claimed the disposition of Intestate persons Goods, by virtue of his Royal Prerogative as Supreme Ordinary; not then legally appertaining to his Bishops or Ordinaries, who by degrees usurped a Jurisdiction over them, by colour of the * forecited clause in his Father King *John's* Charter, which gave them no such Jurisdiction.

* See here, p. 18, 19, &c.

Clauſ. 7 H. 3. pars 2. m. 16. See Cooks 9. Report, f. 38, 39. Hensloes case, and 2 Inſtit p. 491.

REX Vicecomiti *Linc.* salutem. Constat nobis per inquisitionem missam sub sigillis *S. de Segrave*, & aliorum proborum & legalium hominum, quod *Richardus* filius *Idonia* non obiit intestatus: Et ideo tibi præcipimus, quod omnia catalla ipsius *Richardi* in manum nostram capta in Balliva tua, *(by pretext that he dyed Intestate)* sine dilatione habere facias Prioribus de *Nokinton*, & Sanctæ *Katerinæ Linc.* & Subdecano Ecclesiæ *Lincoln.* & Suppriori de *Noketon*, & *Richardo de Linc.* Clerico, executoribus testamenti ipsius *Richardi*, ad faciendum inde rationabile testamentum suum. Teste *H.* &c. *apud* Glouceſtriam, 20 die *Marcii.*

An. 8 H. 3.

* Spelmanni Concil. Tom. 2. p. 137, to 161.

It seems that *Anno* 1223. (not 1217. as Sir * *Henry Spelman* mis-conjectures) immediately after the Council of *Oxford*, *An.* 1222. mentioned by him, *Richard Poore* Bishop of *Sarum*, by his Episcopal authority, took upon him to make several Constitutions for his Dioceſse of *Sarum*, and also of *Durham* after his translation thither, to advance his Episcopal Jurisdiction over the Clergy and Laity; wherein as you may observe the frequent whoredomes, and general incontinency of Priests, Prebends, Monks, in keeping of Whores and Concubines openly, to the scandal of the people, (being prohibited marriage, though he makes it a Sacrament, and highly recommended it to all Lay-men, to prevent these sins;) with the frequent abuse of Excommunications in several cases, in pursuance of the Council of *Oxfords* Decree; So he published sundry Constitutions, prejudicial to the Liberties and Properties of the Laity; witness his Constitutions *De Testamentis faciendis.* Præcipimus quod Laicis inhibeatur frequenter, ne testamenta sua faciant, sine præsentia Sacerdotis, sicut diligunt quod eorum extremæ voluntates adimpleantur. † *Inter alia etiam singuli Sacerdotes infirmos suos moneant & efficaciter inducant*, quod fabricæ Sarum *Ecclesiæ suæ memores, prout Deus inspiraverit illis*, in Testamento suo, de bonis suis relinquant. *Sacerdotibus autem similiter inhibemus*, ne Testamenta sua per manum eorum ordinant Laicalem: Ne viri Ecclesiastici Sacramentum fidelitatis Laicis præstent, for the Temporalties held of them. *Si Patroni, vel Advocati, aut Feudatarii, seu Vicedomini alicujus Ecclesiæ Rectorem, vel alium Clericum ipsius Ecclesiæ, per se, vel per alios occidere ausu nefario præsumserit*, Patroni jus usque ad quartam generationem amittant, et posteritas talium in Clericorum collegium nullatenus assumatur, nec in dignitatibus Dominicis alicujus Prælatiæ assequatur honorem; *Ne quis Rector Ecclesiæ* ædificet in loco Laicali. Which were all likewise decreed in the * *Provincial Constitutions* made and published by *Edmund* Archbishop of *Canterbury*, *Anno Dom.* 1236. Thus did our usurping Popish Prelates, like so many petty Popes, by their own illegal *Constitutions*, never consented to by the King and Parliament, encroach continually, by degrees, in matters of Testaments and other things, upon the Liberties, rights, properties and free-holds of the Lay-Subjects, as well as Prerogatives of the King.

† Ibid. p. 155, 157, 180.

* Joh de Aton, Const. Provin. f. 144, 145. Spelmanni Concil. pag. 204, 205, 206. Lindewode, l. 55. c. f. 221.

Pope *Honorius* being informed that King *Henry* forgetting the great and faithfull services done by the Bishop of *Wincheſter* to him and his Father King *John* had injured and molested him concerning the Liberties of his Church, and denyed him leave to repair to *Rome* about the breach of his Vow, in not going to the *Holy Land*, and the affairs of his Church; which he could not do without the Kings special license, sent this original Bull to him upon these occasions; which I met with in the *White Tower.*

HONO-

An. 8 H. 3.

Anno 8 H. 3. in Turre Lond.

HONORIUS, *&c.* Chariſſimo in Chriſto filio *Henrico* Regi *Angliæ* illuſtri, *&c.* Sinceræ fidei & devotionis conſtantia, quam venerabilis frater *Wintonienſis* Epiſcopus claræ memoriæ *Johanni* Regi *Angliæ* patri tuo ac tibi ipſi exhibuit in non parvæ neceſſitatis articulo, excidere non debet à tua memoria, ſed in perpetuis temporibus inhærere. Audivimus autem, & audientes nequivimus non mirari, quod quaſi ejus fida utiliaq; obſequia dicto patri tuo ac tibi exhibita jam oblivionem acceperint, libertates ejus Eccleſiæ ab eodem patre tuo aliisque Regibus *Anglorum* indultæ (ſicut apparet per literas eorundem) te diſſimulante ſugiter infringuntur. Monemus igitur circumſpectionem tuam & hortamur attentius, quod ejuſdem Epiſcopi fidem et obſequia recolens, et quantum tibi vitanda ſit noſtra et Apoſtolicæ ſedis offenſa diligenter attendens, prædictam Eccleſiam (quam dudum in noſtram protectionem receperimus) cum omnibus bonis ejus habeas propenſius commendatam; et injurias eidem illatas facias emendari: eamque ne ipſe moleſtes ſuper libertatibus et aliis honoribus vel juſtitiis ſuis, nec a tuis permittas ſubditis moleſtari: ſed eam, ſicut ad Regiam pertinet celſitudinem (ſpecialiter conſideratione dicti Epiſcopi) protegas et defendas. Ad hæc cum idem Epiſcopus diſpoſuerit ad noſtram venire præſentiam, tractatum nobiſcum ſuper executione voti, (quod de tranſeundo in ſubſidium Terræ Sanctæ ſuſcepto ſigno Crucis omiſit) aliiſque ſuis et Eccleſiæ ſuæ negotiis habiturus, et his qui volunt ad partes accedere cismarinas egreſſus (ſicut fertur) non pateat abſque tua licentia ſpeciali, præfatum Epiſcopum cum comitatu ſuo libere venire permittas ad nos, et ad *Romanam* Eccleſiam matrem ſuam, nec impediri per aliquos aliquatinus patiaris; quia hoc non magis in tuam quam in noſtram et Apoſtolicæ ſedis injuriam redundaret. Te ſpero nobis obſequentem exhibueris in omnibus ſupradictis, quod rumorem, qui ſuper his ad nos venerit, comprobes eſſe falſum, et operis exhibitione demonſtres te memorem eſſe et reverentiæ quam debes Apoſtolici ſedi, et puræ fidei Epiſcopi ſupradicti, quarum nullo debet tempore oblivifci. Dat. *Laterani*, 15 Kal. *Februarii*, Pontificatus noſtri anno octavo.

In the Plea-Rolls in the *Tower*, *Anno* 8 Hen. 3. I found theſe three Suits and Attachments for ſuing for Lay-fees, and Chattels not of Teſtament or Matrimony in Courts Chriſtian, and holding Plea of them againſt the Kings Prohibitions; the brief hereof I ſhall here preſent you with.

Placit apud Weſtm. An. 8 H. 3. rot 4. intus, Hereford.

Elias Peſter *Eſſon. Magiſtri* Thom. Foliot, *& Eſſon. Prioris* Hereford. *opt. ſe* 4 *die verſ.* Wilielmum de Wearwaling & Walterum Spignel, *de Plac.* quare ipſi tenuerunt placitum in Curia Chriſtianitatis de laico feodo in Dadelington, contra prohibitionem, &c. *Et ipſi non venerunt*, &c.

Ibid. rot. 5. Wites.

Will. de Francers *per Att. obt. ſe* 4 *die verſ.* Robertum *fil.* Andreæ, *de Plac.* quare ſecutus eſt placit. in Curia Chriſtianitatis de laico feodo ejuſdem Roberti in Stocton, contra prohibitionem, &c. *Et ipſe non venit*, &c.

Ibid. rot. 6. à die S. Trin in tres ſeptimanas, Oxon.

H. de Codungham *obt. ſe* 4 *die verſ.* Patr. S. Frideſwith *& Decanum* Oxon. quare tenuerunt placitum in Curia Chriſtianitatis de catallis, &c. quæ non ſunt de Teſtam. vel Patrimonio, &c. *contra prohibit.* &c.

In a Bundle of Letters in the *White Tower* there is exant this original Letter written by the Biſhop of *Liechfield* to the Chancellor of *England*, concerning the Popes and Cardinals great affection, adviſe, and aſſiſtance to the King in his intended Marriage with the Earl of *Britains* Daughter, and his affairs in *Poictiers* and *France*; whereby we may diſcover their craft and delayes, to gain more moneys, penſions, preſentments, and a greater compliance with their demands from the King.

Bundela Literarum in Turre London. An. 8 H. 3.

VEnerabili in Chriſto patri *R.* Dei gratia *Ciceſtren.* Epiſcopo, *A.* ejuſdem miſeratione *Lichfeld.* Eccleſiæ Miniſter humilis & ſuus collega, ſalutem in Domino. Diſcretionem veſtram latere nolumus, quod cum pro negotio nobis injuncto laboraverimus (ſi fas eſt dicere ultra quam fas ſit credere) tandem, (concedente Domino) quod petivimus, obtinuimus in principali; licet literas ſuas ſuper hoc ad præſens nolit Dominus Papa concedere. Sed de mandato ſuo ſpeciali literas ſuas nobis dirigunt, (quas etiam coram ſe legi fecit Dominus Papa) ſubſcripti Cardinales. Literas autem, licet habebamus eas deputatas, non duximus præſentibus nuncis propter marium pericula committere: tenor autem earum hic eſt; *Egregio & magnifico viro, Domino* H. *Dei gratia Regi* Angliæ *illuſtri*, P. *miſeratione divina Epiſcopus* Albanenſis, G. *titulo S.* Martini, *S.* Baſilicæ *duodecim* Apoſtolorum, *&* J. *titulo Sanctæ* Praxedis, Presbyteri Cardinales, *Salutem in eo qui Regibus dat ſalutem:*

Pro

An. 8 H. 3. Pro obtinenda diſpenſatione matrimonii inter vos et filiam nobilis viri Comitis *Britanniæ* contrahendi, cum venerabili patre Epiſcopo *Coventrenſi* apud Dominum Papam diligenter inſtitimus et frequenter, fidelitatem et dilectionem veſtram et regni veſtri ſtudioſius exponentes. Qui licet ſinceritatem dilectionis, quam erga vos et regnum veſtrum habet, ſatis nobis exprœſſerit, et ſæpius inculcaverit, *quare non facit Rex* Angliæ *factum ſuum, adjicient placere ſibi, quod efficaciter in negotio proceſſiſſetis eodem*, literas tamen ſuas nobis ad præſens ſuper hoc concedere recuſavit. *Sed placuit ei, quod de conſcientia ſua noſtras vobis literas mitteremus: nos igitur de certa ejus conſcientia ſerenitati Regiæ duximus conſulendum, quatinus ſecurè ad hujuſmodi conſummandum negotium procedatis. Indubitanter & ut credimus*, quod Dominus Papa gratiam vobis in hoc factam minime ſubtrahet, ſed in hoc et in aliis vobis tanquam ſpeciali et devoto filio præſtabit conſilium et favorem. *Nos igitur de conſilio dictorum Cardinalium conſulimus Domino Regi*, quod ſevere procedat ad hujus negotii conſummationem; *quia nihil oportebit vos timere, quoad Deum vel homines, ut ſæpius inculcaverunt nobis prædicti Cardinales. Et etiam Dominus* Hoſtienſis, *qui, quia tunc præſens non fuit quando ſignatæ ſunt litera memoratæ, ſigillum ſuum non appoſuit, cum aliis, non minùs ipſis propter hoc laboravit. Alia verò negotia* ——— *quia de conſilio Cardinalium conceſſæ fuerunt (ut dicit) Domini Papæ literæ directæ* Pictavienſibus, *& de conſilio eorundem ſuſpenſæ*, non potuit Dominus Papa ſuſpenſionem revocare, quia non conſentiunt fratres. *Sed habebimus literas memoratas ad omnes vaſſallos Domini Regis*, continentes invectionem contra reſilientes et recedentes a fide veri Domini ſui, ut fidelitatem Domini ſui vigoroſius reſumant et conſervent. Præterea petivimus, quod amoverentur *Galliei*, qui ſunt in partibus *Albigenſium*, de terris quæ ſunt de feodo Domini Regis, ſi quas forſan invaſerint: ſed quia neſcivimus ſuper hoc certum petere, nec ipſi reſpondere; ſed cum ſciverint, quæ ſunt terræ (ſi quæ fuerint) quod ſuum erit, volenter exequentur; præſertim cum prohibitum fuerit Regi *Francia*, ne aliquid in partibus illis attemptaret in præjudicium Imperatoris, vel veſtrum, vel aliorum fidelium. Comes autem *Tholoſanus* juvari non poterit, niſi mittat ad Curiam nuncios ſpeciales. Ad quid autem expediat ei mittere, prout poterimus, inquiremus. Veruntamen benè placet ſaniori parti Curiæ, quod ſuos hoſtes viriliter et (proſequatur) ——— *The remainder of this Letter is putrified.*

In the ſame Bundle of Letters to the Biſhop of *Chicheſter* Chancellor of *England*, I find this of the Popes Nephew, a Prebend of the Church of *York*, for the payment of an Annuity granted him by the King out of his Exchequer; whereby we may diſcern what preferments and favours the Popes Nephews and creatures then gained from King *Henry* during his minority.

In Bundela Literarum Cancel. Regis, in Turre London. An 8 & 9 H. 3.

VEnerabili in Chriſto patri, Dei gratia *Ciceſtren.* Epiſcopo, illuſtris Regis *Anglorum* Cancellario; *Nicholaus* nepos Domini Papæ & *Eboracenſis* Canonicus, ſalutem & recommendationem in Domino. Paternitatem veſtram, de qua plenè confidimus, tenore præſentium duximus exorandam, quatinus quadraginta marcas, quas in Scaccario Paſchæ annuatim debemus percipere, ſecundum quod in reſcripto literarum Domini Regis continetur, Domino *Stephano* Capellano Domini Papæ pro inſtanti termino Paſchæ, nomine noſtro, ſine difficultate faciatis perſolvi. Sanè, quia corde & animo veſtri ſumus, & avidam gerimus voluntatem vobis, in quantum poſſumus, complacendi, ſumentes quandam audaciam, cum non præceſſerint merita, vos attentè duximus exorandum, dare velitis operam efficacem, quod redditum prætaratum Dominus Rex, ſecundum quod in præfato reſcripto continetur; in Eccleſiaſticum beneficium nobis debeat commutare. Ita quidem quod penes vos preces noſtræ effectum poſſint conſequi poſtuatum; & nos vobis proinde fortius obligemur, & Domino Papæ nos poſſimus de vobis plurimum commendare, ac in veſtris negotiis penes eundem Dominum ſemper prompti non immerito exiſtamus.

In the ſame Bundle of Letters, I met with this Epiſtle of *William* Archbiſhop of *Burdeaux* to King *Henry*, relating the great promiſes of the *French* to draw him to their party from the King, the grand loſſes and extremities he ſuſtained for his fidelity to the King and his Brother, the dangerous condition of their affairs without the Kings ſpeedy aſſiſtance which he craved, with his Excommunication and proceedings againſt the invaders of his Churches liberties.

Illuſtriſ-

ILluſtriſſimo & ſereniſſimo viro *Henrico* Dei gratia Regi *Anglia*, &c. *Willielmus* eadem gratia *Burdegalenſis* Archiepiſcopus, ſalutem, & de hoſtibus ſuis deſideratam victoriam poſſe cum gloria obtinere. Majeſtati veſtræ per literas noſtras ſignificaſſe meminimus, quod cum olim nobilis vir *Johannes de Beumont* pro Rege *Francorum* contra terram veſtram cum maxima multitudine militum adveniſſet, nobis, ex parte Regis *Feanciæ*, idem *J.* maximam obtulit pecuniæ quantitatem, eandem perſonaliter deferendo; promiſit etiam nobis *J.* prædictus, quod ſi partem Regis *Franciæ* ſuſtinere vellemus pariter & fovere, nobis aſſignaret & conferret redditus competentes nobis & ſucceſſoribus noſtris imperpetuum poſſidendos, parentes noſtros & homines mibi gratioſos ſublimaret: & ſi fortè aliquid de redditibus noſtris vel aliud alicubi amitteremus, omnia deperdita nobis Rex *Franciæ* reſarciret; & ſuper hoc ſuas patentes literas nobis daret, & benè faceret nos ſecuros. **Nos vero pro vobis et fratre veſtro omnia reſpuimus, et nihil recipere voluimus ullo modo.** Die verò ſequenti nobis quaſdam literas *Francigiuæ* detulerunt; in quibus (ſicut vobis meminimus nos ſcripſiſſe) Rex *Franciæ* nobis diſtrictius prohibebat, ne terram ſuam aliquatenus intraremus, & ne in terra ſua nos auderet aliquis receptare. Et cum ipſe ſibi jam ferè totam noſtram Provinciam ſubjugaſſet, multa incommoda paſſi ſumus, & adhuc etiam ſuſtinemus; quia Caſtra, Civitates, & Villas, quas *Francigenæ* detinent ſubjugatas, intrare ullatenus non audemus. Redditus etiam noſtros apud *Rupellam* detinet ſuperatos, quos nobis nunquam reſtituere voluerunt; ſuper multis aliis exiſtentes nobis injurioſi graviter & moleſti. Cumque propter hæc *Romanam* Curiam adiremus, à *Francigenis* in *Alvernia* ad captionem fugati fuimus vel ad mortem, & ſicut per Clericos veſtros qui præſentes erant in *Romana* Curia potuiſtis plenius edoceri, multum laboravimus pro veſtris & fratris veſtri negotiis promovendis, **præter expenſas, quas fere ultra quingentas Marcas fecimus in Curia ſuprædicta, in eundo etiam et redeundo.** Et cum de eadem Eccleſia rediremus, cum nobis in pluribus locis inſidias *Francigenæ* præparaſſent, cum quodam ſolo Clerico ferè per totum iter uſque ad terram veſtram venimus, & quaſi ſimplex Clericus incedentes, noſtram poſt nos manticam ferebamus; Literas etiam de ſecuritate propter cauſam, quæ eſt inter nos & *Bituricin.* Archiepiſcopum, non niſi per duos menſes, ſcilicet uſque ad Octabas Nativitatis Domini proximò præteritas, Rex *Franciæ*, ſublatus de vitæ medio, voluit nobis dare. Inter cætera quidem incommoda & injurias, quas pro vobis & fratre veſtro multipliciter ſuſtinemus, gentes fratris veſtri cum convenimus *Turcis*, **et poſtmodum ex quo venimus, Eccleſiæ Dei, et nobis, et noſtris hominibus dampna plurima intulerunt.** De quibus prout dicunt, ſi poſſent, ſatisfactionem nobis facerent competentem. Quia verò veſtros nuncios ad Barones tantum mittere tardaviſtis, admonitione quantâ poſſumus admonemur, quoniam ſuper amorem & dilectionem noſtram ad partem Regis *Franciæ* tranſtulerint ſe Barones, & propter hoc contingat vos & fratrem veſtrum (quod abſit) amittere terram veſtram, **nobis vehebit procul dubio imputari.** Inde eſt quod Nobilitatem veſtram monendam duximus & attencius exorandam, quatinus in facto veſtro & fratris veſtri & noſtro feſtinanter conſilium & auxilium apponatis ergà nos, **qui cruceſignati ſumus, et parati ſumus ad proſequendum negotium Jeſu Chriſti:** Taliter vos habentes, ut nos, qui vobis & veſtris tenemur, vobis & veſtris magis obnoxii teneamur; & in facto veſtro & fratris veſtri tale conſilium & auxilium apponere, mora qualibet poſtpoſitâ, ſtudeatis, quod vobis & fratri veſtro cedat ad gloriam & honorem. Ut ſciatis quod cum à nobis Nuncius iſte recceſſit, nos cum fratre veſtro (mirum eſt quia tàm audacter audet committere ſe fortunæ) apud fortunatum verò, circa quem & ejuſdem negotia aſſiſtendo expenſis non parcimus aut labori. Expectabamus enim ibidem nuncios de colloquio quod apud *Thoarcbum* Barones incipi fecerant, indè cum Rege *Franciæ* loquturi; quod tunc in illo colloquio fuerit ordinatum nihil cum à nobis receſſit lator præſentium cognovimus; ſcituri pro certo, quod niſi illa ſincera dilectio retexiſſet qua quondam dileximus patrem veſtrum, eadem vos & fratrem veſtrum ſinceritate diligentes, in ipſum fratrem veſtrum, & ſuos, & terram quam vos in votum habetis——— propter dampna & injurias quas gentes ſuæ **Eccleſiæ Dei, nobis et noſtris hominibus intulerunt ſilencium tuliſſemus, nec vivit aliquis hodie, cui nos niſi vobis aut fratri veſtro parcere curaſſemus. Noveritis inſuper, quod frater veſter gaudet gratia populi et favore, tamen interdum contra Deum et Eccleſiam facere cogitur, cum ſibi expenſarum copia ſubtrahatur.** Statum verò veſtrum, quem ſicut proprium deſideramus

An. 8 H. 3. Bundela Literarum in Turre Lon 8. H. 3.

An. 8 H. 3.

fideramus prosperum & jucundum, & voluntatem vestram super præmissis nobis quam citò poteritis rescribatis. Valete, &c.

Tom. 2. p. 392. l. 14. after *Mat. Westminster*, adde; This Letter of King *Henry* to the Pope, in answer of his to him on the behalf of the Earl of *Chester* and *Falcasius*, which I found in the *White Tower*, thus relates *Falcasius* and the Earls insolent deportment towards him, in taking and detaining his Castles from him by force.

Bundels Literarum in Turre London. An. 8 H. 3.

See Mat. Paris, p. 308. Contra Falcatium de Brent.

DOmino Papæ, &c. Rex, &c. Cum nuper post festum *Pentecostes*, venerabiles Patres nostros Archiepiscopos & Episcopos, Abbates, ac omnes Magnates totius Regni nostri vocassemus, ut nobis occurrerent apud *Northampton*, daturi nobis ibidem consilium, & auxilium facturi ad defensionem terræ nostræ in *Pictavia*, quam Rex *Francorum* impugnare parabat. Recepimus ibidem, literas vestras, continentes (inter alia) quod dilectos nostros Venerabilem patrem, *Winton.* Episcopum, Com. *Cestriæ*, & quosdam alios de regno nostro, qui tempore patris nostri J. quondam Regis *Angliæ* illustris, & postmodum tempore nostro contra inimicos nostros pro conservatione Juris nostri fideliter laborasse dicebantur & potenter, familiares habere debemus in Consiliis nostris, et oppressionibus illorum providere: *(by only inforcing them to restore his Castles and lands they detained from him, for which they were excommunicated)* de quibus sicut scimus pro certo clamores ad aures vestras

* excitare.

tulerunt, Ne ex talibus, quod sustinere non possent, ulterius cogerentur * ——— vos ad pejora. Ad hoc etiam fuimus ibidem per venerabiles patres in Christo *Cant.* Archiepiscopum, *Bath.* & omnes Episcopos auctoritate literarum vestrarum quas receperant, diligenter moniti et efficaciter inducti, licet non esset necesse nos pro eo rogari, quod fecimus et facturi eramus etiam non rogati, præsertim cum ipsi qui se voluntarie subtraxerant, nunquam fuerint a nostris Consiliis, nobis jubentibus, aut volentibus, amoti. Etenim per breve tempus præcedens *London.* in quodam Consilio nostro prædictos Com. *Cestriæ*, ac alios omnes Nobiles nostros qui cum Justiciario nostro contenderant, ac ipsum cum illis convenire fecimus in pacem. Osculo pacis utrinque dato & recepto, Nos ipsi & obliviscentes volentes potius injuriarum, quæ multa præcesserant, quam reminiscentes, omnes recepimus in pacem et gratiam, qui demeritis suis exigentibus per nos offendi meruerunt; sperantes habere de omnibus et singulis ad nostra negotia Consilium et auxilium tam magnificum quale et quantum a nobis in suis necessitatibus exspectare debent. Sanè cum ad diem Consilii nostri de *Northampton* in quibusdam partibus terræ nostræ Judices discretos dedissemus & Nobiles, ad audiendas & corrigendas querelas multorum de rapinis & spoliantibus terrarum & bonorum suorum, quas multi detulerant ad aures nostras, secundum Regni nostri consuetudinem obtentam & approbatam ab antiquo; & quidam de Magnatibus nostris, *Falcasius* nomine, coram Judicibus eisdem in sexdecim Causis fuisset convictus inter alios, & ad restitutionem ablatorum, & satisfactionem plenam debito modo condemnatus. Molestè ferens quod cogebatur esse quietior, qui prius suo vitio renuerat esse pacificus, posuit insidias uni de Judicibus prædictis versus nos venienti *Northampton*, ac ipsum inermem ac suos, per quendam *Willielmum* fratrem suum & multitudinem armatorum captum, violenter, viliusque tractatum, in quodam Castro nostro quod habebat in custodia, vinculis & carceri mancipavit. Monitus & vocatus per nuncios solempnes, incontinenti de Consilio Magnatum totius regni nostri qui nobiscum erant, ut & Captos redderet, & statutis die & termino compareret de pace nostra violata, & aliis multis quæ habuimus contra seipsum respondsurus, ac Malefactores suos produceret per Judicium Regalis Curiæ & regni Jura tractandos, nec illos producere, nec seipsum offerre Juri voluit; cum alias teneatur ratione possessionum magnarum, & officii maximi quod habuit in Curia nostra, ad nos in Consiliis nostris venire non vocatus; Exerensque virus quod diu conceperat, indignans ex hoc quod cogi debuit esse sub Domino, qui dominandi cupiditate torquebatur; et captos reddere negavit, et comparere coram nobis, ac suos producere Juri parituros, Castrum nostrum muniens contra nos audacter, quod instanter nobis reddi petebamus: propter quod ad illud obsidendum et expugnandum per Consilium Curiæ nostræ statuimus cum exercitu nostro, quod in proximo dante Domino in Bello habere speramus. Ad hæc licet dolentes & magna necessitate coacti, ut iniquitati ipsius et plurium Complicum, in illius Castri expugnationem concludatur, omissis ad præsens omnibus aliis negotiis nostris, quæ in partibus *Hyberniæ* & *Pictaviæ* nos urgent. Quæ quidem pericula imminentia nobis ad præsens, nisi ea Deus avertat, prædicto *Falcatio* suisque Complicibus,

plicibus non immerito debemus imputare; nec minus moveri contra ſeipſum et fautores ſuos, quam ſi totius hæreditatis noſtræ diſpendium, quod abſit, inieramus. *An.* 8 H. 3.

Yet notwithſtanding after *Falcatius* his Excommunication by the Biſhops, and judgement, exile by the King and Lords for his Rebellion, the Pope and his Legate being bribed with his large gifts, writ and interceded for his reſtitution to his Lands, and favour; as appears not only by our Hiſtorians, Tom. 2. p. 392, 398. and this Epiſtle, but by two Epiſtles of the Popes Legate, (which I reſcued out of the rubbiſh in the *White Tower* Chappel) informing the Pope, and *Falcatius* his friends at *Rome*, how ill the King and kingdom of *England* reſented the Popes interceſſion for him, and intermedling with the ſtate and affairs of *England*, contrary to former cuſtom.

DOmino Papæ. Sanctitati veſtræ duxi tenore præſentium intimand. quod antequam ad me literæ veſtræ, quas mihi miſiſtis pro facto *Falkatii* pervoniſſent, idem in *Burgundia* captus erat. Quibus devotè receptis, & quæ continebantur in eis intellectis, ſtatim illis perſonis ſcribere diligentius procuravi, per quas ipſum credebam debere reſtitui libertati. Recepi poſtmodum literas et nuncios ex parte Regis *Angliæ* illuſtris; quibus intellexi, quod tam ipſe Rex quam fere totum regnum *Angliæ* pro miſſione ejuſdem *F.* quam faciatis, turbati ſunt plurimum et commoti, et ipſius inimici derisionem ejuſdem in hac parte percipientes, elati ſunt in ſuperbiam. Unde videtur per hoc, quod negotium pacis vel treugarum inter eundem & Regem *Francorum* illuſtrem, pro quo tantum (Deus novit) laboravi, non poſſit effectui mancipari; & ſic per conſequens negotium *Albign.* patet (ſicut credimus) retardari. Cum itaque diebus illis, propter malitias hominum, et Regum et regnorum ſint ſcandala evitanda, cum totus mundus fere ſit poſitus in maligno, plus etiam quam creditis; ſi placet, Sanctitas veſtra provideat quid ſit exinde faciendum. Bundela Literarum in Turre London. An. 8. H. 3.

MAgiſtro *T.* Paternitati veſtræ tenore præſentium intimamus, quod antequam literæ Domini Papæ pervenissent, quas nobis pro facto *Falkatii* deſtinavit, idem *F.* in *Burgundia* captus erat; ſed ſtatim poſt receptionem Literarum ipſarum illis perſonis ſcripſimus, per quas credebamus ipſum debere reſtitui libertati. Recepimus poſtmodum nuncios & literas ex parte Regis *Anglorum* illuſtris; quibus intelleximus evidenter, quod tam ipſe quam fere totum regnum *Angliæ* valde turbati ſunt, plurimum et commoti, pro miſſione quam Dominus Papa facit in *Angliam* ſuper negotiis *Falkatii* memorati. Unde videtur per hoc quod negotium pacis vel treugarum inter duos Reges, pro quo tantum (Deus novit) laboravimus, non poſſit effectui mancipari; & ſic per conſequens negotium * *Albigen.* prout credimus ſit quaſi penitus exſufflatum. Cum itaque diebus illis, propter hominum malitias, Regum et regnorum ſint ſcandala evitanda, cum totus mundus fere in maligno ſit poſitus, plus etiam quam creditis vos et alii; qui cum eſſetis in cameris veſtris non cogitatis hujuſmodi; ſet ut videtur Eccleſiæ Dei parantes excidium, * Reges et regna non ad devotionem Eccleſiæ, ſet potius ad ſcandalum et diſcordias provocantes. Scientes quod plurimum admiramur, et multi alii commoventur, quod cum regnum *Angliæ* nunc in bono ſtatu conſiſtat, quare Dominus Papa et vos ad vocem unius, ad inquirendum de facto Regum *Angliæ*, (quod antea de hiis quæ Regiam contingant poteſtatem fieri non conſuevit,) et de ſtatu ipſius regni et Prælatorum ejuſdem, mandatis. Et ideo (ſi placet) provide in hac parte utentes conſilio (ſicut decet) procedatis in ipſo negotio, (Deum ſolum habentes præ oculis) prout melius videritis expedire.

* Albigenſium, againſt whom they intended a Croſſado.

* *Nota.*

Scribat Magiſtro *Egidio* Epiſcopo *Alban.* Magiſtro *Rapner*, Magiſtro *P. Capuan.* Epiſcopo *Hoſtien.* Domino *S.* Sancti *Albani.* Soon after * *Falcatius* died miſerably in exile; a juſt puniſhment for his Sacrilegious rapines and rebellions againſt the King.

* Mat. Pariſ. Hiſt. Angl. p. 323.

This *Falcaſius de Breaut* was not only Excommunicated by * all the Biſhops in general, but likewiſe by the Biſhops of *Coventry* and *Exon* in ſpecial in a moſt ſolemn manner; as this Epiſtle of the Biſhop of *Coventry* to the King aſſures us, wherein he adviſes him how to proceed in that affair.

* Tom. 1. p. 392, 398.

REverendiſſimo Domino ſuo *H.* Dei gratia Rex *Angl. &c.* devotus & fidelis ſuus *A.* divina permiſſione *Coventrenſis* Eccleſiæ Miniſter humilis, ſalutem, *&c.* Noverit excellentia veſtra, quod cum eſſemus apud *Coventr.* dictum eſt nobis, quod *Falkaſius de Breaut* moratur per tria Miliaria ultra *Ceſtr.* Quo audito, nos cum venerabili Bundela Brevium & Literarum, An. 8 H. 3. in Turre London.

An. 8 H. 3. nerabili fratre noſtro *Exonienſi* Epiſcopo ſolempniter cum cum omnibus fautoribus ſuis, et complicibus, et ejus favore vos fictius juvantibus, pulſatis Campanis et Candelis accenſis excommunicavimus. Quoniam autem ad partes illas tendimus, proponimus cum ipſo habere colloquium de honore et utilitate veſtra per Dei gratiam (niſi propoſitum noſtrum per mandatum veſtrum mutaveritis) diligentiſſima circumſpectione adhibita tractaturi. Quia vero non ſolum armis, ſed etiam blanditiis turbationes et ſeditiones ſedare oportet, Dominationi veſtræ bonâ fide conſulimus, quod *Leiolino* ſcribatis amicabiliter, eum rogantes & arctius inhibentes, ne dictum turbatorem in terra ſua receptet. Nos autem ſi Clementiæ veſtræ placuerit benè procurabimus, qualiter ad ipſum mandatum veſtrum competenter perveniat. Credimus autem firmiter & ſperamus, quod non oportebit maliciam *Falkaſii* in partibus iſtis timeri; dummodo de præcepto veſtro ſint contra ipſum Ballivi veſtri omnes præmuniti; Super hiis igitur & aliis, quæ de veſtræ fuerint beneplacito voluntatis, nobis ſi placet reſcribatis, quia affectuosè procurabimus quod nobis duxeritis injungendum. *It ſeems* Falcatius *and the Earl of* Cheſter *complained to Pope* Honorius *of the Kings proceedings againſt them, and by money purchaſed a Letter from him to the King on their behalf.*

What encroachments the Eccleſiaſtical Courts this year made upon the Kings Crown and temporal Courts, theſe Suits for proceeding againſt Prohibitions will inſtruct us.

* Rot. 6. adhuc de quindena. Cantebr. * Placita apud *Weſtm.* in Octabis ſanctæ Trinitatis, anno regni Regis *Henrici* filii Regis *Johannis* octavo.

Richardus le Curteis *optulit ſe* 4 *die verſus* Willielmum de Alta ripa *de Placito*; quare ſecutus eſt placitum in Curia Chriſtianitatis, de catallis quæ non ſunt de Teſtamento vel Matrimonio, contra Prohibitionem, &c. *Et Magiſter non venit*, &c.

Rot. 5. dorſo. Linc. Radulphus *filius* Simonis *optulit ſe* 4 *die verſus Archid.* Exon. *& conjudices ſuos de Placito*, quare ipſi tenuerunt placitum in Curia Chriſtianitatis, de catallis quæ non ſunt de Teſtamento, &c. *Et verſus Dominum Archiepiſcopum* Ebor. *de placito*, quare ſecutus eſt placitum, &c. de eodem, &c. *Et nullus eorum venit*, &c. *Et* Rad. *quæſitus de quibus catallis, dicit*, quod de blado et aliis catallis ejuſdem Arch. captis tempore guerræ, tam de Eccleſiis quam de terra ejuſdem Archiep. captis; *& præterea cognovit*, quod intravit ante Prohibitionem in Curia Chriſtianitatis. *Ita quod productiones teſtium captæ fuerunt. Et poſtea cognovit quod Archiepiſcopus remiſit ei omnem demandam hominum ſuorum*, et omnia catalla quæ capta fuerunt extra Cimiterium; et petit licenciam recedendi de brevi, et habuit, et inde ſine die.

Tom. 2. p. 393. l. 3. after *ut*, adde; *John* Biſhop of *Arfercen* in *Ireland* procuring himſelf to be conſecrated, and getting poſſeſſion of the Temporalties, and refuſing to appear upon an Appeal before the Pope at the ſuit of *G.* who pretended himſelf lawfully elected Biſhop; the Pope thereupon ſent this Bull to the Biſhop of *Dublin*, to enforce him to reſtore his Biſhoprick to *G.* and put him into poſſeſſion of the Temporalties, and intreated King *Henry* not to hinder but aſſiſt him therein by this Bull, the original whereof I reſcued out of the rubbiſh in the *White Tower.*

Anno 8 H. 3 in Turre Lond. HONORIUS Epiſcopus ſervus ſervorum Dei, chariſſimo in Chriſto filio *Henrico* Regi *Anglorum* illuſtri, ſalutem & Apoſtolicam benedictionem. Cum *Johan.* Presbyter qui ſe temere conſecrari fecit in Epiſcopum Eccleſiæ *Arfercen.* ad noſtram contempſerit venire præſentiam, venerabili fratri noſtro *G. Arfercen.* Epiſcopo reſponſurus; Nos ejus contumacia exigente, mandavimus venerabili fratri noſtro Archiepiſcopo *Dublinen.* ut ipſo *J.* ab eadem Eccleſia præſus amoto, et coacto reſignare præfato Epiſcopo univerſa quæ ad *Arfercen.* noſcuntur Epiſcopatum pertinere; ipſum Epiſcopum in corporalem ipſius Epiſcopatus poſſeſſionem inducat, et defendat inductum: auditurus poſtmodum, ſi præfatus *J.* aliquid voluerit proponere contra eum. Ideoque ſerenitatem tuam rogandum duximus attentius & hortandum, quatinus eundem *G.* habens pro reverentia divina & veſtra propenſius commendatum non impedias, nec a ſubditis tuis impediri permittas quominus Epiſcopatum ſuum jurta mandatum noſtrum pacifice poſſideat et quiete. Dat. *Laterani*, 12 Kal. *Julii*, Pontificatus noſtri anno octavo.

* Tom. 2. p. 393. Whereupon the King iſſued a * *Writ* to the Archbiſhop of *Dublin* to reſtore the Temporalties to *G.* at the *Popes requeſt.*

Tom. 2. p. 393. after *Epiſcopi*, this ſhould have been inſerted; Theſe Proctors of

of the King coming to *Rome*, rendred him this account of their journey to, and reception at *Rome* by the Pope and Cardinals, with the ſenſe they had of the Kings dangerous and almoſt deſperate condition, informing him of a new confederacy between the *French* King and his diſcontented Barons, in caſe the Pope croſſed or condeſcended not to the *French* King, to invade *England*, to diſpoſſeſs the King of the Crown, (as they did his Father King *John*) and of *Falcatius* his Impriſonment in *France*; which Letter I found in the *White Tower* Chappel. *An.* 8 H. 3.

CAriſſimo Domino ſuo *H.* Dei gratia Regi *Anglorum* illuſtri, Domino *Hiberniæ*, Duci *Normanniæ*, *Aquitaniæ*, Comiti *Andegaviæ*, fideles ſui *G.* de *Quancumb* & *S.* de * *Luca*, devotam in omnibus reverentiam. Noverit dominacio veſtra quod die *Lunæ* prox. poſt feſtum *Omnium Sanctorum* applicuimus ad portum quendam juxta *Wicclow*, & inde per *Franciam* aliaſque terras medias ſalvo tranſeuntes, die Dominica prox. poſt feſtum beati *Nicholai* venimus *Viterbium*, fratrem *Johannem Briſepet*, qui quaſdam literas veſtras detulit ibidem per tres dies expectantes, & Magiſtros *Reinerum* & *Egidium* Cardinales in eadem villa morantes, Dominumque *Gualonem* qui interim ibidem advenit ſuper agendis noſtris conſulentes, eo diligencius quod tunc ibi adierant, *Dalatham* & de *Noun.* Epiſcopi, *Guido de Monteforti*, & quidam alumnus Regis *Franc.* qui frequentem tractatum cum dictis Cardinalibus habentes; multa falſa ſuggeſſerunt eiſdem tum de hoc facto *Pictaviæ*, Regem *Franciæ* malicioſe excuſantes, tum prædeceſſores veſtros de terris cumarinis, Aſſerentes fuiſſe paratos exigente juſticia ſi par eſt, eam poſtmodum per nos et Dominum *Petrum Saracen.* qui fideliter nobis in omnibus quæ nos contingunt aſſiſtit, ſibi vero *——————— magnam fidem ſicut nobis frequenter videbatur dictis *Gallicis* habuerunt. Sanè accedente ad nos interim dicto fratre *J.* inſimul cum Domino *Gallon. Romam* venimus die *Jovis* proxima ſequente, quem quidem valde commotum invenimus et turbatum multipliciter, ſtuduimus pro poſſe noſtro reducere ad temperanciam. Dominum Papam quidem et Cardinales non ſolum commotos circa ſtatum veſtrum et regni veſtri perpendimus, verum penitus ſe deſperatos unanimiter fatebantur. Nam Rex *Jeroſol.* et dicti *Gallici* prædicabant omnibus, quod Majores *Angliæ* obſides offerebant uſque ad ——————— de reddendo ſibi terram cum primo venire curaret ad illam. Adjicientes, ſi aliquid in Curia *Romana* contra voluntatem Regis *Franciæ* attemptaretur, incontinenter Rex transfretaret in *Angliam*, et præter illos alii fortan de terra *——— qui aliquandiu ſteterunt pro vobis ——————— etſi alia ſiniſtra (ſicut audivimus) inſinuare nitebantur; Ita quod in narrationibus et petitionibus veſtris plures nobis adverſabantur, et multa obſtabantur. Reſponſio tamen ad illa non fuit difficilis cum veritas nos non lateret, & eadem nos turbatos liberaret, licet hoc ſolum grave nobis eſſet, quod vix potuerunt induci quidam ut aliquam fidem adhiberent veritati. Porro cum ſingulos Cardinales viſitaſſemus et ſuper ſtatu veſtro terrarumque veſtrarum *Angliæ*, *Walliæ*, *Hiberniæ*, et de facto *Bedeford.* et *Pictaviæ*, et aliis articulis nobis injunctis inſtruxiſſemus diligenter, habitoque poſtmodum colloquio cum Papa in ſecreto die *Mercurii* proxima ante feſtum Sancti *Thomæ* Apoſtoli, coram Papa et fratribus cauſam adventus noſtri plene expoſuimus, peticiones veſtras tunc ibi Domino Papæ committentes. Veruntamen quia Nuncii Comitis *Tholoſani*, Epiſcopi, Milites & Clerici poſt feſtum Sancti *Michaelis* in Curia uniformiter ſteterant, et Papa cum fratribus jam per multos dies ſuper facto illo licet nondum plene deliberaverant, diſtulerunt uſque poſt Natale de veſtris negotiis provide re; Et ſperabatur quod dictus Comes competens reſponſum eſſet accepturus, licet Rex, et *Gallici* prædicti ſibi fortiter reſiſterent. Die *Jovis* proxima recepit Papa literas *Portuenſis* Epiſcopi Legati *Aleman.* quod idem *Portuen.* tractatum habitum inter Reges *Alemanniæ* & *Franciæ*, ſuper Matrimonio de quo ſcitis, impedivit; Dixit tamen nobis Papa, quod Rex *Franciæ* pro eodem facto Nuncios ſuos ad Imperatorem iterum tranſmiſit, ſed quid egerunt adhuc neſcivimus. De *Falkaſio de Brealth* dicebatur nobis circa principium adventus Domini, quod erat in veniendo *Romam*, attamen die Dominica proxima ante Natale Domini quando recederet lator præſencium percepimus, quod non ille erat de quo cavebatur illa die ——————— quia ——————— die Dominica detinet cum quod captus erat in *Francia* & detentus. Valeat Dominus noſter, et quicquid Papa diſponendum de facto veſtro duxerit, Dominus nichilominus dirigat actus et voluntates veſtros et noſtros, ſi placet vigilatis caveatiſque vobis.

In Turre Lenden. An. 8. H. 3.

* *Lucy.*

* forte, Non credentes Cardinales.

* I conceive it ſhould be Pictavix.

Tom. 2. p. 379. l. 36. after *took*, adde; The Earl of *Albemarl* detaining the Kings

An. 8 H. 3. Kings Caſtles and Lands from him, notwithſtanding the Legates, Archbiſhops, and Biſhops Excommunications; he thereupon iſſued this Writ to *Roger* de *Leyburne*, to repair to him forthwith to *Northampton* with all the armed power he could raiſe, to reduce the rebellious Earl to obedience.

Bundela Brevium in Turre London. An. 8 H. 3. H. Dei gratia Rex *Angl.* Dominus *Hyberniæ*, Dux *Normanniæ*, *Aquit.* & Comes *Andegaviæ*, dilecto & fideli ſuo *Rogero de Leiburn.* ſalutem. Cum *W.* Comes *Albemarl.* excommunicatus a Domino Legato, Archiepiſcopo *Ebor.* et Epiſcopis *Angl.* cum omnibus fautoribus, complicibus, et ei adhærentibus prop̃ter multiplices et manifeſtos exceſſus ſanctæ Eccleſiæ et nobis impenſos, ſeditioſe et furtive ceperit Caſtrum de *Fodering* quod fuit in manu noſtra, et malicioſe detineat; terram noſtram devaſtando, depꝛædando, et pacem noſtram et regni noſtri perturbando et vehementer infringendo. Vobis mandamus firmiter præcipientes in fide qua nobis tenemini, et ſub debito ſacramenti veſtri nobis pꝛæſtiti, quatinus viſis litteris iſtis cum tota gente armata quam ad pꝛæſens habere poteritis veniatis ad nos uſque *Northamt.* bene parati equis et armis, ad eundum eum coꝛpoꝛe noſtro et cum fidelibus noſtris qui nobiſcum venient ſuper eundem Comitem, qui ſic ſpꝛeta fide et obſequio noſtro nos et regnum noſtrum pꝛæſumpſit temere et malicioſe inquietare et perturbare: Et gentem noſtram quam ad præſens paratam non habetis venire faciatis poſt nos cum omni feſtinatione, & ita acceleretis adventum veſtrum & gentis noſtræ, ut & nunc per experienciam ſenciamus quantum nos & terræ noſtræ tranquillitatem diligatis. Teſte *H. de Burgo* Juſticiario noſtro apud *Weſtm.* 23 die *Januarii.*

The like Writ of the ſame date, iſſued *Galfrido de Nevil*, &c. the original whereof I found in the *White Tower.*

An. 8 H. 3. in Turre London. HENRICUS Dei gratia Rex *Angliæ*, Dominus *Hiberniæ*, Dux *Aquitaniæ*, Com. *Andegav.* Dilecto & fideli ſuo *Galfrido de Nevil*, ſalutem. Quoniam *H.* Comes *Albemarl.* Excommunicatus a Domino Legato, Archiepiſcopo *Eborum*, et Epiſcopis *Angliæ*, cum omnibus fautoꝛibus, complicibus, et ei adhæꝛentibus pꝛopter multiplices et manifeſtos exceſſus ſanctæ Eccleſiæ, et nobis impenſos, ſeditioſe et furtive ceperit Caſtrum de *Fodring* quod fuit in manu noſtra, et malitioſe detineat, terram noſtram devaſtando, depꝛædando, pacem noſtram et regni noſtri vehementer perturbando et infringendo: Vobis mandamus firmiter percipientes in fide qua nobis tenemini & ſub debito Sacramenti veſtri nobis pꝛæſtiti, quod viſis Literis iſtis cum tota gente noſtra armata quam habere ad præſens poteritis veniatis ad nos uſque *Northamton*, benè parati equis & armis ad eundum cum corpoꝛe noſtro & cum fidelibus noſtris qui nobiſcum venient ſuper eundem Comitem, qui ſic ſpꝛeta fide et obſequio noſtro, nos et regnum noſtrum pꝛæſumpſit temere et malicioſe inquietare et perturbare. Et gentem noſtram quam ad præſens paratam non habetis venire faciatis poſt nos cum omni feſtinatione, & ita acceleratis adventum veſtrum & gentis voſtræ ut tunc per experientiam ſenciamus quantum nos & terræ noſtræ tranquillitatem diligatis. Teſte *H. de Burgo* Juſticiario noſtro apud *Weſtm.* 23 die *Januarii.*

The ſame year King *Henry* the 3d. evidenced his Soveraign Eccleſiſtical Juriſdiction, in ſending theſe memorable Prohibitions and Appeals to the Popes Delegates and others, not to proceed in a ſuit of the Archdeacon of *Colcheſter* againſt the Dean of S*t*. *Martins*, for Procurations demanded by him from the Church of *Newport*, the chief part of that Deanry, S*t*. *Martins* being his *free Chappel*, exempt from all Epiſcopal Juriſdiction and Procurations; this ſuit being to the great prejudice of his Crown and Dignity.

Clauſ. 9 H. 3. pars 1. m. 8. dorſo. REX Archidiacono, Cancellario, & Decano *Oxon.* ſalutem. Cum ſuper Decanatu Eccleſiæ ſancti *Martini London.* quæ Dominica Capella noſtra eſſe noſcitur, ea gaudemus dignitate a tempoꝛibus pꝛædeceſſoꝛum noſtꝛoꝛum diu optenta, quod ab omni juriſdictione Epiſcopi Dioceſani et ſubditoꝛum ejus ſit exempta, ita quod Decanus cum debuerit inſtitui, a ſola manu Regia ſtallum recipit in choꝛo et locum in capitulo, ſuper omnia ad Decanatum illum ſpectantia, ab omnibus hucuſque pꝛocuꝛationibus Archidiaconoꝛum et ſuoꝛum libera fuerit et quieta. Audivimus, (unde non immerito miramur et movemur) quod Archidiaconus *Colceſtriæ*, licet ad deſiſtendum multa ſit pꝛece noſtra requiſitus et ammonitus, dilectum et fidelem noſtrum *G. de Bocland* Decanum illius Eccleſiæ, coꝛam vobis auctoꝛitate literarum Domini Papæ, in cauſam trahere non deſiſtit; exigendo ab Eccleſia de *Newport*,

(quæ

(quæ eſt ejuſdem Decanatus pars maxima, et præcipua) Procurationes hucuſque inſolitas, in grave præjudicium Regiæ dignitatis. Cum igitur tam regni noſtri conſuetudinis, quam Regiæ ſit poteſtatis eorum inhibere proceſſum quæ in dignitatis noſtræ præjudicium vertuntur; Vobis prohibemus, ne in Cauſa illa procedatis, cujus procul dubio proceſſus in noſtræ fieret dignitatis læſionem. Inſuper autem ſi forte hanc prohibitionem non dureritis (quod non credimus) reverenter admittendam, pro dignitate, ne a nobis vel ab ipſo Archidiacono contra ipſam quicquam attemptetur, ad Sedem Apoſtolicam appellamus. Teſte Rege apud *Merleberg*, 21 die *Julii*. *An.* 9 H. 3.

In hac forma ſcribitur Archidiacono *Coleceſtrenſi* de Cauſa illa non proſequenda.

REX eiſdem Judicibus, ſalutem. Meminimus nos vobis alias inhibuiſſe, ne in Cauſa quam movit coram vobis in Curia Chriſtianitatis Archidiaconus *Coleceſtrenſis*, contra dilectum et fidelem noſtrum *G. de Bocland*, Decanum Capellæ noſtræ Sancti *Martini London.* ſuper procuratione quam idem Archidiaconus ſibi fieri exigit pro Eccleſia de *Neuport*, quæ eſt dicti Decanatus pars maxima et præcipua, procederetis, cujus procul dubio proceſſus in noſtræ cederet læſionem dignitatis: cujus optentu dicta Capella noſtra ab omni juriſdictione Epiſcopi Diocesani ſubditorumque ejus ſoleat et debeat immunis permanere; hincque inhibitioni appellationem ex parte veſtra recolimus interjectam. Ne igitur ſuggeri poſſit quod ab hiis deſiſtere velimus, vel in præjudicium Regiæ dignitatis præſumatis in dicta Cauſa procedere, tam dictam inhibitionem noſtram quam interjectam appellationem præſentibus literis innovamus. Teſte meipſo apud *Merton*, 31 die *Aug.* Ibidem.

Eodem modo innovata eſt appellatio verſus Archidiaconum *Coleceſtriæ*, ne proſequatur.

In the Plea-Rolls of *Placita in Octabis S.* Michaelis, *An.* 9 H. 3. *Rot.* 6. *dorſo* Sutht. I find this enſuing Action for holding Plea in Court Chriſtian of Lay-fee, againſt the Kings Prohibition.

Johannes Sward *Eſſon.* Henr. le Sauvage *obtulit ſe 4 die verſus Decanum de* Wynton *de plac.* quare tenuit placitum in Curia Chriſtianitatis de Laico feodo ipſius Henrici in Tyffid. *&c. contra Prohibitionem*, &c. *Et ipſe non venit*, &c. Plac. An. 9 H. 3. in Turre London.

The ſame year there ariſing a difference between the Parſon of the Chappel of *Limeric*, and the Treaſurer thereof, to which of them the Tithes of Fiſh-ponds and Mills of *Limerick*, &c. belonged: the King thereupon iſſued forth this Writ to inquire the right and certifie the truth thereof.

REX venerabilibus in Chriſto patribus, *M. Caſſelenſi* Archiepiſcopo, & *J. Fernenſi* Epiſcopo, & *G. Liſmorenſi* electo, ſalutem. Mandamus vobis rogantes, quatinus ad certum diem & locum conveniatis apud *Lymeric*, & ibi præſente *Galfrido de Mariſco*, vel illo quem ad hoc aſſignaverit, diligenter inquiratis per bonos et diſcretos homines, tam Clericos quam Laicos, qui melius ſciant & velint dicere veritatem, utrum *Bartholomæus de Camera* tempore Domini *Johannis* Regis patris noſtri, ante guerram motam inter ipſum & Barones ſuos *Angliæ*, fuit in ſeiſina Decimæ de Piſcariis et Molendinis de *Lymeric*, & de terra de *Drumyn*, nomine Capellæ de *Lymeric* cujus perſona eſt, vel *Willielmus de Caerdif* eo tempore ſeiſitus fuit de prædicta Decima nomine *Theſaurariæ* quam habuit in Eccleſia de *Lymeric*: Et ſi forte omnes ad inquiſicionem illam faciendam intendere non poſſitis, duo veſtrum eam nichilominus exequantur. Teſte Rege apud *Weſtm.* 21 die *Aprilis*, anno regni noſtri nono. Pat. 9 H. 3. in longiori Rot. m. 5. intus.

The Biſhoprick of *Acaden* in the County of *Connall* in *Ireland* becoming voyd, and the Clergy thereof according to their cuſtome electing a Biſhop without the Kings precedent licenſe and Royal aſſent, contrary to his Royal prerogative; and exceptions being now taken both to the manner of the Biſhops Election, and likewiſe againſt his perſon; *Henry de Londres* Archbiſhop of *Dublin* thereupon (conceiving the donation thereof to be devolved to himſelf by lapſe, in which he was groſly miſtaken) writ this Epiſtle to receive the Kings Royal pleaſure how to proceed in this caſe for the maintenance of the Kings prerogative, which I found in the *White Tower* Chappel.

EXcellentiſſimo Domino ſuo & amantiſſimo *H.* Dei gratia illuſtri Regi *Angliæ*, &c. devotiſſimus ſuus *H.* eadem gratia *Dublinenſis* Archiepiſcopus, Apoſtolicæ ſedis Legatus, promptum cum devotione famulatum. Vacante nuper ſede *Acaden.* ſita in ultimis partibus *Connaciæ*, ubi minus informetur Eccleſia ſedis ejuſdem Bundela literarum & certificationum An. 9 H. 3 in Turre London.

An. 9 H. 3. dem Clerus ignorans, & inconſuetus hucuſque modum et formam in electione faciendæ ſecundum aliarum terrarum ſtatuta conſervare, ad celebrandam electionem Regia licentia non petita, ſuxta priorem ejus conſuetudinem processit, qua tamen celebrata, electus iple cum quibuſdam Electoribus ad Juſticiarium veſtrum *Hyberniæ* accessit, Regium exposculans assensum supplere; cupiens post electionem quod contra Regiæ dignitatis privilegium ante eam videbatur omissum, licet in partibus illis in celebrandis electionibus minime consueverit hucusque Regia poſtulari licencia. Unde ad instituendam et observandam debitæ sollempnitatis formam tam in Regia dignitate quam in electionis celebracione, examinata postmodum coram nobis eadem electione, ab adversariis Electi plura fuerunt objecta et prolata, tam in personam Electi quam in formam eligendi; propter quæ videbatur ipsa electio minus valida, si universa deberent judicari et conservari secundum aliorum consuetudinem regnorum et Regiæ dignitatis conservacionem, de quibus gentis illius ruditas usque ad tempus præsens noticiam non habuit, nec eas observare consuevit. Dumque videbatur ex hiis quæ omissa sunt tam in modo electionis, quam in observacione Regiæ dignitatis, ipsius Ecclesiæ ordinacio ad nos tanquam superiorem devolvi, quia volumus et affectamus Regiam dignitatem in illis partibus firmari, et induci, et consolidari ubi quondam convaluit, nec obtinuit cum in partibus eisdem nullus *Anglicus* fructificare possit adhuc, — aut morari; maxime propter loci pauperta-tem et gentis contrariæ hostilitatem; Super ordinacione ejusdem Ecclesiæ consilium et voluntatem veſtram nobis significetis; fideli noſtro præsencium latori credentes, qui de hiis et aliis vobis plenius exponet. Valete.

Which he ſeconded with the other Epiſtle to this King, wherein he relates the great labors and expenſes he had undergone for the King, and his Father King *John*.

In eadem Bundela, An 9 H. 3. in Turre London.

EXcellentiſſimo Domino ſuo & amantiſſimo, *Henrico* Dei gratia illuſtri Regi *Angliæ*, *&c.* ſuus eadem gratia *H. Dublinenſis* Archiepiſcopus, ſalutem & devotum in omnibus famulatum. Quot et quantos labores, quantas etiam expenſas ſuſtinuerimus pro Domino Rege patre veſtro, necnon et pro vobis, non eſt neceſſe vobis exprimere, cum ſatis et vobis et veſtris liquida ſint et manifeſta. Regiæ igitur excellenciæ cum quanta poſſumus ſupplicamus devotione, quatinus ad labores et expenſas pro vobis et veſtris factas oculo pietatis reſpicientes, Juſtic. veſtro *Hyberniæ* dare velitis in mandatis, ut nos et Eccleſiam noſtram ſuper poſſeſſionibus et dignitatibus noſtris a bonæ memoriæ *H.* Rege avo veſtro, necnon et piæ recordacionis *J.* patre veſtro obtentis per Cartas ſuas confirmatis aliquid attemptare, vel in aliquo vetare non præſumat. Tantum ſuper hoc, ſi placet, facere velitis, ut omnes nos oculo velit reſpicere propicior, et nos et Eccleſia noſtra vobis ad obſequia promptiores eſſe debeamus et devotiores. Valete. *Which was writ upon this occaſion.*

Thomas Fitz-Adam, to whom the King committed the cuſtody of his Foreſts in *Ireland*, diſtraining and apprehending ſome of the Archbiſhop of *Dublin*'s men and Tenants within the Foreſt, exempted by King *John*'s and other Charters from *Foreſt Laws* and *Duties*, the Archbiſhop excommunicated him for this his proceeding, yet afterwards offered to abſolve him upon his ſubmiſſion; the Archbiſhop upon this occaſion writ this Letter and the former, ſent by a ſpecial Meſſenger to the King miſ-relating the proceedings, extant in the Bundle of Letters and Certificates I found in the *White Tower*, (about *An.* 9 *H.* 3.) as I conjecture.

In eadem Bundela, An. 9 H. 3. in Turre London.

EXcellentiſſimo Domino ſuo & amantiſſimo *H.* Dei gratia illuſtri Regi *Angl.* Domino *Hiberniæ*, &c. devotus ſuus *H.* eadem gratia *Dublinenſis* Archiepiſcopus, Apoſtolicæ ſedis Legatus, cum fidelitate promptum et devotum ſervicium. Terræ et tenementa Eccleſiæ noſtræ ipſi ab antiquo in liberam elemoſinam aſſignata ſemper pro majori parte libera extiterunt a Foreſtariis et omnibus aliis exactionibus mundanis. Munita eſt eciam Eccleſia noſtra in ſuis libertatibus antiquitus debitis et conſuetis per Cartas et confirmationes inclitæ memoriæ Domini *J.* patris veſtri a Foreſtariis et omnibus aliis mundanis exactionibus et oneribus. Et ſi forte aliquando contra libertates illius præſumptuoſe fuiſſet aliquid attemptatum, unde et venerandæ memoriæ anteceſſor noſter exulavit ærumpnis et tribulacionibus ſeptennis exilii, libertates ipſas in ſtatum debitum reformavit. Hoc veſtra et fidelium veſtrarum diſcreta proviſione deletum eſſe videtur a conſequencia per Cartam veſtram ad partes *Hiberniæ* nuper tranſmiſſam, in qua non ſolùm Eccleſiis & Eccleſiaſticis viris, ſed omnibus ſecularibus & mundanis antiquas debitas et conſuetas

libertates

libertates conceſſiſtis et confirmaſtis. Hiis autem non conſideratis ut deceret filius *Adæ* cui Foreſtam veſtram de *Hibernia* commiſiſtis, terras noſtras contra antiquas et debitas Eccleſiæ noſtræ libertates inforeſtare contendit, et novas oppreſſiones et exactiones inducere, capiendo homines noſtros et denarios, potius voluntate propria, ut videtur, quam auctoritate Regia. Qui cum propter hujuſmodi et alios graves exceſſus ab Archidiacono noſtro fuiſſet excommunicatus, tandem ad cor reverſus, abſolvi meruit; de hoc autem & propter negotia veſtra cum diſpoſuiſſemus veſtram adire præſenciam, ſupervenerunt nuncii veſtri qui nobis negocia veſtra præſentaverunt, qui cum nondum receſſu latoris præſencium cum Juſticiario in remotis partibus agente locuti fuiſſent, poſt ejus allocutionem ſecundum ipſius reſponſionem ad commodum & utilitatem veſtram in omnibus faciemus. Interim, ſi placet, donec ad vos veniamus ſignificate dicto *T.* filio *Adæ* & aliis Ballivis veſtris, ut a dictis moleſtacionibus noſtris ceſſant, et nobis et Eccleſiæ noſtræ debitas permittant libertates. Latori autem præſencium *David* nuncio noſtro ſuper hiis quæ vobis dicet ex parte noſtra de hiis & aliis veſtris negociis credatis, in cujus ore multa poſuimus vobis dicenda, per quem quædam munuſcula Regiæ celſitudini tranſmittamus, in proximo per Dei gratiam miſſuri vel perſonaliter allaturi meliora. Conſervet Altiſſimus incolumitatem veſtram in tempora longiſſima. *An.* 9 H. 3.

How little cauſe this Archbiſhop *Henry* had to complain to the King, or to Excommunicate *Thomas Fitz-Adam*, yea how inſolently and violently he demeaned himſelf in Excommunicating this Kings Officer againſt the *Kings prerogative* and the Kings Juſtices commands, and what an enemy, Traytor he was to the King, this Letter of *Fitz-Adam* to the King and his Counſil, concerning the difference between him and this Archbiſhop will abundantly evidence, extant in the ſame Bundle in the *Tower*, with his precedent Letters.

In eadem Rund. de'a, circa an. 9 Hen. 3. in Turre Lond.

REverendo Domino ſuo *H.* Dei gratia Regi *Angl.* Domino *Hyb.* &c. ſuus, ſi placet, *Thomas* filius *Adæ*, ſalutem & fidele ſervicium. Sciatis, Domine, quod terra veſtra *Hyberniæ* Dei gracia in bono ſtatu eſt, ſet Dominus *Dublinenſis* nullo modo patitur agenda veſtra adeo bene ſe habere ut vobis expediret in partibus veſtris, et nititur omnibus viribus ſuis vos exhæredare de Foreſta veſtra in *Hibernia*, ut vobis alias mandavi: Ingerendo michi cuſtodienti Foreſtam illam per præceptum veſtrum diverſa intollerabilia occaſione illius Forreſtæ. Contigit quod quidam octavo *Epiphaniæ* proximò præteritæ qua Juſticiarius intinerans in Foreſta ad inquirendum pleniùs jura veſtra Foreſtæ, venerunt contra me Foreſtarii turpiter verberati et lacerati, dicentes, quod ex quo poſcunt vadia hominum Archiepiſcopi ſecantium nemus veſtrum in Foreſta veſtra ——— homines Archiepiſcopi, et per præceptum ejus, cum clamore et uthagio inſurgunt in eos, et vi vadia ſua a Foreſtariis extorquent, Foreſtarios turpiter infeſtantes. Eodem die venientes quidam homines de eadem Foreſta indicaverunt michi quendam malefactorem converſantem in Foreſta in terra Archiepiſcopi, qui a longo tempore in vita Domini mei patris veſtri uſque ad hoc tempus deſtruerat Foreſtam; Et eſt malefactor ille * ——— prout tota terra teſtatur tocius regni veſtri. Hoc audito, miſi ſervientes noſtros ad quærendum malefactorem illum, & illo invento in domo ſua, ſervientes ſcrutaverunt domum, ſi poſſent invenire in domo ſua perinde eſſet melius athaciandus, et ſumerant arcum ſuum cum ſagitta ſanguinolenta, et perchias Cervi ſanguinolentas cum corio et quadam portione venationis ——— Servientes duxerunt ad me malefactorem cum athaciamento: Ego verò incontinenti feci convenire omnes probos homines cujuſdam villæ veſtræ de eadem Foreſta, et feci ducere malefactorem illum cum athaciamento coram eis, et athaciamentum coram eis inbreviari, et malefactorem poſui in priſonam veſtram. Hoc audiens Dominus Archiepiſcopus, miſit ad me Decanum *Dublin.* cum tribus Presbyteris, et poſtulavit hominem ſuum quietum captum ſuper terra Eccleſiæ. Ego vero intelligens illum non eſſe reddendum, et maxime Presbitero (mero,) niſi Archiepiſcopus vellet eum replegiare ad habendum illum in Curia veſtra, nolui eis illum dimittere. Nec mora, eadem die, ſcilicet vigilia *Epiphaniæ*, mandavit omnibus Presbiteris Civitatis *Dublin.* et extra, quod (a divinis) ceſſarent dummodo eſſem in villa. In craſtino, in die *Epiphaniæ*, venerunt ad me duo Preſbiteri, & poſtulaverunt dictum malefactorem quietum ex parte Archiepiſcopi; jubentes de parte ſua ne illum plus tenerem, et niſi illum ita redderem excommunicarent me. (*A daring inſolency.*) Hoc audito, appellavi ad Dominum Archiepiſcopum ab illo die in viij. dies; ſi hoc nichil eſſet per eum pro vobis et ſtatu veſtro, et

* Notorius.

An. 9 H. 3. libertatibus veſtris, et pro me et hominibus meis coram Archiep. in villa *Dublin.* ad horam; et ſi hoc eſſet parum, ego appellavi ſuppadicto modo in præſentia Domini Papæ; et ſi hoc prodeſſe non poſſet, petii inducias quouſque loquutus fuiſſem cum Juſticiario veſtro *Hiberniæ.* His omnibus poſtpoſitis ſteterunt in contrariis; in eadem die *Epiphaniæ* pronunciarunt ſententiam Excommunicationis in me. Super quo nimium motus ivi ad Archiepiſcopum in craſtino, et monſtravi ei gravamen et pudorem minus circumſpecte et conſulte quam deceret michi fore illatum; et ipſe interrogavit hominem ſuum quietum et abſolveret me; et dixit, quod ego nec alius potui capere hominem illum nec alium ſuper terram ſuam quamvis eſſet in Foreſta. * Note his inſolent ſpeeches. Dicens * Terram eſſe ſuam, Nemus eſſe ſuum, Foreſtam eſſe ſuam, Feras eſſe ſuas: Et ex quo audivi quod atraxit ad Jus ſuum omne Jus veſtrum, nolui dimittere ei hominem ſuum quietum niſi vellet replegiare eum ad habendum eum in Curia veſtra, vel ſaltem coram Juſticiario veſtro in adventu ſuo in partes illas: quod omnino refutavit, nec potui abſolvi. Et ego mandavi Juſticiario cauſam Sententiæ in me latæ, rogans quod mandaret ſuper hoc voluntatem ſuam. Juſticiarius vero mandavit michi, quod nullo modo redderem malefactorem quietum, niſi Archiepiſcopus vellet replegiare ad habendum eum in Curia veſtra. Mandavit eciam eidem Archiepiſcopo quod replegiaret Sententiam qualemcumque in me latam, et tantum inde faceret ne deterius inde contingeret, et ne negocia veſtra remanerent facienda, et michi in nullo potuit proficere: Immo per totam terram veſtram facit me proſequi, prohibendo communionem hominum et apſtamenta villarum, ita quod ad quoddam arduum negocium veſtrum exequendum intereſſe non potui; videlicet, quod haberetis donationem Eccleſiarum de *Connaſtia*, quam nunquam habuiſtis. Ad hoc, quod in tota *Hybernia* non habetis unam Eccleſiam dandam. Nec eciam potui eſſe ad tenend. Aſſiſas veſtras *Dublin.* in Octabis Sancti *Hyllarii*; et ita in hunc modum promovet idem Archiepiſcopus negocia veſtra in partibus *Hyberniæ.* Quidam vero direrunt Archiep. quod defamaverat me multum; et ultra, quod ad me excommunicand. (non debet procedere) et eciam propter privilegium quod habetis, ut dicunt, quod capitales Vaſſalli veſtri non ſunt excommunicandi, vobis inconſultis. Ad quod reſpondit Archiepiſcopus, quod cum videret privilegium illud tunc crederet vos illud habere, ſet non antea. Ita et in hunc modum ſe habet idem Archiepiſcopus erga vos et erga me pro vobis, ſuper quo, ſi placet, vobis et michi provideatis. Sciturі, quod in mandatis meis non invenietis me alium quam mandatorem certarum rerum: et quamvis vincula quibus ligatus ſum moleſtent me, ſuſtineo illa donec vobis ſuper prædictis providerіtis, quia volo vos pro poſſe meo tenere intus Vallivam libertatum veſtrarum ſuper prædictis, * ——— et pro Deo et ſervicio meo provideatis michi, ſi fieri poteſt, quod abſolver ab alio, non ab Archiepiſcopo, qui fecit pronunciari Sententiam in me latam, quantam hoc vobis cederet ad honorem: deſicut credo, quod tenebat me in Sentencia illa, quouſque acquieſcam in omnibus voluntati ejus ——— ſet hoc non expediret vobis, ſecundum quod adhuc operatur erga vos. Provideatis eciam vobis de aliquibus probis hominibus & legalibus *(in terra) Hybern.* ad proſequendum negocia veſtra, et maxime contra dictum Archiepiſcopum, qui proponit exhæredare vos in partibus illis ——— ſolus ad jura veſtra manutenenda, quamvis non eſſet niſi contra dictum Archiepiſcopum. Quoniam apponit ſe ——— et principaliter ad libertates veſtras proſternendas. Ego mando vobis agenda veſtra, prout ſe habent, & ——— emendanda illa ——— ubi emendacione indigent libenter emendarem. Voluntatem veſtram & beneplacitum ſuper prædictis & omnibus aliis, ſi placet, michi ſcire faciatis. Valeat Excellentia veſtra in Domino.

* Pro vobis.

Dorſo. Domino Regi et Conſilio ſuo, pro ſeipſo.

The Rector of the Church of *Cartheward* being Excommunicated by the Pope and his Delegates, and contemning their Excommunication, for ſuing and moleſting the Tenants of the Abby of *Ramſey*, againſt the priviledges granted them by the Pope; and their Excommunication being certified to the King by the Biſhop of *Lincoln*, whereby a *Capias excommunicatum* iſſued againſt them; thereupon the Rector procuring a Prohibition to the Delegates upon this ſuggeſtion, that they Excommunicated him for bringing an Aſſiſe of *Mortdanceſter* againſt the Abbot and Covent of a Manor, the Delegates made this enſuing Certificate of the ſtate of their proceedings and ſentence againſt him to the King, denying the truth of his ſuggeſtion.

Illuſtriſſimo

An. 9 H. 3. In eadem Fundela, An. 9 H. 3. in Turre London.

ILluſtriſſimo Domino ſuo, *H.* Dei gratia Regi *Angl.* Domino *Hyberniæ*, Duci *Normanniæ* & *Aquit.* Comiti *Andegaviæ*; *H.* dictus Abbas de *Leeſt*, & Prior Sancti *Leonardi*, & Decanus de *Donewico*, ſalutem temporalem & æternam. Sereniratı veſtræ ſignificamus, quod cum quædam Cauſa a ſummo Pontifice nobis eſſet commiſſa inter Abbatem & Conventum *Rameſeye* ex una parte, & *Nicholaum* Rectorem Eccleſiæ de *Cortheurd* ex altera. Et partibus in præſencia noſtra conſtitutis, ex parte Abbatis & Conventus *Rameſ.* facta fuit conditio in hunc modum, *Richardus*, &c. ſint viri Religioſi et in protectione Domini Papæ conſtituti, et a Sede *Romana* indultum ſit eis ne liceat cuiquam poſſeſſiones ſuas Eccleſiaſticas auſu temerario invadere vel perturbare, *Nicholaus* Rector Eccleſiæ de *Cartheurd.* in diſpendium minæ ſuæ, tanquam filius Leviathan, poſſeſſiones ſuas Eccleſiaſticas perturbare non ceſſat, ipſos & homines ſuos interdum per ſe, interdum per alios inquietando injuſte, et ſic privilegia ſua violare præſumit. Dicunt eciam Abbas & Conventus, quod in privilegiis a Sede *Romana* eis indultis lata eſt ſentencia Excommunicationis in omnes tales invaſores et perturbatores; inde dicunt ipſum *Nicholaum* incidiſſe in ſentenciam Excommunicationis a ſummo Pontifice latam, et petunt ut appellatur per Judices ſuos deſiſtere a tali perturbacione, et ſatisfacere commiſſis. Et etiam ut adeat Sedem *Romanam*, et ibi impetret beneficium abſolucionis a ſummo Pontifice a quo eſt Excommunicatus. Et ut plenius conſtet eidem *Nicholao*, in quibus dicunt ipſum poſſeſſiones ſuas Eccleſiaſticas perturbaſſe, dicunt quod cum mota fuit quædam Cauſa authoritate Domini Papæ inter ipſos et *Thomam* Rectorem Eccleſiæ de *Anewelle* ſuper decimis de Dominico *Reginaldi le Moine* in villa de *Anewelle*, idem *Nicholaus* pro viribus ſuis nitebatur prædictas decimas a Monachis *Rameſ.* ſubtrahere, et adhuc nititur. Eodem modo fecit *Nicholaus* in quadam Cauſa mota inter ipſos & *Theobaldum de Leke*, ſuper decimis de Dominico dicti *Theobaldi*. Eodem modo fecit idem *N.* in aliis & ſimilibus Cauſis, ut dicunt dicti Abbas & Conventus. Et propter iſtas cauſas dicunt dictum *N.* incidiſſe in ſenteniam Excommunicationis a ſummo Pontifice latam. Iſta dicunt ſalvo ſibi jure addendi, mutandi, vel minuendi: Recitatâ igitur iſta conditione coram nobis & eidem *Nicholao* traditâ, ſigillis noſtris in judicio ſignatâ, ſponte et ſine difficultate aliqua juriſdictioni noſtræ ſe ſubjecit, et litem conteſtatus eſt intentioni dictorum Abbatis & Conventus penitus contradicendo. Et datus fuit dies de conſenſu parcium ad teſtes producendos; quo die idem *N.* contumaciter ſe abſentavit. Et quia noluimus, licet de jure poſſemus, in ejus abſencia teſtes contra ipſum admittere, fecimus ipſum pluribus et legitimis edictis vocari. Tandem præcedentibus aliis legitimis penis, propter multiplicatam contumaciam ſuam ſententia excommunicationis ipſum innodavimus, et excommunicatum publice denunciari fecimus. Cum autem in prædicta ſentencia per quadraginta dies et longe amplius prædictus *Nicholaus* perſeverare non erubuit, nec adhuc erubeſcit; dedimus in mandatis Domino *Lincolnienſi* Epiſcopo, ut ſeriem facti excellenciæ veſtræ ſignificaret, qui quod ſuum erat in hac parte diligenter eſt executus: poſtquam vero decreviſtis ipſum fore juſticiandum per brachium ſeculare; et ſuper hoc litteras veſtras Vicecomiti *Huntedon* direxiſtis, prout nobis intimatum eſt, ſuggeſſit vobis idem *Nicholaus*, quod prædicti Abbas et Conventus traxerunt eum in Cauſam coram nobis ſuper hoc; quod idem *N.* perturbaret pacificam poſſeſſionem ſuam de quodam Manerio ſuo de *Stivecle*: Maximè quia idem *N.* aranniavit verſus eos *Aſſiſam mortis anteceſſoris* ſuper eodem Manerio. Nos verò quia nolumus quod factum noſtrum vos lateat in aliquo, Dominacioni veſtræ ea qua decet reverencia ſignificamus, quod nunquam in præſencia noſtra de prædicto Manerio facta fuit mencio, nec eciam de aliquo Laico feodo dictam cauſam contingente. Set jam per unum annum integrum duravit contencio inter eos ſuper Decimis in condicione præſcripta nominatis, et ſuper perturbacione poſſeſſionis ſuæ de eiſdem Decimis: Si enim ſuper jam dicto Manerio vel aliquo alio Laico feodo vel eciam Laicis catallis coram nobis mota fuiſſet quæſtio, ſtatim decreviſſemus convictionem talium ad nos non pertinere. Valeat dominacio veſtra in Domino.

The Archbiſhops and Biſhops having freely granted the King the 20th. part of theirs and their Villains goods for his ſupply to be taxed and collected only by themſelves; the King thereupon iſſued this Writ to his Collectors, not to intermeddle with the taxing or collecting thereof, but only of the goods and chattels of Abbots, Priors and other religious perſons.

An. 9 H. 3. TAxatoribus & Col. ſalutem. Cum Archiepiſcopi et Epiſcopi regni noſtri viceſſimam bonorum ſuorum et villanorum ſuorum nobis liberaliter ſui gratia conceſſerint, et volumus quod ipſi hujuſmodi viceſimam per manum ſuam taxari, levari, et colligi faciant, in forma eis per nos tradita et injuncta; vobis mandamus, quod de taxatione ſeu collectione viceſimæ Epiſcoporum ſeu villanorum ſuorum in nullo vos intromittatis; proviſo quod viceſimam bonorum et catallorum Abbatum, Priorum, et cæterorum Religioſorum Com. prædicti taxari et colligi faciatis, ſicut viceſima alibi taxatur et colligitur in regno noſtro. Teſtibus, *&c.*

Bundela Breviarum, An. 8 H. 3. in Turre London.

Some of the Nobility who had formerly Crowned *Lewes* of *France* King, and been the cauſe of King *John*'s death, for which they were baniſhed the Realm, endeavouring to return into *England* and ſet up the *French* Kings intereſt, and domineer over the King and his faithfull counſellors, by circumventing Pope *Honorius*; thereupon *Hubert de Burgo*, and nine more of the Kings Counſil (about the 8th. year of King *Henry*'s reign, as I conjecture) ſent this memorable Epiſtle to Pope *Honorius* to aſſiſt the King and them as he formerly had done, and prevent this dangerous Plot and deſign; a Copy whereof in a very excellent hand, I met with in the *White Tower*.

In Turre London. circa An. 8 H. 3. SAnctiſſimo Patri ac Domino *Honorio* Dei gratia Summo Pontifici, devoti ſui *H. de Burgo* Juſticiarius *Angliæ*, *R.* Comes *Ceſtriæ*, *Falcat. de Breante*, *Philippus de Aubigny*, *Willielmus de Cantilupo*, *Galfridus de Nevill*, *Brian. de Inſula*, *Engelardus de Cigogny*, *Hugo de Nivona*, fideles Domini Regis *Angliæ*, ſeipſos ad oſcula pedum beatorum. Paternitati veſtræ quaſcunque poſſumus gratiarum referimus actiones, eo quod circa devotiſſimum veſtrum Dominum noſtrum *Henricum* Regem *Anglorum* illuſtrem, tam per veſtram, quam per Domini *P. Norwicen.* electi Legati veſtri ſollicitudinem, manum invictam et curam vigilantem in omnium ſuorum promotione bonorum dignatur veſtra Sanctitas exercere, univerſa ejuſdem Domini noſtri negotia, pluſquam poſſimus dicere, laudabiliter promovendo. Verùm cum juxtà verbum ſapientis, *Non ſit minor virtus quam quærere parta tueri*, Dominationem veſtram non deſinimus pia ſollicitare inſtantia, ut conſiderantes infinitas anguſtias et labores graves quas veſtra Sanctitas ſibi non parcens, ut nobis poſſet proficere, per ſe ac ſuos in defenſione Domini noſtri et totius regni, non recuſavit nec timuit ſuſtinere: Incrementum adeo boni nominis, et cum tanta difficultate exculti conſervetis ab inimici hominis conculcatione maligna, ne perdatur per aliquorum nequitiam id quod per tantam providentiam, veſtri gratia, in Domino noſtro condidiſtis ac nobis. Sicut enim ex quorundam provida ſignificatione didicimus, quidam perſuaſionibus ſuis Sanctitatem veſtram circumvenire intentos, illos qui pro ſuæ immenſitate maliciæ et ſacroſanctæ *Romanæ* Eccleſiæ contemptu, ac læſæ Majeſtati Regiæ vicio, et totius regni turbatione, per noſtram et Apoſtolicæ Sedis deliberationem a toto regno ſententialiter ſunt excluſi, ad regnum revocare, et in ipſo promovere nituntur. Ac etiam ſuper ipſum Dominum Regem et regnum, poteſtatem ſuam et dominium ampliare. Cumque nulli ſit dubium quin univerſa Domini Regis et regni detrimenta valeant pullulare, ſi tales ſciſmaticos et perverſos ad regnum, quod abſit, revocari; aut ipſos aut fautores ipſorum in regno promoveri vel exaltari contingat. Paternitatem veſtram exoramus attentius, ut cum Dominum Regem ac regnum tanto diligentius vos oporteat conſervare, quanto ſpecialius veſtræ ſumus dominationi ſubjecti, placeat Sanctitati veſtræ proditis ſciſmaticis taliter claudere viam reverſionis ad regnum, ne de cætero vos præſumat quiſquam ſuper hoc infeſtare; nec liceat illis aut eorum fautoribus nos qui pro fidelitate Domini noſtri et veſtra, ac ſedis Apoſtolicæ devotione, parati ſumus et fuimus qualibet incurrere detrimenta, ad effuſionem noſtri ſanguinis, et turbationem quietis et pacis noſtræ ulterius provocare. Ut autem ſuper hoc Sanctitati veſtræ noſtra intentio penitus declaretur, pro certo teneat veſtra Paternitas, quod in nullius neceſſitatis articulo a devotione ſedis Apoſtolicæ et fidelitate Regia aliquatenus recedamus: unde ut in his firmi et ſtabiles perſiſtamus, præcavere volentes cuilibet eventui ſive facto per quod poſſet noſtro proposito præjudicium generari, nullatenus volumus vel permittemus aliqua ratione, ut hii qui in partibus veſtris malorum omnium initium extiterunt, qui ſacroſanctam *Romanam* Eccleſiam contemnentes, Domini noſtri majeſtatem niſi honore Regio ſpoliare, et gloriantes ſe cauſam dediſſe mortis claræ memoriæ *J.* Regis *Angliæ* Domini noſtri, filii ſui, ac noſtrorum omnium fidelium ejus ſanguinem ſitiebant, ad regnum aliquatinus revertuntur,

tuntur, vel ipſi vel aliqui qui eis conſenſum præſtiterant aut favorem, regno præficiantur; aut ulterius promoveantur in ipſo. Non enim decet ut aliqui ſuper Domini Regis et noſtra capita dominentur, de quibus conſtet nos mortali fuiſſe odio perſecutos. Paternitas igitur veſtra circa iſta conſideret, et attendat ea quæ honori ſuo expediant, et ad Domini Regis et regni pertineant tranquillitatem et pacem. *An.* 9 & 10 Hen. 3.

In the Plea-Rolls of *Michaelmas* Term, *An.* 9 & 10 *H.* 3. I met with this memorable Caſe for ſuing in *Court Chriſtian* for a Lay-fee, againſt the Kings prohibition.

Philippus de Ardern *Clericus attach. fuit ad reſpondendum* Johanni *filio* Roberti, quare trahit eum in Placitum in Curia Chriſtianitatis de Laico feodo ipſius Johannis fil. Robert. contra Prohibitionem, &c. *Unde idem* Johannes *per Attornatum ſuum queritur, quod idem* Philippus trahit eum in Placitum de boſco de Lee, et de moza de Wycton; *Et ſimiliter de hoc, quod ubi ipſe* Johannes & *homines ſui capiunt vadia ipſius* Philippi pro deteriozacione bladi et prati, et aliozum dampnozum; de illa captione trahit idem Philippus eum in Placitum, per quod deteriozatus eſt, &c. ad valenciam C. Marcarum, et inde producit ſectam, &c. Plac. in octab. S. Mich. An. 9 & 10 H. 3.

Et Philippus *venit & dicit, quod non debet eidem* Johanni *vel Attornato ſuo de aliquo Placito reſpondere*, quia excommunicatus eſt; et inde profert literas Domini Archiepiſcopi Ebor. *quæ hoc teſtantur in hæc verba*; W. *Dei gratia*, &c. Sciatis quod Abbas de Kokerſand, et de Kokerſand et de Rokeham Priozes denunciaverunt nobis, ſe Nobilem virum Johannem filium Roberti auctozitate Domini Papæ vinculo excommunicationis innodaſſe. Mandantes ut ipſum talem denunciaremus, quod vobis ad inſtanciam Magiſtri Philippi latozis præſencium ſignificamus, ut ſuper hoc certitudinem habeatis. *Valete. Dat.* &c. *Et ideo idem* Philippus *dicit*, quod non vult ei reſpondere niſi Curia conſideraverit.

Et Johannes *per Attornatum ſuum venit & dicit*, quod de Placito cozam illis Judicibus non queritur, quia de decimis Fœnozum et Molendinozum quod ibi exigebat libenter faciet quod de jure facere debebit, ſet de prædicto Laico feodo ſuo; et præterea de quodam Peremitagio, et de decima Veſtia foreſtæ ſuæ eum implacitavit contra Prohibitionem, &c. cozam W. Theſaurario, et G. Penitenciario Eborum; et inde habet ſectam, &c. et bene concedit ei, &c. decimas Fœni, et Molendinozum, et Pannagii.

Et Philippus *hoc totum defendit*, niſi tantum de decima Veſtia quam exigit, et unde Eccleſia ſua fuit ſeiſita; *& dicit quod ipſe & homines ſui ſemper habuerunt paſturam ſuam* per totum in foreſta, *& idem* Johannes *& homines ſui* capiunt homines ſuos et auferunt ei paſturam et communam ſuam.

Ad diem illum quia Johannes *nichil oſtendit per* citaciones vel alio modo, quod idem Philippus aliquod Placitum ſecutus fuit in Curia Chriſtianitatis, de aliquo Laico feodo, conſideratum eſt quod Philippus eat inde quietus, et Johannes in miſericozdia. Et prohibitum eſt Philippo ne ſequatur aliquod Placitum contra Cozonam Domini Regis.

Dies datus eſt ei de audiendo Judicio ſuo in Octab. Sancti Hillarii *prece partium.*

From which Caſe I ſhall obſerve, 1. That the Eccleſiaſtical Courts had then no Juriſdiction of Lay-fees, Common of Paſture, Lay-contracts or Services, and were ſtrictly prohibited to hold any Plea of them againſt the Kings Crown and dignity. 2ly. That they and the Popes Delegates then held Plea with the Kings permiſſion of the Tithes of Hay, Mills, and Pannage. 3ly. That an * Excommunication by the Popes Delegates in *England* publiſhed and certified into the Kings Court by any Biſhop or Archbiſhop, was no good barre in Law againſt the Plaintiff; whereof the Judges would take no notice, though pleaded in barre in this Caſe, unleſs Excommunicated by the Archbiſhop himſelf.

* See Cooks 1 Inſtit. fol. 134. a.

Tom. 2. p. 402. l. 40. after *Decano*, adde. About this year, (as I conjecture) the Prior and Covent of S^t. *Benedict de Hulmo*, having upon their petition obtained a Licenſe to elect an Abbot, after their election ſent this Certificate to the King, humbly imploring his confirmation of the Abbot elected by them, in this form: the Original whereof I found in the *White Tower*, expreſſing great humility, devotion and affection to the King in their proceedings therein. *An.* 10 H. 3.

Bundela literarum & certificationum An. 10 H. 3 in Turre London.

REverendo Domino ſuo *H.* Dei gratia illuſtri Regi *Angliæ*, Domino *Hiberniæ*, Duci *Normanniæ*, *Aquitaniæ*, Com. *Andegaviæ*; Frater *L.* Prior Sancti *Benedicti de Hulm.* & ejuſdem loci humilis Conventus, ſalutem in eo qui dat ſalutem Regibus,

An. 10 H. 3. Regibus. De licentia nobis eligendi Pastorem a donatione vestra benigne concessa, vobis multiplices referimus gratiarum actiones. Qua gratanter obtenta, nos unanimi assensu & communi voluntate omnium fratrum Capituli nostri, invocata Sancti Spiritus gratia, juxta formam Concilii et mandatum vestrum nobis per fratres nostros & Com-monachos à Serenitate vestra directum; Dominum *Robertum de Torkesey* Priorem de *Rameseya*, virum morigeratum, benè literatum, Deo (ut firmiter credimus) acceptabilem, vobis et regno vestro utilem et fidelem, et ad regimen Abbatiæ nostræ intus et exterius providum et discretum, elegimus in Pastorem nostrum et Prælatum. Hinc est quod vestræ quanta possumus humili affectione supplicamus Dominationi, quatinus divinæ pietatis intuitu, et beati patris et patroni nostri *Benedicti*, electioni nostræ secundum Deum (ut credimus) celebratæ, assensum et favorem vestrum præbere non dedigneminì. Et eundem Electum nostrum ad gratiam vestram (si placeat) admittatis. Scientes pro certo, quod nos apud Deum semper speciales habebitis intercessores. Valeat Excellentia vestra per tempora longa.

Tom. 2. p. 403. l. 35. after *absolutionis*, adde; Pope *Honorius* having gratified King *Henry*, by his menacing Bull to *Geoffry de Lisimaco*, earnestly demanded by *Otto* his Legate all the arrears of the 1000. Marks *Annual rent* granted by his * Father King *John*, due from the beginning of his Papacy, and the Kings reign; who thereupon payed all the arrears, amounting to ten thousand Marks; for which he desired the Popes acquittance by this Letter.

* Tom. 2. p. 273, 274, 289.

Claus. 10 H. 3. m. 21. dorso, DOmino Papæ, salutem. Ad instantiam Magistri *O.* Subdiaconi & Capellani vestri, viri utique prudentis & merito commendabilis, qui ad nos transmissus ex parte vestra, requirebat a nobis instanter ea quæ restare a tempore Papatus vestri credidit de annuo Censu nostro vobis debito; Paternitati vestræ præsentibus intimamus, quod venerabili Patri *P. Norwicen.* Episcopo, Septem millia quadringentas et tresdecim marcas, et dimidium de prædicto Censu solvimus, sicut meminit ipse pariter et confitetur; et ad perficiendum octo millia marcarum, prædicto Magistro *Ottoni* solvi fecimus quingentas quater viginti et sex marcas et dimidium; et præterea mille marcas sibi assignari fecimus. De mille vero marcis vobis satisfecerint Magister *Stephanus de Eketon*, et Magister *Stephanus de Ducy*, Nuntii nostri, sicut nobis significastis; et sic de toto tempore Papatus vestri plenarie vobis est satisfactum. Supplicamus igitur Sanctitati vestræ quatinus nobis super hoc literas vestras patentes dignemini destinare. Teste meipso apud *Westmonast.* 24 die *Martii*, anno regni nostri decimo.

This is the very first Record I find for the payment of this annual summ by the King to the Pope, after King *John*'s Charter and Grant thereof, omitted in the * second Tome. That which induced the King and his Counsil now to pay it, was his premised Bull, and a *Quindism* which this Pope had granted him from the Clergy of *England* and *Ireland*, with other affairs of grand importance, for which he craved and needed the Popes and his Cardinals favours, mentioned in his Letters to them soon after: towards the speedy granting and collecting of which *Quindism*, he issued forth these ensuing Writs, wherein to gratifie the Clergy, and induce them to grant him this Fifteen, he did at the Archbishops and Bishops requests, command the Tithes of Hay and Mills to be paid to the Clergy out of all his Crown-land, (not formerly paid, being exempt from Tithes) and promised to induce all the Nobles to pay them likewise out of their demesnes.

* Tom. 2. p. 306, 307.

Claus. 10 H. 3. m. 14. dorso. REX venerabili patri in Christo *R. Cicestren.* Episcopo, & Cancellario suo, salutem. Expectantes post obtentam de liberalitate vestra et cæterorum Prælatorum *Angliæ* mobilium suorum quintamdecimam, et ex beneficiis Ecclesiasticis, juxta quod scripsit Dominus Papa venerabilibus patribus Archiepiscopis, Episcopis, et universo Clero regni nostri, ut auxilium competens et efficax nobis faciant universi, scripsimus singulis Decanis et Capitulis per literas nostras clausas, simul et Abbatibus, Prioribus et Prælatis omnium domorum Religionis in Dioc. vestra constitutis in communi per literas nostras patentes, quatenus necessitatibus nostris compatientes, tale nobis auxilium de beneficiis suis, de quibus quintam decimam non recepimus, impendant, ut de collato nobis in hac parte beneficio singulis et universis ad gratiarum actiones teneri, et in agendis suis promovendis adesse debeamus præmptiores; De dilectione igitur vestra confisi, paternitatem vestram rogamus attentius, quatinus Decanos et Capitula, viros religionis, et universum Clerum

Diocesis

Diſcretis veſtræ, quos dictum tangit negotium, in præſentia veſtra conſtitutes, abſque moræ diſpendio ad auxilium nobis efficax impendendum de prædictis beneficiis efficaciter inducere velitis, imitantes mandato Domini Papæ vobis et cæteris Eccleſiarum Prælatis directo, ac literis noſtris, de quibus ſuperius mentionem fecimus, amicabiliter et prudenter utentes: Ut non ſolum eorum liberalitati, verum etiam inſtantiæ veſtræ erga eos pro nobis aſſumptæ aſcribere debeamus ea quæ nobis impenſa fuerint in hac parte. Cupientes autem non ſolum facere, ſed et aliis faciendo exemplum præbere; ea quæ communi Eccleſiæ et Cleri conveniant utilitati et honori, ad conſilium venerabilis patris *Cantuarienſis* Archiepiſcopi et Co-epiſcoporum ſuorum, conceſſimus, ut decimæ fœni et molendinorum (omni cabillatione ceſſante) de ſingulis Dominicis noſtris in regno noſtro de cætero præſentur. Hoc idem ſingulis Ballivis noſtris per literas noſtras mandantes, laboravimus in bona fide ut Magnates regni noſtri ſimili præſtationi Decimarum de cætero conſentiant, litis diſpendio ceſſante. T. apud *Weſtm.* 27 *Maii.* *Ann.* 10 H. 3. *Mem.*

REX dilectos & fideles in Chriſto Decano & Capitulo *Ciceſtr.* ſalutem. Condolens affectu paterno, Dominus Papa inſufficientiæ noſtræ ſcripſit dudum venerabilibus patribus et univerſo Clero regni noſtri, monens attentius et mandans, ut obtenta pietatis ſubſidium efficax et competens de beneficiis ſuis nobis facerent univerſi, quatinus ipſorum præſtationibus adjuti, paci Eccleſiæ et regni noſtri commodius poſſemus et fortius providere. Moti ergo miſericorditer ad ſuccurrendum nobis, immo potius ipſis in nobis. Prælati terræ noſtræ prædictæ conſenſerunt de quintadecima mobilium ſuorum nobis ſubvenire, conſenſum pium operum effectu proſequentes. Quoniam igitur de liberalitate veſtra dependeat conſummatio negotii prædicti, benignitatem veſtram rogamus attentius, quatinus neceſſitatibus noſtris moti, velitis affectione ſincera, quod quidem exſpectaremus, de voluntatibus veſtris nullo præcedente mandato. Tale igitur auxilium et tam efficax nobis in hac parte facere velitis, ut Eccleſiæ *Romanæ* de collato nobis per vos beneficio ad gratiarum actiones teneri, et vobis ſingulis et univerſis in negotiis veſtris promovendis eſſe debeamus promptiores: Cupientes tantum non ſolum facere, ſed et aliis faciendo exemplum præbere, ea quæ communi Eccleſiæ et Cleri conveniant utilitati et honori, ad conſilium venerabilium patrum *Cant.* Archiepiſcopi et Co-epiſcoporum ſuorum conceſſimus, ut decimæ fœni et molendinorum, omni cabillatione ceſſante, de ſingulis Dominicis noſtris de cætero præſtent. Hoc idem de ſingulis Ballivis noſtris per literas noſtras mandantes: Laboravimus quidem bona fide ut * Magnates noſtri ſimili præſtationi Decimarum de cætero conſentiant, diſpendio litis ceſſante. Teſte ut ſupra. Ibidem. * See Regiſter of Writs, f. 25. b. Fitz. Nat. Brev. 49. N. 41.

Eodem modo ſcribitur Abbatibus, Prioribus, et cæteris viris Religioſis, et omnibus Eccleſiaſticis perſonis in Epiſcopatu *Ciceſtriæ* conſtitutis, hoc appoſito poſt. Tale igitur, *&c.* Facere curetis de beneficiis & bonis veſtris, de quibus quintamdecimam non recepimus, ut Eccleſia *Romana*, &c. ut ſupra.

In purſuance of which promiſe, the King iſſued theſe Writs to ſeveral Sheriffs and Bayliffs for payment of the Tithes of Hay and Mills out of his Demeſnes.

REX Vic. *Suſſex.* ſalutem. Scias quod ad conſilium venerabilium patrum Archiepiſcoporum et Epiſcoporum noſtrorum, conceſſimus ut Decimæ Fœni et Molendinorum de ſingulis Dominicis noſtris in regno noſtro de cætero præſentus; et ideo tibi præcipimus, quod id per totam Ballivam tuam clamari, et de ſingulis Dominicis noſtris in Balliva tua facias obſervari. Teſte ut ſupra. Claus. 10 H. 3. m. 14 dorſ.

REX Ballivo ſuo de *Odiham*, ſalutem. Scias quod ad Conſilium, *&c.* ut ſupra, et ideo tibi præcipimus, quod de Dominicis noſtris, quæ ſunt in cuſtodia tua, Decimas dari facias, ſicut prædictum eſt. Teſte ut ſupra. Ibidem.

Eodem modo ſcribitur *Ricardo de Argentine*, de decimis Fœnorum et Molendinorum de *Eſſexien* & *Herford*, & Conſtabular. de *Hertford*. & Ballivis de Dominicis Domini Regis quæ ſunt in cuſtodia ſua.

Eodem modo ſcribitur Ballivis *Exon.* de decimis Molendini Domini Regis juxta Caſtrum *Exon.* quod eſt in manu ſua, cum Villa *Exon.* Teſte Rege apud *Weſtmonaſt.* quinto die *Julii.* Cuſtodiæ Honoris *Wallingeford* in Balliva ſua. Ballivis de *Cnaresburgh* in Balliva ſua.

Eodem modo ſcribitur Ballivis de *Gaitington* de decimis, &c. in villa de *Gaitington*, Ballivis de *Raikeſing*, & Ballivis de *Peakelington*, &c. in Balliva ſua. Vicecom. *Nottingham* & *Derbe* in cuſtodia ſua. Conſtabular. de *Bruges* in Balliva ſua.

Eodem

An. 10 H. 3. Eodem modo ſcribitur Conſtabular. de *Merleberg.* de Balliva ſua. Conſtab. *Diviſ.* & de *Merleberg.* de **Dominicis Domini Regis** quæ ſunt in cuſtodia ſua faciat habere. *R. Sarum* Epiſcopo, & aliis perſonis Eccleſiaſticis.

Eodem modo ſcribitur Conſtabul. de *Bruges* de **Polendino** de *Feneſton*, quod decimas **Polendini** illius ſolvi faciat Eccleſiæ, in cujus parochia **Polendinum** illud ſitum eſt.

Eodem modo ſcribitur Archiepiſcopo *Eborum*, quod decimas dare faciant de ſingulis **Dominicis Domini Regis** in **Balliva** ſua, et **Ballivis** de *Geipewico*, quod decimas dari faciant de ſingulis **Dominicis Domini Regis** in villa de *Geipewic.*

Ibidem, m. 3. dorſo. Eodem modo ſcribitur Ballivis de *Coiſham*, de decimis Fœni de **Dominicis Domini Regis** de *Coiſham* vandis Eccleſiæ de *Coiſham.*

Ibidem, m. 3. dorſo. REX ſcribit Abbati de *Wellebec*, quod de **Polendinis** quæ ad firmam habet de **Domino Rege** in parochia de *Ratford*, perſonis Eccleſiæ de *Ratford* decimas dari faciat. Teſte Rege apud *Weſtm.* 8 die *Octobris.*

* See Mr Seldens Hiſtory of Tithes. ch. 21. Regiſter, f 36 b. Fitz. Nat. Brev. 40 N.

Theſe I conceive were the firſt Original * Patents, Writs, Conceſſions, that made all the Kings Mills and Demeſnes liable to pay ſuch Tithes for the future, (from which they were formerly exempted by his Prerogative;) worthy our obſervation.

After which he iſſued theſe following Writs to the Biſhops for collecting and ſending accounts on ſet dayes of all arrears of the Quindiſmes they had granted to him.

Clauſ. 10 H. 3. pars unica, m. 14. dorſo. Literæ de Arreragiis Quintædecimæ. TAli Epiſcopo, ſalutem. Rogamus vos quatinus omni dilatione & occaſione poſtpoſitis, mittatis uſque *Weſtmonaſterium* aliquos de veſtris qui ad hoc ſufficiant, ita quod ibi ſint tali die coram venerabilibus patribus *J. Bathonienſi* & *R. Sarresberienſi* Epiſcopis, ad reddendum compotum et omnia arreragia quintædecimæ veſtræ de qua tenemini reſpondere. Ita quod ad prædictum diem, coram prædictis Epiſcopis, tam de compoto, quam de omnibus arreragiis quintædecimæ prædictæ ibidem nobis plene ſatisfaciant. Teſte Rege apud *Reading.* ſecundo die *Junii.*

REX Vicecomiti tali, ſalutem. Præcipimus tibi quod diſtringas omnes illos qui Juſticiarii fuerunt in Balliva tua ad quintamdecimam noſtram colligendam, quod ſint, vel pro ſe mittant aliquos de ſuis qui ad hoc ſufficiant apud *Weſtmonaſterium* tali die, omni dilatione et occaſione poſtpoſitis, coram venerabilibus patribus *J. Bathonienſi* et *Sarresberienſi* Epiſcopis, ad reddendum compotum, et omnia arreragia quintædecimæ noſtræ de qua tenentur reſpondere. Ita quod ad diem prædictum coram prædictis Epiſcopis, tam de compoto quam de omnibus arreragiis quintædecimæ prædictæ ibi nobis plene ſatisfaciant. Alioquin ſciturus, quod ad te nos inde capiemus. Teſte Rege apud *Reading.* ſecundo die *Junii.*

Archiepiſcopus *Cantuarienſis*, Epiſcopus *Roffenſis*, *Lincolnienſis*; Seneſcallus *Norwicenſis* Epiſcopi; Vic. *Suſſex.* & *Roteland.* } In Octabis Sancti *Baptiſtæ*, apud *Weſtm.*

Epiſcopus *Wintonienſis* ad eundem terminum de quintadecima & carucagio.

Epiſcopus *Londinenſis*, Abbas de *Waltham*, *Weſtm.* S. *Albani.* Vic. *Eſſex.* & *Hertford.* } In Craſtino Sancti *Johannis Baptiſtæ*, apud *Weſtm.*

Epiſcopus *Coventrenſis*, Epiſcopus *Herefordenſis*, Epiſcopus *Exonienſis*; Abbas de *Eveſham*, de Sancto *Edmundo*, de *Malmesbury*; Vic. *Wygornienſi*, *Stafford.* & *Salop.* } Die Sanctæ *Johannis Baptiſtæ* in 15 dies.

Clauſ. 10 H. 3. m. 22. dorſo. REX Epiſcopo *Lincolnienſi*, ſalutem. Mandamus vobis rogantes quatinus diligenter audiri faciatis compotos de quintadecima noſtra per **Ballivos** et miniſtros noſtros collecta, tam de terris noſtris et feodis quam virorum Religioſorum in Diocœſi veſtra, et compotos ipſos diſtincte et aperte in ſcripta redactos liberetis ſub ſigillo veſtro apud *Weſtm.* à die *Paſchæ* in 15 dies, coram venerabili patre *J. Bathonienſi* & *R. Sarresberienſi* Epiſcopis, una cum omnibus arreragiis ipſius quintædecimæ eiſdem Epiſcopis ibidem liberandis. Teſte *R. Londonienſi* Epiſcopo apud *Weſtm.* 25 die *Febr.*

Eodem modo ſcribitur omnibus Epiſcopis *Angliæ*, & Abbatibus exemptis, de terris & feodis ſuis.

Clauſ. 10 H. 3. m. 26. dorſo. REX *Willielmo Baſſet*, *Radulpho de Crumbwell*, *Willielmo de Vernun*, *Thomæ Tuſchet*, *Henrico de Derleg*, Canonico *Suwell* Clerico, *Roberto de Lot*, ſalutem. Mandamus vobis de ſingulis receptionibus quintædecimæ noſtræ per vos aſſiſæ & collectæ de illis qui quintamdecimam illam receperunt, & eam vobis liberaverunt compoto

coram

coram vobis diligenter audito, venire faciatis, omni dilatione & occaſione poſtpoſitis, coram venerabilibus patribus *J. Bathonienſi*, & *R. Sarresberienſi* Epiſcopis, vel eorum aſſignatis apud *Weſtm.* in Craſtino *Purificationis* beatæ *Mariæ*, duos ex vobis, ſcilicet unum Laicum & unum Clericum, ad reddendum ibidem pro vobis & pro ſeipſis **finalem compotum de univerſis et ſingulis receptionibus pædictæ quintædecimæ * diſtricte et aperte.** Ita videlicet, ut prædicti duo ſecum deferant, et ibidem reddant **omnia arreragia ejuſdem quintædecimæ, taliter in hiis vos gerentes, ne ſi aliquid omiſſum fuerit vel minus actum de pædictis, ad vos nos capere debeamus.** Mandavimus autem Vicecomiti *Notingham & Dereby*, quod ad hoc plenè diligenter exequend. partes ſuas interponat, prout opus fuerit, & vobis viderit expedire. Teſte meipſo apud *Weſtm.* 14 die *Dec.* Anno regni noſtri 10. *An.* 10 & 11 H. 3. * diſtincte.

REX Vicecomiti *Notingham* & *Dereby*, ſalutem. Mandavimus Juſticiariis præſcriptis, quod de ſingulis receptionibus Quintædecimæ noſtræ per eos aſſiſæ & collectæ, compoto coram eis diligenter audito de illis qui pecuniam illam recepęrunt, & eam illis liberaverunt venire faciat, omni dilacione & occaſione poſtpoſitis, coram venerabilibus patribus noſtris *J. Bathonienſi*, & *R. Sarresberienſi* Epiſcopis, vel eorum aſſignatis, in craſtinum *Purificationis* beatæ *Mariæ*, anno regni noſtri decimo, apud *Weſtm.* duos ex eis, ſcilicet, unum Laicum & unum Clericum, **ad reddendum ibidem finalem compotum de univerſis et ſingulis receptionibus pædictæ Quintædecimæ diſtincte et aperte: Ita videlicet, ut ſecum deferant et ibidem reddant omnia arreragia ejuſdem Quintædecimæ.** Tu igitur literas noſtras inde eis directas, eis ſine dilatione mittas, & ad hæc diligenter exequenda partes tuas interponas, prout opus fuerit & nobis videris expedire. Ita quod in nullo pro defectu tui damnum incurremus. Teſte meipſo apud *Weſtmonaſt.* 14 die *Decembris*, anno eodem. Ibidem.

Eodem modo ſcribitur Juſtic. & Vicecomitibus ſubſcriptis, mutatis tamen diebus ſolummodo, ut patet inferius.

Linc. *Thoma de Muleton*, *Alex.* &c. } à die *Purificationis* beatæ *Mariæ* in tres Septimanas.

There are other Writs to the like effect in the dorſe of the ſame Roll, which I pretermit; wherein I likewiſe meet with this gratuity and promiſe of a reward or Annual penſion by the King to a *Romiſh* Cardinal, to engage him to promote his affairs in the Court of *Rome*, where nothing was then attainable but by ſuch penſions or bribes to Popes and their Officers.

REX *S.* Titulo Sancti *Adriani* Diacono Cardinali, ſalutem. **Noveritis centum Marcas quas vobis miſimus poſt mortem Domini *J.* Regis patris noſtri, ex liberalitatis noſtræ mero dono, ut agendis noſtris expediendis impenſam diligentiam veſtram reſpiceremus vobis fuiſſe tranſmiſſas, cum non crederemus, nec adhuc nobis vel conſilio noſtro viſum ſit, quod ex facto dicti patris noſtri vobis teneamur in hac parte.** Parati tamen gratiam vobis & honorem impendere, dilectionem veſtram rogamus attencius, quatinus circa agenda noſtra nichilominus ſolliciti ſitis ſicut pęius, nec in hiis quæ ad nos tepide vos geratis, ſi placet, fiduciam certam habentes, quod diligenciæ veſtræ circa honoręm et commodum noſtrum impenſæ pariter et impendendæ, digna pro tempoře curabimus favente Domino viciſſitudine reſpondere. Teſte Rege apud *Weſtm.* 23 die *Octobris.* Clauſ. 10 H. 3. m. 1. dorſo.

I find in *Clauſe* 10 H. 3. *m.* 28. *dorſo*, this Entry: *Dominus Rex ſcripſit Domino Papæ*, **quod bene placet ei, ſi placet Domino Papæ et Capitulis** Liſſemor. et Waterford. **Eccleſiarum, quod uniantur ipſæ duæ Eccleſiæ; Ita tamen quod Sedes remaneat apud Waterford Civitatem Domini Regis.** To which receiving no *anſwer*, he ſeconded it with the * ſucceeding Epiſtle for their Union, which himſelf might have made without the Pope by his Prerogative Royal. * Here, p. 80.

In the Plea Rolls of *Hillary* Term, *An.* 11 *H.* 3. in the *Tower*, I found this accord made between the King and Archbiſhop of *Canterbury*, to the prejudice of the rights and forfeitures due to the Crown. *An.* 11 H. 3.

Plac. Term. Hillar. an. 11 H. 3. rot. 4. in Turre Lond.

Kent ſſ. *Cum contencio eſſet inter Dominum Regem & Dominum* S. Cantuarienſem *Archiepiſcopum ſuper quibuſdam libertatibus, videlicet, de judicio & juſticia faciendis de hominibus feodi ipſius Archiepiſcopi reſtatis & indictatis de pace Domini Regis infracta, & de attachiamentis faciendis de eiſdem hominibus, & de cuſtodia & incarceratione eorundem hominum, & de catallis fugitivorum, & de ſeiſinis faciendis de terris recuperatis in Curia Domini Regis, & de bobus habendis. Vt omnes malitiæ &*

An. 11 H. 3. *contenciones amoverentur, & plena pax inter eos firmaretur,* Dominus Rex ad inſtanciam et peticionem Magnatum ſuorum, et pro ſalute animæ ſuæ et animarum anteceſſorum ſuorum et ſucceſſorum ſuorum conceſſit; *Quòd cum aliquis de feodo ipſius Archiepiſcopi rectatus fuerit vel indictatus de aliquo quod ad Coronam Domini Regis pertineat, loquela illa in Curia Domini Regis per Inquiſitiones & alio modo plenè deducetur uſque ad Judicium, & tunc ad requiſitionem Ballivorum ipſius Archiepiſcopi mittetur loquela illa in Curia ejuſdem Archiepiſcopi, ut ibi præſentibus duobus Juſtic. Domini Regis vel tribus* Judicium et Juſtitia ibi fiant, *ſive homo ille deliberandus ſive dampnandus. Habeat eciam Archiepiſcopus cuſtodiam & incarcerationem talium hominum.* Conceſſit eciam, quod habeat catalla hominum fugitivorum de feodo ſuo, et quod per Ballivos ipſius Archiepiſcopi fiant ſeiſinæ de terris quæ ſunt de feodo ſuo recuperatis in Curia Domini Regis, ſive per aſſiſam, ſive alio modo: Et quod Archiepiſcopus habeat boves occaſione earundem ſeiſinarum habendos. Attachiamen. eciam facienda de hominibus feodi Archiepiſcopi fiant a Ballivis ipſius Archiepiſcopi per viſum ſervientis Domini Regis, *&c.*

Thus did the Archbiſhop then gain upon the rights and prerogatives of the Crown, to advance his own grandeur and ſeignory.

In the ſame Term, I find this Suit for proſecuting a Suit in Court Chriſtian for Chattels and Debts not of *Teſtament* or *Matrimony*, againſt the Kings Prohibition.

Plac. de Term. Hillar. An. 11 H. 3. rot. 9 intus, in Turre London.

Robertus Halcrum *obtulit ſe 4 die verſus* Herbert. *Canonicum Sancti* Pauli London. *de plac.* quare ſecutus eſt placit. in Curia Chriſtianitatis, *de catallis quæ non ſunt*, &c. Ibid. dorſo. *Bedf.* Richardus *Prior de* Barſtaple attachiatus fuit ad reſpondend. Johanni de Juſtue et Ric. Inge, quare traxit eos in placitum in Curia Chriſtianitatis de catallis ipſorum Johannis et Richardi quæ non ſunt de Teſtamento vel Matrimonio, *&c.* contra Prohibitionem, *&c. Et Prior venit & dicit*, quod non implacitavit eos niſi de Decimis et Oblationibus et his quæ pertinent ad Eccleſiam ſuam. *Eodem modo reſpondit contra* Johannem Papmol, Alexand. Juvenem, (and ſeven more there named) quare ſecutus eſt eos de eodem, &c.

Tom. 2. p. 406. l. 15. after *ut*, this Patent ſhould have been inſerted.

Pat. 11 H. 3. parte prima, m. 11: Hibernia de auxilio fac. Dom. Regi.

REX venerabili patri *H. Dublin.* Archiepiſcopo & ſuffraganeis ſuis, ſalutem. Cum Dominus Papa ſtatu rerum et temporum exigente multiplici nos viderit auxilio indigere, ac propter hoc tanquam pius pater et providus auxilium nobis liberaliter mandaverit, de bonis et poſſeſſionibus Eccleſiaſticis tam in *Hibernia* quam in *Anglia, &c.* (*verbatim, as in that there printed to the Abbots.*) Ut autem vos & totum *Hiberniæ* Clerum ſecuros efficiamus & certos, quod non trahetur in conſequentiam, vel præjudicium generabit Eccleſiaſticæ libertati ſubventionis hujuſmodi exhibitio, ſuper hac Immunitate veſtra et totius *Hiberniæ* Cleri, literas noſtras patentes conceptas in eadem forma qua Prælatis et Clero *Angliæ* literas noſtras conſimiles dedimus, vobis duximus tranſmittendas. Teſte Rege apud *Weſtmonaſt.* 10 die *Decembris.*

Eodem modo ſcribitur *Armakano* Archiepiſcopo, *Tuamenſi* Archiepiſcopo, *Caſſellenſi* Archiepiſcopo.

De Immunitate pro eodem Auxilio.

REX Archiepiſcopo *Dublin.* & ſuffraganeis ſuis, ſalutem. Cum Dominus Papa *Honorius* tertius propter urgentia negotia noſtra, Archiepiſcopis terræ noſtræ *Hiberniæ* per literas Apoſtolicas dediſſet in mandatis, ut Clerum *Hiberniæ* ſibi ſubditum moverent diligenter & inducerent, quod de beneficiis ſuis competens auxilium caritative nobis facere debent, ad conſervationem pacis Eccleſiaſticæ et regni noſtri *Angliæ*, et ad recuperationem juris hæreditatis noſtræ, Clerus præfatus ad faciendum præmiſſa prona devotione inductus, liberaliter conceſſit & benignè ſextamdecimam partem beneficiorum ſuorum ſecundum æſtimationem * 1. anni competentem; Ita quod ex hac gratia gratis et liberaliter tunc nobis impenſa, proceſſu temporis Eccleſiis vel Eccleſiaſticis perſonis ſeu beneficiis nullum poſſet aliquatenus præjudicium generari. Nos igitur nolentes occaſione gratiæ et liberalitatis nobis ut præmiſſum eſt affectu favorabili impenſæ, Eccleſiæ Dei, Archiepiſcopis, Epiſcopis, aliiſve Prælatis, Clericis aut Eccleſiaſticis ſeu Religioſis viris, vel Eccleſiaſticis poſſeſſionibus quibuſcumque, vel feodis, vel hominibus eorum præjudicium, vel gravamen aliquod aliquo tempore generari, nec ſimilem præſtationem trahi poſſe in conſuetudinem vel debitum, præſentibus literis noſtris cum multiplici gratiarum actione proteſtamur, beneficium taliter nobis collatum ex ſola liberali gratia

* unius.

Cleri

Cleri prœcelliſſe, nec illud a nobis, vel hæredibus noſtris occaſione, vel exemplo tali in debitum vel conſuetudinem trahi poſſe. In cujus, &c. fieri fecimus. Teſte ut ſupra. *An.* 11 & 12 Hen. 3.

Eodem modo ſcribitur prædictis Archiepiſcopis *Hiberniæ*.

Tom. 2. p. 408. l. 2. after *Novembris*, adde; The King needing the Popes and Cardinals aſſiſtance in a buſineſs which highly concerned his exaltation and honour, writ theſe enſuing gratulatory and cómplemental Epiſtles to them, fully to promote and effect it.

DOmino Papæ, ſalutem. De beneficiis ineffabilibus à ſanctitate veſtra nobis piè collatis, devoti et humiles ad gratiarum vobis aſſurgimus actiones; ſignificantes Dominationi veſtræ, quod tranquilla pace per totum regnum noſtrum nobis integrè reddita, & ſtatu noſtro per omnia jocundius & plenius ſolito, divina præventi gratia gratulamur. Verum cum ex gratia ſanctitatis veſtræ dependeat, ut ad plenum reſpiremus, pedibus ſanctitatis veſtræ provoluti miſericordiam veſtram imploramus, (quatinus cum Eccleſia *Romana* nobis ſibi præ cunctis terræ principibus ſpecialiter et ſoliciter aſtricta) teneatur non deeſſe, negotium pro quo pridem ad vos deſtinavimus venerabilem patrem *A. Coventren.* Epiſcopum, in cujus negotii promotione conſiſtit exaltatio noſtra, et honoris noſtri perpetui ſpes certiſſima, ea affectione curetis expedire, (ſi placet) qua perſonam noſtram, et ſummæ promotionis noſtræ maturatum diligitis effectum. Teſte Rege apud *Weſtm.* 18 die *Jan.* Clauſ. 11 H. 3 pars 2. m. 22. dorſo.

CArdinali ſic. De beneficiis innumeris a ſanctitate veſtra nobis impenſis, ad devotas vobis aſſurgimus gratiarum actiones; Significantes dilectioni veſtræ, quod tranquilla pace, *&c.* ut ſupra. Verum cum ex gratia ſanctitatis Apoſtolicæ, (quam ſuppler et devotus requirit venerabilis pater *A. Coventrenſis* Epiſcopus, ad Curiam *Romanam* nuper tranſmiſſus) dependeat ut ad plenum reſpiremus; et in ea maxime conſiſtant exaltatio noſtra et honoris noſtri perpetui ſpes certiſſima; ad obtinendum quod petit pro nobis, ea velitis affectione laborare, qua perſonam noſtram et ſummæ promotionis et reſtitutionis noſtræ maturatum diligitis effectum. Teſte ut ſupra. Ibidem.

In hac forma ſcribitur *G.* Titulo ſancti *Martini* Præsbytero Cardinali, *S.* Titulo ſancti *Adriani* Diacono Cardinali, *J.* Titulo ſancti *Pravedis* Præsbytero Cardinali, *H. Hoſtienſi* & *Willetrenſi* Epiſcopo, *S. Baſilicæ* 12 *Apoſtolorum* Præsbytero Cardinali, *R.* Titulo ſanctæ *Mariæ* in *Coſmedin. Th.* Titulo ſanctæ *Sabinæ* Præsbytero Cardinali, et univerſis Cardinalibus per litteras patentes.

In the Plea Rolls in the *Tower*, *Term. S.* Michaelis, *An.* 12 H. 3. I found theſe enſuing Suits for holding Pleas againſt the Kings Prohibitions in Courts Chriſtian. *An.* 12 H. 3.

Willielmus de Cobevill *obtulit ſe* 4 *die verſ. Dom. Archidiaconum* Dorſet. & Rich. *Decanum de* Bedepar, *de plac.* quare tenuerunt placitum in Curia Chriſtianitatis de laico feodo ſuo in Badwaddon; & *contra Magiſtrum* Rogerum de Ponteſham, *de plac.* quare ſecutus eſt idem placitum in eadem Curia contra Prohibitionem Domini Regis, *&c. Et ipſi non venerunt*, &c. Dorſet.

Engeramus de la Shagh *obt. ſe* 4 *die verſ.* Johannem *Decanum de* Preſton, *de plac.* quare tenuit plac. *&c.* de laico feodo ipſius Eng. in Engleham en la Shagh, contra Prohibitionem Dom. Regis: *Et verſ.* Johannem *Perſonam Eccleſiæ de* Hileworth, quare ſecutus eſt placit. illud, &c. *Et ipſi non venerunt*, &c. Rot. 10. Northampt. ſi.

Willielmus *Præcentor de* Kernewell, & *Magiſtr.* Johannes *Penitentiarius de* Ely attachiati fuerunt ad reſpond. Roberto fil. Walteri, quare tenuerunt placitum in Curia Chriſtianitatis de Advoc. Eccleſiæ de Sevechaux contra Prohibitionem Regiam; & Andr. de Stallerns *ſum. fuit ad reſpondend. eidem* Roberto; quare ſecutus eſt placitum de eadem Advocat. contra eandem Prohibitionem: *Et Præcentor & Magiſt.* Johannes *veniunt & defendunt*, quod non tenuerunt placit. contra Prohibitionem Regiam; *ſed revera aliquod tenuerunt placitum, ſicut prædict. eſt contra* Andræum, Petrum & Richardum *Clericum, Perſonam de* Sevexes, *de hoc petunt Eccleſiam de* Sevechaux, ut Capellam pertinent. ad Eccleſiam ipſius Andreæ de Hundon: *ſed ſtatim* poſtquam mandatum Dom. Regis de Prohibitione ſuſceperunt, ceſſaverunt; et hoc idem dicit Andræas. *Et* Robertus *filius* Walteri *per Attorn. ſuum dicit*, quod poſt Prohibitionem illam Excommunicaverunt Richardum Clericum ſuum, niſi idem Richardus amitteret Eccleſiam ſuam: *Et Judices dicunt*, quod hoc fuit ante Prohibitionem propter contumaciam ſuam; *Et benè concedunt*, quod amplius non tenebant placitum, et quod abſolvent eum. *Et ideo ſine die.* Ibid. Rot. 14 Cantebrig. ſi.

An. 12 H. 3. Johannes de Burghill *Clericus opt. se 4 die vers.* Rob. *Vicar. de* Burghill, de placit. quare secutus est placit. in Curia Christianitatis de laico feodo ipsius Roberti in T.
Ibid. Rot. 21. contra Prohibitionem Regiam; *Et quia non venit* attachiatus fuit, *&c.*
Hereford. S. Tom. 2. p. 416. l. 6. adde; The King likewise sent this Epistle to the Emperour.

Clauſ. 12 H. 3. m. 22. IMperatori, *&c.* Ecclesiastica pace gaudere, et de inimicis Crucis Christi triumphum. Venientem ad nos Imperialis Aulæ nuncium præsencium latorem Militem vestrum, affectu quo decuit recepimus, & porrectis nobis literis Celsitudinis vestræ audivimus & intelleximus diligenter, quæ fuerant in eisdem contenta super statu vestro, & aliis quæ circa personam vestram nuper acta dicuntur, de quibus ante susceptionem nuntii & literarum vestrarum Dominus Papa per literas suas nos secerat certiores: pro quo, si placet Dominus noster, nihil indignationis concipiat, si vos usquequaque non scribimus ad præsens ut deceret, licet ad vos & honorem nominis vestri sincerum nichilominus habuimus affectum. Condolemus quidem, et compatimur quatinus possumus Majestati vestræ, parati pro viribus offensæ vestræ mederi, et Imperiali Celsitudini subvenire, honoris Ecclesiastici semper integritate servata. Attendentes quidem quantum discrimen immineat negocio crucifixi in odio et discordiæ seminario, quod humani generis inimicus inter Ecclesiam *Romanam* et vos nititur excitare, quantum eciam periculum orbis terrarum exspectare possit ex eodem, sperantes eciam ex parte alia, quod Dominus Papa salubribus Consiliis et precibus nostris et monitis, (utpote qui ei inter cæteros mundi Principes magna et speciali devotione quadam sumus astricti) facilem et favorabilem præbere debeat auditum. Scripsimus eidemcum multo precum et consilii conatu, quatinus humanæ mentis motu domi recluso, ad liberacionem Terræ sanctæ dirigat intuitum interioris hominis et affectum, injuriarum oblivisceus hiis diebus quas, alio forte tempore postente, justicia cogeretur ulcisci, ut eciam vos sine cujus ministerio liberacionem Terræ præfatæ mundus nescit indicare, ad manum suam et Ecclesiæ pacem modis omnibus satagat revocare. Sane quia non nocet admisso subdere calcar equo, currentem decrevimus monere, dum vobis consulimus & facere suademus quod præter consilium nostrum facturi estis eciam non rogati. Consilium igitur nostrum est, ut non contempnentes Ecclesiæ manum quam in personam vestram extendit, relaxacionem sententiæ luæ, pietatis instanter nichilominus insistentes proposito, quod pro liberacione patrimonii Jesu Christi a primævo tempore vestro laudabiliter concepistis, quod absit, hoc tempore quo tradidit omnipotens Deus in manibus vestris vires mundi, tepescere videamini a consummacione laboris quem vobis fœlix fortuna commendavit. Teste ut supra.

This Epistle he seconded with another enrolled in the *Clause Rolls* in the *Tower.*

Clauſ. 12 H. 3. m. 12. dorso. EXcellentissimo Principi & dilecto sibi in Christo amico *F.* Dei gratia *Romano* Imperatori, *&c. H.* eadem gratia Rex *Angliæ, &c.* Ecclesiastica pace gaudere, et de inimicis Crucis Christi triumphum reportare: Literas magnificentiæ vestræ eo quo decuit honore suscepimus, et gratiarum actione gaudentes, si jam transfretastis in obsequium Crucifixi, prout Literæ vestræ continebant. Monemus igitur excellenciam vestram, et exhortamur in Domino, quatinus in illis vos exercentis operibus solliciti quæ Deo et sacrosanctæ Ecclesiæ cedant ad honorem. Ex affectu enim sincero quem erga vos gerimus desideramus, ut in arrepto itinere sic procedatis, ut Deo et Ecclesiæ reconciliati, gloriam exinde reportetis et honorem. Speramus enim in Domino, quod si inceptis vestris secundum Deum et honorem Ecclesiæ processeritis, multi exemplo strenuitatis vestræ promptiores et paratiores invenientur ad succursum Terræ sanctæ. Teste Rege apud *Westm.* 15 die *Julii.*

Clauſ. 12 H. 3 m. 12. dorso. DOmino Papæ. Sanctitatis vestræ Literas devocione qua decuit recepimus, continentes narracione brevi defectum succursus Terræ Sanctæ, quem in præsenti sperabatis per ministerium Imperatoris ordinatum fuisse. Sanè dolorem vestrum, quem brevem esse decet, non audivimus sine dolore maximo, cum in salute vestra et Ecclesiæ statu pacifico, regnancium pax consistit et regnorum. Recepimus autem postmodum Literas Imperatoris, qui de multis gravaminibus et injuriis ei, ut dicebat, præter suorum exigenciam meritorum, conquerendo, in eisdem Literis notum fecit nobis, sicut & in aliis regnis publicasse se dicit, quod in medio instantis *Maii* proponit nichilominus transfretare. Literas easdem ostendimus Clerico vestro Magistro *Stephano* tunc præsenti nobiscum: De cujus consilio, Imperatori restripsimus consulendo, ut a debita vobis et Ecclesiæ devocione nullius temeritatis ausu recedens, similiter obediat et obsequatur, *&c.* Vobis siquidem ut Patri

et

et Domino, cui in tocius fidelitatis et obsequii plenitudine adesse volumus et tenemur, consulimus in Domino pro negocio Terræ Sanctæ, cujus liberacionem mundus desiderare debet ardenter, quatinus eundem si cum humilitate debita ad cor reverti voluerit, vestrisque parere mandatis, misericorditer recipere velitis ad pacem. Teste Rege apud *Westm.* 20 die *Febr.* *An.* 12 H. 3.

Tom. 2. p. 432. l. 27. before *How*, insert; The Dean and Chapter of *Imileth* in *Ireland* unanimously elected this *John Colingham* their Chancellor for their Bishop; whom yet the Archbishop refused to confirm and consecrate, because elected without the Kings license and subsequent approbation: Pope *Gregory* the 9th. upon their appeal and complaint issued this Bull to the Archbishops of *Armach* and *Dublin* and the Bishop of *Fern*, to examine the merits of the election and person, and to confirm and consecrate him if canonically elected, and inflict Ecclesiastical censures on the opposers; the original whereof I found in the *White Tower* Chappel.

GREGORIUS Episcopus, servus servorum Dei; venerabilibus fratribus *Armachan.* & *Casselen.* Archiepiscopis, & Episcopo *Fernensi*, salutem & Apostolicam benedictionem. Ex parte dilectorum filiorum, Decani & Capituli *Imilacen.* fuit propositum coram nobis, quod eorum Ecclesia Pastoris solatio destituta, ipsi, ad quos electio Episcopi pertinebat, ad tractandum de futuri substitutione Prælati simul in Capitulo convenerunt: ad quorum vota scrutanda tres assumpti fuerunt de suo Collegio fidedigni, qui, singulorum voluntatibus inquisitis & publicatis, postmodum in communi cum fuisset, habita diligenti collatione repertum, quod omnes in Magistrum *Johannem*, Cancellarium ejusdem Ecclesiæ convenissent, ipsum invocata Spiritus sancti gratia, in suum Episcopum eligerunt. Cumque a te (frater Archiepiscope *Cassalensi*) confirmari electionem suam humiliter supplicassent, tu, sicut exposuisti per literas tuas, licet tam electionis quam electorum et Electi studiis inquisitis et meritis, invenisses electionem de persona idonea canonice celebratam, eam tamen omisisti hactenus confirmare: unde a nobis fuit ex parte prædictorum Decani et Capituli suppliciter postulatum, ut cum viduatis Ecclesiis mora in præficiendo sibi Pastorem contueverit esse damnosa, providere super hoc paterna sollicitudine dignaremur. Quocirca fraternitati vestræ per Apostolica scripta mandamus, quatinus occasione et timore postpositis, de electionis, electorum et Electi meritis inquisitis, si vobis constiterit, de persona idonea canonice celebratam electionem eandem, confirmationis et consecrationis munus impendatis Electo, et ei faciatis, sicut eorum Episcopo, obedientiam et reverentiam exhiberi. Contradictores per censuram Ecclesiasticam, appellatione postposita, compescendo. Quod si non omnes hiis exequendis potueritis interesse, duo vestrum ea nichilominus exequantur. Dat. *Anagniæ*, 6 Non. *Julii*, Pontificatus nostri anno primo. An. 12 H. 3. in Turre Lond.

Whereupon the King appointed *Laurence* of *London* his Proctor to defend the rights of his Crown before these Delegates, against this Bishop, being elected without his precedent License or Royal assent.

In the Fragments of *Placita Assisarum Term. S.* Mich. *anno* 12 H. 3. *Rot.* 13. *dorso*, (extant in the *Tower* of *London*) before the Justices Itinerant, I met with this memorable Attachment for suing in Court Christian for all the Tithes belonging to a Chappel, and by consequence for the Advouson it self; the first of this Kind I have observed.

Magister Ricardus de Esseburn *attachiatus fuit ad respondendum* Johanni de Sancto Georgio, quare secutus est placitum in Curia Christianitatis contra prohibitionem Domini Regis, de advocatione Capellæ ipsius. Johannis de Tudeham; *unde idem* Johannes *dicit*, *quod antecessores sui fuerunt in seisina de advocatione ipsius Capellæ per* 100 *annos*, *& semper præsentaverunt ad eandem Capellanum*. *Et prædictus* Ricardus *exigit ab eo* omnes decimas ad eandem Capellam spectantes, et ita * indirecte et advocationem, quia si amitteret decimas illas, ita per consequens amitteret advocationem illius Capellæ.

* The ground of the Writ of Indicavit, in like cases, Register, f. 35, 36. Fitz. Nat. Brev. 44, 45.

Et Ricardus *venit & dicit*, *quod de nulla advocatione trahit eum in placitum*, sed revera Capella illa sita est infra Parochiam suam, et Ecclesia sua semper habuit tertiam partem decimarum de garbis, et minutas decimas. Ita quod antecessores ipsius *Johannis* dederunt suas partes illarum decimarum quibusdam Monachis qui illas diu tenuerunt; et postea concesserunt cuidam Capellano decimas illas, qui illas decimas diu tenuit et nunc clamat in Capella, unde Episcopus loci sequestravit decimas illas in manum suam et tenet illas. Et prædictus Johannes semper tenuit illas

An. 12 H 3. illas in manu ſua ſine ſervicio quod faceret Capellæ illi. Et unde idem Ricardus petit illas ſicut de aliis parochianis ſuis, et non alio modo, &c.

Poſtea convenit inter eos, quod ſi prædictus Johannes *habeat ibi Capellanum* qui Capellæ illi deſerviat. libenter concedit idem Capellano decimas illas percipiendas; alioquin non concedit, quod decimæ remanerent in manu laicali.

By which Record and Plea it is evident: First, That owners of Lands originally, as well as our Kings, did by their Charters give their Tithes to what perſons or Churches they pleaſed, as all the *Chartæ Antiquæ*, and * Mr. *Selden's* Hiſtory of Tithes abundantly evidence. 2ly. That they might lawfully give their Tithes to a Chappel, to maintain a Chaplain to do Divine Services therein; which gifts were admitted good in Law againſt the Parſon of the Pariſh Church within which the Chappel was ſituated. 3ly. That the Biſhop ſequeſtred the Tithes belonging to the Chappel; that the Parſon of the Pariſh claimed them, whiles there was no Chaplain to officiate in it; and that the Patron could not juſtly detain them in his own hands, during the vacancy of a Chaplain.

* Chap. 11, 12.

The Kings Tenants *in Capite*, and others alienating ſome of their Tenements to religious Houſes without his ſpecial Licenſe, and others of them removing from their Tenements held of the King to the Lands held of Monaſteries, to his prejudice; he thereupon iſſued Proclamations to all Sheriffs, to prohibit ſuch Alienations and Removals; and to inquire of all offences of this kinde, before the Statute of *Mortmain*.

Clauſ. 12. H. 3. m. 12 dorſo. REX Vic. *Kanc.* ſalutem. Præcipimus tibi, quod ſtatim viſis Literis illis per totam Ballivam tuam clamari facias, quod nullus qui de nobis tenet in Capite in Balliva tua, et Dominicis noſtris, ſicut corpus et tenementum ſuum diligit, aliquid de tenemento ſuo conferat, vel vendat, vel aliquo alio modo alienet alicui Domui religioſæ, vel aliquibus perſonis Eccleſiaſticis ſine licentia noſtra. Firmiter etiam prohibeas quod nullus de nobis tenens in Capite, ſive miles, ſive liber homo, ſive alius ſe transferat a terra quam de nobis tenet, ad terram alicujus domus religionis vel perſonæ Eccleſiaſticæ ad manendum ſuper eam, per quod ſimus perdentes in ſervitiis, tallagiis, vel aliquibus aliis modis ad nos pertinentibus. Diligenter etiam inquiras per ſacramentum proborum et leg. hominum Com. tui, qui de hominibus noſtris de nobis tenentibus in capite Dominicis noſtris, ſicut proviſum eſt, dederint, vel vendiderint, vel alio modo alienaverint aliquid de tenementis ſuis, et quibus viris Religioſis vel Eccleſiaſticis perſonis ea alienata fuerint, et a quo tempore, et quantum ſingula illa tenementa alienata valeant. Et inquiſitionem inde factam, &c. nobis mittas, et has Literas. Teſte Rege apud *Weſtm.* primo die *Febr.*

* See Godwins Catalogue, p. 516.

The * King conſenting to the Election of *Richard Poor* Biſhop of *Salisbury* to the Church of *Durham*, after his refuſal of him they firſt elected; he thereupon iſſued theſe Writs concerning the reſtitution of the Temporalties of *Durham*, (excepting two Caſtles) and of the *Corn* he had ſown on his Temporalties of *Saliſbury*.

Clauſ. 12 H. 3. m. 5. DOminus Rex ordinacioni, ſcil. de ven. Patre *R.* quondam *Sarr.* Epiſcopo in Epiſcopum *Dunholm.* aſſenſum Regium præbuit et favorem. Et mandatum eſt Magiſtro *Stephano de Lucy*, quod Caſtris de *Norham.* & de *Dunholm.* in manu Domini Regis retentis, Ballivis ipſius Epiſcopi ſeiſinam habere faciat; Appoſita etiam ſalva cuſtodia in eiſdem Caſtris, ad nos ſine dilacione veniatis nobiſcum locuturi. Teſte Rege apud *Weſtm.* 22 die *Julii.*

Et mandatum eſt Vic. *Wilts*, quod Magiſtro *Elya de Derham*, & *Reginaldo de Kanc.* quibus Dominus Rex Epiſcopatum *Sarr.* vacantem commiſit cuſtodiendum quamdiu Domino Regi placuerit, in hiis quæ ad prædictum Epiſcopatum pertinent iſta vice in nullo ſe intromittant. Teſte ut ſupra.

Eodem modo ſcribitur Vic. *Surr. Dorſet. Glouc. Berk.*

Et mandatum eſt prædicto *Reginaldo de Kanc.* quod prædictus *R.* Epiſcopatui cuſtodiendo una cum prædicto Magiſtro *Elya* diligenter intendat. Ita quod cum Epiſcopus *Dunholm.* in partes *Sarr.* veniat ſacramentum præſtet coram eo de prædicto Epiſcopatu cuſtodiend. fideliter, ſicut prædictum eſt.

Dominus Rex conceſſit rev. pat. *R.* quondam *Sarr.* Epiſcopo, nunc *Dunelm.* omnia blada inſtantis autumpni quæ ſunt in Dominicis Epiſcopatus *Sarrum*, quæ quidem blada idem Epiſcopus ſeminari fecit in eiſdem Dominicis. Ita quod idem Epiſcopus blada ſua colligi faciat per occupationes & conſuetudines debitas maneriorum ejuſdem Epiſcopatus; Retentis autem de eiſdem bladis ſemine ad prædicta Dominica ſeminanda, et liberationibus ſervientum quantum neceſſe fuerit.

Et

Et mandatum eſt Magiſtro *Elyæ de Derham*, & *Reginaldo de Kancia*, quod eidem Epiſcopo blada prædicta habere faciant, ſicut prædictum eſt. Teſte ut ſupra. *An.* 12 H. 3.

Tom. 2. p. 421. l. 48. adde.

ET mandatum eſt Vic. *Northumbr.* quod occaſione vacationis illius Eccleſiæ manum ad eam non mittat, nec in aliquo ſe intromittat, quia Dominus Rex nolens venire contra factum prædeceſſorum ſuorum, mandavit *Eborum* Archiepiſcopo, ut ſupra continetur. Clauſ. 12 H. 3. m. 14.

The King this year iſſued this Writ to the Committees of the Temporalties of the Archbiſhoprick of *Canterbury* to deliver all the Goods of Archbiſhop *Stephen Langeton* to his Executors to perform his Will, and to enquire and certifie what Stock he received, and how to diſpoſe of the Corn then growing.

REX *Bertramo de Cryoil.* & *Alano Pomant.* ſalutem. Mandamus vobis, quod omnia blada de anno præterito quæ fuerunt *S.* quondam *Cantuar.* Archiepiſcopi in maneriis Archiepiſcopatus, & omnia Catalla tam in Animalibus quam in Inſtauris, & aliis, quæ fuerunt ejuſdem Archiepiſcopi, habere faciatis ven. P. *A. Coventr.* & *H. Roff.* Epiſcopis, Magiſtro *Simoni de Langeton* Archidiacono *Cantuar.* Magiſtro *Th. de Frekenham*, & Magiſtro *Elyæ de Derham*, Executoribus Teſtamenti ipſius Archiepiſcopi, ad executionem ejuſdem Teſtamenti libere faciendam. Et ſi quid inde amotum fuerit vel diſtractum, id venire et eiſdem Executoribus reddi faciatis. Blada verò inſtantis autumpni de terris quæ fuerunt ipſius Archiepiſcopi, per ſervientes qui fuerunt apud ſingula maneria tempore prædicti Archiepiſcopi, per operationes & conſuetudines debitas hominum de eiſdem maneriis, & ad cuſtum de eodem blado faciend. colligi faciatis, accepto ab eiſdem ſervientibus Sacramento, quod ſine vaſto et diſtractione blada illa ſub vobis fideliter colligent, et ſalvò cuſtodient: Et ſi videatur Executoribus prædictis quod aliqui de prædictis ſervientibus minus idonei fuerint ad prædicta utiliter facienda, & Executores ipſi alios loco eorum quos viderint magis idoneos vobis præſentaverint, illos ad prædicta facienda recipiatis, accepto ab eis ſimili Sacramento, quod ſicut et alii blada prædicta ſub vobis colligent et ſalvo cuſtodient. - Diligenter eciam inquiri faciatis per ſacramentum proborum et legalium hominum de ſingulis maneriis per quos rei veritas melius inquiri poteſt, * quantum inſtauri ut in bobus, vaccis, equis, et aliis, idem Archiepiſcopus recepit tempore quo Archiepiſcopatum prædictum recepit. Et inquiſitionem inde factam diſtinctè & apertè in ſcriptum redactam nobis ſcire faciatis apud *Weſtm.* ad Scaccarium noſtrum à feſto Sancti *Michael.* in unum menſem. Teſte Rege apud *Weſtmonaſt.* 22 die *Julii.* Clauſ. 12 H. 3. m. 5. dorſo,

* His Executors being obliged to leave, or make good as much.

Tom. 2. p. 423. l. 28. after *evidenced*, adde: I find this Writ iſſued to certain Commiſſioners to take, examine and certifie the Archbiſhop of *Dublin*'s account concerning the monies raiſed out of the vacant Biſhopricks in *Ireland* granted to him, and concerning the remainder of the debts due to him.

MAndatum eſt *J. Fernenſi* Epiſcopo, & *R. de Burgo* Juſtic. *Hiberniæ*, & *G. de Thurevill* Archid. *Dublin.* quod audiant compotum *H. Dublin.* Archiepiſcopi, de Archiepiſcopatibus et Epiſcopatibus vacantibus, et terris, et firmis, et redditibus qui extiterunt in manu ſua ad percipiendum fructus inde provenientes, in parte ſolutionis debitorum quæ Dominus Rex eidem Archiepiſcopo debet, et compoto illo diligenter audito fructus quos idem Archiepiſcopus inde recepit, et L. lib. quas Domino Regi conceſſit pro quintadecima ſua de Dominicis ſuis, in debito prædicto in quo Dominus Rex ei tenetur, eidem Regi faciant allocari. Ita quod Dominum Regem certificare poſſint de quanto ipſum ſe Dominus Rex verſus ipſum Archiepiſcopum acquietaverit, et quantum reſtet de prædicto debito ſolvendo. Teſte Rege apud *Weſtm.* 10 die *Maii.* Clauſ 12. H. 3. m. 8.

What other Rents he had granted him in *Ireland* toward the ſatisfaction of his Debts, and how they grew due by his ſervices for King *John* in the Court of *Rome*, and as his own Chief Juſtice in *Ireland*, this Record will inform us.

REX eidem *Ricardo*. Sciatis, quod in ſolutione debiti quod debemus venerabili patri *H. Dublin.* Archiepiſcopo, pro mutuo quod fecit pro Domino *J.* Rege patre noſtro per præceptum ſuum, et pro expenſis ſuis factis per ipſum Archiepiſcopum in Curia *Romana* pro negotio ipſius patris noſtri expediendis, et pro expenſis quas idem Archiepiſcopus fecit in ſervitio noſtro in *Hibern.* dum ultimo fuit Juſtic. noſter *Hibern.* aſſignavimus eidem Archiepiſcopo Centum libras de firma Civitatis noſtræ de *Limerik*, recipiendas ad duos terminos, videlicet ad feſtum Sancti *Michaelis* Clauſ. 12. H. 3. m. 8. Hibern. pro Archiep. Dublin.

An. 12 & 13 Hen. 3. *chaelis* quinquaginta libras, & ad *Paſchæ* quinquaginta libras. Aſſignavimus etiam eidem Archiepiſc. in ſolutione ejuſdem debiti, quinquaginta marcas per annum percipiend. de firma Civitatis noſtræ *Dublin.* ſicut plenius continetur in noſtris patentibus quas inde fieri fecimus. Et ideo vobis mandamus, quod prædictas centum libras de firma prædictæ Civitatis *Limerik*, & prædictas quinquaginta marcas de firma Civitatis noſtræ *Dublin.* eidem Archiepiſcopo recipere permittatis, quouſque prædictum debitum ei perſolvatur. Teſte ut ſupra.

What Penſion the Biſhop of *Fern* received from the King in *Ireland* for his Service, is thus recorded in the ſame Roll.

Ibidem, Hib. piſcopo

REX dilecto & fideli ſuo *Ricardo de Burgo* Juſtic. ſuo *Hibern.* ſalutem. Sciatis quod loco quadraginta librarum quas venerabilis pater *J. Fernenſis* Epiſcopus percipere ſolebat ſingulis annis per præceptum noſtrum de manerio noſtro de *Novo Caſtello* de *Lenan.* ad ſe ſuſtentandum in ſervitio noſtro, conceſſimus eidem Epiſcopo, quod recipiat de cætero ad Scaccarium noſtrum *Dublin.* ſingulis annis ad ſe ſuſtentandum in ſervitio noſtro 40 libras, videlicet ad Scaccarium Sancti *Michaelis* 20 libras, & ad Scaccarium *Paſchæ* 20 libras. Ita tamen quod habeat blada ſua ejuſdem manerii de hoc autumpno anno regni noſtri 12. Et ideo vobis mandamus, quod ex quo prædicta blada fuerint collecta, manerium illud in manum noſtram capias, & de conſilio ipſius Epiſcopi, & aliorum fidelium noſtrorum ad commodum noſtrum ſalvo cuſtodiri faciatis, computatis eidem Epiſcopo rationabilibus & neceſſariis expenſis quas poſuit in emendatione domorum ejuſdem manerii. Teſte meipſo apud *Weſtm.* 8 die *Maii*, anno, *&c.* 12.

The Biſhoprick of *Imelic* in *Ireland* becoming voyd, the King granted the cuſtody thereof by this Patent to *Ralph* of *Norwich* his Clerk.

Ibid. m. 9. Hibern. De Epiſcopatu Imelic.

REX *Ric. de Burgo* Juſtic. ſuo *Hibern.* ſalutem. Sciatis quod commiſimus dilecto & fideli Clerico ſuo *Rad. de Norwic.* Epiſcopatum *Imelicen.* vacantem cuſtodiendum quamdiu nobis placuerit. Et ideo vobis mandamus, quod eidem *Rad.* vel certo nuncio ſuo has literas deferenti de omnibus quæ ad prædictum Epiſcopatum pertinent, plenam ſeiſinam habere faciatis, in eodem ſtatu quo fuit die quo *H.* quondam *Imelicenſis* Epiſcopus obiit. Teſte meipſo apud *Weſtm.* 26 die *Aprilis*, anno regni noſtri 12.

* See Tom. 2. p. 373, 374, 381, 382.

The firſt *union of the Biſhoprick of *Liſmore* to the Biſhoprick of *Waterford* in *Ireland*, made by the Popes Legate about the third Year of *H.* 3. being adjudged voyd by the Popes Delegates, the King upon the next avoidance of the Biſhoprick of *Liſmore*, by his Letters Patents, re-united it to *Waterford*, by reaſon of the poverty of both Biſhopricks, the Biſhops being inforced to beg and live out of their Dioceſſe; which union he deſired the Pope to ratifie, (though valid in Law without him) by this Epiſtle endorſed on the *Clauſe-Roll* of 12 *H.* 3.

Clauſ. 12 H 3. m. 5. dorſo.

REverendo Domino & Patri in Chriſto ſanctiſſimo *G.* Dei gratia ſummo Pontifici *H.* eandem gratia Rex *Anglia*, *&c.* ſalutem & debitam tanto Patri reverentiam. Quia redditus et poſſeſſiones tam *Waterford.* quam *Liſſemor.* Epiſcopatus adeo tenues ſunt et exiles, quod propter utriuſque paupertatem coguntur Epiſcopi eorum neceſſitate compulſi extra Provinciam ſuam neceſſaria mendicare, quod quidem indecens nobis valde videtur et inhoneſtum, quod hujuſmodi perſonæ tantæ ſubjaceant egeſtati: cupientes egeſtati, neceſſitati et inſufficientiæ utriuſque proſpicere quantum in nobis eſt, concedere duximus, et aſſenſum noſtrum præbere, quod ſupravictus *Liſſemorenſis* Epiſcopatus jam Paſtore vacans, dummodo ſanctitati Sedis Apoſtolicæ placeat, uniatur *Waterfordenſi*, ut ſic uniti potius ſufficiant ad officium Paſtorale decenter exequendum, quam ſi diviſi remaneant ambos mendicare faciant et egere. Rogamus igitur Sanctitatem veſtram ea quo poſſumus affectu, intuitu pietatis et noſtræ peticionis interventu, paterna proviſione neceſſitatem iſtam reſpicere, et quod unio iſta fiat, aſſenſum veſtris et Apoſtolicæ Sedis favorem clementer impertiri, precibus noſtris aures pietatis veſtræ et manſuetudinis inclinantes, quod pro gratiarum actionibus ſpecialiter referendis paternitati veſtræ debeamus inclinari. Teſte meipſo apud *Weſtm.* 17 die *Julii*.

An. 13 H. 3.

Tom. 2. p. 423. l. 47. after *Februarii*, inſert: What Soveraign Eccleſtaſtical Juriſdiction King *Henry* the 3d. exerciſed this year in demoliſhing the Church of Saint *Peters* in *Chicheſter*, having but two Pariſhioners, unable to repair it, and uniting it for the future to the Hoſpital of S*t*. *Maries* near that Church, upon the Biſhop of *Chicheſters* petition, this memorable Patent will demonſtrate.

REX

REX omnibus hoc ſcriptum audituris vel inſpecturis, ſalutem. Sciatis quod cum Eccleſia S. *Petri* in foro *Ciceſtrenſi*, quæ de noſtra fuit donatione, ita tenuis eſſet in redditibus & proventibus, quod ad eam non ſpectarent niſi duo parochiani, ſet nec redditus alii ſeu proventus qui ſufficere poſſent ad ipſius Eccleſiæ reparationem & conſervationem, & miniſtris etiam in ea deſerviturís, **Nos** ad inſtantiam venerabilis patris *Radulfi Ciceſtrenſis* Epiſcopi, & Cancellarii noſtri, **conceſſiſſe, quod eadem Eccleſia demoliatur, et prædicti duo parochiani qui ſpectabant ad ipſam, aſſignentur imperpetuum Hoſpitali Sanctæ *Mariæ*, quod eidem Eccleſiæ eſt vicinum, ut ibi deinceps percipiant ſpiritualia et ſint parochiani ejuſdem Hoſpitalis.** Conceſſimus inſuper eidem Hoſpitali aream in qua ſita eſt eadem Eccleſia, ut liberè & quietè eidem dono noſtro remaneat imperpetuum, in liberam, puram & perpetuam eleemoſynam. In cujus rei teſtimonium has literas noſtras patentes fieri fecimus. Dat. per manum noſtram apud *Weſtm.* 4 die *Maii*, anno r. n. 13. *An.* 13 & 15 Hen. 3. Pat. 13 H. 3. m. 7. n. 6.

Pope *Gregory* the 9th. to induce King *Henry* to conſent to a Diſme intended to be impoſed by him towards the relief of the *Holy Land*, ſent this Bull of Credence to him by *Gerard de Grandiſon* his Chaplain, imployed by him to ſolicit this buſineſs, and the affairs of his Brother *Edmund*; the Original whereof I diſcovered in the *White Tower*.

GREGORIUS Epiſcopus, *&c.* Chariſſimo in Chriſto filio *H.* Regi *Angliæ* illuſtri, ſalutem & Apoſtolicam benedictionem. Licet ex geſtis præteritis ad **Terræ Sanctæ liberationem ferventem Zelum te habere monſtraveris**; Rogamus tamen ſerenitatem Regiam attentius & hortamur, **quatinus attendens quod de ipſius finali ſubſidio et liberatione jam apparent probabiles conjecturæ, ſuper hoc commendatam habeas cauſam Chriſti, his, quæ dilectus filius *Gerardus de Grandiſono* (Capellanus noſter) ad tuam præſentiam veniens**, ſuper hoc & negotio dilecti filii, Nobilis viri *Edmundi* fratris tui, ex parte noſtra tibi dixerit, fidem non dubiam adhibendo. Datum *Lugduni* 10 Kal. *Auguſti*, Pontificatus noſtri anno tercio. In dorſo, *Illuſtri Regi Angliæ.* Bundela Literarum & Brevium, An. 13. H. 3. in Turri London.

In a Bundle of Letters and Writs *An.* 13 H. 3. I found this imperfect Letter relating to the former affair, from the Archdeacon of *Surrey*, whom the Pope refuſed to imploy therein to his great grief.

AU treſhaut et treſpuiſſant ——— myſires Count ——— treſnobles Roy *Dengleterre*, freres bona cord nenne digne Arcedecne de *Sur.* ſalut et reverance comme a ſon eſpecial Seigneur. Sachiez ſire voſtre hauteice, que qant je fui appareilliez por venir a voſtre queronemant, homme fiſt autandant, et furent parſones bu. procheine ——— **que le je leſſaſſe aucetans ou la Terre Sancte**, eſt auſi grant que legliſe en *Angleterre*. Noſtre ſire le Pape euſt male conſcience de moi, por quoi ſire je ——— **et noſtre Seignour le Pape ſomneaire a graunt anguiſſe de mer** ——— apareille toz jors de fere voz commandemanz comme de meilour Seigneur ——— ſachiez ſire que ſus ce ave comis a Maſtre *Girart de Grantiſon*, —— le porteur de ces lettres qui me doient eſculer, car ——— vos pri ſire que la poure ygliſe deſire, et voſtre Clers, et voſtre ſervant layeneſque vos ſoient recomandez, car je face ce qe il ne ſoit mye preſent le jor de voſtre Coronement corporelment, il iſſera eſpirituel noſtre Seigneur qe celle ſainte a ceo, qe vous entendu vorra eſtre plus annes noſtre Seigneur me deine au cele ——— dignite qe je puiſſe veeir ſa, *&c.* In Turri London.

Tom. 2. p. 429. l. 36. after *voluntati*, adde: It ſeems the Prelates at laſt granted the King after many delayes, 40 *s.* out of every Knights Fee they held of him, but upon theſe two conditions. 1. That they ſhould receive the like ſumm of 40 *s.* for every Knights Fee held of them; amounting to as much, as then they granted to the King. 2ly. That it ſhould not be drawn into conſequence for the future to their prejudice, or the Kings advantage; as this Record atteſts. *An.* 15 H. 3.

REX omnibus, *&c.* ſalutem. Cum peteremus à Prælatis *Angliæ*, **quod nobis auxilium facerent pro magna neceſſitate noſtra**, de qua eis conſtabat; videlicet Epiſcopis, Abbatiſſis, Prioribus & Prioriſſis, qui de nobis tenent in capite, **ipſi nobis liberaliter conceſſerunt auxilium tale; ſcilicet, de ſingulis feodis Militum ſuorum quadraginta ſolidos, de tot feodis de quot ipſi tenentur nobis reſpondere, quando faciunt nobis ſervitium militare; et nos conceſſimus eiſdem Prælatis, quod ad prædictum auxilium nobis faciendum, habeant de ſingulis feodis Militum quæ de eis tenentur** 40 ſol. **Nos igitur nolentes, quod ex hac eorum conceſſione nobis** Pat. 15 H. 3. m. 3 intus.

An. 15 & 16 Hen. 3. facta de mera liberalitate ſua, et non alia ratione, Eccleſiis ſuis, vel eis, vel eorum ſucceſſoribus poſſit præjudicium aliquod generari, vel Eccleſiaſticæ libertati in aliquo derogari; per has literas noſtras patentes hoc durimus proteſtandum. Nolumus etiam quod propter hanc conceſſionem noſtram quam fecimus, aliquid nobis vel hæredibus noſtris accreſcat vel decreſcat. In cujus, &c. Teſte Rege apud *Weſtm.* 15 die *Aprilis*, anno regni noſtri 15.

Has literas habent ſinguli Prælati, tam Epiſcopi quam Abbates, Priores, Abbatiſſæ et Prioriſſæ.

An. 16 H. 3. Tom. 2. p. 437. l. 5. after *Uſher*, inſert: This very Original, over-ſharp, inſolent and carping Letter of Pope *Gregory* then writ to King *Henry* about the ſpoyling of the *Romans* goods, and threſhing out their Corn in all places, which extremely incenſed the Pope, mentioned by *Mat. Paris*, I diſcovered in the *White Tower*, defaced and illegible in ſome lines; the Fragments whereof I ſhall here preſent you with, (with ſome conjectural *ſupplements* in a *Parentheſis*) being very elegant.

An. 16 H. 3. in Turri Lon. don. GREGORIUS Epiſcopus, ſervus ſervorum Dei, chariſſimo in Chriſto filio illuſtri Regi *Angliæ*, ſalutem & Apoſtolicam benedictionem. (*Si Majeſtas tua*) detractiones et obvia, ſuggillationes et gravamina quæ pro te ac prædeceſſoribus tuis Eccleſia *Romana* veſtris temporibus et antiquis ſuſtinuit, nec non et beneficia quæ diverſis temporibus tibi et regno tuo contulit, animadverteret, —— et cellulæ commendata memoriæ in animo ſuo ſæpius recenſita revolveret, et nobis non eſſet —— querelæ materia, et locum ingratitudinis vitium non haberet. Sanè omiſſis aliis quæ præterito tempore accideren, quod longum eſſet numerare, & difficile revolutis regeſtis per ſingula recitare, cujus inſtinctu poteſt Regalis ſerenitas oblivioni mandaſſe; qualiter tempore fælicis memoriæ J. Papæ prædeceſſoris noſtræ nobis tunc in minori officio conſtitutis; gratum negocium Legati utiliter procuravi; prædictum regnum (jura) regni, honorem J. patris tui, et perſonam tuam a ſervitute perpetua; et non a qualiquali adverſario, vel verius adverſariis regni alieni, ſicut etiam domeſticis *Romana* Eccleſia liberavit. Quæ memoria quanquam labili marime et in propio negotio non teneret, qualiter erhæredationis tui et regni tui liberatione obſeſſo; Eccleſia tandem ſpiritualiter et temporaliter partes ſuas conſtanter (agens,) cum veſtra gente virtutem obſidentem (fregit) manus obſeſſi (roboravit) cum —— et —— pacis —— (defuncto) patre tuo quaſi jure teſtamentario adoptatum in filium matris Eccleſiæ, tutelæ officium quod in te (ſuſceperat) —— præſidentes, in ipſo te ac regnum tuum conſovendo, per —— credendum eſt te, quod patet lippis & tonſoribus, ſi de noſtris temporibus agitur. Præterea, quod in minori officio conſtituti ſententiam cum effectu exhibere curavimus —— in honoris regni tui, ſtatum Apoſtolicæ ſedis —— contulimus, quæ referre per ſingula —— —— beneficiorum tuorum, quod non credimus vos f—— oblivio —— ——(nos) pro certo tenere credimus, (vos) à primordio tibi & fidelibus tuis favorabiliter aſtitiſſe, non ſolum ab his quæ —— tranquillitati —— ex omni parte regni tui potentiam inducere —— nec tantum tutelæ officium —— confoventis, tempore noſtro nos geſſiſſe memiuimus; ſed te jam ætate provectum (reſtituimus) privilegia (regni) —— in integrum, quaſi præſcriptione temporis relegata, in omnibus quæ Regis et regni contingerint honorem ſtudioſe —— ſubveniendo, —— ſæpius in gratiam convertendo. Hiis etiam diebus noſtræ tibi non defuit gratiæ plenitudo —— conſilia —— —— quorundam Principum & potentum verbum pro te nemine faciente, quædam caute diſtulimus, quæ progreſſus tuos —— impedirent; ut autem providus reddaris et cautus, ſcire te volumus, quod à tam —— —— Eccleſiæ poſtulans gratiam non novam, conceſſam pluribus, nec juri contrariam, quod ſi fuiſſet, ad ſacram exauditionem —— —— fuiſſet oblita, nequaquam cordis imperio oculus innuiſſet, manus ceſſaſſet, —— continuationis —— operum nova temeritas detexiſſet; præſertim ubi timore pœnæ amor juſtitiæ ſuperatur. Nec apud —— quod adeo tenerrime in te ubera matris extendimus, quod verbera patris omiſimus; ſperantes —— acerbitate timeri. Sed quod dolentes referimus, et non ſine amaritudine cordis recolimus, riſus in luctum ac gemitum convertitur, pro pane lapis, pro ovo ſcorpio, pro melle abſinthium præparatur. Eja! ——

nec

nec non reformatione Eccleſiaſticæ honeſtatis, et corrigendis exceſſibus tranſgreſſorum literas Apoſtolicas in terra *Angliæ* per* Cur. ſicut et per alia mundi regna tranſmiſimus, quod obedientia ipſa demeruit, ut a vaſſallis tuis (Nuncio noſtro) non ſine timore Dei (comparato) et inhumaniter in fruſta conciſo, et altero ſemivivo relicto, literis etiam diſſipatis, Bulla noſtra conculcatur, (quæ) exaltationi continua apud Reges et Principes per diverſas ſecli regiones tranſmiſſa totiens peroravit. Si (vero) patri in terra filii, ſi tutori in terra pupilli, ſi Domino et bene merito in terra vaſſalli ſecuritas viæ præcluditur, ubi Bullæ noſtræ locus tutior requiretur? in cujus ——— Reddite *Cæſaris Cæſari*, et quæ ſunt Dei Deo, Eccleſiæ *Romanæ*, vel verius Jeſu Chriſto filio Dei vivi, ejuſque in terris vicario miniſtrante — (Vaſſalli tui) manus in Clericos violentas, — tam *Italicos* quam etiam, ut fertur, *Anglicanos* (injecerunt;) alios obſederunt, alios diverſis afficientes ſupplicüs, (& eorum) agentes, bonis omnibus ſpoliarunt; adeo debacchantes in Clero, quod jam quaſi *Neronis* nequitia ———

An. 16 H 3.

* Curſores.

ad — quorundam Prælatorum ad hæc Regalis ſenſit authoritas, ut ſub favoris ſpecie facilius trahent quos odiunt ad ruinam (quod tantùm) perturbati animi motum exagerit, quantum dilatio vindictæ conturbat. Quare ——— ſperare poterimus ne ab illis quos in omni genere debiti noſtri eſſe tenentur, tantæ crudelitatis ſubtrahetur immanitas, et Eccleſiaſticæ libertatis cultus ——— conculcatur. Veruntamen apud nos pro honore tuo, nec non et noſtro ſaltem, qualis qualis excuſationis (cauſæ) comparuiſſent ——— obſervantur et ——— utcunque tanti ſceleris ſatisfactione congrua præcedente, Deo et univerſali Eccleſiæ, nec non et nobis illatam injuriam palliarent; immo quod gravius reputamus culpam ſortè (aliorum) ex dilatione vindictæ refudiſſe videris in tuam, dum ſcrupulum conniventiæ non — obviaſti, — per ſatisfactionis celeritatem in ſuo errore quaſi confovendo perverſos, præcedentem negligentiam (nondum) expiaſti; ex quibus contingit quod via pacis æmulis locus ſe offert (diſcordiæ;) inimici regni et Regis inſultant in nobis lætо animo, quaſi digito ſcribentes porrecto, ecce Rex *Angliæ*, filius devotus matris ſuæ! ecce pupilli devotio! ecce vaſſalli fideles! ecce reverentia filialis! ecce beneficiorum condigna retributio perceptorum! ecce quomodo amabat eundem! Hiis & ſimilibus auribus noſtris ſæpius inculcaris, Vide fili, vide et conſidera ſi dolore noſtro dolor non ſuccedit; dum noſtris tuiſque temporibus Eccleſia *Romana* (quondam Domina, nunc) ancillata, pro grano paleam, pro uva labruſcam, pro roſa ſpinas, pro ficu tribulos, pro beneficiis ingratitudinem, pro devotione irreverentiam, pro ſubjectione inobedientiam, pro lucro dampnum, pro libertate ſervitutem, pro honore opprobrium ſub quodam novo quaſi marito (colligit & paritur.) Accelleret igitur Regalis excellentiæ providentia, et præteritam negligentiam redimens per diligentiam ſubſequentem malefactores ipſos ad reſtitutionem plenariam de ſubtractis et — (aliis) aliquando offenſis ——— tradita ſibi poteſtate compellat ——— ſacinoris pololatriam animum Regium viriliter et prudenter exerceris; Creatoris injuriam, Eccleſiæ *Romanæ* ac noſtram ignominiam, tuum et regni tui opprobrium — Deo (& Miniſtris ejus) expiaris — quod exemplo *Moyſi*, ſive grandis effectus, cinctuſque gladio ſuper femur, contra ipſos pololatras a porta in portam diſcurrens cum clavo ſignatis exceptis; ex animo tanquam filius Eccleſiæ libere officium Regalis magnanimitatis ——— cum noſtra et Apoſtolicæ ſedis reverentia pro populo ad Dominum intercedas: alioquin, quantumcumque perſonam tuam ſinceris affectibus diligamus, et ad regni tui exaltationem et gratiam quantum cum Deo fieri poteſt ſine juris injuria procurare — remaneret ſortaſſe impunita — (& ne) poſteris in exemplum ad vindictam malefactorum laudem vero, ——— bonorum illud licet inviti cogitare (cogimur) quod ex præmiſſis injuriis, et Bullæ (conculcatione) ——— reſurget, et ubicunque injuriose delata fuerit, injuriatorum acerbitas glorioſe quid referre valeat poſteritas veſtrum ad honorem et noſtrum, vindictæ qualitas indicabit. Inquiſitionis ——— nobilis ——— juſtitiamque, & ad denunciationem totiens nobis factam, quam de jure ulterius obaudire non licuit, Regalem conſtantiam ——— aliquatenus debuiſſet cum ipſum, quem ſincera diligimus in Domino caritate, utpote cujus fidei & ———

——— *Stephano* Capellano noſtro referentibus in multis ſumus experti, ejuſque negotia diſponamus, quantum cum Deo poſſumus, ſine juris injuria promovere. Datum. *Spolet.* 7 Idus *Junii*, Pontificatus noſtri anno ſexto.

An. 17 H. 3. Tom. 2. p. 439. l. 35. after *Crown*, adde: That the principal cauſe of *Hubert de Burgo* his proſecution, was his connivance at, and not puniſhing the plunderers of the *Roman* and *Italian* Clerks preferred by the Popes proviſions in *England*, what proceedings were thereupon had, and Judgements given againſt him for it, not extant in our Hiſtorians, this memorable Record will inform us.

Pat. 17 H. 3. dorſo. m. 1. NOtum ſit omnibus Chriſti fidelibus, **quod cum Dominus** *Henricus* **Rex** *Angliæ*, **mandatum Domini Papæ ſuſcepiſſet ſuper tranſgreſſionibus Eccleſiæ** *Romanæ* **et Clericis** *Italicis* **et aliis in Regno** *Angliæ* **contra pacem ſuam illatis corrigendis, idem Dominus Rex hoc ſicut decuit emendando a pluribus fide dignis dicioiſſet, quod per** *Hubertum de Burgo* **quondam Juſticiarium** *Angliæ*, **videlicet tempore prædictæ tranſgreſſionis, factæ fuerunt tranſgreſſiones illæ. Et Dominus Rex volens hoc emendare, miſit quoſdam de ſuis ut corpus ſuum arreſtarent, et coram eo adducerent reſponſurum de tranſgreſſione illa et aliis tranſgreſſionibus, et præſertim de tranſgreſſione illa.** Qui *Hubertus* inde præmunitus fugit in quandam Capellam, à qua ipſum ſequentes, licet hoc eis non eſſet injunctum, timentes Dominum Regem, **extraxerunt**, & *Londonium* adduxerunt. Quod cum Dominus Rex audiviſſet, **ut libertas Eccleſiæ in omnibus obſervaretur illæſa, ipſum ad eandem Capellam reduci præcepit, et in eodem ſalvo reponi.** In qua cum per dies plures moram feciſſet, requiſitus, *utrum vellet tenere ſe in Capella illa, vel exire, & ſtare judicio terræ Domini Regis ſuper tranſgreſſione prædicta, & ſuper aliis qua ei ibidem objicerentur, tam à Domino Rege, quam à pluribus aliis de eo multis modis conquerentibus*; Tandem ſponte elegit, quod exire voluit ad ſtandum juri. Tamen peciit miſericordiam Domini Regis, & ſic exivit, & Ballivi Domini Regis qui tunc præſentes erant ipſum receperunt, & *Londonias* duxerunt, & tradiderunt eum Conſtabulario Turris. Et cum Dominus Rex adhuc eſſet incertus, utrum ſpontanea voluntate an coactus exiviſſet, miſit ad eum Nobiles viros Dominum *S. de Sedgrave* tunc Juſticiarium *Angliæ*, *J. de Laſcy*, Comitem *Lincolniæ*, & Conſtabularium *Ceſtriæ*, *B. de Inſula*, & alios viros idoneos Clericos & Laicos. Quibus ad ipſum venientibus & ipſum inde alloquentibus, Reſpondit, *quod gratis exiverat, & non coactus, nec pro aliquo defectu victualium, & tali modo exivit ad faciendum voluntatem Domini Regis de terris ſuis & catallis, & de corpore ſuo, & pigebat eum quod tam diu moram ibidem fecerat.* Poſtea verò cum Dominus Rex nichil adhuc ei inde concederet, eo quòd multi de eo de novo conqueſti fuerunt, tam de morte hominum quàm de multis per eum injuſtè exhæredatis, & aliis pluribus criminibus & tranſgreſſionibus, volens de eo conquerentibus juſticiam exhibere, præcepit eum deliberari à cuſtodia prædicti Conſtabularii, ut liberè venire poſſet ad Curiam ſuam, **conquerentibus de eo tam Domino Regi pro tranſgreſſione contra Dominum Papam, quam contra ſeipſum et omnibus aliis reſponſurus**; & ſic venit apud *Cornhull* in *Londoniis* Vigilia Sancti *Martini*, & comparuit coram Dominis R. Comite *Cornubiæ* & *Pictaviæ*, *W.* Comite *Warenn.* *R. Mareſcallo* Comite *Pembrock*, *J.* Comite *Lancaſtriæ*, & Conſtabulario *Ceſtriæ*, *S. de Sedgrave* Juſticiario, *Radulpho* filio *Nicholai*, & aliis fidelibus Domini Regis, tam de corpore quàm de terris & omnibus aliis rebus. Tandem Dominus Rex pietate motus, ad inſtantiam Magnatum *Angliæ*, & ad peticionem ipſius *Huberti*, & ſuorum parentum & amicorum, & ſimiliter de permiſſione conquerentium, Judicium poſuit in reſpectum, licet Judicium jam in eadem Curia Domini Regis formatum eſſet: per quod ipſe & ſui attendentes corporis ſui periculum imminere, & exhæredationem hæredum ſuorum, ſpontanea voluntate conceſſit proviſionem ſubſcriptam; ſcilicet, *Quod omnes terræ & omnia tenementa & libertates in omnibus rebus quæ tenuit de Domino Rege in capite, & de Domino J. Rege patre ſuo, remaneant Domino Regi quietè, imperpetuum, & hæredibus ſuis, tam de Wardis, Ballivis, quàm de aliis rebus, & omnes cartas, & cirographa, & inſtrumenta qua habuit de prædictis reddidit Domino Regi, & conceſſit, quod ſi aliqua impoſterum inveniantur in cujuſcunque manibus fuerint, pro nullis habeantur.* Et Dominus Rex de gratia ſua conceſſit, quod ipſe *Hubertus* & hæredes ſui habeant & retineant terras & tenementa quæ eidem *Huberto* deſcenderant ab anteceſſoribus ſuis, & ſimiliter omnes terras & tenementa quæ tenuit de aliis, & de alterius dono quam de dono Regum. *Ita tamen, quod omnibus inde conquerentibus ſecundum conſuetudinem regni ſine dilatione ipſe & ſui reſpondeant, & omnia alia catalla ubicunque ſint remaneant Domino Regi tam in auro & argento, quàm in denariis & aliis mobilibus, & corpus ſuum remaneat apud Caſtrum* Diviſ. *& in cuſtodia Dominorum* R. *Comitis* Cornubiæ & Pictaviæ, W. *Comitis* Warenn. R. Mareſcalli *Comitis* Pembroke, & J. *Comitis* Lincolniæ & *Conſtabularii* Ceſtriæ

Ceſtriæ *donec habitum Templariorum ſuſceperit, quem prius petierat, quod modo facere non poteſt*, quia uxoratus eſt, *vel donec per commune conſilium Domini Regis & omnium prædictorum Baronum Cuſtodum, necnon & aliorum Magnatum terræ liberatus fuerit, de quibus ſi aliquem mori contingat, illi qui reſidui erunt aſſument ſibi alium loco ipſius defuncti quem voluerint, qui cuſtos cum eis exiſtat ſicut ille fuit qui defunctus fuerit. Et liceat eidem* Huberto *dum fuerit in priſona, ſi quam terram tenuerit injuſtè, illam reddere ſi voluerit; non obſtante eo quod in cuſtodia prædictorum fuerit: Et ſi de priſona aliquo modo exierit, niſi pro dicto habitu ſuſcipiendo, & de licentia & conſenſu Domini Regis & prædictorum Magnatum, vel per commune conſilium Cuſtodum & Baronum, ut prædictum eſt, & vel per ſe vel per alios, ſive per quemcunque aliquid attemptaverit contra prædictam proviſionem, vel aliquo tempore ſaltem de facto contra prædictam conventionem venerit, ſive de conſcientia ſua impetratum fuerit ſive non, & ipſe vel alius uti voluerit impetratis, per quæ corpus ſuum liberetur, tunc pronuncietur Judicium prædictum contra eum, & fiat de eo ſicut de utlagato ubicunque & à quocunque inventus fuerit, & omnes terræ & omnia tenementa quæ Dominus Rex de gratia ſua ei conceſſit, forisfacta ſint & remaneant Dominis feodorum de quibus tenuit; ſalvo Domino Regi anno ſuo & catallis.* Et Dominus Rex conceſſit pro ſe & hæredibus ſuis, quod eidem *Huberto* aliam gratiam neque crudelitatem faciet quam prædictum eſt. In cujus rei teſtimonium, Dominus Rex & prædicti *R.* Comes *Cornubiæ* & *Pictaviæ*, *W.* Comes *Warenn.* *R. Mareſcallus* Comes *Pembrochiæ*, *J.* Comes *Linc.* & Conſtabularius *Ceſtriæ*, huic ſcripto ſigilla ſua apposuerunt. His teſtibus, *Radulpho* filio *Nicholai*, *Th. de Muleton*, *Willielmo de Inſula*, *Ricardo Dukat*, *Adam* filio *Willielmi de Raleigh*, *Roberto de Lexinton*, *Radulpho de Norwico*, & Civibus *London.* & aliis fidelibus Domini Regis ibidem exiſtentibus. *An.* 17 & 18 Hen. 3.

I found in the *White Tower* this memorable Appeal of the Archbiſhop of *York* ratified by the King againſt the Coronation of *Alexander* King of *Scots*, as well to the prejudice of the Kings rights, as of the rights of the Church of *York*.

De appellatione Regis contra Coronationem Regis Scotiæ.

REX Appellationem quam *W. Ebor.* Archiepiſcopus, *Angliæ* Primas, per ſe vel per certos nuncios ſuos interpoſiturus eſt tam pro jure Regis quam pro ſuo, ne *A.* Rex *Scotiæ* in Regem ſe faciat coronari, in præjudicium Regiæ dignitatis, et libertatis ipſius Archiepiſcopi, et Eccleſiæ ſuæ, ratam habet et acceptam. Et dirigitur breve omnibus, *&c.* Teſte *S. de Segrave* apud *Weſtm.* 6 die *Maii*, anno regni Regis *H.* decimo ſeptimo.

An. 18 H. 3.

Tom. 2. p. 443. l. 7. after *Februarii*, inſert: The Archbiſhops and Biſhops in *Ireland*, (as well as *England*) holding Plea in their Eccleſiaſtical Courts of Advowſons of Churches, Chappels, Lay-fees, and Chattels that were not Teſtamentary, or Matrimonial, againſt his Royal Crown, Dignity, and the Laws and Cuſtoms of the Realm of *England*, which his Father had eſtabliſhed in *Ireland*, by common conſent; the King thereupon ſent this memorable *Prohibition* to all Earls, Barons, Knights, Free-men, and other his Subjects in *Ireland*, not to preſume from thenceforth to proſecute any ſuch Suits; and to all the Archbiſhops, Biſhops, Abbots, Priors, Deans, Prelates, and Eccleſiaſtical perſons in *Ireland*, not to preſume to hold Plea of any ſuch Caſes before them in their Eccleſiaſtical Courts, threatning to puniſh them ſeverely if they did offend therein; and commanding his Chief Juſtice of *Ireland* to cauſe theſe his Letters Patents of Prohibition to be publickly read and obſerved.

Pat. 18 H. 3. m. 17 intus. Hybernica.

REX Comitibus, Baronibus, Militibus, & liberis hominibus, & omnibus aliis de terra *Hiberniæ*, ſalutem. Quia manifeſte eſſe dinoſcitur contra Coronam et Dignitatem noſtram, et conſuetudines et leges regni noſtri *Angliæ*, quas bonæ memoriæ Dominus *Johannes* Rex pater noſter de communi omnium de *Hibernia* conſenſu teneri ſtatuit in terra illa, quod placita teneantur in Curia Chriſtianitatis de advocationibus Eccleſiarum, et Capellarum, vel de Laicofeodo, vel de catallis quæ non ſunt de Teſtamento vel Patrimonio: vobis mandamus prohibentes, quatinus hujuſmodi placita in Curia Chriſtianitatis nullatenus ſequi præſumatis, in manifeſtum Dignitatis et Coronæ noſtræ præjudicium: Sciturі pro certo quod ſi feceritis, devenimus in mandatis Juſticiario noſtro *Hiberniæ*, quod ſtatuta Curiæ noſtræ in *Anglia* contra tranſgreſſores hujuſmodi mandati noſtri cum juſticia procedat, et quod noſtrum eſt exequatur. In cujus, *&c.* Teſte Rege apud *Winchecomb*, 28 die *Octobris*, anno regni noſtri 18.

Et mandatum eſt Archiepiſcopis, Epiſcopis, Abbatibus, Prioribus, Archidiaconis,

An. 18 & 19 Hen. 3.

nis, Decanis, et omnibus Prælatis et personis Ecclesiasticis, quod hujusmodi placita in Curia Christianitatis tenere non præsumant.

Et mandatum est Justiciario *Hiberniæ* per literas clausas, quod prædictas literas patentes publice legi et teneri faciat.

I met with this original Bull of Pope *Gregory* the 9th. to K. *Henry* the 3d. in the *White Tower*, to advise and hasten the marriage of his Sister *Isabella* to *Frederick* the Emperour, as beneficial and honourable to him and his Realm, and no longer to defer it.

An. 18 H. 3. in Turre Lond.

GREGORIUS Episcopus servus servorum Dei, charissimo in Christo filio illustri Regi *Angliæ*, salutem & Apostolicam benedictionem. Quæ tuæ Celsitudinis respiciant incrementum libenter tibi facienda suggerimus, & eadem per nosipsos oppoztuno tempoze pzocuramus. Hinc est quod cum charissimus in Christo filius noster *F. Romanorum* Imperator semper Aug. *Jerus.* & *Siciliæ* Rex illustris, pro dudum tractato & firmato, sicut dicitur, matrimonio inter te et ipsum, de dilecta in Chzisto filia *Ysabella* sozoze tua illustri fœliciter consummando; ac pro ipsa, duce Christo, ad eundem abdicato tarditatis spacio deducenda, juxta consilium nostrum, ad tuam præsentiam sollempnes nuncios duxerit destinandos: sublimitati tuæ bona fide consulimus, et attente rogamus, quatinus prudenter advertens, quid tibi et regno tuo utilitatis pzoferat et honozis, cum Pzincipe terræ Regibus præminenti contrahere parentelam, tanti complemento negotii finem tribuas affectatum; diligentiam habiturus; ut a re tam honozabili, tam salubzi nullius siniszro consilio te distrahi patiaris. Cæterum memoratos nuntios sereno vultu recipiens, & honore pertractans quo tibi competat, & mittenti eorum verbis quæ super hiis tuæ Celsitudini proponenda duxerint fidei plenitudinem largiaris. Datum *Perusii*, Non. *Decembris*, Pontificatus nostri anno octavo.

An. 19 H. 3.

Tom. 2. p. 458. l. 33. after *Februarii*, adde; The Popes Legates and our Popish Prelates bearing the chiefest sway in King *Henry's* Councils and Government of the Realm during his Minority, not only endeavoured by degrees to draw the conusance of all Causes touching Advowsons, Præsentations, Church-lands, Freeholds, Debts, Goods, Chattels, and Civil contracts in *England* and *Ireland*, into their Ecclesiastical Courts, but likewise to [a] *introduce and advance the Canon Laws and Decretals*, compiled by *Gratian*, Pope *Gregory* the 9th. and others, *above the Common and Antient Laws of the Realm*. For which end they presumed to read them publickly (without the Kings authority) in the Schools of *London*, encouraged thereto by Pope *Gregory* the 9th. his command; (as [b] *Mat. Paris* assures us, *An.* 1235.) His quoque tempozibus Papa Greg. videns tædiosam Decretalium pzolixitatem, sub quodam compendio eas eleganter abbzeviatas et collectas, solenniter et authentice per totius mundi latitudinem legi pzæcepit et divulgari. *Illas autem ab auctore ipsarum* Gzegozianas *appellamus*. Whereupon the King to preserve the rights and prerogatives of his Crown, and Laws of the Realm against the batteries of those Papal Canons and Decretals, issued not only [c] *frequent Prohibitions* to Ecclesiastical Judges, not to hold Plea of Advowsons, Free-holds, Trespasses, Debts, Chattels or things not belonging to them, but also prohibited the reading or teaching the Canon Laws in their Schools, as this Writ of Proclamation to the Major and Sheriffs of *London* imports.

a See the Statute of Merton, 20. H. 3. c. 9. & Tom. 2. p. 445, 447. to 480. Cooks 2. Instit. p. 95, 96.

b Hist. Angl. p. 403. see Tom. 2. pag. 467.

c See Tom. 2. pag. 443, 458, 476, 477, 478.

d Cl. 19. H. 3. m. 22. intus.

[d] MAndatum est Majori & Vicecomitibus *London*, quod clamari faciant et firmiter pzohiberi, ne aliquis Scolas regens de Legibus in eadem Civitate de cætero ibidem Leges doceat, et si aliquis fuerit hujusmodi Scolas regens, ipsum sine dilatione cessare faciant. Teste Rege apud *Basing*. 11 die *Decembris*.

e In his Proeme to his 2. Institutes on Magna Charta.

f See Mr. Seldens Review of his History of Tithes, pag. 491. & ad Fletam Dissertatio, c. 8. p. 525.

g Lib. 1. c. 8. l. 5. c. 9. fol. 107.

h Lib. 1. c. 5.

[e] Sr. *Edw. Cooke*, in his posthumous *Institutes*, (who had a most unhappy faculty in mistaking most Records he cites) affirms, this *Writ was issued to them, to suppress the Readings of such learned men in the Laws of the Realm, who kept Schools of the Law in the City of* London, and taught such as resozted to them the Laws of the Realm, taking their foundation of Magna Charta and Charta de Foresta, which the King by ill advice sought to impeach. Whereas our learneder Antiquary [f] Mr. *John Selden* asserts, Credibile non videtur de Legibus Anglicanis earumque pzælectione mandatum hoc fieri. And Sir *Edward Cooke* himself in his *Commentary* on the *Statute* of *Merton*, *cap.* 9. asserts, That the Nobility of England have ever had the Laws of England in great estimation and reverence, as their best Birth-right; and so have the Kings of England as their principal Royalty and right belonging to their Crown and dignity. Yea [g] *Bracton*, a Judge under King *Henry* the 3d. and [h] *Fleta* resolve; Lex facit Regem: Et quia per legem factus est Rex, attribuat igitur Rex legi, quod

lex

ler attribuat ei, *videlicet*, Dominationem et poteſtatem; et dignum eſt quod per ipſum tueatur ler, cui honorem tribuit et poteſtatem. Therefore it is altogether incredible that this Writ was intended either of the Common Laws of *England*, or Readings on the Great Charters of Liberties or of the Foreſt; but only of the *Canon* and *Roman* Papal *Laws*: formerly *burnt, torn, ſuppreſſed, baniſhed* the Realm by King *Stephen*, as Mr. *Selden* proves at large in his *ad* Fletam *Diſſertatio, c.* 5 & 8. and I have [a] *elſewhere* moſt fully evidenced. *An.* 19 H. 3.

And great reaſon had the King and his Council to prohibit the Reading and uſe of the Canon Law and Popes Decretals, eſpecially the Decrees of *Gratian* then moſt cryed up, authorized by *Euſebius* the 3d. and other Popes; For as *Marc de Vulſan* a learned *French* Advocate, in his accurate Treatiſe, [b] *De la Puiſſance du Pape, & de Libertes de l' Egliſe* Gallicane, *l.* 3. *c.* 2. and [c] others irrefragably prove, *That all the Ancient Popes Decretal Epiſtles* (collected by *Gratian*) *in which his Decrees are founded, are mere forgeries and Impoſtures*, never heard of in the *World* till above 830 years after Chriſt, not mentioned by any antient Eccleſiaſtical Hiſtory or Father; far different both in ſtyle, matter, from theſe Popes genuine Epiſtles, inconſiſtent with the ſtate of the Church in the ages wherein they lived, yea not extant in the ancient *Roman Code of Canons*; as [d] *Gratian* himſelf acknowledgeth. And as there are ſuch a grand number of Errors, Falſities, Forgeries, in the body of the Canon Law compiled by *Gratian*, that *Antonius Auguſtinus* in the firſt *Dialogue* of his firſt Book [e] *De Emendatione Gratiani*, aſſerts, *it will be a very difficult thing to number all his Errors in a whole day*, (amongſt which he enumerates the antient Popes forged *Decretal Epiſtles*, out of which there are about 500 Canons and Rubricks extracted by *Gratian*;) So theſe their Decretal Epiſtles and his Decrees out of them, were purpoſely publiſhed, to overturn the antient Orthodox Doctrine of the Apoſtles, primitive Church, Fathers, the Canons of ſeveral Councils, the Prerogatives, Rights, Laws of all Chriſtian Emperors, Kings, Realms, and to advance the Popes, Prelates, Clergies uſurped *Juriſdiction* over them: For which end theſe forged Epiſtles and Decrees of Popes are thus cryed up by Pope *Nicholas* and *Gratian*, as irrefragable, yea equal to the *Canonical Scriptures*. [f] Inter Canonicas Scripturas Decretales Epiſtolæ connumerantur: Whence they decree; Omnes ſanctiones Apoſtolicæ ſedis irrefragabiliter obſervandæ ſunt, tanquam ipſius divina voce *Petri* firmatæ. Quicquid *Romana* Eccleſia ſtatuit, ab omnibus eſt obſervandum; et Pontificalibus ſit alienus officiis, qui Apoſtolicis non vult obedire præceptis: (to wit, the Popes not Chriſts Apoſtles precepts.) Tolerandum eſt jugum quod a Sancta ſede imponitur licet intolerabile videtur. [g] Ab Apoſtolicis præceptis non licet recedere. Apoſtolicis præceptis nullus ſuperbe reſiſtat. Non poteſt ſtatutis Pontificum conſuetudo cujuſquam refragari. Yea more, [h] Conſtitutiones Principum et Imperatorum Eccleſiaſticis Conſtitutionibus non præeminent ſed obſequuntur. Leges et Judicia Imperatorum Eccleſiaſtica jura diſſolvere non poſſunt. Conſtitutiones Regum contra Canones et Decreta Pontificum *Romanorum*, nullius ſunt momenti. In Eccleſiaſticis cauſis Regia voluntas Sacerdotibus eſt poſtponenda. Tribunalia Regum Sacerdotali ſunt poteſtati ſubjecta: Conſtitutiones Principum Eccleſiaſticis legibus poſtponendæ ſunt ubi Canonicis Decretis obviaverint. Dedit enim Deus Sacerdotibus Principatum multo perfectiorem Principatibus Regum. Nunquid juſtum vobis videtur ſi cedat ſpiritus carni (id eſt Eccleſiaſtica conſtitutio ſeculari conſtitutioni, as *Johannes de Thierry*, *Bartholomeus Brixienſis*, and others Gloſs it) ſi a terrenis cœleſtia ſuperentur, et ſi divinis (as they ſtyle their Canons) præferentur humana? To omit other Paradoxes of this nature.

Pope *Eugenius* the 2d. having confirmed theſe and the reſt of *Gratian*'s Antimonarchical *Canons*, *Rubricks*, extracted out of his predeceſſors forged Epiſtles, ſent them to all Univerſities and *Chriſtian Realms* to be publickly read, interpreted, obſerved; and ſent [i] *Gratian* himſelf, (who firſt taught them in *Rome*) to the Univerſity of *Paris*, and *Vacarius* into *England* there openly to read and expound them in the Univerſity of *Oxford*; as the *Laws by which all Churches, Kingdoms, Kings, Chriſtians, ought to be governed*, eſpecially *in all Eccleſiaſtical affairs*.) Which as the Univerſities and Churches of *France* would never receive nor ſubmit to, as *Marc de Vulſan*, [k] *Claude Fauchet*, and *Pierre de Pithou* aſſert; ſo King [l] *Stephen* as ſoon as they were taught in *England*, ſilenced *Vacarius* from reading them, tearing and

a Tom. 2, pag. 530 to 538.

b A Geneſe, 1635.

c Bp. Jewel, Dr. Raynolds, Dr. James, Cookes Cenſura Patrum, and others.

d Diſtinct. 9.

e Pariſiis, 1667.

f Gratian Diſtinct. 19 and other Doctors Gloſſes thereon.

g Gratian Diſtinct. 11, 12.

h Gratian Diſtinct. 10.

i Gratiani Vita, Marc de Vulſan l. 3 c. 2. Tom. 1 p. 531, 532.

k Les Libertez des Egliſes Gallicanes, c. 2.

l See Here, Tom. 1 p. 532, 533.

An. 19 H. 3. and burning the Books themselves. After which being introduced again and publickly read in the Schools in *London* during King *Henry*'s minority; together with Pope *Gregory* the 3d. his *Decretals*, then newly published and sent into *England* and all other Countries to be publickly read and taught: when he came to years of discretion, he prohibited the reading and teaching of them, by the premised Writ, as inconsistent with his royal Prerogative, the Common Laws, Statutes, and Priviledges of the Realm, which Popes, their Legates, and his own usurping Prelates endeavoured to subvert, or enervate by their Canons and Ecclesiastical constitutions.

It was the Observation of *Henry de Bracton* (a *Justice Itinerant*, An. 29 & 30 *H.* 3d. writing about this time,) in his Book, b *De Legibus & Consuetudinibus* Angliæ. Episcopi contrarii sunt Legibus et Consuetudinibus Angliæ; et Curia Christianitatis in quibusdam contraria est Legi et consuetudini Angliæ; especially in cases of *Bastardy*; they then endeavouring with all their might to subvert the c *Common Law*, in making children born before marriage legitimate, and inheritable, by their Canon Laws and Constitutions, which were Bastards, illegitimate, and not capable to inherit Lands by the Common Lawes and Custom of *England*. Whereupon if Bastardy were pleaded generally in barre of any real action, it ought not to be tried in Court Christian, nor by Certificate from thence to the Kings Court, d cum nihil aliud sit, sub tali obscuritate transmittere inquisitionem de Bastardia faciendam, quam venire contra Legem et Consuetudinem Angliæ. *Ad talem igitur errorem tollendum, necesse est causam (bastardia) addicere.* Besides the Popes and Bishops e before and about this time, by their *Canons* and *Constitutions*, engrossed the Conusance of all causes touching *Advowsons*, *Presentations*, *Church-lands*, *Suits* by or against *Clergy-men* and *Religious persons*, antiently belonging to the Kings Crown, Courts alone, to their *Ecclesiastical Courts*, and attempted to make the King, as well as other Patrons subject to *Lapses*, if he *presented not within 6 moneths to Bishopricks*, *Abbies*, *Churches* and *Ecclesiastical Dignities whereof he was Patron, or to which he had right to present by his Prerogative*; against the rights of his Crown, and this Maxime of the Common Law, *Nullum tempus occurrit Regi*; which f *Edmund* Archbishop of *Canterbury* then endeavoured by a special Bull from the Pope to divest him of, to the *prejudice of his Crown*; yea they g *prohibited Clergymen to grant any Aydes to Kings, without the Popes special license, and exempted the Clergy from all Secular Jurisdiction.* Whereupon he, his Judges and Council, had very good reason to issue forth the precedent Writ, to prohibit the publick Reading or Professing of the Canon Law, so diametrically contrary to his Prerogative, and subversive to the antient Laws and Customes of the Realm. The rather, because some h *Canonists* then and since have publickly asserted, Statuentes contra libertatem Ecclesiæ sunt excommunicati. Item scriptores Statutorum, Consiliarii, Potestates, Consules, atque Rectores locorum ubi Statuta edita sunt: item judicantes secundum illa atque redigentes judicata in publicam formam. Et quod statuta hujusmodi sint nulla. Imprimis igitur, non solum Papa sed etiam quilibet Episcopus potest dicta Statuta tollere, et declarare esse contra Ecclesiæ libertatem, atque mandare sub excommunicationis pœna ipso facto incurrenda, illa non esse observanda, etiam non citatis Statuentibus: Et quia Episcopus tenetur ex debito officii præcipere Statuentibus contra libertatem Ecclesiæ, ut de libro Statutorum illa cassent; *nec sufficit si permittat illa revocari tantum*, quia tenetur ex debito officii illa cassari facere, et ad id sunt jurejurando astricti; *ideò non satisfecerit debito Episcopalis officii si tantùm declaraverit esse contra libertatem Ecclesiæ*, quia hoc non est exequi Canones, mandantes dicta Statuta cassari debere, quæ contra Ecclesiæ sunt libertatem. Item Episcopus animabus eorum, qui excommunicationem incurrunt provivere non posset concedendo absolutionem, nisi vere et realiter dicta Statuta cassata fuerint; Quare debet præcipere Statuentibus quibus ab universo populo commissum est, ut dicta Statuta cassent, et nisi obedierint, censuris affectos esse declarandi sunt, atque eorum loca interdicto supponenda donec obedierint, et pœnitentiam condignam egerunt. Therefore it was great reason for K. *Henry* and his Counsil strictly to prohibit the Readers and Teachers of such Antimonarchical, Papal Canons, Laws, and Decretals, which thus Excommunicated, Interdicted all Kings, Parliaments, Peers, Judges, and Officers of Justice to make Acts or execute any Statutes in defence of their Crowns, Realms, Laws, Properties, Persons, against the Popes and Bishops Antimonarchical usurpations on them, or their pretended Liberties of the Church; till they should not only repeal, but null their Statutes of this nature,

a Claus. 29 H. 3. m. 8. dorso. Claus. 30 H. 3. m. 8. dorso.

b Lib. 5. Tit de Exceptionibus, cap. 19. f. 416. b.

c See the Stat. of Merton, An. 20 H. 3. c. 9. See Tom. 2. p. 445, 472. & Tom. 1. p. 809.

d Bracton, l. 5. de Exceptionibus, c. 19. fol. 416. b. Cooks 2 Instit. Sect. 399, 400.

2 Instit. p 96, 97.

e Gratian Distinct. 63. See Here, Tom. 1. p. 804, 806, 810.

f See Tom. 2. p. 563.

g Tom. 1. p. 807. & Tom. 2. p 837.

h Dr. Marta de Jurisdictione, l. 2. c 44. Felynus in cap. Ecclesiæ Sanctæ Mariæ, nu. 108, 109. Joan. de Bononо in singular 75. Archidiacon. in cap. quæ Lotharius, and others cited by Dr. Marta.

nature, and expunge them out of their Statute-Books upon every Biſhops *Injunction*. *An.* 19 H. 3.

The ſame year the Church of S^t. *Martins* in the Iſle of *Serc*, wanting competent maintenance, the King thereupon out of his Soveraign piety and care to promote Gods ſervice, granted to it the Tithes of his Demeſnes in that Iſland, (formerly Tithe-free) by this Writ.

REX Cuſtodi Inſularum ſuarum de *Gernef.* & aliarum Inſularum ſuarum in partibus *Normanniæ*, ſalutem. Sciatis, quod conceſſimus dilecto nobis in Chriſto *Ricardo* Vicario Eccleſiæ ſanctæ *Mariæ* de *Serc.* quod de cætero imperpetuum recipiant Decimæ de Camparto noſtro in eadem Inſula Eccleſiæ antedictæ. Et ideo vobis mandamus, quod Decimas plenarias de Camparto noſtro in Inſula prædicta Eccleſiæ memoratæ reddi de cætero faciatis. Teſte Rege apud S. *Albanum*, 27 die *Novembris*. Clauſ. 19 H. 3. m. 22. intus.

I found this original Certificate of the Dean and Chapter of *Lincoln* to King *Henry* the 3^d. of the Election of *Robert Groſthead* for their Biſhop, to whom the King thereupon granted his Royal aſſent.

EXcellentiſſimo Domino ſuo *H.* Dei gratia illuſtri Regi *Angliæ*, Domino *Hiberniæ*, &c. devoti ſui *W.* Decanus & Capitulum *Lincoln.* ſalutem, & quàm debitam tàm devotam cum ſumma devotione reverentiam. Dominationi veſtræ ſupplicamus humiliter & devotè, quatinus electionem Eccleſiæ noſtræ *Lincoln.* quam de viro idoneo, eminentis literaturæ, converſationis honeſtæ, laudabilis vitæ, et præclaræ famæ, Magiſtri *Roberti Groſſeteſte* Concanonico noſtro unanimiter celebravimus, et Canonicè, aſſenſum Regium præbere dignemini; quod ad Regiam pertinet dignitatem intuitu Dei, et ob reverentiam gloriosæ Virginis circa ipſum ulterius exequentes favore conſueto. Valeat Dominatio veſtra in Domino. Bundela Certif. & Lit. in Turri Lond. & Clauſ. 19 H. 3. m. 24. intus.

* *Matthew Paris* renders us this account of his Predeceſſors death, and his Election and confirmation; *Eodem tempore obiit* Hugo de Valles Lincolnienſis *Epiſcopus*, Monachorum perſecutor, Canonicorum et omnium malleus Religioſorum, *ſeptimo Idus* Februarii, *& ſepultus eſt apud* Lincolniam *in Eccleſia Cathedrali quarto Idus ejuſdem. Cui ſucceſſit Magiſter* Robertus *cognomento* Groſſeteſte, vir quidem nimis literatus, *à primis annis ſcholis educatus*; *qui apud* Radingam *ab* Edmundo Cantuarienſi *Archiepiſcopo conſecratus eſt, tertio Nonas* Junii: *reclamantibus Monachis* Cantuarienſibus, et allegantes ne alibi conſecraretur quam in Eccleſia Cantuarienſi; ſed id tandem hac vice permiſerunt, ne labores et expenſæ fruſtrarentur convenientium; ita tamen quod id in conſequentiam amplius non traheretur. * Hiſt. Angl. p. 395. See Godwins Catalogue, p. 239.

The Biſhop of *Worceſter* having Excommunicated the Kings Bayliff, for ſeiſing into the Kings hands the Church of *Fekenham*, to which the King had preſented his Clerke, though appropriated to the Abby of *Lyra* by former Charters, he upon ſight of them revoked his preſentation, and requeſted the Biſhop to abſolve his Bayliff, and take off his Sequeſtration, commanding the Church to be reſtored to the Abbot and Monks of *Lyra* by this Writ.

REX venerabili in Chriſto patri *W.* eadem gratia *Wigornienſi* Epiſcopo, ſalutem. Quia conſtat nobis per inſpectionem cartæ *H.* Regis avi noſtri, quam Abbas & Monachi de *Lyra* habent de jure Patronatus Eccleſiæ de *Fekenham*, & etiam ex tenore litterarum noſtrarum quibus fidem, ſicut debet, adhibemus, didicimus, quod prædicti Abbas & Monachi Eccleſiam illam a longo tempore excepta vicaria in uſus proprios tenuerunt, Paternitati veſtræ ſignificamus, quod poſſeſſionem eorum, ex quo res ita ſe habet, impedire non curamus, unde licite poteſtis ſequeſtrum factum de Eccleſia prædicta occaſione præſentationis noſtræ nuper de *Thoma de Nortleth* Clerico ad Eccleſiam ipſam, præfatis Monachis relaxare, quod ſi placet ſine impedimento, non obſtante præſentacione noſtra, facere velitis. Præcipimus enim Ballivo noſtro de *Fekenham* (cui veſtri gratia culpis ſuis exigentibus excommunicationis vinculo innodato, abſolutionis beneficium ex interceſſu noſtro impendiſtis) quod de terris & redditibus ad Eccleſiam ipſam pertinentibus quas occaſione prædicta in manum noſtram cœpit, eiſdem Abbati & Monachis plenam ſeiſinam habere faciat, ad diſponendum inde pro voluntate ſua nunc ſicut prius. Teſte Rege apud *Weſtm.* 3 die *Maii*. An. 19 H. 3. in Turri London.

The Biſhop of *Norwich* complaining this year to the King, that ſome perſons impriſoned upon a *Capias Excommunicatum* were inlarged by the Sherif, before ſatisfaction given to the Church for their injuries and contempts, iſſued this Writ to the Sherif of *Norfolk* and *Suffolk*, to prohibit it for the future.

An. 19 H. 3. Clauſ 19 H. 3. m. 24 intus. REX Vicecomiti *Norf.* & *Suff.* ſalutem. Mandavit nobis venerabilis pater *Thomas Norwicenſis* Epiſcopus, quod excommunicatos de Dioceſi ſua captos et detentos in priſona noſtra per præceptum noſtrum, facis a priſona deliberari, priuſquam ſanctæ Eccleſiæ, tam de injuria ſibi illata, quam de contemptu ſatisfecerint. Et ideo tibi præcipimus, quod de cætero illos qui excommunicati fuerint et capti, et in priſona noſtra detenti, a priſona noſtra non deliberes niſi prius ſanctæ Eccleſiæ ſatisfecerint, ſicut prædictum eſt. Teſte Rege apud *Weſtm.* 19 die *Novembris.*

Becauſe many women being Nurſes and Servants to *Jews*, were thereby infected with *Judaiſm*, the King by his Eccleſiaſtical Prerogative commanded the Sheriff of *Norfolk* and *Suffolk* to publiſh this Proclamation to prohibit it for the future.

Clauſ. 19 H. 3. m. 24. intus. MAndatum eſt Vicecomiti *Norf.* & *Suff.* quod in Civitate de *Norwico* & in ſingulis bonis villis Comitatuum ſuorum clamari faciat, quod nulla fœmina Chriſtiana de cætero ſerviat Judæis ad alendos parvulos ſuos, vel in aliquo alio officio. Teſte Rege apud *Weſtm.* 20 die *Novemb.* Per ipſum Regem.

The Archbiſhop of *Canterbury* claiming the Cuſtody of the Temporalties of the Biſhoprick of *Rocheſter* during the vacancy as Patron thereof, by * King *John's* Charter, the King thereupon iſſued this Writ, with a ſaving of his own *right* and others thereto.

* See Tom. 2. p. 339.

Clauſ. 19 H. 3. m. 27. intus. REX Vicecomiti *Cantuarienſ.* Sciatis, quod conceſſimus venerabili patri *E. Cantuarienſi* Archiepiſcopo, quod habeat ſeiſinam Epiſcopatus *Roffenſis* vacantis, & omnium terrarum ad eundem Epiſcopatum pertinentium, ſalvo jure noſtro et omnium aliorum, ſi qui in cuſtodia prædicti Epiſcopatus jus ſibi vendicent. Et ideo tibi præcipimus quod de prædicto Epiſcopatu vel de aliquibus terris & poſſeſſionibus ad eundem Epiſcopatum pertinentibus in nullo te intromittas, & ſi quid inde cepiſti vel amoveri feciſti, id eidem Archiepiſcopo reddi facias. Teſte Rege apud *Straſford*, primo die *Marcii.*

Eodem modo mandatum eſt Vicecomiti *Norff.* & *Suff.*

The Biſhops, Abbots and Priors who held of the King by *Knights ſervice* in Capite, having granted an Ayd to the King this year, of their Lands ſo held, he commanded the Sheriffs to ſummon moſt other Abbots and Priors who held not of him *in Capite* to appear before him (to grant him an other kind of Ayd) by this Writ.

Clauſ 19 H. 3. m. 7. dorſo. MAndatum eſt Vicecomiti *Oxon.* quod omnes Abbates & Priores de comitatu tuo qui non tenent de Rege in capite, per ſervicium Militare, cujuſcunque ſint ordinis præter ordinem *Cyſtercienſem* & *Præmonſtratenſem*, venire faciat coram Rege apud *Wudeſtok* in craſtino Sanctæ *Mariæ Magdalenæ*, anno, *&c.* ad loquendum cum Rege de negociis ſuis quæ eis habet exponenda. Teſte Rege apud *Weſtm.* 16 die *Julii.*

Eodem modo ſcribitur Vic. { *Heref.* / *Glouc.* / *Wigorn.* } apud *Glouc.* die Veneris prox. ſequente, *&c.*

The King likewiſe this year in purſuance of his former promiſe and grant to the Clergy, commanded the Tithes of Mills and Hay to be paid out of all his Mills and Lands within the Honor of *Richmond*, then in his hand:

Clauſ 19 H. 3. m 3. intus. REX Cuſtodi Honoris *Richmund.* ſalutem. Sciatis, quod conceſſum eſt de conſilio noſtro, quod decimæ Fœni et Molendinorum dentur de dominicis noſtris in regno noſtro *Angliæ*. Et ideo tibi præcipimus quod decimas Fœni et Molendinorum de dominicis Honoris *Richmund.* dari facias perſonis quibus debentur quamdiu Honor ille fuerit in mana noſtra. Teſte Rege apud *Derl.* ſexto die *Septembris.*

How carefull the King was for the advancement of Learning, Religion, and to preſerve the Libers of the Univerſity and Scholars of *Oxford*, againſt the extortions and abuſes of the Townſmen, and a compoſition formerly made for that purpoſe between them by his Order, which the Townſmen would not obſerve, will appear by this Record.

Clauſ. 19 H. 3. m. 13 dorſo. H. Dei gratia Rex *Angliæ*, &c. Majori & probis hominibus ſuis *Oxoniæ*, ſalutem. Quia ſicut ad nos pervenit ex quelera Univerſitatis Scolarium ſtudentium, injuria veſtra faciente, contentiones quædam de novo exortæ ſunt inter vos et Univerſitatem prædictam ſuper quibuſdam articulis in Compoſitione quadam inter vos inita, quam eidem Univerſitati obſervare contradicitis, ut de Sacramento

in

in capite Anni præſtando, de victualibus prædictis Scolaribus juſto ac rationabili precio vendendis; vobis præcipimus firmiter injungentes, quod ſicut indempnitatem veſtram diligitis, per vos ipſos diſſentiones prædictas ſuper ſingulis articulis in prædicta Compoſitione contentis, et maxime ſuper præſtacione ſupradicti Sacramenti, ſervare et pacificare ſtudeatis. Ita quod non debeat ad nos clamor iteratus pervenire. Scituri, quod ſi ab aliquo in prædicta Compoſitione contento receſſeritis, aſſignavimus diſcretum virum *G.* de *Craucumb.* per quem volumus Compoſicionem prædictam in omnibus ſuis articulis firmiter obſervari. Teſte Rege apud *Weſtm.* 21 die *Februarii.* *An.* 20 & 21 Hen. 3.

The Townſmen of *Oxford* inſtead of obſerving their Articles, aſſaulting and wounding ſome of the Scholars the next year, the King thereupon iſſued theſe two Writs to preſerve the Univerſities Priviledges, and his own Juriſdiction over it,

AUdita quærela Univerſitatis *Oxon.* videlicet, quod quidam Clerici contra pacem Regis in villa prædicta graviter vulnerati ſunt, ita quod de vita eorum adhuc deſperatur, Rex ad villam prædictam miſit Magiſtrum *Simonem Normannum*, & *Johannem Gubaud* Mariſcallum ſuum ad inquirendam veritatem ſuper præmiſſis. Et mandatum eſt Majori & probis hominibus *Oxon.* quod eis intendentes ſint in his quæ eis dicent ex parte Regis. Teſte Rege apud *Silveſton*, 6 die *Februarii.* Pat. 20 H. 3. m. 11. dorſo. Pro Univerſitati Oxon.

REX venerabili in Chriſto patri *R.* Dei gratia *Lincoln.* Epiſcopo, ſalutem. Cum contentiones inter univerſitatem Cleri *Oxon.* ex parte una, & Communa villæ prædictæ motæ, ſpecialiter nos tangunt, dilectum & fidelem noſtrum Magiſtrum *Willielmum de Kilkenny*, quem una cum dilectis & fidelibus noſtris *W. de Kirkeham* Decano S. *Martini London.* & *Godefrido de Craucumb* Seneſcallo noſtro, in occurſum veſtrum duximus mittendum, ad dictas contentiones ſedandas una vobiſcum, quem procuratorem noſtrum conſtituimus, ad appellandum pro nobis ſi neceſſe fuerit; ne per aliquem proceſſum negotium præfatum contingentem in noſtrum vel Regiæ dignitatis præjudicium aliquid attemptetur. Gratum & ratum habituri quicquid idem Magiſtro *W.* in hac parte mediante juſtitia duxerit agendum. In cujus rei, *&c.* Teſte Rege apud *Theok.* 8. die *Julii.* Pat. 20 H. 3. m. 5. intus. De Procuratione Oxon.

Tom. 2. p. 476. l. 8. after *Viceſimo*, adde; What Juriſdiction the Pope and his Delegates then exerciſed in *England*, in caſes of Appeal againſt a ſentence given in caſe of Divorce by our Biſhops, this Record will evidence.

REX Conſtabulario Caſtri de *Kenebanton.* ſalutem. Scias, quod Divortium celebratum per Epiſcopum *Norwicen.* & conjudices ſuos, inter *Rogerum de Dauntes*, & *Matil.* Comitiſſam *Eſſex.* uxorem ſuam, per *R. Hereforden.* Epiſcopum & conjudicem ſuum, authoritate literarum Domini Papæ, eſt revocatum; & prædicta Comitiſſa ei, tanquam uxor ſua legitima, adjudicata; ſicut eidem Judices per literas ſuas patentes nobis ſignificarunt. Et ideo tibi præcipimus, quod prædictum Caſtrum cum pertinentiis eidem *Rogero* liberes. In cujus, *&c.* Teſte Rege apud *Theok*, 14 die *Julii.* Pat. 20 H. 3. m. 5. intus.

Whereunto I ſhall adde this *Bull* of Pope *Gregory* to the Biſhop of *Norwich*, to augment the maintenance of the Archdeacon of *Norwich*, whoſe ordinary Revenues were too ſmall to maintain him, by addition of a competent Benefice to it, and this Biſhops Charter made in purſuance thereof to the Archdeacon; which I found in the *White Tower* Chappel. *An.* 21 H. 3.

OMnibus ſanctæ matris Eccleſiæ filiis ad quos præſens ſcriptum pervenerit, *Th.* Dei gratia *Norwicenſis* Epiſcopus, ſalutem, *&c.* Noverit Univerſitas veſtra, nos mandatum Domini Papæ in hæc verba ſuſcepiſſe. Gregorius *Epiſcopus.* &c. *venerabili fratri Epiſcopo* Norwic. *ſalutem & Apoſtolicam benedictionem. Dilectus filius* Radulphus de Bluwick *Archidiaconus* Norfolc. *tuæ Diœceſis nobis humiliter ſupplicavit, ut cum proventus Archidiaconatus ſui adeò ſunt tenues & exiles, quod ex ipſis non valeat per dimidium annum, nec aliàs habeat, unde poſſit congruè ſuſtentari, & à te, qui ipſum (ut aſſerit) in Archidiaconum ordinaſti, tantum ſuppleri in Eccleſiaſtico beneficio faceremus, quod ex hoc & præfatis proventibus* congruæ ſuſtentationis ſubſidium aſſequatur. *Quocirca fraternitati tuæ* per Apoſtolica ſcripta mandamus, quatinus eidem Archidiacono, ob reverentiam ſedis Apoſtolicæ et noſtram, ſuppleas quod deeſt de beneficio competenti; *Mandatum noſtrum taliter impleturus, quod idem aſſecutum ſe gaudeat quod intendit, & nos devotionem tuam meritò poſſumus commendare. Datum* Viterbii, 7. *Kal.* Febr. *Pontificatus noſtri anno nono.* Nos igitur præfati An. 21 H. 3. in Turri Lond.

An. 21 H. 3. Archidiaconi nobilitate & genere, morum honeſtate, necnon & liberalitate & hoſpitalitate, quas exercet, regionis etiam conſuetudine quæ majores requirit expenſas, onere etiam dicto Archidiaconatui circa expenſas annexo, maximè pro eo quòd quaſi nobile membrum et principale *Norwicenſis* Eccleſiæ, & tanquam unus de majoribus, inter omnes poſt Epiſcopum idem ratione Archidiaconatus cenſeatur, ac aliis ejuſdem meritis, conditionibus, ac circumſtantiis diligenter conſideratis, ob reverentiam ſedis Apoſtolicæ et ipſius mandatorum, præter proventus Archidiaconatus & alia quædam præoptenta Beneficia, authoritate Apoſtolica decernimus eidem Archidiacono fore ſupplend. ut redditus Centum librarum ſterlingorum ſub communi æſtimatione in Eccleſiaſticis Beneficiis, etiamſi curam animarum habeant annexam, in ſupplementum congruæ ſuſtentationis recipere valeat, & ea cum præmiſſis licitè retinere; Et ne præmiſſa in poſterum revocentur in dubium, præſentem paginam patenter duximus conſignandam. Actum anno ab Incarnatione Domini 1236. ſeptimodecimo die menſis *Junii*, Pontificatus noſtri anno decimo.

In the Plea-Rolls in the *Tower* (Term. *Mich.* An. 20 & 21 *H.* 3.) I meet with theſe Actions and Attachments for holding Plea in *Court Chriſtian* of Debts and Chattels which concerned *Teſtaments* or *Marriage*, and likewiſe of *Lay-fee* againſt the Kings Prohibitions.

Plac. An. 20 & 21 Hen. 3. in Turri Lond. ——— de Hulles *optulit ſe quarto die verſus* Johannem *Archiepiſcopum* Cantuar. *Magiſtrum* Lucam de Brie, *& Magiſtrum* Willielmum de Halyngberge, Alexandrum de ——— *&* Aliciam *uxorem ejus*, Johannam *&* Lorettam *ſorores ejuſdem* Aliciæ, *de Placito*, quare tenuerunt placitum in Curia Chriſtianitatis de Catallis et Debitis quæ non ſunt de Teſtamento vel Matrimonio, &c. *Et de placito quare prædicti* Alexander, Alicia, Johanna, & Loretta ſecuti fuerunt idem Placitum in eadem Curia contra prohibitionem, &c. *Et ipſi non venerunt. Et præceptum fuit Vicecom.* quod Attach. eos, &c.

The like Suits for holding and proſecuting Suits in *Court Chriſtian* againſt Prohibitions for the like Cauſe, I find in the ſame Plea-Rolls the ſame Term, brought and proſecuted by *Galfridus le Cave* & *Rogerus le Cave*, verſus *Johannem* Priorem de *Caresbrok*. By Eſſon. *Rogeri* filii *Stephani de Chalke* verſus *Clementem de Tylulſyde*.

Wiltes. *Reginaldus Laurence* obtulit ſe 4 die verſus *Johannem Cavenard*, &c.

Suſſex. *Magiſter* Thomas de Burn *&* Ricardus *Vicarius Eccleſiæ de* Kyngeſton Attach. fuerunt, ad reſpondendum Roberto Fagy de placito, quare tenuerunt placitum in Curia Chriſtianitatis de Catallis et Debitis quæ non ſunt de Teſtamento vel Matrimonio contra prohibitionem, &c.

Et unde idem Robertus *queritur*, quod cum prædicti Thomas & Ricardus tenuiſſent placitum in Curia Chriſtianitatis, de eo quod idem Robertus diffamaſſe debuit quendam ——— et ipſe die, &c. in præſentia, &c. poſtea riſſet eis Regiam prohibitionem, ne placitum illud tenerent: Ipſi ſpreta Regia prohibitione, nihilominus placitum illud tenuerunt in Curia Chriſtianitatis; et ipſum poſtea ab ingreſſu Eccleſiæ ſuſpenderunt, et poſtea excommunicaverunt: in contemptum Domini Regis, &c. Unde dicit quod deterioratus eſt, et damnum habet ad valentiam decem Librarum. *Et inde producit ſectam*, &c.

Et Thomas & Ricardus *per Attornatum ſuum venerunt*; *Et dicunt*, quod non debent ei ad hoc breve reſpondere, *quia dicunt, quod cum prædictus* Robertus per breve ſuum aſſerat ipſos tenuiſſe placitum in prædicta Curia Chriſtianitatis de Catallis et Debitis quæ non ſunt de Teſtamento vel Matrimonio, &c. *Et in narratione ſua dicit* ipſos tenuiſſe placitum de Diffamatione, &c. quæ mere ſpectat ad Curiam Chriſtianitatis, &c. *Et petunt judicium*, &c. *Et* Robertus *non poteſt hoc dedicere. Ideo conſideratum eſt quod* Robertus *nihil capiat per Breve ſuum, ſed ſit in miſericordia pro falſo clameo: Et prædicti* Thomas & Ricardus *inde ſine die*, &c. *Condonatur per Juſtic. quia pauper*, &c.

Warwic[illegible]*obertus le Provoſt de* Hunyngham *optulit ſe verſus Magiſtrum* Hugonem Sanc[illegible]*c.* quare ſecutus eſt Plac. &c. de Catallis, &c. quæ non, &c.

* Mat. Pariſ. Hiſt. Angl. p. 420, 421. Mat. Weſtm. pag. 143, 144. Tom. 2. p. [illegible]6. l. 12. after *Templarius*, adde; * *Mat. Paris* relates, That *Anno Domini* 1237. *qui eſt annus Regis* Henrici *tertii* 21. *tenuit idem Rex Curiam ſuam ad Natale apud* Wintoniam. *Miſit autem continò per omnes fines* Angliæ *ſcripta Regalia, præcipiens omnibus ad regnum* Angliæ *ſpectantibus, videlicet Archiepiſcopis, Epiſcopis, Abbatibus, & Prioribus inſtallatis, Comitibus & Baronibus, ut omnes ſine omiſſione in Octavis Epiphaniæ* Londoniis *convenirent, Regia negotia tractaturi totum regnum*

con-

contingentia. *Quod audientes Magnates, Regiis præceptis continuò paruerunt; credentes ſe vel Imperialia vel alia ardua negotia proviſuros. Venit igitur die Sancti* Hilarii Londonias *infinita Nobilium multitudo, ſcilicet* regni totalis univerſitas. *Et cum voluntatem Regis audituri, in Regio Palatio* Weſtmonaſterii *conſediſſent; ſurrexit in medio* Willielmus de Kæle *Clericus ac Domini Regis familiaris, vir quidem diſcretus & legum terræ peritus, ut quaſi mediator inter Regem & regni Magnates, Regium propoſitum & voluntatem in publicum propalaret. Ait igitur;* Mandat vobis Dominus Rex, quod hactenus quicquid fecerit, ex hoc nunc & amodo, veſtrum omnium, quaſi fidelium & naturalium hominum, conſiliis ſe ſubdet indubitanter. Veruntamen illi qua ſua tractantes, ſui theſauri cuſtodes hactenus extitêre, infideliter computum pecuniarum omnium reddiderunt receptarum. Nunc idcirco Dominus Rex, pecunia penitus deſtitutus, ſine qua quilibet rex extat deſolatus, auxilium a vobis ſimpliciter poſtulat pecuniæ. Ita voluiſſet, ut illa pecunia ad beneplacitum veſtrum colligeretur, ſecundum diſpoſitionem aliquorum veſtrum ad hoc electorum, in uſus regni neceſſarios reſervetur expendenda. *Quod verbum cum omnes & ſinguli, nil tale expectantes, graviter acceperunt murmurantes,* Alter in alterius jactantes lumina vultus, *dixerunt ad invicem:* Fuderunt partum montes, en ridiculus mus! *Et indignantes reſponderunt;* ſe undique & ſæpè nunc viceſima, nunc triceſima, nunc quinquageſima gravari promittendo & perſolvendo; afferentes, indignum nimis foræ et injuriosum, permittere Regem tam leviter ſeveribilem, qui nunquam unum ex inimicis regni, etiam minimum, repulit, vel exterruit, nec fines regni unquam ampliavit, ſed arctavit, et alienis ſubjugavit; ut a naturalibus hominibus ſuis, quaſi a ſervis ultimæ conditionis, in detrimentum eorum, et alienorum juvamen, tantam pecuniam, tot, toties, extorquere argumentis. *Quod cum Rex audiſſet, cupiens murmur hoc ſedare generale,* pollicebatur ſub juramento, ſe nunquam amplius Nobiles regni injuriando laceſſere, vel moleſtare; dummodo ſibi ad præſens triceſima pars mobilium *Angliæ* benignè conceſſa ſolveretur; quia paulò ante multa pecunia, quam Imperatori miſerat, ſuum theſaurum in magna parte (*ut aſſerunt*) pro matrimonio ſororis ſuæ, & iterum in proprio, mutilaverat. *Ad quod non tacitè reſponſum fuit,* quod hæc omnia ſine conſilio fidelium ſuorum fecerat, nec debuerant eſſe pœnæ participes, qui fuerant à culpa immunes. *Receſſerunt tandem in locum ſeorſum ſecretiorem, ut Regiæ exactioni contemperantes, & exgentiæ ſatisfacientes, inirent conſilium de modo & quantitate juvaminis, quod exigebatur, contractando. Secedentibus igitur illis ſeorſum,* Gilebertus Baſſet *Regi in communi dixit audientia, minus quam deceret in verbo circumſpectus:* Domine mi Rex, mittatis aliquem de veſtris, qui interſit illorum, *ſcilicet* Baronum veſtrorum, colloquio; *ſedebat enim ille, dum hæc diceret, Regi pancis intermediis collateralis. Ad quod ex alia parte reſpondit* Richardus de Percy, *qui in colloquio Magnatum extiterat, non ſine cauſa ſtomachatus;* Quid eſt, amice *Gilberte*, quod dixiſti? nunquid & nos alieni, & non de Regis amicis ſumus? *Et reprehenſus eſt* Gilbertus *in verbo illepido & repentino. Et ſic deceptationibus multiplicatis, protractum eſt colloquium in moram quadriduanam.*

An. 21 H. 3.

Nota.

Rex verò admodum perturbatus, ſuorum cupiens Baronum ſibi gratiam conciliare, ſe ex tunc deinceps, quicquid factum fuerat antea, dedit ſe conſilio fidelium ac naturalium hominum ſuorum. Præterea, de hoc quod dicebatur, quod conabatur ea quæ conceſſerat, et Chartis confirmaverat, * per authenticum ſummi Pontificis tuſtrmare: *dicebat Rex,* hoc falſum eſſe. Et ſi tale quid forte fuerat ſuggeſtum ei, in irritum affirmavit, ſeque talia penitus revocare. Præterea, ſereno vultu, et ſpontanea promiſit voluntate, libertates Magnæ Chartæ ſuis fidelibus regni ſui, ex tunc inviolabiliter obſervare. Et quia videbatur non penitus immunis a ſententia, quam tulerat Archiepiſcopus Stephanus cum omnibus Epiſcopis Angliæ, in omnes violatores prædictæ Chartæ, quam malo conſilio fretus in parte læſerat, fecit in publico innovare ſententiam præparatam, in omnes ejuſdem Chartæ contradictores aut violatores. Sic, ut ſi ille per aliquem conceptum rancorem forte eam non obſervaret, in latam ſententiam gravius recidivaret. (Thus did the King voluntarily ſubject himſelf to the Excommunication and Cenſure of his Biſhops, as well as his other Subjects, to procure their favours and a ſupply of his preſſing publick neceſſities.) *Unde factum eſt,* ut omnium corda hæc audientium, ibi mirabiliter in verbo illo conciliavit. *Et deliberatum eſt,* quod videretur durum, ſubito conſilium quod in præſentiarum habuit, ab eo quaſi reprobum ſequeſtrare, *appoſitione aliquorum Magnatum additorum illud roboraverunt, adjungentes ei Comitem* Warenniæ, Willielmum de Ferrariis,

* As K. John his Father did, Tom. 2. p. 240, to 244.

An. 21 H. 3. rariis, & Johannem *filium* Galfridi. Et fecit eos Rex jurare quod nullo modo muneribus, vel aliquo alio modo a via veritatis deviarent, quin parent ipſi Regi ſanum et ſalubre regno conſilium, ſicut antea fecerat Rex apud Windleſhores. Conceſſa eſt igitur benigne tali conditione Regi ea vice triceſima regni pars; *omnium ſcilicet mobilium, ad theſaurum ſuum reſtaurandum; ſalvis tamen unicuique auro ſuo & argento, equis & armis, in Reipublica militatem expendendis. Quæ pars triceſima, ſub hac forma per quemlibet Comitatum diligenter colligetur. Eligendi ſunt quatuor fide digni Milites, cum Clerico, quem Rex ipſis addet in unoquoque Comitatu, & jurati de fidelitate una cum Clerico Regis, pecuniam colligent; & collecta reponetur in Abbatia, ſacra Æde, vel Caſtro, ita ſi forte velit Rex a propoſito (quod tamen abſit) reſilire, & reddatur unicuique quod ſuum eſt, fideliter diſtribuendum.* Conſentientibus igitur primum Archiepiſcopo Cantuarienſi cum ſuis Epiſcopis et Clero, ſub hac conditione conceſſa eſt Regi triceſima mobilium regni ab omni Prælato, ſecundum tenementum Baroniæ ſuæ, et Milite, per totum regnum generaliter colligendum. *Sæpè tamen annexum fuit in conditione*, quod et tunc et deinceps conſilio alienigenarum, (eſpecially of *Othobon*, and other the Popes Legates, who moſt ſwayed, infatuated him, and pillaged his Subjects) qui ſemper ſui, non regni amici eſſe conſueverunt, et regni bona diſtrahere, non adunare, et omnium innaturalium derelinto, ſuorum fidelium et naturalium hominum conſiliis adhærebit. *Et ſic ſoluto Concilio, non ſine interiori murmuratione & multa concepta indignatione, eo quod cum difficultate tanta Regis animum ad ſalubre conſilium convertissent, & conſiliis eorum, à quibus omnem honorem terrenum habet, obſecundarent, ad propria quiſque remeavit.*

The King in purſuance of his promiſe to the Biſhops and Nobles in this Parliament, for the ſalvation of his ſoul, *and exaltation of the Church*, &c. re-confirmed the Great Charter of Liberties, and of the Foreſt, being now of full age, notwithſtanding they were made during his minority, by this Charter enrolled in his *Charter-Roll* of that year (in the *Tower* of *London*) not formerly publiſhed to my knowledge.

Cart. An. 21 H. 3. m. 7. n. 4. Carta de Libertatibus.

REX omnibus Chriſti fidelibus præſentem Cartam inſpecturis, ſalutem. Sciatis, quod intuitu Dei, et pro ſalute animæ noſtræ, & animarum anteceſſorum & hæredum noſtrorum, et ad exaltationem ſanctæ Eccleſiæ, et emendationem regni noſtri, conceſſimus & hac Carta noſtra confirmavimus Archiepiſcopis, Epiſcopis, Abbatibus, Prioribus, Comitibus, Baronibus, Militibus, liberis hominibus, & omnibus de regno noſtro *Angliæ*, omnes libertates et liberas conſuetudines contentas in

* An. 1 & 9 Hen. 3.

* Cartis noſtris quas eiſdem fidelibus noſtris fieri fecimus, cum minoris eſſemus ætatis, ſcilicet tam in Magna Carta noſtra, quam in Carta noſtra de Foreſta. Et volumus & præcipimus pro nobis & hæredibus noſtris, quod præfati fideles noſtri & ſucceſſores & hæredes eorum, habeant & teneant in perpetuum omnes libertates, & liberas conſuetudines prædictas, non obſtante eo quod prædictæ Cartæ confectæ fuerunt cum minoris eſſemus ætatis. Hiis teſtibus, venerabilibus patribus *E. Cantuarienſi* Archiepiſcopo, *P. Wintonienſi*, *J. Bathonienſi*, *R. Dunolmenſi*, *W. Carleolenſi*, *W. Exonienſi*, *R. Saresberienſi*, *H. Elyenſi*, *R. Lincolnienſi*, *R. Herefordenſi*, *A. Coventrenſi* & *Lichefeldenſi* Epiſcopis, *W. Valenciæ*, *W. Wigornienſi* Electis. *R.* Comite *Cornubiæ* & *Pictaviæ*, *Johanne* Comite *Ceſtriæ* & *Huntingdoniæ*, *G. Mareſcallo* Comite *Pembroke*, *J.* Comite *Lincolniæ*, & Conſtabulario *Ceſtriæ*, *W.* Comite de *Ferrariis*, *W.* Comite *Warenn.* *H.* Comite *Kancii*, *H.* Comite *Eſſexiæ* & *Herefordiæ*, *Simone de Montiforti*, *Willielmo Longeſpe*, *Willielmo de Ferrariis*, *Willielmo de Veſcy*, *Ricardo de Percy*, *Ricardo de Munficheth*, *Willielmo de Roſ*, *Johanne Biſet*, *Gileberto de Umframvill*, *Willielmo de Lancaſtria*, *Willielmo de Cantilupo*, *Waltero de Clifford*, *Johanne de Monemue*, *Radulpho de Mortuo mari*, *Willielmo Mauduit*, *Rogero la Zuche*, *Olivero de Vallibus*, *Gileberto Baſſet*, & aliis. Dat. per manum venerabilis patris *R. Ciceſtrenſis* Epiſcopi Cancellarii noſtri apud *Weſtm.* 28 die *Januarii*, anno regni noſtri 21.

Conſimilem Cartam habent Archiepiſcopi, Epiſcopi, Abbates, Priores, Comites, Barones, & omnes alii de Comitatu *Suthanton.*

The Church of S^t. *Petroch* in *Ladeford* wanting maintenance for a Chaplain to officiate therein, the King out of his Piety and Eccleſiaſtical Soveraingty, granted the Tithes of the Herbage of *Dartmuth* to it, to maintain a Chaplain therein, by this Patent.

REX

REX dedit & conceſſit Deo & Eccleſiæ Sancti *Petrochi* de *Ladeford*, & Capellano miniſtranti in eadem Eccleſia, ad ſuſtentationem ſuam quicunque pro tempore ibidem Capellanus fuerit, decimam Herbagii de *Dertemore*. In cujus rei, &c. Teſte Rege apud *Wudeſtok*, 12 die *Julii*. *An.* 21 H. 3. Pat. 21 H. 3. m. 6 intus.

Et mandatum eſt *Hereberto* filio *Matthæi*, quod perſonæ ejuſdem Eccleſiæ decimas prædictas habere faciat. Teſte ut ſupra. Pro Eccleſia S. Petrochi.

Pope *Gregory* the 9th. (*Anno* 21 H. 3.) ſent this Bull (the original of which is extant in the *White Tower*) to the King, to deſire his Royal protection for ſome Freers-mendicants of a foreign Hoſpital, to grant them a convenient Houſe, and liberty to collect the Almes of charitable perſons throughout his Realm, for relief of the poor; who afterwards drew it into cuſtome in ſucceeding times.

GREGORIUS Epiſcopus ſervus ſervorum Dei, chariſſimo in Chriſto filio illuſtri Regi *Angliæ*, ſalutem & Apoſtolicam benedictionem. Quanto magis majus eſt Chriſti pauperibus gaudium cum eis gratia hoſpitalitatis impenditur, & ſuis neceſſitatibus miſericorditer ſubvenitur, tanto id facienti ſalubrius, & omnium bonorum retributorum acceptius pro certo eſſe credimus, & ſperamus. Nos igitur ad hujus pietatis opera tuam ſalutem optantes, Celſitudinem Regiam fiducialiter invitamus, monentes, & obſecrantes in Domino Ieſu Chriſto, quatinus dilectos filios, fratres Hoſpitalis de *Alto paſſu*, qui ad ſuſtentationem pauperum totaliter ſe effundunt, doctrina Dominica eruditi, habens divinæ retributionis intuitu pro noſtra & Apoſtolicæ ſedis reverentia commendatos, eis per totam terram tuam provideas in ſecuro conductu, ipſique domum aliquam quæ hoſpitalitati conveniat ad opus hoſpitalis ipſius liberali pietate concedas, ut per hoc ſanctarum orationum quæ in Hoſpitali prædicto ad Dominum jugiter offeruntur, particeps effici valeas, et locus tibi inter ſuffragum agmina præparatur æternus. Dat. *Interimni* 12 Kal. *Decembris*, Pontificatus noſtri anno decimo. Anno 21 H. 3. in Turri London.

The Abbot of S*t*. *Saviours* of *Blavia* in *Gaſcoigne*, as the Popes Delegate, having denounced a ſentence of Excommunication and Interdict againſt the Earl of *Tholouſe* and *William A. de Tantalo*, the Kings Subject, on behalf of the Prior of *Manſo*, whom they baniſhed and deprived of his Lands and Goods, for oppoſing and acting againſt them by the Popes command, and refuſing to make reſtitution of them to the Prior according to his ſentence; he thereupon revived and aggravated his ſentence of Excommunication againſt them, and all places, perſons that ſhould harbour, or any wayes converſe with, or aſſiſt them. Which they notwithſtanding contemning, the Abbot thereupon certifying the King of this their contempt, deſired and required him to compel *William A. de Tantalo*, being his Subject, to obey his ſentence, in making reſtitution to the Prior according to the ſentence, or elſe to enforce him thereto by his ſecular power, by ſeiſing his Caſtles and Lands, or by any other means, till he performed his ſentence; threatning to denounce a ſentence of Interdict againſt all the Kings Lands and Subjects in *Gaſcoigne*, in caſe he neglected to do it: Whereupon the King iſſued forth this Writ to his Seneſchal of *Gaſcoigne*, to ſeiſe his Lands and Goods, if he made not reſtitution to the Prior within 40 dayes after admonition to do it; as this memorable Record (diſcovering the inſolency, tyranny of Popes Legates and Delegates over Kings, Earls perſons, Lands and Subjects) informs us.

REX Seneſcallo ſuo *Waſconiæ*, ſalutem. Litteras dilecti nobis in Chriſto Abbatis Sancti *Salvatoris* de *Blavia* recepimus in hac forma: *Illuſtriſſimo Domino* H. *Dei gratia* Anglorum *Regi*, P. *divina miſeratione Abbas Sancti* Salvatoris *de* Blavia, *ſalutem*, et Apoſtolicis obedire mandatis. Cum auctoritate ſedis Apoſtolicæ qua fungimur in hac parte, ſententias latas *pro venerabili viro* R. D. *Priore de* Manſo *ac Decano* Burdegalenſi *contra Comitem* Toloſanum. & Willielmo A. *de* Tantalo *hominem veſtrum*, & *Seneſcallum ipſius Comitis*, *contra reſtitutionem ipſius Villæ de* Manſo, *Juſticiario Seculari*, & *aliis ad plenum dominium ejuſdem Villæ ſpectantibus*, *cum fructibus ex præmiſſis medio tempore perceptis*, & *dampnis*, & *expenſis*, et excommunicationes in perſonam Comitis memorati, et Willielmi A. *de* Tantalo Seneſcalli ejuſdem Comitis, et Interdicti ſententiam in totam terram ipſius Comitis, et eciam in quemlibet alium locum ad quemcumque ipſum Comitem contingeret devenire quamdiu ibidem exiſteret præfes, eidem confirmavimus Juſticia mediante, et ipſe Comes et prædictus W. A. ab erroꝛe ſuo et contumacia minime reſilirent. Nos tamen Pat. 21 H. 3. pars 1. m. 3. dorſo.

An. 21 & 22 Henr. 3. tamen prout injuncto nobis auctoritate Apoſtolica officio debeamus, manum noſtram contra ipſos durius aggravandam, ipſis iterato excommunicantes, et omnes eiſdem ſcienter participantes convendo, bibendo, ſalutando (emendo) vel modo aliquo contrahendo, eiſdem facto vel verbo conſilium vel auxilium impendendo eodem excommunicationis vinculo innodantes, et omnes illos qui eiſdem * Juramento aſtricti tenebantur ab ipſo Juramento, auctoritate Apoſtolica abſolventes, quamdiu in ſua pertinacia remanerent. Verum cum nos ulterius per nos facere non poſſimus et ipſi gladium Eccleſiæ quo utimur, more ſuo ſolito vilipendant, et prædictas ſententias publicari fecerimus per Narbonenſem, Arelatenſem, Aquenſem, et Burdegalenſem Provincias, et etiam in Capella Domini Regis Franciæ fecerimus publicari, et adhuc facimus ſingulis Dominicis et diebus feſtivis, pulſatis campanis, et incenſis candelis, et ipſi * adhuc ut prius, et etiam durius in rebellione ſua perſeverent et nequicia; et præfatum Priorem de Manſo, qui tempore guerræ pro negotio pacis et fidei viriliter et potenter (non ſine rerum et perſonarum diſpendio) pro ſe et ſuis contra ipſum Comitem et pacis et fidei inimicos, noſcitur laboraſſe, per præfatos Comitem et Willielmum A. modo extra nationem ſuam propriam bonis omnibus Eccleſiaſticis, et mundanis ſpoliatus, compellitur erulare; præſertim cum ipſe Comes talia faciendo, contra propriam veniat Juramentum, et ipſum in pœnam appoſitam in forma pacis inter Eccleſiam ex una parte et ipſum ex altera, non ſit dubium incidiſſe. *Nos tamen oportet* * *ad aliud auxilium convolare.* Quocirca Serenitatem veſtram, tanquam Dominum Eccleſiæ, monemus et exhortamur in Domino, vobis auctoritate qua fungimur Apoſtolica in hac parte, ſalva Regali magnificentia, nichilominus injungentes, quatinus dictum Willielmum A. de Tantalo ſpoliatorem et perſecutorem Eccleſiæ Dei, et ipſius Prioris, tanquam hominem veſtrum ſeculari brachio per occupationem terræ quam habet ſub Dominio veſtro, et bonorum ipſius et aliis modis quibuſcunque poteritis, ſeculari brachio compellatis, ut ſupradicto Priori de Manſo et Eccleſiæ ſuæ ſuper præmiſſis plenarie ſatisfaciat. Alioquin, licet Regali Celſitudini veſtræ deferre velimus et eciam debeamus, dicto tamen Priori deficere non poſſumus, quin in terram veſtram et contra veſtros procedemus cenſuram Eccleſiaſticam exercendo. *Datum in Craſtino S.* Johannis Baptiſtæ, *anno gratiæ* M. CC. XXXVII. *Quocirca vobis mandamus in fide qua nobis tenemini diſtrictè præcipientes, quatinus viſis his litteris* Willielmum A. *de* Tantalo *ſub teſtimonio bonorum virorum moneatis, quod memorato Priori de* Manſo *& Eccleſiæ ſuæ debita celeritate ſatisfaciat de præmiſſis. Quod ſi prædictus* Willielmus *infra* 40 *dies poſt ammonitionem factam hoc minimè fecerit, & de hoc vobis legitimè conſtare poſſit,* ipſum Willielmum per ſuperaliciam ſuam de Tantalo, et omnes alias terras et tenementa ſua quæ ſub dominio veſtro, ſine more diſpendio compellatis, *Ita quod eidem Priori de* Manſo *& Eccleſiæ ſuæ plenariè ſatisfaciat de præmiſſis,* Mandatum noſtrum in præmiſſis ea affectione exequentes quod diligentiam veſtram debeamus habere commendatam, et quod idem Prior ad nos pro defectu veſtro redire minime compellatur. *Teſte meipſo apud* Nottingham 9 *die* Septembris.

* Their greateſt Excommunications are but contemptible without Kings temporal power to back them.

Tom. 2. p. 489. l. 44. after *utilitatem*, adde: The occaſion of the Kings ſending to the Pope for this Legate *Othobon*, and his proceedings in this Council, are thus briefly related by * *Mat. Weſtminſter. Ipſis quoque temporibus, pœnituit Regem tot & tantos honores fratri ſuo* Richardo, *necnon &* Gilberto Mareſcallo, *& quibuſdam aliis, qui ſibi videbantur ingrati, contuliſſe.* Miſit igitur Romam nuncios ſecretos et familiares ad Papam, rogans attentius, ut per Legatum in ipſum Angliæ regnum, (quod ſibi ſpecialiter ſpectare videbatur) quem dignaretur ſine dilatione diſtinare, ſtatum regni pericitantem procuraret reformare. *Magiſter igitur* Otho, *Sancti* Nicholai *in Carcere* Tulliano *Diaconus Cardinalis*, venit Legatus in Angliam, *circa feſtum beatæ* Mariæ Magdalenæ (*Anno* 1237.) *qui poſtea in Octavis beati* Martini ſolenne celebravit Concilium London. *in Eccleſia Sancti* Pauli, *quod per tres dies continuos perduravit.* Convocatis omnibus Prælatis Angliæ *&* Walliæ, *Dominis* Cant. *&* Ebor. *Archiepiſcopis*, de prima et proxima ſeſſione a dextris ipſius Legati altercantibus, in dicto Concilio, multa ad reformationem ſtatus Anglicanæ Eccleſiæ fuerunt agitata, et quædam vetera innovata. Et ne videretur nihil feciſſe, aut pro nulla Eccleſiæ reformatione in Angliam veniſſe, juſſit ſub formidabili pœna, ut Eccleſiæ non dedicatæ dedicarentur.

* Ann. 1137. p. 146. Flores Hiſt. p. 146. See Henr. de Knyghtonde Event. Angl. l. 2. c. 16. col. 2432.

An. 22 H. 3. Tom. 2. p. 504. l. 48. after *Innovatus*, adde; Pope *Gregory* the 9th. (*Anno* 22 *H.* 3. ſent an inſolent Bull to King *Henry*, whereby he commanded him to revoke all

all Alienations made by him to the prejudice of his Crown, and the See of *Rome*, non obſtante juramento; which * Bull as I found in the *White Tower* and reſcued from oblivion, ſo I likewiſe there found this parchment Note of three more Bulls to the ſame effect ſoon after, (tranſcribed upon ſome ſpecial occaſion) though not the Bulls themſelves. *An.* 22 H. 3. * See Tom. 2. p. 504, 505.

Tranſcriptum Bullæ *Gregorii* Papæ, per quem ortatur Regem *Angliæ*, ad revocandam alienata in præjudicium Coronæ, non obſtante juramento; cum Decreto, quod Rex non tenetur ad ejus obſervationem.

Tranſcriptum Bullæ *Gregoriæ* Papæ, quod revocet alienata, *&c.* non obſtantibus juramentum et inſtrumenta, *&c.*

Tranſcriptum Bullæ *Gregorii* Papæ, per quem mandat Prælatis et Nobilibus, quod inducerent Regem ad revocandum alienata, *&c.* et quod pareant *O.* (*Ottoni*) Cardinali, quem Papa miſit ad Regem ad injungendum ei, quod non obſtante, *&c.* ſua revocet alienata.

To which Note there is this memorable Cedule affixed, which I conjecture to be a Decree of this inſolent Pope, vacating an Act made by the King, Prelates and Nobles in Parliament but the * year before, againſt the Aliens governing or reſiding in the Realm. * See p. 93, 94.

Caſſamus illud ſtatutum factum, quod regnum Angliæ de cætero per indigenas gubernetur, necnon exirent alienigenæ non reverſuri, exceptis illis quorum moram fideles regni communiter acceptarent. Ordinantes per dominium noſtrum, quod liceat alienigenis morari in dicto regno ſecure. Et quod Rex poſſit alienigenas et indigenas vocare ſecure ad conſilium ſuum, quos ſibi viderit utiles et fideles, ſicut facere potuit ante tempus prædictum: That ſo his Legate *Otho* might thereby rule both the King and Kingdom at his pleaſure, as he did to their grand prejudice and oppreſſion. On the Dorſe whereof is written with the ſame hand, *Non oſtendatur alienigenis nec indigenis niſi Magiſtris* Ricardo de Chaddewell, & Henrico de Cantuaria, the Popes and his Legates Privy-Counſellors.

* *Mat. Paris*, and † *Mat. Weſtminſter* relate this memorable Story of Pope *Gregory*'s grand indignation againſt King *Henry* the 3d. and the *Engliſh* for ſending ayd to the Emperour *Frederick* his Brother-in-law, againſt his *Italian* Rebells, and writing an Epiſtle to this Pope, to deal more mildly with him: *Eodem anno* (1238, *An.* 22 Hen. 3.) *ſtatim poſt Paſcha, miſit Dominus Rex* Angliæ *militare præſidium* ad Dominum Imperatorem juvandum contra Rebelles ſuos in partes Italiæ ſub ducatu Henrici de Trubleville, *viri in re militari periti ſſimi*, & Gulielmi *Electi* Valentini, *cum quo etiam miſit* J. Manſel, & Willielmum Hardel *Clericum & Civem* Londinenſem, *cum pecunia ſtipendiariis diſtribuenda. Et ſtrenuè per totam æſtatem exercitus Regis Imperatori militavit, & quorundam Civitatum Cives, volentes obſtare, vicerunt, & Imperio reddiderunt non ſine magno damno* Longobardorum, Imperio Rebellium; ubi ſtrenue dictus J. Manſel geſſit, a Rege ſtipendiatus. Quod Papa nimis moleſte tulit, unde maximam contra Anglos accepit indignationem. *Et circa idem tempus direxit* * Rex elegantem Epiſtolam Papæ, petens, ut mitius ageret cum Domino Imperatore (whom he Excommunicated, abſolving all his Subjects from their Allegiance and obedience to him, and ſtirring them up to rebell againſt him to depoſe him:) quod gravius accepit Papa, *ſecus reſpondens quam deceret*, et commotus eſt in tantam iram, ut per aliquod tempus omnia negotia, præcipue Anglicorum ſuſpenderentur. To ſuch an height of Antichriſtian inſolency was this arrogant uſurping Pope grown, that King *Henry* muſt neither aſſiſt his Brother-in-law and Ally againſt his rebellious trayterous Subjects with his Forces or Purſe, nor preſume to write to this Pope to deal more Chriſtianly and mildely with him, without incurring his high indignation, and ſuſpending all *Engliſh-mens* Suites and Affairs in the Court of *Rome*: Yet notwithſtanding his indignation for a ſeaſon; *circa idem tempus Domino Imperatore circa* Mediolanum *obſidionem continuante*, omnes fere mundi Principes, exemplum a Rege Angliæ accipientes, ei præſidium militare deſtinarunt; being all their Caſes and concernment to ayde each other againſt their rebellious Subjects, though fomented, excited, protected by Popes themſelves in their Rebellions. * *Hiſt Angliæ*, p. 454. † Flores Hiſt. p. 148. * Here, p. 76, 77.

The ſame year a wicked falſe *Clerk* of *Oxford* (as *Fabian* informs us) endeavouring to murder the King, was condemned, executed as a Traytor; and his Quarters ſent to, and hung up in ſeveral parts of the Realm by the Kings command

An. 22 H. 3.

for his Treason, notwithstanding his sacred Orders, as *Mat. Paris*, *Mat. Westminster*, and others thus register to posterity, for the terror of all other Traytors.

* Mat. Paris. p. 458, 459. Mat. Westm. p. 149. Quidam facinorosus conatur Regem in Thalamo jugulare. Polychronicon, l. 17. c. 35. H. de Knyghton, de Event. Angl. l. 2. c. 16. col. 2431. Fabians Chronicle, part 7. p. 57.

* Eodem anno accidit Regi periculum omnes audientes reddens nimis attonitos; in crastino enim Nativitatis *Mariæ*, (circa festum Sancti *Matthæi*, quidam facinorosus Pseudoclericus, (as *Mat. Westminster*, *Ranulphus Cestrensis*, *Henry de Knyghton* and others style him;) though *Mat. Paris* for the Clergies honour terms him, Armiger quidam literatus *(ut dicitur)* venit ad Curiam Regis apud *Wodestok*, infatuatum se simulans, donec secreta diverticulorum explorasset in Curia Regis, dicens Regi, Resigna mihi Regnum quod injuste usurpasti. Addidit quoque, quod signum Regale gestabat in humero; Quem cum ministri Regales arripuissent, volentes eum baculatum à præsentia Regis propellere, Rex irruentium in eum impetum compescuit: dicens, *Sinite infatuatum, ut talem decet, desipere; verba enim talium carent pondere veritatis.* Media autem nocte, ecce ille idem per fenestram *Regis* thalami introgressus, cultellum portans extractum, lectum Regis adiit furibundus; quem cum non invenisset, confusus est, Rege & Regina in alia camera, divina eos protegente clementia, eadem nocte decubantibus. Festinus igitur quæsivit eum per plura thalami diverticula. Erat autem tunc temporis, Domino providente, Rex quiescens cum Regina. Quædam autem puella Reginæ, cum forte vigilaret *Psalterium psallebat ad candelam*, erat enim sancta & Deo devota, nomine *Margareta Brisetb.* Ista cum videret prædictum furibundum, omnia abdita ut Regem jugularet, perscrutari, & voce terribili, *ubi Rex esset*, percunctari, attonita nimis cœpit clamare. Ad cujus clamorem terribilem ministri Regales expergefacti festinanter prosiliunt occurrentes, & ostium, quod ipse latro repagulo firmiter obseraverat, confringunt, & ipsum repugnantem arripiunt, vinculis astringunt arctius angustis. Qui tandem ore polluto confessus est, se missum illuc, ut Regem more assassinarum occideret, a *Willielmo de Mariseo*, filio *Galfridi de Mariseo*, alios quoque in idem facinus asseruit conspirasse. Quo cognito, Rex eum, quasi Regiæ Majestatis occisorem, membratim laniatum apud *Coventre*, post modicum temporis intervallum, exemplum terribile, et spectaculum lamentabile præbere jussit omnibus audientibus talia machinari. Primo enim equis distractus, postea decollatus, et corpus in tres partes divisum est. *Quælibet enim pars per suam de majoribus *Angliæ* Civitatem pertracta est, et postea Cruci appensa latronali; notwithstanding his *Clerk-ship.*

* *Cujus partes ad majores regni Civitates in tanti sceleris memoriam missæ sunt, distrahendæ & suspendendæ*, Matth. Westm. p. 149.

Plac. Assisarum An. 22 H. 3. in Turri London.

In the *Placita Assisarum* (in the *Tower*) before the Justices itinerant, *de Termino S.* Hill. *anno* 22 H. 3. I find these following Suits and Attachments against several Persons for prosecuting and holding Suits in Ecclesiastical Courts against the Kings Prohibitions, for Goods and Chattels whereof they had no legal Conusance.

Rot. 4. Cumberland. *ff.* Radulphus de Liminton Attach. fuit ad respond. Thomæ de Mulclere et Willielmo de Ireby de Plac. quare secutus est plac. in Curia Christianitatis, de catallis ipsorum quæ non sunt, *&c. Venit coram Justic. & per licentiam invenit plegios*, quod amodo non sequet aliquod placit. in Curia Christianitatis quod tangat Coronam Domini Regis.

Rot. 8. Bedf. *ff.* Willielmus *filius* Henr. *Essoin.* Gerardi de Furnival, *&c. ponit se* 4 *die vers. Priorem de* Bitmede, de Plac. quare secutus est placitum in Curia Christianitatis de catallis, *&c.* quæ non sunt de Testamento vel Patrimonio, *&c.* et fuit attachiatus, *&c.*

Rot. 9. Essex. Rogerus London. *Episcopus* Attachiatus fuit ad respondend. Godefrido de Shepeland de Plac. quare tenet placitum in Curia Christianitatis de catallis quæ non sunt, *&c.* et contra Prohibitionem, *&c. Et unde idem* Godefridus *queritur*, quod idem Episcopus trahit eum in plac. Curiæ Christianitatis, *& petit ab eo catalla ad valenc.* xj. s. occasione cujusdam divortii *celebrati inter ipsum & quandam mulierem quam ipse desponsaverat; & imponit ei, quod catalla ea fuerunt ejusdem mulieris, unde deterioratus est, & damnum habet. Et Episcopus venit*, et quia manifestum est, quod catalla illa sunt de Patrimonio *sicut idem cognoscit, consideratum est*, quod Episcopus eat sine die, et procedat in causa si voluerit; *Et* Godefridus *in misericordia. Pauper est.* Et dictum est Episcopo, quod rationabilem faciat taxationem de prædictis catallis inter ipsum Galfridum et prædictam mulierem, *&c.* ne ipse penitus amittat catalla illa, eo quod videtur (to the Judges) quod non debent omnino cedere in usus ipsius mulieris. In which Case the Kings Justices directed the Bishop how to proceed according to Equity, Law and Justice, even in the case of these Goods, whereof they granted he had Jurisdiction to hold Plea.

In

In the ſame *Placita*, *Rot.* 6. Leyceſt. Willielmus de Skilinton *optulit ſe*, &c. *verſus* Johannem *Archidiacon.* Leyceſtr. *&c.* quare tenuit placitum in Curia Chriſtianitatis de debitis quæ non ſunt, *&c.* et contra Prohibitionem, *&c.* & *verſus* Herbertum *fil.* Murrel. *quare ſecutus eſt idem placitum, &c.* et omnes in miſericordia, *&c.* for this offence. *An.* 23 H. 3.

In *Placitis apud Sanctam* Brigidam London. *de Termino S.* Trinitatis, *anno Regis* Henrici *filii Regis* Johannis 23. *in* Turre London. I met with theſe ſeveral Suites for holding and proſecuting Suites in Court Chriſtian for *Lay-fees*, and for Chattels and Debts which concerned not Teſtaments or Matrimony, againſt the Kings Prohibitions.

Johannes de Brok *per Attornatum ſuum optulit ſe* 4 *die verſus* Thomam *Archid.* Toton. & *Magiſtrum* Regin. *Officialem ejus, de placito*, quare tenuerunt placitum in Curia Chriſtianitatis de laico-feodo ipſius Johannis in Radeclive, *&c.* contra prohibitionem, *&c.* & *verſus* Henr. de Hyll *de placito*, quare ſecutus eſt idem placitum in Curia, *&c.* contra, *&c.* *Et ipſi non venerunt*, &c. *Et Vic. mandavit quod Clerici ſunt, & non habent laicum feodum per quod poſſint diſtringi*, &c. *Et ideo mandatum Epiſcopo* Exon. quod faciat eos venire a die Sancti Michaelis in 15 dies, *&c.* Rot. 5. dorſo. Devon.

Magiſter Radulphus de Maidenſtan Attach. fuit ad reſpondendum Thomæ Burdun, de placito, quare ſecutus eſt placitum in Curia Chriſtianitatis de laico feodo ipſius Thomæ in Wyham, contra prohibitionem, *&c.* *Et unde idem* Thomas *queritur*, quod ipſe trahit ipſum in placitum *de quodam Chimino in* Wyham; & *unde deterioratus eſt*, et dampnum habet ad valenciam centum ſolid *Et inde producit ſectam*, &c. Rot. 8. Eſſex.

Et Magiſter Radulphus *venit & defendit contra ipſum & ſectam ſuam*, quod nunquam poſt Prohibitionem implacitavit eum, *&c.* de aliquo laico feodo, nec ante Prohibitionem; *ſet cognovit quod convenit eum ſuper* violenta manuum injectione: *Et ideo conſideratum eſt, quod vad. legem ſe* 12 *manu*; & *veniat cum lege à die Sancti* Michaelis *in tres ſeptiman. Pleg. de lege* Philippus de Wendover & Matthæus de Hanckeſton.

Thomas *filius* Walteri & Iſolda *uxor ejus* Attach. fuerunt ad reſpondendum Ricardo Maſcelin et Matil. *uxori ejus* de placito, quare ſecuti ſunt placitum in Curia Chriſtianitatis de laico feodo ipſorum Ricardi, et Matildi, in Stamſtratford, contra Prohibitionem, *&c.* *Et unde idem* Ric. *et* Matil. *queruntur*, quod cum ipſi tuliſſent Regiam prohibitionem quod non ſequerentur placitum illud, *ſcilicet, die Sancti* Gregorii *prox. præterito. Idem* Thomas *et* Iſolda, ſpreta Prohibitione, nichilominus ſecuti ſunt placitum illud, *&c.* unde deteriorati ſunt et dampnum habent ad valenciam 40 ſol. *Et inde producunt*, &c. *Queruntur eciam*, quod fecerunt eos innodari vinculo Excommunicationis, &c. Rot. 10 dorſo. Buk.

Et Thomas *et* Iſolda *venerunt et defendunt*, quod nunquam ante nec poſt ſecuti ſunt placitum illud contra ipſos, *&c.* *nec ammodo ſequentur. Et inde invenerunt Plegios* Laur. del Brok. *et* Michaelem de Lerm. *Et dictum eſt eis quod faciant eos abſolvi*, &c.

Robertus le Faucuner *et* Willielmus de Wineſtanſtanne *opt. ſe* 4 *die verſus* Simonem de Cormeges *de placito*, quare ſecutus eſt placitum in Curia Chriſtianitatis de laico feodo ipſorum Roberti et Willielmi in Henr. contra prohibitionem, &c. *Et* Simon *non venit. Et præceptum fuit Vic.* quod Attach. cum. *Et Vic. mandavit quod* Clericus eſt; *et non habet laicum feodum per quod*, &c. *Et ideo mandatum eſt Archiepiſcopo* Cantuar. quod faciat eum venire *in craſtino Sancti* Martini, *&c.* Rot. 15. dorſo. Suſſex.

Samuel de Melles Attach. fuit *ad reſpondendum* Erniſ. de Dunheved *de placito*, quare ſecutus eſt placitum in Curia Chriſtianitatis de laico feodo ipſius Ernis *in* Dunheved, contra Prohibitionem, &c. *Et unde idem* Erniſ. *queritur*, quod homines falcabant *Fannum* in quadam *Bruera* quam habet in Dunheved, Samuel *venit*, et propter hoc Excommunicavit homines ſuos, et trahit eos in placitum in Curia Chriſtianitatis. Et unde deterioratus eſt ad valenciam, &c. Sumerſ.

Et Samuel *venit et defendit, quod unquam ſecutus eſt placitum in* Curia Chriſtianitatis, *ſet revera dicit*, quod petit decimas illius *Fanni* in Dunheved quando falcatum fuerit; *Et* Erniſius *bene concedit*, quod ipſe habeat decimas vel perſona de Dunting. in cujus parochia *Fannum* illud eſt, et hoc alias conceſſit, *ſicut patet in Rotulo Sancti* Michaelis, *an. r. H.* 3. 23. *Et ideo ſine die*, &c.

Robertus Mareſcal *opt. ſe* 4 *die verſus* Radulphum Purcel *de placito*, quare ſecutus eſt placitum in Curia Chriſtianitatis de catallis, *&c.* quæ non ſunt de Teſtamento Rot. 4. Staff.

An. 23 & 24 Hen. 3. vel Patrimonio, &c. contra Prohibitionem, &c. Et Radulphus *non venit*, &c. Et *præceptum fuit Vic. quod Attach. eum*: Et *Vic. mandavit quod idem* Radulphus *Clericus eſt, & non habet laicum feodum per quod*, &c. *Et ideo mandatum eſt Archid.* Stafford. *quod faciat eum venire à die Sancti* Michaelis *in* 15 *dies*, &c.

Rot. 12. dorſo. Norff. Simon de Thoftes, *et Magiſter* Walterus de Thoftes, *et* Stephanus *Perſona de* Lineford Attach. fuerunt ad reſpondendum Roberto de Tunneſton *de placito*, quare ſecuti ſunt placitum in Curia Chriſtianitatis de catallis quæ non ſunt, *&c.* contra Prohibitionem, *&c. Et unde idem* Robertus *queritur*, quod ipſi petunt ab eo in Curia Chriſtianitatis 6 marcas, quas Willielmus de Thoftes ei commiſit ad emendum duas marcas redd. *&c.*

Et Simon *et alii venerunt, et benè cognoverunt quod ipſi implacitaverunt in* Curia Chriſtianitatis, *et quod petunt ab eo* prædictas 6 marcas nomine Teſtamenti prædicti Willielmi de Toſtes, eo quod idem Willielmus in ultima Voluntate ſua eas legavit, quia prædictus Robertus non emit inde redditum prædictum: *Et* Robertus *non potuit hoc didicere, et cognovit quod ipſe recepit Denarios illos. Et ideo dictum eſt prædictis* Simoni *et aliis*, quod ipſi procedant in placito prædict. non obſtante Prohibitione prædicta. *Et* Robertus *in miſericordia.*

Rot. 23. Buk. Iſabella *quæ fuit uxor* Willielmi de Lanleg Attach. fuit *ad reſpond. Abbati de* Woburn *de placito*, quare ſecuta eſt placitum in Curia Chriſtianitatis de catallis quæ non ſunt, *&c.* contra Prohibitionem, *&c. Et unde idem Abbas per Attorn. ſuum queritur*, quod trahit ipſum in Curiam Chriſtianitatis in placitum, *et petit ab ipſo* 22 *Marcas ex una parte, et* 100 *Solidos ex alia*; unde deterioratus eſt et dampnum habet ad valenciam 40 Marcarum.

Et Iſabella *venit et defendit*, quod nunquam poſt Prohibitionem vel ante ſecuta eſt placitum illud in Curia Chriſtianitatis de aliquibus catallis quæ non ſunt de Teſtamentis. Immo de catallis quæ ſunt de Teſtamento prædicti Willielmi quondam viri ſui: *Et hoc idem continetur in edicione quam idem Abbas inde profert.* Et ideo Abbas in miſericordia. *Et dictum eſt* Iſabellæ, quod non ſequatur verſus eum in Curia Chriſtianitatis de aliquibus catallis, niſi ſint de Teſtamento, *&c.*

Rot 26. Bedf. Johannes de Aberton, *&c.* Attach. fuit ad reſpondendum Thomæ de Hoile de placito, quare ſecutus eſt placitum in Curia Chriſtianitatis de catallis ipſius Thomæ quæ non ſunt, *&c.* contra Prohibitionem, *&c. Et unde queritur*, quod ipſe exigit ab eo 4 buſſell. ordei, et 4 buſſell. ſabarum; unde deterioratus eſt et dampnum habet ad valenciam 20 ſol. *Et inde producit ſectam, &c.*

Et Johannes *venit et defendit contra ipſum et ſectam ſuam*, quod nunquam poſt Prohibitionem implacitavit eum in Curia Chriſtianitatis de aliquibus catallis, *&c. Et ideo conſideratum eſt quod vadiet legem ſe* 12 *man. Et veniat cum lege in adventu Juſtic.* &c.

Rot. 27. dorſo. London. Petrus de Bedinton *opt. ſe*, &c. *verſus Magiſtrum* Johannem *Officialem Archid.* L. *de placito*, quare tenuit placitum in Curia Chriſtianitatis de debitis quæ non ſunt de Teſtamento, *&c.* contra Prohibitionem, &c. *Et verſus* Elyam de Wudcote *de placito*, quare ſecutus eſt idem placitum contra, *&c. Et ipſi non venerunt*, *&c.* Et Officialis attach. fuit per Johannem de Ory, et Ricardum fratrem ejus: Et Elyas Attach. fuit per Radulphum de Gardino et Walterum Milkpote. Et ideo ponantur per mel. pleg. quod ſint in Octabis Sancti Michaelis, *et primi*, &c.

An. 24 H 3. Tom. 2. p. 552. l. 2. after *related*, adde: by * *Mat. Weſtminſter*: *Sub eiſdem temporibus* (An. 24 *H.* 3.) *videns Imperator*, quod Papa Concilium convocaverat ad dejectionem ſuper hoc, quod idem Papa ſeculare brachium, et præcipue hoſtium Imperii publicorum in auxilium ejus advocavit, et formam convocationis, ſecus quem prælocutam fuerat, alteravit; pœnituit eum in hoc conſenſiſſe, ut Concilium convocaretur. Et reſiliens, ſignificavit Regi Anglorum, ut muniret omnes regni ſui Prælatos ex parte Imperatoris, (by his Imperial Soveraignty) ne venirent ad illud generale Concilium (the antient undoubted right of calling, or recalling General Councils being ſolely in the * *Emperour*, not Pope) in perſonis et rebus ſecuritatem in ditione ſua penitus denegantis, et nolentis ubi præſidebit inimicus ejus capitalis, cauſam committere dubio loco tam excellentem. Dominus Papa, ei contra ſcripſit; *ſignificans eiſdem Prælatis*, ut humanis minis poſtpoſitis, Patri ſuo ſpirituali obedienter et obſecundarent, nec omitterent quin ad Concilium communiter venire ad terminum ſtatutum properarent. Unde Epiſcopi fluctuantes in propoſito, quid agendum foret, dubitabant. * *Nonnulli verò Epiſcoporum*

* Mat. Weſtm. Anno 1240. p. 157, 160, 161.

* See Here, p. Tom. 1. p 60, to 75. 106, 102, 118, 119, 122.

* Mat. Weſtm. An. 1141. pag. 158, 160, 161.

ſoporum regni Angliæ, *& quidam Abbates mare tranſierunt*, (notwithſtanding the Emperours prohibition upon the Popes contrary command) *ut ſi aliquo modo pateret tranſitus per terram vel per mare*, veniendi ad Concilium, præceptis Apoſtolicis ſatisfacturi, illuc properarent. But obſerve the iſſue of their and other Biſhops obedience to the Popes commands. *Imminente tempore æſtivali*, Otho, *quandoque Legatus in* Anglia, *& qui Legatus fuerat in* Francia, (with other Legates) infinitam ſecum Prælatorum trahentes multitudinem, *naves aſcenderunt apud* Genuam *Civitatem, ut ſub Ducatu* Genuenſium *ſalvo ad Concilium pervenirent.* Ad quos animandos Papa unum Legatum deſtinaverat, qui ab eodem Papa poteſtatem acceperat, omnes imminenti periculo ſe oppoſituros, ab omnibus peccatis ſuis abſolvendi (which yet could not abſolve them in the Court of Heaven or Earth from their diſobedience to the Emperor, againſt * *Solomon's*, Saint † *Paul's* and *Peter's* expreſs Precepts, as the event did evidence:) *Sed cum omnes vaſto mari ſe commendaſſent, venerent eis obviam piratæ Imperiales*, qui omnes ſub captione miſerabili concluſerunt, et multos ex eis vel ſubmerſerunt, vel irreverenter trucidarunt. Quos autem acceperunt, poſt longos maris tractus ſub caumate intollerabili aduſtos, ſub vinculis et arcta cuſtodia (notwithſtanding their Legatine Robes, Cardinal Caps, Epiſcopal Rochets, and pretended priviledges) Neapolim (ubi ex præcepto Imperatoris carceri ſunt addicti) in totius Eccleſiæ dedecus et ignominiam, pertrahunt. *Facta autem fuit hæc infauſta navalis congreſſio, die Sancti* Marci *Evangeliſtæ*; (ever honoured by this remarkable victory over theſe contumacious Popiſh Legates and Prelates.) * *Interim duo Papales exactores* Petrus *videlicet* Rubeus, *Domini Papæ conſanguineus & familiaris (talis enim erat titulus Epiſtolarum ſuarum)* & Petrus de Supino (through the Kings ſupineſs) *per* Angliam, Scotiam, & Hiberniam, pecuniam infatigabiliter ad opus Domini Papæ exquiſitis argumentis abſque non ceſſant, Rege vero hæc omnia malo nimis conſilio permittente. Whereupon, Imperator ſcripſit Regi Angliæ elegantem Epiſtolam, in qua increpat Regem, quod in perniciem regni ſui, et imperii, terram ſuam, per Papales quæſtionarios depauperari, et ipſum ſolenniter excommunicari permittit, qui magis rationabilem quam alii Principes Chriſtiani, haberet excuſationem huic præcepto Domini Papæ reſiſtendi, eo quod ſocius exiſtit Domini Regis. * *His denique temporibus*, abſolvebatur quicunque vellet, pro pecunia crucesignatus, prædicantibus et illud perſuadentibus ex præcepto Papæ, fratribus tam Minoribus quam Prædicatoribus; ita, ut multi hodie crucesignati in craſtino a voto ſuo, data, quam * poſſent pecunia, non ſine multorum admiratione abſolverentur per Prædicatores et Minores, in ſcandalum Eccleſiæ, et ordinis ipſorum. This being a mere impious Papal cheat to pick their Purſes to maintain the Popes wars againſt the Emperor, (inſtead of reſiſting the *Saracens* in the *Holy Land*,) who then took * *Viterbium* and diſtreſſed *Rome* in ira magna, ad ultionem ſuper diffamatione magna, qua nomen ſuum Dom. Papa in univerſis finibus Chriſtianorum denigraverat: Et dotes Eccleſiæ Romanæ ſuæ ſubdidit ditioni; unde Eccleſia Romana magnam induit cum deſolacione confuſionem.

An. 24 H. 3.

* Prov. 24. 21, 22.

† Rom. 13. 1, 2, 3, 4. Tit. 3. 1. 1 Pet. 2. 13, 14, 15.

* Mat. Weſtm. An. 1240. pag. 154, 155. See Tom 2. p. 544, 545, 613.

* Mat. Weſtm. p. 154, 161. See Tom 2. p. 546.

* Poſcerent.

* Mat. Weſtm. p. 155.

Tom. 2. 562. l. 24. after *Febr.* adde: *Walter de Cantilupo* Biſhop of *Worceſter* in a Dioceſan Synod, (*An.* 1240.) preſumed to make ſeveral Eccleſiaſtical Conſtitutions, and among others, this concerning Inteſtates Goods: *Si autem laicus liber homo inteſtatus deceſſerit*, Dominus eſus et Eccleſia, *cujus parochianus extiterat, habeant quod ex teſtamento, ſi fieret, eis fuerat tribuendum. Quod autem de bonis ſuperfuerit, in ſolutionem debitorum defuncti, ſi quæ fuerint, & ſtipendia ſervientium*, et alios pios uſus per viſum Domini defuncti, et ipſum quem Epiſcopus ad hoc deputaverit, erogetur; allowing the Lord an equal power in the diſtribution of the ſurpluſage of the Inteſtates eſtate with the Adminiſtrator, which Archbiſhop *Boniface* and *Stradford* their ſubſequent *Conſtitutions* denyed to the Lord and Adminiſtrators, appropriating it to the Ordinary, contrary to the * *forecited* Charters of King *Henry* the Firſt, King *John*, and other uſages.

Spelmanni Concil. Tom. 2. p. 240, to 260.

* See p. 18, to 22.

Tom. 2. p. 572. l. 35. adde: † *Matthew Weſtminſter* relating the rapines and extortions of theſe two Popes Agents, the vaſt ſumms of money collected by them for the Pope in *Scotland* and *Ireland*, and *Otto* his revocation from *England*; writes thus of *Petrus Rubeus*, *Papæ familiaris & conſanguineus*; *Cito tranſiit* Angliam, *& in* Scotiam *veniens*, ibidem viceſimam ad opus Papæ non ſegniter abſtulit. *Eodem tempore, Magiſter* Petrus de Supino *in* Hiberniam *miſſus*, ut ibidem vigilanter meteret, quicquid

† Flores Hiſt. pars 2. Anno 1240. p. 156.

An. 24 & 25 Henr. 3. quicquid poterat inde, non ficus Papæ quæstionarius, apprópriabit. Quæ præda ad numerum mille et quingentarum marcarum et amplius dicitur ascendisse. Collecta autem Petri Rubei, quam a Scotorum finibus emunxit, hanc summam creditur duplicasse. Qui postea remeans per Angliam, domos religiosorum perscrutans, nobis argumentis pecuniam ad opus Papæ argute nimis exegit, cogens eos jurare, quod illud Sacramentum, quasi confessionis arcanum, usque in dimidium anni celarent. In quo corda fidelium divertit a devotione et dilectione Romanæ Ecclesiæ, et dolore magno sanciabit. *Ipso tempore*, revocatus est (Otto) Legatus, per autenticum Papale, *multum admonitus, ut adventum suum ad* Romanam *Curiam maturaret, & Concilium generale anticipando præveniret*, ut fratres, præhabita morosa deliberatione, tractatum haberent simul cum eo de imminente ejusdem ruina, et periculo irrestaurabili, Imperatore jam dotes Ecclesiæ invadente.

Nota.

This pragmatical Pope *Gregory* so far interessed himself in Suites depending in the Kings *Temporal Courts*, as at the suit of a Freer to send this Bull to the Abbot of *Waltam*, to assist the Freers brother in a Suit then depending, to recover a small Inheritance detained from him; the Original whereof I met with in the *White Tower*.

An. 24 H. 3. in Turri Londonon. GREGORIUS Episcopus servus servorum Dei, dilecto filio Abbati Sanctæ Crucis de *Waltam*, *Londonien.* Dioc. salutem & Apostolicam benedictionem. Provenit de favore impenso pauperibus attritis vexatione potentium, quod Regis æterni pietas & temporalem prosperitatem retribuit, & vitæ gloriam perennis impendit. Sanè, *Guilielmo Germano* dilecti filii fratris *Guilielmi* de ordine Minorum familiaris nostri accepimus, intimante, quod *W.* dictus *Scotus* Clericus & quidam alii *Londonien.* Dioc. quasdam domos, terras, & possessiones ad ipsum hæreditario jure spectantes, contra justitiam detinent, & ei reddere contradicunt. Verum cum sibi tenuem, ut dicitur, facultatem habenti, propter potentiam partis alterius dispendiosum existat super hiis subire litigium; nos fratris ejusdem precibus inclinati devotionem tuam rogamus & hortamur attentè, **per Apostolica tibi scripta præcipiendo mandantes**, quatinus dicto *Guilielmo* te favorabilem exhibens & benignum, detentores hujusmodi, qui sub tua jurisdictione consistunt, ut eidem prædicta bona restituant, & de perceptis ex eis fructibus satisfactionem exhibeant congruentem, **pro nostra et Apostolicæ sedis reverentia operam tribuas efficacem**; preces nostras taliter impleturus in eadem per auxilium gratiæ tuæ & suam consequi gaudente justitiam, nos tibi ad grates exindè teneamur. Datum *Lateran.* 10 Kalend. *Maii*, Pontificatus nostri anno tertio-decimo.

An. 25 H. 3. Tom. 2. p. 576. l. 5 after *Octobris*, adde: The Bishops, Archdeacons, and other Ecclesiastical Judges still usurping the Conusance of holding Pleas in their Courts Christian, of Goods and Chattels that were not Testamentary, against the Kings Prohibitions issued by the Judges, I find sundry Attachments and Suits against them, and the prosecutors of those Suits in the Plea-Rolls (in the *Tower*) before the Justices Itinerant in the 25th. year of King *Henry* the 3d. I shall instance only in these ensuing.

Rotuli de Placitis & Essoniis de malo veniendi captis apud Rading. *in Octabis Sancti* Michaelis, *anno regni Regis* Henrici *filii Regis* Johannis *vicesima quinto, coram*, &c. *Justiciariis Itinerant.*

Rot. An. 25 H. 3. intus. Leyc. *ff.* Matthæus *Persona de* Skakerton *attachiatus fuit ad respondendum* Willielmo de Oddeston *de placito*, quare secutus est placitum in Curia Christianitatis de catallis et debitis quæ non sunt de Testamento vel Patrimonio, contra prohibitionem Domini Regis, *&c. Et unde queritur quod idem* Matthæus *petit ab eo* in Curia Christianitatis duas marcas quæ non sunt de Testamento, *&c. Et unde dicit*, quod detulit ei prohibitionem Regiam *vigilia festi Sancti* Petri ad vincula, *anno* 25. *Unde dicit*, quod deterioratus est et dampnum habet ad valenciam 4 marcarum. *Et inde producit sectam*, &c.

Et Matthæus *venit & defendit contra ipsum & sectam suam*, Quod nunquam secutus est placitum illud postquam detulit ei prohibitionem. *Et ideo consideratum est, quod vadiet legem, se duodecima manu. Et venit cum lege à die* Paschæ *in tres Septimanas apud* Westm. *plegii de lege*, Robertus de Eggeton. *de Comitatu* Wygorn. *&* Johannes de Crutterbir. *de eodem Comitatu.*

Robertus

Robertus *Prior de* Eſtlegh & Robertus *Prior de* Perſore *ſimiliter* Wygorniæ attachiati fuerunt *ad reſpondendum eidem* Willielmo, quare tenuit idem placitum, *&c.* contra prohibitionem, *&c.* *An.* 25 & 26 Hen. 3.

Et ambo Priores veniunt & benè defendunt, quod non omnino tenuerunt placitum illud poſt prohibitionem, *&c. Et dictum eſt eis*, quod de cætero non teneant, *&c. Et* Willielmus *per ſic remittit eis legem. Ideo ipſi inde ſine die.*

Suff. Alexander de Stanham *per* Willielm. de Cyreſy *optulit ſe* 4 *die verſus* Willielmum *filium* Walteri *de placito*, quare ſecutus eſt placitum in Curia Chriſtianitatis de catallis quæ non ſunt de Teſtamento vel Matrimonio, & Willielmus *non venit*, et fuit attachiatus *per* Simonem *Clericum de* Wrte, & Henricum de Dunmere. *Et ideo conſideratum eſt, quod ponatur per vadium & meliores plegios, quod ſint à die* Paſchæ *in tres Septimanas inde reſſonſurus & oſtenſurus, quare non fuit coram* Juſticiariis Itinerantibus *apud* Rading. *à die Sancti* Michaelis *in* 15 *dies. Et primi*, &c. Mem. 12 dorſ.

Suff. Robertus de Badingeham attachiatus fuit *ad reſpondendum* Adæ *filio* Walteri & Matildæ *uxori ejus de placito*, quare ſecutus eſt placitum in Curia Chriſtianitatis de catallis et aliis debitis quæ non ſunt de Teſtamento vel Matrimonio, contra prohibitionem, *&c.* as before. Mem. 13 intus.

Somerſ. Margareta de Sum. *optulit ſe* 4 *die verſus* Johannem *Decanum de* Kelneton *de placito*, quare tenuit placita in Curia Chriſtianitatis de catallis ipſius Margaretæ, quæ non ſunt de Teſtamento vel Matrimonio, contra prohibitionem, &c. *Et verſus* Henr. de Gant. de placito, quare ſecutus eſt idem placitum in eadem Curia, contra prohibitionem, *&c.* as before.

Ricardus *filius* Roberti *optulit ſe* 4 *die verſus Priorem de* Wymundham *de placito*, quare tenuit placitum in Curia Chriſtianitatis de catallis quæ non ſunt de Teſtamento vel Matrimonio, contra prohibitionem, &c. *Et Prior non venit*, &c. *Et habuit diem per Eſſoniatorem ſuum*, &c. Mem. 19 intus.

Idem Ricardus *optulit ſe* 4 *die verſus* Johannem Turf, Hugonem Dache, Willielmum *filium* Walteri, Thomam Hardekin, Radulphum Goodic, Willielmum Aylſted, Reginaldum Malling, Nicholaum Mory, Ernaldum Underwode, & Nicholaum Sutorem *de placito*, quare ſecuti ſunt idem placitum in eadem Curia Chriſtianitatis, contra eandem prohibitionem. *Et ipſi non venerunt*, &c. *Et habuerunt diem per Eſſoniatorem ſuum ad hunc diem*, &c. Et quia Vicecomes non attachiavit eos ſicut præceptum ei fuit, præceptum eſt ei, quod attachiet eos quod ſint ad eundem terminum; et Vicecomes ſit auditurus Judicium ſuum de eo, quod ipſos non attachiavit.

Cornub. Robertus *filius* Ham. *Eſſon.* Willielmi de Beckeley *opt. ſe*, &c. *verſus* Adam. de Keryor, Johannem de Rotomago, & Henr. de Trewyth *de placito*, quare ſecuti ſunt placitum in Curia Chriſtianitatis de catallis ipſius Willielmi quæ non ſunt de Teſtamento, &c. contra prohibitionem, &c. *Et* Adam *& alii non venerunt. Et* Johan. attach. fuit per, &c. *Et* Henr. *per*, &c. Rot. 10 dorſo.

Eſſex. Lucas de Terlinges & Walterus Godyler *opt. ſe*, &c. *verſ.* Rogerum *Decanum de* Wyham *de placito*, quare tenuit placitum in Curia Chriſtianitatis de catallis eorum quæ non ſunt de Teſtamento, &c. contra prohibitionem, &c. *Et verſus* Ricardum Leſſey & Thomam *fratrem ejus*; quare ſecuti ſunt idem placitum, *&c.* Et Rog. attach. fuit *per* Ricardum le Meſſer & Rogerum le Giſe; *Et* Ric. & Tho. *fil.* Galfr. Martyn, & Edm. Juvenem, *ideo ponantur per mel. pleg. quod ſint in Octabis*, &c. *Et primi*, &c.

The are ſome more of like nature that year, but theſe may ſuffice; to ſhew the frequency of theſe Eccleſiaſtical Courts encroachments, to the prejudice of the Crown, and Subjects great vexation.

Tom. 2. p. 578. after *Septembris*, adde; The Nuns of *Boleton* being bound by their Order not to go forth of the limits of the Nunnery; the King by his Royal Prerogative and Charter, notwithſtanding their Conſtitution, gave the Abbeſs liberty to conſtitute an Attorney in all caſes, wherein they had cauſe to ſue or be ſued, by this Patent. *An.* 26 H. 3.

QUia Moniales de la *Grace de Dieu* de *Boleton* de conſtitutione Ordinis ſui ita incluſæ ſunt, quod nunquam * cœpta domus ſuæ exibunt; Conceſſit Dominus Rex Prioriſſæ & Monialibus ibidem, quod ſi contingat ipſam Prioriſſam ab aliquo vel aliquibus implacitari, vel neceſſe habeat alios implacitare, prædicta Prioriſſa, non obſtante contraria conſtitutione regni, Regis liberam habeat poteſtatem Attornatum Pat. Ann. 26 H. 3. m. 2. intus

* Yet others entred into them.

An. 26, 27, & 28 H. 3.

tum suum inde faciend. per Literas suas patentes. Et mandatum est Justiciariis, Vicecomitibus, & omnibus Ballivis & fidelibus Regis, quod Attornatos prædictæ Priorissæ taliter admittant. In cujus, *&c.* Teste Rege apud *Portesm.* 7 die *Maii.*

Tom. 2. p. 603. l. 23. before *Cui*, adde; I find this Commission in the Patent-Rolls issued to the Archbishop of *York* and others, to summon all the *Abbots* of the *Cistercians* and *Præmonstratenses* before them, to demand an ayde from them, with a *Proviso* not to draw it into consequence to their prejudice, to induce them to it.

Pat. & Cartæ simul de anno 26 H. 3. m. 3 intus.

REX *Eborum* Archiepiscopo, & *W. Carleolensi* Episcopo, & *W. de Cantilupo*, salutem. Cum, sicut non ignoratis, pecunia plurimum indigeamus pro negotiis nostris expediendis in partibus transmarinis; Vobis mandamus rogantes, quatinus cozam vobis convocari faciatis omnes Abbates de Ordine *Cystercienſi* et *Præmonstratenſi*, et ipsos cum omni solicitudine inducatis ad subsidium nobis contribuendum, quo mediante guerram nostram commodius sustinere possimus, & quod nobis ad utilitatem & ipsis cedere debeat ad honorem. Gratanter quidem loco subsidii à singulis dictorum Abbatum Janam unius anni reciperemus. Ad quod ab eis optinendum (nisi modo alio commodius & decencius negotium istud procurare possitis) laborare curetis. Intimantes eisdem ex parte nostra, quod ex mera gratia sua auxilium ad præsens ab eis postulamus: Nolentes ex eo ipsis in aliquo præjudicari; nec si nobis concedatur ad præsens quod trahi possit in consequentiam. Teste Rege apud *Bard.* 4 die *Octobris.*

How the Archbishop executed this Commission without success, (these Abbots refusing to grant him any Ayd of wool or monies, but only of their prayers,) *Mat. Paris* thus relates, as Tom. 2. p. 603.

An. 27 H. 3.

Tom. 2. p. 652. l. 4. after *therewith*, adde; *Mat. Westminster* records, *Anno* 1143. that by Pope *Innocent* the 4th. and his Cardinals instigation, ipsa tota civitas Viterbii, cum partibus adjacentibus, per Reinerum de Viterbio Cardinalem, conversa est ad Romanos, qui partes Papæ confovebant. Et eodem tempore receſſerunt ab Imperatoris fidelitate multi Nobiles et Potentes: qui igitur oderunt eum, extollentes caput, comminati sunt ei, quod eum usque ad internecionem persequerentur. *Humiliatus igitur Imperator secundum illud* Davidicum (Imple facies eorum ignominia, & quærent nomen tuum Domine) *formam pacis obtulit Ecclesiæ, scil.* ut juraret, se libenter stare censuræ Ecclesiasticæ, de injuriis ei illatis satisfacturum, ita scilicet ut præcognosceret in quibus, et prævisa via, et omnibus præcognitis: (refusing to take a blind general Oath without particulars.) *Quod cum denegaretur ei*, magis solito desævit in Ecclesiam, et viros Ecclesiasticos. *Fecit etiam inter alias suas tyrannides*, (so they styled his Royal Justice against trayterous Monks and spies) *duos fratres de Ordine Prædicatorum, & tot de Ordine Minorum incarcerari*, quia Epistolas inter Principes et Magnates, in Imperatoris et Imperii detrimentum, deprehensi sunt bajulasse, (to stir them up to revolt from him to the Pope, and take up arms to dethrone and destroy him, for which he might have justly hanged them for Traytors) qui in carcere ob immanitatem pœsturæ defecerunt. *Et tunc temporis* (by reason of the Popes extortions, the Corruptions of his Court, Clergy, and these Treacheries against the Emperour, *in partibus maximè ultramontanis*, multiplicati sunt hæretici, (as the Monk stiles them, for opposing the Popes Usurpations, Errors, Vices,) *præcipuè illi, quos* Paterinos *appellamus*, (the same with the *Waldenses* or *Albigenses*) *qui temporibus retroactis latuerunt, & deprehensi gravi morte punisebantur*; Jam non erubescentes, neque punitionem, neque Ecclesiasticam censuram formidantes, in publicum, et recta cervice prorumpunt, ita ut finis mundi a multis creditur imminere. *Transit ergo annus ille* Ecclesiæ periculosus, *regno* Angliæ *procellosus*, Italicis *præliosus*, *Templariis*, *Hospitalariis* schismaticus, & scandali generativus.

* Mat Westm. An. 1243. p. 175, 176.

An. 28 H. 3.

* See Godwins Catalogue of Bishops, p. 197.

Tom. 2. p. 615. l. 35. after *conferendis*, adde: This Bishop of *Bath* was elected by the Prior and Monks of *Bath* alone, who refused to joyn with the Chapter of *Wells* in the election; whereupon they opposed it: but the Pope being his friend, the King at the Popes request approved his Election, and issued this Writ for restitution of his Temporalties; with a saving of his *Royal right*, and the right of the Church of *Wells.*

Pat. 28 H. 3. m. 6. intus. Pro Electo Bathonensi.

REX adhibuit assensum & favorem præfectioni factæ de Magistro *Rogero* quondam Præcentore *Saresberiensi* in Episcopum *Bathoniensem*, ad instanciam Domini

mini Papæ de gratia Regis ſpeciali, ſalvo jure Regis et Eccleſiæ *Wellenſi*. Et mandatum eſt Militibus, liberis hominibus, & omnibus aliis tenentibus de Epiſcopatu prædicto, quod ei in omnibus quæ ad prædictum Epiſcopatum pertinent intendentes ſint & reſpondentes. In cujus, *&c.* Teſte ut ſupra. *An.* 28 H. 3.

Et mandatum eſt Cuſtodi Epiſcopatus *Bathonienſis*, quod ei de omnibus terris & tenementis, & aliis rebus ad prædictum Epiſcopatum pertinentibus ſeiſinam ei habere faciat, retentis ad opus Regis bladis et aliis ad Regem pertinentibus. Teſte ut ſupra.

The ſame year the King for the honour of the Univerſity of *Oxford*, and quiet of the Scholars there, by his Royal Prerogative, granted the Cogniſance of all Suites and Conteſts ariſing between the Scholars and Townſmen, to the Chancellor and Vicechancellor of the Univerſity, notwithſtanding any Prohibition iſſued to them, by theſe his Letters Patents.

REX omnibus, *&c.* ſalutem. Noveritis nos pro quiete Univerſitatis Studentium *Oxonii*, de ſpeciali gratia noſtra conceſſiſſe Cancellario et Univerſitati prædictæ, quamdiu nobis placuerit, in cauſis Clericorum, ex mutuis datis aut receptis, aut taxationibus, ſeu locacionibus domorum, aut equis conductis, venditis ſeu commodatis, ſeu pannis & victualibus ortum habentibus, ſeu aliis quibuſlibet rerum mobilium contractibus in municipio aut ſuburbio *Oxonii* factis, noſtra prohibicio non currat, ſet hujuſmodi cauſæ coram Cancellario Univerſitatis *Oxonii*, non obſtante prohibitione noſtra deducantur. In cujus, *&c.* Teſte Rege apud *Radinges* 10 die *Maii*. Pat. 28 H. 3. pars unica, m. 6. intus Pro Univerſitat. Oxonii.

The King likewiſe by this Patent licenſed the Biſhop of *Durham* to make a Will, and thereby freely to diſpoſe of the Corn and goods he had in Right of his Church or otherwiſe, without interruption of him or his Officers, which elſe he could not diſpoſe of.

REX omnibus, *&c.* ſalutem. Sciatis quod conceſſimus *N. Dunelmenſi* Epiſcopo, quod quandocunque voluerit, libere et licenter condere poſſit Teſtamentum ſuum, et pro voluntate ſua ordinare tam de bladis ſeminatis in terris Epiſcopatus ſui et Eccleſiæ ſuæ, quam de omnibus aliis ſuis, et ſimiliter immobilibus perſonam ſuam, ratione Eccleſiæ ſuæ, ſeu ratione ſui ipſius contingentibus. Ita quod ſi de eo humanitus contingat (quod nollemus) executores Teſtamenti ſui liberam habeant adminiſtrationem omnium prædictorum ad executionem Teſtamenti ſui, prout inde ordinaverit faciendam, ſine impedimento noſtri et hæredum noſtrorum et Ballivorum noſtrorum. In cujus, &c. Teſte Rege apud *Shireburn* 22 die *Auguſti*. Pat. 28. H. 3. ibid. m. 2. intus. Pro Domino Dunholmenſi Epiſcopo.

Among the *Eſſoin-Rolls* of this year in *Eaſter* Term, I find theſe Suits and Attachments for holding and proſecuting Pleas in *Court Chriſtian*, for Chattels not Teſtamentary, *&c.* and for Lay-fees.

Eſſonium de malo veniendi apud Weſtm. *à die* Paſchæ *in quindecim dies, anno regni Regis* Henr. *fil. Regis* Johannis, 28.

Wigorn. Willielmum le Bercher *optulit ſe* 4 *die verſus Priorem de* Eveſham *de placito*, quare tenuit placitum in Curia Chriſtianitatis de catallis et debitis quæ non ſunt de Teſtamento vel Patrimonio, contra prohibitionem, &c. *et verſus Magiſtrum de* Stratford *de placito*, quare ſecutus eſt placit. idem in eadem Curia, contra, &c. *Et ipſi non venerunt. Et Vic. mandavit quod Clerici ſunt et non habent laicum feodum per quod poſſint diſtringi. Et ideo mandatum eſt Abbati de* Eveſham, *quod habeat prædictum Priorem in Octabis ſancti* Johannis Bapt. *Et mandatum eſt Epiſcopo* Wigorn. *quod habeat prædictum Magiſtrum* Robertum *ad eundem terminum*, &c. Plac de An. 28 H. 3 in Turri London.

Ebor. Osbertus *fil.* Willielmi *Eſſon.* Willielmi Clarel *optulit ſe* 4 *die verſus* Thomam *Priorem de* Bridlington, *et verſus* Ricardum *Priorem de* Kyrkham *de placito*, quare tenuerunt placitum in Curia Chriſtianitatis de catallis quæ non ſunt, &c. contra prohibitionem, &c. *Et verſus* Radulph. *Priorem ſancti* Oſwaldi *de placito*, quare ſecutus eſt idem placitum, &c. *Et ipſi non venerunt*, &c. *Et Prior de* Bridlington attach. fuit per Robertum de Redneſſe, et Willielmum de Baſingby. *Et Prior de ſancto* Oſwaldo attach. fuit *per* Willielm. *filium* Alexandr. de Bramham *et* Henr. Slegg *de eadem. Ideo pon. per mel. pleg. Et primi*, &c. *Et Prior de* Kirkham *non venit*, &c. *Et præceptum fuit Vic. quod* attach. *eum*, &c. *Et Vic. nichil inde fecit. Ideo ſicut prius præceptum eſt Vic. quod attach. eum*, &c. *Et quod ſit ad prædictum Terminum. Et Vic. ſit anditurus judicium ſuum*, &c.

An. 30 & 31 Hen. 3. *Surr.* Willielmus de Ponte *optulit se* 4 *die versus* Willielmum *Personam de* Mikelham *de placito*, quare tenuit placitum in Curia Christianitatis de laico feodo ipsius Willielmi de Ponte in Mikelham, contra prohibitionem, *&c.* *Et* Will. *Persona non venit. Et habuit diem per Esson. suum ad hunc diem, postquam* fuit attach. *per* Rob. de Mikelham & Henr. de la Rosse. *Et ideo ponatur per meliore pleg. quod sit in Octab. Sancti* Johannis Bapt. *Et primi*, &c.

An. 31 H. 3. Tom. 2. p. 706. l. 31. after *Junii*, adde: That these Inquisitions and Recognitions upon Oath, thus successively prohibited by all the premised Writs to the Bishop of *Lincoln*, his Archdeacons, Officials, Rural Deans and Clerks, were Articles of Inquiry in their *Visitations*, which † some peremptorily deny, not acknowledgements of Deeds or Civil Contracts with Oaths to perform them under pain of Ecclesiastical Censures, as they assert, is most evident. 1. By the Writs themselves. 2ly. By Archbishop *Boniface* and his *Suffragans* Articles and Constitutions against these Writs and Prohibitions, *Tom.* 2. *p.* 890. * Artic. 9. **Cum Prælati Ecclesiastici inquirere volunt de peccatis subditorum, prohibentur Laici ne de veritate dicenda, aut de credulitate, aliquod Juramentum exponant, aut Prælatis super hujusmodi obediant, propter quod multorum excessus et peccata mortalia incorrecta et impunita relinquuntur,** *&c. p.* 907. **Cum insuper Prælati Ecclesiastici ex officii sui debito inquirant, de morum disciplina, peccatis et excessibus subditorum, quia Rex, Magnates et aliæ Potestates seculares ipsorum officia impediunt in præmissis, Laicis sibi subditis * inhibendo, ne ad mandatum ipsorum Prælatorum, de veritate dicenda subeant juramentum,** *&c.* **Impedientes vero ne hujusmodi juramenta præstentur, per Interdicti et Excommunicationis sententias arctius compescantur.** 4ly. By Archbishop *Stratford*'s and his Councils Constitutions, *An.* 1340. **De impedientibus Jurisdictionem Ecclesiasticam:** Accidit novitate perversa, quod cum Ecclesiarum Prælati de morum disciplina, peccatis et excessibus subditorum nituntur inquirere, Magnates et Potentatus alii seculares, officia impedire molientes eorum, inhibent laicis ipsorum tenentibus aut nativis, (by the Kings Writs to the Sheriffs and them) ne ad Ordinariorum citationes pro suorum criminum vel excessuum correctionibus canonice subeundis, (quorum correctio et punitio ad ipsos Ordinarios noscitur pertinere de consuetudine vel de jure, *&c.*) * extra locum sui dominii veniant vel compareant coram eis: Et ne in locis sui dominii per Prælatos exerceantur præmissa, impediunt, et procurant nequiter impediri; sibique super his Jurisdictionem Ecclesiasticam exercentes, et suis subditis, et pro eorum culpis et excessibus pœnitentias corporales, seu pecuniarias imponentes, ac ipsos facere cogentes, eadem sicut ordinare ipsis licet; aut pœnitentiis corporalibus juxta modum excessuum suorum impositis, redemptiones pecuniarias prout juste poterunt admittentes, vel et super extorsionibus et excessibus indictant; sicque indictatos attachiant ac incarcerant; ac super his in foro seculari eos sibi respondere compellunt: quibus multas pecuniarias ea occasione in dicto foro seculari imponi procurant et faciunt indebite (as they falsly suggested) pro libito voluntatis. 5ly. This is most irrefragably evident by Bishop *Grosthead*'s own Articles of Inquiry, (whereupon those Writs then issued) intituled, *Articuli Inquisitionis per Archidiaconatus Episcopatus Lincoln. à singulis Archidiaconis faciendæ*, being 50 in number, published of late in the 2d. Tome of * Sir *Henry Spelman*'s Councils; the same in effect and form with our Bishops and Archdeacons modern Visitation Articles, (which they inforce Lay-men to inquire of upon Oath) which I shall here present you with.

† A Treatise concerning Oaths, exacted by Ordinaries and Ecclesiastical Judges.

* Mat. Paris. Additament. p. 199, 200, 207.

* *Nota.*

* Additamenta Mat Paris, pag. 207. Johannes de Aton Constit. Provinc. f. 138. Lindewood Provinc. l. 3. De Immunitate Eccles. fol. 188. Spelmanni Concil. Tom. 2. p. 588, 59.

* None might be cited or visited out of his Parish in that age.

* Concil Tom. 2. p. 192, 193 Ex vetusto Cod. MS. penes Sam. Roper, de Hospitio Lincoln Armig. an 1647.

† This he could better discover by his own examination of them, then by illiterate Lay-mens Oaths

* This his Archdeacons could best inform him of.

1. An aliqui † Rectores Ecclesiarum, vel Vicarii, vel Sacerdotales Parochiales sint enormiter illiterati?
2. An Sacramentum Eucharistiæ portetur ad infirmos cum debita reverentia; &, sicut decet, custoditur?
3. An aliqui prædicti, vel aliqui infra sacros Ordines constituti, sint incontinentes?
4. An incontinentes sint correpti per * Archidiaconum loci, et quoties unusquisque sit correptus, et qualiter?
5. An aliqui convicti vel confessi super Incontinentia obligaverunt se ad resignationem Beneficii, vel ad aliquam pœnam Canonicam si recidiverint, et si quisquam eorum recidiverit post obligationem?
6. An aliqui Beneficiati, in sacris Ordinibus constituti, sint uxorati?

7. An

7. An aliqui Clerici frequentant Eccleſiam Ponialium ſine cauſa rationabili? *An.* 31 H 3.
8. An aliquis Clericorum in ſacris Ordinibus teneat mulierem cognitam ubi, vel aliam, de qua oritur ſuſpicio mala?
9. An aliqui ſint Ebrioſi, vel tabernas frequentantes, vel Uſurarii, vel Negotiatores, vel pugnantes, vel alio vitio notentur?
10. An aliqui ſint Firmarii, vantes vel recipientes ad Firmam Eccleſias, ſine licentia Epiſcopi?
11. An aliqui ſint Vicecomites, vel Juſticiarii ſeculares, vel tenentes Ballivas a Laicis, unde obligentur eis ad ratiocinia? *Nota.*
12. An aliqui Rectores faciant pactum cum Sacerdotibus ſuis annuis, ut præter ſtipendia à Rectore recepta, poſſint recipere ab aliis Annualia vel Triennalia?
13. An aliquis * Sacerdos Parochialis non habeat a Rectore ſuo ſufficientem ſuſtentationem? * This the Prieſt himſelf could beſt inform him.
14. An Laicis detur ad Firmam aliqua libera terra alicujus Eccleſiæ?
15. An Redditus aſſignati ad Luminaria, vel alios uſus Eccleſiæ certos, in certos uſus Eccleſiæ convertantur, vel in uſus Rectorum vel Vicariorum?
16. An alicubi compellantur Parochiani, ut in die Paſchæ ſimul communicent & offerant?
17. An aliqui intendant Hiſtrionibus, vel ludant ad alcas, vel tarillos?
18. An aliqui portent arma, vel non habeant tonſuram & habitum congruentem?
19. An aliquis habeat plures curas animarum ſine diſpenſatione?
20. An aliquis Rector ſive Vicarius ſit filius proximo miniſtrantis?
21. An aliquis Sacerdos extorquet pecuniam pro pœnitentia vel aliis Sacramentis, vel injungat pœnitentias lucrativas?
22. An Diaconi miniſtrent Sacramenta ſolis Sacerdotibus commiſſa, vel audiant Confeſſiones?
23. An aliquis Rector vel Vicarius non ſit in Ordine, qui exigit ſua cura, vel non facit reſidentiam in ſuo Beneficio?
24. An Eccleſia aliqua non habeat Clericos vel Clericum honeſtum ſecundum facultates Eccleſiæ?
25. An Mercata, vel Ludi, vel Placita ſecularia ſint, vel fiant alicubi in locis ſacris?
26. An * Cimiteria ſint ubique clauſa, & Eccleſiæ decenter ædificatæ, & ornatæ, & vaſa ſacra ritè cuſtodita? * This they might diſcover beſt by their own perſonal view and Viſitation of them.
27. An aliquis Sacerdos celebret de Aceto?
28. An aliqui Beneficiati audeant vel doceant leges ſeculares?
29. An Canon Miſſæ ſit rite correctus?
30. An alicubi leventur arietes, vel fiant Scottalos, vel decertetur in præeundo cum vexillo matricis Eccleſiæ?
31. An ad mandatum Eccleſiæ & Epiſcopi hæc in ſingulis Eccleſiis aliàs ſint prohibita?
32. An aliquis Clericus vel Laicus, teneat in hoſpitio ſuo Concubinam Clerici, et ubi ſunt Concubinarum receptacula?
33. An aliquis Sacerdos ſit deſidioſus ad viſitandum infirmos?
34. An Criſmalia convertantur in uſus ſeculares?
35. An aliqui Religioſi appropriaverint ſibi aliquas decimas vel Eccleſias, ſine licentia Epiſcopi loci, vel aliqua hujuſmodi?
36. An aliquæ Eccleſiæ ſint vel fuerint retentæ ſine Sacerdote?
37. An aliqui Vicarii ſe faciant Rectores, vel è converſo?
38. An aliqui illegitimi, cum quibus non eſt diſpenſatum, habeant Eccleſiaſtica a Beneficia, vel in ſacris Ordinibus conſtituti?
39. An aliqui gerant ſe Rectores vel Vicarios, qui non ſunt per Epiſcopum inſtituti?
40. An Superaltaria ſint honeſta, & non molentur ſuper ea colores, & quæ Eccleſiæ ſunt dedicandæ?
41. An aliqua Eccleſia poſt *Oxonienſe* Concilium ſit diruta ſine Epiſcopi licentia?
42. An *Judæi* morentur alicubi, ubi non conſueverunt morari?

An. 31 H. 3.

43. An Adulteria, **vel crimina publica Laicorum, sint rite per Archidiaconum correcta, et si aliqua sint incorrecta?**
44. An in singulis Archidiaconatibus sint sufficientes Pœnitentiarii Episcopi?
45. **An aliqui Laici sint pertinaces, ut stent in Cancello cum Clericis; et qui Sacerdotes sunt Ordinati alibi extra Episcopatum, et per quem licentiati sunt ad celebrandum?**
46. **De vita et honestate Archidiaconorum, Decanorum et Clericorum, qui ministrant in Ecclesiis?**
47. An aliquis Sacerdos bis celebret in die, nisi in casibus concessis, & in propria persona, in propria Ecclesia?
48. An aliqua Anacorita facta sit sine assensu Episcopi?
49. **An in aliqua Capella celebretur sine assensu Episcopi?**
50. An alicubi morentur Monachi vel alii Religiosi in Grangiis, vel aliis possessionibus suis, et quomodo se gerunt, et cujus famæ sunt? **De famulis eorum et servientibus, quomodo se gerunt, et cujus famæ sunt?**

On these very *Articles of Inquiry*, the King, his Council and Judges prohibited any Lay-men to be cited, to make Inquisitions or Recognitions upon Oath, by the * *premised Writs.*

* Tom. 2. p. 699, 701, 704, to 712. 718, 760, 818, 830, 831, 892, 907, 969, 970.

From these *Visitation Articles* we may observe: 1. That the prohibiting of Priests marriages, (against Gods Law and institution) made them very incontinent, to keep Whores, Concubines, frequent Nunneries and defleur Nuns, to satisfie their lusts. 2ly. That sundry Priests in that age were married and had children, whose sonnes sometimes succeeded their Fathers in their Benefices, notwithstanding all Canons and Constitutions made against it. 3ly. That Pluralities, Non-residence, and Clergy-mens exercising any Temporal Jurisdiction, Office, or imployments, and studying the secular Laws of the Realm, were prohibited as scandalous and criminal in this age. 4ly. That the Bishops in all their Visitations and Inquiries, amongst other things endeavoured to advance their Jurisdiction over all Laymens persons, rights, priviledges, to subject them to their own and their Archdeacons, Officers, Inquisitors censures; which Encroachment King *Henry* and his Council thought meet to restrain, by *successive Writs of* * *Prohibitions* issued to this Bishop of *Lincoln Grosthead*, and others.

* Tom. 2. p. 692. 704. 705, 706, 969, 970.

If the premises be not sufficient to answer the Objection, that these Prohibitions were not intended of these *Visitation Oathes* and *Articles of Inquiry*, then set on foot by *Grosthead*; I shall then adde for further satisfaction, that it is generally agreed, that all [a] *Episcopal Visitations* were originally founded on *Acts* 15. 36, 42. *Then* Paul *said unto* Barnabas, *let us go again, and* (ἐπισκεψώμεθα, Visitemus) **visit our brethren in every City, where we have preached the word of the Lord, and see how they do:** and Paul **went through** Syria **and** Silicia **confirming the Churches**, (by his preaching personally to them) without using any such Citations out of their own Parishes, or Articles or Oaths of Inquiry, as *Grosthead* with his Archdeacons, Deans and Officials then prescribed to and enforced on the people of his Diocesse, of which we find no mention or intimation in the *Acts of the Apostles*, nor in the antient *Canons* or *Constitutions* we read of concerning Bishops *Visitations* in our own or other Churches; Witness those of [b] *Boniface* Archbishop of *Mentz* (an *English-man*, and Popes Legate,) sent by him to our *English* Bishops, *Anno Domini* 745. of the Council of *Cloveshove* under *Cuthbert* Archbishop of *Canterbury*, *Anno* 747. *cap.* 3. of the Council of *Calcuth* under the Popes Legates, *An.* 787. *cap.* 3. and of *Odo* Archbishop of *Canterbury*, *An.* 943. *c.* 3. which enjoyn every Bishop at least once every year, to go in circuit throughout his Diocesse, **cum omni vigilantia** [c] **prædicando verbum Dei** (as Saint *Paul* did) **populumque diversæ conditionis ac sexus aperte doceat, diligenter Conventicula per loca congrua constituendo, quo cuncti convenire possunt ad audiendum verbum Dei, et omnibus viam salutis demonstret,** utpote eis qui raro audiant verbum Dei, **Prohibens et inter cætera peccamina, paganas observationes, *gentilium*que *errata, ne aliquis per incuriam pastoris per devia cujuslibet ignorantiæ errans, rugientis leonis morsibus invadatur; & vigilanti cura gregem sibi commissum* pascat, confirmet:** *Et ne quis turpis lucri gratia, sed spe mercedis æternæ, gregem sibi commissum pascere studeat.* **Quod enim gratis accipimus, gratis impendere non differemus**, without any Fees, Procurations or Articles of

[a] Concil Colonienſe, An. 1546. Surius Concil. Tom. 4 p. 845.

[b] Spelmanni Concil. Tom. 1 p. 238, 246, 293, 416.

[c] *Primò debet Episcopus per se, vel per alium idoneum proponere verbum Dei, & semper cum visitat pascere gregem cum prædicationibus & sermonibus*, Thomas Zerula *Praxis Episcopalis, pars* 1. *Tit. Visitatio, &* Summa Angeli. *Tit. Visitat.* 9.

of Inquiry upon Oath, whereof we find no mention. The first Canon I have observed made in *England* after the Conquest concerning Visitations, is this of [d] *Hubert* Archbp. of *Canterbury* in the Council of *London*, *An.* 1200 worthy observation. *Prohibemus, ne subditos suos* talliis et exactionibus Episcopi gravare præsumant. *Cum enim dicit Apostolus, Non debent filii thezaurizare parentibus sed parentes filiis; multò longè à paterna pietate videtur, si Præpositi subditis suis graves existant, quos in curis necessitatibus pastoris more debent fovere. Archidiaconi, aut sui Decani,* nullas exactiones vel Tallias in Presbyteros seu Clericos exercere præsumant, &c. *Sanè ad præcidendam tàm avaritiæ quàm negligentiæ vitium; authoritate Toletani Concilii subnixi, præcipimus, ut* Visitator ab Ecclesia in qua Visitationis officium debito modo non exercet (by preaching the word of God to the people, *&c.* as aforesaid) procurationem, aut procurationis redemptionem, exigere non præsumat. The like was decreed *in terminis*, or with little variation, by * *Stephen Langeton* Archbishop of *Canterbury* in the Council of *Oxford*, An. 1222. by [e] *Rich. Poor* Bishop of *Sarum* in his Diocesan Synod, Anno 1217. *De Procurationibus Archidiaconorum*, by *Otho* the Popes Legate and the Council of *London*, An. 1226. cap. 20. *Officium Archidiaconorum*; by *Othobon* the Popes Legate and the Council under him, An. 1248. f. 122. b. by *Peter Quivil* Bishop of *Exceter* and the Synod under him; An. 1287. by the Synod of *Winton* about the year 1308. by *Walter Raynolds* Archbishop of *Canterbury* in the reign of King *Edward* the 2d. by *John Stratford* Archbishop of *Canterbury* and the Council of *London* under him, Anno 1342. *De Visitatione & Procuratione Archidiaconorum, & aliorum Ordinariorum*: All which prescribe all *Visitors* (especially *Archdeacons*, the Bishops *eyes*) not only to *preach to the people in all Churches they visit*, in the * *first place, and instruct them in the principles of Religion*, but likewise personally to enter and view every *Churches Fabrick*, with their *Books, Vestments, Utensils, appurtenances* which they Visit: and that not *perfunctorily*, but *diligently*; and *to demand or take no Procurations from any Church they do not thus personally and actually view, visit, and those only in competent meat and drink, not in money*; *yea if they visit many Churches in one day, they enjoyn them to demand but one Procuration from them all, not several Procurations from each of them, and no Procuration at all from poor Churches and Ministers*: wherewith *William Lindewode* in his *Provincial Constit. l.* 3. *De Censibus & Procurationibus, f.* 159, 160. *Johannes de Aton* in his Glosses on *Otho*'s and *Othobon*'s Constitutions, *f.* 43. 89. *Angelus de Clavasio* in his *Summa Angelica, Tit. Visitatio*; together with *Gratian* Distinct. 42. cap. *Non oportet*; & Causa 10. qu. 1. and his Glosses fully accord. Yea † *Concil. Lateran. sub Innocent.* 3. An. 1215. cap. 33, 34. *Concilium apud Castrum Gunteri*, Anno 1251. *Concilium apud Salmur.* An. 1253. *Synodus Andegavensis*, An. 1263. *Concilium Provinciale apud Langres, Concilium apud Nannetes*, An. 1264. *Concil. Burdegal.* An. 1582. with others collected by *Laurentius Bochellus*, Decreta Eccles. Gallicanæ, Lib. 5. Tit. 15. *De Visitatione, Procuratione, & Personis quibus commissa est potestas visitandi*, thus decree the like; *Cum ratione Visitationis debetur procuratio, districtè præcipimus,* Ut nullus procurationem recipiat, nisi in locis visitatis duntaxat: and that, tantum victualibus a locis quæ visitantur; non pecuniis numeratis: wherewith *Concilium Colonieuse* An. 1549. *Concilium Tridentinum*, Sessio 24. De Reformatione, cap. 3. *Surius* Concil. Tom. 4. p. 845, 976. *Thomas Zerula* in his *Praxis Episcopalis*, pars 1. Tit. *Visitatio*, and all Canonists I have seen concurr. Hence *John de Aton* in his Glosse on this clause of *Othobon*'s Constitution; (*Nos tàm Ecclesiarum indemnitati, quàm Prælatorum saluti consultius providentes districtius inhibemus*, ne quis eorum procurationem (quæ ratione visitationis debetur) ab Ecclesia quacunque recipiat, nisi cum eidem visitationis officium impendit, qui verò receperit, donec restituerit ab ingressu Ecclesiæ sit suspensus:) hath this observation, * Et hæc ratio forte movet Episcopos hujus regni, qui in visitationibus suis procurationes ab Ecclesia communiter non exigunt, (which since many of them usually do, against the premised *Canons* and *Constitutions*) quia ad singulas Ecclesias ob causam visitationis non declinant: licet plene personas visitant tam Clerum quam populum, ob hanc causam nunc ad unum locum, nunc ad alium congruum convocando; cum tamen procurationem debeant recipere tantummodo de locis visitatis. *Ut hic; & Extrav. de Censibus, c. Romana.* It being then no legal, real, nor Canonical Visitation at all for Bishops or Archdeacons to summon a whole Diocesse, Archdeaconry, or Deanry to meet at one certain place or Church, there to appear before and visit their

Bishops

An. 31 H. 3.

[d] Rog. Hoveden. *Ann. Pars prior. p.* 807. Spelman. Concil. Tom. 2. p. 124, 125.

* Surius Concil. Tom. 3. p. 763. Johannes de Aton, Constit. Provinc.

[e] Spelmanni Concil. Tom. 2. p. 156, 220, 221, 265 350, 381, 483, 489, 556, 576.

* *Primò, protenus debet Visitum Dñi, & decorum de Vita & conversatione ministrantium, & cæteris quæ ad officium suum spectant in*quirature & *fir*mato & *coact one, to*rum emend tionem per *filiabi*lia *consilia* inducat *levibus & aspe*ris, sicut sibi videbitur expedire. D. cap. Romana Summa Angelica, *Visitatio*, Sect. 2.

† Surius Concil. Tom 3. p. 746.

* Constit. Legat. f. 89 8.

An. 31 H. 3. Bishops or Archdeacons out of, and remote from their own Parishes, to their great travel and expence; no more than a Bishops, Archdeacons, or Ministers summoning all the Sick persons or Prisoners in their Diocesse, Archdeaconries or Parishes to meet them at the places where they visit, or at their Parish-Churches, is or would be reputed a real, legal or canonical visitation of the *Sick*, or *Prisoners*, within our *Saviour Christs*, or S^t. *James* words or meaning, *Mat.* 25. 36, 39, 40, 43, 44. *Jam.* 1. 27. *c.* 5. 14, 15 or within the *Order for visiting the Sick*, in the Book of *Common Prayer* prescribed by Act of Parliament; which orders Ministers, *to go and enter into Sick-persons Houses, Chambers to visit them*, not they to send for them into the Church, or their own Houses: this new kind of Visitation being in truth a visiting of the Bishops and Archdeacons by the Ministers, Churchwardens and others repairing to them; not a visitation of them by the Bishops or Archdeacons, contrary to the *Apostolical* primitive constitution, custome, and the antient Canonical legal form of all Episcopal and Archidiaconal Visitations; who personally repaired to every Church they visited, and there first of all preached Gods Word unto the People, and then with all care and diligence viewed the Fabricks, Ornaments, Vestments, Utensils, Books and necessary appurtenances of each Church, the persons, manners of the Mimsters and People with their own eyes, and so needed no such *Inquiries* or *Visitation Artioles* upon Oath concerning them, their Ministers or Parishioners, as Bishop *Grosthead*, his Archdeacons, Deans and Officials then endeavoured to inforce upon the People or Churchwardens by Ecclesiastical censures; which King *Henry* the 3^d. his Council, and Judges thereupon prohibited as illegal Innovations, Grievances, Vexations by the premised Writs: Much less needed they such *printed Books* of numerous, various, unauthorised Articles, Oaths, as others have since illegally invented, inforcing the *Churchwardens* of every Parish to *buy their Books of Articles at dear rates*, and then *to make Presentations on them upon Oath*; for which *Presentations* they must likewise pay Fees: A device of later times rather to pick the Peoples Purses, and ensnare their Consciences, than to reform their vices; Which the premised Councils condemn as a gross abuse; and * *Claudius Espencæus* (a learned *French* Bishop) thus long since complained of: *Minores non tantum Episcopi, sed & Archidiaconi, eorumque malè Officiosi (absit verbo invidia, nam de malis loquor) Officiales & Vicarii dum Diœceses & Parochias obequitant, non tam facinorosos & criminum reos pœnis & correctionibus à vitiis deterrent, quo fine peregrinationes hujusmodi olim jam fuerunt jure canonico ordinatæ, quam pecunia præsenti et numerata, titulo Procurationis, ne dicam fictitiæ Jurisdictionis emungunt, et exigunt tum Clericos, tum Laicos*: and Saint *Bernard* long before him severely censures, in *Sermone* 77. *super Cantica*, & *Concione ad Clerum in Concilio* Rhemensi, to omit all others. If every Judge of Assise or Sessions of the Peace should Print all the *Articles* of their *Charges* and *Inquries*, and enjoyn every Grand-Jury-man and Constable to buy them, and exact Procurations from them, it would be reputed an intolerable, illegal Innovation and Exaction in them. Therefore it can be deemed no other in Bishops, Archdeacons, and other Visitors. All which considered, will abundantly answer the premised Objection, grounded on the misconstruction of the words, *Ad recognitiones super Sacramentum faciendas*, which properly signifie, to make Inquisitions or Presentments upon Oath, as the words *Recognitio, facere Recognitionem, & Recognitores Assisarum* in cases of *Assises*, with our † *Law-books* and *Statutes* clearly resolve.

* Comment. in Epist. ad Titum, c. 1. Bochellus Decret. Eccles. Gal. l. 5. Tit. 15. c. 50.

† Bracton, l. 3: Tract. 1. c. 11. n. 16. l. 5. Tract. 8 c. 9. West 1. c. 31. Litleton sect. 234. Cowels Interpreter, & Spelmans Glossarium, Tit Recognitio, & Recognitores.

Tom. 2. p. 699. l. 6. after *juveris*, adde: In the Plea-Rolls and Assises taken before the Justices Itinerant in the 31. year of King *Henry* the 3^d. (remaining in the *Tower*) I find many *Prohibitions, Attachments*, and *Actions* upon them, brought against *Bishops, Archdeacons, Officials*, and other Persons for holding Plea, and prosecuting Suits in *Courts Christian* of Advowsons, Free-holds, Trespasses, Debts and Chattels that were not Testamentary, not given in Marriage, and for Excommunicating them against the Kings Crown and Dignity, to the Subjects great damages and vexation, with Writs enjoyning them to absolve them. I shall begin with one in my own native Country of *Somerset*.

Placita & Assisa capta apud Northampton *in crastino Natalis Sancti* Johannis Baptistæ, *anno regni Regis* Henrici *filii Regis* Johannis *tricesimo primo. Coram* Rogero de Thurkelby, *& sociis suis Justiciariis.*

Rot. 25. dorso. ——————— *Essoniator* Drogonis de Staunton, *&* Henricus *filius* Roberti *Essonia-*

Eſſoniator Aliciæ de Staunton *optulerunt ſe 4 die verſus Magiſt.* Nicholaum *Archidiaconum de* Bathonia *de placito*, quare tenuit placitum in Curia Chriſtianitatis de feodo ipſorum Drogonis et Aliciæ in Staunton contra prohibitionem, &c. *& verſus* Walterum *Perſonam*, &c. *& verſus* Will. Lenteneley *de placito*, quare ſecutus eſt placitum in Curia Chriſtianitatis de laico feodo ipſorum Drogonis et Aliciæ, *&c.* contra eandem prohibitionem, &c. *Et Archidiaconus & Perſona non venerunt*, &c. *Et ideo mandatur Vicecom. quod attachiet eos. Et Vicecomes mandavit*, quod ipſi Clerici ſunt, et quod non habent laicum feodum ubi poſſint attachiari. Et ideo mandatum eſt Epiſcopo Bathonienſi, quod venire faciat eos apud Oxoniam in craſtino Sanctæ Trinitatis, &c. *Et unde Vicecomes*, &c. *An.* 31 H. 3.

Walterus *Perſona de* Staunton attachiatus fuit *ad reſpondendum* Drogoni de Staunton *& Alic. uxori ejus de placito*, quare ſecutus eſt placitum in Curia Chriſtianitatis de laico feodo ipſius Drogonis et Alic. in Staunton, contra prohibitionem Domini Regis, &c. *Et unde ipſi* Drogo *&* Alic. *per Attornatos ſuos dicunt, quod cum ipſe teneat unam virgatam terræ cum pertinen. in* Staunton *de feodo ipſorum* Drogonis *&* Aliciæ *per forinſecum ſervicium quantum ad prædictam virgatam terræ pertinet, pro omni ſervicio. Et cum ipſi vellent facere diſtrictionem pro ſcutagio de* Gunnok, *exigentes ab eodem* Waltero 12 *d. nomine ſcutagii de prædicta terra quando ſcutagium fuerit ad quadraginta ſolidos, & ad plus plus & ad minus minus, prædictus* Walterus occaſione prædictæ diſtrictionis fecit ipſos citari coram Officiali Archidiaconi Bathoniæ apud Britoll in Eccleſia Sanctæ Mariæ de la Radeclyve. Et cum ipſi detuliſſent eidem Waltero prohibitionem Domini Regis, ne prædictus Walterus placitum illud amplius ſequeretur, idem Walterus ſpreta prohibitione Domini Regis, ſecutus eſt placitum illud in Curia Chriſtianitatis coram Archidiacono Bathoniæ de die in diem, et * fecit ipſos Excommunicari et omnes homines ſuos, *unde dicunt*, quod deteriorati ſunt et dampnum habent ad valenciam 10 l. Et inde producunt ſectam, *&c.* (to recover Damages againſt him for this injury and vexation.)

* Such was his abuſe and vexation.

Et Walterus *venit & defendit vim & injuriam quando*, &c. *Et benè cognoſcit, quod prædicti* Drogo *&* Alicia detulerant ei prædictam prohibitionem *die Sabbati in ebdomada Paſchæ prox. præterita circa horam primam, ſed benè defendit contra ipſos & ſectam ſuam*, quod ipſe nunquam poſtea ſecutus fuit aliquod placitum in Curia Chriſtianitatis verſus prædictos Drogonem et Aliciam occaſione diſtrictionis prædicti ſcutagii, et quod nunquam poſtea occaſione prædicta fecit ipſos Excommunicari. *Et hoc paratus eſt defendere Lege contra ipſos & ſectam ſuam*, ſicut Curia conſideraverit. *Et ideo conſideratum eſt*, quod vadiet Legem ſc. xii. manu. *Et veniat cum lege ſua à die Nativitatis Sancti* Johannis Baptiſtæ *in unum menſem. Plegii de lege*, Jordanus de Budiford, & Richardus de Clendon. Et præceptum eſt eidem Waltero, quod interim abſolvi faciat prædictos Drogonem et Aliciam, et homines ipſorum qui occaſione prædicta ſunt Excommunicati. Et ad hoc faciendum invenit prædictos plegios, qui hoc manuceperunt. *Et præterea Magiſter* Johannes de Staunton *filius prædicti* Walteri *hoc idem manucepit*, et obligavit ad hoc quandam cuſtodiam quam habet in Comitatu Somerſet. *Poſtea venit prædictus* Walterus *ad diem prædictum*, et non potuit dedicere, quin ipſe occaſione diſtrictionis quam prædicti Drogo et Alicia fecerunt pro prædicto ſcutagio ipſos Excommunicavit, et Excommunicatos denunciavit. Et poſtea * per præceptum Juſtic. denunciavit ipſos a ſententia illa abſolutos, et ſuper hoc fecit Literas ſuas patentes quas Henricus de Monte Attornatus prædictorum Drogonis et Aliciæ profert, et quæ hoc teſtantur. Such was his vexation and falſhood in his place.

Nota.

* *Nota.*

Henricus de Monteforte *optulit ſe 4 die verſus Magiſtrum* Willielmum de Lenteneley *de placito*, quare ſecutus eſt placitum in Curia Chriſtianitatis de advocacione Eccleſiæ de Niny, *quæ pertinet ad liberum tenementum ſuum in eadem Vill.* contra prohibitionem Domini Regis, &c. *Et* Willielmus *non venit*, &c. *Et mandatum fuit Epiſcopo* Bathon. *quod faceret eum venire ad hunc diem*; *Et Epiſcopus nichil inde fecit*, ſet mandavit, quod ſummonuit eum, &c. Et ideo præceptum eſt Vicecom. quod ſummoneat dictum Epiſcopum, *quod ſit à die Nativitatis Sancti* Johannis Baptiſtæ *in unum menſem, & ibi habeat prædictum Magiſtrum* Willielm. *&c.* Et Epiſcopus ſit auditurus Judicium ſuum; for his contempt in not bringing him in at the day. Somerſet. Rot. 24, 25.

I ſhall only render you a brief Note of the like and other Prohibitions, Attachments and Actions which I find in the *Plea-Rolls* of the ſame Term.

Conſimile (for holding Suit) de laico feodo verſus Nicholaum Archid. Bathoniæ, *&c.* Rot 25. inius.

Con-

An. 31 H. 3. Rot. 25. intus. *Conſimile* verſus Rogerum Epiſcopum Bathoniæ (for a Suit in *Court Chriſtian*) de advocatione Eccleſiæ de Nuny, *&c.* tryable only in the Kings Courts of *Common Pleas.*

Rot. 22. dorſo. *Conſimile verſus* Egidium Archidiac. Northampt. de placito quare ad mandatum Domini O. Cardinalis Sanctæ Mariæ in via lata, quia idem Radulphus coram eo non comparuit in partibus tranſmarinis, quod eſſet in præjudicium privilegii Domini Regis, ipſum denunciari fecit excommunicatum, &c.

Rot. 16. dorſo. Noting. Philippus de Covel, & Radulphus de Dayrel *optulerunt ſe 4 die verſus Priorem de* Thurgaton *de placito*, quare tenuit placitum in Curia Chriſtianitatis de catallis et debitis ipſorum Phil. de Rad. quæ non ſunt de Teſtamento vel Matrimonio, contra prohibitionem Regis, &c.

Rot 24 dorſo. *Conſimile* de catallis quæ non ſunt, &c. verſus Robertum Epiſcopum London. *&c.*

Rot. 26. intus. *Conſimile* de catallis quæ non ſunt, *&c.* verſus Magiſtrum Hoſpitalis Sancti Johannis Northampt.

Ibidem dorſo. *Conſimile* de catallis quæ non ſunt, *&c.* contra prohibitionem, *&c.* verſus Walterum de Sees.

To theſe I ſhall annex ſome Suits proſecuted by the King himſelf and his Attorney, againſt ſeveral perſons for holding and proſecuting Suits in *Court Chriſtian*, for Advowſons of Churches, and his free Chappels, againſt his Crown and Dignity, in *Michaelmas* Term, in this 31. year of his reign.

Placita coram Rege in Octab. Sancti Michaelis, *anno regni Regis* Henrici *tertii fil. Regis* Johannis *triceſimo primo.*

Heref. ff. Capellan. Domini Regis. Laurentius del Brock *qui ſequitur pro Rege, optulit ſe 4. die verſus Archid. de* Hertford. *Magiſtrum* Richardum, Thomam, & Nicholaum *Penitenciar. ejuſdem loci de placito*, quare tenuerunt placitum in Curia Chriſtianitatis de Eccleſia Sancti Michaelis de Coventr. *quam Dominus Rex contulit* Radulpho de Leyc. *Clerico ſuo, vacante ſede* Coventr. & Lychf. contra Coronam et dignitatem, et contra prohibitionem Regis, &c. *Et ipſi non venerunt*, &c. *& præceptum fuit Vic. quod diſtr. Epiſcopum* Hereford. *quod eſſet ad hunc diem. Et quod haberet*, &c. *Et Vic. nichil inde fecit. Ideo ſicut aliàs præceptum eſt Vic. quod diſtr. prædictum Epiſcopum, ita quod habeat Corpus ejus à die* Paſchæ *in unum Menſem, & ibi habeat*, &c. *Et Vic. ſit anditurus judicium ſuum*, &c.

Staff. Salop. Warw Leyc. London Capellan. Dom. Regis. *Dominus Rex per* Laur. de Brock, *qui ſequitur pro eo, optulit ſe quarto die verſus* Henricum Creke *de placito*, quare ſecutus eſt placitum in Curia Chriſtianitatis de Eccleſia Sancti Michaelis de Coventr. *quam Dominus Rex contulit* Radulpho de Leyc. *Clerico ſuo, vacante ſede* Coventr. & Lychf. contra Coronam et dignitatem Domini Regis, et contra prohibitionem, &c. *Et ipſe non venit*, &c. *Et Vic. mand. quod* non eſt inventus. *Ideo ſicut prius; & ſi inventus fuerit, quod* capiat, *ita quod habeat* Corpus ejus, &c. *à die* Paſchæ *in unum Menſem*, &c.

Staff. ff. *Dominus Rex per* Laurentium del Brock, *qui ſequitur pro eo, optulit ſe quarto die verſus Decanum & Capitulum de* Lychf. *de placito*, quare ſecuti ſunt placitum in Curia Chriſtianitatis de Eccleſia Sancti Michaelis de Coventr. *quam Dominus Rex contulit* Radulpho de Leyc. *Clerico ſuo*, &c. contra Coronam et dignitatem noſtram, et contra prohibitionem noſtram. *Et Decanus & Capitulum non venerunt*, &c. *Et præceptum fuit Vic. quod diſtringeret Epiſcopum* Hereford. *ita quod haberet Corpus ſuum ad hunc diem, & quod Epiſcopus ibi haberet*, &c. *Et Vic. nichil inde fecit. Ideo ſicut aliàs præceptum eſt Vic. quod diſtr. eum per omnes terras*, &c. *quod ſit à die* Paſchæ *in unum Menſem*, &c. *Et Vic. ſit anditurus judicium ſuum*, &c.

Hereford: ff. *Prior Sancti* Guſlac. attach. fuit *ad reſpondendum* Domino Regi *de placito*, quare ſecutus eſt placitum in Curia Chriſtianitatis de Advocatione Eccleſiæ de Lugwarden, quæ ad Dominum Regem pertinet, contra prohibitionem ſuam. *Et unde* Laurentius del Brock *qui pro Rege ſequitur, dicit*, quod ipſe ſecutus eſt placitum prædictum in prædicta Curia Chriſtianitatis de prædicta Advocatione, quæ eſt præbenda Domini Regis, et quæ Dominus Rex dedit Magiſtro Johanni Maunſell. Unde Dominus Rex dampnum habet, &c. *Et inde producit ſectam. Et Prior venit & defend. vim & injur. contra ipſum & ſectam ſuam*, quod nullum placitum ſecutus eſt de Advocatione prædicta poſt prohibitionem, &c. *Et ideo conceſſum eſt, quod Prior vad. legem* 12 *mann*, &c.

Ibidem. *Idem* Laurentius *qui ſequitur pro Rege, optulit. ſe 4 die verſus Magiſtrum* Johannem

nem Batcum *de placito*, quare tenuit prædictum placitum contra prohibitionem præ- *An.* 31 H. 3.
dictam, &c. *Et Magiſter non venit*, &c. *Et Vic. mand. quod* Clericus eſt, *& quod noluit invenire pleg.* quia nullum habet laicum feodum, &c. *per quod*, &c. *Et ideo mandatum eſt Epiſcopo* Hereford. *quod fac. venire ipſum* Johannem *ad prædictum term. ad reſpondend. Domino Regi de prædicta tranſgreſſione.*

Laurentius del Brock, *qui ſequitur pro Rege, optulit ſe quarto die verſus Magiſtrum* Radulphum de Lacock *de placito*, quare ſecutus eſt placitum in Curia Chriſtianitatis contra libertates Eccleſiæ beatæ Mariæ de Stafford, quæ eſt libera Capella Domini Regis, et contra prohibitionem noſtram. *Et ipſe non venit*, &c. *Et Vic.* Wiltes *aliàs mandavit* quod Clericus fuit, &c. *Unde mand. fuit Epiſcopo* Coventr. *quod faceret eum venire*, &c. *Et Epiſcopus nichil inde fecit, nec breve miſit. Ideo Epiſcopus ſum.* &c. *à die* Paſch. ——— *Et primi*, &c. Wiltes. Warr. Suff. ſſ. Capella Domini Regis.

Theſe with ſome more ſuch Suits in the Plea-Rolls of this Term, ſufficiently diſcover the Biſhops and other Eccleſiaſtical Judges frequent uſurpations upon the Kings Crown, Temporal Courts, and Subjects Free-holds, Liberties, with their manifold contempts and illegal Excommunications againſt his Prohibitions to reſtrain their uſurpations; without which they had engroſſed to themſelves by degrees all Suits for Lands, Advowſons, Treſpaſſes, Debts, Contracts triable in the Kings and Temporal Lords Courts; which theſe Prohibitions, and Actions for damages againſt the Proſecutors, and Eccleſiaſtical Judges, ſometimes fined to the King for their contempts, and exceeding the bounds of their Eccleſiaſtical Juriſdictions, did in a good meaſure prevent, though not totally redreſs.

As the King by his premiſed Patents granted Tithes of all Hay and Mills in his Demeſn Lands to Churches, and likewiſe of his Veniſon taken in his Foreſts to ſeveral Biſhops and Abbots; ſo he did by this Charter grant to the Prioreſs and Nuns of S^t. *Maries* in *Cheſter* the 4^th. part of the Tithes of all the Victuals ſpent by him in his houſe, whiles he held the Earldom of *Cheſter* in his hands, and that his Son and all Earls of *Cheſter* and their heirs, ſhould be chargeable with theſe Tithes, where ever they reſided, according to a former Charter of *Hugh* Earl of *Cheſter*, which he hereby confirmed.

REX omnibus, *&c.* ſalutem. Sciatis nos conceſſiſſe Priorissæ et Monialibus Sanctæ Mariæ Ceſtriæ quartam partem Decimationis omnium victualium domus noſtræ quotieſcumque, quandocumque et quamdiu nos eſſe contigerit apud * Caſtrum, dum retinuerimus in manu noſtra Comitatum Ceſtriæ; Ita quod alicui, ſive filio noſtro, ſive alii Comitatum prædictum Ceſtriæ dederimus, Comes ille, et qui pro tempore fuerint ſucceſſores ſui Comites Ceſtriæ, dare teneantur prædictis Prioriſſæ et Monialibus et earum ſucceſſoribus quartam partem Decimationis omnium victualium domus ſuæ, ubicunque iidem Comites aut familiæ ſuæ fuerint per totam Angliam, prout per Cartam Hugonis quondam Comitis Ceſtriæ prædeceſſores ſui ſpecialiter obligantur. Teſte Rege apud *Radynges*, ſeptimo die *Novembris*. Pat. 31 H. 3. m. 8. intus. Pro Monialibus Ceſtriæ. * *Ceſtriam.*

The like Donations of the Tithes of all ſorts of Victuals, Wine, Liquors, Fiſh, Fowls, Butter, Cheeſe, *&c.* ſpent in Caſtles or houſes, (for which no Tithes were due by Law) I find made by *William de Braoſa* to the Monks of [a] *Bergavenny*, by [b] *Nigellus de Munevilla* to the Monks of *Folkeſtan*: yea [c] *William Peverel* granted to the Monks of *Lenton*; Duas partes omnium Decimationum de Dominicis meis, de omnibus rebus quæ decimari poſſunt. Item totam Decimam pullorum et pullarum ſuper Dominicas paſturas meas. Item totam decimam plumbi mei, et denationis meæ, tam in corijs quam in carnibus, et totam decimam piſcariæ meæ de *Notingham*: which our Kings confirmed by their Charters.

a Bundela Brevium An. 5 E. 3. nu. 101.
b Mich. 4 H. 4. Rot. 10. dorſo. in Scac. Monaſticon Anglicanum, Vol. 1. p. 558, 560, 566.
c Cart. 10 E. 2. n. 10. Chart. 30 E. 3. n. 7. Monaſticon Angl. Vol. 1. p. 646.

King *Henry* having conquered *Lewellen* Prince of *Northwales*, claimed a right to preſent to a Church belonging to him in *Wales*, then voyd, by way of *conqueſt*; the firſt preſentation by this kind of Title I have obſerved.

HEnricus de Bretun habet literas de præſentacione ad Eccleſiam Sancti *Michaelis de Kery* vacantem, et ad donationem Regis ſpectantem ratione conqueſtus Regis de terris quæ fuerunt *L.* quondam Principis *Norwalliæ* in *Sutwallia*, & diriguntur Epiſcopo *Menevenſi*. Teſte Rege apud *Merleberg*, decimo quinto die *Novembris*. Pat. 31 H. 3. m. 9. intus. De Præſentatione.

An. 32 H. 3

Tom. 2. p. 718. l. 14. after *Jan.* adde; I found this original Writ issued this year by King *Henry: Vic.* Huntindon. *Pone per vad. & salvos pleg. Episcopum* Linc. *quod sit coram Justic. nostris Itinerantibus apud* Rading. *&c. Et habeat Priorem Sancti* Michaelis *de* Saundford, *& Magistrum* Johannem le Fraunceys, *ad respondend.* Mauricio de Arundeli, quare tenuerunt placitum in Curia Christianitatis de catallis et debitis ipsius Mauritii quæ non sunt de Testamento vel Patrimonio, contra prohibitionem nostram. *Et similiter quod ibidem habeat Magistrum* Alexandrum de Standford, *ad respondend. eidem* Maur. quare secutus est idem placitum in eadem Curia, &c. *Teste* R. de Thurkelby *apud* Glouc. 8 *die* Maii, *Anno regni nostri tritesimo secundo.*

An. 33 H 3.

Tom. 2. p. 726. l. 11. after *Augusti*, adde; In the decayed *Placita Assisarum* (in the *Tower*) *de Itinere:* H. *de* Bathon. *& Sociorum suorum Itin. apud* Winton. *in Crastino S.* Hillarii, *An.* 33 H. 3. M. *uxor* Willielmi Seel, *attachiata fuit ad respondend.* Ceciliæ *quæ fuit uxor* Elyæ de Pestar; quare secuta est placitum in Curia Christianitatis de laico feodo ipsius Ceciliæ in Winton, contra prohibitionem, &c. coram Mag. Galfrido de Fermiges, Officiali Dom. Episcopi Winton, exigendo ab ea quinque Pessuagia, ita quod fecit eam capi et excommunicari postquam detulisset ei Regiam prohibitionem. Et unde dicit, quod deteriorata est et damnum habet ad valenciam 20 l. et inde producit sectam, *&c.* No doubt there were more of this kind in the Rolls of that Term, most of which are putrified, torn, illegible. In broken Rolls about the same year, I found two more of this kind.

* Godwins Catalogue of Bishops, p. 363.

William de Cantelupo, Son of * *William* Lord *Cantelupe*, a man of great birth, stomack and courage, who kept a great Retinue when Bishop of *Worcester*, with *his whole Family*, and the *Family of the Treasurer of Lychfield* were accused, appealed both for drowning and murdering several of the Kings Subjects in a most barbarous manner at *Kemesey*; whereupon the King issued this memorable *Writ of Inquiry* for the full and particular discovery, as well of the Commanders and Plotters, as Actors of this horrid Trespass, though the Bishops own menial Servants, he being suspected (as it seems) to abet them therein.

Pat. 33 H. 3. intus m. 5. De inquisitione facienda apud Kemeseya.

REX dilectis & fidelibus suis Magistro *Simoni de Wanton* & *Stephano Brabanzan*, salutem; Sciatis, quod assignavimus vos, una cum Vicecomite nostro *Wigornia*, & coronatoribus nostris ejusdem Comitatus, ad inquisicionem faciendam de submersis & interfectis nuper apud *Kemeseye*, unde multi multos appellant, & multi rectati sunt tam de facto quam de præcepto, utpote tota familia *Wygornienſis* Episcopi de *Kemeseya*, et R. Thesaurarii *Lychfeld.* Et ideo vobis mandamus, quod in Crastino Sancti *Laurencii* Martyris conveniatis apud *Wygorniam* ad prædictam inquisitionem faciendam super tam enormi et horribili transgressione commissa contra pacem nostram. Et cum constiterit vobis per inquisitionem prædictam qui fuerint inde culpabiles, tam de facto quam de auctoritate, omnes illos capi faciatis et in prisonam nostram retrudi, & inde distinctè & apertè nos reddatis certiores. Mandavimus enim Vicecomiti nostro prædicto quod appellantes appellatos & rectatos si inventi fuerint, cum eorum attachiamentis et aliis quæ ad negotium pertinent, dictis die & loco coram vobis venire faciat. Teste, *&c.* apud *Wodestok* 23 die *Julii.*

The King standing in need of Moneys this year for the recovering and defence of the Rights of his Crown, both on this side and beyond the Seas, sent this memorable Letter to some rich Abbots for a present supply.

Pat. 33 H. 3. intus m. 9. De Subsidio petendo.

R. Tali Abbati, salutem. Si Regiæ Majestatis dignacio pro Juribus regni tuendis devotorum et fidelium suorum amicitiam experiri voluerit, vel si ipsi suum Principem sub cujus alis protecti respirant, obsequio corporali et munerum obligatione frequenter honorent, non est mirum. Cum igitur deficientibus jam treugis inter Dominum Regem *Franciæ* & nos pro recuperatione et destructione Jurium nostrorum, tam in cismarinis quam in transmarinis partibus, ad quas nuper misimus magnam Militum comitivam, oporteat nos facere magnos sumptus, et ob causas diversas manum liberalitatis pluribus aperire, dilectos Clericos nostros *Th. de Stanford*, et *Willielmum de Axemua*, una cum singulis Vicecomitibus dictorum Comitatuum ad vos transmittimus, rogantes attente, quatinus ipsos in negocio nostro, quod vobis exponent, immo nos in eis favorabiliter audientes, ad alleviationem sumptuum prædictorum nos de pecunia vestra tam habundanter juvetis, quod id vobis debeamus retributione valida compensare. Teste Rege apud *Oxonium*, 10 die *Decembris.*

Pope

Pope *Innocent* the 4th. in the 6th. year of his *Papacy*, ſent this ſhort Bull to King *Henry*, affectionately intreating him to aſſign in his name the 1000 Marks due from him this year to the Church of *Rome*, under the name of a *Rent* or *Tribute*, (by pretext of King *John*'s voyd Charter) to the Treaſurer of the *Temple* in *London*, the original whereof I retrived in the *White Tower*. *An.* 33 & 34 Hen. 3.

INNOCENTIUS Epiſcopus, ſervus ſervorum Dei, chariſſimo in Chriſto filio Regi *Anglorum* illuſtri, ſalutem & Apoſtolicam benedictionem. Excellentiam tuam affectione paterna rogamus, quatinus mille marcas ſterlingorum quas pro anno præſenti Eccleſiæ *Romanæ* nomine Cenſus debes, dilecto filio Theſaurario Domus Militiæ *Templi London.* ſolitæ devotionis affectu, nomine noſtro facias aſſignari. Dat. *Lugdun.* 5 Kal. *Auguſti*, Pontificatus noſtri anno ſexto. Anno 33 H. 3. in Turri Lond.

Dorſo, *De Cenſu annuo Domino Papæ debito.* Examinatur.

I find by the * *Liberate-Rolls*, that this Rent due for the 31. year of *Henry* the third, was then payd to the Treaſurer of the *Temple*; but that any was payd this year by virtue of this Bull, I cannot diſcover by any Record. * Lib. 31 H. 3. intus. m. 1. Here, Tom. 2. p. 309.

In the *Plea-Rolls* of *Term.* Mich. *an.* 33 & 34 H. 3. in the *Tower*, I diſcovered theſe enſuing Suits and Attachments for holding and proſecuting Pleas of Chattels and Debts not Teſtamentary nor of Matrimony, and of Advowſons and Lay-fee, in Courts Chriſtian; againſt the Kings Prohibitions, Crown and dignity.

Hamo de Parceny & Mitilda *uxor ejus per Attornat.* &c. *obt. ſe* 4 *die verſus* Galfr. *Vicarium Eccleſiæ de* Mandeby, *de placit.* quare ſecutus eſt, & *verſus* Johannem *Decanum de* Landeleſhaw, quare tenuit placitum in Curia Chriſtianitatis de catallis et debitis quæ non ſunt de Teſtamento vel Matrimonio, et contra prohibitionem, &c. *Et ipſi non venerunt*, &c. Plac. Term. S. Mich. m. 1. An. 34 H. 3. Rot. 5. Linc.

David *Decanus de* Croft attach. fuit *ad reſpondend.* Adelth. de Hennoyr, quare tenuit placitum in Curia Chriſtianitatis de catallis et debitis quæ non ſunt de Teſtamento, &c. *Et unde eadem* A. *queritur, quod quidam* Willielmus le Clerke *implacitaviſſet ipſam coram ipſo* David, *petendo ab ipſa* 4 *ſol.* qui non ſunt de Teſt. &c. *Et ipſe* A. &c. an. 33. *in Eccleſia Sancti* Petri *de* Leomynſtr. *detuliſſet ei breve Dom. Regis* de Prohibitione, ne placitum illud teneret. *Idem* David ſpreta prohibitione illa tenuit placitum prædict. et ipſam ab ingreſſu Eccleſiæ ſuſpendere fecit, et poſtea excommunicavit. *Unde dicit, quod per hoc quod tenuit Placit. prædict.* deterioratus eſt et dampnum habet ad valenc. 100 s. *Et inde producit ſectam*, &c. Hereford. Rot. 36.

Elyas Hinge, &c. *obtulit ſe* 4 *die verſus* Philip. de Marer, quare ſecutus eſt placit. in Curia Chriſtianitatis de catallis, &c. quæ non ſunt de Teſtamento, &c. contra prohibitionem, &c. Ibid. Rot. 50. intus. Suſſex.

Hugo de Bygot *per*, &c. *obt. ſe* 4 *die verſ. Magiſtr.* Hug. de Cantilupo *Præcentorem* Ebor. *et* Willielm. *Archidiac.* Rychmund. *et* Johan. de Heſel *de placit. quare prædict. Præcentor. & Archidiac.* tenuerunt placit. in Curia Chriſtian. de Advoc. 4. partis Eccleſiæ de Cotingham contra prohibitionem. Et quare prædict. Johannes ſecutus eſt idem placitum contra eandem prohibitionem. *Et ipſi non venerunt*, &c. *Et etiam mandatum eſt Decano & Capit.* Ebor. *quod fac. ipſos venire, eo quod ſedes vacua*, &c. *qui nichil inde fecerunt. Et quia modo eſt ibi Archiepiſcopus, mandatum eſt Archiepiſcopo* Ebor. quod faciat eos venire. Such manifold Delayes did Biſhops and Cathedral Clergymen make in ſuch Suits, againſt their uſurped Juriſdiction. Ibid. Rot. 38. dorſ. Ebor.

Henricus Salisbur. *obtulit ſe* 4 *die verſus Magiſtr.* Willielm. de Brokedagh *Perſonam Eccleſiæ de* Waudegrave, & Egid. de Rous *Archidiac.* Norwic. *de placito, quare idem* Willielmus ſecutus eſt placitum in Curia Chriſtianitatis de laico feodo ipſius Henr. *in* Waudegrave, &c. *& de plac.* quare idem Egid. tenuit idem placitum in eadem Curia Chriſt. contra eandem prohibitionem. *Et de placito*, quare prædicti Willielmus et Egidius poſtea in dampnum et deceptionem Curiæ Dom. Regis, et in contemptum Coronæ et dignitatis ejuſdem Domini Regis, occaſione prædicti placiti fecerunt ipſum Henricum capi et incarcerari in priſona Norwic. et ipſum in eadem priſona detinuerunt; per quod idem Henricus in eadem Curia Domini Regis prædictum placitum non potuit proſequi verſus eos. *Et ipſi non venerunt: & præceptum eſt Vic.* quodattach. eos, &c. For this their contempt, vexation, oppreſſion and deceit. Ibid. Rot. 37. dorſ. Norwic.

Tom. 2. p. 759. l. *ult.* after *patentes*, inſert;

The Archdeacon of *Taunton* having obtained a definitive ſentence for the Prebendary of S^t. *Decuman* in the Dioceſs of *Bath* and *Wells*, before the Popes Delegates in *An.* 34 H. 3.

An. 34 H. 3. in *England*; the Pope upon his Petition issued this Bull for the confirmation and execution thereof by Ecclesiastical censures, without any Appeal: the Original whereof I discovered in the *White Tower*.

An. 34 H. 3. in Turri London.

INNOCENTIUS Episcopus, servus servorum Dei; dilectis filiis S. *Pauli* & *Martini* Decanus, & *Johanni* de S. *Laurentio* Canonico S. *Pauli London*. salutem & Apostolicam benedictionem. Dilectus filius *W.* Archidiaconus de *Taunton* à nobis humiliter postulavit, ut diffinitivam sententiam quam venerabilis frater noster Episcopus *Elyen.* et consjudices sui a sede Apostolica delegati, pro eo contra *R. Poretannum Bathon.* Diocesis super Præbenda Sancti *Decumanni* rationabiliter protulerunt, Apostolico dignaremur munimine robozare. Quocirca discretioni vestræ per Apostolica scripta mandamus, quatinus sententiam ipsam sicut est justa faciatis per censuram Ecclesiasticam, Appellatione remota, firmiter observari. Quod si non omnes hiis exequendis potueritis interesse, duo vestrum ea nichilominus exequantur. Dat. *Romæ* apud Sanctum *Petrum*, 10 Kalend. *Januarii*, Pontificatus nostri anno octavo.

Plac. de Term. S. Mich. &c. An. 34 H. 3. in Turri London

In the Plea-Rolls, *Termino* Pasch. & *Term. Sancti* Michaelis, *An.* 34 H. 3. in the *Tower*, there are these Suits upon contempts for suing in Court Christian, against the Kings Prohibition, Crown and Dignity.

Kermerd.

Thomas *Episcopus de Sancto* David. attach. fuit ad respondendum Mereduk fil. Ros *de placito*, quare tenuit placitum in Curia Christianitatis de furcis levat. in terra ipsius Mereduk. in Keytheynoc, quod spectat ad Cozonam et dignitatem Domini Regis, &c. *Et unde queritur, quod cum detulisset ei* Literas Prohibitionis *apud* Kermerd. *ubi fecit ordines suos, dictus Episcopus nichilominus* tenuit dictum placitum postea in Curia Christianitatis; unde dampnum habet ad valenc. *&c. Et inde producit sectam*, &c.

Et Episcopus venit & defendit vim, &c. *Et dicit defend.* quod nunquam tenuit placitum de furcis levatis in Curia Christianitatis, *&c. Et hoc benè defend. contra ipsum & sectam suam. Et ideo conf. est quod vad. Legem suam se* 12 *mann. Et veniat cum lege die* Pasch. *in* 15 *dies: pleg. de Lege* Willielmus Hay *&* Willielmus de Wilton. *Et ad diem illum venit dictus Episcopus & sufficien. fecit legem suam. Et ideo consideratum est, quod Episcopus inde sine die. Et* Mereduk *in misericordia.*

Ibidem.

Idem Episcopus attach. fuit *ad respondend. prædict.* Mereduc. *de placito*, quare ad præsent. ipsius Mereduc. non admisit idoneam Personam ad Ecclesiam de Landeveny, *cujus Ecclesiæ Advocationem idem* Mereduc *disrationavit* versus ipsum Episcopum per Assisam ultimæ præsentacionis inter eos captam, *coram Ballivo de* Kermerd. *sicut ei Dominus Rex alias mand.* &c: *Et unde queritur, quod cum secutus fuit breve Domini Regis ultimæ præsentationis in Curia de* Kermerd. *versus ipsum Episcopum de Advocatione prædictæ Ecclesiæ, & dicta Assisa ibidem capt. fuit: Ita quod per Assisam illam recuperaverit seisinam suam, & habuit breve Domini Regis ad ipsum Episcopum, quod ipse admitteret idoneam personam ad præsentationem suam,* dictus Episcopus recusavit idoneam personam admittere, in præjudicium et destructionem Cozonæ et dignitatis Domini Regis, et ad dampnum ipsius Mereduc. C. Libz. *&c.*

Et Episcopus venit & defendit vim, &c. *& dicit*, quod non debet hic in Curia Laicali respondere. *Quia dicit*, quod examinatio Personæ, utrum sit idonea vel non, mere spirituale est, et ad sozum suum spectat; nec vult, nec debet inde hic respondere. *Nota.* *Præterea dicit*, quod placitum de Advocationibus Ecclesiarum in partibus suis est mere spirituale, et ipse et prædecessozes sui semper placitaverunt prædictum placitum; unde non vult, nec debet de illo placito hic respondere, nec parere, nec facere inde ad mandatum Domini Regis, licet plac. illud deducatur in Curiam Domini Regis. (A strange, disloyal, contemptuous Plea.)

Nota. Et quia Dominus Rex est in seisina de placitis Advocationum Ecclesiarum in Curia sua per totum regnum suum; ita quod omnes Episcopi postquam loquela inde deducta sit in Curia Domini Regis debent ad mandatum Regis idoneam personam admittere. Et Dominus Rex non petit, quod ipse Episcopus respondeat de examinatione idoneitatis, quia si unus non idoneus præsentatus sit, admittat alium qui sit idoneus, * *tantum.* set * tamen quod ad mandatum suum de loquelis deductis in Curia sua, idoneum Clericum admittat, &c. Et ipse Episcopus dicit, quod non vult hic inde respondere, nec mandato Regis parere, set dicit quod ipse vult habere dictum placitum in Curia sua, quod est manifeste contra Cozonam et dignitatem Domini Regis,

Regis, et ad exhæredationem Domini Regis. Et Epiſcopus non vult aliud dicere, conſideratum eſt, quod prædictus Epiſcopus eſt indefenſus in Curia Domini ſui; Et prædictus Mereduc recuperet dampna ſua, et Epiſcopus in miſericordia; Et Dominus Rex prouideat ſibi de Jure ſuo, &c. *Poſtea præceptum eſt Ballivo de* Kermerden quod diſtringat Epiſcopum per Baroniam, quod admittat idoneam perſonam, &c. Et damna taxata ſunt ad 20 Marc. et mandatum eſt dicto Ballivo quod fac. denar. levari, &c. (A memorable Caſe.) *An.* 34 & 35 Hen. 3.

Wall. ſſ. *Idem* Mereduc *per eundem Atturn. opt. ſe* 4 *die verſus eundem Epiſcopum de placito*, quare tenuit placitum in Curia Chriſtianitatis de furcis levatis in terra ipſius Mereduc in Keytheynor quod ſpectat ad Coronam et dignitatem Domini Regis, &c. Et quare tenuit placitum in eadem Curia de laico feodo ejuſdem Mereduc in eadem Villa, contra prohibitionem, &c. *Et ipſe non venit*, &c. *Et Vic. mand. quod Epiſcopus* attach. fuit *per* Tankard de Hoſp. & Johannem Dumeit. *Ideo ponatur per mel. pleg. & quod ſit ad eundem Terminum. Et primi*, &c. Ibidem.

Kermerd. ſſ. *Dies datus eſt* Mereduc *filio* Ros, *per Atturn. ſuum quer. & Epiſcopo* Menevenſ. *de placito*, quare ſecutus eſt placitum in Curia Chriſtianitatis, de Advocatione Eccleſiæ, &c. *Et de placito*, quare non admiſit, &c. *à die Sancti* Michaelis *in* 15 *dies*. Et prohibitum eſt prædicto Epiſcopo, ne ſequatur dictum placitum infra prædictum tempus. *Et ſi occaſione prædictorum placit.* promulgavit ſententiam in ipſum et homines ſuos, quod interim abſolvet eos, &c. De Termino Paſchæ, an. 34 H. 3. in Turri London.

In the Fragment of the *Plea-Rolls* of *Trin. Term. An.* 35 H. 3. I meet with theſe Suits and Attachments for holding and proſecuting Pleas of Chattels, Lay-fees, and Advowſons in Court Chriſtian, againſt the Kings Prohibition, Crown and Dignity. *An.* 35 H. 3. Plac. de Term.

A. B. *&c. optulerunt ſe* 4 *die verſus* Stephanum *Decanum* Briſtoll. *de placito*, quare tenuit placitum in Curia Chriſtianitatis de laico feodo ſuo, *&c.* in ſuburbio Briſtoll. contra Prohibitionem, *&c. Et* Stephanus *non venit*, *&c. Et præcept. fuit Vic.* Glouc. *quod*, *&c. Et unde mand. quod præceptum eſt Ballivis* Briſtoll. quod attach. eum, *&c. qui*, *&c. Et præceptum eſt Vic.* G. *quod non omittat propter libertatem prædictam*, quin attachiet, *&c.* Trin. An. 35 H. 3. in Turri London. Adhuc de Craſtin. S. J. Bapt. coram Thurkelby, &c.

Glouc. Willielmus *Abbas Sancti* Auguſtini Briſtold. attach. fuit *ad reſpondendum* Willielmo Wylekoc *de placito*, quare ſecutus eſt placitum in Curia Chriſtianitatis de laico feodo ipſius Willielmi in Briſtold. contra Prohibitionem, *&c. Et unde prædictus* Willielmus *queritur, quod prædictus Abbas* cum traxit in placitum in Curia Chriſtianitatis de 8 ſeldis in Briſtold. coram Archid. de Glamorgan quas ab eo petiit; ita quod eum fecit excommunicari poſtquam ei detulit prædictam Prohibitionem, unde dicit quod deterioratus eſt et dampnum habet ad valenciam C. libr. Adhuc de Oct. S. Joh. Bapt.

Et Abbas venit & defendit vim & injuriam quando, *&c. Et benè defendit*, quod nunquam implacitavit ipſum de prædictis 8 ſeldis, quare dicit quod ipſemet eſt inde in ſeiſina et ſemper fuit, nec aliquas ſeldas ab eo exigit nec unquam exigebat. *Et* Willielmus Wylekoc non poteſt hoc dedicere. *Ideo prædictus Abbas inde ſine die. Et prædictus* Willielmus *in miſericordia.*

Glouc. Patricius de Chaburs attachiatus fuit *ad reſpondendum Abbati Sancti* Petri Glouc. *de placito*; quare ſecutus eſt placitum in Curia Chriſtianitatis de advocatione Eccleſiæ de Pambrey, contra Prohibitionem, *&c. Et unde idem Abbas queritur*, quod idem Patricius traxit eum in placitum de prædicta advocatione coram Epiſcopo Sancti Andreæ in Scocia poſtquam ei detulit prædictam Prohibitionem; unde dicit quod deterioratus eſt et dampnum habet ad valenciam ——. *Et inde producit ſectam*, *&c.* Adhuc de Oct. S. Trinitatis.

Et Patricius *per Attornatum ſuum venit & defendit vim & injuriam*, *&c. Et benè defendit*, quod nunquam ſecutus fuit aliquod placitum in Curia Chriſtianitatis de prædicta advocatione poſt primam Prohibitionem. *Et hoc offert defendere contra ipſum & ſectam ſuam. Ideo*, *&c. per* 12 *manu. Et ven. cum lege in Craſtino Sancti* Michaelis.

In a broken Plea-Roll (torn off from the Bundle) about the ſame year, as I conjecture, there are theſe Law-ſuits upon Prohibitions. Plac. de Term. Hil. Anno 35 H. 3. (as I gueſs) in Turri London.

Norht. Willielmus de Ferariis *Comes* Dereb. *per Attorn. ſuum optulit ſe* 4 *die verſus* Thomam de Ferar. & *Magiſtrum* Hubertum *Perſonam Eccleſiæ de* Hengham *de placito*, quare ſecuti ſunt placitum in Curia Chriſtianitatis de catallis quæ non ſunt de Teſtamento vel Patrimonio contra, *&c. Et ipſi non ven. &c. Et mandatum* Ibid. eodem Rotulo.

An. 35 H. 3. *datum fuit Epiſcopo, &c.* quod eos venire fac. ad hunc diem, eo quod Clerici ſunt et non habent laicum feodum, *&c. Et ideo, &c.* —— *prædictum Epiſcopum, quod ſit à die Sancti* Martini *in* 15 *dies. Et ibi habeat prædictos* ——————.

Adhuc de Craſtino Pur. B. Mariæ. *Ebor.* Thomas de Warthull & Robertus de Wymbelton *per Attorn. ſuum optulerunt ſe* 4 *die verſus Magiſtrum* Thom. de Pykering, *Magiſtr.* Simonem de Claris vallibus, *Magiſtr.* Petrum de Alnewyk, *Magiſtr.* Rogerum de Flore, *(and five more named:) de placito*, quare ſecuti ſunt placitum in Curia Chriſtianitatis de catallis et debitis quæ non ſunt de Teſtamento vel Patrimonio, contra Prohibitionem, *&c. Et ipſi non venerunt. Et præceptum fuit Vic.* quod attach. eos, *&c. Et Vic. nichil inde fecit, &c.*

Adhuc de Quindena. *Ebor.* Richardus Pocke & Terricus de Colonia *& aliis Burgenſes de* Eſtaunford *per Attorn. ſuos opt. ſe* 4 *die verſus Priorem* Dunholm. *de placito*, quare ſecutus eſt placitum in Curia Chriſtianitatis de catallis ipſorum quæ non ſunt de Teſtamento vel Patrimonio, contra Prohibitionem, *&c. Et ipſe non venit, &c. Et Prior* attach. fuit *per* Walterum *fil.* Thomæ & Henr. *præpoſitum. Et ideo ponatur per meliores pleg. quod ſit à die* Paſch. *in* 5 *Sept. Et primi, &c.*

Tom. 2. p. 758. l. 10. after *Januarii*, inſert: Many of the Kings Subjects in *England* and other his Dominions having Croſſed themſelves, and others intending to take up the Croſs for relief of the *Holy Land* at the Popes and Kings inſtigation, and the Freers imployed to preach it, were very much diſcouraged therein, fearing that the King and Pope would exact greater ſums from them to releaſe their Vowes, then they promiſed when they took up the Croſs, by former * experiments and exactions of this kind; whereupon the King to take away theſe fears and jealouſies, iſſued this Writ.

* See here, p. 74.

Pat. 35 H. 3. pars unica, m. 13. intus De Cruceſignati. REX omnibus, *&c.* Quoniam, ut audivimus, multi in regno noſtro et terris nobis ſubjectis trepidaverunt timore ubi non erat timor, ut omnis ſuſpicio mali tollatur de medio, bona fide promittimus, quod nullum cruceſignatum vel cruceſignandum in prædictis regno noſtro et terris compellemus, aut compelli faciemus, ratione Crucis aſſumptæ vel aſſumendæ, ad ſolvendum maiorem ſummam pecuniæ pro redemptione voti quam promiſerit in ipſa Crucis aſſumptione. In cujus, *&c.* Teſte Rege apud *Windeſores*, 17 die *Januarii*.

As the King by his Letters Patents uſually granted licenſes to our *Engliſh* Biſhops and their Executors freely to deviſe and diſpoſe of their goods by their Wills, their debts to the Crown firſt ſatisfied: ſo did he to ſome Biſhops in *Ireland*; as this Record aſſures us.

Pat. 35. H. 3. m. 10. intus. Pro Executoribus G. quondam Oſſorienſis Epiſcopi. MAndatum eſt *Johanni* filio *Galfridi* Juſtic. *Hyberniæ* quod permittat Priorem de *Conale* et alios executores Teſtamenti *Galfridi de Turvill* Epiſcopi *Oſſorienſis* habere liberam adminiſtrationem omnium bonorum quæ fuerunt ejuſdem Epiſcopi: Ita quod de primis bonis leventur debita Regis quæ Regi debebat, et quæ ſunt clara. Teſte Rege apud *Weſtm.* 12 die *Aprilis*. Et ſunt patentes.

This Pope *Innocent* ſending and imploying his *Italian* Uſurers and Merchants into *England* to negotiate his affairs, promote his extortions and exactions, and return the moneys extorted from the Clergy and others to *Rome*, ſent this Bull to the King to crave his protection of their perſons and goods from all injuries throughout his Dominions.

Bulla Orig. in Turri Lond. INNOCENTIUS Epiſcopus ſervus ſervorum Dei, chariſſimo in Chriſto filio Regi *Angliæ* illuſtri, ſalutem & Apoſtolicam benedictionem. Regalis excellentiæ quamplurimum intereſt, ut illis, qui pro ſuis in regno tuo negotiationibus commorantur, te non gravem ſed benignum exhibeas, et ſerenitate Regia manſuetum. Cum igitur *Fredericus Rolland.* & *Thebaldus Tebalducci*, ſocii dilecti filii *Boniventuræ Lupelli* Civis & Mercatoris *Senen.* devoti noſtri, in eodem regno pro ſuis exercendis negotiationibus moram trahant; Celſitudinem tuam rogandam duximus attentius & hortandam, quatenus Mercatores eoſdem permittens in prædicto regno & toto diſtrictu tuo liberè commorari, eos occaſione aliqua non moleſtes nec ab aliis moleſtari patiaris: ſed potius ipſos cum omnibus rebus eorum, pro Apoſtolicæ ſedis et noſtra reverentia favorabiliter manuteneas et defendas; ita quod Magnificentiam tuam proinde dignius in Domino laudibus attollamus. Dat. *Peruſii*, 10 Kal. *Marcii* Pontificatus noſtri anno nono.

This

This active Pope likewiſe, ſome few moneths after, ſent this original Bull (I reſcued from the rubbiſh in the *White Tower*) to King *Henry*, humbly intreating, (not requiring or commanding) him for the reverence he did bear to the See Apoſtolick and him, favourably to aſſign and reſtore the Royalties and poſſeſſion of the Biſhoprick of *Imelic* in *Ireland* to *Gilbert* Biſhop thereof, and to afford him his counſil, favor and aſſiſtance therein. *An.* 35, 36, & 37 H. 3.

INNOCENTIUS Epiſcopus ſervus ſervorum Dei, chariſſimo in Chriſto filio illuſtri Regi *Angliæ*, ſalutem & Apoſtolicam benedictionem. De tua excellentia inter Reges alios ſpecialiter confidentes, libenter tibi cum honore tuo expedire cognoſcimus, dirigimus preces noſtras, ſperantes eis a te cum devotione recipi, et cum efficacia effectui demandari. Hinc eſt quod ſerenitatem Regiam monemus, rogamus et hortamur attente, quatinus venerabilem fratrem noſtrum *Gilibertum* Epiſcopum *Ymilacen.* ob reverentiam Apoſtolicæ ſedis et noſtram habens in ſuis et Eccleſiæ ſibi commiſſæ negotiis multipliciter commendatum; ac Regalia ejuſdem Eccleſiæ liberaliter ſibi faciens aſſignari, eidem ut poſſeſſionem Epiſcopatus *Ymilacen.* adipiſci valeat, preſtes auxilium, conſilium et favorem; ita quod exinde celſitudinem tuam dignis poſſimus in Domino laudibus commendare. Dat. *Mediolan.* 9 Kal. *Auguſti*, Pontificatus noſtri anno nono. An. 35 H. 3. in Turri London.

Tom. 2. p. 782. l. 19. after *Auguſti*, inſert: *Placita coram Domino Rege à die* Paſchæ *in* 15 *dies*, *Anno* 36 H. 3. I find this Attachment againſt an Archdeacon for holding a Plea of, and againſt a proſecutor for following of a Suit in Court Chriſtian for Goods and Chattels, againſt the Kings Prohibition. *An.* 36 H. 3.

Johannes le Faukener *optulit ſe* 4 *die verſus* Willielmum *Archidiaconum* Lincolniæ *de placito*, quare ſecutus eſt placitum in Curia Chriſtianitatis de catallis et debitis quæ non ſunt de Teſtamento vel Patrimonio, contra prohibitionem, &c. *Et ipſe non venit*, &c. *Et Vicecomes mandavit quod Clericus eſt, & non habet laicum feodum in balliva ſua per quod*, &c. *Ideo mandatum eſt Epiſcopo* Lincolniæ, *quod faciat ipſum venire in Octabis Sanctæ Trinitatis*, &c. Rot. 1. dorſo. Linc.

Idem Johannes *optulit ſe* 4 *die verſus Abbatem de* Bardeney *de placito*, quare ſecutus eſt idem placitum contra prohibitionem, &c. *Et Abbas non venit*, &c. *Et Vicecomes mandavit quod* fuit attachiatus *per* Walterum de Scendelby, & Rogerum de Stepynge. *Ideo ponatur per meliores plegios, quod ſit*, &c. *ad prædictum Terminum. Et primi*, &c.

In the *Plea-Rolls* of the ſame year (in the *Tower*) I met with this Suit, by the King, upon an Attachment for an Excommunication.

Dom. Rex *per* Laur. del Brok *qui ſequitur pro eo, optulit ſe* 4 *die verſus Magiſtr. de* Sanwyc Decanum de Arcubus *Eccleſia Sanctæ* Mariæ London. *de plac.* quare ipſe excommunicationis ſententiam promulgavit in dilectum et fidelem ipſius Domini Regis Waleran. Seneſcallum ſuum, quia tenuit placitum quod ſpectat ad Coronam et dignitatem Domini Regis. *Et ſimiliter in* Duloam de Luxeburgh, quia ſecuta fuit idem plac. in eadem Curia. *Et plures fecit defaltas, ita quod præcept. fuit Officiali Archiepiſcopi* Cant. *quod venire fac. Et Offic. nichil inde fecit. Ideo præcept. eſt Vic. quod capiat in manus Dom. Regis omnes terras ejus, & habeat corpus ejus*, &c. *ad prædict. Terminum.* Plac. Term. Paſch An. 36 H. 3. Middſ. rot. 3. dorſo.

Tom. 2. p. 797. l. 29. after *inſtigations*, ſubjoyn. It is very obſervable, Firſt, That the form of this General Excommunication then denounced was preſcribed and aſſented to by the King, and all the Temporal Lords. 2ly. That whereas the Biſhops and Clergy in the *Council of Oxford*, and other Synods had thruſt into their General Excommunications ſundry Clauſes concerning their pretended Church-liberties, which the King and Lords never aſſented to, and which they publickly denounced every year; thereupon the King, Nobles, and all the Commons publickly proteſted before the Archbiſhop of *Canterbury*, and all the Biſhops in this Parliament, That if any of them, or any other ſhould inſert into this or any publick form of Writings or Excommunications already made, or to be made, any other *thing*, *clauſe*, or *articles*, than they herein preſcribed and agreed to, that they never aſſented, nor would aſſent thereto, but did plainly contradict the ſame. 3ly. That the King himſelf, with his own mouth in the pronunciation of this Sentence, exempted out of it all pretended Liberties claimed by the Pope or Clergy, againſt the antient and accuſtomed Liberties of his Realm, and the Dignitie, Rights of his Crown, *An.* 37 H. 3.

An. 37 H. 3. Crown, as this memorable Record atteſts, to which the Kings and Nobles ſet their Seals for a perpetual memorial thereof to all poſterity.

Pat. 37 H. 3. m. 12. dorſo. NOverint univerſi, quod Dominus *H.* Rex *Angliæ* illuſtris, *R.* Comes *Norff.* & Mareſcallus *Angliæ*, *H.* Comes *Hereford.* & *Eſſex.* *J.* Comes de *Warrewico*, *Petrus de Sabbaudia*, cæterique Magnates *Angliæ*, conſenſerunt in Sententiam Excommunicationis generaliter latam apud *Weſtm.* tertiodecimo die *Maii* anno regni Regis prædicti 37. in hac forma, ſcilicet, Quod vinculo præfatæ Sententiæ ligentur omnes venientes contra libertates contentas in Cartis communium libertatum *Angliæ*, et de Foreſta; et omnes qui libertates Eccleſiæ *Anglicanæ* temporibus Domini Regis et Prædeceſſorum ſuorum Regum *Angliæ* optentas et uſitatas, ſcienter et malicioſe violaverint aut infringere præſumpſerint. Et omnes illi qui pacem Domini Regis et regni perturbaverint; et ſimiliter omnes qui Jura et libertates Regis et regni diminuere, infringere, ſeu immutare præſumpſerint. Et quod omnes venientes contra præmiſſa, vel eorum aliqua ignoranter, et legitime moniti, infra quindenam poſt monitionem præmiſſam dictam tranſgreſſionem non emendaverint, extunc prædictæ Sententiæ Excommunicationis ſubjacebunt. Ita tamen, quod Dominus Rex tranſgreſſionem illam per conſiderationem Curiæ ſuæ faciat emendari. Sciendum autem, quod ſi in ſcriptis ſuper eadem Sententia a quibuſcunque confectis ſeu conficiendis, aliud, vel aliter appoſitum, vel adjectum fuerit, aut articuli aliqui alii in eis contenti inveniantur, * Dominus Rex, et prædicti Magnates omnes, et Communitas populi proteſtantur publice in præſentia venerabilium Patrum *B.* Dei gratia *Cantuarienſis* Archiepiſcopi totius *Angliæ* Primatis, necnon et Epiſcoporum omnium in eodem Colloquio exiſtencium, quod in ea nunquam conſenſerunt, nec conſenciunt, ſet de plano eis contradicunt. Præterea, præfatus Dominus Rex in prolacione præfatæ Sententiæ omnes libertates contra conſuetudines regni noſtri * antiquas et uſitatas, et dignitates, et Jura Coronæ ſuæ, ore propio ſpecialiter ſibi, et regno ſuo ſalvavit, et excepit. In cujus rei memoriam et in poſterum veritatis teſtimonium, tam Dominus Rex, quam prædicti Comites, ad inſtanciam aliorum Magnatum, et populi, præſenti ſcripto ſigilla ſua appoſuerunt.

* *Nota.*

* Ratified in a Parliament at Clarendon. See Tom. 1. p. 610, to 614.

By which Record it is apparent; First, That the King and Nobles then had and claimed an antient legal Right to preſcribe the Forms of all publick Excommunications, not the Biſhops alone, and to [a] joyn in the denuntiacions of them with the Biſhops. 2ly. That the Biſhops could not legally make nor preſcribe any new Forms, Clauſes or Articles of Excommunication without them or their aſſents thereto. 3ly. That all the Clauſes and Articles of Excommunication thruſt by the Biſhops and Clergy into their General Sentences of *Excommunication*, made and publiſhed by *Simon Langeton* Archbiſhop of *Canterbury* in the *Council of Oxford*, by Archbiſhop *Boniface* in the *Council of Lambheth*, by Archbiſhop *Peckham* in the *Council of Reding*, and other *Biſhops* in their *Synods*, not ratified by the King and Lords, (publiſhed as Canonical, by [b] *Lyndewode*, [c] *John de Aton* of old, and in [d] Sir *Henry Spelmans Second Tome of Councils* of late,) are illegal, contrary to this Royal proteſtation of the King, Lords and Commons of *England*, and the *Great Charter of Liberties*, yea meer uſurpations on the Subjects Liberties and Conſciences, fit to be exploded, and ſeverely puniſhed by Regal proſecutions againſt thoſe who maliciouſly or preſumptuouſly denounced, or ſhall hereafter denounce them againſt the King, his Officers or Subjects.

a See Tom. 1. p. 230, 234, 250, 251, 262, 266, 277, 1179, 1800, 1181, to 1188.

b Provinc. l. 5. De Sententia Excommunicationis, f. 248, 249, &c. l. 1. f. 37.

c Conſtit. Provinc, f. 121, 128, 131, 132, 134, 135, 136, 137, 139, 140, 141. 151.

d Tom. 2. p. 158, 159, 169, 181, 182, 237, 238. 300, 319, 383, 384, 394, 395, 472, 473, 474, 475, 500, 581, 582, 589.

Tom. 2. p. 807. l. 4. after *Regem*, adde: In the Fragments of *Plac. Aſſiſarum & Coronæ* (in the *Tower*) *apud* Northt. *poſt Quindenam Purificationis*, *An.* 37 *regni Regis* Henrici 3. *coram* Gilberto de Preſton, *Magiſtro* Simoni de Wauton, *& ſociis ſuis Juſticiariis Itinerantibus.*

Hugo de Baresford *optulit ſe, &c. verſus Mag.* Robertum de Northt. quare ſecutus eſt placitum in Curia Chriſtianitatis de laico feodo ipſius Hugonis in Oxon. contra Prohibitionem, *&c.* The other Suits of this kind in theſe Rolls are putrified and periſhed with the Rolls.

Pope *Innocent* the 4th. to encourage King *Henry* in his intended Expedition to the *Holy Land*, for which he had Croſſed himſelf, authorized the Biſhops of *London* and *Chicheſter* to Excommunicate the perſons, and Interdict the Lands of all ſuch who ſhould by any wayes invade, moleſt or diſturb his Lands or Goods in the Provinces

of

of *Burdeaux* or *Auxitan* during this his Expedition; notwithſtanding any Conſtitutions or Indulgences of Popes to the contrary, by this Original Bull I diſcovered in the *White Tower*: wherein he highly extols his virtues, and readineſs to extol and advance the honour of God, and the See Apoſtolick both in words and deeds. *An.* 37 & 38 Hen. 3.

INNOCENTIUS Epiſcopus ſervus ſervorum Dei, venerabilibus fratribus *Londonien.* & *Ciceſtren.* Epiſcopis, ſalutem & Apoſtolicam benedictionem. Regis æterni benignitas chariſſimum in Chriſto filium noſtrum illuſtrem Regem *Angliæ* inſignem reddidit tanta diverſitate virtutum, quod perſonam ipſius favore et gratia proſequi delectamur, ſet præcipue hiis temporibus quibus ipſe ſe ac ſua proponit exponere in Terra ſancta obſequiis Jeſu Chriſti, ſub illo fugiter vivens affectu quod magnifice gloriam Divini nominis augeat, et honorem Apoſtolicæ Sedis in verbis et operibus potenter extollat. Quia vero Regem tam nobilem quam præclarum, cujus progenitores inclitos gaudet Eccleſia ſemper habuiſſe devotos, decet dictæ Sedis auxilio ſic protegi, ſic foveri ut eidem ſuper bonis nulla indigne irrogetur injuria vel jactura, ſet ipſa potius illibata maneant, et ſecura conſiſtant. Fraternitati veſtræ per Apoſtolica ſcripta mandamus, quatinus eundem ſuper terris, juribus et bonis quæ in *Burdegalen.* et *Auxitan.* Provinciis obtinet, quouſque ad propria de prædictis partibus feliciter, Deo propitio, revertatur, non permittatis ab aliquo moleſtari. Moleſtatores, ſive invaſores, ſeu turbatores ipſius ſuper præfatis terris, juribus & bonis quacunque dignitate et honore præfulgeant, monitione præmiſſa per Excommunicationis in perſonas et in terras eorum interdicti Sententias per vos, vel per alios, appellatione poſtpoſita, compeſcendo. Non obſtantibus conſtitutione de duabis dietis, edita in Concilio Generali; & ſi aliquibus eſt ab eadem Sede indultum, quod ſine ſpeciale mandato ipſius ſuſpenſionis, vel interdicti, aut excommunicationis in eos non poſſet ferri ſententia, ſive indulgentia cujuſcunque tenoris exiſtat, de qua in literis noſtris plenam aut expreſſam oporteat fieri mentionem. Quod ſi non ambo hiis exequendis potueritis intereſſe, alter veſtrum ea nichilominus exequatur. Dat. *Peruſii* Non. *Novembris*. Pontificatus noſtri anno decimo. An 37 H. 3. in Turri London.

Infra ſcripta verba continentur in Bulla *Innocentii* Papæ quarti, de immunitatibus & privilegiis, avo Domini noſtri Regis & aliis Cruceſignatis conceſſis. Et ſimilia verba in effectu continentur in Bulla *Johannis* 22. de immunitatibus & privilegiis *Franciæ* Regis qui nunc eſt, & aliis Cruceſignatis nuper conceſſis, cum pluribus additionibus; & ſpecialiter cum illa additione, *viz.* Quod idem Papa *Johannes* dedit dicto *Franciæ* Regi dignitatem ſeu officium Capitan. paſſag. tranſmarin. et Rectoriæ ipſius et totius exercitus populi Chriſtiani qui in dicto paſſagio tranſiret: Et quod Excommunicavit extunc moleſtatores, invaſores ſeu turbatores ipſius Regis *Franciæ* ſuper terris, juribus et bonis ejuſdem.

Quos verò ſuſcipiendæ Crucis de cætero votum obligabit ad idem, & de (die) qua taliter Crucem aſſumpſerint ſub beati *Petri* et noſtra protectione ſuſcepimus, *&c.* ſub Dioceſanorum ſuorum defenſione conſiſtunt, ſi aliqui eos indebite moleſtare præſumpſerint per Dioceſanos locorum in quibus idem moleſtatores fuerint per cenſuram Eccleſiaſticam appellatione poſtpoſita compeſcantur.

Tom. 2. p. 818. l. 51. after *Bull*, adde; In the Rolls of Pleas and Aſſiſes (in the *Tower*) *tenta coram* Rogero de Thurkesby *& ſocii ſui Juſticiariis de Banco, Term. S.* Mich. *anno Regis* Henrici *filii Regis* Johannis 38. I finde near 20 Prohibitions and Attachments, and Suits upon them, for proſecuting and holding Plea in *Courts Chriſtian* of Actions of Treſpaſs, Goods and Chattels, not Teſtamentary or promiſed in Marriage, againſt the Kings Crown and dignity: I ſhall preſent you only with two of them at large. *An.* 38 H. 3.

Willielmus *de* Bello Campo & Johannes *de la* Hull *per attornatum ipſius* Johannis *optulit ſe 4 die verſus* Petrum Hereford. *Epiſcopum, de placito quod eſſet ad hunc diem, & ibi haberet* Radulphum *Perſonam Eccleſiæ de* Linderrig. *ad reſpondendum de placito*, quare ſecutus eſt placitum in Curia Chriſtianitatis, eo quod prædicti Willielmus & Johannes intraverunt domum ipſius Radulph. in Linderrig. pro pace Domini Regis ſervanda, *&c.* *Et Epiſcopus non venit, &c.* *Et præceptum fuit Vic.* quod attachiaret eum quod eſſet ad hunc diem, et haberet hic prædictum Radulphum. *Et Vicecomes mandavit, quod prædictus Epiſcopus eſt in* Waſconia *cum Domino Rege, & fuit antequam breve ei inde venit.* *Et ideò ſicut prius præceptum eſt Vicecomiti,* Hereford. fol. penult.

An. 38 H. 3. *comiti, quod attachiet eum ſi inventus fuerit, &c. quod ſit à die Sancti* Martini *in* 15 *dies. Et unde, &c. Et quia teſtatum eſt quod prædictus* Radulphus *habet terram in Comitatu* Wygorn. *per quam, &c. Ideo præceptum eſt Vic.* Wygorn. *quod attachiet eum quod ſit ad prædictum terminum. Et unde Vic. &c.*

Rot. ult. Midd. Jordanus *Vicarius de* Stanes attachiatus fuit *ad reſpondendum* Willielmo *de la* Poylle *de placito*, quare ſecutus eſt placitum in Curia Chriſtianitatis de catallis et debitis, quæ non ſunt de Teſtamento vel Patrimonio, contra Prohibitionem Domini Regis, *&c. Et unde idem* Willielmus *queritur quod prædictus* Jordanus *implacitavit ipſum de una marca argenti apud* Eveſham, coram Præcentore de Eveſham, auctoritate literarum Domini Papæ; et poſtea coram Vicario de Stanwell. Ita quod poſtquam ei detuliſſet Prohibitionem Regiam, ne prædictum placitum ſequeretur, idem Jordanus ſpreta Prohibitione Regia, ſecutus fuit prædictum placitum verſus eum, et fecit ipſum Excommunicari. *Et unde dicit*, quod deterioratus eſt et dampnum habet ad valenciam 40 marcarum, et inde producit ſectam: (to recover his damages, and ſtay further proceedings.)

Et Jordanus *venit & defendit vim & injuriam quando, &c. Et benè defendit contra ipſum & ſectam ſuam*, quod ipſe nunquam implacitavit, nec aliquod placitum ſecutus fuit verſus eum de prædicta marca, nec de aliquo alio. *Et hoc offert defendere contra ipſum & ſectam ſuam, ſicut Curia conſideraverit. Et idco conſideratum eſt, quod vadiet ei legem ſe* 12 *manu. Et veniat cum lege ſua à die Sancti* Martini *in quindecim dies. Plegii de lege* Jordanus de Montibus *de* Echiford, *&* Thomas Malebraunch.

Idem Wilielmus *optulit ſe* 4 *die verſus Abbatem* Weſtm. *de placito*, quare ſecutus eſt placitum in Curia Chriſtianitatis de catallis et debitis quæ non ſunt de Teſtamento vel Patrimonio, contra, *&c. Et Abbas non venit, &c. Et præceptum fuit Vic.* quod attachiet eum quod eſſet ad hunc diem. *Et Vicecomes mandavit*, quod idem Abbas non permittit ſe attachiari. *Et ideo ſicut alias præceptum eſt Vic.* quod non omittat prædictam libertatem quin attachiet eum, *quod ſit à die Sancti* Martini *in* 15 *dies.* Et Vic. ſit auditurus Judicium ſuum.

In the ſame *Plea-Rolls* of the Juſtices Itinerant, I finde ſundry more Actions and Attachments brought for proſecuting and holding Suits in *Courts Chriſtian* againſt the Kings Prohibitions, De catallis quæ non ſunt de Teſtamento vel Patrimonio; as *Rot.* 5. *dorſ.* Linc. Raimundus *fil.* Ricardi *verſus* Robertum *Perſonam Eccleſiæ de* Woddington. *Rot.* 18. *dorſ. verſus* Egidium de Wocumb *Archid.* Berks. *Rot.* 20. Gervaſius Turpreſt *verſ.* Hugonem *cum* Barba. *Rot.* 20. *dorſ.* Hertford. *Attachiamentum per* Johan. Gilbert *verſ.* Johan. de Cadamo, *&* Joſeph. *Vicarium de* Ceſtrehunt: *qui poſt Prohibitionem ſuſpendit ipſum ab ingreſſu Eccleſiæ, &c. unde* deterioratus eſt, et dampnum habet ad valenciam centum ſolidorum. Bed. *Rot.* 22. Nicholaus de Keſſeleynturer *verſ. Priorem de* Waledon. *Rot.* 21. Willielmus de Parco *verſ. Mag.* Walter. de Vienna *Offic. Epiſc.* Wygorn. *&* *Mag.* Thom. de Abington *Offic. Archidiac.* Glouc. W. Newell *verſ.* Ricardum de Pratis, Alicia de Bradeweyts, *&c.* with ſeven more Suits of the ſame kinde, brought againſt ſeveral other Archdeacons, Officials, perſons, for holding and proſecuting Suits in Court Chriſtian for Debts and Chattels, to their damage and vexation, againſt the Kings Prohibitions, Crown and dignity.

Moreover in the ſame Rolls, I finde theſe following Attachments, Suits, for holding and proſecuting Pleas in Court Chriſtian, De laico feodo, et de advocationibus Eccleſiarum; as *Rot.* 13. *dorſ.* Radulphus de Northmaneby *verſ.* Nicholaum de Wundingham, *&* Guilbertum *Capellanum Eccleſiæ de* Cornuſham, Linc. *Rot.* 14. Devon. Gilbertus de Umframvill *verſ. Magiſtrum* Walterum de Pembrok *Archidiac.* Berdeſtaple, *&* Gilbertum *Officialem ejuſdem Archidiac. Rot.* 16. Suthamt. Nicholaus de Cornhampton *verſ.* Petr. Ruſſencob *Archidiac.* Wynton. *&* *Magiſt.* Radulphum de Merwicks, quare tenuerunt placitum in Curia Chriſtianitatis, *&* *verſus* Willielmum *Canonicum de* Tynbfrid, quare ſecutus eſt idem placitum. *Ibid.* Robertus Handeſacre *verſus Epiſcopum* Wygorn. *&* Michael. *Perſonam Eccleſiæ de* Cropthorp; for the like cauſes.

Beſides, I found in a Bundle of decayed Writs of this year in the *White Tower*, nine Writs of Attachment againſt ſeveral Eccleſiaſtical perſons and others for holding and proſecuting Suits in Court Chriſtian, De catallis et debitis quæ non

ſunt

ſunt de Teſtamento vel Patrimonio, contra Prohibitionem noſtram: And another Writ againſt *Thomas* Prior of *Midhurſt*, and *Peter* a Dean; quare tenuerunt placitum in Curia Chriſtianitatis de advocatione Eccleſiæ, &c. contra Prohibitionem noſtram. T. &c. apud *Weſtm.* 13 die *Octobris*, anno regni noſtri 38. *An.* 38 H. 3.

In the * Plea-Rolls of *Trinity* Term (the ſame year,) I met with theſe Suits and Attachments of like nature. * Plac. de Termino S. Trin. coram Juſtic. Dom. Regis de Banco. An. 38 H. 3.

Nicholaus Scot *optulit ſe*, &c. *verſus* Robert. Scot, quare ſecutus eſt placitum, &c. de catallis, &c. quæ non ſunt, &c. Ibid. rot. 19. dorſ. Berks.

Magiſt. Bernardus le Coromalleynes *verſ. Abbatem de* Eveſham, quare tenuit placitum, &c. quæ non ſunt, &c. Et ſuit attach. Ibid. rot. 13. dorſ. Wygorn.

Rogerus de Wardington *opt. &c. verſus Abbatem de* Thornton, quare ſecutus eſt plac. &c. de catall. &c. quæ non ſunt, &c. Ibid. rot. 5. dorſ. Linc.

Simon le Moign *opt. ſe*, &c. *verſus Magiſt.* Hugonem *de S.* Edmundo *de plac.* quare tenuit placitum in Curia Chriſtianitatis, de catallis et debitis quæ non ſunt de Teſtamento vel Patrimonio, contra Prohibitionem, &c. *Et Magiſtr.* Hugo *non venit*, &c. Middſ. rot. 24. intus.

Johannes de Pelingford *opt. ſe*, &c. *verſ.* Luc. de Deveneys & Willielmum *Perſonam de* Wyſſe *de plac.* quare tenuerunt plac. in Curia Chriſtianitatis de catallis et debitis quæ non ſunt de Teſtamento vel Patrimonio, contra Prohibitionem, &c. *Et verſ.* Galfridum Burgoil, quare ſecutus eſt idem placitum, &c. *Et ipſi non venerunt*, &c. Ibid. rot. 30. dorſo.

Galfr. de Sancto Laco *opt. ſe*, &c. *verſus* Willielmum del Parrot *Vinetarium*, quare ſecutus eſt placitum in Curia Chriſtianitatis, de catall. &c. contra, &c. *Et verſus* Will. *Decanum* Northampton, quare tenuit idem plac. contra eandem Prohibitionem, &c. *Et ipſi non veniunt*, &c. Ibid. rot. 28. dorſ. Northt.

Agnes *uxor* Johan. de Godemarches *opt. ſe*, &c. *verſus* Ad. le Parchenur & Alic. *ux. ejus*, quare ſecuti ſunt plac. de, &c. quæ non ſunt, &c. contra Prohibit. &c. *Eadem* Agnes *opt. ſe verſ. Magiſt.* Willielmum de Obrey *Official. Archiep.* Cant. quare tenuit idem placitum. *Et Offic. non venit. Et alias mandat. Archiepiſcopo, quod fac. eum venire*, &c. Ibid. rot. 27. dorſ. Kanc.

Jordanus de Kingeſtown *verſ.* A. Wynton. *Elect. quod habeat* Galfrid. *Perſonam Eccleſiæ de* Stamewel, *ad reſpond. eidem* Jordano, quare ſecutus eſt placitum in Curia Chriſtianitatis, de advocatione Capellæ de Kingeſtown, contra Prohibitionem, &c. *Et Electus non venit.* Et ſuit attach. *Et pon. per meliores pleg.* Ibid. rot. 4. dorſ. Sutht.

From theſe and ſundry other Prohibitions, and Attachments, Suits upon them this year, in one or two Terms ſpace in the Common Pleas, with above one hundred more during King *Henry* the third his reign, extant in the Plea and Clauſe Rolls, and in *Henry de Bracton* (a learned Lawyer and Juſtice under this King) *De Legibus & Conſuetudinibus Anglia*, l. 5. c. 2, to 17. we may evidently diſcern, not only the ſtudious endeavours of Eccleſiaſtical Courts, Judges to enlarge their Juriſdictions, and uſurp, engroſs to themſelves the conuſance of all Temporal cauſes, againſt the Kings Crown, Dignity, frequent Prohibitions and Attachments ſucceſſively iſſued by his Judges to reſtrain theſe injurious Uſurpations; but likewiſe conclude, that Biſhops, Ordinaries, and Courts Chriſtian, had then no legal Juriſdiction at all to meddle with, diſpoſe of, or diſtribute the Chattels or Debts of any Lay-perſons dying inteſtate; they being not *Catalla & Debita de Teſtamento*, but Inteſtatorum, or *de Inteſtato decedentibus*, as * their own Canons ſtile them; which are as oppoſite, as contradictory to each other, as the Goods, Debts of perſons unmarried, are to *Catalla & Debita de Matrimonio*; as is evident by *Glanvil*, l. 7. c. 5, 6, 7, 8, 16. l. 12. c. 20. and *Bracton*, l. 2. c. 26. And that their diſpoſition or diſtribution of them, as well as holding ſuch Pleas, was then declared to be an illegal Uſurpation, as the [a] *Prohibition* in the Clauſe-Roll of 39 *H.* 3. *m.* 17. *dorſo*, (Quod uſurpaſtis vobis placita de laicis feodis, et de catallis et debitis quæ non ſunt de Teſtamento vel Patrimonio) with others, evidence. This Uſurpation of Ordinaries over Inteſtates Goods, King *Henry* 3d. his Nobles and Judges oppoſed, prohibited during his reign, as the *forecited Prohibitions*, yea the very *Articles*, *Conſtitutions* of Archbiſhop *Boniface* and his Suffragans, evidence. Which our Kings, Judges, Nobles likewiſe oppoſed in ſucceeding ages, as [b] *John Stratford* and his Suffragans in their

* Joh. de Aton Conſtit. Legit. f. 94, 95, 136, 137, 141. Lindewode l. 3. De Teſtamentis.

a See Tom. 2. p. 830.

b Joh. de Aton Conſtit. Provincial. f. 137. Lindewode Provinc. l. 3. f. 130. Spelman. Concil. Tom. 2. p. 589.

An. 38 H 3.

Constitutions *Anno* 1342. *De Impedientibus Ecclesiasticam Jurisdictionem*, thus complain of and acknowledge. Quidam etiam Domini temporales et eorum Baillivi bona decedentium ab intestato in suis districtionibus ex ipsos * Dominos pertinentes fore, quamvis erronee devoluta, ne per Ordinarios bona hujusmodi pro debitorum solutione sic decedentium, ac in alios pios usus pro ipsorum animarum salute convertantur utiliter, (prout consensu Regio et Magnatum regni *Angliæ*, tanquam pro jure Ecclesiasticaque libertate, ab olim extitit ordinatum) impediunt, in derogationem Ecclesiasticæ libertatis, jurisque et jurisdictionis Ecclesiasticorum impedimentum et læsionem enormem. Whereupon they then denounced a *Major Excommunication* against all opposers or hinderers of their disposal or distribution of Intestates Goods. To justifie which their Innovation and usurped Jurisdiction, they pretended they had it antiently granted them by an * *Ordinance of Parliament* assented to by the King and Nobles of the Realm, (prout consensu Regio et Magnatum regni *Angliæ*, tanquam pro jure Ecclesiasticaque libertate, ab olim extitit ordinatum:) Which *Ordinance* must needs be either a wilfull forgery, (there being no such Ordinance extant in History or Record, as *Lindwode* ingenuously confesseth in his Gloss thereon,) or else a gross mistake, or perverting of the † *premised Clauses* in King *Henry* the 1. King *John's*, or King *Stephen's Charters of Liberties*; neither of which gave them any legal Jurisdiction at all over Lay-mens *Chattels* or *Goods* dying intestate, as I have proved, and the premised and subsequent Suits, Attachments on, and forms of Prohibitions clearly evidence: Wherein I am much confirmed by this passage in *Ranulphus de Glanvilla*, (most expert in the antient Laws and Customs of this Realm) Chief Justice of *England* under King *Henry* the 2d. in his *Tractatus de Legibus & Consuetudinibus* Angliæ, *tempore Regis* Henrici *secundi compositus*, printed *Cum Privilegio*, London. 1604. *lib.* 7. *cap.* 16. who resolves, that this was then and in former ages the Law and Custom of the Realm concerning Intestates Goods; Cum quis Intestatus decesserit, omnia catalla sua sui Domini esse intelliguntur; si vero plures habuerit Dominos, quilibet eorum catalla sua recuperabit, quæ in feodo suo reperiet. * Usurarii vero omnes res, sive Testatus, sive Intestatus decesserunt, Domini Regis sunt. This then being the antient Law, Custom of the Realm, Prerogative of the King, and Right of every Lord of Manors, it is very improbable that the King and Lords would devest themselves of this their Jurisdiction over, and Right in Intestates Goods, to vest them in the Bishops and Ordinaries disposal, by any such Parliamentary Ordinance, as Archbishop *Stratford* and his Suffragans pretend in their premised *Constitution*, and *Otho-bon* before them, there being none such extant; who could not pretend the least Jurisdiction or Right thereto by any Law of God, nor of the Realm, except that clause they thrust into King *John's* Charter, which really gave them no such Jurisdiction, and was omitted in King *Henry* the 3d. * his *Grand Charter of Liberties*, ch. 18. As for the Charter of King *Stephen* to the Bishops and Clergy, (extending only to their own Goods and Chattels in right of their Churches, not to Lay-mens) made at the Bishops own solicitations, (who advanced him to the Crown against their Oaths) he being a meer Usurper, his Charter was of no greater validity to binde his successors in point of Prerogative, then his other Charters were in case of the Crown-Lands granted by him to his Prelates, Nobles and Adherents; which were soon after resumed by King *Henry* the 2d. (notwithstanding King *Stephen's* Charters) upon this ground; * Quia Chartæ invasoris præjudicium legitimo principi minime facere deberent. Whereupon our Bishops in succeeding ages, procured special † Patents and Licenses from our Kings to make their Wills, and dispose of their Goods by them, without insisting on King *Stephen's* Charter, authorizing them freely to make their Wills and devise their Church-goods without such Licenses. If therefore they could not devise their own Goods and Chattels by their Wills without our Kings special License, much less could they dispose or distribute the Goods, Chattels of all Lay Intestate persons, without the special consent of the King and Lay-Lords by Act of Parliament, which they cannot produce. As for their Plea of Prescription, that they have used to dispose of and distribute the Goods of Intestate persons to pious uses time out of mind; they may likewise argue, they have used to hold Plea of Lay-fees, Advowsons, Debts, Chattels, and other things not belonging to them, time out of memory, notwithstanding all Prohibitions, Complaints, Attachments against them for it; but being done by usurpation only, not

* By the antient Law and Custome of England, as Glanvil l. 7. c. 16. resolves: See Lindewode de Testamentis, f. 126, 127.

* Joh. de Aton fol. 95. d. e. Lindewode f. 190. l. m.

† See here, p. 18, to 22.

* See Hoveden Annal. pars posterior, p. 608, 744. & Here, p. 53, 54.

* See here, p. 18, to 22.

* Chron. Johannis Bromton, col. 1046. See here, Tom. 1. p. 576, 577.

† See here, p. 2. and Tom. 2. p. 893.

not of right, yea apparently againſt the Kings Prerogative, Laws and Cuſtoms of the Realm, they ſhall not take advantage of their own wrongs to deprive the King, his Courts, Subjects of their juſt Rights, Liberties; and *Nullum tempus occurrit Regi*, will be a ſufficient anſwer to this and all other their gradual Uſurpations on the Crown or Subjects Rights. Which I humbly ſubmit to the grave conſideration of the learned Judges and Profeſſors of the *Common Law*, for whoſe information, benefit, and the juſt defence of the Kings Crown, Dignity, Prerogative, againſt the Uſurpations of Popes, Biſhops, Legates, Nuncioes, Ordinaries, Eccleſiaſtical Courts, Judges in former and late times, I have inſerted into this Chapter moſt of the Suits and Attachments upon Prohibitions extant in the Plea-Rolls or Writs, of King *Henry* the 3d. (in the *Tower* of *London*) omitted in my *Second Tome*; which will ſatisfie the World, and all uſurping Canoniſts, that ſuch Suits, Prohibitions, and Attachments on them, are no *Innovations*, nor *Invaſions* of the antient Rights, Liberties of the Church, as they and their predeceſſors falſly pretend, and moſt confidently publiſh in their * Conſtitutions, Gloſſes, Diſcourſes, which they cry up for the Eccleſiaſtical Laws of our Church and Realm, though never ſo reputed by our Kings, Parliaments, or learned Judges, as I ſhall further evidence (if God permit) by examining moſt of them, in their due *Chronological ſeries*. *An.* 38 H. 3.

* Lindewode l. 3. De Immunitate Eccleſiæ, & de Teſtamentis. Johan. de Aton, f. 95, 138, 141.

Tom. 2. p. 820. l. 1. before *The King*, adde; In the Plea-Rolls in the *Tower*, *Anno* 38. H. 3. I met with this memorable Record in vindication of the Kings Eccleſiaſtical Prerogative againſt the Pope himſelf and his Delegates, in a caſe concerning the Priviledges of his Free-Chappel of S*t*. *Mary* of *Salop*, and others.

Henricus *Abbas* Salopiæ attachiatus fuit *ad reſpondendum* Domino Regi *de placito*, quare in Domini Regis et liberæ Capellæ ſuæ beatæ Mariæ Salopiæ præjudicium non modicum, quæ exempta eſt, ita quod * Dominus Papa, nec aliquis alius Judex Eccleſiaſticus Juriſdictionem aliquam in ea habeat, exercuit Juriſdictionem in Capella de Fyteſho, quæ pertinet ad Capellam Domini Regis prædictam, *ſpoliando de eadem Capella de* Fyteſho *Clericos dictæ Capellæ* Salopiæ, *qui eam ex collacione Decani & Canonicorum ejuſdem Capellæ optinuerunt. Et unde* Laurencius de Brok *qui ſequitur pro Rege queritur*, *quod prædictus Abbas miſit ad Eccleſiam de* Fyteſho, *quæ eſt de Capella Regia prædicta, & de advocatione Domini Regis*, in qua quidam Clericus Domini Regis fuit inſtitutus per Ballivos Domini Regis ſicut pertinet ad libertatem Domini Regis, miſit ibidem homines ſuos ad deſtituendum prædictum Clericum, et inſtituendum alium Clericum, qui dicebat ſe eſſe admiſſum per Epiſcopum, qui nullam Juriſdictionem in ea habuit, et quandam ciſtam contra privilegia Domini Regis, quæ depoſita fuit in prædicta Eccleſia cum Jocalibus, et aliis bonis fregerunt, *& bona in eadem inventa ceperunt & aſportaverunt, & triturare fecerunt blada prædicti Clerici Domini Regis, & aſportari*, in dedecus Domini Regis, et magnum præjudicium libertatis Capellæ Domini Regis prædictæ, unde dampnum habet ad valenciam 100 Marcarum. Plac. 38 H. 3. rot. 7. * *Nota.*

Et Abbas venit & defendit vim, &c. *Et dicit*, quod quicquid ipſe fecit in prædicto negocio, fecit per mandatum Magiſtri Hugonis de Sancto Edmundo, cui commiſſum eſt Juriſdictio in negocio Crucefignatorum, et per Literas ſuas patentes, *quæ teſtantur*, quod mandavit dicto Abbati quod ſuper injuriis et violenciis manifeſtis Roberto de Acton Clerico Crucefignato, Perſonæ Capellæ de Fyteſho a Richardo de Honton Canonico Eccleſiæ beatæ Mariæ Salopiæ, et quibuſdam aliis tam Clericis quam Laicis, celerem juſticiam de die in diem præcedendo ſine omni ſtrepitu Judiciali, eidem exhibere curaret. Et ſi dictum Richardum et alios dictas violencias et injurias dicto Crucefignato intuliſſe invenerit, eoſdem ad ſatisfactionem condignam per cenſuram Eccleſiaſticam compelleret, contradictores et rebelles per cenſuram eandem appellatione remota compeſcendo. *Ita ſe gerentem*, &c. *Profert etiam formam qualiter debebat procedere ſub ſigillo prædicti* Hugonis, *quæ teſtatur*, Si Crucefignatus aliquis dicat Conſervatori ſeu Executori Crucis; Talis tenetur michi vel tali in tanta ſumma pecuniæ ex Teſtamento vel aliunde, veluti ex mutuo vel hujuſmodi, ſive per fidei dationem, ſive per Cartam, vel aliam rationem, quia non procedetur per indaginem judicialem, ſed inquiſicionem, nequaquam citet, ſed denunciet Executor ſive Conſervator per aliquem Bedellum, ſive per duos nuncios juratos, illi qui dicitur teneri in aliqua ſumma pecuniæ Crucefignato nomine ipſius Crucefignati, ſive nomine executorio, ſive etiam idem Executor Teſtamenti vellit in Terræ Sanctæ ſubſidium aliquam

An. 38 H. 3. aliquam porcionem pecuniæ assignare pro mortuo eciam Crucesignato. Et si ille cui denunciatum est venerit vel comparuit coram Executore Crucis, Quærat statim Executor, Teneriſne tali Crucesignato in tanta? *&c. vel sic*, Feciſtine talem iniuriam tali? *&c. Si confiteatur se teneri vel feciſſe*, Executor compellat eum ad satisfaciendum de die in diem sine strepitu Judiciali nullo obstante privilegio: *si negetur*, Juret incontinenti de veritate dicenda, *&c. Unde dicit*, quod per prædictam commissionem et prædictam formam ipse restituit quendam Robertum de Acton audita probatione sua, quod ipse spoliatus fuit de Ecclesia de *Fyteſho*, in cujus possessione extitit per unum Annum & amplius per Episcopum *Lycheſeldenſem*. Et quia prædictus Abbas non dedicit, quin Ecclesia de *Fyteſho* sit de advocatione Domini Regis, et de Capellaria ejus; *Et eciam dicit*, quod ipse destituit Clericum per Decanum & Capitulum admissum, & restituit prædictum *Robertum*, et hoc est contra libertatem Domini Regis, quod ipse aliquam Jurisdictionem deberet exercere, nec sua Jurisdictio in tantum se extendit ut possit destituere et instituere aliquem, maxime de eis quæ pertinent ad Capellariam Domini Regis, consideratum est, quod Dominus recuperet dampna, et Abbas in custodia, &c.

From which memorable Record I shall observe: First, That neither the Pope himself, nor his Delegates, no more than the Bishop, could exercise any Jurisdiction in or over the Kings Free-Chappels, or the Churches belonging to them. 2ly. That the large Priviledges granted by Popes to those who Crossed themselves for the *Holy Land*, and speedy righting of their Injuries in a summary way, extended not to the Kings Free-Chappels, or Chaplains in them. 3ly. That the King by Judgement of his Court and Judges recovered Damages against this Abbot, and likewise committed him to Prison, for violating the Priviledges of his Crown and Free-Chappel, notwithstanding this his Plea and Justification, by the Pope and his Delegates authorty.

Rot. 19. dorso. In the same Plea-Rolls upon an Attachment for suing in *Courts Christian* for two Chappels, the Prosecutor renounced his Suit there to avoid the like Fine and Imprisonment for this offence to the King.

Richardus de Chastyllun *Procurator* Willielmi de Chastyllun *venit & dicit*, quod non vult sequi versus Magistrum Galfridum de Tetheſe in Curia Christianitatis super Capella de Cheleſham, et Beleſham. Et de hoc invenit plegium Priorem de Wenelok qui manucepit pro eo, *&c.*

As the King and his Judges this year were carefull to prohibit all encroachments of Bishops and Ecclesiastical Courts upon the Rights and Prerogative of his *Crown*, so were they likewise to prevent it in *Corporations* and other *Temporal Courts*, as this memorable Record attests, relating to the City of *Bathe*, (for which I serve in Parliament,) who were not guilty of those disloyal usurpations, or illegal exactions then suggested against them, as their Plea and Issue manifests.

Plac. 38 H. 3. rot. 24. * *Nota.* *Præceptum fuit Vicecomiti*, quod venire faceret coram Consilio Domini Regis 12. et discretioribus et discretioribus Civibus Bathoniæ, ad respondendum Domino Regi pro se et tota Communitate Civitatis Bathoniæ, de placito, quare * sine assensu Domini Regis, eligerunt sibi Majorem et 12. Juratores, qui placita quæ placitari solent in Hundredo Domini Regis, tenent et determinant coram eis, ad exhæredacionem Domini Regis, *&c. Et unde queritur*, quod elegerunt sibi Henricum le Taillur, qui gerit officium Majoritatis, et capit consuetudines de Summariis et Pannicis Civitate Bathoniæ.

† To wit, by their own authority, or for the purposes suggested, they having then a Maior for other purposes, by Charter. *Et Cives* Bathoniæ *veniunt & defendunt, & dicunt*, quod nunquam elegerunt sibi Majorem, nec † Majorem habere clamant, nec Juratores elegerunt ad aliqua placita terminanda, nec unquam aliquas emendas ceperunt ratione Majoritatis de aliquibus transgressionibus in Civitate Domini Regis. *Et de hoc ponunt se super Patriam. Ideo præceptum est Vicecomiti, quod venire faciat, &c. nisi* H. de Bracton *prius ad partes illas venerit* 12. *de visneto, &c. qui nec, &c. & qui non sunt de homagio Prioris* Bathoniæ *ad recognoscendum, &c. à die Sancti* Michaelis *in quindecim dies, &c. Et Cives ponunt loco suo* Johannem le Similer, *&* Johannem de Claverton, *&c.*

The Kings Proctor in the Court of *Rome* being this year authorized by the King to take up 300 Marks for dispatch of the Kings businesses there by his Commission, and taking it up from the Popes Usurers, Merchants there, entred into this ensuing Obligation to them for payment thereof, under severe forfeitures and penalties, which the King must incurr in case of non-payment thereof.

IN nomine Domini Jeſu Chriſti, Amen. Anno Nativitatis ejuſdem 1254. Indictione duodecima, menſis *Maii* die 16. Pontificatus Domini *Innocentii* Papæ IIII. anno undecimo: in præſentia mei *Noclerii Scrunarii* & teſtium ſubſcriptorum ad hoc ſpecialiter vocatorum & rogatorum, Dominus *Gnido de Roſilione* Archidiaconus *Lugdunen.* Nuncius & Procurator illuſtris viri Domini *H.* Dei gratia Regis *Angliæ*, Domini *Hiberniæ*, Ducis *Normanniæ* & *Aquitaniæ*, & Comitis *Andegaviæ* apud ſedem Apoſtolicam conſtitutus, habens a dicto Domino Rege mandatum de mutuo contrahendo uſque ad ſummam trecentarum Marcarum ſterlingorum novorum, prout in literis Domini Regis exinde confectis plenius contineri confeſſus eſt, et recognovit ſe pro negotiis dicti Domini Regis, ac neceſſariis utilitatibus apud eandem ſedem Apoſtolicam promovendis et expediendis mutuo recepiſſe et habuiſſe a *Bonifacio Bonifignoris* et *Bonaventura Bernardini*, mutuantibus & ſolventibus, tàm pro ſe quàm pro *Bernardino Proſperini*, *Aldebrando Ildebrandi* Civibus & Mercatoribus *Senen.* trecentas Marcas bonorum, novorum et legalium ſterlingorum, et tredecim ſolidis, et quatuor ſterlingis pro marca qualibet computatis, de quibus dictus Procurator procuratorio nomine ſe benè ——— & pacatum vocavit, exceptioni non memorato, & non ſoluto omni pecuniæ omnino renunciando. Quas prætaxatas trecentas Marcas ſterlingorum ipſis vel uni eorum, aut ipſorum Nuncio præſens publicum inſtrumentum deferenti & reſtituenti in Feſto beati *Michaelis* proximo futuro *London.* apud Scaccarium Regis, per legitimam ſtipulationem promiſit, dictus Procurator procuratorio nomine jam dictum Dominum Regem plenè ſoluturum & integrè redditurum, & quod ſi in dictis loco & termino prædicta pecunia ipſis Mercatoribus, ut dictum eſt, non fuerit integrè perſoluta, extunc in antea ſtipulatione prædicta promiſit eis dictus Procurator procuratorio nomine, pro damnorum et intereſſe recompenſationem perſolvere per ſingulos duos menſes, pro ſingulis decem Marcis prædictis, unam Marcam ipſorum ſterlingorum, et expenſas unius Mercatoris cum uno equo et uno ſerviente, ubicunque fuerit, uſque ad plenam totius dictæ pecuniæ ſolutionem; quam prædictam recompenſationem damnorum et intereſſe, ante dictis Mercatoribus promiſit in ſortem dicti debiti nominatus Procurator procuratorio nomine nullatenus computare; ac non detinere memoratum debitum contra ipſorum meritorum voluntatem ſub prætextu recompenſationis prædictæ ultra terminum prælibatum: pro quibus omnibus & ſingulis ſupradictis firmiter obſervandis & plenariè adimplendis, memoratus Procurator procuratorio nomine jam dictum Dominum Regem & ſucceſſores ſuos prædictis Mercatoribus principales conſtituit debitores & pacatores, ipſum Dominum Regem cum omnibus bonis ſuis mobilibus et immobilibus, præſentibus et futuris, eidem Mercatoribus propter hoc ſpecialiter obligando. Renunciavit in præſcriptis omnibus dictus Procurator procuratorio nomine, dicti Domini Regis & ſucceſſorum ſuorum omni Juris & Legum auxilio Canonici & Civilis, conſuetudini, et ſtatuto privilegio fori, beneficio reſtitutionis in integrum, et exceptioni etiam quod prædicta pecunia non ſit converſa in utilitatem dicti Domini Regis et terræ ſuæ, conſtitutioni de duabus dietis Concilii generalis, omnibus Apoſtolicis literis, indulgentiis, et aliis quibuſcunque, a ſede Apoſtolica impetratis, ac etiam impetrandis, & omni exceptioni, actioni, defenſioni & rei quæ objici poſſit contra hoc inſtrumentum vel factum. Ad majorem autem dictorum Mercatorum cautelam, præfatus Procurator bona fide promiſit, quod dictum Dominum Regem ſtudioſè & fideliter, laboraret ut ——— omnia & ſingula ſupradicta antedictis Mercatoribus obſerventur. In hujus itaque rei teſtimonium & evidentiam pleniorem, præſens Inſtrumentum dictus Dominus Archidiaconus ſuo ſigillo roboravit. Datum *Aſſiſii* coram hiis teſtibus; ſcilicet, *G.* Magiſtro *Hugone de Communiaco*, teſte *Pontio de Saliſto* Clerico, teſt. *Willielmo de Roſſilione*, teſt. *G. Thomaſſo de Venant.* famil. dicti Archidiaconi, *&c.* Ego ——— Authoritate Imperiali *Notarius publicus* prædictis omnibus interfui, & hoc Inſtrumentum ſcripſi & complevi rogatus. *An.* 38 & 39 Hen. 3. An. 38. H. 3. in Turri London.

Tom. 2. p. 806. l. 1. before *The King*, inſert; In a Bundle of original Writs of this year and their Returns, (*An.* 39 H. 3.) I found in the *White Tower*, there are no leſs then 21. Attachments and Proceſſes iſſued to the Sheriff of *Lincoln* only, againſt ſeveral Eccleſiaſtical perſons and others; quare tenuerunt, et quare ſecuti ſunt placitum in Curia Chriſtianitatis de catallis et debitis quæ non ſunt de Teſtamento vel Patrimonio, contra Prohibitionem noſtram: I ſhall render you only a breviate *An.* 39 H. 3. Brevia Regis An. 39 H. 3. in Turri London.

An. 39 H. 3. breviate of the Plaintiffs and Defendants names; Richardus de Swaldebore & Chriſtiana *uxor ejus*, *verſ.* Roger. de Imyngham & Radulphum *Perſonam Eccleſiæ de* Starteford. Richardus de Hewel *verſ.* Radulphum *fil.* Laurentii. Radulphus de Martineſthorpe *verſ.* Willielmum *Perſonam Eccleſiæ de S.* Woſold. Willielmus de Cutroſt *verſ.* Johannem *Perſonam Eccleſiæ de* Anderby *Decanum de* Kandeſtro. Willielmus de Crokton *verſ.* Walterum *Perſonam Eccleſiæ de* Dunſtore. Richardus de Swaldeclive & Chriſtiana *uxor ejus*, *verſ.* Simonem le Monte, & Laur. de la Champane. Aluredus de Amanototer *verſ.* Simonem *Decanum Chriſtianitatis* Lincoln. (who held a Suit) *pro* trecent. Marcis *pro* damnis ſuis, & 3. Marcis *pro* Willielmo le Papeter, *pro* damnis ſuis; levied of his Eccleſiaſtical goods by the Biſhop of *Lincoln*, for holding ſuch a Plea in *Court Chriſtian* againſt them. Edith. Page *verſ.* Reginald. *fil.* Marger. *de* Lincoln. Robertus de Norton *verſ. Magiſtr.* Robertum Condeney. Willielmus de Askeby *verſ.* Johannem *Decanum Chriſtianitatis* Lincoln. Robertus de Norton *verſ. Magiſtr.* Rogerum de Askeby. Nicholaus de Heurell *verſ.* Radulphum *fil.* Laurentii (an *aliàs.*) Willielmus de Sancto Philiberto *verſ. Magiſtrum* Willielmum Archer. Richardus de *(torn)* *verſ.* Willielmum *Archidiaconum* Linc. & *Magiſtr.* Robertum *Offic. ejus.* Johannes de Rocheford *verſ. Magiſtr.* Willielmum de Lucy. Radulphus de Maire *verſ.* Richardum de Blend, *Magiſtr.* Alexand. de Deping, & Radulph. *Decanum de* Stamford; quare ſecuti ſunt placitum in Curia Chriſtianitatis, et Decanus tenuit idem placitum in eadem Curia contra Prohibitionem noſtram, et in deceptionem Curiæ noſtræ fecerunt prædictum eadem excommunicari, capi et imprisonari, et in priſona noſtra Linc. detineri, quouſque deliberatum fuit per præceptum noſtrum. After which there was a Jury impannelled between them, concerning the proſecuting and holding this Plea, and excommunicating, impriſoning the Plaintiff after the Prohibition, upon which iſſue was joyned, and found for the Plaintiff; as the Panel and Inquſition joyned to the Writ atteſt. There are two other Writs of this ſort, but the names are torn and decayed. Beſides theſe I finde two Writs of Attachment iſſued to the Sheriff of *Lincoln*. *Pone per vadios & ſalvos plegios* H. *Epiſcopum* Linc. *quod ſit coram Juſtic. noſtris apud* Weſtm. *&c. Et ibi habeat* Johannem de Wadingham & Gilbertum *Capellarium de* Copinham, *ad reſpondendum* Radulpho de Normannerby *de placito*, quare ſecuti ſunt placitum in Curia Chriſtianitatis de laico feodo ipſius Radulphi in Copinham, contra Prohibitionem noſtram, &c. *Teſte* W. de Thurkelby *apud* Weſtm. 8 *die* Maii, *anno regni noſtri* 39. And an *alias*, 18. Octobris. *Teſte ut ſupra:* between the ſame parties: And one Writ of Attachment more to the Sheriff of *Lincoln*, brought by Gerardus de Fernivel, *verſus Abbatem de* Bardeneye, quare ſecutus eſt placitum in Curia Chriſtianitatis de advocatione Eccleſiæ de Beringſham, contra Prohibitionem noſtram. *Teſte meipſo apud* Linc. 3. *die* Maii, *anno regni noſtri* 39. Theſe 24. Writs iſſued this year to this one Sheriff of *Lincoln*, againſt thoſe illegal uſurpations of the Biſhop, Dean, Archdeacon, and Officials upon this Kings Crown, Prerogative, his Subjects liberties and properties; which is very remarkable, *Henry Lexinton* was then Biſhop.

In the decayed Plea-Rolls of *Term* Mich. *An.* 39 H. 3. as I conjecture (in the *Tower*,) I met with theſe Suits for holding and proſecuting Suites in Eccleſiaſtical Courts for Free-holds and Lay-Chattells, againſt Prohibitions and Attachments.

Plac. 39 H. 3. rot. 10. *Magiſter* Euſtachius de Ceſtreton attachiatus fuit *ad reſpondendum* Hugoni de Loges, quare contra Prohibitionem, &c. traxit eum in placitum in Curia Chriſtianitatis de laico feodo ipſius Hugonis in Ceſtreton, &c. *Unde idem* Hugo *queritur*, quod ipſe exigit ab eo in Curia Chriſtianitatis de certa pecunia pro decimis molendini, et certum pratum, *ſcilicet*, tres acras prati, & *preterea de* **Wareto*, et de terris incultis, ſi illas locaverit, ipſe petit decimum denarium, & *inde producit ſectam*, &c.

* *Wareto.* See Sir Henry Spelman's Gloſſarium, pag. 565.

Et Magiſter Euſtachius *venit & defendit contra eum & contra ſectam ſuam, quod nunquam traxit eum in placitum de aliqua certa re*, niſi tantum de decimis fœni et molendini, ſicut decimæ inde dari debent; nec aliquam actam prati petit, nec denarium de molendinis, nec aliquid de wareto vel terra, niſi tantum garbas, et ideo præceptum eſt eidem Euſtachio; quod de nullo placito de cætero ſequatur in Curia Chriſtianitatis, nec de aliquo laico feodo, nec de aliquo quod ſit contra Coronam Domini Regis.

Johan-

Johannes Bec. *optulit ſe 4 die verſus Magiſtrum* Robertum de Herſes *Archidiaconum* Lincolniæ *de placito, quare contra*, &c. tenuit placitum in Curia Chriſtianitatis de laico feodo ipſius Johannis in Roby, &c. *Et Magiſter* Robertus *non venit*, &c. *Et Vicecomes mandavit quod non habet laicum feodum.* Et ideo mandatum eſt Domino Epiſc. Lincolniæ quod diſtringat eum, quod ſit in Octabis Sancti Martini. *An.* 39 & 40 Hen. 3.

Radulfus de Windeburg *optulit ſe 4. die verſus Magiſtrum* Rogerum de Burton *de placito*, quare ſecutus eſt placitum in Curia Chriſtianitatis de laico feodo ipſius Radulphi in Windeburg, contra Prohibitionem, &c. *Et Magiſter* Radulphus *non venit*, &c. *nec habet laicum feodum.* Et ideo mandatum eſt Domino Archiepiſc. Eborum quod diſtringat eum quod ſit a die Sancti Martini in 15. dies, &c. *Et idem* Radulphus non ſequitur verſus Judices.

Tom. 2. p. 860. l. 24. after *Februarii*, adde; In the decayed Plea-Rolls (in the *Tower*) of *Hill.* Term, *Anno* 40 H. 3. I finde theſe Prohibitions, Attachments, and Proceedings againſt Proſecutors and holders of Suits in Spiritual Courts for Chattels and Free-holds not belonging to them. *An.* 40 H. 3.

Nicholaus de Wotteſden attachiatus fuit *ad reſpondendum* Richardo *filio* Godefridi de Wicumb *de placito*, quare in Curia Chriſtianitatis tenuit placitum de catallis et debitis quæ non ſunt de Teſtamento vel Patrimonio, contra Prohibitionem, &c. *Et unde queritur, quod cum* Agnes Bradford & Rogerus *filius ejus implacitaverunt ipſum coram prædicto* Nicholao, *petendo ab eo* 30. *s.* quæ non fuerunt de Teſtamento vel Patrimonio, et ipſe detuliſſet ei breve Domini Regis in Capella de Wuburn *in craſtino Sanctæ* Elenæ *anno regni Domini Regis, nunc anno* 40. ne placitum illud inter eos teneret, *prædictus* Nicholaus ſpreta Prohibitione *tenuit prædictum placitum coram eo*, et ipſum fecit excommunicari; *Unde dicit*, quod deterioratus eſt, et dampnum habet ad valenciam Centum ſolidorum. *Et inde producit ſectam*, &c. Pat. 40 H. 3. Rot. 6. Bucks.

Et Nicholaus *venit, & defendit vim & injuriam quando*, &c. *Et bene defendit contra ipſum & ſectam ſuam*, quod nunquam tenuit placitum de aliquibus catallis in prædicta Curia poſtquam ipſe prædictum breve Domini Regis detulit. *Et hoc offert defendere verſus ipſum & ſectam ſuam, ſicut Curia conſideraverit. Et ideo conſideratum eſt, quod prædictus* Nicholaus *vadiet legem ſe* 12. *manu. Et veniat cum lege in Octabis Sancti* Hillarii. *Plegii de lege* Adam Averill, & Richardus de Norwico.

Poſtea à die Sancti Johannis Baptiſtæ *in quindecim dies venit prædictus* Nicholaus, *& fecit legem ſuam. Ideo conſideratum eſt, quod ipſe* Nicholaus *inde ſine die, &* Richardus *filius* Godefridi in miſericordia pro falſo clamore. Et prohibitum eſt prædicto Nicholao ne ulterius Richardum prædictum placitet; et injunctum ei, quod ſine dilacione faciat ipſum abſolvi. *Poſtea venit prædictus* Richardus, *& queſtus fuit*, quod prædictus Nicholaus eum nondum fecit abſolvi. * Immo impetravit breve Regis de capiendo ipſum occaſione prædicti placiti. *Ideo præceptum eſt Vicecomiti*, quod attachiet eum quod ſit a die Paſchæ in unum menſem, ad reſpondendum de tranſgreſſione prædicta. * Note the vexation.

Idem Richardus *optulit ſe 4. die verſus Magiſtrum* Johannem de Cumpton *de placito*, quare ipſe ſimul cum prædicto Nicholao tenuit prædictum placitum in eadem Curia, contra eandem Prohibitionem. *Et ipſe non venit*, &c. *Et plures fecit defaltas.* Ita quod mandatum fuit Epiſcopo Lincolnienſi, quod faceret eum venire, eo quod Clericus eſt, et non habet, &c. Et quia Epiſcopus obiit, mandatum eſt Officiali Archiepiſcopi Cantuarienſis, quod faciat eum venire in Octabis Sancti Hillarii, *&c.*

Richardus *filius* Martini de Oteringham *optulit ſe 4. die verſus Magiſtrum* Thomam de Grimmeſton *de placito*, quare ſecutus eſt placitum in Curia Chriſtianitatis de catallis, &c. contra Prohibitionem, &c. *Et ipſe non venit*, &c. *Et* fuit attachiatus *per* Willielmum de la Chambre *de* Holm, *&* Adam Horeband *de eadem. Ideo ponatur per meliores Plegios, quod ſint à die Sancti* Hillarii *in quindecim dies. Et primi*, &c. Ibidem. Eborum.

Johannes *filius* Willielmi *Eſſoniator* Galfrid. de Wulmerſton *optulit ſe 4. die verſus Priorem de* Monte Acuto *de placito*, quare ſecutus eſt placitum in Curia Chriſtiani. de catallis et debitis quæ non ſunt de Teſtamento, &c. *Et ipſe non venit*, &c. *Et* attachiatus fuit *per* Robertum de Hamme, *&* Johannem Pay *de eadem. Ideo ponatur per meliores Plegios, quod ſit à die* Paſchæ *in quindecim dies. Et primi*, &c. Ibid. Rot. 15. Cumberland.

An. 40 & 41 Hen. 3. Ibid. Rot. 40. Somerſet.

Henricus de Stanel. *optulit ſe 4. die verſus* Henricum *Priorem de* Wederhall, Willielmum le Carpenter, Willielmum Fayrheved, Willielmum *filium* Alduræ, Johannem *filium* Richardi Mus, & Richardum Mus, *de placito*, quare ſecuti ſunt placitum in Curia Chriſtianitatis de laico feodo ipſius Henrici, *&c. Et ipſi non venerunt*, &c. *Et prædictus Prior* fuit attachiatus *per* Johannem *filium* Johannis de Bouleyn, & Henricum de Wedrehall. *Et prædictus* Willielmus, *et omnes alii fuerunt attachiati per* Richardum de Baſtenthweyt, Adam Bradheved, Dryteythekeld, & Adam de Kirke Oſwald. *Ideo ponatur per meliores Plegios, quod ſit à die Sancti* Hillarii *in tres ſeptimanas. Et primi*, &c.

Bundela Brevium in Turri London. an. 40 H. 3.

In a Bundle of Writs (in the *Tower*) *Anno* 40 H. 3. *Willielmus de Gaunt* ſued forth a Writ of Attachment, *verſus* Thomam *Priorem de* Markely *Vic.* Linc. *oſtenſur. quare ſecutus eſt placitum in Curia Chriſtianitatis de catallis et debitis quæ non ſunt de Teſtamento vel Matrimonio, contra Prohibitionem noſtram. Teſte*, &c. 15. *die* Junii, *anno regni noſtri* 40.

Tom. 2. p. 853. l. 16. after *Junii*, adde; The original Inſtrument of this Accord made by *Adam de Mariſco*, between the Biſhop of *Winton* and the Prior and Monks of S^t. *Swithin*, ratified by the Kings Patent; I found in the *White Tower*, agreeing with that in the Patent-Roll.

In a Bundle of *Patents* and *Certificates* of Elections, *&c.* in the *White Tower*, An. 40 *H.* 3. I found this *Certificate* of the Chapter of *Landaff*, of their Election of *William Radnore* for their Biſhop, by the Kings licenſe, (who recommended another) after the deceaſe of *John* their Biſhop, deſiring his confirmation thereof.

Bundela Petit. & Certif. an. 40 H. 3. in Turri London. See Godwins Catalogue, p. 427.

EXcellentiſſimo Domino ſuo *H.* Dei gratia illuſtri Regi *Angliæ*, Domino *Hiberniæ*, Duci *Normanniæ*, *Aquitaniæ*, & Comiti *Andegaviæ*, Capitulum Eccleſiæ *Landaven.* ſalutem in Domino ſempiternam, & orationes in Chriſto cum devotione. Defuncto bonæ memoriæ *Johanne* quondam *Landavenſ.* Epiſcopo, nobis de ſolita clementia veſtra per literas veſtras patentes liberam veſtri gratia conceſſiſtis eligendi facultatem. Nos autem Deum habentes præ oculis, ſalubri conſilio literarum veſtrarum firmiter, ut decuit, inhærentes, invocatâ Spiritus Sancti gratiâ, de unanimi aſſenſu & voluntate omnium fratrum noſtrorum, Magiſtrum *Willielmum de Radnore* Theſaurarium noſtrum, virum diſcretum & honeſtum, egregiè literatum, Deo & Eccleſiæ devotum, Regiæ Majeſtati veſtræ humiliter inclinatum, et rei publicæ, per Dei gratiam, valde profuturum, in temporalibus cautum, in patrem elegimus & paſtorem, Celſitudini veſtræ, quam conſervet & augeat Altiſſimus, humiliter ſupplicantes et devotè, quatinus dictæ Electioni noſtræ Regium aſſenſum pie præbere dignemini; Nec moleſtè ferre velitis, ſi placet, quod preces veſtras ad præſens exaudire * nequivimus; Cum ille qui nunc inſtinctu Spiritus Sancti duximus eligendum à puerili ætate ſua nobis cognitus, exiſtit, et inter nos laudabiliter et continue converſatus fuerit in Eccleſia noſtra, quæ ſemper Clericos de gremio ſuo cujuſlibet Eccleſiæ (dummodo digni extiterint) in Electionibus celebrandis cæteris Clericis duxit præferendos. Propter quod devotiſſimè petimus, nè prædicto facto noſtro, quod, ut ſperamus, a Deo proceſſit, in aliquo, quod Deus avertat, moveri aut turbari velitis; ſed potius, ſi placet, proceſſui noſtro Canonico congratulari dignemini. Valeat & creſcat Regia poteſtas veſtra ſemper in Domino. Dat. anno Domini M. CC. LVI. 5. Kal. *Aug.* *Whereupon (it ſeems) the King was ſatisfied, and ratified his Election.*

* Who, it ſeems, recommended another to them whom they knew not.

An. 41 H 3. Plac. de Term. S. Trinitat. An. 41 H. 3. in Turri London. M. 3. Ebor.

In the fragments of Pleas in the *Tower*, *Term.* Trin. *An.* 41 H. 3. as I conjecture, I met with theſe Suits and Attachments upon Prohibitions.

Willielmus *fil.* Henrici de Aſſekewyke *per Attornatum ſuum optulit ſe 4. die verſus Priorem Sanctæ* Trinitatis Eborum *de placito*, quare ſecutus eſt placitum in Curia Chriſtianitatis de catallis et debitis quæ non ſunt de Teſtamento vel Matrimonio, contra Prohibitionem, &c. *Et ipſe non venit*, &c. *Et plures fecit defaltas. Ideo præceptum eſt Vicecom.* quod diſtringat eum per omnes terras, &c. Ita quod de exitibus, &c. Et quod habeat corpus ejus.

Ibidem.

Idem Willielmus *per Attornatum ſuum optulit ſe 4. die verſus* G. *Archiepiſcopum* Eborum, *de placito, quod eſſet ad hunc diem, & quod haberet hic* Willielmum *Decanum* Eborum, & Thomam de Aunton *Clericos ſuos, ad reſpondendum eidem* VVillielmo *de placito*, quare ſecuti ſunt placitum in Curia Chriſtianitatis de catallis et debitis quæ non ſunt de Teſtamento vel Matrimonio, contra Prohibitionem, &c. *Et præceptum*

ceptum fuit Vic. quod attach. eos, quod eſſent ad hunc diem. *Et Vicecomes nihil inde fecit. Ideo ſicut prius præceptum eſt Vic.* quod attach. eos, quod ſint in Octab. Sancti Michaelis. *Et Vic. ſit auditurus Judicium ſuum.* *An.* 41 & 42 Hen. 3.

Willielmus *filius* Martini *per actionem ſuam optulit ſe 4. die verſus* Richardum Pytecock *de placito*, quare ſecutus eſt placitum in Curia Chriſtianitatis de catallis et debits quæ non ſunt de Teſtamento vel Patrimonio, contra Prohibitionem, &c. *Et ipſe non venit, &c. Et plures fecit Defaultas. Ita quod primò fuit attach. per* Rogerum Atteyate *de* Bermingham, & Thom. *fil.* Johannis Tyxtor. *de eadem, & ſecundo per* Willielmum de Bermingham, & Robertum Bateman *de eadem. Ideo ipſi in miſericordia. Et præceptum eſt Vic.* quod diſtringat eum per omnes terras : *Ita quod de Exit. &c. Et quod habeat corpus ejus in Craſtino* Animarum, *&c.* Ibid. m. 12.

Tom. 2. p. 935. l. 21. adde; I found in the *White Tower* Chappel this Epiſtle and Petition of the Freers Minorites to King *Henry* the 3d. to confirm their intruſion into S^t. *Edmunds* by his ſecond Charter, not deeming the Popes Bull they had got, ſufficient; which the Abbots and Monks contemned and ſet at nought: wherein they highly extoll his piety, liberality, care to propagate Religion and Order, aſſerting his and other Kings Eccleſiaſtical prerogatives therein. *An.* 42 H. 3.

GLorioſiſſimo Principi & in Chriſto amantiſſimo Domino, ac piiſſimo patri Domino *Henrico*, Dei gratia illuſtriſſimo Regi *Anglia*, Domino *Hyberniæ*, Duci *Aquitaniæ*, ſui devoti & ſupplices ſervuli & alumpni, Frater *H.* Fratrum minorum in *Anglia*, miniſter humilis, cum univerſo Capitulo eorundem *Oxoniæ* celebrato, quicquid ſalutis & proſperitatis, gratiæ & gloriæ optari poteſt tantæ benignitati. Cum à primo ingreſſu Ordinis noſtri in terras veſtro Regimini & Dominio ſubjectas, clementiam veſtram nobis ſemper invenerimus in omnibus favorabilem & benignam, Ita ut indefeſſa largitatis munificentia in omnibus caſibus utitur, hujus vitæ mortalis tranſitoria neceſſitas quantumvis viles & abjectos, de veſtræ liberalitatis habundantia, tanquam pater filios ſuſtentare non ceſſaveritis et fovere, contra calumpniantes & perſequentes defendere, & * obtrectantibus ex zelo pii amoris, diſertis rationibus, juxta datam vobis cœlitus induſtriam, & efficacibus excuſationibus obviare, & ut ſub compendio dicamus, ab omnibus ſemper malis protegere, et in bonis promovere; Non ſufficit noſtra mendicitas juxta condignum perſolvere gratias, nec quicquam rependere veſtræ Celſitudinis tantæ bonitati, ſed Dominum à quo bona omnia procedunt, qui quod uni ex minimis ſuis fit, ſibi fieri proteſtatur, totis cordium medullis indefeſſa precum inſtantia pro vobis ſupplices unanimiter exoramus, ut a veſtra dominatione noxia ſemper depellat, et omnia vobis profutura concedat. Sane inter omnia veſtræ pietatis beneficia, præcipuum et excellens reputamus, ſic et Chriſto Jeſu Domino noſtro reputari indubitanter arbitramur, et ad gloriam Divini nominis pro animarum procuranda ſalute, quod Domum noſtri Ordinis apud Sanctum Eadmundum in area veſtra propria, ubi fratres in non modico numero Domino ſervientes et Sancto Eadmundo, doctrinam prædicantes, ſalutaria conſilia tribuentes, ac pro vobis et veſtris orantes, commorari poterunt, firmo decreto authoritate et virtute Regia collocatos, ſicut evidentius Chartæ Regiæ declarabant, ſolempnis miſſio Juſticiariorum à latere veſtro firmavit, et patentium literatum Regalium tenores quæ ad memoriam præſentibus et futuris in teſtimonium habentur et apertiſſime proteſtantur. Hoc itaque quod ab initio fratres fieri optaverunt, ob hoc præcipuè & ſolum, quod locus ille efficaci auxilio medelæ ſpiritualis ad expurgandas ſpurcitias plurimum indigebat; Apoſtolicam ſedem adierunt, obtinuerunt que primum Monitorias Abbati et Monachis directas, ut fratres benigne ſuſtentarent, omnibus pro impenſis: poſtea interpatorias inde retulerunt, et iis pro * nihilo ductis, demum procurantibus fratribus ab eadem Sede efficacia privilegia, † ——— cum aliis literis Papalibus Monachis directis, cum cogentiſſimis præceptis et executione potenti ſunt obtenta. Quin hæc omnia præfati * Monachi aſpernentes, in nullo penitus mandatis poſt poſitis de ſuſcipiendis juribus animarum et ſuſtinendis, parere voluerunt; donec Deus, *in cujus manu ſunt corda Regum*, cor veſtrum igne ſui amoris accenſum, ad illud converteret, ut per manus veſtras operaretur ſam ad ſalutem animarum in terra veſtra. Scimus enim & pro certiſſimo tenemus, quod niſi veſtræ poteſtati vel clementiæ pietas aſſuiſſet, nihil omnino de tam ſalutari re ſuiſſet actum, quod ineffabiliter Dei ad gloriam, et ad lætitiam peccatoribus adveniat, toti populo ad ſalutem, vobis ad honorem in terris, et ad cumulum gloriæ cedet in excelſis; Ideoque pauperum amantiſſime pater! abſit à veſtræ bonitatis conſtantia,

* So little did the Abbots and Monks of St. Edmunds Abby value the Popes Bulls, Authority, or Admonitions.

† Fortaſſe, Bullis.

An. 42 & 43 Hen. 3.

ſtantia, opus negligere tantæ pietatis, ſed amore Dei ſapienter recogitet manſuetudo veſtra ——— qui creduntur in mundum, poteſtate, ſapientia & benignitate ſua, ipſum indefeſſa longanimitate bonitatis ſuæ ſuſtinet & gubernat, nec unquam deſerere dignetur. Hoc namque nunc intelligere debent Reges terræ, ut tanquam filii cariſſimi, devotis cordibus diſciplinam patris cœleſtis apprehendere, ut in ſuſtentandis nobis, in ipſum, ab ipſis ad Dei cultum et animarum meliam pia devotione facta ſunt, ſic ipſum indefinenter imitentur in terris, ut cum ipſo perpetuo regnare mereantur in cœlis; Quod unanimiter petimus, ſervi a Domino, a Patre filii, humiles ab Excelſo, & humiliter requirimus totis cordibus ſicut audemus, quatinus ad confortanda & confirmanda penitus in devotione ad Dominum pro nobis, devotorum corda ſervulorum veſtrorum de throno Regiæ Majeſtatis præcipere dignemini, novas literas patentes exire ad Sanctum *Eadmundum* publicandas, quibus plenius innoteſcat univerſis, Domum noſtræ Ordinis pro perpetua ſtabilitate manere vultis, et ab hæredibus veſtris Regibus *Angliæ*, pro veſtra et eorum et anteceſſorum veſtrorum ſalute, ad Dei gloriam et beati *Eadmundi* meritum et honorem, ibi debet, juxta quod a vobis præceptum eſt, fratribus Eccleſiam fieri, perpetuo protegi ac defendi. Tantum ſi placet Dei intuitu, & ſalutis animarum, noſtræque mendicitatis obtentu facientes, ut & divinæ propitiationis, qui pro recuperandis animabus perditis mori dignatus eſt, habundantiorem gratiam conquirere, & paupertatis noſtræ devotionem vobis indiſſolubiliter aſtringere meritò debeatis. In Dignitatis veſtræ proſperitate conſervet (Vos) nobis Deo & populo ſuo per tempora longiora.

An. 43 H. 3.

About the 43d. year of King *Henry* the 3d. *Thomas Lidel* Biſhop of *Dune* in *Ireland* being oppreſſed and diſtrained by the Earl of *Ulſter*, for refuſing to appear and anſwer in his Court, to the prejudice of the Kings Crown and Dignity, and violation of his Oath of Fealty to him, ſent his Archdeacon to the King with this Epiſtle, imploring his Royal aſſiſtance and relief againſt theſe vexatious oppreſſours; wherein he aſſerts, that it is the principal part of Regal Dignity to defend the Church, and reſtrain the diſturbers of Eccleſiaſtical Liberty, which he earneſtly preſſeth him to diſcharge in his particular Caſe, to prevent the miſchiefs therein ſpecified, and prevent his recourſe to the Court of *Rome*, there to ſeek for redreſs; which Letter I diſcovered in the *White Tower*.

An. 43 H. 3. in Turri London.

EXcellentiſſimo viro & Domino ſuo reverendo *H.* Dei gratia illuſtri Regi *Angliæ*, Domino *Hyberniæ*, & Duci *Aquitaniæ*; *Th.* Divina miſeratione *Dunen.* Eccleſiæ Miniſter humilis, ſalutem & orationum ſuffragia. Cum ad Regiam pertineat dignitatem Eccleſias defenſare, Eccleſiaſticæque libertatis perturbatores compeſcere; Nos quoque qui vobis fidelitatis fecimus Sacramentum, per Dominum *Will. de Bourg* Com. *Ulton.* novis & indebitis exactionibus quas nunquam aliquis prædeceſſorum noſtrorum alicui Com. hactenus facere conſuevit, his diebus indebitè opprimimur & gravamur: Et quod in præjudicium Regiæ dignitatis veſtræ, et Sacramenti quo vobis et Coronæ veſtræ ſumus aſtricti læſionem, in Curia ipſius Com. reſpondere nolumus ſicut nec tenemur, terras ad Crociam noſtram pertinentes nobis in Curia ſua abjudicavit, ac Maneria noſtra ſpoliavit bonis noſtris. Quare Dom. *A.* Archidiaconum noſtrum, præſentium bajulum noſtrum & Cleri noſtri procuratorem et Nuncium ad veſtræ tranſmittimus refugium: Excellentiæ veſtræ humiliter ac devotè in Chriſto ſupplicamus, quatinus qualiter prædeceſſores noſtri *Dunen.* Epiſcopi pro ſalvandis Regiis libertatibus adversus Comites *Ulton.* ſtare conſueverunt, et quos labores pro Regiis negotiis ſuſtinuerunt ad memoriam, ſi placet, revocantes, Dom. Archid. in his quæ veſtræ Majeſtati pro nobis et Clero noſtro plenius explicabit benigne exaudire, et gravaminibus quæ nobis injuſte inferuntur, remedium exhibere dignemini opportunum. Pro Jeſu Chriſti nomine, et animæ veſtræ ſalute ſalubriter proſpicientes, quod magnificum nomen veſtrum, quod à primo adventu *Anglicorum* in *Ulton.* tam reverenter hactenus recitatur in ſingulis Miſſis per *Dunen.* Dioc. celebratis, ubi plures quam alibi in *Hybern.* infra tantæ terræ ſpacium uſque ad hæc tempora habundant ſacerdotes et Religioſi, pro defectu defenſionis debitæ a tam ſalubri memoria non ceſſet, quod abſit. Si enim in his noſtris preſſuris celerius remedium nobis veſtra non adhiberet Magnificentia, oportet nos Monaſteria noſtræ Dyoc. deſolata, et Maneria noſtra vaſta, et totam Dyoc. relinquere interdictam, et quatinus poterimus Curiam *Romanam* adire pro remedio ibidem perquirendo. Valeat et vigeat Excellentia veſtra diu et bene in Chriſto.

In

In the *Plea-Rolls* of *Paſch.* & *Mich.* 43 *H.* 3. (in the *Tower*) I finde theſe Suits and Attachments brought for proſecuting and holding Suites in *Courts Chriſtian*, againſt the Kings Prohibitions. *An.* 43 & 44 Hen. 3.

Decanus Sancti Pauli London. & *Magiſter* R. *Officialis Epiſcopi* London. attachiati fuerunt *ad reſpondendum* Humfredo de Rubbeſwurth *de placito*, quare tenuerunt placitum in Curia Chriſtian. de catallis, &c. quæ non ſunt de Teſtamento vel Patrimonio, contra Prohibitionem, &c. *Et unde idem* Hugo *queritur*, quod ipſi tenent placitum in Curia Chriſtianitatis *inter ipſum & Abbatem de* Waleden. & Galfrido de Lucy, *occaſione executionis Teſtamenti* W. *Comitis de* Maundevill. *de quodam debito* C. *librarum*, *qui debebatur* S. *Archiep.* Cantuar. Plac. de Termino Paſchæ, an. 43 H. 3. Middſ.

Et Decanus & Officialis veniunt & dicunt, quod re vera ipſi Executores traxerunt eum in placitum coram eis de quibuſdam articulis cujuſdam compoti reddendi de quodam Manerio quod traditum fuit pro prædicto debito: & de articulis illis proceſſum fuit uſque ad ſententiam, & quod ipſe conſenſit in eos; et cum perventum fuit ad judicium, tunc primo protulit breve de Prohibitione. *Et quia Executores præſentes non ſunt, ideo dictum eſt Judicibus*, quod non procedant antequam Executores compareant. *Et quia Abbas non venit, præceptum fuit Vicecomiti quod* attachiaret eum; *& ipſe mandat*, quod cepit averia ſua; *ideo ſicut prius attachiet eum, quod ſit à die Sanctæ* Trinitatis *in tres ſeptimanas. Et quia Vicecom. mandavit quod* Galfridus de Lucy *nihil habet in Comitatu* Middſ. *ideo attachietur in Com.* Eſſex. *quod ſit ad eundem diem. Et dicit quod* Ernaldus de Maundevill. *unus Conquirentium non eſt prof. & ideo ipſe & pleg. ſui de prof. in miſericordia, ſcil.* Will. de Maundevill. & Radulfus *filius ſuus.*

Ricardus de Merton *per Attornatum ſuum optulit ſe quarto die verſus Priorem de* Coneham *de placito*, quare tenuit placitum in Curia Chriſtianitatis de catallis et debitis quæ non ſunt, *&c.* contra Prohibitionem, *&c. Et ipſe non venit. Et plures fecit defaltas. Ideo præceptum eſt Vicecomiti*, quod diſtringat eum per omnes terras, *&c. Et quod de exitibus, &c. Et quod habeat corpus ejus in Craſtino Sancti* Johannis *Baptiſtæ.* Lincoln.

Umfridus de Canc. *Eſſoniator* Roberti Haneworth. & Radulphus de Norff. *Eſſoniator* Innocen.——— *optulerunt ſe quarto die verſus* Radulphum *Decanum Chriſtianitatis* Lincoln. Johannem oue la Barbe *de* Linc. & Sylveſtrum de Lincoln. *Capellarium de placito*, quare ſecuti ſunt placitum in Curia Chriſtianitatis de catallis, *&c.* quæ non ſunt, *&c.* contra Prohibitionem, *&c. Et ipſi non venerunt. Et præceptum fuit Vicecom.* quod attach. eos, *quod eſſent hic ad hunc diem. Et Vicecom. nihil inde fecit, ſed mandavit quod præceperat Ballivis libertatis* Lincoln. *qui nihil inde fecerunt. Ideo præceptum eſt Vic. quod non omittat propter prædictam libertatem*, quin attach. eos, *quod ſint in adventu Juſtic. Et unde Vic. mandavit, &c.* Ibid. Linc.

Nigellus de Langeford & Matild. de Gonſell *opt. ſe* 4 *die verſ. Magiſtr.* Nicholaum de Stauneford *de plac. quod cum idem* Nicholaus in Curia Domini Regis, *coram ipſo* Dom. R. *apud* Rading. attachiatus eſſet, M. de Haverſhager *avuncul. prædict.* Nigel. & *fratr. prædict.* Matild. *cujus hæredes ipſi ſunt*; quare ſecut. fuit plac. in Curia Chriſtianitatis de advocatione Eccleſiæ de Gailburg, contra prohibitionem Dom. Regis. *Et idem* Nicholaus *veniſſet in eadem Cur. & defendiſſet contra eundem* M. *& ſectam ſuam*, quod nunquam ſecutus eſt placitum in Curia Chriſtian. contra prohibitionem Dom. Regis. *Et inde vadiaſſet legem ſuam, & illam in eadem Curia Dom. Regis tenuiſſet. Et præterea*, in eadem Curia ei prohibitum eſſet, ne plac. illud ulterius ſequeretur, ac ipſe coram Juſtic. in eadem Curia Dom. R. conceſſiſſet, quod plac. illud ulterius non ſequeretur; imo quod penitus revocari faceret quicquid per ipſum in placito illo in Curia Chriſtianitatis actum eſſet: *Idem* Nicholaus *poſtea*, contra Prohibitionem et Conceſſionem dicti prædictam ſecutus eſt placitum illud in prædicta Curia Chriſtianitatis de advocatione Eccleſiæ prædictæ, ad exhæredationem ipſorum Matth. et Matil. et in contemptum Dom. Regis manifeſtum. *Et ipſe non venit, &c. Et præceptum eſt Vic.* quod attach. eum, *quod eſſet ad hunc diem. Et Vic. mand.* quod Clericus eſt, et non habet laicum feodum per quod, *&c. Et ideo mandatum eſt* R. *Epiſc.* Coventr. & Lychf. *quod faceret eum venire, &c.* Plac. 15 S. Mich. an. 43 H. 3. rot. 6. Dorſ.

In *Placita Aſſiſarum* (in the *Tower*) *coram* Rogero de Thurkely & *ſociis ſuis*, *Itin. de Banco, anno regni Regis* Henrici *fil.* Johan. 44. *Canc.* I finde theſe Suites and Attachments brought for proſecuting and holding Plea in Eccleſiaſtical Courts, of things whereof they had no Legal Conuſance, againſt the Kings Prohibitions, to the prejudice of the Kings Crown, Dignity, and Subjects Liberties. *An.* 44 H. 3.

Henricus

An. 44 H. 3. Rot. 17. dorso. Buk.

Henricus de Baynorth & Maugerus de Knoll *optulerunt se 4 die versus* R. *Episcopum* Lincolnienſem *de placito, quod esset ad hunc diem & ibi haberet* Mathæum *Archidiacono num* Buk. Johannem de Cumpton *Officialis ejusdem Archidiaconi*, Radulphum *Decanum* & Ranulphum de Neſton, *ad respondendum eis de placito, quare cum Magister* Ranulphus de Neſton *Persona Ecclesiæ de* Preſton in Curia Regis hic coram Juſticiariis recup. ſeiſinam versus prædictos Henricum et Maugerum, *de una virgata & ſex acris terræ cum pertinentiis in* Cunel. *ut Jus Ecclesiæ ſua de* Preſton *per ſervicium ſuſtentandi quendam Capellanum, qui ſingulis ſeptimanis imperpetuum divina celebraret in Capella de* Cunel. *quæ ſubjecta eſt Ecclesiæ prædictæ de* Preſton; *Ita quod iidem* Henricus & Maugerus & *hæredes eorum* diſtringerent *prædictum* Ranulphum, et Rectores ejuſdem Eccleſiæ pro eodem ſervicio neceſſitate compellente: *dicti* Matthæus, Johannes, & Ranulphus *per eo quod idem* Henricus & Maugerus *prædictum* Ranulphum prædictum ſervicium facere recuſantem pro eodem ſervicio ſecundum conſuetudinem Curiæ diſtringerent, tenuerunt inde placitum in Curia Chriſtianitatis inter ipſum Radulphum et prædictum Henricum et Maugerium in præjudicium Coronæ et dignitatis Regis, et contra Prohibitionem, *&c. Et ipſe non venit, & habuit diem per Eſſoniatorem ſuum ad hunc diem. Poſtea* attachiatus fuit *per* Griffinum *Præpoſitum*, & Radulphum le Meſſer. *Ideo ponatur per meliores plegios, quod ſit in craſtino Sancti* Johannis Baptiſtæ. *Et primi, &c.*

Cantebr. Ibid. 18. dorso.

Simon de Chendoz & Willielmus de Sherperell *optulerunt ſe 4. die versus Perſonam Eccleſia de* Malketon *de placito*, quare ſecutus eſt placitum in Curia Chriſtianitatis de catallis et debitis quæ non ſunt de Teſtamento vel Matrimonio, contra Prohibitionem, *&c. Et ipſe non venit, &c. Et præceptum fuit Vicecomiti* quod attachiaret eum *quod eſſet ad hunc diem. Et Vicecomes nichil inde fecit, ſed mandavit quod Clericus eſt, & quod non habet laicum feodum per quod poteſt attachiari: Et ideo mandatur Officiali Epiſcopi* Elienſis, *quod faciat eum venire à die* Paſchæ *in unum menſem per* Bartholomæum Baygnard. The like Suit there is *Rot.* 13. *Kant.* between other perſons.

Rot. 20. intus Eborum.

Alicia de Arnald *optulit ſe 4. die versus prædictum Archiepiſcopum* Ebor. *de placito quod eſſet ad hunc diem, & hic haberet Magiſtrum* Alanum *de* Sexdecim vallibus *ad reſpondendum eidem* Aliciæ *de placito*, quare ſecutus eſt placitum in Curia Chriſtianitatis de catallis et debitis quæ non ſunt, *&c.* contra Prohibitionem, *&c. Et ipſe Archiepiſcopus non venit, &c. Summoneas, &c. ad audiend. Judicium*, attachietur quod ſit ad prædictum terminum.

Rot. 21 dorso.

Præceptum fuit Vicecomiti, quod attachiari faciat Nicholaum de Sancta Maria, *ita quod haberet eum hic ad reſpondendum* Domino Regi *extra regnum ſuum exiſtenti, dum ad cuſtodiam & pupplica negocia regni aſſignaret dilectum Clericum ſuum* Walterum de Merton, idem Nicholaus in contemptum ipſius Regis, et grave impedimentum negotiorum ſuorum, inhiberi procuravit occaſione cujuſdam pecuniæ quæ non eſt de Teſtamento vel Matrimonio, ne aliquis ſub pœna Excommunicationis eidem Waltero communicaret, deſicut pecuniæ et catalla aliaque non ſunt de Teſtamento nec Matrimonio, juriſdictionis dicti Dom. Regis ſunt, et ſpecialiter pertinent ad coronam et dignitatem ſuam. *Et Vicecomes nichil inde fecit, ſed quod* Willielmus Evorard *de* Clifton, & Petrus de Haukeſton *mauuceperunt eum*; ideo ipſi in miſericordia. *Et præceptum eſt Vicecomiti* quod diſtringeret eum per omnes terras, *&c. ita, &c. Et quod de exitibus, &c. Et quod haberet corpus ejus à die* Paſchæ *in quindecim dies, &c.*

Rot. 19. intus Wygorn.

Ricardus de Mucegros *optulit ſe 4. die versus* Ricardum de Bonebam *Officialem Archid.* Wygornienſis *de placito*, quare ſecutus eſt placitum in Curia Chriſtianitatis de catallis et debitis quæ non ſunt de Teſtamento vel Matrimonio, contra Prohibitionem, *&c.* Ricardus *non venit, &* fuit attachiatus *per* Ricardum le Engleys & Adam Couel. *Ideo ponatur per meliores plegios quod ſit in octabis Sancti* Johannis Baptiſtæ, *&c.*

Rot. 28 dorso Devon.

Willielmus de Stokes, & Joel *de eadem, optulerunt ſe 4. die versus* Thomam le Butyller, Atrandum Taunton, Johannem de Cantilupo, Bartholomæum de Pultingmore, & Brianum *de eadem, de placito, quare prædicti* Thomas & *Magiſter* Johannes tenuerunt placitum in Curia Chriſtianitatis de laico feodo prædictorum Willielmi et Joelis in Pultingmore, contra, *&c. Et de placito*, quare prædicti Bartholomæus et Ricardus ſecuti ſunt idem placitum in eadem Curia, contra Prohibit. *&c. Et ipſi non venerunt, &c. Et præceptum fuit Vicecomiti* quod attachiaret eos *quod eſſent*

eſſent ad hunc diem. Et Vicecomes nihil inde fecit, eo quod prædicti Willielmus & Joel *non invenerunt plegios de proſequendo: Et quia prædicti* Willielmus & Joel *fecerant Juſticiariis ſecuritatem de clamore ſuo proſequendo per* Henricum de Bradek *in Comitatu* Eſſex. & Willielmum de Pavilly *de Comitatu* Surr. *præceptum eſt Vicecomiti* quod attachiaret eos, *quod ſint in octabis Sanctæ* Trinitatis, *&c.* *An.* 44 H. 3.

Radulphus Aylwyn *per Attornatum ſuum optulit ſe 4. die verſus* Robertum atte Wolde *et* Thomam *filium ejus de placito*, quare ſecuti ſunt placitum in Curia Chriſtianitatis de catallis et debitis quæ non ſunt de Teſtamento, &c. contra Prohibitionem, &c. *Et ipſi non venerunt*, &c. *Et plures fecit defaltas: Ideo præceptum eſt Vicecomiti quod diſtringat eos per terras: Ità quod habeat corpora eorum in octabis Sancti* Johannis Baptiſtæ, *&c.* Rot. 29. dorſo. Norff.

The Dean and Chapter of *Armach*, during the vacancy of the Archbiſhoprick, according to right and antient cuſtom, having examined and confirmed the Election of *W. de Haya*, made by the Kings licenſe to the Biſhoprick of *Coner*, and he bringing them the Kings Letters Patents which certified it after due examination thereof, though for a time oppoſed by the Clergy of his Dioceſs, they returned the King this Certificate of their confirmation of it, in order to reſtore him his Temporalties.

EXcellentiſſimo Domino ſuo, Domino *H.* Dei gratia illuſtri Regi *Angliæ*, Domino *Hiberniæ*, Duci *Aquitaniæ*; ſui humiles & devotiſſimi, Decanus totumque Capitulum Eccleſiæ *Archmachan.* ſalutem, & tàm debitam quàm devotam cum orationum ſuffragiis in omnibus reverentiam. Cum Eccleſia noſtra nuper per mortem venerabilis patris noſtri bonæ memoriæ *A.* quondam Archiep. *Archmac.* paſtoris ſolatio ſit deſtituta, venerabilis vir *W. de Haya* Eccleſiæ *Coner.* Electus accedens ad noſtram præſentiam, utpote ad quos tum de jure, tum de antiqua et approbata ſedis *Archmac.* conſuetudine ſpectant ſuffraganeorum ipſius ſedis confirmationes, electionem de ſe factam in Eccleſia *Coner.* nobis præſentavit, cum literis veſtris patentibus, in quibus electioni ſuæ veſtrum pium aſſenſum Regium præbuiſtis, et electionem ipſius ipſe et procuratores Cleri *Coner.* a nobis, ſicut decuit, confirmari petierunt. Nos autem ydoneitatem perſonæ ipſius Electi & utilitatem Eccleſiæ *Coner.* conſiderantes, necnon & commodum veſtrum ac regni veſtri per ipſum Electum vobis in *Hibernia* factum & faciend. prout ex relatione Juſticiariorum veſtrorum & aliorum qui ſunt de conſilio veſtro in *Hibernia* plenius intelleximus, de conſilio quorundam ſuffraganeorum Eccleſiæ *Archmac.* qui nobiſcum præſentes fuerant, poſtquam quidam de Clero *Coner.* qui primo ipſi Electo et ſuæ electioni contradixerant, ſcum a ſua contradictione in hac parte penitus deſtitiſſent, electionem Eccleſiæ Electi memorati in omnibus ratificantes, eam ſecundum (juſtitiam) cum exacta diligentia tam in forma quàm in materia examinavimus; & quia electionem ſic examinatam Canonicè invenimus celebratam, eam exigente juſtitia confirmavimus. Hinc eſt quod veſtram Regiam excellentiam in Domino exoramus, quatinus eidem Electo ſic per nos confirmato, temporalia Epiſcopatus *Coner.* cum ſuis pertinentiis ſine moræ diſpendio concedere dignemini. In cujus rei teſtimonium has literas noſtro communi ſigillo ſignatas, una cum ſigillo Decani Sublimitati veſtræ mittimus patentes. Dat. apud *Pontem* in craſtino Sancti *Vincentii* Martyris, anno Domini M. CC. ſexageſimo. Valeat & vigeat Excellentia veſtra per tempora longiora. In Bundela Cert[illegible] tic. a in T don.

Tom. 2. p. 976. l. 4. after *Winton*, adde; In the *Placita de Termino* Paſchæ, *anno* 44 *H.* 3. (in the *Tower*) I found theſe enſuing Prohibitions and Attachments, for holding Plea of and proſecuting Suits in Courts Chriſtian, belonging to the Kings Courts alone. Plac. de Termino Paſchæ, an. 44 H. 3. in Turri London.

Johannes de Foſdich *optulit ſe quarto die verſus* R. Epiſcopum Lincoln. *de placito quod eſſet ad hunc diem*, *Et hic haberet* Johannem *Decanum de* Walecroft *Clericum ſuum*, ad reſpondendum prædicto Johanni de placito, quare ſecutus eſt placitum in Curia Chriſtianitatis de catallis et debitis quæ non ſunt de Teſtamento vel Matrimonio, contra Prohibitionem, &c. *Et Epiſcopus non venit*, &c. et fuit attachiatus per Willielmum *Præpoſitum de* Norton, *et* Walterum Bate. *Ideo ponatur per meliores plegios quod ſit à die Sancti* Michaelis *in* 15. *dies, et ibi habeat*, &c. *Et primi*, &c. Rot. 17. intus Linc.

Ricardus Suthamton *de* Thormesby, Willielmus Northamton, *et* Ricardus Mortbarnd, *per Attornatum ſuum optulerunt ſe quarto die verſus* Willielmum de Suthamton *Canonicum* Lincolniæ *de placito*, quare ſecutus eſt placitum in Curia Chriſtianitatis de catallis et debitis quæ non ſunt de Teſtamento vel Matrimonio, contra Prohibitionem Rot. 20. intus. Linc.

An. 44 H. 3. nem noſtram, &c. *Et ipſe non venit*: *Et præceptum fuit Vicecomiti* quod attachiaret eum, *quod eſſet ad hunc diem. Vicecomes nichil inde fecit, ſet mandavit quod prædictus* Willielmus *Clericus eſt*, et non habet laicum feodum per quod poteſt attachiari. *Et ideo mandatur Epiſcopo* Lincolniæ, *quod faciat eum venire à die Sancti* Johannis Baptiſtæ *in* 15. *dies. Et unde Vicecomes*, &c. *Conſimile verſus Vicarium Eccleſiæ de* Mudiford.

Rot. 22. intus, Kanc. Chriſtiana *filia* Thomæ *optulit ſe quarto die verſus Magiſtrum* Hugonem de Mortuo Mari, *Magiſtrum* Omerum de Cantuaria, & Hamonem Digge *de placito*, quare ſecuti fuerunt placitum in Curia Chriſtianitatis de laico feodo ipſius Chriſtianæ in Cantuaria, contra Prohibitionem, &c. *Et ipſi non venerunt*, &c. *Et præceptum fuit Vicecomiti* quod attachiaret eos *quod eſſent ad hunc diem. Et Vicecomes nichil inde fecit ſet mandavit*, quod non habent laicum feodum, &c. *Et teſtatum eſt, quod habent terras & tenementa*, &c. *ad ſufficienciam*, &c. *Ideo ſicut prius præceptum eſt Vicecomiti* quod attachiet eos *quod ſint à die Sancti* Johannis Baptiſtæ *in* 15. *dies*, &c. *Et unde Vicecomes*, &c. *Et unde teſtatur*, &c.

Rot. 30. dorſo. Suſſex. Johannes le Fry *optulit ſe quarto die verſus Magiſtrum* Galfridum *Archidiaconum* Cyceſtriæ *de placito*, quare tenuit placitum in Curia Chriſtianitatis de catallis et debitis quæ non ſunt, &c. contra Prohibitionem, &c. *Et ipſe non venit*, &c. *Et primò* fuit attachiatus *per* Walterum de Bagenore, *et* Nicholaum de Bekel. *Et ſecundò per* Robertum de Srivesbeme *et* Galfridum Boun. *Ideo ipſi in miſericordia. Et præceptum eſt*, &c. quod diſtringat eum per terras, &c. *Ita quod habeat corpus ejus à die Sancti* Johannis Baptiſtæ *in* 15. *dies. Et prædictus* Johannes *queſtus eſt*, quod prædictus Magiſter perquiſivit breve Domini Regis ad capiendum ipſum pendente placito in Curia hic. Inhibitum eſt Vicecomiti, quod occaſione illius brevis

Rot. 36. dorſo. Northt. de captione nichil faciat. *Conſimilis ſecta, verſus* Johannem *Perſonam Eccleſiæ de*

Rot. 5. dorſo. Noting. Undel. *Conſimilis per* Herbertum de Wlrington *verſus* Ricardum *Perſonam Eccleſiæ de* Corn.

Rot. 7. intus, Kanc. Robertus le Poer *verſus* B. Archiepiſcopum Cantuar. *de placito quod eſſet ad hunc diem, & hic haberet* Robertum *Priorem de* Faverſham, & Radulfum de Eſtling. *Clericos ſuos, ad reſpondendum ei de placito*, quare prædictus Prior tenuit placitum in Curia Chriſtianitatis de catallis et debitis quæ non ſunt, &c. contra Prohibitionem, &c. *Et Vicecomes nichil inde fecit, ſet mandavit, quod præceperat Ballivis Archiepiſcopi* Cantuariæ, *qui nichil inde fecerunt. Ideo præceptum eſt Vicecomiti quod non omittat propter libertatem prædictam quin ſummoneat eum quod ſit in octabis Sancti* Michaelis, *&c. Et unde*, &c.

Ibid. 10. dorſo. London. Simon de Pateſhull, *&c. verſus Magiſtrum* Michaelem *Decanum de Arcubus* London. *de placito*, quare tenet placitum in eadem Curia de catallis et debitis quæ non ſunt, *&c.* Et alterum mandatum fuit Archiepiſcopo Cantuar. quod faceret eum venire, *&c. Et Epiſcopus nichil inde fecit, nec breve miſit. Ideo præceptum eſt Vicecomiti* Kanciæ *quod ſummoneat prædictum Archiepiſcopum quod ſit ad præfatum terminum.*

Rot. 15. intus. Ebor. Willielmus *filius* Philippi *& alii*, &c. *verſus* Rogerum de Shipton *& alios de placito*, quare tenuerunt placitum in Curia Chriſtianitatis de catallis, *&c.* contra Prohibitionem, *&c.*

Rot. 3. intus. Lond. Walterus Kaer & Rich. *fil. ejus optulit ſe* 4. *die verſus* B. *Archiepiſcopum* Cantuar. *de placito, quod eſſet ad hunc diem, & haberet hic* Michaelem *Decanum de Arcubus* London. Rich. de Clapham, & Willielmum *Decanum de* Depedal *Clericos ſuos, ad reſpond. prædict.* W. *et* R. *de plac.* quare prædicti W. et R. tenuerunt placitum in Curia Chriſtianitatis de catallis et debitis quæ non ſunt de Teſtamento vel Patrimonio, contra Prohibitionem, *&c. Et de placito*, quare prædict. Will. ſecutus eſt idem plac. in eadem Curia, contra Prohibitionem noſtram. *Et ipſe non venit*, &c.

Ibid. rot. 26. Lanc. Willielmus de Sywel attach. fuit *ad reſpond.* Richardo le Fleming *de plac.* quare ſecutus eſt plac. in Curia Chriſtian. de catall. et deb. quæ non ſunt, *&c.* contra Prohibit. *&c. Et unde prædict.* R. *queritur, quod cum prædict.* Will. traxiſſet ipſum in placitum in Curia Chriſtian. *coram Priore de* Conyngeſheved, *exigend. ab ipſo* 40 s. *& ſimiliter* Advocationem Eccleſiæ *de* Erlondem; *Et ipſi, &c. detuliſſet eidem* Willielmo Prohibit. Dom. Regis, *ne prædictum placitum ſequeretur. Et prædict.* Willielmus, ſpreta Prohibit. Dom. Regis, ſecut. fuit prædict. placit. in eadem Curia, ita quod fecit eum ab ingreſſu Eccleſiæ ſuſpendi, et poſtea excomm. *Et dicit*, quod

deterio-

deteriozatus eſt, et damnum habet ad valenc. C. ſol. *Et inde producit ſectam, &c.* Et pzohibitum eſt ne ſequatur pzædictum placitum. *An.* 44 H. 3.

– Beuglos Brun *appellat* Radulph. Vimen, *de morte* Walteri *fratris ipſius* R. *Et* Radulpus *venit*; *et ſuper hoc venit quidam Magiſter* Wilielmus de Capella *Clericus* W. *Epiſcopi* Exon. *differrens literas prædicti Epiſcopi, per quas idem Epiſcopus conſtituit ipſum ad petend. & recipiend. hic prædict.* Radulphum *Clericum ſuum ipſius Epiſcopi*; *Et petit ipſum tanquam Clericum. Et prædict.* Beuglos *quæſitus*, ſi vellet ſequi in Curia Chziſtianitatis verſ. pzædictum Radulph. de pzædicta mozte? dicit quod ſic. *Et dictum eſt Magiſtro* Willielmo, quod celerem juſtitiam exhibeat pzædicto Beuglof. et quod certum diem ei pzæfigat. Et Willielmus pzæfixit eidem in craſtino S. Trinitatis in Cathzedzali Eccleſia de Exon. is ei liberatur. *Et dictum eſt prædict.* Beuglof. quod niſi celerem juſtitiam ei exhibeant, quod redeat, *&c.* Ibid. rot. 16. Cornub.

In *Trinity* Term, the ſame year, I finde theſe Suites and Attachments of the ſame kinde as the preceding. Plac. de Term. S. Trin. Anno 44 H. 3. in Turri Lond. Ebor.

Hugo le Bigod *per Attornatum ſuum optulit ſe quarto die verſus* Godefridum *Archiepiſcopum* Ebor. *de placito, quod haberet ad hunc diem Magiſtrum* Hugonem de Cantilupo *Præcentorem Eccleſiæ* Ebor. Willielmum *Archidiaconum* Richemond. & Johannem de Heſel *Clericos ſuos, ad reſpondendum eidem* Hugoni *de placito*, quare idem Pzæcentoz et Archidiaconus tenuerunt placitum in Curia Chziſtianitatis de tercia parte advocationis Eccleſiæ de Cottingham, contra pzohibitionem, *&c. Et de placito*, quare pzædictus Johannes ſecutus eſt idem placitum in eadem Curia Chziſtianitatis, contra eandem Pzohibitionem, *&c. Et ipſe non venit; & plures fecit defaltas. Ita quod præceptum fuit Vicecomiti*, quod diſtringat eum per omnes terras, *&c.* Ita quod de exitibus, *&c.* Et quod haberet cozpoza ejus ad hunc diem. *Et ſimiliter præceptum fuit Vicecom. ſicut aliàs, &c.* quod diſtring. Richardum de Tauge, Johannem de Harbir, Robertum de Sinke, Willielmum le Bretun, Michaelem de Bermiteworth, Adam le Butil. Johannem de Chelray, Radulphum de Normanvill. Adam de Naweſcapp, Johannem de Barkeſton, Nigell. de Stockholt, & Henr. de Auſton per terras, *&c.* Ita quod haberet cozpoza, *&c. ad rec. &c.* ſi Willielmus le Latymer *quondam Vic.* Ebor. *per ultimum præceptum ei directum* de diſtringendo pzædictum Archiepiſcopum per, *&c. quod eſſet coram Juſtic. hic à die S.* Hillarii *in* 15. *dies anno* r. H. 3. 40. et quod de exitibus terrarum et catall. ſuozum Domino Regi reſponderet, de exitibus terrarum et catallozum ipſius Archiepiſcopi in Balliva ſua; ſcilicet de bladis, catallis, redditibus, et firmis ad pzædictum terminum reſponderi potuit, *circiter quadringent. vel quingent. marc. ſicut prædictus* Hugo *dicit, vel non*; *de quibus Domino Regi nihil reſpond. ſicut ei præceptum fuit. Et ſimiliter præceptum fuit Vic. ſicut aliàs, &c. quod venire faceret* Thomam de Bella aqua, Willielmum de Richere *Clericum*, Radulphum *fratrem ejus*, & Hugonem de Laſcy, quibus Willielmus le Latymer tunc Vicecomes Ebor. commiſit Maneria ipſius Archiepiſcopi de Shireburne et Cawod, et omnia bona in pzædictis Maneriis inventa, pzout idem Willielmus pzæfatis Juſticiariis ſuis apud Weſtm. mandavit ad reſpondendum Domino Regi de exitibus pzædictis. *Et ipſi non venerunt. Et Vic. mandavit*, quod pzædictus Archiepiſcopus diſtrictus eſt per omnes terras, *&c.* in Baronia ſua; ſcilicet, apud Shireburne, Wylton, Barton, Sotelay, *et* Cawod: Et quod exitus illarum terrarum committantur Roberto de Wyleby, Radulpho de Mileford, Thomæ de Barkeſton *et* Johanni *de eadem*, Willielmo de Geneldale *in* Fangefoſſe, Radulpho *fil.* Mariotæ *de eadem*, Willielmo de Wodehall, Richardo le Caret *de* Beverlee, *et* Johanni de Lond. *de eadem*, Falconi de Sakesfend, *et* Willielmo *fil.* Willielmi de Beineton ad reſpondendum de exitibus pzædictarum terrarum, ſet noluit permittere cozpus ſuum attachiari. *Et ideo ſicut prius* pzæceptum eſt Vic. quod diſtring. eundem Archiepiſcopum per omnes terras, *&c.* Ita quod de exitibus, *&c.* Et quod habeat cozpus ejus a die Sancti Michaelis in tres ſeptimanas, *&c.* Et pzæcept. quod venire fac. pzædictos Willielmum de Wyleby et alios, quibus videlicet exitus terrarum pzædictarum commiſſi fuerunt, ad reſpondendum de eiſdem ad eundem terminum. Et ſimiliter quod diſtringat pzædictos Thomam de Bella aqua, et alios quibus pzius exitus Maneriozum pzædicti Archiepiſcopi de Shireburne et Cawod commiſſi fuerunt, per omnes terras, *&c.* Ita quod habeat cozpoza eozum ad eundem terminum, ad reſpondendum de exitibus illis. Et ſimiliter quod diſtr. pzædictos Jur. per omnes terras, *&c.* Ita quod de exitibus,

An. 44 & 45 Hen. 3. bus, &c. Et quod habeat corpora eorum ad eundem terminum, ad recogn. in forma prædicta, &c.

By which Record we may diſcern, 1. What manifold delayes and contempts theſe Eccleſiaſtical Officers and the Archbiſhop made in this Caſe, againſt the Kings Writs and Proceſs. 2ly. The negligence of the Sheriffs and others in executing and levying the iſſues of their Manors and Lands ſeiſed for their contempts, and bringing them in to the Kings uſe, as they were enjoyned; by reaſon of underhand Bribes and other indirect means, to the delay of Juſtice againſt them, and encouragement of them in their uſurpations on the Crown, and vexations to the Subjects.

Ibid. Kanc. Hugo Ingman *optulit ſe 4. die verſus* Matil. de Ferlinghove *de placito*, quare ſecuta eſt placitum in Curia Chriſtianitatis de catallis et debitis quæ non ſunt, *&c.* contra Prohibitionem, *&c. Et ipſa non venit; & plures fecit defaltas. Ita quod præceptum fuit Vic.* quod diſtr. eam per terras, *&c. Ita quod* haberet corpus ejus *ad hunc diem. Et Vic. nichil inde fecit, ſed mandavit quod nichil habet in Balliva ſua per quod poteſt diſtr. Et ſuper hoc teſtatum fuit in eadem Curia, quod habet terras & tenementa apud* Ferlinghove *ad ſufficientiam per quæ poteſt diſtringi: Et ideo præcept. eſt Vic.* quod diſtr. eam per omnes terras et tenem. *&c. Ita, &c. et quod habeat corpus ejus à die Sancti* Michaelis *in unum menſem. Et benè teſtatum eſt, &c.*

Ibid. Kanc. *Idem* Hugo & Ricardus le Venir *optulerunt ſe 4. die verſus* Willielmum de la Gare, Henr. de Pinneſdu, Radulphum *Clericum*, Walterum de Chapeleyn, Emericum *Priorem de* Folkeſtan, & Simonem le Chapeleyn *de placito*, quare tenuerunt placitum in Curia Chriſtianitatis de catallis et debitis quæ non ſunt, *&c.* contra Prohibitionem, *&c. Et ipſi non venerunt. Et præceptum fuit Vic.* quod attachiaret eos, *&c.*

Ibid, Wygorn. Johannes Rehal *habet conſimilem ſectam verſ.* ——— Ripel.

Rot. 13. dorſo, Hereford. Robertus Bugard *optulit ſe, &c. verſus* Nicholaum de Hundelawe *de placito*, quare ſecutus eſt conſimile placitum in Curia Chriſtian. *Et ipſe non venit; & plures fecit defaltas. Ita quod primò* fuit attach. per, *&c.*

Rot. 7. intus, Eborum. Hugo le Bigod *per Attornatum ſuum opt. ſe, &c. verſus* G. *Archiepiſcopum* Eborum *de placito, quod eſſet ad hunc diem, & ibi haberet Magiſtrum* Hugonem de Cantilupo *Præcentorem Eccleſiæ* Ebor. Willielmum *Archidiac.* Richemund. & Johannem de Heſellad *ad reſpondendum ei*, quare prædicti Præcentor et Archidiac. tenuerunt placitum in Curia Chriſtianitatis de tercia parte advoc. Eccleſiæ de Cotingham; *& de placito*, quare prædictus Johannes ſecutus eſt idem placitum, *&c.* contra Prohibit. *&c. Et ipſe non venit; et plures fecit defaltas. Ita quod præcept. fuit Vic.* quod diſtr. eum per, *&c. Ita quod de exitibus, &c. Et quod haberet corpus, &c. Et ſimiliter prac. fuit Vic.* quod diſtr. Ricardum Tange *& ſoc. ſuos, &c.* per terras, *&c. Ita quod haberet corpora eorum hic, &c. ad rec. &c. Si* Willielmus le Latimer *dum fuit Vic. prædicti Com. per ultimum præceptum Domini Regis ei directum de diſtr. prad. Archiepiſcopum per terras, &c. quod eſſet coram Juſtic. hic, &c. Et quod de exitibus terrarum, &c. reſpondiſſe potuerit circiter* 40. *vel* 50. *Marcas, ſicut prædictus* Hugo *dicit, vel non. Et Vic. &c. mandat quod breve adeo tardo, &c. Et ideo ſicut prius præc. eſt Vic. quod diſtr. prædictum Archiepiſcopum, &c. Et ibi habeat prædictos Clericos ſuos, &c. Et ſimiliter quod diſtringat prædictos Jurat. &c. ad faciendum prædictam Juratam, &c. Et unde Vic. mandat, &c.*

Plac. de Termino S. Mich. an. 44 & 45 H. 3. in Turri London. In the *Placita de Annis* 44. & 45. H. 3. (in the *Tower*) *coram* G. de Preſton, Johanne de Wyvill, *et* Johanne Kava, *Juſtic. de Banco*; I finde theſe Actions and Attachments upon Prohibitions, for proſecuting and holding Suits in *Court Chriſtian* againſt the Kings Prohibitions, Crown and Dignity, to the Subjects damages. *Rot. 6.* Ebor. Emma Waſthuſe *verſus* Johannem de Langeton *Archid. de* Weſtriding, *et* Radulphum *Perſonam de* Cornberry, *Decanum de* Aneſleya, *de placito*, quod tenuerunt placitum in Curia Chriſtianitatis de catallis et debitis quæ non ſunt de Teſtamento vel Patrimonio, contra Prohibitionem, *&c. Rot.* 10. Norff. Johannes *fil.* Bartholomæi de Wangſanghull, and two more, attachiati fuerunt *ad reſpondend.* Willielmo de Wigehall, *quare ipſi*, with two others, proſecuti fuerunt placitum in Curia Chriſtianitatis de catallis et debitis quæ non ſunt, *&c. ad damnum* C. *ſol. Rot.* 11. Heref. Robertus Hagard *verſus* Nicholaum de Handelaw. *Rot.* 15. London. Henric. *Perſona Eccleſiæ Sanctæ* Margaret. *in* Friday-ſtreet, attachiatus fuit *ad reſpondendum* Henrico Wilmercut; quare ſuſpendit eum ab ingreſſu

Eccleſ.

Eccleſ. et excommunicavit, contra Prohibitionem Dom. Regis, ad damnum C. *l.* *An.* 45 H. 3.
Rot. 17. Middſ. Willielmus *fil.* Philippi de Rus attach. fuit *ad reſpondend.* Richardo de Tayllur. *Rot.* 25. the like by the *Prior* de la Grace *verſus Magiſtr.* Petr. de Audeham. *Rot.* 29. the like by Walterus de Clifford, *verſus* Auketellum *Decanum* Hereford. *et* VVillielmum *Archidiac.* Hereford, *Rot.* 30. Hereford. the like by VVillielmus Huſſemayne *verſus Magiſt.* Stephanum de Garwill. *Rot.* 34. the like, Johannes *Perſona Eccleſiæ de* Daneſy, qui attachiatus eſt *ad reſpondend.* Godefrido de London. The like *Rot.* 36. *Magiſt.* Rogerus Moyin *Prior S.* Trinitatis Ebor. Gilbertus de Vicarye, *et* Johannes de Anhul attachiati ſunt *ad reſpondend.* Aliciæ de Amikfall, &c. unde deteriorata eſt, et damnum habet ad valen. C. Marc. *Rot.* 43. Surr. The like by VVillielmus *fil.* Euſtachii de VVowereis *verſus Magiſt.* Robertum *Officialem Archid.* Surr. Robertum *Decanum de* Guldesford, *et* Hugonem de la Horte. Beſides theſe Suits and Attachments upon Prohibitions in Suits for Chattels and Debts, there are theſe Attachments upon Prohibitions for Suits for Free-holds then proſecuted and held in Courts Chriſtian: *Ibid. Rot.* 34. Eſſex. Johannes *Perſona Eccleſiæ de* Daneſye attachiatus fuit *ad reſpondend.* Matildæ Bacun *de placito*, quare ſecutus eſt placitum in Curia Chriſtianitatis de laico feodo ipſius Matild. in Daneſye, contra Prohibitionem, *&c.* unde damnum habet ad valenciam 20. l. *Item Rot.* 38. *et Rot.* 46. Linc. VVillielmus de Shyrevel *verſus Magiſtr.* Nicholaum de S. Quintino. But that which is the moſt memorable caſe of this kinde in theſe Plea-Rolls, I ſhall preſent you with at large. * Nicholaus de VVotteſdene attachiatus fuit *ad reſpondendum* Ricardo *fil.* Godefrido de VVycumbe *de placito*, *quare cum idem* Nicholaus *vadiaſſet ei quandam legem de hoc*, quod nullum placitum tenuit in Curia Chriſtianitatis de catallis et debitis quæ non ſunt de Teſtamento vel Patrimonio, contra Prohibitionem, *&c. Et legem illam feciſſet*; et ei injunctum eſſet per Juſticiarios hic, ne prædictum placitum ulterius teneret, et ſi prædictum Ricardum occaſione prædicti placiti excommunicaſſet, ipſum Ricardum ſine dilatione abſolvi faceret. Idem Nicholaus ipſum Ricardum nondum abſolvi fecit, ſicut ei injunctum fuit per Juſticiarios hic, *&c.* Immo impetravit literas Regis de capiendo prædictum Ricardum occaſione prædicti placiti, &c. *Et unde prædictus* Ricardus *queritur*, *quod cum vadiaſſet ei legem*, *ſcil. legem in octabis Sancti* Michaelis *anno* 44 H. 3. *et illam legem feciſſet in Curia Regis hic*, et injunctum ei fuiſſet, ne ulterius prædictum placitum teneret, et ſi ipſum occaſione prædicti placiti excommunicaſſet vel excommunicari procuraſſet, ipſum abſolveret vel abſolvi procuraret; prædictus Nicholaus ſpreta Inhibitione Juſticiariorum, ſententias Excommunicationis, quas prius in perſonam ſuam ſingulis diebus feſtivalibus innodaverat, puplice et ſolempniter iterum promulgavit, ac quoſdam hoſpites ſuos qui cum ipſo in domo ſua voluerunt hoſpitari, excommunicavit, et ipſos cum ipſo communicantes coram ipſo fecit ſummoneri, in Eccleſia Omnium Sanctorum de VVycumbe, et coram Cruce ſpoliari et denudari, et circa Eccleſiam illam fuſtigari. Et poſtea literas Regias de capiendo ipſum Ricardum tanquam excommunicatum in prædicta ſententia perſeverantem per quadraginta dies et amplius impetravit. Ita quod idem Ricardus partes ſuas fugit, nec auſus fuit morari ibidem facere donec remedium inde optineret per R. de Thurkelby: Et cum idem Ricardus in extremis laboraret, mortis extrema ſenſerat, Jura Eccleſiaſtica poſtulaverat, ipſi adminiſtrari firmiter inhibuit, et denegari. Dicit enim, quod quando corpus Laurentii le Criur, qui interfectus fuerat, deferebatur in prædicta Villa de Wycumbe ad domum ipſius Ricardi, Hugo le Criur et alii Servientes de banco, qui ibidem venerant ad ſervicium mortuorum decenter peragendum, in domo prædicti Ricardi pro prædicto mortuo, prædictus Nicholaus omnibus qui interfuerunt nunciavit, prædictum Ricardum per longum tempus fuiſſe excommunicatum, et in prædicta ſententia perſeveraſſe, propter quod omnes qui ibidem convenerant ipſum reliquerunt, et ſecum noluerunt communicare, et detulerunt corpus prædicti defuncti ad quoddam Hoſpitale extra Wycumbe, ad grave dampnum ipſius Ricardi, et in contemptum Inhibicionis Juſtic. unde dicit quod deterioratus eſt et dampnum habet ad valenciam Centum librarum: Et inde producit ſectam, &c.

* Plac. de Termin. S. Hill. an. 45 H. 3. rot. 72. intus, Bucks.

Nota.

Et Nicholaus *venit*, *et defendit vim et injuriam quando*, *&c. Et benè defendit*, quod nunquam poſtquam vadiaſſet prædictam legem non traxit ipſum Ricardum in placitum in Curia Chriſtianitatis, quia dicit, quod non fuit Ordinarius loci illius, nec alicujus Ordinarii vices gerebat, nec unquam poſt excommunicavit, nec ali-

An. 45 H. 3. quem cum ipso commorantem, nudum circiter Ecclesiam fecit fustigari, nec aliquod breve Domini Regis impetravit de capiendo ipsum Ricardum tanquam excommunicatum, nec ipsi Ricardo in periculo mortis jacenti Jura sua denegavit, nec inhibuit denegari, nec unquam impedivit Capellanos Clericos nec Laicos celebrare servicium mortuorum pro prædicto Laurentio in domo ipsius Ricardi, si illud servicium ibidem fecisse voluissent. Et de hoc ponit se super patriam. *Ideo præceptum est Vicecomiti quod venire faciat hic in octabis Sancti* Hillarii *duodecim*, &c. *per quos*, &c. *Et qui nec*, &c. *ad recognoscendum in forma prædicta*; *quia tam*, &c. *Et concessum est hinc inde.* The Verdicts and Judgements thereupon are not entred in the Plea-Rolls.

By all these premised Complaints, Suits and Attachments upon Prohibitions in the *Common Pleas* in one or two Terms, we may clearly discern; First, our Bishops, Archdeacons, Officials, and other Ecclesiastical Judges manifold encroachments upon the Rights, Prerogatives of the King, and Jurisdiction of his Temporal Courts. 2ly. Their frequent high contempts of the Kings Prohibitions issued to them. 3ly. Their intollerable oppressions, vexations of Subjects by such injurious Suits, to their great damage, enforcing them to sue to the Kings Courts for Prohibitions, Attachments, and Writs to recover their damages thereby sustained, with their manifold delayes, defaults, and contempts, in refusing to appear upon summons and Attachments against them. 4ly. Their frequent malicious Excommunications of them; and such who conversed with them, when enjoyned by the Judges to absolve them, of purpose to hinder, discourage them and others to sue for Prohibitions to restrain these their injurious usurpations. 5ly. The Kings, Judges care and readiness in that age to restrain these their Usurpations and Excommunications, by Prohibitions and Attachments against the Ecclesiastical Judges themselves, and Prosecutors of such Suits before them, by their instigation, who were for the most part Clergy-men, (as you may observe) they all combining about this time by their * *Articles* and *Constitutions*, to trample the Kings Prerogative, Courts, Judges, Officers, Laws of the Realm, and Subjects Liberties under their feet, and bring them under their Interdicts and Excommunications for issuing Prohibitions and Attachments against them.

* See here, Tom. 2. pag. 890, to 912. 983, 989, 990, 991.

Tom. 2. p. 948. l. 10. after *Westm.* insert; * *Anno gratiæ* 1261. impetrata fuit palam litera de absolutione Regis et Edwardi filii sui super juramentis prælatis, *prout diximus*: sed Edwardus illam absolutionem noluit accipere, Rege in pertinacia persistente. *Audientes Magnates Regem taliter absolutum, missis nunciis humiliter rogabant*, ut communiter prælatum juramentum inviolabiliter observare vellet, *& si quid displiceret, eisdem ostenderet ad emendandum.* Qui nequaquam adquiescens, dure et minaciter respondit, dicens; quod eis a conventione deferentibus, non amplius acquiesceret, sed unusquisque deinceps suis propriis defensionibus procederet. Hereupon *Boniface* Archbishop of *Canterbury*, and *John Maunsel* Treasurer of *York*, the Popes Chaplain, by the Kings command, issued this Mandate to the Abbot of S^t. *Maries* in *York*; wherein they inserted Pope *Alexander's* memorable Bull, dissolving, nulling all leagues and confederacies against the King by the Barons, enjoyning them *faithfully to obey and submit unto him, under pain of Excommunication of their persons, and Interdict of their lands*; *absolving the King from his Oath to observe the Articles of* Oxford: and admonishing *Hugh de Bygod* before sufficient witnesses to surrender the Castles of *Scardeburg* and other Forts to the King; as this Certificate of the Abbot, (which I found in the *White Tower*) will more at large inform us, and of *Hugh de Bygod's* answer thereunto.

* Mat. Paris. Hist. Angl. p 959.

Bundela Certif. Ann 45 H. 3. in Turri London.

VEnerabili patri in Christo *B.* Dei gratia *Cantuariensi* Archiepiscopo, *Angliæ* Primati, & Domino *Johanni Maunsell.* Thesaurario *Ebor.* & Domini Papæ Capellano, *S.* permissione Divina Abbas S. *Mariæ Ebor.* salutem in Domino. Literas vestras undecimo Kal. *Septembris*, hora vespertina, in hæc verba recepimus. B. *Dei gratia* Cantuariensis *Archiepiscopus totius* Angliæ *Primas*, *&* J. Maunsell. *Thesaurarius* Ebor. *& Domini Papæ Capellanus*; *viro venerabili & discreto Abbati beatæ* Mariæ Ebor. *salutem in Domino: Mandatum Domini Papæ suscepimus in hæc verba*; *Alexander* Episcopus servus servorum Dei, venerabilibus patribus Archiepiscopo *Cantuariensi*, & Episcopo *Norwicensi*, & dilecto filio *Johanni Maunsell.* Thesaurario *Ebor.* Capellano nostro, salutem & Apostolicam benedictionem.

Ratio-

rationabilibus ſenſibus materiam juſtæ admirationis impoꝛtat *ſecurim adverſus illum qui cedit in ea, vel ſerram contra illum qui trahit ipſam*, eos videlicet, quos poteꝛibus legitimus ſubminiſtrationum oꝛdo ſubjecit, adverſus authoꝛitatem pꝛæſidentium elevari; et Pꝛincipes, legum Dominos, quos pꝛæ ſuis participibus cœleſtis oꝛdinatio ſublimavit, pꝛemi arbitrio ſubditoꝛum. Propterea nos mirari cogit publicæ relationis aſſertio auribus noſtris inſinuans, quod nonnulli Barones, Pꝛoceres, Magnates, et alii tam Clerici quam Laici regni *Angliæ*, ſub pꝛætextu reſoꝛmandi ſtatum ejuſdem regni, quaſdam Conſtitutiones, Oꝛdinationes, et Colligationes chariſſimi in Chꝛiſto filii noſtri, Regis *Angliæ* illuſtris titulo, in diminutionem et depꝛeſſionem poteſtatis et libertatis Regiæ factas, juꝛejuꝛando firmaveꝛunt; et ab eodem Rege ac plurimis aliis dicti regni Clericis et Laicis, ut ad obſervationem earum ſuis ſe juramentis aſtringeꝛent peꝛ quandam impꝛeſſionis inſtantiam exegeꝛunt. Cum igitur idem Rex, quem inteꝛ ceteꝛos Chꝛiſtianos Pꝛincipes fidei Chꝛiſtianæ ſinceꝛitas et Catholicæ devotionis integꝛitas recommendant, non ſit quoꝛumlibet depꝛimendus ſtudiis, ſed omnium favoꝛibus eꝛigendus; nos volentes ipſius honoꝛificentiæ aliqꝛumque pꝛovidere ſaluti, diſcretioni veſtræ peꝛ Apoſtolica ſcripta diſtricte pꝛæcipiendo mandamus, quatinus vos omnes, vel duo veſtrum, aut tu (frater Archiepiſcope) ſolus, pꝛædictos Barones, Pꝛoceres, Magnates, et alios monere attentius et efficaciteꝛ inducere ſtudeatis, non obſtantibus huſuſmodi juramentis (a quibus cum non debeant eſſe pꝛavitatis vincula, eos alias peꝛ vos abſolvi mandamus,) pꝛæfato Regi tanquam Pꝛincipi ſuo adhæꝛeant fideliteꝛ et intendant, ſibi debita pꝛompte fidelitatis et pacifice ſubjectionis obſequia exhibentes; nec pꝛætextu Conſtitutionum, Oꝛdinationum, vel Colligationum pꝛædictaꝛum aliquatinus impedientes eundem, quominus utatuꝛ libeꝛe pꝛiſtina in omnibus plenitudine Regiæ poteſtatis. Si veꝛo ipſoꝛum aliqui monitis veſtris adquieſceꝛe foꝛtaſſe renuerint, vos omnes, vel duo veſtrum, vel tu (frater Archiepiſcope) ſolus, eos cujuſcunque ſint conditionis et gradus vel oꝛdinis, ad id peꝛ Excommunicationis in peꝛſonas, et Interdicti in teꝛras eoꝛum ſententias, ꝛemoto Appellationis obſtaculo, compellatis, ſicut ſtatui dicti Regis et regni ſui viderit is expedire, non obſtantibus aliquibus pꝛivilegiis vel indultis, generaliter vel ſpecialiter, quibuſcunque ab Apoſtolica ſede conceſſis, peꝛ quæ non expꝛeſſa pꝛæſentibus vel totaliteꝛ non inſeꝛta, mandati noſtri executio impediri valeat vel diſferri; ſeu Conſtitutione de duabus dietis edita in Concilio generali. Si quid autem in eiſdem Conſtitutionibus et Oꝛdinationibus, quod abſque nullo alieni juꝛis vel pꝛivilegioꝛum, ſeu indultoꝛum, aut mandatoꝛum ſedis Apoſtolicæ pꝛæjudicio, Eccleſiarum et Eccleſiaſticaꝛum peꝛſonaꝛum regni pꝛæfati favoꝛem vel commodum ꝛeſpiciat, continetuꝛ, id iꝛritum nolumus, vel quo ad illud Juramenta pꝛædicta nullatenus ꝛelaxaꝛi. Sic itaque ſanè intelligi volumus & mandamus, quod in aliis literis noſtris, quas ſuper ꝛelaxatione Juramentoꝛum pꝛædictoꝛum et pꝛædictis Colligationibus diſſolvendis conceſſimus, eſt expꝛeſſum, ne dum huſuſmodi Juramenta, Conſtitutiones et Oꝛdinationes, in quantum * Eccleſiaſticis utilitatibus conſonant, ꝛelaxaꝛi et immutaꝛi nolumus, aliquid in illis pꝛobaſſe ac toleꝛaſſe cꝛedamuꝛ, quod aut Jus læſat alteꝛius, aut poteſtati noſtræ ſeu gratiis quas Sedes memoꝛata conceſſit, quomodolibet adveꝛſetuꝛ. Datum *Viterbii* Non. *Maii*, Pontificatus noſtri anno ſeptimo. *Hujus igitur auctoritate Mandati vobis diſtricte & in virtute obedientiæ pꝛæcipiendo mandamus, quatinus peꝛſonaliter accedentes ad* Hugonem le Bigod, *adhibitis teſtibus idoneis, monitu eundem, ut Caſtra de* Scardeburgh. *&* Pikering. *quæ ſunt Domini Regis*, eidem Domino Regi libeꝛe et abſque aliqua contradictione ꝛedeat et deliberet infra quindecim dies poſt monitionem veſtram; intimantes eidem, quod niſi veſtræ paꝛuerit monitioni, nos extunc contra ipſum peꝛ Excommunicationis et Interdicti ſententias juꝛta foꝛmam Mandati Apoſtolici pꝛoceꝛdemus. *Quid autem ſuper pꝛæmiſſis feceꝛitis, & reſponſionem, nobis peꝛ veſtras patentes literas feſtinanter & integraliter ꝛeſcꝛibatis; Copiam pꝛædicti* Mandati Apoſtolici *pꝛæſentibus inſeꝛti, quod ſub Sigillis noſtris vobis tranſmittimus, eidem, ſi à vobis petieꝛit, facientes. Datum apud* Wyndeſor. 8. *die* Auguſti, *anno Dom.* 1261. Noveꝛitis igitur, nos in forma ſupꝛaſcꝛipta ad dictum Dominum *H. de Bigot* peꝛſonaliter aceeſſiſſe, & ipſum apud *Kyrkebymoreſheſd* diligenteꝛ monuiſſe, ut dicto Domino noſtꝛo Regi *Angliæ* H. Caſtra de *Scardeburg.* & *Pikering* libeꝛe et abſque contradictione ꝛedeat et deliberet, juxta foꝛmam in literis veſtris contentam: Qui nobis ꝛeſpondit, Quod de voluntate et mandato Domini Regis et ſuoꝛum Magnatum

An. 45 H. 3.

* Nota.

An. 45 H. 3. tum juratorum ea recepit ſub juramento ſuo corporaliter præſtito, fideliter cuſtodienda; et nemini ſine voluntate et mandato expreſſo dicti Domini Regis et eorundem Magnatum reddenda ſeu deliberanda. Verum idem Dominus *H. le Bigot* profitebatur, ſe promptum et paratum Caſtra memorata dicto Domino Regi de conſilio et voluntate expreſſa dictorum Magnatum vel ſaltem majoris partis eorundem reſtituere. Dat. apud *Hilburg.* 3. Kal. *Septembris*, anno Domini 1261.

What Juriſdiction the King then had in and exerciſed over his Free-Chappels, in viſiting, reſuming, and revoking the Lands alienated from them, this Letter of the Canons and Vicars of S^t. *Panchrii* to the Kings Chancellor, complaining of and appealing againſt grievances done to them by *Adam Wymer*, under pretext of a conceſſion from the King, will inform us.

Bundela Literarum in Turri London. an. 45 H. 3.

EXcellenti viro & Domino in Chriſto chariſſimo, Domino *Waltero de Merton*, Domini Regis Cancellario; devoti Clerici ſui pauperes, Canonici & Vicarii Eccleſiæ de *Penchriz*, & liberæ Capellæ Domini Regis, ſalutem & quicquid poſſunt obſequii reverentiæ & honoris. Cum in neceſſitatibus et gravaminibus Eccleſiæ noſtræ illatis ad Dominum Regem et ad ſuum Cancellarium habere refugium conſueverimus; veſtræ reverendæ Excellentiæ conquerendo duximus ſignificandum, quod *Adam Wymer*, prætextu cujuſdam procurationis Domini Regis, continentis, quod poſſit omnia illicite alienata et diſtricta a liberis Capellis Domini Regis in partibus noſtris revocare, et corrigere defectus quos decet Regiam dignitatem corrigere, quibuſdam Poſſeſſionibus, Redditibus, et Decimis communæ Eccleſiæ noſtræ intuitu charitatis, et diu poſſeſſis, ut Canonici reſidentes et Vicarii, dictam Communam privare præſumpſit, in depreſſionem et everſionem quaſi totius divini obſequii in Eccleſia memorata. Facta tamen priùs inquiſitione die Aſſumptionis beatæ Virginis per viros ſuſpectos, nobis contra hoc reclamantibus & appellantibus, propter quam appellationem Præbendam Magiſtri *Ricardi de Penchriz* cepit in manum Domini Regis, quantum in ſe fuit. Hinc eſt, quod reverendæ Dominationi veſtræ flexis genibus & cum qua poſſumus devotione ſupplicamus, quatinus, intuitu caritatis, literas Domini Regis nobis concedere velitis, quod, non obſtante facto dictæ *Ade* in hac parte, libera prædictorum uti valeamus poſſeſſione, ſicut priùs facere conſueverimus; cum fines ſuæ Procurationis in hoc exceſſerit, quod non poſſunt dici alienata illicitè vel diſtracta, quæ in propiores uſus & utiliores illius Eccleſiæ ſunt converſa, interveniente authoritate Decanorum Eccleſiæ; Nos verò parati ſumus ipſum juvare pro poſſe noſtro, alienata ab Eccleſia noſtra revocare, pro Deo, ſuper præmiſſis aliquod remedium nobis providere dignemini, & nos in orationibus Eccleſiæ noſtræ vos recommendatos habebimus imperpetuum. Valeat, *&c.*

The Abbot of S^t. *Edmund's* by reaſon of his exemption from the Archbiſhop of *Canterburie's* Juriſdiction, refuſed to obey his commands, though for the Kings own ſervice, in commanding his Caſtles to be rendred to him by their detainers; as this Letter to the Kings Chancellor will inform us.

Bundela Literarum in Turri London. W. de Merton. Canc. D. Regis, An. 45 H. 3.

AMico ſuo dilectiſſimo, Domino *W. de Mertun.* Cancellario Domini Regis, *J. Mannſell.* Theſaurario *Ebor.* ſalutem, *&c.* Cum Dominus Abbas Sancti *Edmundi* prætendat ſe exemptum eſſe a juriſdictione Domini Archiepiſcopi *Cantuarienſis*, & eo prætextu ſuo renunciaret privilegio (ut dicitur) ne mandatum ejuſdem Archiepiſcopi ſibi directum pro negotiis Domini Regis, pro Caſtris ejus eidem Domino reddendis, non ſit executum; Diſcretioni veſtræ ſignificamus, quod Domino Regi aliquem non exemptum loco prædicti Abbatis pro expeditione prædicti negotii ſubſtituerit. Affectamus enim multum privilegia beati *Edmundi* conſervari illæſa. Et quia dilatio iſtius negotii gravaret diſpendium Domino Regi, melius eſt quod perſona mediocris ſubſtituatur ad prædictum negotium peragendum cum ſic pendeat.

Thus muſt the Kings affairs be neglected by this exempt Abbot, for fear of violating his priviledge of exemption from the Archbiſhop.

Tom. 2. p. 987. l. 7. after *per ſe*, inſert; What ſucceſs the Kings Proctors at *Rome* had in revoking the Statutes made at *Oxford*, and with how much difficulty, expence and oppoſition of ſundry Cardinals (who favoured the Barons) their revocation was procured, will appear by this Letter of *R. Lovell* (which I found in the

White

White Tower) one of the Kings Proctors ſent unto him from *Viterbium*, wherein he fully relates the proceedings, not mentioned in our Hiſtorians. *An.* 45 H. 3.

SEreniſſimo ac excellentiſſimo Domino ſuo, Domino *H.* Dei gratia illuſtri Regi *Angliæ*, Domino *Iberniæ*, & Duci *Aquitan.* ſuus *R. Lovell.* Clericus, & in *Romana* Curia procurator. Proſperos ſemper ad vota ſucceſſus, & ſe promptum & paratum ad ejus obſequia & mandata. Affectans & ſemper æſtuanti deſiderio concupiſcens, ut Statuta, Ordinationes, et Colligationes (quæ nonnulli Magnatum regni veſtri ſub prætextu veſtræ ſtatum excellentiæ reformandi, veſtro nomine fecerant, ac juramento firmarant, in manifeſtam diminutionem poteſtatis veſtræ, ac enormem depreſſionem Regiæ libertatis) in irritum penitus revocentur, et carere decernantur omni robore firmitatis; ſuper jam dicta revocatione quaſdam literas Apoſtolicas notari obtinui et groſſari; quarum copiam, licet propter inſtantiam et malitiam æmulorum et adverſariorum noſtrorum quamplurium in *Romana* Curia exiſtentium, ad effectum minime perveniſſent, Serenitati veſtræ mittere non omiſi; veruntamen celanter, deſiderans, ut zelus & ſollicitudo quos erga Regiam obtineo Majeſtatem inchoatum conſequatur effectum; Quodque hi idem adverſarii ſpe, quam de ipſorum perceperunt nequitia, defraudentur; iterato ſuper revocatione præfata meliores et efficaciores litteras, quam unquam a ſede Apoſtolica obtentæ fuerint, non abſque *gravibus expenſis, necnon laboribus et anguſtiis impetravi: quas namque bullatas habeo eiſdem adverſariis renitentibus et invitis, quæ quidem quaſlibet ſurgancium controverſias è medio auferentes, omnes æmulorum prædictorum inſidias, intentionem et aſtutias præ cæteris enervarunt. Cum autem eaſdem propter latoris iter præſentium ab eo valdè feſtinanter aggreſſum nondum obtinuerim duplicari, earundem tranſcriptum per latorem prædictum veſtræ dominationi ſtudui ſollicitius intimare, quas et bullatas in brevi tranſmittam Regiæ Majeſtati: per quarum nempe impetrationem, ſi veſtræ placuerit Celſitudini, excellentia Regia ad priſtinam libertatem reducta, ipſius ſtatus omnium contradicentium prorſus intentione fruſtrata poterit plenarie reformari.* Præterea Serenitati Regiæ patefiat, quod literæ, quas Magiſtri *Arlotus* et *Roſſandus* ſuper revocatione hujuſmodi et ſtatus veſtræ magnitudinis reformatione impetrarunt, quia quædam additiones et clauſulæ * in favorem Procerum et Baronum ac totius regni *Angliæ* Prælatorum; ac depreſſionem veſtræ Celſitudinis in eiſdem extiterunt inſpectæ, minus bene impetratæ fuerunt; quanquam ad impetrationem ipſarum totis viribus laborarint; quemadmodum in literis fœlicis recordationis *Alexandri* Papæ 6. veſtra Serenitas videre poterit plenius contineri. Groſſatis quoque literis ſuprædictis, eaſdem Dominus Papa, propter adverſariorum prædictorum nequitiam et importunam inſtantiam, ſine fratrum ſuorum conſilio nullatenus voluit expedire, quas tandem, ſicut prædixi, bullatas obtineo, licet † quamplures Cardinales Celſitudini veſtræ ſuper hoc adverſarii exiſtentes, ne ipſæ litteræ expedirentur, juxta poſſe interpoſuerunt partes ſuas. Valeat Excellentia veſtra per tempora longiora. Dat. *Viterbii* 2. Idus *Maii*.

* See Tom. 2. 985, 986, &c.

* *Nota.*

* *Nota.*

† The Pope & Cardinals were largely bribed on both ſides, which cauſed ſuch delayes & diviſions to get new Bribes from both when they accorded.

Placita Term. S. Trinitat. *de anno* 45 Hen. 3. afford us theſe Actions for Suites in Courts Chriſtian againſt the King Prohibitions. Bedf. *Rot.* 3. *Magiſter* Rogerus de Arde attachiatus fuit *ad reſpondendum* Richardo de la Harnes *de placito*, quare tenuit placitum in Curia Chriſtianitatis de catallis et debitis quæ non ſunt, &c. contra Prohibitionem, &c. et quod ſpreta prædicta Prohibitione, &c. tenuit prædictum placitum in Curia Chriſtianitatis, ipſum de die in diem citando quouſque fecit ipſum ab ingreſſu Eccleſiæ ſuſpendi, et poſtea excommunicari. *Unde dicit*, quod deterioratur et dannum habet ad valenciam 40 L. *Et inde producit ſectam. Ibid.* London. Hugo Fippuet & Johannes de Haledel, *verſus* Richardum de Harewes *Canonicum Sancti* Pauli. *Rot.* 6. London. Adam de Gloceſter, *verſus Magiſtr.* Richardum de Stafford. *Rot.* 20. Northt. Johannes de Gerneby *Clericus*, attachiatus fuit *ad reſpondendum* Thomæ Corbet. *Rot.* 23. Lond. *Magiſter* Richardus de Stafford attachiatus fuit *ad reſpondendum* Adæ de Glouc. *Rot.* Suſſex. Henricus de Maloly, *verſus Magiſtr.* Walterum de Gloverne *Decanum* Cyceſtriæ. *Magiſt.* Galfridum de Gates *Archid.* Cyceſtr. & Thomam *Subdiaconum* Cyceſtriæ, were ſued for holding and proſecuting the like Suits for Chattels and Debts againſt the Kings Prohibitions. Plac. de Term. S. Trinitat. An. 45 H. 3. in Turri London.

Ibid. Rot. 3. Willielmus de Hunturn. *verſus* Johannem Trechard *Officialem Archid.*

An. 45 H. 3. *Archid.* Wynton. *de placito*, quare tenuit placitum in Curia Chriſtian. de laico feodo prædicti Willielmi, &c. contra Prohibitionem, &c.

Ibid. Rot. 39. Robertus Swalle attachiatus fuit *ad reſpondend.* Roberto de Hanneworth. *de placito*, quare proſecutus eſt placitum in Curia Chriſtianitatis de catallis et debitis quæ non ſunt de Teſtamento vel Patrimonio, contra Prohibitionem, &c. *Et unde queritur quod cum traxiſſet eum in placitum in* Curia Chriſtianitatis *in Comitatu* Lincolniæ *coram Magiſtro* Alano de ———, *petendo ab ipſo ſexaginta ſolidos, detuliſſet prædicto* Roberto *in craſtino Sancti* Baptiſtæ, *anno regni Regis* Henr. 3. *quadrageſimo quarto, in majori Eccleſia* Lincolniæ, Regiam Prohibitionem *ne prædictum placitum ſequeretur, prædictus* Robertus Swalle ſpreta prædicta Regia Prohibitione ſecutus eſt idem placitum contra prædictam Prohibitionem. Ita quod primo fecit ipſum ab ingreſſu Eccleſiæ ſuſpendi, et poſtea excommunicari. *Et unde dicit*, quod deterioratus eſt et dampnum habet ad valenciam 10. l. *Et inde producit ſectam.*

Et Robertus Swalle *venit & defendit vim & injuriam quando*, &c. *Et benè defendit*, quod nunquam ſecutus eſt verſus prædictum Robertum prædictum placitum contra Prohibitionem; *Et hoc paratus eſt defendere contra ipſum & ſectam ſuam prout Curia conſideraverit. Ideo conſideratum eſt, quod vadiet legem ſe* 12. *manu, & veniat cum lege ſua in Octabis Sancti* Hilarii. *Plegii de lege* Adam de Bukeler & Robertus le Blond. *Poſtea in Octabis Sanctæ* Trinitatis *anno* 44. *venit prædictus* Robertus de Hanneworth *& optulit ſe quarto die verſus prædictum* Robertum Swalle, *& ipſe non venit*, &c. *Et habuit diem per Eſſoniatorem ſuum ad hunc diem poſt quam comparuit in Curia, ſcilicet à die Sancti* Martini *in quindecim dies anno* 45. *& vadiat ei legem prædictam.* Ideo conſideratum eſt, quod prædictus Robertus de Hanneworthe recuperet dampna ſua 10 l. Et prædictus Robertus Swalle et plegii ſui in miſericordia. Et præceptum eſt Vicecomiti, quod de terra prædicti Roberti Swalle fieri faciat prædictos denarios, et illos habeat hic in Octabis Sancti Michaelis.

By which Record it is moſt apparent: 1. That the Proſecutors of ſuch Suites in Eccleſiaſtical Courts whereof they have no legal conuſance, ſhall upon conviction render full damages to the parties grieved by their proſecution, and likewiſe be fined and amerced to the King for the injury and contempt; *pro hoc*, quod placita quæ pertinent ad Coronam et Dignitatem Regis trahit ad alienum Forum: Yea, Judices puniantur, eo quod poſt Prohibitionem proceſſerunt, et ſi convincuntur, Gaolæ committantur, pœna pecuniaria graviter puniantur, et ille eodem modo de quo queritur, qui hoc procuravit; as Judge * *Bracton* in that age, and theſe Judges in this caſe reſolved. 2ly. That their Lands ſhall be extended to ſatisfie the damages.

* De Legibus & Conſuetud. Angl. l. 5. c. 2. f. 402, 403. c. 13. f. 409, 410. See here, Tom. 2. p. 874, 875, 886.

Plac. de Term. S. Mich. an. 45 H. 3. in Turri London. Rot. 13. dorſo. Kanc.

About the ſame year, Term. S. *Mich.* I found theſe enſuing Prohibitions and Attachments, (in the *Tower*,) for holding Plea of and proſecuting Suits in Courts Chriſtian, belonging to the Kings Courts alone.

Beatrice *quæ fuit uxor* Willielmi de Faverſham *optulit ſe quarto die verſus* B. *Archiepiſcopum* Cant. *quod hic haberet* Willielmum Attegore *Officialem ſuum*, Simonem de Sunge *Capellanum*, & Johannem de Dunſtal *Clericos ſuos, ad reſpondendum eidem* B. quare prædictus W. tenuit, et prædicti Simon et Johannes ſecuti ſunt placitum in Curia Chriſtianitatis de catallis et debitis quæ non ſunt de Teſtamento vel Patrimonio, contra Prohibitionem, &c. *Et ipſe non venit*, &c. *Et* fuit attachiatus *per*, &c.

Ibid. Rot. 14. dorſo. Dorſet.

Willielmus de Wyte *Offic. Archidiac.* Dorſ. attach. fuit *ad reſpond.* Galfrido & Jacobo *de* Trowe, quare tenuit placitum in Curia Chriſtianitatis de catallis et debitis quæ non ſunt, &c. contra, &c. *Et cum idem* G. *anno* 42. *detuliſſet eidem Offic. Regiam Prohibitionem in Eccleſia de* Wynterburn Markminſter, *ne prædictum placitum teneret*; idem Offic. ſpreta Prohibitione Regia tenuit idem placitum, et eos ab ingreſſu Eccleſiæ fecit ſuſpendi, et poſtea excommunicari. *Unde dicunt*, quod per hoc deteriorati ſunt, et dampnum habent ad valenciam C. s. *Et* Willielmus *venit*, &c. *Et benè defendit*, quod nunquam tenuit aliquod plac. &c. contra Prohib. Dom. Regis, *&c.*

Ibid. 35. dorſo. Kanc.

Hugo Yungman *opt. ſe* 4. *die verſus* Mabell. de Ferburgh, & Henr. de Pormeſden, quare ſecuti ſunt conſimile plac. *&c. Et prac. eſt Vic. quod diſtringat eos per omnes terras*, &c. *Et habeat corpora*, &c.

Idem

Idem Hugo *opt. ſe* 4. *die verſ.* Will. de la Gare (and five more there named,) quare tenuerunt plac. &c. de catallis et debitis quæ non ſunt, &c. *Et mandatum eſt Archiepiſcopo ſicut aliàs: qui nichil inde fecit, nec breve remiſit. Ideo*, &c. *An.* 45 H. 3. Ibidem.

Thomas de Burge *per*, &c. *opt. ſe*, &c. *verſus Abbatem de S.* Agath. *quare* ſecutus eſt *conſimile plac. Et ipſe non venit*, &c. Ibid. Ebor. ſſ.

Gremura *quæ fuit uxor* A. de Benderton *per*, &c. *optulit ſe*, &c. *verſus Magiſtr.* Galfrid. de Gates *Archidiac.* Cyceſtr. & Gilbert. *Capellanum Eccleſiæ de* Mengelton, *quare prædict.* Galfrid. tenuit, & *prædict.* Gilb. ſecutus eſt *conſimile plac. Et ipſi non venerunt*, &c. *Et* Galfr. fecit attach. *Et mandatum eſt Epiſcopo* Cyceſtr. *quod fac.* Gilb. *venire*, &c. Ibid. rot. 52. intus. Suſſex.

Richardus de Maunton *Perſona Eccleſia*, &c. *opt. ſe*, &c. *verſus* A. *Epiſc.* Linc. *quod habeat hic* Johannem *Perſonam Eccleſ. de* Undel *de plac.* quare ſecutus eſt placitum, &c. de catall. &c. quæ non ſunt de Teſtamento vel Patrimonio, contra, &c. *Et plures fecit defaltas*, &c. Ibid. rot. 5 .

R. *Com.* Glouc. & Hereford. *per*, &c. *opt. ſe*, &c. *verſ. Epiſc.* Linc. *quod haberet hic Magiſtr.* Johannem *Perſonam Eccleſ.* Undel *Clericum ſuum, quare cum idem.* Rich. de Maunton *Clericus ipſius Com. tenet Eccleſ. de* Keſingberbery de advocatione ſua; *prædict.* Johan. *clamat eandem Eccleſiam* de advocatione Abbatis de Aquientres, *exiget ipſum* R. *de prædicta Eccleſia* in Curia Chriſt. auctoritate ordinar. contra Prohibit. Ibid. North.

Walterus le Wyte, *&c. Eſſon.* Simonis *fratris ipſius* Walteri *opt. ſe*, &c. *verſus* Will. atte Gore *Offic. Archidiac.* Cantuar. Turgis de Alneſted, *&c. de placito, quare prædict. Officialis* tenuit placitum in Curia Chriſtianitatis de catallis, &c. quæ non ſunt de Teſtament. &c. contra, &c. *Et de placito, quare prædictus* Turgis & *alii* ſecuti ſunt idem placitum, &c. contra, &c. *Et ipſi non venerunt*, &c. *Et præceptum fuit Vic.* &c. quod attach. eos *quod eſſent ad hunc diem*, &c. Rot. 80. Kanc.

Willielmus le Chamberlegher *opt. ſe*, &c. *verſus* E. *Epiſc.* Sarum, Rogerum de Prenleſhal *de plac. quod habet Official. Archidiaconi* Sar. *de placito*, quare idem Rog. tenuit plac. in Curia Chriſtianitat. de catallis et debitis quæ non ſunt, &c. contra Prohibit. &c. *Et ipſe non venit. Et* fuit attachiatus *per*, &c. Rot. 6. Wiltes.

Johannes de Albetoſt *opt. ſe*, &c. *verſ.* Willielmum *Epiſcopum* Bathon. *de placito, quod haberet hic Magiſtr.* Johannem le Ford, & *Mag.* Johannem de Axxebrigge *Clericos ſuos, ad reſpond. eidem* Johanni *de plac.* quare tenuerunt plac. in Curia Chriſtianitatis de catallis et debitis quæ non ſunt, &c. contra, &c. *Et ipſe non venit. Et plures fecit defalt. Ideo præcept. eſt Vic.* quod diſtringat eum per terras, &c. Rot. 23. Somerſet.

Henricus de Nokuneton *opt. ſe*, &c. *verſ. Abbatem S.* Mariæ Ebor. quare ſecutus eſt plac. in Curia Chriſtian. de catall. et deb. quæ non ſunt, &c. contra, &c. *Et ipſe non venit. Et præc. eſt Vic.* quod attach. eum, &c. Rot. 2 . Ebor.

Will. de Holteb *opt. ſe*, &c. *verſ.* Godefrid. *Archiep.* Ebor. *quod haberet* Gilbert. *Priorem Eccleſ.* Omnium Sanctorum Ebor. Alanum de Sydon Vallibus *de placito*, quod dictus Gilb. tenuit plac. in Curia Chriſtianitat. de catall. &c. quæ non ſunt, &c. contra, &c. Et prædict. Alanus ſecutus eſt idem plac. *Et Archiepiſcopus non venit. Et* fuit attachiatus *per*, &c. Rot. 30. Ebor

Philippus de Conele *opt. ſe*, &c. *verſus Epiſcopum* Lond. *quod haberet* Solomon *Perſonam Eccleſia de* Hildeneby, & Robertum de S. Agatha; *quare prædict.* Rob. tenuit, & *prædict.* Solomon ſecutus eſt prædict. plac. in Curia Chriſtian. de catall. &c. *Et Epiſcopus non venit. Et plures fecit defaltas. Et præceptum fuit Vic.* quod diſtringat eum per omnes terras ſuas, &c. Rot. 40. Northt.

Willielmus de la Chambre, &c. *opt. ſe*, &c. *verſ.* Th. de Ripton *Perſonam Eccleſiæ Sanctæ* Mariæ *de* Dunheved, & Rog. &c. *Offic. Archid.* Sarum *de placito*, de catallis et debitis quæ non ſunt, &c. et quod idem Offic. ſpreta prohibit. Dom. Regis, deſiſtere contempſit, &c. breve de attach. prædictum W. Officialis, &c. in deceptionem Curiæ Regis, pendente placito in Curia Regis, ad mandatum Epiſcopi Sarum literas Domini Regis de capiendo ipſum Willielmum impetravit, quo minus prædictum placitum, &c. poteſt ſequi, &c. *Et quia prius præceptum fuit*, &c. *de capiendo ipſum* Willielmum, *tanquam Claves Eccleſiæ contemnentem*, &c. quod non caperet, &c. quouſque plac. in præfata Curia Dom. Regis motum fuerit terminatum. Rot. 41. Wiltes.

Johannes de Sancto Lendo *opt. ſe*, &c. *verſus Abbatem de* Kaimeſton *de plac.* quare ſecutus eſt placitum in Curia Chriſtianitatis de catallis et debitis quæ non ſunt de Teſtamento vel Patrimonio, contra Prohibitionem, *&c. Et non venit, &c. Unde præceptum eſt Vic. quod diſtr. eum per terras, &c. Ita quod habeat corpus, &c.* Ibid. rot. 62. dorſo Somerſ.

*An.*45 & 47 Hen. 3. Ibid. Norff. rot. 64.

Walterus de Coleſhull *optulit ſe* 4. *die verſus* Th. *Perſonam de* Karleon *de placito*, quare ſecutus eſt plac. in Curia Chriſtian. de catallis et debitis quæ non ſunt, *&c.* contra Prohibitionem, *&c.* *Et ipſe non venit*, *&c.* *Et ponatur per meliores pleg. quod ſit*, *&c.* *Et primo*, *&c.*

Ibid. Ebor. rot. 66.

Simon de Preſton *optulit ſe* 4. *die verſus* Thomam de Dunington *de placito*, *&c.* (*ut ſupra.*) *Et ipſe non venit*, *&c.* *Et mandatum fuit Archiepiſcopo* Ebor. *quod faceret eum venire*, *&c.* *Et Archiepiſcopus nichil inde fecit*, *&c.* *Ideo Vic. ſummon. Archid. quod ſit ad prædictum termin. & ibi habeat prædictum Clericum ſuum.*

Ibid. Middſ. rot. 69.

Hamo *fil.* Conſtantini *opt. ſe*, *&c.* *verſus* Johannem de Barwick *de placito*, quare tenuit plac. in Curia Chriſt. de catallis, *&c.* contra Prohibit. *&c.* *Et ipſe non venit*, *&c.* *quia fecit Juſtic. ſecuros de proſeq. per*, *&c.* *Ideo ſicut prius præceptum eſt Vic.* quod attach. eum, *quod ſit à die* Paſchæ, *&c.*

Ibid Dorſet. rot. 77.

Galfridus de Trowe, *&c.* *opt. ſe*, *&c.* *verſ.* E. *Epiſcopum* Sarum *de placito quod eſſet ad hunc diem, & haberet hic* Hugo. *Perſonam Eccleſiæ de* Brianeſtr. *de placito*, quare ſecutus eſt plac. (*ut ſupra.*) *Et ipſe non venit*, *&c.* *Et* fuit attach. *per* N. le Tayllur, *&c.* *Ideo ponatur per meliores pleg. quod ſit à die* Paſchæ, *&c.*

All theſe Prohibitions, Suits abundantly evidence the many encroachments of the *Eccleſiaſtical Courts* upon the Kings Crown, dignity, and Subjects liberties this year.

*An.*47 H. 3. Suſſex.

Tom. 2. p. 994. l. 2. after *Auguſt.* adde; I found this memorable Caſe upon an Attachment, for ſuing in the Spiritual Court againſt the Kings Prohibition, *Placita Aſſiſarum* (in the *Tower*) *Anno* 47 H. 3. *coram* M. de Litelebery *& ſociis ſuis*, *&c.* *Magiſter* Galfridus de Gates *Archidiaconus* Cyceſtr. *in miſericordia pro pluribus defaultis verſus* * Johannem de Frye. *Item Magiſter* Johannes attachiatus fuit *ad reſpondendum prædicto* Johanni *de placito*, quare tenuit placitum in Curia Chriſtianitatis de catallis et debitis quæ non ſunt de Teſtamento vel Patrimonio, contra Prohibitionem, *&c.* *Et quare idem Archidiaconus ſimul cum* Bartholomæo *Vicario de* Billinghurſt, pendente prædicto placito in Curia Regis coram Juſticiariis apud Weſtm. in deceptionem Curiæ Regis, ad mandatum Johan. Epiſcopi Ciceſtr. litteras Regis Vicecomiti Suſſex. directas, de capiendo prædictum Johannem tanquam in excommunicatione contumaciter perſeverantem impetraverit: *Et unde prædictus* Johannes *queritur*, *quod cum quidem* Bartholomæus *Vicarius de* Billinghurſt *implacitaſſet ipſum coram prædicto Magiſtro* Galfrido in Curia Chriſtianitatis in Eccleſia Cathedrali Cyceſtr. exigendo ab eo unum denarium de annuo redditu de laico tenemento ipſius Johannis in Billinghurſt, *&* *idem* Johannes *die Jovis proximo poſt feſtum Sancti* Martini *anno quadrageſimo ſexto*, detuliſſet ei litteras Domini Regis de Prohibitione in prædicta Eccleſia Lyceſtr. ne prædictum placitum teneret: Idem Galfridus ſpreta Prohibit. prædicta, tenuit prædictum plac. inter eos, et ipſum ſuſpendi fecit et excommunicari; et poſtea in deceptionem Curiæ Domini Regis, pendente prædicto placito coram prædictis Juſticiariis apud Weſtm. impetravit breve Domini Regis de capiendo ipſum, contra Coronam et dignitatem Regis; *Unde dicit*, quod deterioratus eſt et dampnum habet ad valenciam 40. marc. *&c.*

* See f. 115. b.

Et Magiſter Galfridus *venit & defendit vim & injuriam quando*, *&c.* *& quicquid eſt contra Coronam*, *&c.* *Et benè cognoſcit*, quod ipſe tenuit prædictum placitum, et de catallis quæ mere pertinent ad ſpiritualitatem. Quia dicit quod conſuetudo Billinghurſt talis eſt, quod illi qui panem benedictum dant diebus Dominicis, offerunt cum pane benedicto unum denarium, vel unam candelam de valore unius denarii: Et quia prædictus Johannes detinuit oblationem illam de denario, et de candela offerenda cum pane benedicto ſicut prædictum eſt; queſtus ſit prædictus Vicarius ipſi tanquam Archidiacono ſuo, et ipſe tanquam Ordinarius tenuit inde placitum inter eos, ut de oblatione, mere pertinente ad ſpiritualitatem. Et de impetratione brevis Domini Regis de capiendo ipſum Johannem dicit, quod prædictum breve nunquam impetratum fuit per ipſum, nec ipſe Johannes unquam per breve illud captus fuit nec impriſonatus.

Et Johannes *dicit*, quod nec ipſe nec pater ſuus unquam aliquem denarium obtulerunt cum pane benedicto, nec aliquam candelam; nec aliquis parochianus de parochia de Billinghurſt hujuſmodi oblationem dat, niſi fuerit ex voluntate ſua, et non aliquo jure, vel aliqua * conſideratione antiqua. *Et petit quod hoc inquiratur. Poſtea*, *quia prædictus* Johannes *non poteſt oſtendere*, quod prædictum breve de capiendo ipſum impetratum fuit per prædictum Archidiaconum; nec ipſe unquam per breve illud captus vel impriſonatus fuit, conſideratum eſt, quod idem Archidiaconus

* Conſuetudine.

quoad

quoad hæc ſine die. Et ſimiliter quia idem Johannes non poteſt oſtendere quod idem Archidiaconus tenuit aliquod placitum de aliquo laico tenemento ſuo, nec de aliquibus debitis vel catallis niſi tantummodo de prædicta Oblatione, quæ mere pertinet ad ſpiritualitatem, et quod placitum in Curia Regis non poteſt nec debet terminari, conſideratum eſt, quod prædictus Archidiaconus inde ſine die; et Johannes in miſericordia pro falſo clamore. *An.* 46 & 47 Hen. 3.

Among *Placita coram* N. de Turre, W. Bonquer *& ſociis ſuis Juſtic. Itin. apud* Canter. *ſub octabis Sancti* Martini *Term.* S. Mich. *anno* 47 H. 3. I met with theſe Prohibitions and Attachments for Suites in Courts Chriſtian. *Rot.* 9. Adam Gutra *verſus Magiſtr.* Radulphum de Mertune *de placito*, quare ſecutus eſt placitum in Curia Chriſtianitatis de catallis et debitis quæ non ſunt, *&c.* contra Prohibitionem, *&c. Conſimile Rot.* 10. Hereford. Adam de Averil *verſus Priorem de* Hurle. *Conſim.* Bedf. Hugo de Turpa *&* Margareta *uxor ejus, verſus* Walterum *Priorem de* Caldewelle *de placito, quod cum idem Prior in Curia Domini Regis coram Juſticiariis ſuis Itinerantibus apud* Bedford. attachiatus fuerit, *ad reſpondendum prædictis* Hugoni de Turpa *&* Margaretæ *uxori ejus de placito*, quare tenuit placitum in Curia Chriſtianitatis de medietate advocationis Capellæ de Hyntone, contra Prohibitionem Domini Regis. *Idem Prior venit in eadem Curia Domini Regis coram prædictis Juſticiariis, & vadiat legem ſe duodecima manu*, quod contra prædictam Prohibitionem non venit, nec poſt eam prædictum placitum tenuit contra legem præfatis Juſticiariis factam. *Et conſideratum fuit in eadem Curia, &c. Et quod prædictus Prior inde eſſet ſine die, & prædicti* Hugo *&* Margareta *in miſericordia.* Et poſtea prohibitum fuit per eoſdem Juſticiarios Domini Regis prædicto Priori, ne de cætero teneret prædictum placitum. Idem Prior ſpreta Prohibitione Domini Regis, et in contemptu Juſticiariorum et Curiæ Domini Regis idem placitum per ſe et Commiſſarios ſuos nihilominus tenuit, ad manifeſtam prædictorum Hugonis et Margaretæ exhæredationem et injuriam, *ut dicunt. Et ipſe non venit*, &c. *Et præceptum fuit Vic. quod haberet ipſum ad hunc diem*, &c. Plac. de Termino S. Mich. an. 46 & 47 H. 3. in Turri London. Rot. 10.

Tom. 2. p. 994. l. 20. after *Januarii*, adde; I finde that this * *John Gernſey* Biſhop of *Wincheſter* after his Simonaical, coſtly Conſecration at, and return from *Rome* into *England*, before his entry into his Cathedral, where he expected the Kings preſence at his Inſtallment; was ſummoned to meet him at *Canterbury*, and to go thence with him to *Dover:* which he excuſed by this Original Letter to him; which I found in the *White Tower*. *An.* 47 H. 3.

* See Godwins Catalogue of Biſhops, p. 177.

EXcellentiſſimo Principi & Domino ſuo reverendo, *H.* Dei gratia illuſtri Regi *Angliæ*, Domino *Hyberniæ*, Duci *Aquitaniæ*; ſuus *J.* ejuſdem miſeratione *Wynt.* Eccleſiæ Miniſter humilis, ſalutem, & ſe ipſum cum omni reverentia & honorem. De adventu veſtro in *Angliam*, quem ſitibundis affectibus jamdudum expectavimus, grates Altiſſimo referimus copioſas: verùm Regalis Celſitudinis veſtræ literas die *Sabbati* prox. ante Natale Domini, dieque Dominica in ejuſdem Vigil. diverſis tamen nunciis eodem recepimus ſub tenore, quod *Feſtum Natale* prædict. vobiſcum celebraremus *Cantuar.* vobiſque ad mare uſque ad *Dover.* occurſuri; ad quæ tam loci diſtantia, quod temporis brevitate nos jam impoſſibiles effici ſatis liquet, ingreſſu etiam in Eccleſia noſtra Cathedrali *Wynton.* dudum diſpoſito et parato, quem Regalis Majeſtatis præſentia præſtolata diutius credidimus illuſtrari, prout ore tenus veſtræ Dominationi nos *Pariſ.* expoſuiſſe meminimus: in quibus noſtram impotentiam non voluntariam, ſed potius neceſſariam, Regali excellentiæ habere placeat excuſatam; pro quo Magiſtrum *Petrum de Exon.* Nepotem noſtrum Majeſtati Regiæ deſtinamus, pro ſollemni gerentes tripudio ſi nobis per eundem veſtræ proſperitatis eventus ſanitate comite nuncietur, una cum veſtræ beneplacito voluntatis, ad quod paratos nos & meritò promptos pro viribus profitemur. Cæterum de ſtatu noſtro, & Eccleſiæ noſtræ, quam multis proſecutionum procellis tuventimus conquaſſatam, ordinato & diſpoſito, ſub celeritate qua poterit poſt Feſtum memoratam greſſus noſtros verſus vos, annuente Domino, quam citius dirigemus. Excellentiam veſtram conſervet Altiſſimus utinam per diuturna tempora proſperè regnaturam. Datum *Wyntoniæ* in Vigil. *Nativitatis*, &c. Ex Bundela Literarum de an. 47 H. 3. in Turri Lond.

About the ſame time he being complained of to the King by *P. de Sancta Maria* the Kings great favourite, for moleſting him in the Archdeaconry of *Surry* and other

An. 47 H. 3. Benefices in his Dioceſs, he thereupon ſent this Epiſtle to the King; denying the truth of his ſuggeſtions, and beſeeching him not to credit it, till he had heard and ſpoken with him.

Bundela Literarum in Turri London. An. 47 H. 3.

EXcellentiſſimo Principi ac Domino reverendo, Domino *H.* Dei gratia illuſtri Regi *Angliæ*, &c. ſuus *J.* miſeratione Divina *Wynton.* Eccleſiæ Miniſter humilis, ſalutem, cum omni reverentia & honore Majeſtatis veſtræ. Literis nuper nobis directis intelleximus, quod nos Magiſtro *P. de Sancta Maria*, ſuper Archid. *Surr.* ac aliis quibuſdam beneficiis in noſtro ſitis Dioc. moleſtiam intulimus et gravamen, prout reverendæ veſtræ Dominationi ipſum accepimus ſuggeſiſſe, quod nunquam noſtræ fuit intentionis, ſicut nec eſſe debuit, ne dum ſibi quem favor Regal. in dilectionis amplerum comperimus ſuſcepiſſe; ſed nec unquam cum ſcrupulo conſcientiæ gravamen inferre ſeu moleſtiam. Veſtræ Celſitudini quanta poſſumus precum inſtantia devotiſſimè ſupplicamus, quatinus ſi placet, prædicti Magiſtri ſuggeſtionem ſeu relatum, cum nondum ex parte noſtra coram *V. K.* compariuerit reſponſalis, ut veracem nullatenus admittatis, quoniam ſi in aliquo contra eundem Magiſtrum injuſtè proceſſerimus, parati ſumus, expoſitis prius Regali excellentiæ exponendis manum apponere correctricem, pro quo finaliter proſequendo proponimus, Deo dante, citra diem *Lunæ* proximam cum Majeſtate veſtra Regia habere colloquium perſonale. Excellentiam veſtram per diuturna tempora proſperet Altiſſimus & conſervet. Dat. *Cant.* 5. Kal. *Junii*, anno Domini 1263.

Tom. 2. p. 996. l. 5. after *&c.* adde; King *Henry* the 3d. being higly offended with *William Bolton* Biſhop of *Bath* and *Wells* for ſuing the Abbot and Covent of *Glaſtonbury* in the Court of *Rome*, againſt his promiſe and prohibition, for Freeholds and Advowſons, to the prejudice of his Crown and Dignity; for which his Temporalties and goods were ſeiſed by the Kings Officers: upon the Popes and his Cardinals requeſts (who favoured the Biſhops cauſe, which he fairly propounded before the then Archbiſhop of *Canterbury*, Biſhop elect of *Saliſbury*, Abbot of *Weſtminſter*, and another then at the Popes Court) they writ this Letter to the King on the Biſhops behalf; which I found in the *White Tower*, defaced in ſome words and lines.

Fundela Literarum in Turri London. an. 47 H. 3.

EXcellentiſſimo Domino *H.* Dei gratia Regi *Angliæ* illuſtri, Domino *Hiberniæ*, Duci *Aquitanniæ*, & Comiti *Andegaviæ*; *B. Cantuarienſis* Archiepiſcopus, *E. Sarisbarienſis* Electus, Abbas *Weſtmonaſterienſis*, & Magiſter ——————, obſequium ——————— intelligimus, tantò illa vobis libentius ſuademus, quæ juſtitiam ſapere, ac æquitatem continere ſentimus. Sanè ——————— quæ ipſius ac *Bathon.* & *Well.* Eccleſiarum non tangunt negotium, inter alios fideles noſtros apud ——————— & honoris Regii zelator exiſtit, ac ſuum & Eccleſiarum ipſarum negotium coram Domino Papa et fratribus honeſte propoſuit ——————— in quantum potuit reverenter. Verum idem Dominus Papa et fratres prædicti ſuper his pro quibus idem Epiſcopus venit ad Curiam, proponunt ——————— exhibere plenarie juſtitiæ complementum. Nos itaque attendentes, quod pertinet ad Regiæ dignitatis honorem, ut idem Epiſcopus per nos ——————— conſervetur, interpoſuimus partes noſtras quod prædicto placeret Epiſcopo a nobis recipere quod de rigore juris debebat et poterat obtinere, qui nobis benignius annuit in hac parte, intendens (ſalvo jure ſuo et Eccleſiarum ſuarum in quantum poterit) Celſitudini Regali deferre. Quocirca de ſpeciali præcepto Domini Papæ et fratrum ſuorum ſerenitatem Regiam exoramus, quatinus diligenter conſiderantes, quam ſpecialiter idem Dominus Papa et fratres pro eodem Epiſcopo nobis dirigunt ſcripta ſua, et quod dictus Epiſcopus inter alios Prælatos *Anglia* vobis ſemper devotus extitit, et in veſtris et veſtrorum negotiis fideliter laboravit, injurias et gravamina, ſi quæ fuerint a Juſticiariis et Ballivis Regiis Epiſcopo prædicto illata, ſine difficultate qualibet revocari faciat Regia magnitudo. Nec ipſum ſi ——————— contra juſtitiam aliquatenus moleſtetis, nec permittatis ab aliis (quantum in vobis fuerit) moleſtari; ſed ei potius exhibeatis vos in Regio favore munificum, & in cunctis opportunitatibus gratioſum: ita quod idem Epiſcopus et alii ejus exemplo ad fideliter obſequendum vobis fortius animentur; ac vobis præter divinæ retributionis præmium, ab eodem Domino Papa et fratribus prædictis, qui hoc gratum

gratum habebunt plurimum et acceptum, exinde debita perveniat actio gratiarum. Nec nos pro ipso Episcopo ita affectuose scriberemus, nisi quia evidenter probavimus ipsum in vestris negotiis providum, &c. ——— Datum *Anagnini*, die Dominica ante festum Beati *Dionysii*. *An.* 47, 48, & 49 H. 3.

Anno 48 H. 3. I met with a Bundle of Certificates of Excommunications, Elections, and Proxies from Bishops and others, in the *White Tower*, (where are many such during his reign;) out of which I shall present you with three usual forms of *Significavits* and Certificates of *Excommunications* then and since in use, evidencing their inability to redress any Ecclesiastical abuses without the Kings Soveraign power and assistance: and one *Letter* of *Attorny* by the Abbot of *Ramsey*, then sick, appointing another to appear for him in a Great Council of the Nobles, to which he was summoned. *An.* 48 H 3.

Bundela Certif. &c. an. 48 H. 3. in Turri London.

SEreniſſimo Domino ſuo *H.* Dei gratia Regi *Angl.* &c. *J.* miſeratione divina *Winton.* Epiſcopus, ſalutem, *&c.* Cum quidam maledictionis filii in Eccleſias de *Brerdinges* & de *Lyngefeld* ſe temeritate propria intrudentes, ipſas manu armata detineant occupatas; Decimas ad eos ſpectantes colligant, et ſe de aliis ſpiritualibus intromittant, nec poſſint per cenſuram Eccleſiaſticam ſuper hoc coerceri; Serenitatem Regiam attentius duximus exorandam, quatenus eos a Sacrilegio prædicto compeſcere et revocare dignemini per datam a Domino vobis Regiam poteſtatem, ſeculare contra eos brachium extendendo. Conſervet, *&c.* Dat. *London.* 2. Non. *Auguſti.* Anno Domini 1264.

Ibidem.

EIdem Regi *H.* &c. *Carleol.* Epiſcopus, ſalutem. Excellentiæ veſtræ notum facimus, quod *Adam de Gupp*, noſtræ Dioceſis, ob ſuam contumaciam manifeſtam Excommunicationis ſententia innodatus, per quadraginta dies et amplius perſtitit contumaciter in eodem, claves Eccleſiæ contemnendo. Quocirca Excellentiam veſtram humiliter ſupplicamus, quatinus ad tantam ipſius inſolentiam reprimendam, veſtræ Majeſtatis brachium juxta conſuetudinem regni veſtri, Dei et Eccleſiæ intuitu, apponere dignemini cum effectu. Conſervet, *&c.* Dat. *London.* Kal. *Julii.* Anno ut ſupra.

Ibidem.

EIdem Regi, *&c.* *W. Exonienſis* Epiſcopus, ſalutem. Cum *Willielmus le Botyler* Laicus de Comitatu *Devon.* pro ejus contumacia & offenſa manifeſtâ, excommunicationis ſententiâ per nos meruerit innodari, juſtitia exigente, et in eadem per quadraginta dies et amplius perſeverans, claves Eccleſiæ pertinaciter contemnendo, ad Eccleſiaſticam non curat redire veritatem; ne ovis morbida totum gregem Dominicum inficiat, Dominationem veſtram requirimus et rogamus, quatinus talem contumaciam per potentiam Regiæ Majeſtatis, ſecundum Regni veſtri conſuetudinem, a ſua pertinacia revocare dignemini; ut quem timor Dei ab errore non revocat, brachium coerceat ſeculare. Valeat, *&c.* Dat. *London.* die *Martii* proximo poſt feſtum Apoſtolorum *Petri* & *Pauli.* Anno ut ſupra.

Ibidem.

EIdem Regi, *&c.* *H.* permiſſione Divina *Ramenſ.* Eccleſiæ Miniſter humilis, ſalutem, *&c.* Quoniam gravi ægritudine & nimia debilitate corporis laborantes, in lecto detenti, in craſtino S. *Trinitatis* apud *London.* eſſe non valemus, ſuper quo multum dolemus, idcirco dilectos nobis in Chriſto, fratrem *W.* Sacriſtam noſtram, & Dominum *Willielmum Camberlan.* Seneſcallum noſtrum ſub alternatione Attornatos noſtros conſtituimus, ad conſentiendum, vice noſtra, Magnatum tunc ibidem præſentium conſilio, et ad faciendum ea, quæ veſtram Regiam dignitatem et Regni veſtri utilitatem tangunt et pacem. Veſtræ Regiæ Majeſtati devotè ſupplicantes, quatinus Divinæ pietatis & humanæ fragilitatis intuitu, noſtros prædictos Attornatos loco noſtro admittentes, abſentiam noſtram involuntariam habere dignemini excuſatam. Valeat, *&c.*

Anno 49 H. 3. The Dean and Chapter of *Akaden* in *Ireland* upon the death of their former, made this Certificate thereof, and petition to the King for the Election of a new Biſhop; extant in a Bundle of Certificates and Petitions in the *White Tower*. *An.* 49 H. 3.

Bundela Certif. & Petic. an 49 H. 3. in Turri Lond.

EXcellentiſſimo Domino *H.* Dei gratia illuſtri Regi *Angliæ*, ſui fideles oratores Decanus & Capitulum *Akadenſ.* ſalutem, *&c.* Veſtræ Excellentiæ Majeſtatem latere nolumus nec debemus, Eccleſiam noſtram per mortem venerabilis patris *Thomæ* ejuſdem Eccleſiæ Epiſcopi nunc eſſe Paſtoris ſolatio deſtitutam. Quare veſtræ

An. 49 & 50 Hen. 3. vestræ Regiæ Majestatis Excellentiam modis omnibus quibus possumus flagitamus, quatinus per latorem præsentium *Maur.* Clericum, nostrum fidelem Nuncium, vestrum Regium assensum pariter et consensum nobis ad eligendum Pastorem impendatis. Tantum inde facientes, ne prædata Ecclesia patiatur, &c. Dat. apud *Abiden.* Ecclesiam crastino S. *Trinitatis*, Anno 1265.

Ibidem. EXcellentissimo Domino *H.* Dei gratia illustri Regi *Angliæ*, suus fidelis *Odo Okonchubyr* Rex *Connacl.* salutem, & in omnibus victoriam. Vestræ Regiæ Majestatis excellentiam exoramus modis quibus possumus, quatinus Decano & Capitulo *Akaden.* (ipsa per mortem venerabilis patris Domini *T.* ejusdem Ecclesiæ Episcopi, vacante) vestrum consensum pariter et assensum per nuncium eorundem ad eligendum Pastorem vultu sereno et favorabili, si placet, impendatis. Tantum inde facientes, ne prædata Ecclesia (quæ ad præsens ultra viginti marcarum summam in redditibus non abundat,) propter retardationem Regii assensus (quos absit) in temporalibus vel spiritualibus patiatur. In cujus petitionis testimonium has literas nostras vestræ Majestati Regiæ mittimus patentes. Dat. anno regni Regis *H.* 49.

Ibidem. EXcellentissimo, *&c. H.* Regi *Angl.* &c. *M.* Decanus, & totum Capitulum *Elfinen.* Ecclesiæ, salutem & orationes. Quia per mortem venerabilis patris nostri, Domini *Thomæ* bonæ memoriæ *Elfinen.* Episcopi, Ecclesia nostra Pastoris solatio noscitur esse destituta. Ideo vestram Regiam Majestatem humiliter duximus exorandam, quatinus per latorem præsentium providendi Ecclesiam *Elfinen.* de Pastore idoneo nobis de solita vestræ Majestatis benignitate, tribuere dignemini; ne per defectum Pastoris Ecclesia nostra *Elfin.* in spiritualibus et temporalibus detrimentum patiatur. Valeat, *&c.*

Ibidem. EXcellentissimo, *&c.* (*ut supra.*) R. miseratione Divina *Meneven.* Ecclesiæ minister humilis, salutem, *&c.* Pro dilectis filiis Canonicis S. *Johannis de Karmerdyn* vestræ Magnificentiæ, quanta decet devotione, duximus supplicandum, quatenus memoratis Canonicis ad vos pro negotio electionis suæ vementibus, quibus iterato ad vos veniendi tutus propter hostilitatem non patet accessus, quibus etiam propter destructionem domus suæ ad viatica et sumptus non sufficiunt sine magno incommodo facultates, concedere velitis quod post electionem celebratam, electioni ipsorum ac Electo, Ballivus vester de *Karmerdyn* vice vestra præbeat assensum. Valeat, *&c.*

Ad eundem effectum ad Regem mittuntur literæ Canonicorum Prioratus de *Karmerdyn.* Dat. die *Lunæ* prox. post festum S. *Valentini*, anno Domini 1265.

Plac. de Term. Paschæ, anno 49 H. 3. in Turri Lond. Tom. 2. p. 1012. l. 45. after *ut supra*, insert; The decayed *Placita apud* Westm. (in the *Tower*) *coram* Gilberto de Preston, *&c.* Johanne de Wyvil. *Justic. de Term.* Pasch. *anno regni Regis* Henrici *fil. Regis* Johannis 49. furnish us with these Suites and Attachments for holding and prosecuting Pleas in Courts Christian against the Kings Prohibitions, which I shall but name. *Linc.* Johannes *fil.* Nicholai de Junthely, *per Attornatum*, &c. brought an Action, *versus* Galfridum de Hekinton *Decanum de* Stafford. and others, *de placito*, quare prædict. Galfr. tenuit placitum in Curia Christianitatis de catallis et debitis quæ non sunt de Testamento vel Patrimonio, contra Prohibitionem, *&c.* Adam Rueril brought the like, *versus Priorem de* Hurle: *Idem contra Magistr.* Radulfum de Malawe. Norf. Willielmus de Wygenhal, the like, *versus* Simonem *Abbatem S.* Edmundi, *&* Robertum *Priorem S.* Edmundi. Berks. *Abbas & Conventus de* Messenden, the like, *versus* Aluredem *Priorem de* Rading, *&c.* quare tenuerunt, *&* *versus* Will. de Englefend, quare secutus est idem placitum in eadem Curia, contra Prohibitionem, &c.

An. 50 H. 3. In a Bundle of Certificates and Petitions by Bishops and others to the King in the *White Tower*, Anno 50 *H.* 3. I met with these three forms of Certificates made to the King of Lay-forces held in Churches, praying a Writ *De vi laica amovenda*, by his secular Court and power in ayd of the Church; evidencing the Kings Soveraign authority in all Church affairs.

Bundela Certif. & Petic. an 50 H. 3. in Turri London. EXcellentissimo Domino suo *H.* Dei gratia Regi *Angliæ* illustri, *&c. R.* ejusdem permissione *Coventr. & Lychfeld.* Ecclesiarum Minister humilis, salutem & successus ad vota prosperos jugiter & fœlices. Ex virginis thalamo procedens in orbem terrarum Dominus Jesus Christus amore spirituali sacrosanctam Ecclesiam in sponsam

ſponſam ſibi non ſtrictio copulavit, nec bruti cujuſpiam animalis ſed propriò, dum in Crucis penderet patibulo, ſanguine conſecratam. Hæc ſiquidem tam ſancta, tam cunctis orthodoxæ fidei zelatoribus veneranda, noſtris ſeculis adeo vilipenditur, quod ſuſpiriosis ululatibus eſt lugendum, ut audacia nonnulli præſumptuoſa et audaci præſumptione in ipſam ſe intrudant laica poteſtate; ſtatum ipſius irreverenter evertentes, Eccleſiaſticaſque libertates armatis viribus in ſponſ contumeliam et opprobrium multipliciter deprimentes. Sane Regia Majeſtas, ad Chriſti laudem et reverentiam, injurias Eccleſiæ tanquam proprias, ſervida zelatrix fidei, proſequens et ulciſcens, materialis mucronem gladii contra præſumptores hujuſmodi tottens ad compeſcendam ipſorum inſolentiam acuit et exercet, quotiens ob neceſſitatem vel utilitatem Eccleſiæ requiritur a Prælatis. Cum igitur in Eccleſiam de *Sandeacr.* noſtræ Dioceſis, quidam ſe laici, non ſine gravi libertatis Eccleſiaſticæ ſubverſione, violenter intruſerunt, ac eam in præſentiarum auſu ſacrilego vi laica detineant occupatam; veſtram excellentiam obnixe requirimus et rogamus, quatinus ad amovendam inde vim præfatam, auxilii veſtri velitis dextram extendere cum effectu. Valeat, *&c.* Datum *Heywod.* Non. *Auguſti*, anno Dom. 1266. *An.* 50 & 52 Hen. 3.

EXcellentiſſimo Domino ſuo, Domino *H.* Dei gratia Regi *Angl.* illuſtri; *R.* miſeratione divina Eccleſiæ *Dunelmenſis* Miniſter humilis, ſalutem in eo, per quem Reges regnant & regna ſubſiſtunt. Nuper inter Suppriorem & Conventum de *Brettona*, ex parte unâ; Priorem & Conventum de *Pontefracto*, & *Adam de Norhampton* Monachum, pro Priore de *Brettona* ſe gerentem ſuper variis quæſtionum articulis, ex alterâ, coram ſummo Pontifice quæſtione ſuborta, tandem memorati Suborior et Conventus de *Bretton.* pro ſe obtinuerunt ſententiam diffinitivam, et ipſius executionem venerabili in Chriſto patri Domino *Wintonienſi* Epiſcopo et nobis ſub alternatione demandari, inter cætera continentem; *Quod dictum* Adam *& cæteros Monachos de* Pontefracto, *apud* Bretton. *exiſtentes*, amoveri debeamus; *Monachoſque de* Bretton. *qui per prædictos Priorem & Conventum* Pontefracti *à Monaſterio de* Bretton. *ejecti ſunt violenter*, priſtinæ debeamus reſtituere libertati. *Cum itaque propter* vim laicam, quam Prior, Conventus de Pontefracto, et Adam ſæpefati in Monaſterio de Bretton. obtinent, Mandatum Apoſtolicum adimplere, ut tenemur, et exequi non valemus, Excellentiam veſtram ſuppliciter exoramus, quatinus ad honorem Dei, et ob reverentiam ſummi Pontificis, cujus vices gerimus in hac parte, jubere velitis, ut per Vicecom. Ebor. vis removeatur antedicta. Datum apud *Middilham* 13 Kalend. *Julii*, anno ut ſupra. Ibid. an. 50, H. 3. in Turri London.

SEreniſſimo Domino ſuo *H.* Dei gratia Regi *Angliæ* illuſtri, *&c. W.* permiſſione ejuſdem *Bathon.* & *Well.* Eccleſiarum Miniſter humilis, ſalutem in eo qui Regibus dat regnare. Quia *Henricus le Gant* Magiſter Domus S. *Martini Briſtoll.* Eccleſiæ de *Kantokeſheved* noſtræ Dioceſis vim et poteſtatem jam tantam apposuerit laicorum, quod debitum officium in eadem propter hujuſmodi laicos exequi non valemus, Dominationi veſtræ cum inſtantia ſupplicamus, quatinus contra inſolentiam dictorum laicorum, noſtram juriſdictionem et officium in hac parte, quod veſtrum eſt, exequamini, ſecundum quod regni veſtri exposcit conſuetudo. Ibidem.

Tom. 2. p. 1038. l. 1. before *The King*, inſert; King *Henry* by his Royal Prerogative to preſerve the Peace and Liberty of the Vice-Chancellor and Scholars of the Univerſity of *Oxford*, againſt the injuries and exactions of the Townſ-men, ratified this former compoſition made between them by his Royal Charter, which I ſhall here preſent you with, for the honour of my Nurſing Mother. *An.* 52 H

REX omnibus Ballivis ſuis, ſalutem. Inſpeximus literas patentes dudum confectas apud *Wodeſtok* in præſentia Procuratorum Scholarium Univerſitatis *Oxon.* et Burgenſium ejuſdem Villæ ſuper quibuſdam libertatibus præfatis Scholaribus conceſſis, in hæc verba: *Anno regni Regis* Henrici *filii Regis* Johannis *tricesimo ſecundo, viceſimo nono die* Maii, præſentibus apud Wodeſtok tam Procuratoribus Scholarum Univerſitatis, quam Burgenſium Oxoniæ; idem Dominus Rex conceſſit eiſdem Scholaribus Libertates ſubſcriptas, *videlicet*, Quod ſi inferatur injuria ipſis Scholaribus, fiat inde Inquiſitio tam per Villatas vicinas, quam per Burgenſes prædictos. Et quod ſi ipſi Burgenſes interficiant aliquem de Scholaribus *Oxon.* vel in aliquem ipſorum inſultum faciant, vel alicui ipſorum, vel in aliquem ipſorum Cart. An. 52 H. 3. m. 6. dorſ. Pro Scolaribus Oxon. *See here, pag. 90, 91.

An. 52 & 53 Hen. 3. ipſorum gravem injuriam inferant; Communitas ejuſdem Villæ per ſe puniatur et amercietur, et Ballivi per ſe, et non cum Communitate eadem puniantur et amercientur, ſi negligentes fuerint, vel dolum fecerint in exequendo officium ſuum contra illos qui hujuſmodi injurias prædictis Scholaribus inferunt. Et quod *Judæi Oxonienſes* non recipiant a Scholaribus prædictis pro libra in leptimana niſi duos Denarios; et ſimiliter fiat in minori forma ſecundum quantitudinem; alioquin *Judæi* puniantur ſecundum conſtitutionem regni. Et quod quotieſcunque & quandocunque Major & Ballivi *Oxoniæ* Sacramentum fidelitatis ſuæ præſtabunt in loco ſuo communi, Communitas ejuſdem Villæ denunciet Cancellario Univerſitatis, Ut per ſe vel per aliquas electas perſonas præſtationi Juramenti prædicti, ſi voluerit, interſit. *Nota.* Quod quidem Juramentum tale erit, quoad Scholares prædictos, videlicet; Quod ipſi Major et Ballivi conſervabunt Libertates et Conſuetudines Univerſitatis prædictæ; alioquin non valeat Juramentum ipſorum; ſed interim præſtetur ſecundum formam præſcriptam; Si vero Cancellarius, nec per Procuratorem intereſſe voluerit, ad Juramentum nihilominus procedatur. Et quod duo Aldermanni ſint electi & deputati de illis, qui pro tempore fuerint, ſecundum quod ordinati erant de Domino *W. de Eborum* ad exhibendam juſtitiam cum præpoſiti abfuerint, ſub eadem pœna quâ præpoſiti tenentur, ſi negligentes vel malitioſi inveniantur. Et quod quilibet Burgenſis *Oxoniæ* pro familia ſua reſpondeat; Ita quod ſi aliquis de familia ſua mortem vel gravem injuriam alicui Clerico vel ſuis inferet, Malefactorem exhibeat idem Burgenſis, ut fiat de eo juſtitia; alioquin infligabitur pœna ſecundum conſuetudinem regni. Et quod quotieſcunque debeat fieri temptatio panis et cerviſiæ ab eidem Burgenſibus, præcedenti die denuncietur Cancellario et Procuratoribus Univerſitatis prædictæ; Ut ſi per ſe vel per aliquos ad hoc deputatos per ipſos (ſi voluerint) interſint temptationi prædictæ; Alioquin non valeat ipſa temptatio. Si vero dicti Cancellarius et Procuratores Univerſitatis per ſe vel per ſuos intereſſe noluerint, ad prædictam temptationem nihilominus procedatur. In quorum omnium teſtimonium Dominus *Radulfus* filius *Nicholai* Seneſcalli Domini Regis, ad præceptum ejuſdem Domini Regis huic ſcripto ſigillum ſuum appoſuit. Eodem Domino Rege per literas ſuas mandante Vicecomiti, Majori et Ballivis *Oxoniæ*, ut prædictas Libertates inviolabiliter obſervent et faciant obſervari; Quas etiam idem Dominus Rex fecit irrotulari, anno regni ſui 33. Nos autem prædictam conceſſionem prædictis Scholaribus ſuper præfatis libertatibus de præcepto noſtro factam (ut prædictum eſt) ratam habentes et gratam, eam præſentibus litteris noſtris patentibus Scholaribus antedictis concedimus, et ſigilli noſtri munimine roboramus. Teſte Rege apud *Woodeſtok* 21. die *Junii*, anno regni noſtri 52.

What Penſions the King granted to *Romiſh* Cardinals to promote his affairs, and how carefull he was to ſatisfie their arrears out of the Diſmes granted to him, this Patent will inform us.

Pat. 52 H. 3. m. 25. intus. pro R. Sancti Angeli Diacono Cardinali. REX venerabili in Chriſto *O.* Dei gratia Sancti *Adriani*, &c. ſalutem. Cum teneamur venerabili patri *R.* Sancti *Angeli* Diacono Cardinali in trecentis marcis de arreragiis annui feodi ſui triginta marcarum, quod ei dudum conceſſimus percipiend. ad Scaccarium noſtrum; quas ſibi de Decima nobis conceſſa in Provincia *Cant.* de Termino S. *Michaelis* prox. adventuro perſolvi volumus: vos rogamus quatinus eidem Cardinali vel certo ſuo Attornato de prædict. trecentis marcis de Decima prædicta ſatisfieri faciatis in forma ſuprædicta. Nos enim in Decima prædicta eandem pecuniam volumus allocari. In cujus, *&c.* Teſte, *&c.*

An. 53 H. 3. Tom. 2. p. 1047. l. 49. after *Aprilis*, adde; In the Plea-Rolls in the *Tower*, *Anno* 53 H. 3. I finde theſe Suites and Attachments againſt the holders and proſecutors of Suites in Courts Chriſtian.

Term. Paſch. an. 53 H. 3. *Placita de Term.* Paſch. *an* 53 H. *apud* Weſtm. *Eſſex.* Henricus de Lacy *per Attorn.* &c. *optulit ſe* 4. *die verſus Priorem de* Dunmowe, *&c.* quare tenuit placitum in Curia Chriſtianitatis de advocatione quartæ partis Eccleſiæ Eſtbradham, contra Prohibitionem, *&c.* Et fuit attach. per Willielm. *&c.*

Plac de Term. S. Mich. an. 53 H 3 in Turri London Rot. 5. dorſo. *Plac. de Term. S.* Mich. *eodem anno.* *Magiſter* Stephanus de Gurmuvil. attachiatus fuit *ad reſpondendum* Johanni de Aliſfeld, & Edithæ *quæ fuit uxor* Alfredi de Wyte *de placito*, quare idem Magiſter tenuit placitum in Curia Chriſtianitatis de catallis et debitis quæ non ſunt de Teſtamento vel Patrimonio, contra Prohibitionem, *&c.* Et *unde prædicti* Johannes *et* Editha *queruntur*, *quod cum quædam*

Iſabella

Iſabella de Rocheford *traxiſſet ipſas in placito coram prædicto* Stephano, petendo ab ipſis quater viginti marcas, quæ non ſunt de Teſtamento vel Matrimonio: *Et prædictæ* Johanna & Editha *in craſtino* Purificationis *beatæ* Mariæ *hoc anno in Eccleſia de* Renesbiry *detuliſſent ei Regiam prohibitionem*, ne prædictum placitum teneret, *&c. Et unde prædicti* Johanna & Editha *queruntur*, *quod* prædictus Magiſter ſpreta prædicta Prohibitione tenuit prædictum placitum: Ita quod primo fecit ipſas ab ingreſſu Eccleſiæ ſuſpendi, et poſtea excommunicari. *Unde dicunt*, per quod deteriorati ſunt et dampnum habent ad valenciam viginti librarum. *Et inde producunt ſectam*, &c. *An.* 53 H. 3.

Et prædictus Magiſter venit & defendit vim & injuriam quando, &c. *Et benè defendit*, quod nunquam tenuit placitum prædictum poſt Prohibitionem: *Et hoc paratus eſt defendere, prout Curia conſideraverit. Ideo conſideratum eſt, quod vadiet ei legem ſe* 12. *manu. Et venit cum lege ſua in octabis Sancti* Michaelis, *plegii de lege*, Elias de Coleſhull & Rabertus de Warham. *Poſtea in octabis Sanctæ* Trinitatis *prædictus Magiſter* Stephanus *venit cum lege ſua, & prædictæ* Johanna *et* Editha *renunciaverunt. Ideo prædictus inde ſine die, et* Johanna *et* Editha *in miſericordia* 2. *denariorum.*

I ſhall render you only a Breviate of other Prohibitions and Attachments the ſame Term. Thomas Tredegold *verſus* Johannem le Fenre, *&c. (præceptum eſt Vicecomiti*, quod non omittat propter prædictam libertatem, *&c.)* Ricardus Chymne *Junior verſus Magiſtrum* Johannem de Burton *de placito*, quare tenuit placitum in Curia Chriſtianitatis de catallis, *&c.* contra, *&c.* Ricardus *verſus* Hugonem *Vicarium de* Simonesberg, *&c.* Alexander le Peſtur *de* Mycham *verſus* Gervaſium *Vicarium Eccleſiæ de* Mycham, *et alios*; for the like Suites. Ibid Rot. 17. dorſo. Rot. 36. dorſo. Ibidem. Rot. 45 dorſo. Surr.

In the ſame Term and Roll, I finde this Plea in an *Aſſiſe* of *Darrein Preſentment* to the Church of *Malleberg*, wherein the Popes proviſion of it to his Nephew upon the Biſhop of *Sarums* tranſlation to *Bath*, was pleaded and allowed.

Aſſiſa venit recognitura quis advocatus tempore pacis præſentavit ultimam perſonam qua mortua eſt ad Eccleſiam de Mallebergh *quæ vacat*, &c. *Et cujus advocationem* Ricardus *filius* Stephani *clamat verſus* Walterum *Epiſcopum* Sarum; *et unde dicit, quod quidam* Willielmus *anteceſſor ſuus tempore pacis, et tempore* H. *Regis avi Domini Regis nunc, præſentavit quendam* Robertum *Clericum ſuum ad prædictam Eccleſiam, qui ad præſentacionem ſuam fuit admiſſus et inſtitutus, et ultimo obiit perſona in eadem tanquam à vero patrono præſentatus. Et Epiſcopus per Attornatum ſuum venit, et dicit, quod non debet ei ad hoc breve reſpondere, quia dicit*, quod prædicta Eccleſia non eſt Eccleſia per ſe, imo Capella pertinens ad matricem Eccleſiam de Alfynton, unde petit Judicium de brevi ſuo. Rot. 19. dorſo Devon.

Et Ricardus *dicit*, quod qualitercunque prædicta Eccleſia de Mallebergh modo conſolidata ſit prædictæ Eccleſiæ de Alfynton; tempore quo prædictus Willielmus anteceſſor ſuus præſentavit prædictum Robertum Clericum ſuum ad prædictam Eccleſiam, fuit Eccleſia illa matrix Eccleſia et per ſe parochialis.

Et Epiſcopus dicet, quod poſt tempus prædicti H. Regis avi, quidam Ricardus, quondam Epiſcopus Sarum tempore Domini Regis nunc præſentavit quendam Martinum de Patteſhull, qui ad præſentationem ſuam fuit admiſſus et inſtitutus. Et poſt mortem prædicti Martini quidam Robertus tunc Epiſcopus Sarum præſentavit quendam ——— Clericum ſuum ad prædictam Eccleſiam, qui ad præſentacionem ſuam fuit admiſſus, et inſtitutus. Et poſtquam ——— Rogerus conſecratus fuit in Epiſcopum Bathonienſem et Wellenſem, Dominus Papa contulit eandem Eccleſiam Andreæ nepoti ſuo, et quod advocatio illa pertinebat ad Epiſcopatum Sarum, et Ricardus non poteſt hoc dedicere. Ideo prædictus Epiſcopus inde ſine die, et prædictus Ricardus in miſericordia pro falſo clamore.

Willielmus de Sudfeld, *&c. optulit ſe* 4. *die verſus* Galfridum de Beles *de placito*, quare ſecutus eſt placitum in Curia Chriſtianitatis de catallis et debitis quæ non ſunt de Teſtamento vel Matrimonio, contra Prohibit. *&c. Et ipſe non venit. Et præceptum fuit Vic.* quod attach. eum, *&c.* Rot. 5. Kanc.

Prior de Covenham attach. fuit *ad reſpondendum* Ricardo de Seyton *de conſimile plac. Et unde*, &c. *queritur quod cum ipſe*, &c. *idem Prior non obſtante*, &c. *Ipſum tanquam*, &c. ab ingreſſu Eccleſiæ ſuſpendit, et poſtea ipſum excommunicavit, *&c. Et inde*, &c. Et prohibitum eſt prædicto Priori quod non, &c. Rot. 6. Linc.

An. 53 & 54 Hen. 3.

Rot. 8. intus. Wygorn.

Johannes de Ruhale *per Attornatum ſuum optulit ſe 4. die verſ. Magiſtr.* Petrum de Betevill. *Perſonam Eccleſiæ de* Rypel *de placito*, quare ſecutus eſt conſimile plac. in Curia Chriſtianitatis. *Et ipſe non venit*, &c. *Vic.* &c. *Set mandat*, quod prædictus Petrus Clericus eſt et non habet, *&c. Ideo mandatum eſt* Godefr. *Epiſcopo* Wygorn. *quod habeat prædictum* Petrum, *&c.*

Rot. 9. Suſſex.

Thomas Tredegold *optulit 4. die verſ. Magiſtrum* Walterum de Glouc. *Decanum* Ciceſtr. *et* Johannem le Feu *de placito*, quare idem Magiſter tenuit conſimile plac. et quare prædictus Johannes ſecutus eſt idem placitum. *Et ipſi non venerunt*, &c.

Rot. 10. dorſo. Hereford.

Frater Galfridus *procurator Abb. et Conv. de* Conches attach. fuit *ad reſpondendum* Thomæ de Coleceſtr. *de placito*, quare ſecutus eſt conſimile placitum in Curia Chriſtianitatis, *&c.* petendo ab ipſo decem libras argent. quæ non ſunt, *&c. Et cum detuliſſet*, &c. prædictus Petrus ſpreta Regia prohibitione, ſecutus eſt idem placitum, *&c. Ita quod fecit eum*, &c. *&* excommunicari. *Unde*, &c. *& dampnum habet*, &c. *Et inde*, &c.

Et præd. Galfr. *&c. defendit quod nunquam ſecutus eſt*, &c. *contra*, &c. *Ideo*, &c. *vadiet ei legem*, &c. *Plegii*, &c.

Rot. 32. intus. Suſſex.

Tho. Tredegold *optulit ſe 4. die verſus Magiſtrum* Walterum de Glouc. *Decanum* Ciceſtr. *de placito*, quare tenuit conſimile placitum, *&c. Et ipſe non venit*, &c. *Et mandatum fuit Cuſtodibus ſpiritual. Epiſcopatus* Ciceſtr. *quod faciat eum*, &c. *eo quod Vic. mandat*, quod Clericus eſt et non habet, *&c. Et ſuper hoc teſtatum eſt quod*, &c. *habet terras et tenementa ad ſuffic.* &c. *per quæ poteſt*, &c. *Ideo præceptum eſt Vic.* quod diſtring. eum, *&c.* Et quod habeat corpus ejus, *&c.*

Rot. 28. dorſo. Hereford.

Hugo de Mortuomari *de Caſtro* Ricardi *optulit ſe 4. die verſus* Hugonem de Mortuomari, Emericum *Cancellarium* Hereford. *et* Eymonem *Precentorem* Hereford. *de placito*, quare prædict. Magiſter Hugo tenuit placitum, *&c.* de advoc. Eccleſiæ de Gliſton, contra Prohibitionem, *&c. Et de placito*, quare prædicti Emericus et Eymo ſecuti ſunt idem placitum. *Et ipſi non venerunt*, &c. *Et Vic.* &c. *mandat quod*, &c. Clerici ſunt, &c. *Ideo mandatum eſt Epiſcopo* Hereford. *quod venire*, &c. *Clericos ſuos*, &c.

Rot. 35. intus. Buks.

Radulfus de Norff. *Eſſon.* Ricardi de Seyton *opt. ſe 4. die verſus Fratrem* Ricardum Lovel *Præceptorem de* Bulſtrode, *et* Ricardum *Magiſtrum Militiæ* Templi *in* Anglia *de placito*, quare ſecuti ſunt, &c. de catallis et debitis quæ non ſunt, &c. contra Prohibitionem, &c. *Et ipſi non venerunt, &c. Ideo ponatur per mel. pleg. &c. præceptum fuit Vic.* quod attach. &c.

Rot. 36. intus. Heref.

Radulfus de Haundham *opt. ſe 4. die verſus Priorem Sancti* Guthlaci *de* Hereford. *de placito*, quare tenuit placitum, &c. de catallis, &c. quæ non ſunt, &c. contra Prohibitionem, &c. *Et ipſe non venit.* Et fuit attach. per, &c. *Ideo, &c. ponatur per mel. pleg. quod ſit, &c.*

An. 54 H. 3.

Tom. 2. p. 1056. l. 3. after *ut ſupra*, adde: Pope *Alexander* and his Viſitors of exempted Abbies by their uſurped power, preſcribed a form of Oath to all Abbots and Covents, not to oblige themſelves or Monaſteries to any Religious or ſecular perſons, to the prejudice of their Churches, thus related by *W. Thorn*; which entrenched upon the Kings Prerogative, for whom they could not be bound to raiſe Monies upon any publick occaſion, and in preſcribing *New Oathes* without his Royal aſſent or authority; Whereupon *Roger* Abbot of Saint *Auguſtines* in *Canterbury*, An. 1270. made this Conſtitution in purſuit thereof. * *Rogerus* Abbas inſtituit ne Monaſterium iſtud alicujus obligetur debitis iſto tenore: *Omnibus Chriſti fidelibus*, Rogerus *Dei gratia*, &c. *Nuper ad reformationem ordinis & ſtatus domus noſtræ viſitatoribus à capitulo generali deputatis ad nos accedentibus; diligenti inquiſitione habita ſuper præſcriptis, perpendentes dicti viſitatores tam propter negligentiam Prælati quam ſubditorum in pluribus ſtatum Monaſterii poſſe periclitari, inter cætera maxime quod nonnunquam proniores quam Monaſterio expediret*, et contra Interdictum Apoſtolicum, necnon et generalis Capituli ſtatutum; ad obligandum ſe et ſuum Monaſterium in contractibus mutuo faciendis, tam pro religioſis quam pro ſecularibus perſonis: *ordinaverunt & firmiter ſtatuerunt*, ut ſuper obſervatione ipſius Statuti Apoſtolici necnon et generalis Capituli ſtatutum, tam a Prælatis quam a ſubditis univerſis corporale præſtaretur Sacramentum. *Nos igitur Abbas & Conventus univerſi et ſinguli inſpectis ſacroſanctis*, in verbo veritatis, Sacerdotii et Religionis juramus, *et præſenti pagina profitemur*, nos contra tenorem dicti Statuti ſuper hoc

* Chronicon Will. Thorn, col. 1918.

editi

editi de cætero non contraventuros. *Et ut in omnibus* dictum Statutum *clarius illuceſcat, ipſius tenorem duximus præſentibus, qui talis eſt;* *An.* 54 H. 3.

ALEXANDER Epiſcopus, *&c. Et infra;* Firmiter inhibemus, ne quis præſumat Eccleſiam ſibi commiſſam pro alienis gravare debitis, aut literas alicui ſeu ſigilla eorundem quibus poſſent Eccleſiæ obligari concedere, decernentes ſi ſecus fuerit attemptatum, ad ſolucionem talium debitorum Eccleſias non teneri. Si quis autem contra præmiſſa de cætero venire præſumpſerit, ab adminiſtratione temporalium ſit ſuſpenſum. *Nos etiam prædicti Abbas et Conventus ſtatuentes nihilominus, generalis Capituli auctoritate interveniente, quod Abbas quicumque ſucceſſivis temporibus ad regimen hujus congregationis electus,* in prima ſua creatione Sacramentum prædictum de obſervando Statuto prædicto præſtet, et renovet Sacramentum, *nichilominus eciam ne cæteri proceſſu temporis in iſto Monaſterio Monachicum ordinem ſuſcepturi, contraveniant,* ſtatim poſt profeſſionem ſuam idem Sacramentum facient et obſervent.

In the *Placita apud* Weſtm. *de octabis S.* Trinitatis *coram* M. de Litlebir. *Magiſtro* R. de Seyton, *et* J. de Cobeham, *anno regni Regis* Henr. 54. I found theſe Suites and Attachments (in the *Tower*) for Suits in Eccleſiaſtical Courts, againſt the Kings Prohibitions. Plac. de Term. Trin. an 54 H. 3. in Turre London.

Philippus Bandre *de* Knyuſton *optulit ſe* 4. *die verſus Magiſtrum* Thomam de Wytton *Archid.* Northampton. Nicholaum de Fenton *Officialem ejus,* Hugonem de Watton *Decanum de* Dyngham *de placito,* quare tenuerunt placitum de laico feodo ipſius Philippi de Knyuſton, *&c.* contra Prohibitionem, &c. *Et verſus* Williel-mum *fil.* Rogeri *Capellani, &c.* quare ſecutus eſt idem placitum in eadem Curia, contra eandem Prohibitionem. *Et ipſi non venerunt, &c. Ideo ponantur per meliores plegios, &c. quod ſint in Craſtino* Animarum. *Et primi, &c. Et prædictus Magiſter et* Willielmus *aliàs fecerunt defaltam, ſcilicet, in Octabis S.* Hilarii, *ad quem diem Vic. mandavit,* quod Clerici ſunt et nullum habent laycum feodum, &c. *Ita quod mandatum fuit Archiepiſcopo* Ebor. *quod faciat eos venire, &c.* Et Archiepiſcopus nichil inde fecit, nec breve miſit. *Ideo præceptum eſt Vic.* quod attach. prædictum Archiepiſcopum, *quod ſit ad præfatum terminum, et ibi habeat Clericos, &c.* Rot. 6. Noting. Ibidem.

Johannes de Ciryton *Eſſon.* Johannis Blundel. *et* Willielmus *filius* Galfridi *Eſſon.* Magar. *fil.* Bartholomæi, *et* Johannes *fil.* Walteri *Eſſon.* Elenæ *ſororis ejuſdem* Margar. *opt. ſe* 4. *die verſus* Henr. de Beningburgh *et* Alic. *ux. ejus, de placito,* quare ſecuti ſunt placitum in Curia Chriſtianitatis de laico feodo ipſorum Johannis, Margar. *et* Helenæ, *&c.* contra Prohibitionem, &c. *Et ipſi non venerunt. Et præceptum fuit Vic.* quod attach. eos *quod eſſent hic ad hunc diem.* Et *Vic. nichil inde fecit,* ſed mandavit quod præceperat Ballivis libertatis Civitatis Ebor. *qui nichil inde fecerunt. Ideo præceptum eſt Vicecomiti* quod non omittat propter prædictam libertatem, quin attach. eos *quod ſint in Craſtino S.* Martini. Et *unde Vic. &c.* Rot. 14. dorſo. Eborum.

Ricardus Thynne *junior per Attornatum ſuum opt. ſe* 4. *die verſus* Hugonem *Vicarium* Eccleſiæ *de* Symontsberg *de placito,* quare ſecutus eſt placitum in Curia Chriſtianitatis de catallis et debitis quæ non ſunt de Teſtamento vel Patrimonio, contra Prohibitionem, &c. Et *ipſe non venit, &c. Et præceptum fuit Vic.* quod attach. eum, *quod eſſet hic ad hunc diem.* Et *Vic. mandavit,* quod Clericus eſt, et quod nullum habet laycum feodum per quod poteſt attach. *Ideo mandatum eſt Epiſcopo quod faciat eum venire à die Sancti* Michaelis *in tres Septimanas.* Et *unde Vicecom. &c.* Ibid. Rot. 19. Dorſet.

Rogerus de Trythampton *per Attornatum ſuum opt. ſe* 4. *die verſus Magiſtrum* Stephanum de Rokelaund *de placito,* quare tenuit placitum in Curia Chriſtianitatis de catallis et debitis quæ non ſunt, &c. contra Prohibitionem, &c. *Et verſus Magiſtrum* Ranulphum de Naſſington *de placito,* quare ſecutus eſt prædictum placitum, &c. contra, &c. *Et ipſi non venerunt, &c. Et præceptum fuit Vic.* quod attach. eos, &c. *Et Vic. nichil inde fecit, ſed mandavit* quod Clerici ſunt, et nullum habent laicum feodum, &c. *Ideo mandatum eſt Epiſcopo quod faciat eos venire Craſtino* Animarum, *&c. Et unde Vic. mand. &c.* Ibid. Rot. 8. dorſo. Linc.

Symon de Cotes *per Attornatum ſuum optulit ſe* 4. *die verſus Magiſtrum* Johannem Galle, *Magiſtrum* Jordanum de Hamerton, *et* Emmam *quæ fuit uxor* Willielmi Vaus, *de placito,* quare ſecuti ſunt placitum in Curia Chriſtianitatis de catallis et debitis quæ non ſunt, &c. contra Prohibitionem, &c. *Et præceptum fuit Vic.* quod attach. Ibid. Rot. 9. Hunted.

An. 54 H 3. attach. eos *quod eſſent hic in Octabis S.* Hilarii. *Ad quem diem Vic. mandat*, quod Clerici ſunt, et quod nullum, &c. *Ita quod mandatum fuit* Epiſcopo Linc. *quod venire fac. eos ad hunc diem.* Et Epiſcopus nichil inde fecit, nec breve miſit. *Ideo præceptum eſt Vicecom.* quod attachiaret prædictum Epiſcopum, *quod ſit in Craſtino* Animarum, *&c.*

Ib. Rot. 9. dorſ. Linc. Robertus de Haneworth *optulit ſe* 4. *die verſus* Robertum Salle, Johannem Wynbeyt, Silveſtrum de Linc. *Capellanum, et* Bedam le Den, *de placito*, quare ſecuti ſunt placitum in Curia Chriſtianitatis de catallis et debitis quæ non ſunt, *&c* contra Prohibitionem, &c. Et *ipſi non venerunt, &c.* Et Robertus fuit attach. *per* Johannem de Lyndeſeye *in* Lync. *&c.*

Ibid. Rot. 14. Hereford. Thomas de Coleceſtr. *per Attornatum ſuum optulit ſe* 4. *die verſus Fratrem* Galfridum *procuratorem Abbatis et Conventus de* Couches, *de placito*, quare ſecutus eſt placitum in Curia Chriſtianitatis de catallis et debitis quæ non ſunt, &c. contra, &c. Et *ipſe non venit.* Et *habuit diem per* Eſſoniatorem *ſuum ad hunc diem poſtquam comparuit in Curia, ſcilicet, à die Sancti* Michaelis *in quindecim dies.* Et *vadiaverat ei inde legem ſe* 12. *manu. Ideo conſideratum eſt*, quod prædictus Thomas recuperet dampna ſua quadraginta libarum verſus eum. Et *ipſe et plegii ſui de lege in miſericordia, ſcilicet* Robertus de la Grave *de Com.* Warr. *et* Willielmus *fil.* Martini *de Com.* Eſſex. *&c.*

Ibid. Rot. 17. dorſo. Norff. Radulfus de Norff. *Eſſon.* Willielmi Galuz *optulit ſe* 4. *die verſus Magiſtrum* Godefridum de Merton *de placito*, quare tenuit placitum in Curia Chriſtianitatis de catallis et debitis quæ non ſunt, &c. contra Prohibitionem, &c. *Et verſus Priorem* Norwyc. quare ſecuti ſunt idem placitum in eadem Curia, contra eandem Prohibitionem, &c. *Et ipſi non*, &c. *Et prædict. Magiſter et Prior* fuerunt attach. *per*, &c. *Ideo ponantur per meliores plegios, quod ſint in Craſtino* Animarum. *Et primi*, &c.

This Term there fell out this notable Caſe concerning *Baſtardy*, whether it ſhould be tryed by the Countrey or the Certificate of the Biſhop of *Bayon* in *Normandy*, where the Marriage was alledged; and reſolved it ſhould be by the Biſhops Certificate, to be returned into the Kings Court here.

Ibid. Rot. 19. dorſo. Linc. Rogerus de Nevill *petit verſus* Tolebotum de Talebot *de* Hylteſham *unum meſſ. centum acras terræ, quindecim acras prati cum pertin. in* Gynnewardely *quæ* Thomas Talebot *de eo tenuit, et quæ ad prædictum* Rogerum *reverti debent tamquam eſcaeta ſua, eo quod prædictus* Thomas Baſtardus fuit, et obiit ſine hærede de ſe, &c.

Et Talebotus *per Attornatum ſuum venit et dicit, quod prædictus* Rogerus *nichil clamare poteſt in prædicto tenem. nomine eſcaetæ; quia dicit*, quod prædictus Thomas Talebot non fuit Baſtardus, *ymmo*, de legitimo Matrimonio procreatus. Et *hoc paratus eſt verificare ſicut Curia conſideraverit*, &c.

Et *prædictus* Rogerus *dicit, quod prædictus* Thomas Talebot *qui de ipſo tenuit prædictum tenem.* fuit Baſtardus, et obiit ſine hærede de ſe; *et quod ita ſit*, petit quod inquiratur per patriam.

Et *prædictus* Talebotus *dicit*, quod hujuſmodi inquiſicio de Baſtardia in hoc caſu non ſpectat ad forum ſeculare; *dicit enim*, quod quidam Talebotus pater prædicti Talebot. converſatus fuit in partibus tranſmarinis, *ſcilicet in* Normannia *in* Epiſcopatu Bayeſenſi, et ibi duxit uxorem Johannam nomine, de qua ſuſcitavit prædictum Thomam ex legitimo Matrimonio, *et hoc paratus eſt verificare ſicut Curia conſideraverit.* Ideo mandatum eſt Epiſcopo Beyeſenſi quod diligenter inquirat, utrum prædictus Thomas natus fuit ex legitimo Matrimonio, an Baſtardus? Et quid inde inquiſierit, ſcire faciat hic in Octabis S. Martini, *&c.* So as the Kings Writ in this Caſe ran into *Normandy* in this Age.

Plac. de S. Hil. an. 54 H. 3. in Turri Lond. Rot. 2. intus, Ebor. *Plac. apud* Weſtm. *de Term. S.* Hilarii, *coram* M. de Litlebir. *et* J. de Cobbeham, *anno regni Regis* Henrici 3. 54.

Adam de Wymrual *optulit ſe* 4. *die verſus Magiſtr.* Gilbertum *de S.* Leofordo, *et* Nicholaum de Rodes, quare prædict. G. tenuit plac. &c. de catallis et debitis quæ non ſunt, &c. Et quare prædict. N. ſecutus eſt idem plac. &c. Et *ipſi non veniunt*, &c.

Ibid. Norff. Petrus de Goudre *de* Kynſton *optulit ſe* 4. *die verſus Magiſtr.* Thomam de Shyton *Archidiac.* Noting. *&c. quare ipſe ſimul cum aliis*, Nich. de Fenton *Offic. ejus*, Hug. de Sutton *Decano de* Byngham tenuerunt placitum in Curia Chriſtianitatis de laico feodo ipſius Petr. in Kynſton, contra Prohibitionem, &c. Et *verſus* Henricum

Perſonam

Perſonam Eccleſiæ *de* Radeclyve *ſuper* Som. *et* Willielmum, Philippum, *et* Rogerum *Capellanum.* quare ſecuti ſunt idem plac. in eadem Curia Chriſtian. contra Prohib. &c. *Ideo mandatum eſt Archiepiſcopo* Ebor. *quod habeat eos*, &c. *An.* 54 H. 3.

In another Plea-Roll ſevered from the reſt, about this year as I conjecture. Adhuc de Oct. S. Hilarii.

Ricardus de Manton *optulit ſe* 4. *die verſus* C. Epiſcopum Linc. *de placito, quod eſſet ad hunc diem, et hic haberet* Johannem *Perſonam* Eccleſiæ *de* Undole, *de placito*, quare ſecutus eſt placitum in Curia Chriſtianitatis de, &c. quæ non ſunt, &c. contra, &c. Et *ipſe non venit. Et plures fecit defaltas. Ita quod præceptum fuit Vic. quod diſtringat eum per*, &c. *Ita quod de exitibus*, &c. *Et quod haberet corpus ejus ad hunc diem. Et Vic. mandavit quod diſtrictus eſt. Ideo ſicut prius præceptum eſt Vic. quod diſtringat eum per omnes terras*, &c. *Ita quod de exitibus*, &c. *Et quod habeat corpus ejus a die* Paſch. *in unum menſem. Et Vic. ſit aud. eo quod non reſpond. de exitibus.*

This year there was a notable perpetual League and Confederacy entred into between King *Henry* of *England*, and *Alphonſo* King of *Caſtle*; againſt all men of the world, ſaving their faith to the Church of *Rome*; which I found in the *White Tower*.

Confœderatio inita inter Henricum Angliæ & Alphonſum Caſtellæ *Rege, pro ipſis & eorum hæredibus perpetuè duratura, contra omnes homines de mundo*, ſalva fide Romanæ Eccleſiæ. Anno 54 H. 3. in Turri Lond.

NOverint univerſi hanc paginam inſpecturi, quod nos frater *Lupus Marochitanen.* & *Garſias Martini* Procur. & ſolemnes nuncii illuſtris Regis * *Caſtellæ, Toleti, Legionum, Galleciæ, Sibilliæ, Cordubiæ, Murciæ*, & *Jehenni* literas dicti Domini Regis recepimus in hæc verba; Alphonſus *Dei gratia Rex* Caſtellæ, Toleti, Legionum, Galleciæ, Sibilliæ, Cordubiæ, Murciæ, & Jehenni, *omnibus præſentes literas viſuris vel audituris, ſalutem. Noveritis nos feciſſe, conſtituiſſe, & ordinaſſe Procuratores noſtros et ſolempnes nuncios venerabilem in Chriſto patrem, fratrem* Lupum, *Dei gratia* Merochitan. *Epiſcopum, & Nobilem virum* Garſiam Martino de Toleto, *ad tractandum de pace, & ad firmandum eandem, inter illuſtrem Principem* Henricum *Regem* Angliæ *et ſuos hæredes ex una parte, et nos et hæredes noſtros ex altera; gratum et firmum habituri quicquid per eoſdem nuncios firmatum fuerit vel etiam ordinatum: dantes eiſdem plenariam et liberam poteſtatem tractandi pacem et firmandi eam (ut dictum eſt,) et jurandi in animam noſtram*, et obligandi per Juramentum nos et hæredes noſtros *(ſi viderint expedire) ad ſervandum omnia, quæ iidem Nuncii ſuper præmiſſis duxerint pro nobis et hæredibus noſtris ordinanda et etiam promittenda. In cujus rei teſtimonium has literas noſtras fieri fecimus patentes. Datum apud* Toletum, *Kalendis* Aprilis, * *Ærâ milleſimâ ducenteſimâ nonageſimâ ſecundâ.* Harum igitur authoritate literarum pro prædicto Domino noſtro Rege *Caſtellæ & Legionum*, et hæredibus ſuis invimus fœdus perpetuæ amicitiæ cum Domino *Henrico* Dei gratia illuſtri Regi *Angliæ*, Domino *Hiberniæ*, Duce *Normanniæ* et *Aquitaniæ*, et Comite *Andegaviæ*, et hæredibus ſuis iſto modo; quod idem Dominus Rex *Caſtellæ* et *Legionum*, et hæredes ſui ab hac hora ſint amici et inimici prædicti Regis *Angliæ* et hæredum ſuorum, contra omnes homines de mundo imperpetuum. Ita quidem quod idem Dominus noſter Rex *Caſtellæ & Legionum*, & hæredes ſui juvabunt eundem Regem *Angliæ* & hæredes ſuos bona fide cum toto poſſe contra omnes homines de mundo, ſalva fide Eccleſiæ *Romanæ*. Dimittimus etiam & quietamus pro prædicto Domino noſtro Regi *Caſtellæ* & *Legionum* & hæredibus ſuis, Domino *Henrico* illuſtri Regi *Angliæ* & hæredibus ſuis, ſicut melius & ſanius intelligi poteſt, quicquid juris vel quaſi habet vel habere debet Dominus Rex *Caſtellæ* & *Legionum* & Hæredes ſui in tota *Vaſconia* vel in parte, in terris, poſſeſſionibus, hominibus, juribus, vel quaſi Dominiis, vel quaſi actionibus & rebus aliis, ratione Dominationis quam fecit vel feciſſe dicitur Dominus *Henricus* quondam Rex *Angliæ* ac *Alianora* uxor ſua *Alianoræ* filiæ ſuæ, & bonæ memoriæ Domino *Alfonſo* Regi *Caſtellæ*, & quicquid juris vel quaſi ibidem idem Dominus Rex *Caſtellæ* & *Legionum* habet vel habere debet, vel hæredes ſui per ſucceſſionem ſupradictorum, vel per collationem ipſi vel alii cujus ad ipſum pertineat factam à Regina *Berengaria* filia *Alfonſi* Regis & Reginæ *Alianoræ*, & omnes Chartas quas idem Dominus Rex *Caſtellæ* & *Legionum* habet ſuper hoc à prædictis vel aliquo eorum, promittimus bona fide pro prædicto Domino noſtro Rege *Caſtellæ* & *Legionum* & hæredibus ſuis, dicto Regi *Angliæ* & Hæredibus

* Vide Mat. Pariſ. Hiſt. Angl. an 1253. p. 846. Eiſdem diebus dilatata eſt fama Regis Hiſpaniæ, cujus titulus in ſcriptis ipſius talis ſcribitur; Alphonſus Dei gratia Rex Caſtellæ, Legionis, Galleciæ, Toleti, Murciæ, Cordubiæ, & Jehennt.

* Secundum computationem S. Dionyſii viz. Anno gratiæ 1270.

An. 54, 55, & 56 H. 3.

redibus suis restituere vel debere. Et si inventæ fuerint ex hac hora, ulterius concedimus, quod sint vacuæ & cassæ. Et hoc facimus propter multas bonas rationes & multa alia quæ præfatus Rex *Angliæ* prædicto Domino nostro Regi *Castellæ* & *Legionum* concessit per se & Procuratores suos & solemnes Nuncios, *Petrum* Dei gratia *Hereforden.* Episcopum & *Johannem Maunsell. Beverlacen.* Præpositum, prout continetur in scriptis eorum, sigillis eorundem signatis. Nos verò supradicti frater *Lupus* Episcopus, *Garsias Martini*, Procuratores & Nuncii prænominati Domini Regis *Castellæ* & *Legionis*, quod juravimus in animam ejusdem Domini Regis *Castellæ* & *Legionis*, quod idem Rex & hæredes sui universa & singula superius adnotata benè, & integrè, & fideliter imperpetuum observabunt. In cujus rei testimonium præsentem Chartam sigillis nostris appendentibus præmunitam sæpefato Domino Regi *Angliæ* duximus concedendam. Facta apud *Toletum* pridie Kalend. *Aprilis*, Ærâ 1292.

The fame, wisedom and amplitude of this King *Alphonso* his Kingdomes and Dominions, are at large described by * *Matthew Paris*, with his affection and good advice to King *Henry* after this League: *Rex* Hispaniæ *amicissimus jam Domino Regi* Anglorum *effectus, cum audisset de moribus ejus, condoluit in spiritu benignitatis & discretionis, & literatoriè significavit eidem*, ut exemplo bonorum Regum ac Principum, quarum titulus ab antiquo talis est, erit Agnus domesticis et suis commilitonibus, et Leo exteris et rebellibus; ille videlicet sermo recitatur, ut talia sequeretur, nec esset amplius suorum oppressor, & alienorum receptor & alimentator: sed,

* Hist. Angl. p. 846.

Quid juvat in sterili spargere semen humo?

An. 55 H. 3.

In a Fragment of Plea-Rolls (in the *Tower*) before the Justices Itinerant, about *Anno* 55 of *Henry* the 3d. as I conjecture by the hand, I met with this Case and Resolution upon an Attachment for a Suit in Court Christian against the Kings Prohibition.

Linc. Rot. 10.

Magister Willielmus de Branucewell attachiatus fuit *ad sectam* Gilberti Parleben, quare traxit eum in placitum in Curia Christianitatis de catallis ejusdem Gilberti, quæ non sunt de Testamento vel Patrimonio. *Et* Henricus *Decanus* De la Ford attachiatus fuit *ad respondendum eidem* Gilberto, quare tenuit placitum illud. *Et* Willielmus *& Decanus veniunt et dicunt*, quod post Prohibitionem Domini Regis nunquam tenuerunt nec secuti sunt placitum illud; *sed verum volunt dicere, quod revera idem* Willielmus *vendidit eidem* Gilberto *et cuidam participi suo decimas garbarum suarum de Ecclesia sua pro* 37 *marcis; et quia denarios illos non reddidit ad terminos statutos, ille sicut persona implacitavit eum in Capitulo ante* Prohibitionem: Et petit Judicium, si illud potuit facere vel non? *Et* Gilbertus *venit et hoc totum cognoscit, sed dicit*, quod reddidit ei prædictos denarios, *sed nullam sectam inde habet: Et dicit*, quod idem Willielmus petit ab eo quandam pœnam: *Et* Willielmus *dicit*, quod nullam pœnam ab eo exigit nec exiget. Et ideo consideratum est, * quod bene licet eidem Willielmo sequi placitum illud in Curia Christianitatis cum sit de Decimis, et prædicto Decano tenere illud. Et Gilbertus in misericordia.

* Mich. 13. H. 3. Fitz. Prohibit. 20.

An. 56 H. 3.

Tom. 2. p. 1061. l. 30. after *Decembris*, adde; I found this Original Writ in the *White Tower*, (*An.* 56. H. 3.) against the Prior of *Ely*, for suing the Kings Tenants of *Schelfield* for a Rent in the Ecclesiastical Court, against his Crown and dignity.

Bundela Brevium in Turri London. An. 56 H. 3.

H. Dei gratia Rex *Angliæ*, Dominus *Hiberniæ*, & Dux *Aquit.* Vic. *Cantebr.* salutem. Quia *Johannes le Moigne* fecit nos secur. de clamore suo prosequend. per *Nicholaum* fil. *Johannis*, & *Gilbertum de Grumvill* de Com. *Essex.* tibi præcipimus, quod ponas per vad. & salvos plegios *Henricum* Priorem de *Ely*, quod sit coram nobis à die Purificationis beatæ *Mariæ* in 15. dies, ubicunque tunc fuerimus in *Anglia*; ostensur. quare homines ipsius *Johannis* de Manerio suo de *Magno Schelfield*, quod de nobis tenet in Capite, per diversas sententias Excommunicationis in ipsos latas distringet ad redd. Ecclesiæ suæ de *Ely*; videlicet, singuli eorum unum quadrantem per annum, cujusmodi debitum ipsi non debent, nec ipsi nec antecessores eorum unquam reddere consueverunt, in ipsius *Johannis* et ipsorum grave præjudicium, et nostræ Coronæ et dignitatis læsionem, ac contra Prohibitionem nostram, (*to stay his Suit for this Exaction, and Censures in the Ecclesiastical Court which usurped conusance of it.*) Et habeas ibi nomina plegiorum & hoc breve. Teste me ipso apud *Turrim London.* 18. die *Januarii*, anno regni nostri 56.

Placita

Placita apud Weſtmonaſterium *in Octabis Sanctæ* Trinitatis, *coram* Martino de Lytlebir. *& ſociis ſuis Juſtic. de Banco, anno* 56 H. 3. (in the *Tower*) inform us of theſe Prohibitions that Term, (beſides others) for Suites in *Courts Chriſtian.* *An.* 56 H. 3.

Plac. de Term. S. Trin. an. 56 H. 3. in Turri London. Rot. 28. intus. Eſſex.

Johannes Martian & Willielmus de Orſet *opt. ſe* 4. *die verſus* ——— neye *de placito*, quare ſecutus eſt plac. in Curia Chriſtianitatis de catall. et deb. quæ non ſunt, &c. contra, &c. *Et ipſe non venit. Et præceptum eſt Vic.* quod attach. eum, &c.

Memb. 9. dorſ. Glouc.

Johanna de Wantcon attachiata fuit *ad reſpondendum* Johanni de Meyſy *de placito*, quare ſecuta eſt placitum in Curia Chriſtianitatis de laico feodo ipſius Johannis in Charefend, contra Prohibitionem, &c. *Et unde prædictus* Johannes *queritur*, quod cum prædicta Johanna traxiſſet ipſum in placitum in Curia Chriſtianitatis coram Magiſtro Galfrido de Oudbridlegh Offic. Epiſcopi Wigorn. de laico feodo ipſius Johannis; *& idem* Johannes *die* Veneris *proximo poſt feſtum Tranſlationis beati* Thomæ *Martyris in Eccleſia Sancti* Johannis *de* Cyreceſtr. detuliſſet ei Regiam Prohibitionem, ne prædictum placitum ſequeretur; prædicta Johanna ſpreta Prohibitione prædicta, ſecuta eſt prædictum placitum de die in diem verſus eum: Ita quod primo fecit ipſum ſuſpendi ab ingreſſu Eccleſiæ, et poſtea excommunicari: *Unde dicit*, quod deterioratus eſt et dampnum habet ad valenciam quadraginta librarum. *Et inde producit ſectam*, &c. *Et* Johanna *venit et defendit vim et injuriam quando*, &c. *Et bene defendit*, quod nunquam ſecuta fuit prædictum placitum, contra prædictam Prohibitionem. *Et hoc parata eſt defendere ſicut Curia conſideraverit. Ideo conſideratum eſt, quod vadiet ei legem ſe* 12. *manu: Et veniat cum lege ſua hic craſt.* &c. *Plegii de lege*, Richardus Tyril & Thomas de Churchehull *de eodem Com.* &c. *Poſtea venit prædicta* Johanna *et fecit legem ſuam. Ideo prædicta* Johanna *inde quiet.* et Johannes in miſericordia, &c.

Ibid. 18.

Matilda *quæ fuit uxor* Henrici de Morton *per Attorn. ſuum optulit ſe* 4. *die verſus Magiſtrum* Andræum de Coventre *et* Adam de Dekene *de placito*, quare prædictus Magiſter tenuit placitum in Curia Chriſtianitatis de catallis et debitis quæ non ſunt de Teſtamento vel Matrimonio, contra Prohibitionem, &c. *Et de placito*, quare prædictus Adam ſecutus eſt idem placitum in eadem Curia, contra eandem Prohibitionem, &c. *Et ipſi non venerunt. Et præceptum fuit Vic.* quod diſtring. eos per omnes terras, &c. *Et quod de exitibus*, &c. *Et quod haberet corpora eorum hic ad hunc diem. Et Vic. nihil inde fecit, ſed mandavit quod* Richardus le Brocher *de* Covyntre, Johannes *filius* Symonis *manuc. prædictum Magiſtrum.* Ideo ipſi in miſericordia. *Et Vic. ſimiliter, ſcilicet* Wilhelmus de Mortayn: Et amerciatur ad decem libras. *Et ſicut prius præceptum eſt Vicecom.* quod diſtringat eum per omnes terras, &c. *Et quod de exitibus*, &c. *Et quod habeat corpus ejus hic in Craſtino* Animarum. *Et ſciat*, &c. *Et* ——— &c. *Et de prædicto* Ad. *mand. Vic. quod non eſt inventus, nec aliquid habet*, &c. *Ideo præceptum eſt Vic.* quod capiat eum ſi inventus, &c. *Et ſalvo*, &c. Et quod habeat corpus ejus hic ad præfatum terminum, &c. *Et unde Vic. maud.* &c.

Ibid. rot. 19. Suth.

Nicholaus Raſtol & Emma de Arundell *opt. ſe* 4. *die verſus* Johannem *Perſonam Eccleſiæ de* Cheneloke *de placito*, quare ſecutus eſt placitum in Curia Chriſtianitatis de catallis et debitis quæ non ſunt de Teſtamento vel Matrimonio, contra Prohibitionem, &c. *Et de placito*, quare prædictus Johannes ſecutus eſt placitum in Curia Chriſtianitatis de laico feodo ipſorum Nicholai et Emmæ, contra eandem Prohibitionem, &c. *Et ipſe non venit. Et* fuit attach. *per* Willielmum Botyld *de* Chircheth & Nicholaum Syne. *Ideo ponatur per meliores plegios, quod ſint in Craſtino Sancti* Martini. *Et primi*, &c.

To theſe I ſhall annex two Actions more, caſually omitted in their proper *ſeries.* *An.* 14 H 3.

Plac. de Term. S. Hil. an. 14 H. 3. in Turri London.

Willielmus Chynethorne & Willielmus Henry attach. fuerunt *ad reſpondendum* Ricardo de Chuderlegh & Oriſiæ de Germudes ——— *de placito*, quare ſecutus eſt placitum in Curia Chriſtianitatis de catallis et debitis quæ non ſunt de Teſtam. vel Patrim. contra Prohibitionem, &c. *Et unde iidem* Ricardus & Oriſiæ *per* Adam de Baunton *Attornatum ſuum quer. quod cum prædicti* Willielmus & Willielmus *die* Jovis *prox. poſt feſtum Converſionis S.* Pauli, *anno regni Domini Regis nunc*, &c. *quartodecimo apud* Exon. *coram Magiſtro* Ricardo de Coleton Official. Domini Epiſcopi Exon. ſecuti fuiſſent placitum in Curia Chriſtianitatis de duobus Bobus, quatuor affr. Bladis, et ſexaginta Solidos, quæ non ſunt de Teſtam. &c. *ac iidem* Ricardi & Oriſiæ *prædictis die & anno ibidem* liberaſſent eiſdem Willielmo et Willielmo Prohibitionem

An. 56 H. 3. bibitionem Domini Regis, *in præsentia* Willielmi de Halswyll. Willielmi Dame, & Radulphi de Corner & *aliorum*, ne placitum illud ulterius sequeretur; idem Willielmus et Willielmus nihilominus placitum illud ulterius sequebantur, contra Prohibitionem, &c. *Ipsi tamen*, &c. *Unde dicunt*, quod deteriorati sunt, et damnum habent ad valenciam viginti librar. *Et inde producit sectam*, &c.

Et Willielmus & Willielmus *per* Johannem de Chuderlegh *Attornatum suum venerunt. Et defend. vim & injuriam quando*, &c. *Et benè defend.* quod ipsi nunquam secuti fuerunt placitum illud in Curia Christianitatis de catallis et debitis quæ non sunt, &c. contra Prohibitionem, &c. *sicut iidem* Ricardus & Orisia *queruntur. Et hæc parati sunt defendere contra ipsos & sectam suam, sicut Curia consideraverit. Ideo consideratum est quod prædicti* Willielmus & Willielmus *vadient eis inde legem suam*, &c.

An. 20 H. 3. Willielmus de Radeweye attach. fuit *ad respondendum* Domino Regi *de placito*, quare, cum placita de catallis et debitis in Regno *Angliæ*, quæ non sunt de Testamento vel Patrimonio ad Coronam et dignitatem Regiam specialiter pertineant; idem Willielmus (*sicut ex relatu plurium accepit* Dominus Rex,) secutus est placitum in Curia Christianitatis de catallis et debitis Johannis Prioris de Wolryshton et Petr. Vicar. Ecclesiæ de Wolryshton, quæ non sunt de Testamento vel Patrimonio, in læsionem Coronæ et dignitatis Regiæ, et contra Prohibitionem, &c. *Et unde* Willielmus de Hauberk, *qui sequitur pro* Domino Rege *dicit, quod cum* Willielmus *prædictus die* Veneris *proxima post festum S.* Margaretæ *Virginis, anno regni Domini Regis nunc decimo nono, apud* Lychefeld *in Ecclesia S.* Cedde Lychefeld. *coram* Rogero Coventr. & Lychefeld. *Episcopo & Waltero de Askeby Comissar. ejusdem Episcopi* secutus fuit placitum in Curia Christianitatis de 21. libr. 16. solidis, 4. denariis, una pari decretalium, una sella, uno fræno parcameno, uno mounteris, duobus loculis de serico, una zona serica prædictorum Prioris et Vicar. quæ non sunt de Testamento vel Patrimonio, &c. *ac quidam* Willielmus le Gardyner *die* Veneris *proximò ante festum S.* Petri ad vincula *prox. sequente apud* Coventr. *in præsentia* Guydonis le Breton, Willielmi Hauberk, Ricardi Fabr. *de* Braundon, & Ricardi de Cardyner liberasset ei Prohibitionem Domini Regis, ne placitum illud ulterius sequeretur, &c. Idem Willielmus nihilominus secutus fuit idem placitum in Curia Christianitatis, in læsionem Coronæ et dignitatis Regiæ, contra Prohibitionem, &c. Et hoc paratus est verificare pro Domino Rege, &c.

Plac. de Term. S. Hil. an. 20 H. 3. in Turri London.

Et Willielmus *venit, & defendit vim & injuriam quando*, &c. *Et benè defendit*, quod nunquam secutus fuit placitum in Curia Christianitatis de catallis et debitis quæ non sunt de Testamento vel Patrimonio, contra Prohibitionem, &c. Et *de hoc ponit se super patriam.* Et Willielmus *qui sequitur*, &c. *similiter. Ideo præceptum est Vic. quod venire faciat hic à die S.* Trinitatis *in quindecim dies*, 12. &c. *per quos*, &c. *et qui nec*, &c. *ad recogn.* &c.

By all the premised successive *Prohibitions*, *Attachments*, *Suits*, *Proceedings*, besides sundry others contained in the Fragments of the decayed Plea-Rolls in the *Tower*, which I pretermit, and those printed in * *Bracton* and † *Fitzherbert* during the long Reign of King *Henry* the 3d. it is most apparent, that notwithstanding his over-great compliance with, and connivances at the Usurpations, Exactions of the Popes, and Court of *Rome*, their *Legates*, *Instruments* in sundry particulars, to which he was necessitated to procure their favour, advise, and assistance against the frequent invasions, injuries of the *French*, and other potent Enemies abroad, and of his undutifull, refractory, rebellious Prelates, Barons at home, invading, undermining the Rights and Prerogatives of his Crown; and to obtain the Realms of *Sicily* and *Apulia* for his Son *Edmund*: yet he with his Parliaments, Judges, and Courts of Justice constantly maintained, asserted his Soveraign Ecclesiastical Prerogative against all Papal and Prelatical usurpations thereon, and the Lawes, Liberties, Properties of his Realms, Subjects in *England* and *Ireland*, in the Particulars of greatest moment, and most publick concernment to him and his people.

* Lib. 5. c. 2. to 15.
† Grand Abridgement, Prohibition 13, to 30.

1. In issuing out frequent *Prohibitions* to, and *Attachments* against his Archbishops, Bishops, Archdeacons and other Ecclesiastical Judges, Courts, and likewise to and against the Popes Legates, Delegates, for holding Pleas of any matters, Causes belonging to his Crown, Dignity or Temporal Courts, seising their Temporalties, fining and imprisoning their Persons for their contempts and disobedience to his Prohibitions,

Prohibitions, as well as his Lay-ſubjects: [a] *Quia nullum majus crimen, quàm contemptus & inobedientia:* omnes enim qui in regno ſunt (as well Prelates, Clergymen, Popes Legates, as Lay-Lords and Subjects) obedientes eſſe debent Domino Regi, et ad pacem ſuam, et cum vocati vel ſummoniti per Regem venire contemſerint, faciunt ſeipſos exleges, et ideo utlagari deberent, non tamen ad mortem vel membrorum truncationem, cum cauſa utlagationis criminalis non exiſtat, ſed in perpetuam priſonam, vel regni abjurationem, et communione omnium aliorum qui ſunt ad pacem Regis, as Judge *Bracton* and other the Kings Judges then reſolved. *An.* 56 H. 3.

a See Bracton, l. 5. c. 2, to 17. * Bracton, l. 5. c. 2. & 32. f. 441.

2ly. In ſummoning all Archbiſhops, Biſhops, Popes Delegates, and other Eccleſiaſtical Judges, Perſons to appear before him and his Jugdes in his Temporal Courts, in all cauſes wherein their Eccleſiaſtical Juriſdiction or uſurpations on his Crown were brought in queſtion, as the ſole proper Judges thereof, not the Pope or themſelves, as well as of all Temporal Juriſdictions, they being both originally veſted in and flowing from the King; whence [b] *Bracton* and his Judges then reſolved: In Spiritualibus debet Rex æſtimare vel Juſticiarii ſui, an ſua ſit Juriſdictio vel non? Si Judex Eccleſiaſticus falcem ponens in meſſem alienam aliquid præſumpſerit contra Coronam et dignitatem Regiam, ſicut de laico feodo vel de Catallis, cum Prohibitionem a Rege ſuſceperit, ſuperſedere debet in omni caſu, ſaltem donec conſtiterit in Curia Regis, ad quem pertineat Juriſdictio: quia ſi Judex Eccleſiaſticus æſtimare poſſet an ſua eſſet Juriſdictio, in omni caſu indifferenter procederet non obſtante Regia Prohibitione. Debet igitur vel omnino ſuperſedere, vel cum attachiatus fuerit, venire, vel mittere, quod examinato placito in Curia Regis, de conſilio Curiæ ſuperſedeat, vel procedat, quod ſi non fecerit pœna debita puniatur. Since then the King, and his Temporal Courts, Judges who repreſented his Perſon, did thus ſummon Archbiſhops, Biſhops, Popes Delegates, and all other Eccleſiaſtical Judges perſonally to appear before them, determine all Cauſes concerning the extent of their Papal or Eccleſiaſtical Juriſdictions, reſtrain, correct their uſurpations, exceſſes, contempts; but they on the contrary could not ſummon, examine, inhibit the Kings Temporal Courts, Judges, nor excommunicate, interdict them by our Laws for any of their Judgements, Prohibitions, Proceedings, reſtraining their pretended Church-Liberties, or Eccleſiaſtical Juriſdictions or Exorbitances, (though they [c] oft-times attempted it by their antimonarchical *Canons* and *Conſtitutions*) they muſt be acknowledged to be Supreme, and Super-intendent over, not ſubject or ſubordinate to them, as well in Eccleſiaſtical as Temporal Cauſes and Affairs.

b Lib. 5. c. 15. f. 412.

c See Tom. 2. p. 898, to 912.

3ly. In ſummoning, commanding Archbiſhops, Biſhops from time to time by Sheriffs and Writs, not onely to make Certificates to the Kings Courts and Judges in caſes of [d] *Matrimony* and *ſpecial Baſtardy*, but likewiſe to ſummon all Deans, Archdeacons, Clerks, Prebends, Eccleſiaſtical Judges, Perſons within their Provinces or Dioceſſes having Benefices, and no Lay-fees, to appear in the Kings Courts, *and bring their Bodies thither by a certain day*, to anſwer all Suites and Complaints there pending againſt them; when they refuſed voluntarily to appear upon Summons, eſpecially for proſecuting Plaints, or holding Plea in Eccleſiaſtical Courts, of Lay-fees, Advowſons, Debts, Chattels, Contracts or Treſpaſſes not belonging to them, againſt the Kings *Prohibitions*, in læſionem Coronæ et dignitatis noſtræ Regiæ; and ſeiſing their Temporalties, *attaching*, *fining* and *impriſoning their Perſons*, for *wilfull neglects*, or *contempts* in ſuch caſes; which [e] *Bracton* thus more particularly relates as the Law and practice in that Age.

d See Bracton, l. 5. de Exceptionibus, c. 12. Fitzherberts and Brooks Abridgements, Tit. Baſtardy. Bracton, l. 5. c. 2, to 16. Regiſter of Writs, pars 2. f. 33, to 37.

Item excuſari poterit Vic. propter privilegium Clericorum, *ut ſi præceptum Domini Regis habuerit* de attachiando aliquem qui Clericus ſit, et qui plegios invenire noluerit propter privilegium Clericale, *nec laicum feodum haberet per quod poſſit diſtringi, nec debet Dominus Rex mandare in eos mittere, & cum in eos coercionem non habeat*, maxime in delictis et tranſgreſſionibus, ſicut in majoribus criminibus, nullum aliud ſupererit remedium, niſi quod ex parte Domini Regis mandetur Ordinariis loci qui Baronias habent, ſicut Archiepiſcopis, Epiſcopis, et aliis in quorum Dioceſibus tales ſunt manentes, qui attachiari debent, vel beneficia Eccleſiaſtica habuerunt, et in quos Dominus Rex habet coercionem propter Baronias ſuas, quod faciant tales venire, et ſic fiat talis Irrotulatio. *A.* optulit ſe quarto die verſus *B.* de placito tali, *&c.* Et *B.* non venit. Et præceptum fuit Vicecomiti quod attachiaret eum:

e Bracton, l. 5. c. 32. f. 442.

An. 56 H. 3. Et Vicecomes mandavit, quod prædictus *B.* Clericus eſt, & quod noluit plegios invenire, nec habet laicum feodum per quod potuit diſtringi; Et ideo mandatum eſt Ordinario loci, ſicut Archiepiſcopo, Epiſcopo, et huſulmodi, quod faciet talem Clericum venire ad talem diem, niſi talis ſit, *quod fortè teſtatum ſit quod talis Clericus habet laicum feodum, & catalla in laico feodo per qua diſtringi poſſit. Et Vicecomes per fraudem mandaverit quod nihil habuerit, in quo caſu, fiat ut ſupra de fraudibus Vicecom. Sed quid ſi Clericus præbendam habuerit, laicum feodum ſcilicet, & noluerit plegios invenire, queritur,* an Vicecom. eum diſtringere poſſit ſtatim per præbendam? vel ſi cum præceptum habuerit de attachiendo retornum fecerit Ordinario, an Ordinarius diſtringere poſſit Canonicum per præbendam ſuam? videtur quod neuter, nec Vicecomes nec Epiſcopus; *Vicecomes non licet Warrantum haberet ingrediendi libertatem ſine Epiſcopo vel alio Ordinario*, cum Epiſcopus ſit caput Eccleſiæ, et Canonici membra. Item, Epiſcopus per tale retornum, ſine ſpeciale præcepto Domini Regis, cum Canonicus adeo libere teneat præbendam ſuam de Eccleſia, ſicut ipſe Epiſcopus Baroniam ſuam, et Canonici ſunt quaſi unum corpus per ſe in Eccleſia: Et quamvis Epiſcopus ſit caput Eccleſiæ, tamen Canonici habent ſua bona a bonis Epiſcopi ſeparata, Et ideo cum Epiſcopus a Domino Rege ſpecialiter mandatum habuerit, et hoc * incipit habere Juriſdictionem, et coercionem in Præbendis, quaſi ordine obſervato. *Forma Brevis tunc talis eſt*: *H.* Dei gratia, *&c.* venerabili in Chriſto patri *B.* eadem gratia Epiſcopo *London.* ſalutem. Mandamus vobis quod venire faciatis coram Juſticiariis noſtris, *&c.* ad talem diem talem Archidiaconum, vel talem Decanum vel Canonicum ad reſpondendum *C.* de tali placito, *&c. ut ſupra. Et tunc addatur hæc Clauſula*: Et unde Vicecomes noſter *Midd.* mandavit præfatis Juſticiariis noſtris quod prædictus Archidiaconus, vel talis alius qui Clericus eſt, noluerit plegios invenire, nec habet laicum feodum per quod diſtringi poſſit, et habeatis ibi hoc Breve. Teſte, *&c. Si autem Epiſcopus nihil fecit ad mandatum Domini Regis, tunc fiat Irrotulatio, ſic*: *A.* optulit ſe quarto die verſus *B.* de placito tali, & *B.* non venit, & aliàs præceptum fuit Vic. quod attachiaret eum. Et Vic. mandavit quod Clericus fuit, *&c. ut ſupra*: et ita quod mandatum fuit Epiſcopo tali, quod faceret eum venire, et quod mitteret Breve, et ipſe nihil inde fecit. Et ideo ſummoneatur Epiſcopus quod ſit ad talem diem, et ibi habeat prædictum talem ad reſpondendum prædicto *A.* quare, *&c.* ſecundum Breve originale, et ad oſtendendum, quare prædictum *B.* coram præfatis Juſticiariis ad talem diem non habuit ſicut ei mandatum fuit. *Forma Brevis talis eſt*; Rex Vicecom. ſalutem. Summone per bonos Summonitores *F. London.* Epiſcopum quod ſit coram Juſticiariis, *&c.* ad talem diem, et ibi habeat talem Archidiaconum, vel talem Clericum, ad reſpondendum tali de placito quare, *&c. ut ſupra. Et in fine*, ad oſtendendum quare non fecit eum venire coram Juſticiariis noſtris ad talem diem, ſicut ei mandatum fuit, et quare non miſit Breve, *&c. Ad quem diem aut facit eum venire, aut non facit; ſi autem non, tunc obſervabitur ſolennitas Attachiamentorum, ſicut in aliis diſtrictionibus*, et ſtatim diſtringatur Epiſcopus per Baroniam ſuam, quod ſit ad alium diem, et ibi habeat Clericum prædictum ad reſpondendum, *&c.* Et ſummoneat Epiſcopum quod tunc ſit ibi auditurus judicium ſuum, quod prædictum Clericum non habuit ad talem diem, *&c.* ſicut ei mandatum fuit, et fiat Irrotulatio ſic: *A.* optulit ſe quarto die verſus *B.* de tali placito, *ut ſupra.* Et *B.* non venit, & aliàs mandatum fuit Epiſcopo quod faceret eum venire ad talem diem. Ad quem diem non fecit eum venire, & ita quod præceptum fuit Vicecomiti quod ſummoneret eum quod eſſet ad hunc diem, & ibi haberet prædictum *B.* ad reſpondendum, *&c.* Et ſimiliter, quod Epiſcopus eſſet ad oſtendendum quare non fecit eum venire ad alium diem, ſicut ei mandatum fuit. Et Epiſcopus non venit, nec habuit ipſum *B.* et ideo diſtringatur per Baroniam ſuam, quod ſit ad talem diem; et ibi habeat prædictum *B.* ad reſpondendum, *&c.* Et ipſe Epiſcopus ſit auditurus judicium ſuum de hoc quod ipſum *B.* &c. *Forma Brevis talis eſt*: Rex Vicecomiti, ſalutem. Præcipimus tibi, quod diſtringas F. London. Epiſcopum per terras ſuas quas tenet in Baronia in Com. tuo, quod ſit coram Juſticiariis, *&c.* ad talem diem, et ibi habeat talem Clericum ad reſpondendum tali de tali placito, *&c.* Et ſimiliter ad audiendum judicium ſuum de hoc, quod præfatum Clericum non habuit ad talem diem ſicut ei mandatum fuit, et habeas, &c. Ad quem diem ſi non venerit Epiſcopus nec Clericus, procedatur contra ipſum Clericum de contemptu ſecundum conſiderationem Curiæ, et ne maleficia remaneant

* Nota.

neant impunita, apponat Rex manum ſuum in defectu Epiſcopi, ita quod Clericus arreſtetur et detineatur quouſque Epiſcopus eum petierit ex officio ſuæ juriſdictionis ut ei liberetur, vel ex certa cauſa detentus remaneat, nec propter hoc Vicecomes nec Ballivi ſui pœnam incurrant, cum executio juris non habeat injuriam. Epiſcopus autem et Superiores poſſunt pro injuria, et pro crimine arreſtari. By all which Forms of Legal Proceſs and Proceedings both againſt our Archbiſhops, Biſhops, and other Clergy-men of inferiour degree in that Age, the Soveraign Juriſdiction of King *Henry* and his Temporal Courts, and Judges over them as his Miniſters, is moſt perſpicuous to all the World. *An.* 56 H. 3.

4ly. This his, and his Courts of Juſtice Soveraign Juriſdiction over them, was likewiſe evidenced by ſeveral ſorts of Writs and Mandates then frequently iſſued to our Archbiſhops, Biſhops, Eccleſiaſtical Judges and Ordinaries for ſeveral purpoſes and occaſions, commanding them to do and execute, or prohibiting them not to do or perform ſuch or ſuch Actions relating to their Epiſcopal Juriſdictions or Functions; witneſs theſe Writs of *Quare impedit*, *Quare Incumbravit*, *Quare non Admiſit*, *De Clerico Admittendo*, *De Copia Libelli deliberanda*, *De Cautione admittenda*, *De Aſſiſa Ultimæ Præſentationis*, *Ceſſavit de Cantaria*, *Ne admittas*, *De Nonreſidentia pro Clericis Regis*, *De Præſentatione ad Eccleſiam*, *Præbendam*, *Capellam*, &c. *De Revocatione Præſentationis*, *De Permutatione Beneficiorum*, * *De Reſidentia facienda*, and other Writs of like nature, whereof there are multitudes (over-tedious to tranſcribe) in the *Clauſe* and *Patent Rolls* of King *Henry* the 3d. ſince printed in *Bracton*, the *Regiſter of Writs*, the *Old and New Natura Brevium*, and *Books of Entries*, and their puniſhing them by legal Actions, Attachments, Fines, ſeiſures of their Temporalties, Perſons, and Judgements againſt them, in Temporal Courts for their neglects or contempts therein. * Here, Tom. 2. p. 1011, 1012. 1200.

5ly. It moſt evidently appears by this Kings and his Judges taking no notice of, but rejecting all * *Excommunications* or other *Eccleſiaſtical Cenſures* denounced againſt any of his Subjects by the *Pope* or his *Delegates*, not allowing them to be certified and pleaded in *barre* in any of his Courts of Law. By his and his Judges ſtrict Examinations of the Juſtice and legality of all his Archbiſhops, Biſhops, or other Eccleſiaſtical Judges Cenſures, Excommunications denounced againſt any of his Subjects, cauſing them to be put in due execution when concluded by him and his Judges to be juſt, legal; but ſuperſeding, * commanding, inforcing them to be repealed, and the Subjects to be abſolved from them, yea enlarged out of Priſon, if taken by *Capias Excommunicatums*, when adjudged to be illegal, fraudulent, vexatious, iſſued againſt his Prohibitions, or after Appeals, and awarding damages to the Parties injured, for their vexation; as the premiſed Inſtances, and theſe Paſſages of *Henry de Bracton* flouriſhing under him, moſt clearly demonſtrate. * See Here, p. 69. * See Here, f. 104, 107, 108, 114, 115.

* *Competit etiam tenenti exceptio dilatoria, ex perſona petentis*, eo quod ſeparatus eſt a communione gentium, *propter lepram quæ eſt in anima*, ut ſi fuerit ſpecialiter excommunicatus, *quia ſicut quis poterit habere lepram in corpore, ita & in anima.* Excommunicato enim interdicitur omnis actus legitimus, ita quod agere non poteſt nec aliquem convenire, licet ipſe ab aliis poſſit conveniri. *Qui autem hujuſmodi exceptionem apposuerit*, oportebit eum habere probationem, quia ſimplici voci tenentis non erit fides adhibenda, nec etiam cujuſlibet de populi teſtimonio, quia oportebit eum qui excipit in hoc caſu, habere literas Ordinarii, ſicut Archiepiſcopi, vel Epiſcopi, vel alterius Judicis Ordinarii, vel Delegati, rei veritatem teſtificantes, quod talis nominatim excommunicatus ſit; et ex tali cauſa: vel ſi Ordinarius præſens ſit, et hoc teſtificetur viva voce. Funeſtam enim vocem interdici oportet, potius quam audiri; nec ſolum vox eorum interdicitur, ſed ſi quid ab ipſis fuerit impetratum, firmitatem non obtinebit. Cum excommunicato autem nec orare, nec loqui, nec palam, nec abſcondite; nec veſci licet, exceptis quibuſdam perſonis. But was the Biſhops and Ordinaries Sentence and Excommunication then concluſive to the Party, King, or Judges, that they might not except againſt, or examine the reaſon and legality of it, for the Subjects relief, if injured or grieved by it, without appealing againſt it to the Archbiſhop or Pope? No verily, for he ſubjoyns in the ſame Chapter, that the Party himſelf might thus except againſt it, when pleaded. *Item dicere poterit, quod ſi excommunicatus fui, hoc fuit de facto*, quia nulla ſubfuit cauſa alia, niſi quod Judici Eccleſiaſtico obtemperare * Lib. 5. De Exceptionibus, cap. 23. fol. 426, 427. See Fitzh. and Brookes Abridgement, Tit. Excommengement.

An. 56 H. 3. noluit cognoſcenti de laico feodo, vel de catallis et debitis quæ non ſunt de Teſtamento vel Patrimonio, et unde hora congrua exhibui eis literas Domini Regis prohibitorias ne procederent, et quibus prædicti Judices differre noluerunt. *Item reſponderi poterit*, quod excommunicatio nulla fuit, vel injuſta, quia a tali Sententia rite fuit appellatum, et plures alias prætendere poterit reſponſiones ad tuitionem ſtatus ſui, ſed ad manum ſtatim habeat probationem, quia cum extiterit de excommunicatione, de abſolutione conſtare oportebit. (All which particular allegations the Kings Judges were to examine and determine.) *In fine verò notandum*, quod ubi quis fuerit rite excommunicatus, et in ea pertinacia et excommunicatione pertinaciter perſeveraverit per 40. dies, claves Eccleſiæ contemnendo, tunc (ut gladius gladium adjuvet) ad mandatum Epiſcopi vel ejus Officialis capiatur excommunicatus. Sed nunquam capietur aliquis ad mandatum Judicum Delegatorum, et Archidiaconorum, vel alterius Judicis inferiorís; quia Rex in Epiſcopos coercionem habet propter Baroniam. Cum autem talis capi debeat rationabili de cauſa, cum Cancellarius literas Epiſcopi reciperit, fiat Breve in hac forma: Rex Vicecomiti, ſalutem. Significavit nobis venerabilis Pater *N.* per literas ſuas patentes, quod talis ob manifeſtam contumaciam ſuam excommunicatus eſt, nec ſe vult per cenſuram Eccleſiaſticam juſticiare. Quia vero poteſtas Regia ſacroſanctæ Eccleſiæ in ſuis querelis deeſſe non habet, *(when juſt)* tibi præcipimus, quod prædictum talem per corpus ſuum (ſecundum conſuetudinem *Anglia*) juſticies, donec ſacroſanctæ Eccleſiæ tàm de contemptu quàm de injuria ei illata ab eo fuerit ſatisfactum. Teſte meipſo apud *Weſtm.* &c. *Qui cum captus fuerit & Eccleſiæ ſatisfecerit*, deliberabitur ad mandatum Epiſcopi per tale Breve. Rex Vicecomiti, ſalutem. Quia venerabilis Pater talis Epiſcopus ſignificavit nobis, quod talis quantum ad mandatum ſuum, vel ad mandatum talis venerabilis Patris talis Epiſcopi, à te capi, & per totum corpus ſuum tanquam contemnentem claves Eccleſiæ juſticiarii præceperimus, beneficium abſolutionis impendit, tibi præcipimus, quod a priſona noſtra qua detinetur, ipſum deliberari facias quietum, &c. *Et notandum*, quod ad nullius mandatum deliberari debeat, *niſi ad mandatum Domini Epiſcopi; nec antequam ipſe mandaverit quod Eccleſiæ ſic ſatisfecerit*, niſi captus fuit per fallam ſuggeſtionem Ordinarii, vel aliorum Prælatorum, vel ſi per maliciam Adverſarii, ut eum excludat ab actione quam verſus eum inſtituit. (A common practice in that and ſucceeding Ages, to maintain the uſurped Juriſdiction of theſe Court, and bring much griſt to their Mills. To prevent which the King and Judges ordained this remedy:) Et ſi ita, tunc fiat tale Breve ad ipſius deliberationem. Rex Vicecomiti, ſalutem. * Oſtenſum eſt nobis ex parte talis, quod cum aliquando appellaſſet quendam talem in Comitatu tuo de Roberia & hujuſmodi, & tibi à nobis præceptum eſſet, quod talem appellatum attachiares: Idem apellatus ut ipſum talem appellantem gravaret, et appellum ſuum adnihilaret, falſo ſuggeſſit Epiſcopo tali, quod idem appellans in quadam excommunicatione perſeveravit contumaciter per quadraginta dies et amplius, et ita quod literas ab eodem Epiſcopo impetravit ad nos directas, quod extenderemus brachium ſeculare, per cujus deceptionem idem appellans captus eſt, et in priſona noſtra detentus, ut dicitur. Et quia nemini debet fraus ſua patrocinari, tibi præcipimus, quod ſi prædictus talis appellans fecerit te ſecurum de clamore, &c. tunc pone per vadium, &c. prædictum talem appellatum, quod ſit coram, &c. inde reſponſurus. Et interim facias prædictum talem appellantem deliberari a priſona noſtra, *niſi captus fuerit alia occaſione quare deliberari non debeat.* Teſte, *&c. Si autem forte captus non fuerit*, et Judex aliquis malicioſe ſuggeſſerit Epiſcopo, quod quis excommunicatus fuerit, fiat Breve Vic. de non capiendo talem, ut ſupra de * prohibitionibus. Beſides the Party in ſuch caſes, by a Suit at Law againſt the Proſecutor and Judge, might then recover his full damages for his illegal vexation and impriſonment; and the Proſecutor and Judge be alſo fined, impriſoned for their uſurpations and contempts againſt the Kings Crown, Dignity, and Writs of Prohibition.

* See the Regiſter of Writs, parts, 2. f. 65, 66. Fitz. Nat. Brev. f. 63, 64.

* Lib. 5. cap. 11, 12.

6ly. This King evidenced his Eccleſiaſtical Soveraignty, by his own, his Nobles, Commons, Parliaments frequent publick oppoſitions, and Prohibitions, not only againſt Papal Extortions, Proviſions, Innovations, but likewiſe againſt all Canons and Conſtitutions made by Popes, Prelates, Clergy-men in General Councils at *Rome* or elſewhere abroad; or in National, Provincial or Dioceſan Councils or Synods in *England*, derogatory or prejudicial to the Rights or Prerogatives

of

of his Crown and Royal Dignity, or to the Laws and Cuſtoms of the Realm, or Inheritances, Free-holds, or Liberties of his Subjects; as is evident by his **forecited Writ* prohibiting the *publick reading of the Canon Law in Schools*, the Prohibitions iſſued by him to his Archbiſhops and Clergy in their Councils, not to act or enact any thing to the prejudice of his Crown, Prerogative, Dignity, Realm, his Prohibitions and Appeals * againſt the Canons and Conſtitutions of Archbiſhop *Boniface* and his Suffragans; and all the fore-mentioned Prohibitions, Attachments reſtraining their uſurped Juriſdictions, and encroachments upon his Crown, Laws, Temporal Courts, Subjects properties or Liberties, by colour of Popes, of General Councils, or their own Canonical Conſtitutions, which they endeavoured to advance above the Kings Prerogative, the Laws and Cuſtoms of the Realm in Caſes of *Baſtardy* and other particulars; and that by pretext of his general Clauſe in the Great Charter of Liberties, frequently confirmed by him, Chap. 1. *Quod Eccleſia* Anglicana *libera ſit, & habeat omnia jura ſua integra, & libertates ſuas illæſas*; which was intended both by the King, Nobles, Parliament, only *of * ſuch legal Rights and Liberties, as the King and his Royal predeceſſors had formerly granted and confirmed to them and their Churches*, by their Royal Charters, conſiſtent with the Rights and Priviledges of the Crown, the Laws of the Realm, and his *Lay Subjects* Liberties; whereof he, his Juſtices, and Temporal Courts were the proper and ſole Judges: not ſuch as Popes in or by their *Bulls*, or the Clergy themſelves in or by their own *Councils, Synods, Canons* or *Conſtitutions* ſhould declare, define, enlarge, create, or uſurp at their pleaſures, to advance their Juriſdiction above, or extend it beyond its ancient legal boundaries. All which particulars I thought meet to obſerve, for the honour of the *Common Laws* of *England*, and the Judges and Profeſſors of it in that Age; Wherein though the Lord Chancellors, Treaſurers, with other Chief Officers of State, and ſundry of the Judges were Archbiſhops, Biſhops, Popes Legates, and Delegates, by means whereof they much advanced the Popes and their own Juriſdictions by degrees, to the prejudice of the Crown, the Kings Temporal Courts, and Subjects Liberties; yet they could never ſubvert, undermine, or overthrow the Common Laws, and Liberties of the Realm, nor Kings Prerogatives, grounded on, ſupported by them, and by his Temporal Judges, Nobles, Officers entruſted with their execution; the chief Supporters of him and his Prerogative, againſt all Papal and Prelatical uſurpations or underminings. I ſhall therefore conclude King *Henry* the 3d. his *Reign*, and this *Chapter*, with * *Bracton's* reſolution, **Ipſe autem Rex non debet eſſe ſub homine**, (therefore not under the Pope or any other Prelates) **ſed ſub Deo, et ſub Lege, quia** LEX FACIT REGEM: ATTRIBUAT IGITUR REX LEGI, QUOD LEX ATTRIBUIT EI, videlicet DOMINATIONEM ET POTESTATEM; **non eſt enim Rex ubi dominatur Voluntas et non Lex.**

An. 56 H. 3.

* Here, pag. 86, 87.

* Here, Tom. 2. p. 983, 990, 991.

* See Cookes 2 Inſtit p. 2, 3, 4.

* Lib. 1. cap. 9. f. 5.

Caſual Omissions.

HERE, page 62. line 59. after *vobis*, this paſſage and Letter was caſually omitted in its proper *ſeries*. I likewiſe found this Letter of *Pet. Saracenus*, *S. de Lucy* and other the Kings Agents ſent to the Pope, fully informing him of *Falcatius de Breant* his proceedings in the Court of *Rome* to procure his reſtitution to the Kings favour, and of his apprehenſion, impriſonment in *France*, and their endeavours with *Otho* the Popes Legate, and the Court of *France* by the Legates means to detain him ſtill a priſoner, and hinder his return into *England*.

An. 9 H. 3.

REverentiſſimo Domino ſuo *H.* Dei gratia illuſtri Regi *Angl.* Domino *Hiberniæ*, Duci *Normann. Aquit.* & Comiti *Andegaviæ*; devoti ſui *P. Saracenus*, *S. de Eketon*, *S. de Lucy*, devotam in omnibus reverentiam. Noverit Excellentia veſtra quod ego *P. Saracenus* veniens ad Legatum die Lunæ proxima poſt Aſſumptionem beatæ *Mariæ* apud *Audomarum*, audivi ab ipſo quod ad illum acceſſerat die præcedenti *Johannes Lemovicen.* portigens ſibi litteras Domini Papæ pro *Falkaſio*, ut procuraret quod pacifice morari poſſit in *Francia* dum habuerit neceſſe, et ſcripſerunt vobis multi Cardinales adjicientes, quod idem *F.* rediens a Sede *Romana* captus eſt à quodam Milite in *Burgundia* & detentus, ſcilicet *Anſelmo de Dinne*,

Anno 9 H. 3. in Turri Lond.

An. 9 H. 3. *Dinne*, quem *F.* quandoque cepit in *Anglia*, & detinens eum diu captum, tandem multam pecuniam ab eo extorsit, ac ejusdem *Johannis* instancia jam scripserat Legatus Regis *Franciæ* et Ducissæ de *Burgundia* pro deliberatione dicti *F.* ignorans penitus, quod aliquid contra vos vel Majestatis vestræ dignitatem optinuisset vel optinere potuisset in Curia; credens adhuc firmiter, quod Magister *O.* Nuncius Papæ tantum ad hoc veniret, ut preces vobis offerret pro dicto *F.* Verum cum litteras vestras quas ex parte vestra Legato attuli inspexisset, advertens prudenter et diligenter quæ, quot, et qualiter cedebant in vestræ dignitatis læsionem evidentem, et alia pericula quæ ex hoc vobis, quod absit, imminebant; admirans facilitatem et instanciam ejusdem et aliorum quorundam eidem assistencium versuciam et ingratitudinem, vestræ condolens Magnificentiæ, et ——— studens attente, quomodo vestræ provideret indempnitati, vocato ad se Magistro *Ada de Magno ponte* Clerico Regis *Franciæ* qui tunc aderat, eidem patefecit, quod præfatus *F.* multa in Curia in sui ipsius præjudicium & dedecus procuraverat, injungens eidem, quod ea cum festinatione Domino suo Regi *Franciæ* cautè & sine scandalo insinuaret. Nos autem *S.* & *S.* die *Jovis* sequenti ivimus ibidem ad Legatum, & auditis supradictis ab ipso, tractavimus communiter sollicitè quâ viâ melius processus supradicti Nuncii ——— dari, saltem quousque nos a Curia *Romana* reverteremur, & tandem in hanc formam descendit Legatus, quod cum Magister (*O.* accederet) ad ipsum, persuadebit ei, ut nullatenus recedat à regno *Francia* priusquam sæpedictum *F.* liberaverit, et ejusdem *F.* detencio ita procurabitur in quantum poterit Legatus sine scandalo quod sufficiens tempus nobis supererit de revertendo, Deo dante, antequam ille *F.* (intelligat) hanc intencionem (nostram,) De voluntate Legati consensimus in hoc, ut Magister *E. de Eketon*, qui Magistros *Simonem de Langetote*, & *Adam de Magno ponte* notos habet, festinanter ad illos accedat impetraturus ab illis, & per illos, & pro posse suo quæ erga Regem *Franciæ*, Ducissam *Burgundiæ*, & prænominatum *Anselmum* crediderit expedire, afferens secum literas Magistri *P. de Colle* —— scribentis efficaciter *Silvanectrino* Episcopo & Domino *B. de Rote* super eodem; nec erit dictus Magister *E.* eis suspectus quasi pro nobis laboraret, quia credetur quod negocium Domini *Cant.* in hac parte gerat, contra quem sæpedictus *F.* fecit notorium, & multa proposuit —— (Quod) si per liberacionem *F.* quod absit, vel alia ratione præmissa non procedant, Legatus ostendet Magistro *O.* litteras quas à vestra Majestate suscepit, multas persuasiones dicturus eidem per quas sufficienter moveri debebit, quod nec tutum nec honestum erit ei, ut progrediatur in *Angliam* antequam secundam super hoc receperit a Domino Papa jussionem, et de voluntate et consilio Legati processit Dominus *P. Saracenus* ad Magistrum *O.* ut iram & indignationem (vestras contra *F.* propter contumacia) vobis illata ei manifestet, ut sic cum venerit ad Legatum facilius inducatur ad propositum. Et vult Legatus omnibus modis quod Dominus *P.* una cum Magistro *O.* revertatur ad ipsum, ut plenius per eum instruatur quid facturus esset idem *O.* et de hiis quæ a Domino Papa eidem *O.* sunt injuncta, et quæ fuerit intencio Papæ super eisdem; nam talia forsitan poterit ei præsenti revelare quæ scriptis nullatenus committeret. Legatus autem si aliqua inductione potuerit Magistrum *O.* in partibus *Franciæ* retineret, omnia necessaria ei inveniet, & nos eidem Legato promisimus fideliter, licet hoc recusaret audire quod de hoc ei plenè satisfiet. Ad hæc, si nulla ratione potuerit sæpedictus *O.* retineri, & processerit in *Angliam*. Consilium etiam Legati, quod admittatur honorifice et subtiliter intendatis dilatoribus, primo cum tractatu audientes quomodo et ad quid venerit, unde deliberetis cum dilacione, super eisdem dicturi postea ei, quia quædam inveniistis proposita quæ vos & regnum vestrum tangunt, (& necessarium est) in hiis fidelium vestrorum uti consilio, et ad hoc quanta poteritis assignetur dilacio; ——— necesse fuerit producatur, ut in omnibus hujusmodi subsistat, quousque mandatum Domini Papæ inde habueritis. (Interim) cum omni (cavendum) diligencia ne pendentibus dictis dilacionibus discurrat per regnum, et inimici vestri in hac causa seu (propriis personis, vel) per interpositam personam vel literatorie, nullam habeant accessum ad ipsum in quantum fieri poterit, ne alias dum vos tractaretis de differendo ipsi suggerentes ei quæ vellent more consueto, et inducentes eundem ad scribendum Domino Papæ pro voluntate sua sequantur ——— quia illa scripturs (vim) inquisitionis de plano faciendæ optineret. Sarè ego *S. de Lucy* literas Domini Legati ——— quas Domino Papæ transmittit, & aliis Cardinalibus de quibus confidit specialius; nec visum fuit Legato expediens, ut

ipse

ipſe ad aliquem de ſuprædictis, quia noverunt quod tantum veſtris agendis intendo, & in hiis quæ vos contingunt me maximè ſuſpectum haberent; ſet Magiſter *S. de Eketon* & ego Deo dante convenimus apud *Triticas* ——— ad prænominatum Militem *Anſelmum de Dume*, ſi viderimus expedire: deinde, Domino ——— proceſſuri uſque *Leon.* ſuper *Rodanum*, niſi forſan eundum viderimus melius per *Alemaniam*, expectaturi ibidem Dominum *P. Saracenum*, ut ſic ſimul proficiſcamur ad Curiam. Ex præmiſſis conjici poteſt, quod per 8. dies ad minus retardabimur ex eo quod idem *R.* vadit ad Magiſtrum *O.* & reverſurus eſt ad Legatum; & hoc noſtræ negligentiæ, ſi placet, non eſt imputandum: nos tamen interim pro poſſe noſtro non erimus inutiles. In receſſu latoris præſencium nichil certum audierat Legatus de adventu Magiſtri *O.* nec eciam quod adhuc veniſſet *Pariſiis*, & nondum reverſus fuit garcio Domini *P. Saraceni* quem miſit ad Magiſtrum —— cum litteris quas idem *P.* & ego *S. de Lucy* eidem *O.* ſcripſimus quando fuimus *London.* ——— Dominus noſter ——— ſcrinula tenere velitis ſecretiſſima quia ſunt ibi quædam quæ (ſecreta) tangunt Legati. Et ſicut nobis videtur, ipſe negocia veſtra quaſi propria eciam in hac parte ſibi aſſumit. Mittimus tranſcripta ——— Papæ, & formam in qua ſcribit Cardinalibus; & dixit quod expedit ut ——— tangit ——— rationes ſuſpectus ——— videatur; Semper vale. *An.* 9 & 21 Hen. 3.

By this Letter we may clearly diſcover the hypocritical carriage, diſſimulation, and *Machiavillian* policies of Popes, Legates, Cardinals and *Romiſh* Agents in that Age.

Here, p. 92. l. 14. after *decimo*, this ſhould have been inſerted; I likewiſe found this Bull of Pope *Gregory* and *Otto* his Legate to *Walter* Biſhop of *Coventry*, to abſolve his beloved daughters the Nunnes of the Monaſtery of *Cornebury*, from the obſervance of the Hoſpitalers of *Jeruſalem*, whoſe Habit they had then taken upon them out of ſimplicity; and to profeſs the Rule of Saint *Auguſtine* in that Monaſtery, there to ſerve God in it; which was delayed and oppoſed for five years ſpace by the Hoſpitalers oppoſition: whereupon he ordered his Legate upon the Nunnes requeſt to ſee it executed: this Bull, with Appeals and proceedings thereon I found in the *White Tower*, in this Inſtrument. *An.* 21 H. 3.

OMnibus Chriſti fidelibus ad quos præſens ſcriptum pervenerit, *Walterus* divina miſeratione *Wigorn.* Eccleſiæ Miniſter humilis, ſalutem in Domino. Literas venerabilis patris Domini *O.* Dei gratia Sancti *Nicholai in Carcere Tullian.* Diaconi Cardinalis, Apoſtolicæ ſedis Legati ſuſcepimus in hæc verba; *Venerabili in Chriſto patri & amico chariſſimo*, W. *Dei gratia* Wigorn. *Epiſcopo*, Otto *miſeratione Divina Sancti* Nicholai in Carcere Tulliano *Diac. Cardinal. Apoſtolicæ ſedis Legatus, ſalutem in Domino. Literas Domini Papæ ſuſcepimus ſub hac forma.* Gregorius *Epiſcopus, ſervus ſervorum Dei; dilecto filio* O. *Sancti* Nicholai in Carcere Tulliano, *Diac. Card. Apoſtolicæ ſedis Legato, ſalutem & Apoſtolicam benedictionem. Meminimus nos dudum venerabili fratri noſtro Epiſcopo* Coventrenſi *dediſſe noſtris literis in mandatis, ut dilectis in Chriſto filiabus, Sororibus Monaſterii de* Cornebur. Hereforden. *Dioc. ab obſervantia Ordinis Hoſpitalis* Jeroſolimitan. *cujus Habitum ex quadam ſimplicitate ſuſceperant abſolutis, paratis beati* Auguſtini *Regulam profiteri concederet, ut ſecundum ipſam valerent ibidem vivere, & dignum Domino reddere famulatum. Maximè cum in ordine Hoſpitalis ipſius non conſueverit fieri Collegium Dominarum. Verum cum negotium hujuſmodi propter fratrum dicti Hoſpitalis in* Anglia *difficultates & dilationes inutas per quinquennium & amplius protelatum perduci non potuerit ad effectum*, Procuratoribus tandem parcium propter hoc apud ſedem Apoſtolicam conſtitutis, *venerabilem fratrem noſtrum* Sabinen. *Epiſcopum conceſſimus auditorem. Nos igitur ab eodem nobis fideliter recitatis quæ Procuratores ipſi propoſuerunt coram eo, tàm prædictorum Fratrum, quàm Sororum ipſorum honeſtati ex officio noſtro ſalubriter ac facta finaliter providere*, nolentes ut idem negotium ulterius per inania minime deducant, diſcretioni tuæ per Apoſtolica ſcripta mandamus, quatinus præfatas Sorores Regulam beati Auguſtini profiteri volentes, ab obſervantia Ordinis memorati Hoſpitalis abſolvens, ipſarum Habitu depoſito et profeſſione recepta, concedas eisdem ut ſecundum iam dictam Regulam ibi vivere valeant, *& dignum Domino reddere famulatum; Hoſpitalis præfati & cujuſlibet alterius in omnibus aliis jure ſalvo.* Contradictores per cenſuram Eccleſiaſticam appellatione poſtpoſita compeſcendo. *Datum* Viterbii, 27 *die* Auguſti, *Pontificatus noſtri anno undecimo.* In Turri London. An. 1237.

Hujus

An. 21 H. 3. *Hujus igitur authoritate Mandati diſcretum Magiſtrum* Petrum de Burdella *Clericum noſtrum ad præfatum Monaſterium de* Cornebur. *nuper duximus deſtinandum*, qui voluntate Monialium ibidem degentium ſingulatim et diligentius inquiſita, reperuit quod partes duas earund. volunt juxta mandatum Apoſtolicum beati Auguſtini Regulam profit. in ea grata obſequia Domino exhibere, *prout tàm ex fideli relatione præfati Magiſtri, quàm ex literis inde confectis ipſius Monaſterii & fratrum Nunciorum* Hereforden. & Wigorn. *ſigillis munitis dediſcimus evidenter. Nos igitur de prudentia veſtra obtinentes fiduciam pleniorem, Paternitati veſtræ authoritate qua fungimur mandamus, quatinus accedentes perſonaliter ad Monaſterium ſupradictum, & prædictas Sorores quæ volunt beati* Auguſtini *regulam profiteri*, ab obſervantia Ordinis Hoſpital. Jeroſolimitani penitus abſolventes, poſt ipſarum habitum depoſitum, et profeſſionem receptam, *concedatis eiſdem*, ut juxta proviſionem ſummi Pontificis, ſecundum jam dictam regulam ibi vivere valeant, et dignum Domino reddere famulatum, *præfati Hoſpitalis & cujuſlibet alterius in omnibus aliis jure ſalvo*. Contradictores per cenſuram Eccleſiaſticam compeſcendo. *Datum* Certeſiam. 7. *Kal.* Novembris, *Pontificatus Domini* Gregorii *Papæ* 9. *anno undecimo.*

Hujus igitur authoritate mandati ad dictum locum de *Cornebur.* perſonaliter accedentes, ab omnibus ipſius loci Monialibus propter quam actibus quæ poſt ipſarum voluntatem Magiſtro *P. de Burdella* tàm viva voce quàm literis declaratam, ipſas revocaverunt, exceptis etiam duabus quæ nunquam conſenſerunt juxta formam mandati nobis directi, Hoſpitalariorum habitum depoſuimus, & earundem Monialium ad obſervantiam regulæ beati *Auguſtini* profeſſione recepta, eis conceſſimus, ut ibi ſecundum eandem regulam viverent, et dignum Domino redderent famulatum. Et in teſtimonium hujus rei tàm noſtrum quàm venerabilis fratris Domini *Hereforden.* Epiſcopi; & de *Bora*, & de *Carlym.* Abbatum; & de *Wurmeſleg*, & de *Rilpet*, & de *Ewyar* Priorum, & Decan. & Præcentoris *Hereford.* qui perſonaliter negotio prædicto interfuerunt huic ſcripto appoſita ſunt ſigilla. Actum anno gratiæ 1237. pridie Non. *Novembris.*

Dictus etiam Procurator petiit, & reſpondit hoc modo; petit Procurator Prioriſſæ & Conven. de *Cornebur.* quod Procurator Hoſpital. exprimat verum quod ſuum locum à Dom. Papa pro Sororibus, vel poſt ſententiam & ejectionem à Domino Legat. Sorores de *Cornebur.* admiſerunt quamplures alias Fratribus irrequiſitis, nec conſentientibus, contra obedientiam eis debitam & profeſſionem eorum emiſſam, iſt idem Procurator dicit; quod ſi ——— ſententiam compet. una defenſio ſi eſt, competit alia, ——— & ad hoc, quod Procurator Hoſpital. petit Sorores admiſſas à domo amoveri, et domum fratribus reſtitui. (Dicit) Procurator, Prioriſſæ et Conventus, quod hoc fieri non poteſt propter authoritatem judicatæ, qua continetur, quod dictæ Sorores ibidem vivere debent, et dignum Deo reddere famulatum.

Die *Lunæ* Kalend. *Martii*, Magiſter *Petrus* Procurator Hoſpital. *Jeroſolim.* comparuit contra Dominum *W. de Lacy*, Prioriſſ. & Convent. de *Cornebur.* per Magiſtrum *W. de Bacon* Procuratorem ſufficienter conſtitutum, comparentes, qui quidem Magiſter *W.* ——— cavit ſub pœna trium Marcarum ſterling. pro Domina *S. E.* de *Lacy*, quod prox. die litis ratum habebit quod nomine ſuo faceret, & ſufficienter comparebit in cauſa proceſſura, prout dictaverit ordo juris: cui Procuratori & defenſori libell. ſubſcript. & traditi erant ſub hac forma. Coram nobis, venerande Pater *O.* miſeratione divina, *&c.* proponit Procurator Hoſpital. *Jeroſolimitan.* contra dictum *S. E.* de *Lacy*, quod cum domus de *Cornebur.* cum omnibus ad eam pertinentibus, eis caritative collata fuiſſet, iidem Hoſpitalar. quaſdam Sorores ordinem ipſorum profeſſas illic admiſerunt, & dictæ Dominæ *S. E.* de *Lacy* ad horum inſtanciam cuſtodiam temporalium domus prædictæ conceſſerint. Sed ipſa *E. R.* proceſſu temporis ex fide non agendo, ingreſſum dictæ domus eiſdem, ut valuit & voluit penitus fecit denegari; ac quaſdam ex Sororibus prædictis habitum ipſorum deponere induxit, & quinque ex ipſis habitum deponere nolentibuss ſimul cum fratre eorum Presbytero illic exiſtente nomine eorum abinde recedere coactis, mulieres quamplures eis penitus irrequiſitis, illic fecit admitti in eorum prejudicium & gravamen. Petunt igitur mulieres ſic admiſſas abinde penitus amoveri, domumque prædictam cum ſuis pertinentiis ſibi reſtitui, Cuſtode prædicta taliter verſata; adjecta petunt, etiam ſi placet Fratrem & Sorores prædictas ab nunc ad domum ſuam reſtitui, & expenſas circa eis factas eis refundi, quas æſtimant 10. libr. ſterlingorum,

hæc

hæc divisim proponunt, ut quatinus probaverint incurrant proponunt, & prædict. contra Dominum *W. de Lacy* virum prædictæ *S. E.* ut si sua credit interesse, pro jure suo proponat prout sibi viderit expedire. *An.* 21 & 32 Hen. 3.

Proponis etiam, quod cum eadem Domus cum omnibus ad eam pertinentibus eis caritativè fuisset collata, iidem quasdam Sorores ordinem ipsorum professas illic admiserint, & Dominæ *S. E.* de *Lacy* ad suam instantiam custodiam temporalium domus prædictæ concesserunt. Sed ipsa *S. E.* processu temporis ex fide non agendo, ingressum dictæ domus eisdem, ut valuit & noluit, penitus fecit denegari, & quasdam ex Sororibus prædictis habitum ipsorum deponere induxit, & quinque ex ipsis habitum deponere nolentibus simul cum fratre eorum præsentes illic existentes, nomine eorum abinde recedere, cæteras Sorores quæ illic remanserunt mulieres quamplures eis penitus irrequisitis nec consentientibus illic in Sorores admiserunt; contra obedientiam eis debitam, & earum professionem emissam, & in eorum præjudicium & gravamen. Petunt igitur mulieres sic admissas penitus inde amoveri, domumque prædictam cum suis pertinentiis sibi restitui. Petunt etiam Fratrem & Sorores prædictas ab Nuncio ad domum suam restitui. Hæc autem proponunt contra prædictas mulieres alias admittentes, ut si sua credant interesse principaliter, sive secundario pro jure suo proponant & defendant, prout sibi viderint expedire, *H.* dicentes salvo sibi jure, *&c.*

Ad respondendum autem prædictis libellis præfixus est dies coram Domino *Gualtero* —— dies *Lunæ* prox. ante Annunciationem beatæ *Mariæ* proximo venientem.

Dies *Veneris* —————— *Willielmus de Baconia* Procurator Prioris & Conventus *Cornebur.* Domini *Gualteri* delatis, & Domine *Margar.* —————— pro eis opposuit exceptionem rei judicatæ dicens sicut his, *&c.*

Here, fol. 114. b. lin. 10. after *secundo*, this should have followed: The Bishop of *Bethlehem* the Popes Legate, with the Hospitalers and Templers in *Syria* sent this Letter to King *Henry* the 3d. about the 32d. year of his Reign, declaring their distressed condition and danger by reason of the power and successes of the *Babylonians*, their want of ayd against them from other Christian Princes, after many Letters and Messengers, and imploring his assistance with all earnestness, on whom they principally depended for the relief of the *Holy Land*, and for victory over and confusion of these enemies of the Cross of Christ, not extant in our Historians; which I rescued out of the rubbish in the *White Tower*. *An.* 32 H. 3.

EXcellentissimo ac Christianissimo Principi, Domino *Henrico* illustri Regi *Angliæ*; Frater *Thomas* de ordine Prædicatorum, miseratione divina *Bethleemitan.* Episcopus, **Apostolicæ sedis Legatus**, ejus ad Deum orator assiduus; Frater *Hugo Revel* humilis Magister domus Hospitalis Sancti *Johannis Jerosolimitan.* & pauperum Christi custos Frater *Thomas Berardus* humilis Magister domus *Militiæ Templi*, Frater *Mortymanus* Præceptor domus Hospitalis Sanctæ *Mariæ Theotameor.* & Magistri ejusdem Domus in regno *Syriæ* vicem gerens, & *Godefridus Sargm.* Miles in regno *Jerosolimitano*, *Baritus* cum devota *Terræ Sanctæ* recommendatione seipsos. Fervente dudum in *Syria* & invalescente persecutione —— quæ usque ad extrema Regionis nostræ occupans, totam terram Christianorum & populum cismarinum pluries timoris concussit tonitruis, & comminationum fulguribus jaculavit usque ad extremum defectum cordium & resolutionem virium generalem. Verum potissimè & aliorum Regum & Principum orbis terræ subsidium literis continuant ——— cismarina Christianitas imploravit, apud clementiam Regiam singultuosis insistens suspiriis, personans vocibus & conclamans, **ut ejus clamor in aures Regias introiret, et clamoris sonus in fines orbis (aures) cunctorum fidelium penetrat, ut in ejus succursum exurgerent, et ad *Terræ Sanctæ* præsidium convolarent.** Postmodum etiam *Tartarorum* ipsorum rabie quiescente, divina tamen gratia à persecutione respirans, cum totum respuet ab *Halapia* usque *Jerosolim. Saracenico* populo, quem *Tartari* consumpserat gladius, vacuat, & ex hoc acquirendi terram ipsam, & destructionem eorum qui supererant hostium in robur maximæ fidei & Christianitatis augmentum, acceptabile tempus Christi fidelibus advenisse ad capiendam terram ipsam facili, & restituendam cultui Christiano, **deitram, dictorumque Regum et Principum duxit potentiam attento sollicitudinis studio per plures literas et nuncios procurandam.** Sed illa quam in utroque concepta usque huc fiducia defraudata, ad In Turri London. an. 32. H 3. See Mat Paris, Hist. Angl. p. 807.

An. 32 & 37 Hen. 3.

præsens omni destituta subsidio, & ex destructione præteritæ magnæ oppressæ Castilliæ, *Babiloniorum* est exposita faucibus, ut *Soldanus* ipse cum (exercitu) copioso totam Provinciam usque ad portas *Acon.* hostili jam occupatam insolum, & spiritu superbiæ tumidus, vendicare sibi Civitates & Castra in suæ fortitudinis impetu comminetur, treugarum fide quas hactenus cum Christianis injerat non servata. In quibus omnibus non est qui redimat, neque qui salvum faciat, nec qui ferat auxilium, nec qui terram miserabilem consoletur ex omnibus extis ejus; circumspicit undique quærens in tribulatione subsidium, & non venit. Jacet obsessa canibus, nec invenit liberantem; Regionem nostram labore multiplici & gravibus expensis exultam, in temperamentum Castiliæ alieni devorant & circumquaque dissipant; nec solus sine resistentia exteriorem infideles absorbent propriam ——— dilato ——— quam desperato subsidio fiduciam habent, ut in ——— ipsorum castra influant, & maxithimæ civitates maximæ quas cismarinæ Christianitatis paucitas tenere non sufficit, & contra hostilem frequentiam defensare, quin potius quasi parvus grex in luporum medio constitutus, circumseptus undique ac direptus ubique suarum ovium depræda-tionem eo formidat, immensis quo frequentius prædictorum luporum molestat incursibus & discurrentibus exercitibus agitatur. Ut quis igitur, Rex inclite, Regia potentia non consurgit, & Regalis ——— brachium non insurgit? usquequo exaltabitur contra nos Christiani nominis inimicus? quamdiu terra Christi sanguine rubricata conculcari tam enormiter à bestiis permittetur, quæ sic posset de facili liberè & perpetua pace muniri, & in antiquum integritatis statum ——— de prædictis partibus resarciri? Cum enim aliorum hostium undique subtracta formidine *Babiloniorum* timorem nocumenta supersint, & cæteris quodammodo spinarum aculeis ac frue ——— hostilibus dissipatis, *Babilonica* tamen radicis offendiculum habeat ——— cujus custodiæ tribulationes multimodas & periculosas inquietudines experitur. Ad extirpationem ipsius quam præsentis potissimè temporis opportunitas subministrat, adventus vester diutina oblatione præmissus et anxie ab omnibus expectatus fozet necessario festinandus, ut *Babilonis* nomen, et germen, et progenies, simul et reliquiæ perderent. Ne qua de cætero radix hostilis amaritudinis sursum germinans superesset quæ in eradicationem Christiani nominis efferatis animis consurrexit; & jam si radix illa nullis impedita, quod absit, obstaculis germinationem hostium fidei, & virium collectionem diutius permittatur excrescere, tunc pax subveniendi voluntas perficeret ubi foret congrui temporis possibilitas retardata. Meminisse debet magnificentia Regia damna gravia & injurias graviores quas gens *Babilonica* adversus Christicolarum exercitum pluries intemptavit; non quidem ex suo robore, sed aut permissione divina juxta nostrorum & exigentiam prædictorum, aut ex multiplicatione roboris quæ sibi contra Christianitatem ex regnis *Saracen.* adjacentibus influebat; mox enim dum contra *Babiloniam* Christicolæ prævalerent, concurrebat undique infidelis populus infidelitatis suæ undique afferens fulcimentum: sed ubi *Baldasa*, *Mosa*, *Halapia*, & *Damascus*, opulentissima revera regna ——— nociffimæ civitates. Ex quibus utique si robur validum accedebat, si confortabantur brachia pessimorum nullus ambigit qui temporis illius supputat rationem, verum *Radye H.* pessima ramis his detruncatis quam de facili extirpationi pateat & eradicationi subjaceat leviorum, dictat non ——— comprobat manifestum. Proinde Celsitudinem Regiam flebilibus vocibus quantum possumus obsecramus in Domino Jesu Christo, quatinus felicem ac potentem vestrum adventum, vel saltem auxilium (quod in prædictæ terræ ——— defensionem, et confusionem inimicorum crucis Christi suspirantes et anxii expectamus) dignemini, sicut imminens requiret negotium, Crucifixi (amore) maturare, ut novissimis Deo auctore temporibus in perhenne nominis vestræ præconium, in Terræ sanctæ liberationem et pacem ex Regiæ strenuitatis potentia contra hostes residuos desiderata victoria subsequatur. Valeat Regalis magnificentia per tempora longiora. Dat. *Acon.* 4. die mensis *Aprilis*, sexto Indictionis.

An. 37 H. 3.

The memorable Epistle of *Robert Grosthead* Bishop of *Lincoln* to Pope *Innocent* the 4th. against his *Processions*, wherein he compares him to *Lucifer* and *ANTICHRIST*, is enrolled *in perpetuam rei memoriam*, in the *Red Book* in the Kings Exchequer at *Westminster*, fol. 16, & 179. to a transcript whereof I find this marginal Note, *PAPA ANTICHRISTUS*; no wonder then Pope *Clement* refused to Canonize him for a Saint, though † earnestly requested by King *Edward* the First.

* Here, Tom. 2. p. 799, 800.

† Here, Tom. 3. 1134.

I shall

I ſhall cloſe up this Chapter with the *Conſtitution* of *Walter de Suthfeld* Biſhop of *Norwich*, *De libera diſpoſitione primorum fructuum per Curatos teſtantes*; the violation whereof, and exaction of *Firſt-fruits* of Benefices during their vacancies by our Biſhops, was the * *original cauſe* of Pope *Clement*'s and his Succeſſors uſurpations of *Firſt-fruits* in *England*. *An.* 40 H. 3.

* See Here, p. 1077.

Walterus Dei gratiâ Epiſcopus *Norwicenſis*, dilectis in Chriſto filiis univerſis, Abbatibus, Prioribus, Archidiaconis, Officialibus, Decanis, Eccleſiarum Rectoribus, Vicariis, & omnibus Chriſti fidelibus per Dioceſim noſtram conſtitutis, ſalutem, gratiam & benedictionem. Ad officium Paſtorale licet indignè aſſumpti, & loco eminenti immeritò conſtituti, ſummo & pio deſiderio affectantes, nunc benè operando, nunc mala extirpando dignos Domino fructus ex noſtro impendere officio. Sanè recolimus, dum adhuc in minori officio eſſemus conſtituti, vulgariter eſſe dictum & obtentum; quod quilibet Rector, ſive Vicarius noſtræ Dioceſis, qui vivus diem Paſchæ expectaret, de omnibus fructibus, nomine Eccleſiæ ſeu Vicariæ ſuæ, uſque ad Synodum Sancti *Michaelis* proximò ſequente percipiendis liberè, ut vellet, ſuum conderet Teſtamentum: Sed contra hanc conſuetudinem à fundatione Eccleſiæ *Norwicenſis*, prout novimus; & licèt nobis conſtat obtentam, à quibuſdam voluntariè extitit introductam & ſervatam, quod fructus & bona Eccleſiarum vacantium à die Paſchæ, uſque ad Synodum Paſchæ, non in uſus Decedentium & Condentium legitimè Teſtamenta cederent, ut præmiſſimus; **ſed voluntati et diſpoſitioni loci Dioceſani relinquerentur omnino**: propter quod, Status decedentium graviter lædebatur, & teſtantium frequenter non proceſſit voluntas. Ut igitur Status Eccleſiæ & ſingulorum reparetur, & ad conſuetudinem & libertatem debitam ſingula revocentur, Nos *Walterus de Suthfeld* Epiſcopus *Norwicenſis* in Synodo ſancti *Michaelis Norwicenſis* præſidentes, de conſenſu Capituli, Dioceſani, & præſentis Synodi autoritate, omnibus exiſtentibus in ſanctâ Synodo hoc conſentientibus, Definimus, ſtatuimus, præcipimus, & concedimus, ut, juxta antiquam conſuetudinem, quam renovamus, redintegramus, approbamus, & confirmamus, omnes Rectores, & Vicarii viventes die Paſchæ, & ex tunc quicunque morientes uſque ad Synodum ſancti *Michaelis*, de fructibus & obventionibus beneficiorum ſuorum liberè, ſecundùm Deum ſua condant Teſtamenta. **Salvis nobis et ſucceſſoribus noſtris fructibus Eccleſiarum ante diem Paſchæ vacantium, in quibus Rector die Paſchæ non reperitur inſtitutus. Et caveat ſibi Epiſcopus, qui præeſt, & qui pro tempore fuerit, ne cauſa lucri inhoneſti Canonice præſentatos, abſque cauſa rationali, uſque poſt diem Paſchæ, voluntarie differat admittere**: Omnes autem illos, qui hanc noſtram Conſtitutionem, conceſſionem, & libertatem infringere, immutare vel perturbare præſumpſerint, ſententiam Excommunicationis noſtram ex præſentis ſacroſanctæ Synodi auctoritate incurrant. In cujus rei teſtimonium præſentibus Sigillum noſtrum, & ſigillum Capituli noſtri ſunt appenſa. Acta die Synodi die Lunæ proximò poſt feſtum ſancti *Michaelis*, in Eccleſiâ ſanctæ Trinitatis *Norwicenſis* Anno Domini Milleſimo Ducenteſimo quinquageſimo quinto, & Conſecrationis noſtræ undecimo. Spelmanni Concil. Tom 2 p. 301, 302. ex vet. MS. penes Sam. Roper de Hoſp. Lincoln. Armig. fol. 136. b.

Declaratio dictæ Conſtitutionis per Dominum W. Bateman *Epiſcopum* Norwicenſem *ſuper quadam Conſultatione ſibi factâ per Vicarium de* Myldenhale.

TUA Devotio poſtulavit à nobis, an ad te qui in Vicariam de *Myldenhale*, per nos eras noviter inſtitutus, an ad Executores prædeceſſoris tui, qui poſt Synodum Paſchæ proximam præteritam diem ſuum clauſit extremum, fructus & obventiones dictæ Vicariæ poſt inductionis tuæ tempus provenientes debeant pertinere? Tibique taliter reſpondemus; quòd Oblationes, Mortuaria, ac cætera omnia quæ ad Altare perveniunt, de conſuetudine, vel de jure, ad te qui ad faciendum continuam reſidentiam & ſerviendum Altari juramenti vinculo es aſtrictus, debent integraliter pertinere: Decimæ verò garbarum, & talia extrinſeca jura, quæ expoſitione ad Vicariam pertinere noſcuntur, ad defunctum & Executores ejuſdem, ſi de prædictis Decimis, & juribus, ſeu obventionibus ſpecificè in Teſtamento diſpoſuerit, pertinebunt. Si autem Teſtamentum fecerit, Ibid. f. 137. a.

An. 40 H. 3. & in Testamento suo nil à dictis Decimis seu obventionibus specificè vel expresse disposuerit; licet alia legata pecuniaria generalia vel specialia fecerit; tunc ad te, & non ad defunctum, vel ad suos Executores prædicta omnia & singula pertinebunt.

I pretermit the Constitutions of *Walter de Kirkham* Bishop of *Durham*, about the year 1255. and of *Giles de Bridport* Bishop of *Sarum*, which you may peruse at leisure in * Sir *Henry Spelman*; having never any legal force to oblige the King or Subjects of *England*, on whose *Crown* and *Liberties* many of them encroached.

* Spelmani Concil. Tom. 2 p. 293, &c. 300, 301.

Having thus presented you with those *Records*, *Bulls*, *Prohibitions*, *Epistles*, and *Historical passages* relating to the Reigns of King *John* and *Henry* the 3d. omitted in my *Second Tome*, I shall now proceed in my *Chronological Method* to the Reign of King *Edward* the First in the ensuing Chapter, without any *Prologue* thereunto.

BOOK

BOOK V. CHAP. II.

Containing ſeveral Records and Hiſtorical Paſſages, evidencing the Eccleſiaſtical Supremacy of our renowned King* Edward *the* I. *in and over all Perſons, Cauſes Spiritual as well as Temporal, in* England, Ireland, *and other his Dominions; His Oppoſitions againſt Papal, Prelatical Uſurpations, Incrouchments on the Rights of his Crown, Laws, Subjects Liberties. The Chief Tranſactions, Bulls, Letters between him and the Popes, Court of* Rome, *from the beginning of the* Firſt, *to the end of the* Tenth Year *of his Reign; With ſome other particulars of Note, and publick concernment.

An. 1 E. 1.

AFter the Death and Funeral of King *Henry* the 3d, in the year of our Lord 1272. as ſome; or 1273. as others compute it; Prince * *Edward*, his Son, Heir apparent to the Crown of *England*, being at that time in the *Holy Land*, toward which he began his Voyage *Anno* 1269. where he obtained many glorious Victories againſt the *Saracens*; who thereupon ſuborned an *Aſſaſſinate* to kill him, under pretext of delivering a Meſſage to him from the *Soldan* of *Babylon*, who ſtabbed him into the body with a poyſoned knife, to the hazard of his life: His Nobles notwithſtanding his remote abſence, wound, uncertainty of his life, and former Feuds between them, his Father and him, were ſo loyal, as to proclaim him King, and ſwear Fealty and Allegiance to him as their Soveraign Lord; thus related by *Mat. Weſtminſter*, *Walſingham*, and others; † *Rege igitur ſepulto, ſicut mos eſt Regibus ſepeliri*, Gilbertus & Johannes, *Comites* Glovernię & Warenniæ, *necnon Clerus & populus ad magnum Altare Eccleſia* Weſtmonaſter. *celeriter properarunt*, Eadwardo primogenito Regis fidelitatem jurantes, *qui ſi viveret penitus ignorarunt. Agebat enim in remotis partibus tranſmarinis, contra Chriſti adverſarios bellaturus. Poſtmodum frater* Robertus Kilwardby, with the premiſed Earls, cum aliis Prælatis et regni Proceribus, *ad* Novum Templum Londini *pariter convenerunt*, *qui* Eadwardum *abſentem* Dominum ſuum ligium recognoverunt, *paternique ſucceſſorem honoris: & facto Sigillo novo, de aſſenſu Regina matris ſtatuerunt Cuſtodes Regni; & conſtituerunt fideles miniſtros & cuſtodes, qui Regio fiſco præeſſent, theſaurum regni ad opus Regis novi ex integro reſervarent, & pacem regni fideliter cuſtodirent. Sicque pax novi Regis* Eadwardi *in cunctis regni finibus proclamatur.* The Writs whereby they proclaimed the Kings Peace being not recited in our Hiſtorians, I ſhall here preſent you with out of the Records in the *Tower of London.* The firſt of them were directed to all the Sheriffs of *England*, to proclaim in their reſpective Counties; the other to the Kings Chief Juſtice of *Ireland*, to be there proclaimed, who with others was authorized likewiſe to receive the Fealty, as well of all the Archbiſhops, Biſhops, Abbots, Clergy, as Nobles and other Lay-Subjects in *Ireland*, due unto him as their King and Soveraign Liege Lord.

* See Matth. Weſtm. Tho. Walſingham, Ranulph. Ceſtrenſis, Fabian Caxton, Polid. Virgil, Grafton, Holinſhed, Stow, Daniel, Sir John Hayward, How, Sir Rich. Baker, & others in An 1 Edw. 2. Henry de Knyghton de Eventibus Angliæ. l. 3. c. 1.

† Flores Hiſt. pars 2. p. 352

Clauſ. 1. E. 1. m. 11.

EDWARDUS Dei gratia Rex *Angliæ*, Dominus *Hyberniæ*, & Dux *Aquitaniæ*; Vic. *Eborum*, ſalutem. Quia defuncto jam celebris memoriæ Domino *H.* Rege patre noſtro, ad Nos regni gubernaculum ſucceſſione hæreditaria, ac Procerum regni voluntate et fidelitate nobis præſtita, ſit devolutum, per quod nomine noſtro, (qui in exhibicione Juſticiæ et Pacis conſervacione omnibus et ſingulis de ipſo regno ſumus exnunc debitores,) pacem noſtram dicti Magnates & fideles noſtri jam fecerunt proclamari; Tibi præcipimus, quod per totam Ballivam tuam in ſingulis Civitatibus & Burgis, Feriis, Mercatis, & locis aliis, pacem noſtram publicè clamari, & firmiter teneri facias; Inhibendo omnibus et ſingulis ſub periculo exhæreditationis, vitæ et membrorum, ne quis pacem noſtram infringere præſumat: Nos enim

An. 1 E. 1. enim omnibus et ſingulis in omnibus juribus et rebus ipſos contingentibus, contra qualcunque tam majores quam minores, parati ſumus et erimus plenam, auctore Domino, juſticiam exhibere. Teſtibus *W. Eborum* Archiepiſcopo, *E. Cornub.* & *G. Gloucestr.* Comitibus apud *Weſtm.* 23. die *Nov.* anno regni noſtri primo.

Conſimiles literæ dirigantur ſingulis Vicecomitibus per *Angliam*.

The Writs and Patent ſent to the Chief Juſtice of *Ireland* are thus recorded.

Pat. 1 E. 1. pars 2. m. 20. De Conſervatione pacis in Hybernia.

REX dilecto & fideli ſuo *Mauricio* filio *Mauricii* Juſtic. ſuo *Hiberniæ*, ſalutem. Cum defuncto jam celebris memoriæ Domino *H.* Rege patre noſtro ad Nos regni *Angliæ* gubernaculum, et terræ *Hiberniæ* dominium ſucceſſione hæreditaria pertinent, per quod nos qui in exhibitione et pacis conſervatione omnibus et ſingulis de prædictis regno et terra ſumus et erimus debitores, jam pacem noſtram in eodem regno nomine Regio fecimus proclamari; Vobis mandamus firmiter injungentes, quod per totam terram noſtram *Hiberniæ* pacem noſtram publice clamari et firmiter teneri faciatis; Inhibendo omnibus et ſingulis de eadem terra ſub periculo exhæredacionis, vitæ et membrorum, ne quis pacem noſtram infringere præſumat; Nos enim omnibus et ſingulis de prædicta terra noſtra *Hiberniæ* in omnibus Juribus et rebus ipſos contingentibus, contra quoſcunque tam majores quam minores parati ſumus et erimus plenam, auctore Domino, Juſticiam exhibere. Dat. per manum *W. de Merton.* Cancellarii noſtri apud *Weſtm.* [illegible] die *Decembris*.

Ibid. m. 20. De fidelitate Archiepiſcoporum, Epiſcoporum, &c. de Hybernia Regi facienda.

REX Archiepiſcopis, Epiſcopis, Abbatibus, Prioribus, Comitibus, Baronibus, Militibus, Liberis hominibus, & omnibus aliis de terra *Hiberniæ* ad quos, *&c.* ſalutem. Cum defuncto jam celebris memoriæ Domino *H.* patre noſtro, cujus animæ propicietur Altiſſimus, ad Nos regni *Angliæ* gubernaculum, et terræ *Hibernia* dominium pertineant, ob quod Prælati, Comites et Proceres, ac communitas regni Nobis tanquam Domino ſuo ligio et Regi, fidelitatis ſacramenta, et omnia alia quæ Nobis ratione Coronæ et dignitatis Regiæ ab ipſis fieri aut præſtari nobis, in abſencia noſtra, potuerunt, plenarie et ſine omiſſione aliqua prompto et libenti animo præſtiterint, ac vos tanquam Regi et Domino vestro ligio conſimile ſacramentum fidelitatis præſtare teneamini; Dedimus poteſtatem venerabili patri *Middenſi* Epiſcopo, & dilectis & fidelibus noſtris *Mauricio* filio *Mauricii* Juſtic. noſtro *Hiberniæ*, & Magiſtro *Johanni de Stanford* Eſcaetori noſtro *Hibern.* poteſtatem recipiendi noſtro nomine fidelitatem veſtram; Ita tamen quod ſi ipſi omnes non potuerint intereſſe, duo vel unus eorum qui præſens fuerit nichilominus plenam habeat poteſtatem recipiendi nomine noſtro fidelitatem veſtram ſupradictam. Et ideo vobis mandamus, quod ſacramentum fidelitatis nobis præſtetis coram prædictis Epiſcopo, Juſtic. et Eſcaetori, duobus vel uno ipſorum qui præſens fuerit, ſicut ipſi vobis plenius ſcire facient ex parte noſtra: Et hoc ſicut honorem noſtrum et veſtrum diligitis nullatenus omittatis. In cujus, *&c.* Dat. per manum *W. de Merton.* Canc. noſtri apud *Weſtm.* 7. die *Decemb.*

In a *Miſcellany Bundle* of Writs, Letters, Patents, and Privy Seals (in the *White Tower* Chappel, which *Bundle*, among others, I reſcued from rubbiſh and oblivion) ſent in the firſt year of King *Edward* the 1. to *Walter Merton*, then Lord Chancellor, one of the Guardians of the Realm of *England* in the Kings abſence, I found a like Writ iſſued to *Lewelyn* Prince of *Wales*, requiring an Oath of Fealty from him to King *Edward*, as his Soveraign Lord; and two Abbots thereby made Commiſſioners to receive his Oath, who refuſed to appear, or give any anſwer to them; as this Original Writ, with the Abbots and Conſtables of *Montgomeries* returns thereon to the Chancellor evidence.

Bundela Brevium, &c. An. 1 E. 1. nu. 1. in Turri Lond.

EDWARDUS Dei gratia Rex *Angliæ*, Dominus *Hyberniæ*, & Dux *Aquitaniæ*, omnibus ad quos præſentes literæ pervenerint, ſalutem. Cum defuncto jam celebris memoriæ Domini *H.* Rege patre noſtro, (cujus animæ propitietur Altiſſimus) ad Nos regni gubernaculum ſucceſſione hæreditaria pervenit, ob quod pacem noſtram nomine Regio firmiter obſervandam, ſolemniter & publice fecimus procla-

proclamari: ac Prælati, Comites, Barones, et cæteri Proceres regni, ſacramentum fidelitatis, et alia, quæ ratione Coronæ et dignitatis Regiæ ab ipſis fieri ſeu præſtari nobis in abſentia noſtra potuerunt, plenarie et ſine omiſſione aliqua, prompte et libenti animo nobis præſtiterint; Ac dilectus & fidelis noſter *L.* filius *Griffini*, Principis *Walliæ*, nobis conſimile ſacramentum fidelitatis præſtare teneatur, dedimus dilectis nobis in Chriſto, Abbatibus de *Dore*, & de *Hagbeman* poteſtatem, recipiendi nomine noſtro fidelitatem ipſius *Leulini*. Ita tamen, quod ſi non ambo ipſorum Abbatum potuerint intereſſe, alter eorum, qui præſens fuerit, nichilominus plenam habeat poteſtatem recipiendi nomine noſtro fidelitatem *Leulini* prædicti. In cujus rei teſtimonium has literas noſtras fieri fecimus patentes. Datas per manum *Walteri Merton*. Cancellarii noſtri apud *Novum Templum London*. 29. die *Novembris*, anno regni noſtri primo. *An.* 1 E. 3.

Unto which the Abbots made this ſpecial return of their proceedings therein to the Lord Chancellor, annexed to the Writ it ſelf.

VEnerando viro, & omni honore digniſſimo, *W. de Merton*. Domini Regis Cancellario, ſui devoti de *Dora* & de *Haghem*. Abbates, ſalutem, & quicquid poſſunt honoris & reverentiæ. Reverendæ Dominationi veſtræ duximus ſignificandum, quod juxta mandatum Domini noſtri Regis (quem conſervet Altiſſimus) utrique noſtrum literatorie per vos directum, in Octabis Sancti *Hilarii*, aſſociatis nobis quibuſdam hominibus de *Montgomer*. perſonaliter acceſſimus ad vadum ultra dictum Caſtrum, obviam Domino *L.* Principi *Walliæ*, ad recipiendum ſacramentum fidelitatis ſuo dicto Domino noſtro Regi; & apud dictum vadum ſatis tempeſtivè venientes, & multum ultra horam nonæ ibidem ipſius Principis adventum expectavimus; ſed nec ipſe venit, nec aliquod mandatum nobis direxit. Literas vero patentes dicti Domini noſtri Regis, de poteſtate nobis tradita ſuper præfato negotio, vobis remittimus. Valeat in Chriſto, *&c.* Ibidem.

EXcellenti viro & omni veneratione digniſſimo, Domino *W. de Merton*. Domini Regis Cancellario; ſuus ſemper *R. Sperughoſe* Conſtabularius de *Montgomeri*, ſalutem & devotam cum omni honore reverentiam. Venerandæ Dominationi veſtræ duxi ſignificandum, quod viri religioſi, de *Dore* & de *Hagenham* Abbates, juxta mandatum Domini Regis per vos eis directum, in Octabis Sancti *Hilarii* perſonaliter acceſſerunt ad vadum ultra *Montgomeri*, obviam Domino *L.* filio *Griffini* Principis *Walliæ*, ad accipiendum ab eo, nomine dicti Domini noſtri Regis, ſacramentum fidelitatis. Quibus aſſociavi quoſdam de hominibus Ballivæ meæ; qui apud dictum vadum multum ultra horam nonæ adventum dicti Domini *L.* expectantes; nec ipſe venit, nec aliquod mandatum eis direxit. Valeat veneranda Dominatio veſtra ſemper in Domino. Ibidem.

I find alſo by the ſame Bundle, that the Sheriff of *Cumberland* informed the Chancellor, that *Ralph* Biſhop of *Carliſle* did then hinder his men and tenants within his liberty to take the Oath of Fealty to the King, whereupon he diſtrained them to come and take it before the Chancellor himſelf by a certain day, to their great vexation: the Biſhop hereupon ſent this Letter to the Chancellor, denying the information againſt him as falſe and ſcandalous; deſiring that he and his Tenants might take the Oath before the Sheriff, or any others he ſhould appoint to receive it, as they formerly proffered to do.

VIso venerabili, & amico ſuo ſpeciali Domino *Waltero de Merton*. illuſtris Regis *Angliæ* Cancellario; *R.* permiſſione divina *Karleolenſis* Eccleſiæ Miniſter humilis, ſalutem, & ſinceræ dilectionis ſemper affectum. Super eo quod negotia noſtra, noſtrum commodum & honorem contingentia, ex veſtra ſpeciali gratia frequenter expediviſtis in Curia veſtra, Specialitati veſtræ ad quantaſcunque poſſumus aſſurgimus gratiarum actiones. Verum etiam cum per Dominum *Richardum de Crepping*, Vicecomitem *Cumberlandiæ* vobis ac ſociis veſtris locum Dom. noſtri Regis in *Anglia* tenentibus, jam de novo (ſicut intelleximus) ſit ſuggeſtum, quod nos homines libertatis noſtræ fidelitatem dicto Domino noſtro Regi debitam eidem Vicecomiti facere In eadem Bundela, nu. 2.

An. 1. E. 1. facere non permittimus: Cujus rei occaſione Vicecomes ipſe nos et homines noſtros diſtringit enormiter, ad veniendum coram vobis et pleris ſectis veſtris, a die Sancti *Johannis Baptiſtæ* nunc præterito in unum menſem, pro eadem fidelitate ibidem facienda; ut ſic nos et noſtros gravari faciat, ſicut cupit. Veſtræ dilectioni ſignificandum duximus in hac parte, quod nos præſentia virorum fide dignorum rogari fecimus Sub-vicecomitem ſuum, ut ipſe dictam fidelitatem reciperet ab hominibus noſtris: et inſuper literatorie rogavimus Dominum *Richardum* prædictum, et etiam per Milites et alios amicos noſtros apud *Appelby* in Comitatu *Weſtmerlandiæ*, ubi extitit; ut ipſe eandem fidelitatem ab hominibus libertatis noſtræ reciperet, vel a ſuis recipi præciperet. Unde nobis (ſi placet) imputari non debeat, quo minus fidelitas ipſa eidem Vicecomiti nondum facta ſit; petimus diligenter & rogamus, ut ſuggeſtionibus ejuſdem Domini *Richardi*, quas in odium et gravamen perſonæ noſtræ vobis faciet in adventu ſuo, non credatis: ſed ei (placet) præcipiatis, ut eandem fidelitatem recipiat; vel alio fideli dicti Domini noſtri Regis eam recipi faciatis. Parati enim ſumus, et ſemper erimus (quicquid dicatur ab aliquo) ſecuritati et honori dicti Domini noſtri cum omni diligentia et ſollicitudine providere; et ſuis mandatis in omnibus, et per omnia, gratanter et humiliter obtemperare. Valete; ſi quid autem penes nos vobis placuerit, nobis, ſi placeat, ſignificare velitis confidenter.

This Biſhop (as it ſeems by way of revenge), excommunicated the Sheriff in his Eccleſiaſtical Court without Citation or Articles, upon complaint of the Abbot of *Hulmo*, for diſtraining him for Debts due to the King, and executing his Office. Whereupon I find (in the ſame Bundle of Writs) this memorable *Prohibition* iſſued to the Biſhop, informing him, that he had no power to queſtion or excommunicate any of the Kings Sheriffs or Officers for doing their Duties, or executing his Commands; in which, if they offended, they were onely reſponſible to the King, upon complaint; that theſe Proceedings of his were againſt the Kings Crown and Dignity, and his Oath of Fealty to the King; commanding him forthwith to abſolve him from his Excommunication.

In eadem Bundela, nu. 14. in Turri Lond.

EDWARDUS Dei gratia Rex *Angliæ*, Dominus *Hiberniæ*, & Dux *Aquitaniæ*, venerabili in Chriſto patri *R.* eandem gratia *Karleolenſi* Epiſcopo, ſalutem. Monſtravit nobis dilectus & fidelis noſter, *Richardus de Crepping* Vicecomes noſter *Karleolenſis*, graviter conquerendo; Quod, cum nuper diſtrinxiſſet Abbatem de *Hulmo* pro debitis, in quibus nobis tenetur, ac etiam pro aliis quæ ad officium Vicecomitis ſecundum regni noſtri conſuetudinem pertinent, Vos in ipſum *Richardum*, ea occaſione, ad querimoniam ipſius Abbatis, non citatum nec coram vobis implacitatum, Excommunicationis Sententiam fulminaſtis. Et quia nobis (ſi ita eſt) in facto prædicto multipliciter exiſtit derogatum, præſertim cum (in Culpa veſtra) per hoc viam noſtræ Prohibitioni præcluſeritis, quæ in hujuſmodi caſibus locum habere debet et ſolet: Nec Vicecomes aut alii Ballivi noſtri, pro hiis exequendis, (quo ad debita noſtra per præceptum noſtrum levanda, aut alia quæ ad officium ſuum per præceptum noſtrum pertinent) in placitum trahi non debeant, aut conſueverint in Curia Chriſtianitatis; Vobis diſtricte prohibemus, ne prædictum Vicecomitem per hujuſmodi Sententias, aut aliter ſuper hujuſmodi executionibus Mandatorum noſtrorum, aut aliis quæ ad Officium prædicti Vicecomitis lege et conſuetudine regni noſtri pertinent, placitum teneatis in Curia Chriſtianitatis. Sententiam Excommunicationis, ſi quam in ipſum ea occaſione tuleritis, revocantes; ne (quod abſit) vobis impingi poſſit vel debeat, quod jura Coronæ et Dignitatis noſtræ impugnare, contra fidelitatem nobis debitam, intendatis; cum correctio et placita de exceſſibus Ballivorum noſtrorum ad nos et dignitatem noſtram debeant et conſueverint, ſecundum regni noſtri conſuetudinem, pertinere.

The King being acquainted with his Chancellors proceedings, and his impartial Juſtice in righting his oppreſſed Subjects in his abſence, againſt the Biſhops Uſurpations, and others vexations; returned him this Letter of Thanks, commanding and encouraging him to proceed as he had begun, promiſing to ratifie whatever he

he had done in wayes of Juſtice; and commanding him not to ſpare any of what ſtate or condition ſoever, but to proceed againſt them by rigour of Juſtice, if he could not otherwiſe reſtrain their injuries. *Anno* 1 E. 1.

EDWARDUS Dei gratia Rex *Angliæ*, Dominus *Hiberniæ*, & Dux *Aquitaniæ*, dilecto Clerico & Cancellario ſuo *Waltero de Merton*, ſalutem. Super diligentia, quam circa noſtra et Regni noſtri negotia apposuiſtis, grates vobis referimus ſpeciales; rogantes, quatenus id quod laudabiliter inchoaſtis, fœliciter continuare curetis, in hiis quæ ad officium veſtrum pertinent, cuicunque facientes Juſtitiam exhiberi; alios autem ad id pariter inducentes; Non parcentes conditioni aut ſtatui cujuſcunque, quin rigor Juris ipſos coherceat, quos Æquitatis ſuavitas nequit ab injuriis cohibere. Ea namque quæ rite feceritis circa iſta, faciemus (diſponente Altiſſimo) robur firmitatis conſtantiſſime optinere. Dat. apud *Molinum* ſuper *Sikene* 9. die *Auguſti*, anno regni noſtri primo. Ibidem, nu. 11.

Hereupon the Chancellor iſſued forth this Writ in the Kings name to prohibit the injuries and oppreſſions of *Reginald de Gray* Juſtice of *Cheſter*, and his Officers, againſt the Liberties and Cuſtomes of the Country, of which the generality of the County had often complained; which yet they increaſed, inſtead of reforming, notwithſtanding former Inhibitions to reſtrain them.

EDWARDUS Dei gratia Rex *Angliæ*, Dominus *Hiberniæ*, Dux *Aquitaniæ*; dilecto & fideli ſuo *Reginaldo de Gray* Juſticiario ſuo *Ceſtriæ*, vel ejus locum tenenti, ſalutem. Cum fideles noſtri locum noſtrum in *Anglia* tenentes ad gravem querimoniam totius Communitatis *Ceſtriæ*, vobis nuper mandaſſent, quod a diverſis gravaminibus et moleſtiis ſibi et ſuis contra libertates et liberas conſuetudines ſuas per vos et veſtros illatis veſtreretis, et ipſos in pace dimitteretis; dicta Communitas jam nuncios ſuos ad ipſos iterato miſerit, qui eis retulerunt, quod vos et veſtri dampna gravioza ſibi poſtmodum intuliſtis, et de die in diem per veſtros inferri permittitis, contra libertates et conſuetudines ſuos prædictos, in ipſorum diſpendium manifeſtum, de quo quamplurimum admiramur. Nos attendentes, quod ex hiis, ſi taliter fuerint attemptata, poſſent de facili dampna gravioza in partibus illis ſuboriri; et volentes ſuper hiis remedium adhiberi, Vobis mandamus firmiter injungentes, quod ab hujuſmodi dampnis, contentionibus indebitis, et gravaminibus penitus deſiſtatis; et ipſos, ſaltem uſque adventum noſtrum in *Anglia*, in pace dimittatis; ne animus noſter, ea occaſione, in dicto adventu noſtro ex hujuſmodi ſolicitudine et reclamatione poſſit vel debeat in aliquo perturbari. Datum per manum *W. de Merton* Cancellarii noſtri apud *Redings*, 27. die *Decembris*, anno regni noſtri primo. In eadem Bundela, nu. 8.

The Kings Peace being thus proclaimed, and juſtice executed in *England* and *Ireland*, all Archbiſhops, Biſhops, and Clergy-men ſwearing *Fealty* to the King, as well as the Nobility and Laity; the firſt thing he and his Council did, was to make a publick Declaration and Proteſtation againſt Pope *Clement* the 4th. his late uſurpation; who a little before his Father King *Henry*'s death had by his abſolute Papal * *Proviſions* conferred the Biſhoprick of *Winton* on *John de Pontiſſera*, and the Archbiſhoprick of *Canterbury* upon *Robert Kilwardby*, without the Kings precedent *licenſe, approbation*, or *Monks election*, contrary to the Kings Prerogative, the antient Rights of his Crown, the Laws of the Realm, and Liberties of the Church; rejecting *William de Chilenden* (duly elected by the Monks of *Canterbury* by King *Henry*'s licenſe; whom he approved after their election) when preſented to him, without any legal reaſon by his abſolute Papal power, that ſo he might uſurp the diſpoſal of all other Biſhopricks in *England* by theſe & other former like preſidents. Theſe Biſhops being thus intruded by the Popes Proviſions into theſe Biſhopricks in King *Henry*'s reign, King *Edward* the 1. and his Counſil, to prevent the like uſurpations for the future, refuſed to reſtore the Temporalties to them, before they had made this publick proteſtation by their Proctors in the Kings name, for the vindication of the Prerogative and rights of his Crown againſt theſe Proviſions, in the Biſhops, Chancellors and ſundry others preſence, called togethes for that purpoſe, in S^t. *Stephen*'s Chappel in *Weſtminſter*, (where-

* Ranulph. Ceſtrenſis Polychron. l. 7. c. 37 f. 308. H. de Knyghton de Event. Angl. l. 2. c. 16. col. 2460. Chron. Will. Thorne, col. 1910. Matth. Parker, Antiq. Eccleſ. Brit. p. 192, 193. Godwins Cat. of Biſhops, p. 178, & 174. Polyd. Virgil. Hiſt Angl. l. 16 p. 310. See Tom. 2. p. 1061, 1062, 1063.

Anno 1 E. 1. (wherein the Commons House of Parhament now sits) declaring the Restitution of the Archbishops Temporalties to be of the Kings meer grace and favour, not of right, as this memorable Record (not printed nor remembred by any to my knowledge) atttests beyond contradiction.

Clauſ. 1 E. 1. m 11 dorſo. Pro Rege de Proteſtatione facta pro ipſo. De Electo Cant. per Summum Pontificem, & Cetum Cardinalium.

CUm Eccleſiis Cathedralibus in regno *Angliæ* viduatis, et de jure debeat et ſolet de conſuetudine provideri per electionem Canonicam ab his potiſſime celebrandam Collegiis, Capitulis, et perſonis ad quas jus pertinet eligendi, petita tamen prius ab illuſtri Rege *Angliæ* ſuper hoc licentia et optenta; et demum celebrata electione, perſona Electi eidem Regi debeat præſentari, ut idem Rex contra perſonam ipſam poſſit proponere ſi quid rationabile habeat contra eam: Videtur eidem Domino Regi, et ſuo Conſilio; quod ſibi et Eccleſiæ *Cantuariæ*, cujus ipſe patronus eſt pariter et defenſor, ſit præjudicium in hac parte, præcipue ſi res trahitur in aliis Eccleſiis *Angliæ* in exemplum, quod ſummus Pontifex his omiſſis in hoc caſu, ubi nec in materia, nec in forma electionis inventum eſt fuiſſe peccatum, nec in ipſius literis expreſſum, poteſtatem ſibi aſſumpſerit ipſi Eccleſiæ providendi. Unde ne de cætero ad conſimiles proviſiones procedat *Romana* Eccleſia: Et ſi ad eas proceſſerit, nec dicto Domino Regi per eas Præjudicium generetur, ut Temporalia alicujus Eccleſiæ Cathedralis ſic proviſo reddere teneatur, Domine Electe *Cantuarienſi* Temporalia *Cantuarienſis* Eccleſiæ idem Dominus Rex vobis concedit ad præſens, de gratia ſua ſpeciali. Et ego *Iterus Bernard* ejuſdem Domini Regis Clericus, vice et nomine ipſius proteſtor, quod conceſſio Temporalium in caſu conſimili facta Domino *Nicholao Winton.* Epiſcopo, cum proteſtatione tamen, et nunc in perſona veſtra denuo iterata cum proteſtatione conſimili, ad conſuetudinem vel exemplum futuris temporibus minime pertrahatur. Facta autem et lecta fuit iſta proteſtacio apud *Weſtm.* in Capella Sancti *Stephani* die Lunæ in vigilia Sanctæ *Luciæ* virginis in præſencia fratris *Roberti de Kilwardeby Cantuar.* Electi, præſentibus et ad hoc ſpecialiter vocatis venerabili patre *W.* Dei gracia *Exon.* Epiſcopo; et diſcretis viris Dominis *W. de Merton Canc. Angliæ*, Magiſtro *Johanne de Chiſtall* Decano ſancti *Pauli London. R. Burnell Eborum* Archidiacono, *Herveo de Rorham*, fratre *Johanne de Derlington*, Magiſtro *Willielmo de Cornera*, *Johanne de Kirkeby*, *Willielmo de Saham*, et *Johanne de Shalemesford* Monacho *Cantuar.* et multis aliis. Anno Domini 1272.

Nota.

After this Proteſtation ſo ſolemnly made and entred, the King aſſenting to the Archbiſhops Proviſion out of his ſpecial grace, iſſued Writs for the Reſtitution of his Temporalties in an extraordinary form; and likewiſe to reſtore him the Ploughs, Oxen, Heriots, Cattel belonging to the Archbiſhopricks, delivered to the Guardian of the Temporalties by his Predeceſſors Executors, which the King employed: with other Writs for delivering Does due unto him out of the Earl of *Arundel*'s Foreſt, according to a Compoſition made with Archbiſhop *Boniface* his Predeceſſor.

Pat. 1 E. 1. m. 20. intus. Pro fratre Roberto de Kilwardeby. De Temporalibus Archiepiſcopatus Cantuar. reſtituendis.

REX Magiſtro *Richardo de Clifford* Cuſtodi Archiepiſcopatus *Cantuar.* ſalutem. Cum ſummus Pontifex carilſimum nobis in Chriſto fratrem *Robertum de Kilwardeby* ordinis Fratrum prædicatorum profeſſorem, Eccleſiæ *Cantuar.* in Archiepiſcopum, Patrem et Paſtorem præfecerit, ſicut fidelibus noſtris locum noſtrum in *Anglia* tenentibus per patentes ejuſdem ſummi Pontificis literas innotuit; Ac ipſi affectum in ipſo vobum in nos et a nobis in ipſum conceptum agnoſcentes, temporalia dicti Archiepiſcopatus ob id, ac Sedis Apoſtolicæ reverentiam vice et nomine noſtro de ſpeciali gratia noſtra hac vice; recepto ab eo fidelitatis ſacramento ut moris eſt, duxerint concedenda; vobis mandamus, quod eidem temporalia, prædicti Archiepiſcopatus reſtituatis. In cujus, *&c.* Dat. per manum *W. de Merton*, 12. die *Decembris.*

Et mandatum eſt Militibus, liberis hominibus, *&c.* *Dat. ut ſupra.*

Clauſ. 1 E. 1. m. 10. Pro Electo Cantuar.

MAndatum eſt Magiſtro *Richardo de Clifford*, nuper Cuſtodi Archiepiſcopatus *Cantuariæ*, quod carucas, boves carucarum, et berciatores quos tanquam pertinentes ad prædictum Archiepiſcopatum ad terras ejuſdem Archiepiſcopatus excolendas ab Executoribus Teſtamenti bonæ memoriæ *B.* quondam *Cantuar.* Archiepiſcopi

chiepiſcopi recepit, venerabili patri *R. Cantuar.* Electo liberet: Cæterum, quia boves carucarum prædictarum & herciatores prædicti ſuſtentationem habuerunt de foragio prædicti *Bonifacii*, tempore prædicto quo ſtilicet boves & herciatores illi fuerunt in ſervicio Regis, mandatum eſt eidem *Richardo*, quod id quod ad Regem pertinet de foragio bladi prædicti Archiepiſcopatus in agris exiſtentes, præfato Electo habere faciat in recompenſationem foragii ſupradicti. Dat. per manum *W. de Merton* Cancellar. Regis apud *Weſtm.* 18. die *Januarii.* *Anno* 1 E. 1.

REX *Roberto Aguillum* Cuſtodi Terrarum quæ fuerint *Johannis* filii *Alani* in Com. *Suſſex.* ſalutem. Mandamus vobis, quod juxta Compoſitionem factam inter bonæ memoriæ *B.* quondam *Cantuar.* Archiepiſcopum & *Johannem* filium *Alani* defunctum qui de nobis tenuit in Capite, de viginta ſex Damis in foreſta ipſius *Johannis de Arundel* per præfatum *Johannem* et hæredes ſuos capiendis, et præfato Archiepiſcopo, et ſucceſſoribus ſuis ſingulis annis liberandis, apud manerium ipſius Archiepiſcopi de *Slindon*, habere faciat venerabili patri *R. Cantuar.* Archiepiſcopo, treſdecim Damas ſecundum conditiones temporis, et prout præfatus *Bonifacius* hujuſmodi Damas in vita ſua habere conſuevit. Dat. *&c.* apud *Weſtmonaſt.* 24. die *Julii.* Clauſ. 1 E. 1 m. 2. intus. Pro Cantuar. Archiepiſcopo.

In the premiſed Bundle of Writs and Letters to *Walter de Merton* the Kings Chancellour, *An.* 1 Edw. 1. (which I found in the *White Tower* Chappel) there is this Letter of Pope *Clement* written to him on behalf of the Archbiſhop of *Canterbury*, advanced by his mere proviſion to that See, which I conceive was only to procure the reſtitution of his Temporalties.

SUo præcordiali Domino *W. de Merton*, Domino Regis Cancellario, ſalutem & ſinceræ charitatis affectum. In negotiis venerabilis patris *R.* Dei gratia *Cantuar.* Archiepiſcopi, quæ habet expedienda coram vobis, volumus et rogamus, quod favor et gratia uberrime ſibi fiat; et quicquid in eiſdem favoris feceritis intuitu noſtri, gratum habebimus præcuidubio et acceptum. Valete. Datum apud *Thexdener*, 8. Kal. *Auguſti*, Pontificatus noſtri anno ſeptimo. *Which reſtitution could not be obtained by the Popes Letter, without the precedent Proteſtation.* Bundela Brevium, Anno 1 E. 1. nu. 18. in Turri London.

How carefull the King was to preſerve the antient Liberties of the Archbiſhoprick of *York*, this Writ diſcovers.

REX dilecto & fideli ſuo *Johanni de Oketon*, ſalutem. Cum nuper aſſignaverimus vos Juſtic. noſtrum ad quaſdam Aſſiſas in Com. *Eborum* capiendas, quarum aliquæ tenementa infra libertatem venerabilis patris *W. Eborum* Eccleſiæ ſuæ de *Beverle* exiſtencia contingunt, vobis mandamus, ne occaſione illarum Aſſiſarum aliquid in præjudicium libertatis Archiepiſcopi prædicti ullatenus attemptetis. Nolumus enim quod ſibi contra libertatem ſuam hactenus rationabiliter uſitatam, per vos vel alios Miniſtros noſtros in aliquo derogetur. Dat. *&c.* apud *Weſtm.* 17. die *Junii.* Clauſ. 1 E. 1. m. 7. dorſo. Pro Archiepiſcopo Eborum.

The Abbot of Saint *Auguſtines* in *Canterbury* being duly elected by the Monks, by the precedent Licenſe and aſſent of the Kings Lieutenants in *England*, repairing to the Popes Court for his confirmation, where he was put to vaſt expences, (nothing being there obtained without great Bribes and Gifts;) he meeting with King *Edward* there in his return from the *Holy Land*, and informing him of his grand expentes for his confirmation, the King thereupon ſent this Letter from thence to his Vicegerents in *England*, to grant him Writs to levy ſuch an Ayd from his Tenants towards his Expences as had been formerly uſed in ſuch Caſes, (as he there informed him) and for the Reſtitution of his Temporalties, as theſe two Original Writs I found in the Tower, aſſure us.

EDWARDUS Dei gratia Rex *Angliæ*, Dominus *Hiberniæ*, & Dux *Aquitaniæ*, dilectis & fidelibus ſuis *W.* eadem gratia *Eboracenſi* Archiepiſcopo, *Angliæ* Primati, *Rogero de Mortuo mari*, & *Roberto Burnell*, ſalutem. Accedens ad *Roma-* Bundela Brevium, &c. in Turri London. An. 1 E. 1. n. 6.

An. 1 E. 1. *nam* Curiam, Frater *Nicholaus* Abbas Sancti *Auguſtini Cantuarienſis* nobis expoſuit, quod ſecundum morem et conſuetudinem *Angliæ*, (requiſita prius et habita voluntate Regia) tenentes Abbatis alicujus de novo creati ſolebant impendere et facere præſidium pecuniare. Nos quia perpendimus, quod idem Abbas, prolequens in præfata Curia ſuæ confirmationem Electionis, miſſiones oneroſas ſuppoſtavit; Vobis mandamus, quatenus, ſi tempore claræ memoriæ genitoris noſtri hujuſmodi exactio, in caſu conſimili ſolebat ſortiri effectum, ſecundum quod iis fieri videritis ad relevationem expenſarum ſuarum, Abbati præfati ſub ſigillo noſtro, nunc infra regnum noſtrum *Angliæ* uſitato, hoc idem concedatis. Teſte meipſo apud *Urbem veterem*, 35. die *Aprilis*, Anno regni noſtri primo.

Ibidem. n. 18. W. Permiſſione divina *Eboracenſis* Archiepiſcopus; *Angliæ* Primas, & *R. Burnell* Archidiaconus *Eborum*, dilecto & præcordiali ſibi in Chriſto Domino *W. de Merton* Domini Regis Cancellario, ſalutem, & ſinceram ſemper in Domino cum omni proſperitate dilectionem. Quia Electus Monachorum Sancti *Auguſtini Cantuarienſis*, jam Abbas, rediit de Curia completè & favorabiliter expeditus (prout litera Papalis hoc plenius proteſtatur,) idemque Abbas Domino noſtro Regi *Angliæ* fidelitatem præſtitit et homagium, prout conſuetudinis eſt ſui regni; Vobis ex parte Domini Regis et noſtra per præſentes literas, ſi placet nunciamus, quatenus Temporalia, et omnia quæ in manibus Domini Regis exiſtant, dictum Monaſterium qualitercunque contingentia ſibi (ſicut moris eſt) plene remittatis; Mandantes etiam tenentibus dicti Monaſterii, quod ad relevationem ipſius, ſecundum quod hactenus fieri conſuevit et debet, eidem Abbati in tallagiis et aliis grata et debita promptitudine reſpondeant et intendant. Mittimus vobis Literam Domini Regis, quam inter cæteras recepimus; ſecundum quam poteritis (ſi placet) ſecurius operari. Benè valeas. Dat. apud *T*——— 8. Kal. *Junii*, anno Gratiæ 1273.

The Monks and Prior of S^t. *Auguſtines* of *Canterbury* having obtained the cuſtody of the Temporalties thereof during the vacancy, for which they had paid a Fine to the King; and afterwards by the Kings Licenſe electing this Abbot, whom the Kings Vicegerents approved in his name and right, upon their Certificate thereof to the Pope, who confirmed the Abbot, the King iſſued this Writ to the Prior, Covent and others for the reſtitution of the Temporalties, as theſe three Records inform us:

Pat. 1 E. 1. part 2. m. 19. Pro Priore & Conventu Cantuar. REX omnibus, *&c.* ſalutem. Sciatis, quod commiſimus et conceſſimus dilectis nobis in Chriſto Priori et Conventui Sancti *Auguſtini Cantuar.* cuſtodiam Abbatiæ ſuæ ejuſdem loci jam vacantis, et in manu noſtra exiſtentis cum omnibus ad cuſtodiam illam pertinentibus; videlicet, à feſto Natalis Domini anno regni noſtri primo uſque in unum annum ſequentem completum, juxta formam inter fideles noſtros locum noſtrum in *Anglia* tenentes, & prædictos Priorem & Conventum inde proviſam; ſalvis nobis feodis mil. advocationibus Eccleſiarum, wardis, releviis et eſcaetis ad nos ratione vacationis ejuſdem Abbatiæ ſpectantibus. In cujus, *&c.* Dat. per manum *W. de Merton* Cancellar. noſtri apud *Wallyngford* 27. die *Decembris.*

Et mandatum eſt Magiſtro *Richardo de Clifford* Eſch. citra *Trentam*, quod cuſtodiam ejuſdem Abbatiæ eiſdem Priori & Conventui liberet, in forma prædicta, una cum tallagiis & auxiliis ſi quæ per ipſum Eſchaetorem aſſeſſa fuerint, & omnibus à tempore captionis ejuſdem Abbatiæ in manum Regis, perceptis. *Teſte ut ſupra.*

Ibidem. Pro Electo Sancti Aug. Cantuar. SUmmo Pontifici Rex *Angliæ*, ſalutem cum reverentiæ et honore. Sciatis, quod fideles noſtri locum noſtrum in *Anglia* tenentes, electioni nuper factæ in Eccleſia Conventuali Sancti *Auguſtini Cantuar.* de fratre *Nicholao de Spina* Monacho dictæ domus, in Abbatem ejuſdem loci, vice et auctoritate noſtra adhibuerunt aſſenſum Regium et favorem. Et hoc ſanctitati veſtræ tenore præſencium intimamus, ut quod veſtrum eſt exequaminí in hac parte. In cujus, *&c.* Dat. per manum *W. de Merton* Cancellar. Regis apud *Weſtm.* 17. die *Januarii.*

REX

An. 1 E. 1.

Pat. 1 E. 1 pars 2. m. 15 intus. Pro Abbate Sancti Auguſtini Cantuar.

REX Priori & Conventui Sancti *Auguſtini Cantuar.* ſalutem. Cum ſummus Pontifex electionem nuper factam in Eccleſia veſtra prædicta ſancti *Auguſtini* de fratre *Nicholao* Priore ejuſdem domus in Abbatem ejuſdem loci, cui Regium aſſenſum prius adhibuimus, et favorem, ſicut per literas patentes ejuſdem ſummi Pontificis accepimus. Nos eidem Abbati Abbaciam illam cum omnibus ad eundem Abbaciam ſpectantibus reddidimus. Et ideo vobis mandamus, quod eidem Abbati Temporalia ejuſdem Abbaciæ quæ ſunt in manu veſtra ratione finis quem nobiſcum inde feciſtis, ſine dilatione reſtituatis. In cujus, *&c.* Dat. per manum *W. de Merton* Cancellar. noſtri apud *Weſtm.* 15. die *Junii.*

Et mandatum eſt Militibus, *&c.*

The Citizens of *Canterbury* being grievouſly amerced by the *Juſtices Itinerant* for Eſcape of Felons out of the Churches in *Canterbury* during the vacancy of the Archbiſhoprick, contrary to former cuſtom; the King upon their Petition iſſued this Writ, to enquire and certifie who ought to anſwer, and be amerced for ſuch Eſcapes.

Pat. 1. E. 1. pars 2. m 18. Pro Civibus Cantuar.

R. *Fulconi Peyforer* & *Simoni de Craye*, ſalutem. Ex parte Civium noſtrorum *Cantuar.* nobis eſt oſtenſum, quod cum nec ipſi, nec anteceſſores ſui tempore vacationis Archiepiſcopatus *Cantuar.* vel aliis temporibus amerciari conſueverint coram Juſticiariis noſtris Itinerantibus in partibus illis pro evaſione latronum evadentium ab Eccleſiis Civitatis prædictæ; Magiſter *Rogerus de Seyton*, & ſocii ſui Juſticiarii noſtri ultimo Itinerantes in Comitatu *Kanciæ*, prædictos Cives pro evaſionibus hujuſmodi graviter amerciarunt, in ipſorum præjudicium et non modicum gravamen. Et quia ſuper hoc plenius volumus certiorari, aſſignavimus vos ad inquirendum per ſacramentum proborum & legalium hominum de Comitatu *Kanciæ*, per quos rei veritas melius ſciri poterit, ad quem vel ad quos pertineat cuſtodia Felonum noſtrorum fugientium ad Eccleſias ſuprædictas, & utrum ipſi Cives, vel eorum anteceſſores aut alii occaſione prædicta amerciari conſueverint, necne? & ſi alii, qui, & qualiter, & quo modo. Et ideo vobis mandamus, quod ad certos diem & locum quos ad hoc provideritis inquiſitionem illam faciatis, & eam diſtinctè & apertè factam nobis ſub ſigillis veſtris & ſigillis eorum per quos facta fuerit, ſine dilatione mittatis, & hoc Breve. Mandavimus enim Vicecomiti noſtro *Kanciæ*, quod ad certos, *&c.* venire faciat, *&c.* per quos rei veritas in præmiſſis melius ſciri poterit & inquiri. In cujus, *&c.* Dat. *&c.*

The Prior and Covent of *Middleton* purchaſing the cuſtody of the Temporalties of their Abby from the King for a fine paid to him before hand, whenever it ſhould next become void by their Abbots ceſſion or death, obtained this Patent for that purpoſe.

Pat. 1 E. 1. pars 2. m. 17. Pro Priore & Conventu de Middleton.

REX omnibus, *&c.* ſalutem. Sciatis, quod pro fine quinquaginta Marcarum, quem dilecti nobis in Chriſto Prior & Conventus de *Middleton* nobiſcum fecerint, conceſſimus eis, quod quamprimum Abbaciam ſuam per ceſſionem vel deceſſum *Willielmi* Abbatis ſui vacare contigerit, ipſi Prior & Conventus habeant ipſa vice de gratia noſtra ſpeciali cuſtodiam Abbaciæ ſuæ toto tempore vacationis ejuſdem, et quod percipiant et habeant omnes exitus et proventus prædictæ Abbaciæ ad opus ſuum, tam in tallagiis hominum ſuorum, quam in terris et rebus aliis ad dictam Abbaciam ſuam ſpectantibus quæ ad nos pertinere poſſent, ſi cuſtodiam illam in manu noſtra teneremus. Ita quod nullus Ballivus noſter, vel alius ex parte noſtra ipſos Priorem & Conventum impediat, vel ſe intromittat de cuſtodia illa, quo minus ipſi habeant hac vice libetam adminiſtrationem omnium bonorum & catallorum ad Abbaciam ſuam prædictam ſpectancium toto tempore vacationis prædictæ. Salvis tamen nobis feodis Militum, advocationibus Eccleſiarum ad Abbaciam illam ſpectantibus, et wardis et eſcaetis de feodis Militaribus ſi quas accidere contigerit tempore vacationis ſuprædictæ, et ſalva nobis et hæredibus noſtris cuſtodia prædictæ Abbaciæ in aliis vacationibus ejuſdem Abbaciæ. In cujus, *&c.* Dat. per manum *W. de Merton* Cancellar, *&c.* apud Sanctum *Paulum London*, 12. die *Aprilis.*

The

An. 1 E. 1. The Abby of Saint *Peters* in *Glouceſter* of the Kings foundation, being by a contingency greatly dilapidated and in debt, and the Alms thereof ſubſtracted; the King took it, with all belonging to it into his cuſtody and protection, committing it to the cuſtody of a Guardian till his return from the *Holy Land* into *England* by this Patent, the Abbot and Covent being unable to govern or protect it.

Pat. 1 E. 1. m. 18. intus. Pro Abbacia Sancti Petri Glouc.

REX omnibus, *&c.* ſalutem. Cum ex relatu quorundam jam intellexerimus, quod Abbacia Sancti *Petri Glouc.* quæ de bonis elemoſinis progenitorum noſtrorum Regum *Angliæ* fundata eſt, caſu contingente taliter ſubmittitur in præſenti, quod Abbas et Conventus domus ejuſdem ad ſuum regimen et ſuorum non ſufficiunt, et eleemoſinæ progenitorum noſtrorum fundatorum ejuſdem ſubtrahuntur in domo ipſa. Nos amiſſionibus et dampnis eorundem Abbatis et Conventus intime compacientes, eandem domum, homines, terras, res, redditus & omnes poſſeſſiones ejuſdem in noſtra cuſtodia et protectione ſpecialiter exiſtere volentes, commiſimus dilecto & fideli noſtro *Reginaldo de Akele* eandem Abbaciam, cum omnibus terris, & omnibus aliis ad ipſam ſpectantibus cuſtodiendam, protegendam et nomine noſtro defendendam uſque adventum noſtrum in *Angliam*: firmiter inhibentes ne quis prædictis Abbati et Conventui, aut hominibus, terris, vel bonis ſuis quibuſcunque ſub cuſtodia et protectione noſtra dampnum inferat aut gravamen. In cujus, *&c.* uſque adventum noſtrum in *Angliam* duratur. Dat. per manum *W. de Merton* apud *Weſtm* 24. die *Januarii*.

King *Henry* the 3d. giving his Royal aſſent to the election of a new Abbeſs at *Wilton* Nunnery, and dying before reſtitution of the Temporalties, King *Edward* the Firſt, upon the Biſhop of *Sarum*'s Certificate of her confirmation, granted the reſtitution of all the Temporalties, by this Patent.

Pat. 1 E. 1. pars 2. m. 20. Pro Abbatiſſa de Wilton.

EDWARDUS Dei gratia Rex *Angliæ*, Dominus *Hiberniæ*, & Dux *Aquitaniæ*; Militibus, liberis hominibus, & omnibus aliis tenentibus de Abbacia de *Wylton*. ſalutem. Cum venerabilis pater *R. Sarr.* Electus, electionem factam in Eccleſia Conventuali de *Wylton*. de *Juliana Giffard* Moniali domus prædictæ in Abbatiſſam loci illius, cui celebris memoriæ Dominus *H.* Rex pater noſter jam defunctus (cujus animæ propicietur Deus) aſſenſum Regium dum viverit adhibuit et favorem, confirmaverit, ſicut idem Electus nobis per literas ſuas patentes ſignificavit; vobis mandamus, quod eidem *Julianæ* tanquam Abbatiſſæ & Dominæ veſtræ in omnibus quæ ad Abbaciam illam pertinent intendentes fitis & reſpondentes ſicut prædictum eſt. In cujus, *&c.* Dat. per manum *Walteri de Merton* Canc. Regis, apud *Novum Templum London.* 29. die *Novembris*.

Et mandatum eſt Prioriſſæ & Conventui de *Wylton*. quod eidem *Julianæ* tanquam Abbatiſſæ ſuæ Abbaciam ſuam prædictam & Temporalia, ac alia ad ipſam Abbaciam ſpectancia quæ occaſione præſentis vacacionis ejuſdem ſunt in cuſtodia ſua ex commiſſione prædicti Patris noſtri, ſine dilacione liberent.

The Barony of the Biſhop of *Chicheſter* being ſeiſed into the Kings hands for ſome offence or contempt, upon ſatisfaction given to the King, he ordered his Temporalties to be reſtored by this Writ.

Pat. 1 E. 1. pars 2. m. 5. intus. Pro Epiſcopo Ciceſtr. & Bundela Brevium, &c. An. 1 E. 1. nu. 13. in Turri Lond.

REX *Roberto de Purlet*, ſalutem. Mandamus vobis, quod Baroniam Epiſcopatus *Ciceſtria*, quam nuper certis de cauſis cœpimus in manum noſtram, et vobis commiſimus cuſtodiendam, venerabili Patri *R. Ciceſtrenſi* Epiſcopo vel certo ejus attornato ſine dilacione reſtituatis, permittentes ipſum de cætero abſque impedimento Temporalium ad Baroniam illam ſpectancium habere adminiſtrationem. In cujus rei, *&c.* Dat. *&c.* apud Sanctum *Martinum magnum London.* 27. die *Auguſti*, anno regni noſtri primo.

The Freers Minors of *London* having bought and felled Trees growing upon the Temporalties of the Biſhop of *London*, and paid him for them during his life; the Temporalties coming into the Kings hands by his death, before the Trees removed,

moved, and the Kings Officers ſeiſing them, the King was pleaſed to give them leave to remove the Timber without impediment. *An.* 1 E. 1.

MAndatum eſt *Radulpho de Sandwico* cuſtodi Epiſcopatus *London.* quod maremium, quod Fratres Prædicatores & Minores *London.* in Parco de *Heringeye*, a bonæ memoriæ, *H. London.* Epiſcopo nuper defuncto emerunt, & quod ſuperſtite ipſo Epiſcopo proſterni fecerunt ibidem, & cujus empcionis ſolucio dicto Epiſcopo facta fuit, eiſdem liberet, et ipſos inde abſque impedimento abducere permittat. Dat. apud *Weſtm.* 3. die *Octobris*, per *R. Burnell.* Clauſ. 1 E. 1. m. 3 intus. Pro Fratribus prædicatoribus & Minoribus London.

The Barons and Bayliff of the Port of *Winchelſey* ſeiſing, and ſhutting up the Houſes and Goods of their Vicar, for harbouring a *Clerk* of his who had ſtollen his Goods, after his impriſonment for it, and delivery to the Ordinary, before his conviction; to inforce the Vicar to proſecute his *Clerk* for this Felony againſt his will; the King thereupon commanded them to reſtore the Houſe and Goods thus ſeiſed to the Vicar, without any Suit, by this Writ.

REX Baronibus & Ballivis Portus ſui de *Wincheles*, ſalutem. Monſtravit nobis *Warnerus* Vicarius Eccleſiæ beati *Thomæ de Winchelea*, quod cum *Andræas de Fincheam* Clericus, qui eidem *Warnero* nuper deſervivit, & rerum ſuarum adminiſtrationem habuit, de quibuſdam rebus, quas eidem *Warnero* ſubtraxiſſe dicebatur, rectatus, et propter hoc captus, et in priſona noſtra ibidem detentus, ac poſtmodum per loci Diocesanum coram nobis tanquam Clericus petitus, et eidem liberatus extitiſſet; vos imponentes eidem *Warnero*, quod ipſe prædictum *Andræam* poſt factum prædictum, de quo idem *Andræas* adhuc convictus non eriſtit, nec publicus latro eſſe dicitur, cum rebus prædictis hoſpicio recepit, prædictum *Warnerium* & homines ſuos in domibus in Villa prædicta exiſtentes, ab eiſdem ejeciſtis, et oſtia domorum prædictarum claudi, et bona ſua et Eccleſiæ prædictæ in eiſdem propter hoc includi feciſtis, & ea adhuc ſic incluſa detinetis, minus juſte. Et quia prædictus *Warnerus*, vel alius ad proſecutionem rerum ſuarum ſibi ſubſtractarum invitus compelli non debet, nec ſibi ſuper præmiſſis volumus in juriari, vobis mandamus, quod accepta ſufficiente ſecuritate a præfato *Warnero*, de ſtando recto in Curia noſtra ſecundum Conſuetudinem et Libertatem prædictæ Villæ, & prout ſecundum ſtatus ſui exigentiam debuerit, ſi quis verſus eum inde loqui voluerit, eidem *Warnero* domos ſuas prædictas una cum bonis ſuis & Eccleſiæ in eiſdem ſic incluſis & detentis deliberari faciatis, & ipſum interim inde per ſecuritatem prædictam pacem habere permittatis. Datum per manum *W. de Merton* Canc. noſtri apud *Weſtm.* 24. die *Junii*. Clauſ. 1 E. 1. m. 17. Pro Warnero Vicario de Fincham.

How the King exerciſed his Soveraign Eccleſiaſtical Juriſdiction in *Ireland* in the firſt year of his Reign, theſe Records demonſtrate. The Archbiſhoprick of *Dublin* being void, the King committing the Temporalties of it to *Thomas Cheddeworth*, authorized him to farm the Temporalties thereof, or otherwiſe to improve them to his beſt advantage; and commanded his Chief Juſtice to diſpoſe of the Wards, Profits, Revenues thereof, and of other Archbiſhopricks and Biſhopricks that ſhould there become void, and Preſent to vacant Churches in his name and right, as theſe Patents evidence.

REX omnibus, *&c.* ſalutem. Sciatis, quod tenore præſentium damus dilecto Clerico noſtro *Thomæ de Cheddeworth*, cui commiſimus Archiepiſcopatum *Dublinia* vacantem cuſtodiendum, poteſtatem dimittendi ad firmam terras et tenementa ejuſdem Archiepiſcopatus, vel ad campi partem prout magis ad opus noſtrum viderit expedire. Nos autem quicquid præfatus *Thomas* fecerit in hac parte ratum habebimus & acceptum. In cujus, *&c.* Dat. per manum *W. de Merton* Canc. *&c.* apud *Weſtm.* 20. die *Januarii*. Pat. 1 E. 1. pars 2. m. 19. intus. De terris Archiepiſcopatus Dublin. excolendis & ſeminandis.

REX Magiſtro *Thomæ de Cheddeworth* Cuſtodi ſuo Archiepiſcopatus *Dublinen.* ſalutem. Cum conſtituerimus dilectum & fidelem noſtrum *Galfridum de Genvill* Juſtic. noſtram terræ noſtræ *Hiberniæ* quamdiu nobis placuerit, prout in literis noſtris patentibus eidem Juſtic. confectis plenius continetur, Vobis mandamus, quod tam Pat. 1 E. 1. pars 2. m. 5. Hibernia.

An. 1. E. 1. tam de Wardis quam de Caſtris Wardarum quæ ſunt in cuſtodia veſtra, & eciam de hiis quæ deinceps acciderint intendentes ſitis & reſpondentes, & Caſtra earundem cum opus fuerit, & idem Juſticiarius hoc vobis injunxerit, ex parte noſtra, eidem liberetis. Omnes eciam exitus Ballivæ veſtræ tam Wardarum quæ ſunt in manu veſtra, & aliarum cum acciderint, quam Archiepiſcopatuum, Epiſcopatuum, et Abbatiarum cum vacaverint dicto Juſticiario per Cirographum inter vos et ipſum exinde conficiendum, habere faciatis, ad negotia noſtra in partibus *Hiberniæ* inde expedienda, donec aliter inde duxerimus ordinandum. Et cum ſciverimus quantum ei liberaveritis, Breve noſtrum de quietancia ſeu allocacione vobis inde habere faciemus. Dat. apud Sanctum *Martinum magnum London.* 2. die *Septembris.*

Ibidem. REX *G. de Genvill* Juſtic. ſuo *Hiberniæ*, ſalutem. Sciatis, quod dedimus vobis poteſtatem præſentandi vice et auctoritate noſtra perſonas idoneas ad Eccleſias de *Kilbondam*, *Senekill*, et *De la Hull* jam vacantes, et ad noſtram donacionem ſpectantes: Nos enim præſentaciones per vos modo prædicto factas ad Eccleſias prædictas ratas ab hac vice habebimus et acceptas. In cujus, *&c.* Datum ut ſupra.

The Archbiſhop of *Caſſal* ſeiſing the money of an Uſurer in *Ireland*, as belonging to him, thereupon the King commanded the Biſhop of *Midden.* and his Treaſurer of *Ireland* to demand it of him, as belonging to him by his Prerogative, and to reſpite the demand of the Uſurers Debts till further Order, by this Writ; by which it appears that all * Uſurers Monies and Debts in that Age, were forfeited to the King for their Uſury, upon their deaths, in *Ireland* as well as *England.*

* See Glanvil, l. 7. c. 16. l. 10. c. 3, 8.

Chauſ 1 E. 1. m. 6. intus. Pro Archiepiſc. Caſſalen. MAndatum eſt *Midd.* Epiſcopo, & Theſ. Regis *Hiberniæ*, quod demandam quadringentarum librarum quam faciunt *David.* Archiepiſcopo *Caſſalen.* ratione quorundam bonorum et catall. *Reginaldi de Macetere* Uſurarii, et quæ ad manum ejuſdem Archiepiſcopi devenerunt, et quæ ad Regem pertinent, ut dicitur, et eciam demandam Uſurarium debitorum ejuſdem *Reginaldi*, ponant in reſpectum, uſque ad feſtum Sancti *Hilar.* pror. futur. niſi Rex aliud de conſilio ſuo duxerit ordinand.

How the King committed, diſpoſed of the Cuſtody of the Temporalties of the Biſhoprick of *Limrick*, and afterwards gave his aſſent to the election of a New Biſhop, who had the *cuſtody thereof*, theſe Records declare.

Pat. 1 E. 1. pars 2. m. 19. De Cuſtodia Epiſcopatus de Lymerick. REX Magiſtro *Johanni de Stamford* Eſchaet. ſuo *Hibern.* ſalutem; Sciatis, quod de gratia noſtra ſpeciali, conceſſimus dilecto Clerico noſtro *Gerardo le Mareſcal* Archid. *Lymiriten.* cuſtodiam Epiſcopatus *Lymiricenſis* vacantis, & in manu noſtra exiſtentis, tenend. à die Mercurii proxima poſt feſtum Sancti *Hilarii*, Anno, *&c.* primo uſque in unum annum ſequentem completum, per formam inter fideles noſtros locum noſtrum in *Anglia* tenentes et prædictum *Gerardum* inde providem, de qua idem *Gerardus* nobis præmanibus ſatisfecit; ſalvis tamen nobis feodis Militum, advocationibus Eccleſiarum, wardis, relevis et eſcaetis quæ interim acciderint ibidem, et ſalvis eciam nobis omnibus exitibus prædicti Epiſcopatus a tempore mortis Epiſcopi ejuſdem loci uſque ad diem Mercurii ſuprædictum. Et ideo vobis mandamus, quod eidem *Gerardo* Cuſtodiam prædicti Epiſcopatus et Temporalia ejuſdem liberetis tenend. in forma prædicta. *Dat. ut ſupra.*

Pat. 1 E. 1. pars 2. m. 19. Protectio de Lymerick. REX electioni factæ in Eccleſia Cathedrali *Lymericenſi* de diſcreto viro Magiſtro *Gerardo* Archidiacono ejuſdem Eccleſiæ, in Epiſcopum ejuſdem loci, Regium aſſenſum adhibuit et favorem. Et mandatum eſt Archiepiſcopo *Caſſalen.* ut id quod ſuum eſt in hac parte exequatur. Dat. per manum *W. de Morton* Canc. Regis apud *Novum Templum London.* 11. die *Januarii.*

The Biſhoprick of *Finnabern* being voyd by the Biſhops death, the King upon the Deans and Chapters Petition granted them this Licenſe to elect a new Biſhop, provided he was ſo qualified as his Licenſe directed.

REX

Anno 1 E. 1.

REX Decano & Capitulo *Fynnabren.* ſalutem. Accedens ad nos *David* Clericus veſter cum literis Capituli veſtri patentibus, nobis humiliter ex parte veſtra ſupplicavit, ut cum Eccleſia veſtra per mortem *Mauric.* Epiſcopi veſtri de *Fynnabr.* Paſtoris ſolacio ſit deſtituta, alium vobis eligendi in Epiſcopum et Paſtorem licenciam concedere dignaremur; Nos igitur veſtris ſupplicacionibus inclinati, licenciam illam vobis duximus concedendam. Mandantes quatinus talem vobis aſſumatis in Epiſcopum qui Deo devotus, regimini Eccleſiæ veſtræ neceſſarius, nobiſque et regno noſtro utilis et fidelis exiſtat. Dat. apud *Weſtm.* 14. die *Julii.* Pat. 1 E. 1. pars 2. m. 15. De licentia eligendi.

The Dean and Chapter hereupon electing a Biſhop according to the Kings licenſe, the King giving his Royal aſſent thereto by his Vicegerents, iſſued this Writ for his confirmation and conſecration to the Archbiſhop of *Caſſall.*

REX Electioni nuper factæ in Eccleſia Cathedrali *Fynnabrenſi* de fratre *Florencio* Abbate de *Kelſany* in Epiſcopum *Fynnabrenſem* Regium aſſenſum adhibuit et favorem. Et mandatum eſt Archiepiſcopo *Caſſalenſi*, ut quod ſuum eſt in hac parte exequatur. Dat. per manum *W. de Merton* Canc. noſtri apud Sanctum *Martinum magnum London.* 8. die *Octobris.* Pat. 1 E. 1. pars 2. m. 4. Pro Electo Finaberen.

The King likewiſe granted him reſtitution of the Temporalties by this Writ, if his election were confirmed, ſo as he ſent his Proctor into *England*, with power to ſwear Fealty to the King upon his Soul, though he did not come to ſwear it in perſon, and ſo to receive his Temporalties.

MEmorandum, quod Rex conceſſit Electo *Fynaberen.* quod Temporalia Epiſcoparus ejuſdem reſtituantur eidem, ſi contingat ipſum confirmari; Ita quod Nuncius ſuus quem propter hoc tranſmittet in *Angliam*, cui idem Electus dabit poteſtatem jurandi in animam ſuam de fidelitate, *&c.* recipiat literas ipſius Electi de reſtitutione Temporalium prædictorum, et eas ſibi deferat. Clauſ. 1 E. 1. m. 3. dorſo. Pro Electo Finaberen.

Sir *Mat. Haſtings* Knight, Governor of *Wynchelſe*, demanding and exacting Toll from the Tenants of the Archbiſhop of *Canterbury*, who were exempted from Toll, and detaining their pledges for it, after ſeveral admonitions by his Officials; the Archbiſhop thereupon immediately after the reſtitution of his Temporalties, ſent this peremptory Letter to him, to reſtore all their pledges he detained for Toll within eight dayes; and likewiſe to give competent ſatisfaction for this high offence to God and the Church, under pain of Excommunication; or elſe he would execute his Pontificial office upon them.

R. Miſeratione divina *Cantuarienſis* Archiepiſcopus, totius *Angliæ* Primas, Domino *Matheo de Haſtinges* Militi, ſalutem, & ſpiritum conſilii ſanioris. Quampluries per noſtras literas & Officiales noſtros vos moneri fecimus, ut per vos et veſtros non vexaretis Tenentes noſtros ſuper exactione Theolonii in Villa de *Wynchelſe*, a cujus præſtatione liberi ſunt et immunes. Et quia monitis hujuſmodi parere hactenus non curaſtis, adhuc vos monemus, et vobis ſub * Excommunicationis pœna injungimus, quatinus homines noſtros ſuper talibus exactionibus in pace dimittatis, et hominibus de *Eſſywendene*, ac aliis noſtris tenentibus, quorum vadia pro Theolonio prædicto capta detinetis, vadia reſtituatis; et ſuper offenſa quam propter hoc incurriſtis, Deo et Eccleſiæ ſatisfaciatis competenter, infra octo dies poſt præſentium receptionem. Alioquin extunc contra vos et veſtros miniſtros officii noſtri debitum prout juſtum fuerit exequemur. Datum apud *Sutham.* die *Jovis* in feſto *Aſcenſionis Domini*; Conſecrationis noſtræ anno primo. Bundela Brevium, Anno 1. E. 1. n. 9. * Abuſed upon every occaſion.

The *Ciſtercian* and other Monks * totally exempted by ſeveral Popes Bulls from payment of Tithes of the lands manured by them with their own hands, or at their coſts, fraudulently inlarging their privileges by tilling, renting, manuring other mens * Sane laborum veſtrorum quos propriis manibus aut ſumptibus colitis, ſive de nutrimentis veſtrorum animalium, nullus præſumat a vobis Decimas exigere. Monaſticon Angl. Vol. 1. p. 709, 732, 831, 833, 924.

An. 1. E. 1. Lands, to the great prejudice of Rectors of Pariſh Churches, whoſe Rights and Tithes they invaded. Thereupon *Richard Groveſond* Biſhop of *Lincoln* writ this Letter to the Chancellor for his advice and aſſiſtance to reform this Grievance in the Kings Temporal Courts, in his friends and Clerks caſe.

Bundela Brevium, &c. An. 1 E. 1. nu. 4.

VEnerandæ diſcretionis viro, & amico & filio ſemper in Chriſto diligendo, Domino *W. de Merton* Domini Regis Cancellario, *R.* miſeratione divina *Lincolnienſis* Epiſcopus, ſalutem, gratiam, & benedictionem, cum dilectione ſincera. Noſtis (ut credimus) & familiari forſitan experientia probaſtis moleſtias, quas Religioſi privilegiati ingerunt Rectoribus Eccleſiarum vicinarum, et quibus machinationibus frequenter moliuntur ipſorum Jus ſubvertere, et ſibi uſurpare, quod * See Rot. Parl. An 2 H. 4 nu. 40. My Goſpel Plea for Tithes, &c. part. 2. p. 45, 46, 47 Johan. Salisburienſis de Nugis Curialium, l. 7. c. 21. Pet. Bleſenſis, Epiſt. 82. Laur. Bochellus Decret. Eccleſ. Gal. p. 966. Bibl. Patrum, Tom. 12. pars 2. p. 766, 767. altenum exiſtit. Cum igitur dilectus Clericus noſter Magiſter *R. de Saxingehurſt*, Præbendarius Eccleſiæ de *Langeford*, injurias multiplices ſuſtinuerit a quibuſdam * *Ciſtercienſibus*, poſſeſſionum ſuarum terminos in Parochia ſua dilatantibus, et in vicina; Dilectionem veſtram affectione qua poſſumus requirimus & rogamus, quatinus ad impetrandum remedium a Curia Domini Regis, (quatenus ad eum pertinet) ſuper injuriis eidem irrogatis, velitis benevolentiæ veſtræ conſilium et auxilium impendere, quale rei qualitas requiſierit oppoſitunum. Benè ſemper in Domino valeatis.

The Dean and Chapter of *Rhoan* detaining from M^r. *Garland* (one of the four Canons which King *Henry* the 3^d. had added to their Church) that annual penſion the King had alotted him out of the Chapelry of *Blye*, K. *Edward* the 1. upon two Petitions of his (extant in the Bundle of Writs and Petitions, *Anno* 1 E. 1.) by his Soveraign Eccleſiaſtical Juriſdiction iſſued this Writ to the Archbiſhop of *Rhoan* to induce or compell them to pay him his Stipend, and the arrears thereof, according to his fathers pious intention and order, and to give him an account thereof; or elſe he would levy his portion out of the Rents they had in *England*.

Bundela Brevium, Anno 1 E. 1. nu. 10. in Turri Lond.

EDWARDUS Dei gratia Rex *Angliæ*, Dominus *Hyberniæ*, & Dux *Aquitaniæ*, venerabili in Chriſto patri ——— eadem gratia *Rothomagen.* Archiepiſcopo, ſalutem. Cum progenitores noſtri Reges *Angliæ*, quatuor portiones Præbendales conſtituerint in Eccleſia veſtra *Rothomagenſi* de proventibus Capellanæ de *Blye*, quatuor ejuſdem Eccleſiæ Canonicis aſſignandas: Et Decanus et Capitulum dictæ Eccleſiæ Magiſtro *de Garland* uni de quatuor Canonicis prædictis portionem ſuam jam per biennium & amplius ſubſtraxerint, et eam adhuc ſibi reddere contradicunt, in gravamen ipſius non modicum, et præjudicium Regium manifeſtum, ac contra ordinationem auctoritate celebris memoriæ Domini *H.* Regis patris noſtri inde factam in Curia ſua. Nolentes hujuſmodi dona et conceſſiones Regias pro intuitu, et pro animarum remedio conſtitutas, taliter ſubtrahi, aut effectu ſuo fruſtrari; Paternitatem veſtram duximus cum inſtantia requirendam, quatenus dictos Decanum et Capitulum ad reddendum præfato Canonico portionem ſuam cum arreragiis inde debitis efficaciter ducatis, et artius (ſi opus fuerit) compellatis. Sciant enim pro certo, quod niſi fecerint, nos portionem ipſam de redditibus et bonis quæ habent in regno *Angliæ* levari faciemus, et prædicto Canonico aſſignari. Quid autem ſuper hoc duxeritis faciendum nobis cum celeritudine reſcribatis. Datum per manum *W. de Merton* Cancellarii noſtri apud *Weſtm.* 15. die *Decembr.* Anno Regni noſtri primo.

The Covent of S^t. *Patrick's* Abby of *Saballo* in *Ireland* electing an Abbot without the Kings precedent licenſe, againſt his Prerogative, the election was thereupon nulled, and a new Abbot appointed without election by the Biſhop of *Dune*, with the licenſe and conſent of the Kings Lieutenants in *Ireland*; whereupon the King iſſued this Writ for reſtitution of the Temporalties to him, and all profits received from the time of his proviſion to the ſaid Abby, for which he was to anſwer the King at his pleaſure, as this Record informs us.

Pat. 1 E. 1. pars 2. m. 4. Pro Abbate S. Patricii de Saballo.

REX Magiſtro *Johanni de Sanford* Eſcaetori ſuo *Hiberniæ*, ſalutem. Cum celebrata nuper (noſtra licentia eligendi irrequiſita) electione in Eccleſia San-

& *Patricii de Saballo*, de fratre *Molys* Priore de *Bangor.* in Abbatem ejuſdem loci, ac ipſa electione ob hoc et alia merito caſſata, venerabilis pater Epiſcopus *Dunenſis* loci Dioceſanus, fratrem *Galfridum de Stoks* Canonicum *Carleol.* de conſilio et conſenſu fidelium noſtrorum locum noſtrum in *Hibern.* tenentium præfecerit in Abbatem domus prædictæ: Nos de gratia noſtra ſpeciali Temporalia Abbatiæ prædictæ præfato fratri *Galfrido de Stok* duximus reddenda. Et ideo vobis mandamus, quod eidem fratri *Galfrido* Temporalia Abbaciæ prædictæ ſine dilatione liberetis, una cum omnibus inde perceptis a tempore quo dictus Epiſcopus dictæ Eccleſiæ prævidit de præfato *Galfrido*, juxta veram æſtimationem eorundem perceptorum per vos fideliter faciendam; de quibus idem Abbas nobis ad voluntatem noſtram tenetur reſpondere. In cujus, *&c.* Dat. *&c.* apud *Cantuar.* 18. die *Septembris.* Anno regni noſtri primo. *An.* 1 E. 1.

Et mandatum eſt omnibus tenentibus de Abbacia prædicta, quod eidem *Galfrido* tanquam Abbati ſuo, in omnibus quæ ad Abbaciam illam pertinent intendentes ſint & reſpondentes. *Dat. ut ſupra.*

After the death of Pope *Clement* the 4th. the See of *Rome* continuing voyd for two years and ten moneths, by reaſon of the *Cardinals diſcord* about the election of a Succeſſor, at laſt *An.* 1272. (after King *Henry* the 3d. his deceaſe) they elected one *Theobald* Pope, who was with King *Edward* the Firſt in the *Holy Land*; as * *Mat. Weſtminſter* thus ſtories.

Poſt mortem Papæ Clementis, *per duos annos, & decem menſes, ſedes Apoſtolica vacans fuit. Igitur Cardinales convenientes in unum, Dominum* Theobaldum *Archidiaconum* Leodicenſem, *qui commorabatur in tranſmarinis partibus cum* Eadwardo *communiter elegerunt. Qui, de ſua electione auditis rumoribus, ad Curiam properavit, & ſummum Sacerdotium eſt adeptus. De iſto dicti fuerant iſti verſus.*

Papatum munus tenet Archidiaconus unus;
Quem patrem patrum fecit diſcordia fratrum.

* Flores Hiſt. pars 2. p. 352. Contin. Mat. Pariſ p 976. See Stella, Platina, Onuphrius Volaterranus Crilpin, Ralæus, Barnes, Opmeerus, Faſciculus Temporum, Hermannus Schedel, and others in Gregorio 10 Walſingham Hiſt. p. 4.

Prince *Edward* hearing tydings of his Fathers death, and his being proclaimed King in *England*, in his return from the *Holy Land*, repaired to this new Popes Court, his late Chaplain, familiar friend and fellow Souldier; who at his requeſt, (by his meer Papal authority) excommunicated the murderers of his kinſman *Henry*, ſon and heir to the King of *Germany* at *Viterbium*, and diſofficed, diſinherited ſome of them by his *Imperious Decree*, till they ſhould come perſonally to *Rome* to purge, or ſubmit themſelves to his abſolute Order in all things, as *Mat. Weſtminſter*, and *Walſingham* thus relate.

† *His diebus*, *cum* Eadwardus *in Civitate* Acon. *diutius expectaſſet Chriſtianorum & Tartarorum auxilium, eo quod propoſuiſſet per manum validam Saracenos delere, videns ſe ab utriſque deluſum, quia Chriſtiani ad propria receſſerunt, & Tartari, qui & Moali, inteſtina tyrannide perierunt, dimiſſis in* Acon. *ſtipendariis, mare tranſiit, applicans in regno* Siciliæ. *Cui cum honore Rex* Carolus *obviavit, ipſum deducens uſque ad Urbem veterem*, in qua Romana Curia reſidebat. Papæ Gregorio, modo Domino, nuper familari ſuo, expoſuit Eadwardus pericula Terræ ſanctæ. Petiit poſtea quod ſententialiter condemnaret Aldebrandinum, Comitem dictum le Rus, et Guidonem de Monteforti, qui Henricum primogenitum Regis Alemanniæ cognatum ſuum in Viterbio funeſtis gladiis peremerunt, dum Miſſarum ſolemniis aſſiſteret, in contemptum Eccleſiæ et ſcandalum nominis Chriſtiani. Papa igitur his commotus protinus propter hos mandavit. Comes Rubeus ſe purgavit. Dominus Papa Guidonem de Monteforti, tam pro contumacia, quam offenſa, anathemate perpetuo condemnavit, et ſacrilegii, homicidii, ſicarii, et læſæ Majeſtatis reum pronuntiavit ſententialiter, et infamem, ita ut neque condere Teſtamentum, neque teſtimonium ferre, neque Præſes, Conſul vel Poteſtas eſſe poterit Civitatis. Hunc etiam ab omnibus officiis, dignitatibus ſeu etiam adminiſtrationibus civilibus aut publicis, ſequeſtratum et exhæredatum uſque in quartam generationem decrevit. Quod decretum fuſſit ab omnibus inviolabiliter obſervari, quouſque idem Guido ad Curiam Romanam advenisſet, et ſe voluntati Papæ in omnibus ſubmiſiſſet. Præterea

† Anno 1172. p. 352, 353. Walſingham Hiſt p. 3. Ypodigma Neuſtr. p. 67. Polydor. Virgil, Fabian, Holinſhed, Speed, Grafton Daniel How, An. 2 E. 2.

Anno 1 E. 1. terea omnes illos, qui eum receptaverunt ſcienter, excommunicationis vinculo innodavit, et terris eorum ſuppoſuit interdictum (mulieribus duntaxat exceptis, pœnitentiis decedentium, et baptiſmata parvulorum.) *His ritè peractis*, Eadwardus *ſeceſſit à Curia, cui communitates civitatum* Tuſciæ *&* Italiæ *cum magno tripudio tubis ductilibus obviarunt, communiter proclamantes*, vivat Imperator Eadwardus. Mediolanenſes *ei munera obtulerunt, equos electos, coopertos ſlavenis de Scarlato, quos, illis cogentibus, invitus recepit; Recedens ab* Italia, *venit in* Burgundiam, *ubi quendam nobilem, qui rapinis & ſpoliis intendebat, cum fortiſſimo caſtro ſuo, Comiti* Sabaudiæ *reddidit, vel invitum. Prius namque terrenum Dominum non habebat, ideo tranſeuntes liberius ſpoliabat, quia non erat qui exceſſus corrigeret delinquentium.* Epiſcopi et Abbates, Comites et Barones de Anglia venientes, (ſent to meet and conduct him into *England* by his Vicegerents order) Domino Eadwardo in deſcenſu montium Burgundiæ occurrerunt, benedicentes Dominum, qui fecit proſperum iter ſuum.

Whiles the King in his return was entertained in the Popes Court at *Viterbium*, *Othobon* the Popes late Legate procured this Writ from him, to ſettle and protect his Nephew in the poſſeſſion of a Prebendary in the Church of *Chicheſter*, by his Regal authority, formerly conferred on him by the Popes *proviſion*, which it ſeems he could not obtain by the Popes *mandate* which he proſecuted.

Bundela Brevium in Turri London. Anno 1 E. 1, nu. 12.

EDWARDUS Dei gratia Rex *Angliæ*, Dominus *Hiberniæ*, & Dux *Aquitaniæ*, dilecto & fideli ſuo *Roberto Burnell*, ſalutem. Pervenit ad nos venerabilis patris Domini *Ottoboni* ſancti *Adriani* Diaconi Cardinalis, *Jacobo* nepoti ſuo ſummus Pontifex quandam Præbendam in Eccleſia *Ciceſtrenſi* vacantem contulit (ut accepimus:) Cujus poſſeſſionem proſequitur ſecundum mandatum Papale, ſibi ſuper hoc conceſſum; Volentes etiam ad inſtantiam dicti Domini *Ottoboni* præfatum *Jacobum* proſequi favore gratioſo, Vobis mandamus quatinus ipſum nec ſuum procuratorem ſuper proſeſſione memoratæ Præbendæ, contra Juris obſervantiam, moleſtari vel inquietari minime permittatis. Teſte meipſo apud *Urbem veterem*, 19. die *Martii*, anno regni noſtri primo.

Moreover, one Mr. *Angelo* a Canon of *Cameron*, formerly imployed by King *Henry* the III. as his Proctor in the Courts of *Rome* in ſeveral buſineſſes, for which he granted him an annuity of 40. Marks each year, till he ſhould be provided for by the ſaid King of Benefices in *England* to the value of 400. Marks by the year, procured King *Edward* to employ him as his Proctor in the Court of *Rome*, to confirm his Fathers grant, and order payment of all his arrears by this Writ, dated from thence.

In eadem Bundela, nu. 13.

W. Permiſſione divina *Eborum* Archiepiſcopus, *Angliæ* Primas, & *R. de Mortuo mari*, dilecto amico ſuo Domino *W. de Marton* Domini Regis Cancellario, ſalutem cum dilectione ſincera. Mandatum Domini Regis recepimus, in hæc verba.

EDWARDUS *Dei gratia Rex* Angliæ, *Dominus* Hiberniæ, *&* *Dux* Aquitan. *dilectis & fidelibus ſuis*, W. *eadem gratiâ* Eboracenſi *Archiepiſcopo* Angliæ *Primati*, Rogero de Mortuo mari, *&* Roberto de Burnell, *ſalutem. Dum bonæ memoriæ Dominus* H. *quondam Rex* Angliæ, *Genitor noſter chariſſimus, vitæ præſentis gaudebat induciis*, ex certis cauſſis et negotiis ſibi quondam incumbentibus, quæ in Romana Curia proponebat expedire, diſcretum virum Magiſtrum Angelum Canonicum Cameracen. in ipſius retinuit obſequio, cui quadraginta marcas fecit aſſignari, de Scaccario ſuo recipiendas annuatim, quouſque ſibi per dictum Dominum Regem (ſi viviſſet) in beneficio ſeu beneficiis ad valorem quadringintarum marc. provideretur. Nunc quia prædictum Magiſtrum Angelum ex negotiis noſtris quibuſdam promovendis in præfata Curia, ſub forma dictæ conventionis ſeu promiſſionis in noſtro retinuimus obſequio; Vobis mandamus, quatinus eidem Magiſtro Angelo, vel ejus procuratori ſuo nomine, quam cito vice noſtra vobis facultas aſſuerit, de quantitate Redditus prætaxati competenter provideatis. *Teſte meipſo apud* Urbem veterem, 24. *die* Februarii, *anno Regni noſtri*

noſtri primo. Quia verò contemplatione dicti Magiſtri, & obſequii ſui, quod impendit Domino Regi, *vellemus ſuum negotium expediri*; prout Dominus *R. Burnell* vobis plenius ſuper hoc exponet, cum quo inde habuimus tractatum, expediri faciatis, ſicut providimus, & ſimul videritis expedire. Vale. *An.* 1 E. 1.

Before King *Edward*'s arrival in *England*, this new Pope *Gregory* having gratifyed the King by his premiſed ſentence, denounced againſt the murderers of his Couſin *Henry*, (imitating his Predeceſſors rapines) ſent a ſpecial *Nuncio* into *England*, under pretext to compel all Eccleſiaſtical perſons to pay two years Diſmes of their Temporalties and Eccleſiaſtical Livings to the King and his Brother, but in truth to himſelf, who converted moſt of it to his own uſe, as * *Mat. Weſtminſter* thus relates; *His diebus quidam Clericus, nomine* Reimundus, Vaſconus *natione*, a ſummo Pontifice in Angliam fuit miſſus; qui poteſtatem habuit compellendi Eccleſiaſticas perſonas ad decimas, per duos annos, tam de Temporalibus quam Spiritualibus, Eadwardo et Edmundo filiis Regis Angliæ perſolvendis. Hic partem collatæ pecuniæ tribuit Nobilibus ſuprædictis, pro expenſis ſuis partem ſibi non modicam retinuit, et ad diſpoſitionem Papæ partem maximam reſervavit. Such was his Papal liberality and juſtice. * An. 1272. p. 354.

Whereupon ſundry of the Clergy and Abbots of the Realm diſcerning the abuſe, refuſed to pay the premiſed Diſme, notwithſtanding the Popes Nuncioes excommunications denounced againſt them, contemning his Eccleſiaſtical Cenſures: Upon which the Nuncio writ this Letter to the Chancellor to command the Sheriffs to aſſiſt the Collectors of it by their ſecular power, and levy it by force where there was need.

SUO ſpeciali in Chriſto *W. de Merton* Domini Regis Cancellario, ſalutem. Cum per Collectores Decimæ Domino Regi conceſſæ in noſtris partibus colligendæ, intelleximus, quod in pleriſque locis dicta Decima hucuſque levari non poteſt abſque auxilio ſeculari, expedit quod celeriter *Eborum*, *Notingham* et *Lancaſtriæ* Vicecomitibus datis per literas Regias in mandatum, ut dictis Collectoribus ſint in auxilium ad ipſam Decimam levandam manu valida ſi neceſſe fuerit, cum per dictos Collectores ad hoc fuerint requiſiti. Hoc acto noſtro officio de ipſo negotio nobis ſcribito. Valete. Bundela Brevium, An. 1 E. 1. num. 16.

Hereupon the Chancellor iſſued theſe enſuing Writs to all the Sheriffs of *England* and ſome others, to aſſiſt the Collectors accordingly.

REX Vicecomiti *Wigorn.* ſalutem. Cum nonnulli Abbates, Priores, Religioſi et Clerici Decimam tam temporalium quam ſpiritualium nobis a ſede Apoſtolica ad duos annos conceſſam, detineant, et arreragia ejus ſolvere contradicant, propter quod executores ad ipſam decimam colligendam per regnum noſtrum in ſingulis Dioceſſis deputati, ipſos excommunicationis ſententia auctoritate Apoſtolica innodarunt. Nos eorum induratam maliciam reprimere volentes, tibi præcipimus firmiter injungentes, quod prædictam decimam et ejus arreragia a prædictis detentoribus ſeu contemptoribus, vel eorum beneficiis et bonis in Com. prædictis celeriter levari facias, quandocunque a dilecto nobis Magiſtro *Reymundo de Nogeriis* Domini Papæ Capellano, prædictæ decimæ Collectore generali, vel ejus ſubſtitutis fueris requiſitus; eandem decimam et arreragia ejuſdem decimæ Collectoribus aſſignando. Mandatum noſtrum in hac parte impleturus, ne pro defectu executionis ipſius, nos ad te et bona tua recurrere pro decima et arreragiis hujuſmodi non contingat. Teſte Rege apud *Wyndeſ.* decimo die *Septembris*. Clauſ. 2 E. 1. m. 5. dorſo. De decima.

Conſimiles litteræ diriguntur ſingulis Vicecomitibus per *Angl.* et Cuſtodibus Epiſcopatus *Dunelm.* et Juſtic. *Ceſtren.* Such rigor and power of both ſwords muſt be uſed to enforce and extort theſe Diſmes from the Abbots and Clergy.

It ſeems the Biſhop of *Winton* compounded, and payed a Fine of 500. Marks for his two years Diſmes to the Popes Collector, for which he received this Acquittance from the King, *Anno* 2 E. 1.

REX

Anno 2 E. 1.

Pat. 1 E. 1. m. 24. intus. Pro Episcopo Wynton.

REX omnibus ad quos præsentes Literæ pervenerint, salutem. Sciatis, quod venerabilis Pater *N. Wynton.* Episcopus satisfecit Magistro *Reymundo de Nogeriis* Domini Papæ Nuncio, nomine nostro de quingentis Marcis, per quas idem Episcopus finem fecit nobiscum et cum eodem *Reymundo* pro decima temporalium suorum de duobus primis annis, de illis duobus annis de quibus Dominus Papa nobis gratiam fecit de decima bonorum Ecclesiasticorum regni nostri. De quibus quidem quingentis Marcis præfatum Episcopum tenore præsentium penitus quietamus. In cujus, *&c.* Dat. apud *Westm.* 24. die *Novembris.*

What part of the new Dismes granted to the King, he received from the Popes Collector, these Records will inform us.

Pat. 2 E. 1. m. 7. De denariis a Magistro Reymund. receptis.

REX omnibus, *&c.* salutem. Noveritis nos habuisse & recepisse à discreto viro Magistro *Reymundo de Nogeriis* Domini Papæ Capellano & Nuncio, mille Marcas bonorum et leg. sterlingorum, de pecunia per Prælatos *Angl.* ad preces Domini Papæ nobis concessa, et per dictum Magistrum *Reymundum* collecta, et *Lucæ de Link* Mercatori nostro ad mandatum nostrum liberata. De quibus quidem mille Marcis nos fatemur ac recognoscimus bene esse pacatos & contentos. In cujus, *&c.* Teste Rege apud *Turrim London.* 10. die *Octobris.*

Pat. 2 E. 1. m. 3. intus. Pro Executoribus Testamenti Ciceſtr. Episcopi.

REX dilectis sibi in Christo Magistro *Reymundo de Nogeriis* Domini Papæ Capellano & Nuncio, salutem. Mandamus vobis quod de denariis quos penes vos habetis in custodia de Decima a sede Apostolica nobis concessa, habere faciatis dilecto nobis *Willielmo de Rading* Canonico *Cestriæ*, & cæteris coexecutoribus Testamenti bonæ memoriæ quondam *Ciceſtrie* Episcopi, quinquaginta Marcas, in partem solutionis debitorum in quibus Dominus *H.* Rex pater noster eisdem die quo obiit tenebatur. Et nos dictas quinquaginta Marcas vobis in dicta Decima faciemus allocari. In cujus, *&c.* Teste Rege apud *Luton.* 2. die *Novembris.*

At the same time the King (wanting Monies) appointed special Collectors of the arrears due upon the Dismes granted to his Father by the Pope towards the relief of the *Holy Land*, by this Patent.

Pat. 2 E. 1. m 5. De vicesima coll genda.

REX dilectis & fidelibus suis fratri *Stephano de Foleburn.* Electo de *Waterford.* & *Willielmo de Middleton*, salutem. Sciatis, quod assignavimus vos ad arreragia vicesimæ Domino *H.* Regi patri nostro in subsidium Terræ sanctæ in regno *Angliæ* concessæ, colligenda et adunanda, necnon ad fines a detentoribus ejusdem vicesimæ vel arreragiorum ejusdem, inde nomine nostro recipiendos, prout ad opus nostrum magis videritis expedire. Et ideo vobis mandamus, quod præmissis intendatis in forma prædicta. In cujus, *&c.* Teste Rege apud *Westm.* 18. die *Octobr.*

How the King disposed of the Temporalties of Bishopricks then in his hands during their vacancies, for his best advantage, this Record will instruct us.

Pat. 2 E. 1. m 7. De terris Episcopatus Dunelm.

REX omnibus, *&c.* salutem. Sciatis, nos plenam dedisse potestatem dilectis & fidelibus nostris *Johanni de Lovetot*, & *Galfrido de Neubald*, Custodibus nostris Episcopatus *Dunelm.* tradendi, nomine nostro ad campi-partem tenentibus Episcopatus prædicti, omnes terras dominicas ejusdem Episcopatus quæ sunt in manu nostra, durante vacatione Episcopatus ejusdem. Ita quod ipsos quibus prædicti *Johannes* & *Galfridus* dictas terras nostro nomine dimittent ut prædictum est, acceptabimus, & receptores terrarum earundem in forma prædicta super eadem receptione conservabimus indempnes. In cujus, *&c.* Teste Rege apud *Wynd.* 26. die *Septemb.*

The Executors of the deceased Bishop of *Durham*, having put in pledges to satisfie all Debts owing to the King, he thereupon issued this Writ to the Guardians of of the Temporalties for their free administration of his goods, and reaping the Corn he had sowed on his Temporalties, to perform his Testament.

Cl. 2 E. 1. m. 5. intus. Pro Executor. Testamenti Episcopi Dunolm.

REX dilectis & fidelibus suis *Johanni de Lovetot*, & *Galfrido de Neubald*, Custodibus Episcopatus *Dunholm.* salutem. Quia frater *Hugo* quondam Prior *Dunholm.* & Magister *Rogerus de Seyton*, manuteperunt pro executoribus Testamenti bonæ memoriæ *Roberti* quondam *Dunholm.* Episcopi, de debitis, si quæ idem Episcopus die quo obiit nobis debuit, reddend. Vobis mandamus, quod eisdem Executoribus plenam administrationem omnium bonorum quæ fuerunt prædicti Episcopi

habere

habere permittatis, ad Teſtamentum ipſius Epiſcopi plenarie perficiend. Permittatis etiam eoſdem executores bladа et alia bona quæ fuerunt dicti Epiſcopi in Granariis prædicti Epiſcopatus, pro voluntate ſua reponere, prout ſibi magis viderint expedire. Teſte Rege apud *Wyndeſ.* 27. die *Auguſti.* *Anno* 2 E. 1.

Robert de Inſula being ſoon after elected and confirmed Biſhop of *Durham* by the Kings conſent, he iſſued this Writ for the reſtitution of his Temporalties. Pat. 2. E. 1. m 7. intus. De temporalibus reſtituendis.

REX Militibus, liberis hominibus, & omnibus aliis tenentibus de Epiſcopatu *Dunelm.* ſalutem. Cum venerabilis pater *W. Ebor.* Archiepiſcopus *Angl.* Primas, electionem nuper celebratam in Eccleſia Cathedrali *Dunelm.* de diſcreto viro fratre *Roberto de Inſula*, Priore de *Finkehall* in Epiſcopum *Dunelm.* cui prius Regium aſſenſum adhibuimus et favorem, confirmaverit, ſicut per litteras dicti Archiepiſcopi plenius intelleximus, cepimus fidelitatem ipſius Electi, & Temporalia dicti Epiſcopatus cum omnibus pertinentiis ſuis ei reddimus. Et ideo vobis mandamus quod eidem Electo tanquam Domino veſtro, in omnibus quæ ad Epiſcopatum illum pertinent, de cætero intendentes ſitis & reſpondentes ſicut prædictum eſt. In cujus, *&c.*

Et mandatum eſt *Johanni de Leveres*, & *Galfrido de Neuhand*, Cuſtodibus prædicti Epiſcopatus, quod eidem Electo vel certo Attornato ſuo prædictum Epiſcopatum, cum Caſtris & omnibus aliis pertinentiis ſuis libereat ſine mora. In cujus, *&c.* Teſte Rege apud *Northampt.* 11. die *Novembris.*

In a Bundle of Writs of King *Edward* the Firſt in the *White Tower*, in the ſecond year of his Reign, I met with the draught of this Prohibition concerning Tithes of *Aſſarts* within the bounds of *Windeſhore* Foreſt, belonging to the King, prohibiting any Suits for them in the Eccleſiaſtical Court by the Dean an Chapter of *Sarum.*

Bundela Brevium An. 2. E. 1 in Turri London.

CUm Decimæ de Aſſartis factis infra Foreſtam ſeu bundas Foreſtæ noſtræ de *Wyndelſore* ſunt de advocatione noſtra, et ad noſtram pertinere debent collationem, et ſuper perceptione earundem ſit querela ſive placitum inter vos et Decanum et Capitulum *Sarum* in Curia Chriſtianitatis motum, cum hujuſmodi placita ad Coronam et dignitatem Regiam pertinere noſcuntur: Vobis mandamus, quatinus proſecutioni dictæ querelæ ſeu placiti in Curia Chriſtianitatis ſuperſedeatis omnino uſque ad proximum Parliamentum noſtrum, in quo Parliamento comparatis cum munimentis veſtris ad faciendum et recipiendum coram Nobis quod juris fuerit et rationis. By which it appears, that all the Juriſdiction of Pleas for *Tithes* originally belonged to the Kings Crown, Dignity, Courts; not to Courts Chriſtian; and even in that Age, the tryals for the right of Tithes of Aſſarts within the Kings Foreſts, whereof the King had the advowſon and collation, was to be tryed and determined onely before the King in his Parliament, or other Temporal Courts, not in Eccleſiaſtical. Whereupon the King afterwards iſſued a Writ to the Conſtable of *Windeſore* Caſtle, to ſequeſter theſe Tithes to his uſe.

The Biſhop of *Bath* and *Wells* laying claim to the Patronage and Cuſtody of the Temporalties of the Abby of *Glaſtonbury* during the vacancy, the King iſſued this Writ for ſequeſtring the profits thereof till the right between them ſhould be determined.

REX dilecto & fideli ſuo *Galfrido Foliot* Cuſtodi Abbatiæ *Glaſton.* ſalutem. Cum commiſerimus vobis Abbatiam prædictam cum pertin. vacantem, & in manu noſtra exiſtentem, cuſtodiendam quamdiu nobis placuerit, & venerabilis pater *W. Bathon. & Wellen.* Epiſcopus, & ejus Miniſtri patronatum et cuſtodiam ejuſdem Abbatiæ ad ipſum Epiſcopum aſſerant pertinere: Vobis mandamus, quod ad cuſtodiam ejuſdem Abbatiæ unum ex parte prædicti Epiſcopi vobis aſſiſtere permittatis; Ita quod per viſum veſtrum et ipſius, omnes proventus Abbatiæ prædictæ, et alia ad eandem Abbatiam ſpectantia ſalvo et abſque diſtractione, et deterioratione reſerventur, quouſque de jure noſtro ſeu dicti Epiſcopi plenius liqueat, et aliud a nobis ſuper hoc receperitis in mandatis. Dat. per manum *W. de Merton* Canc. apud Sanctum *Martinum magnum London.* 8. die *April.* & eſt litera patens. Clauſ 2 E. 1. m. 11. Pro Bathon. & Wellen. Epiſcopo.

What Biſhops and Abbots were this year elected or reſtored to their Temporalties in *Ireland* by the Kings ſpecial Grace, and diſpenſed with in ſome particulars prejudicial to his Prerogative, with a Proviſo that it ſhould not turn to his future prejudice nor be drawn into example, theſe Records will inform us.

REX

Anno 2 E. 1.

Pat. 2 E. 1. m. 1. De Temporalibus reſtituendis.

REX dilecto Clerico ſuo *Johanni de Saunford* Eſcaetori ſuo *Hiberniæ*, ſalutem. Cum venerabilis pater *R.* Archiepiſcopus *Caſſalen.* electionem nuper factam in Eccleſia Cathedrali *Waterford* de fratre *Stephano de Fulburn.* in Epiſcopum ejuſdem loci, cui Regium aſſenſum prius adhibuimus et favorem, confirmaverit, ſicut per literas patentes præfati Archiepiſcopi plenius accepimus; Nos confirmationem illam acceptantes, Temporalia ejuſdem Epiſcopatus, prout moris eſt, eidem reſtituimus. Et ideo vobis mandamus, quod eidem Electo Temporalia Epiſcopatus prædicti reſtituatis. In cujus, *&c.* Teſte Rege apud *Weſtm.* 28. die *Octobris.*

Et mandatum eſt Militibus, liberis hominibus, & omnibus aliis Tenentibus de Epiſcopatu *Waterford*, quod eidem fratri *Stephano* tanquam Domino & Epiſcopo in omnibus quæ ad Epiſcopatum illum pertinent intendentes ſint & reſpondentes, ſicut prædictum eſt.

Pat. 2 E. 1. m. 14. Pro Epiſcopo Finibr.

REX dilecto & fideli ſuo *Galfrido de Gynvill* Juſtic. *Hibern.* ſalutem. Cum venerabilis pater *David* Archiepiſcopus *Caſſalen.* electionem nuper factam in Eccleſia Cathedrali *Finibrian.* de dilecto nobis *Florencio* nuper Abbate de *Kelſoing.* in Epiſcopum *Finibrian.* cui Regium aſſenſum prius adhibuimus et favorem, confirmaverit, ſicut per literas patentes ipſius Archiepiſcopi plenius accepimus. Nos laboribus et expenſis præfati Electi parcere, et ſibi gratiam facere volentes, Vobis mandamus, quod fidelitatem ipſius Electi nomine noſtro recipiatis, et ſibi temporalia Epiſcopatus prædicti reſtituatis de gratia noſtra ſpeciali; Receptis tamen prius literis præfati Electi patentibus, quod gratia illa ſibi hac vice facta, nobis aut hæredibus noſtris non cedet in præjudicium temporibus futuris. In cujus, *&c.* Datum apud *Weſtm.* 30. die *Novembris.*

Nota.

Pat. 2 E. 1. m. 12. De licencia eligendi, & temporalibus reſtituendis.

REX dilecto & fideli ſuo *Galfrido de Gynvill.* Juſtic. ſuo *Hiberniæ*, ſalutem. Accedens ad nos frater *Chriſtinus* Canonicus Monaſterii de *Machill Dunen.* Dioc. literas patentes Supprioris & Conventus vacante nuper Eccleſia ſua prædicta per mortem *Colmani* nuper Abbatis ejuſdem loci, ipſum *Chriſtinum* ſibi elegerunt in Abbatem, et nobis ſupplicarunt, ut electioni ipſorum Regium adhibere dignaremur aſſenſum. Verum licet dicti Suppriorꝰ et Conventus minus prudenter, non prius petita vel optenta a nobis licencia eligendi, ad electionem hujuſmodi in noſtri præjudicium proceſſerunt, eis tamen ob eorum exilitatem miſericorditer compatientes offenſam prædictam eiſdem remittimus ad præſens: et ut eorum parcatur laboribus et expenſis, ipſos ad vos remittimus, licenciam a nobis hujuſmodi petituros. Vobis mandantes, quod prædictis Suppriori et Conventui licenciam eligendi ſibi Abbatem cum a vobis petita fuerit, *Regio nomine concedatis, et Electo ipſorum ſi idoneus fuerit, aſſenſum Regium præbentes, eidem Temporalia dictæ Abbaciæ prout moris eſt, et ad nos pertinet vice noſtra reſtituatis. Volumus autem quod gratia illa eis liberaliter facta trahatur in conſuetudinem vel conſequentiam temporibus futuris. Dat. per manum, *&c.* apud Sanctum *Martinum magnum Londin.* 17. die *Maii.*

* All who exerciſe any juriſdiction derived from the King, ought to do it in his name & ſtead.

What Prebendaries he conferred in *Ireland* this year by his Prerogative, belonging to vacant Biſhopsicks, theſe Records relate.

Pat. 2 E. 1. m. 18. De prebendis conceſſis.

REX conceſſit *Henr. de Wodeſtok* Clerico ſuo Prebendam illam cum pertinent. quam Magiſter *Rogerus le Dru* nuper defunctus habuit in Eccleſia *Dublinenſi* vacantem per mortem prædicti *Rogeri*, & ad donationem Regis ſpectantem, ratione Archiepiſcopatus *Dublinæ* vacantis, et in manu Regis exiſtentis. Dat. per manum, *&c.* apud *Weſtm.* 7. die *Julii.* Per *R. Burnell.*

Ibidem.

REX conceſſit *Anton. Bek* prebendam illam cum pertin. quam *Michael de Roſwall* nuper defunctus habuit in Eccleſia *Dublinæ*, vacantem per mortem prædicti *Michaelis*, & ad donationem Regis ſpectantem, ratione Archiepiſcopatus *Dublinæ* vacantis, *&c.* ut ſupra. Dat. *&c.* ut ſupra.

A new Archbiſhop of *Dublin* being elected this year, who reſided with the Queen of *Scots* in *Scotland*, the King at her ſpecial requeſt granted him this Priviledge, to make Attorneys to appear for him in all his Courts, and to exempt him from all Amercements, for not appearing perſonally in them.

Clauſ. 2 E. 1. m. 7. dorſo. Pro Epiſc. Dublin.

REX ad inſtantiam ſororis ſuæ Reginæ *Scotiæ*, conceſſit *R. Dublin.* Epiſcopo in *Scotia* commorantem, quod Magiſt. *Robertus de Rothery*, quem idem Epiſcopus coram

coram Rege loco ſuo conſtituit, nomine ipſius Epiſcopi, poſſit Attornatos facere ad lucrandum vel perdendum in Loquelis motis vel movendis in *Curia R.* coram *quibuſcunque Juſtic. & Baronibus de Scaccario*; & in *Comitatibus, Hundredis*, & aliis *Curiis Regis*, pro ipſo vel contra ipſum, uſque ad finem ſeptem annorum. Et quod idem Epiſcopus per tempus prædictum quietus ſit de omnimodis communibus ſummonitionibus Juſticiariorum Regis Itinerantium, tam ad Placita Forestæ, quam ad alia Placita, in quibuſcunque Com. ipſe Epiſcopus terras habuerit vel tenementa. Ita quod ipſe occaſione abſentiæ ſuæ non amercietur, nec in aliquo ſit perdens pro communibus ſummonitionibus prædictis. Teſte Rege apud *Wyndeſore*, 27. die *Auguſti*. *Anno* 2 *E.* 1.

The Archbiſhop of *Caſſal* in *Ireland* being ſued, proſecuted, and diſtrained by the Barons of the Kings Eſchequer there, for Debts due by him to the King; He thereupon procured theſe two Writs to the Treaſurer, Barons, and Chief Juſtice in *Ireland*, to ſuſpend all further proceſſe and proceedings againſt him for a time, and till the King himſelf ſhould return into *England*, where he would take further orders therein.

REX dilectis & fidelibus ſuis Theſaurario, vel ejus locum tenenti, & Baronibus ſuis de *Dublin.* ſalutem. Mandamus vobis, quod omnes Exactiones, Demandas, et Diſtrictiones, quas facitis venerabili patri *Caſſalenſi* Archiepiſcopo pro Debitis noſtris, ponatis in reſpectum uſque ad Quindenam Sancti *Michaelis* proximo venturam. Datum, &c. apud *Weſtm.* 9 die *Julii*. Ex Rot. Claus de An. 2 Ed. 1 m. 6. intus. Pro Archiepiſ. Caſſalen.

REX dilecto & fideli ſuo *Galfrido de Geymuil.* Juſticiario ſuo *Hiberniæ*, ſalutem; Mandamus vobis, quod omnimodas Exactiones, Demandas et Diſtrictiones, quas fieri facitis venerabili Caſſalen. Archiepiſcopo, ponatis in reſpectum uſque adventum noſtrum in Angl. ut tunc inde provideatur, quod rationabiliter fuerit inde faciendum; nullam moleſtiam ſibi vel Eccleſiæ ſuæ interim inferendo. Dat. &c. 13 die *Julii*. Per *D. Burnell*. Ibid. Pro Archiepiſcopo Caſſalenſi.

I found in the White Tower this Original Bull of Pope *Gregory* 10. to K. *Edw.* 1. imploring his royal favor to, and protection of the Lands, goods and perſon of this Archbiſhop of *Caſſal*, againſt ſuites and oppreſſions, who had taken up the Croſſe for the Holy Land (purpoſely to ſecure himſelf from his Debts and Creditors) whom this Pope had taken into his own and St. *Peters* protection upon that account.

GRegorius Epiſcopus, Servus ſervorum Dei; Chariſſimo in Chriſto filio *E.* Regi *Angliæ* illuſtri, ſalutem, & Apoſtolicam benedictionem. Honori Regio ſatis addicitur, ſi ob reverentiam ſummi Regis (* qui ſolus habens in regnis dominum poteſtatem, ſolus Regibus dat ſalutem) Eccleſiæ ac earum Miniſtri terrenorum Regum ac Principum potentiæ oportunis præſidiis foveantur. Sane venerabilis frater noſter *Caſſalen.* Archiepiſcopus, *zelo fidei ac devotionis accenſus, miſerabili ſtatui terræ Sanctæ compatiens, ſigno vivificæ Crucis aſſumpto, ad ipſius terræ ſubſidium ſe accingit; propter quod ipſum quàm et Eccleſiam Caſſalen. cum omnibus bonis ſuis quæ impræſentiarum obtinet, ſub beati Petri et noſtra protectione ſuſcepimus, apud te credimus promoveri, ut tam ipſe quam eadem Eccleſia ſaluberrimis adjuti ſubſidiis, et Regalis gratiæ ſubniti ſaluberrimis, abſtrahantur ab oppreſſionibus malevolorum quorumlibet, et ad votivorum proſperitatem ſucceſſuum dirigantur. Confidenter igitur Celſitud. tuam requirendam duximus & effectuoſe rogandam, quatinus eiſdem Archiepiſcopo & Eccleſiæ pro divina noſtra reverentia, ſic te reddas affectu benevolum & opere gratioſum, ut idem Archiepiſcopus tuo fretus auxilio, tuoque favore ſuffultus, liberè poſſit perficere Votum ſuum, et ipſa Eccleſia nullam incurrat exinde in ſuis Juribus leſionem, ſed oblatis potius proficiat incrementis. Et tu per hæc & alia quæ in terris geſſeris æternæ vitæ gaudia mereris. Dat. *Lugduni* 4. Non. *Octobris* Pontificatus noſtri anno tertio.

* Therefore the Pope hath no Soveraign power nor dominion over them.

* It was rather to protect himſelf frō the debts he owed to the King & others, for which he was ſued, diſtrained the year before.

An. 2 *E.* 1. In a Fragment of Plea Rolls, or *Placita de An.* 2 *E.* 1. *Rot.* 19. (in the Tower of *London*) I find these Attachments for contempts on Prohibitions for suits in Court Christian for Goods and Debts that concerned not *Testament* or *Marriage*.

Placita 2 E. 1. Rot. 19. Bedf. *Ricardus* Prior de *Bismade* attachiatus fuit ad respondend. *Johanni de Gisors*, &c. de placito, **quare tenuit placitum in Curia Christianitatis de Catallis et Debitis quæ non sunt de Testamento vel Patrimonio, contra prohibitionem, &c.** Et unde prædictus *Johannes* Magister Hospitalis Sancti *Johanis Jerusalem* in *Anglia* traxit eos in placitum **in Curia Christianitatis** de *Bismade* in Ecclesia Conventuali de *Bismade*, &c. **quæ non sunt de Testamento vel Patrimonio.** Et cum idem *Johannes* & *Stephanus* die Veneris in dicta Ecclesia Conventuali detulisset prædicto Priori de *Bismade* **Prohibitionem**, &c. prædictus Prior de *Bismade* **spreta Regia prohibitione, fecit eum primo suspendi ab ingressu Ecclesiæ, et postea excommunicari, ad dampnum ipsius ad valenciam quadraginta librarum.** Et inde producunt sectam. Et Prior venit, & defendit vim & injuriam, &c. **quod non tenuit placitum contra prædictam prohibitionem:** & hoc paratus est verificare prout Curia consideraverit. Ideo consideratum est quod vadiet ei legem se 12. manu, &c. ——— a die Sancti *Michaelis* in 15. dies. Plegii de lege *Johannes de Gros*, &c. Postea ad diem illum prædicti *Johannes de Gisors* & *Stephanus* versus prædictum Priorem veniunt, & ipse non venit. Et ideo consideratum est, quod prædictus *Johannes*, &c. **recuperent dampna sua quadraginta librarum**, & Prior in misericordia. Postea venit prædictus Prior in propria persona sua. Inde nichil inde, &c. **Et misericordia pardonatur ad instanciam, &c.**

Ibidem Rot. 29. Midd. Abbas de *Bello loco* per Attornatum suum optulit se, &c. **quare secutus est placitum in Curia Christianitatis, de catallis et debitis quæ non sunt de Testamento vel Patrimonio, &c.** Et ipse non venit, & præceptum fuit Vicecomiti quod attachiaret, &c.

Ibidem Rot. 32. Sussex. *Johannes Pye*, & *Johannes de Brommesheye* per Attornatum suum optulit se 4. die versus Magistrum *R*———. Magistrum *Nicholaum de Sutton*, & *Rogerum Alard*, de placito, quare prædicti *Rogerus* & *Nicholaus* **tenuerunt placitum in Curia Christianitatis, de catallis et debitis quæ non sunt de Testamento vel Patrimonio, contra prohibitionem, &c.**

Ibidem, Rot, 38. *Nicholaus* filius *Simonis de Benington* per, &c. optulit se, &c. versus —— fil. *Simonis de Benington*, &c. de placito **quare secuti sunt plac'. &c. de catallis et debitis quæ non sunt de Testamento vel Patrimonio, contra prohibitionem, &c.** Ideo sicut prius præceptum est Vicecomiti, **quod attachiet eos quod sint, &c.**

By these several Attachments and Suits upon Prohibitions we may discern; 1. The Prelates, Clergies, and Ecclesiastical Courts continual, restlesse Encroachments and Usurpations upon the Kings temporal Jurisdiction, Courts, Rights, Priviledges, Crown, Dignity, and Subjects liberties in the beginning of the reign of King *Edward* the 1. as well as during the reign of King *Henry* 3. notwithstanding all former Prohibitions, Attachments, Suits, Complaints and Judgements against them in such cases. 2ly. This Kings and his Judges constant care to obviate, prohibit, suppresse, punish these their bold usurpations and encroachments, by Prohibitions and Attachments against the Prosecutors of such Suits, and the Ecclesiastical Judges who held and encouraged them. 3ly. That their Courts and Jurisdiction Ecclesiastical, were then confined only to Chattels and Debts which concerned *Matrimony* and *Testaments*, (not to other Chattels, Debts, Advowsons or Freeholds;) which Jurisdiction they enjoyed, not by any Original Archiepiscopal, Episcopal, or Ecclesiastical right inherent in themselves, or derived to them from Christ or his Apostles, (as Popes, Popish Prelates, Canonists, and others most erroniously assert;) but by the mere grant, grace, favour, or connivance of our Kings, and other Christian Emperors, Princes in forreign parts, and that only in their Right, Steeds, Names, as their Deputies, Delegates, and Substitutes.

This is most perspicuously evident; First, by our Saviour Christs own resolution and answer in a case of the same nature, thus recorded to posterity by St. *Luke* the Evangelist, Lu. 12. 13, 14. *And one of the Company said unto him, Master, Speak to my Brother,* **that he divide the Inheritance with me:** *And he said unto him, Man,* **Who made me a Judge or divider over you?** By the 12. Apostles and whole Churches determination, Acts 6. 2, 3, 4. *Then the* 12. (*Apostles*) *called the multitude of*

the

the Diſciples unto them and ſaid, It is not reaſon that we ſhould leabe the Woꝛd of God and ſeꝛbe Tables; *wherefore, brethren, look ye out among you 7. men of good report, full of the Holy Ghoſt and wiſdom,* whom we may appoint foꝛ this buſineſs; But we will gibe our ſelbes continually to pꝛayer, and to the Miniſtꝛy of the woꝛd: *And the ſaying pleaſed the whole multitude.* By St. *Pauls* poſitive reſolution, 2 Tim. 2. 4. No man that warreth (a ſpiritual warfare) intangleth himſelf with the affairs of this life, that he may pleaſe him who hath choſen him to be a ſouldier; compared with 2 Tim. 4. 1, 2, 4, 5. Acts 13. 2. Rom. 1. 1. Mat. 28. 19, 20. Acts 20. 28. to 36. 1 Pet. 5. 1. to 5. 1 Cor. 6. 4, 5. & moſt Expoſitors on theſe Texts. *An.* 2 *E.* 1.

2ly. By St. *Bernards* Reſolution from the precedent Texts, who wr.t thus to Pope *Eugenius*, his Scholar; * *Putáſne hac tempora ſuſtinuerint, ſi hominibus litigantibus pro terrena hæreditate & flagitantibus abs te judicium, voce Domini tui reſponderis;* O homines, Quis me conſtituit Judicem ſuper vos? *In qualem tu Judicium mox venturis? &c. Et tamen non monſtrabunt puto, qui hoc dicent,* ubi aliquando quiſquam Apoſtolorum Judex ſederit hominum, aut dibiſoꝛ terminoꝛum, aut diſtributoꝛ terrarum. Stetiſſe denique lego Apoſtolos judicandos, ſediſſe judicantes non lego. Erit illud, non fuit. *Itane imminutor dignitatis ſervus, ſi non vult eſſe major Domino ſuo? aut diſcipulus, ſi non vult eſſe major eo, qui ſe miſit? aut filius, ſi non tranſgreditur terminos quos poſuerunt patres ſui?* Quis me conſtituit Judicem? *ita te Dominus & Magiſter: & erit injuria ſervo diſcipuloque, niſi judices univerſos?* Quidni contemnant judicare de terrenis poſſeſsiunculis hominum, qui in cœleſtibus et Angelos judicabunt? Ergo in criminibus, non in poſſeſsionibus poteſtas veſtra: quoniam pꝛopter illa, et non pꝛopter bas accepiſtis clabes regni Cœlorum, Pꝛæbaricatoꝛes utique excluſuri, non Poſſeſſoꝛes. *Quanam tibi major videtur & dignitas & poteſtas, dimittendi peccata,* an pꝛædia dibidendi? *Sed non eſt comparatio.* Habent hæc infima et terrena Judices ſuos, Reges et Pꝛincipes terræ. Quid ſines alienos inbaditis? Quid falcem veſtram in alienam meſſem extenditis? Non quia indigni bos, ſed quia indignum bobis talibus inſiſtere, quippe potioꝛibus occupatis. The very ſame is likewiſe aſſerted by moſt antient and modern Commentators and Expoſitors on St. *Luke*, ch. 12. v. 13, 14. Yea by *Johannes Ferus* in his Commentary on St. *Matthews* Goſpel, lib. 3. cap. 16. on theſe words of Chriſt to *Peter, Tibi dabo claves regni cœlorum*; who from thence, and St. *Bernards* premiſed paſſages concludes, That neither St. Peter, noꝛ the Pope himſelf hath any Tempoꝛal Monarchy, Judicature, oꝛ Juriſdiction, in oꝛ ober any Tempoꝛal poſſeſſions oꝛ affairs, to dibide, diſtribute any Tempoꝛal eſtates, goods oꝛ chattels, by any Dibine oꝛ Eccleſiaſtical right: Therefore no other Apoſtle, Biſhop, or Eccleſiaſtical perſon whatſoever can pretend thereto.

* De Conſideratione ad Eugenium Papam, l. 1.

Acts 5.

* See Sixtus Senenſis Bibl. Sanctæ lib. 6. Annot. 72. p. 451.

3ly. It is undeniable; That the Juriſdiction, Probate, Conuſance, Judicature of all Wills, Teſtaments concerning Lands or Goods, together with the diſpoſition and adminiſtration of all Inteſtates Goods, Chattels, Debts, & all cauſes concerning them, or Matrimony, antiently belonged to Emperors, Kings, Princes Temporal Courts, Juriſdictions, & Judges alone, (not to Biſhops) who made many Laws, Conſtitutions, Reſcripts, Judgements and Reſolutions concerning them, collected and recorded by the Emperor *Juſtinian*, Codicis lib. 1. Tit. 7. *De Epiſcopali audientia*, lib. 3. Tit. 28. *De inofficioſo Teſtamento*, Tit. 29. *De inofficioſis Donationibus*, lib. 6. Tit. 21. *De Teſtamento Militis.* Tit. 22. *Qui Teſtamenta facere poſſunt vel non poſſunt.* Tit. 23. *De Teſtamentis, & quemadmodum Teſtamenta ordinentur.* Tit. 24. *De hæredibus inſtituendis*, Tit. 25, 26, 27, 28, 29, 30, 31, 32, 33. & Tit. 34. *Si quis aliquem teſtari prohibuerit vel coegerit.* Tit. 36. *De Codicillis.* Tit. 37. *De Legatis.* Tit. 39. *Si omiſſa ſit cauſa Teſtamenti.* Tit. 41. *De his quæ pœna nomine in Teſtamentis vel Codicillis ſcribuntur:* Tit. 42, 43. *De fidei commiſſis, & Legatis.* & Tit. 44. to 61. Lib. 5. Tit. 1. *De Sponſalibus & Arris ſponſaliciis.* Tit. 3. *De Donationibus ante Nuptias, vel propter Nuptias, & Sponſaliciis.* Tit. 4. *De Nuptiis.* Tit. 5. *De Inceſtis & inutilibus Nuptiis.* Tit. 6. *De Interdicto Matrimonio inter pupillam & tutorem, ſeu curatorem, filiiſque eorum,* & Tit. 7. to 40. By ſeveral Imperial Lawes, Edicts and Judgements to the ſame purpoſe in *Codice Theodoſii.* In *Legis Wiſigothor.* l. 3. Tit. 1, 2, 3, 4, 5. lib. 4. Tit. 2. & 5. lib. 5. Tit. 2. lib. 7. Tit. 5. Lex 4, 5. *Edictum Theodorici Regis*, cap. 20. to 40. & 72. *Leges Burgundiorum*, Tit. 43. 60. *Leges Longobardorum* l. Tit. 14. Lex 13. Lib. 2. Tit. 18. *Leges Neapol.* lib. 3. Tit. 40.

An. 2 E. 1. *Leges Anglorum*, Tit. 13. *Capitularia Caroli Magni & Ludovici*, Lib. 7. Tit. 246, 247. registred in *Frid. Lindebrogii* his *Codex Legum Antiquarum*, where you may peruse them: And by Sir *John Davis* his *Irish Reports*, fol. 52. where it is resolved, That all Causes, as well of Matrimony as of Testament, were Civil Causes, and appertained to the Jurisdiction of the Civil Magistrate, as is well known to all Civilians, until Christian Emperors and Kings, to do honor to Prelates and Clergymen, granted or allowed them cognisance or Jurisdiction of such causes, *cum non fuit sic ab initio.*

4ly. That Bishops, Ordinaries, Ecclesiastical persons, Courts, both in forraign parts and our own Realm, obtained the Conusance, Jurisdiction of all Testamentary Chattels, Debts, Cases, and Probates of Testaments, and also of Matrimony, by the grant of Princes, and consent of our Kings and Nobles in Parliament, or else by Custom, connivance, or gradual insensible usurpations on the rights and prerogatives of the Crown, is evident not only by the last recited Laws, Authorities, but confessed by *Othobon* the *Popes Legate*, by *Boniface*, and *John Stratford* Archbps of *Canterbury* in their *Constitutions*, and by * *Will. Lyndewode* himself, our greatest Canonist, in his Gloss on Archbishop *Stratford* his *Constitutions*, *De Testamentis*: where he propounds and resolves this question; *Sed possit queri*, unde provenit hæc libertas (Ecclesiæ) quoad casum nostrum (de Testamentis?) Videtur namque quoad primum, quod Ecclesia non haberet se intromittere de tali approbatione Testamentorum, sed potius pertineret ad Judices Laicos, ut in L. consulta divalia, &c. Dic, quod hæc libertas quoad approbationem hujusmodi (Testamentorum) fundatur super consensu Regio et suorum Procerum in talibus ab antiquo concesso. Item, super consuetudine in ea parte de scientia Regum Angliæ diutius conservata.

* Provinciale, l. 3. De Testamentis, f. 128. h. Ecclesiasticarum libertatum.

*2 Report, f. f. 37, 38. 5ly. Sir * *Edward Cooke* and our other *Judges* resolved in *Hensloes Case* Trin. 42 *Eliz.* and before that, in the *Year-Books* of 2 *R.* 2. *Fitz.* Testament 4. 11 *H.* 7. f. 12. b. *Brooke Administrator* 50. & Testament 27. That the Probate and Conusance of Wills and Testaments did not anciently, but of late times belong to the Spiritual Courts within this Realm, and that not by the Spiritual Law, but by the consent of the King and Nobles; the Temporal Lords in all other Countries except England, and the Lords of Manors in many places of England, having till this day the probate of Wills by Custom and Prescription. In what particular year, or by what Kings particular grant our *English* Bishops, Ordinaries, and Spiritual Courts first obtained this new Jurisdiction of proving, disapproving, and holding Plea of mens Wills, Testaments, and matters conteined in or relating to them, I cannot positively determine, but I conjecture they began after the reign of King *William the Conqueror*, and his Sons, in the reign of King *Henry* the 2. That which induceth me hereunto, is this passage in *Ranulphus de Glanvilla*, *Tractatus de Legibus & Consuetudinibus Regni Anglia*, lib. 7. where after he had treated of the manner of making Testaments, c. 5. & 6. *Debet autem Testamentum fieri coram duobus vel pluribus viris legitimis Clericis, vel Laicis, & talibus qui testes inde fieri possunt idonei, &c.* (which this King *H.* 2. likewise * *setled for a Law* in *Ireland*, in the Council of *Cassal*, An. 1172. c. 6.) He thus begins his 8. Chapter. *Si quis autem authoritate hujus brevis conventus aliquid dixerit contra Testamentum, scilicet*, quod non fuit rationabiliter factum, *vel*, quod res petita non fuerit ita ut dicitur legata, tunc quidem placitum illud in Curia Christianitatis audiri debet et terminari: Quia placita de Testamento coram Judice Ecclesiastico fieri debent, et per illorum qui Testamento interfuerunt testimonia, secundum juris ordinem terminari. Which being the first authority I meet with concerning the Jurisdiction of Ecclesiastical Courts in cases of Testaments, and questions arising on them; whereof I finde no mention in any of our antient *Saxon*, *Danish*, *Norman* Kings Lawes or Constitutions, nor in the Lawes or Charters of King *Henry* the 1. or King *Stephen*, I thereupon conjecture, that King *Henry* the 2. by some Charter or Condescention first granted them this Jurisdiction; And that upon this account, because *most mens* [1] *Wills and Testaments in that age were written and attested by Priests and Clergymen, when they came to visit them in their sick beds*, (few others being then able to read or write) and all Clergymen being [2] *prohibited* by the *Canons and Constitutions* of Pope *Honorius*, *Eugenius* the 2. and *Alexander* the 3. in the Council of *Lateran* under him, Anno 1180, before *Glanvil*

* Giraldus Cambrensis, Hibernia Expugnat. c. 34. Spelmanni Concil. Tom. 2. 98.

[1] See Spelmanni Concil Tom. 2. p. 155, 180, 205, 387.

[2] Surius Concil. Tom. 2. p. 682. See Tom. 2.

vil writ his Book, or was made chief Juſtice, (*viz.* [3] Anno 1181, or 1194. as others compute) *to take any Oath, or give Teſtimony upon Oath before any Secular Judges or Court in any Criminal or Civil Cauſe, without the Popes or their Biſhops* [4] *ſpecial licenſe*; thereupon they obtained this Juriſdiction of Probate of Wills, and all cauſes, goods concerning them, from King *Henry* 2. at or about the time he purged himſelf from the murder of *Thomas Becket*, and quitted much of his antient Soveraign Regal Juriſdiction to the *Pope* and *Engliſh Prelates*, to purchaſe his peace from their vexations and Cenſures.

Agn° 2 *E.* 1.

[3] See Mr. Dugdales Origines Jud. cialles, pars 2 p 4.

[4] See Here, Tom 1. p 670 to 710.

6ly. This point was likewiſe thus unanimouſly reſolved by our *Judges* in *Ireland*, in Sir *J. Davis* his *Iriſh Reports*, *The Caſe of Trial of Legitimacy and Baſtardy*, f. 51, 52. **Our Kings of England though they (of later times) granted or permitted their Biſhops & Eccleſiaſtical Courts to have Conuſance & Juriſdiction of Cauſes of Matrimony and Teſtament; yet they allwayes had and reſerved a Superintendency and Juriſdiction to direct and regulate their proceedings therein by the rules of the Common Law, and to reſtrain and correct their proceedings if extrabagant or illegal, by their Writs and Prohibitions directed to Biſhops and Ordinaries, and by Attachments and Conſultations, extant in all ages in our Records and Law-books.**

In the Book ſtiled *Regia Majeſtas*, or the Statutes of *Scotland*, collected by *John Skene*, printed at *Edingburgh*, An. 1609. dedicated to *King James*, Book 1. ch. 2. *Canſes pertaining to the Kirk*, Sect. 1. & 6. there is this clauſe, **The Pley of Douries and Teſtaments pertains to the Eccleſiaſtical Juriſdiction.** And l. 6. c. 36. *Of Teſtaments*; & ch. 37, 38, 39. *Of the Diviſion of any gudes on ane Teſtaments, of Witneſſes and Executors, Payment of Debts approved by the Teſtator*, I finde ſundry Laws concerning *Teſtaments*, which he in his Margin, and Sir *Henry Spelman* in his *Councils*, Tom. 2. p. 37. attribute to *Malcolme* the 2. King of *Scotland* in the year of our Lord 1130. in the reign of our King *Henry* the 1. But theſe pretended Lawes are tranſcribed *verbatim* out of *Glanvil* and *Magna Charta*, by Mr. *Skene*, who quotes *Glanvil* in his Margin; and ſo is his Law of *Inteſtates goods*, which he attributes to *William* King of *Scots*, Anno Dom. 1165. ch. 22. as his quotation of *Glanvil* to it clearly manifeſts; the *Scots Kings* deriving ſundry of their Laws from our *Engliſh Kings* as their *Supream Lords*, to whom they **did homage* and *ſwore fealty*, not our *Engliſh* Kings from them. This Juriſdiction in the probates and caſes of Teſtaments and laſt Wills derived from our Kings, our Eccleſiaſtical Courts, Judges, have for the moſt part enjoyed ever ſince King *Henry* the 2. his reign, but not before, for ought appears.

* See Matth. Weſtm. Ann. 1301. p 426, to 437.

But though they then obtained this Juriſdiction in caſes of Matrimony, Teſtaments, Wills, Legacies, Teſtators Debts and Chattels, yet neither before, then, nor for many years after, did they receive or enjoy any legal Juriſdiction over the Chattels, Goods, or Debts of perſons dying inteſtate, eſpecially Laymens.

The firſt Law extant which ſeems to ordain ought concerning Inteſtates Goods, is this, in the laſt Claſſis of our [5] King *Edmunds* Laws, An. Dom. 944. *De Sponſalibus contrahendis*, c. 4. *Si quis virginem vel viduam ducere velit, & hoc illi placeat & amicis ſuis, &c. Poſtea dicat Sponſus, qua bonorum parte uxorem donat, præter hanc quam ex ejus beneplacito ipſa prius coaptaverat: Et quid ei deſtinet ſi ſupervixerit ipſum. Si ſic quoque eveniat,* **tunc juſtum eſt, ut ipſa habeat dimidiam partem omnium bonorum, ut ſi prolem inter ſe ſuſceperint, integritatem ipſam donec tranſeat ad ſecundas nuptias**; whether he made a Will or died inteſtate, as ſome expound it. But this Conſtitution ſeems to be only by vertue of the husbands præcontract at the eſpouſals, to which this recited Law relates, and not by this or any precedent Law or Cuſtom of the Realm touching Inteſtates goods, of which I can find no mention or footſteps in any of our old *Saxon* Kings Lawes or Conſtitutions.

[5] Chron. Joan. Bromton, col. 861. Spelmanni Concil. Tom. 1. p. 415, 416. Mr. Nath. Bacon his Hiſtorical Diſcourſe of the Uniformity of the Government of Engl. cap 42. p. 108, 109, a Spelmanni Concil. Tom. 1. p 625. Mr. Nath. Bacons Hiſtorical diſcourſe, &c cap 42. p. 129.

The firſt Expreſſe Law now extant made in this our Realm concerning Inteſtates Goods, is that of King *Edward the Confeſſor*, (which Sir [a] *Henry Spelman* conceives not to be firſt made and introduced by him, *ſed Anteceſſorum ſuorum legibus (præſertim Regis* Canuti, *ut animadvertit* Malmesburius) *ducta plerunq;* ſtiled, *Leges S.* Edwardi *Regis, quas in* Anglia *tenuit, id eſt, obſervavit, non quas tulit, hoc eſt, inſtituit*) *viz. cap.* 5. **De inteſtatorum bonis, (** promulged about the year of Chriſt 1056.) **Si quis Inteſtatus obierit, liberi ejus hæreditatem (** to wit, his Goods and Chattels) **æqualiter dividant**; *yet with a ſalvo of the Wives portion, as ſome conjecture.*

An. 1 E. 1.

conjecture. This Law was afterwards inſerted *verbatim* into the Lawes of King *William the Conqueror*, Lex 36. publiſhed by Mr. [b] *Selden* out of the Copy of Abbot *Ingulphus*, and into the Charter of King *Henry* the 1. Upon which Law (thus ratified both by the *Confeſſor* and *Conqueror*) the antient Writs *De rationabili parte bonorum*, extant [c] in *Glanvill*, [d] *Bracton*, [e] *Fleta*, the [f] *Regiſter of Writs*, and [g] *other Lawbooks* (in common uſe in the Reigns of King *Henry* the 2. and his ſucceſſors) were originally grounded. From whence it is moſt irrefragably evident, that both before and during the Reigns of King *Edward* the *Confeſſor*, *William* the *Conqueror*, *William Rufus*, (and likewiſe of King *Henry* 1. and 2. *Richard* the 1. King *John*, and *Henry* the 3d. as I have [h] *elſewhere* proved) the Biſhops, Ordinaries, and Eccleſiaſtical Judges of this Realm had no legal power at all to diſtribute or diſpoſe of the Goods, Chattels or Debts of thoſe who dyed Inteſtate, but only their *Children*, and *Kinred*; or the *King*, or *Lords of whom they held their lands.*

b Ad Eadmerum & Notæ & Spicilegium p 184 Spelmanni Concil. Tom. 1. p. 625

c De Legibus Angl. l 7 l. 7 l. 13. c 20

d Lib. 2 f 60.

e Lib. 2 c. 50.

f Pars 1 f 142.

g Fitzh. Nat. Brev. f. 122.

h Here, p. 13, 14, 15, 90, 91, 92.

This Law of the *Confeſſor* and *Conqueror* was grounded on, and tranſcribed out of the Law of *the twelve Tables*, the Lawes of the Roman Emperors *Severus*, *Antoninus*, *Diocleſian*, *Maximinianus*, *Valentinianus*, *Theodoſius*, *Juſtinianus*, and others made and uſed among the *Romans*, recorded by *Juſtinian*, Codicis lib. 6. Tit. 54. *De legitimis liberis, & ex filia nepotibus* ab **Inteſtato** venientibus, Tit. 57. *de legitimis Hæredibus*; Tit. 59. *De bonis maternis & materni generis*; which enacted, *that the Goods and Eſtates of perſons dying inteſtate ſhould be equally ſhared, and divided* **between their Children, Nephews, and thoſe of the ſame Stock.** *But if they died inteſtate without Children or lawfull Heirs*; **that then they ſhould uſually accrue to the publike Treaſury**; *unleſſe in caſes of Mariners, Souldiers, Military Officers, Courtiers, and ſome ſort of Artificers*; *whoſe Goods and Eſtates by the Lawes of the Emperors* [i] Conſtantine, Theodoſius, *and* Valentinian, (made out of ſpecial favour to them) *were to remain to, and be diſtributed if they died Inteſtate without Children or heirs, among their fellow Soldiers, Officers, Courtiers, Artificers, for their better encouragement.*

i Juſtinian. Codicis, l. 6. Tit. 1. De Hæreditatibus Decurionum in Cohortalium Militum & Fabricenſium.

The like [k] Laws I meet with among the antient Laws of the *Wiſigoths*, made by King *Euricus* about the year 504. *Si pater vel mater* **Inteſtatus diſceſſerint,** *tunc ſorores cum fratribus in omni parentum facultate abſque alio objectu, æquali diviſione ſuccedant.*

k Legis Wiſigothorum, l. 4. tit. 2. De ſucceſſionibus, Lex 1, 2, 3, 4, 5, &c. Fridericus Lindebrogus Codex legum antiquarum, p 72, 73.

In hæreditate illius qui moritur, **ſi inteſtatus diſceſſerit, filii primi ſunt. Si filii deſunt, nepotibus debetur hæreditas.** *Si nec nepotes fuerint, pronepotes ad hæreditatem vocentur. Si vero qui moritur, nec filios nec nepotes, ſeu patrem vel matrem relinquit, tunc avus aut avia hæreditatem ſibi vindicabit.*

Quando ſupradictæ perſonæ deſunt, quæ aut de ſuperiori aut inferiori genere diſcreto ordine veniunt, tunc illæ perſonæ quæ ſunt à latere conſtitutæ requirantur, ut hæreditatem accipiant defuncti, **qui inteſtatus diſceſſerit.** *Nam illa perſona quæ ſunt à longioribus conſtitutæ, nihil ſe exiſtiment illis prioribus poſſe repetere.*

De ſucceſſoribus eorum qui ſic moriuntur, ut nec donationem, nec ullum faciant teſtamentum, nec præſentibus teſtibus ſuam ordinant voluntatem, qui gradu illis proximi fuerunt, eorum obtinebunt hæreditatem.

Qui fratres tantummodo & Sorores relinquit, in ejus hæreditate fratres & ſorores æqualiter ſuccedant; Si tamen unius patris & matris filii eſſe videantur. Nam ſi de alio patre vel de alia matre alii eſſe noſcuntur, unuſquiſque fratris ſui aut ſororis, qui ex uno patre aut ex una matre ſunt geniti, ſequantur hæreditatem. Filii tamen qui ex diverſis patribus & una matre ſunt geniti ad accipiendam maternam facultatem æquali ſucceſſione deveniant. Similiter quoque hii, qui de diverſis matribus ſed uno patre oriuntur, diviſionis ordinem teneant.

Agreeing with theſe Laws I finde the [l] *Edict* of *Theodoricus* King of *Italy*, cap. 22. 24. *Si quis* **inteſtatus moriuus fuerit,** *is ad ejus ſucceſſionem veniat qui inter agnatos atque cognatos gradu vel titulo proximus invenitur, Salvo jure liberorum ac nepotum.* **Fiſcus tunc agat,** *quando nec parentum, nec filiorum, nec nepotum, nec agnatorum, nec cognatorum, nec uxoris & mariti,* **quæ ſuccedat extare comperitur perſona, ſecundum beterum conſtituta.**

l Fridericus Lindebrogus Codex Legum antiquarum, p. 247.

Since then theſe antient Laws not only of the Pagan, but Chriſtian *Roman* Emperors & Kings of the *Wiſigoths* and *Italians*, out of which the Confeſſors and our other Laws concerning Inteſtates Goods and Eſtates were derived or tranſcribed, did thus expreſly diſtribute them to their Children and Kinred, or for want of ſuch to the

pub-

An. 2 E. 1.

publique Exchequer, or other perſons, and not leave them to the arbitrary diſtributions or adminiſtrations of their *Biſhops*, or other Eccleſiaſtical Perſons or Courts; no doubt our antient Kings and Laws, (from King *Edward* the *Confeſſor*, even to King *Edward* the 1. after the *Conqueſt*) did the like, eſpecially in the caſes of Laymen. And although the aforeſaid [m] *Lawes* of the *Wiſigoths*, lib. 4. tit. 2. Lex 12. enacted in the caſe of inteſtate Clergy-men, Monks and Nuns; *Clerici, vel Monachi, ſive Sanctimoniales, qui uſque ad ſeptimum gradum non reliquerint haredes, & ſic moriuntur, ut nihil de facultatibus ſuis ordinent*, **Eccleſia ſibi cui deſerbirent**, (not the Biſhop or Ordinary) **eorum ſubſtantiam vindicabit**; Wherewith this [n] *Edict* of *Theodoricus* King of *Italy* accords; *Clericos religioſaſq; perſonas inteſtatas deficientes, quotiens defunctus qui jure ſuccedat*, **lotum Eccleſiæ ſuæ ſecundum leges facere debere præcipimus**; yet neither of them gives the leaſt power to Biſhops or Ordinaries to diſtribute any of them to pious, or retain them to their own uſes. By what Law of our Realm, or lawful Juriſdiction, any of our Biſhops, Ordinaries, or their Officers can then either claim or exerciſe authority to diſtribute any inteſtate Temporal or Eccleſiaſtical perſons goods to pious or other uſes in this age, I cannot diſcern.

m Frider. Lindebrogus, p. 18.

n Frid Lindebrogus, p. 247.

[o] *Mat. Weſtminſter* and others ſtory of Pope *Gregory* the 10. *Hic in creationis ſuæ principio* (uſurping the Emperors Soveraign authority of ſummoning General Councils, to advance his Papal authority) **mandabit literas generales per ſingulas Nationes de Concilio congregando Kalendas** Maii **ſub Anno gratiæ** 1272. *Unde dictum fuit de illo*, Gregorius denus, colligit omne genus.

o Flores Hiſt. An. 1272. p. 352.

What Archbiſhops, Biſhops, Abbots, with other Religious perſons, and Clergymen, repaired to this Council, by the Kings ſpecial licenſe, who conſtituted Attornies and Proxies for them in the Kings Courts, to ſue and be ſued during their abſence; theſe Records will in part inform us.

* *W. Eboracenſis* Archiepiſcopus, **qui de licentia Regis profecturus eſt ad partes tranſmarinas**, dedit poteſtatem *Nicholao de Stapleton*, & *Johanni de Bennigwrth.* faciendi Attornatos loco ipſius Archiepiſcopi, in omnibus Placitis, & Querelis, pro ipſo, vel contra ipſum, motis vel movendis, in quibuſcunque Curiis: Et quod ipſi *Nicholaus* & *Johannes* vel alter ipſorum, qui præſens fuerit, hujuſmodi Attornatos amovere, & alios vel alium Attornatos vel Attornatum loco ipſorum ſubſtituere poſſint, uſque ad feſtum Sancti *Michaelis* proximo futurum: niſi interim, &c.

* Clauſ. 2 E. 1. m. 13. dorſo. Pro Eborum. Archiepiſcopo.

Gilbertus Prior de *Merton*, **qui de licentia Regis profecturus eſt ad partes tranſmarinas**, dedit poteſtatem fratribus *Johanni de Eſlesbur.* & *Henrico de Templo* Con canonicis ſuis, faciendi Attornatos in omnibus Placitis & Querelis, pro ipſo, vel contra ipſum, motis vel movendis, in quibuſcunque Curiis; Et quod ipſi Attornatos illos amovere, & alios vel alium Attornatum vel Atornatos loco eorum ſubſtituere poſſint in præmiſſis, quotiens viderint expedire, uſque ad feſtum Sancti *Johannis Baptiſtæ* prox. futur.

Pro Gilberto Priore.

Robertus Abbas *Coleceſtriæ* conſimilem dedit poteſtatem *Godefrido de Meulinges*, & *Ricardo de Baynguard.*

Frater *Guido* Magiſter *Milit. Templi* in *Anglia*, conſimilem dedit poteſtatem fratribus *Tho. de Fenne*, & *Willo. de Medeburn.*

Abbas de *Hyda Winton.* conſimilem dedit poteſtatem *Roberto de Laverkſtok* & *Johanni de Wenſyngton.*

Abbas de *Sancto Albano*, conſimilem dedit poteſtatem fratribus *Martino de Sancto Edmundo*, & *Ad. Polayn* Commonachis ſuis.

Abbas de *Waltham* conſimilem dedit poteſtatem Fratri *Johanni de Maidenheth*, & *Ad. le Graunt*, ipſos etiam in loco ponens ſuo.

Abbas de *Bello loco Regis*, **qui de licentia fidelium Regis locum ſuum in Anglia tenentium profecturus eſt ad partes tranſmarinas**, dedit poteſtatem Fratribus *Willielmo de Cornubia*, & *Willielmo de Eveſham* Monachis Domus ſuæ, faciendi Attornatos loco ipſius Abbatis, in omnibus Placitis, & Querelis, pro ipſo, vel contra ipſum, motis vel movendis, in quibuſcunque Curiis; & Attornatos illos amovendi, & alios vel alium Attornatos vel Attornatum loco ipſorum conſtituendi in præmiſſis, quotiens opus fuerit & viderit expedire, uſque ad feſtum *Omnium Sanctorum* proximo futurum. Dat. &c. 20 die *Martii.*

Pro Abbate de Bello loco Regis.

Conſimilem poteſtatem dedit Abbas beatæ *Mariæ Eborum* Fratri *Willielmo de Barton* Monacho Domus ſuæ, & *Thomæ de Langetoft.*

Abbas

Anno 2 *E.* 1. Abbas *Weſtm.* conſimilem dedit potentiam Fratri *Henrico de London.* Monacho & fratri *Alex. de Weſtm.*

Conſimilem poteſtatem dedit Magiſter *Walterus Scamell.* Theſſ. *Sarum*, *Simoni Maleſars.*

Conſimilem poteſtatem dedit Magiſter *Thomas de Cantilopo* Magiſtro *Gilberto de Heywode*, & *Willielmo Faukeburn.*

Conſimilem poteſtatem tradidit Magiſter *Ricardus de Mepham* Decanus *Linc. Roberto de Graveſende.*

Frater *Hugo* Sancti *Bartholomæi London.* conſimilem dedit poteſtatem fratribus *Alex. de Staundon*, & *Adæ de Eyton.*

Ibid. Pro Abbate de Oſeneye. Abbas de *Oſeneye*, qui de licentia Regis profecturus eſt ad Concilium Lugdunenſe, dedit poteſtatem fratri *Alexand. de Kanuto*, & *Roberto Sprete*, faciendi Attornatos loco ipſius Abbatis in omnibus Placitis, & Querelis, motis vel movendis, pro ipſo, vel contra ipſum, in quibuſcunque Curiis; & Attornatos illos amovendi, & loco illorum alios ſubſtituendi, quociens opus fuerit. & ipſi ad opus prædicti Abbatis viderint expedire, uſque ad feſtum Sancti *Petri ad vincula*; niſi idem Abbas interim redierit in *Angliam.*

Pro Abbate de Seleby. Abbas de *Seleby* conſimilem dedit poteſtatem Fratri *Alexandro de Eborum* Commonacho ſuo.

Conſimilem poteſtatem dederunt, Abbas *Salop*, Abbas Sancti *Petri Glouc.* Abbas de *Croyland*, Abbas de *Eveſham*, Abbas de *Malmesbur.* Prior de *Staynes*, Abbas de *Abindon*, Epiſcopus *Coventr.* & *Lich.* Magiſter *Ricardus de Mepham* Decanus *Linc.* Magiſter *Radulfus de Fremingham*, Magiſter *Petrus de Abendon*, Magiſter Domus Scolarium, Prior de *Spaldinſi*, profecturi ex *Anglia.*

Beſides theſe, King *Edward* the 1. himſelf ſent 4. ſpecial Proctors to this *General Council*, to propound, aſſent or diſſent unto in his name and behalf, what ever they or either of them ſhould deem fit and expedient, (a clear Evidence, that he and his Proxies had an affirmative and negative voyce in General Councils) as this Patent of Procuration aſſures us.

[a] Pat. 2 E. 1. m. 20. intus. SAnctiſſimo in Chriſto Patri Domino *Gregorio*, divinâ providentiâ Sacroſanctæ *Romanæ* Eccleſiæ Summo Pontifici, ſuus devotus in Chriſto filius *Edwardus*, Dei gratiâ Rex *Angliæ*, Dominus *Hiberniæ*, & Dux *Aquitaniæ*, cum omni reverentia obedientia et honore pedum oſcula beatorum. Veſtra noverit Reverenda Paternitas, quod Nos in iſto ſacro Concilio Generali per vos conbocato, nobiles viros et fideles noſtros, *Johannem* filium *Johannis*, *Johannem de Vallibus*, *Johannem Wyger*, et Magiſtrum *Radulphum de Merlawe*, Procuratores noſtros conjunctim et diviſim facimus, conſtituimus et ordinamus; Dantes eiſdem, et unicuique ipſorum poteſtatem et ſpeciale mandatum, proponendi in eodem Concilio nomine noſtro, quæ biderint bel biderit proponenda, et impetranda quæ biderint bel biderit impetranda, necnon et contradicendi quæ biderint vel biderit contradicenda. In quorum teſtimonium præſentibus literis Sigillum noſtrum quo utimur in *Anglia* præſentibus eſt appenſum. Dat. *Lond.* die Martis proxima poſt Dominicam in Ramis Palmarum, Anno Domini M. CC. ſeptuageſimo quarto.

[a] Flores Hiſt. Pars 2. p. 355, 356. See Platina, Onuphrius, Stella, Creſpin, Volaterranus, Laertius Cherubinus, Barns & Balæus in Greg. x. Centur. Magd. 13. c. 9. col. 918. &c. Continuator Baronii, An. 1274. & Binius Concil. Tom. 3.

[a] *Matthew Weſtminſter* renders us this Account of the Proceedings in this Council, and of the Greek Emperors, Patriarchs, and Biſhops acknowledgement of the Supremacy of the Pope and Church of *Rome* over all other Prelates and Churches, as an Article of their Faith, Creed, which they never before aſſented to.

Anno Gratiæ 1274. Kalend. *Maii*, ſub Papa *Gregorio* decimo, apud *Lugdunum* fuit Concilium maximum celebratum, quod à Kalend. prædictis, uſque ad 16 Kalendas *Auguſti* duravit. In hoc Concilio Dominus Papa *Eadwardum* commendavit omnibus, dicens, Terram Sanctam fuiſſe deperditam, niſi veniſſet citius ad eandem. In hoc Concilio Papa ſtatuit, quod ſubſequentes ſeptem annos de cunctis conbenientibus Eccleſiaſticis in ſubſidium Terræ Sanctæ Decimæ ſolberentur. In hoc etiam Concilio de converſione *Græcorum*, poſt ſchiſma, lætitia magna fuit. Qui *Græci* literas auro bullatas cum literis Prælatorum de *Græcia* attulerunt ad Concilium, quarum tenor ſequitur.

Sanctiſſimo

An. 2 *E.* 1.

Mat Weſtm. P. 355.

SAnctiſſimo & beatiſſimo Patri & Summo Pontifici Apoſtolicæ ſedis univerſali Papæ, et communi Principi Chriſtianorum omnium, Venerabili Patri Imperii noſtri Domino *Gregorio*, *Michael* à Chriſto Deo fideliter Rex & Impe ator, & Moderator *Græcorum*, *Ducas*, *Angelus*, *Comnenus*, *Palæologus*, & ſpiritualis filius magnæ ſanctitatis veſtræ, decentem honorem & reverentiam, cum ſincera & pura affectione, & omni poſtulatione. Quoniam miſſi ſunt à magna Sanctitate veſtra ad Imperium meum nuncii, Deo placentes, Ordinis fratrum Minorum, Frater *Hieronimus* de *Oſculo*, Frater *Reimundus Berengarii*, Frater *Bonagratia* de Sancto *Johanne* in *Perſeceto*, & Frater *Bonaventura* de *Magello*; & detulerunt literas magnæ Sanctitatis Imperio meo. In quibus inter alia de confeſſione fidei, qua docet & prædicat, & confitetur Sacroſancta *Romana* Eccleſia, continebatur, & oportebat de his magnis reſponſionem facere decenter: Ecce hæc facit Imperium meum, habeat autem Confeſſio Fidei in litera ſic; *Credimus Sanctam Trinitatem*, *Patrem*, *& Filium*, *& Spiritum Sanctum*, *unum Deum Omnipotentem*, *totamq; in Trinitate Deitatem*, *ejuſdem naturæ*, *&c.* (at large related in *Matthew Weſtminſter.*) To which this new Article was ſubjoyned, concerning the Supremacy of the Pope and Church of *Rome*. Ipſa quoque Sancta *Romana* Eccleſia ſummum et plenum Primatum ſuper univerſalem Eccleſiam Catholicam obtinet, quod ſe ab ipſo Domino in beato *Petro*, Apoſtolorum Principe ſive virtice, cujus *Romanus* Pontifex eſt ſucceſſor, cum poteſtatis plenitudine recipiſſe, veraciter et humiliter recognoſcit. Et ſicut præ cæteris tenetur fidei veritatem defendere, ſic, et ſi quæ de fide ſuborta fuerint quæſtiones ſuo debent judicio definiri. Ad hanc quilibet grabatus, ſuper negotiis ad Eccleſiaſticum forum pertinentibus, poteſt appellare, et in omnibus cauſis ad examen Eccleſiaſticum ſpectantibus, ad ipſius poteſt judicium recurri, et eidem omnes Eccleſiæ ſunt ſubjectæ. Ipſarum Prælati obedientiam et reverentiam ſibi dant. Ad hanc autem ſic poteſtatis plenitudo conſiſtit, quod alias Eccleſias, et Patriarchales præcipue, diverſis privilegiis eadem Eccleſia *Romana* honorabit, ſua tamen obſervata prærogativa. Hæc quidem in Generalibus Conciliis, hæc autem in aliquibus aliis, ſemper ſalva ſubſcripta fidei veritate, prout plene lecta eſt, et fideliter expoſita, veram, ſanctam, catholicam, et orthodoxam fidem eſſe recognoſcimus, et eam acceptamus, etiam corde et ore profitemur, quia hanc veraciter tenet, docet, et prædicat Sancta *Romana* Eccleſia, indiolabiliter obſervatura eandem confeſſionem, et in ea omni tempore perſeveraturos, nec ab ea unquam ullo tempore receſſuros quoquomodo, aut debiaturos, vel, diſcrepaturos, promittimus. Quem quidem Primatum ipſius ſacroſanctæ *Romanæ* Eccleſiæ, prout in præmiſſa ſerie continetur, ad ipſius Eccleſiæ obedientiam ſpontaniam venientes, fatemur et recognoſcimus, acceptamus et ſponte ſuſcipimus: prædicta ſiquidem profitentes, et attendentes, et acceptantes, et promittentes nos ſervaturos, prout dictum eſt; Rogamus magnam Sanctitatem veſtram, ut Eccleſia noſtra *Græcorum* dicat ſanctum Symbolum, ſicut dicebat hoc ante ſchiſma uſque in hodiernum diem, ut permaneamus in ritibus noſtris, quibus utebamur ante ſchiſma; qui ſcilicet ritus non ſunt contra ſupradictam fidem, nec contra divina præcepta, nec contra doctrinam novi & veteris Teſtamenti, nec contra Concilium univerſalium illorum Patrum approbatorum, à ſanctis ſpirituali dominatione Sanctæ *Romanæ* Eccleſiæ celebratis. Hoc igitur non gravè eſt veſtræ magnæ Sanctitati, nec inaſſuetum, & nobis nunc difficile propter infinitam multitudinem populi. Commiſimus autem & præſentibus Nuntiis Imperii noſtri, ut prænotata per præſentes literas Imperii noſtri confiteantur, et attendant dicæ Imperii noſtri coram magna Sanctitate veſtra, Præſentes literas de noſtra recognitione, acceptatione, et confeſſione, propria manu Dei gratia Imperiali ſubſcriptione ſignabimus, et Bigillum noſtri Imperii inferius fecimus appendi.

To which Letter and Creed of this Greek Emperor, this Letter of the Greek Prelates is ſubjoyned; wherein they relate, 1. The Emperors Eccleſiaſtical Supremacy over them, in ſummoning them all together, and conferring with them to reconcile the antient differences in matters of Faith, and Supremacy, between the Greek and Roman Church. 2ly. His extraordinary diligence uſed therein till he had effected it. 3ly. His over-ruling thoſe with force and penalties who were at firſt obſtinate and refractory againſt it.

An. 2 *E.* 1.

*Mat Westm. Ibid. p 358, 359.

SAnctissimo, Reverendissimo & Beatissimo Papæ, antiquo Romanorum Domino, *Gregorio Magno* Pontifici Excellentissimæ Apostolicæ sedis, et venerabilissimo Domino & Patri nostræ humanitatis, Nos qui Ecclesiasticam complemus ordinationem, vestræ *Romanæ* Sanctissimæ Ecclesiæ salutem, et spiritualis subjectionis affectionem ubique. Metropolita *Ephesius*, præhonoratus *Exarchus* totius *Asiæ*, cum ea, quæ circa me est sancta *Synodo*. Metropolita *Calcedoniæ* superhonoratus cum ea, quæ circa me est, sancta Synodo. Episcopus Metropolitanus *Concenii*, cum his, qui circa me sunt Episcopis. Metropolitanus *Naupacti* superhonoratus, cum ea quæ circa me est, sancta Synodo. Metropolitanus *Aracheæ* Ponto superhonoratus, cum his qui circa me sunt Episcopis. Metropolitanus *Conconii*, cum his qui circa me sunt Episcopis. Metropolitanus *Kariæ*, cum ea, quæ circa me est sancta Synodo. Metropolitanus *Betheritas*, superhonoratus, cum ea quæ circa me est sancta Synodo. Metropolitanus *Athenarum* & locum *Philipapolitis* supplens, cum his qui circa me sunt Episcopis. Metropolitanus superhonoratus & Exarchas *Insularum Kididadar*, cum his qui circa me sunt Episcopis. Metropolitanus *Philippensium*, cum his qui circa me sunt Episcopis. Metropolitanus *Sinnicæ*, cum his qui circa me sunt Episcopis. Metropolitanus *Serrorum*, cum ea, &c. Metropolitanus *Anastidas*, Metropolitanus *Alaniæ*, Metropolitanus *Priscæ*, Metropolitanus *Meditarum*, Metropolitanus *Anidi*, Metropolitanus *Christianapoleos*, Metropolitanus *Silibriæ*, Metropolitanus *Mesembrios*, Metropolitanus *Aprometus*, *Akincii*, Metropolitanus *Parii*, Metropolitanus *Dedimatici*, Metropolitanus *Anastasipoleos*. Archiepiscopus *Bisias*, Archiepiscopus *Bipsellorum*, Archiepiscopus *Gatelleris*, Archiepiscopus *Derkis*, Archiepiscopus *Præconis*, Archiepiscopus *Lopodii*, Archiepiscopus *Pergami*, Archiepiscopus *Melemterbi*, Archiepiscopus *Besias*. Ad hac autem cum nobis Pontificibus, & magna Synodo, & Archidiaconus honoratissimus *Severisibilis*, cum totali venerabili Clero, cum his autem & qui Clerum complent sanctissimæ Ecclesiæ magnæ Dei, videlicet magnus Conconomus, Prothedicus, Logotheta, Contricius, Referendarius, qui super judicia, qui super secreta, qui super sacrum & dona Apostolica, qui præmiserius Patriarchalium notariorum, qui Princeps Ecclesiarum, qui super petitiones, rememoratorii, qui hostiarii, qui patriarchales notarii, qui prothopapæ, cum toto Presbyterio Archidiaconatus Ecclesiastici, cum omnibus Psalmistis & Lectoribus, *Non solum nunc, sed prius beatissimæ & sanctissimæ vestræ Ecclesiæ magnam faciebamus divisionem integritatis & Ecclesiarum Christi totaliter unitatem dilacerabamus. Quomodo qui unius pastoris sumus, non in unum & inter unum aggregamur ovile, nec unum replemus mandatum Christi? Sed ea quæ sunt discordiæ eligimus, & bono pacis amisso, invenire non quærimus illud quod ex bono zelo nobis declarabatur?* Nullus autem erat qui conjungeret omnes in unum, & sufflaret quasi ad unum flamen singulorum concordiam: quàm autem secundum Christi desiderium a Deo coronandus sanctus noster Imperator totus ad seipsum, intellectum attendens (ut oportebat) nunc in hac parte Dei præhonorabilibus aliquibus deputavit. Prius ipse in seipso laborabat, quo utique modo non declinaret nec ad remissionem, donec scissuram Ecclesiæ ad unam interim compaginaret unitatem: deinde non deficiebat communicando nobis, (quod in voluntate habebat semper) et ostendendo qualiter habet suum præpositum animæ. Ut autem ad ipsam venerabiles nuncii vestræ Sanctitatis apostolicas literas & porrexerunt & præsentarunt, quam vestra beatitudo desiderantium accelerat conjunctionem, totus exurgit promptus, & prætermittit, quod alienum esset, & quasi in secunda consideratione omnis negotia sua reputat, proponens ea quæ mandatorum vestrorum sunt, & suarum sollicitudinum & dispositionum. Convocat igitur ad seipsum nostrum universum pontificale collegium, et pedemodum alios, quotquot maxime spiritualitati adhærent, et circa studium ecclesiasticum exercitium habent unum, et quantus eorum quidem nocturnus et diurnus ejus labor in medio est. Qui instar, quasi totaliter pervigil, qui etiam et studiose exercuit, et quasi semper in suscepto opere fuit, donec ad unam et eandem multorum attraheret sententiam, longiore quidem & indigno sermone agitatam, si totum processum vestræ magnitudini præsentaremus. Quidam tamen nostrum statim convenerunt, & quæ pacis fuerant, amplexati sunt; quidam vero magis obstinationes apparuerunt temporis antiquitatem revolventes in mentem, et opponentes alii quasi de necessitate hoc imponeretur eis. Sed a Deo coronati Imperatoris diligentia dicit

in

in finem, et habet omnes jam concordes ad unicam hanc unionem, per quam Apoſtolicæ Sedi antiquæ *Romæ* (ab antiquiſſimis attributos) Primatus attribuere aſſentimus. Hoc ſcilicet Dei gratia cooperata eſt, ut habeat et nobis apoſtolica magnitudo noſtræ ſanctitatis ſententiam agnoſcere, qualiterque magnifico Imperatori noſtro ſimul communicaverimus in ſententia: et quæ quidem attenderit et bene libenter, et nos acceptamus: breviter præſentem Epiſtolam annotamus, & ad conſpicuam excellentiam veſtræ magnitudinis tranſmittimus. Scitote quod nos volumus, quod Pontificalis ſedis tota plenitudo, cum toto venerabili Clero, et omnibus Officiariis, Sacerdotibus, Diaconis, et Lectoribus, ſanctiſsimæ Eccleſiæ Dei convenit in unum, ut attribuat prompte veſtræ Sanctitati et Apoſtolicæ ſedi, quod ad honorem pertinet, nec alium primum et ſummum Pontificem Eccleſiarum omnium, nominaturi. Sed antiquam internuntiorum confectionem agnovimus, quam & patres noſtri ſemper attenderunt toto præterito tempore uſque ad tempus hoc. Unde noſtrum Patriarcham & ſubſequenter omnes alios (quotquot convenerunt) ut in unum hæreant & ſedis ponerent concordiam, obſecravimus. Ipſe vero cum magna inſtantia tenet, quod agnoſci debet primus, & poſtea (ut indicat) non decidet a ſua voluntate, nec adhuc à prima ſententia, cum aliqua intentione mutatus eſt. Unde et pluries nos prælati coegimus ipſum, ipſe nequicquam ad præſens acquiebit. Nos autem et nobiſcum potentiſſimus Imperator injunximus illi a Patriarchali ſede recedenti, omnia in una forma ſollicitudinis manere, quæ ſunt *Conſtantinopoli* Monaſteriorum, donec nuncii ad veſtram Sanctitatem accedant, & audiant ſermonem veſtrum, & ſi magnitudo veſtra ita recipiat, delegat certos delegatos cum noſtris reverſis Legatis. Et nos hunc finem obtinentes, communiter & interim convenientes, attrahemus Patriarcham noſtrum, ut ſi recedere ipſum ab intentione contingat, nobiſque inclinaverit, et nos reddet benevolos eſſe, quod præteritis temporibus throno Apoſtolicæ ſedis inſuper excellens honor attributus eſt: ſic habebimus ipſum Pontificem etiam ſpiritualiter, ſicut prius præſidentem. Si vero immutabiliter ſe habeat in ſententia, tunc dependebit omnis neceſſitas et ipſum dejicere, et Patriarchiali principatu privare. Nos autem conſtituemus et promovebimus alium; qui utique conſentiat nobiſcumque ejuſdem voluntatis eſſe, et reddere convenientem primatum ſummitati Sanctitatis veſtræ. Hoc igitur proponimus (à Deo honorate Domine) nos, quos Patriarchalis *Conſtantinopolitana* ſedis ſublimos Pontifices cum omnibus (qui circa nos) venerabilibus Clericis per hoc ſcriptum noſtrum vobis conjungi habes, qualiter ſi ſolum veſtra magnitudo, ea quæ legationis ſunt admittat, non eſt quod tempus teratur, & nos inclinamus prompte, et magnæ veſtræ altitudini ſubmittimus, et valde gratanter ea quæ ſunt ſpiritualia ſubjectionis totius aſſerimus, et nihil eorum denegamus, quæ ante ſchiſma præſtabant, patres noſtri, his qui apoſtolicam regebant ſedem, ſed et ſtatim nos attribuimus. Alia quidem ſignificabunt nuncii, & glorioſæ veſtræ Sanctitati notificabunt. Finaliter, ſicut in ſpiritualibus potentiſſimus noſter Imp. et nos pontificum collegium Epiſcopis commiſimus: ſicut cæteri ſpiritualiter ab Imperiali magnificencia mandatum acceperunt, de quibus quicunq; ad ſeculares principatus pertinent gubernationem veſtræ ſanctitati referabunt à Deo coronato noſtro Imperatore. Confidimus autem quod pacis author Deus unitatem de paterna victus clementia adaperiet, noſque & Magiſtratus grataner ſuſcipiat inclinatos, & veſtram familiaritatem invocantes & paternitatem. Sacramentum Græcorum ego nuncius habens ab eiſdem ſufficientem (ad infraſcripta mandata) ſubſcriptam fidei veritatem, prout plenè lecta eſt & fideliter expoſita à me Dei & Domini noſtri nomine veram ſanctam catholicam fidem eſſe cognoſco, eam accepto, & corde & ore confiteor, ipſamque prout tenet fideliter, docet, & prædicat S. Eccleſ. *Romana* inviolabiliter ſervaturum, & in ea omni tempore perſeveraturum, nec diſcrepaturum, promitto. Primatum quoque ipſius ſacroſanctæ Eccleſiæ *Romanæ*, prout in præmiſſa ſerie continetur (ad ipſius Eccleſiæ obedientiam ſpontaneus veniens) fateor, recognoſco, accepto, et ſponte ſuſcipio. Et ipſe omnia præmiſſa, tam circa fidei veritatem, quam circa ejuſdem Eccleſiæ *Romanæ* Primatum, et Epiſcoporum recognitionem, acceptationem, ſuſceptationem, obſervantiam ac perſeverantiam ſervaturum (præſtito corporaliter juramento) promitto et confirmo: ſic Deus ipſum adjuvet, & hæc ſancta Evangelia, *Scrivarius*, *Sacriſta*, *Carthaphilax*, & magnus *Skenephilax* ſanctiſſimæ ejus, qui in *Conſtantinopoli* eſt Patriarchatus, *Johannes* Lector. *Græci* etiam alias literas, quas propter earum prolixitatem huic operi

An. 2 *E.* 1.

An. 2 *E.* 1. non inseruimus, ad Concilium detulerunt: Venerunt etiam post *Græcos* 16. *Tartari* (qui *Moalli*) cum literis Regis sui, in Concilio publicantes verbis pomposis potentiam *Moallorum*. Hi non pro fide, sed ut confederationem haberent cum Christianis venerunt. Hos Papa benignè suscipiens, donis & honoribus ampliavit, & ad petitionem ipsorum, non baptizatos fecit honorificè baptizari.

The Pontificians then, and ever since have much triumphed in these publick acknowledgements and submissions of this Greek Emperor, and the Patriarchs, Bishops, Clergy, Churches of *Greece*, to the Primacy of the Popes and Church of *Rome*, which they could never before inforce, or induce them to acknowledge or submit to: But if they will seriously consider, 1. The great probability that these Epistles were meer forgeries, as the barbarousnes of their stile, the names of the Patriarch, Bishops Sees, and other Historians pretermission of them, import. 2ly. That the submission of the Emperor and *Grecians* therein made, was not voluntary; But 1. By urgent necessities extorted from the Emperor himself. 2ly. That he used great violence to enforce his Bishops and Clergy to submit unto it. 3ly. That the Patriarch of *Constantinople*, and other Greek Prelates, Clergymen, Nobles, Magistrates, and the People stoutly opposed it, and that it produced great Schisms in that Church and Empire. 4ly. That the Emperor was forced to make sundry Apologies to them thereupon, that it was done only out of necessity, and policy, to avoyd present dangers threatning both that Church, Empire, and *Constantinople* it self, without any prejudice to the Greek Church for the future; not upon any real grounds of conscience, piety, or verity: upon all these considerations, this submission will be no advantage at all to the *Pontifician* Cause or Primacy; the verity whereof this passage of * *Nicephorus Gregoras*, a famous Greek Historian flourishing in that age, most clearly discovers. *Proinde tot difficultatibus* circumbentus Imperator Palælogus, pene ad desperationem compulsus, Legatos ad Papam mittit, de ineunda veteris et novæ Romæ Ecclesiarum concordia, modo * Caroli expeditionem averteret. *Ea Legatio à Pontifice benignè audita est*: ea se facile, quæ Imperator petibisset, consecturum esse *pollicito. *Statimque suos Legatos illis adjungit, qui concordiam conciliarent atque amplectarentur. Cujus hæc tria capita fuerunt. Primum*, ut in sacrorum velaminum hymnodiis, Papæ cum quatuor Patriarchis mentio fieret. *Alterum*, ut liceret cuivis *Romam* veterem, quæ Curia major & perfectior esset, appellare. *Tertium*, ut illi Principatus in omnibus deferetur. *De appendice vero sacri Symboli, quam illi novarunt, aut alio quovis argumento, tum nulla acrior contentio incidit: sed (quod ad eas quidem res attinebat) pacata & tranquilla fuerunt omnia.* At Patriarcha Josephus, ea concordia repudiata, sede sua cessit: *nec multò post, relicta urbe, se in Archistrategi Monasterium ad* Bosphorum *contulit, ubi reliquum ætatis tranquillo & religioso otio exigeret.* His rebus Sacerdotum collegium concitatum, haud obscure ferebat, se non esse quieturum: plebemque ab Imperatoria illa concordia revocabat, Martyrii et Coronarum tempus esse clamitans; ita ut magnus inde tumultus excitaretur, atque in atrocem tempestatem erumperet: *& Imperator externis negotiis relictis, omne suum studium ad res domesticas transferre cogeretur, urbana pericula externis graviora ratus.* Erant enim non pauci e Magistratibus etiam, qui decretis illius acriter adversarentur. *In eas igitur redactus angustias, duas sibi patere vias arbitratus, summa necessitate nihil tertium admittente in præsentia:* ut aut omnes sibi assentirentur, aut hostium loco haberentur, *Quamobrem adversariorum animos*, principio verborum blanditiis, et comitate morum conciliare sibi, et obnoxios reddere studebat: cæptam eam esse rem, nullo studio nobilitatis, sed propter difficultates temporum. Esse autem prudentiæ, impendentes præcabere calamitates: et si quid ad grabiora mala abertenda nobandum sit, non esse cunctandum. *Si enim hostes adventarent, urbe adhuc multis in partibus lacerata, modoque instaurata, & velut à multiplici dudum morte revivisceute, præsentia mala graviora futura superioribus; ac dominos fore hostes, non tantum sacrorum, sed omnium simul, liberûm, conjugum, & rerum: quorum domini vi abrepti, libertate cum servitute commutata*, non corporibus tantum, sed animis etiam hostium sequi voluntates cogerentur. *Id etiam reliquum fore*, ne quis mores patrios ac vetera instituta tueretur; immo ut sacræ leges et sanctiones expeditissime et deprayberentur et everterentur. *Qua cum ipse prævideret*, necessitati parere haud recusasset: exiguumq; damnum, quod prudentiæ munus sit, magno emolumento posthabuisset:

minoraque

* Histor. Romanæ, l. 5. Francofurti, 1567. f. 16.

* Who raised great forces to dethrone him.

*pollicitus.

minozaque adverſariis, ut maſozibus potiretur, conceſſiſſet. *Hac oratione alios commovit* Imperator, alios non item. *Unde ſuaſione omiſſa*, viam alteram ingreſſus, et bi graſſatus eſt: cujus bartæ rationes fuerunt, publicationes bonozum, relegationes, cuſtodiæ, excæcationes, flagra, mutilationes, omnia denique quibus birozum foztium et mollium animi explozantur. *Ac quorum ſtudium cognitione regebatur*, (qui pauci erant) ii magnis et foztibus animis omnia libenter tolerabant et perpetiebantur, quæ poteſtas Imperatozis inferebat. Maxima vero pars veri judicii expers, fæx plebis, et circumfozanea turba, ſemper nobis rebus gaudens, aſperis velut in ſcena pallijs induti, ubique terrarum ſparſim et paſſim vagati ſunt, ubi Chriſtianos eſſe audiverunt: in *Peloponeſo* (inquam) *Achaia*, et *Theſſalia*, et *Colchide*, ubique denique gentium extra ditionem Imperatozis: neque univerſalem pacem conſervare volentes, neque inter ſeſe: *ſed alijs aliis nominibus aſcitis, partim* Arſenii *aut* Joſephi *Patriarchæ ſectam profitendo, partim alia jactitando, tempus terebant*; plerique et decipientes et decepti. *Nec enim deerant, qui oracula in vicis & urbibus, quaſi modo à Dei conſpectu reverſi, cantarent: nec poſt Eccleſiæ inſtaurationem, vitæ ratione mutata.* This was the ſad iſſue of this Emperors compliance with the Pope and Church of *Rome*, ſoon after generally diſavowed by the Greek Church and Prelates.

[a] *Thomas* of *Walſingham*, [b] *Ranulphus Ceſtrenſis*, [c] *Henry de Knyghton*, and others, give us this brief account how many Biſhops, Abbots, Prelates, were preſent at, and what was decreed in this General Council. Hoc anno *Gregorius* Papa decimus, Kalendas *Maii*, apud *Lugdunum* Generale Concilium celebravit, ad quod *Græci* & *Tartari*, ſolennes nuncios tranſmiſerunt; *Græci* ad unitatem Eccleſiæ ſe redire ſpondent, in cujus evidens ſignum cum cantaretur Symbolum, hortante Domino Papa, trina vice nuncii eorum, & in Spiritum Dominum vivificantem, qui ex Patre Filioque procedit, replicaverunt celebriter & devotè; without making any mention at all of their premiſed Epiſtles and acknowledgement of, or ſubmiſſion to the Popes or Church of *Romes* Supremacy. Nuncii vero *Tartarorum* baptizati, & infra tempus Concilii ad propria redierunt. Affuit ibi Prælatorum numerus, quingenti Epiſcopi, Abbates ſexaginta, Prælati vero alii circa mille; unde dixit quidam,

Gregorius Dennis congregat omne genus:

Ibi ſtatutum eſt illud inſigne, & a retroſeculis inſolitum; quod omnes Rectores Curati deinceps fozent Sacerdotes: Prohibiti ſunt et Bigami primam tonſuram deferre; et quod nulli hominum deinceps liceat Decimas ſuas ad libitum, ut antea, ubi vellet aſſignare; ſed matrici Eccleſiæ omnes Decimas perſolvent: Ipſe quoque *Gregorius* Decimam ſexennalem univerſali Eccleſiæ impoſuit; pluralitatem beneficiozum Curatozum damnavit. Aliquos ſtatus de ozdinibus *Mendicantium* approbavit, utpote *Prædicatorum*, et *Minorum*, aliquos toleravit, utpote *Carmelitas* et *Auguſtinenſes*. Aliquos reprobavit, ut *Saccinos*, qui intitulantur de *Pœnitentia*, ſive *Valle viride*, et conſimiles. What elſe was there decreed, you may read at large in [d] *Binius* his Councils, and *Centur. Magdeburgenſes*, Tom. 13. c. 9.

[e] *William Thorne* records of *Nicholas* Abbot of St. *Auguſtines Canterbury*, Anno Dom. 1274. Adivit idem Abbas Generale Concilium *Lugduni* in expenſis CC. librarum, and [f] *Henry de Knyghton* notes: That in this Council, Papa petiit auxilium ab Eccleſia ire in terram ſanctam, Archiepiſcopus Cantuarienſis Robertus de Kylwarbi non audebat negare petitionem Papæ, eo quod ipſum promoverat. Inter alios, qui nolebant concedere, fuit Richardus de Peccham, Decanus Lincolnienſis, propoſuit unam bullam erudituriam, quod terra Angliæ in tantum fuit depauperata per diverſas Guerras, et Decimas, et Subſidia, per Papas conceſſa per ſex annos, quod non pollent levare aliquod Subſidium, et vix vivere. Statimque Papa privavit eum ab omni beneficio, (ſuch was his tyrannical Papal injuſtice) et tradidit Decimam de ſex annis ad Eccleſia; et tertia die reſtituit eum ad beneficia ſua. Papa fecit plusquam Conſtitutiones, quæ vocantur Grægorianæ; & moliebatur eodem anno ultra montes.

[g] *Johannes Aventinus* renders this account of this Council, and the Popes proceedings therein. Circa eundem temporis tractum *Gregorius* decimus ſacricolarum Concilium *Paſchalibus Lugduni* habet, undecunque Pontifices acceſſivit, ex *Alemannia*, *Gallia*, *Anglia* quaternos, *Hiſpania* duos, ex *Sicilia* regno Eccleſiæ, *Ungaria*, *Dacia*, *Boemia*, *Polonia*, *Svionibus*, *Norlovicis*, & *Scotis* ſingulos; vocatoque concione,

a Hiſt. Angl. An. 1275 p. 4
b Polychron. l. 7. c. 37.
c De Eventib. Angl. l. 2. c. 16. col. 2458.
d Tom. 3.
e Chronica, c. 26. col. 1921.
f De Eventib. Angliæ, l. 2. c. 1 col. 2461.
g Annal. Boiorum, l. 7. p. 568. See Cent. Magd. Tom. 13. col. 918.

An. 2 E. 1. cione, ex libris ſacræ hiſtoriæ, quos *Macchabæorum* nominant, præfatus, curam ſtudiumq; belli, utriuſque Reipublicæ adminiſtrationem ad Epiſcopos et Antiſtites attinere, multis verbis perſuadet; collegis Paleſtinam expeditionem, et ad * Græcos ſubigendos Romano Sacerdoti arma invenda cenſet: Deinde leges, quibus vitia Sacerdotum, Monachorum Antiſtitumque caſtigentur, corrigantur, rogat: *Zopfreonnas* genus fœminarum ſacratarum abolet. Tum omnium rerum Eccleſaſticarum decimas in ſex annos Monachis, myſtis, majoribus, minoribus Pontificibus imponit, partem octavo Kalendas *Julii*, alteram portionem octava Kalendas *Januarii* numerare jubet. Poſtremo hæc Decreta ſciſsit, promulgat, piacularii, atque ſacro auricolario præfeci darent operam, orent, inſtent, ſuadere non deſiſtant, ut rei ſanctiſſimo propoſito Pontificis maximi, ære, pecunia, opibus faveant: Quiſque Chriſtianus, puer, vir, infans, puella, fœmina, Sacerdos, profanus capite cenſus ſit, quotannis nummum tribuat. Devotus eſt, quiſquis iis penſionibus adverſus iverit. Pleraque alia tum, ut alias, magis argutorum hominum more, quam ex æquo & bono commenta ſunt. Romulei vultures, quibus defraudari, atque compilari populus ſolet, et quæ neutiquam Deo immortali cordi fuiſſe exitus probavit, eventus docuit, plerique ad concilium coacti ire, eo tum habitum eſt. Impendiis non ſuffecere Aurum, Argentum, Gemmæ, Veſtes pretioſæ artis, opes Templorum venundatæ, pauperibus, qui ſolvendo non erant, diræ dictæ. *Ciſtercienſes* Monachi, quibus Pontifex *Romanus* amicus erat, haſce ſuarum ædium decimationes redimere millibus unciarum argenti puri ſexcentis atque quadraginta. *Furſtenfeldenſes* duo pondo argenti *Teutonica* penſitarunt, ſunt unciæ duæ & triginta. A cæteris omnibus Decimæ ſuperbe atq; avare exactæ; et licet Decimas eodem anno animam efflaſſet, nihilo ſecius tamen *Romani* Flamines decimas per ſex annos exorta per vim pecunia a Germanis emungerent: rumore diſſipabant, ſe ſuo periculo, atque ſtipendio Paleſtinam, Ægyptum, Aſiam, Africam erepturos Turcis, Saracenis, Tartaris; (but performed neither.) Quamobrem & *Rudolphus* illa lege atque omine primaris Sacerdoti *Bononiam*, Præfecturas, Ducatus, Urbes, Regiones *Italiæ* hactenus Imperatoribus parentes (*Romaniolam Martinus* vocat.) quæ quotannis millia drachmarum Auri ſeptingenties penſitavent, conceſſit.

In this Council there was this Antimonarchical Decree, or Conſtitution made, to advance the Popes and Prelates illegal Sentences, Interdicts and Excommunications, denounced againſt *Kings*, *Princes*, *Nobles*, *Judges*, and *Kings Officers*, for executing their legal Writs againſt them, and the denouncers of them.

* Therefore they did not ſubmit unto him, as Matth. Weſtm. ſtories.

h Cent. Magd. 13 cap 9 col. 937, 938.

h *Præſenti generali declaramus Edicto, beneficium relaxationis ad cautelam*, quo ad interdicti ſententias, in Civitates, Caſtra, vel quælibet alia loca ſive terras aliquas generaliter promulgatas, locum aliquatenus non habere. Quicunque pro eo quod in Reges, Principes, Barones, Nobiles, Vaſſallos, vel quoſlibet miniſtros eorum, aut quoſcunque alios Excommunicationis, Suſpenſionis, ſeu Interdicti ſententia fuerit promulgata, licentiam alicui dederint occidendi, capiendi, ſeu alias in perſonis aut bonis ſuis vel ſuorum gravandi, eos qui tales ſententias protulerunt, ſive quorum ſint occaſione periatæ, vel eaſdem ſententias obſervantes, ſeu taliter excommunicatis communicare volentes (niſi licentiam ipſam re integrâ revocaverint: vel ſi ad bonorum captionem occaſione ipſius licentiæ ſit proceſſum, niſi bona ipſa fuerint infra octo dierum ſpacium reſtituta, aut ſatisfactis pro ipſis impenſa) eo ipſo ſententiam excommunicationis incurrant. Eadem quoque ſententia ſint innodati omnes, qui auſi fuerint prædicta licentia data uti, vel aliquid præmiſſorum, ad quæ committenda dari licentiam prohibuimus, alias committere ſuo motu. Qui autem in eadem ſententia permanſerint duorum menſium ſpacio, extunc ab eo non poſſint, niſi per ſedem Apoſtolicam abſolutionis beneficium obtinere. But this Conſtitution was never received, but proteſted againſt by our King *Edward* the 1. his Succeſſors, Judges, and Courts of Juſtice, as ſucceeding Records atteſt.

i 2 Inſtit. p. 273.

In this *Council of Lions* under Pope *Gregory* the 10th, (not *Boniface* the 8. as Sir i *Edward Cocke* very groſly miſtakes, being not Pope till 28 E. 1.) this reſolution of an antient doubt concerning the allowance of Clergy to Bigamiſts, was declared by this Conſtitution.

k Cent. Magd. 13. cap 9 col 930.

k *Altercationis antiquæ dubium præſentis declarationis oraculo decidentes*, Bigamos omni privilegio Clericali declaramus eſſe nudatos, et

et coer'tioni fori ſecularis addictos, conſuetudine contraria non obſtante. *Ipſis quoque ſub anatl emate prohibemus deferre tonſuram, vel habitum Clericalem.* There ariſing a doubt between ſome *Biſhops* and the *Kings Judges* concerning this Conſtitution, ſoon after its making & promulgation, An. 4 E. 1. *Whether it extended to ſuch as were Bigamiſts before, or only to ſuch as were Bigamiſts after its promulgation?* The King, not in a Great Parliamentary Council, wherein all the Biſhops, Abbots, Nobles, and Commons of *England* were aſſembled, (as Sir [1] *Edward Cooke* very gravely miſinforms the World, in his Commentary upon the Statute of 4 *E.* 1. *De Bigamis*, cap. 5.) but, In præſentia venerabilium Patrum quorundam Epiſcoporum Angliæ, (moſt likely thoſe who were at this Council) & *aliorum de Conſilio Regis*, tam Juſticiarii quam alii, propounded this doubt; who after debate thus expounded this Conſtitution, and decreed that it ſhould be put in Writing for a perpetual memory, and firmly obſerved. **De Bigamis* quos D. Papa in Concilio *Lugdunenſi* omni privilegio Clericali privavit, per Conſtitutionem inde editam, & *unde quidam Prælati illos qui effecti fuerant* Bigami *ante prædictam Conſtitutionem, quando de felonia rectati fuerunt, tanquam Clericos exigerunt ſibi liberandos:* Concordatum eſt et declaratum coram Rege et Concilio ſuo, (againſt the Biſhops expoſition of it) quod Conſtitutio illa intelligenda ſit, quod ſive effecti fuerint Bigami ante prædictam Conſtitutionem, ſive poſt, de cætero non liberentur Prælatis, immo fiat eis Juſtitia ſicut de Laicis.

An. 2 *E.* 1.

1 2 Inſtit. p. 167.

* De Bigamis, cap. 5.

By which it is apparent; Firſt, that the Conſtitutions of Popes in this and other General Councils, did not oblige the King, Kingdom, Church or Subjects of *England*, unleſſe they were publikely received, approved, and ordered to be obſerved by the King and his Council after their publication. 2ly. That the King, his Council, and Judges, not the Pope or Biſhops alone, were the proper Expoſitors of the Decrees and Conſtitutions of General Councils, and in what ſenſe they ſhould be obſerved. 3ly. That the Conſtitutions of Popes in General Councils, to which the Kings Proctors diſſented, though over-ruled therein, did not oblige the King or his Subjects within his own Dominions, though other Kingdomes or Churches embraced and ſubmitted to them, as in this, and the premiſed Conſtitution in this Council, concerning Interdicts and Excommunications.

The Executors of *John Maunſel*, Treaſurer of *Yorke*, having by his laſt Will aſſigned to the Vicars of St. *Peters* in *Yorke* a Meſſuage of his in *Yorke*, to maintain an *Anniverſary* for his ſoul, of which they were afterwards diſpoſſeſſed by others. The King upon Complaint thereof, as Supream Ordinary, iſſued this Writ of Inquiſition, to examine the truth thereof; and reſtore the ſaid Meſſuage to the Vicars, to maintain the Anniverſary, for the *ſalvation* of *John Maunſel* his ſoul.

Pat. 2 E. 1. m. 16. dorſo. De Inquiſitione facienda.

REX *dilectis & fidelibus ſuis* Elye de Bek, & Johi le Eſpicer *Majori* Eborum *ſalutem. Oſtenſum eſt Nobis ex parte* Richardi Cuſtodis Vicariorum Eccleſiæ beati Petri Eborum et eorundem Vicariorum, *quod cum* Johannes de Oks, & Johannes de Heſil, *ac alii* Executores Teſtamenti Johannis Maunſell *quondam Theſaurarii* Eborum, *aſſignaſſent eis unum Meſſuagium, cum pertinentiis in* Eboraco, *quod fuit ipſius* Johannis, ad Anniverſarium ejuſdem Johannis celebrandum, & *dicti Vicarii in pacifica ſeiſina Meſſuagii prædicti juxta aſſignationem prædictam extitiſſent, quidam* Johannes de Aucer, & Jacobus de Cimiterio, *venerunt ad Meſſuagium prædictum*, et prædictos Vicarios ibidem a ſeiſina ejuſdem Meſſuagii ejecerunt, et illud eis detinent. Ita quod Anniverſarium illud facere non poſſunt juxta aſſignationem prædictam, in periculum animæ ipſius defuncti, et prædictorum Cuſtodis et Vicariorum dampnum non modicum et gravamen. *Nos igitur pro eo quod prædictus* Johannes Maunſell *Domino* H. *quondam Regi patri noſtro & nobis in vita ſua diutina & laudabilia præſtitit obſequia,* ſaluti animæ ſuæ proſpicere, et aſſignationes Executorum prædictorum rite factas manutenere volentes. Aſſignavimus [*Vos*] ad inquirendum per Sacramentum proborum et legalium hominum de Civitate prædicta, per quos rei veritas melius ſciri poterit, veritatem præmiſſorum, et ad exhibendam partibus plenam juſtitiam in præmiſſis. *Et ideo vobis mandamus, quod ad certum diem quem ad hoc provideritis nſque* Eborum *accedatis*, et Inquiſitionem illam diligenter faciatis, et partibus plenam juſtitiam exhibeatis in præmiſſis, ſicut prædictum eſt: *Mandavimus enim Ballivis noſtris* Eborum *quod ad certum diem quem eis ſcire facietis, venire faciant coram vobis tot & tales probos & legales homines de*

An. 2 E. 1. *de Civitate prædicta*, **per quos rei veritas in præmissis melius sciri poterit et inquiri.** *In cujus, &c. Dat. per manum, &c. apud* Westm. 13 *die* Maii.

I shall conclude this Year with this memorable Patent or Writ of the King, as *Supream Ordinary and Governour of all Ecclesiastical persons within his Realm*, for the apprehending of certain Vagrant Canons of *Lantony*, who despised the regular discipline of their Order, and deserted their House without their Priors license, to the scandal of the Church, and to deliver them over to their Prior to be duly corrected.

Pat. 2 E. 1. m. 18. De Canonicis vagantibus arrestandis.

REX *omnibus Ballivis, &c. salutem. Cum* Nich. de Fekenham, Leonardus de Lantonay, & Johannes de Ros *Canonici* de Lantonay *prima*, **sine licentia sui Prioris, et spreta regulari disciplina Domum suam neguiter exierunt, et tanquam profugi et vagabundi de loco ad locum discurrant, in scandalum Ecclesiæ;** *per quod sententia excommunicationis meruerunt innodari, sicut per literas venerabilis Patris* J. Hereford. *Episcopi accepimus.* **Nos insolentiam prædictorum Canonicorum sic vagantium quantum in nobis est reprimi volentes,** *ad requisitionem dicti Episcopi, necnon & Prioris Prioratus prædicti,* **Vobis mandamus, quod cum prædicti Canonici per vos transitum fecerint, ipsos arrestari, et eidem Priori liberari faciatis, secundum exigentiam sui Ordinis castigandos.** *In cujus, &c. Dat. apud* Westm. 3. *die* Maii.

Anno 3 *E.* 1. The very next Year the King by his Soveraign Ecclesiastical Authority issued the like Commissions or Writs for the apprehending of some vagrant and apostat Freers of the Order of St. *Augustine*, who had deserted their Houses and Order, to the prejudice of their souls, and scandal of their Order.

Pat. 3 E. 1. m. 18. De Fratribus vagabundis.

REX *Vicecomitibus & omnibus aliis Ballivis & fidelibus suis, &c. salutem. Quia pro certo intelleximus,* **quod aliqui de fratribus Ordinis Sancti** Augustini **spreta professione sua, ordinem prædictum egressi vagantur per plures Com'. Regni nostri, in dispendium animarum suarum, et prædicti Ordinis scandalum manifestum. Et volumus quod ad ipsorum fratrum sic vagantium insolentiam reprimendam,** *fratribus prædicti Ordinis literas Capituli sui super hoc habentibus subvenire.* **Vobis præcipimus, quod fratres ejusdem Ordinis sic vagantes ubicunq; inventi fuerint in Ballivis vestris sine dilatione arrestari, et fratribus dicti Ordinis liberari faciatis, secundum Regulam prædicti Ordinis, prout justum fuerit, castigandos.** *Talem diligentiam ad hoc apponentes, quod eam meritò commendare debeamus. In cujus, &c. per annum duraturas. Teste Rege apud* Westm. 20. *die* Junii.

Consimile de fratribus vagabundis ejusdem Ordinis supradicti, Pat. 3 E. 1. m. 36. *Teste Rege apud* Clyve 30 *die* Novemb.

[a] Mat. Westm. An. 1273. p. 363. Tho. Walsingham Hist. Angl. p. 5. & Ypodig. Neustriæ, p. 64. Polychr. l. 7. c. 38. Henry de Knyghton de Event Angl. l 3. c. 1. Polydor Virgil, Fabian, Holinshed, Grafton, Speed, and others, in Edw. the 1. his life.

King *Edward* the 1. Anno 1274. the third year of his reign; [a] *Pacificatis quodammodo in* Vasconia *resistentibus inimicis, post Concilium* Lugdunense *consummatum ad* Angliam *properavit. Expectabat enim Regni sui Prælatos qui in Concilio fuerant, quia in ipsorum absentia non poterat coronari. Ritè cunctis peractis in partibus transmarinis, mare transiens* 8. *Kal.* Augusti *Anno Domini supradicto,* Angliam *est ingressus; Ubi à Clero & populo cum gaudio receptus est, & maximo cum honore.* Soon after, 14 Kal. Septembris *in Ecclesia* Westmonasterienſi Eadwardus *in Regem, &* Ælianora, *soror Regis* Hispaniæ *in Reginam, à* Roberto *Archiepiscopo* Cantuarienſi *pariter coronantur. Huic Coronationi interrerant* Alexander *Rex* Scotiæ, & Johan. *Comes* Britanniæ, *cum suis uxoribus, sororibus Regis* Edwardi, *cum Prælatorum, Comitum, & Baronum, aliorumque Nobilium multitudine copiosa. Rex in Crastino Coronationis suæ recepto à Rege* Scotorum *homagio, ipsum dimisit ad propria plurimum honoratum.* The pomp and solemnities of his Coronation, you may read in [b] *Henry de Knyghton*, and others. **Deinde fecit Rex diligentiam emendare et reformare errata Regni, ad laudem Dei, et honorem Ecclesiæ ejus, et gravamina communis populi sui emendare pro posse suo secundum rationem,** *& fecit Statutum apud* Lundonias, *quod vocatur Statutum* Westmonasterii; to wit, the Statute of *Westminster* the 1. of which [c] *Matthew Westminster* renders us this account. *Rex ad Parliamentum*

[b] H. de Knyghton de Event. Angl. l. 3. c. 1. col. 2461.

[c] An. 1275. p. 363.

mentum Weſtmonaſterii *omnes Nobiles regni ſui juſſerat congregari. In quo* Statuta multa ad utilitatem Regni fuerunt publicata, *inter quæ* Judæis fuit interdicta effrænata licentia uſurandis. Et, ut poſſent a Chriſtianis diſcerni, præcepit Rex, quod ad inſtar tabularum, ad unius palmæ longitudinem, ſigna ferrent in exterioribus indumentis. *Anno* 3 *E.* 1

In this Parliament (not in 18 E. 1. as [a] Sir *Edward Cooke* very confidently affirms) againſt this Hiſtorians Teſtimony, the expreſſe Records of *Clauſ.* 4 *E.* 1. *m.* 8, 11. and other Authorities, this Statutum de Judaiſmo, againſt the Jews uſury was made for the honour of God, and a voiding of many ſins ariſing from it, by the pietty of the King. *Pur ceo qe le Roy ad vieu qe mults des males & diſheriſons des probes hommes de ſa terre ſont avenus par les* Uſuries qe les Jewes ont fait en arere, et que multz des peches ent ount ſurs de ceo, *meſque luy & ſes aunc' eyent grand pren de la Jewrie tout en ceo en arerement*, pur quant en le honour de Dieu, et pur le common prien del poeple dzdeine le Roy eſt eſtablie, que null' Jew deſormes ne prift riena Uſury ſur les terres, rents, ne ſur autres choſes, et qe null' Uſury ne curge de Seint Edward prochein̄ment paſſe en abant, mes qe les Covenantz abant faitz ſoient tenus ſabe, qe les Uſurers mes ceſſent.

a His 2 Inſtit. p. 506, 507. b See the firſt Part of my Chriſtian Demurrer againſt the Jewes Remitter, p. 31, to 42. and Part 2 p 66. to 70.

Beſides this particular Law, there were many excellent uſefull Statutes made in this firſt Parliament of his, as the Laws themſelves well known to all Common Lawyers, and Sir *Edward Cookes* Commentary on them in his ſecond *Inſtitutes* ſufficiently evidence: I ſhall only preſent you with the Prologue, and ſome few of his Lawes relating to the *Priviledges* and *Juriſdiction* of the Clergy, controlling ſome *Canons* of the Pope formerly uſed, to the obſtruction of publike juſtice, proper to my Hiſtory. * Page 156, to 266.

Theſe be the Acts of Kyng *Edward*, ſonne to Kyng *Henry*, made at *Weſtminſter* at his firſt Parliament generall after his Coronation, on the Munday of *Eaſter Day* the 3. year of his Reign, by his counſel, and by the aſſent of Archebyſhops, Byſhops, Abbots, Priours, Erles, Barons, and all the Comminalty of the Realme, being thither ſummoned; becauſe our Soverayne Lord the King had great zeal and deſire to redzeſs the State of the Realm in ſuch things as required amendment, for the common profit of holy Church, and of the Realm. And becauſe the ſtate of holy Church had been evill kept, and the Prelates and Religious Perſons of the Land greved many wayes, and the people otherwiſe intreated then they ought to be, and the peace leſſe kept, and the Lawes leſſe uſed, and the offendours leſſe puniſhed, then they ought to be, by reaſon whereof the people of the Land leſſe feared to offend; the Kyng hath ordained and eſtabliſhed theſe Acts under-writtten, which he intendeth to be neceſſary and profitable to the whole Realm. From which Prologue I ſhall obſerve; 1. That this King eſteemed it a principal part of his Kingly office, to promote the common welfare of, and redreſſe and reform the grievances in and of the Church, as well as in and of the State and Realm of *England*; and that by adviſe of his Lords and Commons, as well as of his Biſhops, Prelates and Clergy, in his high Court of Parliament, not in a Convocation. 2ly. That when Prelates, Clergymen, and their Officers grieve and intreat the Subjects otherwiſe then they ought, they may without ſcandal be complained of in Parliaments, as well as Temporal Officers, who grieve, or evil intreat them or the Kings Lay-Subjects. 3ly. That it is an antient proper Right of our Kings and Parliaments to take diligent notice of, and make Lawes to reform all abuſes and oppreſsions, as well of and in the Church as Civil State, and that in the firſt place. c Weſt. 1. Anno 3 E. 1. The Preface. See Cooks 2 Inſtit. p. 156, 157.

Chap. 1. Firſt the Kyng willeth and commandeth, that the peace of holye Churche and of the Land be well kept, and maintained in all points. And that common right be done to all, as well poore as ryche, without reſpect of perſons. And becauſe that Abbots, and the Religious of the Land habe been overcharged and ſore grebed by the reſort of great men and other, ſo that their Goods habe not been ſufficient for themſelbes, wherebY they habe been greatly hindered and impoberiſhed, that they cannot maintain themſelbes, nor ſuch Charity, as they habe been accuſtomed to doe. It is provided, that none ſhall come to eat or lodge in any houſe of Religion of any others foundation then of his own, at the coſts of the houſe; unleſſe he be required by the Governour of the houſe before his comming thither: And that none of his own coſts, ſhal entre and come to lye there againſt the will of them

Anno 3 *E.*1. that be of the houſe. And by this Statute the King entendeth not, that the grace of boſpitality ſhould be withdrawen from ſuch as need, nor that the Founders of ſuch Monaſteries ſhould overcharge or greve them by their often comynge. It is provided alſo, that none high nor low, by colour of kindred, affinity, or allyance, or by any other occaſion, ſhall courſe in any Parke, nor Fyſh in any Pond, nor come to eat, or lodge in the houſe or Mannour of a Prelate, or any other Religious perſon, againſt the will of the Lord or his Bailiffe, neither at the coſt of the Lord nor at his own. And if he come in, or enter with the good will or againſt the will of the Lord or his Bailiffe, he ſhall cauſe no doore, locke, nor wyndowe, nor nothing that is ſhutte, to be opened or broken by himſelf or any other, nor no maner of vitaile not other thinge ſhall take by colour of buyinge or otherwiſe. And that none ſhall threſhe corne nor take corne, nor any manner of vyttaile, nor other goodes of Prelate, man of Religion, or any other Clerk, or Lay perſon, by colour of buying, nor otherwiſe, againſt the will and licenſe of him, to whom the thing belongeth, or of the Keeper, be it within Market Town, or without. And that none ſhall take Horſes, Oxen, Ploughs, Carts, Ships, nor Barges, to make carriage, without the aſſent of him to whom ſuch things belong. And if he do it by the aſſent of the party, then incontinent he ſhall pay according to the covenant made between them. And they that offend againſt theſe Acts, and thereof be attainted, ſhall be committed to the Kynges priſon, and after ſhall make Fyne, and be puniſhed according to the quantity and manner of the treſpaſſe; and after as the King in his Court ſhall think convenient. And it is to be known, that if they to whom ſuch treſpaſſe was done, will ſue for dammages, they ſhall be thereto received, and ſhall be awarded and reſtored to the double. And they that have done the treſpaſſe, ſhall be likewiſe puniſhed in the manner aboveſaid. And if none will ſue, the Kinge ſhall habe the ſuite, as for a thing committed againſt his commandement, and againſt his peace. And the Kynge ſhall make enquiry, from yere to yere, what perſons do ſuch treſpaſſes after as he ſhall think neceſſary and convenient. And that they that be indicted by ſuch enqueſts ſhall be attached and conſtrained by that great diſtreſſe to come at a certain day containing the ſpace of a moneth, in the Kynges Court, or where it ſhall pleaſe the Kynge. And if they come not at that day, they ſhall be diſtreined again of new by the ſame diſtreſſe, for to come at another day, conteining the ſpace of ſix weeks at the leaſt, and if they come not then, they ſhall be judged as atteinted, and ſhall yeld double damages (at the Kings ſuit) to ſuch as habe taken hurt or damage, and ſhall make a grebous fyne after the maner of the treſpaſs; And the Kynge forbiddeth and commandeth, that none from henceforth do hurt, damage, or grebance to any Religious man, or perſon of the Church, or any other, becauſe they habe denyed meat or lodging unto them, or becauſe that any complaineth in the Kynges Court, that he hath been greved in any of the things abobementioned. And if any do and thereof be atteinted, he ſhall incurre the pein aforeſaid. And it is further provided, that the points aforeſaid ſhall as well binde our Counſellours, Juſticers of Foreſts, and other our Juſticers, as any other perſons, and that the foreſaid points be maintained, obſerved and kepte. Likewiſe the King forbiddeth upon grebous forfeitures, that no Prelate, Abbot, man of Religion, or Baylliffe of any of them, or of other, receibe any man contrary to the form aforeſaid. And that none ſhall ſend to the houſe or Manour of a man of Religion, or of any other perſon, his men, horſe, or doggs to ſojourne, nor none ſhall them receibe, and he that doth (ſeeing the King hath commanded the contrary) ſhall be grebouſly puniſhed. Yet it is further provided, that Shyriffes from henceforth ſhall not lodge with any perſon, with any more then 5. or 6 horſes; And that they ſhall not grebe Religious men nor other by often comyng or lodging, neither at their houſes nor their Manours. This Act was principally made for the benefit of Prelates and Religious perſons, to redreſſe the grievances and abuſes therein ſpecified.

Chap. 2. It is alſo provided, that when a Clerk is taken for gilt of felony, and is demanded by the Ordinary, he ſhall be delibered to him according to the priviledge of holy Church, on ſuch peril as belongeth to it, after the Cuſtome aforetimes uſed. And the King admoniſhed the Prelates, and enjoyned them upon the faith that they owe to him, and for the common profit and peace of the Realm, that they ſhould be

be endited of ſuch offences by ſolemn enqueſt of lawful men in the Kings Court, in no maner ſhall be delibered without due purgation, ſo that the King ſhall not need to provide any further remedy therein. *An.* 3 E. 1.

This Priviledge of Ordinaries demanding Clerks impriſoned for felony, and delivering them to them, was contrary to the antient Lawes and Cuſtom of the Realm, introduced after *Beckets* death, by the Kings ſpecial grace and condeſcention: The abuſe whereof by Prelates and Ordinaries, was reſtrained by this Act in 3. particulars. *1. In demanding thoſe for Clerks who really were not in ſacred Orders. 2ly. In delivering them without making any Inquiſition of the felony or crime for which they were committed; ſo as they eſcap'd unpuniſhed, or unattainted, & the King loſt the forfeiture of their lands or goods. 3ly. By their delivering them out of their Priſons without any legal purgatiõ after they were found guilty by Inquiſition before the Kings Judges. And if they did any thing againſt the Kings ordination and Injunction, he threatens puniſhment and further remedy of theſe their exorbitances, to the publike prejudice and diſturbance of the Realm.

* See Cooks 2 Inſtit p 164. Bracton, l. 3. ch. 23. Brit. l. 4 f. 11.

Chap. 5. And becauſe elections (of Biſhops and others) ought to be free, the King commandeth upon great forfeiture, **that no great perſon nor other, by force of arms, or menacing, ſhall diſturb any to make free election.**

Chap. 21. *That the Guardians of Archbiſhopricks, Biſhopricks, Abbots, Churches, and all Spiritual Dignities, in time of Vacation,* **ſhall keep and ſuſtain the Lands without waſte and deſtruction.**

This was intended only of what was waſte and deſtruction by the Common Law and Statutes, againſt waſte. But the King and his Guardians of them did, and might by Law take Deer out of their Parks, Conies out of their Warrens, Fiſh out of their Ponds, and ſell their Cops woods for the Kings proviſion and benefit, as far forth as the Biſhops themſelves might do; as I finde by the *Liberate Roll* of 3 E. 1. m. 9. that very year, and ſundry other Records of ſuch Guardians accounts and allowances, in the *Fine* and *Liberate Rolls*.

Chap. 28. And that none of the Kings Clerks, nor of any Juſticer, from henceforth ſhall receive the preſentment of any Church, **for the which any plea or debate is in the Kings Court, without ſpecial licenſe of the King; and that the King forbiddeth upon peine to leſe the Church and his ſervice.**

This puniſhed the frauds and abuſes of the Kings own Clerks, and Chaplains of his Judges and Officers, who prejudiced Patrons and their Clerks; by turning them out of the livings they injuriouſly uſurped, and out of the Kings ſervice.

Chap. 40. Touching **the oathes of Champions** it is thus provided, becauſe it ſeldom happened, but that the Champion of the Demandant is forſworn, in that he ſweareth, that he or his Father ſaw the ſeiſin of his Lord, or his anteceſſor, and that his Father commanded him to deraigne the right; **that from henceforth the Champion of the Demandant ſhould not be compelled ſo to ſwear:** Nevertheleſſe his Oath ſhall be kept in all other points.

This Act regulated and aboliſhed inconvenient clauſes in antient *Legal Oathes* to prevent perjury; much more then * *New illegal Oathes* impoſed on the Subjects without Act of Parliament, to preſent on numerous Articles deviſed by Ordinaries and Viſitors, wherein there is more apparent danger of perjury, then in Champions Oathes, ought to be prevented.

* See Tom. 2. p. 706, 707, to 712. & Here, p. 78, to 83.

Chap. 48. And for as much as it is great Charity to do right unto all men at all times (when nede ſhall be) **by the aſſent of all the Prelates it was provided, that Aſſiſes of Novel diſſeiſin, Mortedaunceſter, and Darrein preſentment ſhould be taken in Advent, Septuageſima, and Lent, eben as well as Enqueſtis maybe taken, and that at the ſpecial requeſt of the King, made unto the Byſhops.**

Before this Statute, the Kings Juſtices Itinerant could not hold theſe Pleas, nor ſwear Juries, or take Oathes on theſe times before them, *without the Popes or* * *Archbiſhops ſpecial licenſes & diſpenſations* in whoſe Province they were held, as this Statute intimates, & *Pat.* 8 *H.* 3. *m.* 2. *Clauſ.* 11 *H.* 3. *m.* 8. inform us; without incurring Eccleſiaſtical Cenſures: Which was firſt grounded (as I conceive) upon this Eccleſiaſtical Law of King *Edw.* the *Confeſſor* c. 3. * *De Temporibus & diebus Pacis Regis. Ab adventu Domini uſque ad Octavas* Epiphaniæ, *pax Dei & ſancta Eccleſia per omne regnum. Similiter à* Septuageſima *uſque ad Octavas* Paſchæ. Item, *ab* Aſcenſione Domini

* See Tom. 2. p. 394, 407. * Roger de Hoveden. Annal. pars poſterior, p. 601. Spelmanni Concil. Tom. 1 p. 619. Lambardi Archaion.

An. 3 *E.* 1. Domini *uſque ad Octavas* Penteceſten. Item *omnibus diebus* Quatuor temporum. To which was added, Item *omnibus Sabbatis, ab hora nona & tota die ſequente, uſque ad diem Lunæ.* Item *vigiliis Sanctæ* Mariæ, *Sancti* Michaelis, *Sancti* Johannis Baptiſtæ, *Apoſtolorum omnium & Sanctorum, quorum ſolemnitates à Sacerdotibus Dominicis annunciantur diebus, & omnium Sanctorum in Kalendis* Novembris, *ſemper ab hora nona vigiliarum, & ſubſequente ſolemnitate.* Item *in parochiis in quibus dedicationis dies obſervatur.* Item *in Parochiis Eccleſiarum, ubi propria feſtivitas Sancti celebratur. Et ſi quis devote ad celebrationem Sancti advenit,* pacem habeat eundo, et ſubſiſtendo, et redeundo. Item *omnibus Chriſtianis ad Eccleſiam cauſâ orationis euntibus,* paz in eundo et redeunde ſit eis. *Similiter ad dedicationes, ad Synodos, ad Capitula venientibus, ſive ſummoniti ſint, ſive per ſe quid agendum habuerint,* ſit ſumma paz. *Etiam ſi excommunicatus aliquis abſolvendi cauſa ad Epiſcopum confugerit, abſolutus,* eunde et redeunde pacem Dei et Sanctæ Eccleſiæ habeat. *Quod ſi aliquis ei forisfecerit, Epiſcopus inde juſtitiam faciat. Veruntamen, ſi quis arrogans pro Epiſcopi juſtitia emendare nolverit,* Epiſcopus Regi notum faciat. Rex autem conſtringat malefactorem, ut emendet cui forisfecerit, ſcilicet primum Epiſcopo, deinde ſibi: et ſic erunt duo gladii, et gladius gladium juvabit.

The Biſhops being many of them Judges, by their *Canons* extended this Law beyond its intention, which was only to ſecure perſons from *arreſts*, not to prohibit neceſſary legal trials on theſe times and days. *John de Briſton,* (a Judge and Biſhop under King *Edw.* the 1. at this time, as * ſome obſerve,) records, that Pleas on thoſe times were prohibited by the Canons of the Church, his words are theſe. * *Ou ſi ils ſoient aſſets des Jurours uncore purrount aſcuns eſtre remuables par vereys challenges de parties, et auſi pur le temps en cas. Car heures ne ſeuns pas murs:* Car (per) Canon eſt defendu de ſeinte Eglyſe ſur peyne de excomengement, que de la Septuagiſme jeſq; al Utas de Paſche, ne del commencement de Advent jeſque al Utas de la Epiffayne, ne en jours de Quatre temps, ne en jours de major Letanies, ne en jours de Rogacions, ne en la ſemayne de Pentecoſt, (to which he addes) *ne en temps de fier blees, ne de vendenges que durant de la Saynt* Margaret, *jeſq; al* 15 *de Saynt* Michael, *ne en ſolennes jourres feſtivals de ſeſaintz de ſayntz,* nuliuy ne jurge ſur le Evangeilles, ne nul ſecular plea ne teigne, ne ſummouns ſe ne face en temps avantdits, iſſint que tout cel temps ſoit done a Dieu pryer, et de appeler coupables, et de accorder ceux que ſount a diſcord, et pur corſier les biens del terre, dont le people doit vivre. Les Evesques requedent et les Prelates de Peyne Egliſe ſount diſpenſations que Aſſises et Juries ſount priſes en tiels temps par reſnables encheſons. But theſe real or pretended Canons being prejudicial to publike Juſtice and Legal trials, were now aboliſhed as a grievance in this Parliament at the Kings requeſt, and that by the aſſent of his Biſhops, which elſe he would have reformed without them, being a publike grievance, againſt the Great Charter, ch. 29. and his Coronation Oath, *Not to delay Juſtice to any man,* eſpecially in theſe Actions requiring ſpeedy remedies.

* Mat. Weſtm. An. 1275.
* Britton, cap. 53.

I finde in the Clauſe Roll of 3 E. 1. m. 16. Dorſo. a Leaſe of an Houſe, Lands and Rents in *Badelkyng,* made for life by *Andreas de Scaccario, Domino* Franciſco de Bononia Legum Doctori et Illuſtris Regis Angliæ Conſiliario; which Mr. * *Selden* conceives to be *Francis Accurſius* a famous Doctor of the Civil Law, whom the King made uſe of in his affairs in forreign parts; but that the *Canon Law* and profeſſors of it had then any publike countenance or encouragement under this King or any of his predeceſſors, I cannot finde by Record or Story, being generally exploded and diſcountenanced for the * *premiſed reaſons,* as inconſiſtent with the Kings prerogative, and Common Law in many things.

* Diſſertatio ad Fletam, cap. 8. p. 526.

* See p. 14, 15, 62, 63, 64.

* *Matthew Parker* Archbiſhop of *Canterbury* rendreth us this account of Pope *Gregories* fraud and impoſtures, in granting Diſmes to King *Edward* the 1. both before and in the Council of *Lyons,* under pretext of relieving the Holy Land, the greateſt part whereof he and his Agents converted to their proper uſes. *Itaque* Gregorius Edwardo *ad eos ſumptus, quos in* Syria *feciſſet recuperandos,* poteſtatem conceſſit bonorum in *Anglia* quorumcunque, tam Temporalium quam Spiritualium decimam partem a Clero perripere. Egregium ſcilicet munus, cum de ſuo largiri nihil voluit, de alienis bonis ſtruendi veniam indulſit. *Cumque* Edwardus *jam pancis diebus in Regina Matris & Antiſtitum Procerumq; ſuorum de conſuetudine*

* Antiq. Eccleſ. Brit. p. 194.

ad

ad deliberandum de publicis, privatiſque negotiis fuiſſet, in Angliam *à* Gregorio *Papa miſſus venit* Romanus *quidam Clericus* Raymundus, *natione* Guaſconus, cum authoritate viros Eccleſiaſticos Papalibus animadverſionibus compellendi, Decimam tam Temporalium quam Spiritualium *Edwardo* Regi ſolvere. Et qua fine mora collecta pecunia Rex pereximiam tulit partem; *Raymundus* enim (qui nomine Regis huic conficiendæ pecuniæ præfectus fuit) Papalis potius et *Romanæ* cupiditatis, quam Regiæ neceſſitatis quæſtor exiſtimari jure debuit. Qui cum rationes retuliſſet pro ſuis in hoc negotio, Expenſis atque opera non modicam portionem detraxit, deinde Papæ Domino ſuo donum tanto Pontifice dignum exhiberi poſtulabit. Quæ duæ rationes, hanc tam copioſam pecuniam pene totam abſorpſit, ut Regi ex præſulum benevolentia vix aliquid Regiis dignum gratiis relictum ſit. Cumque hoc exemplo *Gregorius* Papa in Chriſtianas Eccleſias *Romano* more graſſandi occaſionem nactus eſſet, Concilium Generale indixit *Lugduni, ubi cum inutiliter de conjungenda* Græca *cum* Romana *Eccleſia multa acta eſſent, illius Conjunctionis ex* Paleologi Græcorum *Imperatoris & Epiſcoporum* Græcorum *literis ad Papam datis ſpes inanis*, ad Gregorii totum Concilium lactabiſſet, *decretum fuit*, ut toto proximo ſeptennio provenituum Eccleſiaſticorum decima pars in Terræ Sanctæ ſubſidium ſolveretur. Cujus (*ut patebit poſtea*) cum Quæſtores a Papa conſtituti eſſent, in *Romanam* avaritiam, non illius negotii expeditionem aut curam, tota converſa eſt. *An.* 3 *E.* 1.

* *Hanc Decimam cum* Gregorius *poſtulaſſet, deliberandi diem Archiepiſcopis, Epiſcopis, Prælatis ſtatuit, quo vel conſentirent, vel diſſentiendi cauſas & rationes oſtenderent. Adveniente die plerique* contradicere non auſi apertis ſuffragiis aſſenſi ſunt. *Inter quos* Robertus Kylwarby Cantuarienſis *Archiepiſcopus* ab ipſo (*ut diximus*) Papa conſtitutus. Pater, *inquit*, Sancte, Opus & creatio manuum veſtrarum Ego ſum, & Eccleſia mea Eccleſia veſtra, bona mea, bona veſtra ſunt; Diſponite ergo de Eccleſia mea, & de bonis meis, ſicut de bonis propriis. *Inter cæteros autem qui contradicere ſtatuerunt, erat* Simon *quidam de* Mepham *Decanus* Lincolnienſis, *qui Papa tradidit Schedulam excuſatoriam*, Angliæ Eccleſiæ expilationes diuturnas et varias continentem, quibus ita dejecta et deprella, aut vix aut ne vix quidem aſſurgere aut ſe attollere poſſit. *Cui perlecta Schedula Papa*, Dictaſti Schedulam hanc D. Decane? *Et ille*; Pater Sancte, Ego dictavi & ſcripſi. *Et Papa*; Nunquid conſentis, vel contradicis? *Et ille*; Domine, non contradico? *Et Papa*; Aliud eſt conſentire, aliud non contradicere. Quid igitur, conſentis? *Eodemque iterum modo reſpondit*, Domine, non contradico. *Cumque aliter non reſponderet*, privabit eum dicto citius omnibus beneficiis Eccleſiaſticis. Cujus metu cæteri ſine contradictione aſſenſus ſuos præbuere. *Tandem ipſe Decanus ne ſolus diſſentire videretur, & dignitates amitteret, una cum reliquis aſſenſus eſt, & elapſo triduo beneficiis ſuis reſtitutus. In eoque Concilio Papa, quo facilius in oppreſſos anteactis injuriis* Anglos *ſeſe inſinuaret*, Edwardum *Regem ob terram ſanctam ſua præſentia & adventu ſervatum infinitis laudibus extulit.* Hujus Decimæ ſolutione a Clero promiſſa, Concilium ſtatim a Gregorio diſſolutum eſt. This being the Popes principal deſign in ſummoning it, to extort a 7. years Diſme from the Clergy, by theſe pious Papal fraudulent pretexts. * Ibidem: Walt. Giſborn. Petr. de Ickeham.

Soon after the Council of *Lions*, Pope *Gregory* the 10th. ſent *Raymundus de Nogeriis* his Chaplain, as his Nuncio into *England, Wales, Scotland* and *Ireland* for certain affaires of the Church, eſpecially to demand and receive from the King 8. years arrears of the *Annual Tribute*, and *Peter-pence*, then due to the Church of *Rome*, by virtue of this original Bull, which I found in the White Tower Chappel; deſiring the King therein to grant him a ſafe conduct through his kingdom, and to aſſiſt and adviſe him in his affaires when required by him.

GREGORIUS Epiſcopus Servus ſervorum Dei, Chariſſimo in Chriſto filio *Edwardo* Regi *Anglia* Illuſtri ſalutem & Apoſtolicam benedictionem. Quod ad benevolentem tibi & favorabilem matrem tuam *Romanam* Eccleſiam reverentiam jugiter exhibens filialem, non ſolum de juribus in quibus teneris eidem promptitudine tibi reſpondeas liberali, immo etiam ubicunque de tuis pertractandis negotiis agitur fructuoſus adjutor et propitius habearis, firmam ſpem gerimus et infallibilem fiduciam obtinemus. Cum itaque dilectum filium Magiſtrum *Raymundum* de See Here, Tom. 2 p. 311, 312.

Anno 3 *E.* 1. *de Nogeriis* Capellanum noſtrum, nobis & fratribus noſtris merito ſuæ probitatis acceptum, pro Cenſibus colligendis, et denario beati Petri, ac debitis præfatæ Eccleſiæ requirendis, aliiſq; noſtris et ipſius Eccleſiæ negotiis ad partes Angliæ, Walliæ, Scotiæ et Hiberniæ jamdudum duximus tranſmittendum: Celſitudinem Regiam veſtram requirimus attentius et rogamus, quatinus Capellanum ipſum benigne recipiens, et honeſte pertractans, Annuum Cenſum in quo conſtat eidem Eccleſiæ te teneri pro inſtanti, et ſeptem tranſactis annis in quibus non fuit Cenſus hujuſmodi perſolutus, Capellano ipſi noſtro et Eccleſiæ memoratæ nomine liberaliter facias, et integre aſſignari; dictum Capellanum præfata negotia promobentem, habens circa illa pro noſtra et Apoſtolicæ ſedis reverentia propenſius commendatum; eidem ſuper his, ac etiam in ſecuro conductu per Regnum tuum cum ab ipſo fueris requiſitus, auxilium oppoꝛtunum et conſilium impenſurus. Ita quod proinde Serenitatem Regiam dignis laudibus et gratiarum actionibus proſequamur. Dat. *Lugduni* viii. Idus *Novemb.* Pontificatus noſtri Anno Tertio.

What anſwer the King returned to this his Bull, and another of like nature, precedent to it, appears by his memorable Epiſtle to this Pope, thus recorded in the *Clauſe Rolls*, An. 3 E. 1. m. 9. Cedula.

Clauſ. 3 E. 1. m. 9. Cedula.

SAnctiſſimo in Chriſto Patri & Domino Domino *G.* divina providencia Sacroſanctæ *Romanæ* Eccleſiæ & univerſalis Eccleſiæ Summo Pontifici, *Edwardus* ejuſdem gratia Rex *Angliæ*, Dominus *Hiberniæ*, & Dux *Aquitaniæ*, cum reverentia & honore ſalutem & pedum oſcula beatorum. Mandabit Nobis olim per literas apoſtolicas quas pro ea mentis devotione recepimus, veſtra Sanctitas reverenda, ut annuum Cenſum in quo Sacroſanctæ Romanæ Eccleſiæ, ratione Regni Angliæ pro eo præteritis Annis aſſeritis nos teneri, venerabili viro Magiſtro R. de Nogeriis Capellano veſtro aſſignari liberaliter ac integre, nomine prædictæ Romanæ Eccleſiæ faceremus. Nuper autem alias literas veſtras recepimus cum reverentia, continentes, quod cum nos reſponſionem peticionis ſolutionis Cenſus annui memorati quam nobis prædictus Capellanus veſter expoſuit, veſtræ et Eccleſiæ Romanæ nomine diligenter; deliberatione conſilii Procerum Regni noſtri in * Parliamento quod circa Octabas Reſurrectionis Dominicæ celebrari in Anglia conſuevit, pro eo duximus reſervand. quod tempore receptionis prædictarum literarum veſtrarum nobiter ejuſdem Regni noſtri gubernacula ſumpſeramus: nunc de hujuſmodi Cenſu ſine ulteriori procraſtinatione impendi faceremus eidem ſatisfactionem plenariam Capellano. Fatemur enim, Sanctiſsime Pater et Domine, ad Parliamentum noſtrum in Octabis Reſurrectionis Dominicæ proꝛ. præterito, Regni noſtri Prælatos et Proceres ebocaſſe, ibique multa ſtatuiſſe, divina gratia faḃente, quæ meliorationem ſtatus Eccleſiæ Anglicanæ, reformacionem Regni ejuſdem reſpiciunt, et communis profectus populi ſapiant incrementa: ſed antequam eidem Parliamento propter negotiorum multitudinem quæ reformationis remedio indigebant finem imponere baleremus, eodem Capellano veſtro reſponſioné debitam ſibi fieri inſtanter poſtulante, quædam grabis (nos) inbaſit, ſicut Domino placuit, infirmitas corporalis, quæ perfectionem multorum aliorum negotiorū et deliberationem petitionis Cenſus annui ſupradicti, de quo dolemus non modicum, impediḃit; ſicque cum occaſione infirmitatis hujuſmodi, à qua per Dei gratiam, cujus eſt perimere & mederi, incepimus convaleſcere, idem Parliamentum fuerit diſſolutum, et ſuper hoc nequiverimus ſuper petitione Cenſus ejuſdem deliberationem habere cum Prælatis et Proceribus antedictis, ſine quorum communicato conſilio Sanctitati veſtræ ſuper prædictis non poſſumus reſpondere; et ſurejurando in Coronatione noſtra præſtito ſumus aſtricti, quod Jura Regni noſtri ſerbabimus illibata, nec aliquid quod Diadema tangat regni ejuſdem abſque ipſorum requiſito conſilio faciemus. Reverendæ benignitati veſtræ humiliter ſupplicamus, et pro dono petimus ſpirituali, quatinus moleſte non ferat Sanctitas veſtra, ſi ad præſens ſuper prædictis ſicut bellemus non poſſumus reſpondere, immo patientia veſtra paterna ſi placet nos ſuper hoc habere dignetur de gratia excuſatos. Pro firmo ſcituri, pie Pater et Dominus, quod in alio Parliamento noſtro quod ad feſtum Sancti Michaelis proꝛ. futur. intendimus, dante Domino, celebrare, habito et communicato conſilio cum Prælatis et Proceribus memoratis, vobis ſuper præmiſſis ipſorum conſilio dabimus reſponſionem

Nota.

Nota.

reſponſionem, Conſerbet vos Dominus Eccleſiæ ſanctæ ſuæ per tempora longeva. Teſte meipſo apud *Weſtm.* 19 die *Jan.* Anno Regni noſtri Tertio. *An.* 3 *E.* 1.

By which Record it is apparent, 1. That notwithſtanding the Kings great obligations to this Pope *Gregory* for the two Diſmes granted him, his entertainment in his Court in his return from the Holy Land, and his double Letters and Nuncio ſent to him, to demand and receive this annual rent of 1000 Marks, granted by King *Johns* Charter, yet he denied to pay it without the adviſe and conſent of his Prelates and Nobles in Parliament. 2ly. That he conceived it contrary to the Rights of his Crown, and his Coronation Oath newly taken, to preſerve and maintain them inviolable. 3ly. That he delayed his anſwer thereto from one Parliament to another, yea never paid him one farthing thereof, nor his 4. next ſucceſſors.

The Biſhop of *Coventry* and *Lichfield* and his Official ſuing a Merchant in their Spiritual Court for Debts and Chattels in his hands belonging to the King, againſt his Prohibition to them; thereupon the King iſſued this Writ to ſummon them to anſwer this their contempt.

REX *Vic.* Salop. *ſalutem. Præcipimus tibi quod ponas per vadios & ſalvos plegios* R. Coventr. & Litchf. *Epiſcopum, & Magiſtrum* Simonem Ballingdem, *Officialem ſuum*, quod ſint coram nobis a die Sancti Michaelis in 15. dies, ubicunque tunc fuerimus in Anglia, eſſenſuri quare cum eiſdem Epiſcopo et Simoni inhibuerimus, ne placitum aliquod tenerent in Curia Chriſtianitatis de Catallis vel Debitis noſtris in manu et cuſtodia Nicholai de Lodelawe Mercatoris noſtri exiſtentibus, *unde idem* Nicholaus *queſtus fuit*, quod iidem Epiſcopus et Simon. traxerunt ipſum in placitum in Curia Chriſtianitatis, iidem Epiſcopus et Officialis placitum illud poſtmodum tenere præſumpſerint in Curia Chriſtianitatis in contemptum mandatorum noſtrorum, et contra prohibitiones noſtras prædictas. *Et habeas ibi nomina plegiorum & hoc breve. Teſte Rege apud* Keninton *x. die* Julii. Clauſ. 3 E. 1. m. 10. dorſo. Pro Rege.

It being the Kings ſpecial office and duty to provide that the Alms and Lands beſtowed by him and his anceſtors on Churches and religious Houſes, ſhould be duly preſerved, and rightly imployed, without any waſte, ſale, or deſtruction, he thereupon iſſued out Writs for that end, to the Sheriff of *Kent* on the behalf of the Prior and Cell of *Leueſham.*

REX *Vic.* Kanc. *ſalutem.* Cum ad nos prohibere pertineat, ut Eleemoſynæ quæ de patronatu noſtrorum prædeceſſorum et noſtro ſunt, in ſtatu debito abſque baſto, venditione, ſeu diſtractione inde facienda conſerventur: *Tibi præcipimus*, quod non permittas quod Abbas de Gandavo, vel Ballibi ſui baſtum, venditionem ſeu deſtructionem faciant de boſcis, domibus, vel hominibus pertinentibus ad Prioratum ſive Cellam de Leueſham, quæ eſt de Patronatu noſtro: *Et taliter te habeas in hac parte, ne per defectum tuum ſeu Miniſtrorum tuorum ad te graviter nos capere debeamus. Teſte Rege apud* Keninton *Decimo die* Julii. Clauſ. 3 E. 1. m. 10. Dorſo. Pro Priore & Conventu Cellæ de Leveiham.

REX *eidem Vic. ſalutem.* Cum ad nos pertineat ſpecialiter prohibere, quod in domibus noſtri Patronatus erogationes et Eleemoſynæ a nobis et prædeceſſoribus noſtris Regibus *Angliæ* ſtabilitæ abſque diminutione vel dolo fideliter obſerventur. *Tibi præcipimus, quod ſcire facias Abbati de* Gandavo *& Priori Cellæ ſuæ de* Leueſham, *quod ſint coram Nobis in Octabis Sancti* Michaelis, *ubicunque tunc fuerimus in* Anglia, cum omnibus munimentis dictam Cellam, una cum ſuis appenditiis, quocunque jure contingentibus, ut tunc coram Nobis ſuper defectibus ac ſubſtractionibus ſi qui forte ſubſint, id fieri faciamus, quod de fidelium noſtrorum conſilio de jure videbitur faciendum. *Et habeas ibi hoc Breve. Teſte ut ſupra.* Ibidem.

The Archbiſhop of *Canterbury* having nulled an election of an Abbot to the Monaſtery of *Faverſham*, and thereupon provided them another Abbot, to whom the King had given his royal aſſent, he made this certificate and requeſt to the King, for Reſtitution of the Temporalties to him.

EX-

An. 3 *E.* 1.

Clauſ. 3 E. 1. m. 2 dorſo. De Electione de Faverſham.

Excellentiſſimo Principi Domino Edwardo *Dei Gratiâ Illuſtri Regi* Angliæ, *Domino* Hyberniæ, *& Duci* Aquitaniæ; R. *miſeratione divina* Cantuar. *Archiepiſcopus, totius* Angliæ *Primas ſalutem, & per Regni Temporalis Adminiſtrationem vitam conſequi ſempiternam. Cum nos nuper* **Electionem factam** *de fratre* Johanne de Romenhale *per Monachos Monaſterii de* Faverſham *in Abbatem* **Electo juſtitia exigente caſſaberimus,** *& eiſdem Monaſterio & Monachis de fratre* Oſwaldo de Eſtry, **cui aſſenſum Regium ad noſtram inſtantiam debote adhibuiſtis prohiberimus.** *Excellentiam veſtram attente rogamus, quatinus præfato* Oſwaldo *in Abbatem per nos confirmato Adminiſtrationem bonorum temporalium & poſſeſſionum Monaſterii antedicti juxta Regni veſtri conſuetudinem concedere dignemini in hac parte. Dat. apud* Lamhethe 8 *Idus* Novembris. *Anno Domini* 1275. *Conſecrationis noſtræ Anno Tertio.*

King *Edward* the 1. receiving by a ſpecial Meſſenger the Epiſtle of *Abagathaan* Prince of the *Magali*, ſent to Pope *Gregory* by the Patriarch of *Jeruſalem*, ſignifying his readineſſe to embrace the Chriſtian faith, and aſſiſt the Chriſtians in the holy Land againſt the enemies of Chriſt, and deſiring King *Edward* to haſten thither to that end; he returned this pious anſwer to it, encouraging him in this Religious deſign, not extant in our Hiſtories, but only in the Patent Rolls in the Tower.

Pat. 3 E. 1. m. 32. dorſo.

IN nomine Patris, & Filii, & Spiritus Sancti, unius Dei. Ex parte *Edwardi* Dei Gratiâ Regis *Angliæ*, Domini *Hiberniæ*, Ducis *Aquitaniæ*; Excellenti & Potenti Domino *Abagathaan*, Principi Gentis *Magalorum* ſalutem, & veræ fidei notionem. Religioſus vir frater *David* de ordine Prædicatorum, Capellanus, & familiaris Venerabilis in Chriſto Patris fratris *Thomæ* Patriarchæ *Jeruſolomitan.* Apoſtolicæ ſedis Legati, ad præſentiam noſtram accedens, Literas quas ſanctiſſimo Patri Domino *G.* Sacroſanctæ *Romanæ* & **Univerſalis Eccleſiæ Summo Pontifici,** & aliis Regibus Chriſtianis per veſtros nuncios deſtinaſtis, nobis detulit, & oſtendit: in quibus **dilectionis affectum quam ad fidem Chriſtianam, extra quam nullus omnino ſalvetur, habeatis, et propoſitum quod de præſtando ſubamine Chriſtianis et Terræ Sanctæ contra Chriſtianæ fidei inimicos, ſpiritu Dei ducti, ſicut credimus, concepiſtis, collegimus et intellexerimus diligenter, quod ineffabiliter eſt affectibus noſtris** gratum. Et de quo vobis aſſurgimus ad gratiarum verbales actiones. Magnificentiam veſtram rogantes, **et in virtute altiſſimi obſecrantes,** quatinus propoſitum veſtrum ſanctum velitis circa proſecutionem prædicti juvaminis per potentiam veſtram ejuſdem Chriſtianæ fidei Cultoribus exhibendi potenter & viriliter, ducere ad effectum. De adventu vero noſtro ad terram prædictam, & de termino paſſagii Chriſtianorum, vobis ad præſens non potuimus ſcribere veritatem, **quia in confectione præſentium de prædicti paſſagii termino non erat per memoratum Summum Pontificem ordinatum,** quam citò autem ſuper præmiſſis, quod erit in proximo Deo dante, certitudinem habere poterimus, id Excellentiæ veſtræ curabimus intimare. Recommendamus potentiæ veſtra affectuosè quantum poſſumus prædictæ negotium Terræ Sanctæ, & omnes Chriſtianos de partibus Orientis. Dat. apud *Bellum locum Regis* 26 die *Januarii* Anno Dom. 1274. & Anno Regni noſtri Tertio.

Some Religious perſons and Clerks refuſing to pay the Diſmes granted to the King by the Pope, (notwithſtanding the Kings * former Writs,) and their Excommunications for that cauſe by the Popes authority; he thereupon iſſued other Writs this year to ſome Sheriffes to aſſiſt the Collectors to levy them when ever required by them.

* Here, p 1333, 1334.

Pat. 3 E. 1. m. 30. De Decima levanda.

REX Vicecomiti Wygorniæ, *& omnibus Ballivis Hundredorum & Libertatum infra dictum Com. exiſtentibus ſalutem.* **Cum nonnulli Religioſi et Clerici Decimam tam Spiritualium quam Temporalium Nobis a ſede Apoſtolica ad duos Annos conceſſam detineant, et arrerag. ejus ſolvere contradicant, propter quod Executores ad ipſum Decimam colligendam deputati, ipſos excommunicationis ſententia authoritate Apoſtolica innodarunt.** *Nos eorum induratam maliciam reprimere volentes, Vobis præcipimus firmiter injungentes,* **quod prædictam Decimam et**

ejus

ejus Arreragg. a prædictis detentoribus ſeu contemptoribus, vel eorundem beneficiis et bonis in Walliâ veſtra celeriter levari facere quandocunque a dilecto Clerico noſtro Gilberto de Sutton, quem ad dictam Decimam colligendam deputabimus, fueritis requiſiti. *Et hoc nullatenus omittatis. In cujus, &c. Teſte Rege apud* Wyndſ. 6. *die* Martii. *An.* 3 *E.* 1

Conſimiles literæ diriguntur Vic. Glouc. *& omnibus Ballivis Hundred. & Libertatum infra dictum Com. exiſtentibus.*

Conſimiles literæ diriguntur Vic. Warr. *& omnibus Ballivis, &c. ut ſupra.*

Conſimiles literæ diriguntur Vic. Hereford. *& omnibus Ballivis, &c. ut ſupra.*

The Abbot and Covent of *Faverſham* being greatly indebted to Merchants and others, (by their expenſes at *Rome*, and Papal exactions) the King by his Soveraign Eccleſiaſtical authority, to preſerve them and their houſe from ruine, took them and all their lands, monies, goods into his ſpecial protection, and committed them to the management of certain perſons for diſcharge of their debts and neceſſary ſupport, by this Patent.

REX omnibus Ballivis & fidelibus ſuis ad quos, &c. ſalutem. Cum dilecti nobis in Chriſto Abbas & Conventus de *Faverſham*, Mercatoribus & aliis Creditoribus ſuis in diverſis debitis multimodis & immenſis teneantur, ad quorum ſolutionem facultates ejuſdem Domus per magni temporis ſpacium ſufficere non poſſent abſque diſperſione Conventus prædicti, vel feodalium ſuorum dilapidatione, ſeu fortè Domus illius ſubverſione totali, **quod nollemus.** Nos imbecilitati ſtatus ipſorum compatientes, ne hujuſmodi diſcriminis aut depreſſionis periculum ipſis videatur imminere, **Domum illam cum terris, redditibus, poſſeſſionibus, ac rebus aliis ad eam pertinentibus cepimus in protectionem et defenſionem noſtram ſpecialem**, & eam cum omnibus pertinentiis ſuis commiſimus dilectis & fidelibus noſtris *Fulconi Peyforer*, & Magiſtro *Hamoni Doges*, cuſtodiend. quamdiu nobis placuerit. Ita quod omnes exitus, redditus, & proventus terrarum, reddituum & poſſeſſionum prædictæ Domus, ſalva rationabili ſuſtentatione Abbatis & Conventus ejuſdem loci, ad exonerationem debitorum ſuorum & relevationem aliorum defectuum ejuſdem Domus reſerventur, & eiſdem exonerationi & relevationi per viſum aliquorum de diſcretioribus Domus ejuſdem per adjutorium & Conſilium dictorum *Fulconis* & *Hamonis* prout melius fieri poterit, applicentur. Nec volumus quod aliquis Vicecomes, aut Ballivus, aut Miniſter noſter, aut alius quicunque in dicta Domo aut Grangiis ad eam ſpectantibus, dum in Cuſtodia prædictorum *Fulconis* & *Hamonis* ſint hoſpitetur, ſine ipſorum licentia ſpeciali. In cujus, &c. Teſte Rege apud *Merrival*, 17. die *Auguſti*. Pat. 3 E. 1. m. 13 intus. Pro Abbate & Conventu de Faverſham.

The like protections were granted in the ſame form, to the Abbots and Covents of *Bordeſleye* and *Bynedon* the ſame year, dated 5. & 9. *Februarii*, and to the Prior and Covent of *Thornholm* 27 *Februarii*, but the cuſtody of them, their lands and goods, to other perſons. Pat. 3 E. 1. m. 33. intus.

The Chalices, Books, Ornaments, Goods and Lands of the Hermitage near *Criplegate*, *London*, being uſually imbezilled for want of good Government and Regulation; the King being Patron thereof, out of his piety committed it to the care and Government of the Lord Mayor of *London* for the time being, by this Patent, to prevent the like imbezilments.

REX omnibus, &c. ſalutem. **Quia Calices, Libri, Veſtimenta, Imagines, Campanæ**, & alia Ornamenta & Bona Hermitagii juxta *Crippelgate*, quod eſt de advocatione noſtra, **& quod celebris memoriæ Dominus *H.* Rex pater noſter *Roberto de Sancto Laurentio* Capellano, cum omnibus pertinentiis ſuis dedit ad inhabitand.** quoad vixerit, poſt deceſſum Heremitarum heremitagii illius, tempore vacationis ejuſdem, tam per viros Eccleſiaſticos, quam Laicos ſubtrahi & aſportari ſolent, pro eo quod heremitagium illud non fuit tunc ſub certa Cuſtodia & protectione alicujus. Nos ad hujuſmodi dampna & pericula ibidem impoſterum evitanda remedium adhibere volentes, **Majorem noſtrum** London. qui pro tempore fuerit, ejuſdem hermitagii **nomine noſtro** quamdiu nobis placuerit, **Cuſtodem deputabimus et Protectorem**, ut ipſe heremitagium illud inhabitantes, & redditus, & omnia Pat. 3 E. 1. m. 16. intus. De Heremitagio juxta Cripelgate.

An. 3 *E.* 1. alia ad illud pertinentia de cætero nomine noſtro protegat et defendat. Et ſi quid eis forisfactum fuerit, id eis ſine dilatione factat emendari. In cujus, &c. Teſte Rege apud *Kenyngton* 12. die *Julii*.

The Chancellor and Univerſity of *Oxford*, having at their proper coſts founded a Chappelry in the Church of St. *Maries* in the middeſt of the Town, to pray for the ſafety of the King, his Queen, Children, anceſtors, and all their benefactors, the King highly commending their piety therein, and endeavouring to promote it, writ to all the Archbiſhops and Biſhops of *England* and *Ireland*, to grant ſome ſpecial indulgences to all who ſhould reſort to this Chappelry to hear Maſs or Prayers, by this Patent, wherein he thus expreſſed his Soveraign care to advance Religion and Gods Worſhip, as the chief part of his Regal office; and records the honour and eminency of this famous *Univerſity*, as the Fountain from whence the faculty of Theology, and the living waters of mens ſouls, did flow, and to which many reſorted from forraign and remote parts to learn Philoſophy and Divinity.

Pat. 3 E. 1. m. 34. intus. De Eccleſia beatæ Mariæ Oxon.

REX *Venerabilibus in Chriſto Patribus Archiepiſcopis & Epiſcopis, per Regnum* Angliæ, *& terram* Hiberniæ *conſtitutis ſalutem.* Rem honeſtam agere credimus, cum ad id ex officio Regiæ dignitatis intendimus, per quod divini cultus augetur nominis, et animarum ſalus, bivorum ſcilicet et fidelium defunctorum ſalubriter procuratur; jocundum nihilominus reputantes ſi ad præmiſſorum deſiderata et fœlices effectus amore virtutis, effundimus cum efficacia preces noſtras. *Cum igitur dilecti & fideles noſtri* Cancellarius et Univerſitas villæ noſtræ Oxon. *ubi ſuum poſuerunt trivium & quadrivium fundamenta*, ubi fons ſcaturit Theologicæ facultatis, ac ubi undæ animæ hominum venientium de longinquis, Philoſophiæ veſtibus induuntur, in Eccleſia beatæ Virginis dicti loci Capellaniam quandam deliberatione ſancta nuper et provida duxerint ſtatuendam, ut in ea tam pro noſtra, Conſortis et liberorum noſtrorum incolumitate corpora, quam pro recolendæ memoriæ Domini genitoris, ac aliorum progenitorum noſtrorum, et omnium Benefactorum Univerſitatis ejuſdem remedio animarum, Majeſtati divinæ ſacrificia offerantur. *Et ad hæc incommutabiliter exequenda perpetuum Capellanum in ea*, cui neceſſaria pro ſuſtentatione vitæ de proprio deputarent, duxerint ordinandum. Nolque deſideremus ex corde, quod pia ipſorum ordinatio et honeſta fidelium Chriſti ſubſidiis ſuſtententur, ut devotionis per hoc cumulus augeatur, univerſitatem veſtram attente requirimus et rogamus, quatinus div'næ retributionis intuitu et noſtrorum rogaminum omnibus qui ad Miſſarum ſollempnia Capellaniæ prædictæ cauſa devotionis et orationis accellerint, indulgentias aliquas ſecundum quod poteſtatis vobis a Deo datæ requirit officium, concedatis, ut ex hoc vobis a Deo præmium, et a nobis commendationis titulus, et multiformium gratiarum actiones poſſint et debeant merito provenire. *Teſte Rege apud* Woodſtock *in craſtino beati* Thomæ *Martyris, Anno Regni noſtri Tertio.*

He likewiſe out of his favor and reſpect to this Univerſity, and the advancement of Learning and Religion, confirmed all their former Priviledges and Charters, to convene the Burgeſſes of the Town before them in all perſonal actions, commanding the Mayor and Bailiffs of *Oxford* to obſerve them to their power, and likewiſe iſſued a Writ to the Mayor and Bayliffs of *Oxford*, for regulating the exceſſive priſes of victuals, beer, wine, according to their Oath, by the advice and aſſiſtance of the Chancellor.

Pat. 3 E. 1. Pro Scolaribus Univerſitatis Oxon.

REX *omnibus, &c. ſalutem.* Sciatis quod de gratia noſtra ſpeciali conceſſimus Scolaribus Univerſitatis *Oxon.* quod de omnibus actionibus perſonalibus poſſint convenire Burgenſes, et alios Laicos municipii noſtri *Oxon.* coram Cancellario ejuſdem Univerſitatis, et quod per prohibitionem noſtram ſuper hoc nequaquam impediantur. *In cujus, &c. pro noſtra libito voluntatis duraturas. Teſte Rege apud* Weſtm. *xxx. die* Octobris.

Ibid. De Cancellar. & Scolaribus Univerſit. Oxonii.

REX *Vicecomiti, Majori, & Ballivis ſuis* Oxon. *ſalutem.* Volentes dilectis nobis Cancellario et Scolaribus Univerſitatis *Oxon.* a progenitoribus noſtris Regibus *Angliæ* per literas ſuas patentes conceſſa, quibus hucuſque rationabiliter

nabiliter uſi ſunt in omnibus et ſingulis ſuis articulis inbiolabiliter obſerbari, bo- bis mandamus, quod Cancellario et Scolaribus prædictis prbilegia prædicta conſerbetis illæſa, et ab aliis omnibus quantum in bobis eſt illæſa conſerbari faciatis in forma prædicta. *In cujus, &c. quamdiu Regi placuerit duraturas. Teſte Rege apud* Weſtm. 4. *die* Novembris. *An.* 3 E. 1.

REX *Majori & Burgenſibus ſuis* Oxon. *ſalutem. Cum bonas & legales denaratas victualium facere, ac certam modificationem precii vini & rerum aliarum venalium in prædicta villa noſtra providere & ſtatuere quæ vos præfatæ Major. & alii Ballivæ noſtri ejuſdem Villæ*, de conſilio et aſſenſu Cancellarii et Procuratorum Uniberſitatis ipſius Willæ, et birtute juramenti præſtiti fideliter obſerbari facere teneamini, Piſtores, et Bzaciatrices, necnon et alii bictualium benditores aſſisas noſtras in pane, potu, et maxime in bini benditione, et cæterorum bictualium frangentes, bujuſmodi bictualia carius quam de jure facere debent bendunt in Willa prædicta, ad grabe dampnum ipſius Uniberſitatis, et totius communitatis ejuſdem Willæ, et in læſionem juramenti beſtri et aſſisarum noſtrarum prædictarum, ſicut ex relatu quorundam fidelium noſtrorum plenius intellexim̃us. *Et ideo vobis firmiter injungentes mandamus*, quatinus aſſisas noſtras in bujuſmodi bictualibus, certam modificationem precii, tam bini quam rerum aliar. benalium de conſilio et aſſenſu prædictorum Cancellarii et Procuratorum in Willa noſtra prædicta plenius obſerbari et probideri faciatis. Scolares inſuper Uniberſitatis prædictæ, ſuis libertatibus et conſuetudinibus libere uti permittatis, prout temporibus retroactis eis rationabiliter uſi ſunt: Ita ne clamor ad nos inde probeniat iteratus, per quod manum ad hoc apponere debeamus. *Teſte Rege apud* Weſtm. 2. *die* Maii. Clauſ. 3 E. 1. m. 18. dorſo. To Cancellar. & Scolaribus Univerſitatis Oxon.

The Citizens of *Norwich* being ſeverely * puniſhed, impriſoned, fined to the King, and to the Prior and Monks of *Norwich*, for burning and ſpoyling their Monaſtery and Cathedral Church, in the laſt year of King *Henry* the 3. and ordered to pay their damages thereby ſuſtained; thereupon there were certain Perſons choſen to mediate an accord between the Biſhop, Prior, Covent and Citizens, what damages they ſhould pay them; who varying in the ſums, the one party demanding 4000, and the other profering them only 2000 marks; they both at laſt agreed to referr themſelves to the Kings final Arbitrement concerning the ſum; who ordered the Citizens to pay 3000 marks damages to them at ſeveral payments, as this Record informs us. * See Here, Tom. 2. page 1065, to 1068.

CUM ſuper actionibus & querelis quas Venerabilis Pater *R. Norwicen.* Epiſcopus, *Prior & Conventus* ejuſdem loci ex parte una, & Communitas *Civium Norwicen.* ex altera, aſſerebant adinvicem ſe habere ratione combuſtionis Eccleſiæ et Prioratus Norwic. ac dampnorum datorum occaſione combuſtionis ipſius hinc inde, et alia ratione quacunque, mediantibus Decano *Sar.* et *Thoma de Clare* tractatus pacis inter partes fuiſſet habitus; Fuiſſentque per dictos Epiſcopum, Priorem & Conventum pro omnibus ſupradictis *quatuor millia Marcarum* petita a Communitate prædicta: Ac ex parte Communitatis ejuſdem *duo millia Marcarum* oblata pro bono pacis: Tandem prædicti Epiſcopus & Prior pro ſe & Conventu ſuo, & *Ad. de Toftys, Willus de Rollesby, Henr. le Chancer*, & *Rogerus de Tudenham*, Cives *Norwicen.* pro dictâ Communitate, ſuper prædictis omnibus in Dominum noſtrum Regem tanquam in arbitrum, arbitratorem et ordinatorem alte et baſſe compromiſerunt. Ac bolentes quod ipſe inter dicta quatuor millia Marc. et duo Millia ſcindere et ordinare, et terminos ad ſolbendum ſtatuere, ac omnes actiones & querelas prædictas ſopire baleat pro ſuæ libito boluntatis, promiſerunt ſe quicquid idem Rex inter ipſas partes dicendum, arbitrandum vel ordinandum duxerit pace vel judicio ſuper præmiſſis inbiolabiliter ſerbaturas, & facturas prædictum Conventum & dictam Communitatem in omnibus obſervari, Ad quæ compelli per poteſtatem Regiam conceſſerunt. Clauſ. 3 E. 1. m. 3. intus. Compromiſſ. Epiſcopi Norwicen. Prioris & Conventus ejuſdem loci, & Civium Norwicen.

UNde *Nos* Edwardus *Dei gratia Rex* Angliæ, *Dominus* Hiberniæ, *& Dux* Aquitaniæ, *Habito ſuper præmiſſis prudentum virorum conſilio, In nomine Patris, & Filii, & Spiritus Sancti, Dictum noſtrum dicimus & proponimus in hunc modum*: Inprimis Dictum Regis ſuper eodem Compromiſſo

An. 3 *E.* 1 primis dicimus et ordinamus, quod omnes actiones et querelæ quas habebant, vel habere poterant adinvicem uſque hanc diem, ratione vel occaſione prædictis, remittantur hinc inde. Et quod dicta Communitas reddat dictis Priori et Conventui ad reparandum ſeu reædificandum Eccleſiam et Prioratum prædictos, Tria Millia Marcarum ad terminos inſraſcriptos, videlicet, quolibet anno Quingentas Marcas; medietatem ſcilicet ad *Quindenam Pentecoſtes*, & aliam medietatem ad *Quindenam Sancti Martini*, quouſque dicta ſumma (*Tria millia Marcarum*) fuerit integrè perſoluta. Dicimus etiam et ordinamus, quod dicta Communitas faciat fieri unum vas aureum ponderis decem librarum auri, precii Centum librarum argenti, ad tenendum corpus Chriſti ſuper altare dictæ Eccleſiæ. Dicimus inſuper et ordinamus, quod dicti Prior & Conventus faciant ex quacumque parte voluerint portam & introitum dicti Prioratus, abſque dampno vel prejudicio alieno. Adhuc dicimus et ordinamus, quod prædicti Epiſcopus, Prior et Conventus bona fide in Curia Romana et alibi ſumptibus Communitatis, exceptis expenſis quas faciet Nuncius prædictorum Epiſcopi, Prioris et Conventus, qui ibit ad *Curiam Romanam ad impetrandam relaxationem ſententiarum latarum in dictam Communitatem et Civitatem Norwic. procurent, quod dicta Communitas et eorum Civitas a Sententiis Excommunicationis, et Interdicti, et aliis latis in ipſos rationibus et occaſionibus ſuprædictis, abſolvantur, et dictæ ſententiæ totaliter relaxentur. Et ſi fortè ſuper præmiſſis vel eorum aliquo dubitationem aliquam oriri contigerit, Nos declarandi et interpretandi dubitationem hujuſmodi, retinemus Nobis plenariam poteſtatem. *Dat. apud* Weſtm. *v. die* Octobris, *Anno r. n. Tertio.*

* Which uſurped a Juriſdiction to excommunicate & Interdict them, only to get money by their abſolution.

The King having the year before iſſued a Proclamation to baniſh all forraign Merchants who were Uſurers (as ſinfull and miſchievous perſons) out of *London* and the Realm by a day, under pain of impriſonment and confiſcation of their goods, iſſued this Writ to inquire after the perſons and goods of all ſuch who diſobeyed his Proclamation, and to ſeiſe their goods and perſons for their contempt.

Cl. 3 E. 1. m. 23. intus. De bonis Mercatorum Vſurariorum arreſtand. et cuſtodiendis.

REX *dilectis & fidelibus ſuis Fratri* Joſeph de Chancy, *Theſaur. ſuo, &* Johi de Lovetot. *&* Galfrido de Neuland, *duobus vel alteri eorum ſalutem.* Cum nuper publice clamari fecerimus quod omnes Mercatores Uſurarii infra Civitatem noſtram London. et alibi infra regnum noſtrum commorantes, infra certum diem jam præteritum, ſub gravi forisfactura exirent regnum ſuprædictum; *Ac quidam eorum in Civitate prædicta & alibi in Regno noſtro adhuc morentur*, contra inhibitionem noſtram prædictam, *ut accepimus*; *Vobis mandamus*, quod inquiſita ſuper hoc caute et diligenter veritate, ſi aliqui hujuſmodi Mercatores infra dictam Civitatem vel extra in Regno noſtro prædicto inveniantur, tunc corpora eorum et omnia bona et catalla ſua in quorumcumque manibus ea inventri contigerit, ſine dilatione aliqua arreſtari, et ſalvo cuſtodiri faciatis, donec aliud a nobis ſuper hoc receperitis in mandatis. *Et ità circumſpectè & diligenter vos habeatis in hoc mandato noſtro exequendo, quod diligentiam veſtram exinde meritò commendare debeamus. Teſte Rege apud* Ringwood, *xxiii. die* Januar.

The King according to the Law of Merchants, and cuſtom of the Realm, having diſtrained the goods of all the Merchants of the Biſhop of *Leige*, for a debt owing by this Biſhops predeceſſor to the Merchants of *Florence*, for monies lent him to diſpatch his and his Churches affaires in the Court of *Rome*; at the Popes ſpecial requeſt, releaſed their goods by this Patent, the Biſhop having promiſed to pay them the debt in his own Country.

Pat. 3 E. 1. m. 34. intus. Pro Mercatoribus & hominibus Epiſcopi Leodien.

REX *omnibus, &c. ſalutem. Cum nuper ad querimoniam* Hugonis Papæ *& ſociorum ſuorum Mercatorum* Florentinorum, *mandaverimus Majori & Vicecomitibus* London. *& Ballivis noſtris* Suthk. *quod omnes Mercatores de terra & poteſtate Epiſcopi* Leodienſ. *ad partes* Angliæ *accedentes per bona & catalla ſua*, ſecundum legem Mercatoriam, et conſuetudinem Regni noſtri diſtringerent, *ad ſatisfactionem præfatis Mercatoribus* Florentinis *de quadringentis Marcis quas ipſe* Willielmo *Elicto predeceſſori predicti Epiſcopi* in * Curia *Romana* ad negotia ſua et

* Where nothing could be obtained but for money.

Leod.

Leod. Eccleſiæ expediendâ mutuo tradiderunt, *prout prafati Mercatores* Florentini *pecuniam illam ſibi deberi rationabiliter oſtendere poſſent coram iis.* Ac Dominus Papa nos inſtanter requiſierit, *ut, cum* Johannes *jam Epiſcopus* Leodienſ. *paratus ſit ſuper hoc eis in partibus ſuis exhibere juſticiæ complementum, diſtrictionem illam Mercatoribus & hominibus de Epiſcopi* Leodienſ. *remitteremus ad præſens.* Nos precibus dicti Domini Papæ annuentes in hac parte, *Vobis mandamus, quod dictis Mercatoribus et hominibus dicti Epiſcopi* Leod. *occaſione debiti aut mutui prædicti non gravetis in aliquo vel moleſtetis. In cujus, &c. Teſte Rege apud* Woodſtock 28 *die* Decembris. *Anno* 3 E. 1.

After the deceaſe of *William Button* Biſhop of *Bath* and *Wells*, (the Proceſſe and form of whoſe election, as likewiſe of his predeceſſors *Walter Gifford*, tranſlated to *Yorke*, I finde regiſtred in a very fair hand in the Leiger Book of the Priory of *Bath*, *p.*91. to 103.) The King upon the Petition of the Prior and Covent of *Bath*, and of the Dean and Chapter of *Wells*, granted this licenſe to them to elect a new Biſhop.

REX dilectis ſibi in Chriſto, Priori & Conventui *Bathon.* ſalutem. Accedentes ad nos fratres *Johannes Precentor*, et *Thomas de Wynton* Commonachi veſtri cum literis Capituli veſtri patentibus, nobis ex parte veſtra humiliter ſupplicarunt, ut cum Eccleſia veſtra *Bathon.* & Eccleſia *Wellenſis* ſint per deceſſum bonæ memoriæ *Willielmi* nuper Epiſcopi veſtri paſtoris ſolacio deſtitutæ, vobis & Decano & Capitulo *Wellen.* alium eligendi Epiſcopum licentiam concedere dignaremur. Nos igitur veſtris in hac parte precibus favorabiliter inclinati, Licenciam illam vobis et ipſis duximus concedendam, *Mandantes, quatinus vos una cum ipſis,* talem vobis eligatis in Epiſcopum et paſtorem, qui Deo devotus, regimini Eccleſiarum prædictarum neceſſarius, nobiſque et regno noſtro utilis et fidelis exiſtat. In cujus &c. Teſte Rege apud *Oveſton* xx. die *Decembr.* Pat. 3 E 1. m. 34. Intus. De Licentia eligendi.

REX dilectis ſibi in Chriſto Decano & Capitulo *Wellenſi* ſalutem. Accedentes ad nos dilecti nobis *Henr. de Monteforti*, & Magiſter *Robertus de Brandon*, cum literis Capituli veſtri patentibus, nobis humiliter ex parte veſtra ſupplicarunt, ut cum Eccleſia veſtra *Wellenſis*, & Eccleſia *Bathon.* ſint per deceſſum bonæ memoriæ *Willielmi* nuper Epiſcopi veſtri paſtoris ſolacio deſtitutæ, vobis & Priori & Conventui *Bathon.* alium eligendi Epiſcopum licentiam concedere dignaremur. Nos igitur veſtris in hac parte precibus favorabiliter inclinati, Licentiam illam vobis et ipſis duximus concedendam. Mandantes quatinus vos una cum ipſis, talem vobis eligatis in Epiſcopum et paſtorem, qui Deo devotus, Regimini Eccleſiarum prædictarum neceſſarius, nobiſque et regno noſtro utilis et fidelis exiſtat. In cujus, &c. Teſte ut ſupra. Ibid.

How they proceeded in their Election upon this Licenſe to elect *Robert Burnell*, I finde thus recorded in the Leiger Book of the Priory of *Bath*, p. 109.

MEmorandum *de forma Electionis facta per viam compromiſſi in Eccleſia Cathedrali* Wellen. *de Domino* Roberto Burnell, *ſub forma qua ſequitur.* Omnibus Chriſti fidelibus, ad quos præſens ſcriptum pervenerit, *Walterus* Prior, & Conventus *Bathonienſes*, *Edwardus* Decanus, & Capitulum *Wellenſes*, ſalutem in Domino. Noveritis quod nos conſtituti in Capitulo *Wellenſi*, in Craſtino Sancti *Vincentii*, anno Incarnationis Dominicæ Milleſimo ducenteſimo ſeptuageſimo quarto, ad eligendum futurum Pontificem aſſignati, ob tranquillitatem *Bathonienſis & Wellenſis* Eccleſiarum & bonum pacis, dilectis in Chriſto fratribus noſtris, *Ricardo* Suppriori *Bathonienſi*, *Martino de Dunſter*, *Matthæo de Dunſter*, *Johanni de Redingges*, *Thomæ de Winton. Richardo de Cherubury*, & *Johanni Præcentori*, Monachis *Bathonienſibus*, *Thomæ* Archidiacono *Wellenſi*, *Henrico de Monteforti*, Magiſtris *Conſtantino*, *Philippo de Stanton*, *Willielmo* Subdecano, *Roberto de Grandon*, & *Rogero de Cruk*, Canonicis *Wellenſibus*, ad eligendum nobis & ipſis de gremio, ſeu collegiis Eccleſiarum noſtrarum prædictarum Epiſcopum & Paſtorem hac vice ad diem prædictam, ommittimus vices noſtras. Ratum habituri & firmum quicquid omnes ipſi, xiii. xii. xi. ſeu x. de eis ad minus, in dicto Electionis negotio, dicta die, duxerint faciendum.

Promittentes

An. 3 E. 1. Promittentes firmiter, quod ipſum habebimus in Prælatum, quem duxerint eligendum in dictarum Eccleſiarum noſtrarum patrem & paſtorem. Dat. die, loco, *Wellenſ.* &c. ſupradictis. In cujus rei teſtimonium ſigilla noſtra præſentibus ſunt appenſa.

In nomine Domini noſtri Jeſu Chriſti Amen. Anno Incarnationis ejuſdem 1274. Regnante Domino *Edwardo* illuſtri Rege *Angliæ*, menſe *Januario*, in Craſtino Sancti *Vincentii*, 1. ſcilicet Kal. *Februarii* *Bathon.* & *Wellen.* Eccleſiis Paſtoris ſolatio deſtitutis per mortem bonæ memoriæ *Willielmi* nuper ipſarum Epiſcopi, corporeque ipſius Patris tradito ſepulturæ, à Priore & Conventu *Bathon.* & Decano & Capitulo *Wellenſibus*, dicta die ad eligendum præfixa, vocatis vocandis in Capitulo Cathedralis Eccleſiæ *Wellen.* invocata Sancti Spiritus gratia; Nos *Ricardus* Supprior *Bathon.* *Martinus* Prior de *Dunſter*, *Matthæus de Dunſter*, *Johannes de Redingges*, *Johannes* Præcentor *Bathon.* *Thomas de Wynton*, *Ricardus de Chernibury*, Monachi *Bathonienſes*; *Thomas* Archidiaconus *Wellenſis*, *Henricus de Monteforti*, Magiſtri *Conſtantinus*, *Philippus de Staunſtone*, *Willielmus* Subdiaconus, *Robertus de Graundon*, & *Rogerus de Cruk*, Canonici *Wellenſes*; quibus commiſſa fuit poteſtas à Priore & Conventu *Bathon.* à Decano & Capitulo *Wellen.* providendi de Paſtore, habito inter nos ſuper his diligenti tractatu, poteſtate eadem in Dominum *Robertum Burnell* Canonicum *Wellen.* virum providum & diſcretum, **ſcientem et valentem Eccleſiarum jura tueri**, patrem & Epiſcopum noſtrum præficiendum conſentimus. Unde Ego prædictus *Thomas* Archidiaconus *Wellen.* pro me & con-compromiſſariis meis antedictis, de mandato & voluntate ipſorum con-compromiſſariorum meorum vice mea & omnium noſtrum, eundem Dominum *Robertum* eligo nobis & Eccleſiis noſtris Epiſcopum & Paſtorem. Et ut fides huic Electioni adhibeatur, præſentibus Sigilla *Capitulorum noſtrorum* ſunt appenſa.

Upon the Certificate of this their Election to the King, he gave his Royal aſſent thereto by this Patent.

Pat 3 E. 1. m. 32. De aſſenſu electioni factæ

REX *Venerabili in Chriſto Patri* R. Cantuar. *Archiepiſcopo, totius* Angliæ *Primati ſalutem; Sciatis quod electioni nuper celebratæ in Eccleſiis* Bathon. & Wellen. *de diſcreto viro* Roberto Burnell *Canonico* Wellen. *in Epiſcopum ejuſdem loci* **Regium aſſenſum adhibuimus et favorem.** Et *hoc vobis tenore præſencium ſignificamus, ut quod veſtrum eſt in hac parte exequamini. In cujus, &c. Teſte Rege apud* Kaveresham, 3 *die* Febr.

Ibidem. De aſſenſu electioni factæ.

REX *Electioni nuper celebratæ in Eccleſia* Wellen. *per Priorem & Conventum* Bathon. *& Decanum & Capitulum* Wellen. *de diſcreto viro* Roberto de Burnell *Canonicum* Wellen. *in Epiſcopum* Bathon. & Wellen. **Regium aſſenſum adhibuit et favorem.** Et *hoc ſignificatum eſt Domino* R. Cantuar. *Archiepiſcopo, ut quod veſtrum eſt in hac parte exequatur. Teſte Rege apud* Caverſham 2. *die* Febr.

After his Confirmation by the Archbiſhop, and Fealty to the King, this Writ iſſued for the reſtitution of his Temporalties.

Clauſ. 3 E. 1. m. 31. intus, De reſtitutione Temporalium.

REX *Militibus, liberis hominibus, & omnibus aliis Tenentibus de* Epiſcopatu Bathon. & Wellen. *ſalutem. Cum venerabilis pater* R. Cantuarienſis *Archiepiſcopus totius* Angliæ *Primas, electionem nuper celebratam in Eccleſia* Wellen. *per dilectos nobis in Chriſto Priorem & Conventum* Bathon. *& Decanum & Capitulum* Wellen. *de diſcreto viro* Roberto Burnell *Canonico* Wellen. *cui prius* **Regium** aſſenſum **adhibuimus et favorem, confirmaverit**, *ſicut per literas dicti Archiepiſcopi patentes plenius accepimus*, **nos fidelitatem ipſius Electi recepimus**, *& eidem temporalia prædicti Epiſcopatus cum pertin. pront mobis eſt, reddidimus. Et ideo vobis mandamus, quod eidem Electo tanquam Domino veſtro in omnibus quæ ad Epiſcopatum illum pertinent intendentes ſitis & reſpondentes. In cujus, &c. T. R. apud* Windeſ. 15 *die* Febr.

This Biſhop ſoon after his Conſecration, to end the frequent Controverſies between the King, Abbots of *Glaſtonbury*, and Biſhops of this See, by conſent of the Dean and Chapter of *Wells*, and of the Prior and Covent of *Bath*, exchanged the *Patronage* of the Abbey of *Glaſtonbury*, and ſome other rights therein granted to him

him by former Kings Patents, for the City of *Bath*, as this Patent atteſts, which I finde enrolled in the Clauſe Rolls of this year, and in the Leiger-book of the Priory of *Bath*. *An.* 3 *E.* 1.

VNiverſis Sanctæ Matris Eccleſiæ filiis ad quos præſens ſcriptum pervenerit *Robertus* permiſſione divina *Bathon.* & *Wellen.* Epiſcopus, ſalutem in Domino ſempiternam. Noveritis quod nos de communi conſenſu, & aſſenſu Capitulorum noſtrorum *Bathon.* & *Wellen.* conceſſimus, remiſimus, & quietum clamavimus pro nobis & ſucceſſoribus noſtris imperpetuum, Magnifico Principi & Domino noſtro Domino *Edwardo* Dei gratia Regi *Angliæ* illuſtri, & hæredibus ſuis, ſervicium omnium terrarum & feodorum nunc *Abbatiæ Glaſton.* cum patronatu ſeu cuſtodia ejuſdem Abbatiæ, & pertin. quæ prædeceſſores noſtri habuerunt, ut medii inter Reges *Angliæ*, & Abbas *Glaſton.* ex conceſſionibus inclytæ recordacionis *Richardi*, *Johannis*, & *Henrici* tertii Regum *Angliæ* prædeceſſorum nunc dicti Domini Regis noſtri, & miſericordias Abbatum *Glaſton.* cum in miſericordias Regum vel amerciamenta inciderint, & illam medietatem quæ remanſit *Waltero Gifford*, quondam *Bathon.* & *Wellen.* Epiſcopo & ſucceſſoribus ſuis; per quandam Compoſitionem initam inter ipſum *Walterum* ex una parte, & *Robertum* quondam Abbatem *Glaſton.* ex altera, de omnibus amerciamentis, finibus, eſchapiis latronum, catallis fugitivorum & damnatorum, & de murdr. & de bobus de diſſeiſina provenientibus de terris & feodis hominum Abbatiæ prædictæ, & de omnibus feodis & hominibus eorundem, & ſimiliter alias libertates quas Epiſcopi *Bathon.* & *Wellen.* habuerunt ex dictis conceſſionibus Regum *Angliæ*, ut medii inter Reges ipſos & Abbates *Glaſton.* ſalvis nobis & ſucceſſoribus noſtris & Eccleſiis noſtris *Bathon.* & *Wellen.* imperpetuum Maneriis de *Pokelechurch*, cum advocatione Eccleſiæ ejuſdem Manerii & pertin. ſuis in Com. *Glouc.* *Blakeford* cum libera Capella ejuſdem loci & pertin. ſuis, *Wyneſcumbe* cum advocatione Eccleſiæ ejuſdem Manerii, & pertin. ſuis, & *Cranemere* cum omnibus pertin. ſuis in Comitatu *Sommerſ.* Ita quod idem Manerium de *Cranemere* ſit quietum ab omni ſecta Curiarum & Hundredorum; Et ſalvis nobis & ſucceſſoribus noſtris & Eccleſiis noſtris feodo unius Milit. in *Camolerton*, & feodis ad ſupradicta Maneria pertinentibus, advocationibus Eccleſiarum de *Criſtemeleford* & *Kyngton* in Com. *Wyltes*, *Aſſebur.* in Com. *Berk.* & *Boclond* in Com. *Dorſ.* & eciam amerciamentis, finibus, eſchapiis latronum, catallis fugitivorum & dampnatorum, & de murdris & de bobus de diſſeiſina provenientibus de ſupradictis Maneriis de *Pokelechurch*, *Wyneſcumbe*, *Cranemere* & *Blakeford*, cum pertinentiis & feodis ad ipſa pertinentibus, & omnibus hominibus eorundem feodorum & maneriorum. Ita quod prædicti Abbas & Conventus prædicto Domino Regi & hæredibus ſuis in omnibus dictam Abbaciam feoda & libertates, & alia ut præmittitur contingentibus, **tanquam Dominis et Patronis intendant et reſpondeant immediate.** Et ita quod nos & ſucceſſores noſtri **nichil juris et clameı in prædictis ſerbicio, patronatu, cuſtodia, amerciamentis, libertatibus, et aliis, dicto Domino Regi per nos conceſſis et remiſſis aliquo tempore vendicare bel exigere poterimus in futurum.** Habenda & tenenda omnia ſupradicta per nos Domino Regi conceſſa, & ſine ullo retenemento remiſſa & hæredibus ſuis, **integre et quiete in eſcambium pro Civitate** Bathon. **et ſuburbio ejuſdem Civitatis, una cum domibus, gardino et prato ſubtus Civitatem prædictam ex parte orientali, inter Abbaciam et Civitatem ipſam, et advocacionibus Eccleſiarum ejuſdem Civitatis et ſuburbii,** ſi quæ ad ipſum Dominum Regem pertineant in dicta Civitate & ſuburbio, & una cum omnibus aliis pertinentiis ejuſdem Civitatis ſine ullo retenemento, excepta *Bertona Bathon.* quam Prior & Conventus *Bathon.* tenent de Domino Rege ad feodi firmam, & quæ ipſi Domino Regi & hæredibus ſuis remanet, & eciam pro quibuſdam libertatibus dictam Civitatem contingentibus, **quas Dominus Rex nobis per Cartam ſuam conceſſit,** ſalvis eciam nobis, ſucceſſoribus noſtris, & Eccleſiis noſtris, juribus, poſſeſſionibus, & libertatibus aliis nobis & Eccleſiis noſtris per Reges *Angl.* conceſſis, in quibus non intendimus nobis & ſucceſſoribus noſtris præjudicium generari, occaſione conceſſionis, remiſſionis, & quietè clamacionis quas prædicto Domino Regi & hæredibus ſuis fecimus de prædicto ſervicio, patronatu, cuſtodia, & aliis ſupradictis; **Salvis eciam nobis Eccleſiis et ſucceſſoribus noſtris, jure et juriſdictione Diocesana, ac authoritate in eodem Monaſterio et pertinentibus ad ipſum in omnibus.** In cujus rei teſtimonium Sigillum noſtrum, Clauſ. 3 E. 1. m. 6. dorſo.

An. 3 *E.* 1. noſtrum, unà cum Sigillis Capitulorum noſtrorum *Bathon. & Wellen.* præſentibus eſt appenſum. Dat. Quintodecimo Kal. *Junii*, anno Incarnationis Dominicæ Milleſimo ducenteſimo ſeptuageſimo quinto. His teſtibus, Domino *Waltero* tunc *Roffenſi* Epiſcopo, Magiſtris *Waltero Stamel* Decano *Sarum*, *Thoma de Cantilupo*, Dominis *Rogero de Mortuo Mari*, *Johanne* fil. *Johis*, *Radulpho de Hengham*, *Waltero de Helyon* tunc Domini Regis Juſtic. *Johanne de Kirkeby*, & aliis.

In purſuit and execution of which Exchange, the King iſſued theſe two enſuing Patents to the Citizens of *Bath*, and others, to make livery and ſeiſin thereof to the Biſhop.

Pat. 3 E. 1 m. 19. Pro R. Bathon. & Wellen. Epſcopo.

REX *Civibus* Bathon. *& omnibus aliis tenentibus de eadem Civitate ſalutem. Cum per Cartam noſtram conceſſerimus Venerabili Patri* R. Bathon. *&* Wellen. *Epiſcopo & ſucceſſoribus ſuis ejuſdem loci, necnon & Eccleſiis ſuis* Bathon. *&* Wellen. **Civitatem noſtram** Bathon. **cum ſuburbio, et omnibus aliis pertinentiis ſuis** ſine **aliquo retenemento**, *exceptâ bertona noſtra* Bathon. **Habend. in eſcambium pro patronatu Abbaciæ** Glaſton. *prout in Carta noſtra eidem Epiſcopo inde confecta plenius continetur*; *Vobis mandamus, quod eidem Epiſcopo & ſucceſſoribus ſuis predictis,* **tanquam Dominis veſtris in omnibus quæ ad Civitatem prædictam pertinent** de **cætero intendentes ſitis et reſpondentes**, *ut predictum eſt. In cujus, &c. Teſte Rege apud* Weſtm. *xv. die* Jun.

Ibidem.

REX *dilectis ſibi* Willielmo Sleghe, *&* Godefrido Horſet *ſalutem. Cum per Cartam noſtram conceſſerimus Venerabili patri* R. Bathon. *&* Wellen. *& ſucceſſoribus ſuis Epiſcopis ejuſdem loci, necnon & Eccleſiis ſuis* Bathon. *&* Wellen. **Civitatem noſtram** Bathon. **cum ſuburbio, et omnibus aliis pertin. ſuis,** *excepta bertona noſtra* Bathon. **Habend. in eſcambium pro patronatu Abbaciæ** Glaſton. *prout in Carta noſtra eidem Epiſcopo inde confectâ plenius continetur*; *Vobis mandamus,* quod **dictam Civitatem cum omnibus pertinentiis ſuis, excepta bertona prædicta, eidem Epiſcopo vel ſuo certo Attornato literas noſtras deferenti ſine dilatione liberetis, et plenam ſeiſinam inde habere faciatis.** *In cujus, &c. Teſte ut ſupra.*

a Mat Weſtm, Anno 1275. p. 364.

[a] *Mat. Weſtminſter* informs us; *Obiit hoc anno* Johannes Bretoun *Epiſcopus* Herefordenſis, *qui admodum peritus in Juribus* Anglicanis, **librum de eis conſcripſit**, *qui vocatur*, Le Bretoun; *Cui ſucceſſit* Thomas de Cantilupo. Which is likewiſe ſeconded by *Johannes Bale* Catalogus Scriptorum Brit. Centur. 4. c. 44. *Johannes Pitſens* Relationum Hiſt. de Rebus Anglicis, Tom. 1. Ætat. 13. An. 1275. Sir *Edward Cookes* Preface to his 10. Report, Dr. *Cowels* Interpreter, Tit. *Britton*, *Centuriæ Magdeburgenſes* 13. c. 10. and *Francis Godwin* in the Life of *Britton* Biſhop of *Hereford*, who all record, that this Biſhop was a great Lawyer, and that he writ a Book, *De Legibus Anglicanis*, ſpending his time in hearing ſecular Cauſes, inſtead of preaching the Goſpel, and diſcharging his Epiſcopal function; for which *John Bale* Biſhop of *Oſſery* paſſed this cenſure upon him: Johannes Bekton (ſo he ſtiles him) **utriuſque Juris Doctor**, *&* *Epiſcopus* Herefordenſis, *magna per hos dies apud Regem & Principes authoritate vulebat*, **in Juriſprudentia inſigniter eruditus**, ſed **qualis interim fuerit in ſtudio Legis divinæ pro Evangelii miniſterio, ad quod tunc vocabatur, apud nullos certe ſcriptores invenio.** *Leges utiles ac neceſſarias fore, quis non novit? Dum pro privato leguleiorum commodo non ſint, ſed pro communi civium utilitate conſcripta. Facta ſunt Leges* (*inquit* Iſodorus) *ut earum metu humana coerceatur praceps audacia, tutaque maneat inter improbos Innocentia.* **At Evangelii miniſtrum Epiſcopum, qui ſolis eloquiis ac promiſſionibus Chriſtianum paſceret gregem, in illis verſari, quæ ad cauſas ſpectat forenſes, ut in** Anna et Caiapha, **plus quam Judaicum eſt.** *Nihilominus congeſſit* Johannes *ad communem* (*ut dicunt*) Anglorum *Reipublicæ utilitatem, ingens opus ex variis ſcriptis collectum.*

b Sir Roger Owen, & Mr. John Seldens Notes upon Hengham, p. 119.

De Legibus Anglicanis, l. 1. Edwardo Henrici *Regis filio* (*inquit* Lelandus) *tum præterea toti plebi longè utiliſſima hæ Leges erant.* But [b] *others* more probably affirm, that this Book, *De Legibus Anglia*, was not written or collected by this Biſhop, but by another *John le Breton*, a Judge under King *Henry* the 3. ſurviving this Biſhop, who dyed *Anno* 3 *E.* 1. whereas this Book makes mention of the

Statute

Statute of *Glouceſter*, *Anno* 6 *E.* 1. in his Chapter *De Purchaſe Conditionel*, c. 36. and of the Statute of *Winton*, *Anno* 13 *E.* 1. cap. 20. *De Pluſors Torts*, being 10. years after his deceaſe, and ſo could not be writ by him. But whoever was Author of it, he thus informs us of the Juriſdiction of the King and his Temporal Judges, over the Eccleſiaſtical Courts Encroachments in that age. *Prologue* f. 1. b. publiſhed in the Kings name: **Nous voluns que noſtre Jeriſdiction ſoit ſur touts Juriſdictions en noſtre Royalme.** Cap. 20. *De Pluſors Torts*, f. 32, 33. **Soit auſi enquis de Clerks que teinent pleez de ley gent de autres choſes que Teſtament, et de Patrimoyne, ou de Diſmes,** (which they had then encroached by their *Canons) **ou que eyent juge aſcun lay home en Court Chriſtiene a aſcune compunction de argent, ou aſcun autre point que en le pointz avantditz,** (whereof Inteſtate Goods were none, of which they had then no Juriſdiction) **ou que ount la quil a tort Excomenge, et a tort fait prendre et empriſoner. Et auſi de ceux que ount autres graves per Bulles per double ſomonſe a un jour en diverſe lieues per malice; et toutz ceux ſoient punys par priſon, et par fyn.** And Cap. 4. f. 11. *Si le Clerke encompe de Felonie allege Clergye, & ſi ſoit tiel trone, & par Ordinarie demande, ſi ſoit enquis coment il eſt miſcreu. Et ſi il ſoit miſcreu, ſi ſoient les chateux taxes & ſes terres priſez en noſtre mayn,* **et * ſon corz delivere al Ordinarie. Et ſi le Ordinarie le delivere hors de ſa priſon avaunt due acquitance ſolonc purgation de Clers, ou ſi il le face ſi negligentement garder, qe il eſchape, ou ſi malicioſement le fait tener, que il ne poit a ſa purgation tener, et de ceo ſoit atteynte, en cheſcun pointe ſoit le Ordinarie en noſtre mercye.** *Et ſolonc ceo que le Ordinarie nous ſerra aſſavoir del acquitance de ceux Clers, lour ferront nous faire reſtitution de lour biens, ſi ils ne eyent de fuy noſtre pees.* **Car nous volons qe ſaynte Eſglíſe eyt ſes franchiſes deſblemies, iſſint qe ele eyt conyſance a juger de pure Spiritualte de Teſtament, de Patrimoyne, de Baſtardy, de Bigamie, et de Felonie de ſes Clers, et en corrections de peches, ſauve qe les Ordinaries ne preignent null dener, ne la value des lays, ne de nuly dener facent jugement, forz que de Teſtament, et de Patrimoyne, et de pure Spiritualte, et de amendement de Cymiters, et de defaut de Eſgliſes, et de Mortuaries, et de Diſmes, en preſudice de nous. Et ſi null Ordinarie demande per lay ou per Procuratour tiel que tout eſt lays, ou bigams, ou de autre condition, que il ne doit la franchiſe del Clergie enjoyer, volons que toutz ſoient comaundes a la priſon, en ſoient punys par priſon. Et auſi ſoit de Procuratour qui ſe profere pur le Ordinarie ſauns garrant per letter.** The later of which particulars, concerning Bigamy, Churchyards, Mortuaries, our Biſhops and Ordinaries had then newly encroached, uſurped to themſelves, by their own Canons and Conſtitutions, as you may clearly diſcern by Sir *Henry Spelmans Concilia, Decreta, Leges, Conſtitutiones in re Eccleſiarum Orbis Britannici*, Tom. 2. p. 133, 192, 203, 241, 299, 318, 365, 390, 391, 449, 453, 454.

An. 3 *E.* 1.

*See Spelman. Concil. Tom. 2. p. 237, 250, 316, to 320. 384, 391, &c.

* See 3 E. 1. c. 2. Here p 154, 155.

The Kings licenſe, upon the Dean and Chapter of *Hereford*s petition, to elect a New Biſhop in the place of *John Breton* after his deceaſe, with his confirmation of their Election of *Thomas de Cantilupo*, and reſtitution of the Temporalties to him after his confirmation by the Archbiſhop of *Canterbury*, without the Popes approbation or privity, are thus recorded in the Patent Roll of 3 *E.* 1.

Pat. 3 E. 1. m. 23 intus. De licentia eligendi.

REX dilectis ſibi in Chriſto Decano & Capitulo Hereford. *ſalutem. Accedentes ad nos* Willielmus de Conſteys *Archidiaconus* Hereford. *& Magiſter* Lucas de Bree *Canonicus* Herefordenſis, *cum literis patentibus Capituli veſtri* **nobis humiliter** er parte **veſtra ſupplicarunt**, *Quod cum Eccleſia veſtra* Herefordenſis *paſtoris ſolatio, per mortem bonæ memoriæ* J. *nuper* Herefordenſis *Epiſcopi, ſit deſtituta,* **alium vobis eligendi in Epiſcopum et paſtorem licentiam concedere dignaremur. Nos igitur precibus veſtris in hac parte annuentes, licentiam illam vobis et ipſis duximus concedendam:** *Mandantes,* **quatinus talem vobis aſſumatis in Epiſcopum, qui Deo devotus, regimini Eccleſiæ veſtræ neceſſarius, nobis et regno noſtro utilis et fidelis exiſtat.** *In cujus,* &c. *Teſte Rege apud* Weſtm. 23 *die* Maii.

An. 3 *E.* 1.
Ibid. De De aſſenſu electioni.

REX **Electioni nuper factæ** *in Eccleſia* Herefordenſi *de diſcreto viro Magiſtro* Thoma de Cantilupo *Canonico ejuſdem Eccleſiæ*, **Regium aſſenſum adhibuit et favorem.** *Et hoc ſignificatum eſt venerabili patri* Cantuarienſi *Archiepiſcopo, ut quod ſuum eſt in hac parte exequatur. Teſte Rege apud* Weſtm. 20 *die* Junii.

Pat 3 E 1 m. 19 De Temporalibus reſtituendis
* See Godwins Catalogue of Biſhops, p. 376 377.

REX *Militibus, liberis hominibus, & omnibus aliis tenentibus de Epiſcopatu* Heref. *ſalutem. Cum venerabilis Pater* R. Cantuar. *Archiepiſcopum electionem nuper factam in Eccleſia Cathedrali* Hereford. *de Magiſtro* Thoma de Cantilupo *Canonico ejuſdem Eccleſia in* * *Epiſcopum loci prædicti*, **cui prius Regium aſſenſum adhibuimus et favorem, confirmaverit,** *ſicut per literas patentes ejuſdem Archiepiſcopi accepimus. Nos confirmationem illam acceptantes*, **cepimus fidelitatem ipſius Electi, et temporalia Epiſcopatus prædicti, prout moris eſt, reſtituimus eidem.** *Et ideo vobis mandamus, quod eidem* Thomæ **tanquam Domino veſtro et Electo loci prædicti in omnibus ad Epiſcopatum prædictum pertinentibus de cætero intendentes ſitis et reſpondentes.** *In cujus, &c. Teſte Rege apud* Bernes *xxvi. die* Jun.

Et mandatum eſt Hugoni de Kendal, *Cuſtodi Epiſcopatus prædicti, quod eidem Electo Temporalia Epiſcopatus prædicti reſtituat in forma prædicta. Teſte ut ſupra.*

The King upon complaint of the Biſhop of *Exon.* iſſued this Writ to preſerve the rights, and to enquire of, and puniſh the encroachments upon the Biſhop and Biſhoprick by the Earl of *Cornwall.*

Pat. 3 E 1. m. 19. dorſo.

REX *dilectis & fidelibus ſuis* Henr. de Monteforti, & S. de Roffa, *ſalutem. Monſtravit Nobis venerabilis pater* W. Exon. *Epiſcopus, quod cum ipſe ſit verus Patronus Abbaciæ de* Herthylannd, *& ipſe & prædeceſſores ſui Epiſcopi ejuſdem loci in omnibus & ſingulis vacacionibus ejuſdem domus ſemper cuſtodiam ejuſdem Abbaciæ habere conſueverunt, tanquam veri patroni ejuſdem loci*; *Ac* Oliverus de Dinaunt *jam termino elapſo dum prædictus Epiſcopus nobiſcum in partibus* Vaſcon. *in ſervicio noſtro, quo tempore eundem Epiſcopum, homines, terras, res, redditus, & omnes poſſeſſiones ſuas ſuſceperamus* **in protectionem et defenſionem noſtram ſpecialem: & dum Officiales** *& Ballivi ejuſdem Epiſcopi per Ballivos Com.* Cornub. *occaſione contentionis inter ipſos Epiſcopum & Comitem mota* **detenti fuerant in priſona, cuſtodiam Abbaciæ prædictæ ſuper Epiſcopum prædictum occupabit, et bona domus illius acti ad ipſum pertinuiſſent bi, et contra voluntatem Canonicorum et aliorum hominum ejuſdem** loci **cepit, et conſumpſit, et pecuniam non modicam per indebitas diſtrictiones** ab eis **extorſit, ut per eaſdem extorcionem et occupationem patronatum ejuſdem domus poſſet in futuris vacacionibus ſuis ſibi et hæredibus ſuis attrahere, et ſeiſinam inde vendicare, in prædicti Epiſcopi et Eccleſiæ ſuæ** Exon. **præjudicium, et exhæredacionem manifeſtam.** *Et quia manifeſtè liquet*, quod prædicto **Epiſcopo et Eccleſiæ ſuæ prædictæ poterit ex hoc diſpendium non modicum ſubiri, niſi citius remedium ad hoc opponi faciamus**; *Volentes quod partibus inde juſticia celeriter fiat in hac parte, aſſignavimus vos* **ad inquirendum per Sacramentum proborum et legalium hominum de Com.** Devon. **per quos rei veritas melius ſciri poterit, veritatem** præmiſſorum, **et ad eaſdem tranſgreſſiones, tam de dicta occupatione quam de extorſionibus et dampnis prædictis audiend. et terminand. ſecundum Legem et conſuetudinem Regni noſtri.** *Et ideo vobis mandamus, quod ad certos diem & locum quos ad hoc provideretis inquiſitionem, &c. & eaſdem tranſgreſſiones, &c. audiatis, ſalvis, &c. Mandatum eſt Vicecomiti* Devon. *quod venire faciat, &c. ad certos, &c. tot & tales, &c. In cujus, &c. Teſte Rege, &c.* iiij. *die* Novembris.

The King during the Vacation of Biſhopricks, defended their rights againſt others ſuits and encroachments, and likewiſe paid pentions iſſuing out of their lands due to Hoſpitals and poor people by way of alms, as appears by this allowance to the Guardian of the Temporalties of the Archbiſhop of *Canterbury*, and ſundry others of like nature in the *Liberate Rolls.*

Liberate An. 3 E. 1.

REX Baronibus ſuis de Scaccario ſalutem. Allocate Magiſtro *Ricardo* in exitibus Archiepiſcopatus *Cantuar.* quadraginta marcas pro expenſis ſuis

quas

quas fecit in Itinere Juſtic. noſtrorum apud *Cantuar.* pro Juribus prædicti Archiepiſcopatus defendendis, & decem libras pro expenſis ſuis quas fecit in Itinere Juſtic. noſtrorum apud *Cyceſtr.* ſi hujuſmodi pecunia aliis Cuſtodibus tempore vacationis allocari conſueverit pro hujuſmodi expenſis factis in Itineribus conſimilibus. Allocate etiam prædicto Magiſtro *Ricardo* in exitibus prædictis ſexaginta & decem ſolidos & decem denarios quos per præceptum noſtrum liberavit Magiſtro Hoſpitalis de *Severhach* pro duobus annis & dimid. ad ſuſtentationem ejuſdem domus de elæmoſyna conſtituta, niſi pecunia illa eidem Magiſtro *Ricardo* prius fuerit allocata. T. Rege apud *Kenyton* x. die *Julii.* *An.* 3 *E.* 1.

The King by his Soveraign Eccleſiaſtical Juriſdiction, iſſued this Commiſſion for the viſiting of his free Chappel of *Haſtings*, and placing a Dean therein.

REX dilecto fratri *Willielmo de Faureſham* ſalutem. De circumſpectione & peritia veſtra ſpecialiter confidentes, vos in Domino deprecamur, quatinus hac inſtanti die Sabbati apud *Haſtinges* perſonaliter accedentes, Capellam noſtram beatæ Mariæ loci ejuſdem, tam in rebus quam in perſonis cum diligencia viſitetis, corrigentes corrigenda, ac reformantes quæ in eadem videritis reformanda. (without any oath) Ad hæc aliquem virum providum & diſcretum de gremio ejuſdem Capellæ loco Decani perficiatis, qui loco eidem præſit & proſit in rebus & perſonis, quouſque aliud duxerimus ordinandum. T. Rege apud *Weſtm.* 7 die *Maii*, anno r. n. tercio. Pat. 3 E. 1. m. 25. De viſitacione in Capella Regis de Haſtinges facienda.

Several Freers deſerting their Houſes and Orders; the King upon complaint by his Eccleſiaſtical prerogative iſſued theſe Writs for their apprehenſion, and delivering them over to thoſe of their Order.

REX Vicecomitibus & omnibus aliis Ballivis & fidelibus ſuis, &c. ſalutem. Quia pro certo intelleximus quod aliqui de fratribus Sancti Auguſtini ſpreta profeſſione ſua Ordinem prædictum egreſſi bagantur per plures Com. regni noſtri in diſpendium animarum ſuarum, et prædicti Ordinis ſcandalum manifeſtum: Et volumus ad ipſorum fratrum ſic bagancium inſolenciam reprimendam, fratribus prædicti Ordinis literas Capituli ſui ſuper hoc habentibus ſubvenire; *Vobis præcipimus*, quod fratres ejuſdem Ordinis ſic bagantes ubicumque inventi fuerint in Ballivis veſtris ſine dilacione arreſtari, et fratribus dicti Ordinis liberari faciatis, ſecundum Regulam prædicti Ordinis caſtigandos. Talem diligenciam ad hoc apponentes quod eam merito commendare debeamus. In cujus, &c. per annum duraturas. Teſte Rege apud *Weſtm.* xx. die *Junii.* Pat. 3 E. 1. m. 19. intu. De fratribus vagabundis.

REX Vicecomitibus & omnibus aliis Ballivis & fidelibus ſuis, &c. ſalutem. Quia pro certo intelleximus quod aliqui de Fratribus Ordinis Sancti *Auguſtini* ſpreta profeſſione ſua, Ordinem prædictum egreſſi, bagantur per plures Comitatus regni noſtri, in diſpendium animarum ſuarum, et prædicti Ordinis ſcandalum manifeſtum; Et volumus ad ipſorum fratrum ſic bagancium inſolenciam reprimendam fratribus prædicti Ordinis ſubvenire: Vobis præcipimus, quod fratres ejuſdem Ordinis ſic bagantes, ubicunque inventi fuerint in Ballivis veſtris, ſine dilacione arreſtari, et fratribus dicti Ordinis liberari faciatis. Talem diligentiam ad hoc apponentes quod eam merito commendare debeamus. In cujus, &c. Teſte Rege apud *Clyve* xxx. die *Novembris.* Pat. 3 E. 1. m. 36. intus. De fratribus vagantibus arreſtand

What Juriſdidiction King *Edward* exerciſed in *Ireland* in the election of Biſhops, what indulgences he granted to them out of ſpecial grace, what Eccleſiaſtical Dignities and Benefices he there conferred, and what perſons he there advanced to Church dignities; as alſo what care he took to ſave and ſecure his prerogative by the graces he indulged to any of them this year; theſe Records will inform us.

REX Electioni nuper factæ in Eccleſia Cathedrali *Clovenſi* de fratre *Alano Clongam* de Ordine Minorum in ejuſdem loci Epiſcopum, Regium aſſenſum adhibuit et favorem: Et hoc ſignificatum eſt Domino *A. Caſſalen.* Archiepiſcopo, ut quod ſuum eſt in hac parte exequatur. In cujus, &c. Teſte Rege apud *Wyndeſ.* xviii. die *Febr.* Pat. 3 E. 1. m. 3. De conſenſu electioni adhibito.

Anno 3 *E.* 1.

De Temporalibus reſtituendis.

REX dilecto & fideli ſuo *Galfrido de Genvill* Juſtic. *Hibern.* ſalutem. Cum electioni nuper factæ de fratre *Alano de Clungan* de Ordine Minorum in Epiſcom *Cloven.* Regium aſſenſum adhibuerimus et ſabozem; Attendentes quod prædictus Electus circa hujuſmodi perfectionem negocii ſui diucius laboravit; & volentes ulterioribus hujuſmodi laboribus ſuis parcere in hac parte; Vobis mandamus, quod ſi contingat electionem pzædictam canonice confirmari, tunc recepta ab ipſo Electo nomine noſtro fidelitate nobis in caſu iſto debita, Tempozalia Epiſcopatus pzædicti eidem liberetis; Receptis tamen pzius literis patentibus figilli Capituli *Clevenſis* ſignatis, quod hæc gratia noſtra quam eidem Electo ad pzæſens ex mera liberalitate conceſſimus; pzoceſſu tempozis in pzæjudicium vel exhæredacionem noſtram ad conſequenciam non trahatur. Teſte Rege apud *Wyndeſ.* xxi. die *Febr.* Anno ejuſdem Tercio.

Pat 3 E. 1. m. 19.

REX dilecto & fideli ſuo *Galfrido de Genvill* Juſtic. ſuo *Hibern.* ſalutem. Cum electioni nuper factæ in Eccleſia Cathedralem de *Ros* de fratre *Petro O Hullican* Ordinis *Ciſtercienſis* in Epiſcopum loci prædicti, Regium aſſenſum adhibuerimus et ſabozem. Nos attendentes quod prædictus Electus circa proſecutionem negocii electionis prædictæ diucius laboravit; et volentes ſuis labozibus et expenſis parcere in hac parte; Vobis mandamus, quod ſi contingat Electum pzædictum in Epiſcopum loci pzædicti canonice confirmari, tunc recepta ab ipſo Electo nomine noſtro fidelitate nobis in caſu iſto debita, Tempozalia Epiſcopatus prædicti eidem liberetis. Receptis tamen pzius literis patentibus figillo ſuo, necnon et figillo Capituli de Ros ſignatis, quod hæc gratia noſtra quam eidem Electo ad pzæſens ex noſtra liberalitate mera conceſſimus, nobis vel hæredibus noſtris non cedat in pzæjudicium vel exhæredacionem, ſeu trahatur in conſuetudinem vel conſequenciam tempozibus futuris. In cujus, &c. T. Rege apud *Aylesbyr.* xxv. die *Marcii.*

Pat 3 E. 1. m. 19 dorſo.

REX dilectis & fidelibus ſuis *Bartho. de Suthleye*, & *Willielmo Hamelyn* ſalutem. Cum *Richardus de Wyneleſlegh* Præcentor Eccleſiæ *Lechmen.* in *Hybern.* jam diu vacantis, quam in pzotectionem et deſenſionem noſtram ſuſcepimus, in veniendo in regnum noſtrum *Anglia* à partibus *Hybernia*, ad petendam a nobis licentiam ſibi eligendi Epiſcopum, nuper tranſitum fecerit per villam *Philippi Marmiun de Thamworth*, ubi ipſe detentus infirmitate moram traxit per tres menſes & amplius, *Johannes* le Procuratour, *Nicholaus fitz Laden*, *Rob.* fil. *Rad. de Monte*, *Garinus le Normaunt*, & *Nicholaus* ſerviens *Willielmi le Tayllard* ex miſſione præfati *Philippi* exierunt caſtrum ipſius *Philippi de Thamworth* vi & armis, & duobus garcionibus ipſius *Nicholai* abſtulerunt duos equos ejuſdem *Ricardi*, qui audito rumore de prædatione illa, levavit clamorem & hutesium ſuper eoſdem deprædatores, & eos inſecutus fuit à Comitatu *Staff.* uſque Vic. *Warr.* ad caſtrum ipſius *Philippi*, ubi equi prædicti detinentur, & deprædatores prædicti receptantur, qui quidem deprædatores poſtmodum in prædictum *Richardum* inſultum fecerunt, & ipſum verberaverunt, ſanguinem traxerunt, & ipſum modis aliis malè tractaverunt, non ſolum ad ipſius *Richardi* grave dampnum, immo in noſtri contemptum manifeſtum, ac contra pacem noſtram et pzotectionem noſtram ſupzadictam. Nos igitur ad hoc feſtinum remedium adhiberi cupientes, aſſignavimus vos ad inquirendum per Sacrament. &c. de Com. *Staff.* & *Warr.* minimè ſuſpectorum, per quos, &c. Et ad plenam & celerem juſticiam eidem *Richardo* inde faciendam, prout ſecundum legem & conſuetudinem regni noſtri fuerit faciendum. Aſſignavimus eciam vos ad atthaciandum præfatum *Philippum* & alios per Vic. noſtros locorum prædictorum. Ita quod habeant corpora eorum coram nobis à die Sancti *Johannis* Baptiſtæ in unum menſem ubicumque tunc fuerimus in *Anglia*, ad reſpondendum nobis de contemptu prædicto, & aliis quæ ſibi objicere voluerimus in hac parte. Et ideo vobis mandamus, quod ad certos, &c. præmiſſa faciatis in forma prædicta. Et dictam Inquiſitionem inde diſtinctè & apertè factam, nobis ſub ſigillis veſtris & ſigillis eorum per quos facta fuerit, qualem vos & ipſi warrantizare voluerit is ſine dilacione mittatis, & hoc breve. Mandavimus enim Vicecomitibus noſtris Com. prædictorum quod ad certos, &c. venire faciant, &c. minimè ſuſpectos per quos, &c. Et etiam quod attachient præfatum *Philippum* & alios, ita quod habeant corpora eorum coram nobis ad diem ſupradictum prout

eis

eis ſcire facietis ex parte noſtra. In cujus, &c. Teſte Rege apud *Weſtm.* xxx. die *Junii.* *Anno* 3 *E.* 1.

REX dilectis ſibi in Chriſto Decano & Capitulo *Imilac* ſalutem. Accedens ad nos *Laurencius Florens Walenſis*, Concanonicus veſter, cum literis patentibus ſigillo Capituli veſtri ſignatis, nobis ex parte veſtra humiliter ſupplicavit, quod cum Eccleſia veſtra per mortem *Matthæi* nuper Epiſcopi veſtri, paſtoris ſolacio ſit deſtituta, vobis alium eligendi in Epiſcopum et paſtorem licentiam concedere dignaremur. Nos igitur precibus veſtris in hac parte condeſcendentes, licenciam illam vobis duximus concedend. Mobis mandantes, quod talem vobis eligatis in Epiſcopum et paſtorem, qui Deo devotus, Eccleſiæ veſtræ neceſſarius, nobiſque et Terræ noſtræ Hiberniæ utilis et fidelis exiſtat. In cujus, &c. Teſte Rege apud *Weſtm.* v. die *Maii.* Pat. 3 E. 1. m. 26. De licentia eligendi.

REX Electioni nuper factæ in Eccleſia Cathedrali *Imelacenſi* de diſcreto viro fratre *David* Abbate de *Sancta Cruce* in *Imelacen.* Regium aſſenſum adhibuit et favorem. Et hoc ſignificavit Domino *Caſſalenſi*, ut quod ſuum eſt in hac parte exequatur. T. R. apud *Weſtm.* xxiv. die *Junii.* Pat. 3 E. 1. m. 17. intus. De aſſenſu electioni adhibito.

REX Militibus, liberis hominibus, & omnibus aliis de Epiſcopatu *Imelacen.* ſalutem. Cum venerabilis pater *David* Archiepiſcopus *Caſſalenſis* electionem nuper factam in Eccleſia Cathedrali de *Imelac.* de fratre *David* Abbate *Sanctæ Crucis* Ordinis *Ciſtercienſis* in Epiſcopum loci prædicti *Imelacenſis*, cui Regium aſſenſum prius adhibuimus et favorem confirmaverit, ſicut per literas patentes præfati Archiepiſcopi plenius accepimus. Nos confirmationem illam acceptantes, cepimus fidelitatem ejuſdem Electi, et temporalia Epiſcopatus prædicti (prout moris eſt) reſtituimus eidem. Et ideo vobis mandamus, quod eidem fratri David tanquam Domino veſtro in omnibus quæ ad Epiſcopatum illum pertinent de cætero intendentes ſitis, et reſpondentes, ut prædictum eſt. In cujus, &c. T. R. apud *Bekel.* ii. die *Aug.* Pat. 3 E. 1. m. 14. intus. De Temporalibus reſtitutis.

REX dilectis ſibi in Chriſto Archidiacono & Clero Eccleſiæ **Coverenſis* ſalutem. Accedens ad nos Magiſter *Adam de Slymbrigg* Procurator veſter, cum literis patentibus ſigillo Cleri Eccleſiæ veſtræ ſignatis nobis ex parte veſtra humiliter ſupplicavit, quod cum eadem Eccleſia per mortem R. nuper Epiſcopi ejuſdem loci paſtoris ſolacio ſit deſtituta, vobis alium eligendi in Epiſcopum licenciam concedere dignaremur. Nos igitur veſtris precibus in hac parte benignè condecedentes, licenciam illam vobis duximus concedendam. Mandantes quatinus talem vobis eligatis in Epiſcopum et paſtorem, qui Deo devotus, regimini Eccleſiæ veſtræ neceſſarius, nobiſque et terræ noſtræ Hiberniæ utilis et fidelis exiſtat. In cujus, &c. T. R. apud *Marleberg.* vii. die *Jan.* * *Conerenſi.* Pat. 3 E. 1. m 34. De licencia eligendi.

REX Electioni nuper factæ in Eccleſia *Conerenſi* de Magiſtro *Petro de Dunath* in Epiſcopo ejuſdem loci, Regium aſſenſum adhibuit et favorem. Et hoc ſignificatum eſt Domino *N.* Archiepiſcopo *Armacano*, ut quod ſuum eſt exequatur in hac parte. T. R. apud *Wynd.* iv. die *Marcii.* De Temporalibus reſtituendis.

REX dedit & conceſſit dilecto Clerico ſuo *Willielmo de Salinis* Archidiaconatum *Dublin.* cum Præbenda eidem Archidiaconatu annexa, quem Magiſter *Willielmus de Nortòfeld* defunctus habuit in prædicta Eccleſia *Dublin.* vacantes, ac ad donationem Regis ſpectantes, rationè Archiepiſcopatus Dublin. vacantis, et in manu Regis exiſtentis. Et mandatum eſt Decano & Capitulo Sancti *Patricii Dublin.* quod eidem *W Villo* ſtallum in Choro & locum in Capitulo, prout moris eſt, aſſignent. T. R. apud *Marleberg.* vi. die *Januar.* Pat. 3 E. 1. m. 34. De Archidiaconatu dato.

REX dedit & conceſſit dilecto Clerico ſuo *Iter. Bochard* illam præbendam quam *Galfridus de Inſula* habuit in Eccleſia prædicta vacantem, & ad donationem Regis ſpectantem, rationè Archiepiſcopatus Dublin. vacantis, et in manu Regis exiſtentis. Et mandatum eſt Decano & Capitulo loci illius, quod eidem *Iter.* ſtallum Pat. 3 E. 1. m. 36. De præbenda data.

An. 3 *E.* 1. lum in choro, & locum in Capitulo, prout moris eſt, aſſignent. Teſte Rege apud *Clyve* iii. die *Dec.*

Pat. 3 E. 1. m. 33. intus. De Vicaria conferenda.

REX dilecto Clerico ſuo *Thomæ de Cheddeworth* Cancellar. *Dublin.* ſalutem. **Sciatis, quod dedimus vobis poteſtatem conferendi Vicariam Eccleſiæ** de Domenathliac. **in Archidiaconatu** Dublin. **vacantem, et ad donacionem noſtram ſpectantem, ratione Archiepiſcopatus** Dublin. **vacantis, et in manu noſtra exiſtentis,** alicui Capellano idoneo, qui Eccleſiæ prædictæ deſerviat, **et in eadem reſidenciam faciat perſonalem.** In cujus, &c. Teſte Rege apud *Ambresbyr.* xv. die *Januarii.*

The Prior of the Hoſpital of St. *Johns* of *Hieruſalem* in *Ireland*, being commanded by the King to repair into *Ireland* for its ſafety, and refuſing to go, becauſe commanded by his Superior to repair to him into the Holy Land; the King thereupon by his Soveraign authority enjoyned him notwithſtanding to go into *Ireland*, under pain of ſeiſing and confiſcating all the lands and goods belonging to that Houſe, for his neglect and contempt therein.

Pat. 3 E. 1. m. 17. intus. De Terra Hibernæ.

REX dilecto ſibi in Chriſto fratri *Willielmo* fil. *Rogeri*, Domorum Hoſpitalis Sancti *Johannis Jeruſalem* in *Hibern.* Priori, ſalutem. Quia pluries requiſiti à nobis quod ad partes *Hibern.* pro noſtra & totius terræ utilitate ſine dilatione qualibet rediretis, prætendiſtis, quod cum eſſetis à religioſo viro fratre *Hugone Revel* Magiſtro Domorum veſtrarum in partibus Terræ Sanctæ ſuperiore veſtro vocati, quod ad eundem in Terra Sancta perſonaliter veniretis, **cui Magiſtro nolebatis ſicut nec debebatis promiſſam et debitam obedienciam violare, noſtris non poteratis mandatis ſuper hoc obedire.** Quare nos conſiderantes incommoda quæ nobis & toti terræ *Hiberniæ* poſſent per veſtram abſenciam evenire; **Vobis ſub incurrimento omnium terrarum et tenement. quæ Domus veſtra tenet in** Hibernia, **firmiter injungimus, quatinus remoto cujuſlibet excuſationis et dilacionis obſtaculo, ſicut domum veſtram ab amiſſione tantorum bonorum et rerum conſervare** vultis **indempnem, mandatum noſtrum exprceſſum ſuperius compleatis. Alioquin ad captionem prædictorum prout nobis videbitur procedemus.** Nos enim erga dictum Magiſtrum veſtrum ſuper mora veſtra vos excuſatos faciemus haberi. In cujus, &c. Teſte Rege apud *Bernes*, xxvii. die *Jun.*

How much the Biſhop of *Waterford* the Kings Treaſurer of *Ireland*, was this year buſied in improving the Kings lands there, and in ſecular affairs, inſtead of diſcharging his Spiritual office, and what penſion he received; theſe Records will inform us.

Pat. 3 E. 1. m. 36. intus. Pro Epiſcopo Waterford.

REX Omnibus, &c. ſalutem. Sciatis quod conceſſimus venerabili patri *Stephano* Epiſcopo *Waterford.* Thеſaurario noſtro *Hyberniæ*, **quadraginta libras ſingulis annis percipiendas a nobis ad Scaccarium noſtrum** Dublin. videlicet unam medietatem ad Scaccarium noſtrum *Paſchæ*, & aliam medietatem ad Scaccarium noſtrum Sancti *Michaelis*, **ad ſuſtentationem ſuam quamdiu ſteterit in officio ſupradicto.** In cujus rei teſtimonium has literas noſtras fieri fecimus patentes. Teſte meipſo apud *Clyve* xxvi. die *Novembris*, anno regni noſtri Tertio.

Ibid. De Dominicis appruiandis. * Improved.

REX Venerabili in Chriſto Patri *S.* eadem gratia *Waterfordenſi* Epiſcopo Theſaurario ſuo *Hiberniæ* ſalutem. Quia intelleximus **quod Dominica noſtra et terræ noſtræ** Hiberniæ **per veſtram circumſpectionem et diligentiam plus ſolito** *appruiari **poterunt** ad opus noſtrum. *Vobis mandamus*, **quod Dominica noſtra et terras noſtras vobis propinquiores per conſilium dilecti et fidelis noſtri** Galfridi de Genevill **Juſtic. noſtri** Hiberniæ **appruietis ad opus noſtrum modis omnibus quibus poteritis, et nobis videbitis expedire**; Aliaſque terras noſtras remociores aliis ad firmam ſeu ad campipartem vel alio modo committatis per conſilium prædicti Juſtic. noſtri. Ita quod per ipſos qui terras illas ſic recipiat fideliter inde reſpondeatur ad Scaccarium noſtrum *Dublinie.* Et ad hoc faciendum vobis quamdiu nobis placuerit damus poteſtatem. Mandantes quod taliter in hac parte vos habeatis, quod Dominica

nica et terræ noſtræ ibidem tempore veſtro per circumſpectionem et induſtriam veſtram magis ſolito appruiari videantur ad opus noſtrum. In cujus rei teſtimonium has literas noſtras vobis mittimus patentes. Teſte meipſo apud *Clyve* xxvii. die *Novembris*, anno Regni noſtri Tercio. *An.* 3 E. 1.

REX Venerabili in Chriſto Patri *S. Waterford.* Epiſcopo ſalutem. Cum aſſignaverimus vos ad inquirendum ſuper quibuſdam tranſgreſſionibus & exceſſibus *Willielmi* filii *Warini* de tempore quo fuit Seneſcallus noſter *Ulton.* impoſitis, & ſuper quibuſdam aliis nos in partibus *Hiberniæ* tangentibus, damus vobis poteſtatem prædictum *Willielmum* interim à prædicta Balliva ſua amovendi, & alium loco ipſius ſubſtituendi ibidem, ſi videritis expedire. Et ideo vobis mandamus, quod præmiſſa diligenter faciatis in forma prædicta. In cujus, &c. Teſte ut ſupra. Pat. 3 E. 1. m. 30 De poteſtate data S. Waterford. Epiſcopo.

I finde this warrant in the *Liberate Roll* of this year, for paying this pention to the Kings Avocate in the Court of *Rome.*

REX Theſaur. & Camerariis ſuis ſalutem. Liberate de Theſauro noſtro Magiſtro *Angelo*, Advocato noſtro in Curia *Romana* Sexaginta Marcas, ſuper arreragia feodi ſui Quadraginta Marcarum, quod de nobis percepit quouſque proviſum eſſet ei per nos in beneficio valoris Quatervigínti Marcarum, & unde in partem conceſſionis noſtræ prædictæ ſatisfactum eſt ei in Eccleſiaſtico beneficio valoris Quadraginta Marcarum, quam pro arreragiis feodi ſui Quinquaginta Marcarum quod percipere conſuevit ad idem Scaccarium tempore Domini *H.* Regis patris noſtri. T. R. apud *Marleberg.* viii die *Jan.* Liberate, An. 3 E. 1. m. 11.

I ſhall cloſe this year with this Writ, diſcovering the uſe, neceſſity, and Kings care to preſerve his Records, for the juſt defence of his Rights, Royalties both at home and abroad, eſpecially in controverſies and diſputes with *France*, and other Foreign Princes, which I found in the White Tower Chappel by it ſelf.

REX *Theſaurario & Camerariis Scaccarii ſui ſalutem. Quia ſuper omnibus proceſſibus inter nos & anteceſſores noſtros, & Miniſtros ſuos, & ſubditos ac noſtros ex una parte, &* Francorum *Reges, & ſuos ex altera, in Cur.* Franc. *& alibi, quondam & nuper inchoatis & adhuc pendentibus indeciſis* ſuper convencionibus incompletis et omni quæſtionis materia ex guerris, reſiſtenciis, et rebellionibus, exceſſibus, et inobedientiis, et ex aliis delictis quibuſcumque de novo hinc inde exortis, per Juriſperitos ex parte noſtra deputand. tam in partibus tranſmarinis quam cismarinis, in proximo habere volumus conſilia et tractatus. Et nonnulli ex dictis proceſſibus, et ex Bullis, Cartis, Literis, inſtrumentis, rotulis et memorandis ad defenſionem juris noſtri in hujuſmodi proceſſibus, convencionibus et quæſtionis materia neceſſariis vel utilibus in veſtra, et Cuſtodis privati Sigilli noſtri, et aliorum Miniſtrorum noſtrorum cuſtodia London. et alibi exiſtunt, ut accepimus; vobis mandamus, quod omnes hujuſmodi Bullas, Cartas, Literas, inſtrumenta, rotulos et memoranda in dicti Cuſtodis privati Sigilli noſtri, et aliorum quorumcumque Miniſtrorum noſtrorum cuſtodia exiſtencia, ab ipſis per indenturas inter vos et ipſos inde conficiendas recipiatis, et ipſorum tranſcripta una cum proceſſibus in cuſtodia veſtra exiſtentibus, et Bullarum, Chartarum, inſtrumentorum et memorandorum in cuſtodia veſtra exiſtencium, et dictos proceſſus, convenciones et quæſtionis materiam tangencium tranſcriptis, et ſpecialiter illis quæ ad Theſ. patris noſtri et ejus Conſilii ordinacione cum dicto patre noſtro ad mutuas Regum viſiones pro homagio faciendo, vel cum Procuratoribus et Nuncits dicti patris noſtri ad Parliamenta Franc. pro juris ſui defenſione in eiſdem portari ſolebant. Et etiam cum quibuſdam aliis quæ ad defenſionem juris noſtri valere poterunt in proceſſibus contra nos ſuper homagio Comitatus Armanaci, et ſuper pluribus aliis contentis in litera credentiæ nobis per Sen. Vaſcon. tranſmiſſa, nuper inchoatis per Clericos noſtros dictis negotiis intendentes, vobis plenius nominand. ad vias conſilia et tractatus coram nobis et Conſiliariis noſtris quoties opus fuerit, uſque ad finalem deciſionem proceſſuum prædictorum exhibend. per Clericos ſufficientes ad hujuſmodi proceſſuum et tranſcriptorum cuſtodiam et informatione m Brev. 3 E. 1.

nem ſuper hiis, et proſecutionem pro eiſdem perſonis et temporibus ac locis quibus decet faciend. portari et cuſtodiri faciatis. Mandamus enim dicto Cuſtodi privati Sigilli noſtri, et aliis Miniſtris noſtris quibuſcumque huiuſmodi Bullarum, Cartarum, Literarum, inſtrumentorum, rotulorum et memorandorum cuſtodiam habentibus, quod ea vobis per indenturas faciant liberari quando per vos ſuper hiis fuerint requiſiti. *Teſte meipſo apud* Walingford 22 *die* Aprilis, *anno regni noſtri tertio.*

An. 4 E. 1.

* Mat. Weſtm. & Th. Walſingham, An. 1276. Platina, Onuphrius, Balæus, and others in his Life.

* *Peter Hiſpan* being elected Pope *An.* 1276. (4 E. 1.) after the death of *Adrian* the 5. and ſtiled Pope *John* the 21. in the very firſt year of his Papacy, ſent this Bull to King *Edward* the 1. (the Original whereof I found in the White Tower Chappel) to demand the arrears of the annual rent of 1000 Marks, for 7 years laſt paſt, and that preſent year, (as his predeceſſor Pope *Gregory* the 10. had done.)

JOHANNES *Epiſcopus ſervus ſervorum Dei, Cariſſimo in Chriſto filio Regi* Angliæ *illuſtri, ſalutem & Apoſtolicam benedictionem.* **Cum cenſum Eccleſiæ** Romanæ **a te annis ſingulis debitum, pro ſeptem annis jam præteritis, et pro anno præſenti complendo in feſto beati** Michaelis **Archangeli menſe** Septembris **proximo venturo, octo millia marcarum ſterlingorum ſolvere tenearis: Serenitatem Regiam requirimus et rogamus, quatinus huiuſmodi pecuniam pro dictis ſeptem annis præteritis, et anno præſenti, videlicet, tria millia marcarum infra menſem poſt receptionem præſentium, et totidem in feſto beati** Johannis Baptiſtæ **proximo futuro, et duo millia in prædicto feſto beati** Michaelis, **dilecto filio Magiſtro** Gifredo de Vecano **Clerico Cameræ noſtræ, et Nuncio noſtro in** Anglia, **nomine noſtro et Eccleſiæ** Romanæ **perſolvas. Nos enim eidem Magiſtro** Gifredo **liberandi et abſolvendi te ab huiuſmodi debito, et faciendi tibi pro nobis et Eccleſia prædicta reſutationem et adquietationem plenariam de hiis quæ a te receperit, prout de jure fuerit plenam tribuimus tenore præſentium poteſtatem.** *Dat.* Viterbii 15 *Kal.* Januarii, *Pontificatus noſtri anno primo.*

I find no anſwer to this Bull, nor was there any payment of theſe arrears then made unto him, as appears by * Pope *Martins* ſubſequent Bull and demand of theſe arrears, for that they were not ſatisfied.

* See Tom. 2. p. 312, 313.

About the ſame time, *Anno* 1276. this Pope *John* granted two new Priviledges to the Monks of St. *Auguſtines Canterbury*, (whoſe * Abbot *Nicholas Anno* 1274. *adivit generale Concilium* Lugduni **in expenſis 200 libr arum**) *per hæc verba.*

* Chron. Wil. Thorne, col. 1921, 1923, 1924.

Johannes *Epiſcopus*; & infra. *Auctoritate vobis præſentium indulgemus, ut in illis parochiis in quibus habetis & juſte percipitis majores ac veteres, novalium quoq; decimas de quibus aliquis hactenus non percepit, pro ea portione qua veteres vos contingunt juxta conſtitutionem & declarationem felicis recordationis* Alexandri *Papæ prædeceſſoris noſtri ſuper hoc editas, libere percipere valeatis ſine juris præjudicio alieni.*

Item idem *Johannes. Auctoritate vobis præſentium indulgemus, ut poſſeſſiones & alia bona mobilia & immobilia quæ perſonis liberis fratrum veſtrorum ad Monaſterium veſtrum è ſeculo fugientium & profeſſionem facientium in eodem, ſi remanſiſſent in ſeculo ratione ſucceſſionis vel alio juſto titulo contigiſſent, & ipſi liberè potuiſſent aliis elargiri, feudalibus duxtaxat exceptis, petere, percipere ac retinere liberè valeatis ſine juris præjudicio alieni.*

This year ſome Eccleſiaſtical Judges holding, and others proſecuting ſuits in Courts Chriſtian for Advouſons, Debts and Chattels, whereof they had no Juriſdiction, againſt the Kings Prohibitions, I find theſe Suits and Attachments proſecuted againſt them for it in the Plea Rolls of *Hill.* 4 *Ed.* 1.

Flac. de Term. Hill. An. 4 E. 1. m. 4. Norff.

Gilbertus de Tichewell *optulit ſe* 4. *die verſus Magiſtrum* Alanum de Freſton *Archidiaconum* Norff. *& Magiſtrum* Willielmum de la Hide, *de placito Prohibitionis*, &c. *Et ipſi non ven. Et præceptum fuit Vicecomiti, quod attach. eos, quod ſint hic à die* Paſchæ *in tres ſeptimanas. Et Vic. ſit auditurus judicium*, &c. *Adhuc de Octabis* Sancti Hilarii.

m. 16. Leic.

Magiſter domus Sancti Lizarii de Burton *optulit ſe* 4. *die verſus* Simonem *Perſonam Eccleſiæ de* Norton, *de placito* **quare ſecutus eſt placitum in Curia Chriſtianitatis de advocatione quartæ partis Eccleſiæ de** Galliby, **contra Prohibitionem, &c** *ad hunc*

hunc diem. Et Epiſcopus nihil inde fecit. Ideo præceptum eſt Vicecomiti, quod attach. prædictum Epiſcopum, quod ſit in Octabis Sanctæ Trinitatis. *Et ibi habeat*, &c. *An.* 4 *E.* 1.

Rogerus de Glantham, & Agn. *uxor ejus, per Attornatum ſuum optulit ſe* 4. *die verſus* Richardum *Epiſcopum* Linc. *de placito, quod*, &c. *& hic haberet* Petrum de Wiſeheth, *& Magiſtrum* Willielmum de Cotes *Clericos ſuos, ad reſpondendum* Agn. *&* Rogero *de placito,* **quare proſecuti ſunt placitum in Curia Chriſtianitatis de Catallis et Debitis, quæ non ſunt de Teſtamento vel Patrimonio, contra Prohibitionem**, &c. *Et ipſi non ven. Et præceptum fuit Vicecom. quod diſtringat eum*, &c. *Et Vicecomes mandavit, quod diſtrictus eſt per triginta boves, & per bladum ad valentiam* 12 *marcarum. Et nichilominus* Theobaldus le Meſſer *de* Haldingham, *&* Robertus Joppe *de eadem, &* Johannes le Bedel *man. eum. Ideo ipſi in miſericordia. Et ſicut prius præceptum eſt Vicecom. quod diſtringat eum per omnes terras*, &c. *Et quod habeat corpus eorum & ſimiliter prædictos exitus in Octabis* Sanctæ Trinitatis. *Et unde Vic. mand.* Ibid. Lincoln.

The King this year by his Soveraign Eccleſiaſtical Prerogative, to prevent the ruine of the Abby of *Reading*, iſſued theſe Patents of Protection, and regulation of the expenſes of it, and of the Cell belonging to it, founded by his Anceſtors, committing its Revenues to certain perſons to defray the Debts thereof.

REX Omnibus, &c. ſalutem. Quia **piam intentionem** quam progenitores noſtri Reges *Angl.* in fundatione Domus & Monaſterii de *Radinges*, quæ ab eiſdem Regibus immediatè noſcuntur eſſe fundata, **diligenter in animo revolvamus, ejuſdem Domus imminentis deſtructionis periculo teneamur celeri ſubvenire remedio, ne dictorum progenitorum in hac parte fraudetur intencio**, & ut ipſorum non ſolum pro eo quod ipſa Domus pro ipſis & nobis noſtriſque ſucceſſoribus fundata extitit, verum etiam tanquam novæ fundacionis ſeu relevacionis Domus ipſius auctores atque participes fieri debeamus. Cum itaque Domus ipſa ſit in multis ſummis pecuniæ nonnullis creditoribus obligata, ad quas ſolverd. abſque diſtractione rerum & bonorum ſuorum non ſufficit, **niſi ipſius et membrorum ſuorum ad tempus expenſæ ſuperfluæ reſecentur.** Nos ejuſdem Domus compacientes ſtatui, & in eadem & membris Deo ſerviencium exoneracioni providere volentes, Domum ſeu * Cellam de *Leminiſtre Hereford.* Dioc. ad Monaſterium prædictum de *Radinges* pleno jure ſpectantem, **cepimus in manum noſtram et in defenſionem noſtram,** veluti ad patronum pertinet ejuſdem, ac omnium rerum & pertinenciarum ſuarum cuſtodiam in temporalibus dilecto nobis *Rolando de Herlegh* Militi, committentes, ac injungentes eidem, **quod fructus, redditus et proventus Domus prædictæ fideliter colligens et conſervans**, Decano & Capellanis in eadem Deo famulantibus neceſſaria in victu & veſtitu competenter inveniat, ac pauperibus mendicantibus, ſecundum quod Cartæ prædictorum fundatorum requirunt ibidem eleemoſynas eroget intuitu caritatis. **Volumus autem quod reſecatis ſuperfluis tam in familia quam in expenſis aliis, et potiſſime in ſuperbenientibus jurta** * **ſtatuti noſtri tenorem, reſiduum redditum et proventuum præfatæ Domus per ipſum proviſum Abbatis et Prioris de** Radinges, **et aliorum quos ad hoc deputandos duximus, in exoneracionem Domus ipſius, et non in alios uſus convertatur.** In cujus, &c. Teſte Rege apud *Gillingham* 26 die *Decembris.* Par. 4 E. 1. m. 34

* Ibid. m. 34. intus. De Cella de Leminiſtre capta in manum Regis.

* 3 E. 1 c. 1.

REX Omnibus, &c. ſalutem. Licet de conſenſu dilectorum nobis in Chriſto Abbatis & Conventus de *Radinges*, Domum ſeu Cellam de *Leminiſtre Hereford.* Dioc. ad ipſum Abbatem & Conventum pleno jure ſpectantem pro exoneracione Domus de *Radinges* quæ multis eſt debitis onerata in manum noſtram ceperimus ipſius cuſtodiam dilecto nobis *Rolando de Herlegh* Militi, in Temporalibus committendo. Nos nolentes quod hujuſmodi captio in manum noſtram poſſit dictis Abbati & Conventui vel eorum ſucceſſoribus in poſterum facere aliquod nocumentum, vel nobis aut hæredibus noſtris capiendi in manum noſtram vel hæredum noſtrorum **ipſam Domum vel aliquam aliam Domorum ipſorum Abbatis et Conventus jus aliquod tribuere**; volumus & concedimus, quod Abbas de *Radinges* qui pro tempore fuerit dicta Domo liberata vel non liberata, poſſit dictam cuſtodem amovere omninoque ſuæ libito voluntatis, & de ipſa Domo prout prius Par. 4 E. 1. m. 34 intus. Pro Abbate & Conventu de Radinges.

An. 4 *E.* 1. poterat ordinare abſque noſtri vel hæredum noſtrorum reclamatione aliqua faciendâ. In cujus, &c. Teſte ut ſupra.

The King likewiſe granted this Patent of Protection to the Abbot and Covent of *Ryvall.*

Pat. 4 E. 1 m. 16 intus. Pro Abbate & Conventu de Ryvall.

REX Omnibus Ballivis, &c. ſalutem. Cum dilecti nobis in Chriſto Abbas & Conventus de *Ryvall.* Mercatoribus & aliis Creditoribus ſuis diverſis in multimodis debitis & immenſis teneantur, ad quorum ſolutionem facultates Domus prædictæ per magnum temporis ſpacium ſufficere non poſſent abſque diſperſione Monachorum & Fratrum Domus illius, vel feodalium ſuorum dilapidacione, ſeu forte Domus ejuſdem ſubverſione totali, **quod nolumus:** Nos imbecillitati ſtatus ipſorum compacientes, ne hujuſmodi diſcriminis aut depreſſionis periculum ipſis videatur imminere, Domum illam cum terris, redditibus, & omnibus poſſeſſionibus ac rebus aliis ad eandem Domum pertinentibus, **cepimus in protectionem et defenſionem noſtram ſpecialem, &c.** as in the forecited Protections to other Houſes. *In cujus, &c. Teſte Rege apud* Eſtwod, 13 *die* Julii. The like Protection and Commiſſion iſſued for the Abbot of *Luntony* in *Wales*, m. 5. *Teſte Rege apud* Weſtm. 28 *die* Novembris.

The King out of his Royal care to defend Chriſtians, and Chriſtian Religion, againſt the invaſions of the Saracens, iſſued this Commiſſion to the Mayor and Citizens of *Baion*, to aſſiſt the King of *Caſtell* with their Ships.

Pat 4 E. 1. m. 34 intus Pro Rege Caſtell.

REX dilectis & fidelibus ſuis Majori & Civibus ſuis *Baion.* ſalutem. Quia intelleximus quod Saraceni ſe præparant ad veniendum hoſtiliter cum magno exercitu in terram kariſſimi fratris noſtri Regis *Caſtellæ* illuſtris, **non ſolum in dampnum ipſius Regis, verumetiam in Chriſtianitatis et aliorum Chriſtianorum partium illarum grave periculum et confuſionem manifeſtam**; vobis mandamus, quod ad requiſitionem ipſius Regis, & ſuorum ſumptibus ſuis ſitis eidem Regi **in auxilium et conſilium Navigio veſtro**, & aliis, quibus melius ſciveritis & poteritis ad reſiſtendum per mare Saracenis prædictis, ne terram dicti Regis, **aut aliorum Chriſtianorum**, cum hujuſmodi exercitu ingrediantur. Tantum inde facientes, **quod a Deo promereri, et a nobis grates reportare poſſitis ſpeciales.** In cujus, &c. Teſte Rege apud *Caneford*, 7 die *Jan.*

The King likewiſe by his Royal authority, and ſpecial grace, ratified all the Lands and Privi.ledges of the Biſhop of St. *Aſaph* in *Wales*, by this Patent.

Pat. 4 E. 1. m. 34. intus. Pro Amano Aſaph. Epiſcopo.

REX Omnibus, &c. ſalutem. Volentes venerabili Patri *Amano* Epiſcopo de Sancto *Aſapho*, optentu dilectionis quam penes perſonam ſuam gerimus, **graciam facere ſpecialem**, conceſſimus pro nobis & hæredibus noſtris, quantum in nobis eſt eidem Epiſcopo & ſucceſſoribus ſuis, & Eccleſiæ ſuæ de Sancto *Aſapho*, **quod ipſi de cætero eiſdem juribus, libertatibus, poſſeſſionibus et conſuetudinibus diu obtentis utantur et gaudeant pacifice et quiete quibus idem Epiſcopus et prædeceſſores ſui Epiſcopi ejuſdem loci uſi et gaviſi fuerant, melius tempore** bonæ **memoriæ Domini** Henrici **Regis patris noſtri.** In cujus, &c. Teſte Rege apud *Wynton.* 20 die *Jan.*

He likewiſe iſſued theſe ſeveral Writs to the Sheriffs and Bayliffs of Liberties in *Derbyſhire* and other Counties, for levying the Diſms granted him by the Pope from the Spiritualty, which ſome Religious perſons and Clerks refuſed to pay, for which they were excommunicated by the Popes authority, and Collectors.

Iterum, m 30. intus De Decima levand

REX Vic. *Derby*, & omnibus Ballivis Hundredorum & Libertatum infra dictum Com. exiſtentibus ſalutem. **Cum nonnulli Religioſi et Clerici Decimam tam Spiritualium quam Temporalium nobis a ſede Apoſtolica ad duos annos conceſſam detineant, et arreragia ejus ſolvere contradicant, propter quod executores ad ipſam Decimam colligendam deputati ipſos excommunicationis ſententia authoritate Apoſtolica innodarunt.** Nos eorum induratam maliciam reprimere volentes; Vobis

bis præcipimus firmiter injungentes, quod prædictam Decimam et ejus arreragia a prædictis detentoribus seu contemptoribus, vel eorundem beneficiis et bonis in Walliba vestra celeriter levari faciatis, quandocumque à dilecto nostro *Gileberto de Sutton.* Clerico, quem ad Decimam colligendam deputavimus, fueritis requisiti. Et hoc nullatenus omittatis. In cujus, &c. Teste Rege apud *La Bruere Templo* ix. die *Marcii.* *An.* 4 E. 1.

Consimiles literæ diriguntur *R. Dunelm.* Episcopo, & Justic. *Cestr.*

Consimiles literæ diriguntur Vicecomitibus *Northumbr. Cumbr. Eborum, Sallop.* & *Staff.* & omnibus Ballivis, Hundredorum & Libertatum infra.

REX *Universis Vicecomitibus suis per Regnum* Angliæ *constitutis, salutem. Dum admentem reducimus & memoriter recensemus quantis sit subjecta periculis* Terra Sancta, *quamque & humanum existat in tanta necessitatis articulo subvenire eidem, grandis compassio in utero cordis nostri suboritur & vehementer inducimur ejus prout possumus obviare discriminibus & commoda promovere.* Dane cum nonnulli Abbates, Priores, Religiosi et Clerici Decimam bonorum suorum, tam Spiritualium quam Temporalium nuper ad sex annos Terræ sanctæ Subsidio in Generali Concilio deputatam, pro duobus annis prædictis retinent, et arreragia ejus solvere contradicunt, propter quod Executores ad ipsam Decimam colligendam in Civitatibus et Diocesibus constituti, in ipsos excommunicationis sententiam latam in eodem Concilio, et suam auctoritate Apostolica sibi concessa tulerunt, et eciam promulgarunt. Nos eorum induratam contumaciam & maliciam reprimere cupientes; Vobis præcipimus firmiter injungentes, quod prædictam Decimam et ejusdem arreragia a prædictis detentoribus seu contemptoribus, vel eorundem beneficiis et bonis levari, et ejusdem Decimæ Collectoribus per solidi celeriter faciatis, quandocumque a Venerab. patre G. Verdun Episcopo seu ipsius Collectoribus fueritis requisiti. Et hoc nullatenus omittatis. *Teste Rege apud* Westm. *xxiiii. die* Julii. *Et sunt sex literæ omnibus Vicecomitibus ut supra directæ de eadem forma.* Pat 4 E. 1 in. 13. De Decima levanda.

The Nobles, Commons, Prelates and Clergy having granted the King a Quindism out of their Liberality, to discharge his Debts contracted in the Holy Land; the King granted this Patent to the Archbishop and his Suffragans, that this grant out of their *free grace* should not be drawn into custom or example.

REX *Omnibus, &c. salutem.* Licet Comites, Barones, ac alii Magnates et Communitas Regni nostri, Quintamdecimam omnium bonorum suorum, et eciam Venerabilis pater R. Cantuar. Archiepiscopi et sui Suffraganei, propter urgentia negocia nostra Subsidium de bonis suis nobis sponte et gracioſe concesserint, Nos per has literas nostras protestamur, beneficium hujusmodi ex sola ipsius Archiepiscopi et Suffraganeorum suorum liberali gratia, et non nomine Quintædecimæ processisse, nec illud a nobis vel hæredibus nostris occasione vel exemplo tali in debitum vel consuetudinem trahi posse. In cujus, &c. Teste Rege apud *Westm.* primo die *Novembris.* Et duplicantur. Pat. 4 E. 1. m. 6. intus. Pro R Cantuar. Archiepiscopo

He likewise issued this Patent and direction for levying it.

REX *Abbatibus, Prioribus, Baronibus, Militibus, liberis hominibus, & omnibus aliis tenentibus de Honore de* Bergaveny *salutem.* Cum Archiepiscopi, Episcopi, Abbates, Priores, Barones, Milites, et omnes alii de Regno nostro Quintamdecimam de bonis suis, quibusdam tamen exceptis, nobis liberaliter concesserunt et benigne, ad exoneracionem debitorum in quibus diversis Mercatoribus de tempore quo morum in Terra Sancta fecimus obligamur; *Nos de affectione & dilectione quas erga nos credimus vos habere, gerentes fiduciam pleniorem, vos affectuosè requirimus & rogamus, quatinus Statum nostrum quoad præmissa plenius intuentes,* Quintamdecimam de bonis vestris, juxta taxmam quam dilecti et fideles nostri Grimbaldus Pannecefot, *&* *Magister* Henr. de Bray, quos ad Quintamdecim in partibus vestris colligendam deputabimus, vobis ex parte nostra exponent, nobis favorabiliter concedatis; *Ita quod à nobis ex hoc grates favorabilius reportare debeatis temporibus opportunis. Et prædictis* Grimbaldo *&* Henr. *in præmissis intendentes sitis & respondentes. In cujus, &c. Teste Rege apud* Turrim London. *xxiiii. die* Novembris. Pat. 4 E. 1. m. 36. intus. De Quintadecima de Honore de Bergeveny.

An. 4 *E.* 1. The General Proctor of St. *Edmunds* and Abbot *Pontiniac.* complaining of divers falſe Proctors, who fraudulently collected monyes in their names and converted them to their own private uſes; iſſued this Commiſſion for their apprehenſion, examination, and puniſhment.

Pat. 4 E. 1 m. 16 De Generali Procuratore beati Edmundi, ac Abbatis & Conventus Pontin.

REX *omnibus Vicecomitibus & Ballivis, ac cæteris fidelibus ſuis ad quos, &c. ſalutem. Ex gravi querela fratris* Hugonis *Generalis Procuratoris beati* Edmundi, *ac Abbatis & Conventus* Pontiniacenſis Antiſiodorenſis *Diœceſis, nuper ad partes* Angliæ *accedentis accepimus, quod quidam propriæ honeſtatis immemores ſub nomine beati* Edmundi *in dicto Monaſterio quieſcentis, per diverſas partes* Angliæ *diſcurrentes, & ſe Procuratores dictæ Domus falsò confingentes*, pecuniam et alia bona nomine præfati Sancti petunt et recipiunt a diverſis, et ea non in uſus, nec ad opus ſeretri jam dicti Sancti, ſed in uſus proprios illicite et inhoneſte convertunt, in dictæ Domus et fratrum fraudem, et dampnum non modicum, ac dicti Sancti vituperium et ſcandalum manifeſtum; *Volentes autem maliciis & inſolenciis hujuſmodi modis quibus convenit obviare, vobis mandamus firmiter injungentes, quod ubicunque tales inveneritis in Ballivis veſtris teſtimoniales dicti Procuratoris non habentes*, ipſos arreſtari et detineri faciatis, *donec de ſtatu & converſacione ipſorum nobis aut Procuratori prædicto conſteterit evidenter*; *proviſo*, quod pecuniam ac alia bona apud eos inventa, vel penes alios nomine ſuo depoſita, Procuratori prædicto, vel ejus certo nuncio, literas ſuas ſuper hoc exhibenti totaliter aſſignentur. *Etſi qui forſitan literas Regias datam præſentium præcedentes ſuper recommendatione vel admiſſione ipſorum ad hujuſmodi eleemoſinas colligendas prædicti Procuratoris teſtimonium legitimum non habentes, exhibeant*, eiſdem literis de cætero minime pareatis. Ipſum vero Procuratorem H. et ab eodem ſubſtitutos protegatis et protegi, ac præfati Sancti negocium promoveri efficaciter faciatis. *In cujus, &c. per biennium duraturas. Teſte Rege apud* Cantuar. *viii. die* Julii.

The King iſſued this Writ on behalf of the Abbot of *Belleiu* on the New Statute of *Weſtm.* 1. *ch.* 1. made but the year before, for the eaſe and benefit of Religious Houſes.

Pat. 4 E. 1. m. 14 Pro Abbate de Bello loco Regis.

REX, *Omnibus ad quos, &c. ſalutem.* Cum in primo Generali Parliamento noſtro *poſt Coronationem noſtram in Craſtino* Octabis Paſchæ *anno Regni noſtri tertio, de voluntate noſtra, & conſiliariorum noſtrorum conſilio, & Communitate Regni noſtri ibidem convocatorum conſenſu*, ad honorem Dei, et utilitatem Eccleſiæ ſuæ ſanctæ, et meliorationem dicti Regni noſtri, ordinaverimus et ſtatuerimus, quod nullus veniat manducare, hoſpitari, vel jacere in domo Religionis quæ non ſit de ſua advocatione, ad cuſtos domus, niſi prius rogatus fuerit & requiſitus à Domino domus, præter Vicecomites, qui venire poterunt cum quinque vel ſex equis tantùm; Ita tamen, quod non gravent Religioſos ſuis crebris adventibus vel pernoctacionibus in domibus vel maneriis eorundem: Et quod nullus ad ſuos proprios Cuſtus domum aliquam Religioſorum intret aut jacere veniat, contra voluntatem Cuſtodum domus; & quod nullus magnus, vel parvus, colore parentelæ vel ſpiritualitatis aut alicujus affinitatis, ſeu aliqua hujuſmodi occaſione in parco currat alieno, nec piſcetur in alterius vivario, nec manducet, neque hoſpitetur in domo aut manerio prælati, vel alicujus alterius, contra voluntatem vel conſenſum aut licenciam Domini vel Ballivi ſui, neque ad cuſtagia Domini loci, neque ad propria, & quod ſi fortè intraverit cum conſenſu Domini, vel ſine conſenſu ipſius Domini vel Ballivi, nullam ſerruram, hoſtium, feneſtram, aut alicujuſmodi firmaturam faciat frangere vel aperire vel per ſe vel per alium, nec aliquid victualium, aut alterius rei ibi capiat colore empcioniis vel aliter, nec faciat triturare, nec capiat de victualibus aut aliis bonis alicujus Prælati, perſonæ, vel alterius Clerici ſive Laici, colore empcionis vel aliter, contra bonam voluntatem & licenciam illius cujus fuerit res, vel Cuſtodis ipſius rei infra villam mercati vel extra; Et quod nullus capiat equos, boves, carros, carrectas, naves, ſeu batellos ad aliquid cariandum vel aliud faciendum, ſine bona voluntate ipſius cujus res fuerit, & tunc ei ſtatim ſatisfaciat ſecundum convencionem habitam inter eos; Et quod illi qui voluerint contra prædicta Statuta venire vel facere, & inde convicti fuerint, adjudicentur priſonæ noſtræ, & inde ſecundum quantitatem

titatem tranſgreſſionis, & ſecundum quod nos & Curia noſtra viderimus bonum eſſe; & quod ſi illi quibus tranſgreſſio facta fuerit ſequi voluerint pro dampnis ſibi factis, adjudicentur & retornentur in duplo; & quod nullus de cætero malum faciat vel gravamen alicui perſonæ Sanctæ Eccleſiæ, aut alicui alteri eâ occaſione quod prandium vel hoſpicium ei fuerit denegatum, aut eo quod aliquis in Cur. eſt conqueſtus de hoc quod gravatus fuit de re aliqua ſupradicta, & quod ſi aliquis ſuper hoc convictus fuerit pœnam in ipſis Statutis noſtris hujuſmodi tranſgreſſionibus proviſam ſuſtineat, & quod articuli antedicti adeo benè ligent noſtros Conſiliarios, Juſtic. de Foreſtis, & alios Juſtic noſtros & foreſtar. ſicut & alios univerſos; & ut articuli antedicti manuteneantur & obſerventur, quod nullus Prælatus, Religioſus, Abbas vel Ballivus, vel aliquis eorum, aut aliquis alius ſuper gravem forisfacturam noſtram aliquem hominem recipiat contra formam antedictam. Cum eciam prohibuerimus, ne aliquis mittat ad Manerium vel Domum Religionis homines, equos & canes, vel aves ad perhendinandum, & quod nullus eos ſi forte mittantur retineat, & quod quicumque hoc fecerit, quia hoc eſt contra defenſionem & præceptum noſtrum, graviter puniantur. Præcipimus inſuper poſtmodum, quod nullus Religioſus nec alius pro debito Regio, nec alterius per animalia quæ terram ſuam excolunt, nec per oves ſuas diſtringatur, dum diſtrictio alterius rei ſufficiens debito vel demandæ poſſit inveniri, excepto inparcamento animalium quando ea in dampno alieno contigerit inveniri, ſecundum conſuetudinem & legem terræ; & quod diſtrictiones minime ſint ſuperfluæ ſet ſecundum bonum valorem per æſtimacionem rationabiles ad quantitatem debiti vel demandæ; *Et Domus* Belli loci Regis Ciſtercienſis *Ordinis in* Suthampton. *à noſtris Progenitoribus ſit fundata, propter quod eandem ſpecialius tenemur diligere, & volumus tanquam res noſtras proprias cuſtodire, vobis inhibemus,* **ne contra tenorem dictorum Statutorum noſtrorum eandem Domum moleſtetis in aliquo indebite vel gravetis. Nolumus autem quod Abbates dicti loci qui pro tempore fuerint contra tenorem eorundem Statutorum in aliquo venire præſumant.** *In cujus, &c. Teſte Rege apud* Weſtm. *xxiiii. die* Julii. *An.* 4 E. 1

The like Writ *verbatim* iſſued this year for the Abbot of *Bildewas, m.* 9. *(mutatis mutandis) Teſte Rege apud* Briſtol, 23. *die* Septembris. The like Writ by way of Inquiſition (upon complaint) iſſued for the Brethren of St. *Thomas* Hoſpital in *Southwarke, num.* 19.

R*EX dilectis & fidelibus ſuis* J. de Lovetot, & El. de Beking *ſalutem. Ex parte fratrum Heſpitalis Sancti* Thomæ de Suthwerke *nobis eſt oſtenſum*, **quod cum nuper ad melioracionem ſtatus Eccleſiæ Sanctæ, et virorum Religioſorum tranquillitatem in regno noſtro. Ac inſuper pro conſervacione et continuacione elemoſinarum quæ in domibus Religioſorum hujuſmodi fieri ſolent, de conſilio noſtrorum proviſerimus et firmiter obſervari ſtatuerimus,** ne qui ad domos ſeu loca aſia Religioſorum in Regno noſtro prædicto ad hoſpitandum in eiſdem, ſeu bona aut victualia ipſorum Religioſorum capienda venire præſumerent, niſi per præfatos Religioſos ad hoc eſſent requiſiti, *Radulphus le Aumoner, Rogerus de Hecweld, Robertus le Ken, Nichus de Hecſend, Johes le Clerk, Nichus le Chapeleyn*, & plures alii advocantes ſe per Venerabilem patrem *N. Winton.* Epiſcopum, *& aſſerentes cuſtodiam ejuſdem Hoſpitalis ad eundem Epiſcopum pertinere, cum ad ipſum non pertineat, Hoſpitale prædictum quod ex pia largicione eleemoſinarum fidelium ad ſuſtentationem fratrum & pauperum Chriſti infirmarum, & ad imbecillitatem vergencium ibidem undique confluencium fundatum eſt, præter licentiam fratrum prædictorum ingreſſi poſſeſſiones, victualia, & alia bona prædicti Hoſpitalis pro voluntate ſua diſſiparunt, diſtraxerunt, & conſumpſerunt, ad ſubſtractionem eleemoſinæ ejuſdem Hoſpitalis, & ſuſtentacionis pauperum, infirmancium, & imbecillium prædictorum, & ſtatus dicti Hoſpitalis ſubverſionem: Ita quod bona dicti Hoſpitalis ad ſuſtentationem fratrum prædictorum non ſufficiunt, in ipſorum fratrum præjudicium & diſtendium non modicum & gravamen, & contra Statutum ſupradictum. Quia verò fratres prædicti parati ſunt in Curia noſtra ſufficienter docere, quod ipſi cedentibus vel decedentibus Magiſtris ſeu Cuſtodibus prædicti Hoſpitalis liberam electionem alium ſibi eligendi Magiſtrum ſeu Cuſtodem habere debent, & liberam hujuſmodi electionem temporibus retroactis hactenus habuerunt.* **Nos deperditioni ſtatus Hoſpitalis et fratrum prædictorum pie compacientes,** Pat. 4 E. 1. m. 3. dorſo.

An. 4 *E.* 1. entes, et eis in ſuis Juribus et libertatibus, prout juſtum fuerit, et Regiam decet Majeſtatem ſubvenire *volentes in hac parte, aſſignavimus vos Juſtic. noſtros, una cum his quos vobis aſſociaveritis, ad querelas fratrum prædictorum ſuper præmiſſis audiend. & terminand. & ad inquirendum per Sacramentum, &c. de Com.* Surr. *per quos, &c. ſi neceſſe fuerit ſuper eiſdem plenius veritatem, & ad juſticiam inde faciendam ſecundum legem & conſuetudinem regni noſtri. Et ideo vobis mandamus, quod vocatis partibus prædictis coram vobis ad certum diem & locum quos ad hoc provideritis, querelas prædictas audiatis & terminetis, & dictis partibus in eiſdem plenum & celerem juſticiam ſecundum legem & conſuetudinem prædictam fieri faciatis, ſalvis, &c. Mandavimus enim Vic. noſtro* Surr. *quod ad certos, &c. partes prædictas & prædictum Epiſcopum, oſtenſur. ſi quid juris habeat in cuſtodia prædicta, & ad faciendum & recipiendum quod juſtum fuerit in hac parte coram vobis venire faciatis, & tot & tales probos & legales homines de Balliva ſua, per quos, &c. In cujus, &c. Teſte Rege apud* Weſtm. *xvi. die* Novembris.

The Biſhop of *Ely* being riotouſly and forcibly diſturbed in his Market, Fair at *Pulham*, View of Frankpledge, and other Liberties belonging to that Biſhoprick; the King upon complaint, by his Regal Soveraignty, iſſued theſe enſuing Patents legally to inquire of and redreſſe the ſame.

Pat. 4 E. 1. m. 17. dorſo. REX dilectis & fidelibus ſuis *Rogero Loveday*, & *Johanni de Metingham*, ſalutem. Sciatis quod aſſignavimus vos ad inquirendum per Sacramentum proborum, &c. de Com. *Norff.* per quos rei veritas, &c. qui malefactores & pacis noſtræ perturbatores Mercatum & Feriam venerabilis patris *Hugonis Elienſis* Epiſcopi de *Pulham* vi & armis intraverunt, & Ballivos ipſius Epiſcopi ad Manerium illud & Feriam illam cuſtodiend. deputatos verberaverunt, vulneraverunt, & male tractaverunt, & *Radulphum de Hecheham* unum de Ballivis prædicti Epiſcopi ibidem interfecerunt, & quendam latronem per prædictos Ballivos in prædicta Feria captum, ab eorum manibus reſcuſſerunt & abduxerunt, & alia enormia eidem Epiſcopo & ſuis intulerunt, **ad dampnum ipſius Epiſcopi treſcentarum libzarum, et pzæjudicium libertatis ſuæ, et contra pacem noſtram.** Et ideo vobis mandamus, quod ad certos, &c. inquiſitionem illam capiatis, & convocatis coram vobis partibus loquelam illam audiatis & terminetis, facturi inde, &c. ſalvis, &c. Mandavimus enim Vic. noſtro *Norff.* quod ad certos, &c. venire faciat, &c. per quos, &c. In cujus, &c. Teſte Rege apud *Winchleſey* ii. die.

Ibidem. IIdem *Rogerus* & *Johannes* aſſignantur eodem modo ad inquirendum per Sacramentum, &c. de Com. *Norff.* per quos, &c. qui malefactores & pacis Regis perturbatores Ballivis Venerabilis patris *H. Elienſis* Epiſcopi tenentibus Curiam ipſius Epiſcopi de viſu Franci plegii apud *Walſoken* de hominibus ejuſdem Villæ, ſicut hactenus nomine dicti Epiſcopi & prædeceſſorum ſuorum teneri conſuevit, inſultum dederunt, & eos malè tractaverunt, non permittentes ipſos Curiam illam de viſu prædicto pacificè tenere, **ſicut teneri debet, et teneri conſuevit tempozibus pzædictis,** & alia enormia eidem Epiſcopo & ſuis intulerunt, **ad dampnum ipſius Epiſcopi ducentarum libzarum, et contra pacem Regis.** In cujus, &c. Teſte ut ſupra.

Ibidem. IIdem *Rogerus* & *Johannes* aſſignantur eodem modo ad inquirendum per Sacramentum, &c. de Com. *Norff.* per quos, &c. qui malefactores &c. Ballivis venerabilis patris *H. Elienſis* Epiſcopi, Cur. ipſius Epiſcopi de viſu Franci plegii apud *Walpol* & *Walton.* de hominibus ejuſdem Villæ, ſicut hactenus nomine dicti Epiſcopi & prædeceſſorum ſuorum conſuevit, inſultum dederunt, & eos malè tractaverunt, non permittentes ipſos Curiam illam de viſu prædicto pacificè tenere, **ſicut teneri debet, et teneri conſuevit tempozibus pzædictis,** & alia enormia eidem Epiſcopo & ſuis intulerunt, **ad dampnum ipſius Epiſcopi ducentarum libzarum, et pzæjudicium libertatis ſuæ, et contra pacem Regis.** In cujus, &c. Teſte ut ſupra.

The Pope having granted this priviledge to the Prior of St. *Johns* of *Jeruſalem* in *England*, that all who contributed Alms to their Hoſpital in their life, ſhould be buried by their men and Tenants after their death, of what death ſoever they died; ſome

ſome Thieves being condemned and executed at *Ivelceſter*, were cut down caſually, or by ſome who envyed them, before they were dead, whereof one when he was carried to the grave revived, and took Sanctuary, for which the Priors men were impriſoned for a felonious Eſcape; the King thereupon iſſued this Commiſſion to enquire and certifie the truth of this rare caſe. *An.* 4 E. 1

REX *dilectis & fidelibus ſuis* Solomoni de Roffa, & Thomæ Tryvet, *ſalutem. Ex querela Prioris Sancti* Johannis Jeruſalem *in* Anglia *accepimus*, **quod cum per privilegia a ſede Apoſtolica ſibi et Hoſpitali prædicto conceſſa, quibus ipſe et ſui prædeceſſores in regno noſtro hactenus uſi ſunt, corpora defunctorum illorum qui in vita ſua fraternitati ipſius Hoſpitalis ſuas eleemoſynas contulerint, per ſuos homines ſepulturæ Chriſtianæ quociens opus fuerit deputari debeant quocumque caſu mortis deceſſiſſent.** *Ac quidam latrones nuper coram Juſtic. noſtris ad gaolam noſtram de* Ivelceſtr. *deliberandam aſſignatis, pro felonia quam fecerant, judicium ſuum ſecundum legem & conſuetudinem regni noſtri habuiſſent, & poſtmodum ſuſpenſi faiſſent, per quod decennarii locorum illorum attachiati & quibus deputati fuerant ad furcas illas expectaſſe debuerant, donec ultimum ſpiritum exalaſſent, ac demum antequam* Willielmus Cukeman, Nicholaus le Meſſager, & Stephanus de Pecham *homines ipſius Prioris ad hujuſmodi corpora ſic ſepelienda deputati, ad furcas illas veniſſent pro ipſorum corporibus ſic ad ſepulturam hujuſmodi deputandis, præfatos latrones nemine præfatorum decennariorum aut aliorum ibidem invento, ſive per rupturas cordarum, ſive per aliquorum prædicti Prioris æmulorum excogitatam maliciam, aut alio modo inde proſtratos homines inveniſſent, ac eos mortuos fuiſſe credidiſſent; & eorum corpora ad Eccleſiam Sancti* Olavi de Ivelceſtria **in ipſius Eccleſiæ Cimiterio ſepelienda portaſſent,** Adam le Meſſer *unus prædictorum latronum ſic ſuſpenſorum cum in ſepultura ſic foſſa poneretur,* **vitali reſumpto vigore pedem ſuum movit, et poſtmodum uberiori potitus convaleſcentia, limina petiit Eccleſiæ prædictæ, et ibi ſe tenuit donec regnum noſtrum abjuraverit, per quod Vic. noſter** Somerſ. **præfatos homines ipſius Prioris in priſona noſtra de** Ivelceſtria **detinet,** *acſi ipſi culpabiles eſſent de felonia eſchapio vel malicia prædictis. Et quia ſuper iſto negocio plenius certiorari & plenam juſticiam in hac parte fieri volumus, nos de veſtra circumſpectione & induſtria plenè confidentes, aſſignavimus vos ad inquirendum per ſacramentum,* &c. *de Com. prædicto, per quos,* &c. *plenam veritatem & certitudinem caſus memorati, & ad faciendum inde ulterius, quod ſecundum legem & conſuetudinem regni noſtri fuerit faciendum. Et ideo vobis mandamus, quod ad certos,* &c. *inquiſitionem illam capiatis in forma prædicta, & ſecundum quod per inquiſitionem illam factam eſſe inveneritis in hac parte, tam pro noſtra parte, quam Prioris & hominum ſuorum prædictorum ſeu aliorum ſi quis inde culpabiles inveneritis, plenam juſticiam exhibeatis. Mandavimus enim Vic. noſtro prædicto, quod ad certos,* &c. *tot & tales venire faciat,* &c. *per quos,* &c. *In cujus,* &c. *Teſte Rege apud* Wynton. 19 *die* Januar. *Et mandatum eſt Vic. prædicto, quod ipſos per bonam manucaptionem interim deliberari faciat.* Pat. 4 E. 1. m. 32.

The King in purſuance of the Statute of *Marlbridge* Anno 52 H. 3. ch. 10. granted this Writ to the Biſhop of *Dumblan* in *Scotland*, to exempt him from Sheriffs Tornes, and County Courts, as well as *Engliſh* Clergymen.

REX *Omnibus Ballivis ad quos,* &c. *ſalutem. Cum de communi conſilio regni noſtri proviſum ſit, quod Archiepiſcopi, Epiſcopi, Abbates, Priores, & cæteri viri Religioſi, ſeu Milites, non habeant neceſſe venire ad Turnum Vic. niſi eorum præſentia ob aliam cauſam ad hoc requirantur,* (to the end they might the better attend on, and only apply themſelves to the diſcharge of their Spiritual functions) *conceſſimus venerabili patri* Roberto Dumblan. *Epiſcopo,* **quod toto tempore vitæ ſuæ ſit quietus de Turnis Vic. in Wapentag. de** Brokelneſtowe & Riſeclyve *in Com.* Notingh. *& etiam* **quod quietus ſit de duobus adventibus per annum quas debet ad Com. prædictum.** *Et ideo vobis mandamus,* **quod ipſum Epiſcopum contra hanc conceſſionem noſtram non veretis.** *In cujus,* &c. *Teſte Rege apud* Polton. 14 *die* Febr. Pat. 4 E. 1. m. 36. intus Pro R. Dumblan. Epiſcopo. See the Regiſter of Writs, f. 175, 176. Fitz. Natura Brev. f. 160. Cooks 2 Inſtit. p. 120, 121.

What Eccleſiaſtical Juriſdiction the King exerciſed this year in *Ireland*, theſe enſuing Records inform us.

REX

An. 4 E. 1.

Pat. 4 E. 1. m. 20. intus. De conſenſu electioni adhibito in Hibern.

REX *Juſtic. ſuo* Hibern. *Cum vacante Abbatia beatæ* Mariæ *de* Trum. *per mortem* Gilberti *nuper Abbatis ejuſdem domus ad requiſitionem Prioris & Conventus ejuſdem loci*, **eis licentiam conceſſerimus alium ſibi in Abbatem ſuum, prout moris eſt, eligendi.** *Nos laboribus & expenſis eorundem Prioris & Conventus parcere volentes, vobis mandamus, quod electionem eorundem Prioris & Conventus de Abbate domus ſuæ in Eccleſia ſua* Trum. *faciendæ*, **Regium aſſenſum et favorem nomine noſtro præbeatis.** *Et ſi contingat ipſum Electum in Abbatem loci prædicti per loci Diocæſanum canonicè confirmari*, **tunc recepta ab ipſo Electo nomine noſtro fidelitate nobis in hujuſmodi caſu debita, temporalia dicto Abbati libereris; receptis tamen prius literis patentibus ſigillo prædicti Abbatis, et ſigillo Capituli ſignatis, quod hæc gratia noſtra quam eiſdem Priori et Conventui ex mera liberalitate noſtra conceſſimus nobis et hæredibus noſtris non cedet in præjudicium vel exhæredationem, ſeu trahatur in conſuetudinem vel conſequenciam temporibus futuris.** *In cujus*, &c. *Teſte Rege apud* Weſtm. 8 *die* Jun.

The Archbiſhoprick of *Dublin* in *Ireland* being void, the King by his Prerogative granted the cuſtody of it to *Thomas Chaddeworth*, allowing him 40. Marks a year for his Salary out of it.

Liberate 4 E. 1. pars 1. m. 3. Pro Magiſtro T. de Chaddeworth.

REX *Baronibus ſuis de Scaccario* Dublin. *ſalutem. Allocate Magiſtro* Thomæ de Chaddeworth *cuſtodi noſtro Archiepiſcopatus* Dublin. *vacantis & in manu noſtra exiſtentis, in exitibus ejuſdem Archiepiſcopatus, de toto tempore quo fuit cuſtos ejuſdem Archiepiſcopatus, & quamdiu cuſtodiam illam habuerit ſingulis annis quadraginta marcas quas ei conceſſimus percipiend. pro feodo ſuo & cuſtodia Archiepiſcopatus prædicti. Teſte Rege apud* Bathon. 15 *die* Sept. *Stephen* Biſhop of *Waterford* was then Treaſurer of the Kings Exchequer in *Ireland*, as appears by the Kings Writ of *Liberate* to the Auditors of his Accounts, and other Records.

The King preſenting to the Archdeaconry of *Dublin*, by reaſon of the Temporalties of the Archbiſhoprick then in his hands, and the Prior and Chapter of St. *Trinity* in *Dublin* pretending the Archdeacons of *Dublin* had a right thereto; the King by his Eccleſiaſtical Prerogative ſummoned both parties with their Evidences to appear before him, and appointed ſpecial Delegates to hear and deſcide the cauſe, which they did accordingly, who awarded the right to the King, and his Clerk to be inſtalled, as this Record atteſts.

Pat. 4 E. 1. m. 24.

REX *Juſtic. ſuo* Hibern. *ſalutem. Magiſtro* Guillielmo de Notafeld *quondam Archidiacono* Dublin. *naturæ debitum perſolvente, nos Archidiaconatum ipſum vacantem*, **et ad noſtram donationem ratione Archiepiſcopatus** Dublin. *vacantis & in manum noſtram exiſtentis ſpectantem, dilecto Clerico noſtro* Willielmo de Salinis **donavimus.** *Mandantes Decano & Capitulo Eccleſiæ Sancti* Patricii Dublin. *quod eidem* Guillielmo *ſtallum in Choro & locum in Capitulo ratione dicti Archidiaconatus, prout moris eſt, aſſignarent. Cumque Prior & Capitulum Sanctæ* Trinitatis Dublin. *aſſererent mandatum noſtrum hujuſmodi in eorum* **præjudicium** *redundare, cum Archidiacoui* Dublin. *qui pro tempore fuerint* **conſueviſſent in dicti Archiepiſcopatus vacationibus præſentari eiſdem, et ab ipſis Juriſdictionem ſpiritualitatis Civitatis et Dioc.** Dublin. **quam iidem Archidiaconi vacante ſede habere conſueverunt, recipere;** *& peterent, quod eundem* Willielmum *in forma prædicta præſentaremus eiſdem, ab ipſis dictam Juriſdictionem more ſolito receptaram.* **Nos quia nolebamus juri parcium in aliquo derogare,** *Decanum & Capitulum Sancti* Patricii, *& Priorem & Conventum Sanctæ* Trinitatis *prædictos*, **ad noſtram mandavimus præſentiam cum omnibus actis et munimentis negocium hujuſmodi tangentibus evocari:** *Dictis itaque partibus coram nobis ſufficienter apparentibus*, **Nos** *dilectos Clericos noſtros Magiſtrum* Thomam Bek *&* Robertum de Scardeburg **dedimus partibus auditores.** *Coram quibus cum fuiſſet inter partes per plures dies ſuper quæſtione hujuſmodi altercatum, tandem quæſitum fuit à parte dictorum Prioris & Conventus*, Utrum haberent aliquam præſentationem ſibi factam ſuper ipſo Archidiaconatu **a Regibus** *Angliæ* temporibus retroactis, vel aliquid aliud per quod poſſent de jure ſuo vel poſſeſſione

ſua

ſua noſtram conſcienciam ſuper hoc infirmare: *Quibus reſpondentibus*, ſe præmanibus non habere; *quæſitum fuit ulterius*, utrum videtur eiſdem juſtum vel æquum an quod nos propter nudam eorum aſſertionem deberemus mandatum quod feceramus pro prædicto *Guillielmo* dictis Decano & Capitulo revocare? *Ad quod directè taliter reſponderunt*, Quod volebant pro bono pacis & **ob reverentiam Regiam**, prædictum *Guillielmum* tenere pro Archidiacono de cætero & habere. *Quare vobis mandamus, quatinus prædictum Archidiaconum faciatis in omnibus ſecundum quod prædeceſſores ſui uſi ſunt, pacifica dicti Archidiaconatus poſſeſſione gaudere*; **Non permittentes eundem ſuper prædictis a prædictis Priore et Conventu aliqualiter impediri**: *Provideatis tamen, quod ipſi Prior & Conventus per ipſum Archidiaconum vel ipſius Offic. indebitè non graventur. Teſte Rege apud* Wynton. 8 *die* Dec. *An.* 4 *E.* 1.

The King by his Royal authority, and this Writ, authorized the Abbot of *Grimesby* totally to demoliſh a ruinous Chappel near *Grimesby*, and to convert the ſtones thereof to ſuch other ſacred Fabricks as he ſhould deem meet.

REX *Vic.* Lincoln. *ſalutem.* **Cum nuper** (*quantum in nobis eſt*) **conceſſerimus dilecto nobis in Chriſto Abbati de** Grimesby, **quod Capellam Sancti** Andreæ **extra** Grimesby, **quæ ruinoſa eſt, et in qua divina non celebrantur hiis diebus demolire poſſit, et lapides eſuſdem in uſus ſacrarum ædium convertere, prout ſibi viderit expedire**: *Tibi præcipimus, quod Capellam illam liberes eidem Abbati ad voluntatem ſuam inde faciend. in forma prædicta, ſalvo jure cujuſlibet. Teſte Rege apud* Weſtm. 16 *die* Octobris. Clauſ. 4 E. 1. pars 1. m. 1. Pro Abbate de Grimesby.

Some Purpreſtures being made in the Kings Foreſt of *Windeſore*, without his licenſe and the Dean and Chapter of *Sarum*, and Abbot of *Waltham* demanding the Tithes thereof, when as no Tithes were formerly paid, the King to ſecure his own right and intereſt in them, commanded the Tithes to be ſequeſtred by this Writ.

REX *dilecto & fideli ſuo* Galfrido de Picheford, *Conſtabulario Caſtri ſui* Windeſ. *ſalutem. Cum quædam Purpreſtura facta ſint ſuper nos in Foreſta de* Windeſor. de quibus **Decimæ hucuſque datæ non fuerunt**, *ut intelleximus, ac Decanus & Capitulum* Sarum, *& Abbas de* Waltham *ex adverſo jus ſibi vendicent* **in Decimis Purpreſtur. prædict. Nolentes quod per hujuſmodi novam poſſeſſionem alterutrum eorum præjudicium nobis ſeu hæredibus noſtris generetur: Vobis mandamus, quod Decimas illas in certo et tuto loco poni faciatis, non permittentes ipſos ſeu ipſorum alterum ad eas manum apponere, donec certi fuerimus de indempnitate noſtra vel alind inde præceperimus.** *Teſte Rege apud* Weſtm. 25 *die* Julii. Clauſ. 4 E. 1. m. 6. intus. De Purpreſturis factis in Foreſta de Windeſ.

The Abbot and Covent of *Fountain*, of the *Ciſtercian* Order, ſelling 62. ſacks of Wool to Merchants of *Florence*, which they were to deliver to them at ſeveral dayes, for which they received of them before hand at *London* 690 marks and an half, of good new money; they entred into this Recogniſance, with ſtrange conditions and renunciations of all Priviledges granted them by the King or Pope, all Inhibitions from either, and not to be ſued upon it out of the Realm, (to the prejudice of the Crown and Realm) thus recorded in the dorſe of the Clauſe Roll.

UNiverſis præſentes literas inſpecturis, *Fr. D.* dictus Abbas de *Fontibus*, & ejuſdem loci Conventus * *Cyceſtrien.* ordinis *Ebor.* Dioc. ſalutem in Domino. Noverit univerſitas veſtra nos vendidiſſe & conceſſiſſe *Dunelmo Fonte* & *Bernardo Thechald*, ementibus & recipientibus tam pro ſeipſis quam pro *Theclano Thedald* fratre dicti *Bernardi*, ac aliis eorum ſociis Civibus & Mercatoribus *Florentin.* ſexaginta duos ſaccos lanæ, de collecta Monaſterii noſtri, ſine clack & lok, god & card, nigra griſſa vilem tuyſun, & ſine pellic. Quam quidem lanam paratam & ponderatam noſtris ſumptibus propriis & expenſis promittimus, & tenemur deliberare eam per legitimam ſtipulationem terminis infra ſcriptis; videlicet, in Quindena Nativitatis Sancti *Johannis Baptiſtæ* anno Domini 1277. decem & ſeptem ſaccos: Clauſ. 4 E. 1. m. 3. dorſo. De Dunelmo Fonte & ſociis ſuis Mercatoribus Florent. * *Ciſtercien.*

An. 4 *E.* 1. Item in eadem Quindena anno Domini 1278. decem & ſeptem ſaccos: Item & quatuordecim ſaccos anno Domini 1279. Et quatuordecim alios ſaccos in dicta Quindena anno Domini 1280. quolibet anno apud *Clifton* prædictis Mercatoribus vel uni eorum, aut eorum certo nuntio has literas deferenti ſine ulteriori dilatione. Pro quibus ſexaginta & duobus ſaccis, prædictis modo, loco & terminis deliberand. & tradend. ut dictum eſt, dicti Mercatores ſolverint nobis præ manibus apud *London.* ſexcent. & nonaginta marcas & dimidium, bonorum novorum & legalium ſterlingorum, treſdecim ſolidis & quatuor ſterlingis pro marca qualibet computatis. De qua pecunia nomine noſtro & Monaſterii noſtri benè & integrè nos vocamus quietos & pacatos; Exceptioni non numeratæ, non ſolutæ, non traditæ nobis pecuniæ omnino renunciantes. Si vero dicta lana, ſicut dictum eſt, eiſdem Mercatoribus prædictis loco & terminis non fuerit integrè deliberata & reddita, extunc eis promittimus, & tenemur per antedictam ſtipulationem refundere & reddere, ac reſtaurare eiſdem Mercatoribus, vel uni eorum, aut eorum certo nuncio, omnes expenſas, dampna, & intereſſe, quæ vel quos dicti Mercatores fecerint aut incurrerint pro defectu ſolutionis & deliberationis ſeu aſſignationis lanæ prædictæ. Super quibus credetur dictis Mercatoribus, vel uni eorum, aut eorum nuntio, per ſimplex verbum ſuum tantum ſine juramento & alio probatione, nec computabimus dictas expenſas, dampna, ac intereſſe in ſortem dictæ lanæ, nec retinebimus dictam lanam contra voluntatem dictorum Mercatorum prætextu dictarum expenſarum & dampnorum refuſionem ultra terminos antedictos. Pro quibus omnibus & ſingulis antedictis firmiter & fideliter obſervandis & adimplendis, **obligamus nos, Eccleſiam noſtram, et ſucceſſores noſtros, et omnia bona noſtra, Eccleſiæ noſtræ, et ſucceſſorum noſtrorum, mobilia et immobilia, præſentia et futura, Eccleſiaſtica et mundana, ubicunque inventa fuerint, dictis Mercatoribus et eorum ſociis. Quæ bona ab eis præcari nomine poſſidere recognoſcimus, uſque ad integram obſervationem omnium prædictorum. Renunciantes in his omnibus et ſingulis pro nobis, Eccleſia noſtra, et ſucceſſoribus noſtris, omni juri, juris, auxilio Canonici et Civilis, privilegio Clericali et fori, omni conſuetudine, ſtatuto, omnibus literis, et indulgentiis, et privilegiis, ac inhibitionibus a ſede Apoſtolica et a Curia Regia impetratis et impetrandis, conſtitutioni de duobus diebus editæ in Concilio generali, conventioni, appellationum remedio: Et ſpecialiter indulgentiæ ſedis Apoſtolicæ** Anglicis **conceſſæ, qua cavetur ne** Anglici **extra** Angliam **trahantur ad cauſas per literas dicti ſedis, et omnibus aliis exceptionibus, juribus et defenſionibus, perſonalibus et realibus, quæ nobis, Eccleſiæ noſtræ, et ſucceſſoribus noſtris poſſent prodeſſe, et dictis Mercatoribus nocere, vel quæ poſſent obſtici contra præmiſſa.** Volumus autem nomine noſtro, & ſucceſſorum noſtrorum, ac Eccleſiæ noſtræ ſuper præmiſſis omnibus & ſingulis à dictis Mercatoribus, vel ab uno eorum, aut eorum nuntio **in omni loco libere conveniri, et ad judicium trahi.** In cujus rei teſtimonium præſentibus literis ſigillum noſtrum appoſuimus. Dat. *London.* proximo ante feſtum Sancti *Lucæ* Evangeliſtæ, Anno Domini 1276. Et memorand. quod prædictus Abbas venit in Canc. Regis, **et recognovit omnia præmiſſa in forma prædicta.** Poſtea venit *Dunelm.* prædictus in Canc. Regis, & poſuit loco ſuo die canicun. Mercatorem *Florentin.* ad recipiendum medietatem lanæ prædictæ ab Abbate & Conventu prædictis.

How carefull and conſcientious the King was to ſatisfie his Fathers debts, to exonerate his ſoul, will appear by theſe two Patents, on behalf of the deceaſed Biſhop of *Ciceſters* Executors, and the preſent Biſhop thereof.

Pat. 4 E. 1. m. 19 intus. Pro Executoribus Teſtamenti R. quondam Cyceſtren. Epiſc.

REX dilectis ſibi in Chriſto *Willielmo de Seleſy*, & *Roberto de Purle* Canonicis *Cyceſtr.* & *Ivoni de Whiſtringer*, Executoribus beati *Richardi* quondam *Cyceſtr.* Epiſcopi, & Magiſtri *Walter de Glouc.* quondam Decani ejuſdem loci, & cuſtodis Epiſcopatus prædicti, ſalutem. Cum celebris memoriæ Dominus *H.* Rex pater noſter teneretur prædicto *Richardo* Epiſcopo in ducentis libris, & venerando patri *Stephano* nunc ejuſdem loci Epiſcopo in centum libris, de quibuſdam exitibus Epiſcopatus prædicti, **quas recepit per manus Decani prædicti, dum dictus** Stephanus **Epiſcopus ageret extra regnum in Curiâ** Romana, **volentes vobis de pecunis prædicta, ad eroneracionem animæ dicti patris noſtri plenarie ſatisfieri ſicut decet:**

Volumus

Volumus & concedimus, quod prædictas treſcentas libras recipiatis per manus Ballivorum Villæ noſtræ *Sutht.* tam de arreragiis firmæ Villæ prædictæ, quam de fine quem dicti Ballivi ultimo fecerunt nobiſcum, ac de firma ejuſdem Villæ de anno futuro, videlicet, in feſto Sancti *Michaelis* proximo venturo centum libras, & in feſto *Paſchæ* immediatè ſequenti alias centum libras, & poſtmodum in feſto Sancti *Michaelis* proximo ſubſequenti centum libras. Mandavimus enim Ballivis noſtris prædictis, quod dictas treſcentas libras de arreragiis fine & firma prædictis vobis prædictis terminis plenariè & ſine dilacione perſolvant. In cujus, &c. Teſte Rege apud *Cyceſtriam* 18 die *Junii*. *An.* 4 *E.* 1

REX Ballivis & probis hominibus ſuis *Suthr.* ſalutem. Cum celebris memoriæ Dominus *H.* Rex pater noſter teneretur beato *Richardo* quondam Epiſcopo *Cyceſtr.* in quingentis marcis, de quibus jam ſatisfieri fecimus Executoribus ſuis de ducentis marcis, & reſtant adhuc ducentæ libræ ad ſolvendum eiſdem, & teneretur etiam idem Rex venerabili patri *Stephano* nunc ejuſdem loci Epiſcopo in centum libris, de quibuſdam exitibus Epiſcopatus prædicti, **quos percepit per manum** Walteri **quondam Decani dicti loci, et cuſtodis Epiſcopatus ejuſdem, dum præfatus** Stephanus **Epiſcopus ageret extra regnum in Curia Romana**, volentes tam Executoribus dicti Epiſcopi de ducentis libris, quam etiam Executoribus dicti Decani de centum libris prædictis, **ad exoneracionem animæ dicti patris noſtri ſatisfacere ſicut decet**, ordinavimus, quod tam de arreragiis firmæ Villæ veſtræ prædictæ priuſquam capta eſſet in manum noſtram, quam de fine veſtro quem ulterius nobiſcum feciſtis, & de firma ejuſdem Villæ de anno futuro dictis Executoribus plenariè ſatisfieri. Et ideo vobis mandamus, quod dilectis nobis in Chriſto *Willielmo de Seleſeye*, & *Ivoni de Whiſtringer*, Executoribus dictorum Sancti *Richardi* & Decani, ac *Roberto de Purle*, vel duobus aut uni ex eis, de arreragiis finis & firmæ prædictis centum libras in feſto Sancti *Michaelis* proximo futuro, & in feſto *Paſchæ* immediatè ſequenti alias centum libras, & poſtmodum in feſto Sancti *Michaelis* proximo ſequenti centum libras, modis omnibus perſolvatis. Et hoc propter aliquod aliud mandatum noſtrum de pecunia ibi vel alii cuicumque ſolvend. vobis directum vel etiam dirigendum nullatenus **omittatis**. In quolibet autem prædictorum terminorum recipiatis de prædictis Executoribus literas ipſorum de ſolucione illius termini ſibi facta, & in ultimo terminorum prædictorum recipiatis ab eis literas noſtras patentes quas habent de prædictis treſcentis libris, & literas illas nobis habere faciatis, & tunc vobis de prædicta pecunia plenam fieri faciemus allocationem. Teſte ut ſupra. Ibidem.

There being a controverſie between the King and the Dean and Chapter of *Burdeaux*, about the cuſtody of the Temporalties of the Archbiſhoprick of *Burdeaux*; which belonged to him and his anceſtors by their Royal Prerogative; yet the King out of ſpecial grace, and to quiet all differences, quitted and releaſed the cuſtody thereof for the future, by this Patent.

REX Omnibus ad quos, &c. ſalutem. **Licet progenitores noſtri** Aquit. **qui pro tempore fuerunt, et nos quociens ſedem** Burdeg. **vacare contigit, cuſtodiam Temporalium ejuſdem Archiepiſcopatus eadem ſede vacante habere et facere fructus noſtros conſuevi ſſemus, quambis Decanus et Capitulum** Burdeg. **aliquibus temporibus aſſeruerint, cuſtodiam hujuſmodi ad nos vel alios Duces** Aquitan. **minime debere pertinere.** Nos intuitu Dei, & ſalutis animæ noſtræ, & animarum anteceſſorum & hæredum noſtrorum, necnon & contemplatione venerabilis patris *S. Burdeg.* Archiepiſcopi, volentes inter nos & hæredes noſtros, & ſucceſſores noſtros, & Eccleſiam *Burdeg.* ac **ipſius Prælatos** in hac parte, **ſopiri omnem materiam quæſtionis, concedimus et quietamus pro nobis et hæredibus et ſucceſſoribus noſtris eidem Archiepiſcopo, pro ſe et ſucceſſoribus ſuis univerſis, et Eccleſia ſua prædicta, totum jus quod habebamus vel habere poteramus in cuſtodia antedicta.** Inhibentes omnibus Ballivis noſtris qui pro tempore fuerint, **ne de cætero cum eandem ſedem vacare contigerit, aliquid de terris, redditibus vel bonis dicti Archiepiſcopatus ratione prædictæ cuſtodiæ vel regalium præſumant occupare, capere vel ſeiſire.** In cujus, *&c.* Teſte Rege apud *Weſtm.* 25 die *Julii*. Pat. 4 E. 1 m. 13. Pro Archiepiſcopo Burdegal.

An. 4 *E.* 1.

* Antiq Eccl. Prit. p 195.

* Mat. Westm. Walsingham, Hen. de Knyghton, Cicestrensis, Holinshed, Speed, Grafton, Daniel, and others, Anno 1276, to 1282.

* *Matthew Parker* records, that *Robert Kilwarby* Archbishop of *Canterbury*, to advance his Ecclesiastical Jurisdiction, *Anno* 1276. *exacto jam primo suæ consecrationis anno vetera* Cantuariensis *Curiæ, qua in arcuato* Londini *Templo celebratur*, statutis a multis Cantuariensibus Archiepiscopis, antiquitus sanctis, vetustate pene adumbrata renovavit, omniaque breviter quinque articulis complexus est. Deinde suæ Provinciæ Clerum ad Novum Templum convocavit, cui Concilio etiam Eboracensis Archiepiscopus accersitus interfuit. In hoc Concilio Lewelin Griffini filius Princeps Walliæ, quia mandatis Regiis obtemperare recusavit, totius Synodi decreto excommunicatus est. Who contemned both this Councils Excommunication, and the Kings summons of him to come to his Parliament, (as our * *Historians* inform us) which occasioned a bloody War between the King and him, till he submitted to his Royal will.

Anno 1277. Pope *John* to avance his Papal authority, and the Priviledges of the *Præmonstratensian Freers*, appointed *Nicholas* Abbot of *St. Augustines Canterbury* to be the Conservator of their Order, prohibiting suits against them under pain of Excommunication by any other Ecclesiastical Jurisdiction or Judge, according to Popes priviledges indulged to them: Who by this new Papal authority inhibited a suit against the Abbot and Covent of *Langele* of that Order by the Archdeacon of *Westminster* and his Official by the Rector of a Church, (most likely for Tithes detained by them,) as [a] *William Thorne* thus stories in his Chronicle. Eodem tempore *Dominus* Nicholaus per literas Apostolicas recepit in defensionem et tuitionem omnes religiosos Ordinis *Præmonstratensis* per *Angliam* constitutos, *unde inter alia multa Priori* Westmonasterii ex officio suæ Conservationis *scripsit sub ista forma*.

[a] Chronica W Thorne, cap. 26. Sect 8. col 1925. Nicholas Abbas & Conservator Ordinis Præmonstratensis.

* *ejusdem.*

NIcholaus Dei Gratia Abbas Sancti *Aug. Cant.* Conservator privilegiorum Abbati Præmonstratensi Ordinis, ejusque Coabbatibus et Fratribus Præmonstratensis a Sede Apostolica indultorum Reverendo viro Domino Priori Westm. Ordinis Sancti *Benedicti*, ejusque *Comissariis* quibuscunque salutem. Cum Abbati *Præmonstratensi* ac ipsius Coabbatibus, Conventibus, & Fratribus ab Apostolica sede specialiter sit indultum, ut per * eadem sedis literas a quoquam non valeant nec debeant in judicium evocari, aut cuiquam potestis suæ foris attribui, neque aliquem habeant firmitatem, quæ tacito nomine *P.* Ordinis fuerint impetrata contra libertates illis *Præmonstratensibus* concessas. Nos attendentes quod hoc seu Commissarii vestri, prætextu quarundam Literarum a sede prædicta contra Religiosos viros Abbatem et Conventum de *Langele* Præmonstratensis Ordinis *Norwicensis* Diocæsis, per *W.* de *Sancto G.* Rectorem Ecclesiæ de *N.* ejusdem Diocæsis impetratarum, quæ nullam de indulto hujusmodi faciunt mentionem, ad ejusdem Rectoris instantiam in suæ salutis dispendium judicialiter procedere intenditis ac hactenus processistis, quod publicum, manifestum asseritur & notorium, in prædictorum Abbatis et Conventus præjudicium, privilegii Papalis tuitionem, et eisdem Religiosis et suo Ordini Præmonstratensi indultorum contra publicos manifestos et notorios injuriatores eorundem simus a sede Apostolica specialiter deputati, quique licet authoritate nobis commissa in hos animadvertere possemus pro præsumptis, volentes tamen vestram & Commissariorum vestrorum prudentiam plenius experiri, ad coercionem procedere differimus in præsenti; vos rogantes, monentes, & in Domino exorantes, authoritate qua fungimur Apostolica, sub pœna cohertionis Canonicæ firmiter injungendo, quatinus receptis præsentibus difficultate qualibet ac dilatione remotis, supersedeatis causæ cognitioni, occasione literarum prædictarum coram vobis hactenus agitatæ, de ipsa de cætera, ac meritis ejusdem nullatenus cogniturí. Ipsum Rectorem nihilominus citantes peremptorie, quod compareat coram nobis vel Commissariis nostris in Ecclesia nostra Conventuali *Cantuariæ* proximo die juridico, post festum *Conversionis* Sancti *Pauli*, super temerariis fatigatione et injuriis factis Abbati et Conventui de *Langele* memoratis responsurus, facturus, et recepturus, quod juris fuerit et rationis. Quidquem super præmissis feceritis, nos dictis die & loco per vestras patentes literas harum seriem continentes, vel Commissarios nostros reddatis certiores. Dat. apud *Reading*.

Set isto Rectore à fatigatione prædictorum Religiosorum non cessante, neque monitionibus

bus Conſervatoris obtemperante; idem Dominus Nicholaus *Abbas* (by his new Papal authority) *ſcripſit Decano loci illius in hac verba.* *An.* 4 *E.* 1.

NIcholaus Dei gratia, &c. Cum ex authoritate nobis a ſede Apoſtolica commiſſa ſpecialiter incumbat, Religioſos viros Abbates, Conventus, & fratres *Premonſtratenſis* Ordinis per *Angliam* conſtitutos contra publicos, notorios, & manifeſtos injuriatores eorundem defendere & tueri; Ac publicum exiſtat, manifeſtum & notorium, quod *W.* de Sancto *G.* Rector Eccleſiæ de *N.* Abbatem & Conventum de *Langeley* dictæ Diocæſis Ordinis *Præmonſtratenſis* in cauſam traxit coram Domino Priore *Weſtmonaſterii* & ipſius Commiſſariis, & adhuc contra eoſdem indebitè proſequendo ipſos laboribus fatigare non ceſſat & expenſis, contra ſuorum tenorem privilegiorum; Vobis authoritate qua fungimur Apoſtolica ſub pœna Canonicæ diſtrictionis firmiter injungendo mandamus, quatinus moneatis et efficaciter inducatis Rectorem ſupradictum, quod a Moleſtationibus ſupradictis Religioſis eiſdem illatis penitus deſiſtat, atque ipſos in pace permittat, ſub pœna excommunicationis majoris, quam ex nunc in perſonam ipſius in his ſcriptis proferimus, ſi noſtris monitionibus parere contempſerit.

The ſame Hiſtorian renders us this Account of the Collectors, and ſums of the Diſm levyed within the Province of *Canterbury* to Ayde the Holy Land. * *Anno ſupradicto erat* Decima conceſſa in Subſidium Terræ Sanctæ, *in tota* Anglia, *& duravit per vi. annos continuè. Et fuerunt Collectores hujuſmodi per iiii. Annos in Diocæſi* Cantuarienſi, *fratres ſcilicet Dominus* Wylmynton *hujus loci Prior*, & Johannes Belham; *& repertum fuit quod ſumma omnium receptorum pro toto tertio anno per dictum Priorem Collectorem.* * Chron. W. Thorne, col. 1926.

	l.	*s.*	*d.*
Eſt Summa	804	02	02
Receptorum quarti Anni	1706	10	07
Receptorum quinti Anni	0828	14	05-½
Et Receptorum ſexti Anni	1027	04	00
Et recept. de Arreragiis de duobus primis Annis quibus non extiterunt Collectores	126	01	02-½
Et receptorum à primis Collectoribus in depoſito	1264	07	11-½
Summa omnium Receptorum per eoſdem in Diocæſi *Cantuarienſi*	5125	00	05-½

Thomas Walſingham ſtories, [a] *Hoc tempore frater* Johannes de Derlington, *Ordinis Prædicatorum, Confeſſor quondam Regis* Henrici, authoritate Papali in regno Angliæ Collector efficitur Decimarum, ſalva Papali reverentia contra ſui Ordinis profeſſionem tali officio deputatus.

He further relates; [b] *Eodem tempore Papa* Gregorius 10. *apud* Areſcium *defunctus, ibidem traditur ſepulturæ, cui ſucceſſit* Innocentius *Quintus, natione* Burgundus, *factus autem Papa ſedet menſibus quinque, diebus duobus, mortuoque* Romæ, *& in* Lateranenſi *Eccleſia ſepelitur. Cui eodem anno ſucceſſit* Adrianus *Quintus, natione* Januenſis, *dictus antea* Octobonus, *qui tituli Sancti* Adriani *Diaconus Cardinalis, à Papa* Clemente *Quarto in* Angliam *miſſus eſt. Hic Papa factus, ſtatim conſtitutionem quam Papa* Gregorius *Decimus fecerat de incluſione Cardinalium pro electione Summi Pontificis, ſuſpendit, proponens jam aliter ordinare; ſed morte præventus, conſtitutionem ſuſpenſam reliquit, ſedit vero menſibus duobus Papa.* Adriano *defuncto ſucceſſit* Johannes 21. *dictus* Petrus Hiſpanus: *Hic Epiſcopus* Tuſculanus *erat prius in artibus diverſis famoſus, ſed ſcientiarum ſplendorem, Pontificalemque dignitatem quadam morum ſtoliditate deformabit, adeo ut naturali pro parte carere videretur induſtria, in hoc tamen quamplurimum laudabilis fuit, quod ſe tam pauperibus quam divitibus communem exhibuit, ſtudiumque literarum amplectens multos in beneficiis Eccleſiaſticis promovit egentes.* This Pope *John*, [c] *Cum ſibi vitæ ſpatium in*

a Hiſt. Angl. An. 1277. p. 7.
b Walſingham Hiſt. Angl. p. 6, 7. Mat. Weſt. Anno 1276, 1277. Platina, Onuphrius, Palæus, Barns, Opmerus, Lertius Cherubinus, Stella, Creſpin in the lives of theſe Popes. Cent. Magd. cap. 10.
c Polychron. l. 7. c. 38 Hen. de Knyghton, de Event Ang. l. 3. c. 1. col. 2461. Tho. Walſingham, Hiſt. Angl. p. 7 Mat. Weſt. Anno 1276. Platina, Onuphrius, & Palæus in his life.

An. 4 E. 1. *in annos plurimos extendi crederet, & hoc etiam coram multis assereret, subitò cum nova Camera quam sibi* Viterbio *circa palatium construxerat, falsus corruit, & inter lapides & ligna collisus, sexto die post casum moritur, & in Ecclesia S.* Laurentii *sepelitur.*

* Walsingham Ibidem. These 4. Popes dying all within the compass of one year, Anno 1277. **Transit annus iste propter tot* Paparum interitum, tristis lugubrisque Romanis.

An. 5 E. 1. Anno 1277. (the 5. of *Edw.* the 1.) *in* Quindena Paschæ, *Rex recedens à* Westmonasterio *versus* Walliam *properavit cum omni militari servicio terræ suæ* Angliæ, *Barones de Scaccario, & Justiciarios de Banco usque* Salopiam *secum ducens, qui placita secundum consuetudines* Angliæ *audientes, ibidem pro tempore aliquo morabantur.*

* Mat. West. An. 1277. p. 365. Walsingham, Polychronicon, H. de Knyghton, Fabian, Polydor Virgil, Holinshed, Speed, and others, in An. 5 E. 1.

Whiles the King lay there with his army, though they were much distressed for victuals and carriages, yet the King was so carefull to preserve the Liberties of the Church and Clergy, and observe the Statute of *Westm.* 1. *cap.* 1. made on their behalf; that he granted several Protections to Abbots, Abbesses, Bishops, and other Clergymen, that no Purveyor or other Officers should take any of their goods, carriages, or quarter upon them, without their free wills and license; as these Patents of protection evidence.

Pat. 5 E. 1. pars 1. m. 3. De Blad. aut Carriag. pro Exercitu Wall. nullatenus cap.

REX omnibus Ballivis, Clericis, & Ministris suis ad quos, &c. salutem. Licet nos Magnates & cæteri fideles nostri nobiscum **in Exercitu nostro** Walliæ **existentes, bladis, victualibus, et cariagiis non modicum ad Exercitum nostrum prædictum indigeamus; nolumus tamen, quod aliquid de bladis seu rebus aliis dilectorum nobis in Christo Abbatis et Conventus de *Pippewell* quibuscunque, vel etiam cariag. aliquod ad opus nostrum vel alicujus alterius ab ipsis capiatur contra voluntatem suam.** Et ideo vobis mandamus, quod de bladis & aliis bonis prædictorum Abbatis & Conventus, vel etiam cariagium aliquod ab ipsis ad opus nostrum vel alterius, sicut prædictum est, **sine licentia et voluntate sua nullatenus capiatis.** In cujus, &c. per unum annum durat. Dat. per manum, &c. **apud *Salop.* xxviii.** die *Octobris.*

Consimiles literas habent Moniales de *Gratia Dei*, usque ad quindenam *Paschæ* prox. futur. Dat. ut supra.

Consimiles literas habent Prior & Conventus de *Novo loco* in *Shirewode*, dur. usq; ad festum *Paschæ* prox. futur. Dat. ut supra.

Consimiles literas habet *Regin. de Legh.* dur. ut supra. Dat. ut supra.

Consimiles literas habet *Ricus* Persona Ecclesiæ de *Bishopsbir.* dur. ut supra. Dat. ut supra.

Consimiles literas habent Prior & Conventus de *Thorney*, dur. ut supra. Dat. ut supra.

Consimiles literas habent Prior & Conventus *de la Laund.* dur. ut sup. Dat. ut sup.

Consimiles (m. 4.) habent Priorissa de *Amnondesbir.* Abbas de *Heles*, Priorissa & Conventus de *Eton. Henricus de Merstinton*, Abbas de *Hyda Winton.* Abbas de *Bello.* Dat. 16. die *Octobris.*

Consimiles literas habent Abbas & Conventus de *Crokesdon.* Dat. 10 die *Julii.*

Consimiles literas habet *Lichf.* & *Coventr.* Episcopus. Dat. 17 die *Aug.*

Pat. 5 E. 1. m. 4. De bladis pro Exercitu, &c.

REX omnibus Ballivis, Clericis & Ministris suis ad quos, &c. salutem. Licet providentias nostras de bladis in diversis Regni nostri Comitatibus fieri præcepimus ad nos & exercitum nostrum *Wallen.* ducend. **Nolumus tamen quod de bladis dilectorum nobis Magistri et Prioris Ordinis de** Semplingham, **quæ habent ad sustentationem suam, contra voluntatem suam aliquid capiatur.** Et ideo vobis mandamus, quod de bladis prædictorum Magistri & Prioris (ipsis invitis) occasione prædicta nihil capiatis. **Et si quid inde contra voluntatem suam ceperitis, id eis sine dilatione restitui faciatis.** In cujus, &c. Dur. usque ad festum *Paschæ* prox. futur. Dat. 15. die *Octobr.*

Consimiles literas habent Priorissa & Conventus de *Westwode*, & Priorissa & Conventus de *Eton.*

Consimiles habent *Willus de Salim.* Persona Ecclesiæ de *Kyngesclere.*

Consim. habet *Alanus de Bretun.* Thess. *Lich.*

Consimiles habet *Henricus de Merfington* Persona Ecclesiæ de *Galeby.*

Consimiles

Conſimiles habent Abbas & Convent. *Roff. m.* 7. *An.* 5 *E.* 1.
Conſimiles habet Abbas *de Lulleſhall.*
Conſimiles habent Prior & Conventus de *Neuport.*
Conſimiles Prior & Conventus *Lanton. prima* in *Wall.*
Conſimiles Magiſter *Robertus de Wincheles.*

REX omnibus Ballivis & fidelibus ſuis ad quos, &c. ſalutem. Sciatis quod conceſſimus venerab. patri Epiſcopo de Sancto *Aſaph*, quod ducere poſſit blada, & alia bona ſua, **tam victualia quam alia**, à partibus *Anglia* uſque ad partes *Walliæ*, & à partibus *Walliæ* uſque in *Angliam*, **prout ad commodum ſuum magis viderit expedire.** Etiam vobis mandamus, quod præfatum Epiſcopum, aut homines ſuos, blada, & alia bona ſua, ut prædictum eſt, ducentes; **contra hanc conceſſionem noſtram non moleſtetis in aliquo ſeu gravetis.** In cujus, &c. dur. uſque ad diem Dominicam in *Ramis Palmarum* prox. futur. Teſte Rege apud *Halſo* xxii. die *Februarii.* Pat. 5 E. 1. m. 15. Pro A. Epiſc. S. Aſaph.

A. *Bangoren.* Epiſcopus habet literas de Protectione ſimplices ſine clauſula per unum annum duraturas. T. ut ſupra. Et duplicantur.
Conſimiles habet *Margarita de Ros.* Dat. ut ſupra. Ibid. m. 7. intus. De Protectione.

He likewiſe granted this general Protection to the Freers Predicants of *Bangor.*

REX Baronibus Quinque Portuum, & omnibus Ballivis & fidelibus ſuis ad quos, &c. **Quia Religioſos et maxime Fratres de Ordine Prædicatorum, quos quadam dilectionis prærogativa commendatos habeamus**, cum tranquillitate & manſuetudine, qua ſtatui ſuo convenit, **manutenere volumus et tueri**: Dilectos nobis in Chriſto fratres Prædicatores de *Bangor.* in protectionem & defenſionem noſtram ſuſcepimus ſpecialem. Et ideo vobis mandamus, quod fratres prædictos homines res & bona in domo eorundem fratrum exiſtentia **manuteneatis, protegatis et defendatis**; non inferentes eis, &c. ſi vos per partes illas tranſitum facere contigerit, injuriam moleſtiam, dampnum, aut gravamen. Et ſi quid eis, &c. In cujus, &c. Teſte Rege apud *Ceſtr.* xxi. die *Julii.* Ibid. m. 7. intus. De Protectione.

In this Expedition againſt the *Welſh*, though the Biſhops and Clergy were thus protected from purveyance, yet all of them either fined, or compounded with the King for a ſumme of money for the Military ſervices and Knights fees, which they were bound by their tenures to perform in times of Warr; as appears by this Record.

REX omnibus ad quos præſentes literæ pervenerint, ſalutem. Sciatis quod venerabilis Pater *I. Londonienſis* Epiſcopus ſolvit per præceptum noſtrum *Orlandino de Podyo*, & ſociis ejus mercatoribus *Lucaten.* **Ducentas Marcas, per quas finem fecit nobiſcum pro ſervitio ſex feodorum Militar. quod nobis debuit pro expeditione noſtra in inſtanti exercitu noſtro *Wall.*** de iquibus quidem Ducentis Marcis prædictum Epiſcopum præſentium tenore quietamus. In cujus, &c. Teſte Rege apud *Weſtm.* xii. die *Maii.* Pat. 5 E. 1. m. 15. Pro London. Epiſcopo

Pope *Gregory* the 10. in his life, to procure ſome countenance from King *Edward* to his illegal uſurpations and Proviſions, granted this power to him by his Bull, by way of proviſion to preferr 3. of his own houſhold Clerks and Chaplains to any livings without Cure then voyd, or which ſhould next fall voyd within the Dioceſſe of *Bath*, *Sarum*, or elſewhere; by vertue whereof (after this Popes death) the King nominated and recommended one of his Chaplains to be thus provided for by the Biſhop of *Bath* and *Wells*, and Archdeacon of *Sarum.*

REX Venerabili in Chriſto Patri *Bathon.* & *Wellen.* Epiſcopo, & Magiſtro *Thomæ Bek* Archidiacono *Dorſ.* in Eccleſia *Sarum*, ſalutem. **Cum mandatum receperitis Sanctiſſimi patris** Gregorii **Dei gratia Summi Pontificis providendi per vos vel per alium, ſeu alios, tribus Clericis et familiaribus noſtris, quos** vobis Pat. 5 E. 1. m 25. intus Pro Ægidio de Audenard.

An. 5 *E.* 1. bobis nominandos duximus, de totidem beneficiis ecclesiasticis præbendalibus vel aliis cum cura vel sine cura, ad cujuscunque collationem spectantibus in regno nostro Angliæ, si vacant, vel ad præsens quam cito ad id optulerit se facultas, quemadmodum in litera Bullata dicti patris plenius continetur, dilectum & familiarem Clericum nostrum *Egid. de Audenard* vobis tenore præsentium nominamus, volentes sibi auctoritate literarum hujusmodi præbideri. Teste Rege apud *Westm.* xv. die *Maii*.

The Abbey of *Kirkestall* being indebted to the King and sundry others, as well forreign Merchants as Natives; the King thereupon took it into his own hands and protection, and committed it by these ensuing Patents of protection, somewhat different from others premised of this nature.

Pat 5 E 1. m. 15. Pro Monachis de Kirkestall. REX omnibus, &c. Cum Abbatia de *Kirkestall*, quæ de fundatione nostra existit, accumulatis pœnis gravibus, tanta præmatur sarcina debitorum, quod nisi per celere remedium succurratur, vix poterit onere hujusmodi relevari. Nos statui Monachorum ejusdem Domus provideri cupientes, Domum illam cepimus in manum nostram, & eam dilecto Clerico nostro *Hugoni de Kendall* commisimus custodiendam, prout ei injunximus, donec aliud inde duximus ordinand. Et Monachos prædictos, homines, terras, redditus, & omnes possessiones suas in protectionem et defensionem nostram suscepimus. Et ideo vobis mandamus, quod Monachos prædictos, homines, terras, res, redditus, et omnes possessiones suas manuteneatis, protegatis, et defendatis; non inferentes eis, aut inferri permittentes injuriam, molestium, damnum aut gravamen. Et si quid eis forisfactum fuerit, id eis sine dilatione faciatis emendari. In cujus, &c. per quinquennium duraturas. Teste Rege apud *Westm.* xii. die *Maii*.

Ibidem. REX omnibus, &c. Quia dilecti nobis in Christo Abbas & Conventus de *Kirkestall.* nobis in maxima pecuniæ summa tam ratione mutui in Judaismo nostro contracti quam aliunde, necnon et creditoribus suis diversis tam Mercatoribus alienigenis et indigenis quam aliis in debitis multimodis et immensis tenentur, ad quorum solutionem facultates Domus suæ per magni temporis spatium sufficere non possent absque dispersione Conventus prædicti vel feodalium suorum dilapidatione, seu forte Domus illius subversione totali, quod nollemus. Nos de debitis in quibus fidem Abbas et Conventus nobis tenentur præ cæteris omnibus nobis satisfieri volentes, et imbecillitati status ipsorum præcompatientes ne hujusmodi discrimimis aut dispositionis periculum videatur ipsis imminere, Domum illam cum terris, redditibus, & omnibus possessionibus ac rebus aliis ad eam pertinentibus cepimus in manum nostram, & eam dilecto Clerico nostro *Hugoni de Kendall.* concessimus custodiendam, quamdiu nobis placuerit; Ita quod omnes exitus, redditus, & proventus terrarum, reddituum, et possessionum dictæ Domus, (salva rationabili sustentatione Abbatis & Conventus Loci ejusdem) ad exonerationem debitorum suorum, & relevationem defectuam aliorum ejusdem Domus reserventur, ac eisdem onerationi et relevationi per visum aliquorum de discretioribus ejusdem Domus per adjutorium dicti *Hugonis* & consilium, prout melius fieri poterit, applicentur. Nec volumus quod aliquis Vic. Ballivus, aut Minister noster, aut alius quicunque in Domo prædicta, Grangiis seu terris, redditibus, aut aliis possessionibus ejusdem dum in manu nostra et in custodia prædicti *Hugonis* extiterint, in eisdem hospitetur, vel aliter de hiis, quæ ad ea pertinent, se intromittat, sine mandato nostro, aut nostra vel præfati *Hugonis* licentia speciali, In cujus, &c. Teste ut supra. There is a third Patent of Protection in this Roll to the like effect, which I pretermit.

King *Edward* by his Soveraign Ecclesiastical Jurisdiction issued this Commission, to inquire of all Christians who used Usury in *London* and elsewhere, and punish them according to Law by seising their goods, as a thing unbeseeming Christians and Christianity.

Pat. 5 E. 1. m. m. 26. dorso. De inquis. fact. de Usuris. REX *dilectis & fidelibus suis* Johanni de Lovetot, & Greg. de Rokesle *salutem.* Cum non liceat Christianis aliquibus petuniam aliquam, seu bona alia pro usuris

uſuris ratione præſtiti, vel coloze alterius emolumenti inde percipiendi aliam committere, ſeu pzo hujuſmodi commiſſione vel præſtito quocunque pacto ſeu contracto pecuniam aliquam extra ſummam rei præſtitæ ab aliquo exigere vel extozquere; et quidam Chriſtiani de Com. Surr. et Civitate noſtra London. (ut accepimus) illicita cupiditate ducti Judaizantes, ac pecuniam et bona alia Chriſtianis aliis indigentibus mutuo committentes terminis ſtatutis, rebus ſuis quas mutuo tradiderunt ſibi reſtitutis pecuniam illam pzo hujuſmodi beneficio exigant, et vadia ſibi impignozata detineant, et alias diſtrictiones graviſſimas eis faciant et fieri pzocurant, donec eozum cupiditati illicitæ ſatisfaciat, in Chriſtiani nominis ſcandalum, et hujuſmodi uſuras pzæſtantium jacturam, et dampnum non modicum et grabamen; quod ſuſtinere nolumus, ſicut nec debemus; aſſignavimus vos ad inquirendum per Sacramentum, &c. de Com. et Civitate pzædictis, per quos, &c. de hujuſmodi uſurariis, et ad plenam et celerem Juſtitiam de eis faciend. ſecundum Legem, &c. *Et ideo vobis mandamus, quod ad certos, &c. Inquiſitionem illam fac. facturi, &c. ſalvis, &c. Mandavimus enim Vic. noſtris* Surr. & Lond. *quod ad certos, &c. venire faciant, &c. In cujus, &c. Teſte, &c. apud* Windeſ. *xiii. die* Decembr. *An.* 5 *E.* 1.

The Abbot of *Bardeny* being unjuſtly deprived by the Biſhop of *Lincoln*, the ſentence againſt him was nulled as unjuſt upon his appeal to the Archbiſhop, and he reſtored thereby; the King upon certificate thereof, iſſued this Writ for his reſtitution.

REX Militibus, liberis hominibus, & omnibus aliis tenentibus de Abbatia de *Bardeneye* ſalutem. Cum frater *Petrus* Abbas de *Bardeneye* per iniquam venerabilis patris *Linc.* Epiſcopi ſententiam amotus a regimine Abbaciæ pzædictæ Cur. *Cantuar.* de jurisperitozum conſilio legitime appellavit; in qua pronuntiatum eſt per venerabilem patrem *R. Cantuar.* Archiep. totius *Angliæ* Primatem. ſententialiter dictam, Epiſcopum contra memozatum Abbatem injuſte et perperam pzoceſſiſſe, per quod prædictus Archiepiſcopus eundem Abbatem ad priſtinum ſui regiminis ſtatum ſententialiter reſtituit, ſicut per literas patentes ipſius Archiepiſcopi accepimus. Vobis mandamus, quod eidem fratri *Petro* tanquam Domino veſtro, & Abbati loci prædicti, in omnibus quæ ad Abbatiam illam pertinent, intendentes ſitis & reſpondentes. In cujus, &c. T. R. apud *Wyndeſ.* 10 die *Decemb.* Pat. 5 E. 1. m. 27. Pro Abbate de Bardeneya.

There being a deſign this year to ſuccour the Holy Land by Chriſtian Princes, the King authorized his Proctors by this Patent to oblige him to the Pope and Cardinals, that he or his brother *Edmond* would perſonally repair thither at the time they ſhould prefix.

SAnctiſſimo Patri in Chriſto & Domino, Domino *I.* Dei Gratia Sacroſanctæ & Univerſalis Eccleſiæ Summo Pontifici; *Edwardus* eadem gratia Rex *Angliæ*, Dominus *Hibernia*, & Dux *Aquitaniæ*, cum omni devotione pedum oſcula beatorum. Ut in generali ad Terram Sanctam paſſagio pzoximo perſonaliter ad eandem terram pzoficiſcamur, vel chariſſimum fratrem noſtrum Edmundum Lancaſtriæ Comitem pzo nobis tranſmittamus ibidem, dilectis et fidelibus noſtris R. Abbati Weſtmon. et Magiſtro Henr. de Newerk, Clerico et familiari noſtro nos ſpecialiter obligandi tenoze pzæſentium plenam tribuimus poteſtatem. Et hoc idem venerabilibus patribus Dominis Cardinalibus patefacimus per præſentes; quibus ſigillum noſtrum apponi fecimus in teſtimonium præmiſſorum. Dat. apud *Windeſ.* xii. die *Decembris.* Pat. 5 E. 1. m. 16. in ſchedula

Robert de Inſula, Biſhop of *Dureſme*, in his Synod held in his Dioceſſe in the 5th year of King *Edward* the 1. preſumed by his Epiſcopal Authority to compile and publiſh ſundry *Conſtitutions* concerning the payment of *Tithes and Mortuaries*; and likewiſe denounced this ſolemn Excommunication againſt the forcible invaders of Tithes, lately publiſhed in Sir *Henry Spelmans* 2. Tome of *Councils*. [a] *Quidam juſtitiæ contemptores, Decimas vicinorum, quidam verò proprias, in quorum poſſeſſione hactenus non fuerit,* manu laicali et bi armata invadere non formidant. *Nos pretæritis edocti periculis, ut obviamus futuris, auctoritate Dei Patris, & approbatione præſentis*

[a] Spelmanni Concilia, Tom. 2. p. 316 to 320.

An. 5 *E.* 1. *ſentis Synodi ſacroſanctæ*, excommunicamus omnes illos, qui de cætero talia impetrare præſumpſerint, et eorum fautores, et ſine conſcientia (*ſalva ſuperiorum auctoritate*) nullatenus abſolvantur, pœnæ Legati decrebimus eſſe ſubdendos; *cum quamquam non doceat propria auctoritate invadere, per quod judicis officium habet expoſcere.* Whereunto he ſubjoyns, *Ut condecet præceptis Canonicis obedire nolentes*, et in hiis marime quæ in favorem Eccleſiæ ſtatuuntur, ſententia in perturbatores libertatum Eccleſiæ in Oxonienſi Concilio promulgata, *in præſenti ſancta Synodo duximus* innovandos; *injungentes omnibus & ſingulis (curam) noſtrarum animarum habentibus parochialium*, ut ipſam in ſingulis Eccleſiis, ter in anno, in majoribus ſolempnitatibus, accenſis Candelis, et pulſatis Campanis, promulgata, publice non poſtponant, in forma tradita, quæ talis eſt; (before related, Tom. 2. p. 385, 386.) whereunto they now ſubjoyned in the cloze thereof; *Item præmiſſas ſententias* et alias in Conſtitutionibus Canonicis et Legatorum, et Statutis Epiſcoporum Dunelmi contra tranſgreſſores proinde latas, et publice promulgatas ſtatuendo, *approbante præſenti ſacro Synodo*, ſolempniter publicamus, et mandamus et injungimus eas ſingulis annis in tribus ſolempnitatibus majoribus, ſollempniter publicari. All their Conſtitutions, Synods and Sentences of Excommunication tending principally to advance their own *Epiſcopal Conſtitutions, Canons, Juriſdiction, Priviledges, Church-liberties, Uſurpations on the Kings Royal Prerogative, Eccleſiaſtical and Temporal Juriſdiction, and his Lay Subjects rights, properties, franchiſes*; not Gods true worſhip, honor, ſervice, or ſalvation of the peoples ſouls, which they ſeldome really minded, or publickly promoted in their Synods in this age, or long before it.

[1] See Johann. de Aton. Conſtit. legitimæ, f. 121. Guil. Lindewode, Provincialis, l. 5 De Sententia Excommunicationis, f. 249, 252.

What Soveraign Eccleſiaſtical Juriſdiction King *Edward* exerciſed this year in *Ireland*, in the elections, confirmations of Biſhops, Abbots, donation of other Eccleſiaſtical benefices and Church-affairs, theſe Records relate.

Pat. 5 E. 1. m. 13 intus. De aſſenſu Electioni adhib. Hibernia.

REX electioni nuper factæ in Cathedrali Eccleſia de *Corke* de fratre *Roberto* Ordinis *Ciceſtrien.* Monacho in Epiſcopum ejuſdem loci, Regium aſſenſum adhibuit et favorem. Et mandatum eſt *Caſſalen.* Archiepiſcopo, ut quod ſuum eſt in hac parte exequatur. Teſte Rege apud *Weſtm.* viii. die *Maii.*

Par. 5 E. 1. m. 21 De aſſenſu electioni adhibito Hibernia.

REX electioni nuper factæ in Eccleſiæ Sancti *Patricii* de *Duno* de fratre *Nicholao*, Priore loci ejuſdem in Epiſcopum loci illius, Regium adhibuit aſſenſum et favorem. Et hoc ſignificatum eſt Domino *Ardmacano* Archiepiſcopo, ut, quod ſuum eſt, in hac parte exequatur. T. R. apud *Norwic.* 19 die *Decemb.*

Ibid. De Temporal. reſtituendis, Hibernia.

REX dilecto & fideli ſuo *Roberto de Ufford.* Juſtic. ſuo *Hiberniæ* ſalutem. Cum nos electioni nuper factæ in Eccleſiæ Sancti *Patricii* de *Duno* de *Nicholao* Priore ejuſdem in Epiſcopum loci Regium aſſenſum adhibuerimus et favorem. Attendentes quod prædictus *Robertus* circa proſecutionem negotii electionis prædictæ diutius laboravit;, et volentes ſuis laboribus et expenſis parcere in hac parte; Vobis mandamus, quod ſi contingat Electum prædictum in Epiſcopum loci prædicti canonicè confirmari, tunc recepta ab ipſo Electo nomine noſtro fidelitate nobis in caſu iſto debita, Temporalia dicti Epiſcopatus eidem liberetis; receptis tamen prius literis patentibus ſigillo ſuo, necnon et ſigillo Capituli prædictæ Eccleſiæ Sancti Patricii de Duno ſignatis, quod hæc gratia noſtra, quam eidem Electo ad præſens ex mera liberalitate noſtra conceſſimus, nobis vel hæredibus noſtris non cedat in præjudicium vel exhæredationem, ſeu trahatur in conſuetudinem, vel conſequentiam temporibus futuris. In cujus, &c. Teſte Rege apud *Norwic.* xxix. die *Martii.*

Pat. 5 E. 1. m. 21. De licentia eligendi. Hibernia.

PRioriſſa & Moniales Eccleſiæ Sanctæ *Mariæ de Hoges* juxta *Dublin* nuntiantes Regi mortem Abbatiſſæ ſuæ, habent literas Regis de licentia eligendi. T. R. apud *Norwic.* 19 die *Marcii.*

Pat. 5 E. 1 m. 20. De licentia eligendi, & temporal. reſtit. in Hibern.

REX dilecto & fideli ſuo *Roberto de Ufford* Juſtic. ſuo *Hiberniæ* ſalutem. Cum Prioriſſa & Moniales Sanctæ *Mariæ de Hoges* in *Hibernia* nobis per literas ſuas patentes ſignificaverint, quod Eccleſia ſua per mortem *Roſſiæ* quondam Abbatiſſæ de

de *Hoges*, Paſtoris ſolacio eſt deſtituta, **petentes a nobis licentiam eligendi aliam in Abbatiſſam**, ſicut moris eſt; Nos precibus ſuis benignè in hac parte condeſcentes, licentiam illam **eis concedimus, eis mandantes ut talem eligant in Abbatiſſam, quæ dictæ [Domui] devota, et regimini Eccleſiæ ſuæ neceſſaria, et nobis et regno noſtro fidelis exiſtat.** Et quia earum laboribus pariter & expenſis parcere volumus in hac parte; **Conceſſimus eis de gratia noſtra ſpeciali, et vobis dedimus poteſtatem, quod facta electione prædicta de futura Abbatiſſa, ſicut prædictum eſt, ejuſdem electioni aſſenſum Regium vice noſtra præbeatis;** Significantes loci Dioceſano, quod id quod ſuum eſt in hac parte exequatur; Et volumus quod confirmata electione prædicta, **et fidelitate ab eadem Electa** (prout moris eſt) accepta, omnia Temporalia ejuſdem Abbatiæ eidem Electæ vice noſtra reſtituatis; **receptis prius a prælata Priorissa et Conventu, necnon et ab Electa ſuprædicta, literis ſuis patentibus, quod gratia prædicta nobis vel hæredibus noſtris in aliis vacationibus Eccleſiæ prædictæ non cedat in præjudicium, et in conſuetudinem, vel conſequentiam in poſterum non trahatur.** In cujus, &c. Teſte Rege apud *Framebingham*, 9 die *Aprilis*. *An.* 5 E. 1.

REX dilecto & fideli ſuo *Roberto de Ufford* Juſtic. ſuo *Hibern.* ſalutem. Cum **Electioni nuper factæ** in Eccleſia de *Kilkelekin* de *Mabill. de Curſy* in Abbatiſſam ejuſdem loci, **Regium aſſenſum adhibuimus et favorem**; nos attendentes, quod prædicta Eccleſia circa proſecutionem negotii electionis prædictæ **diutius laborabit**, & volentes ſuis expenſis & laboribus parcere in hac parte; Vobis mandamus, quod ſi contingat electam prædictam in Abbatiſſam loci prædicti canonicè confirmari, **tunc recepta ab ipſa electa nomine noſtro fidelitate nobis in caſu iſto debita**, Temporalia Abbatiæ prædictæ eidem liberetis. **Receptis tamen prius a præfatis Priorissa et Conventu, et ab electa prædicta, literis ſuis patentibus, Quod hæc gratia noſtra, quam eidem electæ ad præſens ex mera liberalitate noſtra conceſſimus, nobis vel hæredibus noſtris non cedat in præjudicium vel exhæredationem, ſeu trahatur in conſuetudinem vel conſequentiam temporibus futuris.** In cujus, &c. Teſte ut ſupra. Pat. 5 E. 1. m. 7. intus. De temporal. reſtituendis.

REX dilecto & fideli ſuo *Roberto de Ufford* Juſtic. ſuo *Hibern.* ſalutem. Cum Prior & Conventus Abbatiæ Sanctæ *Mariæ* de *Kenſis Midden.* Dioc. in *Hibern.* nobis per literas ſuas patentes ſignificaverint, quod cum Eccleſia ſua per mortem *Grandani* quondam Abbatis ejuſdem Domus, paſtoris ſolatio ſit deſtituta, **petentes a nobis licentiam eligendi alium in Abbatem, ſicut moris eſt.** Nos precibus ſuis in hac parte **benigne condeſcentes, licentiam illam eis concedimus**, eis mandantes, **quod talem eligant in Abbatem, qui Deo devotus, regimini Eccleſiæ ſuæ neceſſarius, et nobis et regno noſtro fidelis exiſtat.** Et quia eorum laboribus pariter & expenſis parcere volumus in hac parte, **conceſſimus eis de noſtra gratia ſpeciali, et vobis dedimus poteſtatem**, quod facta electione prædicta de futuro Abbate, ſicut prædictum eſt, **ejuſdem electioni aſſenſum Regium vice noſtra præbeatis**; ſignificantes loci Diocæſano, **quod id, quod ſuum eſt in hac parte, exequatur.** Et volumus, quod confirmata electione prædicta ab eodem, **et fidelitate ab eodem electo** (prout moris eſt) **accepta**, omnia Temporalia ejuſdem Abbatiæ eidem electo vice noſtra reſtituatis. **Receptis prius a præfatis Priore et Conventu, et ab electo ſuprædicto, literis ſuis patentibus, quod gratia prædicta nobis vel hæredibus noſtris, in aliis vacationibus Eccleſiæ prædictæ, non cedat in præjudicium, et in conſuetudinem, vel in conſequentiam imposterum non trahatur.** In cujus, &c. Teſte Rege apud *Ceſtr.* 16 die *Julii*. This laſt clauſe being thus ſpecially inſerted into all the precedent Writs of reſtitution, to preſerve the Kings Eccleſiaſtical Soveraignty, and prevent Uſurpations on it, by his ſpecial favour indulged in the precedent caſes. Ibidem. De licentia eligend. & temporal. reſtituendis Hibern.

REX Juſtic. ſuo *Hibern.* ſalutem. Cum nuper credentes Eccleſiam de *Freiketh* fuiſſe vacantem, & ad noſtram præſentationem ſpectantem, ratione cuſtodiæ terrarum & hæredum *Johannis de Cogan.* junioris defuncti, quas de nobis tenuit in capite, in manu noſtra exiſtentium, dilectum Clericum noſtrum *Richardum de Blund* præſentaverimus ad eandem; & dilectus & fidelis noſter *Galfridus de Gyenvill* tunc Juſtic. noſter *Hibern.* **nomine noſtro (nobis tamen ignorantibus)** Magiſtrum *Johannem* Ibid. m. 9. Pro Richardo de Blund.

Anno 5 E. 1. *hannem de Hathfeild* **ad eandem Eccleſiam prius præſentaſſet**, qui per loci Diocæſanum ad ipſam Eccleſiam admiſſus fuit, & inſtitutus in eadem, **quo minus præſentatio noſtra prædicta effectui potuit mancipari.** Nos eidem *Richardo* gratiam facere volentes ſpecialem, vobis mandamus, quod eidem in beneficio Eccleſiaſtico, valente per annum Triginta Marc. ad noſtram ſpectante donationem **prohibeatis, quam primum ad id optulerit et facultas.** In cujus, &c. T.R. apud *Wyndeſ.* 3 die *Julii.*

Pat. 5 E 1 m. 6 intus. De poteſtate data præſentandi Hibern.

REX dilecto Clerico ſuo *Thomæ de Chaddeſworth*, ſalutem. Sciatis **quod dedimus vobis poteſtatem præſentandi idoneum Capellanum nomine noſtro hac vice** ad Vicariam Eccleſiæ de Sancto *Kenino* in ſuburbio *Dublinenſi*, quæ vacat, & ad noſtram ſpectat donationem, ut dicitur. Et nos præſentationem illam **nomine noſtro faciendam**, ratam habemus & acceptam. In cujus, &c. Teſte, &c.

Ibid m. 7. Hibern.

REX dedit & conceſſit *Iterio Bochard* Præbendam de *Sword* cum pertinentiis in Eccleſia Sancti *Patricii Dublin.* vacantem per mortem *Roberti de Blund*, **et ad Dominum Regem ſpectantem ratione Archiepiſcopatus** Dublin. **vacantis, et in manu Regis exiſtentis:** Et mandatum eſt Decano & Capitulo Sancti *Patricii Dublin.* quod eidem *Iterio* ſtallum in Choro & locum in Capitulo aſſignent, & ſibi de Præbenda prædicta cum pertinentiis, prout moris eſt, poſſeſſionem habere faciant. In cujus, &c. Teſte Rege apud Caſtrum prope *Baſingwerk.*

Ibid in cedula. Hibern.

REX dilectis ſibi in Chriſto Decano & Capitulo *Dublin.* ſalutem. Sciatis quod dedimus & conceſſimus dilecto Clerico noſtro *Adæ de Wadonhall* Præbendam illam quam *Iterius Bochard* nuper habuit in Eccleſia *Dublin.* vacantem per commutationem, quam eidem *Iterio* fecimus de Præbenda de *Sword* in Eccleſia veſtra prædicta, **et ad noſtram donationem ſpectantem, ratione Archiepiſcopatus Dublin. vacantis, et in manu noſtra exiſtentis:** Et ideo vobis mandamus, quod eidem *Adæ* ſtallum in Choro & locum in Capitulo, prout moris eſt, aſſignetis. In cujus, &c. Teſte Rege in Caſtris prope *Baſingwerk*, 27 die *Julii.*

The Popes Delegate giving a ſentence againſt the Prior of *Kilkenny*, for two Churches in *Ireland* given them by *William* Earl of *Pembroc* by his Charter, under the vail and colour of a ſpoliation, the Kings Juſtices in *Ireland* thereupon iſſued a Prohibition to ſtay the execution of that ſentence, as this Certificate of the proceedings to the King, upon the Prior of *Chriſt-Church* complaint, records.

Bundela Brev. & Pat. Anno 5 E. 1.

SAltem *ex parte Prioris & Capituli Eccleſiæ* Chriſti Cantuar. *vobis fuit intimatum*, **quod nos Judicem a ſede Apoſtolica datum**, *ſuper executione cujuſdam ſententiæ pro prædictis Priore & Capitulo*, **ſuper ſpoliatione Eccleſiarum** *Sancti* Edwini, *& Sanctæ* Mariæ *de nova* Ros, *contra Priorem de* Kilkenni **coram Judice delegato latæ**, *(ut dicitur) occaſione cujuſdam* Cyrographi, **de advocationibus earundem Eccleſiarum** *inter extraneas perſonas dudum in Curia noſtra* Hiberniæ **levati minus juſte**, *quo minus hujuſmodi ſententiam executioni debitæ potuit demandare: Serenitati veſtræ duximus ſignificandum, quod prafatus Judex ab executione dicta ſententia occaſione dicti* Cyrographi **nequaquam per nos extitit impeditus**; *ſed quia idem Judex & Commiſſarii ſui, ad querelam & ſectam ipſius Prioris Sancti* Johannis, **attachiati ſunt per breve veſtrum, coram Juſticiariis veſtris de Banco** Dublin. **ſuper eo, quod venerunt contra Prohibitionem veſtram eis ex parte dicti Prioris** Kilken. **porrectam, ſuper advocatione earundem Eccleſiarum**, *quam idem Prior habet ex dono & feoffamento* Willielmi *Comitis* Penbrok *& Mareſcalli* Angliæ, **et de qua quidem advocatione ipſum Priorem per prædictam ſententiam ſub velamine ſpoliationis prædictæ nituntur expellere, ut aſſerit. Idcirco per eoſdem Juſticiarios eis eſt inhibitum, ne pendente placito dicti Attachiamenti in Curia veſtra, procedant ad executionem ſententiæ memoratæ in præjudicium ipſius Prioris placitum illud proſequentis.**

Ebol Viſcount of *Ventodore* in *France*, being compelled by the Popes Legate to reſume the Croſſe he had taken up for the *Holy Land*, which he had laid down by reaſon of ſickneſſe, and ſpecial ſervices of King *Edward*, as one of his menial Servants; the King thereupon ſent this Letter to Pope *John* the 21. and his Agent in

France

France, to diſcharge him from reſuming the Croſſe, to which others were then compelled in *France*. *An.* 5 *E.* 1.

Sanctiſſimo in Chriſto Patri Domino J. *Dei gratia Sacroſanctæ* Romanæ *Eccleſiæ Summo Pontifici*, Edwardus *eadem gratia Rex* Angliæ, *Dominus* Hiberniæ, & *Dux* Aquitaniæ, *ſalutem, & cum omni reverentia & honore ſe totum ad pedum oſcula beatorum. Volentes perhibere teſtimonium veritati, Sanctitati veſtræ veraciter intimamus, quod dilectus & fidelis noſter* Ebolus *Vicecomes de* Ventodoro Lemovicen. *Diœceſi*, (*qui tempore quo ad Terram Sanctam transfretavimus, de noſtra familia exiſtebat*, **et per nos cinctus fuit apud** Tunes *cingulo militari, gravi poſtmodum & quaſi incurabili athicè morbo detentus*) **de licentia et mandato noſtro, ac propter quosdam ſpecialia negotia noſtra, quæ ſibi commiſimus, ad propria remeavit invitus.** *Unde cum intelleximus*, **quod una cum aliis Cruceſignatis regni** Franciæ, **ad Crucem reſumendam authoritate ſedis Apoſtolicæ compellatur**, & *idem* Ebolus *tanquam fidelis & familiaris noſter affectet & promptus ſit ſequi in omnibus viam noſtram, Sanctiſſimæ paternitati veſtræ duximus* **humiliter ſupplicandum, quatinus a compulſione hujuſmodi, quo ad ipſum demandetis ceſſari, ſi placet.** *Firmiter enim credimus, quod ſuo tempore ſine compulſione aliqua paratus erit in hiis & aliis* Romanæ *Eccleſiæ* **obedire mandatis.** *Teſte meipſo apud* Weſtm. *primo die* Maii, *anno regni noſtri quinto.* Brev. Regis Anno 5 n. 1. in Turri Lond.

EDwardus *Dei gratia Rex* Angliæ, *Dominus* Hiberniæ, & *Dux* Aquitaniæ, *dilecto & fideli Procuratori ſuo Magiſtro* Henrico de Newerk, *ſalutem. Cum pro dilecto & fideli noſtro* Ebolo *Vicecomite de* Ventodoro, *Domino Papæ per literas noſtras quas vobis eidem liberandas mittimus, humiliter ſupplicemus*, **ut a compulſione quam Legatus** Franciæ **facit eidem de Cruce reſumenda**, *prout in regno* Franciæ, **ſit omnibus Cruceſignatis, qui de** Tunys **ad** Terram Sanctam **minime transfretarunt, ceſſari mandet ad præſens:** *Vobis mandamus, quatinus negotium hujuſmodi proſequamini, tanquam noſtrum, & ad finem deduci procuretis optatum. Teſte meipſo apud* Weſtm. *primo die* Maii, *anno regni noſtri quinto.* Ibidem.

Richard Aubin being impriſoned at *Norwich* upon a *Capias Excommunicatum*, by the Archbiſhop of *Canterbury*, and afterwards releaſed upon caution to obey the Churches command, yet after that retaken and impriſoned for the ſame cauſe in *London*, the King thereupon iſſued a Writ to the Archbiſhop, to certifie the truth of his caſe, & for his enlargement, whereupon the Archbiſhop returned this Certificate.

Sereniſſimo Principi & Domino ſuo, Domino E. *Dei gratia Regi* Angliæ *illuſtri, Domino* Hiberniæ, & *Duci* Aquitaniæ, *frater* Robertus *permiſſione divina* Cantuarienſis *Archiepiſcopus, totius* Angliæ *primas, ſalutem, cum omni reverentia & honore. Mandatum veſtrum nuper recepimus in hac verba. Edwardus* Dei gratia Rex *Angliæ*, Dominus *Hiberniæ*, & Dux *Aquitaniæ*, venerabili in Chriſto Patri *R.* eadem gratia *Cantuarienſi* Archiepiſcopo, totius *Angliæ* primati, ſalutem. Oſtenſum eſt nobis ex parte *Richardi Aubin*, quod cum ipſe per Vicecomitem noſtrum *Northf.* juxta mandatum noſtrum ad denuntiationem veſtram ſibi directam, **tanquam Excommunicatus et clabes Eccleſiæ contemnens captus,** & in priſona noſtra *Norwici* detentus, & poſtmodum præſtita vobis cautione coram Officiario veſtro *Norwicenſis* Diœceſis ſede vacante, **de parendo mandatis Eccleſiæ in forma juris ab eadem priſona authoritate veſtra deliberatus extiterit**; Major & Ballivi Civitatis noſtræ *London.* per breve noſtrum de data prioris mandati noſtri ad denunciationem veſtram prædictam eis de præfato *Richardo* occaſione qua prius juſtitiando directum, ipſum iterato ceperunt, & eundem in priſona noſtra de *Newgate* adhuc detinent, **in ipſius damnum non modicum et gravamen. Et quia non eſt juri conſonum, quod idem** Richardus **poſt dictam cautionem taliter datam ulterius in priſona detineatur, dum tamen eadem ſit cauſa captionis ſuæ prædictæ.** Nos ſuper hoc certiorari volentes, vobis mandamus, quod rei veritatem in hac parte nobis per literas veſtras ſignificetis, ut exinde fieri faciamus quod de jure fuerit faciendum. Teſte meipſo apud *Well.* 22 die *April.* Anno regni noſtri ſexto. *Facta igitur ſuper præmiſſis inquiſitione diligenti per Decanum noſtrum de Arcubus* London. *compertum eſt, quod* Brevia Regis Anno 5 E. 1.

An. 5 *E.* 1. *quod prafatus* Richardus *ob eundem cauſam pro qua apud* Norwic. *in carcere detentus fuerat, & per Officiarium noſtrum in Diocaſi* Norwicenſi *ſede vacante praſtita cautione in forma juris extiterat liberatus,* **iterato apud** Newgate **carcerali cuſtodiæ mancipatur.** *Datum apud* Gennyng. 2 *nonas* Maii, *Anno Dom.* 1278. Whereupon it ſeems he was enlarged, as the Writ imports.

The King ſending a Prohibition this year to the Dean of the Arches, not to hold Plea of a Debt, belonging to his Temporal Juriſdiction, the Archbiſhop of *Canterbury* certified him, that he was there impleaded not by the Dean of the Arches, but by the Popes ſpecial command, whom he ought to obey, and would obey.

Prev. Regis Anno 5 E. 1.

S*Ereniſſimo Principi & Domino ſuo Reverendo, Domino* E. *Dei gratia Regi* Angliæ *illuſtri, Domino* Hiberniæ, *& Duci* Aquitaniæ, *ſuus frater* Robertus Cantuarienſis *Eccleſiæ Sacerdos indignus, ſalutem in eo per quem Reges regnant, & Principes dominantur, cum omni reverentia tam debita quam devota.* **Prohibitum eſt per Curiam veſtram Decano de Arcubus** London. **ne teneat placitum de Catallis aut Debitis, quæ Magiſter** Henricus de Haukele **petit a Magiſtro** Radulpho de Fremingham. *Noverit igitur Excellentia veſtra,* **quod non tenetur ibi de placito per Decanum, unde exequitur mandatum Apoſtolicum mihi ſub certa forma directum, cui obedire debeo et obediam.** *Hac autem eſt rei veritas, propter quod (ſi placet) non credat veſtra Serenitas,* **quod Decanus præterea hujuſmodi Executionis aliquid faciat in veſtræ præjudicium dignitatis.** *Dat. apud* Mortelabr. 2 *Idus* Maii, *Anno Domini* 1278. A very inſolent Certificate of an Arch-prelate to his Soveraign; but being advanced to the Archbiſhoprick by the Popes proviſion, not Kings previous aſſent and approbation, no wonder he preferred and obeyed the Popes commands before the Kings.

I ſhall conclude this 5th. year of King *Edward* the 1. with this moſt memorable Record and Caſe. *Gilbert de Thychevell* being ſued in the Eccleſiaſtical Court for Chattels and Debts, whereof they had no Juriſdiction; and ſending a Prohibition to them out of the Kings Court to ſtay the proceedings, delivered in open Court by the Kings Meſſengers to *Nicholas Chapple* the Judge, he in a moſt inſolent contemptuous manner, (encouraged as it ſeems by Archbiſhop *Boniface* and his Suffragans * Antimonarchical Conſtitutions, appealed againſt by the King and Nobles) inſtead of obeying it, denounced a publick Excommunication againſt thoſe who delivered the Prohibition, and againſt all who ayded, countenanced or favoured that Writ; not excepting the Kings perſon; citing the ſaid *Gilbert* to remote places, to attend them from day to day to vex and weary them, and cauſed him to be Excommunicated in Churches with Bells ringing, and Tapers burning and extinct: For which high contempt againſt the Kings Prohibition, Crown and Regal authority, illegal Excommunication and vexation, he was proſecuted at the Kings ſuit to his damages of 1000 *l.* and at the Parties ſuit to his damage of 100 mark, and found guilty by the Jury and impriſoned; as *Placita coram* Rogero de Seyton *& ſociis ſuis Juſticiariis de Banco apud* Weſtm. *à die Paſche in* 15. *dies, Anno regni Regis* Edwardi *quinto, Rot.* 15. *dorſo,* (remaining in the Treaſury of the Receipts of the Kings Exchequer) thus record to poſterity.

* See Tom. 2. p. 901, 902. 903, 911, 989, 990, 991.

Rot 15. dorſ. Norff.

M*Agiſter* Nicholaus de Capella *attach. fuit ad reſpondend.* **Domino Regi** *de placito,* **quare cum** Gilbertus de Thychewell **tanquam Nuncius Domini Regis brevе ſuum de Prohibitione prædicto Magiſtro** Nicholao **in pleno Capitulo apud** Docking **porrigi feciſſet, ne tenerent placitum in Curia Chriſtianitatis de Catallis et Debitis, quæ non ſunt de Teſtamento vel Patrimonio, præfatus** Nicholaus **in perſonas illud brevе Regis differentium, et auxilium, conſilium, et favorem eidem brevi præſtantium in eodem pleno Capitulo, ſententiam Excommunicationis, non excipiendo perſonam Regis, minus provide fulminavit, trahens dictum** Gilbertum **ad loca remota inde in placitum coram eo in Curia Chriſtianitatis, ut ſic eum gravius fatigare poſſit laboribus et expenſis, et eum ex cauſa prædicta Excommunicatum denunciari fecit, in Coronæ et Regiæ dignitatis læſionem, et Domini Regis contemptum manifeſtum, nec non et prædicti** Gilberti **præjudicium,**

et

et non modicum gravamen, &c. Et unde Dominus Rex per prædictum Gilbertum *qui ſequitur pro eo, queritur*, quod cum idem Gilbertus brevе ſuum de Prohibitione prædicto Nicholao, *die Jovis proximo poſt feſtum Sancti* Marci *Evangeliſtæ, anno regni Regis nunc tertio, in pleno Capitulo apud* Docking, per quendam Thomam Triſtrem porrigi feciſſet, ne placitum de Catallis et Debitis, quæ non ſunt de Teſtamento vel Matrimonio, contra Prohibitionem Domini Regis tenerent, prædictus Nicholaus poſt prædictum brevе per eos receptum, in perſonas illud brevе differentium, et eidem favorem præſtantium ſententiam Excommunicationis, non excipiendo perſonam Regis, fulminavit, et per decem Capellanos ſibi ſubjectos de Decanatu de Hecheham ipſam ſententiam ſolempniter prædictis die et loco pulſatis Campanis et accenſis Candelis publicari fecit, trahens ea occaſione prædictum Gilbertum in placitum in Curia Chriſtianitatis coram eo apud Brakedene, *die Sabbati proxima poſt feſtum Sancti* Barnabæ *anno prædicto*, denuncians ipſum ratione prædicti brevis impetrati in ſententiam generalem incidiſſe, et poſtquam ipſos per diverſos labores et erpenſas per diverſa loca fatigaſſet, eum eadem de cauſa eſſe Excommunicatum *die Veneris proxima ante feſtum* Exaltationis Sanctæ Crucis *anno prædicto apud* Docking, denunciari fecit de die in diem. Et ſimiliter ubi Vic. Norff. ex parte Domini Regis et per ejus præceptum in propria perſona *die Dominica proxima ante feſtum Sancti* Nicholai *anno quarto*, efficaciter monuit, quod ſententias et hujuſmodi errores ſine mora revocaret, idem Nicholaus prædictas ſententias et errores ad mandatum Domini Regis et Vic. monitionem non revocavit, immo proſequebatur in Coronæ et Regiæ dignitatem læſionem, et Regis contemptum Mille Librarum, ad prædicti Gilberti dampnum Centum Marcarum, et inde producit ſectam, &c. *Et Magiſter* Nicholaus *venit & defendit vim. & injur. quando, &c. Et quicquid, &c. Et bene defend.* quod ipſe nunquam Excommunicationis ſententiam in prædictum Gilbertum, nec in aliquem brevе Domini Regis prædictum differentem, auxilium, conſilium, vel favorem præſtantes fulminavit, nec ipſum Gilbertum ea de cauſa ad loca remota in Curia Chriſtianitatis ad placitum traxit, nec Excommunicatum eadem de cauſa denuntiavit. *Et hoc offert defendere contra ipſum & ſectam ſuam, ſicut Curia conſideraverit. Ideo conſideratum eſt, quod vadiat ei legem ſe* 12. *manu. Et prædictus* Nicholaus *inſtanter fecit legem ſuam. Ideo ipſe inde quietus & prædictus* Gilbertus *in miſericordia. Et quo ad hoc quod prædictus* Gilbertus *dicit*, ipſum Nicholaum ſententiam Excommunicationis non excipiendo perſonam Domini Regis, in omnes conſilium, auxilium et favorem præſtantes, fulminaſſe, *dicit*, quod ipſe nunquam hujuſmodi ſententiam fulminavit. *Et quod ita ſit ponit ſe ſuper patriam. Et* Gilbertus *qui ſequitur pro Domino Rege ſimiliter. Ideo præceptum eſt Vicecomiti, quod venire faciat hic in Octabis* Sanctæ Trinitatis, *niſi* J. de Lovetoſt *prius, &c. duodecim, &c. per quos, &c. Qui nec, &c. ad recogn. in forma prædicta. Quia tum, &c. Poſtea ad diem illum prædictus* Gilbertus *qui ſequitur pro Domino Rege, optulit ſe quarto die verſus Magiſtrum* Nicholaum. *Et ipſe non venerit, & habuit diem ad hunc diem, ut patet ſuperius. Et ideo præceptum eſt Vicecomiti, quod diſtringat eum per omnes terras, &c. Et quod de exitibus, &c. Et quod habeas corpus ejus à die Sancti* Michaelis *in* 15. *dies apud* Salop, *ad audiend. prædict. Jur. Et præceptum eſt Vicecomiti, quod habeat corpora Recognitorum ad prefatum terminum, &c. Poſtea in Octabis Sancti* Johannis Baptiſtæ *Anno regni nunc ſexto, venerunt Jur. qui dicunt ſuper Sacramentum ſuum*, quod prædictus Nicholaus die quo prædictum brevе ei porrectum fuit, in pleno Capitulo de Docking, per prædictum Thomam de Triſtrem ne prædictum placitum teneret; ſtatim poſt receptionem ejuſdem per quoſdam Preſbyteros quos ad hoc deputavit, in omnes illos brevе illud differentes, et conſilium, auxilium, et favorem eidem præſtantes, in eodem Capitulo ſententiam Excommunicationis fulminavit, non excipiendo perſonam Regis. Ideo mandatum eſt Epiſcopo Norwic. quod fac. eum venire hic in Octabis Sancti Michaelis audiend. inter Record. et Judicium ſuum. Poſtea venit prædictus Magiſter Nicholaus, et committitur Gaol. pro contempta.

An. 5 *E.* 1.

Nota.

From which memorable Record I ſhall obſerve, 1. The ſtrenuous endeavours of Eccleſiaſtical Judges and Courts in that age, to enlarge their Juriſdiction, and uſurp the conuſance of Pleas of all Goods, Chattels, Fees, and other Temporal things, not belonging to them. 2ly. Their ſtrange inſolencies and contempts, in fulminating Excom-

An. 5 *E.* 1. Excommunications in their open Courts, and Churches, with Bells and Candles, againſt all ſuch who ſued, proſecuted or delivered the Kings Writs of Prohibition to reſtrain their Uſurpations, and againſt all who adviſed, counſelled, aſſiſted or granted ſuch Prohibitions, not excepting the King himſelf. 3ly. Their great and intollerable vexations of ſuch who ſued ſuch Prohibitions by new Citations, to attend them *de diem in diem* at remote places, and denouncing new Excommunications againſt them. 4ly. The Kings deep reſentments of theſe their high contempts, and affronts againſt his Crown, Dignity, Regal Juriſdiction, and of the vexation of his Subjects, and his royal proſecutions againſt them for it, both at his own and the parties ſuit, to recover dammages againſt, fine and impriſon them for theſe contempts, uſurpations and vexations. 5ly. Their impudency in denying and pleading a ſpecial Not guilty, though moſt guilty thereof, againſt their own knowledge; with their manifold defaults and delayes to tyre out and diſcourage their proſecutors, and prevent Judgements againſt them. 6ly. That all ſuch general Excommunications denounced by Eccleſiaſtical Judges, are illegal, and that the King by his Prerogative ought to be ſpecially excepted out of them.

An. 6 *E.* 1. * About the ſame time *Walter Broneſcombe* Biſhop of *Exeter* (of whoſe frauds and oppreſſions you may read in * *Godwins* Catalogue of Biſhops) and his Officials, cited ſundry of the Kings Subjects, and Officers into his Eccleſiaſtical Courts for Debts and Chattels, that concerned not Matrimony or Teſtament, and for Treſpaſſes, Freeholds, and other things of which they had no legal Juriſdiction; excommunicating, and putting them to pecuniary redemptions and grievous penalties, to their great oppreſſion and vexation, and withall exacted illegal Oathes and obligations from them, againſt the Kings Crown, Dignity, and Subjects Liberties; the King upon the complaints of *Edmund* Earl of *Cornwall* and his Officers, and of the whole County of *Cornwall*, of theſe his exorbitances, iſſued a ſpecial Commiſſion in the 6. year of his reign to ſome Judges, to inquire of, hear and determin theſe his Exorbitances and Uſurpations, before whom he was proſecuted at the Kings ſuit, to his Dammages of 10000 *l.* which the Biſhop denying in ſome ſort, appealed to the King, Pope, and Court of *Rome*, from the Kings Juſtices; for which his miſdemeanor, high affront and diſhonour to the Kings Crown and Dignity, he was adjudged undefended, ordered to ſatisfie the King his 10000 *l.* Dammages: and likewiſe to anſwer his contempt for this his enormous appeal to the Pope, in affront of the Kings Crown and Dignity, before the King and his Counſil; as this memorable Record at large informs us.

* Pag. 326, 327.

Inquiſitiones factæ apud *Lanceaneton.* per præceptum Domini Regis die Veneris in Craſtino Nativitatis beatæ *Mariæ*, coram *Rogero Loveday*, & *Waltero de Wynborn.* Anno regni Regis *Edwardi* 1. ſexto.

Anno 6 E. 1. rot. 1. *Cornub.* ſſ. *Dominus Rex mandavit præfatis* Rogero & Waltero *per Breve ſuum in hac verba.* Edwardus Dei gratia, &c. Dilectis & fidelibus ſuis *Rogero Loveday*, & *Waltero de Wynborn.* ſalutem. Quia ex graviſſimis querimoniis Vic. noſtri Cornub. et aliorum Ballivorum noſtrorum, et etiam hominum dilecti et fidelis noſtri Edmundi Com. Cornub. conſanguinei noſtri, ac totius Communitatis hominum Com. prædicti accepimus, quod Venerabilis Pater Walterus Exon. Epiſcopus, Officiales, Decani, et alii Miniſtri ſui, de ipſius Epiſcopi mandato ſpeciali ipſum Vic. Ballivos noſtros, Milites, liberos homines, et alios de prædicta Communitate indeſinenter trahunt in placitum coram eis in Cur. Chriſtianitatis de Catallis et Debitis quæ non ſunt de Teſtamento, vel Patrimonio, et etiam de Laicis Feodis, Foſſatis diverſis, Vercis, Vivariis, Piſcariis, Nebulonibus, et de tranſgreſſionibus et diſtructionibus in eis factis, quorum cognitio et correctio ad Coronam et dignitatem noſtram, et non ad Forum Eccleſiaſticum pertinent, et etiam quoſdam eorum per Sententias Excommunicationis compulerunt, et adhuc compellere non ceſſant ad redemptiones pecuniarias graviſſimas eidem Epiſcopo ex cauſis prædictis præſtand. et ad obligationes ei faciendas, quod ſibi in omnibus adhererunt, et per omnia, *nulla de fidelitate nobis debita exceptione, vel mentione facta, et alia contra nos et noſtros indeſinenter perpetrent, in Regiæ dignitatis, et Coronæ noſtræ

* See Cooks 1 Inſtit. on Littleton, f 65.

ſtræ læſionem, ac noſtri et multorum exhæredationem et depauperationem manifeſtas, quæ ulterius ſuſtinere nolumus, ſicut nec debemus; *Conſtituimus vos Juſtic. noſtros, una cum his quos vobis aſſociaveritis*, ad inquirend. per Sacramentum proborum et legalium hominum de Comitatu prædicto, per quos rei veritas melius ſciri poterit veritatem præmiſſorum. Et ad querelas omnium et ſingulorum ſuper præmiſſis vel aliqua parte eorum conqueri volentium, et eorum grabamina audiend. et terminand. et ad Juſtic. inde faciend. ſecundum Legem et Conſuetudinem Regni noſtri. Et ideo vobis mandamus, &c. quod ad certos diem, &c. quos ad hoc, &c. Inquiſitionem illam in forma prædicta, &c. *Mandavimus enim Vic. noſtro Comitatus prædict. quod ad certos diem & locum, quos ei ſciri facietis, venire faciat coram vobis tot & tales probos & legales homines de Com. prædict. per quos rei veritas in prædictis melius ſciri poterit & inquiri. In cujus rei teſtimonium has literas noſtras fieri fecimus Patentes. Teſte meipſo apud* Glouc. *xi. die* Auguſti, *Anno Regni noſtri Sexto.* *An. 6 E.* 1.

Per quod quidem mandatum præfati R. & W. *mandaverunt Vicecomiti Comitatus prædicti, quod venire faceret coram eis apud* Lanceaneton *die Veneris prox. poſt feſtum* Nativitatis Beatæ Mariæ *Anno ſupradicto, tot & tales probos & legales homines de Com. prædicto, per quos rei veritas melius ſuper præmiſſis ſciri poterit & inquiri. Et quod ſciri faceret eidem Epiſcopo, quod tunc eſſet ibi facturus ſuper præmiſſis, & recepturus quod juſtum fuerit. Ad quem diem venerunt prædicti Juſtic. ibidem & Vic. ſummon. fecit totam patriam* Cornub. *ſecundum tenorem brevis prædicti. Et Vic. teſtatur, quod ſcire fecit prædicto Epiſcopo,* quod eſſet hic ad hunc diem. Et ipſe Epiſcopus modo venit, &c.

Et Mich. de Northampt. *qui ſequitur pro Rege queritur*, quod cum Dominus Rex ratione Regiæ dignitatis et Coronæ ſuæ tale habeat privilegium, quod nullus in regno ſuo de aliquo qui ſit de Regno Angliæ alicui homagium ſive fidelitatem alicui facere debeat, vel aliquis hujuſmodi homagium vel fidelitatem ab aliquo recipere debeat, niſi facta mencione de fidelitate Domino Regi debita, eidem Domino Regi fideliter obſervanda, idem Epiſcopus in contemptum Domini Regis, et ad manifeſtam quoad privilegium prædictum ipſius Domini Regis exhæredacionem, et ad dampnum, et ad dedecus ipſius Domini Regis, ad valentiam decem Millia librarum, de Henr. de Pomeray, Tho. de Kanc. Johe de Bello prato, Laur. *fil.* Richardi, Johanne le Soer, Willielmo de Map, Eudon. de Grancell, Rogero le Gros, Johanne le Lung, Radulph. de Boyvill, Guidon. Nouannt, Willielmo de Roſtoureks, et Henr. de Cannell obligacionem per ſcripta, et de multis aliis, et de Communitate dicti Com. et etiam per Sacramentum hujuſmodi obligaciones recepit, quod eidem Epiſcopo in omnibus empriſis ſuis firmiter adherebunt in dictis obligationibus, * nulla mentione facta de fidelitate Domino Regi obſervand. ſicut prædictum eſt. Et hoc idem Mich. qui pro Rege ſequitur, offert ſe bene verificare verſus prædictum Epiſcopum, ſicut Cur. Domini Regis conſideraverit, &c.

* See Cooks 1 Inſtit. fol. 65

Et Epiſcopus dicit, quod aliquas non recepit obligationes ab aliquibus, niſi in forma ſubſcripta.

Noverint univerſi Chriſti fideles, quod cum ego Tho. de Kanc. *Miles*, violenciæ et deshonestacioni Presbyteris et Clericis apud Gargaul Exon. Dioc. injurioſe et violenter illatis interfuiſſem, opem, audaciam et conſilium aliis ſeverius delinquendi nequiter adhibuiſſem, hiis non contentus conſpirationi factæ contra Sanctam Eccleſiam et venerabilem patrem W. Dei gratia Exon. Epiſcopum, in ejus præjudicium et Eccleſiaſticæ libertatis læſionem, propriæ ſalutis immemor maliciose confeciſſem, aliaque damna grabia, et enormia feciſſem, propter quæ non eſt dubium in ſententiam majoris Excommunicationis incidi ipſo facto. Demum filiis pacis interbemeptibus et ſalvacione mea procurantibus, ad cor rediens, pro emendatione et ſatisfactione dictorum criminum corporali juramento interbeniente promiſi, et promitto quingentas Marcas ſterlingorum prædicto patri ſolvend. ſecundum ipſius patris ordinationem terminis ſtatuendis; eodem Juramento gratis affirmans, quod de cætero hujuſmodi violencias ſeu injurias, vel quaſcunque alias contra Eccleſiam ſeu Eccleſiaſticas perſonas niſi cum moderamine inculpatæ tutelæ me defendendo, non committam, et hoc ſub pœna quadraginta librar. præmiſſa plenarie complend. per dictum Juramentum meum obligo me et aſtringo. Et ſi præmiſſa vel aliqua præmiſſorum non obſervavero, bolo et concedo quod prædictus pater in prædictam excommunicationis ſententiam ſola monitione præmiſſa, ſine aliqua in Jus re-

An. 6 *E.* 1. vocatione me retrudat, et ſic excommunicatum denunciari publice faciat, quouſque de prædictis omnibus ad plenum per me fuerit ſatisfactum. Renuncians ſuper hiis omnibus, omni cabillationi, appellationi, Epiſtolæ Domini Adriani, exceptioni, Regiæ prohibitioni, privilegio Cruceſignatorum, indulto, et utriuſque Juris cuicunque remedio per quæ præmiſſa poſſent impediri, ſeu quoquo modo retardari. *In cujus rei Teſtimonium preſentibus Sigillum meum apposui. Hiis Teſtibus Domino* Radulpho de Arundell *Militi, Domino* King de Plumton, Johanne le Chamberlain, Richardo de Derteford *Clerico,* Tho. de Trevill. *Clerico,* Thom. *Rector Eccleſiæ de* Bonquimmot, Rogero de Gyves, *& aliis. Actum & Datum apud* Tytyng. *xv. Kal.* Jun. *Anno Domini* MCCLXXV.

Et prædictus Mich. *qui ſequitur pro Rege, dicit, quod qualemcunque formam dictus Epiſcopus pretendat,* idem Epiſcopus per alia Scripta et Juramenta obligationes recepit a pluribus et diverſis de prædicto Com. in præjudicium Domini Regis, ſicut eidem Epiſcopo imponitur. *Et hoc paratus eſt verificare ſicut Cur. Dom. Regis conſideraverit, &c.*

Et Epiſcopus *venit & dicit,* quod ipſe Authoritate prædicti Mandati Domini Regis ad iſtam querimoniam non vult reſpondere, ſet in plena Curia Domini Regis ſuper hoc appellat ipſe ad Dominum Regem, et etiam ad Dominum Papam, et ad Curiam Romanam. Et prædictus Epiſcopus ſuper hoc requiſitus ſi aliud velit dicere, dicit quod non. *Nota.*

Et Mich. de Northampt. *qui ſequitur pro Rege,* petit Judicium de prædicto Epiſcopo, tanquam de ipſo qui eſt indefenſus. Et ideo conſideratum eſt, quod prædictus Epiſcopus indefenſus eſt quoad prædicta, et ideo in miſericordia. Et ſatisfaciet Domino Regi de dampnis ſuis. *Et datus eſt ei dies coram Domino Rege, à die Sancti* Michaelis *in tres ſeptimanas ubicunque tunc fuerit in* Anglia, ad reſpondend. ſuper contemptu per eundem Epiſcopum Domino Regi facto per prædictas ſuas Appellationes, quia valde enormiter ſonant in præjudicium Domini Regis et Coronæ ſuæ, et in præjudicium totius Communitatis Angliæ. Which is thus further aggravated and recorded, *Rot.* 3. Et quia hujuſmodi Contemptus eiſdem Rogero & Waltero ita videtur eſſe gravis et inauditus, et ita in dedecus Domini Regis redundare, et etiam totius Regni perturbationem, cum in hujuſmodi placitis in Curia Dom. Regis nunquam hujuſmodi Appellationes, ſcil. ad Curiam Romanam, fieri conſueverunt. Conſideratum eſt, quod prædictus Epiſcopus quoad hoc eſt indefenſus, et datus eſt ei dies coram prædictis R. & W. a die Sancti Michaelis in Tres Septimanas, ubicunque, &c. Ad audiend. ſuper hoc Judicium ſuum, ſecundum diſcretionem Domini Regis. *Nota.*

Item, idem Mich. *de* Northt. *qui ſequitur pro Rege,* petit Judicium de prædicto Epiſcopo, tanquam de ipſo qui eſt indefenſus. Et ideo conſideratum eſt quod prædictus Epiſcopus indefenſus eſt quoad prædicta, et ideo in miſericordia, et ſatisfaciet Domino Regi de dampnis ſuis, ad taxationem per Dominum Regem et Conſilium ſuum faciend. Et datus eſt ei dies coram Domino Rege, a die Sancti Michaelis in Tres Septiman. ubicumque, &c. Et ad reſpondend. ſuper Contemptu per eundem Epiſcopum Domino Regi facto per prædictas ſuas Appellationes, quia valde enormiter ſonant in prædiſudicium Domini Regis et Coronæ ſuæ, et in præjudicium totius Communitatis Regni Angliæ. Et quia prædicta ſuper quibus Mich. queritur pro Domino Rege, ita ſpecialiter tangunt Dominum Regem in defectu prædicti Epiſcopi, qui ita contemptabiliter recedit a Curia, ut Dominus Rex ſuper hoc plenius certioretur, inquiratur rei veritas per patriam.

Queritur etiam idem Mich. *qui ſequitur pro Rege,* quod ubi Willielmus de Monketon Vic. Domini Regis Com. prædicti, fecerat quandam diſtrictionem ſuper Epiſcopum prædictum per Averia ſua per præceptum Domini Regis, et pro debito ipſius, ubi venerunt, quidam Willielmus Vicarius Eccleſiæ de Langewe, Decanus de Poudrechire, die Lunæ prox. ante Feſtum Aſcenſionis, *Anno regni Domini Regis nunc ſexto, apud* Bomyne *in pleno Comitatu,* ubi idem Vic. tenuit placitum ipſius Domini Regis, ipſum Vic. per præceptum ipſius Epiſcopi pro eo quod diſtrictionem prædictam pro prædicto debito fecerat, ſolempniter excommunicavit, in læſionem Coronæ Domini Regis, et in ejus deſpectum et dampnum ipſius 1. Millia librarum: et ad dampnum Vic. prædicti Centum libræ. Et quod ita ſit paratus eſt verificare, ſicut Cur. Domini Regis conſideraverit, &c.

Que-

Queritur etiam prædictus Mich. *qui ſequitur pro Rege*, quod cum Dominus Rex Vic. ſuo Cornub. per Bzebem ſuum mandaſſet, *quod Sabulon. in Com. prædicto juxta littus Maris in manum ſuam caperet, ac idem Dominus Rex per eundem Vic. ſunm prædictum de eodem Sabulon. in plenaria ſeiſina extitiſſet:* pzædictus Epiſcopus per Excommunicationis ſententias indeſinenter et enozmiter factas, omnes illos qui de Sabulone pzædicto aliquid cariare ſeu cariari fecerunt excommunicabit, et ſententiis pzædictis innodabit, quouſque cum eo redemptionem feciſſent pzo Sabulone pzædicto ſic ablato, in lxſionem et pzæjudicium Cozonæ Domini Regis et ejus deſpectum, et ad dampnum ejuſdem Domini Regis decem Millia libzar. ꝛc. Et quod ita ſit paratus eſt berificare, ſicut Curia Domini Regis conſideraberit, ꝛc. *An.* 6 *E.* 1.

Queritur etiamidem Mich. *qui ſequitur pro Rege, quod cum Comes* Cornub. *ac major pars Communitatis Com. prædicti ad utilitatem Dom. Regis & patriæ illius*, quædam ſcripta obligatozia ad invicem et inter ſe feciſſent, quod indeliter et indeſinenter partes ſuas apponerent pzo utilitate Domini Regis, ad quoſdam vias Regias infra Parcos pzædicti Epiſcopi incluſas deobſtruendas, quas idem Epiſcopus obſtruere fecit, ſicut ad Turnum Vic. pzæſentatum fuit et convictum, ac eadem ſcripta ad utilitatem Domini ſic facta in Pziozatu de Bomyne, *per prædictum Com. & Communitatem prædictam appoſita fuiſſent ſpecialiter cuſtodiend. tanquam Theſaur. Domini Regis*, pzædictus Epiſcopus, ſimul cum quodam Guydon. Nonaunnt *Milite ſuo, tunc familiar. & aliis*, bi et armis ad Pziozatum pzædictum accеſſit, et ciſtam in qua pzædicta ſcripta appoſita erant fregit, et ſcripta illa aſpozтavit: Ita quod poſtea omnes illos qui illis ſcriptis conſenſerant excommunicabit, et excommunicatos denunciavit quouſque cum illo redemptionem feciſſent pzo voluntate ſua pzo illo facto; et hoc fecit in lxſionem Cozonæ Domini Regis, et ejus deſpectum, et ad dampnum ipſius decem Millia libzar. Et ſciend. quod pzædictus Guido pzæſens fuit, et cognobit ſe fractioni pzædictæ ciſtæ interfuiſſe, et quod ita ſit paratus eſt verificare ſicut Curia Domini Regis conſideraberit, ꝛc.

Et prædictus Mich. *qui ſequitur pro Rege queritur*, quod cum ad Dominum Regem ratione Regiæ dignitatis ſuæ pertineat placitare in Regno ſuo per ſe et Juſtic. ſuos placita quæ non ſunt de Patrimonio vel Teſtamento, utpote de Laicis Feodis, Foſſatis, dibiſis, parcis, bivariis, piſcariis, ſabulone, et de tranſgreſſionibus et diſtrictionibus in eiſdem factis: Ita quod nullus Ozdinarius ſe inde intromittere debet, dictus Epiſcopus in pzæjudicium Domini Regis et Cozonæ ſuæ, et ad dampnum Domini Regis decem Millia libzar. et ad dampnum totius patriæ, multos per ſe, et Offic. Decanos et alios miniſtros ſuos in Curia Chziſtianitatis placitat de Debitis et Catallis quæ non ſunt de Teſtamento vel Patrimonio, et etiam de aliis Laicis feodis ſupzadictis. *Et quod ita ſit paratus eſt verificare ſicut Curia Domini Regis conſideraverit, &c.*

Et Epiſcopus petit Judicium, Si debeat inde reſpondere deſicut nullus Officialis, Decanus vel Miniſter ſuus inde ſit adhuc convictus?

Et prædictus Mich. *dicit*, quod factum Offic. Decanozum, mere factum eſt ipſius Epiſcopi in hac parte, et petit quod dicet aliud, et maxime quod reſpond. de facto ſuo pzopzio ſicut ipſe ei imponit, quod ipſe per ſeipſum hujuſmodi placita multociens tenuerit, ad dampnum Domini Regis et patriæ, ſicut pzædictum eſt.

Et prædictus Epiſcopus dicit, quod nichil aliud ſuper hoc dicet, ſet facit ſuas appellationes ut ſupza.

Et prædictus Epiſcopus quo ad prædictum Willielmum de Monketon *per ipſum excommunicatum, dicit*; quod non videtur ei quod de Sententiis per ipſum latis debet ipſe hic reſpondere, et pzeciſe dicit, quod quoad illum Articulum non vult ipſe aliud dicere, ſet tenet ſe ad ſuas Appellationes quas fac, ut ſupza.

Et *quò ad prædict. Sabulonem dicit*, quod non vult inde hic reſpondere, quia dicit, quod ipſe et quidam Walterus de Farmeſham attach. ſunt ad reſpondend. inde Domino Regi cozam Juſtic. ſuis de Banco apud Weſtm. per quoddam Bzebe Domini Regis in hac fozma.

Rex Vic. *Cornub.* ſalutem. Pone per vadios & ſalvos plegios *Walterum* Epiſcopum *Exon.* & *Walterum de Fermeſham* Perſonam Eccleſiæ de Sancto *Meloro*, quod ſint coram Juſtic. apud *Weſtm.* à die Sancti *Michaelis* in xv. dies. Oſtenſuri quare cum cognitio placitozum de Feodis Laicalibus in Regno noſtro, et maxime de Dominicis noſtris, et etiam cozrectiones Contempt. Ballivozum noſtrozum contra

An. 6 *E.* 1. mandata noſtra factorum, ad nos et ad coronam et dignitatem noſtram ſpecialiter pertineant, iidem Epiſcopus et Walterus de quodam Parino Sabulone infra Feodum noſtrum apud Lauwychecks exiſtente verſus Reginaldum de Prydias, Nigellum de Trevell. Willielmum de Coſgaran, et alios uſque ad treſcent. et quadraginta et quinque homines de Uiſneto de Lauwychecks quem Sabulonem per Willielmum de Moneketon capi fecimus in manuum noſtram ad opus noſtrum appreciand. et etiam verſus eundem Willielm. de Moneketon, de eo quod ipſe dum fuit Vic. noſter Com. prædicti quoddam Mandatum noſtrum de Johanne Alet, et Iſabel. uxore ejus tanquàm excommunicatos, et claves Eccleſiæ contemnente, per corpora ſua ſecundum conſuetudinem Angliæ Juſticiand. donec Sanctæ Eccleſiæ tam de contemptu quam de injuria ei illata ab eis ſatisfactionem non executus, ut idem Epiſcopus dicebat, ſecuti placitum in Curia Chriſtianitatis contra Prohibitionem noſtram. Et habeas ibi, &c.

Et Vic. Cornub. *requiſitus ſi tale breve ſibi venerit, dicit*, quod non.

Et prædictus Mich. de Northt. *qui ſequitur pro Rege, dicit*; quod non credit quod aliquod tale breve pendeat in Cur. Domini Regis; et ſi eſſet pendens, liceret eidem Domino Regi Jus ſuum ſequi verſus prædictum Epiſcopum hic coram iſtis Juſtic. Et petit quod dictus Epiſcopus reſpondeat. ulterius ſi voluerit.

Et Epiſcopus dicit, quod ipſe ſuper hoc nichil aliud dicit ad præſens, ſet facit ſuas Appellationes ut ſupra.

Et quo ad prædicta ſcripta depoſita in Prioratu de Bomyne, *dicit*; quod iſti Juſticiarii non habent autoritatem per hoc breve ſuper hoc cognoſcere, nec eis bult inde reſpondere, ſet facit ſuas appellationes ut ſupra.

Et idem Mich. *qui ſequitur pro Rege, petit Judicium de prædicto Epiſcopo, tanquam de ipſo qui eſt indefenſus ſuper omnibus prædictis.* Et ideo conſideratum eſt quod prædictus Epiſcopus indefenſus eſt, quo ad prædicta: Et ideo in miſericordia; et ſatisfaciet Domino Regi de dampnis ſuis. *Et dies datus eſt ei coram Domino Rege à die Sancti* Michaelis *in* Tres Septiman. *ubicunque, &c.* Et ad reſpondend. ſuper contemptu per eundem Epiſcopum Domino Regi facto per prædictas Appellationes, quia valde enormiter ſonant in præjudicium Domini Regis et Coronæ ſuæ, et in præjudicium totius Communitatis Regni Angliæ.

Et quia prædicta ſuper quibus prædictus Mich. *queritur pro Domino Rege*, Ita ſpecialiter tangunt Dominum Regem in defectu ipſius Epiſcopi, quia ita contemptabiliter recedit a Cur. ut Dominus Rex ſuper hoc plenius certioretur, inquiratur rei veritas per patriam, *ſcilicet*, de placitis quæ idem Epiſcopus tenuit. non ſpectantibus ad Juriſdictionem ſuam, et de Sabulone.

Et Jur. Inquiſitionis prædictæ, ſcilicet, Johannes de Roskermer; Radulphus Tregod, Petrus de Narikurt, Henricus de Kaul, Reginaldus de Pridias, Hugo Penerel, Willielmus de Koſgolan, Radulphus de Trecheſiks, Willielmus de Tauſtoke, Thom. Noel, Richardus Flemyng, Richardus Marre, Robertus de Kenros, Richardus de Pridias, Drogo Treboer, Reginaldus de Bodrigan, Alanus de Blyhou, Rogerus de Kenrith, Willielmus des Molyns, Thom. de Kancia, Hugo de Treverbin *Miles*, & Jordanus de Hacumbe *tunc venerunt*, & *Jurati dicunt ſuper Sacramentum ſuum*, quod prædictus Walterus Exon. Epiſcopus per Magiſtrum Johannem de Eſshe Offic. ſuum, tenuit placitum inter Galfridum de Boſigan quer. et Johannem de Smalprend defend. de Cuſtod. et Maritag. hæredis Philippi de Bodrigan, et illud placitum coram eis adhuc dependet. *Iterum idem* Epiſcopus *per ſuum Offic. Magiſtrum* Petrum de Crediton *tenuit placitum inter prædictum Magiſtrum* Johannem de Eſshe *quer.* & Willielum Keſtell, Walterum de Hay, Petrum Bundin de Conſs. & *ſerviciis*; *unde idem* Petrus *amerciatus fuit ad dimid. marcam pro unico defectu. Iterum idem Epiſcopus per ſuum Offic. Magiſtrum* Johannem de Eſshe *tenuit placitum inter ipſum & prædictum Magiſtrum* Johannem *quer.* & Willielmum Keſtell, Petrum de Treworth, & Gilbertum de Trehydieu *de placito debiti. Iterum idem Epiſcopus per ſuum Offic. Magiſtrum* Petrum de Crediton *tenuit placitum inter* Clementem de Trechenbech *quer.* & Johannem Baudyn, & Richardum Baudyn *defend. de placito tranſgreſſionis, videlicet, de effuſione ſanguinis, & hutеſſ. levato, unde prædicti* Johannes Baudyn & Richardus *amerciati fuerunt ad* decem ſolid. *de quibus ſoluti fuerunt prædicto* Clementis quatuor ſolid. *Iterum idem Epiſcopus per ſuum Offic. prædictum Magiſtrum* Johannem de Eſshe *tenuit placitum inter* Robertum Gregilen *quer.*

&

& Rogerum Peyn *defend. de placito* **detencionis Cat.** *Iterum idem* Epiſcopus *per ſuum Offic. prædictum. tenuit placitum inter* Radulphum Blundel *quer.* & Walterum le Taverner, *de una Selda quod prædictus* Walterus *tenuit ad Terminum per ſcriptum prædicti* Radulphi. *Iterum idem Epiſcopus per ſuum Offic. prædictum Magiſtrum* Petrum *tenuit placitum inter* Johannem Peterel *quer.* & Richardum Fatte *defend. de* **placito Convencionis de uno Meſſ. quod idem** Richardus **tenuit ad firmam per ſcriptum prædicti** Johannis. *Iterum idem Epiſcopus per ſuum Offic. prædictum tenuit placitum inter quendam* Fabrum de Bomine *quer.* & Richardum de Bomine Mareſcallum *de* **placito detentionis unius ſuper-tunicæ et unius firmaculi.** *Iterum idem Epiſcopus per ſuum Offic. prædictum tenuit placitum inter* Willielmum Belde *quer.* & Richardum Criſpyn *defend.* **de placito ſanguinis effuſionis.** *Iterum idem Epiſcopus per prædictum Magiſtrum* Petrum *tenuit placitum inter* Richardum Dewyden *quer.* & Richardum Byſop *defend.* **de placito debiti.** *Iterum idem Epiſcopus per prædictum Offic. ſuum tenuit placitum inter* Richardum de Trevila *quer.* & Nicholaum Lowys, **de placito Convencionis cujuſdam terræ quam prædictus** Nicholaus **tenuit ad firmam per ſcriptum prædicti** Richardi. *Iterum idem Epiſcopus per ſuum Offic. prædictum tenuit placitum inter* Johannem de Roſpele *quer.* & Nicholaum de Ewe *defend.* **de placito ſanguinis et plagæ, unde buteſſ. fuit levatum.** *Iterum idem Epiſcopus per ſuum Offic. prædictum tenuit placitum inter* Johannem *Perſonam* Eccleſia *de* Lanteglos *quer.* & Nicholaum **de Ewe, de quadam domo quam habuit in liberum Maritagium cum uxore ſua.** *Iterum idem Epiſcopus per prædictum Magiſtrum* Johannem de Eſshe *Offic. ſuum. tenuit placitum inter* Reginaldum de Templo *quer.* & Richardum Badecoks *defend.* **de placito cujuſdam Domus quam idem** Richardus **ad firmam tenuit de prædicto** Reginaldo, **et per ſcriptum ſuum; unde prædictus** Richardus **amerciatus fuit ad quinque Marcas.** *Iterum idem Epiſcopus per ſuum Offic. prædictum tenuit placitum inter* Radulphum Traebeu *Capellanum quer.* & Rogerum de Byrehull *defend.* **de placito tranſgreſſ.** *videlicet,* **quod idem** Rogerus **debuit occidiſſe equum prædicti** Radulphi, **ob quod idem** Rogerus **amerciatus fuit ad unam Marcam.** *Iterum idem Epiſcopus per ſuum Offic. prædictum Magiſtrum* Petrum *tenuit placitum inter* Robertum Ilger *quer.* & Richardum Fate *defend.* **de placito Conventionis,** *videlicet,* **de quadam domo quam idem** Richardus **ad firmam tenuit per ſcriptum prædicti** Roberti. *Iterum idem Epiſcopus per prædictum Magiſtrum* Johannem de Eſshe *tenuit placitum inter* Radulphum Trevebon *Capellanum quer.* & Johannem de Belloneron, Thomam *fil. ejus,* & Richardum Baudin, **de placito debiti.** *Iterum idem Epiſcopus per ſuum Offic. Magiſtrum* Johannem de Wlverton *tenuit placitum inter* Clariciam de Trymſcort *quer.* & Willielmum de Maſon *defend.* **de placito debiti,** *videlicet,* **de den. promiſſis.** *Iterum idem Epiſcopus per ſuum Offic. prædictum tenuit placitum inter* Valentinum Dynemeder *quer.* & Richardum Baudyn *defend.* **de placito tranſgreſſ.** *Iterum idem Epiſcopus per ſuum Offic. prædictum Magiſtrum* Petrum *tenuit placitum inter* Herneum de Tregencres *quer.* & Robertum de Mareis *defend.* **de placito debiti, quod quidem placitum pitus placitatum fuit in Curia Domini Regis.** *Iterum idem Epiſcopus per prædictum Magiſtrum* Johannem de Eſshe *tenuit placitum inter* Gervaſ. de Autronon *Clericum quer.* & Nicholaum de Tredohel, & Chriſtopherum *de eadem defend.* **de placito debiti.** *Iterum idem Epiſcopus per ſuum Offic. Magiſtrum* Petrum *tenuit placitum inter* Johannem Criſt de Trewoldyk *quer.* & Stephanum de Bonyton *defend.* **de placito Conventionis.** *Iterum idem Epiſcopus per prædictum Magiſtrum* Johannem de Eſshe *tenuit placitum inter* Joceum Auſtronon *juniorem quer.* & Philippum de Kaul *defend.* **de placito debiti.** *Iterum idem Epiſcopus per ſuum Offic. prædictum tenuit placitum inter* Richardum de Wenhacheleg *quer.* & Johannem le Myre de Steva **de placito debiti.** *Iterum idem Epiſcopus per ſuum Offic. prædictum inter prædictum Magiſtrum* Petrum *quer.* & Willielmum de Ludre *defend.* **de eo quod idem** Willielmus **voluit implacitaſſe** Willielmum *Vicar. de* Seynbreth, **de placito Conventionis in Curia Domini Regis, unde idem** Willielmus **amerciatus eſt ad dimid. Marc.** *Iterum idem Epiſcopus per ſuum Offic. Magiſtrum* Petrum *prædictum tenuit placitum inter* Johannem Monſorel *quer.* & Willielmum de Tholney, & Johannem de Lekeran *defend.* **de eo quod idem** Willielmus & Johannis **implacitarunt prædictum** Johannem **in Curia Chriſtianitatis de injuſta detentione 4. ſolid.** *Iterum idem Epiſcopus per ſuum Offic. prædictum Magiſtrum* Johannem de Eſshe *tenuit placitum inter* Willielmum Dulbell *quer.* &

Johannem

An. 6 *E.* 1.

An. 6 *E.* 1. Johannem Thovum *defend.* **de placito unius Curtillagii dimiſſi ad firmem prædicto** Johanni. *Iterum idem Epiſcopus per prædictum Offic. ſuum tenuit placitum inter* Agn. *quæ fuit uxor* Roberti Store *quer.* & Johannem de Ely *defend.* **de una ſelta dimiſſa ad firmem, unde idem** Johannes **amerciatus fuit ad dcim ſolid.** *Iterum idem Epiſcopus per prædictum Offic. tenuit placitum inter* Nicholaum le Ken *quer.* & Rogerum *fil.* Alic. Sike, & Robertum Fot *defend.* **de quadam domo dimiſſa ad firmem prædicto** Nicholao, **unde idem** Nicholaus **amerciatus fuit ad quatuor ſolid.** *Iterum idem Epiſcopus per prædictum Offic. tenuit placitum inter* Randulphum de Trechtu *quer.* & Walterum de la Dene *defend.* **de quadam terra quem idem** Walterus **tenuit ad firmam de prædicto** Randulpho. *Iterum idem Epiſcopus per ſuum Offic. prædictum tenuit placitum inter* Nicholaum le Potter *quer.* & Robertum Loerel *defend.* **de quadam domo dimiſſa ad firmam, unde idem** Robertus **fuit amerciatus ad dimid. marc.** *Iterum idem Epiſcopus per ſuum Offic. prædictum tenuit placitum inter* Johannem *perſonam Eccleſiæ de* Lantegles *quer.* & Willielmum Lammolyn *defend.* **de quadam via obſtructa per prædictum** Johannem, **de qua placitum prius erat in Curia Domini Regis.** *Iterum idem Epiſcopus per ſuum Offic. prædictum tenuit placitum inter* Williel-mum de Boterden *quer.* & Hamelinum de Timeſlak *defend.* **de quadam terra quam idem** Hamelinus **tenet ad firmam de prædicto** Willielmo, **unde idem** Hamelinus **amerciatus fuit ad unam marcam.** *Iterum idem Epiſcopus per ſuum Offic. prædictum tenuit placitum inter* Obuerum *perſonam Eccleſiæ Sancti* Hogger. **de quadam via obſtructa, unde** Robertus le Brun **rectatus fuit coram Magiſtro** Rogero le Rus **Offic. prædicti Epiſcopi, amerciatus ad quatuor ſolid.** *Iterum idem Epiſcopus per prædictum Offic. ſuum tenuit placitum inter* Johannem de Sancto Ivone *quer.* & Richardum Doygol *defend.* **de eo quod idem** Richardus **intravit in turno Vic. una cum aliis Jur. præſentavit quandam viam eſſe obſtructam, unde placitum fuit prius in Curia Domini Regis.** *Iterum idem Epiſcopus per ſuum Offic. prædictum tenuit placitum inter* Radulphum *perſonam Eccleſiæ de* Pyleton *quer.* & Johannem de Halgeton *defend.* **de diviſis factis, unde placitum fuit inter eos in Curia Domini Regis, et adhuc pendit in eadem Curia Chriſtianitatis.** *Iterum idem Epiſcopus per Offic. ſuum prædictum tenuit placitum inter* Walterum Wade *quer.* & Johannem Penquid *defend.* **de placito tranſgreſ. quod prius fuit placitatum in Curia Domini Regis.** *Iterum idem Epiſcopus per Offic. ſuum prædictum tenuit placitum inter* Johannem *Capellanum de* Neweton *quer.* & Richardum Kalle *de* Lanc. *defend.* **de impar-catione Averiorum prædicti** Johannis. *Iterum idem Epiſcopus per prædictum Offic. ſuum Magiſtrum* Petrum de Credynton *tenuit placitum inter* Joachim Capellum *quer.* & Robertum de Woleton *defend. de eo quod idem* Robertus *levavit hutеſ. ſuper Dominam de* Welleton, **pro eo quod ipſa quandam Chartam abſtulit de prædicto** Roberto **in Cimiterio de** Wolleton **di et armis, et ob quod amerciatus fuit ad** 12 d. *Iterum idem Epiſcopus per ſuum Offic. prædictum tenuit placitum inter* Robertum de Boskemay *quer.* & Henricum de Boskemay *defend.* **de placito tranſgreſ.** *videlicet,* **de diviſis fractis et hutеſ. levato.** *Iterum idem Epiſcopus per ſuum Offic. prædictum tenuit placitum inter* Thomam Hamelin *quer.* & Walterum de Wyke *defend.* **de placito tranſgreſ.** *ſcilicet,* **de ſanguine effuſo et hutеſ. levato.** *Iterum idem Epiſcopus per ſuum Offic. prædictum Magiſtrum* Johannem de Eſsbe *tenuit placitum inter* Robertum de Trewyder *quer.* & Richardum Badecok *defend.* **de placito terrarum et ten.** *unde Magiſter* Johannes de Eſsbe **cepit de prædicto** Roberto **unam marcam pro auxilio ſibi præſtando in cauſa prædicta.** *Iterum idem Epiſcopus per Offic. ſuum prædictum tenuit placitum inter* Rogerum le Marchaund *quer.* & Walterum Flegard *de-fend.* **de placito terræ; et** Rogerus **fuit amerciatus ad 12 d. quia retrarit ſe.** *Iterum idem Epiſcopus per prædictum Offic. ſuum tenuit placitum inter* Robertum Moyſyn *quer.* & Walterum Flegard *defend.* **de placito terrarum et ten. dimiſſorum ad firmam: Et prædictus Offic. cepit dimid. marc. de prædicto** Waltero **ut ſuper-ſederet in cauſa prædicta.** *Iterum idem Epiſcopus per Offic. ſuum prædictum tenuit placitum inter* Richardum *Clericum de* Trenargan *quer.* & Thomam de Trenergorum *defend.* **de quadam via obſtructa, unde Offic. Jurare fecit duodecim liberos homi-nes in prædicto placito in modo Aſſiſæ.** *Iterum idem Epiſcopus per ſuum Offic. Ma-giſtrum* Johannem de Wolverton *tenuit placitum inter Magiſtrum* Johannem de Eſsbe *quer.* & Johannem de Treburſt, Sim. de Trenaton, Nich. Bodeleg *defend.* **de eo quod prædicti** Johannes **et alii emerunt quædam blada contra voluntatem**

pra-

An. 6 E. 1.

prædicti Offic. et fuerunt amerciati ad quatuor lib. ſexdecim ſolid. et octo denar. *Iterum idem Epiſcopus per ſuum Offic. prædictum Magiſtrum* Petrum *tenuit placitum inter* Nicholaum de Naukesby *quer.* & Hamelinum de Karkehull *defend.* de placito tranſgreſ. *Iterum idem Epiſcopus per ſuum Offic. prædictum tenuit placitum inter* Willielmum Kyda *quer.* & Osbertum de Sancta Columba *defend.* de eo quod idem Osbertus aſportavit aquam extra Regalem viam ad domum ſuam quæ per viam in dicta via deſcenderet. *Iterum idem Epiſcopus per ſuum Offic. prædictum tenuit placitum inter* Rogerum le Creton *quer.* & Johannem de Karkelewe, de placito tranſgreſ. unde idem Johannes perolvit decem ſolid. *Iterum idem Epiſcopus per ſuum Offic. prædictum tenuit placitum inter* Nicholaum de Ewe *quer.* & Radulphum Balun *defend.* de placito tranſgreſ. unde idem Radulphus fuit amerciatus ad duos ſolid. *Iterum idem Epiſcopus per ſuum Offic. Magiſtrum* Johannem de Eſshe *tenuit placitum inter prædictum Magiſtrum* Petrum *quer.* & Andr. de Greinwal *Capellanum defend.* de eo quod idem Capellanus demandaverat quandam ancam ſuam alibi quam in Capello ſuo; et fuit amerciatus ad dimid. marc. *Iterum idem Epiſcopus per ſuum Offic. prædictum tenuit placitum inter* Simonem Leynham *quer.* & Benedictum le Brun *defend.* de placito detentionis Averiorum. *Iterum idem Epiſcopus per ſuum Offic. prædictum tenuit placitum inter* Osbertum de Treſuweton *quer.* & Andr. Ruſſell *defend.* de placito debiti quod prius erat placitatum in Curia Domini Regis. *Iterum idem Epiſcopus per ſuum Offic. prædictum tenuit placitum inter prædictum* Osbertum *quer.* & Luciam de Rydewor *defend.* de placito tranſgreſ. unde butef. fuit levatum. *Iterum idem Epiſcopus per ſuum Offic. prædictum tenuit placitum inter* Eudonem Peupond *quer.* & Vivianum Pumbre, de placito tranſgreſ. quod prius erat placitatum in Curia Domini Regis. *Iterum idem Epiſcopus per ſuum Offic. prædictum Magiſtrum* Petrum *tenuit placitum inter prædictum Magiſtrum* Johannem de Eſshe & Nicholaum Peupud *quer.* & *prædictum* Vivianum *defend.* de placito tranſgreſ. *Iterum idem Epiſcopus per Offic. ſuum prædictum tenuit placitum inter* Hugonem de Treſauſon *quer.* & Johannem Andr. *defend.* de placito unius Olle Cnex emptæ. *Iterum idem Epiſcopus per ſuum Offic. Magiſtrum* Petrum de Credynton *tenuit placitum inter* Walterum le Archer *quer.* & Adam le Engleys, de eo quod idem Adam fuit conqueſtus de prædicto Waltero in Hundr. *Iterum idem Epiſcopus per ſuum Offic. prædictum Magiſtrum* Johannem, Excommunicavit Priorem de Bomyne, quia idem Prior mandare fecit homines prædicti Magiſtri in Piſcaria ſua ſeparali Piſcantes, quam idem Prior tenet et habet de dono Domini Regis in perpetuam eleemoſynam, et eundem Priorem ſic denunciavit Excommunicatum, quouſque fecit finem cum ipſo pro 20 marc. De Babulone dicunt, quod poſtquam Dominus Rex præceperat prædicto Vic. quod ipſe prædictum Babulon. caperet in manum ſuam, et ad opus ipſius Domini Regis appropriaret, Dominus Epiſcopus per ſententias ſuas inhibuit ne ſine ſua licentia aliquis inde caperet.

Michael. de Northb. *qui ſequitur pro Rege quer.* quod idem Epiſcopus excommunicallet prædictum Willielmum de Moneketon imponens ei, quod ipſe debuerat contempſiſſe præceptum Domini Regis de quodam Excommunicato capiendo. Ac Dominus Rex eidem Epiſcopo poſtea mandaſſet, quod idem Epiſcopus propter prædictum contemptum in prædicto Willielmo nullam infligeret pœnam, cum ad Dominum Regem pertineat, et non ad dictum Epiſcopum, huiuſmodi contemptus Ballivorum ipſius Domini Regis corrigere, dictus Epiſcopus non obſtante dicta inhibitione eidem ſuper hoc facta per Dominum Regem, dictum Vic. denunciavit eſſe Excommunicatum, in manifeſtum Domini Regis contemptum, et ad dampnum ipſius Domini Regis 10 millia librarum. Et quod ita ſit paratus eſt verificare, ſicut Curia conſideraverit, &c.

Et prædictus Epiſcopus ad hunc Articulum nihil vult reſpondere, ſed facit ſuas Appellationes ut ſupra, &c.

Et prædictus Mich. *qui ſequitur pro Rege, petit Judicium de ipſo tanquam de indefenſo.* Et ideo conſideratum eſt, quod prædictus Epiſcopus quo ad hoc ſit indefenſus. Ideo ipſe in miſericordia. Et ſatisfaciat Domino Regi de dampnis, &c.

Et prædictus Comes Cornubiæ *in propria perſona ſua quer.* de prædicto Epiſcopo, *quod ubi ipſe & anteceſſores ſui habuerunt quoddam paſſagium ultra aquam de* Eſshe, *& a tranſeuntibus pecuniam recipere pro eodem paſſagio. Ac cum homines ipſius Comes*

de

An. 6 *E.* 1. *de* Eſshe *de hominibus prædicti Epiſcopi pro paſſagiis aquæ prædictæ certum quid cepiſſent*, prædictus Epiſcopus homines Villatæ prædictæ de Eſshe excommunicavit, et excommunicatos denunciavit, et Capellam eiuſdem Villæ in Interdicto poſuit. Ita quod illa Capella ſic Interdicta fuit per ſeptennium, et adhuc eſt. Ita quod homines eiuſdem Villatæ ad celebrationem divinam audiend. longius de tribus leucis adeunt, et ita evenit quod multi multoties ipſorum ſubmerſi ſunt præ multitudine aquæ torrentis, in læſionem Coronæ Domini Regis, et ad exhæredationem prædicti Com. et dampnum ſuum 5. millia librarum. Et quod ita ſit paratus eſt verificare, ſicut Curia conſideraverit, &c.

Et Epiſcopus venit & dicit, quod de hujuſmodi ſententiis ſuis, nec de iſto facto vult ipſe hic reſpondere.

Et prædictus Comes petit Judicium de prædicto Epiſcopo tanquam indefenſo. Et ideo conſideratum eſt, quod prædictus Epiſcopus ſuper hoc ſit indefenſus, et ipſe in miſericordia. Et ſatisfaciet dicto Com. de dampnis ſuis, &c.

Queritur etiam idem Comes, quod cum H. de Monteforti *&* Thomas Trevet *Juſtic. qui quidem* Henr. *prædicti Epiſcopi fuit Prebendarius, coram ipſis in Com. prædicto die Sabbati prox. poſt feſtum Sancti* Jacobi, *anno regni Regis nunc tertio apud* Lanceaneton, authoritate Regia, cum inde Warentum non haberent, ſed præcipue ad procurationem et ad inſtantiam prædicti Epiſcopi, maiorem partem Comitatus Cornubiæ acquirend. et terminand. quædam placita Coronæ et Gaol. deliberand. venire feciſſent. *Ad quem diem* Johannes de Bello prato *tunc Vic.* Cornub. *& Seneſcallus prædicti Comitus*, Alanus de Bloho, Osbertus de Hoylaund, Willielmus de Roſtowrek, Johannes le Lung, Robertus de Mariſco, Johannes de Roſgawar, Eudo de Alneſtow, Hug. le Gros, Richardus Bylon, Rogerus Payen, Lucas de Penhat, Henr. de Hextelworth, & Henr. Caural, *Ballivi tam prædicti Com. quam Vic. coram eiſdem Juſtic. venerunt ad præcepta eorundem Juſtic. audiend. & perficiend. prout decet, qui quidem Juſtic. habita eorum præſentia*, eorum corpora cuſtodiri, et in priſona Domini Regis poni præceperunt, ad quorum præceptum ita factum eſt, nulla mentione facta ob quam cauſam hoc fecerunt, nec aliquo Waranto oſtenſo quod ſic facienti poteſtatem habuerunt. *Et poſtea per quendam* Johannem de Exon. *Ballivum prædicti Epiſcopi*, 12 *Jur. patria illius, & inimicos prædicti* Richardi Bylon *Clerici, coram ipſis venire fecerunt, & per eorum Sacramentum nulla calumpnia aperte ipſius* Richardi Bylon *allocata inquiſierunt, ſi idem* Richardus *fuit culpabilis de latrocinio*, viz. *de quadam vacca furata, qui quidem Jur. ipſum inde acquietaverunt.* Et poſtea idem Epiſcopus impoſuit ei malicioſe, quod debuit maledixiſſe de Domino Rege et de ipſo Epiſcopo, ob quod idem Epiſcopus ipſum Richardum in priſona ſua apud Lanceaneton poni fecit, et per 40 dies et amplius ipſum ibi detinuit: Et poſtea ad priſonam ſuam apud Exon. deduci fecit; *quo audito quidam* Radulphus Bylun *frater ipſius* Richardi Bylun, *quoddam Breve Domini Regis* prædicto Epiſcopo directum *impetravit*, quod idem Epiſcopus corpus ipſius Richardi coram Domino Rege ad quendam certum diem haberet, quo omiſſo ipſum adhuc detinuit, et Dominus Rex ſecundo et tertio in forma prædicta ei mand. *Cumque idem Epiſcopus* tertio mandato Domini Regis perpendiſſet, *ſe ulterius non poſſe ſupersedere*, ipſum Richardum in priſona ſua occidit, et occidi fecit, ita quod poſt hoc nullus rumor de eo auditus fuit, nec ſciri poterit quo devenit. *Et prædictus* Radulphus *frater prædicti* Richardi *præſens eſt*, et ipſum Epiſcopum præſentem de morte prædicti Richardi fratris ſui per verba de felonia appellavit. *Dicit etiam prædictus Comes, quod poſtquam prædicti* Johannes de Bello prato, *& alii Ballivi Domini Regis prædicti dicti fuerant, ſicut prædictum eſt*, idem Epiſcopus ipſos excommunicavit, et per ſententias Excommunicationis graviter moleſtavit, per quod idem nec aliqui alii de Epiſcopatu ſuo in ſervicio dicti Com. in partibus illis ausi ſunt commorari; unde dicit, quod deterioratus eſt et dampnum habet ad valencium quinque millia librarum. Et hoc offert verificare, ſicut Curia conſideraverit, &c.

Et quia prædictus Radulphus prædictum Epiſcopum de morte prædicta appellavit, *dictum eſt prædicto Epiſcopo*, quod ſufficientem manucaptionem inveniat quod erit coram Domino Rege a die Sancti Michaelis in tres ſeptimanas, ubicunque, &c. ſuper Appellatio prædicto placitum Domini Regis receptur. Et idem Epiſcopus manucaptores ſubſcriptos invenit in forma prædicta; *ſcilicet*, Reytridus de Arundell, Richardus de Heywys, Willielmus Refferon, Bernardus de Bodbran, Johannes

de

de Treiagu, Petrus de Tregelou, Willielmus de Stapeldon, Laurentius de Arundell, Jordanus de Hatton, Johannes Loli, Walterus Germon, & Robertus le Flemmyng, *qui quidem Manucaptores* ipſum Epiſcopum prout decet in hujuſmodi Appellatione manuceperunt, &c. *An.* 6 *E.* 1.

Et Epiſcopus dicit, quod revera prædictus Johannes de Bello prato *& alii prædicti fecerant ei quandam tranſgreſ. ad quem tranſgreſ. audiend. & terminand. impetravit ipſe à Domino Rege, quod prædicti* Henr. *&* Thom. *ad partes illas accederent, & qui Officium ſuum ſuper hoc fideliter fecerunt, abſque hoc,* quod ipſe per eos aliquam injur. dictis *Johanni* & aliis fieri procuraſſet, *& de hoc voc. Record. rotulorum prædictorum Juſtic. Et de Brevibus Domini Regis ſibi directis pro prædicto Clerico, coram Domino Rege venire faciendo, dicit,* quod revera Dominus Rex ſuper hoc miſit diverſa Brevia, & ipſe ad quodlibet Breve ita ſufficienter reſpond. Domino Regi, quod omnino eidem Regi ſatisfecit, & de hoc voc. inde ad War. teſtimonium Domini Regis, & ſui Cancellarii. *Et ideo dictum eſt ei, quod ipſe habeat coram Domino Rege ad præfatum terminum, prædictum Recordum & prædictum Teſtimonium,* &c. Theſe proceedings are again repeated and recorded, *Rot.* 3, 4, 7, 8, 9, 10, 11. of the ſame year.

The Biſhop inſtead of reforming and forbearing theſe high illegal Uſurpations, Excommunications, and treaſonable, tyrannical proceedings againſt the Kings Prerogative, and the Subjects Rights, Liberties, upon theſe Informations and Judgements, after ſundry complaints againſt him, that he procured the Biſhop of *Bangor*, by command from the Archbiſhop, to come into the Dioceſs of *Exeter*, and to excommunicate all thoſe Clerks and others of what quality ſoever, who had complained to the Kings Juſtices, accuſed, or given evidence or verdicts before them againſt him, in every Pariſh Church on all *Lords-dayes* and *Holy-dayes*, with Bells ringing, Tapers burning and extinguiſhed; yea ſummoned many people of *Devonſhire* and *Cornwall* to appear before him, and to travel from one County to another, examining thoſe upon Oath, who had appeared before the Kings Juſtices upon their ſummons, (to ſerve the King and inform againſt the Biſhop for invading the Rights of the Kings Crown, violating his Laws, and injuring and oppreſſing his Subjects) who excited them thereto, and re-examining what the Juſtices had examined before them, againſt the Laws and Cuſtom of the Realm, to the ill example of other Prelates, and ſubjecting of the Kings Crown, Dignity, Laws, and peoples Liberties to the Biſhops Uſurpations. Moreover the Biſhop himſelf and his Officials Excommunicated the Under-Sheriff of *Cornwall*, and divers of the Kings and Earls Bayliffs, for arreſting Felons, and diſtraining him and other Clergymen for Debts and Amerciaments due to the King, till they releaſed the priſoners and diſtreſſes, and entred into Bonds to pay great ſums to the Biſhop; and ſome Bayliffs dying excommunicate, the Biſhop by his Officials caſt their corps out of the Churchyard when buried, till their Friends compounded with his Officers for great ſums of money to re-interr them, to the high contempt, diſhonour and dammage of the King, the Earl, County and People, the diſinheriſon of the Rights of the Crown, the prejudice of the Kings Officers, Service, and great diſcontent, terrour and oppreſſion of his people; as this new *Remonſtrance, Complaint* of the Earl and County of *Cornwall* againſt him to the King, informs us more at large, thus recorded in this Plea Roll.

Ceſte eſt la Monſtraunce le Conte de Cornewaille.

CUm a noſtre Seignor le Roy e a ſa Coronne e a dignete reale, et nemis a la Court de Seinte Egliſe apurtiegne la conſsance des plez le pleder, e les plez tenir des Chatens, e de dettes ke ne ſont de Teſtament ou de Patrimoigne, e enſement de Lay fees, e Tenemenz, Foſſez, divises, Parks, Alvers, Peſcheries, deſtreſces en memes les choſes fetes, e les amendes des treſpas, par quey ne ad geres, a la Monſtraunce le Conte de Cornewaille, noſtre Seignor le Roy aveit enveez Sire *Roger Loveday* e *Wautier de Wymborne* en le Conte de *Cornewaille* ſes Juſtices aſſignez, a enquere Oir e Terminer ſolonc la Ley e la cuſtume de ſon Reaume, uns treſpas a noſtre Seingnor le Roy, e ſes Baillifs, e ſes Miniſtres, e al Conte de *Cornewaille*, e a ſes homes, e as pluſours de la comunante del Cuntee Ibid. Rot. 5.

An. 6 E. 1. avauntdit, fez par *Wautier* Eveſque de *Exeſtre*, ſus les choſes avauntdites. E cum les avauntdites Juſtices par la reſon de lur ofice, ſus memes les choſes feiſent ſolonc ceo ke par la lay e par la cuſtume du Reaume fuſt afert, **le avauntdit Eveſke en apres, procura e ad procure e fet venir le Eveſque de *Landaf*, en le Eveſchee de *Exeſtre*,** en le Countee avauntdit, e en le Cuntee de *Devenesir*, e memes celi Eveſque de *Landaf* **par ſun procurement, ad fet par totes les Egliſes Parochieles** del **Eveſchee** avauntdite comunement par dimanches e jour de feſtes, **a chaundeles alumees**, e ſeinz ſonaunz, denuncier eſcumenges par le autozite le **Erceveſque** de Cauntorbire, ſicum il diſt, touz ceus auſſi bien lays com clers, de quel office ou dignete, ou de ordre ke il fuſſent, ki al avauntdit Eveſque de Exeſtre **aveint mis** leur crimes, de la dignete le **Roy** blemye, ou de tortes, ou de **homicides**, ou de autres grevances e leiz, des queus choſes en la Curt noſtre **Seignor le Roy** devaunt ſes Juſtices avauntdits, le avauntdit Eveſque de Exeſtre **ſuſt enquerelez** ſolonc le uſage e la cuſtume du **Reaume**.

Eſus, ceo lavauntdit Eveſque de *Landaf*, par procurement lavauntdit Eveſque de *Exeſtre*, **fiſt ſomondre** ſus peine de eſcumenge e aſembler **mult de gent** de ſa **Eveſchee** avauntdite del un e lautre **Contee**, e les tret apres loy del un Cuntee en lautre encontre ler gre, e enquiſt par loz ſerment eſpeciaument **des nous** de ceus ke cel office de par noſtre Seignor le Roy feſeynt, e queus gens ceſte choſe ſuirent ou procurerent e queus a la ſomonſe des **avauntdites Juſtices**, as **avauntdites choſes Oir e Terminer aſſignez** par comaundement noſtre Seignor le Roy vindrent. **E des choſes ke les avauntdites Juſtices par autozite e le comaundement** noſtre Seignor le Roy feſeint mes equeſtes, ſauuz de ces conſeiller noſtre Seignor le Roy, **fiſt** le avauntdit Eveſque de Landaf, **par procurement le avauntdit Eveſque** de Exeſtre, e par le **examinement des Clers le Eveſque de** Exeſtre de cheſcone perſone ſeberaument par ſei eſluz, a loz volonte non duement, en deſpit e prejudice de noſtre Seignor le Roy, e de ſa corone, e de ſa dignete reale, e la deſeritaunce de ly, e de ſes eyres, e a greingnor damage par proces de tenz ke houme ſeit certeinment avier, e a graunt ſubjection de ſa corone ke ſeinte Egliſe, e tot le people en ſon Reaume doit giner, e ſuſtiner, e au damage le avauntdit Conte, e de ſa gent.

E de ſicom la corone e la dignete noſtre Seignor le Roy, ne doit par autre eſtre juſtice, ne guyee ſi par le maines: E de ſi com les choſes ke ſont paſſez en ſa Curt par jugement ou en autre manere ſolonc la Ley e la cuſtume du Reaume ne devient eſtre ou autre Curt recreteez, prie le Conte avauntdit a noſtre Seignor le Roy, pur la ſannete de ſa corone, e de ſa dignete, e de ly, e de ſoen people, ke ceſtes choſes ſoient adreſcees, e amendees ſiſi ke autres prelatz de ſeinte Egliſe de ceo autre feez ne eient enſaumple de nonduement cele choſe ke a loz office ne apent mie enprendre e fere, en prejudice noſtre Seignor le Roy, e de ſoen people.

Derechef, cum lavauntdit Conte par agard e jugement de la Court noſtre Seignor le Roy devaunt *Roger Loveday* e *Wauter de Wymborne* ſes Juſtices a ceo aſſignes, euſt recovere vers lavauntdit Eveſque par acheſon de uns treſpas al davauntdit Conte **par le avauntdit Eveſque fez, ſes damages de dis mile liverrs**, auſſi cum vers cely ke ſu nun defendu auſſi bien des damages come des treſpas principaus, par quey les damages ſolonc les **Leys e la cuſtume du Reaume**, ne duſſent eſtre tarez ne recopez, e come memes celi conte euſt de ceo brefs de jugement au Viſconte de Cornewaille **de fere lever ſes damages avauntdiz**, un **bref contraire** vint al avauntdit Viſconte, ke il de la avauntdit deſtreſce e del lever les damages, de tut ſeſſaſt geke taunt, ke il euſt autre comaundement, e ke les biens e les chateus meimes cele **Eveſque**, par cele acheſon pris fatnes de luy eſtut deliverer, par ce ke il ne ſu pas remembre ke les damages avauntdiz fuſſent tarez a nule certeine ſumme d'aner. **E de ſicom ſolonc la Ley e la cuſtume de Reaume noſe taxation apent des damages ke ſont recoverez par non defens per lavauntdit Conte, ke ſes damages lyſſent levez ſauuz nule taxation, e les briefs per quel il aveſke de ceo diſturbe ſient repelez e deſormes defendeiz.**

Le Cunte ſe pleint de ceo, ke *Wauter* le Eveske de *Exeſtre* par *Guy de Novaunt* e autres le mecredi procheyn apres la Feſte le an le Roy *Edward* ke ore eſt, ke deu gard, briſa, e fiſt briſer par le avauntdit *Guy* e ſes compaygniuns un cofre le Cunte

mis

mis en la Priurte de *Bomine*, par *Johan de Beaupre* Bailliffs le Cunte, e de lukes enpriſt e prendre fiſt par le avauntdit *Guy* e autres, e encore deſtient atort e encuntre la pes le Roy, un eſcrit meime le Cunte enſemblement ou autres privetez, le quel eſcrit contint ke aukune gent de la Tere ſi furent tenuz afere certeyn ayde, e certeyn ſerviſe a la value de treis mile liures de argent, e de plus, atort le priſt a prendre fiſt, e uncore le detient, e encuntre la pes le Roy, en damage du Conte de treis mile liures e de plus. *An.* 6 *E.* 1.

Ceo remuſtre le Cunte *Emmond* de *Cornewaille* Viſcunte le Roy de *Engletere* de Fee, ke *Wauter* le Eveske de *Exeſtre* atort a diſtorbe luy e ſez miniſtres a fere e a purſlore lur office pur le Roy, e pur le Cunte, nomement en eſcumeiaunt Johan de Beaupre, Johan le Lung, Lucas Caillo, Williame de Roſtourek, Baillifs le Roy, e le Cunte, par la reyſon ke meimes ceus firent areſter un Johan de Eſſe, endite au Turn de Viſconte par devannt Cozon de recettement de Laruns, e de Feluns, e de mal: autrestreſpas fez encuntre la pes le Roy, le quel Johan de Eſſe Juſtiſer ne ſe voleit a la pes le Roy de eſter parunt, les avauntdiz Baillifs le firent areſter, e pur ceo meime le Eveske avauntnome eſcumenia e eſcumeng fiſt les avauntdiz Bailliffs, e en ſentence les tint, deſks atannt ke le avauntdit Johan fuſt deliure, e eus veint a la volente le Eveske, al annuitaunce de Cinkcenz liures e de plus par la reyſon avauntdite, dunt le ſerviſe le Roy e le Cunte, e lur Office eſt ariri, e la pes le Rey diſtorbé, e le ſerviſe le Cunte perdu en ceo, e en autre choſe, en huntage e en damage du Rey de Mile liures en huntage, e en damage du Conte de Cinkcenz liures e de plus.

Meime cely Eveske eſcumenia *Michel Bloy* ——— Bailiffs de kerrir, pur ceo ke lis diſtreint le Eveske par ſun lay fee en ſa Baille, a bender ove le Cuntè ſi cu..... ..... auncienement ſoleit cum de amerciemenz par eire de Juſtices erraunz de meime cel Conté, dues al Rey, puis ke celi Michel fu mozt, fiſt le avauntdit Eveske le Mardi prochein avaunt la Feſte ——— le an ——— reniettre ſon cozs hors de Cemitere, jeske Aleyn Bloyho frere le avaunt dit Michel, out fet ſyn ove Meſtre Johan de Eſſe Official le Eveske, pur quarraunte ſoz, encuntre la dignite noſtre Seigneur le Rey, e en huntage e en damage del Cunte.

Meime celi Eveske eſcumenia Hammund Baillife de Pidriſchir, pur ceo qe il priſt les avers le Priur de Bomyne, en ſon Lay fé pur un amerciement, e apres le mozt meime celi Hammund le ——— prochein apres la Feſte ——— le an ——— fiſt engettre de Cimitere par Meſtre Johan de Eſſe ſon Officer le Cozs meime celi Hammund. jeske Lucas de Chapelleyne frere meime celi Hammund eu fiſt ſyn ove le avauntdit Official pur quarraunte ſoz en deſpite du Rey, &c. e en huntage e en damage del Cunte.

Meime celi Eveske eſcumenia Oede de Tenuel ſus-Viſcunte le Roy en Cornewaille e Baillif le Cunte, pur ceo ke il priſt diſtreſſes en le Lay Fé le Eveske, e le Priur de Bomyne pur dette due au Rey par commandement le Roy, e le tint eſcumenge par deus aunz, deske meime cely Oede, eut fet obligaciun al Eveske de Cent liures, en deſpit du Roy, &c. e en huntage e en damage del Conte.

Le Conte ſe pleint de ceo ke le Eveske *Wautier* par lui e Meſtre *Johan de Eſſe* e autres ſes Officiaus ke il a pleide e fet pleider par les avauntdiz pleez e atachemenz en la Curt Creſtein ke duſſent eſtre euz al Cuntè de Cornewaille pleidez e terminez, ou meime le Conte eſt Viſconte le Rey de Fé, e les eſpleys demeyme les plez e atachemenz come de amerciemenz, e autres choſes prendre ſoleyt e devoyt, nomement de chemyns eſtopez, Eves treſtorné, bundes brizſes, Cri e Launs, chateus, e dettes, ſerbices e cuſtumes, nomeiment entre le abauntdit Meſtre Johan de Eſſe pleyntaunt e Williame de Keſtel, Wautier Hay, e Peris Baudin defendaunz de Cuſtumes e de Serbices. & entre Clement de Trechenheks, Johan. Baudin, e Richard de cri e de launs, & entre Rauf Blundel, e Wautier le Taverner, de play de Covenant de terre e de tenement, e entre de autres communement punis le tens ke il a eſte Conte, en damage e en deſeritesun del Conte, &c.

Meime le Conte ſe pleint, de ceo ke meime le Eveske a reint e fet reindre ſes bileins e ſes tenauns des Maners de Branel, Tybeſte, Seint Eure, Moreske, e de pluſurs autres luis, et amuntaunce de deuz cenz liures, ou de plus pur un ſablun priſ pur lur teres amendere, la ou la mer munte e recreiti ouſſe Seint Melor, le quel ſablun eſt commun a tote gent, en damage del Conte, ke de la grevaunce ſa gent, ke de ſes teres nient aprowés, &c.

An. 6 *E.* 1. By this memorable Record, Petition, Remonstrance, Complaint, and others preceding and following, it is most evident: 1. That our Bishops, with their Officials, Archdeacons, Deans, and other Officers in this age, endeavoured to usurpe and engrosse all sorts of Temporal Causes into their own hands, and Spiritual Courts, to fulminate Excommunications, with other Ecclesiastical censures against them for Civil offences, extort moneys, bonds, and imposse pecuniary Fines upon them, to the great prejudice of the Kings Prerogative, and peoples intollerable vexation. 2ly. That they endeavoured to exempt themselves from all secular and Regal Jurisdiction or Censures, for such Exorbitances or Usurpations, and to subject themselves wholly or principally to the Popes Judicature, to which they appealed from the Kings Justices, who was ready to protect, comply with them against the King and Subjects. 3ly. It is observable, That the King by his Attorney declared the dammages he sustained by these several Usurpations of this Bishop upon the Rights of his Crown and peoples Liberties, to amount to no lesse then Thirty One Thousand Pounds, which he had Judgement to recover against him; that the Earl of *Cornwall* declared his dammages thereby received, to amount to Ten Thousand Pounds, for which he had likewise Judgement, and a Writ of Execution against him; and the Sheriff of *Cornwall* One Hundred Pound dammages awarded against the Bishop, for his injurious Excommunication denounced against him; besides the Thousand Pounds dammages to the King and Earl, specified in the last Remonstrance: Which presidents if strictly pursued, would deterre all Bishops, with their Chancellors, Commissaries, Officials, from the like Usurpations and injurious Excommunications, since revived, continued, to the Kings dishonour, and the peoples unsufferable vexation. 4ly. That this Bishop by way of revenge, caused the Pope and Archbishop of *Canterbury* to Excommunicate and Interdict those of *Cornwall*, who complained against, and prosecuted these Usurpations, Oppressions of the Bishop and his Officers; who after two years contest, to avoid the Judgements given against him upon the premised Verdicts by the Kings Justices, solicited Queen *Alienor* and the Bishop of *Bath* and *Wells* (then Chancellor of *England*) to become Arbitrators, to make a final accord and release of all Suits, Judgements, Differences pending between him and the Earl of *Cornwall*, their Officers and Tenants, in all Temporal or Ecclesiastical Courts whatsoever; which they accordingly did, as appears by this their award made between them, to the Earls and Kings great disadvantage, by the Chancellors power, who favoured his brother Bishop, and caused this award to be entred on Record in his favour *An.* 8 *E.* 1. which I shall here insert.

Clauſ. 8 E. 1. m. 4. dorſo. De diſſentionibus inter Epiſcopum Exon. & Edmundum Comitem Cornubiæ.

CUM diſſenciuns & divers contekes eyent eſte entre le honourable Pere *Wautr* par la grace de Deu Eveske de *Exceſtre*, e le honourable Peer *Edmund* Conte de *Cornewayll*, e levantdit Eveske e le Conte des conteks avantdits ſe ſeyent mys en le dit e le ordenement de noble Dame *Alienore* par la grace de Deu Reyne de *Engleterre*, Dame de *Hirland*, e Ducheſſe de *Aquitayne*, ede le honourable pere *Robert* par memes le grace Eveske de *Ba.* e de *Welles*, e eyent grante ke il rendeynt lur dit de haut e de bas des conteks avantdiz. Puis a la requeſte des parties, lavantdite Reyne e lavantdit Eveske de *Ba.* unt dit e ordine, ke tuz conteks e deſcors mulz entre eus avant ceus oures, ou ke purrunt eſtre mulz par nule maners de play ou jugement paſſe entre eus, ou par ſentences ou par priſes des avers, ou par nule manere de acheſun ke eyt eſte enter eus avant ceus oures, ſeyent des ore mes reſſeez, iſſi ke lavantdit Contez ne puis demander de lavantdit Eveske ne ſe lius ne nul deners par la reſon de un Jugement rendu par Sire Rogger Loveday, e Sire Wauter de Wymburn. Ne deus mile marz ke lavantdit Eveske gaga entre ſey a lavantdit Conte, ne action puiſſe aver hers lavantdit Eveske, ne deus mil de ſoms par nule manere de treſpas ke eyt eſte fet avant ceſte houre. Dient enſement e ordeynent, ke lavantdit Conte doyne a levesdit Eveske deus Cent Marz, e lavantdite Royne doynt Cent Mars pur les dammages ke il ad eu par une priſe de avers fet en *Cornewayll* par le Viſcunte de memes le Cunte par la reſon de un bref de jugement; dunt il paiera la moite a la feſt de Saint *Johan le Baptiſt* prochein avenir a *Londres*, e lautre moite a la feſt Saint *Michel* prochein ſuant. E lavantdit Eveske des ore mes rien ne purra demander de lavantdit Conte des avantdiz avers, ne de ſes dammages, ne acciun ne purra aver vers ly ne vers ſun de ſoms, par nule manere de treſpas ke

eyt

eyt eſte ſet avant ces oures. E eſtre ceo ke avantdit Eveske de *Exceſtre* a la requeſt de lavantdite Royne e lavantdit Eveske de *Ba.* ad repele tutte maneres de ſentences donez en la gent lavantdit Conte par acheſon des conteks abantdiz, e ad pzemis de bone ley, ke les ſentences ke ſunt donez par le Apoſtopll, ou par le Ercebesk de Canterburs, par ſa ſeute ou ſon pzocurement, e par les ſoens, il mettra ſon poer e ſa tele peyne ke cele ſentences en le Curt le Koy par commune ley, ou en Curt Cre-ſtieng de memes les choſes, iſſi ke le Conte ne eyde ne ſuſteyne par ly ne par les ſoens, ſa ſeut vers le Eveske, ne il ayde ne ſuſteyne par ly ne par les ſoens ſa ſeut encuntre lavantdit Cunte. En teſmoyne de la quele choſe lavantdite Royne e le avantdit Eveske de *Ba.* a ceſt eſcriſt unt fet mettre loure ſeus. E un eſcriſt de ſuz lure ſeus unt fet liurer a lavantdit Eveske, e un autre a le avantdit Conte. E eſtre ceo ſi unt fet ceſte choſe entouler en roules de la Chancelerye des Clers le Roy. Done a *Weſtmuſter* la veile de la Pentecoſte, le an du noſtre Seigneur le Roy huittime. *An.* 6 *E.* 1.

* *Ralph Holinſhed* in his Chronicle, and Biſhop *Godwin* in his Cataloge of Biſhops, p. 328. render us this further account of this Biſhop of *Exeters* frauds and oppreſſions. *He did by a Policy purchaſe the Lordſhip and Houſe of* Clift Sachfeld, *and enlarged the Barton thereof by gaining of* Corniſh Wood *from the Dean and Chapter fraudulently; building then a very fair and ſumptuous houſe there, he called it* Biſhops Clift, *and left the ſame to his Succeſſors. Likewiſe he got the Patronage of* Clift Fomeſone, *now called* Sowton, *and annexed the ſame to his new Lordſhip, which (as it was ſaid) he procured by this means. He had a Frier to be his Chaplain and Confeſſor, which died in his ſaid Houſe of* Clift, *and ſhould have been buried at the Pariſh Church of* Farringdon, *becauſe the ſaid Houſe was and is in that Pariſh; but becauſe the Pariſh Church was ſomewhat farre off, the wayes foul, and the weather rainy, or for ſome other cauſes, the Biſhop commanded the Corps to be carryed to the pariſh Church of* Souton, *then called* Clift Fomeſon, *which is very near, and bordereth upon the Biſhops Lordſhip; the two Pariſhes being then divided by a little Lake called* Clift. *At this time one* Fomeſon, *a Gentleman, was Lord and Patron of* Clift Fomeſon; *and he being advertiſed of ſuch a Burial towards in his Pariſh, and a leech way to be made over to his Land, without his leave or conſent required therein; calleth his Tenants together, goeth to the Bridge over the Lake between the Biſhops Land and his; there meeteth the Biſhops men, bringing the ſaid Corps, and forbiddeth them to come over the Water.* The men nothing regarding the Prohibition, do preſs forwards to come ober the water, *and the others do withſtand, ſo long, that in the end,* my Lords Fryer is fallen into the Water. The Biſh praiſeth this matter in ſuch grief, that a holy Fryer, a Religious Man, his own Chaplein and Confeſſor, ſhould be ſo unreverently caſt into the Water, that he falleth out with the Gentleman, and upon what occaſion I know not, he ſueth him in the Law, (in his own Eccleſiaſtical Court, where he was both party and Judge) and ſo pereth and tormenteth him, that in the end he was fain to yeld himſelf to the Biſhops diſpoſition, and ſeeketh all the wayes he could to curry the Biſhops good will, which he could not obtain, untill for Redemption he had given up and ſurrendered his Patronage of Sowton, with a peece of Land; all which the ſaid Biſhop annexed to his new Lordſhip. Thus by Policy he purchaſed the Manour of Biſhops Clift; by a Device gaineth Corniſh Wood; and by Power wreſteth the Patronage of Sowton from the true Owner. Yet becauſe he thus enlarged his Churches poſſeſſions and Juriſdiction by theſe unchriſtian frauds and oppreſſions, he was at his death (*July* 22. 1280.) cryed up for a moſt ſincere Father of the Church, an unparalleld Saint, worthy all love and honor, by this Epitaph engraven on his Tomb in our Ladies Chappel of *Exeter*, where he was buried. * Page 1303, 1304

* Dilni ſancerus Pater, omni dignus amore
Pilinus Walcerus, magno jacet hic in honore.
Quot loca conſtruxit, pietatis quot bona fecit,
Aliam ſanctam dixit bitam, bor dicere quæ ſcit?

* Godwins Catalogue of Biſhops, p. 327.

* *Matthew Weſtminſter* ſtories, *Anno gratiæ* 1278. (the 6. of the Kings reign) King Edwardus Regalem dignitatem cupiens ampliare, multa famoſa Monaſteria per Angliam conſtituit, judicialiter libertatibus uſitatis et antiquis privabit: (as prejudicial a Mat. Weſtm. Flores Hiſt. pars 2. p. 366.

An. 6 *E.* 1. judicial to his Crown) *Abbas igitur & Conventus* Weſtmonaſterii *in quo* idem Rex Sacramenta Baptiſmatis, Confirmationis, et Cozonationis ſuſceperat, *in quo etiam patris ſui bona memoriæ Regis* Henrici, *liberorumque ſuorum corpora ſunt ſepulta, libertatem de retorno Brevium*, quam ſpecialiter per Cartas dicti Patris ſui Henrici obtinuerant multis tempozibus retroactis, poſt deſenſiones legitimas, *inſiſtentibus Civibus* Londinenſibus, ozdinationi Regiæ ſubmiſerunt, quam tempoze ſubſequenti Eccleſiæ ſupzadictæ de ſpeciali gratia Rex conceſſit; which the *Charter* and *Patent Rolls* of this year likewiſe atteſt.

b Mat. Parker, Antiq. Eccleſ. Brit. p. 196.

On the other hand [b] Archbiſhop *Kilwardby*, advanced meerly by the Pope, by his own Pontifical authority this year, without any Commiſſion from the King, Totam Cantuariæ Pzovinciam viſitationis jure peragrabit, ſeque donis non imperitando, ſed artificioſe, ut fratres ſui ozdinis ſolebant, ſuadendo locupletabit. In hac viſitatione Academias ipſas Metropolitica authozitate ingreſſus eſt; & Oxonii *in Scholis, non modo de Theologia, ſed de Philoſophia, atque Logica argutè diſceptavit. In quibus artibus multas* Oxonienſium *opiniones & ſententias tanquam minus probabiles* repzæhendit, *atque refellit; quas opiniones* Johannes Peckam *qui eum in Archiepiſcopatu proxime ſecutus eſt, inſtituta Cleri Synodo, cum inania tantum & inepta ſophiſticorum eſſent deliria,* * tanquam hæreticas, et a fide Chziſtiana abhozrentes, condemnabit.

*See Spelmanni Concil. Tom. 2. p. 347 348.

This Archbiſhop having gained much wealth by his Viſitation, and other means in *England*; * à Nicholao 3. *Papa* Romam *ad præcium participandum accitus eſt, ab eoque Cardinalis* Hoſtienſis & Portuenſis *Epiſcopus creatus eſt*; that ſo he might by his Papal Proviſion and authority conferr it on another, *who would pay well for it, and be ſure to ſerve his turn upon all occaſions*, without any previous conſent of the King, or election by the Monks, as his predeceſſors had done in the caſes of *Kilwardby*, St. *Edmund*, and *Stephen Langton* before, to the prejudice of the Kings Right and Prerogative, and Monks priviledge. In purſuit whereof, as [c] *Matthew Weſtminſter* ſtories, *Archiepiſcopus* Cantuarienſis Robertus per Nicholaum tertium Papam, ab Archiepiſcopatus onere abſolutus, bocabatur ad Cardinalatus bonozem. Poſt cujus vocationem, *Monachi* Cantuarienſes *Dominum* Robertum Burnel Bathon. & Wellenſem *Epiſcopum, Regis Cancellarium, poſtularunt*; cujus poſtulatio per Summum Pontificem quaſſabatur, et Frater Johannes de Pecham, Ozdinis fratrum Minozum, bir perfectiſſimus in doctrina, per Romanam Curiam pzæficiebatur Eccleſiæ Chziſti Cantuariæ in Paſtozem.

* Antiqu. Eccleſ. Brit. p. 196.

c Mat. Weſtminſter Flores Hiſt. pars 2. p. 366. See Chronologia Auguſtinenſis, col. 2273. H. de Knyghton de Event. Angl. l. 2. col. 2460. l. 3. c 1. col. 2462. Polychron. l. 7. c. 38. Tho. Walſingham, Hiſt. Angl. p. 8.

That the Monks of *Canterbury* unanimouſly elected the Biſhop of *Bath* and *Wells*, the Kings Chancellor, for their Archbiſhop, by the Kings direction, who approved, importuned, and commanded him to accept thereof, this Record aſſureth us.

Pat. 6 E. 1 m. 6 intus. De aſſentiendi poſtulacioni Cantuar.

REX Venerabili in Chriſto patri *R.* eadem gratia *Bathon. & Wellen.* Epiſcopo, Cancellario ſuo ſalutem. *Cantuar.* Eccleſia per electionem venerabilis patris *R.* quondam ejuſdem Archiepiſcopi in *Portuenſem* & Sanctæ *Ruffinæ* Cardinalem Epiſcopum aſſumpti, paſtozis ſolacio deſtituta, dieque ad providendum de paſtore ipſi Eccleſiæ aſſignata, Prior & Conventus diſponente illo per quem vocari debent ad Pontificium Sacerdotes, vos unanimiter in ſuum paſtozem et Archiepiſcopum poſtularunt, verum quia nobis ſumme cozdi exiſtit quod poſtulacioni hujuſmodi aſſenciatis, regamus in quantum poſſumus mandata pzecibus adjungentes, quatinus eidem poſtulacioni aſſenſum veſtrum ſine mozæ diſpendio pzæbeatis. Et ut hoc libencius faciatis, vas literas noſtras vobis mittimus patentes. Teſte ut ſupra.

*Antiq. Eccleſ. Brit. p. 196. & Godwins Catalogue of Biſhops, p 75.

* *Matthew Parker* Archbiſhop of *Canterbury* writes thus of *Kilwardby* his tranſlation, Cantuarienſi *Archiepiſcopatui non tàm ſponte ceſſit, quàm ut alium ſui ordinis atque loci virum illius ſcaturiginis minorum in* Anglia *fratrum ſicut ipſe fuerat Provincialem*, loco ſuo a Papa ſurrogari pzocuraret. *Horum igitur fratrum auctu, & Monachorum extenuata tàm Regi quam Papæ gratia, cum* Roberto, *ex illo fratrum grege*, Cantuarienſi Archiepiſcopatui ceſſiſſet, Papa eundem Archiepiſcopatum Johanni Peckam, Monachis Cantuarienſibus non modo non requiſitis, ſed etiam inbitis contulit, eumque ſine Suffraganeozum pzæſentia Romanæ in Curia conſecrabit, *Nam Monachi* Johannem Burnel Bathonienſem *Epiſcopum*, necnon *Cancellarium* poſtulaverant;

ſtulaverant, qua poſtulatione ſpreta et contempta, Johannes in Archiepiſcopatum Papali voce tanquam fulmine immiſſus eſt. The Chancellor, Biſhop *Burnel*, being very wealthy, chuſing rather to recede from his right to the Archbiſhoprick, then to conteſt it with the Pope, or *Peckam*, to avoid the Popes diſpleaſure, and the King then needing the Popes favour to promote his forreign affairs, was content to connive at this Papal uſurpation for the preſent. *An.* 6 E. 1

Our Records inform us; 1. That the Archbiſhoprick of *Canterbury* became *ipſo facto* voyd in Law, by this Popes creating *Kilwardby* Cardinal of *Oſtia*, and tranſlating him to the Biſhoprick of *Portua*; whereupon the King forthwith committed the Cuſtody of the Temporalties, and preſented to Livings becomming voyd by this his tranſlation. On which [d] *Polydor Virgil* hath this ſpecial obſervation; *Hinc cernere licet apud noſtros Pontifices* aliquid ſpurcæ tam tum fuiſſe, cum per legem paucis liceret duas ſimul obtinere Provincias, quando Robertus Portuenſem Epiſcopatum conſecutus, ſe Cantuarienſi abdicabit. O legem nunc prope everſam, nam quiſque pro opibus, pro potentia, plures habent Epiſcopatus, ut nullum illorum (ita credere par eſt) recte gubernent; qui talem commiſſi gregis curam non officio, ſed atque Deo cupiditate metiri videntur. A ſharp, but true cenſure of this abuſe by the Popes own Collector of *Peter-pence* in *England*, when he penned his Hiſtory. 2ly. That the King out of *ſpecial grace* and *favour* to this tranſlated Archbiſhop, granted him liberty to receive the rents of ſeveral Livings he had reſerved to himſelf, after his tranſlation, belonging of right to the King by the vacancy, and received the ſtock of the Archbiſhoprick from him, at the ſame rate he received it upon his inſtallment from the Guardian of the Temporalties: I ſhall preſent you with ſome of theſe Records to theſe purpoſes. d Hiſt. Angliæ l. 17. p. 322

REX Cuſtodi Spiritualitatis Archiepiſcopatus *Cantuar.* ſede vacante ſalutem. Ad Eccleſiam de *Harwes* vacantem, & ad noſtram donacionem ſpectantem, ratione Archiepiſcopatus prædicti vacantis, et in manu noſtra exiſtentis; dilectum Clericum noſtrum Magiſtrum *Galfridum de Everley* vobis caritatis intuitu præſentamus; Rogantes quatinus ipſum ad Eccleſiam illam admittatis, & perſonam inſtituatis in eadem. In cujus, &c. Teſte Rege apud *Glouc.* 8 die *Aug.* Pat. 6 E. 1. m. 6. intus. De Præſentacione

EGidius de *Audenard* habet literas Regis de præſentacione ad Eccleſiam de *Cherringes* vacantem, & ad donationem Regis ſpectantem, ratione Archiepiſcopatus Cantuar. vacantis, et in manu Regis exiſtentis. Et diriguntur literæ Cuſtodi Spiritualitatis Archiepiſcopatus prædicti ſede vacante. Teſte Rege apud *Rothelan.* xi. die *Sept.* Ibid. m. 6. intus. De Præſentacione.

REX dilectis & fidelibus ſuis *Radulpho de Sandwico*, & *Willielmo de Saham*, Cuſtodibus Archiepiſcopatus Cantuar. ſede vacante ſalutem. Mandamus vobis quod hac vice, de gratia noſtra ſpeciali, habere faciatis Venerabili patri *R. Portuenſi* Epiſcopo, Sacroſanctæ Romanæ Eccleſiæ Cardinali, nuper Archiepiſcopo Cantuar. porcionem agiſtamenti paſturæ, à feſto Paſchæ uſque ad feſtum Pent. quæ ceſſit baſtilacioni Crucis Archiepiſcopatus illius pro rata temporis ſui: faciatis eciam habere eidem Epiſcopo de gratia noſtra prædicta, viginti et quinque libras, de termino Paſchæ prædicto de quinquaginta libris annuis, pro quibus idem Epiſcopus dimiſit quandam culturam terræ quæ vocatur *Oxenhall*, infra manerium de *Aldington*, Præpoſito ſuo ibidem ſibi ſolvend. ad duos terminos, videlicet, unam medietatem ad feſtum Pentecoſtes, & aliam medietatem ad feſtum Sancti *Michaelis*, pro rata temporis ſui prædicti. Faciatis eciam habere eidem Epiſcopo de eadem gratia noſtra octo libr. de termino ſupradicto de ſexdecim libris, pro quibus idem Epiſcopus dimiſit terram de *Shirle* Præpoſito ſuo, ibidem ſibi ſolvend. ad terminos ſupradictos. Et nos vobis inde, debitam allocacionem ſeu quietanciam habere faciemus. Teſte Rege apud *Clarendon.* xxvi. die *Julii.* Clauſ. 6 E. 1 m. 6 intus. Pro Portuenſi Epiſcopo.

MAndatum eſt Cuſtodibus prædictis, quod recipiant a Venerabili Patre *R. Portuenſi* Epiſcopo Sacroſanctæ *Romanæ* Eccleſiæ Cardinali, nuper Archiepiſcopo *Cantuar.* boves et ſcottos, ad carucas Maneriorum Archiepiſcopatus prædicti in denariis, prout idem Archiepiſcopus eos recepit a Magiſtro *Richardo de Clyfford* dudum Ibid. m. 6. intus. De bobus & Scottis Manerium Archiepiſcopatus Cant. recep.

An. 6 E. 1. dudum Cuſtod. Archiepiſcopatus ejuſdem. Et hoc nullatenus omittatis. Et Rex eis inde debitam quietanciam habere faciet. T. ut ſupra.

* Antiq. Eccleſ. Brit. p. 197, 198.

[a] *Matthew Parker* ſtories, that this new created Archbiſhop *John Peckam*, (who ſucceeded *Kylwardby*) before his advance to this See, Lugduni *cum eſſet*, juri civili atque Pontificio operam dedit; in quibus ut uberiores haberet progreſſus, Italiæ *Academias perluſtravit. In his cum diuturnam operam poſuiſſet multumque profeciſſet*, Romanam Curiam adiit: In qua cauſas tanta juris peritia tractavit, ut ſacro Papæ palatio cauſarum auditor a Papa præficeretur. Geſtu, inceſſu, et ſermone glorioſo et elato fuit. *Cumque* (after his conſecration and miſſion to *Canterbury* by the Pope) *magna ex more ſolennitate atque pompa* Cantuariæ *in throno ac ſede collocandus eſſet*, *literis ſuis* Winton. Exon. Wigorn. Bathon. Norwicen. Hereforden. Ceſtren. Roffen. Landaff *Epiſcopos*, *Abbateſque ac Priores ſuæ provinciæ locupletiores intereſſe*, ac tam magnifico convivio carnem terinam, volucres, piſces, et ejuſmodi munera exhibere juſſit. Monachi Cantuarienſes hanc in Archiepiſcopatu conferendo Papæ Nicholai injuriam, qui Regia æquiſſima jura ferre non poterant, inditi perpeſſi ſunt. Hic frater Johannes (*ut* Robertus Kylwardby *in Concilio* Gregorii *decimi ante fecit*) ſubinde ſe Papæ creaturam; Papamque ſuum Creatorem agnoſcit: Sed dirus ille Creator (which is worthy obſervation) ſuam creaturam in primo Archiepiſcopatus ingreſſu, exactis quatuor marcarum millibus, diripuit, peneque deſtruxit. *Qua de re his verbis ad Papam ſuum creatorem cujus cœlum* Romæ *ſitum cum omnipotentia exiſtimabatur*, *ſcripſit.*

Nic. Trivet. Archiv. f. 157.

In literis ad Papam ſcriptis. Vide Archiv.

Verba ipſius Epiſt. in Archivis.

Ecce me creaſtis, et quanto creatura a ſuo naturaliter appetit perfici creatore, ſic in meis oppreſſionibus cenſeo per vos recreandum. Nane nuper ad me perbenit cujuſdam executionis litera horribilis in aſpectu, et auditu terribilis, quod niſi infra menſem Mercatoribus *Lucanenſibus* cum effectu de quatuor millibus marcarum quæ in Romana Curia contraxi, ſatisfaciam, et tunc ſum excommunicationis ſententia innodatus, et in Eccleſia mea, et aliis majoribus, pulſatis campanis, accenſis candelis, excommunicatus denuncier ſingulis diebus Dominicis et feſtivis. Hanc tam grandem ſolutionem impoſſibilem ſibi futuram, reſcribit. *Quoniam &* Robertus Kylwarby, *diſcedens Eccleſia* Cantuarienſis *bona ſecum abſtuliſſet*, *& ante eum* Bonifacius *ædificia Archiepiſcopalia caduca & ruinoſa reliquiſſet*, et Rex unius anni redditus retinuiſſet, *& ſibi ad unius anni ſumptus ſuſtinendos mutua ſumenda eſt pecunia. Quæ in* Angliam *jam crebris ſolutionibus exhauſta*, *haberi vix aut ne vix quidem poterat. Et ad Gentilem quendam ſuum in* Romana Curia *familiarem ſcribit*; *ſe coactum ad accipiendum mutuo duo millia marcarum pro intronizationis ſuæ ſumptibus*, *octavo idus* Octobris *proximi faciendis. Illa autem Papalis cautela*, *ut hi*, *quibus pecunias mercatoribus ſuis ſolvendas imperaret*, agnoſcerent ſe ad ſuos uſus mutuos prius accepiſſe, *non nova jam fuit*, *ſed à* Ruſtando *quondam Papa in* Anglia *quæſtore callidiſſimo in uſum*, *novo exemplo introducta.* Johannes *ſæpè atque multa non modo Papa*, *ſed Cardinalibus ſuoque confratri*, *atque prædeceſſori* Roberto Kylwarby, *ut ab hac ſolutione liberaretur ſcripſit*; quod cum impetrare non poterat, *datus eſt ei poſt diuturnam interceſſionem agre tandem unius anni ad ſolvendum dilatio. Interea* Robertus Kylwarby Anglicanis ſpoliis locuples, *in dignitatis ſuæ culmine poſitus*, *cujus uſuram perexiguo percepit tempore*, Romæ *vita functus eſt. Quo mortuo atque* inteſtato, *frater* Johannes Peckam ad Papam, qui inteſtatorum bona, pauperibus et piis uſibus ipſo jure Pontificio conceſſa ſibi reſervabit, de reſtituendis Cantuarienſi Eccleſiæ 5000. marcas, quas Robertus Romam diſcedens ab eadem Eccleſia injuſte abſtuliſſet, *literas dedit. Ad quas etiam repetendas procuratorem* Anſelmum *quendam ſuum conſtitutum cum multis ad Cardinales mandatis miſit. Etſi mirum videri poſſit hominem ſatis aſtutum atque callidum*, *quique ipſas* Romanas *verſutias longè edoctus tempore cognoviſſet*, *ejuſmodi expectatione atque ſpe decipi voluiſſe. Præſertim cum ſuo exemplo*, *ex antedictis quatuor marcarum millibus*, Papam non reddendis, ſed exigendis rationibus aſſiduam dare operam, *intellexiſſet. Sed dum hac petitione liberari ſe ſaltem ab illa* 4000. *marcarum præſtatione ſperabat*, pro eiſdem ſolvendis, literis nobis Papales execrationes minantibus illico interpellatus eſt. *Quo quaſi imperato ſibi ſilentio re perinde atque ſpe excidens deinceps con-*

Nota.

ticuit. Thus the Pope preyed upon his own creatures, and they upon the Church of *Canterbury*, and *England* in that age.

King

King *William* the Conqueror, conferring the Advowſon of the Church of *Eſheburne* on the Dean and Chapter of *Lincoln*; which many Deans enjoyed as appropriated to the Deanery of *Lincoln* by ſundry Biſhops of the place, and the Popes Bulls, without the Kings ſpecial licenſe and aſſent; King *Henry* the 3. notwithſtanding their appropriation, and long enjoyment thereof (ſince *nullum tempus occurrit Regi*, and no impropriation could be made by the Biſhop or Pope without the Kings ſpecial licenſe, of any Advowſon, eſpecially in the Crown) recovered the preſentation thereof in an Aſſiſe of *Darreign preſentment*, by a Judgement given by his Court and Judges at the Tower againſt the Biſhop, Dean and Chapter; and thereupon granted it to the Abbot and Monks of *Valle Roſall*; till King *Edward* the 1. upon their reſignation of it to him, reſtored and confirmed the future impropriation to the Dean and Chapter of *Lincoln* by his Patent; as this Record atteſts. *An.* 6 E. 1.

REX Archiepiſcopis, &c. ſalutem. Sciatis quod cum Dominus *Willielmus* quondam Rex *Angliæ*, Caritatis intuitu, & pro ſalute animæ ſuæ, & animarum anteceſſorum & hæredum ſuorum, per Cartam ſuam dediſſet & conceſſiſſet Deo & Eccleſiæ beatæ *Mariæ Lincoln.* Advocationem Eccleſiæ de *Eſheburn.* in antiquo Dominico Coronæ *Angliæ* ſitæ; **Quam Eccleſiam plures Decani *Lincoln.* per loci Diœceſanos et ſedem Apoſtolicam Decanatui *Lincoln.* poſtmodum appropriatam, in propios uſus pacifice poſſederunt**; quouſque celebris memoriæ Dominus *Henricus* Rex pater noſter in Curia ſua apud Turrim *London.* **per conſiderationem ejuſdem Curiæ ſuæ per breve ultimæ præſentationis recuperaſſet præſentationem ſuam ad eandem Eccleſiam de *Eſheburn.* verſus Epiſcopum et Decanum ac Capitulum Eccleſiæ *Linc.*** Cujus Eccleſiæ Advocationem ab eodem Patre noſtro poſt prædictæ præſentationis recuperationem nobis datam, per Cartam noſtram inter alia in eadem Carta noſtra contenta, dedimus & conceſſimus Deo & beatæ *Mariæ*, & Eccleſiæ tunc de *Dernhale*, nunc de *Valle Regali* vocatæ in Com. *Ceſtriæ*, quæ eſt de fundatione noſtra, necnon & Abbati & Monachis ibidem Deo imperpetuum ſervituris. Cumq, venerabilis pater *R. Linc.* Epiſcopus, & dilecti nobis in Chriſto Magiſter *Oliverus de Sutton* Decanus *Lincoln.* ac Capitulum ejuſdem Eccleſiæ aſſerentes, ſe & Eccleſiam *Lincoln.* ex donatione prædicti Domini Regis *Willielmi* jus habere in advocatione dictæ Eccleſiæ de *Eſheburn.* **ipſam advocationem coram nobis et noſtro conſilio petiviſſent**, & iidem Abbas & Conventus de *Valle Regali* pro ipſis & ſucceſſor. ſuis, tam ad noſtram inſtanciam & requiſitionem præfatam advocationem Eccleſiæ de *Eſheburn.* per Cartam ſuam reddiderint, dimiſerint, conceſſerint, & quietum clamaverint nobis & hæredibus noſtris, de ſe & ſucceſſoribus ſuis imperpetuum. Nos donacionem advocationis dictæ Eccleſiæ de *Eſheburn* per prædictum Dominum Regem *Willielmum* Deo & Eccleſiæ *Lincoln.* factam ratam habentes & firmam, & ſi quid in ea diminutum fuerit, pro ſalute animæ prædicti Regis, patris noſtri, ac animarum progenitorum & hæredum noſtrorum, per præſentem Cartam noſtram ſupplere volentes, **Advocationem ejuſdem Eccleſiæ, et omnium Capellarum ad eam ſpectancium**, dictis Epiſcopo, Decano & Capitulo *Lincoln.* ut jus ſuum reddidimus, & inſuper eandem advocacionem eis pro nobis & hæredibus noſtris damus, concedimus, & quietam clamamus. Habend. & tenend. eiſdem Epiſcopo, Decano & Capitulo, & ſucceſſoribus ſuis quietam de nobis & hæredibus noſtris, abſque reclamatione aut impedimento noſtri vel hæredum noſtrorum imperpetuum. Ita quod eandem advocationem Eccleſiæ de *Eſheburn.* cum ſuis Capellis rehabeant, & ſibi & ſucceſſoribus ſuis retineant, ſicut eorum prædeceſſores eam melius & quiecius unquam tenuerunt; Quare volumus & firmiter præcipimus pro nobis & hæredibus noſtris, quod prædicti Epiſcopus, Decanus & Capitulum Eccleſiæ beatæ *Mariæ Lincoln.* prædictam Advocationem Eccleſiæ prædictæ de *Eſheburn.* cum ſuis Capellis habeant & teneant, ut jus ſuum ſibi & ſucceſſoribus ſuis quietam de nobis & hæredibus noſtris, abſque reclamatione ſeu impedimento noſtri vel hæredum noſtrorum imperpetuum. Ita quod eandem Advocationem Eccleſiæ de *Eſheburn.* cum ſuis capellis rehabeant, & ſibi & ſucceſſoribus retineant, ſicut eorum prædeceſſores eam melius et quiecius unquam tenuerunt. Quare volumus & firmiter præcipimus pro nobis & hæredibus noſtris, quod prædicti Decanus & Capitulum Eccleſiæ beatæ *Mariæ Lincoln.* prædictam advocationem Eccleſiæ prædictæ de *Eſheburn.* cum ſuis Capellis habe- Cart. 6 E. 1. m. 3. intus. Pro Decano & Capitulo Lincoln. de advocat. Eccleſ. de Eſheburn.

An. 6 *E.* 1. habeant & teneant, ut jus ſuum ſibi & ſucceſſoribus ſuis quietam de nobis & hæredibus noſtris, abſque reclamatione ſeu impedimento noſtri, vel hæredum noſtrorum imperpetuum. Ita quod Advocationem illam habeant & teneant ſicut eorum prædeceſſores eam melius & quiecius unquam tenuerunt ſicut prædictum eſt. Hiis teſtibus venerabilibus patribus *Tho. de Cantilupo Heref.* & *Willielmo de Middelton Norwyc.* Epiſcopis, *Willielmo de Valenc.* Avunculo noſtro; with ſundry others.

Lewellen Prince of *Wales* doing ſome injuries to the prejudice of the Rights and Liberties of the Biſhop and Church of *Bangor*, and Abbot of *Baſingwerk*; the King writ to him to uſe them as became a Prince, and to make an Accord between them; which he taking in ill part, and miſinterpreting; the King thereupon ſent this Letter to him, expreſſing both his Regal care and duty to defend their juſt rights and priviledge, and to do them juſtice, in caſe he proceeded in his injuries, and expounding the meaning of ſome clauſes in the agreement between him and this Prince.

Rot. Walliæ 6 E. 1. m. 10. dorſo.

REX dilecto & fideli ſuo *Lewelino* fil. *Griffini* Principi *Walliæ*. Ea quæ de negociis venerabilis patris *A. Bangorenſis* Epiſcopi vobis nuper mandavimus, non ob id quod libertates veſtras in aliquo diminui, ſeu juribus veſtris aliquatenus derogari vellemus vobis ſignificavimus, ſet ut inter vos & ipſum Epiſcopum prout honori veſtro congruit, pacem & concordiam foveremus, ne ipſe de aliquo quod libertates aut jura Eccleſiæ ſuæ lædere poſſet, de vobis juſtam materiam habere poſſet conquerendi. Propter quod vos rogamus, quod jura Spiritualia et Temporalia ipſius Epiſcopi (protegatis) et tam curialiter et modeſte ſicut Principem decet, vos geratis erga ipſum, quod ex hoc honor vobis accreſcat, et a Deo retributionem condignam mereamini reportare. Cæterum nobis non diſplicet, quod vos de Abbate de *Baſingwerk* exigitis ea quæ vos & prædeceſſores veſtri ſemper hactenus juſtè & pacificè percipere conſueviſtis, ſet intencionis noſtræ fuerat cum pro ipſo vobis ſcripſimuss, vobis ea potius ſuadere quæ ad honorem veſtrum ſpectare noſcuntur, quam eidem Abbati aliquam immunitatem præſtare ad id faciendum, quod ipſe & prædeceſſores ſui vobis & progenitoribus veſtris ſemper hactenus juſtè & debitè facere conſueverunt. Verumtamen vos rogamus, quod ab ipſo alia non petatis, quam ea quæ juſte et debite petere debetis, et hactenus percipere ſolebatis, et ipſum adeo humaniter tractetis, quod ad juſtam querimoniam ſuam, cui ſicut nec cæteris de regno noſtro in juſticia deeſſe non poſſumus, nos non oporteat Juſticiariis noſtris ſuis eidem demandare, quod auditis ſuis querimoniis ſibi fieri faciant juſticiæ complementum. Articulum autem pacis inter nos & vos initæ, de quo veſtræ literæ mencionem faciebant, videlicet de placitis & controverſiis in Marchia & *Wallia* audiendis & terminandis, aliter non intelligimus, nec intelligi poteſt, quam temporibus prædeceſſorum noſtrorum Regum *Angliæ*, & etiam temporibus noſtris ſemper hactenus uſitatum extitit & conſuetum; nec eciam aliud ex verbis pacis elici poteſt, niſi quod controverſiæ & contenciones motæ in Marchia ſecundum Leges Marchiæ, & illæ quæ in *Wallia* oriuntur, ſecundum leges *Wallen.* audiri & terminari debent, ad certos dies & loca quos nos ibidem partibus duxerimus præfigendos. Et idcirco coram Juſtic. noſtris in partibus illis, ad dies et loca quos ipſi vobis ſcire facient, coram ipſis venietis, ad faciendum & recipiendum quod juſticia dictaverit ſecundum leges ſupradictas. Alia autem vera illius articuli interpretacio fieri non poteſt, nec aliud unquam intelleximus aut intelligimus in hac parte, finiſtra ſiquidem ad alicujus falſam ſuggeſtionem de vobis non credemus, ſet pocius ſperamus quod facta dictis compenſabitis, et erga nos et noſtros ſemper fideliter vos geratis. Teſte Regis apud *Windeſ.* xiv. die *Julii*.

David ab Eynun having bought corn in *Angleſey* within the Dioceſſe of *Bangor*, which others claimed and ſet a Croſſe upon, according to the cuſtom of thoſe parts, ſo that he could not diſpoſe of them, without incurring the Biſhops cenſure, the King thereupon commanded the Biſhop to take off the Croſſe, and deliver him the corn by this Writ.

REX

An. 6 E. 1.

REX Venerabili in Chriſto patri *A. Bangorenſi* Epiſcopo ſalutem. Quia ex querimonia *David ab Eynun* accepimus, quod quidam de partibus illis aſſerentes, quædam blada quæ idem *David* à *Willielmo Burnell* & hominibus ſuis emit in *Angleſey* veſtræ Dioceſis, dum fuerunt ibidem in ſervicio noſtro, ſua eſſe, quandam Crucem ſuper blada prædicta, prout moris eſt in partibus illis, apponi fecerunt; occaſione cujus Crucis prædictus *David* aliquam adminiſtracionem de bladis illis habere non poteſt. Vobis mandamus rogantes, quatinus Crucem prædictam amoveri, et eidem de bladis prædictis liberam adminiſtrationem habere faciatis. Et ſi quid inde captum fuerit, id eidem reſtitui faciatis. T. Rege apud Turrim *London.* iv. die *Jan.* Rot. Willis. 6 E. 1. m. 12. dorſo.

What Archdeaconries and Præbendaries the King this year beſtowed in *Ireland*, theſe Records will inform us.

REX dedit & conceſſit Magiſtro *Galfrido de Aſpal.* Archidiaconatum *Dublin.* cum pertinentiis, una cum præbenda de *Raffernan.* eidem Archidiaconatui annexa, vacantem, et ad donationem Regis ſpectantem, ratione Archiepiſcopatus Dublin. vacantis, et in manu Regis exiſtentis. Teſte Rege apud *Macclesfeld* xxvi die *Septemb.* Et mandatum eſt Decano & Capitulo Sancti *Patricii Dublin.* quod eidem Magiſtro *Galfrido* ſtallum in choro, & locum in Capitulo, ratione præbendæ prædictæ, prout moris eſt, aſſignent. T. apud *Shotwik.* 17 die *Sept.* Pat. 6 E. 1. m. 6. intus. De Archidiaconatu Dublin. & de præbendis datis.

REX dilectis ſibi in Chriſto Decano & Capitulo *Dublin.* ſalutem; Sciatis, quod dedimus et conceſſimus dilecto Clerico noſtro Magiſtro *Galfrido de Aſpel.* Archidiaconatum *Dublin.* per mortem *Willielmi de Salinis* nuper Archidiaconi ejuſdem loci defuncti vacantem, et ad donacionem noſtram ſpectantem, ratione Archiepiſcopatus *Dublin.* vacantis, et in manu noſtra exiſtentis. Et ideo vobis mandamus, quod eundem *Galfridum* vel ejus procuratorem ipſius nomine in poſſeſſionem Archidiaconatus prædicti cum pertin. prout moris eſt, inducatis. In cujus, &c. Teſte ut ſupra. Ibidem. De Archidiaconatu Dublin. dato.

The King ſending *Franciſcus Accurſius* and other Meſſengers to *Rome* about his affairs, iſſued theſe Writs for furniſhing them with moneys, and payment of the Annual penſion of his Advocate in the Court of *Rome*, and to a Cardinal of *Rome*, granted to them til prefer'd by him to benefices of greater value then their Penſions.

REX *Orlandino de Podio* & ſociis ſuis Mercatoribus de *Luk.* ſalutem. Mandamus vobis, quod de denariis noſtris vel veſtris in cuſtodia veſtra exiſtentibus habere faciatis, dilecto Clerico noſtro Domino *Franciſco Accurſi*, et ſociis ſuis nunciis noſtris ad Curiam Romanam proficiſcentibus, rationabiles expenſas ſuas quibus indigent in eundo, ibidem morando, et redeundo, ad expeditionem negotiorum prædictorum. Et cum ſciverimus quantum eis liberaveritis, nos debitam allocationem ſeu quietanciam vobis inde habere faciemus. Teſte Rege apud *Shotwik* xvii. die *Sept.* Pat. 6 E. 1 m. 6 intus. De denariis Franciſco Accurſ. & ſociis ſuis nunciis Regis ad Cur. Romanam.

REX dilectis ſibi *Reynero Maglar. Orlandino de Podio*, & ſociis ſuis Mercatoribus de *Luk.* ſalutem. Cum dudum conceſſerimus dilecto Clerico noſtro Magiſtro *Angelo de Urbe*, Advocato noſtro in Curia *Romana* quingentas Marcas, percipiendas annuatim ad Scaccarium noſtrum, quouſque ſibi prohibueremus de Eccleſiaſtico beneficio valoris quater viginti Marcarum, et jam prohiberi fecerimus eidem de quodam beneficio valoris quinquaginta Marcarum, per quod conceſſimus, quod idem Magiſter *Angelus* ſingulis annis percipiat à nobis viginti marcas, quouſque dictam prohibitionem eidem compleverimus; Vobis mandamus, quod de denariis noſtris vel veſtris habere faciatis *Bartho Morchy* Mercatori *Senenſi*, Procuratori prædicti Magiſtri *Angeli* quadraginta Marcas de reſiduo prædicti feodi ſui de duobus annis, videlicet de annis Regni noſtri quinto & ſexto. Et cum pecuniam illam eidem liberaveritis, recipiatis ab eo literas ſuas patentes receptionem dictæ Pat. 6 E. 1. m. 8. intus. Pro Magiſtro Angelo de Urbe Advocato Regio.

An. 6 *E.* 1. pecuniæ ad opus prædicti Magiſtri *Angeli* teſtificantes. Et nos vobis inde debitam acquietanciam ſeu allocacionem habere faciemus. Teſte Rege apud *Wyndeſ.* x die *Julii.*

Pat. 6 E. 1. m. 24. intus. Pro Domino M Sanctæ Mariæ in Portica Diacono Cardinali.

REX omnibus ad quos, &c. ſalutem. Sciatis quod **conceſſimus** Venerabili Patri Domino *M.* Sanctæ *Mariæ* in *Portic.* **Diacono Cardinali, ſeraginta Marcas ſingulis annis ad Scaccarium noſtrum percipiend.** videlicet unam medietatem ad Scaccarium noſtrum *Paſch.* & aliam medietatem ad Scaccarium noſtrum Sancti *Michaelis*, **donec per nos eidem uberius prȝovideatur.** In cujus, &c. Teſte Rege apud *Weſtm.* xviii. die *Jan.*

King *Henry* the 3d. having granted a licenſe by his Patent to the Biſhop of *Norwich* to make his Will, and freely to demiſe his goods, corn, chattels, without the interruption of him, his heirs or officers, and dying before the Biſhop, he doubting of its validity in Law, procured this confirmation of it from King *Edward* the 1, with a proviſo that his Executors ſhould put in ſecurity to ſatisfie all debts due to the King, ere they adminiſtred or medled with his goods.

Pat. 6 E. 1. m. 25. intus. Pro Epiſcopo Norwycenſi.

REX Omnibus, &c. ſalutem. Cum celebris memoriæ Dominus *H.* dudum Rex *Angliæ* pater noſter, venerabili in Chriſto patri *Rogero Norwyc.* Epiſcopo per literas ſuas patentes **conceſſerit, ut de bonis et catallis ſuis libere poſſet condere Teſtamentum ſuum; Ita quod Executoȝes ſui Teſtamenti illius ſine occaſione et impedimento ipſius patris noſtri et hæredum, Eſcaetoȝum, Vicecomitum, et omnium aliοȝum Ballivoȝum et Miniſtroȝum ſuoȝum quoȝumcumque plenam et liberam inde habere poſſint adminiſtracionem ad executionem teſtamenti ſui prȝædicti inde faciend. Nos conceſſionem prȝædictam gratanter acceptantes, prȝæfato Epiſcopo concedimus prȝo nobis et hæreditibus noſtris quantum in nobis eſt, quod ipſe hujuſmodi teſtamentum ſuum licite condere et executoȝes ſui de bonis et catallis ſuis prȝædictis libere poſſint diſponere, ſicut prȝædictum eſt. Accepta tamen ab eiſdem Executoȝibus ſufficienti ſecuritate, quod de debitis ſi quæ idem Epiſcopus die obitus ſui nobis debuerit, ad Scaccarium noſtrum fideliter reſpondebunt.** In cujus, &c. Teſte Rege apud *Turrim London* 8 die *Jan.*

The like licenſe he granted to the Abbot of St. *Edmunds*, with the like Proviſo, as this Patent manifeſts.

Pat. 6 E. 1. m. 24. intus. Pro Abbate de S. Edmundo.

REX Omnibus ad quos, &c. ſalutem. Dilectis nobis in Chriſto *Simon* Abbas de Sancto *Edmundo*. Nobis humiliter ſupplicavit, **ut nos et licentiam concedere dignaremur**, videlicet, **quod ipſe de bonis et catallis ſuis libere poſſit condere Teſtamentum ſuum. Ita quod Executoȝes Teſtamenti ſui, abſque occaſione et impedimento noſtri, et hæredum noſtroȝum, Eſcaetoȝum, Vicecomitum, et aliοȝum omnium Ballivoȝum ac Miniſtroȝum noſtroȝum, quoȝumcunque plenam et liberam inde habere poſſit adminiſtrationem ad executionem Teſtamenti ſui prȝædicti inde faciendam. Nos autem** precibus prædicti Abbatis favorabiliter inclinati, **concedimus ei prȝo nobis et hæredibus noſtris**, quantum in nobis eſt, quod **idem Abbas hujuſmodi Teſtamentum ſuum licite condere, et Executoȝes Teſtamenti ſui de bonis et catallis ſuis prȝædictis libere poſſint diſponere, ac liberam adminiſtrationem habere, ad executionem dicti Teſtamenti inde faciendam, ſine occaſione vel impedimento noſtri, vel hæredum noſtroȝum, Eſcaetoȝum, Vicecomitum, et omnium aliοȝum Ballivoȝum ac Miniſtroȝum noſtroȝum, quoȝumcunque ſicut prȝædictum eſt. Recepta tamen ab eiſdem Executoȝibus ſufficienti ſecuritate, quod de debitis, ſi quæ idem Abbas die obitus ſui nobis debuerit, ad Scaccarium noſtrum fideliter reſpondebunt.** In cujus, &c. Teſte Rege apud *Weſtm.* 17 die *Januarii.*

* *Walter de Merton* Biſhop of *Rocheſter*, the Kings Chancellor, having made his Will by the Kings licenſe, and owing ſeveral Debts to the King and Queen at the time of his death, the King thereupon ſeiſed all his Goods and Chattels, till his Executors had put in good ſecurity in the Exchequer to ſatisfie theſe Debts to him and

and his Queen; which done, he iſſued Writs to reſtore his Goods to his Executors, granted them protections, and ſummoned all endebted to him into the Exchequer, ſpeedily to pay the Debts they owed, to enable his Executors to perform his Will, by ſeveral Writs and Patents; which becauſe they more clearly expound the Statute of *Magna Charta* cap. 18. then Sir *Edward Cooks* Inſtitutes and Expoſition thereof, I ſhall here inſert for the benefit of thoſe of my Profeſſion. *An.* 6 *E.* 1

REX Vic. *Sutht.* ſalutem. Quia bonæ memoriæ *W.* nuper *Roffenſis* Epiſcopus jam defunctus nobis & kariſſimæ conſorti noſtræ *Alianoræ* Reginæ *Angliæ*, **in diverſis debitis tenebatur die quo obiit, tibi præcipimus, quod omnes terras et tenementes quæ fuerunt prædicti Epiſcopi in Balliva tua, una cum omnibus bonis et catallis in eiſdem aut alibi in Balliva tua prædicta exiſtentibus, ſine dilatione capias in manum noſtram, et ea ſine aliqua diſtractione vel diminutione inde facienda, ſalvo cuſtodiri facias. Ita quod nullus ad ea manum apponat, donec aliud inde tibi præceperimus.** Teſte meipſo apud *Dover.* primo die *Febr.* anno regni noſtri ſexto. Clauſ. 6 E. 1. m. 12. in Cedula.

Conſimilis litera directa eſt Majori & Vic. *London.* ſub eadem data.
Conſimilis litera directa eſt Vic. *Northt.* ſub eadem data.
Conſimilis litera directa eſt Vic. *Dorſ.* ſub eadem data.
Conſimilis litera directa eſt Vic. *Norff.* ſub eadem data.
Conſimilis litera directa eſt Vic. *Leyc.* ſub eadem data.

REX Vic. *Sutht.* ſalutem. Quia bonæ memoriæ *W.* nuper *Roffenſis* Epiſcopus jam defunctus nobis & kariſſimæ conſorti noſtræ *Alianoræ* Reginæ *Angliæ*, **in diverſis debitis tenebatur die quo obiit, et Executores Teſtamenti ſui ſufficientem ſecuritatem nobis jam fecerint de debitis illis, nobis et præfatæ Reginæ fideliter ſolvendis ut tenentur; tibi mandamus, quod occaſione alicujus mandati noſtri tibi directi, de bonis et catallis dicti defuncti arreſtandis occaſione debitorum illorum nullatenus omittas, quin dictis Executoribus de bonis et catallis quæ fuerunt dicti Epiſcopi, ubicunque inventa fuerint, in Balliva tua liberam adminiſtrationem ſine quolibet impedimento habere facias.** Et hoc nullatenus omittas. Teſte meipſo apud *Dover.* 10 die *Febr.* anno regni noſtri ſexto. Ibidem.

Conſimilis litera directa eſt Vic. *Dorſ.* ſub eadem data.
Conſimilis litera directa eſt Vic. *Norff.* ſub eadem data.
Conſimilis litera directa eſt Vic. *Leyc.* ſub eadem data.
Conſimilis litera directa eſt Majori & Vic. *London.* ſub eadem data.
Conſimilis litera directa eſt Vic. *Northt.* ſub eadem data.
Conſimilis litera directa eſt Vic. *Kanc.* ſub eadem data.

REX Theſaurariis & Baronibus ſuis de Scaccario, ſalutem. Quia bonæ memoriæ *W.* nuper *Roffenſis* Epiſcopus jam defunctus nobis & kariſſimæ conſorti noſtræ *Alianoræ* Reginæ *Angliæ*, **in diverſis debitis tenebatur die quo obiit, ac Executores Teſtamenti ſui ſufficientem ſecuritatem nobis jam fecerint de debitis illis nobis et præfatæ Reginæ fideliter ſolvendis, ut tenentur. Ac plures de regno noſtro in diverſis debitis ei tenerentur dum viveret quæ jam diu ei ſolviſſe debuerant, et de quibus præfato Epiſcopo vel Executoribus prædictis hactenus in nullo ſatisfacere curaverunt, per quod Executores prædicti debita noſtra prædicta nobis et præfatæ Reginæ ſolvere, et executionem Teſtamenti prædicti facere nequeunt, ſicut ex ipſorum querela accepimus; Nobis mandamus, quod omnes debitores qui præfato Epiſcopo in aliquo debito tenebantur die quo obiit, coram vobis ad Scaccarium prædictum veniant, et debita quæ præfati Executores rationabiliter monſtrare poterunt dicto defuncto deberi ab eodem die quo obiit, ſecundum quod citius et melius poteritis, ſecundum legem et conſuetudinem Scaccarii prædicti levari, et præfatis Executoribus habere faciatis ad debita noſtra nobis reddenda, et ad executionem Teſtamenti prædicti inde faciendum.** Teſte meipſo apud *Dover.* 10 die *Febr.* anno regni noſtri ſexto. Ibidem.

REX Omnibus Ballivis & fidelibus ſuis ad quos præſentes literæ pervenerint, ſalutem. Sciatis, **quod ſuſcepimus in ſpecialem protectionem et defenſionem noſtram** Ibidem.

An. 6 E. 1. nostram Executores Testamenti quondam W. Roffensis Episcopi, terras, possessiones, res, redditus, bona etiam et catalla dicti defuncti, ubicunque fuerint in regno nostro. Et ideo vobis mandamus, quod prædictos Executores et Ministros, eorundem terras, possessiones, res, redditus, bona etiam et catalla dicti defuncti protegatis et defendatis, non inferentes vel inferri permittentes eisdem dampnum, impedimentum, molestiam seu gravamen, quo minus executionem dicti Testamenti libere et plenarie facere possint. In cujus rei testimonium has literas nostras fieri fecimus patentes quamdiu nobis placuerit duraturas. Teste meipso apud *Dover.* 10 die *Febr.* anno regni nostri sexto.

Ibidem. REX dilecto sibi Thesaur. *Novi Templi London.* Quia bonæ memoriæ *W.* nuper *Roffensis* Episcopus jam defunctus nobis & karissimæ consorti nostræ *Alianoræ* Reginæ *Angliæ*, in diversis debitis tenebatur die quo obiit; vobis mandamus, quod quandam cistam ipsius defuncti, una cum pecunia ea contenta, salvo et sine distractione aliqua, vel diminutione aliqua inde facienda, in manu nostra custodiri faciatis. Ita quod nullus ad eam manum apponat, donec aliud inde præceperimus. Teste ut supra.

In most of the Fine and Clause Rolls of King *Edward* the 1. I find sundry Writs of like nature, for delivering the Goods and Chattels of Bishops, Abbots, and also of Laymen who held of the King *in Capite*, on their Demesne Lands or elsewhere, seised by the Escheators, Sheriffs or Bayliffs of the King, for satisfaction of Debts and Duties owing to them, to the Executors of their last Wills and Testaments, only upon sufficient pledges or security given by them to the King, to satisfie all Debts and Duties owing to him in the first place; but I find no one president in any Records during his reign, nor before or after it, of any such Writs for restoring the Goods of any Bishop, Abbot, Tenant *in Capite*, or other Tenant of the King dying Intestate, to his Administrators: From whence it seems most apparent to me; 1. That Administrators of Bishops, Abbots, and other of the Kings Tenants dying Intestate, are not within the meaning or intention of that Act, but only the Executors of such of them who actually made Testaments in their life time, as the words, quod clarum fuerit et residuum relinquatur Executoribus ad faciendum Testamentum defuncti, most fully and positively declare. 2ly. That our Bishops and Canonists training, extending this Law to Administrators of persons dying Intestate, and reputing the surplusage of their Estates, after their Debts and Duties satisfied, and Wives and Childrens shares deducted, to be *de* **Testamento**; and thereupon distributing them to such pious uses as they think meet, is a direct contradiction to the words and intention of this Act, and repugnancy in it self; *Testate* & *Intestate*, *Executoribus ad faciendum Testamentum defuncti*, & *Administratoribus Intestati ad faciendam voluntatem Ordinarii*, being as opposite and contradistinct to each other, as *Life* and *Death*, *Executors* and *no Executors*, *Testament* and *no Testament*; which all their Evasions to enlarge their Jurisdiction over Intestates Estates can never reconcile, no more then they can * *Light* and *Darkness*, *God* and *Mammon*.

* Mat. 6 24. Luke 16. 13. 2 Cor. 6. 14.

William de Middleton being elected Bishop of *Norwich* during the vacancy of the See of *Canterbury*, the Monks of *Canterbury* at the Kings request consented he should be consecrated at *Lambeth*; upon the Kings, and his, and his Chapters Patents to them, that it should not be prejudicial to the Rights of their Church, or drawn into consequence for the future.

Clauſ. 6 E. 1. m. 10. dorſo. REX dilectis sibi in Christo Priori & Capitulo Ecclesiæ Christi *Cantuar.* salutem. Super eo quod ad requisitionem nuper inde vobis factam, liberaliter concessistis, quod venerabilis pater W. Norwic. Electus apud Lambeth munus consecrationis accipere posset ut proponit, vestræ dilectioni speciales referimus gratiarum actiones, volentes et concedentes, quantum in nobis est, quod hujusmodi vestra concessio nobis gratanter facta, vobis aut Ecclesiæ vestræ præjudicium non generet in futurum. Et ut vestræ securitati uberius prospiciatur in hac parte mandavimus præfato Electo, quod literas suas patentes vobis faciat, et etiam literas Capituli sui vobis fieri procuret, quod ex hujusmodi concessione vestra eidem Electo facta, vobis

vobis aut Eccleſiæ veſtræ præjudicium non generabitur, et quod futuris temporibus in conſequentiam non trahetur. Teſte Rege apud *Winton.* 4 die *Maii.* So ſedulous were the Monks to maintain, and the King to preſerve their Rights and Priviledges. *An.* 6 E. 1.

In the *Placita* of *Term. Michaelis Anno ſexto* Edwardi *Regis, filii Regis* Henrici, in the Treaſury of the Exchequer at *Weſtminſter*, Willielmus Bonevile *qui ſequitur pro* **Domino Rege** *optulit ſe verſus* Radulphum *Archidiaconum* Midd. *& Magiſtrum* Willielmum de Norton *Offic. ejus, de placito* **quare proſecuti ſunt placitum in Curia Chriſtianitatis de Libertatibus, Juribus, Præbendis, et aliis poſſeſſionibus pertinentibus ad Decanatum Eccleſiæ Sancti** Martini Magni London. **quæ eſt libera Capella Regis, in qua nullam Juriſdictionem habeat,** &c. **in coercendo Magiſtrum** Willielmum Table **Canonicum prædictæ Eccleſiæ Sancti** Martini, **Rectorem de** Godeſcitre, **et alios Parochianos ſuos ad indebita ſolvend. et facienda contra Libertates ejuſdem Capellæ Regis,** &c. *Ideo præceptum eſt Vicecomiti,* **quod attach.** &c. *Poſtea mandavit Rex, quia Magiſter* Adam de Phileby *Canonicus dictæ Eccleſiæ eſt in partibus tranſmarinis in negotiis Domini Regis,* **quod prædictus Epiſcopus utatur Juriſdictione ſua quouſque idem** Adam **reverſit, vel Dominus Rex inde aliud præceperit. Ita tamen quod idem Epiſcopus nihil inde interim ſurripiet in præjudicium Domini Regis.** *Eſſex*

In *Placita de Termino Sancti Michaelis* (in the Tower of *London*) *Rot.* 100. I find this Action brought for proſecuting a Suit in Court Chriſtian, in the Dioceſs of *Norwich*, againſt the Kings Prohibition.

Johannes de Comberton Cheſeman *per* Thomam de Cotenham *Attornatum ſuum optulit ſe quarto die verſus* Johannem de Spanneby, *de placito* **quare ipſe ſimul cum** Johanne, Radulpho *filio* Roberti de Comberton, *&* Johanna *uxore ejus,* **ſecuti ſunt placitum in Curia Chriſtianitatis de Catallis et Debitis, quæ non ſunt de Teſtamento vel Matrimonio, contra Prohibitionem,** &c. *Et ipſe non venit. Et præceptum fuit Vicecom. ſicut plur.* **quod diſtringat** Johannem **Epiſcopum** Norwic. *per omnes terras,* &c. *Et quod de exitibus,* &c. *Ita quod haberet prædictum* Johannem de Spanneby *Clericum ſuum hic ad hunc diem,* &c. *Et Vicecomes nihil inde fecit, nec breve miſit. Ideo ſicut plur. præceptum eſt Vicecomiti,* **quod diſtringat prædictum Epiſcopum** *per omnes terras,* &c. *Et quod de exitibus,* &c. *Ita quod habeat prædictum* Johannem de Spanneby *Clericum ſuum hic à die Sancti* Hilarii *in* 15. *dies. Et Vic. ſit,* &c. *Rot.* 100.

An. 7 E. 1.

[a] *John de Pecham* being made and conſecrated Archbiſhop of *Canterbury* at *Rome* by Pope *Nicholas* the 3d. his **Papal Uſurpation and Proviſion, without the Kings precedent licenſe or Monks election,** and *Robert Burnel* Biſhop of *Bath* and *Wells* elected by the Monks of *Canterbury*, and approved by the King, put by without any cauſe alledged, who being very wealthy, a [b] *great Uſurer*, and purchaſer of lands to enrich his kinred, was loath to diſpleaſe the Pope; upon his arrival in *England*, An. 7 E. 1. the King having occaſion to make uſe of this Popes favour both to collect the Diſmes granted him, and promote his affairs in *France*, was pleaſed out of his *meer grace* to iſſue a ſpecial Writ to reſtore the Temporalties of the Archbiſhoprick to him, **with a ſpecial ſaving of his own and others rights,** as this Record informs us.

[a] See Walſingham Hiſtor. Angl. p. 8.

[b] See the Patent & Clauſe Rolls of An. 5. till An. 15 E. E. 1. which are fraught with Recognizances, Charters, and grants of lands purchaſed by him; & Godwins Catal. of Biſhops, p. 299.

[*] Pat. 7 E. m. 15. De temporalibus Archiepiſc. Cant. reſtitutis.

[*] *REX Militibus, liberis hominibus, & omnibus aliis tenentibus de Archiepiſcopatu* Cantuarienſi *ſalutem.* **Cum Summus Pontifex** dilectum nobis **in Chriſto** fratrem Johannem de Peccham *Ordinis fratrum Minorum* **præfecerit in Archiepiſcopum Patrem et Paſtorem** Cantuarienſis **Eccleſiæ,** *ſicut nobis per Patentes ejuſdem Summi Pontifices literas nobis inde debitas, innotuit.* **Nos præfectioni illi Regium aſſenſum adhibentes, de gratia noſtra ſpeciali, cepimus ab eo Sacramentum fidelitatis, prout moris eſt,** *& Temporalia dicti Archiepiſcopatus eidem reddidimus;* **ſalvo jure noſtro et alterius cujuſcunque;** (to wit, in the election, approbation, confirmation, and conſecration of all future Archbiſhops of *Canterbury.*) *Et ideo vobis mandamus, quod eidem fratri* Johanni *tanquam Archiepiſcopo & Domino veſtro in omnibus quæ ad dictum Archiepiſcopatum pertinent intendentes ſitis & reſpondentes in forma prædicta.*

An. 7 E. 1. *prædicta. In cujus, &c. Dat. per manum Magistri* Thomæ Beke *apud* Dovor. 30. *die* Maii.

The King having sowed the Archbishops Temporalties with corn, the Archbishop compounded with him for the crop for a fine of 2000. Marks, at 4. payments, (for * *want* of present money,) thus entred in the Patent Roll.

* See p. 216.

Pat. 7 E. 1. m. 21 Pro Archiep. Cant. de Fine facto.

REX *pro fine duorum millia Marcarum quem venerabilis pater* J. Cantuar. *Archiepiscopus fecit cum Rege & unde solvet Regi vel certo attornato suo quingentas marcas in* Quindena Paschæ *proximo futur. & alias quingentas marcas in* Quindena *Sancti* Michaelis *proximo sequenti, & quingentas marcas in* Quindena Paschæ *tunc prox. sequenti, & residuas quingentas marcas in* Quindena *Sancti* Michaelis *proximo sequenti,* **concessit eidem Archiepiscopo blada Archiepiscopatus prædicti de Autumpno instanti, quæ ad Regem pertinent ratione Archiepiscopatus illius nuper vacantis, et in manu Regis existentis.** *In cujus, &c. Teste Rege apud* Wyndes. xxiv. *die* Julii.

Et mandatum est Radulpho de Sandwico & Willielmo de Middleton, *nuper Custod. Archiepiscopatus prædicti, quod eidem Archiepiscopo blada prædicta liberent in forma prædicta. Teste ut supra.*

The Archbishoprick of *Yorke* becomming voyd by the death of *Walter Giffard*, (who was translated from *Bath* and *Wells* by the* Provision of Pope *Clement* the 5th, whose Chaplain he was, and *William Langton* the Dean of *Yorke*, legally elected, put by) the King thereupon committed the Temporalties thereof, and seised the Bishops goods and chattels thereon, till his Executors put in security to satisfie all Debts owing to the King at the time of his death into the Exchequer; whereupon they were restored to them, as these words attest.

* See Godwins Catalogue of Bishops, p. 468.

Fines 7 E. 1. m. 15. De Archiepiscopatu Eborum commisso.

REX *commisit* Thomæ de Normanvill *& Magistro* Henr. de Newerk *Archiepiscopatum* Eborum *vacantem, & in manu Regis existentem, cum pertin. custodiendum quamdiu Regi placuerit: Ita quod de exitibus inde provenientibus Regi respondeant ad Scaccar. Regis. Et mandatum est Militibus, liberis hominibus, & omnibus aliis tenentibus de Archiepiscopatu prædicto, quod eisdem* Thomæ *& Magistro* Henr. *tanquam Custodibus Archiepiscopatus prædicti in omnibus quæ ad custodiam illam pertinent intendentes sint & respondentes in forma prædicta. In cujus, &c. Teste Rege apud* Westm. 28 *die* Apr.

Ibid. Pro Executoribus testamenti Eborum Archiepiscopi.

QUia R. Bathon. & Wellen. *Episcopus, &* Nicholaus de Wodeford, *manuceperunt pro Executoribus Testamenti bonæ memoriæ* W. *nuper* Eborum *Archiepiscopi, de omnibus debitis in quibus idem Archiepiscopus Regi tenebatur, die quo obiit, ad Scaccarium Regi reddend. Mandatum est* Richardo de Holebrook *Seneschallo Regis*, quod **Executores prædictos de omnibus bonis et catallis quæ fuerunt prædicti Archiepiscopi plenam et liberam administrationem habere permittat ad executionem prædicti Testamenti inde faciendam juxta manucaptionem prædictam.** *Teste Rege apud* Westm. *xxviii. die* April.

Pro Executoribus testamenti Eborum Archiepiscopo

MAndatum est *Magistro* Henr. de Newerke *Custodi Archiepiscopatus* Eborum *sede vacante, quod si executores bonæ memoriæ* W. *nuper Archiepiscopi* Eborum *invenerint ei sufficientes manucaptores de omnibus debitis in quibus præfatus Archiepiscopus tenebatur die quo obiit Regi, ad Scaccarium nostrum reddendis, tunc eosdem Executores de omnibus bonis & catallis quæ fuerunt prædicti Archiepiscopi, & quæ occasione mortis ejusdem capta sunt in manum Regis liberam administrationem habere faciat ad executionem dicti Testamenti inde faciendam. Eodem modo mandatum est* Richardo de Holebrok *Seneschallo Regis. Teste ut supra.*

* See Godwins Catalogue of Bishops, p. 467. Thomas Stubbs, Act. Pontif. Ebor. col. 1727.

After which the King granting a license to the Dean and Chapter, to elect a New Archbishop, the majority of the electors elected * *William Wickwane*; whom the King approved by this Charter.

REX

REX electioni nuper celebratæ *in Eccleſia Cathedrali* Eborum *de Magiſtro* Wilhelmo *Cancellario ejuſdem Eccleſiæ in Archiepiſcopum ejuſdem loci* Regium aſſenſum adhibuit et favorem. Et *hoc ſignificatum eſt* Domino Papæ, ut quod ſuum eſt in hac parte exequatur. (He having then uſurped a power to approve, or null all Archbiſhops elections at his pleaſure, to fill his Coffers.) *In cujus, &c. Dat. apud* Boſton. 4. *die* Julii. *An.* 7 E. Pat. 7 E. m. 1. aſſenſum ni.

Whereupon this new elected Archbiſhop repaired to *Rome* to Pope *Nicholas* the 3. for his confirmation and conſecration; where his election was declared null by the Biſhop and Cardinals to whom the Pope referred the examination thereof, for ſome pretended defects therein: yet becauſe he had the majority of voices, and was a deſerving man, leſt the Church ſhould continue longer void to its prejudice, he by his own uſurping Papal proviſion created and conſecrated him Archbiſhop, and ſent this Bull to the King, (the Original whereof I found in the *White Tower*) informing him of the premiſes, and deſiring his Royal favour for the reſtitution of his Temporalties.

NIcholaus Epiſcopus, Servus ſervorum Dei, Chariſſimo in Chriſto filio Regi *Angliæ* Illuſtri, ſalutem & Apoſtolicam benedictionem. Divinæ gratia majeſtatis acquiritur, ſi Miniſtris ejus et his ſpecialiter qui Pontificali præditi ſunt dignitate, condignus honor impenditur, et favor neceſſarius exhibetur. Sane dudum *Eboracenſis* Eccleſia per obitum bonæ memoriæ *Walteri Eboracenſis* Archiepiſcopi, ſolatio deſtituta Paſtoris, dilecti filii Capitulum ipſius Eccleſiæ, a te (prout de conſuetudine fore aſſeritur hactenus obſervatum) eligendi petita licentia et obtenta, vocatiſque omnibus qui voluerunt, debuerunt, & potuerunt commodè intereſſe, certa quoque die ad eligendum præfixâ, inſimul convenerunt, & ad Electionem hujuſmodi per viam ſcrutinii procedentes, cum eſſent viginti & unus numero, tam per ſe, tum per Procuratores, tres ſcrutatores ordinaverunt ex eis qui vota ſua & aliorum etiam ſcrutarentur; quibus vota ipſa ſcrutantibus & mox publicantibus in communi, compertum eſt, quod decem et octo in Venerabilem fratrem noſtrum *Willielmum* Archiepiſcopum *Eboracenſem*, tunc ejuſdem Eccleſiæ Cancellarium conſenſerunt. Et idem ——— (*torn*) (*W*) in Magiſtrum *Hugonem de Eweſan.* ipſius Eccleſiæ Canonicum ——— Et (*torn*) ——— in Magiſtrum *Thomam* Archidiaconum *Eboracen.* tunc præſentem, & Magiſter *Thomas de Hedon Eboracen.* Canonicus, in Magiſtrum *Thomam de Corbrigge* Eccleſiæ præfatæ Canonicum (*torn*) ——— Et tandem eiſdem Archidiaconis & *Thoma de Hedon* qui dictum *Thomam de Corbrigge* tunc abſentem (ut prædicitur) nominaverat, ad alios qui in eundem Archiepiſcopum, &c. (*torn*) ——— aliorum prædictorum ac ſua Electi eundem Cancellarium in ——— (conſenſerunt) ——— procuratoribus dicti Capituli ac eodem *Thoma de Cantebrigge* illam petentibus confirmat. Nos itaque electionem ipſam, per venerabilem fratrem ——— Epiſcopum, & dilectos filios noſtros *G.* Tituli Sancti *Marci* Presbyterum, ac *M.* Sanctæ *Mariæ in Portica* Diaconum, Cardinales, juxta modum quem in hac *Romana* Sancta Eccleſia (*torn*) examinari fecimus diligenter, (*torn*) ——— dicta Electione reperiebatur, omiſſa, prædictam electionem, non vitio perſonæ (*torn*) * ——— ſed Juſtitia exigente. Et poſtmodum ſpecialis Caritatis affectum quem ad præfatam Eccleſiam *Eboracenſem*, (*torn*) ——— rememoratione proſequimur infra noſtra præcordia revolventes, et de ipſius provisione utili et ſalubri, ne proliriozis diſpendia vacationis incurreret, cogitantes, (*a meer pretext for this his Uſurpation and Proviſion, to gain more money from the Archbiſhop*) & ad perſonam ipſius Archiepiſcopi, quam (*torn*) ——— habeatur vitæ laudabilis, & converſationis honeſtæ, Literarum ſcientia præditus, diſcretionis maturitate conſpicuus, præclarus meritis & aliàs in Spiritualibus & Temporalibus circumſpectus, noſtrum dirigentes affectum, ſperantes quoque virtutibus deſurſum ſibi traditis inſignitus eandem Eccleſiam ſalubri, dante Domino, regimine gubernabit, ipſaque utilis præſidio munita Paſtoris oblatis affluet incrementis, eundem *Willielmum* (*torn*) ——— de fratrum noſtrorum conſilio et apoſtolicæ plenitudine poteſtatis eidem Eccleſiæ præfecimus in Archiepiſcopum et Paſtorem, ſibique munus Conſecrationis de noſtris manibus duximus impendendum. Quocirca Serenitatem Regiam rogamus, & hortamur

* caſſarunt.

An. 7 E. 1. hortamur attente, quatinus Regalia Eboracenſis Eccleſiæ dicto Archiepiſcopo, divinæ Majeſtatis intuitu, ob reverentiam quoque noſtram et præfatæ ſedis, aſſignes, vel facias (prout ad te pertinent) aſſignari; & alias prædictum Archiepiſcopum habens propenſius commendatum, in omnibus quæ ſalubrem, tranquillum, & proſperum Eccleſiæ ſuæ ſtatum reſpiciunt; continuis ei aſſiſtas favoribus oppoꝛtunis, ut Regem Regum pꝛomptum exinde tibi conſtituas, noſque Magnitudinem tuam dignis in Domino laudibus commendemus. Dat. *Viterbii* 13 Kal. *Octob.* Pontificatus noſtri Anno ſecundo.

Dorſo. *Bulla Papæ* Willielmo *Archiepiſcopo* Eborum, *pro reſtitutione Temporalium Archiepiſcopatus* Eborum.

Upon which the King was pleaſed to reſtore his Temporalties.

Thus this Pope by his Proviſions uſurped a power to conferr the Archbiſhopricks of *Canterbury* and *Yorke*, and likewiſe to ratifie the election of the Abbey of St. *Edmunds*, as appears by this Patent.

Pat. 7 E. 1. m. 4 intus. De Temporalibus reſtitutis.

REX Militibus, liberis hominibus, & omnibus aliis tenentibus de Abbatia Sancti *Edmundi*, ſalutem. Cum Summus Pontifex electionem nuper factam in Eccleſia Conventuali Sancti *Edmundi* de fratre *Johanne de Northwold* Monacho ejuſdem Domus in Abbatem loci prædicti, cui Regium aſſenſum adhibuimus et favoꝛem, confirmaverit, ſicut per literas patentes pꝛædicti Summi Pontificis accepimus: Nos confirmationem illam acceptantes, cepimus fidelitatem ipſius Abbatis, & temporalia ejuſdem Abbatiæ, prout moris eſt, reſtituimus eidem. Et ideo vobis mandamus, quod eidem *Johanni* tanquam Abbati & Domino veſtro in omnibus quæ ad Abbatiam prædictam pertinent, intendentes ſitis & reſpondentes. In cujus, &c. Teſte Rege apud *Weſtm.* 5 die *Novembris*.

This Pope not content with theſe Proviſions and Uſurpations in *England*, the Archbiſhoprick of *Dublin* in *Ireland* being then void, and in the Kings hands, he did by his Papal plenitude of Power conferr it by Proviſion (without the Kings licenſe, or the Deans and Chapters election) on Freer *John de Derlington*, his former * Taxgatherer in *England*; who reſorting to the King in perſon, and taking an Oath of Fealty to him, (entered *verbatim* in the Patent Roll) he out of his ſpecial grace not only reſtored the Temporalties of the Archbiſhoprick to him, but likewiſe granted him the free uſe and exerciſe of all Liberties and ordinary Juriſdiction within his Archbiſhoprick, as amply as any of his predeceſſors claimed or enjoyed them by his or his Progenitors Charters, as theſe Records atteſt.

* See here p. 189.

Clauſ. 7 E. 1. m. 7. dorſo. De fidelitate fratris Johannis de Derlington facta Regi.

DIe Jovis proximo poſt feſtum Sancti *Marci* Evangeliſtæ, Anno, &c. ſeptimo, Frater *Johannes de Derlington* de ordine Prædicatorum electus *Dublin.* in præſentia Magiſtri Archidiaconi Nuncii Sedis Apoſtolicæ fecit fidelitatem Regi Edwardo et hæredibus ſuis Regibus Angliæ pꝛo tempoꝛalibus Dublin. Archiepiſcopatus, in hæc verba: *Ego Frater* Johannes de Derlington *Ordinis Prædicatorum*, de quo Dominus Papa pꝛovidit Eccleſiæ Dublin. *juro inſpectis ſacroſanctis Evangeliis*, quod ego Domino Edwardo Regi Angliæ, et hæredibus ſuis Regibus Angliæ, pꝛotabo bonam fidem de vita et membꝛis et terreno honoꝛe contra omnes gentes: Et quod fideliter faciam ſervitium debitum et conſuetum de Tempoꝛalibus dicti Archiepiſcopatus; *Et dictus Rex*, quia perſonaliter venit et fecit fidelitatem, *ut prædictum eſt, reddidit ei Temporalia dicti Archiepiſcopatus, prout moris eſt, & fieri conſuevit, & præcepit quod haberet ſuper hoc brevia.* Which he had as followeth.

Ibid. m. 19. De Temporalibus Archiepiſcopatus Dublin. reſtitutis

REX Militibus, liberis hominibus, & omnibus aliis tenentibus de Archiepiſcopatu *Dublin.* ſalutem. Cum ſummus Pontifex dilectum nobis in Chꝛiſto fratrem *Johannem de Derlington* Ordinis fratrum Prædicatorum Eccleſiæ Dublin. in Archiepiſcopum patrem et paſtoꝛem pꝛæfecerit, ſicut nobis per Patentes ejuſdem Summi Pontificis literas nobis inde directas innotuit; Nos pꝛæfectioni illi Regium aſſenſum adhibentes, de gratia noſtra ſpeciali cepimus ab eo Sacramentum fidelitatis, pꝛout moꝛis eſt, et Tempoꝛalia dicti Archiepiſcopatus eidem reddidimus. Et ideo vobis mandamus, quod eidem fratri *Johanni*, tanquam Archiepiſcopo & Domino

Domino veſtro in omnibus quæ ad Archiepiſcopatum illum pertinent, intendentes ſitis & reſpondentes. In cujus, &c. Teſte Rege apud *Weſtm.* 28 die *Aprilis.* *Fin. 7 E. 1.*

Et mandatum eſt *Roberto de Ufford* Juſtic. *Hibern. Thomæ de Cheddeſworth* cuſtodi Archiepiſcopatus *Dublin.* & Magiſtro *Johanni de Sannford* Eſcaetori *Hiberniæ*, quod eidem fratri *Johanni* Temporalia ejuſdem Archiepiſcopatus liberent. Teſte ut ſupra.

REX Juſtic. Eſcaetoribus, Vicecomitibus, Miniſtris, & omnibus Ballivis & fidelibus ſuis ad quos, &c. ſalutem. **Volentes** venerabili patri fratri *Johanni de Derlington Dublin.* Archiepiſcopo, **gratiam facere ſpecialem, conceſſimus ei, quod toto tempore vitæ ſuæ utatur et gaudeat eiſdem libertatibus et quietanciis quales ipſe et prædeceſſores ſui Archiepiſcopi** Dublin. **per Chartas progenitorum noſtrorum Regum Angliæ et noſtras hactenus rationabiliter uſi ſunt: Et quod idem Archiepiſcopus omnem Juriſdictionem ordinariam habeat in Archiepiſcopatu prædicto, et ea per ſe et ſuos ſubditos ſine impedimento noſtri, vel hæredum aut quorumcunque Ballivorum noſtrorum plene, libere et rationabiliter utatur, ſicut ipſe et prædeceſſores ſui Archiepiſcopi** Dublin. **Juriſdictione hujuſmodi plenius et liberius uſi ſunt temporibus retroactis.** Et ideo vobis mandamus, quod prædictum Archiepiſcopum contra hanc conceſſionem noſtram non vexetis, vel ab aliquibus quantum in vobis eſt vexari permittatis. In cujus, &c. Teſte Rege apud *Weſtm.* 15 die *Novembris.* Pat 7 E. 1 m. 3. Pro Archiepiſc. Dublin.

The Archbiſhop of *Dublin* being reſtored to his Temporalties by the King gracious favour, he thus relates to *John de Kirkeby* the ſpecial favours ſhewed to him by the Pope and his Cardinals concerning his Pall, and the perſons and place of his Conſecration, (which no doubt coſt him dear) at which he deſired *Kirkeby* and the Kings preſence.

SUo de *Kyrkeby*, ſuus de *Derlynton*, quod ſibi. **Noveritis quod mandata Apoſtolica ac Cardinalium nuper recepi, ſet ſuper hiis quæ pertinent ad conſecrationem meam meæ reliquerunt electioni, quantum ad perſonas et locum. Quantum vero ad Palii miſſionem facit michi inſuper gratiam ultra ſtatuta Canonum admirendam, et quam hactenus facere ſedes Apoſtolica minime conſuevit, maxime tempore tranſlationis de loco ad locum.** Verum quia non poſſum omnia vobis intimanda ſcripto tranſmittere, ſupplico devotiſſime, **ut noſtræ conſecrationi perſonaliter adeſſe velitis, ac Domino noſtro Regi ſuper ejus præſentia exhibenda, efficaciter perſuadere dignemini.** Locum & diem vobis exprimet lator præſentium, ſicut & Domino Regi, qui utinam literæ ſibi directæ veſtram interpretem merear habere benevolenciam, de qua multiplici experimento præhabito, quamvis immeritus, omnino confido. Valete hic & in æternum ſicut opto valere meipſum.

Dorſo. Domino *J. de Kyrkeby.* Brevia Regis Anno 7 E. 1.

The King notwithſtanding his connivance at theſe *Proviſions* and *Uſurpations* of the Pope, to preſerve the antient Liberties, Rights and Prerogatives of his Crown and Kingdom againſt future Encroachments, and the citing of his Subjects out of the Realm to *Rome* and elſewhere, upon Appeals or other occaſions, ſent this memorable Epiſtle to Pope *Nicholas*, to forbear and reform theſe abuſes and grievances for the future, upon his Subjects complaints againſt them.

Sanctiſſimo in Chriſto Patri & Domino, Domino N. *divina providentia Sacroſanctæ* Romanæ *& Univerſalis Eccleſiæ Summo Pontifici*, Edwardus *Dei gratia Rex* Angliæ, *Dominus* Hiberniæ, *& Dux* Aquitaniæ, *cum omni reverentia & honore pedum oſcula beatorum. Illam gerimus de Sanctitate veſtra fiduciam*, **quod preces noſtras benigne audiatis, et benignius admittatis ad gratiam exaudicionis optatæ, illas maxime quæ honeſtatem non deſerunt, et ab æquitatis tramite non diſcordant.** *Cum igitur Sanctiſſime Pater & Domine*, **longis temporibus retroactis Apoſtolicæ ſedis benignitas genti** Anglorum **inter alia bonorum inſignia gratanter indulſerit, Quod nullus** Anglicus **poſſet a quoquam per literas ſedis eſuſdem extra regnum** Angliæ **ad judicium evocari: Et nunc temporibus veſtris, quæ prolonget Altiſſimus in tempora longiora, regnicolæ noſtri** Anglici **quaſi paſſim et indiſtincte per** Clauſ. 7 E. 1. m. 9. dorſo. Quædam literæ directa Domino Papæ.

An. 7 E. 1. literas veſtras extra Regnum prædictum, contra indulta privilegiorum ſedis ejuſdem, ad judicia perèrahantur: Et hoc non abſque gravibus eorum laboribus, expenſis et diſpendioſis periculis perſonarum, ac inſuper hoc ab eiſdem regnicolis noſtris ſimus pluries cum inſtantia requiſiti, ut ſuper prædictis quantum ad nos pertinet, convenient remedium apponamus. *Beatitudini veſtræ cum omni affectione qua poſſumus ſupplicamus*, quatinus ad Anglicos noſtros Eccleſiæ Romanæ devotos filios continuantes, ſi placet, privilegia gratiæ et honoris ipſis a prædeceſſoribus veſtris indulta, immo ea potius, erga ipſos noſtræ devotionis intuitu ampliantes, conſervare eis illibatè dignemini, quæ de gratia et mera liberalitate prælatæ ſedis Apoſtolicæ ſunt conceſſa, ac eorum dignemini in hac parte gravamina et diſpendia relevare: Præſertim cum in Regnum prædictum ſecurus acceſſus pateat, et receſſus ab eo univerſis et ſingulis illuc venire volentibus, et recedere ab eodem, et divina gratia faciente idem Regnum in illius pacis et tranquillitatis ſoliditate conſiſtat, quod quilibet externus contra quemlibet indigenam libere valeat proſequi ſuper querelis quibuſlibet jura ſua. Super his igitur, ſi placet, talis dignetur apponere remedium authoritas veſtra ſacra, quod de devotis filiis devotiores efficiat, et nos vobis aſtringamur propter ea, ad ea quæ ſint placibilia votis veſtris, et ad gratiarum uberes actiones. *Conſervet vos Dominus Eccleſiæ Sanctæ ſuæ. Dat. apud* Woodſtock 7 *die* Februarii.

Moreover to preſerve the Rights and Priviledges of his Free-Chappels and Crown, againſt the Popes Proviſions to them, and Biſhops and other Ordinaries Uſurpations of Juriſdiction in and over them, he iſſued theſe enſuing memorable Writs and Prohibitions this year.

Bundela Brev. & Petit. in Turri London. Anno 7 E. 1.

EDwardus *Dei gratia Rex* Angliæ, *Dominus* Hiberniæ, *& Dux* Aquitaniæ, *dilectis Clericis ejus Magiſtro* Thomæ Bek, *&* Johanni de Kirkeby, *ſalutem. Cum quidam* Galfridus le Chapeleyn quendam præbitionem in Eccleſia Sancti Martini Magni London. quæ eſt libera Capella noſtra, de quadam Præbenda in eadem ſibi ad executionem venerabilis patris J. London. Epiſcopi, quamcito ad hoc ſe offerret facultas conferenda, a ſede Apoſtolica impetraverit; *propter quod idem Epiſcopus de Prabenda quæ fuit* Johannis le Fauconer *defuncti in eadem Eccleſia quam dilectus Clericus noſter Magiſter* Johannes de Cadomo *vendicat ex collatione Decani Eccleſiæ memoratæ prædicto Capellano, ut accepimus* præbere intendit, et per diverſa privilegia nobis a ſede Apoſtolica ſit indultum, ut Capellæ noſtræ liberæ ab hujuſmodi præbitionibus penitus ſint exemptæ; unde poſſet nobis et hæredibus noſtris futuris temporibus magnum præjudicium generari, ſi dicti Capellani præbitio in hac parte ſortiretur effectum: Vobis mandamus, quod prædicto Magiſtro Johanni, vel nuncio ſuo, tam pro jure noſtro quam ipſius Clerici noſtri ſalvando Brevia competentia de magno ſigillo noſtro, eis quorum intereſt dirigenda ſuper præmiſſis in forma debita faciatis. *Teſte meipſo apud* Card. 8 *die* Junii, *anno regni noſtri ſeptimo.*

Ibidem.

EXcellentiæ veſtræ, *ſi placet, monſtravit* Willielmus de Lewes *&* Walterus de Tothylle *Capellani & Canonici veſtri libera Capella de* Haſtinges *ibidem reſidentes*, quod Dominus Epiſcopus Ciceſtrenſis et ejus Officiales, (alwayes uſurping upon the Kings Prerogatives) non ceſſant eis graviter et injuſte moleſtare, videlicet ad Synodum ſuum citando, Eccleſias ſuas ad prædictam liberam Capellam veſtram ſpectantes interdicendo, ita quod mortuos ſepelire, et infantes baptizare, nec miſſas in eiſdem Eccleſiis celebrare non poſſunt, ad eorum damnum non modicum et gravamen, et ad maximum præjudicium et contemptum prædictæ Capellæ veſtræ, ab hujuſmodi moleſtiis auctoritate Apoſtolicæ immunis exiſtentis. Super iſtis petivit remedium, &c. *Preterea Dominus Rex contulit prædicto* Waltero de Tothylle *Prabendam quam* Galfridus de Wynton *tenuit, cum omnibus ſuis pertinentiis quam habet, excepto quodam domo quam dictus* Galfridus *adificavit ſibi & ſucceſſoribus ſuis; quare petit literas Domini Regis Ballivis de* Haſtinges, *quod plenam juſtitiam in hac parte ſibi faciat, quia non habet ubi caput ſuum poſſit reclinare. Decanus noſter petit deponi, nec vult ulterius eſſe Decanus,* (by reaſon of the Biſhops vexations, and violations of his Priviledges.)

To

To which Petition this anſwer is endorſed; *In Cancellaria*, Habeat Breve Epiſcopo quod deſiſtat. *An.* 7 *E.* 1.

To which I ſhall ſubjoyn this memorable Prohibition to *Oliver Sutton* Dean of *Lincoln*, and the Canons thereof, and Archdeacon of *Derby*, for exerciſing Juriſdiction over his Free-Chappel of *All Saints* in *Derby*, in derogation of his Crown and Dignity, by Excommunicating the Miniſters thereof, and giving occaſion to draw them out of the Realm by Appeals.

REX *Magiſtro* Olivero de Sutton *Decano* Lincoln. *ac omnibus & ſingulis Canonicis, Capellanis & Miniſtris Eccleſiæ* Omnium Sanctorum Derb. *ſalutem. Cum ipſa Eccleſia* Omnium Sanctorum, *cum Prebendis & aliis pertinentiis ſuis*, ſit libera Capella noſtra, et ab omni Juriſdictione ordinaria exempta, ac Domino Papæ immediate ſubjecta, et ex donatione prædeceſſorum noſtrorum Regum Angliæ ad Decanatum Eccleſiæ Lincolniæ pertineat. *Ac Magiſter* Jordanus de Wynburn *Archidiaconus* Derb. Juriſdictionem ordinariam pro libito ſibi vendicet et multipliciter uſurpare contendat, ſententiam Excommunicationis in quoſdam ipſius Eccleſiæ Derb. Miniſtros de facto cum de jure non poſſit temere proferendo, in grave præjudicium libertatum noſtrarum, et Regiæ dignitatis, necnon et ſedis Apoſtolicæ contemptum manifeſtum, ut intelleximus. Nos ne nobis præjudicium in hac parte generetur providere cupientes: *Vobis mandamus firmiter inhibentes*, ſicut alias per literas celebris memoriæ Domini H. Regis patris vobis inhibitum fuiſſe comperimus, ne Coventrenſ. et Lichfield. Epiſcopo, Archidiacono Derb. vel eorum Officialibus, Decanis, vel aliis quibuſcunque Juriſdictionem ordinariam in dicta Eccleſia Omnium Sanctorum ſibi vendicantibus, aliquo modo pareatis vel intendatis, contra libertates et privilegia noſtra prædicta. Et quia audivimus præterea contentionis hujuſmodi ſuper libertatibus dictæ Capellæ noſtræ inter vos et ipſum Archidiaconum exortæ, quaſdam Appellationes fuiſſe interpoſitas occaſione quarum poſſet nobis de facili ſuper libertatibus prædictis præjudicium generari, eidem Archidiacono per alias literas noſtras nuper inhibuimus, ſicut et vobis tenore præſentium inhibemus, ne ipſe vel vos occaſione Juriſdictionis prædictæ per modum querelæ vel Appellationis alicujus ſuper prædictis libertatibus extra Regnum noſtrum Angliæ aliquo modo agitetis vel agitari procuretis, in præjudicium noſtrum et Eccleſiæ ſupradictæ. *In cujus*, &c. *Teſte Rege apud* Weſtm. 28 *die* Aprilis. Pat. 7 E. I. m. 18. intus.

This Dean and his Officials refuſing to receive another Writ of Prohibition iſſued to them in the Kings name, and contemptuouſly rejecting and trampling it under their feet; the King thereupon iſſued two ſucceſſive Writs againſt them, to appear before him and his Counſil, to anſwer this high contempt of his Royal authority, as this Record informs us.

EDwardus *Dei gratia Rex* Angliæ, *Dominus* Hiberniæ, *& Dux* Aquitaniæ, *Venerabili in Chriſto Patri* R. *eadem gratia* Lincoln. *Epiſcopo, ſalutem. Quia ex querela* Mabil. *quæ fuit uxor* Radulphi de Grenham *accepimus*, quod cum ipſa Breve noſtrum de Prohibitione *Magiſtro* Olivero de Sutton *Decano* Lincoln. Antonio de Santhorp. Jordano de Lincoln. *& Magiſtro* Rogero de Cave, Commiſſariis ejuſdem Decani, nuper (prout moris eſt) detuliſſet, et illud eiſdem optuliſſet; prædicti Antonius, Jordanus & Rogerus Breve prædictum admittere recuſarunt, et illud turpiter * conculcarunt et reſecerunt, in noſtri præjudicium et contemptum manifeſtum; per quod eidem Decano mandavimus, quod in propria perſona ſua eſſet coram nobis, et præfatos Antonium, Jordanum, & Rogerum *haberet apud* Nottingham *die Dominica proximo ante decollationem Sancti* Johannis Baptiſtæ, ad faciendum et recipiendum in hac parte, quod de Conſilio noſtro duxerimus providendum. *Cumque præfato Decano abſentiam ſuam ad diem illam excuſante, & præfatis* Antonio *&* Jordano *tunc coram nobis comparentibus & aſſerentibus*, quod Breve prædictum eis nunquam porrectum aut oblatum fuiſſet, nec per ipſos concultatum vel rejectum, nec etiam ipſos admiſſioni, conculcationi, aut reſectioni brevis prædicti conſenſum vel aſſenſum præbuiſſe, per quod credidimus, quod præfatus Roge- Brevia Regis de Anno 7 E. 1. nu. 13.

* *Nota.*

rus

An. 7 E. 1. rus de Cave de Contemptu prædicto culpabilis exiſtit; et quod ipſe dictis die et loco ea occaſione ſe ſubtraxit. Nos contemptum illum relinquere nolentes impunitum, *Vobis mandamus, quod prædictum* Rogerum *habeatis coram nobis in proximo adventu noſtro apud* Stanford, *ubi prædictos* Mabil. Antonium & Jordanum *tunc adjornavimus*, ad faciendum et recipiendum, quod inde de conſilio noſtro duxerimus prȝovidendum. Et hoc nullo modo omittatis. *Et habeatis ibi hoc Breve. Teſte meipſo apud* Nottingham *xxviii. die* Auguſti *Anno regni noſtri ſeptimo.*

Dorſo. *Magiſter* Rogerus de Cave *non eſt inventus in noſtra dioceſi, nec potuit inveniri*, veruntamen ipſum fecimus apud beneficia ſua quæ obtinet in noſtra Dioceſi citari, *quod ſit coram Domino Rege apud* Stamford *in primo adventu ſuo ibidem*, ad faciendum et recipiendum (quod ſalvo ordine Clericali) ibidem fuerit prȝovidendum. A ſtrange *ſalvo* for ſuch an high contempt, which the King ſo highly reſented, as he had juſt cauſe. Theſe Prohibitions and Writs demonſtrate how bold the Prelates, Archdeacons, and their Officials were then grown, in contemning and trampling under foot the Kings Prohibitions and Regal Authority, and invading the rights of the Crown, being encouraged by the Popes premiſed Uſurpations, and their new Archbiſhops, which I ſhall next relate.

John Peckam, Archbiſhop of *Canterbury*, was no ſooner ſetled in his Metropolitical Chair by the Kings extraordinary favour, but like a *Pope* of our other World he preſumed to ſummon a *Provincial Council* of his Suffragans and Clergy at *Redding*, by his own Archiepiſcopal authority. The main deſign whereof was, to publiſh ſome New Conſtitutions againſt *Pluralities* and *Commendaes*, (againſt which he was very zealous all his life) but eſpecially to enforce all former, and adde ſome new Clauſes of Excommunication againſt ſuch of the Kings Judges, Miniſters and Subjects, who ſhould grant or ſue forth any Prohibitions to controll their Uſurpations upon the Kings Prerogative, or Subjects Rights, Liberties, Priviledges; or not execute their illegal Excommunicarions, for not obſerving ſuch Decrees as Popes, their Nuncioes, or his prædeceſſors had publiſhed in former *Councils*; thus regiſtred to Poſterity.

[a] *Anno Domini* 1279. *circa feſtum S.* Jacobi *Apoſtoli, frater* Johannes Cantuarienſis *Archiepiſcopus, convocatis univerſis Suffraganeis ſuis apud* Radinges, celebrabit Concilium, *in quo Conſtitutiones Concilii generalis, quod ſilentio prætereire non convenit, innovavit*; viz. quod ſinguli Rectores Eccleſiarum unico tantum beneficio, curam animarum habente, cogerentur eſſe contenti, quinetiam omnes ad ordinem Sacerdotii infra annum ſe faciant prȝomoveri. Had he done this only it had been praiſe-worthy.

The Canons and Conſtitutions of this *Council*, are thus recorded at large by [b] *Johannes de Aton*, [c] *William Lyndewode*, and [d] Sir *Henry Spelman*.

a Spelmanni Concil. Tom. 2. p. 320.
b Johannes de Aton Conſtitutiones legitimæ, f. 130, 131.
c Guil. Lyndewode, lib. 1. f 8. & lib. 5. 254, 255. De Sententia Excommunicationis.
d Spelmanni Concil. Tom. 2. p. 320, to 326 Ex Vet. Cod MS. ſub effigie Othonis, A. 15. f. 105. b in Bibl Cottoniana.

Conſtitutiones Domini *Johannis Pekham Cantuarienſis* Archiepiſcopi, editæ apud *Redyng* iii. Kal. *Auguſti*, Anno Domini 1279. & Regni Regis *Edwardi* primi, ſeptimo.

De Inſtitutionibus & Deſtitutionibus.

Audiſtis, Fratres conſcripti, iſtius Conſtitutionis tenorem; noviſtis etiam Canones Sanctorum Patrum ſuper hanc materiam editos, tàm in Theſſalono *quàm in* Romano *Concilio, necnon & Capitulum* Dionyſii, quæ omnia, ſeu qui omnes pluralitatem Beneficiorum cum cura, inhibent uni committi; ſingulas Eccleſias ſingulis Sacerdotibus committentes: ſecuta ſunt deinde Concilia Lateranenſia ſub Alexandro Papa, et generale Concilium ſub Innocentio tertio; in quibus omnibus iſta Pluralitas inhibetur; *hic addito in ultimo Concilio*, quod per receptionem ſecundi beneficii vacat prȝimum; receptoque ſecundo prȝimum, per eum, ad quem Collatio pertinet, libere alii conferatur. Et ſi id infra ſex menſes alteri conferre diſtulerint, non ſolum ad alios, juxta Concilium Lateranenſe, collatio devolvatur; verum etiam cogatur de ſuis prȝobendis in utilitatem Eccleſiæ, cujus eſt illud Beneficium

neficium, aſſignare, quantum a tempore vacationis ipſius conſtiterit eſſe perceptum. *An.* 7 *E.* 1.
Et cum non ſit finis ambitionis, nec cæcæ cupiditatis eſſet impoſitus, ſucceſſit præſens Legati inſtitutio Ottoboni, quæ ad multa mala præterita extirpanda, et ad prævidendum in futurum, ne de cætero peſtis hujuſmodi pullularet, et ſufficiens ad eadem fuerat æſtimata, dum peſtes atque miſerias, quæ ex hac radice proveniunt, et pericula quæ ſequuntur evidenter enervans, ea ſtudet imprimere in cordibus peccatorum, dum nunc Inſtitutiones decernit irritas ipſo jure, nunc vero ipſum inſtituendum adigit Juramento, nunc perjuros privat beneficiis habitis et habendis, et contra hoc Epiſcopos venientes a beneficiorum collatione ſuſpendit, donec Inſtitutiones a ſe factas improvide, contra Conſtitutionis tenorem, duxerint revocandas; licet hæc omnia cum gravi ſtudio magnaque diligentia ſint probiſa, iſtorum tamen omnium non ſecutus eſt fructus quibis nec proventus, quin potius, ac ſi nihil præſtus ſuper iſta materia excogitatum fuiſſet a majoribus ſeu probiſum, nec amore juſtitiæ, nec timore pœnæ ceſſarunt hucuſque aliqui, per phas vel nephas undique ſibi beneficia cumulare; nec ipſi pœnas Conſtitutionis verentes, nec aliis ſacris inhærentes Canonibus, eiſdem ipſa Beneficia immenſa numeroſitate conferre, licet cum eiſdem non fuerit diſpenſatum: Quæ omnia ſæpe et ſæpius ad aures Summi Pontif. perveneruut, qui hæc omnia vehementer abhorrens, necnon admirans vehementius, quod nec Conſtitutiones aut Canones per cautelas aut pœnas hucuſque tantæ præſumptionis enormitas poterit coerceri, nec etiam remedium eidem adhiberi; nobiſq; etiam vivæ vocis injunxit Oraculo, quod tanto incommodo celeri reformatione feceremus occurri, et hujuſmodi præſumptores a tantæ temeritatis audacia, quacunque poſſumus cohercione compeſci. Et licet ad hæc omnia comprimenda ſolius Metropolitanæ juriſdictionis poteſtas apud nos ſufficere dinoſcatur, qui in benignitate, tolerantia et lenitate ingredi, et progredi potius affectamus in ſingulis, quam in ſeveritate nimia ac rigore plectere corrigenda: Multa tamen facti perverſitas in tantum ſe extulit, ut ex eo ſit multiplicata ruina, et exortum ſit ſcandalum plurimorum, clamorque ad aures Superioris aſcenderit, ut tantum ſcelus contra decorem Eccleſiaſticæ honeſtatis, ſub diſſimulatione de cætero nequeat pertranſiri, multiſque graſſantibus, opus ſit exemplo, Apoſtolicique præcepti nos urgeat auctoritas in hac parte.

Nota.

Nos Dei adjutorio invocato, prout nobis in præſenti occurrit, manus huic negotio opponimus adjutrices, decernentes juxta formam generalis Concilii, omnia illa Beneficia curam Animarum habentia quæ optinuerunt, et optinent illi de facto, qui diſpenſationem * Sedis Apoſtolicæ ſuper hujuſmodi pluralitatem non habent, per beneficii receptionem, quod ipſi beneficiati ſic ultimo receperunt, ipſo jure vacare, licet juxta Conſtitutionis rigorem Domini Ottoboni ſic recipiens plura Beneficia, etiam ipſo jure ſit ultimo privatus; præcabere tamen volentes, ne rigorem videamur coacerbare rigori, mentis etiam Conſtitutionis tam Concilii generalis, quam etiam Domini Ottoboni clarius advertentes, quarum neutra et præobtentis, et ultimo ſimul privat, cum Concilium generale ſola auferat præobtenta, ultimum tamen reſerbat: Conſiliumq; Ottoboni inſtitutionem in ultimo beneficio decrevit irritam ipſo jure, præobtentis tamen non privat ipſo jure: nos miſericordiam cum rigore miſcentes, non tam miſericorditer, quam prudenter permittimus, ut is qui plura beneficia curam animarum habentia, ſine diſpenſatione Apoſtolica, fuerit aſſecutus, ultimo ſic obtento, et eodem juxta Concilii generalis tenorem, de noſtra ſpeciali gratia, ſit contentus, niſi forſan, ex temeritate contendit etiam præobtenta improbe retinere: In quo caſu, nec primo, nec ultimo dignum, nec medio, immo nec aliquo judicamus, ſed potius ea omnia de jure vacare, quibus omnibus quatenus de facto eadem detinet occupata ſentiemus perpetuo ſpoliandum. Beneficia vero quæ per modum ſuperius nominatum eatenus vacaverint, adeo ut ad nos, propter negligentiam Prælatorum, et Capitulorum, fuerit devoluta collatio, nobis, ſeu noſtræ collationi reſervamus. Quæ autem per tantum tempus vacaverint, ut per conſimilem negligentiam ad Sum. Pontif. jus ea conferendi fuerit devolutū, eidem Sedi tanquam Miniſtri Sedis Apoſtolicæ, in hac parte ſpecialiter reſervamus; decernentes ernunc irritum et inane, ſi quid circa eadem beneficia ſic retro vacantia commutando vel perſonis aliis præſentando, ſeu alias quocunque ingenio, vel colore quæſito, per quoſcunque Prælatos ſuperiores, vel inferiores, ſeu per quoſcunque Clericos in poſterum fuerit innovatum. Ipſis quoque Eccleſiarum detentoribus

* Who monopolized all ſuch diſpenſations to itſelf, ſelling them at dear rates to all who had money to purchaſe them.

earundem,

An. 7 *E.* 1. earundem, per nos et fratres Coepiscopos nostros, et eorundem Confessores nunciamus, et volumus imposterum nunciari, quod nec ad dignitates Ecclesiasticas, nisi demum, purgato vitio, possunt assumi; et si de facto ad easdem ascenderint, non posse absque periculo ministrare, nec salvari poterunt in die Judicii, nec in præsenti accipere pœnitentias factas quæ non proficiunt ad salutem, nisi cum renunciaverint Beneficiis, quæ sic de facto detinent occupata: Verum etiam de fructibus Ecclesiæ sic consumptis, Ecclesiæ Dei quam graviter offenderunt, quatenus poterunt, satisfaciant competenter, cum ista beneficia taliter invadentes scienter falcem in messem inserunt alienam; cumque non intrent per hostium, non pastores, sed fures pariter existunt, et latrones; miseraque animas imprudenter decipiunt, quas nec utique solvere valent nec ligare. Et illos quoque qui Confessores talium Clericorum existunt, qui eisdem in pœnitentia non injungunt, ut fructus Ecclesiarum taliter non perceptos, sed furtive surreptos restituant, seu de eisdem satisfaciant, prout possint Ecclesiis, quas sic de eisdem fructibus retinendo læserunt, imperitos decernimus, aut minus benignos, et callidos animarum Clericorum hujusmodi deceptores. Inhibentes sub pœna Excommunicationis, ne ad talium absolutionem manus extendant temerarias, cum hujusmodi Ecclesiasticorum Beneficiorum improbi sint detentores, in scelere continuantes. Huic quoque vulneri Cancerosо, per quod per modum alium in futurum ut cernitur, sanari non potest; ferrumque quod adhuc superest ignitum injicimus, mucrone Anathematis tam enormis flagitii piacula resecantes; decernentes, et in perpetua stabilitate firmantes, ut quicunque in posterum plura beneficia curam animarum habentia, absque Sedis Apostolicæ dispensatione, receperit, vel fuerit affectus per modum Institutionis, vel Commendationis, seu Custodiæ, vel unum titulo institutionis, aliud titulo Commendationis, sive Custodiæ, præter modum illum quem Constitutio Gregoriana edita in Concilio Lugdunensi permittit, sit eo ipso privatus omnibus sic obtentis beneficiis ipso facto, Excommunicationis sententia permaneat innodatus, a qua, non nisi per nos, vel per Sedem Apostolicam Absolutionis gratiam valeat promereri; ut ad beneficiorum vacantium, per hunc modum, vel per alium pervenire notitiam valeamus. (A very memorable, usefull Constitution, worthy observation.)

Nota.

Nota.

Nos, fratres charissimi, firmiter injungendo mandamus in virtute obedientiæ, quatinus per vos, seu Officiales vestros, Archidiaconos et Decanos, nomina et numerum Ecclesiarum cum cognomine, agnomine, vel Prænomine, ita quod possit haberi notitia personarum, tempora ipsarum Ecclesiarum collationum factarum ipsis Rectoribus, seu assignationum per modum quemcunque; quo titulo eas obtineant, Institutionis, Commendationis, aut solius Custodiæ; cujus ætatis sint memorati Rectores, seu Ecclesiarum hujusmodi detentores, in quo ordine fuerint constituti; utrum alibi quam in una Ecclesia beneficiati existant? Item, utrum cum eis dispensatum fuerit super pluralitate hujusmodi obtinenda, et qui sunt, et in quibus modis censeantur earum Ecclesiarum Patroni; In cujus æstimationis sint singulæ Ecclesiæ seu valoris, juxta taxationem Norwicensem, faciatis distincte conscribi, et scripturas hæc omnia continentes clare et distincte confectas, singuli Episcopi de singulis Diocesibus suis nobis ad Civitatem London. transmittant in Octava Sancti Hilarii; quibus loco et die, favente Altissimo, ad ipsius laudem congregati erimus iterato. Illi autem qui in renuntiatione seu descriptione præfata, nobis ut supra, injunximus facienda, fraudem vel dolum commiserint, vel veritatem instructioni nostræ necessariam subticendo, aut falsitatem (quod absit) aliquam immiscendo, vel per vias alias callide comento quocunque circa præfata versando, quo minus ad nos perveniat veritas atque notitia præmissorum, pœnam falsarii merito poterint formidare.

By which Constitution it is most apparent; 1. That the Plurality of Ecclesiastical Benefices and Commendaes, especially with Cure of Souls, was prohibited, condemned by several Popes, Popes Legates, the Constitutions and Decrees of General, National, Provincial Councils both abroad and at home, as most scandalous, pernicious, impious mischiefs, dishonourable to God, destructive to the peoples, and Pluralists souls and prejudicial to Gods Church, Worship and Christian Religion. 2ly. That notwithstanding all former Canons and Constitutions made against them, yet through the avarice, ambition, impiety of Pluralists, the dispensations or connivance of Popes and Prelates for their own filthy lucre, they still increased more

more and more, and continued unredreſſed (as they do till this very day) as a growing miſchief, and cancerous ulcer paſt all cure, to the eternal infamy of thoſe Popes, Prelates, and Eccleſiaſtical Officers who ought in duty, conſcience effectually to ſuppreſs them, for the honour, advancement of Religion, Gods Worſhip, Service, and ſalvation of the peoples ſouls. 3ly. That the principal end of theſe Canons and Conſtitutions of Popes and Archbiſhops againſt Pluralities and Commendaes, was but to gain more monies for diſpenſations with them, or a new power to diſpoſe of ſuch Churches and Benefices for which they could not procure ſuch ſums for diſpenſations as they demanded, as the pretedent and this next Conſtitution manifeſts. *An.* 7 *E.* 1.

De Inſtitutionibus & Eccleſiarum Commendis.

Ut Conſtitutio iſta, prout lata eſt in Conſtitutione Lugdunenſi, *quoad verba & quoad ſententiam verborum omninò ſervetur,* **ipſe quoque Summus Pontifex decernit,** *& nos ipſius veſtigiis inhærentes,* **decernimus beneficia aliter commendata a tempore Concilii** Lugdunenſis, **ſeu quæ diutius ſub commendationis ſpecie ſunt optenta, quam Conſtitutio memorata** Gregoriana **permittit; Illa quoque quæ ſub ſpecie cuſtodiæ, quam Summus Pontifex nihil differre æſtimat a Commenda, aliter vel diutius ſint optenta, quam tenore Conſtitutionis** Gregorianæ **commemorat, necnon et illa quæ ſunt collata minoribus** 22. **annis, aut his, qui infra annum poſt admiſſionem talis beneficii in Presbyteros non fuerint ordinati, eſſe vacantia ipſo jure; ipſa quoque quorum per negligentiam Prælatorum ſeu Capitulorum, ad nos vel ad Sedem Apoſtolicam fuerit devoluta collatio, nobis et Sedi Apoſtolicæ collationem hujuſmodi ſpecialiter reſervamus, decernentes irritum et inane,** &c. *ut ſupra.* Cap. *De Inſtitutionibus, in clauſula. Beneficia vero,* &c.

De ſententiis Excommunicationis publicè denuntiandis.

* *Quoniam malum, niſi cognitum, vitari non poteſt,* **plures autem ſunt Excommunicationum ſententiæ,** *quibus in Sanctorum Patrum Conciliis homines etiam probi percellantur; ne per ignorantiam de cætero in tanti periculi foveam demergantur, præcipimus* Cantuarienſis *Provincia Sacerdotibus univerſis, ut in omni die Dominica ſequenti immediatè poſt celebrationem ruralis Capituli, exponant aperte populo ſibi* **commiſſo Excommunicationis ſententias,** *quæ ſequuntur.* * See Guil. Lindewode, l. 5. De ſententia Excommunicationis, f. 254.

Primo, **quidem Excommunicentur auctoritate Concilii** Oxonienſis a (*ſanctæ memoriæ*) Stephano Cantuarienſi **Archiepiſcopo, omnes qui malitioſe Eccleſias** jure ſuo **privare præſumunt, aut per malitiam, aut contra juſtitiam, libertates** earum **infringere vel perturbare intendunt; ex quo intelligimus vinculo Excommunicationis ſubjacere omnes illos, qui literas impetrant a quacunque Curia** Laicali **ad impediendum proceſſum Eccleſiaſticorum Judicum in cauſis, quæ per ſacros Canones ad forum Eccleſiaſticum pertinere noſcuntur.** *Nota.*

Secundo, **Excommunicantur univerſi,** *qui ſcienter falſum perhibent teſtimonium, vel perhiberi procurant, vel qui tales teſtes ſcienter producunt vel ſubornant,* **ad impediendum juſtum Matrimonium, vel ad exhæredationem alicujus procurandam.**

Tertio, **Excommunicantur omnes illi,** *qui pacem & tranquillitatem Domini Regis & Regni injuriosè perturbare præſumunt, & qui jura Domini Regis injuſte detinere contendunt.* **Ex quo intelligimus excommunicari non ſolum** * **guerrarum ſuſcitantes errorem, verum etiam Latrones publicos et prædones, et quoſcunque Regni juſtitiam impugnantes.** * And were not Popes and Prelates principal Delinquents herein?

Quarto, **Excommunicantur Advocati omnes,** *qui malitioſe per quaſdam exceptiones verum* **Matrimonium** *impediunt, ne effectum debitum ſortiatur.*

Quinto, **Excommunicantur omnes illi,** *qui gratia lucri, odii, vel favoris, malitioſe imponunt crimen alicui, cum apud bonos & graves perſonas* **non fuerat infamatus,** *ut ſic ei purgatio indicatur,* **vel alio modo gravetur.**

Sexto, **Excommunicantur omnes,** qui **vacante Eccleſia, malitioſe opponunt** vel opponi **procurant quæſtionem de jure Patronatus, ut verum Patronum illius Eccleſiæ ſaltem impediant ſua vice.**

Septimo, **Excommunicantur omnes illi,** qui **malitioſe contemnunt exequi mandatum Regis de Excommunicatis capiendis, vel eorum impediunt captio-**

An. 7 E. 1. nem, seu procurant eorum injustam liberationem, contra decretum Ecclesiasticæ disciplinæ.

Octavo, Excommunicantur in Concilio (*sanctæ memoriæ*) Ottoboni, omnes illi, *qui pro impedimento pacis seu compositione litigantium quicquid recipiunt, donec ipsum sic receptum restituerint donatori.*

Nono, Excommunicantur per eundem quicunque de Domibus, Maneriis, vel Grangiis, vel locis aliis Archiepiscoporum vel Episcoporum, vel aliarum personarum Ecclesiasticarum, contra ipsorum voluntatem, seu custodum rerum earundem aliquid auferunt vel consumunt, vel injuriosè tractant, quæ omnia sententia ligantur, nec absolvi possunt, donec de injuriis satisfecerint competenter.

Decimo, Excommunicantur ab eodem, quicunque abstrahunt violenter reum ab Ecclesiam, vel Cimiterium, vel Claustrum fugientem, vel qui ei victum necessarium prohibent exhiberi, vel qui res alienas in locis eisdem depositas violenter asportant vel asportari faciunt, vel qui asportationem talem factam nomine suo vel a familiaribus suis ratam habent, vel qui ad hoc publice vel occulte consilium præbuerint vel consenserint.

Undecimo, Excommunicati sunt ab omnibus Archiepiscopis et Episcopis Angliæ, omnes qui veniunt et faciunt contra Magnam Chartam; quæ sententia per Sedem Apostolicam est pluries confirmata et approbata.

Auditis (*fratres charissimi Coepiscopi nostri*) *articulos*, in quibus Sanctorum Patrum Conciliis incurritur sententia Excommunicationis, ipso facto. *Sunt etiam articuli præter istos, in quibus Episcopi, ipso facto, suspensionis vinculo innodantur per eadem Concilia, quorum Constitutiones quandoque Prælatos ab officio, quandoque à quibusdam Episcoporum insigniis, quandoque à Beneficiorum collatione suspendunt; quæ omnia ex ipsorum Conciliorum tenore colligere poteritis evidenter*, in quas liquidem pœnas veremur nos, vel aliquos, tanquam temeratores Constitutionum in ipsis editarum Conciliis incidisse: veremur etiam ne sic ligatis divina celebraveris, et Officia vestra, ut prius fuerint assecuti; veremur etiam ne notam irregularitatis contraxeritis in hac parte. *Sed quicquid fuerit de præterito, hortamur nos ex parte Domini Patris Omnipotentis, monemus, & in virtute obedientiæ firmiter vobis injungimus*, quod de cætero * Conciliorum statuta supradictorum, necnon et statutorum nostrorum in præsenti Congregationis primordio editorum, cum Dei timore, et omni diligentia observetis, et faciatis a vestris subditis observari: *Alioquin super vos provocabitis iram Dei, & Canonicam merito formidare poteritis ultionem: Et ut istorum ignorantia quenquam reddere valeat excusatum, de omnibus quæ nostra congregatione præsenti recitata sunt, publicata seu ordinata hanc formam teneri volumus in futurum; ut hac omnia* (*fratres & Coepiscopi nostri*) *per vos vel Archidiaconos vestros faciatis in vestris Synodis publicari; nihilominus Constitutiones Domini* Ottoboni *de Baptismo, necnon etiam extracta de quatuor Conciliis in Sessionis nostræ primordio memoratis*, super diversis articulis, in quibus Excommunicationis vinculum incurritur ipso jure, in singulis Ecclesiis tam majoribus quam minoribus, per quatuor dies Dominicos, post celebrationem quatuor Capitulorum principalium, faciatis recitari. *Constitutio vero edita super Concubinis in Concilio* Ottoboni *in quatuor Capitulis ruralibus, & in principalibus*, exclusis tamen Laicis, *publicetur. Quæ autem à nobis fuerint in præsenti ordinata vel adjecta Conciliis suprascriptis* Ottoboni, *bis in anno, viz. in duobus generalibus Capitulis Archidiaconatuum præcipimus singulorum auribus inculcari.* Ipsam autem Chartam Domini Regis super Libertatibus Ecclesiæ per Regem concessis, bene et aperte conscriptam in singulis Ecclesiis Cathedralibus, seu Collegiatis, in loco publico jubemus affigi, ut omnium intrantium oculis se palam exhibeat, et in fine anni in vigilia Paschæ et Pentecostes renovetur; ut sublata veteri, nova recensque bene scripta substituatur eidem; (not out of zeal to preserve the peoples Liberties, not here mentioned, which they trampled under feet by these their Excommunications, but to advance the Churches pretended Liberties, Usurpations over the Kings and peoples persons, Rights and Privileges.)

* See Joh. Balæus Scriptor. Brit. Cent. 4. c. 64. Not Gods Laws and Statutes.

De Pueris Baptizandis, *&c.*

Quod in præsenti Constitutione cavetur de pueris baptizandis, usque ad generale Baptismum Paschæ & Pentecostes, *viz. reservandis, pro ipsius flatûs reverentia, quod hactenus*

haſtenus videtur eſſe neglectum, ſic duximus declarandum eſſe vel ſtatuendum, ut pueri per octo dies ante Paſcha, *& per dies totidem ante* Pentecoſten, *de matrum uteris nati, ſi abſque periculo reſervari valeant, reſerventur uſque ad illa tempora baptizandi; ita quod cum medio tempore inter nativitatem puerorum hujuſmodi & Baptiſmum, perfectum recipiant* Catheciſmum, *ſolaque diebus Baptiſmi ſuperſit immerſio facienda. Alii autem qui aliis temporibus nati extiterint, tum propter mortale periculum, quod ſæpè pueris imminet improviſum, tum propter ſimplicitatem parentum, qui contra formam Baptiſmi ſint faciliter erraturi, abſque offenſionis nota, juxta vetuſtam conſuetudinem, vel incontinenti cum fuerint nati, vel poſtea, prout placuerit ipſis parentibus, baptizentur. Quod ſi fortè contigerit pueros propter mortis periculum à Laicis baptizari, caveant Sacerdotes, ne Baptiſmum legitimè factum audeant iterari.* An. 7 E. 1.

De Concubinariis.

Quia incontinentiæ vitium (occaſioned by Popes and Prelates prohibiting Prieſts marriage, **againſt** Gods expreſs inſtitution both under the * Law and † Goſpel) **Clerum maculat et lamentabiliter dehonestat, in ſcandalum plurimorum, * ſtatutum Domini Othoboni contra Concubinarios editum præcipimus rigoze inviolabiliter obſervari; ut ne criminis contagione caliginem adducente mentibus vitioſis, ſe per ignorantiam vel per oblivionem valeant excuſare; præcipimus Archidiaconis univerſis in virtute ſanctæ obedientiæ, et ſub pœna ſuſpenſionis ab officio et beneficio quam in ipſos ferimus,** *ut ſi ſponte contra hos negligentes fuerint, quatinus Conſtitutionem ſupradictam faciant in quatuor anni principalibus Capitulis ruralibus per ſe, vel per eorum Officiales, vel ſaltem per Decanos rurales ſeu gerentes vices eorum diſtinctè & apertè coram toto capitulo,* **excluſis laicis, recitari:** *quam recitationem pro monitione haberi volumus; ut liberius contra omnes procedi valeat vitioſos; ne cauſari poſſint cum executionem privationis in eos lata ſententialiter in predicto ſtatuto proceſſum fuerit, ſe monitos non fuiſſe. Si quis vero dicta ſtatuta recitare neglexerit, Archidiaconus, ſeu Decanus vicem ejus gerens, omni ſexta feria in pane & aqua jejunare per obedientiam (niſi infirmitate prepediatur) teneatur, donec in ſequenti capitulo ipſum fecerit recitari.* Beſides theſe he publiſhed ſome Ordinances touching the regulating of Religious Houſes of both ſexes, the ſame year, which you may peruſe in Sir *Henry Spelman*, Concil. Tom. 2. p. 325, *&c.*

* Lev. 21. 9, 12, 13, 14.
† 1 Tim. 3. 2, 11, 12. Hebr. 13, 4. Tit. 1. 6.
* See Tom. 1. p. 413.

[a] *Thomas Walſingham* renders us only this brief account of this Councils proceedings: *Frater* Johannes Pecham Cantuarienſis *Archiepiſcopus* **convocat Concilium apud** Radingum, *ubi Suffraganeis ſuis impoſuit, ut ſtatuta generalis Concilii facerent arctius obſervari*; then generally neglected, becauſe not obligatory in point of Law, being not conſented to or confirmed by the King and Parliament. During or about the time of this Council, (as [b] *Mat. Weſtminſter* relates) **mota fuit diſcordia inter Archiepiſcopos** (ſuch was their ambition and inſolence) Cantuarienſem & Eboracenſem, **eo quod Archiepiſcopus** Eboracenſis **veniens ad Regem fecit deferri Crucem ante ſe in provincia** Cantuarienſi; **et inhibitum fuit per Archiepiſcopum** Cantuarienſem **Edictis per totam provinciam ſuam promulgatis ſub pœna Excommunicationis, ne quis** Eboracenſi **vel ſuis famulis eſculenta, poculenta, ſeu quæcunque ad victum neceſſaria miniſtrarent, ulluſve publici aut privati negotii commercium cum illis haberet, vel contraheret,** (ſuch was his Papal Tyranny.) *Cujus rei ſeveritate, cum aut provincia infecto negotio exeundum, aut fame pereundum eſſet* Eboracenſibus, **crux illa tanto faſtu erecta, humiliter depoſita et dejecta fuit.**

a Hiſt. Angl. Anno 1280. p. 9. See Jo. Balæus Script. Brit. Cent. 4. c. 64 p. 349.
b Flores Hiſt. Anno 1279. p. 367. See Mat. Parker Antiq. Eccleſ. Brit. p. 198.

The King ſo highly reſented theſe Uſurpations, Inſolences, Conſtitutions, Excommunications, and proceedings of this Archbiſhop, that in a Parliament held this year ſoon after, he publickly convened him as a Delinquent, enforcing him to make this open memorable Revocation of them, recorded in the Clauſe Rolls in the Tower for a perpetual memorial, worthy all our Archbiſhops, Biſhops, Canoniſts, and our Judges ſerious conſideration.

Clauſ. 7 E. 1. m. 1 dorſo. Revocationes Proviſionum Concilii Rading.

M*Emorandum*, **quod venerabilis pater** J. Cantuar. **Archiepiſcopus, venit coram Rege et Conſilio ſuo in Parliamento Regis** Sancti Michaelis, **anno regni Regis**

An. 7 E. 1. Regis ſeptimo, apud Weſtm. et confitebatur et conceſſit, quod de ſtatutis, proviſionibus et Declarationibus eorundem, quæ per ipſum promulgatæ fuerunt apud Rading. menſe Auguſti anno eodem, inter quaſdam ſententias Excommunicationis quas idem Archiepiſcopus ibidem promulgavit: * *Primo*, deleatur, et pro non pronunciata habeatur illa clauſula in prima ſententia Excommunicationis quæ facit mentionem, de impetrantibus literas Regias ad impediendum proceſſum in cauſis quæ per ſacros Canones, &c. *Secundo*, quod non Excommunicentur Miniſtri Regis, licet ipſi non pareant mandato Regis, in non capiendo Excommunicatos. *Tertio*, de illis qui invadunt Panaria Clericorum, ut ibi ſufficiat pœna per Regem poſita. *Quarto*, quod non interdicat vendere victualia Eboracenſi Archiepiſcopo, vel alii venienti ad Regem. *Quinto*, quod tolletur Magna Charta de foreſtis Eccleſiarum. Confitetur etiam et conceſſit; quod nec Regi nec hæredibus ſuis, nec Regno ſuo *Angliæ*, ratione aliorum Articulorum in Concilio *Rading*. contentorum, nullum præjudicium generetur in futurum.

* See p. 233, 234.

By which Record it is apparent: First, That our Archbiſhops and Biſhops by the Laws and Cuſtom of the Realm can ſummon no Provincial Council, nor make any new Articles or Cauſes of Excommunication, Canons or Conſtitutions to binde the King, kingdome or people, without the Kings ſpecial Writ, licenſe, and his Nobles, Parliaments approbation or confirmation of them; and that all ſentences of Excommunication, Canons and Conſtitutions otherwiſe made and publiſhed, are void and unobligatory to the King and kingdom, as I have *elſewhere* evidenced by former Preſidents. Secondly, That theſe Excommunications, Canons, Conſtitutions, though thus publikely revoked by the Archbp in Parliament *before the King and his Counſil* the ſame year they were made and promulged; were yet publiſhed, gloſſed upon, printed, and cried up for the received *Canon Law of England*, by *William Lyndewode*, *John Aton*, and other bold or ignorant Canoniſts, and arbitrarely publiſhed as ſuch in Sir *Henry Spelmans Councils*. An abuſe, yea Impoſture, worthy our eſpecial obſervation. Thirdly, That this Archbiſhop and his Suffragans, as well as his *predeceſſors, were very active, induſtrious in their Provincial Synods, Councils, by new Canons & Conſtitutions, to advance their own uſurped Authority and Juriſdiction paramount the Kings Prerogative, Judges, Miniſters, Courts, and to ſubject them to their Eccleſiaſtical Cenſures, for ſuing out, granting, or executing any Prohibitions or Writs to reſtrain their Uſurpations or Exorbitances to the prejudice of the Kings Prerogative, or Subjects Liberties or Properties; and that the King, his Parliament, Counſils, Judges, were as ſedulous to oppoſe and prevent their encroachments of this nature.

* See Here, Tom. 3. p. 88, 89. & Tom. 1. p. 60, to 90 163, &c. 178, 208, 232. 233, 234. Tom. 2. p. 890. to 912. 983, 990.

* See Fox Acts & Monuments Vol. 1. Edit. ult. 1640 p. 427, 428. & Tom. 2. p. 890, to 912. 983, 989, 990, 991.

In this Parliament (wherein the Archbiſhop made this recantation and revocation) the King and Nobles, leſt the inſatiable avarice, ambition of Abbots, Monks, and other religious perſons, Prelates and Clergymen ſhould ſwallow up all the Lands, Rents, wealth of the Crown and Kingdom by degrees, as they had formerly done a great part thereof, to the exceſſive prejudice of the Crown and other temporal Lords, againſt the Statute of *Magna Charta*, c. 36. which enacted, *It ſhall not be lawfull from henceforth for any man to give his lands to any Religious houſe, and to take the ſame again to hold of the ſame houſe. Nor ſhall it be lawfull to any houſe of Religion to take lands of any man, and to leaſe the ſame to him of whom he received it. If any man from henceforth give his lands to any Religious houſe, and thereupon be convict*, the gift ſhall be utterly void, and the Land ſhall return to the Lord of the fee. (Which they had quite eluded by crafts and ſubtilties,) made this further Act againſt the alienation or purchaſe of Lands in *Mortmain*, ne omnes ſoli poſſeſſiones in Eccleſias tandem transferantur, cujus ferendæ legis fratrum et prædicatorum avaritia, qui poſſeſſiones acquirere contra ſuum inſtitutum cæperunt, cauſam dedit; as [a] *Matthew Parker* obſerves out of *Walter Gisburne*, and *Peter de Ickham*. Which Act is thus recorded in the [b] *Clauſe* and *Patent Rolls* of 7 E. 1.

a Antiq. Eccleſ. Brit. p. 220.

b Clauſ. 7 E. 1 m. 5. dorſo. Pat. 7 E. 1. m. 2.

Forma Statuti virorum Religioſorum.

REX Juſtic. ſuis de Banco, ſalutem. *Cum dudum proviſum fuiſſet, quod viri religioſi feoda aliquorum non ingrederentur, ſine licentia & voluntate capitalium dominorum de quibus feoda illa immediate tenentur*, et viri religioſi poſtmodum nichilominus tam feoda ſua propria quam aliorum hactenus ingreſſi ſint, ea ſibi appro-

priando

pziando et emendo, et aliquando ex dono aliozum recipiendo, per quod ſervicia quæ ex hujuſmodi feodis debentur, et quæ ad defenſionem Regni ab initio pzoviſa fuerunt, indebite ſubtrahuntur, et Domini Capitales eſcaetas ſuas inde amittunt. Nos *ſuper hoc* pzo utilitate Regni congruum remedium pzovideri volentes, de conſilio Pzælatozum, Comitum, et aliozum fidelium Regni noſtri de Conſilio noſtro exiſtencium, pzovidimus, ſtatuimus, et ozdinavimus, quod nullus religioſus aut alius quicunque *terras aut tenementa aliqua emere vel vendere, aut ſub colore donationis aut termini, vel alterius tituli cujuſcunque* ab aliquo recipere, aut alio quovis modo arte vel ingenio ſibi appzopziare pzæſumat ſub foziſfactura eozundem, per quod ad manum mozturam terræ et tenementa hujuſmodi deveniant quoquo modo. *Pzovidimus eciam*, quod ſi quis Religioſus aut alius contra pzæſens ſtatutum aliquo modo arte vel ingenio venire pzæſumpſerit, liceat Nobis et aliis immediatis capitalibus Dominis feodi illius alienati illud infra annum a tempoze alienationis hujuſmodi ingredi, et tenere in feodo et hæreditate. Et ſi Dominus capitalis immediatus negligens fuerit, et feodum hujuſmodi ingredi noluerit infra annum, tunc liceat pzoximo capitali domino mediato feodi illius, infra dimidium annum ſequentem feodum illud ingredi, et tenere, ſicut pzædictum eſt, et ſic quilibet dominus mediatus faciat ſi pzopinquior dominus in ingrediendo hujuſmodi feodum negligens fuerit, ut pzædictum eſt. Et ſi omnes hujuſmodi capitales domini hujuſmodi feodi qui plenæ fuerint ætatis, etatem quatuor maria, et extra pziſonam per unum annum negligentes vel remiſſi fuerint in hac parte, Nos ſtatim poſt annum completum a tempoze quo hujuſmodi empciones, donaciones, aut alias appzopziationes fieri contigerit, terras et tenementa hujuſmodi capiemus in manum noſtram, et alios inde feoffabimus per carta ſuabicia nobis inde ad defenſionem Regni noſtri faciendi, ſalvis capitalibus dominis feodorum illorum wardis, eſcaetis, et aliis ad ipſos pertinentibus, ac ſervicits inde debitis et conſuetis. Et ideo vobis mandamus, quod Statutum pzædictum coram vobis legi, et de cætero teneri et obſervari faciatis. *Teſte Rege apud* Weſtm. *xiv. die* Novembris. Et memozandum, quod iſtud Statutum irrotulatur in dozſo Rotuli clauſarum de hoc anno. *An.* 7 E. 1.

[c] *Matthew Weſtminſter*, a Monk, pzefers us this account and cenſure of this Act *Contra Religioſos*, Anno gratiæ 1280. Rex, Pontifices et Principes *Anglicani* venerunt in unum, ſtatuentes, Quod religioſæ perſonæ in ampliationibus terrarum non creſcerent, *dicentes*, quod ad detrimentum Regni, et obſequii militaris, feoda militaria et aliæ poſſeſſiones ad religioſos in manum moztuam devenerunt; *intelligere forte nolentes, quod potius oratiónibus* Moyſes (the chief Civil Magiſtrate, not of Popes, Prelates, Abbots, Monks,) *quàm pugna filiorum* Iſrael Amalachitarum *exercitus vincebatur*. [d] *Thomas Walſingham*, another of our Monks, refers this Act to the Parliament held at *Weſtminſter*, Anno 3 E. 1. *in quo ſtatuta edidit contra manum mortuam, vadens extra poſſeſſiones terrarum ſin reddituum*, ſine ſpeciali Regis licentia ad manum moztuam devolvantur: being miſtaken both in the year and Parliament, as this Record aſſures us. But this Act made little or no reformation of this abuſe, and general grievance, the Biſhops, Abbots, Monks, Nuns, and religious perſons of all Orders, by frauds, flattery, favour, or for fines and ſums of money to the King, immediately after this Act procuring pardons of, or licenſes for alienations of Manors, Lands, Tenements, Rents, Churches, Advowſons to them in *Mertmain* from this King and his ſucceſſors, notwithſtanding this Statute, as all the Patent, Charter, and Fine Rolls atteſt, being over-fraught with ſuch diſpenſations every year, ſince this Act.

c Flores Hiſt. p. 368.

d Hiſtor. Angliæ, An 1276. p. 5, 6. Ypodigma Neuſtriæ, p. 68. An. 1275.

The Archbiſhop of *Canterbury* having (like the King himſelf) an Exchange and Mint at *Canterbury*, the King out of his ſpecial grace granted him the profits thereof, ſaving his own right, by this Writ.

REX de gratia ſua ſpeciali concedit *dicto Archiepiſcopo, quod ad præſens liberet denarios ſuos proprios Cuſtodibus Cambii* Cantuariæ, *& percipiat emolumentum denariorum ſuorum propriorum per viſum unius de ſuis quem ad hoc deputaverit* quantum ad emolumentum triumCuneozum quos clamat ad ſe pertinere ratione Archiepiſcopatus ſui, *ſicut temporibus prædeceſſorum ſuorum, & temporibus aliorum Cambiorum fieri conſuevit*, ſalvo jure Regis. Brevia Regis, An 7. E. 1.

The

An. 7 *E.* 1. The King in prosecution of the Liberties granted by him four years before to the Prelates concerning *Clerks accused and committed for capital Crimes*, and of the Statute of *Westminster*, 1. chap. 2. *forecited, issued this Writ to the Constable of the *Tower* and Sheriffs of *London*.

* Here, p 154, 155.

Clauſ. 7 E. 1. m. 11. intus. De Clerici, impriſonatis Epiſcopo liberandis.

REX *Conſtabulario Turris* London. *& Vic.* London. *ſalutem.* Volentes manutenere libertates Eccleſiaſticas ut tenemur, vobis mandamus quod Clericos *London.* Dioc. in Turri noſtro, vel alibi in Civitate noſtra *London.* incarceratos, quos Venerabilis Pater London. Epiſcopus vel alius ad ipſo cum ſufficienti mandato, ad id deputatus, *ſecundum conſuetudinem & Eccleſiaſticam Libertatem exigere voluerit, eidem liberetis; ita tamen* quod Clericos ſic eractos et ſibi liberatos habeant coram vobis vel Juſtic. noſtris ad plenam liberationem hujuſmodi Clericorum et aliorum incarceratorum *London.* deputandis, diebus et locis eidem rationabiliter exponendis. *Teſte Rege apud* Wyndeſ. 26 *die* Decembris.

What forms of Recognizances our rich Biſhops, who were Uſurers, then took from their Debtors for their monies lent, with Oathes and Covenants to ſubject themſelves to Eccleſiaſtical Courts or Judges cenſures, ſentences, and renounce all Prohibitions to them in caſe they failed of payment, (by which they endeavoured to extend their Juriſdiction, and engroſſe ſuits for all ſuch debts to their own Courts,) this Record will inform us.

Clauſ. 7 E. 1. m. 2. dorſo. Pro Landavenſi Epiſcopi.

UNiverſis Sanctæ Matris Eccleſiæ filiis ad quorum notitiam pervenerit hæc ſcriptura, Simon *filius & Hæres* Radulphi de Trop. *ſalutem in Domino ſempiternam. Univerſitati veſtræ pateat per præſentes, me prædictum* Simonem *filium & hæredem* Radulphi *præfati, teneri Venerabili patri* W. de Brewoſe *Epiſcopo* Landavenſi *in Centum Marc. ſterlingorum in fine quadriennii poſt confectionem præſentium, ſine omni dolo & fraude, in Eccleſia Cathedrali* Landav. *eidem ſeu ſuo Attorn. plenariè ſolvendum, pro eo quod cum* Radulphus *Pater meus prædictus hæreditatem meam diverſis creditoribus obligaſſet, & are alieno graviter obligaſſet, idem Epiſcopus ſua pecunia & ſumptibus non modicis eam totaliter liberavit, & finaliter ſatisfecit eiſdem.* De quibus Centum Marcis eiſdem dicto termino per me ſuper hoc corporali præſtito Sacramento, promitto ſatisfacere bona fide, ſubjiciendo me juriſdictioni, et coercioni cujuſlibet Judicis Eccleſiaſtici et Secularis, qui ſuper hoc fuerit requiſitus, quod poſſit me per quamcunque cenſuram et diſtrictionem ad ſolutionem prædictæ pecuniæ faciendam compellere, una cum intereſſe, et dampnis quas idem Venerabilis Pater ſuſtinuerit, occaſione ejuſdem pecuniæ ſuo termino non ſolutæ, *ſi in termino ſolutionis, quod abſit, eidem per me non ſit ſatisfactum;* Renunciando ſub virtute præſtiti Sacramenti Regiæ prohibitioni, et omni aliæ defenſioni, tam Juris Civilis quam Canonici, quod mihi poſſit obeſſe et mihi in hac parte prodeſſe. *In cujus rei teſtimonium Sigillum Reverendi Patris Domini* R. *Dei gratia* Bath. *&* Wellenſ. *una cum Sigillo meo præſentibus eſt appenſum. Dat.* London. 15 *Kal.* Novembris, *Anno Domini* 1279.

Et memorandum quod idem Simon *venit in Cancellaria Regis & recognovit, &c.*

Other Recognizances of like nature with like Oathes, Clauſes made to Biſhops, Clergymen, the Popes Uſurers and Merchants, frequently occurr in our Records.

The King by his Prerogative having the diſpoſal of the Temporalties of the Abby of St. *Michael* in *Normandy* of his progenitors foundation, and of all Cells thereto belonging during the vacancy of the Abbey, and the Covent thereof during the vacation violently intruding a Monk of theirs into the Cuſtody of the Cell of St. *Clements* in *Gerneſey* thereunto belonging, in contempt of the King, and to the prejudice of his Crown and right, he thereupon iſſued this Writ to the Bailiffs of the Iſlands of *Gerneſey* and *Jerſey* to ſeiſe the Temporalties of the Cell into his hands, and anſwer the profits thereof to his Exchequer.

Fines 7 E. 1. m. 18. De Cella S. Clementis in Gereſ cap. in manum Regis.

REX *Ballivo ſuo Inſularum de* Gerneſ. *&* Gereſ. *ſalutem. Quia Rex accepit, quod vacavit jamdiu Abbatia de* Monte Sancti Michaelis, *quæ eſt de* fundatione

datione progenitorum suorum Regum *Angliæ, cujus quidem Abbaciæ Cellarum in Regno suo custodia in tempore vacationis Abbaciæ illius* ad Regem ratione dignitatis suæ dinoscitur pertinere; *quidam Monachus Abbaciæ ejusdem nuper per Conventum ejusdem loci præfectus in Priorem Cellæ Sancti* Clementis *in* Gerefey, *quæ pertinet ad Abbaciam, homines Regis ad custodiam Cellæ ejusdem ratione vacationis dictæ Abbaciæ deputatos nuper violenter ejecit, non permittens ipsos Custodiam illius Celiæ nomine suo retinere, sicut hactenus in aliis vacationibus prædictæ Abbatiæ fieri consuevit,* in Regis præjudicium et contemptum manifestum. Rex qui hujusmodi transgressionem relinquere non vult impunitam, mandavit Ballivo prædicto, quod ad Cellam prædictam personaliter accedat, et Temporalia ejusdem sine dilatione capiat in manum Regis, et ea salvo custodiat donec aliud inde præceperit. *Ita quod Regi inde respondere possit ad Scaccarium suum, proviso quod Monachi Cellæ prædictæ rationabilem sustentationem suam interim habere possint de Temporalibus supradictis. Teste Rege apud* Wodestok, 12 *die* Marcii. *An.* 7 E. 1.

King *Edward* the 1. out of his Soveraign Regal authority, and duty towards God, to suppresse the manifold Blasphemies of the Jews against Christ crucified, and the Christian Religion, prevent their seducing of Christians to Judaism, and the Apostacy of Jews converted to Christianity; as also to reform their usury, brocage, and clipping of money, for which many of them were executed this year, issued this memorable Writ and Proclamation in the 7th. year of his reign.

REX dilecto & fideli *B. de Suley*, & sociis suis, *&c.* & *Johanni le Faukonner*, salutem. Quia datum est nobis intelligi, quod quidam Judæi regni nostri fidem Catholicam et sacramenta Ecclesiastica hactenus diversimode blasphemare non formidarunt, nec adhuc formidant, in divini nominis contumeliam, et totius Christianæ professionis opprobrium: Nos hujusmodi blasphemias, sicut Principem Catholicum decet reprimi cupientes, volumus, quod nullus Judæus taliter de cætero blasphemiare præsumat, videlicet, aliquod enorme, detestabile, aut abominabile dicendo, vel faciendo in blasphemia Crucifixi, fidei Catholicæ, seu beatissimæ matris Mariæ Virginis, seu Ecclesiasticorum sacramentorum. Volumus etiam, quod hoc per omnia loca regni nostri in quibus Judæi morantur publice proclametur, et ne aliquis Judæus sub periculo vitæ et membrorum talia facere vel dicere præsumat. Et si quis notorius blasphemiator inveniatur, ita quod per Inquisitionem per Sacramentum Christianorum bonorum et gravium inde faciendam inde convinci possit evidenter, volumus quod quilibet talis puniatur secundum quod in hujusmodi casibus aliàs fieri consuevit. Idem fiat de ipsis qui aliquando ad fidem Catholicam verè baptizati fuerant, et postmodum ad Judaicam pravitatem perversi ab eadem fide Apostatare præsumpserunt. Quod mulieres Judææ de cætero portent signa in superiori veste sua, sicut Judæi mares. Et quod Judæi de cætero nullos habeant servientes Christianos, mares aut fœminas, secum in quibuscumque obsequiis commorantes, nec in domibus propriis, nec aliàs in Civitatibus aut locis aliis ubi morantur, sed ipsi Judæi sibi invicem in omnibus serviant et ministrent, et hoc utique præcipiatur tam Christianis quàm Judæis, sub gravi forisfactura nostra. Volumus insuper, quod omnes Christiani qui pignora sua inter bona Judæorum damnatorum inventa redimere voluerint, hujusmodi pignora per testes fideles et bonæ famæ probent esse sua, et ea per certa signa et indicia describant, et hujusmodi testibus eatenus credatur, quatenus majoris vel minoris famæ esse constiterit. Et si fortè pignora illa sua esse per testes probare non possint, & quod testes defuncti vel absentes sint, ita quod eos habere non possint, vel quia secretè & absque testimonio impignorata fuerunt, tunc ad pignora illa recuperanda sufficiat tantummodo sacramentum ipsorum quorum pignora illa existunt, dum tamen pignora illa certis signis & indiciis describant, sicut prædictum est; & hoc propter lapsum anni à tempore impignorationis hujusmodi nullatenus omittatur. Volumus insuper, quod omnes illi qui per testes fide dignos probare possint debita sua pro suis pignoribus persolvisse, & pignora illa propter aliquam certam rationem per ipsos coram vobis ostendendam, aut propter maliciam ipsorum *Judæorum* ab eisdem *Judæis* non recepisse, ad iteratam solutionem debitorum illorum faciendam nullatenus compellantur, & testibus illis credatur juxta famam personarum, additis testibus

Brevia Regis, & Claus. 7 E. 1. m. 6. See the second part of my short Demurrer to the Jews long discontinued Remitter into England, p. 79, to 83.

An. 7 *E.* 1. teſtibus aliis ſi neceſſe fuerit, juxta diſcretionem veſtram. De libris autem apud *Oxon.* impignoratis, volumus quod nullum fiat indicium uſque ad feſtum *Omnium Sanctorum* proximo futurum. Volumus etiam, quod per Civitates, Burgos, Vill. Mercat. & alias publicè proclametur, ne quis bona *Judæorum* dampnatorum ſeu dampnandorum recipiat, ſeu jam recepta celet vel occultet, ſed ea nobis reſtituat citra feſtum Sancti *Petri* ad Vincula proximo futurum, alioquin verſus ipſos tanquam ad celatores & occultatores theſauri Regii graviter capiemus, & pro concelamentis hactenus inde factis non inquietentur. Et ideo vobis mandamus, quod omnia prædicta fieri & firmiter obſervari faciatis in forma prædicta: Teſte meipſo apud *Weſtm.* 16 die *Aprilis*, anno regni noſtri ſeptimo.

After which, *Conſimiles literæ* (*Teſte Rege apud* Weſtm. 10 *die* Maii) *diriguntur* Stephano de Penteceſter, Waltero de Helynn *Juſticiariis ſuis, ad Placita tranſgreſſionum Monetæ audienda aſſignatis, & dilecto Clerico ſuo* Philippo de Wyleghbeby.

Conſimiles literæ diriguntur Barthol. de Sutleſh, Willielmo de Beof, Adæ de Boteler, & Johanni de Faukoner.

Conſimiles literæ & breve diriguntur Johanni Beks, Alex. de Kirketon, Ranulpho de Dacre, & Hugoni de Kendale.

About the ſame time *Nicholas Boncelli* the Popes Chaplain, procured this Letter from *Charles* Prince of *Salerno* to King *Edward*, to promote him to ſome of his Benefices in *England*, and eſpecially to ſome Prebendary in the Church of *York*, whoſe See was then vacant.

Bundela Brev. Anno 7 E. 1. *EXcellentiſſimo Principi cariſſimo conſanguineo ſuo Domino* E. *Dei gratia Regi* Angliæ *illuſtri*, Karolus *primogenitus illuſtris Regis* Jeruſalem, *Princeps* Salerni, & Honoris Montis Sancti Angeli *Dominus, cum ſalute ſe totum ad ejus beneplacitum præparatum. Ad preces noſtras promiſiſtis noſtris* **gratia prouidere de aliquibus ex Beneficiis veſtris** Angliæ **venerabili et diſcreto viro Magiſtro** Nicholao Boncelli **Domini Papæ Capellano**, *Clerico & Conſiliario Domini patris noſtri & noſtro. Propter quod idem Magiſter* Nicholaus, *latorem præſentium Clericum ſuum, ut reducat ad memoriam veſtram negotium ad veſtram mittit præſentiam, prout vos etiam ordinaſtis. Verum cum dictus Dominus pater noſter & nos eidem Magiſtro* Nicholao *propter grata & accepta ſua probitatis obſequia, quæ ipſe prædicto Domino noſtro & nobis longo tempore fideliter & prudenter impendit, & cotidie non ceſſat impendere, multipliciter teneamur, Excellentiam veſtram omni prece qua poſſumus attentè requirimus & rogamus, quod nobis in perſona dicti Magiſtri* Nicholai *ſpecialem gratiam faciatis, hujuſmodi promiſſionem veſtram, prædicti Domini patris noſtri & noſtri amoris intuitu effectui demandare velitis, ſi placet. Ita quod ipſe ex noſtris precibus in hac parte commodum aſſequatur, & nos proinde ſerenitati veſtræ teneamur ad merita gratiarum. Et quia intelleximus, quod collatio Prebendarum Eccleſiæ* Eboracenſis *ſpectat ad vos, Eccleſia ipſa vacante, multum vellemus ſi placeret vobis, ut eidem Magiſtro* Nicholao **Præbendam in prædicta Eccleſia conferretis**: *Nichilominus tamen quicquid ei in Eccleſia ipſa vel alibi feceritis, illud quaſi perſona propriæ reputabimus eſſe factum. Dat.* Pariſiis.

The Church of *Rhoan* being greatly ſlandered, ſpoiled, oppreſſed by the Biſhop of *Exeter* and *John Clarell*, againſt the Kings intention, the Archbiſhop of *Rhoan* thereupon ſent this memorable Letter to King *Edward*, as to its Patron, and principal Protector of the Chriſtian Faith and Church; wherein he magnifies his virtues, and the eminent piety and orthodoxy of our Kingdom, and its unſhaken defence of Eccleſiaſtical Liberty, founded and protected by his Royal Predeceſſors.

Brevia Regis Anno 7 E. 1. *EXcellentiſſimo Domino* Edwardo *Dei gratia* Anglorum *Regi, Domino* Yberniæ, & Aquitaniæ *Comiti*, Guillielmus *permiſſione divina* Rothomagenſis *Archiepiſcopus*, **ſalutem in eo per quem Reges regnant, et Principes dominantur.** *Multiplicatur nobis materia exultationis in Deo, in cujus manu cor Regis eſt, & quo voluerit ducit illud. Dum geſtis veſtris magnificis veſtri præcelſi fama nominis diffuſa per orbem, & corſcendens laudabiliter in excelſum,* **laudari meruit apud Deum**, et

ertolli

ertolli populi laudibus; *cum in vobis gentes inveniant affabilitatem, benevolentiam, magnificentiæ gratiam, cordialitatis affluentiam, & altæ providentiæ majeſtatem. Sane veſtra* Rothomagenſis *Eccleſia*, in Chriſtianiſſimo regno veſtro, quod ſemper Orthodoxæ fidei murus fuit et inconvulſus paries Eccleſiaſticæ libertatis, ubi adverſus turbationis cujuſlibet impetus intemerata religio et devotio Chriſtiana permanſit, *cujus honorem & commodum non immerito diligimus tota mente*, a veſtris inclitæ recordationis fundata progenitoribus et dotata, *lamentari cogitur & gemere functionum ſtimulis agitata diverſis. Nam ut de aliis taceamus, reverendus pater Epiſcopus* Exonienſis, & Johannes Clarelli *Clericus*, bona dictæ Eccleſiæ quaſi rabie viperina dilacerant, et velut inſtructi ferali ſævicia membra ejus impiis diripiunt morſibus, fructus ejus, reditus, maneria et decimas occupant minus juſte, et detinent, et invadunt, et deſtruunt, contra veſtram et dictæ veſtræ Rothomagenſis Eccleſiæ voluntatem, et Canonicorum ex veſtrorum ab olim liberalitate ſincera progenitorum cottidiana percipientium ſtipendia pro eorum commemoratione piiſſima et anniverſariis faciendis in ea; *quibus ſtipendiis ſine causa rationabili, ſed non ſine dictorum Epiſcopi, & Johannis, & etiam aliorum quorundam* fraudibus ſunt fraudati. Veſtram Regiam celſitudinem ſollicitandam duximus et attentis præcibus exorandam, *non de noſtris præcedentibus meritis quod dolemus, quæ utinam ſubſequantur plus ſolito*, ſed de veſtra Regia benevolentia confidentes, quam experimentis ſenſibilibus didicimus fructuoſam, pro grandiſſimo munere poſtulantes, quatinus ſuper pietatis officium impendatis per viam Regiam incedentes; *ſicque veſtra, veſtrorum progenitorum & ſucceſſorum piiſſima intentio non fraudetur*, ſicque velit veſtra ſublimitas in ferborem veritatis aſſurgere, quod præfata Eccleſia ſenciat vos patronum ipſius quem ſemper habuit præcipuum defenſorem. *Caterum antedicti veſtri* Rothomagenſis *Canonici vobis mittunt Magiſtrum* Johannem *dictum* Lalce, *dicta Eccleſia Canonicum, virum utique induſtrium, circumſpectum, providum & diſcretum, ad tractandum cum veſtris gentibus ſuper quadam permutatione ſeu venditione bonorum immobilium quæ in veſtro regno poſſident facienda*, ſi veſtræ Regiæ placuerit Majeſtati, *prout ipſe lator præſencium dicet vobis, qui utinam veſtræ Regiæ manſuetudinis gratiam inveniat & favorem. Valeat & vigeat veſtra Regia celſitudo per tempora longiora, cui nos & noſtra pro viribus offerimus, cupientes effectui mancipare quæ veſtræ Regiæ placuerint voluntati, cui nos & veſtra* Rothomagenſis *Eccleſia negotia commendamus, & quæ commendata velit habere quæſumus, & favore proſequi ſpeciali. Dat.* Rothomagi *die Dominica poſt feſtum Nativitatis beati* Johannis Baptiſtæ, *anno Domini* 1279. *An.* 7 E. 1.

Nota.

* *John Derlington*, Collector of *Peter*-pence and Diſmes in *England* and *Ireland* to Pope *John*, *Nicholas* 3. and *Martin* 3. (Nullo enim tempore, *inquit* Lelandus, defuerunt ſuæ artes Romanis conradendi pecunias, *ſive Turca aliquid novarum rerum, ſive nihil in Chriſtianos moliretur*) relicta religioſa Apoſtoli Petri, Derlingtonus iniquæ proditoris Judæ permanſit in officio; till his new advancement this year to the Archbiſhoprick of *Dublin* by the Popes Proviſion, (as you heard *before) wherein (as *John Bale* records in his Life) he ſhewed himſelf, mercenarius et non Paſtor; repairing to his Archbiſhoprick, non ut paſcat, ſed ut mulgeat vel tondat. *Hypocritæ iſtæ*, Regum ac Regnorum fuiſſent tunc apud ſuum Antichriſtum aſtutiſſimi proditores; therefore no wonder he and his brother Minors were ſo much favoured, advanced by Popes in that age.

* Joh. Balæus Scriptor Brit. Cent. 4. c. 56. p. 344, 345, 346.

* Here p. 226, 227.

The Covent of *Dinelek* in *Ireland* having elected no Abbot in above 30 years ſpace, the King thereupon granted them a licenſe to elect an Abbot, and pardoned their offence in not electing one in ſo long time, for which the Chief Juſtice of *Ireland* intended to puniſh them, as appears by this Writ *Anno* 7 E. 1.

EDwardus *Dei gratia Rex* Angliæ, *Dominus* Hiberniæ, & *Dux* Aquitaniæ, *dilectis Clericis ſuis Magiſtro* Thomæ Beck, & Johanni de Kirkeby, *ſalutem. Mittimus vobis literas patentes Eccleſia Sanctæ* Mariæ *de* Dinelek *in* Hibernia, *per latorem præſentium Canonicum* (*ut aſſerit*) *dictæ domus: mandantes, quatenus retentis ipſis, eidem Canonico noſtras literas patentes* de licentia eligendi ſub magno ſigillo noſtro in forma debita faciatis. *Mandetis etiam per alias literas noſtras Juſticiario*

Brevia Regis Anno 7 E. 1

An. 7 E. 1. *noſtro* Hiberniæ, **quod cum divino intuitu pardonaverimus Priori et Conventui dictæ domus tranſgreſſionem quam fecerunt in differendo per triginta annos et amplius aliquem ſibi eligere in Abbatem, ipſi ea occaſione non moleſtentur in aliquo vel graventur, ſalvo tamen jure noſtro in aliis vacationibus ejuſdem domus.** *Teſte meipſo apud* Muſcroll. 16 *die* Junii, *anno noſtri regni ſeptimo.*

The Popes Delegate in *Ireland* holding Plea of Advowſons of Churches then in difference, between the Prior and Covent of *Chriſtchurch Canterbury*, and the Prior and brethren of the Hoſpital of St. *Johns* in *Kilkenny*, the Kings Judges in *Ireland* granted Prohibitions to ſtay their ſuits, and Attachments upon them for their contempts, whereof complaint being made to the King, who commanded the Delegate not to be hindred in his proceedings, ſurmiſed to be juſt; thereupon he received this anſwer and Certificate of the truth of the caſe from his Chief Juſtice there, craving his farther direction therein.

* Brevia Regis de Anno 7 E. 1. in the White Tower.

EXcellentiſſimo Domino ſuo, *R. de Ufford* quicquid poteſt obſequii & honoris: Literas veſtras recepi in hæc verba. *Edwardus* Dei gratia, &c. Dilecto & fideli ſuo *Roberto de Ufford* Juſticiario ſuo *Hiberniæ* ſalutem. Ex querela Magiſtri *David* Theſaurarii Eccleſiæ *Imelenſis* nuper nobis extitit intimatum, **quod cum ipſe dudum a ſede Apoſtolica Judex datus fuiſſet ad executionem cujuſdam ſententiæ latæ authoritate Curiæ Romanæ, et poſtmodum ab eadem Curia confirmatæ inter Priorem et Capitulum Eccleſiæ Chriſti Cantuarienſis, et Priorem et fratres** Hoſpitalis Sancti *Johannis de Kilkenny* **ſuper poſſeſſione Eccleſiarum Sancti *Cynini*,** & Sanctæ *Mariæ* de *Nova Ros.* Ac nos ad inſtantiam eorundem Prioris & Capituli Eccleſiæ *Chriſti Cantuar.* vobis mandaverimus, **quod eundem Magiſtrum** David **contra juſticiam non impediretis quo minus ipſe ea quæ ad officium ſuum pertinerent in hac parte libere exercere, et ea debitæ executioni demandare poſſet, prout juxta officii ſui debitum et de jure eſſet faciendum, vos et miniſtri veſtri ad procurationem dictorum Prioris et fratrum Hoſpitalis prædicti contra quos dicta ſententia lata fuit, pro eo quod idem Magiſter** David **ſententiam illam executioni debitæ demandari mandabit, ipſum Theſaurarium tam in perſona ſua quam per bonorum ſuorum eccleſiaſticorum, ac aliarum rerum ſuarum in partibus illis occupationem, et aliis gravaminibus diverſis quæ de die in diem per vos et veſtros eidem inferre non deſiſtatis, multipliciter vexatis, grabatis, et inquietatis, ad dampnum ipſius Theſaurarii non modicum et gravamen, et contra tenorem mandati noſtri prædicti.** Et quia ei injuriari nolumus in hac parte; **vobis mandamus, quod ab eiſdem moleſtiis et injuriis eidem Theſaurario hac occaſione inferendis deſiſtatis,** et veſtros **omnino deſiſtere faciatis, et ea quæ per vos et veſtros minus rite attemptata ſunt in præmiſſis taliter emendari faciatis quod clamor ad nos inde non veniat iteratus, propter quod manum ad hoc aliter apponere debeamus.** Teſte meipſo apud *Weſtm.* 28 die *Septembris*, anno regni noſtri ſexto. — Et licet præfatus Magiſter ad hoc inſtaret, ut ego prætextu prædicti mandati veſtri ei remitti faceremus quandam ſummam pecuniæ quæ ab eo exigitur per ſummonicionem Scaccarii veſtri, pro eo quod cum ad querelam Prioris Hoſpitalis Sancti *Johannis de Kilkenny*, per vrebe de Cancellaria veſtra præceptum fuiſſet, quod prætatus Magiſter attachiaretur, ad reſpondendum eidem Priori quare tenuit placitum in Curia Chriſtianitatis de advocationibus quarundam Eccleſiarum ipſius Prioris, contra coronam et dignitatem veſtram, Idem Magiſter noluit ſuper hoc in Curia veſtra juſtificari, per quod demum propter ipſius multiplicem contumaciam Juſticiarii veſtri de Banco Dublin. eo quod dictus Magiſter non habuit Laicum feodum per quod potuit diſtringi, demandaverunt Epiſcopo loci, quod diſtringeret ipſum per beneficia ſua eccleſiaſtica, ita quod coram eiſdem Juſticiariis ad certum diem reſponderet de exitibus beneficiorum illorum. Ego tamen prædictam pecuniam abſque ſpeciali mandato veſtro ei remittere nolui, ſicut nec potui; et hoc Excellentiæ veſtræ ſignifico, ut mihi mandare dignemini quid in hac parte veſtræ viderit beneplacito voluntatis. Valeat Excellentia veſtra per tempora longiora.

What Liberties of Free Warren and Markets the King granted to the Biſhop of *Midden* in *Ireland* this year, you may peruſe at leiſure in Charta 7 E. 1. num. 16, 17.

I finde this ſad Complaint and Petition made to the King, againſt the Archbiſhop of *Caſſel* in *Ireland* by *Margaret le Blund*, for detaining her inheritance, and for ſundry barbarous murders of her Father, Mother, Grandfather, her ſix Brothers and Siſters, and ſundry other *Engliſhmen* whom he ſlew, or caſt into priſon, there ſtarving them to death, and other miſdemeanors, againſt whom ſhe could obtain no juſtice after divers journeys into *England*. *An.* 7 *E.* 1.

M*Argareta le Blunde* de *Chaſſell* petit gratiam Domini Regis, ut poſſit habere hæreditatem ſuam quam recuperavit coram Juſticiariis Domini Regis apud *Clummele* coram Magiſtro *Johanne* de *Sampford*, Domino *Ricardo* de *Excur.* & *Willielmo* de *Caſham* tunc Juſticiariis de Banco apud *Clummele*. Et ſunt nunc præſentes in Villa *London.* verſus *David Macmakerwayt* Epiſcopum de *Caſſell.* recuperavit hæreditatem ſuam. Brevia Regis, An. 7 E. 1.

Item, dicta *Margareta* petit remedium de hoc, quod pater ſuus per dictum Epiſcopum occiſus fuit. *Item*, petit remedium ſuper incarceratione abi et matris ſuæ, eo quod incarceravit eos et eos in priſona detinuit quouſque pro fame moriebantur, quia voluerunt perquirere remedium de morte filii ſui patris prædictæ *Margaret* e qui per ipſum Epiſcopum erat occiſus. Item, petit remedium de morte ſex fratrum et ſororum qui mortui fuerunt per prædictum Epiſcopum ob defectum ſuſtentationis, quia idem Epiſcopus quando patrem eorum occidit, hæreditatem eorum in manu ſua habuit. Et ſciendum, quod idem Epiſcopus conſtruxit quandam Abbaciam in villa de *Caſſell* ſuper terram Domini Regis, quam in eleemoſina pro anima ſua dedit, et illam replevit latronibus qui occidunt *Anglicos* et depræ dantur patriam. Et cum Conſilium Domini Regis inde loquitur, quia inde loquuntur in ipſos fulminat ſententiam Excommunicationis. (*Such was his inſolency.*) Et ſciendum quod prædicta *Margareta* jam quinquies mare *Hibernicum* tranſivit, unde petit pro Deo quatinus compaciatur ei Regia dignitas, ut ad hæreditatem ſuam poſſit appropinquare. *Et ſciendum quod prædictus Epiſcopus* culpabilis eſt de morte plurimorum *Anglicorum*, adeo bene ſicut de morte patris ſui.

Et ſciendum quod pluries brevia Domini Regis prædicta *Margareta* optinuit, ſed nichil proſunt ei ob favorem ipſius Epiſcopi, et donis ipſius Epiſcopi mediantibus.

Et petit pro Deo dampna, expenſas & jacturas cum laboribus ſuis ſibi reſtitui per prædictum Epiſcopum quæ occaſione prædicti placiti ſuſtinuit. What recompence ſhe obtained againſt this murdring, oppreſſing, bribing Archbiſhop at laſt, I find not.

Some counterfeit Freers of the Order of St. *Antony* of *Vienna*, wandring abroad and collecting alms throughout *England*, the King upon complaint thereof iſſued this Writ for their apprehenſion.

REX omnibus Vicecomitibus, & Ballivis, & cæteris fidelibus ſuis ad quos, &c. ſalutem. Exquerela fratris *Willielmi* generalis procuratoris domus Sancti *Antonii Viennenſis* accepimus, quod quidam propriæ honeſtatis immemores ſub nomine vel habitu illius ordinis per diverſas partes *Angliæ* diſcurrentes, et ſe fratres et procuratores dictæ domus falſo confingentes, pecuniam, et alia bona nomine fratrum prædictorum petunt et recipiunt a diverſis, et ea non in uſus domus prædictæ aut fratrum, ſed in uſus proprios illicite et inhoneſte convertunt, in dictæ domus et fratrum fraudem et dampnum non modicum, et ordinis Sancti *Antonii* vituperium et ſcandalum manifeſtum: Volentes autem maliciis et inſolenciis hujuſmodi modis quibus convenit obviare, vobis mandamus firmiter injungentes, quod ubicunque inveneritis in ballivis veſtris literas teſtimoniales dicti procuratoris non habentes, ipſos arreſtari et detineri faciatis, donec de ſtatu & converſatione ipſorum vobis aut procuratori prædicto conſtiterit evidenter. Proviſo, quod pecuniam ac alia bona apud eos inventa, vel penes alios nomine ſuo depoſita procuratori prædicto, vel ejus certo nuncio, literas ſuas ſuper hoc exhibenti, totaliter aſſignentur. Et ſi qui forſan literas Regias datam præſentium præcedentes ſuper recommendatione vel admiſſione ipſorum ad hujuſmodi eleemoſinas colligendas prædicti procuratoris teſtimonium legitimum non habentes exhibeant, eiſdem literis de cætero minime pareatis. In cujus, &c. Teſte Rege apud *Ledes* xxv. die *Junii*. Et duplicantur. It ſeems there were many falſe counterfeit Freers, and cheating Collectors of Alms then, as well as in late times. Pro fratribus Sancti Antonii.

An. 8 *E.* 1. In the 8. year of King *Edward* the 1. some other Monks turning Apostates, and wandring abroad out of their Mansions; the King issued these Writs for their apprehention and castigation.

Pat. 8 E. 1. m. 1 De Canonico vagabundo arrestando.

REX Vicecomitibus, Ballivis, & omnibus fidelibus suis ad quos, &c. salutem. Quia per literas patentes dilecti nobis in Christo Prioris de *Tonebrugg.* nobis transmissis accepimus, quod *Robertus* dictus *Juvenis*, Canonicus dictæ Domus, spreta professione sua, ordinem illum egressus, bagatur in habitu seculari per diversos Comitatibus Regni nostri, in animæ suæ dispendium, et prædicti ordinis scandalum manifestum. Volentes ipsius insolenciam reprimere, et prædicti ordinis honestati specialiter prospicere in hac parte, vobis districtè præcipimus, quod præfatum *Robertum* prædictum ordinem sic egressum ubicumque inventus fuerit in Ballivis vestris sine dilatione faciatis arrestari, prout dilectus nobis in Christo Prior de *Tonebrugg.* vobis intimabit, & ipsum præfato Priori, vel ejus attornato præsentes literas deferenti, una cum literis Prioris ejusdem juxta exigentiam ejusdem ordinis castigandum liberetis. Talem ad hoc diligentiam apponentes, quod eam merito debeamus commendare, & ne pro defectu vestri querimonia ad nos inde proveniat. In cujus, &c. Teste Rege apud *Westm.* xv. die *Novembris.*

Pat. 8 E. 1 m. 3. De Monacho vagabundo arrestando.

The like Writ *verbatim* issued to apprehend *Willielmus de Stanneswerth* Monachus de *Seleby*. T. R. apud *Westm.* xxx. die *Octobris.* duratur. usque ad Term. Paschæ prox. futuro.

Sundry Monks and Converts of the *Cistercian* Order, then likewise deserting their Order and Cloisters, and wandring abroad in secular and other habits, to the scandal of their Order, and peril of their souls; the King thereupon issued this Writ for their apprehension and punishment.

Pat. 8 E. 1. pars unica, m. 4. De Monachis vagabundis arrestandis.

REX Vicecomitibus & omnibus Ballivis & fidelibus suis, &c. salutem. Quia pro certo accepimus, quod quidam Monachi et Conversi de Ordine Cisterciensi spreta professione sua ordinem illam egressi, bagantur aliquando in habitu seculari, et aliquando in habitu Regulari per plures Comitatus nostros, in dispendium animarum suarum, et prædicti ordinis scandalum manifestum; Volentes ipsorum insolentiam reprimere, et prædicti ordinis honestati specialiter in hac parte providere, vobis districte præcipimus, quod Monachos et Conversos ordinem prædictum sic egressos, ubicumque inventi fuerint in Ballivis vestris sine dilatione faciatis arrestari, prout dilectus nobis in Christo Abbas de *Valle Dei* vobis intimabit, & ipsos prædicto Abbati vel ejus attornato præsentes literas deferenti, simul cum literis Abbatis ejusdem juxta exigentiam ejusdem ordinis castigandos liberetis. Talem ad hoc diligentiam apponentes, quod eam merito commendare debeamus, & quod pro defectu vestri querimonia ad nos inde non perveniat. In cujus, &c. duraturas usque ad festum *Natalis Domini* proximo futur. Teste Rege apud *Langele* xvi. die *Octobris.*

The same year the Archbishop of *Canterbury* by his usurped Jurisdiction suing and excommunicating the Kings Bailiffs of *Suthwarke* in his Ecclesiastical Court for attaching the Kingstenant there in his layfee for certain trespasses against the peace, according to Law, alleging that the conusance of such causes belonged to his Ecclesiastical Court, to the prejudice of his Crown and Jurisdiction, and to their great Grievance; the King thereupon issued this memorable Writ of Prohibition to the Archbishop commanding him to desist from this prosecution of them, and to absolve them from their excommunication.

Clauf. 8 E. 1. memb. 6. dorso. Pro Hugone de Digneveton, & Johanne de Hatton. De Prohibitione.

REX Venerabili Patri *J. Cantuar.* Archiepiscopo, totius *Anglia* Primati, salutem. Monstraverunt nobis *Hugo de Digneveton*, & *Johannes de Hatton* Ballivi nostri de *Suthwerk*, quod cum ipsi nuper *Alanum Punyot* hominem nostrum in Laico feodo nostro in *Suthwerke* pro quibusdam transgressionibus per ipsum contra pacem nostram factis, ut dicitur, juxta officii sui debitum attachiassent, prout hactenus fieri consuevit, sicut ipsi parati sunt verificare coram nobis, prout Curia nostra duxerit considerandum, vos asserentes, cognitionem placitorum de hujusmodi attachiamentis ad forum Ecclesiasticum pertinere, trahitis eos in placitum in Curia Christia-

Chriſtianitatis coram vobis, et ea occaſione Excommunicationis ſententiam in eos fulminari feciſtis, ut ſic quod noſtrum hactenus extitit per hujuſmodi coherciones Eccleſiaſticas vobis poſſitis uſurpare, in noſtri præjudicium manifeſtum, et dictorum Ballivorum noſtrorum dampnum non modicum et gravamen. Cum igitur placita de feodalibus et libertatibus feodalium, ac rerum ſecularium quibuſcunque perſonis ſeu dignitatibus a nobis ſeu progenitoribus noſtris in regno noſtro conceſſis, noſtræ ſint et eſſe conſueverint Juriſdictionis; Nosque parati ſimus ſi forte vos aut veſtri de dictis Ballivis noſtris conqueri volueritis vobis in hac parte plenam et celerem juſtitiam exhibere, vobis prohibemus ne per ſententias aliquas aut coherciones Eccleſiaſticas dictos Ballivos noſtros ſuper præmiſſis in cauſam vel placitum trahatis coram vobis in Curia Chriſtianitatis, quia hujuſmodi placita ſpectant ad Coronam et dignitatem noſtram. Et ſententias ſi quas in ipſos Ballivos noſtros occaſione prædicta promulgari feceritis, ſine dilatione revocari faciatis. Teſte Rege apud *Weſtm.* 28 die *Maii.* *An.* 8 E. 1.

What forms of Recognizances the Popes Merchants and Uſurers took for moneys borrowed of them, and paid to the Pope by our Biſhops for the pretended benefit of their Churches, themſelves and ſucceſſors, and renouncing all benefit of the Canon, Civil, or Common Law, to avoyd theſe Obligations upon any pretext, this Recognizance of the Biſhop of *Norwich* will aſcertain us.

VNiverſis præſentes Literas inſpecturis, *Willielmus* permiſſione divina *Norwicen.* Epiſcopus, ſalutem in Domino ſempiternam. Noverit univerſitas veſtras quod licet nos recognoverimus in Cancellaria coram venerabili fratre noſtro Domino *R.* Dei gratia *Bathon.* & *Wellen.* Epiſcopo, Illuſtris Regis *Angliæ* Cancellario, nos teneri ex cauſa mutui *Johanni Symmonetti*, *Richardo Guidicionis*, & *Bonrencino*, Domino *Waltero*, & aliis eorum ſociis Civibus & Mercatoribus *Lucanen.* in Quingentis decem & ſeptem Marcis bonorum novorum & legalium ſterlingorum, ſolvend. *London.* terminis infraſcriptis, videlicet Ducentis & quinquaginta octo Marcis & dimidia in feſto *Purificationis* beatæ *Mariæ* Virginis prox. ventur. & aliis Ducentis quinquaginta & octo Marcis & dimidia in feſto Nativitatis beati *Johannis Baptiſtæ* proximo tunc ſequente. Volentes tamen dictis Mercatoribus de dicto debito plenius caveri, promittimus ſupradictis Mercatoribus ſupradictas quingentas & decem & ſeptem Marcas quas confitemur & in uſus & utilitatem noſtram & Eccleſiæ noſtræ eſſe converſas dare, ſolvere & numerare *London.* in domo eorum terminis ſupraſcriptis. Et ſi, quod abſit, in ſolutionibus prædictis vel earum aliqua defecerimus, promittimus refundere & reſtaurare eiſdem, vel eorum alteri omnia dampna & expenſas quæ & quas fecerint vel aliquis eorum fecerit, incurrerint vel incurrerit pro defectu dictæ pecuniæ prædictis loco & temporibus non ſolutæ, de quibus dictis Mercatoribus vel uni eorum, vel eorum aut unius eorum procur. credi volumus per ſimplex verbum ſuum tantum ſine juramento, vel alterius honere probationis. Et propter hoc obligamus nos, Eccleſiam noſtram, et ſucceſſores noſtros, et omnia bona et catalla noſtra, Eccleſiæ noſtræ *Norwicenſis*, et ſucceſſorum noſtrorum mobilia et immobilia, Eccleſiaſtica et mundana, præſentia et futura, ubicunque inventa fuerint, eiſdem Mercatoribus et cuilibet de Societate eorum diſtringenda, per Dominum Regem *Angliæ*, et quemcunque alium de ipſius mandato, uſque ad ſolutionem plenariam et ſatisfactionem omnium et ſingulorum præmiſſorum. Et renunciamus in his omni Juris auxilio Canonici et Civilis, Conſtitutioni de duabus dietis editæ in Concilio Generali, conventioni Judicum et locorum, contradictioni literarum Apoſtolicarum, Exceptioni non mutuatæ, et non numeratæ nobis dictæ pecuniæ, et omnibus aliis exceptionibus, juribus et defenſionibus quæ nobis prodeſſe poterunt, et dictis Mercatoribus in præmiſſis obeſſe, vel aliquo præmiſſorum, et juri dicenti generalem renunciationem non valere. Dat. &c. apud *Lanham* ſexto Kal. *Julii.* Anno Domini 1280. Clauſ. 8 E. 1. m. 5. dorſo.

King *Edward* the ſame year, at the ſupplication of the *Freers Predicants* in *England*, who deſired to preach unto the *obſtinate Jews*, thereby to convert them to the *Chriſtian Faith*, and turn them from their *antient Errors*, *Blindneſſe*, and *Unbelief*, by his Soveraign Eccleſiaſtical Prerogative iſſued this notable Writ and Proclamation

An. 8 *E.* 1. tion to all his Sheriffs, Bayliffs, and other Liege people, commanding them to induce the *Jews* in all places to resort unto, and hear these Freers preachings, without *blasphemy* or *disturbance*, at such times and places as the Predicants should direct.

Pat. 8 E. 1. m. 27. De Prædicando Judæis. See the Second Part of my Brief Demurrer, &c. p. 88.

REX *Vicecomitibus & omnibus Ballivis & fidelibus suis, salutem. Cum dilecti nobis in Christo Fratres de ordine* Prædicatorum *in* Anglia, **Judæis quorum mentes vetustas erroris et perfidiæ obnubilat et obcæcat, prædicare proponunt Verbum Dei, quo facilius interveniente gratia Spiritus Sancti, ad fidei Catholicæ converti valeant unitatem:** *Et ob hoc dilectus nobis in Christo Prior Provincialis ejusdem ordinis nobis supplicaverit*, ut vobis demus in mandatis, Quod omnes *Judæos* ubicunque locorum in Ballivis nostris conversantes efficaciter moneatis & inducatis, quod in locis ubi vobis, de consilio Fratrum ipsorum magis expedire videbitur, ad audiendum Verbum Dei conveniant, & illud ab eisdem Fratribus, absque tumultu, contentione, vel blasphemia, audiant diligenter & benigne. Et si forte Altissimus, velamen duritiæ à cordibus eorum auferens, aliquibus vel alicui ipsorum *Judæorum* gratiam dederit convertendi, quod cæteri *Judæi* eis super hoc non impediant, nec per alios impedire procurent. *Nos prædictum* **propositum** *ipsorum Fratrum attendentes* **pium et salubre, et precibus** *prædicti Prioris favorabiliter annuentes in hac parte, vobis mandamus*, **Quod omnes** Judæos **in Ballivis vestris** *conversantes*, **ad præmissa facienda efficaciter moneatis, et eos ad hoc modis quibus melius scitis et potestis inducatis, prout unicuique vestrum inspiraverit Spiritus veritatis.** *In cujus, &c.* **quamdiu Regi placuerit duratur.** *Teste Rege apud* Winton. 2 *die* Januarii.

What good effects this zealous pious project of the Frees Preachers, and King in pursuit thereof, produced in converting any considerable number of *Jews* to the Catholick Faith, I finde not in our Histories or Records: But their universal banishment out of *England* within 8. years after, * *principally for their Infidelity*, sufficiently manifests, that all the endeavours then used for their conversion, by drawing them to these Preachers Sermons, and the provisions made by the King for the Converts support elsewhere specified, were very successlesse.

* See the First & Second Part of my Brief Demurrer to the Jews long discontinued Remitter into England.

The Pope encouraged by his former Usurpations, in preferring Archbishops by his own Provisions to both our Archbishopricks, by the Kings connivance, presumed this year to conferre the Bishoprick of *Carlisle* by his Papal Provision on *Ralph de Ireton*, as this Patent (for restoring the Temporalties to him out of the Kings grace) attests.

Pat. 8 E. 1. m. 10. intus. De Temporalibus Episcopatus Karlioli restitutis.

REX *Militibus, liberis hominibus, & omnibus aliis tenentibus de Episcopatu* Karlioli, *salutem. Sciatis*, **quod cum Dominus Papa venerabilem Patrem** Radulphum de Ireton *quondam Priorem de* Gisburne, **præfecerit in Episcopum** Karlioli, **sicut per literas patentes ipsius Domini Papæ nobis inde transmissas, nobis constat evidenter; nos fidelitatem ipsius Episcopi cepimus, et de gratia nostra reddidimus ei Temporalia Episcopatus prædicti.** *Et ideo vobis mandamus, quod eidem Episcopo tanquam Domino vestro in omnibus quæ ad Episcopatum prædictum pertinent intendentes sitis & respondentes. In cujus, &c. Teste Rege apud* Seleburne, 10 *die* Julii.

What annual Pensions the King gave and paid to Cardinals and Notaries of the Court of *Rome* this year, to expedite his affairs therein, these Warrants in the Liberate Roll will inform us.

Liberate 8 E. 1. m 24. intus. Pro Domino J. Sanctæ Mariæ in Chosmedyn. Diac. Cardinali.

REX *Thesaurario & Camerariis suis, salutem. Liberate de Thesauro nostro venerabili patri* J. Sanctæ Mariæ *in* Chosmedyn. *Diac. Cardinali*, **Centum Marcas**, *videlicet, Viginti & quinque Marc. de Termino Sanctæ* Michaelis *anno regni nostri sexto, & Quinquaginta Marcas de Terminis* Paschæ *& Sancti* Michaelis *anno regni nostri septimo, & Viginti & quinque Marcas de Termino* Paschæ *anno regni nostri octavo*, **de annuo feodo suo Quinquaginta Marcarum quod ei concessimus percipiendum ad Scaccarium prædictum.** *Teste Rege apud* Westm. 10 *die* Junii.

REX

An. 8 E. 1.

REX *Theſaurario & Camerariis ſuis, ſalutem. Liberate de Theſauro noſtro venerabili patri Domino* O. Tuſculano *Epiſcopo* **ſingulis annis ad Scaccarium noſtrum** Paſchæ, **Quadraginta Marcas, quas ei conceſſimus annuatim ad eundem Terminum percipiendas ad totam vitam ſuam.** *Teſte Rege apud* Dounamen 3 *die* Marcii. *Et ſunt patentes.* Ibi 1. m. 7. mus Cedul.

REX *Theſaurario & Camerariis ſuis, ſalutem. Liberate de Theſauro noſtro* Baruntino Walteri, Richardo Guidicionis, *& ſociis ſuis Mercatoribus de* Luk, **Quaterviginti Marcas**, *per manus ſuas liberandas dilecto Clerico noſtro Magiſtro* Berardo *de* Neapol. **Domini Papæ ſecretario**, *videlicet*, **Quadraginta Marcas** *de Termino Sancti* Michaelis *anno regni noſtri ſeptimo, & Quadraginta Marcas de Termino* Paſchæ *anno regni noſtri octavo*, **de annuo feodo ſuo Quaterviginti Marcarum quod de nobis percipit.** *Teſte Rege apud* Briſtoll 23 *die* Aprilis. Ibid Pro Baruntino Walteri & ſociis ſuis Mercatoribus de Luk.

The King ſeiſing the Goods and Chattels of the Biſhop of *Lincoln* after his deceaſe, reſtored them to the Executors of his Teſtament, having given ſecurity to ſatisfie all Debts due by him to the King on the day he deceaſed.

QUia Magiſter *Ricardus de Graveſhend*, unus Executorum Teſtamenti bonæ memoriæ *Ricardi Lincoln.* Epiſcopi, manucepit coram Rege de ſatisfaciendo Regi de omnibus debitis ſi quæ idem Epiſcopus Regi debuit die quo obiit; mandatum eſt *Johanni de Berewik* cuſtodi Epiſcopatus *Lincoln.* ſede vacante, quod eundem Magiſtrum *Ricardum* de omnibus bonis & catallis quæ fuerunt prædicti Epiſcopi die quo obiit, & quæ occaſione mortis ejuſdem capta ſunt in manum Regis, plenam & liberam adminiſtrationem habere permittat, **ad executionem Teſtamenti prædicti inde faciendam per manucaptionem prædictam.** Teſte Rege apud *Londhurſt* 20 die *Januarii.* Rot. Fin. 8 E. 1. m. 18. De Executoribus Teſtamenti Lincolnienſis Epiſcopi.

The like Writ iſſued for the Executors of the laſt Will and Teſtament of the Biſhop of *Winton*, *Ibid. m.* 17.

The King having recovered the Patronage of the Hoſpital of St. *Nicholas* by *York*, againſt the Archbiſhop, authorized the Sheriff of the County in his name, by advice of the Juſtices Itinerant, to enquire after and preſent a fit Clerk thereto, to take care of the ſouls belonging to the Pariſh Church of that Hoſpital.

REX Vicecomiti *Eborum*, ſalutem. Cum venerabilis pater *W. Eborum* Archiepiſcopus nos rogaverit, ut ad cuſtodiam Hoſpitalis Sancti *Nicholai* extra *Eborum*, cujus advocationem verſus eundem Archiepiſcopum nuper diſrationavimus in Curia noſtra coram Juſticiariis noſtris in eodem Comitatu, præſentari faciamus aliquem Clericum idoneum, **qui de cura animarum ad Eccleſiam Parochialem ejuſdem Hoſpitalis ſpectantium valeat reſpondere:** Nos ipſius Archiepiſcopi rogatui in hac parte favorabiliter annuentes, tibi præcipimus, **quod per conſilium Juſticiariorum noſtrorum apud** Eborum **Itinerantium inquiras aliquem idoneum Sacerdotem, vel Clericum idoneum**, qui in brevi ſe faciat in Sacerdotem ordinari, & ipſum prædicto Archiepiſcopo **nomine noſtro præſentes ad cuſtodiam Hoſpitalis prædicti in forma prædicta.** Teſte Rege apud *Weſtm.* 12 die *Novembris.* Clauſ. 8 E. 1. m. 1. intus.

The King to preſerve his prerogative in his free Chappels, iſſued this Writ to the Sheriff of *Glouceſter*, not to permit the Biſhop of *Worceſter*, or his Officials or other Miniſters, Chaplains or Clerks, to viſit or exerciſe any ordinary Juriſdiction within the Free Chappel of *Kynelye*, belonging to him by reaſon of a Ward under age, during his Minority.

REX Vicecomiti *Glouceſtriæ* ſalutem. Præcipimus tibi, **quod non permittas** venerabilem patrem *G. Wygorniæ* **Epiſcopum, vel Officialem, aut alios miniſtros ſuos Capellanos, Clericos, aut alios miniſtros liberæ Capellæ de** *Kyneleye*, infra manerium de *Nyndesfeld*, **quod eſt de hæreditate** *Nicholai* **filii** *Radulphi* **infra** ætatem, et in cuſtodia **noſtra exiſtentis viſitare, vel Juriſdictionem ordinariam in** eadem Clauſ. 8 E. 1. m. 8. Pro Nicholao filio Radulphi.

An. 8 *E.* 1. eadem libera capella exercere, aut in ea aliquid contra tenorem Inquisitionis nuper de præcepto nostro super hoc per dilectum et fidelem nostrum *Radulphum de Sandwyco* Seneschallum nostrum factæ, cujus transcriptum præsentibus intercluſum tibi transmittimus attemptare, set ipsam Capellam et ministros suos in eodem statu in quo fuerunt die obitus prædicti *Radulphi* patris prædicti *Nicholai* manuteneas, protegas et defendas durante custodia suprædicta, jurta tenorem inquisitionis prædicto: et hoc nullo modo omittas. Teste Rege apud *Westm.* xxii die *Maii.*

The King also to defend the rights and priviledges of his Free Chappels in *England*, against the Bishops visitations, excommunications, and encroachments, constituted a General Proctor for that purpose by this Patent, entred in the Roll of *Gascoigne*, giving him authority to defend the same in all places upon all occasions in his name and right, and to prosecute such as invaded their persons or rights in any kinde.

Rot Vasconiæ 8 E. 1. m. 5. intus. Procuratorium pro Capellis Regiis.

REX omnibus Ballivis, &c. salutem. In omnibus causis et negociis literas Capellas nostras in Regno *Anglia* constitutas ubicumque, et coram quibuscumque personis contingentibus, dilectum Clericum nostrum *Radulphum de Merlawe* nostrum procuratorem facimus, constituimus, ac etiam ordinamus; Dantes eidem potestatem specialem nomine nostro agendi, defendendi, ac etiam prosequendi jura et libertates nostras in Capellis prædictis, et earum pertinenciis, tam in rebus quam in personis, prout juri et honestati Regiæ videbitur convenire; Appellandi etiam, appellaciones prosequendi, et omnia alia et singula faciendi quæ ad conservacionem et tuitionem jurium et libertatum hujusmodi pertinere noscuntur. Ratum & firmum habituri quicquid dictus *Radulphus* quibuscunque diebus & locis nomine nostro in præmissis omnibus & singulis duxerit faciendum. Hæc omnibus quorum interest tenore præsentium intimamus. In cujus, &c. Teste Rege apud *Westm.* primo die *Decembris.*

How the Popes Delegates and Bishops encroached Jurisdiction in temporal matters, suits, causes, by awards in suits between themselves, wherein they submitting themselves to the Popes and Bishops Censures if they violated them, this award made by the Popes Delegates between the Prior of *Lenton*, and the Dean and Chapter of *Litchfield*, will inform us.

Clauſ. 8 E. 1. Cedula. m. 11. dorso.

MEmorandum quod cum inter Religiosos viros Priorem & Conventum de *Lenton Cluniacensis* ordinis ex parte una, & venerabiles viros Decanum & Capitulum Ecclesiæ *Licheffeldensis* ex altera, super quibusdam Decimis sitis in parochia de *Bathekwell* & de *Hop.* & de *Tydeswell*, & super quadam spoliacione earundem facta vi armata, & super quadam Compositione super eisdem inita, orta fuisset materia quæstionis; Tandem amicis communibus intervenientibus, videlicet Domino *Antonio Bek* Archidiacono *Dunelmensi*, & Magistro *Thoma Bek* Archidiacono *Dorsetensi* lis inter partes memoratas in hunc modum conquievit; videlicet, *quod Compositio facta inter partes per fratrem* Walterum *quondam Gardianum fratrum Minorum* Leycestriæ, *& Dominum* Adam *quondam Archidiaconum* Cestriæ *in omnibus suis articulis inviolabiliter imperpetuum observetur.* Which is recited at large *Ibid. m.* 11. *dorso.* In which composition there was this agreement and award made in case of violation.

Clauſ. 8 E. 1. m. 11. dorso. De Compositione inter Priorem & Conventum de Lenton, & Decanum & Capitulum Ecclesiæ Lichfeldensis.

IN *Nomine Domini Amen. Pateat universis, &c. Quod Compositio per discretos viros Magistrum* Adam de Stafford *quondam Archidiaconum* Cestriæ, *& fratrem* Walterum *quondam Gardianum fratrum Minorum* Lenton. Judices a sede apostolica delegatos, et auctoritate ejusdem Sedis super prædictis Decimis quondam inita et ordinata in suo robore inviolabiliter perpetuis temporibus observetur super Decimis de quibus contentio erat inter partes, eisdem Decano et Capitulo silencium perpetuum imponentes, eadem adjudicantes dictis Priori et Conventui de *Lenton.* et quod dicti Religiosi dent et solvant dictis Decano et Capitulo *Lechfeldensi* inter festum beati *Cedde* Episcopi et Confessoris, Anno Domini M. CC. septuagesima nono in Ecclesia Cathedrali Lechfeldiæ sexaginta et quindecim marcas, *&c. quod extunc*

tunc teneantur dicti Religioſi prædictis Decano & Capitulo Lechfeld *in mille Marcis bonorum & legalium ſterlingorum nomine intereſſe ſolvendis. Ad quas mille marcas fideliter perſolvendas, ſi in prædictis vel in aliquo prædictorum defecerint ut præmittitur, dictus Prior & procurator ipſius Proris & Conventus de* Lenton. *ſe obligaverunt bona fide & ſtipulacione ſolempni prædictis Decano & Capitulo* Lechfeld. ſubjicientes ſe et omnia bona ſua habita et habenda in *Coventrenſi* et *Lechfeldenſi* Dioceſi cohercioni et diſtrictioni Domini *Coventrenſis* et *Lechfeldenſis* Epiſcopi qui pro tempore fuerit, ut ipſe ſine ſtrepitu judiciali poſſit eos compellere ad ſolucionem dictarum mille marcarum ſi in præmiſſis defecerint, vel aliquo præmiſſorum, per ſequeſtracionem omnium bonorum ſuorum in dicta Diocæſi exiſtentium, et alia cenſura qua ſibi viderit expedire, non obſtantibus aliquibus privilegiis vel exemptionibus ſibi vel ordini ſuo indultis vel indulgendis. *Et prædictus Prior & Procurator ipſius Prioris & Conventus de* Lenton. promiſerunt bona fide et fideliter ſe obligaverunt, *quod omnia & ſingula ſupradicta procurabunt pro poſſe ſuo per Abbatem ſuum* Cluniacenſem *approbari, et etiam per literas ejus patentes harum ſeriem continentes realiter confirmari, &c. Similiter prædictus Decanus & Capitulum Eccleſiæ* Lechfeldenſis *hæc omnia ſupradicta omologabunt, approbabunt, & per literas ſuas patentes harum ſeriem continentes realiter confirmabunt.* Promiſerunt etiam dicti Procuratores Decani et Capituli *Lechfeld* bona fide et ſe firmiter obligaverunt, *quod omnia & ſingula ſupradicta procurabunt pro poſſe ſuo per Epiſcopum ſuum approbari, & etiam ex certa ſciencia confirmari de confirmacione Archiepiſcopi* Cantuariæ, & Romani *Pontificis, &c. Submiſerunt etiam ſe dictus Prior & procurator ipſius Prioris & Conventus de* Lenton. *& procuratores prædictorum Decani & Capituli* Lichefeld. *ex certa ſcientia non per errorem* cohercioni et diſtrictioni dicti *Cantuarienſis* Archiepiſcopi, vel ejus Officialis qui pro tempore fuerit, ut quæcunque illorum pars, ſi qua (quod abſit) per partem in aliquo venientem contra prædicta, vel aliquod prædictorum in aliquo venientem, ſine ſtrepitu Judiciali, et abſque alicujus probationis onere, hortantium ſcripto viſa poſſit compellere ad obſervacionem omnium et ſingulorum prædictorum, et ad pœnam ſi eam aliqualiter committi contingat plene perſolvendam cenſura qua ſibi videbitur expedire. (Thus our Biſhops and Archbiſhops encroached and enlarged their Eccleſiaſtical power and Juriſdictions by ſuch awards and ſubmiſſions.) Ordinaverunt etiam Ordinatores ſæpedicti, *quod procuratorium Decani & Capituli* Lechefeld. *ſub magno ſigillo eorundem penes prædictos Priorem & Conventum de* Lenton. *reſideat, & vice verſa quod procuratorium prædictorum Prioris & Conventus de* Lenton. *penes Decanum & Capitulum Eccleſiæ* Lechefeld. *remaneat. Et dictus Prior & procurator ipſius Prioris & Conventus de* Lenton. *& ſupradicti procuratores Decani & Capituli* Lechefeld expreſſe renunciaverunt in his ſcriptis beneficio reſtitutionis in integrum, et omni juris auxilio Canonici et Civilis, et quibuſcunque privilegiis et literis a ſede apoſtolica alterutri parti conceſſis et concedendis, impetratis et impetrandis, litibus motis et movendis, ſententiis diffinitivis et interloquitoriis, et aliis juribus et exceptionibus quibuſcunque, per quæ ſupradicta vel aliquod prædictorum poſſent revocari, vel aliquatenus infringi. Et nos procuratores partium prædictarum omnia et ſingula ſupradicta ratificavimus, approbavimus, et etiam omologabimus. *In quorum omnium & ſingulorum præmiſſorum teſtimonium nos dicti Arbitratores, Ordinatores, ſeu amicabiles Compoſitores ſigilla noſtra huic ſcripto, una cum ſigillis procuratorum dictarum partium apposuimus, decernentes ſigilla partium autentica huic ſcripto apponenda. Acta ſunt hæc apud* Winton. *in Craſtino Circumciſionis Domini M.CC. ſeptuageſimo nono.*

An. 8 *E.* 1.

The Mayor, Peers, and Commonalty of *Bayon* in *Gaſcoigne* having offered a great injury and affront to their Biſhop, (in cutting off his Officials hand judicially, and baniſhing him the City) for which they were excommunicated and interdicted by the Pope; King *Edward* the 1. enjoyned the Mayor and 100. Peers this penance by his Regal authority: which done, he ordered the Biſhop to abſolve them from their Excommunication and Interdict.

Rot. Vaſcon. 8 E. 1. m. 9. intus. De compromiſſo facto ſuper contentionibus & diſcordiis motis inter Epiſc. Baionenſem & Major. Centumq; pares & totam Communitatem Baion.

IN nomine Domini *Amen.* Quia multæ circumſtanciæ facti atrocitatem habent merito mitigare: Nos *Edwardus* Dei gratia REX *Angliæ*, Dominus *Hiberniæ*, & Dux *Aquitaniæ*; à venerabili patre Domino eâdem gratia *Baionenſi* Epiſcopo ex parte una, & Majore, Centumque Paribus, ac tota Communitate *Baion.* ex alterâ, ſuper

An. 8 E. 1. per contencionibus, quæſtionibus, & diſcordiis inter eos motis, in nos arbitrandi, ordinandi, faciendi, diffiniendi altè & baſſè non ſervato eciam juris ordine poteſtate tranſlata, prout in compromiſſo ſuper hiis facto plenius continetur ex bono & æquo, actis et proceſſu diligenter examinatis, penſatis undique perſonarum, rerum & negociorum conditionibus univerſis, arbitramur, diffinimus, ſtatuimus, ordinamus, laudamus, et dicimus, quod pro injuriis Deo, Eccleſiæ, et prædicto Epiſcopo irrogatis, Major et alii prædicti qui præſentes Judicio conſenſerunt per quod *Mamaldus de Abys* manum habuit mutilatam, videlicet Centum pares, (*Arnaldo de Polyne*, & *Johanne de Caſtro Feloſio* qui præfato Judicio reclamabant duntaxat exceptis) die Nativitatis beatæ *Mariæ* Virginis proceſſionem ſollempniter faciant a domo Communitatis prædictæ incipientes, et uſque ad majus altare Cathedralis Eccleſiæ procedentes, quilibet eorum in ſola tunica ſine cotregia et copſa, cum uno cereo, ad minus unius libræ ceræ accenſo, Cereoſque ipſos ad altare prædictum cum devotione offerant et dimittant, et per Epiſcopum iſtius rei cauſa in Eccleſia ipſa populo publice exponatur; et quod Major, centumque Pares, et qui Judicio interfuerunt et conceſſerunt, *Maynaldo de Abys* ad ſuſtentacionem ſuam perpetuam contribuunt ducentas libras *Burdegalenſes* ad Natale Domini, & ad feſtum Nativitatis Sancti *Johannis Baptiſtæ* proximo ſequens pro æqualibus portionibus ſolvendas: Et ne qui ſine culpa fuerint pœna percellat; volumus & mandamus, quod cum res urgeat, Se-

*conſenſerunt. neſcallus noſter aut Ballivus de hiis qui Judicio prædicto *conceſſerunt aut interfuerunt inquirendi liberam habeant poteſtatem. Prædictum verò *Maynaldum* per ſententiam bannitum ad Civitatem ipſam per noſtrum dictum ſeu diffinitionem reſtituimus. Arbitramur inſuper, diffinimus, ſtatuimus, ordinamus, laudamus & dicimus, quod Major, Centum pares, & Communitas memorati prædicto Epiſcopo dent et ſolvant Quingentas libras ſterlingorum citra feſtum Sancti *Martini* in yeme. Et quia in hujuſmodi Collectis aliquando pauperes indebitè gravantur; præcipimus, quod Seneſcallus noſter aut Ballivus videat ne nimis onerentur, nec prætextu iſtius pecuniæ collecta majoris pecuniæ fiat. Volumus eciam & præcipimus, ut procuratores partium aut partes ipſæ coram nobis præſentes hoc noſtrum arbitrium, diffinitionem, ſtatutum, ordinationem, laudum & dictum, ſtatim per ſuam ſcripturam omologent & acceptent. Reſervamus itaque nobis ſpecialiter poteſtatem hoc noſtrum arbitrium, diffinitionem, ſtatutum, ordinationem, laudum & dictum corrigendi, declarandi, & interpretandi, aliàs ſemel aut pluries prout nobis videbitur expedire. Et in hiis omnibus reſervamus Nobis Regalem poteſtatem et dominicam emendas capiendi pro libito noſtro cum nobis placuerit, quatinus prædicta delicta noſtram Regiam poteſtatem offenderint ſeu dominicam. Nos vero *Robertus* Dei gratia *Bathonienſis* & *Wellenſis* Epiſcopus à partibus prædictis arbiter, concorditer ſimiliter electus, in hiis ſi quæ ſint quæ jure refragante non poſſunt cadere in perſonam Domini Regis prout in forma compromiſſi plenius continetur, ſententias excommunicationis et interdicti in prædictos Majorem, Centum Pares, et Communitatem prædictam latas arbitramur, ordinamus, diffinimus, et dicimus per .. *Baionenſem* Epiſcopum revocandas, et petentes ab eodem abſolutionis beneficium ex dicta cauſa ſine difficultatis obſtaculo ſore abſolvendos. Actum & datum in palatio noſtro Regali Tercio die *Junii*, Anno Domini M. CC. octogeſimo primo. Et triplicantur.

Some of the Kings Subjects within the Biſhoprick of *Agen* in *Gaſcoigne*, ſeiſing, ſubſtracting the Biſhops Tithes, and invading his Subjects perſons and goods; the King upon the Biſhops complaint iſſued this Writ to his Seneſchal to do them right, and reſtore their Tithes.

Rot Vaſconiæ, 8 E. 1. m. 11. intus. De Agenenſi Epiſcopo & ſubditis ſuis.

REX dilectis ſuis univerſis Seneſcallis, Judicibus, Ballivis, Caſtellanis, cæteriſque Miniſtris in Epiſcopatu *Agenenſi* conſtitutis, & qui pro tempore fuerint, ſalutem. Licet venerabilis pater *Arnaldus* Dei gratia *Agenenſis* Epiſcopus in ſervicio ſuo exiſtat, invenit tamen, ut aſſerit, qui in decimis ſuis abjuratis et incurſis, et poſſeſſionibus aliiſque bonis ſuis et ſubditorum ſuorum impedimentum præſtare non formidant, perſonas invadendo, decimas et bona occupando et diripiendo. Cumque Seneſcallus noſter *Agenenſis* ex debito juramenti præſtiti eidem Epiſcopo & ſubditis ſuis ad tuitionem perſonarum, Decimarum et bonorum tenetur; Vobis diſtric-

tè

ce præcipiendo mandamus, quatinus alter alterum non expectans dictos Epiſcopum et ſubditos quos ſub cuſtodia noſtra et protectione ſuſcipimus, in perſonis et bonis defenſionis ſubſidio aſſiſtatis, Decimaſque incurſas poſſeſſas et abjuratas habere plene et libere faciatis, abſque ſtrepitu Judicii, et de plano, et ipſe eorumque Procuratores et Collectores Decimarum ipſarum faciatis plena et pacifica poſſeſſione gaudere, ſalvo in omnibus jure noſtro, et etiam alieno; contradictores et rebelles ſi quos inveneritis, prout melius expedire videritis compeſcendo. Præcaventes, quod ſi quid de Decimis alienatis, poſſeſſis et incurſis raptum, invaſum ſeu occupatum fuerit, eiſdem Epiſcopo et ſubditis, vel eorum mandatis plenam reſtitutionem fieri faciatis. In cujus, &c. Teſte Rege apud *Weſtm.* 22 die *Novembris.* *An.* 8 *E.* 1.

A Biſhop and Chapter in *Aquitan* being rebellious againſt the King, he gave this order to his Seneſcal to proceed againſt them in the Court of the King of *France.*

REX dilecto, &c. *Johanni de Greilly* Seneſcallo ſuo in Ducatu *Aquitaniæ*, ſalutem. Super controverſiis pendentibus in Curia *Franciæ* inter nos & Epiſcopum & Capitulum *Vaſatenſe* ex altera, volumus & mandamus, **pro eo quod Epiſcopus et Capitulum prædict. nobis rebelles fuerunt, quod in eiſdem per viam litis et judicii ulterius procedatur, ſi id ad noſtrum commodum, et ad eorundem Epiſcopi et Capituli fatigationem fore videritis opportunum.** Quod ſi ob aliquas cauſas utile fore non videritis, mittimus vobis literas noſtras Domino Regi *Franciæ* dirigendas, negotia prædicta tangentes ut petiſtis, quas eidem porrigere poteritis, ſi id videritis expedire. Alioquin cuſtodiatis eas nobis cum opportunè poteritis remittendas. Dat. apud *Ceſtriam* 8 die *Junii.* Rot. Vaſcon. 8 E. 1. m. 4. dorſo De controverſiis inter Regem & Epiſcopum & Capitulum Vaſatenſem.

The Dean and Chapter of *Cluon* (*Clon*) in *Ireland*, upon the death of their Biſhop, having ſent a Meſſenger to the King to deſire his licenſe to elect a new Biſhop, who died by the way, whereupon they elected a Biſhop without a licenſe, to the Kings manifeſt prejudice; the King notwithſtanding out of his ſpecial grace, putting them to a Fine for this contempt, was pleaſed to confirm their election, if it ſhould be Canonically confirmed; the Biſhop, Dean and Chapter giving ſecurity under their Letters Patents and Seals, that this grace of his ſhould not prejudice him or his Heirs, nor be drawn into cuſtom for the future, by this Writ.

REX dilecto & fideli ſuo *Roberto de Ufford* Juſtic. ſuo *Hiberniæ*, vel ejus locum tenenti, ſalutem. Veniens ad nos frater *Gilbertus* Monachus de *Innocentia* juxta *Adlon*, nobis dedit intelligi, quod cum Decanus & Capitulum *Cluon.* nuper ratione vacationis Epiſcopatus *Cluon.* per mortem fratris *Thomæ* nuper Epiſcopi ejuſdem loci, quendam Nuncium cum literis Capituli ſui patentibus, **pro licentia alium eligendi in Epiſcopum a nobis optinenda, ad nos deſtinaſſent**; Et idem Nuncius inveniendo ad nos viam univerſæ carnis ſit ingreſſus, **idem Decanus et Capitulum licentia a nobis non optenta, quendam fratrem de ordine Minorum in Epiſcopatum loci prædicti ſam elegerunt, in noſtri præjudicium manifeſtum.** Quia vero dictis Decano & Capitulo **gratiam in hac parte facere volumus ſpecialem**; Vobis mandamus, **quod accepto ab eiſdem Decano et Capitulo rationabili fine ad opus noſtrum, pro eo quod hujuſmodi electionem fecerunt licentia a nobis ſuper hoc prius non optenta, electioni prædictæ Regium aſſenſum loco noſtri adhibeatis hac vice de gratia noſtra prædicta.** Et quia laboribus & expenſis electi prædicti, **charitatis intuitu parcere volumus in hac parte**, vobis mandamus, quod ſi contingat eundem electum in Epiſcopum loci prædicti canonicè confirmari, **tunc recepta ab eodem electo nomine noſtro fidelitate nobis in caſu iſto debita, Temporalia Epiſcopatus prædicti liberetis. Receptis tamen prius literis patentibus ſigillo ſuo, necnon et ſigillo Capituli** Cluon. **ſignatis, quod hæc gratia noſtra quam eidem electo ad præſens ex mera liberalitate noſtra conceſſimus, nobis vel hæredibus noſtris non cedat in præjudicium vel exhæredationem, ſeu trahatur in conſuetudinem vel conſequentiam temporibus futuris.** *In cujus, &c. Teſte Rege apud* Langell. 20 *die* Julii. Clauſ. 8 E. 1. m. 8. in tus. Pro Decano & Capitulo Cluon. in Hiberma.

An. 8 E. 1. The Prior and Covent of the *Mount* of the *Apostles* in *Luneth* in *Ireland*, having elected an Abbot without the Kings precedent license, and petitioning the King to confirm him; he thereupon out of his special grace, considering the poverty of the Abby, and willing to spare their expences and travel, commanded his Chief Justice to put them to a Fine for their contempt, and then to confirm the election, and restore his Temporalties, after Fealty made to the King, and security given by Letters Patents under the Seals of the Abbot and Covent, that this his special grace to them should not afterwards be drawn into consequence or example, to the prejudice or disinheritance of him or his Heirs.

Pat. 8 E. 1. m. 8. intus. Pro Priore & Conventu domus de Monte Apostolorum de Luneth in Hibernia.

REX dilecto & fideli suo *Roberto de Ufford* Justiciario suo *Hiberniæ*, vel ejus locum tenenti, salutem. Cum Prior & Conventus Domus de *Monte Apostolorum* de *Luneth* in *Hibernia* ratione vacationis Domus illius per cessionem fratris *Johannis* quondam Abbatis ejusdem Domus, fratrem *Johannem de Cnok* Canonicum in Abbatem loci illius, **licentia a nobis super hoc prius non petita, eligerint, et nobis per literas Capituli sui patentes supplicaverint, ut electioni illi Regium assensum adhibere dignemur. Nos licet hujusmodi electionem in nostri præjudicium fecerint, compatientes tamen statui Domus prædictæ quæ valde (ut dicitur) est erbilis, et dictis Priori et Conventui gratiam facere volentes in hac parte specialem;** Vobis mandamus, **quod accepto ab eisdem Priore et Conventu rationabili fine ad opus nostrum, pro eo quod hujusmodi electionem fecerunt licentia super hoc a nobis prius non optenta, electioni prædictæ Regium assensum loco nostri adhibeatis hac vice de gratia nostra prædicta.** Et quia laboribus & expensis electi prædicti, **charitatis intuitu parcere volumus in hac parte,** vobis mandamus, quod si contingat eundem electum in Abbatem loci prædicti canonicè confirmari, **tunc recepta ab eodem electo nomine nostro fidelitate nobis in casu isto debita, Temporalia Abbatiæ illius liberetis. Receptis tamen prius literis patentibus sigillo suo, necnon et sigillo Capituli prædicti signatis, quod hæc gratia nostra quam eidem electo ad præsens ex mera voluntate nostra concessimus, nobis vel hæredibus nostris non cedat in præjudicium vel erhæredationem, seu trahatur in consuetudinem vel consequentiam temporis futuris.** *In cujus, &c. Teste ut supra.*

The Archbishop of *Canterbury* and his Suffragans intending to hold a Council or Convocation at *London* this year, the King being jealous by their late forecited Canons and proceedings in the Council of * *Reading*, that they would presume to enact something therein against his Crown and Dignity, issued this Patent and Commission to two of his Officers to repair to them, and appeal against such their Constitutions and proceedings.

* Horep. 233, to 237.

Pat. 8 E. 1. m. 10. intus. De Militibus missis Archiepiscopo Cantuar. & aliis Episcopis ad appellandum pro Rege.

REX Venerabili in Christo Patri *J. Cantuar.* Archiepiscopo, totius *Angliæ* Primati, **et omnibus Episcopis et aliis Prælatis, et absentium Procuratoribus** London. **conventuris**, salutem. Dilectos & fideles nostros *Rogerum* Extraneum, & *Hugonem* filium *Ottonis* Seneschallum Hospitii nostri, **ad vos duximus transmittendos, ad appellandum pro nobis, ne in Concilio seu Congregatione nuper apud** London. **convocata, contra Coronam et Dignitatem nostram aliqua statuere præsumatis.** In cujus, &c. Teste Rege apud *Wynton.* 6 die *Januarii*, anno regni nostri octavo.

Whereupon it seems the Archbishop and Bishops put off and adjourned their Council, and designed Constitutions, for that time.

An. 9 E. 1. The next year (*Anno* 9 E. 1.) this Archbishop held a Council at *Lambeth*, with his Suffragans, of which * *Thomas Walsingham* and others render us this account: *Frater* Johannes Peckham Cantuariensis *Archiepiscopus*, **ne nihil fecisse videretur, convocat Concilium apud** Lambheth, *in quo non Evangelii regni Dei prædicationem imposuit, sed Constitutiones* Othonis & Octoboni *quondam Legatorum in* Anglia *innovans, fecit eas ab omnibus observari.* *Præterea leges Ecclesiasticæ sexdecem novas condidit, quæ inter provinciales Constitutiones continentur.*

* Hist Angliæ p. 9. Mat Parker Antiquit. Eccles Brit. p. 198 Spelmanni Concilia Tom. 2 p. 328. Johan. Baleus Scriptor. Brit. Cent 4. c 64.

The King suspecting the Archbishops and Bishops loyalty and proceedings in this their Council, (summoned as it seems without his Royal Writ, by the Archbishops authority)

authority) ſent this memorable Writ to them, ſtrictly commanding them upon their Oaths of Fealty they had all taken, to be faithfull to him, and defend his Crown and Regal dignity in all things to their power; to obſerve this their Oath therein with all diligence; and not to act, agitate, or aſſent to any thing againſt him, or the antient Rights of the Crown, enjoyed by his Progenitors, under pain of loſing all their Temporalties. *Ao.* 9 *E.* 1.

REX Venerabilibus in Chriſto Patribus *J.* eadem gratia *Cantuarienſi* Archiepiſcopo, totius *Angliæ* Primati, **et omnibus Epiſcopis et aliis Prælatis in inſtanti Concilio de** Lambeth **conventuris,** ſalutem. **Vincula Juramenti nobis eſtis (ut noſtis) aſtricti, quo nobis in omnibus ad Coronam et Dignitatem noſtram ſpectantibus, omnem quam poteritis fidelitatem obſervare debetis. Quapropter vobis mandamus in fide et fidelitate quibus nobis tenemini firmiter injungentes, quod ad defenſionem et conſervationem Jurium noſtrorum et Regni noſtri, omnem quam poteritis diligentiam adhibere curetis; et ſub vinculo Juramenti memorati, et pœna amiſſionis Temporalium quæ de nobis tenetis, vobis omnibus et ſingulis firmiter inhibemus, ne in præjudicium noſtri, vel ejuſdem Regni in Concilio nunc apud** Lambeth **convocato, nec etiam contra nos, vel jura noſtra, quibus prædeceſſores noſtri Reges** Angliæ **et nos ex antiqua et approbata conſuetudine uſi ſumus, procurare vel attemptare aliqua præſumatis, aut etiam alicui hujusmodi procurare ſeu ſtatuere volenti, aſſenſum præbeatis, ſic ergo vos habeatis in hac parte, quod vos debeamus potius ſpecialiter commendare, quam de contrariis, quod abſit, increpare.** Teſte Rege apud *Lyndhurſt* 18 die *Septembris*. Pat. 9 E. 1. m. 6 intus. De Inhibitione ne Epiſcopi & alii Prælati, &c. aliquid ſtatuant in præjudicium Regis, &c

How far this Papal perfidious Archbiſhop and his Suffragans, were from obeying this Royal mandate, according to their Oaths and bounden duties, will moſt evidently appear by the Prologue to their Canons and Conſtitutions made therein, wherein they highly extoll that Arch-traytor *Thomas Becket*, as a moſt glorious Martyr, for oppoſing the antient Rights of the Crown and Kingdom, as inconſiſtent with the Churches pretended Liberties; and revived, confirmed the Conſtitutions of Archbiſhop *Boniface* and his Suffragans, (againſt which the * King had ſolemnly appealed to the Pope, as prejudicial to the Rights, Prerogative, Cuſtoms, Liberties of his Crown and Kingdom) by ſeveral Canons made therein, and the Excommunications republiſhed in it; but more eſpecially by the Archbiſhops inſolent Epiſtle to the King, in anſwer to this his Royal Inhibition and Mandate ſent unto them; the moſt of which Conſtitutions I ſhall here preſent you with at large. * See Tom 2. p. 983, 990, 991.

* Conſtitutiones Fratris *Johannis de Peckham Cantuarienſis* Archiepiſcopi, editæ apud *Lambheth* Anno Domini 1281. & Regni Regis *Edwardi* primi 9.

* Johannes de Aton Conſtitutiones Provinciales, f. 126, to 130. Spelmanni Concilia Tom. 2. p. 328, to 341.

AB exordio naſcentis Eccleſiæ Chriſtianæ, ortho doxi patres, retroactis temporibus, errorum laqueis, morum corruptionibus, adverſitatum moleſtiis, **Conciliorum tractatibus obviarunt:** *In eis ſiquidem ſapientes ſe mutuò exacuunt, & congregati ſancti viri Chriſti Domini ſenſum & conſilium faciliter impetrarunt, qui ſe ſpondet talibus ſui nominis honorem zelantibus medium affuturum. Sanctorum Patrum igitur veſtigiis inhærentes, juriſque authoritate compulſi, ac neceſſitate multiplici Eccleſiæ ſurgente, nos Frater* Johannes, *permiſſione divina* Cantuarienſis *Archiepiſcopus, totius* Angliæ *Primas, cupientes præſentibus incommodis obviare, ſperanteſque Chriſti patrocinante gratia, ad hoc nos poſſe proficere, cum Fratrum ac Coepiſcoporum noſtrorum, ac cæterorum provinciæ noſtræ Prælatorum aſſiſtentia efficaci, de prudentum virorum conſilio,* **hoc ſacrum Concilium mandavimus convocari;** (by his own authority, without the Kings ſpecial Writ.) *Intendentes prævia Spiritus Sancti gratia, opere, & conſilio,* **tranſgreſſores Canonum corrigere;** *quædam etiam olim ſalubriter edita, non tamen ſatis moribus utentium comprobata, recentia ſtabilire; & contra novellas quaſdam tergiverſationes, quas in furno ſulphureo non ceſſat abyſſi puteus exhalare, novis quibuſdam remediis occurrere, ut valemus, in quo obtrectatorum dentes minimè formidamus. Quoniam etſi res divinæ tanquam perfectiſſimæ in certis conſiſtant finibus, humani tamen juris conditionem in infinitum currere cogit neceſſitas manifeſta.*

Con-

An. 9 E. 1. **Contemptum autem Canonum immane esse piaculum, utriusque docet pagina Testamenti.** *Decretis enim Apostolicis, & Conciliorum diffinitionibus obsistentes,* **a sanctæ matris Ecclesiæ meritis sunt præcisi**; *utpote quos Rhomphæa Mosaica plectet sententia capitali, & sapientia incarnata illos, qui Ecclesiam non audiunt,* Ethnicis & Publicanis *similes esse decrevit, ac contemptum* * *authoritatis Apostolicæ in contemptum Patris omnium redundare. Quippe quos legum suarum* Petrus *ligat vinculis,* in summi & cœlestis Imperatoris palatio sunt ligati. *E contra tamen quosdam frivole de Christiani nominis titulo gloriantes,* **tam Clericos quam Laicos,** *quotidianis angustiis experimur* **jugum abjicere, et Apostolicos sanctiones arrogantia Diabolica conculcare, illius † glorioso Martyris** Thomæ **Patriarchæ nostri immemores,** qui **se pro hujusmodi juribus defendendis murum opposuit, pro ipsis primum sustinens exilium, et postea passionem.** Lateranensis *igitur Concilii authoritate præmoniti, faciemus Canonicas regulas revocari. Et quia* Lugdunense *Concilium ultimo celebratum, eo enormius, quo recentius infringitur; ne quis posset se in temeritate hujusmodi per ignorantiam excusare, ipsum volumus in principio recenseri; non solum ut omnibus innotescat, verum etiam, ut si quid in ipso videatur intolerabile istius regionis consuetudini, quæ in multis ab omnibus aliis est distincta, circa illud temperamentum Apostolicæ clementiæ humiliter imploretur.* Quoniam (*sacro testante Eloquio*) melior est obedientia victima; & quia peccatum ariolandi est repugnare; & quia scelus Idolatriæ nolle acquiescere. *Hanc enim inobedientiam credimus esse causam mutationis utriusque parietis Ecclesiæ* Anglicanæ. *Secundò, Constitutiones (sanctæ memoriæ) Domini* Ottoboni *eo legi faciemus reverentius, quo ipse in eisdem Statutis suis hoc mandavit fieri hujusmodi per singulos annos ab Archiepiscopis, Episcopis in Synodis suis de verbo ad verbum, postea ad honorem Apostolicum sublimatur. Tertio vero recitari volumus Concilium de* Lameheth, (summoned against * King *Henry* the 3d. his expresse Writ and Prohibition, who appealed to the Pope against the Antimonarchical Constitutions made therein, as contrary to his Prerogative, Crown, Dignity, the Laws, Customes of the Realm, and peoples Liberties, yet here revived) *quod (sanctæ memoriæ) prædecessor noster* Bonifacius *cum Fratribus & Coepiscopis suis temporis* **noscitur salubriter edidisse; ut circa ipsum, quod dicitur, fuisse appellatione * suspensum,** *qualiter procedi debeat, videatur. Ultimo vero adjicimus* **quæ nobis videntur necessario ordinanda.**

* The Argument holds not from divine to humane, from Apostolical to Papal or Prelatical authority and Constitutions.

† Note how they extol this Arch traytor and oppugner of Regal authority.

* See Here Tom 2. p. 890, 891, 983, 990, 991.

* By the Kings appeal against it.

De Sacramento Eucharistiæ.

Altissimus de terra assumpti corporis creavit humani generis medicinam in septem vasculis repositam, quæ sunt septem Ecclesiæ Sacramenta; quæ à plerisque non cum condigna tractari reverentia, nec cum debita diligentia dispensari fide didicimus oculata. In his igitur præsens correctio sumat exordium, & præcipuè circa corporis & sanguinis Domini Sacramentum, quod est Sacramentum & Sacramenti sacrificium sanctificans manducantes, & sacrificium oblatione sua universis tam vivis quam defunctis proficiens, [a] *pro quorum suffragiis immolatur. Multos igitur esse numero & paucos merito Domini Sacerdotes quotidianis scandalis experimur; inter quorum damnabiles acidias, hanc plangimus præcipuè, quod ad hoc ipsum Eucharistiæ Sacramentum se irreverentes exhibent supra modum,* **quod et execratis linguis conficiunt, contemptibiliter custodiunt,** et **reponunt, et ipsum tanto tempore negligunt immutatum, donec** [b] **corrumpantur species continentes, ut salutis author qui infinito amore se in viaticum dedit Ecclesiæ, pro tantæ irreverentiæ injuria offendatur.** *In cujus remedium discriminis, statuimus,* ut quilibet Sacerdos, quem canonica necessitas non excusat, conficiat omni Ebdomada saltem semel, & ut in qualibet Ecclesia Parochiali fiat *Tabernaculum* cum clausura decens & honestum, secundū curæ magnitudinem & Ecclesiæ facultates, *in quo ipsum corpus Domini in pyxide pulcherrima & lineis tegumentis,* sed nullatenus in loculo propter confractionis devitandum periculum, collocetur; quod in omni Dominico præcipimus renovari. [c] *In elevatione vero ipsius corporis Domini pulsentur Campanæ in uno latere, ut populares, quibus celebrationi Missarum non vacat quotidie interesse, ubicunque fuerint, seu in agris, seu in domibus,* **flectant genua,** *indulgentias concessas à pluribus Episcopis habituri. Sacerdotes autem, in custodia Eucharistiæ negligentes, puniri præcipimus, secundum regulas Concilii generalis, (Capitulo statuimus) & gravius, si negligentia perseveret. Circa deportationem vero Eucharistiæ ad agros, servetur honestas aliàs & alibi constituta.* [d] *Attendant insuper Sacerdotes, quod cum*

[a] By Popish Priests, but never by Christ or his Apostles.

[b] Therefore not the very body of Christ born of the Virgin Mary, now incorruptible, 1 Cor. 15. 42, 53, 54. Rom. 6. 11. Acts 2. 27, 31.

[c] Guil Lyndewode Provinciālis l. 3. De Celebratione Missarum, f. 167, 168.

[d] Guil Lyndewode Provinciālis l. 1. De Summa Trinitate, f. 6, 7.

Con-

An. 9 E. 1.

Communionem ſacram porrigant, ſimplicibus Paſchali tempore vel alio, ſollicite eos inſtruant ſub pœna ſpecie, ſimul eis dari corpus et ſanguinem Domini, immo Chriſtum integrum vivum et verum, qui totus eſt in ſpecie Sacramenti. *Doceant etiam eos illud quod ipſis eiſdem temporibus in calice* propinatur ſacramentum non eſſe, ſed vinum purum eis hauriendum traditum, ut facilius ſacrum corpus gluciant quod percepe-runt. *Solis enim celebrantibus ſanguinem ſub ſpecie vini conſecrati ſumere in hujuſmodi minoribus Eccleſiis eſt conceſſum. *Inſtruant etiam eoſdem ſumptum ere Sacramentum non nimis dentibus comminuere, ſed tritum modicè ſorbere perfectè, ne particula aliqua eveniat in dentium interſticiis, vel alibi remaneret. Parochiales inſuper Sacerdotes caveant diligenter, ne alicui dent corpus Domini,* niſi prius conſtet eis ipſum fuiſſe confeſſum *teſtimonio vel judicio fidedigno, & hujuſmodi certificationis onus ipſius ſuſceptoris imponimus Sacramento, qui habet ea quæ ſalutis ſuæ ſunt neceſſaria procurare. *Nullus ergo ſacram Communionem præbeat Parochiano alterius Sacerdotis ſine ipſius licentia manifeſta, quam ordinationem non intendimus ad peregrinantes extendere, nec neceſſitatis caſui derogare.* Thus did they pervert Chriſts inſtitution in all particulars by this Conſtitution.

* Against Chriſts expreſs precept, & his & the Apoſtles practiſe, Mat. 26. 27, 28. Mar. 14. 23, 24. Lu. 22. 17, 20. 1 Cor. 10. 16. 21. c. 11. 25. to 30. John 6. 53, to 57.

* Guil. Lyndewode Provincialis l. 3. De Sepulturis, f. 134. b.

De Annalibus celebrandis & Anniverſariis.

*Sacerdotes inſuper caveant univerſi, ne * Miſſarum peculiarium ſeu familiarium ſe celebrationi obligent, quo minus valeant Canonico officio commiſſam ſibi Eccleſiam officiare, ut tenentur. Nec præſumat aliquis Annalia celebranda ſuſcipere, niſi pro defuncto celebret quotidie, vel procuret ſpecialiter celebrari. Nullus inſuper plura recipiat Annalia celebranda, quam habet ſocios celebrantes; illo caſu excepto, in quo procurans ſuffragia fieri pro defuncto conſentit expreſſe, defuncti memoriam alibi vel aliis copulari. *Nec credat celebrans ſe dicendo Miſſam unam poſſe ſatisfacere pro duobus, pro quo utroque promiſit ſpecialiter & inſolidum celebrare. Licet enim dicat de con. di. v. c. non mediocriter Capitulum, quod licet minus accipitur cum Miſſa una pro cunctis dicitur, quam ſi pro uno quolibet ipſorum una diceretur. Loquitur tamen de hiis Miſſis, quæ anxio corde dicuntur. Abſit enim, ne à quodam Catholico credatur tantum intentione prodeſſe Miſſam unam devotè celebratam mille hominibus, pro quibus forſan dicitur, quantum ſi mille Miſſæ pro eis devotione conſimili canerentur. Licet ipſum Sacrificium, quod eſt Chriſtus, ſit infinitæ virtutis, non tamen in Sacramento vel Sacrificio in ſua immenſitatis ſumma plenitudine operatur; alioquin pro uno mortuo nunquam oporteret niſi unam Miſſam dicere. Operatur enim in hujuſmodi miniſteriis diſtributione certa ſuæ plenitudinis, quam ipſe eiſdem lege infallibili alligat illos qui pro Annalibus ſeu Anniverſariis celebrandis ſtipendia receperunt, nec ex certa malitia ſeu acidia ſatisfaciunt, ut tenentur, monemus, ut omiſſa ſuppleant, & ad plenum ſatisfaciant in futurum. Et quandocunque id fecerint, fructus taliter perceptorum pro Annalibus eorum quæ eis talia contulerint erogent pauperibus, aut ſi utrumque iſtorum ſponte neglexerint,* ſicut fraudatores fidelium *ab Ordinariis ſuis aſperè corrigantur.*

* Guil. Lyndewode Provinc. l. 3 De Celebratione Miſſarum, f. 165.

* A good Argument againſt Pluralities.

I pretermit the Conſtitutions *De Baptiſmo & ejus effectu, De Sacramento Confirmationis,* & *Ne Quinque Ordines ſimul conferantur.*

I ſhall inſert that *De Confeſſione,* worthy obſervation in ſundry reſpects, diſcovering the abuſes of Popiſh Confeſſions, Confeſſors, abſolutions, and the pride of Biſhops to advance their Epiſcopal authority over Prieſts as well as Laymen.

* *Sacramentum Pœnitentiæ naufragantium remedium ſingulare, per quorundam inſipientiam Sacerdotum debito caret fructu; & qui credit à fluctibus emergere, perniciosius in damnationis pelagum demergitur, dum de facto abſolvunt plurimi, quos de jure abſolvere nequeunt, vivificantes, ut ait Propheta,* propter pugillum ordei & fragmentum panis, animas quæ non vivunt, *utpote abſolventes de facto, excommunicatos de jure,* et præcipue ab Oxonienſi Concilio propter læſionem ſeu perturbationem Eccleſiaſticæ libertatis, vel propter conſimilia ſcelera in eodem Concilio ſimili pœna damnata, ſeu Decimas, ſeu alia Jura Eccleſiaſtica detinentes, quibus obſtantes, ut ſeductoribus animarum et pulvillos conſuentibus ſub cubitis Reproborum, omnibus Cantuar. Provinciæ Confeſſoribus, ſub nobis et Coepiſcopis noſtris conſtitutis, diſtrictius

* Guil. Lyndewode, Provincialis, l. 5. De Pœnitentiis & Remiſſionibus f. 243, 244.

An. 9 E. 1. districtius inhibemus, ne de cætero audeant manus extendere ad seducendos hujusmodi per Absolutionis signaculum, quod novimus sine satisfactione debita et speciali commissione Archiepiscopi et Episcopi non tenere, dum sunt in suis scleribus pertinaces. Existimantes nihilominus hujusmodi non tam Confessores, quam fovearum Diaboli Confossores peccare gravissime, cum convincantur saltem tacite eisdem sceleribus consentire, et scelerosos in sua perfidia confortare; *Unde caveant ipsi ne eodem cum talibus Excommunicationis laqueo involvantur.*

Cum insuper nos dudum pluralitatem beneficiorum sacrilege usurpatam, cohibere volentes, *inhibuerimus sub pœna Excommunicationis, ne quis de facto ad tales in suis furtis & sacrilegiis contumaces manus extenderet absolvendos. Quidam tamen Sacerdotes potius* Belial *quam* Domini, *contrarium facere præsumpserunt,* occidentes animas Christi sanguine redemptas, et enervantes disciplinam Ecclesiasticam. *Istos igitur, quasi vulpes demolientes vineas Domini veraciter reputantes, sub pristina districtione iterato præcipimus, quatenus à talibus absolvendis de cætero abstineant*, et ad renunciandum beneficiis illicite optentis vel retentis sollicite inducant: *Alioquin*, sciant se certissime divinæ maledictionis fulgure feriendos.

* Guil. Lyndewode Provinc. l. 5 De Privilegiis, f. 224.

Sunt præterea nonnulli, qui prætextu quorundam **privilegiorum generalium* a sede Apostolica optentorum, spreta contra intentionem Apostolicam authoritate Pontificali, ipsorum Pontificum irrequisito beneplacito et assensu, ingerunt se Subditorum eorundem Confessionibus audiendis; *quorum præsumptiones volentes reprimere, ut tenemur*, prohibemus sub pœna Excommunicationis, *ne quis de cætero* absque Episcopi licentia expressa vel probabiliter præsumpta, *Confessiones suorum audiat Subditorum, nisi in audiendis Confessionibus à jurisdictione ordinaria Diocesana & Metropolitica expresso tenore sui privilegii sit exemptus. Et si qui contrarium fecerint, procedatur contra eos,* sicut Privilegiorum temerarios abusores.

De Pœnitentiâ.

* Guil. Lyndewode Provinc. l. 5. f. 244.

* *Præterea cum juxta sacros Canones peccata graviora, ut Incestus, & similia, quæ vulgatissima suo scandalo totam commovent Civitatem, sint solemni pœnitentiâ castiganda*; quorundam tamen negligentia id agente, hujusmodi pœnitentia videtur quasi in oblivionem tradita, et credita per consequens audacia hujusmodi horrenda facinora et flagitia perpetrandi. *Quocirca præcipimus, ut hujusmodi pœnitentia solemnis de cætero imponatur secundum sanctiones Canonicas.* Absolutionem tamen ab homicidio voluntario, *tam publico, quam occulto*, solis Episcopis, extra necessitatis articulum reservamus: per quod intendimus refrenare audaciam, et non majorum reverentiæ in aliquo derogare.

De uno Confessore in quolibet Decanatu faciendo.

* Guil. Lyndewode Provinc. l. 5. to 246.

* *Licet à sanctis Patribus jam pridem fuerit ordinatum, ut in quolibet Decanatu unus sit Rector aut Vicarius, literatura sufficienter illustratus, gratia famæque laudabilis assignatus ad Confessionem Rectorum, Vicariorum aliorumque Sacerdotum, ac Ministrorum Ecclesiæ audiendam, injungendasque pœnitentias, ut sit mare fusile in Templi introitu, juxta Templi typica Sacramenta; Hoc tamen hactenus non fuit Cleri moribus approbatum, non sine multis Dei injuriis in Sacramentorum ministrationibus ac Missarum celebrationibus, quæ execrationes potius dicerentur. Ordinationem igitur prædictam à dissuetudine revocantes, præcipimus, ut ipsa de cætero inviolabiliter observetur. Ex hoc minime intendimus quin possint, si voluerint, ad alios communes Pœnitentiarios, (dum tamen id constet) pro Sacramento Pœnitentiæ convolare.*

De informatione simplicium.

Ignorantia Sacerdotum populum præcipitat in foveam Erroris; & Clericorum stultitia vel ruditas, quæ de fide catholica fidelium instruere jubentur, mentes magis aliquando ad errorem profuit quam ad doctrinam. Quidam etiam cæteri prædicantes non semper loca visitant, quæ magis constat veritatis lumine indigere; testante Propheta, Quod parvuli petiebant panem, nec erant qui frangerent; & *alio clamante,* Quia egeni & pauperes quærunt aquas, lingua eorum siti aruit. *In quorum remedium*

um diſcriminum ſtatuendo præcipimus, ut quilibet Sacerdos plebi præſidens quater in anno, hoc eſt, ſemel in qualibet quarta anni die uno ſolenni vel pluribus, per ſe vel per alium exponat populo vulgariter, abſque cujuſlibet ſubtilitatis textura fantaſtica 14 *fidei articulos,* 10 *mandata Decalogi* (the 2. whereof againſt graven Images and their worſhip is wholly omitted out of their Popiſh Decalogue, and the laſt divided into two Commaudements, as it is in moſt of their Popiſh Primers, Pſalters, Howers, Miſſals, Breviaries and Catechiſms ever ſince, as inconſiſtent with their Popiſh Images, and adoration of them) *duo præcepta Evangelii, ſc. geminæ charitatis, & 7 etiam opera miſericordiæ, 7 capitalia peccata, cum ſua progenie, 7 virtutes principales, & etiam 7 gratiæ Sacramenta. Et ne quis à prædictis per ignorantiam ſe excuſat, quæ tamen omnes Eccleſiæ Miniſtri ſcire tenentur, ea perſtringimus ſummaria brevitate:* (there briefly recited in order, where thoſe who pleaſe may peruſe them.) *An.* 9 *E.* 1.

Next followes the Canon, *De Sententiis Excommunicationis publicandis*; in *Johannes de Aton* (the beginning and Title whereof is omitted in *Spelmans* Councils.)

Temporibus eiſdem etiam ſententiæ publicantur à noſtris, & noſtrorum prædeceſſorum temporibus latæ olim. Verbi gratia, excommunicati ſunt in Oxonienſi *Concilio,* Eccleſias ſuo jure privantes, et eorum libertates per maliciam, et contra juſtitiam infringere vel perturbare etiam contendentes. *Ubi tria genera hominum excommunicationis vinculo innodantur*; auferentes Eccleſiis ſua jura, infringentes Eccleſiaſticas libertates; *Similiter* perturbantes eaſdem: *quod non ſolum intelligimus de generalibus libertatibus univerſalis Eccleſiæ, verum etiam de ſpiritualibus & temporalibus;* in quo illos excommunicari intelligimus præcipue qui * literis aut juribus Curiæ laicalis Eccleſiaſticarum cauſarum proceſſum impediunt, quæ ita ad Eccleſiam pertinere noſcuntur, quod nullatenus poſſunt vel conſueverunt per ſeculare judicium terminari. *Quod dicimus, non intendentes prædictas ſententias ad illos tantummodo coaptare nec turbationes jurium Eccleſiaſticorum alias approbantes,* ſed quia hujuſmodi Dei et Eccleſiæ inimicos volumus rigore debito caſtigari. (The ſame in effect with thoſe Clauſes in the Council of *Reding* for which he was *queſtioned, and thereupon revoked in Parl. yet now contemptuouſly revived and reenforced. *Ex hujuſmodi inſuper ſententia decreto excommunicatos denuntiari præcipimus omnes illos,* qui falſo exceptionis titulo Epiſcopalem et Archiepiſcopalem proceſſum impediunt aut ſubterfugiunt diſciplinam: (To which they ſubjoyned all other Clauſes of excommunication in the Councils of *Oxford* and *Reding*, which they ordered to be publiſhed 4. times every year, concluding thus.) De hac autem publicatione inquirant Archiepiſcopi, et quotiens Presbyteros invenerint, prædictam moralem Inſtructionem ſeu præmiſſas Excommunicationis ſententias ſtatutis temporibus populo minime prædicaſſe, totiens eos arguant, et pœna canonica caſtigando ſupplere compellant, *quod temere omiſerint.*

Lindewode, l. 1. f. 37. De Officio Archidiaconi.

* *Nota.*

* Here, p. 235, 236.

De Hoſpitalitate tenenda.

Prætereà, cum ſacro teſtante Eloquio, Paſtores ſibi greges creditos paſcere teneantur; & os bovis triturantis non debeat alligari; *Statuimus*, ut Rectores qui in Eccleſiis ſuis non faciunt reſidentiam corporalem, nec habent Vicarios, *per Iconomos ſuos Hoſpitalitatis gratiam exhibeant juxta quod ſufficiunt Eccleſiæ facultates; adeò ut ſaltem Parochianorum pauperum neceſſitati extremæ ſubveniatur, ut qui ibidem tranſeunt & prædicant verbum Dei, neceſſaria recipiant corpori alimenta; ne Eccleſia ipſorum inopia violentiâ à prædicantibus meritò deſerantur.* Dignus eſt enim Operarius mercede ſua, *nec* quiſquam tenetur propriis ſtipendiis militare.

Lindewode, l. f. 97. De Clerico Non-reſidente.

Prædicatoribus ſubveniendum eſt.

I ſhall ſubjoyn theſe enſuing Conſtitutions, diſcovering the deteſtable frauds, forgeries, falſities and abuſes commonly practiſed in that age in Eccleſiaſtical Courts by the Biſhops Officers, and others belonging to them; ſtill frequently practiſed among them notwithſtanding theſe Conſtitutions, to their infamy.

An. 9 E. 1.

De certificationibus Citationum faciendis.

Quidam ruralium Decanorum **in Citationibus faciendis contra omnem** juris **ordinem, de Luciferana versutia merito diffamantur. Qui videlicet Certificationem** subdolam, **et vendunt pro præmiis filiis falsitatis, nulla Citatione ad notitiam citati ante Certificationem hujusmodi vel post eam aliquatenus veniente:** *Unde frequenter evenit,* **ut innocentes condemnentur.** *In cujus nequitiæ remedium, statuimus, quod nulli tradatur vel concedatur Certificatorium, nisi in die solemnali, inter Missarum solemnia in Ecclesia ubi citatus fovet larem, vel amplius conversatur,* publicè **recitetur;** *hoc adjuncto moderamine,* **ut citatus sufficientes habeat inducias,** ut die **et loco sibi præfixis competenter valeat comparere,** *quam si aliquo casu tantum arcet quod dilationi locus non pateat, citatione facta publicè coram testibus detur Certificatorium in Ecclesia vel in aliquo loco publico coram testibus fidedignis,* **ita quod dies Citationis, et locus in ipso Certificatorio exprimantur, et nullo modo fiat Certificatio ante Citationem factam, quod jurent fideliter Decani in Episcopali Synodo hoc omni anno facturos.**

Citato sufficientes dari debet inducie.

De falsis Procuratoriis non signandis.

* Lindewode l. 1. f. 56. De Procuratoribus.

* *Perhorrendam quorundam malitiam perpendimus accidisse pro aliquo possessore Ecclesiastici Beneficii in remotis agente, aliquis dolosus ipsius adversarius domum ejus vel rem aliam contra inhibitionem Domini concupiscens, spiritu Sathanico se in lucis Angelum configurans,* **fingit mendaciter prædictum absentem vocari coram judicibus;** et se ipsius **Procuratorem existere, et vocari procurat absentem ad causam ipsius in judicio defendendam, prætendens falsum Procuratorium alicui Decano** vel superiori **supplicat in hæc verba.** Quia sigillum meum paucis est cognitum, peto ut sigillum vestræ Authoritatis huic meo Procuratorio apponatis: Et sic, **data mercede, iniquitatis, obtinet quod requisierat.** *Demum vero obtento falso Procuratorio, cum altero,* **se ipsius fingente mendaciter adversarium, litem ingreditur;** et **in hac fraude procedens possessionem tandem nanciscitur per sententiam;** vero Domino *(cujus status de facto sic subvertitur)* **penitus hoc ignorante.** *Volentes igitur* tam **detestandis fraudibus obviare;** *Inhibemus, ut nullus Decanus, seu Archidiaconus, vel ejus Officialis, seu etiam Officialis Episcopi sigillum suum alicui Procuratorio apponere præsumat, nisi hoc ab eo petatur publicè in judicio vel extra judicium, si is, qui Procuratorem constituit, (quem constat verum Dominum esse) præsens corporaliter, hoc requirat; ut fraus qualibet excludatur. Quicunque vero Decanus, Archidiaconus, vel ejus Officialis, vel etiam Officialis Episcopi ex certa malitia contrarium fecerit,* suspendatur **per triennium ab officio advocandi, et inhabilis sit ad officium Ecclesiasticum obtinendum.** *Quod si uxoratus aut bigamus sit,* **Excommunicationi** subjaceat **ipso facto;** *& id quod per talem Procuratorem actum fuerit vel procuratum modis omnibus pro infecto penitus reputetur. Procurator autem ipse totius falsitatis inventor,* **ab omni actu legitimo perpetuo repellatur.** *Et hi omnes nihilominus, si super hoc convinci valeant, parti læsæ ad interesse & restituenda damna omnia teneantur.*

Ne fiant clandestinæ Inquisitiones pro Præsentatis.

Per Provinciam nostram frequenter perpendimus, **justos Ecclesiasticorum beneficiorum possessores suis beneficiis fraude diabolica spoliari; dum nonnulli Infernalis Regis falsitatibus aggravati, qui ipsorum beneficia oculos ambitionis infigunt, procurant se per Patronos ad eadem præsentari; et impetrantes clandestinas Inquisitiones fieri per Decanos vel alios, possessionem nanciscuntur.** *Unde contingit de petitore perfido fieri possessorem; & de possessore vero fieri actorem,* omni **justitia reclamante.** *Nos autem cupientes* a **nostra Provincia nequitiam funditus extirpare;** *Statuimus & perpetuo ordinamus, ut nullus Decanus, sive quivis Prælatus, aliis* **(exceptis personis Episcoporum, quorum hac ordinatione** authoritas non **arctatur)** *Inquisitiones faciat de hujusmodi præsentationis negotio, nisi in plena loci capitula, ea qui possessioni Ecclesiæ incumbit, vocato legitimè; sub tanto temporis spatio, quo possit sibi prudentium virorum consilio prospicere, & defensioni status sui sufficientis remedio*

remedio providere. Quicquid autem de cætero contra hanc Ordinationem noſtram fuerit attentatum, decernimus penitus non tenere; ad ſatisfaciendum nihilominus de damno omnimodo, quod idem Poſſeſſor paſſus fuerit, Decanum vel Prælatum alium taliter clandeſtinè inquirentem, præſentis ſanctione Concilii condemnantes; ambitioſum ipſum ab ipſo beneficio ſic nequiter ambito excludentes perpetuo: & nihilominus eundem ab omni obtentu Eccleſiaſtici alterius beneficii per triennium ſuſtendentes. An. 9 E. 1.

De firmis non dandis.

Vendentes & ementes quos de Templo Domini cœpit ejicere, ſi cœpta pœnitus perficiſſet, non fraudarentur pauperes firmarum contractibus, quibus vertitur in Mammonam quod ex Chriſti viſceribus infundendum. Huic igitur peſti remedium apponentes, præcipimus firmiter obſervari, quod circa firmas in Oxon. *Concilio ſalubriter eſt proviſum; ut videlicet* Eccleſiæ *ad firmam minimè tradantur. * Statuimus inſuper, ut nulli tradantur ad firmam, niſi perſonis Eccleſiaſticis ſanctis & honeſtis, quas locorum Epiſcopi libere valeant cohercere. Proviſo etiam, ut Parochiæ pauperibus de firmis hujuſmodi pinguibus, portio juri conſona ſecundum arbitrium Epiſcopi aſſignetur, ſub teſtimoniis quatuor fidelium Parochianorum eis fideliter eroganda. Et ut ab hujuſmodi firmis omnis contractus imaginarius ſubducatur, quam in perſonis Clericorum falſo ſuppoſitis vel ſub nomine Ballivatus* **Eccleſiæ ad firmam laicis conceduntur**, *ſacro approbante Concilio: Ordinamus, ut ſi quis Clericus in tali verſutia repertus fuerit, puniatur ſecundum ſtatutum (ſanctæ memoriæ) Domini* Othoboni; *& gravius, ſi Prælati viderint expedire.*

* Lindewode l. 3. f. 112. De Lorato & Conducto.

De Religioſis non eximendis à Capitulis tenendis.

** Plures invenimus Domos Religioſas Sancti* Benedicti *Ordinis, quæ pro eo, quod olim quibuſdam Matricibus Eccleſiis ultramarinis adhæſerant, à quibus ferme jam diuturno tempore ſeparata noſcuntur à cæteris ejuſdem Ordinis Domibus, in* Cantuarienſi *Provincia conſtitutis, non conveniunt cum cæteris in Capitulo generali ſingulis terminis, juxta generale Concilium celebrandis; ſed quia turpis eſt pars quæ non convenit ſuo toto, ſtatuimus*, ut omnes hujuſmodi de cætero Domus (ſalva ſcilicet ceremoniarum ſuarum obſervantiâ:) *Specialiter moneantur per locorum Epiſcopos, ut conveniant cum aliis Canonicis in Capitulo ſuo generali de regimine & reformatione Ordinis ſui tractaturi; vel ſi inter eos quantum ad ſubſtantialia Religionis ſit notabilis diverſitas, ſibi ipſis ſeperatim conſtituant Capitulum generale, alioquin hoc facere per cenſuram Eccleſiaſticam compellantur.*

* Lindewode l. 3. f. 154. De Religioſis Domibus.

The next Canons evidence, the uncleanneſſe, Apoſtacy, raviſhments and Vices of their Nuns, Monks and Prieſts, notwithſtanding all former Canons to prevent them.

De Sanctimonialibus non violandis.

** Tantum invaluit deteſtandæ lubricitatis enormitas, ut quidam nec Legibus, nec Canonibus deferentes,* **ad caſtitatem Sanctimonialium concitandam editis, cum ipſis Sacrilegium et Inceſtum committere non formidant**; (ſuch was the fruits of their cloyſtered vowed chaſtity.) *(cui horrendo flagitio remedium apponere cupientes,* **omnes tam Clericos quam Laicos**, *hujuſmodi turpitudinis perpetratores,* **majoris Excommunicationis ſententia innodamus; ſolis perſonis Epiſcoporum hujuſmodi abſolutionem ſententiæ reſervantes; exempto mortis articulo, in quo ſic valeant abſolvi a quolibet Sacerdote**, *ut ſi convaluerint piaculum ſuum hujuſmodi teneantur ſub pœna prædicta Anathematis infra trium menſium ſpacium* **propriis Epiſcopis confiteri; aut ſede Epiſcopali vacante, cuſtodi Spiritualitatis, aut Decano Eccleſiæ Cathedralis.** ** Sanctimoniales plurimæ in vagationis vitio delicate, nec divino vacantes officio, in conſimile corruptionis ſcandalum, immo longe perniciosius aſſidue prolabuntur. Cui periculo providentes, magis optantes earum ſaluti conſulere quam vanis earundem deſideriis complacere,* **ſub pœna Excommunicationis totaliter inhibemus, ne quæ illorum cum ſocia, nedum ſola apud parentes vel affines quantumcunque propinquos, nedum apud extraneos quantumcunque famæ eminentiæ vel religionis exiſtant, ultra tres dies naturales cauſa recreationis perendinarie,**

* Lindewode l. 3. f. 232. De Pœnis.

* Lindewode l. 3. f. 153. De Religioſis Domibus.

An. 9 *E.* 1.

dinarie, seu quacunque necessitate vel occasione cessante infirmitate commorari præsumant, nisi locorum Episcopis aliud aliquotiens videatur ex causa necessaria; *de quo earum conscientias in extremo judicio oneramus. Hanc autem ordinationem ad illas non extendimus, quæ exterius coguntur vendicare sibi necessaria dum mendicant.*

* Lindewode l. 3. f. 146 De Regularibus, &c.

* *Item Moniales quædam in tantum decipiunt, ut cum sint ætatis legitimæ & doli capaces, postquam ultra annum inter Moniales Monasticè vixerint, putantes se non esse professas, ac sibi licere redire ad seculum;* pro eo quod benedictionem Episcopalem cum solemnitate voti immisi minime receperunt. *Nos vero errorem hujusmodi excludentes, præsentis authoritate Concilii declaramus, eas ipso facto professas existere reputandas, postquam ultra annum vitam sponte in Collegio duxerint regularem, adeo ut nullatenus ad seculum redire permittantur; nihilominus ab Episcopis cum solemnitate debita consecrandas suo tempore vel velandas. Item etiam quantum ad professionis vinculum sentimus, de Monachis & Religiosis aliis quibuscunque quibus nihil obsistit canonicum, & eos si ultra annum religionis habitum sponte detulerint, & ipso rejecto, ad seculum redierint,* esse sicut Apostatas ab Ecclesiasticis beneficiis repellendos, et ad repetenda sua Monasteria secundum juris exigentiam compellendos. De quibus diligens inquisitio fiat per Archidiaconum, quoniam multos hujusmodi sub ovino velle re lupinum animum novimus palliare.

De Apostatis revocandis.

* Lindewode l. 5. f. 220. De Apostatis.

* *Præterea,* sunt nonnulli, *qui apparent per facti evidentiam seculum perpetuò intendere,* relinquere *per certa indicia* in Claustri excubiis toto suo tempore Deo militare; qui tamen prævalente corporali (alias carnali) desiderio, ut canes qui redeunt ad vomitum, seculum repetunt, inter Sydera errantia computandi. Quamvis enim jura manifeste definiant, hujusmodi non posse religionis habitum omnino deserere, *quin saltem in Religione aliqua laxiori perpetuò remaneant;* quidam tamen attritæ frontis audacia Apostatiæ infamiam non verentes, *postquam absolutè se velle seculum relinquere ostenderunt,* relicta Hierosolyma redeunt in Ægyptum. *Quocirca statuimus, ut Ordinarii locorum tales cum omni diligentia investigent;* et subtractione tam Officii quam Beneficii Ecclesiastici (*si quod habuerint*) ad statum pristinum vel laxiorem cogant regulam pertransire. *Quod si sint Laici hujusmodi* Apostatæ, *& ipsi ad salutis suæ studia redire,* per censuram Ecclesiasticam compellantur. *Hanc autem Ordinationem ad illos non extendimus,* cum quibus Sedes Apostolica aliter ordinavit. Which would and did unorder, and disorder all Orders, for money and filthy lucre.

Ne Religiosi sint Testamentorum Executores.

* Lindewode l. 3. f. 122. De Testamentis.

* Religiosa sinceritas ab omni seculari implicationis macula est eo præservanda solicitius, quo devotioni sanctæ simplicitas facilius retardatur; cum in curis exterioris mentis oculus districtus unitatis studio perpenditur. *Quocirca* (which reason holds as strongly, that Bishops and Ordinaries should likewise not intermeddle with the ordering or disposing of secular mens Testaments, Goods, Chattels, dying testate or intestate, as they do) *in Concilio de* Lamberth *salubriter est provisum,* ne aliqui Religiosi, cujuscunque professionis, sint Executores Testamentorum, nisi de Ordinarii licentia et voluntate procedat; *cui Statuto adjiciendum duximus,* Ut nullus Religiosus permittatur Executor alicujus existere Testamenti, nisi suus superior sufficienter caveat pro Religioso hujusmodi, quod exequetur fideliter, et reddet integram rationem de residuis (*si qua fuerint*) et de damnis, si quæ per ipsum evenerint loci Ordinario, absque difficultate qualibet responsurus. *Et quia nonnulli Religionis habitum deferentes, licet non sint* Executores, tamen et distributores efficiuntur Bonorum defuncti, temeritate propria vel imprudentia aliena; ex quo magnam perdentre videmus Bonorum hujusmodi læsionem; idem contra hujusmodi distributionem præcipimus observari, quod contra executionem superius est provisum; ne aliter executioni vel distributioni hujusmodi se immisceant, sub pœna Anathematis inhibentes. *Vide qui sufficienter cavere nequeunt, sciant se tam ab executione* quam a distributione Bonorum, *hujus præsentis definitione Concilii perpetuò elongatos.*

De

De Habitu Clericali.

* *Quamvis Religionis nomen vitæ Monaſticæ loquentium uſus appropriet; habet tamen Clericalis honeſtas religioſæ vitæ gradum eximium; ſi ea cuſtodiat vita & habitu,* quæ ſacri **Canones decreverunt obſervanda Clericis. Sed** (*proh dolor!*) **Clerici plurimi hujus inclytæ Religionis,** Indorum **antiquam inſaniam imitantes,** *qui* Græcas *glorias paternis prætulerunt,* **dum verecundantur Clerici apparere, militari ſe contegunt apparatu, ut ſtultis placeant; quos conſtet cunctis ſapientibus eo ipſo merito diſplicere, ac fatuos reputari.** *Et cum corona ſit character Eccleſiaſticæ militiæ, & revelati cordis ac patuli radiis cœleſtibus inſigne; ipſi ut veraciter oſtendant ſe hujuſmodi charactere titulum erubeſcere, tenâ coronas abſcondant, quaſi cœleſtes radios repellentes, ad* Judæorum *inſtar corda ſua gerentes erroris velamine obſcurata. Statuto adhærentes Domini* Ottoboni, *nihilominus ordinamus & diſtrictè præcipimus,* ut Clericus quilibet in ſacris Ordinibus conſtitutus, veſtem exteriorem gerat diſſimilem militari, utpote anterius & poſterius habeat non birratam, vel ſaltem ex forma ſua militari vel laicali congrua diſſimilem honeſtate. *Et qui ſecus facere præſumpſerit, quamdiu formæ contrariæ veſtem tulerit,* **ab ingreſſu Eccleſiæ ſuſpendatur.** *Et quia prædictus Legatus contra portantes infulas ac tenas coram Prælatis, aut coram populo publicè deferentes, ſtatuit,* ut ſi moniti minime ſe emendaverint, ipſo facto ſuſpenſionem incurrant ab Officio; in qua ſi per tres menſes extiterint, extunc à Beneficio ſint ſuſpenſi; à qua ſuſpenſione abſolvi nequeant, **niſi data ſexta parte Eccleſiaſticorum bonorum per manus Epiſcoporum pauperibus eroganda; Nihilominus pœnis aliis puniendi juxta arbitrium Prælatorum.** *Nos igitur Statutum hujuſmodi advertentes modicæ efficaciæ hactenus extitiſſe, pro eo,* **quod Prælati minores hujuſmodi Clericos monſtroſos monere non audent;** *propter quod in pœnas à dicto Legato conſtitutas videntur puſillanimitatis ſuæ merito incidiſſe, & raro Epiſcoporum aſpectibus Clerici hujuſmodi ſe præſentant; Statuimus, ut, admonitione ceſſante, cum Clericos juris ignorantia non excuſet, prædicti Clerici ſua protervia merito quotieſcunque publicè coram populo vel Prælato hujuſmodi infulas portaverint, niſi forſan in itinere, in pœnas omnes incidant ſupradictas. Caveant inſuper omnes illi, de quibus loquitur Legatus, qui moniti infularum inſolentiam publicè detulerant per præfixi temporis ſpatium, ne in ſuſpenſione ab officio & beneficio merito culpæ ſuæ inciderint. Mandamus etiam in poſterum, ut de talibus fiat per Decanatus ſingulos inquiſitio ſpecialis, & cujuſcunque gradus ſint vel excellentiæ, contra ipſos in forma Canonica procedatur.*

* Lindewode l. 3. t. 88. De vita & honeſtate Clericorum.

De Filiis Presbiterorum.

* *Cum à jure ſit prohibitum,* **ne abſque diſpenſatione Apoſtolica** (who gained a Monopoly of, and great ſums of money by ſuch Diſpenſations) **præſentantur filii Rectorum vel Presbyterorum in Eccleſiis, in quibus parentes eorum immediate ſeu proximo miniſtraverunt, et conſtet ipſa Beneficia vacare, ſed in contrarium de facto fuerit attentatum:** *Præcipimus, ut Prælati de Eccleſiis ſic vacantibus inquirant, & juxta juris exigentiam de his non differant ordinare, cautius prævenientes de cætero, ut tales ad hujuſmodi Beneficia nullo modo admittant;* **ne contra juſtitiam in hæreditate Crucifixi per ſurreptionem locus pateat ſucceſſioni.** By which it appears, that Prieſts in that age had either Sons or Baſtards, which ſucceeded them in their Benefices, notwithſtanding all Canons againſt Prieſts marriage, and Incontinency.

* Lindewode l. 1. f. 33. De Filiis Presbiterorum.

De Inſtitutionibus.

Ex ſolito curſu cauſarum multis recepimus conquerentibus, **quod nonnulli Coepiſcopi noſtri** *Clericos præſentatos ad vacantes Eccleſias admittentes, literas teſtimoniales eis recuſant impendere facti ſui, propter quod ſuborta inter hujuſmodi præſentatos & alios materia quæſtionis,* **ſuccumbit plerumque veritas falſitati.** *Nos autem Eccleſiaſticis regulis adhærentes, qua fidem geſtorum ex legalibus colligunt miniſtris; Statuimus, ut unuſquiſque Epiſcopus Clerico quem ad Eccleſiam aliquam admittit, literas patentes ſuper ſua admiſſione concedat, inter alia continentes in quo conſiſtit ordine, quo articulo ad hujuſmodi Beneficium admittatur.*

The

An. 9 E. 1. The Constitution made against Pluralities in this Council (against which this Archbishop was very zealous) is very observable; worthy all Pluralists and their Dispensers, or abettors consideration.

De Clericis Beneficia plura occupantibus.

Languor prolixior grabat Pedicum; nec facilitèr ebellitur plantatio infernalis quæ innumeris perditionis filiis est infixa; nec alicui mortalium hactenus legitur fuisse concessum, simul totam convertere multitudinem impiorum, sacra pagina attestante, Deus (*inquit*) consumet nationes has in conspectu tuo paulatim atque per partes. Sane Ecclesia Anglicana a membris *putredinis, a falsis Clericis eb olim * sustinuit plagas diras; qui pompæ et avaritiæ æstibus inflammati, beneficia cum cura absque dispensatione Apostolica, ac contra Canones acervantes, non veriti sunt hactenus animas perdere acquisitas sanguine Redemptoris; nec erubuerunt fures existere, et vitam infamem agere tamdiu, donec horrenda morte (ut in multis vidimus) divinæ severitatis percussi fulmine, de medio sunt sublati: quam plagam paulatim, atque per partes sanare cupientes, hujusmodi multiplicationes salubriter præcipiendo inhibuimus, circa adventus nostri principium, sub certi formæ rigoris, ne quis auderet extunc hujusmodi Pluralitate se inbolbere ullo modo. Præteritam etiam pluralitatem minis salubribus deterrentes, quas minas intendimus (Deo authore) ad effectum mancipare; ut sic juxta sacra eloquia radicatam nequitiam valeamus paulatim funditus extirpare; paulatim quidem, dicente Scriptura, non poteras eas delere pariter, ne fortè multiplicarentur contra te bestiæ terræ. Hujus autem processus nostri conatibus boni fructus exordium contulit pietas Redemptoris, dum saltem prohibita est pristina effrænatio beneficia hujusmodi sine scrupulo admittendi. Multisdam etiam dedit Deus compunctionis spiritum, ut damnatæ pluralitatis suæ magnam partem abscinderint, quibusdam etiam insuper, ut superfluitatem suam nostræ submiserunt discretionis arbitrio moderandam; qua submissione noverint universi hujus excessus non purgari vitium, cum non possumus cum ipsis in talibus dispensare, sed purgationem ipsius quodammodo quamvis tenuerit inchoare. Cæteros autem omnes et singulos hujusmodi pluralitatem damnabiliter occupantes, et in suæ adhuc pertinentes arrogantiæ supercilio, monemus primo, secundo, et tertio, quod, *cum pæna sit eos absolvere (nisi citius pœnitentiam egerint) horago infernalis, mola asinaria deprimente, ulteriori deliberationi nulla poterit concedi dilatio, quatinus hujusmodi Beneficia, libere et absolute, infra ter mensium spacium, in Episcoporum suorum manibus omnino resignent: satisfacientes nihilominus, ut eorum status patitur, Ecclesiis sic fraudatis, nunquam per se vel per alias, clam vel palam, verè vel imaginariè, aliquid de hujusmodi Ecclesiarum fructibus illicite recepturi. Salvo nobis jure de illis Beneficiis ordinandi, quorum collatio est ad nos per lapsum temporis deoluta. Alioquin extunc contra ipsos (favente Altissimo) in forma Canonica procedemus. Interim etiam hac monitione nec nobis nec fratribus ac Coepiscopis nostris præjudicare intendimus, quin contra hujusmodi ordinario progressu particulariter procedatur.

*Nota.

*Nota.

De Advocatis.

Veloces ad audiendum existere & tardos ad loquendum, sanctus Jacobus *imperat, & à juventute usque ad maturitatis annos edoctum docet cæteris præstare Ducatum. In Schola siquidem* Pithagoræ *quinquennale tenebant auditores silentium, prinsquam de illa gentium sapientia dicere finerentur; Cujus prudentia disciplinam plurimi Advocatorum hujus temporis non sectantur, quin potius post unum librum juris vix auditum vel dimidium, arrogant sibi Officium in Causis Ecclesiasticis publicè postulandi; * & quia veritatem juris ignorant,* ad fraudes horribiles impeditivas processus judiciales tantummodo se convertunt. Cui pesti *remedium apponere cupientes, statuimus, ut nullus de cætero permittatur advocationis officium publice exercere, nisi prius ad minus per triennium audiverit cum debita diligentia* Jus Canonicum et Jus Civile; *hujus autem fidem ubi nec de condigno apparet testimonio, nec per facti evidentiam,* propria faciat Juramento.

* Lindewode, l. 1. f. 55. De Postulando.

De

De Suffragiis Epiſcoporum.

Ingratitudinis vitium eſt plurimùm deteſtandum et ſubditorum, præcipue ad Prælatos, qui ſollicite perbigilant, tanquam rationem reddituri pro ſibi creditis animabus. *Quocirca ſtatuimus*, ut Archiepiſcopo vel Epiſcopo decedente, quilibet Sacerdos tam religioſus quam ſecularis qui defuncto ſubditus extiterat, pro ipſo Miſſam unam dicere teneatur. Fratres etiam et Coepiſcopi omnes in Congregatione ſua ſequenti proxima ſimul faciant ſolenne officium pro defuncto; ſinguli nichilominus in Capellis ſuis condigna ſuffragia exhibentes, ſicut deſiderant ſibi in caſu conſimili exhiberi. *Acta ſunt hæc in Concilio de* Lambeth, *à* Pecham *celebrata, & recitata in ultimo actione dicti Concilii, die Veneris ſexto Idus* Octobris, E. *litera Dominicali currente, Anno Domini* 1281. *Indictione nona, Pontific. Domini* Martini *Papæ quarto. Anno regni illuſtris Regis* Edwardi Angliæ *nono*; *& Conſecrationis noſtra tertio.*

Matthew Weſtminſter renders us this account of the Archbiſhops ſuſpenſions and ſequeſtrations in this Council againſt the exempt Abbots and others, who refuſed to appear in perſon in, or ſend Proctors to it upon the Archbiſhops ſummons, and of their Appeals againſt his Suſpenſions to the Pope; [a] *Anno gratiæ* 1281. *poſt feſtum Sancti* Michaelis, *frater* Johannes de Pecham *Archiepiſcopus* Cantuar. *apud* Lambethe Provinciale Concilium celebrabit, *qui contra exemptos*, ibidem venire nolentes, *libellum famoſum edidit ſub hac forma.* Frater *Johannes* permiſſione divina *Cantuar.* Archiepiſcopus, totius *Angliæ* Primas, venerabili fratri Domino *Richardo de Graveſend Londinen.* Epiſcopo, ſalutem & ſinceram in Domino Charitatem. Celebraturi nuper, ut ſcitis, apud *Lambethe* Provinciale Concilium, cum Coepiſcoporum noſtrorum venerando collegio, univerſos noſtræ Provinciæ Prælatos inferiores, quos Conciliorum tractatibus intereſſe jubent ſancti Canones, vocandos decrevimus, ac inter cæteros Religioſæ ſanctimoniæ perſonas præcipuas, Abbates ſcilicet et Priores, non ſolum Epiſcopi gradui ſubjectos, juxta ordinem Eccleſiaſticæ Hierarchiæ, verum etiam alios, ab Epiſcopali obedientia exemptos, ratione ſaltem Eccleſiarum non exemptarum, quas in proprios uſus, permittente Domino, detinent occupatas, ſperantes nos ſolius Dei honori, ac communi Eccleſiæ *Anglicanæ* commodis ſervientes, eorum juvandos potentia, dirigendos conſiliis, & ſanctitatis ſuæ meritis promovendos. Exempti vero, tanquam pullos Onagri, liberos ſe putantes, minime bal modice condolentes ſuæ ſanctæ matris angustiis, cujus viſcera multi ex eis plus onerant quam honorant, quaſi per effectum vel defectum verius, de ſe dictum illud *Johannis* Propheticum in Apocalypſi allegarunt: *Atrium, quod extra Templum eſt, ejice foras, & ne metiaris illud*, nec patiaris parturientium cervarum audire rugitus, nec ad ipſum Concilium in anxietate, matris conſilium et ſolatium, venire dignati ſunt, utpote filii alieni a ſemitis claudicantes, quin potius ne in aliquo detumeſceret eorum nimia elatio, nec procuratores ad ſuæ excuſationem abſentiæ mittere curaberunt, tam reverendum Collegium contemnentes, *Agar* ex parte ſimiles, quæ illuſtrem deſperit Dominam, videns ſe dibilionis filium concepiſſe, ſic agonizante olim Dei militia, et ſe laudabiliter periculis exponente divitis a prælantibus *Rubenita*, inter terminos proprios quieverunt, gregum ſibilis delectati. Nos autem, tam ingratæ præſumptionis audaciam, ſecundum juris regulas corrigere cupientes, ſcientes, juxta Salvatoris ſententiam, *Contra nos eſſe, qui nobiſcum eſſe deſpiciunt*, ſeveritati tamen plurimum detrahentes, quam poſſemus in contemptores hujuſmodi, ſi vellemus, canonice exercere, in virtute obedientiæ qua ſedi *Cantur.* tenemini, firmiter injungendo mandamus, quatenus omnes Eccleſias non exemptas in Dioceſi, exemptis Monaſteriis appropriatas, quorum nomina ſub ſigillo noſtro præſentibus ſunt appenſa, cujuſcunque ordinis exiſtant, auctoritate noſtra ſine more diſpendio ſequeſtrantes, eas faciatis ſub arcto ſequeſtro nihilominus cuſtodiri, donec ſuper hoc aliud receperitis in mandatis. Non exemptos quidem, quorum nomina in ſcedula annexa præſentibus continentur, quos nos propter eorum contumaciam ab ingreſſu Eccleſiæ ſuſpendimus, juſtitia exigente, ſic ſuſpenſos faciatis publice denunciari. Ab hac ſententia per Dominos Abbates de *Weſtm.* de *Sancto Eadmundo*, de *Sancto Albano*, & de *Waltham*, fuerat principaliter

[a] Mat. Weſtm. p 368. Anno Domini 1281.

An. 9 E. 1. liter appellatum. Alii etiam appellaverunt exempti, suam appellationem tepidè prosequentes, pro eo quod Archiepiscopus dissimulavit, quoad quosdam, executioni suam sententiam demandare.

b Antiq. Eccl. Brit. p. 198, 199.

What the issue of this appeal was, [b] *Mat. Parkers* informs us; *In eodem Concilio exemptos quos vocant*, qui Metropolitani jurisdictione continere, ejusque jussu ad Concilium accedere recusarunt, (which they would not have done, if summoned to it by the Kings Writ or Mandate) Excommunicationis atque suspensionis pœnis afflixit. *Inter hos* Westmonasterii, S. Albani, S. Edmundi, & Waltami *Cœnobiorum Abbates tanquam reliquorum duces*, provocabant ad Papam; *quibus magnus per* Cant. *provinciam exemptarum numerus adjunctus adhæsit.* Sed cum Cantuariensis Archiepiscopi vim ac potentiam sustinere non poterant, appellatione deserta, in ejus potestatem et misericordiam sese committebant. *Concluso autem & dimisso illo Concilio* provinciam totam visitando perlustravit, *magis ut de singulis Ecclesiis totiusq; Provincia statu certior fieret, quam ut severitate & Ecclesiastica disciplina uteretur. Cujus lenitatis atque moderationis causa perhibentur, quod primo ingressu provincialium suorum benevolentiam captavit, ideoque durius adhuc cum eis agere noluit:* or rather to avoid opposition and appeals against his visitation.

The King and his Counsil being highly offended with the Archbishop and his Suffragans for sundry of their Canons, Excommunications, and proceedings in this Council, against the tenor of his premised Writ, and Proctors appeals: Archbishop *Peckam* (magnus et robustus Antichristi Satelles, as * *John Bale* not improperly stiles him) writ and sent this most insolent, undutifull Epistle to him and his Counsil, to justifie what they had done; wherein he advanceth the Ecclesiastical and Papal Jurisdiction, Power, Canons, Laws, far above the Regal, to which all Emperors, Kings, and Temporal Lawes ought to submit; whose fallacies and mistakes therein I shall observe, and answer, as they occurre in his Epistle.

* Scriptorum Brit. Cent. 4. c. 64. Appendix, p. 350.

a Spelmanni Concil. Tom. p 341, 342. Ex vet. cod. M. S. in Registro principali D. Archiep. Cant. [nuncupato Peckham] fol. 97. a. Anno Domini 1281 9 E 1.
b 1 Pet 2. 17.
c Acts 5. 29.
d Isay 10. 1.

[a] *Excellentissimo Principi ac Domino* Edwardo, *Dei Gratia illustri Regi* Angliæ, *Domino* Hiberniæ, *& Duci* Aquitaniæ, *ac ejus Consiliariis literatis, Frater* Johannes *permissione divina* Cantuariensis *Ecclesiæ Minister humilis, totius* Angliæ *Primas, cum omni reverentia & honore orationes anxii peccatoris. Autore Domino præcipimur,* [b] Majestatem Regiam honorare, *& ad idem beneficiis innumeris obligamur: Quia tamen oportet* [c] Domino magis quam hominibus obedire, *ad prævaricationem Legum illarum, quæ divina authoritate absque omni dubio subsistunt*, nulla possumus humana constitutione ligari, nec etiam juramento; quoniam quicquid Divinis beneplacitis adversatur (not to Bishops or Popes, the only thing in question) est illicitum et dampnatum; *dicente Domino per Prophetam*, [d] Væ qui condunt leges iniquas: Quia igitur ab antiquo tempore, inter Reges ac Magnates Angliæ *ex parte una*, et Archiepiscopos, et Episcopos ac Clerum ejusdem Regni *ex altera*, durabit amara dissentio, pro oppressione Ecclesiæ, contra Decreta Summorum Pontificum, contra Statuta Conciliorum, contra sanxiones Orthodorum Patrum, (not against Christs, or his Apostles precepts, here totally omitted) in quibus tribus summa auctoritas, summa veritas, summaque sanctitas consistunt, *Supplicamus Regiæ Majestati*, quatenus pro honore Dei, et animæ suæ suorumque salute ac prosperitate stabili successionis suæ ab Imperatore omnium obtinenda, in cujus redundat injuriam Ecclesiæ contra prædicta conculcatio, huic periculosæ regno et pernitiosæ Clero discedit, dignemur finem apponere salutarem, cui finis aliter imponi non potest, nisi Vos Sublimitatem vestram prædictis tribus, scilicet Decretis Pontificum, Statutis Conciliorum, et Sanctionibus Orthodorum Patrum, juxta Domini beneplacitum cum Catholicis Imperatoribus dignemini inclinare. (But not by his or their dutifull submission to the Kings Supreame Authority, Laws, and Customes of the Realm, according to [e] *Christs*, St. *Peters*, and *Pauls* expresse precepts.) Ex his enim tribus sunt Canones aggregati, et jura Coronæ vestræ Christi Coronæ supponenda, (not to Popes or Bishops Miters) cujus sunt Diadema ac sponsæ suæ monilia, universæ Ecclesiasticæ libertates (mistaken they are for true [f] *Christian graces*, whereof *humility*, and *obedience to Christian Magistrates*, are not the meanest, which these proud Prelates quite abandoned) *Ipse per Prophetam dicente*, [g] Quasi sponsum decoratum Coronæ, & tanquam sponsam ornatam

e Mat. 22. 11. 1 Pet. 2. 13. Rom. 13. 1. to 7. Tit. 3. 1.
f Psal. 45. 11. 13. Mat. 11. 29. 1 Pet 3. 4. c. 5. 5. Tit. 3. 1. Rom. 13. 1, to 7.
g Isay 61. 10.

ornatam monilibus ſuis. **Decretis autem Summorum Pontificum, auctoritatem dedit omnium Imperator,** *dicens* Petro *in Evangelio* Matthæi, [l] Quicquid ligaveris ſuper terram, erit ligatum & in cœlo; **ligat ſiquidem Summus Pontifex,** (no more than any other ordinary Prieſt) **non vinculis corporalibus, ſed ſpiritualibus, ſacris ſaltem legibus,** (not with Popes, or Biſhops Canons,) **quibus tenentur univerſi homines obedire;** *dicente eodem Domino per* Moyſen *in* Deuteronomia, [m] Qui ſuperbierit, nolens obedire Sacerdotis imperio, qui eo tempore miniſtrat Domino Deo ſuo, & decreto Judicis (who was no Prieſt, but the Chief of the *Fathers of Iſrael*, appointed by the King, as *Deut.* 16. 18, 19, 20. 2 *Chron.* 19. 5. *to* 11. reſolve, which quite ſubverts his following inference from it) morietur homo ille; **Ab hac autem obedientia non eſt altitudo Regia abſoluta,** (*Ergo* Kings are as much ſubject, and ought to be as obedient to their Judges, as to their Prieſts) **ſed plus quam cæteri Laici inferiores eidem obnoxia;** *unde ſubjungitur conſequenter;* [n] Poſtquam ſederit Rex in ſolio regni ſui, deſcribet *Deuteronomium* ſibi legis hujus (*not of Popes or Biſhops Lawes, Decrees or Conſtitutions*) in volumine, accipiens exemplar à Sacerdotibus Leviticæ tribus, (not High Prieſt, or Pope) legetque illud omnibus diebus vitæ ſuæ, ut diſcat timere Dominum Deum ſuum, & cuſtodire verba & ceremonias ejus quæ in lege præcepta ſunt, ut longe ipſe regnet, ipſe & filius ejus. **Tenetur igitur Rex ipſe ex præcepto legis expreſſo, Summo Pontifici obedire;** (not mentioned in the Text, but only the inferiour *Prieſts*, to whom Kings are to obey only in what God and Chriſt have ſpecially commanded in and by their Lawes, not what Popes and Prelates have ſince decreed againſt, or beſide them) **quod ſi non fecerit, timere poteſt Rex Regis inſinuatione, ne Regni ſui prolongatio minuatur.** *Item Salvator dixit in* Lucæ *Evangelio diſcipulis congregatis*; Qui vos audit, me audit; & qui vos ſpernit, me ſpernit; *Quod exponens dicit beatus* Dionyſius, Ierarchis in hiis quæ agant Ierarchice obediendum eſt, ſicut à Deo motis, **Ergo nulla obſtante conſuetudine obediendum eſt Canonicis Ierarchicè impoſitis, hoc eſt ſacris arbitriis Prælatorum. Sed dicet forſitan Eccleſiæ inimicus, quod non pertinet ad Summum Pontificem, juga hujuſmodi Legum vel Canonum imponere Principi ſeculari: cujus nos cum univerſali Eccleſia, et omnibus mundi ſanctis et ſapientibus, ex adverſo contrarium affirmamus; Huic autem diſſidio ſi quæratur qualiter debeat pacis remedium adhiberi;** *Docet Dominus in* Deuteronomio *ut ſupra, dicens*; [o] Si difficile et ambiguum apud te Judicium eſſe proſpexeris, & judicum intra portas tuas videris verba variari; ſurge & aſcende ad locum quem elegerit Dominus Deus tuus, venieſque ad Sacerdotes Levitici generis, & ad Judicem qui fuerit illo tempore; quæreſque ab eis qui indicabunt tibi judicii veritatem, & facies quodcunque dixerint, qui præſunt loco quem elegerit Dominus, et docuerint te juxta legem ejus; **Ergo ad Summum Pontificem pertinet, omnis controverſiæ terminatio, quæ non poteſt per inferiores Judices quoſcunque terminari.** (The Argument holds not from the High Prieſt under the Law, to the Pope alone or Archbiſhop under the Goſpel, not mentioned in the Text, but only the inferiour Prieſts and ſecular Judge, conjoyned with them; Beſides, the High Prieſt under the Law was only a Type of Chriſt, whoſe voice alone we are [p] *enjoyned to hear and obey in all things*, not the Popes or Archbiſhops.) **Item quantæ authoritatis ſit Eccleſia, in Concilio, Chriſti nomine congregata, patet ex evangelio** Matthæi, *dicente Domino*, [q] Ubi ſunt duo vel tres congregati in meo nomine, (*to wit, in Prayer, not Synods*, and thoſe meer Laicks as well as Prieſts) ibi ego ſum in medio eorum: *Et ibidem*, [r] Si Eccleſiam (never uſed in Scripture for the High Prieſt, Pope, or Prieſts alone, as he ſurmiſeth) non audierit, ſit tibi ſicut Ethnicus & Publicanus. **Qui igitur Eccleſiæ non obediunt, in Concilio præcipuè congregati, hæretici ſunt cenſendi,** (a learned *Non-ſequitur.*) *Item quanta authoritatis ſit ſanctorum Patrum ſinceriſſima Doctrina patet teſtimonio* Salvatoris *dicentis in Evangelio* Matthæi, [s] Non vos eſtis qui loquimini, ſed ſpiritus patris veſtri qui loquitur in vobis, (meant of the Apoſtles, immediately inſpired by the Holy Ghoſt, not Popes or Prelates, which ſubverts his inference) **Idem eſt ergo ſanctorum Patrum diffinitionibus reſiſtere, quod Spiritus ſancti oraculis adverſari.** *Hac attendentes* **Imperatores Catholici,** (he names none) **leges ſuas omnes ſacris Canonibus ſubdiderunt, ne Schiſmatici vel Hæretici puterentur. Cum igitur ad vos, Excellentiſſime Domine Rex pertineat pax inclyta Imperii, et vos**

An. 9 *E.* 1.

l Mat. 16. 19.

m Deut. 17. 12.

n Deut. 17. 18, 19, 20.

o Deutr. 17. 8, 9, 10, 11.

p Heb. cap. 4. to 11. Mat. 17. 5. c. 18. 20. Act. 3. 22.

q Mat. 18. 19, 20.

r Mat. 18. 17.

s Mat. 10. 20.

An. 9 E. 1. etiam tenemini leges veſtras Canonibus ſubjicere, et contrarias abolere, (he ſhould have proved, as well as barely affirmed it) turpis eſt pars quæ ſuo non convenit univerſo. Conſtantinus *inſuper* Rex Angliæ, et Orbis nichilominus Imperator, univerſa conceſſit quæ petiuus, et ſpecialiter perſonas Clericorum, a ſolis Prælatis Eccleſiæ judicandas eſſe decrevit. (A forgery I have *elſewhere* refuted, Tom. 1. p. 72, to 87.) *Hoc idem* Wyghredus *Rex* Cantiæ Canones aſſirmans eſſe ſervandas, fieri conceſſit, *ut patet ex Concilio à* Brighewaldo *Archiepiſcopo celebrato, Anno Domini ſeptuageſimo nonageſimo quarto.* (A clear miſtake, his Charter in this Council, if genuine, and not forged by the Monks or Archbiſhops of *Canterbury*, (of which there is juſt ground of ſuſpition, as I have [a] *elſewhere* obſerved) did not exempt Clergymen and religious perſons from ſecular Juriſdiction, or ſubject all Regal or Temporal Lawes to their Canons or Conſtitutions, but only appropriated the election, approbation, and inſtallment of all Biſhops, Abbots, Abbeſſes, Priors, and other Prelates to the Archbiſhop.) *Hoc & Rex* Canutus *de perſonis Eccleſiaſticis in ſuis ſcriptis legibus diffinivit.* (It is true King *Cnute* after his return from *Rome* to gratifie the Pope and Clergy, out of his ſpecial grace, enacted theſe [b] 2. *Lawes*, which gave our Biſhops power to puniſh their Clerks, who committed *Murder*, or any other capital crimes, and receive their purgations. *Si eorum qui aris deſervierint aliquis hominem occiderit, aut aliquid perpetrarit flagitium, gradu & honore diſpoliatus* perinde atque ei Papa ſuus (ſo he ſtiles the Biſhop in that age) circumſcripſerit habitandi locum exulato, ac cumulate compenſato. *Si ſe purgare velit, tripliciter hoc faciat. Atque in hanc quæ Deo & hominibus debetur compenſationem intra* 30. *aggrediatur dies*, ab omni legis commoditate deſtitutus habetor. Si quis ſacris inauguratus rei capitalis obnoxius extiterit, comprehenditor, atque ut tandem Epiſcopo criminis admiſſi pœnas dependat, aſſervator: Which Lawes of his were the original ground of *delivering Clerks convicted and impriſoned for any Capital crimes, to their Ordinaries, upon demand, to make their purgation*; ratified by [c] King *Edward* the 1. in the Statute of *Weſtm.* cap. 2. But this New indulged Juriſdiction granted by King *Cnute* to Biſhops, did not totally ſubject himſelf or his Lawes to the Popes or Biſhops Canons, nor yet wholly exempt Clerks from ſecular Juriſdiction and puniſhments, to which they were ſtill liable, but only from death; this King in his Lawes expreſly reſolving; Chriſtiana ſiquidem fide imbuti Regis eſt, Deo illatas graviter (pro facti ratione) ulciſci injurias, who by his Lawes inflicted *impriſonment, baniſhment, utlawry, confiſcation of goods, depoſition, degradation, and incapacity of holding any preferments on ſuch offending Clerks.*) *Sanctus etiam* Edwardus *in regnum* Angliæ *ſublimandus, prius juravit ſe leges* Canuti *Regis inviolabiliter ſervaturum.* Willielmus *etiam Rex*, cui Sanctus Edwardus Regnum contulit, *leges ipſius ſancti ſervandas eſſe conceſſit. Qui ſanctus inter cætera diffinivit*; (only out of his royal grace, not of meer right or duty) Ut ſi quis pacem Eccleſiæ infregerit, ab Epiſcopis ſit juſtitia exercenda, & non à Regis Juſtitiariis, niſi propter Epiſcopi impotentiam vel neglectum. *Et plura alia ſanctiſſima ſanxivit*, quæ ſervata honori Domini proficerent, et Regis merito coram Deo. Eccleſiam etiam hujus Inſulæ credimus fuiſſe in poſſeſſione libertatum quas petimus, tribus temporibus Regum diverſarum linguarum Inſulæ ſupradictæ; tempore ſcilicet Regum Britanorum, *ſicut patet de parte illius Eccleſiæ quæ hactenus manſit in partibus* Walliæ, quæ contra libertates hujuſmodi non dedicit conculcare. *Item*, tempore Regum Anglorum, *utpote Regum* Cnuti & Ardecnuti; et præcipue et indubitanter tempore Sancti Edwardi. Item tempore Regis primi Normannorum triumphatoris incipti Domini Willielmi primi, (all which I have [d] already largely refuted) Et oppreſſiones quas plangimus, credimus ſumpſiſſe exordium tempore Regis Henrici primi, et præcipue Regis Henrici patris Henrici junioris, quando voluit articulos gravaminum, per conſenſum Sancti Thomæ Archiepiſcopi et cæterorum Pontificum Angliæ confirmari: Quibus quia noluit conſentire, ſuſtinuit exilium; et hujus occaſione poſtea, paſſionem. (He ſuffered exile, death, as a moſt egregious, ungratefull, obſtinate Rebell, Traytor, and oppugner of the antient Prerogatives, Rights, Lawes, Cuſtomes of the Kingdom, which himſelf had ſworn to obſerve.) Si igitur Martyrem non facit ſed cauſa, illiciti et damnabiles ſunt articuli, quibus quia aſſentire noluit, [illegible] agoniam; cujus injuriæ totiens repetuntur, quotiens Clerus vel Eccleſ[illegible]

[a] See Here, Tom 1. p 191, 192. Spelman. Concil. Tom. 2. p. 198.

[b] Spelmanni Concil. Tom. 2. p. 555, 556, &c.

[c] See Cookes 2 Inſt. p. 163. Hollands Reports. p. 288, 289, &c.

[d] See here, Tom. 1. p. 334, &c.

[illegible] Tom. 1. [illegible]

contra Canones illos oppugnitur, quos voluit obſervari. (Whoſe Treaſons are rather re-acted as oft as ſuch Canons againſt the Kings prerogative are new minted or juſtified.) *Quia igitur excellentiſſime Domine*, iſta vobis metu conſcientiæ cogimur ſcribere, ſicut volumus in tremendo judicio reſpondere; ſupplicamus humiliter, quatenus iſtis noſtris exhortationibus aurem dignemini inclinare, qui et juramento veſtro tenemini, a regno veſtro malas conſuetudines extirpare; nec juramento aliquo poteſtis ad ea quæ repugnant libertati Eccleſiaſticæ obligari, et ex habundanti ab omni vos juramento abſolvimus, (he ſhould rather have kept his own Oath of Fealty and Allegiance to the King as he required him, then abſolve the King from his Coronation Oath upon this account) quod poteſt conſcientiam veſtram contra Eccleſiam aliqualiter excitare; et firmiter opinamur, quod vos nec animæ veſtræ poteſtis ſalubriter proſpicere, nec ſtabilitati regni veſtri impoſterum providere, niſi exhortationem noſtram dignemini exaudire, pro qua tot Sancti Patres, (Rebellious Traytors rather) et penultimo ſanctæ memoriæ Dominus Bonifacius, illuſtris genetricis veſtræ Avunculus, (* forced to fly the Realm, and particularly appealed and complained againſt by King *Henry* the 3d. to the Pope, for his Antimonarchical Conſtitutions againſt his Crown, Dignity, Laws, and Prohibition, in a Council held at *Lambeth*, as this was) tam anxie laborarunt; ad quod bonitatem cordis veſtri credimus eſſe proclivem, niſi vos decipiant impii ſuggeſtores, (ſo he ſtiles his loyal faithfull miniſters, when as himſelf only was an impious ſuggeſtor) quod ſi fecerint altiſſimo ſupplicamus, ut eos ſic temporaliter feriat, ut ipſorum animæ ſalvæ fiant. *Datum apud* Lambethe *quarto Nonarum* Novembris, *Anno Domini* 1281. *Conſecrationis noſtræ anno tertio.* *An.* 9 E. 1.

* See Tom. 2. p. 890, to 912. 983, 989, 990, 991.

Thus doth this Papal Arch-prelate, inſtead of obeying the Kings premiſed Writ, and obſerving his Oath of Fealty to him, in maintaining, not attempting or decreeing any thing to the prejudice of the antient Rights and Priviledges of his Crown and Realm, in this his inſolent Epiſtle moſt perfidiouſly, trayterouſly, and profeſſedly oppugn, argue, conteſt againſt them; and by wreſted, miſapplyed Texts of Scripture, falſe ſuggeſtions, and the preſidents of his moſt ſeditious trayterous predeceſſors *Beckt* and *Boniface*, whom he highly magnifies, to endeavour to juſtifie his and his Suffragans Antimonarchical proceedings and Conſtitutions in this Council, yea to ſubject the Kings, and all other Chriſtian Emperors, Kings, Princes perſons, conſciences, Oathes, Laws, Crowns, Prerogatives, to the Juriſdiction, Canons, Conſtitutions not only of the Pope, but of their own Prelates and Clergy, aſſembled in Synods without their Regal authority or preſence in them, and that under pain not only of incurring Gods temporal Judgements on their Perſons, Realms, but of eternal damnation, as oppugners of the Churches pretended Liberties, though conferred on them by their meer Regal Charters and favours.

This Archbiſhop of *Canterbury* (who loved Veniſon better then his Soveraign, or peoples ſouls) claiming 13 Bucks and 13 Does annually out of the Foreſt of *Arundell*, by a compoſition made between Archbiſhop *Boniface* and the Earl of *Arundell*, the King notwithſtanding his premiſed inſolencies againſt him, iſſued this Writ for payment of them to the Keeper of the Foreſt.

MAndatum eſt *Iſabellæ de Mortuo mari* cuſtodi Honoris de *Arundell*, quod in Foreſta de *Arundell* habere faciat venerabili patri *J. Cantuarienſi* Archiepiſcopo ſingulis annis tredecim Damos et tredecim Damas, juxta compoſitionem initam inter bonæ memoriæ *Bonifacium* quondam Archiepiſcopum *Cantuarienſem*, & *Johannem* filium *Alani* quondam Dominum Foreſtæ de *Arundell*, quamdiu dicta Foreſta fuerit in cuſtodia ſua. Permittat etiam præfatum Archiepiſcopum ſemel in anno in eundo verſus Manerium ſuum de *Slindon*, & inde recedendo, habere quendam curſum in Foreſta prædicta juxta compoſitionem prædictam. Diſtringat etiam *Matill.* quæ fuit uxor *Johannis* filii *Alani*, ad reddendum ſibi Damos & Damas in portione quam tenet in dotem in prædicta Foreſta. Et præfata *Iſabella* ſimiliter reddat eidem Archiepiſcopo Damos & Damas in portione quam ipſa ſimiliter tenet in dotem in Foreſta illa, prout de jure fuerit faciendum, & juxta compoſitionem prædictam. Teſte, &c. apud *Weſtm.* 5 die *Julii*. Clauſ. 9 E. 2. m. 5. Pro Archiepiſcopo Cantuarienſi de Damis in Foreſta de Arundell habendis.

An. 9 *E.* 1. In a Bundle of Writs (*Anno* 9 *E.* 1.) which I reſcued out of the Rubbiſh in the White Tower, I met with three memorable Writs iſſued to three ſeveral Sheriffs to ſeiſe all the Lands of *Bogo de Clare*, for his contempt in proſecuting a Suit in the Eccleſiaſtical Court concerning an Advouſon of a Church, and appealing to *Rome* againſt the Kings Prohibition; whereof he was found guilty before the Juſtices in Eyre in the County of *Lincoln*, upon an Attachment, to the prejudice and diſinheriſon of the Kings Crown and Dignity.

Brevia Regis Anno 9 E. 1. EDwardus *Dei gratia Rex* Angliæ, *Dominus* Hiberniæ, *& Dux* Aquitaniæ, *Vicecomiti* Exon. *&* Berks. *ſalutem. Oſtendit nobis* Johannes de Lovetot *Patronus Eccleſiæ de* Athelingflete, *quod cum* Bogo de Clare **attachiatus eſſet in Curia noſtra coram Juſticiariis noſtris apud** Weſtm. *ad reſpondendum eidem* Johanni *de placito, quare ſecutus fuit placitum in Curia Chriſtianitatis de Advocatione Eccleſiæ prædictæ, contra Prohibitionem noſtram; ac idem* Bogo *in eadem Curia noſtra ſe inde in Inquiſitionem patria poſuiſſet: Qua quidem Inquiſitio poſtea capta fuit coram Juſticiariis noſtris Itinerantibus apud* Linc. *per quam convictum fuit, quod Magiſter* Johannes le Romeyn, *& Magiſter* Ricardus de Horton, **Juſtices in Curia Chriſtianitatis ſuper Advocatione prædicta, poſt Prohibitionem noſtram eis porrectam ad proſecutionem ipſius** Bogonis **attekationes dictam proſecutionem tangentes conſignarunt, et ad Curiam Romanam per eundem** Bogonem **remiſerunt, ac tam per Juſticiarios noſtros de Banco, quam per prælatos Juſticiarios noſtros Itinerantes in Com.** Lincoln. **ex parte noſtra eidem** Bogoni **firmiter fuiſſet inhibitum, ne placitum illud in prædicta Curia Chriſtianitatis ulterius ſequeretur: Idem** Bogo, **ſpretis inhibitionibus noſtris prædictis ſibi ex parte noſtra factis, a proſecutione placiti prædicti non deſiſtit; ſed placitum illud adhuc ſecutus eſt in Curia Chriſtianitatis, contra Prohibitiones noſtras. Et quia ex proſecutione dicti placiti in Curia Chriſtianitatis dictus** Johannes de Lovetot, **non tantum Advocationis prædictæ ſactuam incurreret, immo nobis et hæredibus noſtris, Coronæ et Dignitatis noſtræ læſio, et exhæredatio manifeſta imperpetuum eſſet: *Tibi præcipimus firmiter injungentes*, quod capias in manum noſtram omnes Terras et Tenementa prædicti** Bogonis **in Balliva, et ea in manu noſtra ſalvo cuſtodias; ita quod nec ipſe, nec aliquis per ipſum ad ea manum apponat, donec aliud a nobis habueris inde præceptum: Et quod de Exitibus eorundem, nobis (ſi neceſſe fuerit) plene reſpondere poſſis, quoniam nobis conſiterit, quod prælatus** Bogo **a proſecutione dicti placiti in Curia Chriſtianitatis ſinaliter ceſſaverit.** *Et quid inde feceris, & qualiter præceptum noſtrum executus fueris in hac parte, ſcire facias præfatis Juſticiariis noſtris Itinerantibus apud* Lincoln. *in Octabis Sancti* Michaelis; *& habeas ibi hoc breve. Teſte* J. de Walibus *apud* Lincoln. 25 *die* Julii, *anno regni noſtri nono.*

Upon which Writ the Sheriff endorſed this Return; Bogo de Clare, *dum ante traditionem iſtius brevis, tradidit ac dimiſit Manerium de* Aſtkote, *cuidam* Adæ de Philebi *Clerico. Et nullum habet Laicum feodum in Comitatu* Exon. *neque* Berks. *per quod diſtringi poſſit ſen attachiari, nec terras nec tenementa quæ capi poſſint in manum Domini Regis pro proſecutione placiti infra contenti. Et hoc verificare poteſt per patriam.*

The like Writ *verbatim* iſſued to the Sheriff of *Southampton*, who endorſed this Return thereon; Bogo de Clare *non habet Laicum feodum in Balliva mea, unde executionem iſtius brevis facere potui.*

The like Writ of the ſame date iſſued to the Sheriff of *Eſſex*, who Returned; Bogo de Clare *nullas habet terras ſeu tenementa in Balliva mea, per qua poſſet diſtringi. Habet enim Eccleſiam de* Dunmawe *in Balliva mea, de dono Domini Comitis* Gloucetr. *fratris ſui in Epiſcopatu* London. *ſed nullum habet Laicum feodum ad dictam Eccleſiam ſpectantem, nec alibi in Balliva mea.*

In the ſame Bundle, I found this Writ iſſued to the Sheriff of *Nottingham*, againſt the Archbiſhop of *York*, and ſundry Canons of St. *Maries* Church in *Suthwell*, for proſecuting a Suit for an Advouſon in Court Chriſtian, againſt the Kings Prohibition, and not appearing before the Kings Juſtices upon former Proceſſe iſſued to them.

Edwardus

An. 9 *E.* 1.

Brevia Regis Anno 9 E. 1.

EDwardus *Dei gratia Rex* Angliæ, *Dominus* Hiberniæ, & *Dux* Aquitaniæ; *Vic.* Nottingham *ſalutem. Præcipimus tibi, ſicut alias tibi præcepimus, quod pones per vadium & ſalvos plegios* Willielmum *Archiepiſcopum* Eboracenſem, *quod ſit coram Juſticiariis noſtris Itinerantibus apud* Lincoln. *in Octabis Sancti* Johannis Baptiſtæ, *& ibi habeat Magiſtrum* Johannem Clarell, *Magiſtrum* Henricum de Skipton, *Magiſtrum* Nicholaum de Welles, Nicholaum de Knovill, *Magiſtrum* Johannem de Peningeſton, & *Magiſtrum* Benedictinum de Halom, *Canonicos Eccleſiæ Sanctæ* Mariæ *de* Suthwelle *Clericos ſuos, ad reſpondendum* Richardo de Grey *cuſtodi terræ & hæredis* Anthonii de Frethevill, *de placito*, **quare fecuti ſunt placitum in Curia Chriſtianitatis de Advocatione Eccleſiæ de** Boneye, **contra Prohibitionem noſtram**, *ut dicit: Et ad oſtendendum quare præditum* Johannem *& alios coram Juſticiariis noſtris Itinerantibus apud* Ebor. *in craſtino Sancti* Hilarii *venire non fecit, ſicut ſibi mandatum fuit. Et tu ipſe tunc ſis ibi auditurus Judicium tuum de hoc quod præceptum noſtrum prius inde tibi directum non exequtus, ſicut tibi præceptum fuit. Et habeas ibi nomina pleg. & hoc breve. Teſte* J. de Metingham *apud* Dereby 12 *die* Maii, *anno regni noſtri nono.*

Sundry Canons and Converts of the Order of *Sempingham* this year turning Apoſtates, and deſerting their Houſes in divers Priories of that Order, to the peril of their ſouls, and ſcandal of their profeſſion; the King upon complaint iſſued this Writ to apprehend and puniſh them for it, and to deliver ſuch of them who were then apprehended, to thoſe of that Order to be chaſtiſed.

Pat. 9 E. 1. pars 1. m. 22. De Fratribus vagabundis caſtigandis.

REX dilecto & fideli ſuo *Roberto de Ros*, ſalutem. Cum nuper per literas noſtras patentes conceſſerimus dilecto nobis in Chriſto Magiſtro Ordinis de *Sempingham*, **quod quoſdam Canonicos et Converſos de diverſis Prioratibus ejuſdem Ordinis profectos, qui ſine licentia ſua et Priorum ſuorum, in ſuæ ſalutis periculum, et Ordinis prædicti ſcandalum grabiſſimum, relicto habitu ſuo, et aliqui eorum in eorum habitu diſcurrunt per patriam vagabundi, ubicunque eos inveniri contigerit, capere et detinere valeat ſecundum ſui Ordinis regulam inſticiandos**, ac Frater *Adam de Karleton*, & Frater *Willielmus de Hitcham* Converſi Hoſpitalis Sanctæ *Katerinæ* extra *Lincoln.* Ordinis prædicti, qui habitum ſuum reliquerunt, capti ſint & detenti in Caſtro veſtro de *Belvero*, ad proſecutionem Fratris *Adæ de Barwe* Celerarii Hoſpitalis prædicti, ut accepimus, nos eidem Magiſtro conceſſionem noſtram prædictam in hac parte continuari volentes; Vobis mandamus, quod prædicto Celerario nomine prædicti Magiſtri, prædictos Converſos fugitivos ſic arreſtatos, ſine dilatione deliberari faciatis **caſtigandos**, ſicut prædictum eſt. Niſi aliquid aliud contra pacem noſtram fecerint, quare nobis inconſultis ſibi deliberari non debeant. In cujus, &c. Teſte Rege apud *Tame* primo die *Maii.*

The King to prevent the ſacrilegious imbezilling of the Rents, Chalices, Books, Veſtments, Images, Reliques, Charters, and Bulls of the Hermitage by *Cripelgate*, granted the cuſtody thereof in his name to the Conſtable of the Tower for the time being, by this Patent.

Pat. 9 E. 1. m. 10. intus. De cuſtode deputato ad Heremitagium juxta Cripelgate.

REX omnibus Ballivis & fidelibus ſuis ad quos, &c. ſalutem. **Quia Reperitus, Calices, Libri, Veſtimenta, Imagines, Campanæ, Reliquiæ, Cartæ, munimenta Regia, privilegia Apoſtolica, Utenſilia, et alia bona Heremitagii juxta** *Cripelgate*, quod eſt de advocatione noſtra, & quod celebris memoriæ Dominus *H.* Rex pater noſter *Roberto de Sancto Laurentio* Capellano, cum omnibus pertinentiis ſuis dedit, ad inhabitandum quoad vixerit, **per deceſſum Heremitarum Heremitagii illius tempore vacationis ejuſdem, tam per viras Eccleſiaſticas quam Laicos ſubtrahi et aſportari ſolent**, ut dicitur, pro eo quod Heremitagium illud non fuerit tunc ſub certa cuſtodia: **Nos ad hujuſmodi damna et pericula ibidem in poſterum evitanda, remedium adhibere volentes in hac parte**; Conſtabulario Turris noſtræ *London.* qui pro tempore fuerit, **ejuſdem Heremitagii nomine noſtro quamdiu nobis placuerit cuſtodem deputavimus**, ut ipſe Heremitagium illud inhabitantes, reddit⁹, & omnia alia ad illud pertinentia de cætero **nomine noſtro**

cuſtodiat,

An. 9 *E.* 1. **cuſtodiat, protegat et defendat.** Et ſi quid eis forisfactum fuerit, id eis ſine dilatione faciat emendari. In cujus, &c. Teſte Rege apud *Weſtm.* 12 die *Julii.*

The King this year, at the Petition of the Prior and Covent of *New Burgh* much endebted, granted this Royal Protection to them.

Pat. 9 E. 1. m. 19. intus. REX omnibus Ballivis & fidelibus ſuis ad quos, &c. ſalutem. Cum dilecti nobis in Chriſto Prior & Conventus de *Novo Burgo* Mercatoribus & aliis Creditoribus ſuis diverſis in debitis multimodis & immenſis teneantur, ad quorum ſolutionem facultates Prioratus prædicti per magni temporis ſpacium ſufficere non poſſent, abſque diſperſione Canonicorum Prioratus prædicti, vel feodalium ſuorum, dilapidatione ſeu fortè Prioratus illius ſubverſione totali quod nollemus: Nos, &c. as in former Protections. *In cujus*, &c. *Teſte Rege apud* Weſtm. 25 *die* Maii.

The Prior and Covent of *Chirebiry* tranſlating themſelves thither from *Snede*, which they afterwards found inconvenient to their devotion, the King upon their petition granted them this Patent to return again to *Snede*; in the prologue whereof and cloſe he expreſſed his Soveraign Royal duty and care to advance Religion and Devotion.

Pat. 9 E. 1 m. 19 intus. De Priore & Conventu de Chirebiry. REX omnibus, &c. ſalutem. **Cum nos in his quæ ad cultum divinum pertinent miniſtros et profeſſores cultus illius ad laudem et honorem omnipotentis Dei in locis congruis ad hoc confovere teneamur, et illos præcipue qui ſub noſtro ſpeciali regimine ad hoc vacaverint,** ac dilecti nobis in Chriſto Prior & Conventus de *Chirebiry*, qui primo apud la *Snede* ſuæ profeſſionis & devotionis inchoaverunt originem, exinde poſtmodum uſque *Chirebiry* **tranſlati**, ibi locum non invenerint adeo congruum divino miniſterio celebrando ob varia impedimenta quæ eis ibidem occurrunt, ut accepimus. Nos ipſorum Prioris & Conventus tranquillitati in hac parte proſpicere volentes, **ut commodius et liberius contemplationi divinæ valeant vacare, concedimus eiſdem, quod ad prædictum locum de** Snede abſque **calumpnia et occaſione noſtri vel hæredum noſtrorum ad vota et profeſſionis ſuæ debita ibidem complenda regredi et morari valeant, et ea ibidem ſuo perpetuo conſummare.** Proviſo tamen, **quod animabus illorum qui in prædicto ſacro loco de** Chirebiry **requieſcunt non minus per prædictos Priorem et Conventum in prædicto loco de** Snede **miniſteriis divinis ſuper hoc ſuffragetur impoſterum, quam ibidem temporibus retroactis fieri conſuevit.** Ita etiam quod præfatis Religioſis nichil juris ſui depereat ſeu decreſcat apud *Chirebiry* occaſione tranſlationis ſuæ ſupradictæ. In cujus, &c. Teſte Rege apud *Weſtm.* 21 die *Maii.*

This year there fell out this memorable caſe, in an Aſſiſe of Darraign Preſentment, between the King, and the Biſhop and Chapter of *Landaff*, concerning the Church of *Lantehowe*, the preſentation whereunto the King then claimed by reaſon of the Wardſhip of *John de Haſtings*, Heir of *Bergeveny*, in whoſe Court he ſued them, to which they demurred.

Pat. 9 E. 1. m. 20. intus. Pro Epiſcopo & Capitulo Landaven. de Eccleſia de Lantehowe. REX omnibus, &c. ſalutem. Inſpeximus Recordum & Proceſſum habitum inter nos & *Landaven.* Epiſcopum & Capitulum ejuſdem loci coram dilecto Clerico noſtro Magiſtro *Henrico de Bray* Seneſcallo noſtro de *Bergaveny* de Eccleſia de *Lantehowe Purthelok* in hæc verba. *Hugo* Ballivus de *Bergeveny* qui proſequitur pro Domino Rege nomine *Johannis de Haſting.* qui infra ætatem eſt & hæres de *Bergeveny*, optulit ſe verſus Dominum *W. de Breuſ.* Epiſcopum *Landavenſem*, & ejuſdem loci Capitulum de placito Aſſiſæ ultimæ præſentacionis Eccleſiæ de *Lantehou Porchalank.* Et prædicti Epiſcopus & Capitulum non venerunt, & ideo conſideratum eſt quod dicti Epiſcopus & Capitulum reſummonerentur per bonos ſummonitores quod ſint ibidem die Jovis proxima ante feſtum Annunciationis beatæ *Mariæ*, ad audiendum Recognicionem prædictæ Aſſiſæ, &c. Curia tenta die Jovis Anno regni Regis *Edwardi* 1. ſexto in vigilia Annunciationis beatæ *Mariæ* apud *Bergeveny* qui proſequitur pro Domino Rege nomine *Johannis de Haſting.* qui infra ætatem eſt & hæres de *Bergeveny* optulit ſe verſus *W. de Breus.* Epiſcopum *Landavenſem*

ſem & ejuſdem loci Capitulum de Placito Aſſiſæ ultimæ Præſentacionis Eccleſiæ de *Lanch. Porch.* Et Epiſcopus & Capitulum venerunt, & dicebant, quod non tenebantur ad ſummonicionem alicujus Ballivi ſeu Seneſcalli de *Bergeveny* pro aliquo Balivi Regis venire, nec in Curia illa de *Lantchold. Porchalank*, nec de aliquo Jure ad Eccleſiam de *Land.* pertinente ibidem reſpondere, quia ipſi et prædeceſſores ſui a tempore cujus non extat memoria uſque nunc, continue tenuerunt illam tanquam pertinentem ad Eccleſiam ſuam Cathedralem de *Land.* nec aliquid tenent ſeu tenere clamant de Domino de *Bergeveny*, unde ibi reſpondere non debent ut dicunt. Et ſic receſſerunt Epiſcopus & Capitulum. Et conſideraverit Curia quod Aſſiſa illa per Dominum Regem verſum Epiſcopum et Capitulum ſic arraniata caperetur in ipſorum Epiſcopi et Capituli defectum, et quod ulterius inquireretur de Jure Patronatus Eccleſiæ prædictæ, quia talis conſuetudo conſuevit eſſe in Curia prædicta. Aſſiſa ultimæ præſentacionis per Dominum *Edwardum* Regem *Angliæ* tanquam Cuſtodem hæred. de *Bergeveny*, coram *Henrico de Bray* & ibi aſſociatis die Jovis in vigilia beatæ *Mariæ* anno regni Regis *Edwardi* I. ſexto, verſus Dominum *Willielmum de Breus.* Epiſcopum *Landavenſem* & ejuſdem loci Capitulum arram. per *Philippum ab Menrik ab David, David ab Wranon ab Gilbert, Leulin ab Wilim, Walterum de Tineleye, Menricum ab Adam, Wronon ab Adam, Waſtelon ab Knaithon, Blethin ab Knaithon, Willielmum de Groſemunde, David ab Wronon Kelim, Philippum ab Laurenc. Irienard Wauham ab Madek, Adam Waludian, ab Adam ab Knaithon, Willielmum* filium *Ricardi, Vincencium Scudemor, Robertum Wroch Macy, Wroch Macy* filium *Walteri, Henricum Pelliparium, Walterum Comyn, Walterum Somery* venit recognitura, quis advocatus tempore pacis præſentavit ultimam perſonam quæ mortua eſt ad *Lanchporch.* quæ vacat ut dicitur: Cujus præſentacionem Dominus Rex dicit ad ipſum pertinere, ratione cuſtodiæ hæredis & terrarum de *Bergeveny*, & quam præſentacionem memorati Epiſcopus & Capitulum *Landav.* injuſtè ei deforc. ut dicit. Qui jurati ſuper Sacramentum ſuum dicunt, *quod nemo advocatus unquam præſentavit ad Eccleſiam de* Lanch porch. ſet quod omnes Epiſcopi et Capitulum Land. qui pro tempore fuerunt a tempore cujus non extat memoria, hactenus tenuerunt memoratam Eccleſiam de Lanch Porch in proprios uſus; hoc adjecto, *quod* Adam de Lanch. *qui ultimo obiit in eadem ſunt firmarius prædictorum Epiſcopi & Capituli. Et eciam quidam* Johannes *qui proximo ante ipſum* Adam *obiit ſimiliter fuit firmarius in eadem. Et ſic quidam* Gorgi *Capellanus qui immediatè deceſſit ante ipſum* Johannem *ſimiliter obiit ut firmarius in eadem, ita quod nullus eorum tenuit pro æquali ſumma pecuniæ pro qua & alter tenuit, ſet pro voluntate prædictorum Epiſcopi & Capituli majus & minus contulerunt pro firma memorata juxta firmarium conſuetudinem.* Et ideo conſideratum eſt, quod prædicti Epiſcopus & Capitulum in præſencia ſua poſſent tanquam proprietarii Eccleſiæ prædictæ ſuam tenere proprietatem Eccleſiæ de *Lanch Porch* memoratæ per viſum Recognitorum Aſſiſæ prædictæ, & quod prædictus Dominus *E.* Rex nichil capiat per præſentacionem ſuam ad præſens factam. In cujus, &c. Teſte Rege apud *Weſtm.* xv. die *Maii.* *An.* 9 *E.* I

The King having an expedition againſt the *Welſh* in the 5th. year of his Reign, ſummoned all Biſhops and Abbots, as well as Earls, Barons and Laymen, who held of the Crown by Knight Service, to attend and ſerve him with their Horſe and Armes; whereupon thoſe who attended not, or made no compoſition for their Service then, were afterwards forced to pay a Fine for their defaults, amongſt the reſt the Abbot of *Malmesbury* paid one Hundred Marks Fine, as this Record atteſts.

REX Theſaurario & Baronibus ſuis de Scaccario, ſalutem. Sciatis quod dilectus nobis in Chriſto Abbas *Malmesbir.* liberavit per præceptum noſtrum dilecto Clerico noſtro *Rogero de Eveſham* Centum Marcas, per quas finem fecit nobiſcum pro ſervicio ſuo in exercitu noſtro Walliæ anno regni noſtri quinto, prout per literas noſtras patentes quas idem Abbas inde habet, & quas inſpeximus vobis conſtat. Et ideo vobis mandamus, quod prædictum Abbatem de prædictis Centum Marcis quietum eſſe facfatis; proviſo quod idem *Rogerus* inde oneretur ad Scaccarium prædictum. Teſte Rege apud *Weſtm.* 28 die *Octobris.* Clauſ 9 E. 1. m. 2. Pro Abbate de Malmesbury.

The

An. 9 *E.* 1. The Monks of *Battle* Abby having by antient Charters the cuſtody of the Temporalties and Goods of the Abby during the vacancy, the King thereupon iſſued this Writ not to interrupt this Priviledge.

Clauſ 9 E. 1. m. 8. Pro Monachis de Bello. QVia per *Chartas prædeceſſorum Regis Regum* Angliæ *conceſſum eſt Monachis de* Bello, *quod cedentibus vel decedentibus Abbatibus ejuſdem loci ipſi Monachi habeant cuſtodiam Abbatiæ ſuæ, & omnium terrarum & tenementorum ad ipſam pertinentium, & liberam adminiſtrationem de omnibus rebus & poſſeſſionibus ad eandem Abbatiam pertinentibus,* (againſt common right) *Mandatum eſt* Radulpho de Sandwico *Seneſcallo Regis,* quod ipſos Monachos cuſtodiam Abbatiæ ſuæ in hac vacatione ſua & omnium terrarum & tenementorum ejuſdem Abbatiæ, & liberam adminiſtrationem de omnibus rebus & poſſeſſionibus ad ipſam pertinentibus habere permittat, ſicut prædictum eſt: *Nec de cuſtodia prædicta, vel aliquibus ad ipſam pertinentibus ſe intromittat contra conceſſionem prædictam. Et ſi quæ inde poſt captionem dictæ domus in manum Regis percepta fuerint, ea eis ſine dilatione reſtituat. Teſte Rege apud* Weſtm. 9 *die* Maii.

He likewiſe iſſued theſe Writs for confirmation and allowance of all Charters of Priviledge granted to the Abby of *Weſtminſter.*

Clauſ. 9 E. 1. m. 11. Pro Abbate & Conventu Weſtm. REX Theſaurario & Baronibus ſuis de Scaccario, ſalutem. Cum nos Chartas progenitorum noſtrorum Regum *Angliæ* factas dilectis nobis in Chriſto Abbati & Conventui *Weſtm.* per Chartas noſtras favorabiliter duxerimus confirmandas: **Nos eos in omnibus et ſingulis articulis in Chartis prædictis contentis, manuteneri volentes et teneri**; vobis mandamus, quod lectis coram vobis in Scaccario prædicto Chartis Confirmationum noſtrarum eis factis, eos articulis in eiſdem Confirmationum Chartis contentis uti & gaudere, & Chartas illas eis allocari faciatis. Teſte Rege apud *Weſtm.* 5 die *Decembris.*

Clauſ. 9 E. 1. m. 12 Pro Abbate Weſtm. MAndatum eſt *Galfrido de Pycheford* Conſtabulario Caſtri *Wyndeſores,* quod in Foreſta de *Wyndeſore* habere faciat Abbati *Weſtm.* **octo Damas, loco octo Damorum quos percipere conſueverunt in Foreſta prædicta per Chartas prædeceſſorum Regis** Angliæ **quas Rex confirmavit.** Teſte Rege apud *Weſtm.* 28 die *Novembris.*

Robert Bayton and two other Clerks being accuſed and impriſoned before the Kings Juſtices Itinerant for ſeveral treſpaſſes, murders, rebellions, rapines, and his lands, goods and chattels thereupon ſeiſed into the Kings hand, they being delivered to the Biſhop, and thereupon making their purgations, their lands and goods by the Kings ſpecial grace were reſtored by theſe Writs.

Clauſ. 9 E. 1. m. 3. Pro Roberto de Boyton Clerico. REX Vic. *Cornub.* ſalutem. Cum *Robertus de Boyton* Clericus, pro ſuſpitione fractionis Capellæ de *Kynemerſdon.* ac aſportacione & rapina quarundam Cartarum, & aliis tranſgreſſionibus ſibi impoſitis coram Juſticiariis noſtris ultimo Itinerantibus in Comitatu *Somerſetiæ* indictatus, & per eoſdem Juſticiarios ad requiſitionem venerabilis patris *R. Bathonienſis* & *Wellenſis* Epiſcopi, **eidem Epiſcopo juxta privilegium Clericale, prout moris eſt, liberatus, innocenciam** ſuam ſuper **hujuſmodi tranſgreſſionibus coram eodem Epiſcopo legitime purgabit,** ſicut idem Epiſcopus per literas ſuas patentes nobis ſignificavit; Tibi præcipimus, quod omnes **terras et tenementa, bona et catalla prædicti** *Roberti,* **quæ occaſione tranſgreſſionum prædictarum capta ſunt in manum noſtrum, et quæ ſunt in cuſtodia tua, eidem** *Roberto* **reſtitui facias hac vice de gratia noſtra ſpeciali.** Teſte Rege apud *Wyndeſores,* viii. die *Septembris.*

Conſimiles literas habet idem *Robertus* Vicecomitibus *Bukz, Sommerſ. Suff.* & *Eſſex.* Teſte ut ſupra.

Ibid. m. 4 Pro Magiſtro Willielmo de Ebor. Clerico. REX Vic. *Sutht.* ſalutem. Cum Magiſter *Willielmus de Eborum* de morte *Hugonis de Uffecote* coram Juſticiariis noſtris ultimo itinerantibus in Com. *Wiltes.*

in

in eodem Com. indictatus, & ad requiſitionem *R. Sarum* Epiſcopi, &c. ut ſupra T. R. apud *Weſtm.* primo die *Sept.* Moreover theſe Writs iſſued for other Clerks. *An.* 9 E. 1.

REX Vic. *Lincolniæ* ſalutem. Cum *Willielmus de Freſton* Clericus ſuper ſiniſtra ſuſpicione furti & roberiæ coram Juſticiariis noſtris nuper itinerantibus in eodem Comitatu indictatus, & ad requiſicionem venerabilis patris *O.* per eoſdem Juſtic. &c. liberatus fuerit ut ſupra, &c. Teſte Rege apud *Weſtmonaſterium* primo die *Sept.* Ibid Pro Willielmo de Freſton Clerico.

COnſimile Vic. *Lincolniæ* pro *Roberto de Newcomen de Leſſeby* Clerico ſuper receptamento cujuſdam felonis filii ſui, &c. ut ſupra. Teſte Rege apud *Cantuariam* xii. die *Aug.* Per Billam. Ibid. Pro Roberto de Newcomen Clerico.

COnſimile Vic. *Suſſex* pro *Alex. Pricklove* nuper capto & detento in priſona noſtra *Ciceſtriæ*, pro quadam tranſgreſſione ſibi impoſita coram dilectis & fidelis noſtris *Luca de Tavy*, & *Ricardo de Exton*, ad quaſdam Inquiſiciones in Com. prædicto captas nuper per nos aſſignatis, demum ad requiſitionem venerab. patris *S. Ciceſtr.* Epiſcopi eidem Epiſcopo, &c. liberatus fuiſſet —, &c. ut ſupra, &c. in manum noſtram capta niſi prius fugam fecerit, ſine dilatione reſtituas, &c. Teſte Rege apud *Weſtm.* 7 die *Julii.* Ibid m. 5. Pro Alexand. Pricklove Clerico.

REX Vic. *Nottingham* ſalutem. Cum *Willielmus Barne* de *Scafteſworde* Clericus ſuper furto & latrocinio indictatus coram Juſticiariis noſtris ultimo itinerantibus in Com. prædicto, & per eoſdem Juſtic. ad requiſitionem venerabilis patris *W. Eborum* Archiepiſcopi, eidem Archiepiſcopo —, &c. liberatus — &c. Teſte Rege apud *Weſtm.* 3. die *Julii.* Pro Willielmo Barne de Scafteword.

REX Theſaurario & Baronibus ſuis de Scaccario ſalutem. Cum nuper mandaverimus *Willielmo de Redham* Vicecomiti noſtro *Norff.* quod terras & tenementa, bona & catalla *Johannis de Redeſham*, qui ſuper diverſis tranſgreſſionibus indictatus fuerat, & poſtmodum ad requiſicionem venerabilis patris *W. Norwicenſis* Epiſcopi, juxta **pzibilegium Clericale eidem Epiſcopo liberatus**, &c. **de gratia** noſtra ſpeciali, ac vos jam præfatum Vicecomitem de decem Marcis ad quas bona & catalla prædicti *Johannis* capta in manum noſtram appreciata fuerunt oneraveritis ad Scaccarium prædictum; vobis mandamus, quod eundem Vicecomitem de dictis decem Marcis exonerari faciatis. Teſte meipſo apud *Kenington* 5. die *Maii.* Anno Regni noſtri nono. Clauſ. 9 E. 1. m 8. Pro Willielmo de Redham.

REX Vicecomiti *Somerſ.* ſalutem. Cum *Willielmus de Corunden* Clericus rettatus ſuper latrocinio & aliis tranſgreſſionibus coram Juſticiariis noſtris nuper itinerantibus in Com. prædicto, & per eoſdem Juſticiarios ad requiſitionem venerabilis patris *R. Bathonienſis* & *Wellenſis* Epiſcopi eidem Epiſcopo, &c. liberatus, &c. ut ſupra. Teſte Rege apud *Coleford* 7. die *Febr.* Clauſ. 9 E. 1. m. 10. Pro Willielmo de Corunden Clerico.

All theſe Clerks in one Circuit were indicted of theſe ſeveral Felonies, and demanded acquitted by their Ordinaries Certificates upon their **feigned or favourable purgations*; whereby they eſcaped Juſtice, and the King loſt their forfeitures. * See Hobards Reports, f. 288, 289, 290.

The King having ſeiſed ſome Lands into his hands upon the Statute of *Mortmain* newly made, reſpited their ſeiſure by this Writ till the next Parliament, being a new caſe, and the firſt I have obſerved after this Statute made.

Mandatum eſt Ballivis de Baſingeſtok, *quod terras illas & tenementa cum pertinenciis in* Baſingeſtok, **quæ nuper ceperunt in manum Regis, pzo eo quod Magiſter** Perus de Abindon **de terris illis et tenementis Magiſtrum et fratres Hoſpitalis** Sancti Johannis de Baſingeſtok **contra Statutum Regis** nuper editum de hujuſmodi terris **et tenementis in manum moztuam non ponendis**, *eiſdem Magiſtro & fratribus replegiari faciant* **uſque ad pzoximum Parliamentum Regis** *poſt feſtum* Sancti Michaelis *proximo futurum*, **ut tunc inde fiat quod Rex de conſilio ſuo duxerit pzdinandum.** *Teſte Rege apud* Weſtm. 18 *die* Maii. Clauſ. 9 E. 1. m. 8. De Magiſtro & fratribus Hoſpitalis Sancti Johannis de Baſingeſtok.

An. 9 *E.* 1. The Biſhop of *Chicheſter* endeavouring to compell one of the Kings Clerks to reſide upon his Benefice, againſt the Kings ancient prerogative; he thereupon iſſued this Prohibition to him.

Clauſ. 9 E. 1. m. 4. dorſo. Ne clerici Regis compellantur ad reſidentiam faciendam vel ad ordines ſuſcipiendos, &c. See Fitzh. Nat. Brev. f. 44. G.

REX *Epiſcopo* Ciceſtrenſi *ſalutem.* Cum Clerici noſtri ad ordines ſuſcipiendos, vel ad faciendam in ſuis Beneficiis reſidentiam perſonalem dum noſtris immorantur obſequiis compelli, aut alias ſuper eiſdem moleſtari vel inquietari non debeant, Moſque et progenitores noſtri Reges Angliæ hujuſmodi libertate ſeu privilegio pro clericis noſtris, a tempore quo non extat memoria, ſemper hactenus uſi fuerimus, quod nec ipſi Clerici noſtri vel progenitorum noſtrorum prædictorum aliquibus retroactis temporibus ſuper hujuſmodi compelli, vel alias ſuper Beneficiis ſuis moleſtari vel inquietari conſueverint. Vobis mandamus firmiter inhibentes, *ne dilectum Clericum noſtrum Magiſtrum* Galfridum de Aſpraile *in Dioceſi veſtra beneficiatum*, qui per præceptum noſtrum noſtris jugiter intendit obſequiis, dum eiſdem obſequiis immoratur ſuper hujuſmodi compellatis, aut alias ſuper Beneficiis ſuis inquietatis ſeu moleſtetis: Et ſequeſtrum ſi quod de fructibus aut bonis beneficiorum ſuorum hujuſmodi occaſione fieri feceritis, ſine dilatione relaxari faciatis. *Teſte Rege apud* Weſtm. *primo die* Julii, *anno nono.*

The King this year ſent Letters and Addreſſes to theſe *Roman* Cardinals and Officers concerning his affairs in the Court of *Rome.*

Cl. 9 E. 1. dorſ. 2. In cedula.

Fratri Latino *Epiſcopo* Hoſtienſi, *Sedis Apoſtolicæ Cardinali.*
Fratri Bientivegne *Epiſcopo* Albanenſi, *Sedis Apoſtolicæ Cardinali.*
Domino Ordonio *Epiſcopo* Tuſculano, *Sacroſanctæ* Romanæ *Eccleſiæ Cardinali.*
Domino Jacobo de Sabello *Sanctæ* Mariæ *in* Coſmedin. *Diacono Cardinali.*
Domino Aubere *titulo Sanctæ* Praxedis, *Presbytero Cardinali.*
Fratri Jeronimo *titulo Sanctæ* Potenciænæ, *Presbytero Cardinali.*
Domino Willielmo *titulo Sancti* Marci, *Presbytero Cardinali.*
Domino Girardo *titulo* Baſilicæ 3. Apoſtolorum, *Presbytero Cardinali.*
Domino Gonfrido *Sancti* Georgii *ad* velum aureum, *Diacono Cardinali.*
Domino Matthæo *titulo Sanctæ* Mariæ in Porticu, *Diacono Cardinali.*
Domino Jacobo de Columpna *Sanctæ* Mariæ in via lata, *Diacono Cardinali.*
Domino Jordano *Sancti* Euſtachii, *Diacono Cardinali.*
Petro de Petris groſſis *Vicecancellario Sacroſanctæ* Romanæ *Eccleſiæ.*
Johanni Gaitano *Notario Domini Papæ.*
Magiſtro Ricardo *Notario Domini Papæ.*
Magiſtro Bernardo de Neapoli *Notario Domini Papæ.*
Magiſtro Benedicto de Agnan *Notario Domini Papæ.*

What arrears of a penſion the King ordered to be paid this year to one of the *Roman* Cardinals, this Record will inform us.

Liberate 9 E. 1. m. 5. Pro D. J. Sanctæ Mariæ in Choſmedyn. Diacono Cardinali.

REX *eiſdem ſalutem.* Liberate *de Theſauro noſtro venerabili patri* J. *Sanctæ* Mariæ *in* Choſmedyn. *Diacono Cardinali*, quinquaginta marcas de terminis Sancti Michaelis *anno Regni noſtri octavo, &* Paſchæ *anno regni noſtri nono*, pro annuo feodo ſuo quinquaginta Marcarum, quod ei conceſſimus percipiendum ad Scaccarium noſtrum, *niſi pecuniam illam ei prius liberaveritis per aliud breve noſtrum. Teſte Rege apud* Weſtm. *xxviii. die* Julii.

*Here Tom. 1. P. 759, 760, 761. & Tom. 2 p. 228.

This year King *Edward* recited and confirmed the antient Charter of King *John* to the Nuns of *Ambresbiry*, wherein their incontinency * heretofore is thus again recorded to poſterity.

Cart. 9 E. 1. m. 1. Pro Monialibus de Ambresbir.

REX *Archiepiſcopis, &c. ſalutem. Inſpeximus Cartam quam Dominus* Johannes *quondam Rex* Angliæ *avus noſter fecit in hac verba.* Johannes *Dei gratia Rex* Angliæ, *&c.* Sciatis Moniales de Ambresbir. viginti triginta, propter vitæ turpitudinem et ordinis ſui diſſolutionem et infamiam quæ divulgabatur publice, mandato Domini Papæ Alexandri, voluntate etiam Domini Regis H. patris noſtri

ſtri, conſilio quoque et prȣidencia Richardi Cantuarienſis Archiepiſcopi, Apoſtolicæ ſedis Legati, et Joſcelini Sarum, et Bartholomæi Exonienſis, et Rogeri Wyntonienſis, et G. Londonienſis; et aliȣrum plurimȣrum Epiſcopȣrum, et Magnatum, et Baronum noſtrȣrum a Monaſterio ſuo fuiſſe amotas, et in aliis Monaſteriis collocatas, & Moniales *Fontis Ebrald* ibidem ad ſerviendum Deo introductas, &c. *An.* 9 E. 1.

The Clergy of the Province of *Yorke* having granted a Diſme to the King, he iſſued this Writ to the Biſhop of *Karliſle* for the due and ſpeedy collection thereof within his Dioceſſe.

REX *venerabili in Chriſto Patri* R. *&c.* Karleolenſi *Epiſcopo ſalutem. De benevolencia & fidelitate veſtra fiduciam gerentes ſpecialem, paternitatem veſtram affectuoſe requirimus & rogamus*, quatinus decimam nobis conceſſam in Dioceſi veſtra a Clero Dioceſis illius colligi et adunari faciatis, juxta formam conceſſionis nobis inde factæ in aliis Dioceſibus Eboracenſis Prȣinciæ. *Ita quod de pecunia proveniente de* Decima illa in Epiſcopatu veſtro prædicto nobis ad mandatum noſtrum poſſitis reſpondere. *Et taliter vos habeatis in hac parte, quod diligenciam veſtram merito debeamus commendare, & vobis exinde gratias referre ſpeciales. Teſte, &c. apud* Wodeſtok 18. *die* Aprilis, *Anno regni noſtri nono.* Fines 9 E. 1. m 14. De Decima colligenda & adunanda.

The Pope having granted an Indulgence to the Freers of the Hoſpital of St. *James*, once a year to collect Almes in all Churches, the King to promote this work, iſſued this Patent to Archbiſhops, Biſhops and others, to protect and aſſiſt them therein, and apprehend all falſe Collectors thereof, not appointed by them.

REX Archiepiſcopis, Epiſcopis, &c. ſalutem. Cum Dominus Papa dilectis nobis in Chriſto Magiſtro & Fatribus Hoſpitalis Sancti *Jacobi* de *Alto paſſu Lincolnienſis* Diocæſis duxerit indulgendum, quod ſemel in anno recipiantur in Eccleſiis ad colligendas eleemoſynas; Propter quod ipſi ad loca diverſa pro colligendis eleemoſynis accedunt, Nos eoſdem Fratres, & eorum attornatos, in protectionem & defenſionem noſtram ſpecialem ſuſcepimus, vobis Ballivis noſtris præcipientes, quod ſi quid eis per quoſcunque Clericos vel Laicos ſatisfactum fuerit, id eis ſine dilatione faciatis emendari. Vos etiam Prælatos rogamus, quatinus cum iidem Fratres, aut eorum attornati, ad loca veſtra pro hujuſmodi eleemoſynis colligendis acceſſerint, benigne in Eccleſiis veſtris recipientes, eoſdem ipſos in Eccleſiis veſtris admonere populum, et eleemoſynas libere quærere permittatis, et eiſdem Fratribus vel eorum nunciis ad hujuſmodi eleemoſynas in veſtris Dioceſibus per ipſos deputatis colligendas literas veſtras convocatorias liberaliter concedere velitis. Ita quod à Deo meritum, à nobis grates reportare debeatis ſpeciales. Et quia intelleximus, quod quidam malivoli advocantes ſe per Magiſtros & Fratres Hoſpitalis prædicti eleemoſynas colligunt & recipiunt nomine ipſorum, licet ad hoc per ipſos poteſtatem non habeant, nos hujuſmodi maliciam reprimere volentes; vobis Ballivis noſtris præcipimus, quod ipſos malivolos cum per vos tranſitum fecerint prout rationabiliter faciendum arreſtari faciatis, donec aliud inde præceperimus, vel ipſi de hujuſmodi malicia competentes emendas fecerint, prout alias in caſu conſimili fieri conſuevit. In cujus, &c. Teſte Rege apud *Winton.* 12 die *Octobris.* Pat. 9 E. 1. m. 5. Intus. De Magiſtro & Fratribus Hoſpitalis Sancti Jacobi de Alto paſſu.

The King to advance Learning, and for the good of the Church, Prieſthood and Commonwealth, gave his Royal aſſent for tranſlating the Freers of the Hoſpital of St. *Johns* in *Cambridge*, into a Colledge of Scholars, after the pattern and rules of *Merton* Colledge in *Oxford*, by this memorable Patent.

REX omnibus ad quos, &c. ſalutem. Rex inclytus *Hebræa* Gentis quem omnipotens ultra capacitatem comprehenſionis intellectiis humani prærogativa ſapientiæ cultus inſignivit, promiſſo ſibi à Domino munere quod optaret, circumſpectè conſiderans ſapientiam terrenis rebus ſingulis prævalere, ipſam expetiit, prudenter attendens, quod illam omnia bona pariter ſubſequuntur. Quapropter decet Regiam Excellentiam exemplis optimis inſormatam, libenter aſſenſum impartiri Pat. 9 E. 1. m. 28. intus. De Scholaribus in Hoſpitali Sancti Johannis Cantebr. loco Fratrum ſecularium ſubrogandis.

An. 9 E. 1. impartiri ad facta favorabiliter prosequenda per quæ viri fiant pro utilitate Reipub. licæ sapientes, **quorum prudentia regimini Regni et Sacerdotii provide consulatur, et in his agitatione studii doctrina sapientiæ jugiter amplietur.** Nos igitur attendentes venerabilem patrem *Hugonem Elienſem* Episcopum proposito laudabili concepisse, quod loco Fratrum secularium in Hospitali suo Sancti *Johannis Cantebr.* **Scholares studiosi subrogentur, qui secundum regulam Scholarium** Oxon. **qui de** Merton. **cognominantur, in Universitate** Cantebrigiæ **per omnia conversentur; Perpendentes et hujusmodi studio per eminentiam sapientiæ posse Reipublicæ multa commoda provenire, præfatæ subrogationi, mutationi seu translationi et causa suprascripta faciendæ, nostrum Regium præbemus assensum.** Nolentes per hoc, quod eleemosyna pauperum ad dictum Hospitale confluentium, quæ a Sanctis Patribus Episcopis *Elienſis* Ecclesiæ est antiquitus constituta in aliquo defraudetur. In cujus, &c. Teste Rege apud *Burgum* 24 die *Decembris.*

The King this year granted these protections to two of his *Irish* Bishops, residing in *England* by his license from their Bishopricks, without any care of their peoples souls.

Pat. 9 E. 1. m. 7. De Protectionibus.

COnsimilem protectionem habet *S. Waterfordenſis* Episcopus in *Hibernia,* qui **de licentia Regis moratur in** Anglia **per biennium duraturam,** cum clausula volumus, &c. Teste, &c.

N. Darenſis Episcopus, **qui de licentia Regis moratur in** Anglia, **habet literas de protectione in** Hibernia, simplices sine clausula quamdiu Regi placuerit duraturas. Teste ut supra.

He likewise had this Patent to make Attornies in all Courts in *Ireland,* though none to supply his Pulpits.

Pat. 9 E. 1. m. 7.

REX omnibus Ballivis, &c. *Hibernia,* salutem. Sciatis quod venerabilis *N. Darenſis* Episcopus, **qui de licentia Regis moratur in regno** *Anglia,* attornavit coram nobis loco suo *Philippum Shynnon,* & *Johannem* filium *Adæ,* ad lucrandum vel perdendum in omnibus placitis & querelis, motis vel movendis, pro ipso Episcopo vel contra ipsum, in quibuscunque Curiis *Hibernia.* Et ad instantiam ejusdem Episcopi concessimus, quod prædicti *Philippus* & *Johannes,* vel alter ipsorum, quem præsentem esse contigerit loco ipsius Episcopi facere possint vel possit, attornatos vel attornatum quem voluerint vel voluerit in Cancellaria nostra *Hibernia,* ad omnia prædicta placita & querelas, prosequend. & defendend. & ad lucrandum vel perdendum in eisdem, sicut prædictum est. In cujus, &c. per triennium duratur. cum hac clausula, præsentibus, &c. Teste ut supra.

* Ibid. m. 19. intus.

The like Patent to make Attornies in *Ireland* was granted to * *David* Archbishop of *Cassall,* **qui de licentia nostra moratur in** Anglia, *per biennium duraturas. Teste Rege apud* Westm. 25 *die* Maii, *& duplicatur.*

This Archbishop to supply his occasions, entred into several Recognisances this year to the Bishops of *Coventry* and *Lichfield,* and of *Bath,* two wealthy Prelates, and great Usurers, thus recorded.

Clauſ. 9 E. 1. m. 2. dorso. Pro Coventrenſi & Lichefeldenſi Episcopo.

D*Avid Caſſalenſis* Archiepiscopus recognovit se debere *R. Coventrenſi & Lichefeldenſi* Episcopo **Centum Marcas,** solvendas eidem in festo Nativitatis Sancti *Johannis Baptiſtæ* proximo futuro. Et nisi fecerit concessit, **quod dicta pecunia levetur de terris et catallis suis in** *Hibernia.* Et ad dictam pecuniam dicto termino solvendam, invenit plegium *Johannem de Kirkeby,* qui similiter recognovit & concessit, quod nisi prædictus Archiepiscopus solvat dictam pecuniam ad terminum prædictum, quod pecunia illa levetur de terris & catallis suis in Com. *Leycestriæ,* & alibi.

Ibid. m 2. dorso. Pro Cassalenſi Archiepiscopo.

D*Avid Caſſalenſis* Archiepiscopus recognovit se debere *R. Bathonienſi & Wellenſi* Episcopo **Ducentas Marcas,** unde solvet unam medietatem in festo Sancti *Michaelis* anno, &c. decimo, & aliam medietatem in festo *Paschæ* proximo sequenti.

quenti. Et niſi fecerit conceſſit, **quod dicta pecunia levetur de terris et catallis ſuis in *Hibernia*,** & alibi. (Such Recogniſances in the Chancery of *England*, then obliging both Lands and Chattels in *Ireland*.) *An.* 9 E. 1.

Et præfatus *Bathonienſis* & *Wellenſis* Epiſcopus recognovit pro prædicto Archiepiſcopo ſe debere *R. Coventrenſi* & *Lichefeldenſi* Epiſcopo, prædictas **Ducentas Marcas** ſolvendas ad terminos ſupradictos; & conceſſit, quod niſi idem Archiepiſcopus pecuniam illam dicto *Coventrenſi* & *Lichefelaenſi* Epiſcopo ſolverit ad eoſdem terminos, quod prædicta pecunia de terris & catallis ipſius Epiſcopi *Bathon.* levetur.

The King likewiſe granted a *Conge deſlier* to elect a new Biſhop, and a Patent to reſtore the Temporalties to another Biſhop elect in *Ireland*, as theſe Records atteſt.

Petrus Capellanus Canonicus *Imelacenſis* nuncians Regi mortem *R.* nuper Epiſcopi ejuſdem loci, habet literas **de licentia eligendi** directas Decano & Capitulo *Imelacenſi*. In cujus, &c. Teſte Rege apud *Ledes* 8 die *Auguſti*. Pat. 9 E. 1. m. 8. intus. Pro licentia eligendi.

REX dilecto & fideli ſuo *Roberto de Vfford* Juſtic. *Hiberniæ*, ſalutem. Cum **electioni nuper factæ** in Eccleſia Cathedrali *Clonenſi*, de diſcreto viro *Gilberto* Decano *Clonenſis* Eccleſiæ **in Epiſcopum ejuſdem loci, Regium aſſenſum adhibuerimus et favorem:** Nos attendentes, quod prædictus Electus circum proſecutionem electionis prædictæ multum laboraret, ſi ea occaſione ad noſtram præſentiam accederet, & volentes ſuis laboribus & expenſis parcere in hac parte; vobis mandamus, quod ſi contingat Electum prædictum in Epiſcopum loci prædicti canonicè confirmari; **tunc recepto ab ipſo Electo nomine noſtro, fidelitate in caſu iſto debita**, Temporalia dicti Epiſcopatus eidem liberetis; **acceptis tamen prius literis patentibus ſigillo ſuo, necnon et ſigillo Capituli ſui conſignatis, quod hæc gratia noſtra quam eidem Electo ad præſens ex mera liberalitate noſtra conceſſimus, nobis vel hæredibus noſtris non cedat in præjudicium vel exhæredationem, ſeu trahatur in conſuetudinem vel conſequentiam temporibus futuris.** Teſte Rege apud *Copford* 27 die *Julii*, anno, &c. nono; & duplicantur. Pat. 9 E. 1. m. 10. intus. Pro electo Clonenſi in Hibernia.

The like Patent verbatim, *mutatis mutandis*, iſſued to * *Robert de Vfford*, of his Royal aſſent, **electioni nuper factæ *in Eccleſia* Finebren.** *de diſcreto viro* Carolo *Decano ejuſdem Eccleſiæ*, **in Epiſcopum ejuſdem loci**; and for taking his Homage, and reſtoring his Temporalties, *&c. Teſte Rege apud* Windeſor. 8 *die* Septembr. * Pat. 9 E. 1. m. 7. intus.

Pope *Nicholas* the 3. deceaſing *Anno* 1280. and Pope * *Martin* the 4. ſucceeding him, he in the firſt year of his Papacy ſent two Freers into *England* to the King, intending to export or return out of *England*, by his Agents and Foreign Merchants, the 6. years Diſmes therein collected and retained for ayd of the Holy Land, granted in the General Council of *Lions*, and convert them to his own private coffers, or other uſes; King *Edward* upon notice thereof, to reſerve the monies for his Brothers expedition to the Holy Land, and ſupply the preſent exigencies for defence of the Kingdom, iſſued this memorable Writ, to prohibit any Merchants or others, under pain of loſſe of life and member, and all their Goods and Chattels, to export or convey the ſaid Diſmes, or any part thereof, out of the Realm, and to impriſon all ſuch who did the contrary, to the Popes great diſappointment. *An.* 10 E. 1. * Mat. Weſtm. An. 1280. p. 368. Platina, Baluzus, Onuphrius, Laertius Cherubinus, in Martino 4.

REX dilecto conſanguineo & fideli ſuo *Edmundo* Comiti *Cornubiæ*, ſalutem. **Quia quibuſdam certis de cauſſis nolumus, quod Decima ſex annorum nuper a Clero regni noſtri in ſubſidium** Terræ Sanctæ **conceſſa, et jam in eodem regno collecta, ad præſens extra idem regnum deferatur. Vobis mandamus, quod venire faciatis coram vobis omnes Mercatores** London. **tam de Societatibus quam alios; et eiſdem injungatis, et ſub periculo amiſſionis vitæ et membrorum, et omnium bonorum ſuorum quæ poſſident in regno noſtro firmiter inhibeatis, ex parte noſtra, ne pecuniam de dicta Decima provenientem nullo modo deferant aut deferri faciant ſeu permittant extra regnum. Et ſi quos Mercatores aut alios pecuniam** Clauſ. 10 E. 1. m. 4. intus. De Decima extra regnum non deferenda.

An. 10 *E.* 1. cuniam de dicta Decima provenientem extra dictum regnum deferre volentes inveniri contigerit, tunc ipsos una cum dicta pecunia arrestari, et salvo custodiri faciatis, donec aliud inde a nobis habueritis in mandatis. Teste Rege apud *Hertlebir.* 24 die *Maii.*

Et mandatum est Majori & Vicecomitibus *London.* quod inhibeant, &c. Et si quos pecuniam de dicta Decima provenientem extra dictum regnum deferre volentes inveniri contigerit, tunc ipsos arrestari faciant, &c. ut supra.

Item mandatum est *Stephano de Peneceſtre* custodi Quinque Portuum, quod in eisdem Portubus exploari faciat, si qui ibidem fuerint qui hujusmodi pecuniam extra dictum regnum deferre voluerint. Et si quis talis inveniri contigerit, eum arrestari et salvo custodiri faciat, &c. Teste ut supra.

What Letters these two Freers brought from this Pope *Martin* to the King, and their contents; how he received them, and what answer he returned by his own Messengers sent to the Pope concerning the Croysado and general expedition to the Holy Land, this Epistle of the King in answer to the Popes will inform us.

Claus. 10 E. 1. m. 5. dorso. Litera directa Papæ super Cruce assumenda.

Sanctissimo in Christo Patri & Domino, Domino M. *divina providentia Sacrosancta* Romanæ *ac* Universalis Ecclesiæ Summo Pontifici; Edwardus, &c. *cum omni reverentia & honore pedum oscula beatorum. Venientes ad præsentiam nostram Fratres* Garnerius & Ramerius *de* Florenc. *Ordinis Prædicatorum, vobis tunc agentibus versus partes exteras regni nostri,* Sacrosanctæ Paternitatis vestræ literas super assumendo salutiferæ Crucis signo, et de consilio nostro de termino passagii generalis et idoneo ab hoc tempore exprimendo, nobis ex parte vestra præsentarunt. *Quas non tam lata manu, quam animo prompto recipientes, & ad eas audiendas & intelligendas depositis seorsum cæteris & diversis curis nostris, tota devotione convertimus mentem nostram.* Et ex eorundem concepto tenore, quasi cujusdam novæ lætitiæ rore perfusi, tanto facti fuimus amplius consolati, quanto clementiam Apostolicam et Sanctam Romanam Ecclesiam matrem nostram, erga personam nostram quam semper devotam reperiet specialioris prærogativa dilectionis et intimioris affectionis visceribus affectam esse evidentioribus indiciis tenor docuit earundem, pro quarum quidem missione gratuita ad pedes Apostolicæ Sanctitatis cum omni humilitate provolvimur, et eidem quantacumque scimus et possumus, non indigne persolvimus laudum præconia, et sicut devoti filii devota adjecimus munera gratiarum. *Ipsos quoque Fratres nuncios vestros quos in eleganti expositione & declaratione commissi sibi nuncii adeo providos & discretos invenimus, quod animum Regium eorum inductiva persuasio nimium confortavit, Regia mansuetudo multimode commendavit, & extollendam ipsorum prudentiam in negotio ipso vehementer acceptavit. Et licet iidem Fratres instanter petierint à nobis quod responsum eis fieri faceremus antequam versus terram* Scotiæ *gressus suos dirigerent, pro quo libenter expectasse, vel ad nos à partibus* Scotiæ *rediisse voluerint;* Nos tamen responsum nostrum per nostros vobis fieri volentes ad vestram sanctam præsentiam mittimus nuncios nostros quibus quoad negotium illud aperuimus incide mentem nostram; *& qui certum responsum nostrum vestræ pietatis auribus intimabunt. Conservet vos diu Dominus Ecclesiæ sanctæ suæ. Dat. apud* Cestriam 10 *die* Junii.

The sum of his Embassy and Message to the Pope was, that his Brother the Earl of *Cornwall* might receive all the monies collected in *England* for ayd of the Holy Land towards his expedition, whom he intended speedily to send thither, since himself could not yet go in person; to which the Pope at present deferred to give any answer, pressing the King himself to go thither in person, as the Popes Epistle to the King in answer thereunto, hereafter cited, informs us.

The King to ingratiate himself and his Messengers with this New Pope, (whom he had exasperated by stopping the exportation of, and seising the 6. years Dismes) gave order for the payment of the 8. years arrears of the annual Pension, so oft demanded; which having satisfied by several payments, his Agents thereupon required an Acquittance from Pope *Martin* the 4. who thereupon sent him this discharge, both entred on the Dorse of the Clause Roll of this year.

MARTINUS

An. 10 *E.* 1.

Clauſ. 10 E. 1. m. 4. dorſo. Literæ Papales de annuo cenſu Mille Marcarum.

MARTINUS *Epiſcopus Servus ſervorum Dei, chariſſimo in Chriſto filio* Edwardo *Regi* Angliæ *illuſtri, ſalutem & Apoſtolicam benedictionem.* Er parte tua fuit propoſitum coram nobis, ut cum de annuo cenſu Mille Marcarum Argenti, in quo Eccleſiæ Romanæ teneris pro octennio jam tranſacto in feſto beati Michaelis de menſe Septembris tunc currente Anno Domini 1277. terminato, ipſi Romanæ Eccleſiæ fuerit pro parte tua per diverſas ſolutiones integre ſatisfactum, de ſatisfactione hujuſmodi a ſede Apoſtolica oppoſitunas quietationis literas aſſecutas, petebatur a nobis ut providere tibi in hac parte paterna diligentia curaremus. Nos igitur petitioni tuæ utpote juſtæ benignius annuentes, præſentium tenore fatemur de Cenſu hujuſmodi pro præfato Octennio ſcire præfatæ Romanæ Eccleſiæ ſatisfactum. Ad tuam tuorumque hæredum cautelam et futuram memoriam præſentes tibi literas concedentes. *Dat. apud* Urbem veterem 3. *Non.* Februarii, *Pontificatus noſtri Anno primo.*

Moreover *Gifredus de Vezano* the Popes Nuncio in *England*, by his ſpecial direction gave and ſealed another Inſtrument in *England* concerning this mony, enrolled with the Popes precedent acquittance.

Clauſ. 10 E. 1. m. 4. dorſo.

UNiverſis *præſentes literas inſpecturis* Gifredus de Vezano *Canonicus* Cameracenſis *Camera* Domini Papæ Clericus, Apoſtolicæ Sedis in Anglia Nuncius *ſalutem in Domino. Noveritis nos literas Apoſtolicas* vera Bulla et integro filo bullatas *recepiſſe in hac verba.*

MARTINUS *Epiſcopus Servus ſervorum Dei*, Gifredo *Camera noſtra Clerico ſalutem, & Apoſtolicam Benedictionem.* Cum ſuper ſolutione Annui Cenſus mille marcarum ſterlingorum, in quo Chariſſimus in Chriſto filius noſter Rex Angliæ illuſtris pro triennio præterito, et etiam pro inſtanti anno in proximo terminando nobis et Eccleſiæ Romanæ tenetur, tibi noſtro et ipſius Romanæ Eccleſiæ nomine facienda ſub certa forma eundem Regem per noſtras literas requiramus. *Nos de diſcretionis tua induſtria plenarie confidentes, faciendi* eidem Regi, noſtro et Eccleſiæ præfatæ nomine refutationem plenariam, de hujuſmodi Cenſu quatuor annorum, poſtquam de illo tibi noſtro et ipſius Eccleſiæ nomine fuerit integre ſatisfactum, plenam tibi authoritate præſentium concedimus facultatem. *Dat. apud* Urbem Veterem 12 *Kal.* Septembris, *Pontificatus noſtri Anno primo.* Cumque Dereniſſimus Princeps Dominus Edwardus Rex Angliæ illuſtris nomine Sanctiſſimi patris Domini Martini Summi Pontificis et Romanæ Eccleſiæ pro annuo cenſu mille Marcarum, in quo idem Rex Summo Pontifici et Eccleſia Romanæ tenetur, quatuor millia Marcarum ſterlingorum per manus Baruntini, Walteri, Richardi Gaudicionis, & Henrici de Podio, *de Societate* Richardorum de Luka, pro quatuor annis in præmiſſis Literis Apoſtolicis compræhenſis et terminatis in feſto Sancti Michaelis proximo præterito, Currente Anno Domini 1281. perſolverit, et recognoſcamus et confiteamur de ipſis quatuor millibus Marcarum nobis eſſe præmiſſo nomine, a dicto Domino Rege per manus dictorum Baruntini Richardi et Henrici pro ſupradictis quatuor annis integre ſatisfactum. Nos conceſſiſſa nobis per eaſdem literas Apoſtolicas facultate facimus eidem Domino Regi nomine noſtri Summæ Pontificis et Romanæ Eccleſiæ refutationem plenariam de hujuſmodi Cenſu prædictorum quatuor annorum, de quibus præfatæ literæ Apoſtolicæ faciunt mentionem, et qui in dicto feſto Sancti Michaelis proximo præterito terminari fuiſſe noſcuntur. *In quorum omnium teſtimonium has literas* patentes fecimus, et ſigillo noſtro munivimus. *Et venerabiles patres Domini* Godefridus Wygorn. & Williel-mus Norwicen. *Epiſcopi, ac Magiſter* Ardicio *Primicerius* Mediolan. *Domini Papæ Capellanus & in* Angliæ *Nuncius, qui dictas literas Apoſtolicas viderunt*, et recognitioni, ac confeſſioni, necnon refutationi præmiſſis interfuerunt, ſua ſigilla præſentibus apponi fecerunt ad majoris roboris firmitatem. *Dat.* London. 6 *Idus* Novembris, *Anno Domini ſupradicto.*

Et memorandum quod iſta duæ Litera præcedentes liberatæ fuerunt Thomæ de Gunneis *apud* Ceſtriam *die Sabbati prox. ante feſtum Apoſtolorum* Petri & Pauli, *Anno, &c. decimo, per manum* Johannis de Langeton in Garderoba Regis Cuſtodiendæ.

Pope

An. 10 *E.* 1. Pope *Martin* this year ſent this Bull to King *Edward* the 1. to require his favour to, and protection of the Monks of the Order of *Cluny*, whoſe piety he highly extolled.

In Turre London. MARTINUS Epiſcopus Servus ſervorum Dei, Chariſſimo in Chriſto Filio Regi *Angliæ* Illuſtri, ſalutem & Apoſtolicam benedictionem. Libenter Excellentiæ Regiæ illa ſuggerimus quæ ſaluti proficiunt, famam ampliant, ſtatum proſperitate communiunt & conſervant. Hæc, fili chariſſime, non eſt dubium, et pietatis operibus prodenire; inter quæ non eſt minimum extimandum Religioſos favorabiliter proſequi, præſertim propulſando eorum injurias, et ipſos in ſuis juribus defendendo. Quanta vero inter Religiones cæteras *Cluniacen.* Ordo claritate reſplendeat, tua Sublimitas non ignorat, propter quod eundem Ordinem Serenitati Regiæ, ut id tibi cedat ad ſalutis præmium eique ad tutaminis proveniat commodum, redemptoris omnium cujus eſt ordo ipſe, obſequiis deputatis intuitu commendamus. Regalem Celſitudinem obſecrantes in Domino, quatenus eundem Ordinem ac profeſſores ipſius ob divinam reverentiam et Apoſtolicæ ſedis ac noſtram habens in charitatis viſceribus commendatos ipſos in ſuis opportunitatibus Regii favoris auxilio proſequaris, ut exinde præter humanæ laudis præconium retributionis æternæ conſequaris augmentum. Dat. apud *Urbem veterem* Kal. *Februarii*, Pontificatus noſtri Anno ſecundo.

Sir *John Lovetot* Knight (moſt likely by the Kings connivance, encouragement) apprehended and impriſoned the *Præcentor* and *Treaſurer* of the Church of *Lincolne*, for preſuming to examine Witneſſes in a cauſe referred to them by the Pope, upon an Appeal and Complaint of the Dean of *Stafford* the Popes Chaplain, touching the Archbiſhop of *Yorkes* refuſal to admit him to the Church of *Adelingflet* to which he was preſented by the Counteſſe of *Glouceſter*, the right Patron thereof as was pretended; and ſuppreſſing the depoſitions taken in the cauſe, which were to be returned by them to the Pope, to the high contempt of his Papal authority, and forcing the Dean to flie out of the Realm and deſert the proſecution of his ſuit. Pope *Martin* thereupon iſſued this Bull to the Prior of *Tonbridge*, to cite Sir *John* to appear in perſon before him to anſwer this high contempt by a certain day within two moneths, (which Bull I found in the *White Tower*) worthy obſervation, wherein theſe proceedings are recorded.

In Turre London. MARTINUS *Epiſcopus Servus ſervorum Dei, dilecto filio Priori de* Tonebrigge, Roffen. *Dioc. ſalutem, & Apoſtolicam benedictionem. Gravem recepimus dilecti filii* Bogonis de Clara *Decani Eccleſiæ de* Stafford. Coventren. *Dioc. Capellani noſtri querelam; quod cum dudum in cauſa, quæ inter ipſum & bonæ memoriæ* Walterum *Archiepiſcopum* Eboracen. *ſuper eo, quod idem Archiepiſcopus dictum* Bogonem *ad vacantem Eccleſiam de* Adelingflet Eboracen. *Dioc.* (*ad quam idem* Bogo *à dilecta in Chriſto filia nobili muliere Comitiſſâ* Glouceſtriæ *verâ patronâ ipſius Eccleſiæ fuerat canonicè præſentatus*) admittere contra juſtitiam denegaverat; bertebatur ad ſedem Apoſtolicam delata legitime poſt diverſos auditores a ſede ipſa in cauſa deputatos, (*eadem lite coram eorum aliquo legitimè conteſtata*) *demum receptis & examinatis teſtium à dicto Capellano noſtro producendorum ad cauſam præfatam pertinentium, dilectis filiis Decano, Præcentori & Theſaurario Eccleſiæ* Lincolnien. *de aſſenſu procuratorum utriuſque partis in forma ſolita*, per literas ſedis ejuſdem commiſſæ fuiſſent; tandem Johannes Lovetot *Miles* Londinen. *Dioc. in tanta temeritatis exceſſum prorupit*, quod Decani, Præcentoris, et Theſaurarii juriſdictionem, immo potius Apoſtolicam in hac parte ſatagens nequiter impedire, Præcentorem et Theſaurarium præfatos pro eo, quod ad receptionem et examinationem quorundam de hujuſmodi teſtibus (dicto Decano Lincolnien. ſe ſuper hoc excuſante) præceſſerant, et proceſſum ſuper hoc per eos habitum, quem ob timorem illius nondum perfecerant, tranſmittendum ad ſedem Apoſtolicam ſigillis propriis conſignarunt, per Willielmum de Saham Clericum, Johannem de Valibus, et Rogerum dictum Loveday Milites illarum partium, cuſu ſecrilego capi fecit, et carcerali cuſtodia aliquandiu detineri; ſicque dictus Capellanus noſter propter hoc ſimili terrore perterritus, fuit exire totum regnum Angliæ, ac deſiſtere ſeltem ad tempus a proſecutio-

ſecutione cauſæ hujuſmodi, non ſine gravi prædictæ Sedis injuria et offenſa Juſtitiæ manifeſta, coactus. *Quare pro parte ipſius humiliter petebat à nobis*, ut providere ſuper hoc paterna ſollicitudine curaremus. Ne igitur tantæ præſumptionis exceſſus ſic remaneat impunitus, aliis in ſimilibus malignari delectantibus tranſeat in pernitioſum exemplum, Nos eum conniventibus oculis pertranſire nolentes, *diſcretioni tuæ* per apoſtolica ſcripta mandamus, *quatenus ſi per ea, quæ ad te fama vel alio modo jam pervenerunt, vel de novo pervenient, aut per non ſolemnem indaginem ſed à per fidelem pervenerunt, de prædictis ſeu prædictorum exceſſuum conſideratis circumſtantiis tibi ſecundum Deum* videbitur, prædictum Johannem coram nobis perſonaliter ob præmiſſa ſore citandum, memoratum Johannem ex parte noſtra peremptorie citare procures, ut infra duos menſes poſt citationem ſuam compareat perſonaliter coram nobis ſuper præmiſſis et ea contingentibus, recepturus pro meritis et ſacturus alias quod Juſtitia ſua debet. Diem vero Citationis per te faciendæ, ac formam, et quicquid de prædictis duxeris faciendum, per tuas literas harum ſeriem continentes nobis fideliter intimare procures. *Dat. apud* Urbem veterem 11 *Kal.* Junii, *Pontificatus noſtri anno ſecundo.* *An.* 10 *E.* 1

Nota.

What the Prior did thereupon I finde not in Hiſtory or Record, ſuch Citations out of the Realm, being againſt the priviledges of the King and Subjects, and little done upon them.

The ſame year (as [a] *Matthew Weſtminſter*, [b] *Thomas Walſingham*, and [c] others ſtory) Petrus Rex Arragoniæ *vindicans Regnum* Siciliæ (which Popes claimed as the Churches and St. *Peters* patrimony) *jure hereditario uxoris ſuæ, ſubitò cum navigio Regnum* Siciliæ *ingreſſus*, Carolum *Regem expulit de eodem* (whom the Pope had intruded into it) *die* Aſcenſionis Domini, *de ſuis ex inſperato multis millibus interfectis*; (or as others, *circiter veſperum* Gallos *omnes ad unum interfecerunt*; *unde adagium* Veſper Siculus.) *Rex* Arragonium *prædicta Regna* Apuliæ, Calabriæ & Siciliæ *pro ſuis haredibus jure hereditario vendicavit, eo quod filiam* Manfredi *de* prædictis regnis per Romanam Eccleſiam ſpoliati, *duxerat in uxorem.* Carolus *in* Franciam *fugiens, à Rege Nepote ſuo pro recuperando regno ſubſidium impetravit.* Papa vero Martinus in Petrum prædictum, et omnes ei fabentes, vel ipſum Regem appellantes, excommunicationis tulit ſententiam, regno Arragoniæ eum privans, et confirmans illud Carolo filio Regis Francorum. Petrus *verò de* Arragonia, *miſſis à Regno* Siciliæ *nunciis, petivit, ut quadraginta tantum militibus ad plana* Burdegaliæ *ſecum, tot tantum habente milites, dimicationis veniat ad diem certum, ſub certa pœna ſe ad hoc obligandum, tamen* Carolus *modo ſe ſimili obligaret, ut cui in hoc conflictu ceſſiſſet victoria, ille ſine contradictione regno* Siciliæ *potiretur.* Non obſtantibus igitur inhibitionibus Apoſtolicis, conduxerunt prædicti Reges, *quod pro jure utrorumque ducenti milites demicarent in planitie juxta* Burdegalium, *duorum partibus aſſignantes*; *Quo die adveniente evanuit conductum prædictorum, quia Rex* Carolus *cum centum millibus occurrit Regi* Arragonum, *cum centum tantum militibus venienti*: Truſting more to his Army, then to the Popes or Church of *Romes* Title, Benediction, or excommunication; then little valued, and much contemned by his adverſary King *Peter*. The Pope upon this occaſion, when St. *Peters* ſword would not prevail againſt *Peter*, ſent this Bull to King *Edward* the 1. (the original whereof I found in the White Tower, and there reſcued with ſundry others from oblivion) lamenting theſe Warrs between theſe Princes, and likewiſe between [d] *Alphonſo* King of *Caſtile*, his Sonnes and Nobles, (whereof he and his prædeceſſors were the original authors) and craving his aſſiſtance to pacifie the differences between them, for the preſervation of the Churches Liberties, and preventing the loſſe of ſouls, as being moſt able to effect it.

a Flores Hiſt. Anno 1282. p. 371.
b Hiſt. Angl. An. 1283. p. 10.
c Polyd. Virgilius Hiſt. Angl. l. 17. p. 329. General Hiſtory of Spaine, p. 411, 412, 419, 420. 421.
d See the General Hiſtory of Spain, l. 11. p. 415, to 420.

MARTINUS Epiſcopus Servus ſervorum Dei, Chariſſimo in Chriſto filio Regi *Angliæ* illuſtri ſalutem, & Apoſtolicam benedictionem. Inſurgentis fremitus tempeſtatis quæ *Caſtella* ac *Legionis, Tolletti, Gallecia, Silicia, Corduba, Murcia* atque *Gehennæ* regna concutit, fratrem in fratrem provocat, filios armat in patrem, ſubditos in Dominum erigit, vaſtitati bona, ſtragi corpora & animas, quod amarius deploramus diſpendio ſalutis exponit, in noſtram notitiam diverſarum literarum, & famæ præviæ nunciatione deductas, ubi primum auribus noſtris inſonuit horrorem ingeſſit, auditui paternum amaricavit animum, & in eo multæ com- In Turre London.

An. 10 *E.* 1. passionis spiritum excitavit. Quis enim absque amaricatione recenseat inter tanta sibi necessitate conjunctos jura sanguinis violari? Quis animo non amaro consideret filios ante diem non tam in patrios annos inquirere, quam finem illorum iniquis aggressibus maturare? Patrem commotum etiam filialis persecutionis injuria in natos arma gerere, ac in eos cogi saltem per defensionis remedium desævire? Quis amarè non ferat germanos odius se impetere mutuis, & maximè beneficiorum liberalitate præventum in benefactorem insurgere? illius non solum humiliationem, sed sicut fert gravis infamia, dejectionem extremam quærere, apertisque conatibus procurare? **Quis non horret subditorum audaciam fidelitatis fœdere violato erectam in Dominum, et ad subversionem Regalis solii aspirare?** (And have not many Popes not only not abhorred, but encouraged, yea enjoyned it, and this Pope himself in the case of King *Peter?*) Habet enim communis famæ relatio, quod dilecti filii, Nobiles viri, *Sanctius* aliiq; charissimi in Christo filii nostri *A.* Regis *Castellæ*, ac *Legionis* illustris nati, *Emanuel Germanus*, **necnon subditi Regis ejusdem in eum subito insurgentes, et aspirantes ad totalem exhæredationem ipsius, officiales quos idem Rex instituerat in suis regnis et terris penitus amovere, instituere alios, et omnia sibi regalia jura subtrahere præsumpserint, eundemque Regem nullum Dominium, nullamque potestatem in prædictis suis regnis et terris habere permittant. Venerabiles quoque fratres nostri Archiepiscopi, Episcopi, et dilecti filii Electi Abbates et Priores, et universi et singuli Ecclesiarum Prælati, ac Prior Hospitalis Jerosolimitan. et Magistri Templi Sancti,** Jacobi Calatranen. **et** Alcanturæ **Militiarum, ac Capitula et Conventus, necnon Nobiles viri Comites, Barones, et alii tam Clerici quam Laici per eadem regna constituti, vel eorum aliqui dicuntur fidelitatis debitum quo ipsi Regi tenentur, violasse.** (And have not Popes themselves frequently done the like, and stirred up Archbishops, Bishops, Abbots, &c. to do the same against sundry Christian Emperors and Kings?) Hæc dum paterno pensamus affectu, licet tam ad oppressum quam ad opprimentes compassione multimodè moveamur in dicto Rege, tanquam in perdilecto Ecclesiæ filio, tam gravis oppressionis opprobrium, in opprimentibus vero propriæ saluti obvios abominantes excessus: eidem tamen Regi, tanto singulariori caritate compatimur quanto specialius ei vulgaris assistit opinio, **eumque communiter prædicat nimis temerarie, nimis inique grabari.** Cum itaque ad remedium in his si consonent facta relatibus, celeriter adhibendum propter vitanda præcipue animarum pericula, intensis desideriis intendamus recurrendum, deliberavimus ad excelsum, qui super regnum hominum dominatur, in * cujus manu sunt omnium potestates & jura regnorum, & apud ipsum humilibus supplicationibus insistendum, ut benignius eosdem Regem, natos, Germanum ipsius regna eadem, incolas respiciat, eorundem ab illis dissentiones amoveat, dissidentium corda in concordiæ unitate conciliet, eis tranquillitatem tribuat, ipsosque in illius solliditate consolidet, & confirmet, thronum regalem corroboret, qui sic utiliter præsit ut prosit, cujus regimen sic regat ut dirigat, & cedat subditis ad salutem perpetuam quietem et pacem; Nobisque ipse cujus providentia in sui dispositione non fallitur, modos & vias aperiat per quos hæc ut (in votis gerimus) efficaciter promovere possimus. Quia vero non minoris est meriti contra insidias antiqui hostis exurgere, ne à devotione Dei & universalis Ecclesiæ populos Christianos avertat quam insistere convertendis, Serenitatem Regiam exhortamus, **quatenus pensatis prudenter quam sit pernitiosum exemplum quod in prædictis regnis noscitur contigisse,** ac clementer attendens quantum Regiam magnitudinem deceat Regi prædicto in tantæ perplexitatis articulo efficaci adesse præsidio, ad prosperum & tranquillum ipsius & regnorum & eorundem statum, prout honori tuo congruere ac alias expedire putaveris, **magnitudinem tuæ providentiæ apponas. Ita quod per tuæ studia providentiæ salutaris, Ecclesiastica Libertas,** quæ occasione hujusmodi discordiæ **in illis partibus infringi posset, illæsa servetur,** præfatis regnis pax & tranquillitas, ut desideramus, adveniat, **animarum pericula evitantur, ac tibi exinde laudis titulus apud homines, & meritorum accrescat cumulus apud Deum.** Dat. apud *Urbem veterem* v. Idus *Augusti*, Pontificatus nostri anno tertio.

* Therefore not in Popes, by his own resolution, who yet presumed to dispose of the kingdoms of Sicily, Aragon, & others.

* Hist. Angliæ p. 10. *Anno* 1282. *viz.* 10 *E.* 1. (as * *Thomas Walsingham* stories) Cantuariensis *Archiepiscopus profectus in* Snowdoniam, *Principem* Walliæ (against the Kings will,

as

as he profeſted) * *& Germanum ſuum ſategit ad pacem reducere; ſed fruſtratus regreſſus ad* Angliam, **Excommunicationis in ipſos ſententiam fulminavit.** Whereof * Sir *Henry Spelman* out of *Pechams* own Regiſter renders us this particular account. An. 10 E. 1.

* Spelmanni Concilia Tom. 2. p. 344, 345.

Proceſſus Domini Johannis *Dei gratia* Cantuarienſis *Archiepiſcopi, habitus in partibus* Walliæ.

Iſti ſunt Articuli intimati Domino *L.* Principi *Walliæ*, & populo ejuſdem loci, ex parte Domini Archiepiſcopi ſupradicti.

Primo, *quia propter ſalutem eorum ſpiritualem & temporalem ad partes iſtas venimus, quos ſemper dileximus uſque modo, ſicut plures eorum noverunt.*

Secundo, *quia venimus* **contra Domini Regis voluntatem, cui etiam adventus noſter dicitur plurimum diſplicere.**

Tertio, *quia rogamus eos, & ſupplicamus eis pro ſanguine* Jeſu Chriſti, *quatenus venire velint ad unitatem cum gente* Anglorum, *& ad pacem Domini Regis, quam eis intendimus,* **quanto melius poterimus procurare.**

Quarto, *volumus eos ſcire, quod in hiis partibus Domini non poterimus remanere.*

Quinto, *volumus eos attendere, quod poſt receſſum noſtrum non invenient forſitan aliquem, qui ita velit ſua amplecti negotia promovenda, qui vellemus, ſi placeret Altiſſimo, vitâ noſtrâ temporali ipſorum pacem honeſtam & ſtabilem perpetuò procuraſſe.*

Sexto, *quia ſi noſtras partes ſpreverint & labores,* **ſtatim intendimus eorum pertinaciam ſcribere Summo Pontifici, et Curiæ** Romanæ **propter peccata mortalia, quæ multiplicantur occaſione diſcordiæ omni die.**

Septimo, *noverint quod niſi citius ad pacem venerint, aggravabitur eis Bellum, quod non poterunt ſuſtinere, quia creſcit Regia potentia omni die.*

Octavo, **noverint quod regnum** Angliæ **eſt ſub ſpeciali protectione Sedis Apoſtolicæ, et quod** Romana **Curia plus inter regna cætera diligere conſuevit.**

Nono, **quod eadem Curia nullo modo volet permittere ſtatum regni** Angliæ **vacillare, quod ſibi ſpecialibus obſequiis eſt devotum.**

Decimo, *amariſſime plangimus hoc, quod dicitur,* Wallenſes *crudeliores exiſtere Saracenis; quia cum Saraceni capiunt Chriſtianos, eos ſervant pecuniâ redimendos; quos* Wallenſes *captos dicuntur illico jugulare, quia ſolo ſanguine delectentur; immo* —— *quod eſt deterius, quos permittunt redimi, tradunt, ut dicitur, jugulandos.*

Undecimo, *quod cum conſueverunt, Deum & perſonas Eccleſiaſticas revereri,* **a devotione hujuſmodi videntur multipliciter receſſiſſe,** *qui in tempore ſanctiſſimo in redemptoris injuriam moverunt ſeditionem, homicidia perpetrantes, in quo eos nullum poterit excuſare.*

Duodecimo, *petimus, ut tanquam veri Chriſtiani ad cor redeant pœnitentes, quia cœptam diſcordiam non poſſent diu continuare, etiamſi inraſſent.*

Tertiodecimo, *petimus, ut nobis ſignificent, quibus modis velint & valeant turbationem pacis Regiæ, læſionem Reipublicæ, & alia mala emendare.*

Quartodecimo, *ut ſignificent nobis, qualiter valeat ipſa concordia ſtabiliri; fruſtra enim pax firmari videbitur, quæ tam aſſidnè violatur.*

Quintodecimo, *ut ſi dicunt leges ſuas vel fœdera ex pacto inita non ſervari, ut ſignificent quæ ſint illa.*

Sextodecimo, *noverint, quod etiam poſito quod eis derogatum fuiſſet, quod noſcimus nullo modo licebat eis, quia eſſent Judices in cauſa ſua,* **taliter Majeſtatem Regiam impugnare.**

Septimodecimo, *quod niſi modo pax fiat, procedatur contra eos forſitan ex* **decreto militiæ Sacerdotis et populi convocati.**

Reſponſiones *Lewelini* Principis ad Articulos ſupradictos.

Reverendiſſimo Patri in Domino J. *Dei gratia* Cantuar. *Archiepiſcopo, totius* Angliæ *Primati, ſuus humilis & devotus filius* L. *Princeps* Walliæ, *Dominus* Snaudoniæ, *ſalutem & filialem dilectionem, cum omnimoda reverentia, ſubjectione, & honore. Sancta Paternitati veſtræ pro labore vobis quaſi intolerabile, quem aſſumpſiſtis ad præſens; pro dilectione, quam erga nos & noſtram nationem geritis, omni qua poſſumus devotione re-*

An. 10 E. 1. gratiantes vobis aſſurgimus; & eò amplius, quod contra Domini Regis voluntatem veniſtis, prout nobis intimaſtis. Caterum quod nos rogaſtis, ut ad pacem Domini Regis veniamus; ſcire debet veſtra ſanctitas, quod ad hoc prompti ſumus, cummodo idem Dominus Rex pacem debitam & veram nobis & noſtris velit obſervare. Ad hæc licet gauderemus de mora veſtra facienda in Wallia, tamen per nos non eritis impediti, quin pax fiat quantum in nobis eſt, quam optamus per veſtram induſtriam magis quàm alicujus alterius roborari; & ſperamus, nec per Dei gratiam erit oportunum propter noſtram pertinaciam aliquid ſcribere Domino Papæ; nec veſtras paternas preces ac graves labores ſpernemus, ſed eas amplectimur omni cordis affectu, ut tenemur; nec erit opus quod Dominus Rex aggravet contra nos manum, cum prompti ſumus ſibi obedire, juribus noſtris & legibus nobis, ut pramittatur, reſervatis. Et licet regnum Angliæ ſit Curiæ Romanæ ſpecialiter ſubjectum et dilectum, tamen cum Dominus Papa, necnon et Curia Romana audierint quanta nobis per Anglicos mala ſunt illata, videlicet, quod pax prius formata non ſit nobis ſervata nec ——— deinde Eccleſiarum devaſtationes, combuſtiones, et Eccleſiaſticarum interfectiones, Sacerdotum videlicet et Incluſorum, et Incluſarum, et altarum Religioſarum perſonarum paſſim mulierum et infantium lugentium ubera, et in ——— portiarum combuſtiones etiam Hoſpitalium et aliarum Domorum Religioſarum, homicidiorum in Cimiteriis, Eccleſiis, et ſuper Altaria, et aliorum ſacrilegiorum et flagitiorum auditu, etiam horribilium auditui paganorum, ſicut expreſſius eadem in aliis rotulis conſcripta vobis tranſmittamus inſpicienda. Speramus inprimis, quod veſtra pia & ſancta Paternitas clementer nobis compatietur, necnon & Curia ſupradicta: nec per nos Regnum Angliæ vacillabit, dum ut pramiſſum eſt pax debita nobis fiat & ſervetur. Qui vero ſanguinis effuſione delectantur, manifeſtum eſt ex factis; nam Anglici hactenus nulli ſexui vel ætati, ſeu langore pepercerunt, nulli Eccleſiæ vel loco ſacro detulerunt, qualia vel conſimilia * ——— non fecerunt. Super eo autem ——— unus redemptus fuit ——— multum dolemus, nec occiſarem manutenemus, ſed in ſylvis uti latro vagatur. De eo vero quod inceperunt ——— aliqui in tempore indebito illud ignoravimus ——— ſanctum, & tamen ipſi aſſerunt, quod in eo tempore hoc feciſſent mortes & captiones eis immineabant, nec audebant in domibus reſidere, nec niſi armati incedere, & ſibi ——— tali tempore id fecerunt. De eis vero qua fecimus contra Dominum, ut veri Chriſtiani per Dei gratiam pœnitebimus, nec erit ex parte noſtra quod Bellum continuetur, dum ſimus indempnes, ut debemus, ne tamen exheredemur & paſſim occidamur, oportet nos defendere, ut valemus. Cum vero injuria & dampna hinc inde conſiderentur & ponderentur, parati ſumus emendare pro viribus qua ex parte noſtra ſunt commiſſa, dum de predictis injuriis & dampnis nobis factis & aliis emenda nobis fiat. Et ad pacem firmandam & ſtabiliendam ſimiliter ſumus prompti debitis modis, quia tamen Regales Carta & pacta inita nobis non ſervantur, ſicut nec hucuſque ſunt obſervata, non poteſt pax ſtabiliri, nec quia nova exactiones & inaudita contra nos & noſtros omni die adinveniuntur, vobis autem tranſm—— in rotulis dampna illata & fœdera niſi quod ſecundum factum pacis ——— factam. Quod vero guerravimus, quia neceſſitas nos cogebat, nam nos & omnes Wallenſes eramus adeo oppreſſi & ſubpeditati & ſpoliati, & in ſervitutem redacti per Regales Juſticiarios & Ballivos contra formam pacis & omnem juſtitiam amplius quam ſi Saraceni eſſemus vel Judæi (ſicut credimus, et ſæpe denuntiavimus Domino Regi) nec aliquam emendam habere potuimus, ſed ſemper mittebantur Juſticiarii & Ballivi ferociores & crudeliores, & cum illi erant ſaturati per ſuas injuſtas exactiones, alii de novo mittebantur ad populum excoriandum, in tantum quod populus mallebat mori quam vivere; hac oportet militiam ampliorem convocari, vel contra nos moveri ——— dum nobis fiat pax & ſervetur modis debitis, ut ſuperius eſt expreſſum; nec debetis, Sancte Pater, omnibus verbis credere noſtrorum Adverſariorum, ſicut enim nos factis oppreſſerunt & opprimunt, ita & verbis diffamant vobis impotentes ——— volunt, ipſi enim ſæpe vobis ſunt præſentes, & nos abſentes, niſi opprimentes, nos oppreſſi & ——— fidem eis in omnibus non exhibeatis, ſed iſta potius examinetis. Valeat Sanctitas veſtra ad regimen Eccleſia per tempora longa.

2 Saracens.

ntiq Eccleſ. t. p. 198.

* *Matthew Parker* addes hereto; Johannes *in* Cambriam, *ut ſedaret tumultum*, Rege ipſo (*ut aſſerunt*) inſcio, *ſeceſſit. Hoc bellum à* Leolino Griffini *filio* Walliæ *Principe, frater ſuo* David *inſtigante, necnon ariolis quibuſdam* Cambrenſibus, *qui Principi ſuaſerunt jamjam fore ut* Bruti *diademate* (*prout* Merlinus *quondam vaticinatus*

natus eſt) *inſigniretur*, *totamque* Britanniæ *Inſulam ſolus regeret*, *ſuſceptum eſt*. *Etſi* Leolinus *ejuſque frater* David *ſcriptis ad* Johannem Cant. *cum in* Cambriam *veniſſet literis*, *affirmant ſe arma ſumere*, *quod contra inita fœdera Regii Juſticiarii & Ballivi* Cambros *injuriis non tolerandis toties affeciſſent*, *ut mori & in acie perire malint*, *quam vitam in ſervitute atque tyrannide moleſtam ducere*. *Itaque cum* Johannes *de pace conciliando in* Snowdonia, Cambriæ *provincia*, *diu ſed fruſtra tractaviſſet*, *in* Angliam *rediit*, **Excommunicationiſque ſententiam** Oxonii (*ut in* Bonifacio *ante diximus*) **in pacis Regiæ violatores latam contra** Leolinum & Davidem **eorumque milites promulgavit.** *Sed antequam in* Cambriam *pedem intuliſſet*, *veritus ne vi retineretur*, *nec redire facile cum vellet poſſet*, R. Burnell Bathonienſem *Epiſcopum*, *quem* (*ut ante diximus*) Cantuarienſes *Monachi in Archiepiſcopum poſtulaverunt*, *Vicarium ſuum & Adminiſtratorem ſuæ provinciæ generalem conſtituit*. *Et ut* Cambros *aliquo merito devinciret*, *multos ex ea provinciæ Clericos indoctos egentes atque peregrinos novo ſuperſtitionis modo inſtituto*, *in* Angliam *miſit*. *Codices enim Evangeliorum aruatè & curiosè in membranis ligatos ſingulis dedit*, *his qui inſcitia literarum pronunciare aliquid ex illis non poterant*, *ut ſaltem quarundam inſtar reliquiarum manibus geſtarent populoque oſtenderent*, *præcepit*. *Tum literas ad multos dedit*, *in quibus rogavit*, *ut hos* Cambrenſes *Clericos Evangelium non ore proferentes*, *ſed digitis bajulantes reciperent*, *& ad eleemoſynas recipiendas circumire permitterent*. *Illi itaque Codices Evangelii ſcripti circumducentes*, *eos inſano & amenti ſine doctrina vulgo non ſine admiratione & ſtupore idiomate ſuo Evangylion*, *Evangylion clamantes*, *oſtendebant*. *Qua ſuperſtitione* Angliæ *deluſa plebs*, *ignaros & ignotos homines multis donis affecit*.

An. 10 E. 1.

This Excommunication denounced by the Archbiſhop againſt the Rebellious *Welſh* and their Complices who diſturbed the peace of the Realm, I finde was made by the Kings Soveraign Eccleſiaſtical power, and Patent ſent to the Archbiſhop, and likewiſe to the Archbiſhops of *York* and *Dublin* for that end, thus recorded to poſterity.

REX Archiepiſcopo *Cantuarienſi* totius *Anglia* Primati, ſalutem. Cum nonnulli malefactores *Walleuſes* & alii complices & fautores ſui, tranquilitati & paci regni noſtri invidentes, turbationem quandam in terra noſtra *Wallia* ſuſcitantes pariter & moventes, ibidem depredationes, homicidia, incendia, & alia enormia quamplurima perpetrarint, contra pacem noſtram, & de die in diem callidis machinationibus ſtudeant nobis & hominibus fidei noſtræ adhærentibus majora damna & pericula pro viribus perpetrare. Nos maliciam & rebellionem hujuſmodi malefactorum, **quos in Canonem latæ ſententiæ ipſo facto incidiſſe** (*conſtat*) **volentes reprimi ut tenemur, paternitatem veſtram quam in punitione hujuſmodi malefactorum per Claves Eccleſiaſticas faciendo eſſe novimus plurimum circumſpectam, affectuoſe requirimus et rogamus, ad maliciam et rebellionem ipſorum celeriter reprimendam, ſi placet, curam et ſolicitudinem prout omnes prædeceſſores veſtri fecerunt retrolapſis temporibus, favorabiliter adhibentes; Univerſis et ſingulis Suffraganeis veſtris vobis, noſtri intuitu, ſecundum quod veſtra diſcretio tranquilitati et paci incolarum regni noſtri magis expedire viderit in mandatis, ut ipſi omnes hujuſmodi perturbatores pacis, et eorum conſpiratores, complices et fautores, ac omnes aſſenſum, conſenſum, conſilium vel auxilium clam vel palam eiſdem præbentes in præmiſſis, per ſingulas Dioceſes ſuas publice et ſolemniter denunciari facient Excommunicatos: ſperamus enim quod rebellio et malitia ipſorum, mediante ſubamine Gladii Spiritualis, qui in hujuſmodi caſu juvare dinoſcitur brachium ſeculare, facilius reprimetur.** Teſte Rege apud *Deviſis* 28 die *Marcii*, anno, &c. decimo.

Conſimiles literæ diriguntur Archiepiſcopis *Ebor.* & *Dublin.* Teſte ut ſupra.

Rot. Walliæ 10 E. 1. m. 10.

The King likewiſe to preſerve the Peace of the Realm, and furniſh himſelf with monies to ſubdue the Rebellious * *Welſhmen*, ſummoned all the Prelates, Nobles and others who held of him by Knights Service, to aſſiſt him with their Horſe and Armes againſt the *Welſhmen*; and writ to the Biſhop of *Ely* to ſecure the Peace of that Iſle during his abſence in *Wales*, and gave Commiſſion to ſwear all the Inhabitants thereof to keep his Peace; and to all the Archbiſhops and Biſhops to haſten the collection

* See Mat. Weſtm. & Walſingham Anno 1282. Henry de Knyghton de Event. Angliæ l. 3. c. 1. Mat. Parker Antiq. Eccleſ Brit. p. 199. Polydor Virgil Angl. Hiſt. l. 17. p. 323, 324. Holinſhed, Grafton, Speed, Stow, Daniel, in 10 Edw. 1.

An. 10 *E.* 1. collection and payment of the Quindiſme then granted to him by them for that War, as *Rotulus Walliæ* Anno 10 *E.* 1. thus at large records.

Rot. Wallie 10 E. 1. m. 7. dorſo.

REX Venerabili in Chriſto Patri *J.* eadem gratia Archiepiſcopo *Cantuar.* totius *Angliæ* Primati, ſalutem. Quia *Wallenſes* malefactores, & complices, ac fautores ſui Rebelles noſtri, paci & tranquillitati regni noſtri invidentes, nuper quoſdam de fidelibus noſtris ſubito & ſeditioſe interfecerunt, & quoſdam cœperunt, & in priſona detinent, & guerram in terra noſtra *Walliæ* commoverunt; ac depredationes, homicidia, incendia, & alia enormia perplurima contra pacem noſtram in partibus illis nequiter perpetrarunt, ac terras noſtras & fidelium noſtrorum ibidem de die in diem invadunt, & dampna gravia perpetrare non formidant, **per quod jam exercitum noſtrum ſummoneri fecimus**, quod ſit apud *Rothelan.* die Dominica craſtino in feſto *Petri* ad vincula proximo futuram, ad malitiam & rebellionem dictorum malefactorum & complicium ſuorum reprimendam. Vobis mandamus, **quod dictis die et loco habeatis ſervicium veſtrum nobis debitum paratum ad proficiſcend. nobiſcum erinde in expeditionem noſtram contra prædictos** Wallenſes **malefactores et complices ſuos Rebelles noſtros.** Et hoc nullo modo omittatis. Teſte Rege apud *Wygorn.* 20 die *Maii.*

Sub eadem forma mandatum eſt Archiepiſcopo *Ebor. R. Dunelm.* Epiſcopo, *R. Carleol. J. Roffen. R. London. R. Coventr.* & *Lichf. G. Lincoln. R. Ciceſtr. R. Sarum. R. Bathon.* & *Wellen. P. Exon. W. Landaven. T. Hereford. G. Wigorn. W. Norwic. H. Elien. H. Meneven.* & *Aſſaven.*

Sub eadem forma mandatum eſt ſubſcriptis Abbatibus, **quod habeant**, *&c.* viz. Abbati de *Thorneye*, Abbati Sancti *Auguſtini Cantuar.* Abbati Sancti *Albani*, Abbati Sancti *Edmundi*, Abbati *Weſimon.* Abbati de *Cercerteſ.* Abbati *Glaſton.* Abbati de *Hyda Winton.* Abbati de *Abbotesbyr.* Abbati de *Winchecombe*, Abbati de *Shireburn*, Abbati de *Perſhe*, Abbati de *Eveſham*, Abbati Sancti *Benedicti* de *Hulm.* Abbati Sancti *Petri* de *Glouc.* Abbati de *Malmesbyr.* Abbati de *Michelney*, Abbati de *Abbendon.* Abbati de *Corn.* Priori de *Coventr.* Abbatiſſæ de *Wilton.* Abbatiſſæ Sanctæ *Mariæ Winton.* Abbatiſſæ *Shafton.* Abbatiſſæ de *Berking.*

I pretermit the ſummons to the Temporal Lords, Knights, and others.

Rot. Walliæ 10 E. 1. m. 9. De Inſula Elienſ. munienda, &c.

REX omnibus Ballivis, &c. Cum ob regni noſtri ſecuritatem mandaverimus venerabili Patri *H. Elien.* Epiſcopo, quod Inſulam de *Ely* muniri & ſalvo cuſtodiri faciat, ne noſtri æmuli & malivoli (quicunque fuerint) Inſulam illam ingrediantur clam aut potenter, ad pacem noſtram in aliquo perturbandam; ob hoc expediat ut de ipſis, qui infra libertatem dicti Epiſcopi moram faciunt, ſecuritas habeatur de pace noſtra in eiſdem partibus plenius obſervanda: Dedimus poteſtatem dilecto nobis *Hugoni de Creſſingham*, **recipere Sacramentum omnium illorum, qui infra dictam libertatem commorantur, de eo, quod in omnibus diligenter et fideliter ſe habebunt in iis quæ ad conſervationem pacis noſtræ in Inſula prædicta pertinent.** Et ideo vobis mandamus, quod eidem *Hugoni* in hiis, quæ ad hujuſmodi Sacramentum recipiendum pertinent, intendentes ſitis & reſpondentes. In cujus, &c. duratur. uſque ad Quindenam Sancti *Michaelis* proximo futuram, niſi aliud interim duxerimus inde ordinandam. Teſte Rege apud *Glouc.* primo die *Maii.*

* Tho. Walſingham Ypodigm. Neuſtr. An. 1281. p. 70 Mat. Weſtm. p. 370.

* *His diebus Clerus & populus* **primo Quintam Decimam**, *& poſtmodum* **Tricesimam bonorum ſuorum** *Regi Angliæ conceſſerunt*, to conquer the *Welſh*-men; hereupon the King iſſued theſe Writs to the Archbiſhop of *Canterbury* and others for the ſpeedy collection thereof, and to Sheriffs to aſſiſt them therein.

Clauſ. 10 E. 1. m 7. dorſo. De Quintadecima colligenda.

REX venerabili in Chriſto patri *J. Cantuar.* Archiepiſcopo, totius *Anglia* Primati, ſalutem. Quia volumus quod **Quintamdecimam nobis conceſſam de bonis Cleri** in provinciâ veſtrâ colligatur, nos de circumſpectione & gratitudine veſtra confidentes; Paternitatem veſtram **requirimus et rogamus**, quatinus provideri facias de aliquibus viris fidelibus & diſcretis, qui Quintamdecimam illam in veſtra Dioceſi ad opus noſtrum colligere, adunare, & in tuto loco deponere poſſint cuſtodiendam, donec aliud inde præceperimus. Ita quod Nos in proximo Parliamento noſtro de ſumma Quintædecimæ illius in dicta veſtra Dioceſi nos diſtincte & aperte

apertè reddere poſſitis certiores. Mandamus autem Vicecomiti noſtro *Cantuar.* per breve noſtrum (quod vobis mittimus conſignatum, & cujus Tranſcriptum vobis mittimus præſentibus intercluſum) **quod ſi aliquos Quintamdecimam illam ſolvere nolentes, vel ad hoc difficiles & reddentes, inveniri contigerit, tunc vobis ad Quintamdecimam illam in dicta Dioceſi levandam, auxilians ſit et conſulens juxta tenorem brevis ejuſdem,** quod ei, ſi neceſſe fuerit & expedire videritis, tranſmittetis, & prout vos habere curetis in hac parte, quod nobis exinde grates referre teneamur. Teſte Rege apud *Cirenceſtr.* 27. die *Januarii.* *An.* 10 *E.* 1.

Conſimiles literæ diriguntur ſingulis Epiſcopis per totam provinciam ejuſdem Archiepiſcopi. Teſte ut ſupra.

Et mandatum eſt ſingulis Vicecomitibus ſingularum Dioceſium Archiepiſcopatus prædicti, **quod eiſdem Epiſcopis ad præmiſſa facienda, prout iidem Epiſcopi eis ſcire faciant ex parte Regis, ſi neceſſe fuerit, conſulentes ſint et auxiliantes.** Teſte Rege ut ſupra.

After which the King marching with his Army towards *Wales*, iſſued other Writs to the Biſhops and Collectors, to carry the Quindiſm to ſeveral places.

REX venerabili in Chriſto Patri *P. Exon.* Epiſcopo ſalutem. Cum nuper vos rogaverimus, quod de aliquibus hominibus veſtris, de quibus confideretis, qui pecuniam provenientem de quintadecima nobis à Clero conceſſa in veſtro Dioceſi prædicta, una **cum collectoribus ejuſdem Quintædecimæ,** vel deputandis ab eis conducerent uſque *London.* liberandam ibidem Societati Mercatorum noſtrorum de *Luk*, ſicut *Elyas Toleſan.* Clericus noſter, quem ad vos ea occaſione ſpecialiter tranſmiſimus, vos rogaret ex parte noſtra; & jam intellexerimus, quod pecunia illa (licet ut credimus ſit collecta) uſque *London.* nondum tranſmiſſa eſt, de quo quamplurimum admiramur; **Paternitatem veſtram requirimus et rogamus,** quatenus dictam pecuniam & arreragia ejuſdem ſine ulteriori dilatione per aliquos de hominibus veſtris, una cum collectoribus prædictis quibus ſimiliter ſuper hoc ſcripſimus, vel ſaltem per unum ex eis uſque *London.* conduci facias per viſum & teſtimonium dicti Clerici noſtri, quem ad vos ob hoc mittimus iteratò, Mercatoribus prædictis ibidem liberandam, ut prædictum eſt. Et hoc ſicut de vobis confidimus nullo modo omittatis. Mandavimus autem Collectoribus prædictis, quod pecuniam illam ſumptibus noſtris & per viſum ejuſdem Clerici, ibidem faciant cariari. Teſte Rege apud *Rotheland.* xviii die *Octobris.* Rot. Wallie 10 E. 1. m. 5. dorſo.

Conſimiles literæ diriguntur *J. Cantuar.* Archiepiſcopo, vel ejus Offic. *R. Bathon.* & *Wellen.* Epiſcopo, vel ejus Offic. *R. London* Epiſcopo, *R. Sarum* Epiſcopo, *J. Roff.* Epiſcopo.

REX Collectoribus Quintædecimæ in Archiepiſcopatu *Cantuar.* ſalutem. Meminimus nos alias vos rogaſſe, quod Quintam decimam nobis à Clero conceſſam in Archiepiſcopatu prædicto colligi & adunari, & uſque *London.* ſumptibus noſtris cariari faceretis, ibidem liberandam Societati Mercatorum noſtrorum de *Luk*, per viſum & teſtimonium *Elia Toloſan.* Clerici noſtri, quem ad vos ea occaſione ſpecialiter tranſmiſimus illa vice. Verum quia pecuniam illam *London.* (ut prædictum eſt) nondum cariari feciſtis, (de quo miramur) prædictum Clericum noſtrum ad vos iterato duximus tranſmittendum. **Vos rogantes, ſicut aliàs rogavimus,** quod omnia arreragia ejuſdem Quintædecimæ ſine ulteriori dilatione *London.* cariari faciatis in formâ prædictâ, prout dictus Clericus noſter vobis ſcire fac. ex parte noſtra. Et hoc nullo modo omittatis. **Rogamus** autem loci Dioceſanum, quod vobis ad hoc ſalvum & ſecurum Conductum habere faciat, & quod hoc ſicut de eo confidimus non omittat. Mandavimus etiam Mercatoribus noſtris prædictis, quod literas ſuas patentes vobis fieri faciant ſummam receptionis dictæ pecuniæ teſtificantes. Teſte Rege ut ſupra. Ibidem.

Conſimiles literæ diriguntur Collectoribus Quintædecimæ in Epiſcopatibus prædictis.

REX Epiſcopo *Ciceſtr.* ſalutem. Pluries vos rogaſſe meminimus, quod totam pecuniam provenientem de Quintadecima in Dioceſi veſtra per Collectores veſtros Ibidem.

An. 10 *E.* 1. vestros ejusdem Quintædecimæ usque *London.* cariari faceretis, ibidem *Bourcmens* & sociis suis Mercatoribus de *Luk.* liberandam, & quod conductum eisdem Collectoribus habere faceretis, prout dilectus Clericus noster *Elyas Tolesan.* quem tunc ea occasione ad vos misimus, vobis diceret ex parte nostra. Et quia Collectores prædicti quasdam excusationes minus sufficientes prætendentes, pecuniam illam usque locum prædictum cariare distulerunt, in nostri dampnum manifestum; Paternitatem vestram iteratò attentè **requirimus et rogamus**, quatenus Collectoribus prædictis præcipiatis, quod pecuniam illam sumptibus nostris usque *London.* duci faciant cum omni festinatione, prout præfatus Clericus eis dicet ex parte nostra, ita quod dampnum inde ulterius non incurramus. Teste Rege ut supra.

Ibidem. REX Magistro *Rogero de la Grave* & sociis suis Collectoribus Quintædecimæ in Episcopatu *Ciceſtren.* salutem. Cum pluries vos rogaverimus, quod totam pecuniam provenientem de Quintadecima in Episcopatu prædicto sine dilatione colligi, & usque *London.* deferri faceretis, Societati Mercatorum nostrorum de *Luk* ibidem liberandam, prout dilectus Clericus noster *Elias Tolesan.* vobis scire faceret ex parte nostrâ; & vos quasdam Excusationes minus sufficientes prætendentes pecuniam illam usque locum prædictum cariari facere distuleritis in nostri dampnum manifestum; de quo miramur & movemur. Vos iterato **requirimus et rogamus**, quod totam pecuniam prædictam cum omni festinatione, qua fieri poterit, & arreragia ejusdem usque locum prædictum sumptibus nostris deferri faciatis, sicut prædictum est, & prout venerabilis pater *S. Ciceſtren.* Episcopus (cui super hoc scripsimus) & præfatus Clericus noster vobis scire fac. ex parte nostra. Et hoc nullatenus omittatis, sicut diligitis nostrum commodum & honorem. Mandavimus autem Mercatoribus nostris prædictis, quod literas suas patentes vobis fieri faciant, summam receptionis prædictæ pecuniæ testificantes. Teste Rege ut supra.

Ibidem. REX *R. Bathon.* & *Wellen.* Episcopo, salutem. Cum nuper vos rogaverimus quod provideri faceretis de aliquibus vestris fidelibus & discretis, qui **Quintamdecimam nobis concessam a Clero** in vestra Dioceſi ad opus nostrum colligere & adunare, ac in tuto loco deponere possent custodiendam, donec aliud inde præceperimus, & jam ad quædam negotia nostra instantia expediendâ **pecunia plurimum indigeamus**; Paternitatem vestram affectu osè **requirimus et rogamus**, quatenus **Collectoribus ad hoc deputatis a vobis** per literas vestras sine dilatione præcipiendo dare velitis in mandatis, quod totam pecuniam provenientem de Quintadecimâ vestræ Dioceſis, quæ jam collecta est ibidem, sub omni festinatione transmitti faciant usque *Malmesbiry*, prout eisdem Collectoribus similiter mandamus, ibidem deponendam per visum & testimonium dilecti Clerici nostri Magistri *Henrici Huſe*, quem ad dictam Dioceſin ea occasione specialiter duximus transmittendum. Paternitatem vestram insuper **requirimus et rogamus**, quatenus provideri faciatis de aliquibus de hominibus vestris, de quibus confiditis, qui pecuniam illam una cum ipsis Collectoribus vel deputandis ab eis, & cum prædicto Clerico nostro usque *Malmesbiry* salvo & secure conducere, & ibidem disponere possint (ut prædictum est) prout dilectus Clericus noster (cui credatis, si placet, in præmissis) vos rogabit ex parte nostra. Et hoc, sicut de vobis specialiter confidimus, nullatenus omittatis. Teste Rege apud *Glouc.* secundo die *Maii*, & fuerunt Clauſ.

Consimiles literæ diriguntur de verbo ad verbum Episcopis *Exon.* & *Sarum.* de Quintadecima Episcopatuum illorum ad eundem locum sub testimonio ejusdem Clerici, ibidem deponendâ.

Et quia Rex ad quædam negotia sua instantia expedienda **pecunia plurimum indeget ad præsens**, Rex rogat Collectores prædictorum Episcopatuum, quod totam pecuniam provenientem de Quintadecima Episcopatuum illorum per eos collectam, sub omni festinatione transmitti faciant sumptibus Regis usque *Malmesbiry*, ibidem deponendam & custodiendam, per visum & testimonium prædicti Clerici Regis quem Rex ad præfatos Episcopos & Collectores prædictos ea occasione specialiter duxerit transmittendam, & cui in præmissis adhibeant plenam fidem; & ea faciant, quæ eis inde dicet ex parte Regis. Et Rex rogavit præfatos Episcopos, quod de aliquibus hominibus suis, de quibus confidunt, provideri faciant, qui pecuniam illam una cum Collectoribus vel cum deputandis ab eis, & cum præfato Clerico Regis, usque *Malmesbury*

Malmesbury ſalvo & ſecurè conducere, & ibidem deponere poſſint cuſtodiendam; prout idem Clericus præfato Epiſcopo & Collectoribus dicet ex parte Regis. Et Rex injunxit eidem Clerico, quod cum Collectores pecuniam illam ſic deponi fecerint, literas ipſius patentes Collectoribus habere fac. ſummam pecuniæ ſic depoſitæ teſtificantes. Et fuerunt patentes. *An.* 10 E. I.

Conſimiles literæ diriguntur Archiepiſcopo *Cantuarien.* Epiſcopis *Roffen. Ciceſtr.* & *London.* de præcipiendo Collectoribus Quintædecimæ eorundem Epiſcopatuum, quod mittant Quintamdecimam jam collectam in Epiſcopatibus illis uſque *London.* per viſum & teſtimonium *Nicholai de Clare*, quem Rex ad Epiſcopatus illos ea occaſione ſpecialiter tranſmittit, ſocietati Mercatorum de *Luk.* ibidem liberandam; & quod Quintamdecimam illam ibidem conduci faciant, ut ſupra. Teſte ut ſupra.

*Mandatum eſt etiam (ut ſupra) Collectoribus Quintædecimæ in Epiſcopatibus illis, quod Quintamdecimam illam per viſum, &c. prædicti *Nicholai* uſque *London.* tranſmittant, ſocietate prædictorum Mercatorum liberandam; & quod iidem Mercatores literas ſuas patentes eiſdem Collectoribus habere faciant, ſummam ejuſdem liberationis teſtificantes. Teſte ut ſupra. * Rot. Wallíæ 10 E. I. m. 8.

Conſimiles literæ (ut ſupra) diriguntur Epiſcopis *Norwic.* & *Elien.* de præcipiendo Collectoribus Quintamdecimam in Epiſcopatibus illis, quod Quintamdecimam illam per viſum, &c. *Thomæ de Wynundham* uſque *London.* tranſmittant, ſocietati Mercatorum prædictorum liberandam; & quod iidem Mercatores literas ſuas patentes eiſdem Collectoribus habere faciant, ſummam ejuſdem liberationis teſtificantes. Teſte ut ſupra.

Mandatum eſt etiam (ut ſupra) Collectoribus Quintædecimæ in Epiſcopatibus illis, quod Quintamdecimam illam per viſum, &c. præfati *Thomæ* uſque *London.* tranſmittant, ſocietati prædictorum Mercatorum liberandam; & quod iidem Mercatores literas ſuas patentes eiſdem Collectoribus habere faciant, ſummam ejuſdem liberationis teſtificantes. Teſte ut ſupra.

Eodem modo ſcribitur Archiepiſcopo *Eborum*, Epiſcopo *Karl.* & Epiſcopo *Dunolm.* vel ejus vices gerenti, per unum breve, ut ſupra. Et Collectoribus Quintædecimæ in Archiepiſcopatu & Epiſcopatibus prædictis, de mittendo Quintamdecimam Epiſcopatuum illorum uſque Caſtrum *Nottingham*, Conſtabul. Caſtri prædicti liberandam per viſum, &c. *Willielmi de Beverlaco*; quem Rex, &c. ad Archiepiſcopatum & Epiſcopatus illos ea occaſione, &c. per ordinationem Magiſtri *Henrici de Newark.*

Et mandatum eſt *Richardo de Charrum*, quod Quintamdecimam Epiſcopatus *Dunolm.* per homines Epiſcopi conduci facere, &c. uſque *Nottingham*, &c. ut ſupra; & Conſtabulario Caſtri prædicti quod eam recipiat. Teſte ut ſupra.

Eodem modo ſcribitur *Lincolnienſi* Epiſcopo per unum breve, ut ſupra, & Collectoribus Epiſcopatus illius per aliud breve, ut ſupra, de mittendo Quintamdecimam Epiſcopatus illius uſque *Lichefeld.* Theſaurario *Lich.* liberandam per viſum Magiſtri *Adæ de Botindon*; quem Rex, &c. ut ſupra, & cuſtodiendam donec Rex inde aliud præceperit.

Eodem modo ſcribitur *Coventren.* & *Lichfeld.* Epiſcopo per unum breve, & Collectoribus per aliud breve, ut ſupra, de Quintadecima ejuſdem Epiſcopatus mittenda uſque *Ceſtriam*, ibidem in Garderoba Regis liberanda; Teſte ut ſupra.

Eodem modo ſcribitur Epiſcopo *Wigorn.* per unum breve, & Collectoribus, &c. per aliud breve, ut ſupra, de mittendo Quintamdecimam Epiſcopatus illius uſque *Wigorn.* in Garderoba Regis ibidem liberandam. Teſte ut ſupra.

Eodem modo ſcribitur Epiſcopo *Meneven.* per unum breve, & Collectoribus, &c. per aliud breve, ut ſupra, de mittendo Quintamdecimam Epiſcopatus illius uſque *Kermerdin.* ibidem in tuto loco deponendam, donec Rex aliud inde præceperit. Teſte ut ſupra.

Eodem modo ſcribitur *Landaven.* Epiſcopo per unum breve, & Collectoribus, &c. per aliud breve, ut ſupra, de mittendo Quintamdecimam Epiſcopatus illius uſque *Kermardin.* ibidem in tuto loco deponendam, donec Rex aliud inde mandaverit. Teſte ut ſupra.

Eodem modo ſcribitur *Hereford.* Epiſcopo, vel ejus locum tenenti, per unum breve, & Collectoribus, &c. per aliud breve, ut ſupra, de mittendo Quintamdecimam Epiſcopatus illius uſque *Wigorniam* in Garderoba Regis ibidem liberandam. Teſte ut ſupra.

An. 10 *E.* 1. Et memorandum, quod ad Epiſcopatus *Wigorn. Meneven. Landaven.* & *Hereford.* non mittebatur aliquis Clericus per cujus viſum Quintadecima Epiſcopatuum illorum mitti debuit.

Eodem modo ut in prima forma ſcribitur Magiſtro *Adæ Hales*, cuſtodi ſpiritualitatis Epiſcopatus *Winton.* ſede vacante, per unum breve, & Collectoribus, &c. per aliud breve, ut ſupra, de mittendo Quintamdecimam Epiſcopatus illius uſque *London.* Mercatoribus de ſocietate de *Luk.* liberandam, per viſum & teſtimonium *Johannis de Arundell* & Vicecomitis *Surht.* & quod iidem Mercatores literas ſuas patentes eiſdem Collectoribus habere faciant, ſummam ejuſdem liberationis teſtificantes. Teſte ut ſupra.

Omnes prædicti Clerici habeat literas Regis de conductu, durat. ad feſtum Sancti *Michaelis*; videlicet, quilibet eorum per ſe.

The King likewiſe writ to ſeveral rich Abbots to borrow ſeveral ſums of money upon this occaſion, which they out of courteſie promiſed to lend him.

Rot. Walliæ 10 E. 1. m. 9. dorſo. MIttatur pro **Ducentis Marcis** ad Abbates de *Neuſom* & Abbatem de *Lavenden.* quod eas mittant uſque *Wigorn.* in Quindena Sanctæ *Trinitatis*, vel ubicunque fuerint, quæ ſunt in cuſtodia eorundem Abbatum, **quas promiſerunt ei Curialitate.**

The King notwithſtanding his great want of Corne, Victuals, and Carriages for himſelf and his Army during this War, yet granted theſe Protections from Purveyance to ſundry Religious Houſes, according to the Statute of *Weſtm.* 1. cap. 1.

Rot. Walliæ 10 E. 1. m. 8. Pro Prioriſſa de Weſtwode, ne blada capiantur, &c. REX omnibus Ballivis, Clericis, & Miniſtris ſuis ad quos, &c. ſalutem. Licet nos Magnates & cæteri fideles noſtri, nobiſcum in exercitu noſtro *Walliæ* exiſtentes, Bladis, Victualibus, & Cariagio non modicum ad exercitum prædictum indigeamus. Nolumus tamen quod aliquod de bladis ſeu rebus aliis dilectæ nobis in Chriſto Prioriſſæ de *Weſtwode*, ordinis *Fontis Ebraudi*, quibuſcunque ſeu etiam Cariagium aliquod ad opus noſtrum vel alicujus alterius ab ipſa capiatur contra voluntatem ſuam. Et ideo vobis mandamus, quod de bladis aut aliis bonis & catallis ipſius Prioriſſæ, aut etiam Cariagium aliquod ab ipſa ad opus noſtrum vel alterius, ſicut prædictum eſt, ſine licentia & voluntate ſua, nullatenus capiatis. In cujus, &c. duratur. uſque ad feſtum Nativitatis Domini proximo futurum. Teſte Rege apud *Wigorn.* 21 die *Maii.*

Conſimiles literæ, ut ſupra verbatim, pro Abbate & Conventu de *Cumbe*; Teſte Rege apud *Hertlebir.* 24 die *Maii.*

The Abbot of St. *Werburge* having furniſhed the King in his expedition to *Wales* with Men and Carriages, the King granted him this Patent for his future indempnity, that it ſhould not infringe his Charters and Priviledges for time to come.

Pat. 10 E. 1. m. 9. Pro Abbate S. Wereburgæ Ceſtr. REX omnibus ad quos, &c. ſalutem. Licet dilectus nobis in Chriſto Abbas Sanctæ *Wereburgæ Ceſtriæ* de hominibus, equis, & carectis ſuis ad diverſa negotia noſtra in præſenti expeditione noſtra *Wall.* facienda, nobis **liberaliter** ſubvenerit. Nolumus etiam, quod liberalitas hujuſmodi ad conſequentiam vel conſuetudinem per nos vel Hæredes aut Balliivos noſtros in poſterum trahi poſſit, vel quod occaſione dictæ ſubventionis gratuitæ præfato Abbati vel ſucceſſoribus aut hominibus ſuis præjudicium futuris temporibus aliquatenus generetur. In cujus, &c. Teſte Rege apud *Ceſtr.* 26 die *Junii.*

The King in purſuance and obſervation of the Statute of *Weſtm.* 1. cap. 1. made for the eaſe and benefit of the Clergy, and Religious Houſes, iſſued this Writ to and for the Abbot of *Gerewedon*, upon his complaint and motion for it.

Pat 10 E 1. m 9. Pro Abbate de Gerewedon. REX omnibus, &c. ſalutem. Cum in primo generali Parliamento noſtro poſt Coronationem noſtram in craſtino Octab. Paſch. anno regni noſtri tertio, de voluntate noſtra, & Conſiliariorum noſtrorum conſilio, & de conſenſu Communitatis

nitatis regni noſtri ibidem convocatorum, **ad honorem Dei, et utilitatem Eccleſiæ ſuæ ſanctæ, et meliorationem dicti regni noſtri ordinaverimus et ſtatuerimus,** *quod nullus veniat mansionare, hoſpitari, vel jacere in domo Religionis, quæ non ſit de ſua advocatione ad cuſtus domus, niſi prius rogatus fuerit & requiſitus à Domino domus, prater Vicecomites, qui venire poterunt cum quinque vel ſex equis tantum; ita tamen quod non gravent Religioſos ſuis crebris adventibus vel pernoctationibus in Domibus vel Maneriis eorundem, &c.* as in the forecited Statute of 3 *E.* 1. c. 1. recited at large. *Præcipimus inſuper poſtmodum, quod nullus Religioſus nec alius pro debito Regio, nec alterius, per animalia, quæ terram ſuam excolunt, nec per oves ſuas diſtringatur, dum diſtrictio alterius rei ſufficiens debito vel demandæ poſſit inveniri, excepto impercamento animalium, quando ea in dampno alieno contingerit inveniri ſecundum conſuetudinem & legem terræ. Et quod diſtrictiones nimiæ ſive ſuperfluæ minime fiant, ſed ſecundum bonum valorem per æſtimationem rationabilem ad quantitatem debiti vel demandæ:* **Vobis inhibemus, ne contra tenorem dictorum Statutorum noſtrorum domum de** Gerewedon Ciſtercien. **ordinis moleſtetis in aliquo indebite vel gravetis.** Nolumus autem, quod Abbates ejuſdem loci qui pro tempore fuerint, **contra tenorem eorundem ſtatutorum in aliquo venire præſumant.** In cujus, &c. Teſte Rege apud *Ceſtr.* 22 die *Junii.* *An.* 10 *E.* 1.

He likewiſe confirmed the antient Liberties of the Prioreſſe and Nuns of *Cheſter*, and diſcharged one of their Churches from payment of the Quindiſme then granted in Parliament, by theſe Patents.

REX Juſticiario ſuo *Ceſtriæ*, ſalutem. Cum dilectæ nobis in Chriſto Prioriſſæ & Moniales *Ceſtriæ* per Chartas prædeceſſorum noſtrorum diverſas libertates & jura habere clament; **Nos nolentes libertatibus vel juribus ſuis hujuſmodi aliquatenus derogari:** Vobis mandamus, quod Prioriſſam ipſam & Moniales in libertatibus & juribus ſuis omnimodis, quibus per Chartas prædictas rationabiliter uſæ ſunt, manuteneatis, protegatis, & defendatis; non inferentes eis, vel inferri permittentes injuriam vel moleſtiam aliquam, contra tenorem Chartarum prædictarum. In cujus, &c. Teſte Rege apud *Ceſtr.* 21 die *Junii.* Par. 10 E. 1. m. 9. Pro Prioriſſa & Monialibus Ceſtr.

REX omnibus, &c. ſalutem. Sciatis, quod pardonavimus dilectis nobis in Chriſto Prioriſſæ *Ceſtriæ*, **et ejuſdem loci Monialibus, Quintamdecimam** ipſas ratione Eccleſiæ ſuæ de *Overe* contingentem. In cujus, &c. Teſte Rege apud *Rothelan.* 27 die *Julii.* Ibid. m. 8. Pro Monialibus Ceſtriæ.

Some Regrators and Officers of the King bindring the Freers Minors to buy Victuals in the Town or County of *Stafford* for their neceſſary ſuſtenance, (during the expedition in *Wales*) the King upon their complaint iſſued this Precept for their relief therein.

REX omnibus, &c. ſalutem. Cum quidam **Regratarii** in Villa & Comitatu *Stafford.* ſe per quoſdam miniſtros noſtros advocantes, dilectos nobis in Chriſto Fratres Minores *Stafford.* de die in diem malitioſe impediunt, quo minus victualia cotidiana, cum indiguerint ad opus ſuum per Procuratores & alios amicos ſuos ibidem emere poſſint; & quandoque empta à manibus eorum extrahant, **ſicut ex ipſorum Fratrum gravi querela accepimus:** Nos eorundem Fratrum indempnitati in hac parte provideri, & malitiæ hujuſmodi obviari cupientes, dedimus licentiam eiſdem Fratribus emendi ſibi victualia per Procuratores & alios amicos ſuos, quociens neceſſe fuerit, in partibus prædictis, **ſine impedimento noſtri, vel miniſtrorum noſtrorum, aut aliorum quorumcunque.** Et ideo vobis mandamus, quod eiſdem Fratribus, ſeu eorum Procuratoribus, aut aliis amicis ſuis, contra hujuſmodi conceſſionem noſtram non inferatis vel inferri permittatis injuriam, &c. Et ſi quid, &c. In cujus, &c. per unum annum duratur. Teſte Rege apud *Weſtm.* 13 die *Junii.* Par. 10 E. 1. m. 10. Pro Fratribus Minoribus Staff.

The King this year ſeiſed the Temporalties of the Biſhop of *London*, for a Treſpaſs againſt him, notwithſtanding his Rochet, as this Writ informs us.

An. 10 *E.* 1.

Pat. 10 E. 1. m. 10 De terris Epiſcopi London. cap. in manum Regis.

REX omnibus Baſſivis, &c. ſalutem. Sciatis quod aſſignavimus dilectum & fidelem noſtrum *Philippum de Wileby*, ad omnes terras & tenementa Epiſcopi *London.* **cap. in manum noſtram, et inde faciend. prout ei injunximus occaſione cujuſdam tranſgreſſionis enormis nobis per ipſum Epiſcopum factam.** In cujus, &c. Teſte Rege apud *Dynbegh* 30 die *Octobris.*

Thomas de Cantilupo Biſhop of *Hereford* having buſineſſe to *Rome*, procured this licenſe and protection from the King during his journey thither.

Pat. 10 E. 1. m. 18. De Protectione.

THomas *Hereford.* Epiſcopus, **qui de licentia Regis proſecturus eſt ad Curiam** Romanam, **habet literas Regis de protectione patentes**, duraturas uſque ad feſtum Sancti *Michaelis* proximo futuro, & ab eodem feſto uſque ad unum annum proximo ſequentem completum, cum hæc clauſ. Volumus etiam, &c. Præſent. &c. Teſte Rege apud *Shireburne* 17 die *Februarii.*

The cauſe of this Biſhops going to the *Roman* Court, was to defend the Rights and Cuſtoms of his Church againſt the Archbiſhop of *Canterburies* Uſurpations, who dyed in his way thither; * Thomas de Cantilupo, **qui pro cauſa Eccleſiæ ſuæ, ut dicitur, quam contra Fratrem** Johannem de Peckham, *de ordine Fratrum Minorum Archiepiſcopum* Cantuarienſem, **defendere proponebat**, *in partibus obiit tranſmarinis, cujus oſſa in Eccleſia ſupradicta fuerunt tradita ſepulturæ. Robert Kilwardby* the laſt Archbiſhop of *Canterbury*, formerly his Confeſſor, as * *Walſingham* ſtories, publickly averred, *in commendatione ejus* **nullius ipſum mortalis criminis unquam ſenſiſſe rentagium.** *Quantique meriti fuit apud Deum crebreſcentium ad ſepulchrum ejus miracula cum gloria, indubitata fide demonſtravit; ita quod infra breve temporis ſpacium centum & ſexaginta miracula proillo fieri Deus voluit*; for which he was canonized a Roman Saint, which ſhews his oppoſer Archbiſhop *Peckham* was none. *Poſt quem ad Eccleſiam* Herefordenſem *electus & conſecratus eſt* (by the Kings licenſe and aſſent) *Magiſter* Richardus de Swynefeld, *ſacræ Theologiæ doctor, vir jucundus in verbis, & egregius prædicator.*

* Mat. Weſtm. An. 1287. p. 374.

* Hiſt. Angliæ p. 11. Godwins Catalogue, p. 376. Jo. Baleus Scriptor. Brit. Cent. 4. c. 64.

Upon the tydings of his death, the King ſeiſed and committed not only his Temporalties, but Goods and Chattels; yet upon his Executors putting in ſecurity to ſatisfie all Debts due by him to the King, his Goods and Chattels were reſtored to them to perform his Will, as theſe two Records aſſure us.

Fines 10 E. 1. m. 5. De Epiſcopatu Hereford. commiſſo.

REX commiſit *Waltero de Rudmerlegh* Epiſcopatum *Hereford.* cum pertinentiis, vacantem per mortem **Magiſtri** *Thomæ de Cantilupo* nuper Epiſcopi ejuſdem loci, & in manu Regis exiſtentem, cuſtodiendum **quamdiu Rex placuerit**: Ita quod de Exitibus inde provenientibus à die mortis præfati Epiſcopi, Regi reſpondeat ad Scaccarium Regis. Teſte Rege apud *Rochel.* 8 die *Octobris.*

Ibid. m. 4. Pro Executoribus Teſtamenti Hereford. Epiſcopi.

MAndatum eſt *Waltero de Rudmerlegh* cuſtodi Epiſcopatus *Hereford.* quod accepta ſufficiente ſecuritate à Magiſtro *Willielmo de Monte forti* & Coexecutoribus ſuis **Teſtamenti** *Th. Hereforden.* Epiſcopi nuper defuncti, **de omnibus debitis in quibus Regi tenebatur ad Scaccarium Regis Regi reddendis**, eidem Magiſtro *Willielmo* & Coexecutoribus ſuis prædictis, de omnibus bonis & catallis, quæ fuerunt prædicti Epiſcopi die quo obiit, & quæ occaſione mortis ejuſdem captæ ſunt in manum Regis; & ſunt in cuſtodia dicti *Walteri*, plenam adminiſtrationem habere fac. **ad executionem Teſtamenti dicti defuncti inde faciendam.** Teſte Rege apud *Dynbey* 24 die *Octobris.*

The Biſhoprick of *Winton* being void by the death of *Nicholas de Ely*, the Monks by the Kings licenſe elected *Richard Moore* for their Biſhop; but the Pope (who about this time began to beſtow moſt Biſhopricks by his Proviſions on whom he pleaſed) **hoc anno caſſato electo** *Wintonienſi Richardo de Mora*, **ex dono Curiæ Romanæ**, (as * *Thomas Walſingham* informs us) **Magiſter** *Johannes de Pontiſſa* **in ejuſdem Eccleſiæ Epiſcopum conſecratur.** The King notwithſtanding this Papal Uſurpation, at his requeſt was content to reſtore the Temporalties to him, ſo as he bought

* Hiſt Angliæ An. 1283. p. 11. Godwins Catalogue of Biſhops, p. 178.

bought all the corn and ſtock of the Biſhoprick which the King had ſeiſed into his hands, at their full price, as theſe Records inform us. *An.* 10 *E.* 1.

REX Militibus, liberis hominibus, & omnibus aliis tenentibus de Epiſcopatu *Winton.* ſalutem. Sciatis, **quod cum Dominus Papa Epiſcopatum prædictum venerabili patri Magiſtro** Johanni de Pontoys **contulerit, ſicut per literas patentes ipſius Domini Papæ nobis inde directas plenius intelleximus: Nos collationem illam acceptantes cepimus fidelitatem ipſius** Johannis, **et Temporalia Epiſcopatus prædicti reddidimus eidem.** Et ideo vobis mandamus, quod eidem *Johanni* tanquam Epiſcopo & Domino veſtro in omnibus quæ ad Epiſcopatum prædictum pertinent, intendentes ſitis & reſpondentes. In cujus, &c. Teſte Rege apud *Rochelan.* 11 die *Auguſti.* Pat. 10 E. 1. m. 6. De Temporalibus Epiſcopatus Winton reſtit.

MAndatum eſt *Willielmo de Sancta Clara* & *Willielmo de Hamelton* Cuſtodibus Epiſcopus *Winton.* quod omnia blada & fructus ad Epiſcopatum prædictum pertinentes, qui ſunt in manu Regis, & in Cuſtodia prædictorum *Willielmi* & *Willielmi*, una cum Affris & alio inſtauro Regis, **quod eſt de emptione Regis ibidem**; facta inde **legali appreciatione venerabili patri J. nunc Wynton. Epiſcopo vendant pro juſto precio, et prout ad opus Regis magis viderint expedire.** Ita quod Regi inde poſſit reſpondere. Teſte Rege apud *Rochelan.* 11 die *Aprilis.* Fines An. 10 E. 1. m. 8. De Bladis Epiſcopo Winton. vendend.

MAndatum eſt *Willielmo de Sancto Clare*, & *Willielmo de Hamelton*, **quod totum inſtaurum de Bidentibus, Bobus, Affris, et aliud inſtaur. pertinens ad Epiſcopatum Winton. quod receperunt tempore quo Rex cuſtodiam Epiſcopatus prædicti eis commiſit, venerabili Patri J. nunc Epiſcopum *Winton.* liberent, prout alias in conſimili fieri conſueverit.** Teſte Rege apud *Rothelan.* undecimo die *Auguſti.* Pro Epiſcopo Winton de inſtaur.

How the King now and then during the vacancy of Biſhopricks diſpoſed of ſome of their ſtocks to others, this Writ will inform us.

MAndatum eſt *Willielmo de Sancto Claro*, & *W. de Hamelton.* Cuſtodibus Epiſcopatus *Winton.* quod in Chacea Epiſcopatus *Winton*, videlicet in Boſco de *Longwode*, & in aliis Boſcis in Chacea illa habere fac. chariſſimæ Conſorti Regis, *Alienoræ* Reginæ *Angliæ* viginti & quatuor Capriolos vivos ad Foreſtam *de la Longe For.* indeinſtaurand. de dono Regis. Teſte Rege apud *Weſtm.* 25. die *Novembris.* Clauſ. 10 E. 1. m. 8. Pro Capriol. datis.

The Archbiſhop of *Canterburies* Auditors, Official, and Dean of the Arches, as well as their Lord, uſurping new Juriſdictions over his Suffragan Biſhops, and others within their Dioceſſe in caſes of Appeals, to their great vexation, upon grievous complaints made thereof, the Archbiſhop this year did thereupon make and publiſh an Ordinance intituled, *Ordinatio ſuper querelis & appellationibus Officiali* Cantuarienſi *per ſubditos fratres, & Suffraganeos illatis*: running in theſe words.

UNiverſis præſentem paginam inſpecturis, *Frater* Johannes *permiſſione divina, &c.* **Cum nuper clamoſa plurimorum inſinuatio nobis beriſimiliter retuliſſet, Suffraganeis noſtris et ſubditis eorum, quædam noſtris temporibus præter conſcientiam noſtram, tam per Auditores Curiæ noſtræ, quam per Officialem noſtrum** Cantuarienſem, **necnon et Decanum de Arcubus** Londini, **dicti Officialis Commiſſarii fuiſſe illata grabamina, quæ prædeceſſorum noſtrorum temporibus non fuerunt,** *quorum tenemur & volumus veſtigiis inhærere: Nos & nova reſecare volentes, & vetera quantum ſecundum Deum poſſumus temperare, pro pace venerabilium Fratrum Coepiſcoporum noſtrorum, eorundemque ſubditorum quiete, quod cupimus intimis præcordiis conſolari*; *Mandavimus diſcretis viris, venerabili fratri Domino* W. Norwicenſi *Epiſcopo, Magiſtris* R. *Archidiacono* Cantuarienſi, G. *de* S. Leofardo *Theſaurario* Ciceſtriæ, A. *de* Hales, R. *de* Brandon *Canonico* Londini, *in conſuetudinibus & juribus* Cantuarienſis *Eccleſiæ, longi temporis experientiâ eruditis, ut ipſi de prædictis diligenter inquirerent, & nos circa ipſa fideliter informarent. Quorum conſilio, aliorumque prudentum indagine præmuniti, volumus & decrevimus,* dicta grabamina in certis * Ex vet. Codice MS. in Regiſtro Principali D. Archiep. Cant. nuncupato Peckham, f. 145. b. Spelmanni Concil. Tom. 2. p. 346.

An. 10 *E.* 1. tis articulis respondere, & ordinationem nostram in perpetuam memoriam commendare.

Imprimis igitur volumus & ordinamus, quod Officialis noster Cantuarienſis, *ad querelas ſubditorum Fratrum, & Suffraganeorum noſtrorum de cætero non reſcribat, præterquam in caſibus ſpecialibus, videlicet in caſu negligentiæ, & in audiendis rationibus, ab executoribus decedentium in provincia* Cantuarienſi *habentium Redditus, Maneria, Poſſeſſiones, & bona in diverſis Dioceſis noſtræ provinciæ memorata; necnon & in aliis caſibus, quibus tam de jure quam de conſuetudine, noſtris & prædeceſſorum noſtrorum temporibus, eidem ſunt permiſſi pariter & conceſſi, & ſi de facto in aliis reſcripſerint, & de hoc coram ipſo excipiatur, hujuſmodi exceptio ſine difficultate qualibet admittatur.*

Volumus inſuper & ordinamus, quod idem Officialis ad Appellationes à ſubditis Fratrum & Suffraganeorum noſtrorum directè ad Curiam Cantuarienſem *omiſſo medio interpoſitas de cætero non reſcribat. Et ſi de facto reſcripſerit, ac de hoc coram ipſo aut ſuo quovis Commiſſario excipiatur; cum de hujuſmodi exceptione & ipſius effectu competenter conſtiterit, de eadem appellationis cauſa, ulterius ſe nullatenus intromittant. Hoc etiam temperamentum in favorem Fratrum & Coepiſcoporum noſtrorum, ac Cleri & populi provinciæ* Cantuarienſis *quietem, præmiſſis annectentes, quod ad querelas ſubditorum Fratrum noſtrorum prædictorum, ſine conſcientiâ noſtrâ ſpecialiter & expreſſa, & abſque cauſa rationabili nomine noſtro de cætero nullatenus reſcribatur. Nos vero hoc jure noſtro ſic moderatè abſque cujuſlibet præjudicio uti intendimus,* ut in nullo a prædeceſſorum noſtrorum veſtigiis diſcrepemus.

Sanè ſi contingat aliquem Fratrum noſtrorum fructus Eccleſiæ Clerici ſubditi ſui ex cauſâ Canonicâ vel conſuetâ ſequeſtrare, & poſt hujuſmodi ſequeſtrum eâ occaſione ad ſedem Apoſtolicam, et noſtram Curiam *pro tuitione ab eodem Fratre, ex parte hujuſmodi Clerici* appellatur, *tanquam in Curiâ noſtrâ pro eodem in tuitorio negotio pronuncietur, hujuſmodi ſequeſtrum tanquam eandem Appellationem præcedens, hujuſmodi tuitionis obtentu finaliter nullatenus nolumus relaxari. Cæterum ſi contingat alicui in Curiâ noſtrâ litiganti, per noſtrum Officialem aut Commiſſarium, noſtros vel ſuos abſolutionis ad cautelam beneficium impertiri, ſi abſolutionis hujuſmodi publicatio petatur ab eodem, cum publicatio conformis eſſe debeat abſolutioni, ne per ſimplicem abſolutionis publicationem ſe gerat pro ſimpliciter abſoluto, & ab aliis abſolutus finaliter reputetur; volumus & ordinamus, quod in literis ſuper hujuſmodi abſolutionis publicatione in poſterum obtinendis, verba illa ad cautelam expreſſius inſerantur. Si autem neceſſe fuerit aliqua prædictis adjicere vel detrahere, vel ipſorum aliqua declarare, parati ſumus in prima congregatione Fratrum, eis in hiis, & in aliis condeſcendere, quantum poſſumus,* ſalva Eccleſiæ noſtræ libertate. *Per hanc autem ordinationem noſtram non intendimus ſucceſſoribus noſtris,* ſeu Eccleſiæ noſtræ in aliquo derogare. *In cujus rei teſtimonium Sigillum noſtrum præſentibus duximus apponendum, Valete. Data apud* Mortelake 7. *Kalendarum* Maii, *Anno Domini* 1282. *Conſecrationis noſtræ quarto:* Omitting the ſtile and date of the Kings reign.

How well ſome Biſhops loved Veniſon and hunting in thoſe dayes, and that the Kings licenſe by word of mouth only was no ſufficient warrant to free them from Fines before the Juſtices of the Foreſt for killing the Kings Dear, (for which I find them frequently fined in the *Fine*, *Patent*, and *Clauſe Rolls* of this King) this Record will inform us.

Pat. 10 E. 1. m. 8. Pro Epiſcopo Meneven.

Quia Rex præcepit oretenus Th. *Epiſcopo* Meneven. *quod in proximo tranſitu ſuo per Foreſtam Regis de* Shirewode, in eadem foreſta caperet quatuor Damos ad opus ſuum de dono Regis; *mandatum eſt Juſtitiariis Regis proximo Itineraturis ad placita Foreſtæ in Comitatu* Notting. *quod præfatum Epiſcopum pro quatuor Damis prædictis quos cepit in* Autumpno *proximo præterito non occaſionent aut moleſtent, ac ipſum inde quietum eſſe faciant. Teſte Rege apud* Wygorn. 25 *die* Decembris.

What Clerks arreſted and convicted for *robbery* and *murder* were delivered this year to make their purgations before their Ordinaries, who demanded, and then uſually acquitted them, theſe Writs for reſtitution of their goods, upon Certificates of their purgation, will inform us.

CUM

An. 10 *E.* 1.

CUM *Ricardus de Brocton* Clericus ſuper latrocinii coram Juſticiariis Regis ultimo Itinerantibus in Comitatu *Northt.* indictatus, & per eoſdem Juſticiarios ad requiſitionem venerabilis Patris *R. Coventr.* & *Litchf.* Epiſcopi eidem Epiſcopo juxta **priuilegium Clericale** (prout moris eſt) liberatus, innocentiam ſuam ſuper hujuſmodi Latrocinijs coram præfato Epiſcopo legitimè purgavit; ſicut idem Epiſcopus per literas ſuas patentes Regi ſignificavit. Mandatum eſt Vicecomiti de *N.* quod omnia bona & Catalla ipſius *Ricardi* quæ capta in manum Regis occaſione prædicta ſine dilatione reſtitui faciat eidem **de gratia Regis ſpeciali**. Teſte Rege apud *Rochel.* 12. die *Julii.*

Conſimiles literæ habet *Nicholaus de Geſſich.* Clericus nuper de homicidio coram Juſticiariis Regis ad hoc deputatis in Comitatu *Hereford.* rectatus, & per eoſdem Juſticiarios ad requiſicionem venerabilis Patris *J. Cantuarienſi* Arch epiſcopo, eidem Archiepiſcopo, **juxta priuilegium Clericale** (prout moris eſt) **liberatus**, quæ innocentiam ſuam ſuper hujuſmodi crimine coram eodem Archiepiſco legitimè purgaverit, ſicut idem Archiepiſcopus per literas ſuas Patentes Regi ſignificavit, &c. Teſte Rege apud *Rochel.* 27. die *Julii.* Ibid. Pro Nicho de Geſſich.

Peter de Valeys being promoted to the Church of St. *Peter* in the Port of *Gernſey* by the Popes proviſion, and put into actual poſſeſſion thereof by his Agents, being forcibly ejected and driven from it by *Guillerinus* a Clerke by Lay-force, who claimed it under the Patron; the King upon his Petition granted him a ſafe Conduct by Sea and Land, and iſſued this Writ to his Lieutenant and Officers of the Iſles to reſtore him to the poſſeſſion thereof, that ſo the Church and cure now neglected, might be duly ſerved.

Pat. 10 E. 1. m. 22. De Inſulis de Gerneſ. & Gereſ.

REX dilecto & fideli ſuo Ottoni de Grandiſonio *& ejus locum tenentibus in Inſulis de* Gerneſ. *&* Gereſ. *& aliis ſalutem. Monſtravit* Petrus de Valeys *Presbyter, quod cum eidem de Eccleſia Sancti* Petri *in Portu* Gernereio *vacante, & ſpectante ad præſentationem de* Heaumull. **auctoritate Apoſtolica proviſum fuiſſet**, ac **per Executores Sedis Apoſtolicæ ſibi datos**, **poſſeſſionem ipſius Eccleſiæ canonice ſit adeptus**, *& Magiſter* Guillerinus *de Sancto* Remigio *Clericus, qui ad eandem Eccleſiam per eundem Patronum ſe præſentatum aſſerit*, **eundem Presbyterum et ſuos per potentiam veſtram multipliciter impedit et perturbat, ac propter Minas et Moleſtias ejuſdem Magiſtri** Guillerini **tenentis Ballibam in dictis Inſulis, non eſt auſus ad dictam Eccleſiam accedere nec ibidem reſidere**; *propter quod idem Presbyter indebitè vexatur perplurimum*, **et eadem Eccleſia obſequio debito defraudatur.** *Quare petit, quod Impedimentum hujuſmodi Laicale amoveri, & ſecurum ſibi & ſuis in dictis Inſulis tam in terra quam in mari conductum præberi, necnon & attemptata*, **et bona ipſius Eccleſiæ occupata et indebite devaſtata, per eandem potentiam in præjudicium ipſius Presbyteri, in ſtatum priſtinum et debitum reduci faciamus**; Unde cum ſit æquitati diſſonum, *ut qui Ballivas ſeu loca noſtra tenent, quos ad Juſtitiam exercendam & tenendam loco noſtri ponimus ad injurias faciend. præſumant extendere manus*; **vobis præcipiendo mandamus, quatenus eundem Presbyterum et ſuos per poteſtatem Laicale non permittatis indebite moleſtari**; *& eiſdem ſecurum in prædictis Inſulis tam in mari quam in terra faciatis haberi conductum, & attemptata & occupata indebitè*, **in præjudicium ejuſdem Presbyteri per eandem potentiam in ſtatum priſtinum et debitum mediante Juſtitia reducatis, ut in eadem Eccleſia poſſit (prout juris eſt) deſervire, et etiam curam ibi commiſſam gerere, ut tenetur.** *Quod autem præcipimus, nullatenus infringere præſumatis; ne ab eodem Presbytero ſuper hoc ad nos clamor reveniat iteratus. Teſte Rege apud* Weſtm. *xxiv. die* Novembris.

The Abbot and Covent of *Meſſenden.* being greatly impoveriſhed and indebted by reaſon of the murrain and rot of their Horſes, Sheep, and other loſſes, the King upon their petition granted them this protection.

Par. 10 E. 1. m. 21. Pro Abbate & Conventu de Meſſenden.

REX omnibus, &c. ſalutem. Cum dilecti nobis in Chriſto Abbas & Conventus de *Meſſenden.* per morinam ovium & Equorum ſuorum, & aliis incommodis multimodis,

An. 10 *E.* 1. multimodis, quibus ut certo intelleximus supra modum prægravantur, adeo depauperentur & deprimantur, quod terræ suæ pro magna parte jacent incultæ, & blada sua in eisdem vehementer defecerunt; & insuper iidem Abbas & Conventus Mercatoribus & aliis Creditoribus suis diversis in multimodis debitis teneantur, ad quorum solutionem & Domus suæ relevationem Facultates ejusdem domus per magnum temporis spatium sufficere non possent absque dispersione Canonicorum Domus illius, vel feodalium sacrarum dilapidatione seu fortè Domus ejusdem subversione totali, **quod nollemus. Nos imbecillitati status ipsorum compatientes**, ne hujusmodi discriminis aut depressionis periculum ipsius videatur imminere Domum illam cum terris, redditibus, & omnibus possessionibus ac rebus aliis ad eandem Domum pertinentibus, cepimus in protectionem & defensionem nostram specialem, *&c.* as in former Protections. *In cujus*, &c. *per Quadriennium duratur. Teste Rege apud* Westm. 27 die *Novembris.*

The King by his Prerogative conferred the Deanary of *Salop*, by this Patent.

Pat. 10 E. 1. m. 17. De Decanatu beatæ Mariæ Salop. dato. REX omnibus, &c. salutem. Sciatis quod dedimus & concessimus dilecto Clerico nostro *Nicholao de Aras* Decanatum beatæ *Mariæ Salop*, cum pertinentiis, vacantem per **resignationem** dilecti nobis in Christo *Willielmi de Dovoria* nuper Decani ejusdem loci, **et ad nostram donationem spectantem**; habend. & tenend. eidem *Nicholao* ad totam vitam suam, eodem modo quo prædictus *Willielmus* Decanatum tenuit supradictum. In cujus, &c. Teste Rege apud *Shireburn.* 18 die *Februarii.*

The Counteſs of *Albemarle* damnifying, ſuing the Abbot and Covent of *Querrara*, againſt the Kings Protection granted to them, he thereupon iſſued this Writ.

Pat. 10 E. 1. m. 3. Pro Abbate & Conventu de Quarrera. REX dilecto & fideli suo *Willielmo de Braib.* salutem. Cum nos nuper occasione quarundam discordiarum inter *Isab. de Fortibus* Comitissam *Albemarl.* & Abbatem & Conventum de *Quarrera* subortarum, super quibus placitum pendet coram nobis per breve nostrum inter eos, susceperimus in protectionem & defensionem nostram ipsos Abbatem & Conventum, homines, terras, res, redditus, & omnes possessiones suas; inhibentes omnibus & singulis, ne quis eis injuriam, molestiam, dampnam inferret aut gravamen. Ac eadem Comitissa nihilominus prædictis Abbati & Conventui dampna gravissima, **contra protectionem nostram prædictam, et contra pacem nostram inferre non desistat, ut accepimus:** Nos ipsorum Abbatis & Conventus quieti in hac parte providere volentes; Vobis mandamus, quod ad Abbatiam prædictam personaliter accedentes, eam in manum nostram capiatis & salvo custodiatis, donec prædictum placitum inter ipsos terminetur, & aliud à nobis super receperitis in mandatis; salvo dictæ Comitissæ hoc, **quod tenet ibidem per assensum prædictorum Abbatis et Conventus,** ut dicitur. In cujus, &c. Teste Rege apud *Dymbey* 27 die *Octobris.*

What Eccleſiaſtical Juriſdiction the King exerciſed this year in *Ireland*, in granting licenſes to elect, approving and confirming Biſhops, Abbots, Abbeſſes, theſe Records inform us.

Pat. 10 E. 1. m 8. De licentia eligendi. MAgistri *Hamo de Weysford* & *Philippus de Graibrok* nunciantes Regi mortem *Hugonis de Langeport* nuper Episcopi *Fern.* in *Hibernia*, **habent literas Regis de licentia eligendi.** Teste Rege apud *Rochel.* 8 die *Julii.*

Ibid. m 3. De Temporalibus restit. Hibern. REX dilecto Clerico suo Magistro *Johanni de Saunford* Escaetori *Hiberniæ*, salutem. Cum venerabilis pater *J. Dublin.* Archiepiscopus **electionem nuper factam** in Ecclesia Cathedrali *Fern.* de dilecto nobis in Christo Magistro *Richardo de Norht.* in Episcopum ejusdem loci, **(cui Regium assensum prius adhibuimus et favorem, confirmaverit)** sicut per literas patentes ipsius Archiepiscopi nobis inde directas, accepimus. **Nos confirmationem illam acceptantes, cepimus fidelitatem ipsius Electi, et Temporalia ejusdem Episcopatus** (prout moris est) **restituimus eidem.** Et ideo vobis mandamus, quod eidem Electo Temporalia ejusdem Episcopatus liberetis. In cujus, &c. Teste Rege apud *Rochel.* 13 die *Octobris.*

REX

REX venerabili in Chriſto Patri *D Caſſalen.* Archiepiſcopo, ſalutem. Sciatis quod **electioni nuper** factæ in Eccleſia Cathedrali *Laen.* de dilecto R. in Chriſto Magiſtro *Mauritio Chegan* Præcentore ejuſdem Eccleſiæ, **in Epiſcopum ejuſdem loci, Regium aſſenſum adhibuimus:** Et hoc vobis ſignificamus, ut quod veſtrum eſt in hac parte exequamini. In cujus, &c. Teſte Rege apud *Cirenc.* 4 die *Febr.* *An.* 10 *E.* 1. Pat. 10 E. 1. m. 18 De aſſenſu adhib. electioni.

REX Militibus, liberis hominibus, & omnibus aliis tenentibus de Epiſcopatu *Laen.* ſalutem. Cum venerabilis pater *D. Caſſalen.* Archiepiſcopus **electionem nuper factam** in Eccleſia Cathedrali *Laen.* de *Mauritio* Præcentore ejuſdem Eccleſiæ in Epiſcopum loci illius, **cui Regium aſſenſum prius adhibuimus et favorem,** confirmaverit, ſicut per literas ipſius Archiepiſcopi patentes nobis inde directas accepimus: Nos confirmationem illam acceptantes, **cepimus fidelitatem ipſius Electi, et Temporalia prædicti Epiſcopatus** (prout moris eſt) **reſtituimus eidem.** Et ideo vobis mandamus, quod eidem *Mauritio* tanquam Epiſcopo & Domino veſtro prædicto in omnibus quæ ad Epiſcopatum illum pertinent, intendentes ſitis & reſpondentes. In cujus, &c. Teſte ut ſupra. Pat. 10 E. 1. m. 17. De Temporal. reſtituendis Hibern.

REX venerabili in Chriſto Patri *S. Waterford.* Epiſcopo, Juſticiario ſuo *Hibern.* ſalutem. Cum Prior & Conventus Abbatiæ Apoſtolorum *Petri* & *Pauli* de *Retheg.* ordinis Sancti *Auguſtini*, *Auferten.* Dioc. per literas patentes Capituli ſui nobis ſignificaverint, quod Eccleſia ſua prædicta per ceſſionem Fratris *Johannis* nuper Abbatis ejuſdem loci, paſtoris eſt ſolatio deſtituta; ſupplicantes nobis (prout moris eſt) **quod licentiam alium ſibi eligendi in Abbatem eidem concedere dignaremur,** &c. Nos eorundem Prioris & Conventus laboribus & expenſis in hac parte parcere volentes iſta vice, conceſſimus eis **de gratia noſtra ſpeciali,** & vobis dedimus poteſtatem, &c. **Receptis prius ab ipſo Electo literis patentibus ſigillo ſuo, necnon et ſigillo prædicti Capituli conſignatis, quod hæc gratia noſtra quam eidem Electo ad præſens ex mera liberalitate noſtra conceſſimus, nobis vel hæredibus noſtris non cedat in præjudicium vel exhæredationem, vel trahatur in conſequentiam temporibus futuris.** In cujus, &c. Teſte Rege apud *Rochelan.* 14 die *Novembris.* Pat. 10 E. 12 m 2. De Temporal. reſtit. Hibern.

Edwardus, &c. venerabili in Chriſto patri *S.* eadem gratia *Waterford.* Epiſcopo, Juſticiario ſuo *Hibernia*, ſalutem. Cum Prioriſſa & Moniales Eccleſiæ Sanctæ *Mariæ de Clovenard.* in *Hibernia*, nobis per literas Capituli ſui patentes ſignificaverunt, quod Eccleſia ſua prædicta per mortem *Agnetis* nuper Abbatiſſæ ſuæ, paſtoris eſt ſolatio deſtituta; **petentes a nobis** (ſicut moris eſt) **licentiam aliam ſibi eligendi in Abbatiſſam**; & nos precibus earundem Monialium in hac parte **favorabiliter inclinati, licentiam illam eis duximus concedendam:** Mandantes ipſis, &c. Nos earundem Prioriſſæ & Monialium laboribus & expenſis in hac parte parcere volentes iſta vice, conceſſimus eis **de gratia noſtra ſpeciali,** & vobis dedimus poteſtatem, **quod facta electione prædicta de futura Abbatiſſa,** &c. **Receptis tamen prius literis ſuis patentibus ſigillo ſuo, necnon et ſigillo Capituli prædicti conſignatis, quod hæc gratia noſtra quam eidem Electæ ad præſens ex mera liberalitate noſtra conceſſimus, nobis vel hæredibus noſtris non cedat in præjudicium vel exhæredationem, ſeu trahatur in conſuetudinem vel conſequentiam temporibus futuris.** In cujus, &c. Teſte Rege apud *Wigorn.* 16 die *Maii.* Ibid m. 13. De Temporal. reſtituend.

The like Licenſe, Patent, Clauſes of grace and proviſo *verbatim*, iſſued this year to the Chief Juſtice for another Abbeſſe in *Ireland*, m. 6. *Teſte Rege apud* Rochelan. 15 *die* Auguſti.*

By which it is apparent, That although the King out of ſpecial grace did ſometimes diſpence with the Rights of his Crown in the electing and confirming of Biſhops, Abbots and Abbeſſes in *Ireland*, without his previous licenſe to elect, or by his Chief Juſtice his approbation and confirmation of them, in his name and ſtead, yet it was with a ſpecial *proviſo*, teſtified by Charters under their reſpective ſeals, that it ſhould not turn to the prejudice or diſinheritance of him or his Heirs, nor be drawn into cuſtome or conſequence for the future, which they were then prone to do upon all occaſions, as well as Popes and our *Engliſh* Prelates, as future preſidents will demonſtrate.

BOOK V. CHAP. III.

Comprising several Evidences out of our Records *and* Histories, *of King* Edward *the* 1. *his Soveraign Ecclesiastical Jurisdiction over all Persons, Causes, and chief management of all Ecclesiastical affairs in* England, Ireland, Scotland, *and his other* Dominions; *with* Popes, Bishops *various Encroachments thereon, and his, his Parliaments, Councils, Judges Oppositions, Prohibitions against them; together with the most considerable Negotiations between Him, and the Popes, Cardinals, Court of* Rome; *and the successions of Bishops in* England, Ireland, *and Popes in* Rome, *from the beginning of the* 11 *to the end of the* 20 *year of his Reign.*

* Herep. 277, 278.

KIng *Edward* the 1. having the year before by **special Writs*, prohibited all Foreign Merchants to transport or return any monies to the Pope, collected and laid up in several Monasteries by the Popes Collectors in *England* for the 6. years Dismes granted in the Council of *Lions*, towards the relief of the Holy Land; (to secure it from transportation, for the publick good of the Realm, and right use for which it was given, that so his Brother Earl *Edmund* might be furnished therewith to ayd the Holy Land with a considerable force) issued Writs to Sheriffs and others, to view and secure that money, which they did in sundry places, breaking up the locks, trunks, closets where it was deposited, and taking it into their own custody. The Priors of *Ely* and *Norwich* fearing, obeying the Pope and his Collectors more then the King or his Officers, peremptorily refused to permit them to view or secure the monies laid up in their Monasteries; for which high contempt the King issued these memorable Writs, to summon them with some of their discreetest Monks to appear before him, wherever he should be in *England* or *Wales*, to answer these affronts, and receive condign punishment for the same.

Claus. 11 E. 1. m. 7. dorso. De Decima.

REX Priori *Elienſi*, salutem. *Wallenſibus* subdolis **Ecclesiæ Sanctæ, Dei, nostri,** & regni *Angliæ* **inimicis**, pacem & tranquillitatem ejusdem regni & Ecclesiæ novis & callidis machinationibus nitentibus impugnare, **onereque defensionis Ecclesiæ et Reipublicæ in nobis assumpto**, nos qui periculis in hoc iminentibus obviare tenemur, attendentes, quod si per malefactores & pacis nostræ perturbatores **de depositio pecuniæ provenientis de Decima regni nostri in subsidium Terræ Sanctæ concessa, et in diversis locis collecta et deposita, nobis in remotis agentibus subtractio fieret non sperata, manifeste cederet in retardacionem negotii dictæ Terræ**; propter hoc, & **propter alias causas** quas subticemus ad præsens, assignavimus Vic. nostrum *Cant.* & *Andr. de Eley* ad supervidendum **pecuniam provenientem de eadem Decima in Ecclesia vestra depositam, et ad ordinandum de salva ejus custodia et secura**: Mandantes vobis pluries, **quod ipsos Vic. et Andr. vel eorum alterum, dictum depositum superbidere permitteretis, et inde sicut præmissum est ordinare**; **verum vos mandati Regii contemptores in despectum Regiæ dignitatis, et præfati depositi, et nostri et totius regni periculum, nuncios nostros prædictos erequi quod ipsis per nos injunctum fuerat in hac parte, minime permisistis. Nolentes igitur tam grandem despectum nobis factum, tantumque præfatæ Terræ Sanctæ ac nostræ exhæredationis periculum sub dissimulatione transire:**

ſtre: Vobis mandamus, quod vos aſſumptis vobiſcum tribus de diſcretioribus Religioſis domus veſtræ in craſtino inſtantis feſti Sancti Petri ad vincula proximo futur. ubicunque tunc fuerimus in Anglia vel in Wallia, conſpectui noſtro præſentetis, nobis de deſpectu hujuſmodi reſponſuri, et pœnam pro tranſgreſſionibus nobis factis ſecundum demerita recepturi. Teſte Rege apud *Aberconewey* in *Snaudon*. 15 die *Junii*. *An.* 11 *E.* 1.

Conſimiles literæ diriguntur Priori de *Norwico*. Teſte ut ſupra.

The Pope being informed by his Agents of the Kings ſtopping and ſeiſing of theſe Diſmes, was very cordially affected and diſcontented therewith; whereupon he writ and ſent a very angry threatning Letter to the King, requiring him to reſtore all the monies thus ſeiſed within one months ſpace, notwithſtanding all his excuſes and pretences in his Letter to him, which he reputed frivolous; which if he neglected or refuſed to do, he would rigorouſly proceed againſt him and his Realm by way of Excommunication and Interdict; and withall ſent another Letter to *John Peckam* his devoted creature, (whom he had lately advanced to the Archbiſhoprick of *Canterbury*) to reſort perſonally to the King, upon his canonical obedience, and to induce him by all means to reſtore or repoſite the intire money without difficulty, reciting therein the contents of his Letter to the King; which the Archbiſhop moſt diligently and peremptorily executed, as his own Epiſtle and account thereof to Pope *Martin*, enrolled in his Regiſter, (worthy ſpecial obſervation) inform us; thus related by *Matthew Parker*.

* *Diximus ante in* Roberto Kylwarby *Papa* Gregorio 10. *conceſſum in* Lugdunenſi *Concilio* **Decimale** *ſubſidium ad recuperandam* Terram Sanctam. *Hanc Decimam in* Anglia Edwardus *primus collegit*. **Papa** id ægre tulit, *ab alio quam à ſe aut à ſuis Collectoribus hanc pecuniam perceptam fuiſſe*. Itaque ut conſtare omnibus poſſit, qua dominatione ac potentia non modo in Clerum ſed in Reges ipſos Romanus Pontifex elatus ſit, et quibus obſequiis ipſos Epiſcopos ſibi arctavit, ut ſua mandata in ipſos Reges peragerent, *ex unis literis hic inſertis*, a Papa ad hunc Johannem ſcriptis, *quibus imperat*, ut Regem moneat ſub Interdicti pœna, (*cujus atrocitatem* Anglia, Johanne Rege regnante, ante ſenſerat) a dictæ pecuniæ reſtitutione vel ſolutione (*infra unius menſis ſpacium*) non ceſſaret. *Quod mandatum* Johannes *celeriter & ex præſcripto*, Papale imperium magis quam Regale metuens, exequutus eſt. * Antiqu. Eccleſ. Brit. p. 200.

Literæ directæ Domini Papæ & Cardinalibus, Anno Dom. 1283. *Edwardi* primi 11.

Sanctiſſimo Patri ac Domino Martino *Dei gratia Sacroſanctæ* Romanæ *ac* Univerſalis Eccleſiæ *Summo Pontifici*, *Frater* Johannes *permiſſione divina Sacerdos* Cantuar. *inutilis*, *cum omni reverentia & honore pedum oſcula beatorum*. *Sanctitatis veſtræ literas* 12 *Kal.* Novembris *recepi* London. *ſub forma inferius annotata*. Ex Regiſt. ejus f. 66.

Martinus Epiſcopus Servus ſervorum Dei, venerabili Fratri Archiepiſcopo *Cantuarienſi*, ſalutem & Apoſtolicam benedictionem. Intellecto nuper, quod chariſſimus in Chriſto filius noſter Edwardus Rex Angliæ illuſtris, pecuniam Decimæ in regno Angliæ per Lugdunenſe Concilium Terræ Sanctæ conceſſæ ſubſidio, quæ per collectores a ſede Apoſtolica deputatos, in ſacris et tutis locis depoſita, ſub fide ſuique cuſtodia ſervabatur, de locis ipſis, ſigillis ſeriſque violenter effractis, quibus loca eadem firmabantur, motu proprio, pecuniæ præfatæ cuſtodientibus renitentibus et invitis totaliter amoveri, et ad certum locum pro ſuæ voluntatis libito, non abſque magna divinæ Majeſtatis offenſa, multoque ſedis Apoſtolicæ contemptu, ac ejuſdem terræ gravi diſpendio, fecerat aſportari; mirati fuimus et turbati, cum ſine noſtra et ipſius ſedis licentia ſpeciali attemptare talia minime debuiſſet. Unde nos præfato Regi noſtras ſub certa forma dirigimus literas inter alia continentes, ut ipſe diligenti meditatione conſiderans, quantum in hoc ſuum offenderit Creatorem, cujus in hac parte negotium agitur, quantum Romanam Eccleſiam perturbarit, quantumve læſerit famam ſuam, pecuniam ipſam in locis de quibus extitit de mandato Domini Regis amota, factat ſublata difficultate qualibet, excuſationibus ſeu rationibus in literis Regis, nobis ſuper hoc tranſmiſſis, aſpectis nequaquam obſtantibus, quas omnino fribolas duximus reputandas, cum

An. 11 *E.* 1. integritate reſtitui ſeu reponi, ulterius a ſimilibus abſtinendo, ac etiam Eccleſiaſticas ac alias quaſcunque perſonas, penes quas prædicta pecunia eſt depoſita, vel eam deponi contigerit per Apoſtolicam ſedem, pro terræ ſæ dictæ commodis diſponendam, per ſe vel per alium ſeu alios nullis impetendo moleſtiis, nullis vexationibus perturbando, illam in hoc efficaciam et ſollicitudinem impenſuram, ut debitæ reſtitutionis celeritas aſportationis indebitæ auſum redimat, et ſedis prædictæ gratia, quam libenter ad filios devotos extendimus, circa eum non immerito augeatur. Nec ipſum latere volumus, quod quantumcunque perſonam ejus ſinceris affectibus proſequamur, Regique libenter deferamus honori, nequaquam pati poterimus, cum non ſit deferendum homini plusquam Deo, quin ſuper hoc; ſi opus extiterit, aliud remedium apponamus. Volumus igitur et fraternitati tuæ per Apoſtolica ſcripta in virtute obedientiæ diſtricte præcipiendo mandamus, quatenus ad eundem Regem te perſonaliter conferens, ipſum juxta datam tibi a Deo prudentiam, ex parte noſtra diligenter moneas et inducas, ut infra unius menſis ſpatium poſt monitionem tuam, prædictam pecuniam in locis eiſdem, juxta literarum ipſarum tenorem, cum integritate reſtitui faciat ſeu reponi; aperte prædicens eidem, quod cum tantum et tam grave dictæ Terræ Sanctæ diſpendium nolumus, ſicuti nec debemus, aliquatenus ſuſtinere, niſi hujuſmodi monitioni parere curaverit, tam contra eum quam terram ſuam, prout qualitas facti erigerit, et expedire viderimus, procedamus. Et quia hujuſmodi negotium potiſſime incidet cordi noſtro, volumus ut de monitione tua, & ipſius Regis reſponſione, ac aliis quæ ſuper hoc egeris cum eodem, confici facias duo publica ſimilia inſtrumenta, quæ nobis per latorem præſentium mittere non poſtponas. Nichilominus ſignificaturus nobis plenarie quicquid ſuper præmiſſis duxeris faciendum, ut per te ſuper his informati plenius et inſtructi, tutius et efficacius in hac parte procedere valeamus. Dat. apud *Urbem Veterem* 3 Non. *Julii*, Pontificatus noſtri anno tertio. (What this Archbiſhop did in obedience thereunto, he thus certified the Pope:) Hinc igitur Sanctitatis veſtræ mandato vires et vota ſubjiciens reverenter, requiſito indilate Rege prædicto repertoque in finibus Walliæ, *poſt literas veſtras eidem directas*, quas ipſius intuli manibus, *literas etiam veſtræ beatitudinis mihi miſſas* coram ipſo et Magnatibus ſuis tunc præſentibus expoſui vulgariter et aperte, tandemque expoſiti auctoritate mandati Regem ipſum monui ſuper tribus.

Primo, ut pecuniam Decimæ ſuis juſſionibus aſportatam faceret integraliter infra menſem ad priſtinæ loca cuſtodiæ reportari, tanta devotionis promptitudine, quæ poſſet aſportationis maculam expiare.

Secundo, ut de cætero talibus auſibus penitus abſtineret; adjungens, quod licet ipſum Apoſtolica clementia in chariſſimorum filiorum numero complectatur, ſi tamen ipſum contingeret in talibus offenſionibus de cætero inveniri, non poſſe eam nec velle virgam ei correctionis ſubtrahere, ne parcendo homini divinis injuriis quas non corrigeret, aſſentiret.

Tertio, ne cuſtodibus vel depoſitariis pecuniæ memoratæ aliquid hujus occaſione moleſtiæ vel gravaminis irrogaret. *Quibus ſilenter ac reverenter auditis*, tandem cum ſuis deliberatione præhabita, ad ſibi propoſita ſic reſpondit:

Ad primum, inquiens, *quoniam non fuiſſet neceſſarium pro hac cauſa Summum Pontificem nobis ſuas literas deſtinaſſe, nec Archiepiſcopum ad Regiam acceſſiſſe præſentiam, cum pene duobus elapſis menſibus pecuniam prædictam juſſerimus reſtitui cum effectu.*

Ad ſecundum ſubjungens, *quod nihil indebitum intendebat de cætero contra Eccleſiam attemptare.*

Ad tertium, *miramur aſſerens, quare ad illos cuſtodes jubemur ſpecialiter innocentiam cuſtodire, cum noſtri ſit propoſiti immobilis conceptio, ſicut & debitum Regiæ dignitatis nullum ladere pro viribus innocentem.* (A very milde and ſober anſwer, to theſe inſolent Papal and Pontifical demands; After which he ſubjoyns,) *Demum juxta mandati veſtri beneplacitum* (*Pater Sancte*) *feci fieri publica Inſtrumenta*, præcepta veſtra reverenter et diligenter, ſicut potui, in omnibus executus. *Ad hæc noverit veſtra providentia Sanctitatis, quod licet communiter fidedignis teſtimoniis aſtruatur, quod prædicta pecunia ſit juxta juſſionem Regiam ſuis cuſtodiis reſtituta*, hujus tamen præciſa veritas ſcire non poterit, niſi per illos qui ipſius noverunt pondus, numerum, et menſuram. *Cuſtodiat Dominus incolumitatem veſtram Eccleſiæ ſuæ*

ſanctæ

ſancta per tempora longiora. Scriptum penultima die Novembris. Theſe Letters atteſt how much more obedient this Arch-prelate was to the Pope, his creator, then to his Soveraign Lord King *Edward*. *An.* 11 *E.* 1.

The King having the year before invaded the Principality of *Wales*, and almoſt totally ſubdued it, though with ſome loſs, by advice of his Prelates, Nobles, and Commons, for the future peace and ſecurity of the Realm from their frequent Rebellions and Incurſions, reſolved totally to ſubdue them with a puiſſant Army; for which purpoſe ſtanding in need of new and great ſupplyes of Moneys, he by his Regal Authority iſſued out ſeveral ſpecial Writs to the Archbiſhops of *Canterbury* and *York*, and the Biſhops within their Provinces, to haſten on the payment of the Quindiſme they had granted him the year before, wherein the Archbiſhop was very negligent, though over-zealous to promote the Kings reſtitution of the Diſmes collected for the *Holy Land* to the Pope, which after its reſtitution, he was enforced to borrow upon Security, and make uſe of againſt the *Welſh Rebels*. After which he ſent forth other Writs to them, and likewiſe to the Abbots, Deans, Chapters, Clergy and Commonalty within their reſpective Provinces to meet together at ſeveral times and places, to adviſe with ſuch Perſons as himſelf intruſted, to grant him a liberal Ayde and Supply of Moneys to accompliſh this neceſſary and uſefull Deſign at once; thus recorded to poſterity in the Rolls of this year, remaining in the *Tower* of *London*.

Rot. Wallix, 11 E. 1. m. 4. dorſo. De Quintadecima levanda.

REX *Cantuarienſi* Archiepiſcopo totius *Anglia* Primati ſalutem. **Quia pecunia ad diverſa negocia noſtra expedienda ad præſens plurimum indigemus**, paternitatem veſtram affectuosè rogamus, quatinus **Collectores Quintædecimæ** in Dioceſi veſtra qui circa pecuniam provenientem de Provincia illa colligendam **plurimum ut accepimus ſunt remiſsi, efficaciter moneatis, et eis ſpecialiter injungatis, ut ipſi tam pecuniam provenientem de eadem Quintadecima de primo termino**, anni tercii conceſſionis ejuſdem tranſacto, quam arreragia ejuſdem de primo anno & ſecundo, **ſub omni feſtinatione levari et ſocietati** Mercatorum noſtrorum de *Luk*, per viſum dilecti Clerici noſtri *Eliæ Tholoſan*, quem ad Collectores ipſos ea occaſione ſpecialiter tranſmittimus, & prout ipſe *Elias* eis ſcire faciet ex parte Regis liberari faciatis ſine mora. Ita quod pro defectu levacionis pecuniæ prædictæ dampnum minime incurramus. Teſte Rege apud *Rothelan.* ſecundo die *Marcii*.

Conſimiles literæ diriguntur *J.* Epiſcopo *Roffenſi*, *R. Londinienſi*, *S. Cycſtrenſi*, *R. Sariſburienſi*, *R. Bathonenſi* & *Wellenſi*, & *P. Exonienſi* Epiſcopis. Teſte ut ſupra.

Rot. Wallix, 11 E. 1. m. 4. nu. 2. dorſo. De Subſidio petendo in exercitu Regis Wallix.

REX venerabili in Chriſto Patri *J.* eadem gratia *Cantuarienſi* Archiepiſcopo totius *Anglia* Primati ſalutem. Quia *Lewelinus* filius *Griffini* & *Walenſes* complices ſui, inimici & rebelles noſtri, tociens temporibus noſtris & Progenitorum noſtrorum Regum *Anglia* pacem Regni turbarunt, & rebellionem ſuam & maliciam jam reſumptam continuare non deſinunt animo indurato, propter quod negocium quod ad ipſorum verſuciam reprimendam **jam incipimus de conſilio Prælatorum Procerum et Magnatum Regni noſtri, necnon et totius Communicatis ejuſdem ad præſens proponimus ad noſtram et totius Regni pacem et tranquillitatem perpetuam Domino concedente finaliter terminare.** Commodius eciam & decencius eſſe perpendimus, quod nos & incolæ terræ noſtræ ad ipſius maliciam totaliter deſtruendam pro communi utilitate laboribus & expenſis fatigemur hac vice, licet onus difficile videatur, **quam hujuſmodi turbatione** per Walenſes **ipſos nunc habita pro voluntate ſua futuris temporibus cruciari, prout tempore noſtro et Progenitorum noſtrorum contigit manifeſte**; Vobis mandamus rogantes quatinus **Suffraganeos veſtros eciam Abbates, Priores ac alios ſingulos domibus religioſis præfectos**, necnon et **Procuratores Decanorum et Capitulorum Eccleſiarum Collegiatarum veſtræ et Suffraganeorum veſtrorum Dioceſium venire faciatis coram nobis apud** *Northampt.* in octabis Sancti *Hillarii*, **vel coram fidelibus noſtris quos ad hoc duxerimus deputandos, et vos eiſdem die et loco interſitis, ad audiendum et faciendum ea quæ pro Republica vobis et ſibi oſtendi ſuper hiis faciemus, et ad præſtandum nobis conſilium et juvamen**, præſertim cum veſtra ſicut aliorum interſit, per quod

An. 11 *E.* 1. quod negocium jam inceptum ad laudem et honorem Dei, et magnificenciam noſtræ ſane ac totius Regni noſtri et populi pacem et tranquillitatem perpetuam valeamus hac vice, ut intendimus, feliciter conſummare. Teſte Rege apud *Rothelan.* 24 die *Novembris*.

Conſimiles literæ & de eadem data diriguntur Archiepiſcopo *Eborum*, quod Suffraganeos, &c. venire faciat coram Rege apud Eborum in Octabis prædictis bel coram fidelibus Regis, quos, &c.

What an inſolent undutifull Anſwer this Arch-Prelate gave when they aſſembled in Parliament and Convocation at *Northampton* to this juſt and neceſſary requeſt of the King, to promote the publick peace and felicity of the Church and Realm, who was ſo zealous to obey the Popes Commands, in demanding preſent reſtitution of the Diſmes collected for the *Holy Land*, which he had ſeized, and might with more juſtice, reaſon make uſe of to ſupply his preſent preſſing neceſſities, than ſuffer the Pope and his Agents to convert them to their own private uſes, *Matthew Parker* thus relates: * In hoc Parliamento Johannes Cantuarienſis Archiepiſcopus, cum Rex a Clero Decimam Prabentuum Eccleſiaſticorum ad ſumptus in Cambria factos recuperandos toto proximo triennio ſibi ſolvi petiiſſet, vicisſim petiit, (in a very *inſolent manner) ut jura et privilegia vetera pro Eccleſiaſtica immunitate a Britannorum, Saxorum et Dacorum Regibus antiquitus tributa, quæ in S. Edwardi et Canuti Regum legibus deſcripta, a Willielmo Normanno approbata, ab Henrico primo in controverſiam vocata, ſed ab Henrico ſecundo rejecta et poſthabita fuere, jam tandem authoritate Regia, omniumque in eo Parliamento conſenſu firmarentur. Cujus rei deliberatio, Decima jam conceſſa, (much againſt the Archbiſhops mind) in aliud tempus dilata eſt. Notwithſtanding the King to ingratiate himſelf with him, *In hoc Parliamento* Aimarus *quidam de* Monteforti Clericus, *quem Rex* Cambrenſis *belli reum ſuſpicabatur, & carceribus inclusit, intercedente* Cantuarienſi *Archiepiſcopo cum ſuis Suffraganeis, ſimulque fide jubente* ne quid, detrimenti ab eo Reipublicæ inferatur, liberatus eſt. Is Romam ſe ad Papam contulit, et abjecto Papæ authoritate Clericatu, *ſe addixit infauſtus militiæ. Paulo enim poſtquam ſe armis enſeque cinxiſſet, nullo geſto aut ſuſcepto obiit.*

* Antiqu. Eccleſ. Brit. p. 200.

* See here, p. 264, to 268.

The King after this Parliament and Convocation held at *Northampton*, iſſued theſe Writs to the Archbiſhop of *York*, the Biſhop of *Durham*, and the Abbots, Priors, Deans, Clergy and Archdeacons within their reſpective Provinces, Dioceſſes, and Counties beyond *Trent*, to meet together and grant him a competent ayd of money for this affair.

De Subſidio petendo a Clero Provinciæ Eboracenſis.

REX venerabilibus in Chriſto Patribus, Epiſcopis, Abbatibus, Prioribus, Decanis, Capitulis Eccleſiarum Cathedralium, et Collegiatarum de provincia Eborum, et eorum Procuratoribus ac toti Communitati Cleri Provinciæ ejuſdem, Militibus, liberis hominibus, communitatibus & omnibus aliis de ſingulis Comitatibus ultra *Trentam* apud *Eborum* in inſtantibus Octabis Sancti *Hillarii* conventuris ſalutem. Cum nos occaſione præſentis expeditionis noſtræ *Walliæ* ad maliciam & rebellionem *Walleſium* inimicorum noſtrorum reprimendam, & ad perpetuam pacem Regni noſtri faciendam, ad quam toto corde intendimus, ſubſidio fideſium noſtrorum Regni noſtri opus habeamus ad præſens, Nos de benevolencia venerabilis Patris *W. Eborum*, Archiepiſcopi *Angliæ* Primatis, & de circumſpectione dilecti Clerici & Secretarii noſtri *Antonii Beke* Archidiaconi *Dunelmenſis* fiduciam gerentes ſpecialem, ejuſdem Archiepiſcopo & *Antonio* tenore præſentium plenam damus poteſtatem petendi et procurandi nomine noſtro, juxta formam per nos eis inde traditam et injunctam, ſubſidium ad opus noſtrum a fidelibus noſtris ſingulorum Epiſcopatuum et Comitatuum Regni noſtri ultra *Trentam*. Et ideo vobis mandamus rogantes, quod eiſdem Archiepiſcopo & *Antonio* in hac parte firmam fidem adhibentes ea quæ circa præmiſſa vobis dicent, modis omnibus expleatis prout ipſi vobis ſcire facient ex parte noſtra. In cujus, &c. Teſte Rege apud *Rothelan.* primo die *Februarii*.

Rot. Walliæ, 11 E. 1. m. 4. De poteſtate data petendi & procurandi Subſidiū Regi in expeditione Regis Walliæ.

REX venerabili in Chriſto Patri *R. Dunelmenſi* Epiſcopo, & Abbatibus, Prioribus, Decanis, Capitulis infra Epiſcopatum Dunelmenſem conſtitutis,

bus, ac Militibus, liberis hominibus, communitatibus Burgorum & Villarum ejuſdem Epiſcopatus ſalutem. Cum nos occaſione, &c. (as before.) **Subſidio fidelium noſtrorum Regni noſtri opus habeamus ad præſens.** Nos de fidelitate & induſtria dilectorum & fidelium noſtrorum *Thomæ de Mandevill*, & Magiſtri *Henrici de Newerk*, Archidiaconi *Richemund* fiduciam gerentes ſpecialem, eiſdem *Thomæ* & *Henrico* tenore præſencium plenam damus poteſtatem petendi et recipiendi nomine noſtro ſubſidium ad opus noſtrum, tam a Clero quam a populo Epiſcopatus prædicti in forma per nos ſibi tradita et injuncta. Et ideo vobis mandamus rogantes, quod eiſdem *Thomæ* & *Henrico* in hac parte firmam fidem adhibeatis, & ea expleatis quæ vobis dicent de præmiſſis prout ipſi vobis ſcire facient ex parte noſtra. Et hoc ſicut de benivolencia confidimus nullatenus omittatis. In cujus, &c. Teſte Rege apud *Rothelan.* 6 die *Januarii*. *An.* 11 E. 1.

Et mandatum eſt eiſdem *Thomæ* & Magiſtro *Henrico de Newerk*, quod cum Rex mittat prædictum *Antonium* ad partes boriales pro quibuſdam arduis & ſpecialibus negociis Regis ibidem expediendis in forma ſibi tradita per Regem & injuncta, eidem *Antonio* firmam fidem adhibeant, & ea faciant quæ ipſe eis dicet ex parte Regis. Teſte ut ſupra.

Et mandatum eſt Epiſcopo & Priori *Dunelmi*, quod cum Rex mittat eoſdem *Thomam* & Magiſtrum *Henricum* ad Epiſcopatum prædictum pro ſubſidio petendo nomine Regis, & ad opus Regis in præſenti expedicione Regis *Walliæ* procurando in forma eis per Regem tradita & injuncta, eiſdem *Thomæ* & *Henrico* ad hujuſmodi ſubſidium ad opus Regis perquirendum in partibus illis conſulentes et auxiliantes ſint, et eis firmam fidem adhibeant in hac parte, et ea faciant et expediant amore Regis quæ eis ex parte Regis dicent in præmiſſis. Teſte ut ſupra.

After which he ſent forth other Writs to the like effect to the Biſhops, Abbots, Priors, Deans, Clergy of the Province of *Canterbury*, thus entred on Record:

REX venerabilibus Patribus, Epiſcopis, Abbatibus, Prioribus, Decanis, Capitulis Eccleſiarum Cathedralium et Collegiatarum de Provincia Cantuarienſi et eorum Procuratoribus, ac toti Communitati Cleri Provinciæ ejuſdem ad inſtantes tres ſeptimanas Paſchæ London. conventuris ſalutem. Dilectos & fideles noſtros *Edmundum* Comitem *Cornubiæ*, Abbatem *Weſtm.* Theſaurarium noſtrum, & *Johannem de Kirkeby* Archidiaconum *Conventrenſem* pro negocio noſtro vobis per ipſos nuper apud *Northampt.* ex parte noſtra expoſito proſequendo ad vos duximus deſtinandos, vos effectuosè rogantes quatinus prædictis Comiti, Abbati, & *Johanni* vel duobus ipſorum quos præſentes eſſe contigerit, in hiis quæ vobis circa præmiſſa ex parte noſtra referent viva voce adhibeatis firmam fidem. In cujus, &c. apud *Aberconwey* in *Snaudon* 18 die *Aprilis*. Rot. Walliæ, 11 E. 1. m 2. De Subſidio a Clero petendo.

Conſimiles literas habent prædicti Comes, Abbas & Archidiaconus directas *J. Cantuarienſi* Archiepiſcopo totius *Angliæ* Primati, & Epiſcopis Provinciæ *Cantuarienſis* ad inſtantes tres ſeptimanas, &c. Conventuris ut ſupra. Teſte ut ſupra.

The King proceeding in his Wars againſt the *Welſh*, notwithſtanding the want of Victuals and Carriages for himſelf and his Army in *Wales*, granted this ſpecial Protection againſt purveyance to the Abbot and Covent of *Cumbremere*: grounded on the Statute of *Weſtm.* 1. c. 1.

REX omnibus Ballivis, &c. Licet nos & Magnates, & cæteri fideles noſtri in exercitu noſtro *Walliæ* exiſtentes, bladis, victualibus & cariagio ad exercitum noſtrum prædictum non modicum indigiamus; Nolumus tamen quod aliquid de bladis, victualibus, ſeu rebus aliis dilectorum nobis in Chriſto Abbatis & Conventus de *Cumbremere*, quæ ad ſuſtentationem ſuam et domus ſuæ minime ſufficiunt, ut accepimus, vel cariagium aliquod ad opus noſtrum vel alterius cujuſcumque ab ipſis contra voluntatem ſuam, occaſione inſtantis exercitus noſtri Walliæ capiatur. Et ideo vobis mandamus, quod de bladis, victualibus, aut aliis rebus ipſorum Abbatis & Conventus, aut eciam Cariagium aliquod ab ipſis ad opus noſtrum vel alterius cujuſcumque, ſicut prædictum eſt, contra voluntatem ipſorum Abbatis et Conventus nullatenus capiatur. In cujus, &c. Teſte Rege apud *Rothel.* 19 die *Febr.* duraturus uſque ad Feſtum Sancti *Michaelis* proximo futurum. Rot. Walliæ 11 E. 1 m. 3. Pro Abbate, & Conventu de Cumbremere.

* Tranſlata

An. 11 E.1. * Walsingham Hist. Anglic Anno 1284. p. 12.

Translata est hoc tempore Abbathia de Aberton (Aberconwey) **per Regem** (by his inherent Royal authority, without the Popes or Bishops concurrence) **ad locum alium**, *& constructum est in loco quo Abbathia fuerat forte Castrum, ad irruptiones* Wallenses *compescendas. Et Rex in Comitatu* Cestriæ *aliam Abbathiam Monachorum fecit* Cistercienſium, *quam multis ditatus prædiis,* Vallem Regalem *volvit appellari.*

The Kings Embassadors sent to the Pope the year before, to excuse his own personal voyage to the Holy Land, by reason of his Wars with the Rebellious *Welshmen*, and troubles by the *French*, and to desire that the monies collected for the Holy Land might be conferred on his Brother Earl *Edmund*, who was ready and resolved speedily to repair thither in his stead, arriving at *Rome*, and imparting their Embassy to the Pope and his Cardinals; they utterly refused to grant his petition, pressing him to restore the monies seised in a milder manner then * before, and to repair personally to the Holy Land as they expected, for the glory of God, and his own honour; as this second Epistle of Pope *Martin* to him more fully relates.

* Here p. 299, 300.

Clauſ 11 E.1. m 7. dorſo. Bulla directa Regi ſuper Decima.

MARTINUS *Episcopus*, &c. *Charissimo in Christo filio* Edwardo *Regi* Angliæ *illustri, salutem & Apostolicam benedictionem.. Charitatis fœcunda sinceritas quum personam Regiam tuamque domum solitam* **claris utique devotionis et fidei titulis insignitam, Apostolica sedes quasi mater affectuosa prosequitur instanter**, *animum nostrum pulsat mentemque sollicitat*, **ut circa te veluti filium perdilectum interni luminis aciem dirigentes, de tuæ salutis profectibus et honoris augmento Regii sedulo cogitemus.** *Sane dilecti filii Magistri* Robertus *Decanus* Ebor. *&* Johannes *dictus* Clarel *Capellanus noster, Regia magnitudinis nuncii quos affectione multa recepimus, nuper ad nostram præsentiam venientes, & præsentantes nobis literas Regias quas portarunt, ex parte tua cum instantia supplici petierunt, ut Decimam Regni tui Terræ Sanctæ subsidio deputatam, dilecto filio Nobili viro* Edmundo Campaniæ *&* Britanniæ **Comiti fratri tuo, cum ex certis causis**, prout **Nunciorum ipsorum patescit assercio, non intendas generalis passagii tempore a sede Apostolica statuendo ad partes accedere transmarinas, benigne concedere curaremus**; *cum idem Comes, sicut asseritur, sit paratus in terra memorata succursum prædicto tempore proficisci. Porro, fili charissime, petitionis hujusmodi serie intellecta,* **seram lætitiæ nostris et ejusdem sedis minime reserabit affectibus, quinimmo ut veritas non negetur et rem gestam pandat eloquium, dictæ petitionis oblatio nostrum et ipsius sedis perturbabit auditum, amaricabit animum, et pectoris intima quasi quodam non levi dolore concutiet; non quia Decimæ prælibatæ concessio prædicto Comite extulit postulata, cum nostrum ob suæ multiplicis probitatis virtutem prosecutioni negotii dictæ terræ cunctis adesse favoribus affectemus**; *set quoniam* Romana Ecclesia **mater tua invitis percepit auribus, quod in prædicto transfretare passagio nullatenus disponebas; cum illa** * **plene confideret, speque non modica duceretur, ut cum solitæ devotionis et fidei zelo succensus, de Crucis assumptione vivificæ præsignires, et tactus dolore cordis intrinsecus ac animatus ad ejus injurias ulciscendas, quæ sic fugiter in terra prædicta** (*prout olim præsens inibi didicisti*) **ab infidelium nephariis ausibus inferuntur in promptitudine spiritus charitatis ardore ac plenitudine voluntatis ad partes illas prædicto** adveniente **passagio, quasi laudabilis præcursoris officium exequens convolares.** *Nosti etenim, immo propriis oculis dicta terræ calamitates universas aspexisti, sensisti tribulationem, ejus incendia diraque palpasti vulnera, qua sibi non sine Christiana gentis opprobrio scelesta manus infligere non veretur. Revera si sollicita consideratione multiplicium dona carismatum quibus te præveniſſe conspicitur cœlestis munificentia largitoris, cum in te prout lati referimus strennitatis vigor, discretionis virtus, magnitudo prudentiæ & potentiæ magnitudo clarescant, ut diversarum habundantiam facultatum, quibus inter cæteros orbis terræ Principes præmunitus agnosceris, silentio relinquamus: Deceret utique magnitudinem Regiam, ut se promptam & facilem divinis obsequiis exhiberet, si etiam grande patulumque miraculum quod circa te dudum in prædictis partibus existentem, is qui facit mirabilia magna solus benigna operatione complevit omnimodum, lætiferas inimici hominis assissini tuam perdere animam satagentis insidias, quamvis gravibus confossus vulneribus,*

* See here p. 278.

An. 11 *E.* 1.

neribus, evaſiſti, divina virtute reſervatus ad vitam, diligenti meditatione perſares, pari aliquatenus non deberes, ut dictam **Decimam** *per cujuſvis alterius miniſterium converti contingeret in ſervitium* Jeſu Chriſti, *ſet dignum prius & conveniens proculdubio noſceretur, ut negligentia qualibet eminus relegata, ſalubre onus hujuſmodi ſubiens id per te ipſum viriliter duceres exequendum, debitæ ſervitutis ſponſum ſolv ndo Domino Deo tuo, qui ut te redimeret & de venantium laqueo liberaret, Crucis ſubire patibulum non expavit.* **Regalem itaque Celſitudinem attente duximus exorandam, quatinus non mireris tuaque ſerenitas moleſte non ferat, ſi petitionem eandem, quamvis libenter in his quæ pro tempore poſtulas votis Regiis annuamus, erandire diſtulimus; tuam in hac parte ſalutem tuumque ſollicite conſiderantes honorem, ac etiam commoditatem ſubſidii quam in perſona tua petitionis ipſius erandítio vacuaſſet, tibi ſuper hujuſmodi conſervare negotio cautius intendentes.** *Confidimus etenim & ſperamus in Domino,* **cujus negotium agitur,** *quod cum in manu Dei Regum corda conſiſtant, ipſoque illa quo, & quando, ac prout vult potenter inclinet; tu divinæ virtutis operante potentia conceptum propoſitum ſucceſſu tem.poris commutabis, in fervore ſpiritus præfatum proſequendo negotium, ad cujus aſſumptionem te in præſentiarum (ſi relativis veritas faveat) non diſponis. Nimirum magnæ tibi laudis præconium proculdubio vendicabis, multumve commodis propriæ ſalutis adicies, ſi quod ſenſibus Regiis* **ex affectu** *ſinceriſſimo ſuademus,* **curabis efficaciter adimplere. Conſideramus etiam erandítionem hujuſmodi differentes, quod cum paſſagii** *(utpote nondum conſtituti)* **neceſſitas non urgeret, neque ſtatus mundi qualitas ad ſtatuendum illud in proximo commoditatem temporis repromittat, nonnullis orbis provinciis** *(prout intelleriſſe te credimus)* **turbationibus validis hoſte humani generis procurante concuſſis, nullum poterat ex præmiſſa dilatione diſpendium eroriri. Quod ſi forte præfixo paſſagii tempore te nolle** *(quod abſit)* **transfretare contigerit,** *(de quo poterit Eccleſia non dolere)* **tunc tam circa præfatum Comitem, quam etiam Magnates et Nobiles regni tui taliter de Decima diſponere curabis ſuprædicta, quod ad laudem Dei et Terræ Sanctæ commodum, et honoris Regii cedat augmentum.** *Dat. apud* Urbem Veterem *6 Idus* Januarii, *Pontificatus noſtri anno ſecundo.*

The King this year to preſerve the Rights of his Crown, and Priviledges of his Free-Chappels, againſt the Popes Uſurpations by *Proviſions*, and his own Prelates, and their Officials, Archdeacons Viſitations, Procurations, and uſurped Juriſdictions over them, conſtituted two ſpecial Proctors, one in *England*, and another in the Court of *Rome*, for this very end, as theſe two Patents evidence.

Pat. 11 E. 1. m. 3. intus. De Procuratore facto pro liberis Capellis Regis.

REX omnibus Ballivis ſuis ad quos, &c. ſalutem. In omnibus cauſis & negotiis liberas Capellas noſtras in regno *Anglia*, conſtitutas ubicunque & coram quibuſcunque perſonis contingentibus, dilectum noſtrum Magiſtrum *Radulphum de Merlawe* noſtrum Procuratorem facimus, conſtituimus, & etiam ordinamus: **Dantes eidem poteſtatem ſpecialem nomine noſtro agendi, defendendi, ac etiam proſequendi, jura et libertates noſtras in Capellis prædictis, et earum pertinent. tam in rebus quam in perſonis, prout juri et honeſtati Regiæ videbitur convenire. Appellandi, etiam appellationes proſequendi, et omnia alia et ſingula faciendi quæ ad conſervationem et tuitionem jurium et libertatum hujuſmodi pertinere noſcuntur.** Ratum & firmum habituri quicquid dictus *Radulphus* quibuſcunque diebus & locis nomine noſtro in præmiſſis omnibus & ſingulis duxerit faciendum. Hæc omnibus quorum intereſt tenore præſentium intimamus. In cujus, &c. per triennium duratur. Teſte Rege apud *Overton.* 28 die *Septembris.*

Pat. 11 E. 1. m. 4 intus. De Procuratore conſtituto in Curia Romana.

UNiverſis, &c. *Edwardus*, &c. ſalutem. **Noveritis, quod nos facimus conſtituimus, et ordinamus verum et legitimum Procuratorem noſtrum in Curia** Romana, **et in audientia Domini Papæ,** dilectum Clericum noſtrum Magiſtrum *Stephanum de Sancto Georgio* exhibitorem præſentium, **ad impetrandum nomine noſtro literas Apoſtolicas gratiam vel juſtitiam continentes, contradicendum literis quibuſcunque impetratis, ſeu etiam impetrandis, Judices eligendum, recuſandum, et in eos conveniendum, nos defendendum; Et ſi nec eſſe fuerit appellandum, et appellationem proſequendum.** Dantes eidem poteſtatem, & ſpeciale mandatum alium Procuratorem loco ſui ad prædicta ſubſtituendi, et omnia alia & ſingu-

An. 11 *E.*1. la in præmiſſis faciendi quæ verus Procurator facere poteſt & debet, & noſmet poſſemus facere ſi præſentes eſſemus. Et promittentes ſub ypotheca rerum noſtrarum nos ratum habituri & firmum quicquid per eundem Procuratorem vel ſubſtitutum ab eo factum fuerit in præmiſſis. In cujus rei teſtimonium has literas noſtras patentes fieri fecimus ſigillo noſtro munitas. Dat. apud *Acton Burnell* 20 die *Octobris*, Anno regni noſtri 11. Anno vero Gratiæ 1283.

The King to ingratiate himſelf with the Clergy and Religious perſons this year, iſſued theſe Writs for the payment of Tithes of Aſſarts, and Veniſon within his Foreſts.

Clauſ. 11 E.1. m. 4. Pro Johanne de London. de Decimis percipiend. &c.

QUia **Rex conceſſit** *Johanni de London.* Perſonæ Eccleſiæ de *Nova Terra* **Decimas prati de** *Whytemede*, **una cum omnibus Decimis novorum Clauſorum et Aſſartorum Regis factorum et faciendorum infra Foreſtam Regis de** *Dene*, mandatum eſt Conſtabulario Caſtri Regis de Sancto *Brianello*, **quod eundem** *Johannem* **Decimas illas percipere et habere permittat, ſalvo jure cujuſlibet.** Teſte Rege apud *Acton Burnell* primo die *Octobris*.

Clauſ. 11 E.1. m 9 Pro Abbate Ceſtr. de Decima venationis.

MAndatum eſt cuſtodi Foreſtæ Regis de la *Mare*, quod faciat habere Abbati Sanctæ *Wereburgæ Ceſtr.* **Decimam venationis quæ nunc capitur in Foreſta Regis prædicta per præceptum Regis, ſicut Decimam illam habere debet et ſolet temporibus retroactis.** Teſte Rege apud *Rothelan.* 28 die *Decembris*.

I find this account and acquittance this year for the arrears of the Quindiſme granted by the Clergy to the King, in the Dioceſs of *Lincoln*.

Pat. 11 E. 1. m. 6. Pro Epiſcopo Lincolnienſi de denariis Quintædecimæ liberatis.

REX omnibus, &c. ſalutem. Sciatis quod venerabilis pater *Oliverus Lincolnienſis* Epiſcopus die Dominica proxima ante feſtum Apoſtolorum *Simonis* & *Judæ* anno regni noſtri undecimo, **ſolvit per præceptum noſtrum Magiſtro** *Adæ de Botindon* **quingentas viginti et duas libras, quatuordecim ſolidos, et quinque denarios**, in partem ſolutionis arreragiorum Quintædecimæ nobis à Clero conceſſæ in Epiſcopatu prædicto. De quibus quidem quingentis viginti & duabus libris, quatuordecim ſolidis, & quinque denariis, ipſum Epiſcopum tenorè præſentium quietamus. In cujus, &c. Teſte Rege apud *Acton Burnell* 13 die *Octobris*.

What Clerks impriſoned and convicted of theft and robbery, were delivered by the Juſtices Itinerant to their Ordinaries, and reſtored to their Goods upon their purgations before them this year, this Record will inform us.

Clauſ. 11 E.1. m 3. Pro Gervaſio de Clifton.

REX Theſaur. & Baronibus de Scaccario, ſalutem. Cum dilectus & fidelis noſter *Gervaſius de Clyfton* Vic. noſter *Not.* & *Derb.* liberaverit per breve noſtrum *Willielmo Barn* de *Skeſteworth* Clerico, **qui de furto et latrocinio** coram Juſtic. noſtris ultimo Itinerantibus apud *Noting.* **rectatus, innocentiam ſuam juxta privileg. Clericale coram Domino Archiepiſcopo** *Ebor.* **inde purgavit**, Triginta & ſex ſolidos & octo denarios de dono noſtro. Et etiam cum idem Vic. per aliud breve noſtrum liberaverit *Richardo de Bronſton* Clerico, **qui de latrocinio** coram Juſtic. noſtris ultimo Itinerantibus apud *Derby* **indictatus, innocentiam ſuam ſurta privileg. prædictum coram** *R. Covent.* & *Lich.* **Epiſcopo purgavit**, Treſdecim libras & duos denarios de dono noſtro, ſicut per literas ipſorum *Willielmi* & *Richardi* quas idem *Gervaſius* inde habet nobis conſtat; Vobis mandamus, quod inſpectis eiſdem literis patentibus ipſum *Gervaſium* Vic. de prædicta pecunia præfatis *Willielmo* & *Richardo* per præceptum noſtrum ſic liberata, prout juſtum fuerit exonerari faciatis. Teſte Rege apud *Acton Burnell* 5 die *Octobris*.

Liberate 11 E. 1. m. 5. Pro Domino M. Sanctæ Mariæ in Porticu Diac Cardin.

The King to facilitate his affairs in the Court of *Rome*, gave this Warrant for payment of the arrears of an Annuity he had granted to one of the Cardinals.

REX Theſaur. & Camerar. ſuis, ſalutem. Liberate de Theſauro noſtro *Uberto Doſgy* & *Abraltino Gerardi* Mercatoribus *Florentinis* de ſocietate *Pulicum* & *Rambertinorum*,

Rambertinorum, ſexaginta Marcas per manus ſuas liberandas venerabili Patri Domino Matthæo Sanctæ Mariæ in Porticu Diacono Cardinali, de termino Natalis Domini anno Regni noſtri undecimo, de annuo feodo ſuo ſexaginta Marcarum quod ei conceſſimus percipiendum ad Scaccarium noſtrum. Niſi pecuniam illam ei prius liberaveritis per aliud breve noſtrum. Recipientes ab eiſdem Mercatoribus literas ſuas patentes receptionem dictæ pecuniæ teſtificantes. Teſte Rege apud *Brumburgh* ſecundo die *Sept.* Canc. mand. de *Brumburgh*. *An.* 11 *E.* 1.

The Biſhoprick of *Durham* becoming void by the death of *Robert de Inſula*, the King granted the cuſtody of the Temporalty thereof by this Patent.

REX omnibus, &c. ſalutem. Sciatis, quod commiſimus dilectis & fidelibus noſtris *Guiſchardo de Charron*, & *Malcolmo de Harlegh* Epiſcopatum *Dunelmenſem*, cum Caſtris & omnibus aliis pertinentibus ſuis, cuſtodiendum quamdiu nobis placuerit, ita quod de exitibus inde provenientibus nobis reſpondeant ad Scaccarium noſtrum. In cujus, &c. Teſte Rege apud *Aberconwey* in *Snaudon*. 13 die *Junii*. Pat. 11 E. 1. m. 16. & Fines 11 E. 1. m. 13. De Epiſcopatu Dunelmenſi commiſſo.

Theſe Guardians payed into the *Kings Wardrobe* out of the Rents and Profits thereof this year to the King's uſe 1303 *l.* 6 *s.* 8 *d.* as this Writ of Acquittance aſſures us.

REX omnibus, &c. ſalutem. Sciatis, quod dilecti & fideles noſtri *Gwychardus de Charron*, & *Malcolmus de Harlegh*, nuper Cuſtodes noſtri Epiſcopatus *Dunelmenſis* ſede vacante, liberaverunt in Garderoba noſtra die Sabbati proxima poſt Feſtum Nativitatis Beatæ *Mariæ* Virginis anno Regni noſtri undecimo, dilecto Clerico noſtro Magiſtro *Willielmo de Ludo* Cuſtodi ejuſdem Garderobæ ad opus noſtrum per manus *Richardi de Biſchopesdon* de exitibus Epiſcopatus prædicti Mille treſcentas triginta et tres libras, ſex ſolidos, et octo denarios: de quibus quidem mille treſcentis triginta & tribus libris, ſex ſolidis, & octo denariis præfatos *Gwychardum de Charron*, & *Malcolmum*, tenore præſencium quietamus. In cujus, &c. Teſte Rege apud *Maleſſend* 12 die *Sept.* per Billam. Pat. 11 E. 1. m. 11. Pro Gwyſchardo de Charron. & Malcolmo de Harlegh.

After which *Anthony Bek* being *elected Biſhop by the King's Licenſe, and confirmed and conſecrated Biſhop thereof by *Wyckwane* Archbiſhop of *York* in Saint *Peters* Church of *York*, the King, Queen, and moſt of the Nobles of *England* being preſent, the King iſſued theſe Writs for the reſtitution of his Temporalties, and the Stock thereon, which he bought of the King. * See Thomas Stubs Actus Pontif. Ebor. col. 1717, 1718.

REX electioni nuper celebratæ in Eccleſia Conventuali de *Dunelm.* de diſcreto viro *Antonio Bek*, Archidiacono ibidem in Epiſcopum ejuſdem loci Regium aſſenſum adhibuit et favorem. Et hoc ſignificatum eſt Domino Archiepiſcopo *Eborum Angliæ* Primati, ut quod ſuum eſt in hac parte exequatur. In cujus, &c. Teſte Rege apud *Ceſtriam* 28 die *Auguſti*, per ipſum Regem. Pat. 11 E. 1. m. 13. De aſſenſu electioni adhibito.

REX dilectis & fidelibus ſuis *Guyſchardo* de *Charron*. & *Malcolmo de Harlegh* ſalutem. Cum venerabilis Pater *Eborum* Archiepiſcopus *Angliæ* Primas electionem nuper celebratam in Eccleſia Conventuali *Dunelmenſi* de diſcreto viro *Antonio Bek* Archidiacono *Dunelmenſi* in Epiſcopum ejuſdem loci, cui prius Regium aſſenſum adhibuimus et favorem confirmaverit, ſicut per Literas Patentes ipſius Archiepiſcopi nobis inde directas accepimus: Nos confirmationem illam acceptantes, cepimus fidelitatem ipſius Electi, & Temporalia Epiſcopatus prædicti prout moris eſt reſtituimus eidem. Et ideo vobis mandamus quod eidem *Antonio* Temporalia Epiſcopatus prædicti ſine dilatione deliberetis, ſicut prædictum eſt. In cujus, &c. Teſte Rege apud *Stanlegh* 4 die *Septemb.*
Et mandatum eſt Militibus, &c. Pat. 11 E. 1. m. 1. De Temporalibus Epiſcopatus Dunelmenſis reſtituendis.

REX dilectis & fidelibus ſuis *Gwichardo de Charron* & *Malcolmo de Harlegh* nuper Cuſtodibus ſuis Epiſcopatus *Dunelmenſis* ſede vacante ſalutem. Cum cepimus fidelitatem dilecti & fidelis noſtri *Anton. Bek*, *Dunelmenſis* Electi, & eidem Fines 11 E. 1. m. 7. Pro Antonio Bek Electo Dunelmenſi.

An. 11 *E.* 1. Temporalia Episcopatus illius restituerimus, vobis mandamus quod blada, boves, & alia averia ac totum instaurum quæ ab Execut. Testamenti *Dunelmensis* Episcopi nuper defuncti ad opus nostum emistis, dicto Electo per idem precium quo ea recepistis liberetis. Ita quod vobis ad opus nostrum respondeat de precio supradicto vel executor. prædictis, si nondum inde respondueretis eisdem. Salvis nobis misis quas fieri fecimus pro waynagio & collectione fructuum aliquorum ibidem. Teste Rege apud *Macleffend*, 10 die *Septembris*.

* Godwins Catalogue, p. 377.

Richard Swinefeld being * elected and confirmed Bishop of *Hereford* by the Kings license and assent, he issued this Writ to restore his Temporalties.

Pat. 11 E. 1. m. 13. De Temporalibus Episcopatus Hereford. restituendis.

REX dilecto Clerico suo *Waltero de Rudmarl.* Custodi suo Episcopatus *Herefordensis* salutem. Cum venerabilis Pater *J. Cantuarien sis* Archiepiscopus electionem nuper factam in Ecclesia Cathedrali *Herefordia* de Magistro *Ricardo de Swinefeld* Canonico ejusdem Ecclesiæ in Episcopum ejusdem loci, **cui Regium assensum prius adhibuimus et favorem, confirmaverit,** sicut per Literas Patentes prædicti Archiepiscopi accepimus; Nos confirmationem illam acceptantes cepimus fidelitatem ipsius Electi, & Temporalia ejusdem Episcopatus restituimus eidem. Et ideo vobis mandamus, quod eidem Electo Temporalia ejusdem Episcopatus liberetis in forma prædicta. In cujus, &c. Teste Rege apud *Rothelan.* 8 die *Januarii*.

Et mandatum est Militibus, &c.

* Antiq. Britan. Ecclesiæ, pag. 200, 202, 203, 204.

* *John Peckham* Archbishop of *Canterbury* to fill his empty Purse, and extend his Archiepiscopal authority beyond his Predecessors, resolved thereupon to visit all his *Province* more accurately, and punish offenders more severely than in former times, to prevent all obstructions by Appeals to *Rome*, *Visitationem hanc susceptur us*, *prospiciendum sibi maximè putavit*, **ut Papæ ne ab eo turbaretur, in quibuscunque mandatis obsequeretur.** Whereupon having obeyed his Commands to the King in admonishing him to restore the Dismes he had seised for relief of the *Holy Land*, he proceeded in his Visitation. In visitatione autem, **quam peractis Papæ mandatis, exorsus est, primum Judæos in perpetuum exilium acturus scripsit Episcopo** Londinensi, **ut eorum omnes Synagogas eversas et demolitas solo adæquaret;** (an high usurpation upon the Kings Prerogative.) **Quod decretum paulo post, Rege procurante, mitigatum est, ac Judæis permissum unum Templum in publico aliquo Civitatis loco, in quo suos ritus, amputata tamen Ceremoniarum multitudine, celebrarent.** In hac Visitatione **Crimina et Excessus permultorum Clericorum atque Laicorum acriter castigavit.** Primum, **quia plura Beneficia retinendi licentia in Anglia impune contra jura permissa Clericis fuit, eam non ab infimis** * Archiv. f. 142 **modo sed a summis sumpto supplicio eradicabit;** (a very commendable Action worthy imitation.) Nam *Richard. More* sacræ Theologiæ Professorem, Episcopum *Winton.* *Nota.* electum, necnon *Johannem Kirkbey* Capellanum Regis, ad *Lichefeldensem* Episcopatum etiam Electum, **quia in Beneficiis plurales ante fuerant, confirmare noluit, sed rejecit. Quorum utrique, cum ad Papam appellassent, appellationes longo tempore prosecuti, eas tandem tædio deserere, et judicatæ a Johanne contra se Sententiæ stare inviti coacti sunt;** (a memorable President, wherein the Pope only aimed at his own Grandure and Ends, usurping a power to dispose of these Bishopricks upon this pretext, by his own Provision, to those who would give most for them.) **In hujus autem locum *Johan. Pontisarius* ab ipso Papa *Wintoniensis* Episcopus creatus est, qui Wintonienses Monachos gravissime infestavit, et Episcopatus jura atque prædia mirum in modum ex Monachorum spoliis auxit, ut ex illius Ecclesiæ monumentis apparet.** Cumque hos in jure vicisset, inferiores Clericos, qui plura **Beneficia simul tenebant, aggressus est. Quos omnes, uno Beneficio** * Here, p. 261, 262. See Godwins Catalogue of Bishops, p. 77, 78. **contentos esse compulit,** (according to his * Constitutions made in the Council of *Lambeth.*) **In quo proposito stetit durior, quod Romæ Cardinales quidam** (ut ex ejus literis intelligi possit) **eum coram Papa accusassent, quod hunc Anglicani Cleri excessum mitius tolerasset. Quam iniquam Criminationem ut vitaret, plurales non modo Beneficiis amovit, sed hujusmodi maledictis, Filios Belial, Contemptores Canonum, Usurpatores, et Beneficiorum Sacrilegos appellat. Nec minus in Plurales quam in absentes, et non residentes acris Judex fuit, a primis et**

elatis-

electiſſimis exoziſus; (a commendable Action, worthy his Succeſſors imitation.) Epiſcopum Lichefeld. * peregrinum et Anglicanæ linguæ ignarum, ideoq; extra ſuam Diocæſim commozantem edicto publicato monuit; ut ſub amotionis pœna ad Epiſcopatum rediret, ibique reſideret. Cumque jam veniſſet, eum acerrime increpavit, quod etſi ideomatis inſcius, paſcere ſuæ Diocæſis gregem verbi prædicationis nequiſſet, præſentia tamen ſua Eleemoſinis & liberalitate alere debuiſſet. Cumque Collegium *Wolverhampton* in *Lichefeldenſi* Diocæſi, cujus jus Patronatus ad *Cantuar.* Eccleſiam olim ſpectabat, viſitare voluiſſet, jure & privilegio exemptionis, quam vendicabant, à Canonicis vetitus & excluſus eſt. Cujus rei controverſia cum *Romam* delata penderet, Johan. Theodoſium de Camilla litem hanc Romæ proſequentem, duabus Rectoziis, in quibus non reſidebat ſpoliavit. Hoc tempore cauſa quædam inter Archiepiſcopum *Eboracenſem* & *Dunelmenſes* Monachos controverſa ad Archiepiſcopum *Cantuarienſem* per tuitoriam appellationem deducta eſt. Archiepiſcopus autem aliis impedita negotiis cauſam Priori de *Southwerk*, Decano de Archubus, & Canonico cuidam Eccleſiæ *Paulinæ* delegavit; quibus etiam mandavit, ut in tuitionis eventum de cauſa principali cognoſcerent. Similiſque inter *Dunelmenſem* Epiſcopum & *Eboracenſem* Archiepiſcopum controverſia, Archidiacono *Cantuarienſi* appellationis tuitoriæ jure commiſſa eſt, in qua Archidiac. *Cantuar.* de ea lite cognoſcenti data eſt, *Eboracenſem* Archiepiſcopum ſuumque Officialem inhibendo à gerenda in *Dunelmenſis* Epiſcopi præjudicium quacunque juriſdictione comprimendi poteſtas. Adulteria et ſtupza non minozi ſeberitate vindicabit, cum Ciceſtrenſem Diocæſim viſitaret Rogerum Ham Præsbyterum foznicarium ad triennalem pœnitentiam jurejurando adegit; quod tempozis in jejuniis, ozationibus, et longinquis ad Romam, Coloniam, et Compoſtellam peregrinationibus contereret, Beneficiozum ſuozum Reddituibus ſibi prohibitis, et in pauperum uſus ſequeſtratis. * In *Sariburienſis* etiam Parochiæ viſitatione, compertum fuit *Osbertum Giffard* Militem, Moniales duas ex Wintonienſi Cœnobio abduxiſſe; quem Cantuarienſis Archiepiſcopus Excommunicatione primo percuſſit; deinde ſub his duris conditionibus relaxavit; Primo, ne in tota reliqua deinceps vita ullum Monialium Cœnobium ingrederetur, aut Monialis cujuſquam conſoztio uteretur. Deinde ut tribus diebus Dominicis in Eccleſia Parochiali Wilton exutus veſtibus, virgis verberaretur. Eandemque poſtea pœnam tam in foro quam in Eccleſia Parochiali de Shafteſbury publice ſubiret. Ad hæc multozum menſium jejunium ei injunctum eſt. Præterea omnibus militaribus inſignibus detractis privatus, nec calcearia, deaurata, nec gladium, nec cellam militarem, aut deauratas Phaleras habiturus. Ad extremum ut nec veſtes colozatas ſed tantummodo de roſeto, cum agninis pellibus bel ovinis, nec utatur Camiſia poſtea quam fuerat caſtigatus per tres annos, ad ozdinem ſuum militarem non rediret antequam tres continuos annos in Terra Sancta exegiſſet. Ante omnia, ut Moniales ad Cœnobium ſimili pœna mulctandas reſtitui atque remitti curaret. Hæc omnia ſe jurejurando facturum ſpoſpondit; jejuniorum nihilominus ab Epiſcopopo Saresbirienſi illi præſcribendo modo. (An high Uſurpation on Knights and Lay-Subjects priviledges.) Nec minozem in repzimendis juriſdictionem ſuam contemnentibus ſeberitatem *Petrus* quidam de Sancto *Marco* Decanus de Arcubus exercuiſſe fertur, qui *Hereforденſis* Epiſcopi Officialem ſuis monitis non parentem, primo 10, deinde aucta et perſeberante Contumacia, 40 Marcis; (which he had no legal power to impoſe) tanquam Rebellem et poteſtatis ſuæ contemptozem, mulctabit; necnon Epiſcopum ipſum Herefordenſem, quod Officialis ſuæ partes audacius tueretur, excommunicabit, ejus Capellam Interdicto Eccleſiaſtico ſuppoſuit; (a very high Papal Exorbitancy.) Hoc etiam tempore lis quædam inter *Lincolnienſem* Epiſcopum & Univerſitatem *Oxon.* aliquot annis de Juriſdictione Epiſcopi in Scholares Univerſitatis agitata eſt. De qua *Johannis Cantuarienſis* cum Scholarium tum cauſam vacillare, nec jure ſtare poſſe intellexerat, Scholaribus reſcripſit; *Si in jure contenderent, vinci eos ac ſuperari neceſſe eſſe, præſertim cum his quibus niterentur privilegiis à Juriſdictione Epiſcopali jure communi ſtabilita, eximi nequaquam potuiſſent.* Ipſeque perluſtrata reliqua Provincia *Oxonienſem* Academiam jure Metropolitico viſitaturus adiit. In qua Viſitatione quaſdam Philoſophicas opiniones, quos errores & à *Roberto Kilwarby* ante reprehenſos docuit, tanquam hæreſes et à fide Chriſtiana abhorrentes è ſuggeſtu latine refellit. (What theſe opinions were you may read in Sir *Henry Spelmans Councils*, Tom. 2. p. 347.

An. 11 *E.* 1.

*See Godwins Catalogue, p. 260.

* See Godwins Catalogue of Biſhops, p 77, 78.

An. 11 *E.* 1. p. 347, 348.) Inter has una erat, in homine eſſe tantummodo formam unam. Quam Frater *Johannes* non concoxit, ne colligeretur inde, corpus Chriſti non fuiſſe unum numero vivum & mortuum, nec ſanctorum corpora eadem tota vel ſecundum partes in orbe exiſtere vel in urbe; ſed alia quædam quæ non pepererunt matres, ſed de novo peperit phantaſia; (the firſt Preſident of this kinde, to adjudge and declare new Hereſies in a Viſitation, without a Synod or Council.) Sed iſtæ Hæreſes philoſophicæ ab *Oxonienſium* Scholis in Prædicatorum & fratrum turbas profecti & diſſeminati fuerunt. Inter quos *Richardus Knapwell* Doctor Ordinis Prædicatorum octo opiniones contra *Johannis Peckham* aſſertiones defendit. Hunc itaque *Johannes Peckham* **ad ſuum tribunal vocavit, eoque non accedente, eum ſualque opiniones cum ſuo Clero damnavit.** Sed * *Hugo de Manceſtria* ejus Ordinis Provincialis interceſſit, & *Cant.* **reſtitit. Allegavitque, neminem in ſui Ordinis fratres præter ſolum Papam poteſtatem habere. Itaque appellatione interpoſita ſuperſedit negotio** *Cantuarienſis*, **atque conticuit. Nec quicquam deinceps in homunculum fratrem valuit ejus authoritas, qui in Regem et Epiſcopos omnia poterat.** Idem acutus frater & Theologus, cum è ſacris Scripturis probare vellet, **non eſſe permiſſum Clericis duo Beneficia Eccleſiaſtica retinere,** protulit hanc ex Evangelio ſententiam; *Qui habet duas tunicas, unam tribuat non habenti*; & *qui habet eſcas ſimiliter*. *Richardus* ille frater inter alia quæ de nugis Philoſophicis ſcripſit, addidit unum de formarum unitate libellum, **ut omnibus liquido conſtare poſſet, eum nullis** *Cantuarienſis* **minis deterritum in ſententia ſua perſeveraſſe.** His in Provincia viſitanda geſtis, ſcriptis ad pleroſque Suffraganeorum literis, **ne ſe, ſuos Officiales et tribunalia muneribus,** (quæ cum inſigni Prælatorum opprobrio diu nephariè percipi in viſitatione intellexerat) **deinceps inquinari permitterent, admonuit; quod ſi ſuæ monitioni non parerent, ſe admiſſa deinceps in muneribus percipiendis ſcelera ſeverius animadverſurum.** In literis etiam ad *Ordoneum* Cardinalem *Tuſculanum* Epiſcopum ſcriptis, queritur de quodam, quem Remigem, ſuam navem atque Puppim ſubverſurum, nominat, **qui muneribus moveri, ac duas pelves aureas plenas florenis accepiſſe ait. Idem ad Romanæ Curiæ Vicecancellarium ſcribit, comperiſſe ſe fuiſſe in Anglia multa privilegia per falſarios fabricata. Sed commoti Suffraganei, quod non modo tam crebris viſitationibus, ſed etiam quotidiana juriſdictione partes ſuas in eorum Diocæſibus tam ſæpe interponeret, querelam 25. Articulis comprehenſam in eum proponebant. Cujus querelæ vim et eventum, cum in ſeipſos recidiſſe intellexiſſent,** (by reaſon of his extraordinary favour with the Pope, his creator) **ea omiſſa luctari amplius cum Metropolitano noluerunt.** Inter hos Suffraganeos *Londinenſis* tum Epiſcopus gravatè tulit quendam *Henricum de Stookes* ſuæ *London.* Diocæſis Rectorem, **de Beneficiorum pluralitate coram Decano de Arcubus in jus vocatum fuiſſe.** Qua de re ſcripſit *Johanni Peckham* **ſe id non laturum, ſed niſi deſiſtat tam in hac quam in aliis cauſis de ſuis Clericis ſubditiſve cognoſcere, ſe appellationis ad Curiam Romanam ſacram Anchoram petiturum.** Cui *Johannes* ſtupuiſſe ſe, ſcribit, de illa minaci & præjudiciali pagina. *Same*, inquit, *duo per nos vobis illata fuiſſe gravamina cauſamini*: Primo, quod *Henricum Stookes* **de pluralitate Beneficiorum ad noſtrum evocavimus examen:** Secundo, quod ipſum per Decanum de Arcubus citari fecimus; adjungentes, quod ſubditus Suffraganei Metropolitano non ſubveſt, quaſi velitis jura *Cantuar.* Eccleſiæ, quæ tueri et defendere juraſtis, ad ſimplices Metropolitani limites coarctare. Decani autem de Arcubus præceſſibus conſuetis parare obicem nullatenus præſumatis: Pro certo ſcituri, quod jura Eccleſiæ *Cantuar.* partim ſcripta, partim a doctoribus authenticis notata, partim pacifice obtenta longo provinciæ uſu intendimus contra omne hominum genus quantum poterimus conſtanti animo defenſare. Thus did this Papal Arch-prelate, preſuming on the Popes favour, domineer in this his Viſitation over his whole Province, and ſubjugate it to his arbitrary power, which none of his predeceſſors attempted, much leſſe effected till then. Having viſited *England*, * *Archiepiſcopus per* Ceſtriam *tranſiens Anno* 1284. *venit* Walliam, **ad reformandum ſtatum Eccleſiæ.**

In this Viſitation (as I conceive) he made and publiſhed a Decree, what Ornaments of Churches the Pariſhioners ſhould provide and pay for, and what the Prieſts or Incumbents; wherein you may obſerve how many Popiſh unneceſſary ſuperfluities he impoſed on the people, without and againſt the Law or their aſſents, to

*See Jo. Balæus Script. Brit. Cent. 4. c. 64. Appendix p. 350.

* Henry de Knyghton de Event. Angl. l. 3. c. 12, col. 2465. Spelmanni Concil. Tom. 2. p. 346.

to their great unneceſſary expence. * *Statuta fratris* Johannis Peckham Cantuarienſis *Archiepiſcopi, ad doctrinam præſentium & memoriam futurorum. Cum plurimumque altercatio inter Rectores Eccleſiarum in provincia* Cantuarienſi *conſtitutos, eorumque Parochianos, ſuper variis ornamentis rebuſque Eccleſiaſticis, qua, & quanta, & quomodo ad Rectores pertineant infra ſcripta; qua autem ad eorum Parochianos; & ſic altercatum plerumque tentas pro doctrina qua ſequitur, ut docti exiſtant Parochiani in ſingulis ſubſequentibus certiores; ſciant, intelligant, & obſervent taliter univerſi,* quod Calix, Miſſale, Veſtimentum ipſius Eccleſiæ principale, *viz.* Caſula, Alba munda, Amictus, Manipulum, Zona, cum duabus Tuellis, Crux processionalis, alia Crux minor pro mortuis, Feretrum, Thuribulum, Lucerna, cum Cinnabalo, Velum quadragesimale, Manuales, Vexilla, Campanæ, Vas ad aquam benedictam, cum sale et pane, Osculatorium pacis, Cereum Paschale, cum Candelabro, Campanæ in Campanili et coræ, Fontes cum seruris earundem, Reparatio navis Eccleſiæ interius et exterius, tam in Altaribus quam in Imaginibus; Fenestræque vitreæ, cum Clauſuris Cimiterorum, ad ipsos Parochianos pertinent omnia supradicta. *Cætera autem omnia,* tam in reparatione Cancelli, quam Ornamenta hujusmodi, interius et exterius, *secundum diversas ordinationes & conſtitutiones approbatas,* debent a locorum Rectoribus seu Vicariis reparari.

An. 11 *E.* 1.

* Spelmanni Concil. Tom. 2. p. 343. See Guil. Lindewode l. 3. Tit. De Eccleſiis ædificandis, f. 181, 182, 183.

William Wickwane Archbiſhop of *York*, taking more care to provide for the ſtocking and improving of the Mannors and Temporalties of the Archbiſhoprick, for the benefit of his ſucceſſors, then for feeding of the peoples ſouls, having ſtocked his Demeſns with Oxen, Horſes, Sheep to manure and improve them, to perpetuate them to his ſucceſſors, made this Ordinance by the Dean and Chapter of *York* and the Kings conſent, which the King confirmed at *Acton Burnell*, by his Royal Charter and Authority.

Rot. Chart. Anno 10 E. 1. num. 8. De Ordinatione facta de inſtauro in Archiepiſcopatu Ebor. imperpetuum remanendo.

REX *Archiepiſcopis, &c. ſalutem. Inſpeximus ſcriptum quod venerabilis pater* Willielmus Eborum *Archiepiſcopus* Angliæ *Primas, fecit in hac verba.* Ad perpetuam memoriam ſubſcriptorum in Dei nomine Amen. Dominus ac Redemptor altiſſimus qui omnia ritè compoſuit & recto ordine ſtabilivit ſuos nonnunquam temporaliter tangit, ut quos intrinſeca meditatio ad pias occupationes non allicit caſus excitet exterior, qui contingit, quod penes eos qui ad ſucceſſionem hæreditatis Dominicæ hiis diebus vocantur, præcipuè eſt penſandum ſi ſtatui viduatarum Eccleſiarum proſpicere conſiderent, & perplexos ſuperiorum Prælatorum ingreſſus examinent intimius ad eaſdem. En nunquid Prælati noſtri temporis nudam ſucceſſionem ſcilicet in Eccleſiarum temporalibus nudi poſt fuſcum adeunt, & nonne dum ſola gleba pro cultura neceſſariis deſtituta, relinquitur prolixioribus quaſi mendicando temporibus curam gerunt. Hoc ſiquidem innocentium oculi perhibent, & cotidiana revolutio in talibus evidencius manifeſtat, ex quibus plerumque accidit, quod ſpirituale meritum quod eminencius in Prælato requiritur, in temporale commercium laxius eſt convertſum. Ea propter nos *Willielmus* permiſſione divina *Eborum* Archiepiſcopus *Angliæ* Primas, prædictis piè tacti oppreſſionibus & anguſtiis quas tam apud prædeceſſores noſtros didicimus, quàm in nobiſmet ipſis re ipſa ſenſimus in ingreſſu, pro ſalute animæ noſtræ, et animarum Sereniſſimi Principis Domini *Edwardi* Dei gratia Regis *Angliæ* illuſtris, & Dominæ *Alianore* conſortis ſuæ, necnon pro animabus bonæ memoriæ Domini *Walteri de Grey* prædeceſſoris noſtri, & Domini *Willielmi de Rotherfeld* quondam Decani *Ebor.* ac ad ſucceſſorum relevamen perpetuum, & *Ebor.* Eccleſiæ, cui diſponente Domino præficimur conſolationem proficuam in futurum, intentis niſibus circa iſta dies duximus occupati. Accedente igitur ſpeciali conſenſu et licentia Domini *Edwardi* Regis *Angliæ* prædicti, ac Decani & Capituli noſtri *Ebor.* voluntate unanimi occurrente, ſic ordinando cenſuimus providendum; videlicet, *quod quingenti & duo boves per manſa centum, & quinquaginta quatuor equi ad agriculturam omnium Dominicarum terrarum ad Archiepiſcopatum* Ebor. *neceſſarii, quos boves & equos una cum mille bidentibus, videlicet, quingentis multonibus & quingentis ovibus matricibus Archiepiſcopus* Ebor. *nobis canonicè ſucceſſuris, & Eccleſia noſtra* Ebor. *in hiis ſcriptis donamus, aſſignamus, & bonis noſtris liberaliter conferimus & legamus, tam vacante ſede* Ebor. *quam etiam ipſa plena in eodem numero integro quem ſuperius expreſſimus, cum*

prædictis

An. 11 E. I. *prædictis mille bidentibus in maneriis ad Archiepiſcopatum* Ebor. *pertinentibus, ut inferius ſtatim diſtinguitur, ſalvi ad uſum & commodum maneriorum perpetuis temporibus conſerventur.* Remaneant ſcilicet in Balliva de *Chirchedon* apud *Chichedon* duo equi carectarii cum carecta, & triginta & ſex boves, cum quatuor carrucis & atilliis. Item apud *Norton* octodecim boves, cum duabus carrucis & atilliis. Item apud *Surdington* novem boves, cum una carruca & atilliis. Item apud *Cerney* & *Cumpton* viginti & ſeptem boves, cum tribus carrucis & atilliis, & duo equi carectarii cum carecta. Item apud *Otingdon* duo equi carectarii cum carecta, & viginti & ſeptem boves, cum tribus carrucis & atilliis. Item remaneant in Balliva *Suwell* apud *Suwell* duo equi carectarii cum carecta, & triginta & ſex boves, cum quatuor carrucis & atilliis. Item apud *Aſcham* quatuor equi carectarii, cum carectis duabus, & triginta & ſex boves, cum quatuor carrucis & atilliis. Item apud *Scroby* duo equi carectarii, cum una carecta, & octodecim boves, cum duabus carrucis & atilliis. Item remaneant in Balliva de *Shireburn* apud *Shireburn* quatuor equi carectarii, cum duabus carectis, & quadraginta & quinque boves, cum quinque carrucis & atilliis. Item apud *Swychemund* octodecim boves, cum duabus carrucis & atilliis. Item apud *Cawode* viginti & ſeptem boves, cum tribus carrucis & atilliis, & octo boves, cum duobus plauſtris. Item apud *Grangiam Ebor.* duo carectarii, cum una carecta, & viginti & ſeptem boves, cum tribus carrucis & atilliis. Item remaneant in Balliva de *Wilton* apud *Wilton* viginti & ſeptem boves, cum tribus carrucis & atilliis, & duo equi carectarii, cum una carecta. Item apud *Wetewang.* octo equi, cum duabus carrucis & atilliis. Item remaneant in Balliva de *Beverlaco* apud *Beverlacum* quatuor equi carectarii, cum duabus carectis, & viginti & ſeptem boves, cum tribus carrucis & atilliis. Item apud *Burton* quatuor equi carectarii, cum duabus carectis, & triginta & ſex boves, cum quatuor carrucis & atilliis. Item apud *Skyteby* quatuor carectarii, cum duabus carectis, & viginti & ſeptem boves, cum tribus carrucis & atilliis. Item apud *Patingreton* octodecim boves, cum duabus carrucis & atilliis. Item remaneant in Balliva *Ripon* apud *Ripon* decem equi carectarii, cum quinque carectis, & quatervinginti & novemdecim boves, cum undecim carrucis & atilliis. Item apud *Otteley* duo equi carectarii, cum una carecta, & octodecim boves, cum duabus carrucis & atilliis. Item remaneant in Balliva de *Hextildeſham* apud *Hextildeſham* octodecim boves, cum duabus carrucis & atilliis. Item remaneant apud *Patrington* quingentæ oves matrices, & apud *Wilton* quingenti multones de mille bidentibus antedictis. *Qui quidem boves, equi & bidentes poſt deceſſum noſtrum* **ad cuſtodiam Domini Regis tranſeant, ipſiſque utatur Dominus Rex in locis prædictis quamdiu** Ebor. **fuerit ſedes vacans, et eos adeo bonos ſicut eos recepit, et in eodem numero integre reſtituat noſtro prorimo ſucceſſori.** *Idem autem ſucceſſor noſter ſuis temporibus hils utatur, & cum obierit vel ceſſerit illos in adeo bono ſtatu qu eos recepit,* **Domino Regi dimitttat in numero integro antedicto, et Rex ſimiliter prorimo ſucceſſori, et ſic deinceps.** *Ita quod nos, nec Dominus Rex, nec Cuſtodes, per ipſum ſeu per hæredes ſuos deputandi ſede vacante quandocumque, nec aliquis ſucceſſor noſter prædictos equos, boves, bidentes, vel aliquem ſingularem bovem, equum, vel bidentem poſſit* **vendere ſeu de hiis in teſtamento diſponere, vel quobiſmodo alienare vel occidere, ſeu qualitercumque ſubtrahere quo minus prædictus numerus boum, equorum et bidentium, ſalvus ſemper et integer remaneat ut ſuperius eſt expreſſum;** *ſed ſi capud aliquod ſubtractum fuerit aliquo modo præmiſſorum is ſub quo ſubtractum fuerit, ſtatim ſubroget æquè bonum. Cum verò aliqua capita vel capud aliquod prædictorum boum, equorum, vel bidentium caſualiter vel alio modo interire contigerit, is ſub cujus cuſtodia caſus ſeu dampnum evenerit,* **Dominus Rex ſcilicet ſi ſuo tempore, Archiepiſcopus quidem quilibet ſi ſuo tempore, aliud adeo bonum et competens capud ſubroget loco ſui. Ordinamus etiam de prædicti Domini Regis licentia et conſenſu,** *Capitulo noſtro unanimiter annuente, quod Cuſtodes quicumque fuerint Archiepiſcopatus per Reges in vacacionibus* Eborum *Eccleſiæ deputandi,* **per ſuum corporale juramentum coram Regibus ipſis ſingulis vicibus præſtandum, ad præmiſſorum obſervacionem recitatis coram eis prædictis articulis ſpecialiter obligentur. Et Archiepiſcopi nobis ſucceſſuri, tam in admiſſione temporalium a Regibus quam introniſatione ſua** Eborum, **omnia ſuperius ordinata ſervare ſolempniter et publice repromittant.** *Quæ omnia præmiſſa per nos ordinata & proviſa utinam provide & diſtincta de Rege in Regem, & de Archiepiſcopo in Archiepiſcopum ſub obteſtatione divina vindicta*

in

in die diſtricti Judicii, ubi ſanctiſſimus ille Apoſtolorum Princeps *Petrus *claviger æthereus* patronus noſter, de cujus honore agitur *contravenientes in facie accuſabit, imperpetuum fideliter obſerventur. In præmiſſorum vero fidem & teſtimonium ſigillum noſtrum apponi fecimus huic ſcripto. Dat. apud* Novum locum *in* Scirewod. 9 *Kal.* Octobr. *Anno gratiæ M. CC. octogeſimo tercio, & Pontificatus noſtri anno quinto.* Nos autem ordinationem prædictam ratam habentes et gratam, eam pro nobis et hæred. noſtris quantum in nobis eſt concedimus et confirmamus, ſicut ſcriptum prædictum rationabiliter teſtatur. *Hiis teſtibus venerabili patre* R. Bathon. & Wellen. *Epiſcopo Cancellario noſtro*, Edwardo *fratre noſtro*, Gilberto de Clare *Com.* Glouc. & Heref. Henr. de Lacy *Com.* Linc. Rogero le Bigot *Com.* Norff. & Mareſchallo Angliæ, Johanne de Warren. *Com.* Surr. Johanne de Veſcy, Ottone de Grandiſono, Roberto *fil.* Johannis, Ricardo de Boſco, Euſtach. de Hacche, & *aliis. Datum per manum noſtram apud* Acton Burnell *ſexto die* Octobris. *An.* 11 *E.* 1.

*The Archbiſhop of York St. Peters Vicar & ſucceſſor as well as the Pope: See Tom. 1. p. 32, 33.

[a] *William Thorne* (a Monk of *Canterbury*) informs us, that Anno 1283. *Nicholas* Abbot of St. *Auguſtines Canterbury*, *ut confratres ſui commodius poſſent vacare orationi & contemplationi, & ut in diverſis libris quandoque ſtudendi operam darent, ordinavit & ſtatuit de conſenſu (Conventus) unanimi ad ſupradicta melius & uberius cuſtodienda, ut de divinis Officiis, quæ ſcilicet de regulæ noſtræ ſubſtantia non exiſtant aliqualiter moderantur*; abbreviating their long Divine Service in ſundry particulars formerly uſed, upon this account, *quod divinum officiū moroſius & devotius ab omnibus ſuſtentetur, & etiam in reliquo tempore in ſtudiis & bonis occupationibus diligentius quiſque ſe occuparet:* For which he was ſo farr from blame, that this Hiſtorian gives this Encomium of him; *De præcedentibus non recolo me per eorum actus in regimine vidiſſe illum excellentem, nec vero in ſubſequentibus, ſurrexiſſe ſibi coæquales.* After which he being troubled in conſcience about the unuſual way of his election and confirmation at *Rome*, (as [b] elected Abbot in forma compromiſſi by the Treaſurer and 5. Monks more, *per ſpeciale mandatum Prioris & Conventus, qui huic electioni ſecundum formam compromiſſi ſuum præbuêre conſenſum*; not by the whole Covent aſſembled together, as in the uſual form.) *Iſtis ſic actis, volens idem* N. *ſuam electionem celeriter expedire, habito proceſſu electionis*, literiſque Regiis ac Magnatum ſimul optentis, apoſtolico conſpectui ſe præſentavit: *Proceſſu in Curia diligenter examinato die S.* Ambroſii *confirmatus, Sancto die* Paſchæ *ab Epiſcopo* Portuenſi *Cardinali* de mandato Papæ Nicholai Romæ *benedictus eſt*, (no doubt for a great reward then given, which troubled his conſcience.) Upon this account above 10. years after, he procured the Kings licenſe to repair to Pope *Martyn*, where, without the Kings privity, and againſt his Prerogative, he reſigned his Abby to the Pope, who by his Bulls (without the Kings royal aſſent, or Monks election) conſtituted *Thomas de Fyndone* Abbot; for which high uſurpation on the Kings prærogative, the Temporalties of the Abbey were ſeiſed and detained in the Kings hands, till he paid a Fine of 400 Marks for this contempt, beſides the mean profits amounting to 300 *l.* thus related by the ſame Monkiſh Hiſtorian. [c] Nicholaus de Spina *paſtor hujus Eccleſiæ per decem annos, & de ſequenti per quatuor vel quinque ſeptimanas gregem ſibi commiſſam ſtrennuiſſime rexiſſet*, et ea quæ prius in Romana Curia, ob zelum tamen Domus ſuæ ibidem fecerat, mente revolvens, quia vir erat ſtrictæ conſcientiæ, videns ſeipſum pro hujuſmodi cauſa in conſcientia ſore læſum, nec ulterius Pastorale officium poſſe ſibi de cætero juſto titulo competere; ipſe petita licentia a Rege et obtenta, (eodem autem Rege cauſam ſui tranſitus minime cognoſcente) tranſfretabit; ipſoque coram Summo Pontifice conſcientiam ſuam demonſtrante, et eodem Pontifice ſuper hujuſmodi offenſa cum eodem Nicholao libenter voluiſſe diſpenſaſſe; tamen ipſe omnibus ſepoſitis continue ceſſionem ſuam cum maxima inſtantia procuravit. *Tandem die* Pancraſii *Martyris* Dominus Apoſtolicus Martinus Papa 4. ſuam ceſſionem admiſit. *Qua admiſſa*, idem Papa fratrem Thomam de Fyndone *tunc tertium Priorem Sancti* Auguſtini Cant. *in* Anglia *exiſtentem* præfecit in Abbatem apud Urbem veterem, *Anno Pontificatus ſui tertio. Injunxit verò idem Papa eidem* N. in ſua ceſſione, ut nominaret ſibi perſonam magis habilem Monaſterii cui præſidebat. *Ille vero prædictum* Thomam *denominavit eſſe virum prudentem, moribus, ſcientia, & ætate multipliciter decoratum, in temporalibus & ſpiritualibus*

[a] Chronica, c. 27. Sect. 7. col. 1935, &c.

[b] Chron. W. Thorn, c. 26. col.

[c] Chron. W. Thorn, c. 28. col. 1937, 1938, 1939.

An. 11 *E.* 1. *alibus circumſpectum. Et quia idem* Papa *notitiam illius perſonæ temporibus retroactis memorialiter habebat, eidem denominationi libenter annuit & conſenſit :* Egreſſæ ſunt ergo Bullæ Papales, et in Octabis Apoſtolorum Petri et Pauli, eidem Thomæ exhiberant præſentatæ, quæ fuerunt lectæ ſtatim eodem die, præſentibus Comite Cornubiæ, Stephano de Penecester, tunc Conſtabulario Dovoriæ, Magiſtro Johanne de Lacy, *& multis aliis; & ſtatim idem Dominus* Thomas, ſic creatus in Abbatem, (of which he made no conſcience, though againſt the Kings prerogative, and priviledge of the Abbey) arripuit iter verſus Regem, ad oſtendendum illi Bullam Apoſtolicam ; *quem invenit apud* Snouden *apud* Karnarvan 29 *die* Junii, qui Bullam cum dicto Abbate benigne admiſit. *Et prædictus Dominus* Thomas *Abbas eidem Regi totum proceſſum ceſſionis prædicti* N. *& etiam ſuæ creationis ore tenus expreſſit. Iſtis ſic habitis benedictus eſt* Londoniæ *die Sancti* Ambroſii de mandato Domini Papæ ab Archiepiſcopo Dublinenſi. Notwithſtanding, upon better conſideration, Cum vero fama laboraſſet ſic de ſuprædicta ceſſione, venit Eſcaetor Regis die Nativitatis Sancti Johannis Baptiſtæ, et Abbatiam in manus Domini Regis ſeiſivit, et eam tenuit tanquam Eſcaetam uſque diem Mercurii proxime ſequentem: *quo die venit* P. Huntingfeld *Vicecomes* Cantiæ, *& prædictam Abbatiam cuſtodiendam recepit per tale Breve.*

Pat. 11 E. 1. m. 7. *Edwardus, &c.* Cum Abbas Sancti *Auguſtini Cant.* Abbatiam ejuſdem loci in manum Domini Papæ reſignaverit, ut accepimus, tibi præcipimus, quod Abbatiam prædictam cum pertinentiis in manum noſtram capias, & ſalvo cuſtodiri facias, donec aliud inde tibi præceperimus; ità quod de Exitibus ejuſdem nobis reſpondere poſſis a tempore reſignationis prædictæ ; Inquirens diligenter de tempore quo vacare incepit.

Et idem P. *iſtam Abbatiam ſic habuit cuſtodiendam uſque xx. diem* Julii, *quo die* Dominus Rex per Breve ſuum *tradidit Dominis* Johanni de Bourne, & N. de Ryngelton *dictam Abbatiam ad cuſtodiendam.* Qui eam cuſtodiebant uſque ad diem Sanctæ Fidis *Virginis, qua die* Thomas de Fynden *Abbas*, fecit finem cum Domino Rege apud Acton Bournel. in Parliamento, pro eo quod ſic fuerat creatus in Abbatem, licentia Domini Regis minime petita, pro 400 marcis ; *de quibus, Rex remiſit* 100. *ad inſtantiam Domini Epiſcopi* Batoniæ *nunc Cancellarii Regis. Et ſic liberata fuit eidem* Thomæ *Abbathia ſua per literam Domini Regis patentem ; Cujus tenor talis eſt.*

Pat 11 E. 1. m. 8. *Edwardus, &c.* Militibus, liberis hominibus, & omnibus aliis Tenentibus de Abbatia Sancti *Auguſtini Cant.* ſalutem. Sciatis, quod cum Summus Pontifex per ceſſionem Nicholai nuper Abbatis dictæ Abbatiæ qui eam in manum ſuam reſignavit, de perſona Thomæ de Fyndene, Monachi dicti Monaſterii tunc in Anglia exiſtentis eidem Monaſterio proviſerit, et ipſum præfecit in Abbatem, ſicut per literas ſuas patentes nobis ſignificavit : Nos eidem Thomæ Abbati Temporalia ejuſdem Abbatiæ, cum Juribus, Libertatibus, et omnibus aliis ad eandem pertinentibus, ſicut prædeceſſores ejus tenuerunt, reddidimus. Et ideo vobis mandamus, quod eidem *Thomæ* Abbati tanquam Domino veſtro in omnibus, quæ ad Abbathiam illam pertinent, intendentes ſitis & reſpondentes.

Et ſciendum eſt, quod Dominus Rex liberavit Abbathiam prædicto Domino Thomæ *Abbati*, ſalvis ſibi Exitibus Temporalium, a die Sancti Pancratii, *quo die Abbatia capit vacare, uſque diem Sanctæ* Fidis *Virginis, quo die liberata fuerit Abbathia prædicto Abbati apud* Acton Burnell, *ut ſupra notatur, expenſis Abbatis & Conventus & eorum familiæ neceſſariis per idem tempus deductis ; de quo tempore prædicti Abbas & Cuſtodes, una cum* Petro de Huntingfeld *Vicecomiti* Kantiæ *reſponderunt, videlicet de Tallagio aſſeſſo per idem tempus per diverſa maneria xli l. xvi s. viii d. de Placitis & perquiſitis omnium Curiarum xxx l. vi s. viid. ob. Et de redditu aſſiſo & forinſeco lxxx l. x s. viii d. Et de venditione Bladi & Redditu in quibuſdam Maneriis, præter ſuſtentationem Monachorum & eorum familiæ liiii l. xiii s. ob. Et de omnibus aliis Exitibus & Conſuetudinibus per idem tempus de diverſis parcellis lxxxx l. xii s. iv d.* Et eſt totalis Summa CCC l.

How ill the King reſented this Innovation and uſurpation of the Pope, and what care he took to prevent it for the future, by advice of his Council, before he would reſtore this Abbot (made by the Popes proviſion, without his royal aſſent, or due election)

election) to the Temporalties, after his Fine for this contempt, this Record more fully informs us then this partial Monkish Hiſtorian. *An.* 11 *E.* 1.

REX omnibus, &c ſalutem. Cum Nicholaus *nuper Abbas S.* Auguſtini Cantuarienſis, cui licentiam dedimus peregre proficiſcendi ad Sanctum Benedictum in Monte Caſſino, ad Curiam Romanam accedendo, Abbatiæ ſuæ dictæ in præſentia Summi Pontificis, nobis inconſultis, ceſſerit; per quod idem Summus Pontifex *de perſona dilecti nobis in Chriſto* Thomæ de Fyndon *Monachi dicti Monaſterii*, tunc in Anglia exiſtentis, eidem Abbatiæ providit, vacatione dictæ Abbatiæ nobis minime nunciata, nec petita vel optenta per Priorem et Conventum ejuſdem Monaſterii a nobis, prout moris eſt, licentia eligendi ſibi alium in Abbatem, nec etiam aſſenſu Regio, prout ad Coronam et Dignitatem noſtram pertinet, requiſito; quod in exheredationis noſtræ periculum (quod abſit) de facili redundaret. Nos audito rumore de Vacatione prædicta, ne ex facto hujuſmodi periculum Exheredationis poſſet in poſterum in caſu conſimili nobis et hæredibus noſtris imminere, Abbatiam illam in manum noſtram cepimus, et Cuſtodes noſtros deputavimus ad ipſam Abbatiam cuſtodiendam. Ita quod de Exitibus inde provenientibus nobis reſponderent ad Scaccarium noſtrum, et per finem Quadringenta Marcarum, quem idem Thomas Abbas dicti Monaſterii nobiſcum fecit; de quibus Centum Marcas eidem pardonavimus ad inſtantiam venerabilis Patris R. Bathon. et Wellen. *Epiſcopi Cancellarii noſtri*; et remiſimus et pardonavimus prædictis Thomæ *Abbati & Conventui* tranſgreſſionem nobis factam in hac parte; ſalva nobis et hæredibus noſtris in omnibus Regia dignitate, ut Prior et Conventus Abbatiæ prædictæ, qui pro tempore erunt, in ſingulis vacationibus futuris ejuſdem Abbatiæ, vacationes illas nobis nuncient, et eligendi licentiam petant, necnon et Regium aſſenſum requirant: Et ſalva nobis et hæredibus noſtris cuſtodia dictæ Abbatiæ, et perceptionem Exituum temporalium ejuſdem in vacationibus prædictis, prout fieri debet et conſuevit temporibus retroactis. *In cujus, &c. Teſte Rege apud* Acton Burnel 7. *die* Octobris. Pat. 11 E. 1. m. 8 Pro Abbate S. Aug. Cantuar.

Nota.

After which, the King iſſued this ſpecial Writ to reſtore the Temporalties of the Abby to this intruded Abbot, reſerving the mean profits thereof to himſelf.

REX dilectis & fidelibus ſuis *Johanni de Bourne*, & *Nicholao de Fyngelton*, Cuſtodibus Abbatiæ Sancti *Auguſtini Cantuarienſis*, ſalutem. Cum Summus Pontifex per ceſſionem Nicholai nuper Abbatis dictæ Abbatiæ, eam in manum ſuam reſignantis, de perſona Thomæ de Fyndone Monachi dicti Monaſterii, tunc in Anglia exiſtentis, eidem Monaſterio provideriſ, et ipſum præfecerit in Abbatem, ſicut per literas ſuas patentes nobis ſignificaverit; Nos eidem *Thomæ* Abbati Abbatiam illam cum pertinentiis, in forma per nos et Conſilium noſtrum provisa, reddidimus. Et ideo vobis mandamus, quod eidem *Thomæ* Abbati Temporalia ejuſdem Abbatiæ, cum Juribus, Libertatibus & omnibus ad eam pertinentibus, ſicut prædeceſſores ejus tenuerunt, reſtituatis, Salvis nobis Exitibus Temporalium dictæ Abbatiæ, a die Sancti *Pancratii* Martyris in *Maio*, (quo die capit vacare) uſque ad diem Sanctæ Fidis Virginis. Expenſis Abbatis et Conventus, et eorum neceſſariæ familiæ per idem tempus duntaxat deductis, ſicut vobis per literas noſtras demandavimus. In cujus, &c. Teſte Rege apud *Acton Burnell.* 8. die *Octobris.*

Et mandatum eſt Militibus, Liberis hominibus, & omnibus aliis Tenentibus de Abbatia Sancti *Auguſtini Cantuar.* quod eidem *Thomæ* Abbati tanquam Domino ſuo in omnibus quæ ad Abbatiam pertinent intendentes ſint, &c. In cujus, &c. Teſte ut ſupra.

This Abbey of St. *Auguſtines* becomming greatly impoveriſhed and indebted by this Abbots voyage to, and great bribes, gifts in the Court of *Rome*; the King iſſued this Writ to the Tenants thereof for an ayde, to relieve and defray the debts thereof.

REX Militibus, Liberis hominibus, & omnibus aliis Tenentibus de Abbacia Sancti *Auguſtini Cantuariæ* ſalutem. Cum Abbacia prædicta per adverſitates quam- Pat. 11 E. 1. m. 6. Pro Abbate & Conventu S. Aug. Cantuariæ.

An. 11 E. 1. quamplurimas in tantum sit oppressa & ære alieno onerata, quod nisi Domui illi vestro suffragio mediante subveniatur, Monachos Deo famulantes ibidem aut mendicare, vel in dispersionem mitti ex necessitate oportebit in brevi, ut accepimus. Nos statum Domus supradictæ piè compatientes, et pro relevatione ejusdem Domus sollicitudinem gerentes, affectuosè requirimus & rogamus quatinus Abbati & Conventui loci supradicti competens Subsidium ad Domus suæ relevationem et suorum acquietacionem debitorum liberaliter impendere velitis et benigne, ut inde vobis teneamur ad grates, ac in agendis vestris merito gratiam a nobis reportare debeatis et favorem. In cujus, &c. Teste Rege apud *Acton Burnell.* xxii. die *Octobris.*

What transactions passed between the King and his *French* Bishops this year in *Gascoigne*, concerning the setling of differences between them, these Records will inform us.

Rot. Vascon. 11 E. 1. m. 3. REX omnibus, &c. salutem. Sciatis quod nos dilectis & fidelibus nostris *Johanni de Greilliaco* Militi Seneschallo nostro *Vasconiæ*, & Magistris *Bonetto* de Sancto *Quintino*, & *Reymundo de Ferrariis*, vel duobus ipsorum quos præsentes esse contigerit, damus & concedimus plenam & liberam potestatem & speciale mandatum componendi, concordandi, pacificandi, ordinandi, & eciam compromittendi altè & bassè, cum pœna vel sine pœna, sub forma de qua sibi videbitur expedire, pro nobis & hæredibus nostris cum venerabili patre *Amaneno* Dei gratia Archiepiscopo *Auxitan.* super advocatione temporalitatis suæ et Archiepiscopatus sui. Promittentes nos ratum habituros & gratum quicquid per dictos procuratores & attornatos nostros, vel duos ipsorum quos præsentes esse contigerit, super præmissis & singulis præmissorum simul vel divisim concedendo, remittendo, declarando, permutando, vel alias fuerit compositum, ordinatum, concordatum, seu ab assumendis & eligendis, arbitris vel arbitratoribus dictum, pronunciatum, vel eciam arbitratum. In cujus, &c. Dat. apud *Aberconwey* in *Snandon.* xxv. die *Aprilis.*

De potestate data componendi, &c. cum Episcopo & Capitulo Vasaten. REX omnibus, &c. salutem. Sciatis quod nos dilectis & fidelibus nostris *Johanni de Greillaco*, &c. (Verbatim as before.) Damus & concedimus plenam & liberam potestatem & speciale mandatum componendi, &c. pro nobis & hæredibus nostris cum venerabili patre Episcopo, & discretis viris Capitulo *Vasaten.* super omnibus & singulis controversiis & quæstionibus hæreditariis, & aliis quibuscunque quæ sunt, & esse possunt inter nos & gentes *Vasconiæ* ex parte una, & præfatos Episcopum et Capitulum *Vasaten.* ex altera. Promittentes, &c. In cujus, &c. Dat. ut supra.

What Jurisdiction over Ecclesiastical Persons, affairs and Elections the King this year exercised in *Ireland*, these Records will inform us.

Pat. 11 E. 1. m. 13. De Protectione. J. Archiepiscopus *Armachanus*, qui de licentia Regis proficiscturus est ad partes transmarinas, habet literas Regis de protectione, cum clausula, Volumus, &c. præsentibus, &c. per unum annum duraturis. Teste Rege apud *Alberfron.* secundo die *Augusti.*

Ibidem. Pro Ecclesia Armachana in Hibern. REX omnibus, &c. salutem. Sciatis quod concessionem quam venerabilis pater *N.* Archiepiscopus *Armachanus* de consensu Capituli sui fecit, ad fabricam Ecclesiæ *Armachanæ*, de quodam annuo redditu viginti marcarum usque ad terminum viginti annorum percipiendarum de Villa sua de *Termenfetlym*, & tenemento suo in eadem Villa, ratam habemus et acceptam, salvo jure quod ad nos inde pertinet tempore vacationis Archiepiscopatus prædicti. In cujus, &c. Teste Rege apud *Alberfron.* 3 die *Augusti.*

Pat. 11 E. 1. m. 15. De assensu electioni adhibito. REX electioni nuper factæ in Ecclesia Conventuali de *Dymelek*, de fratre *Nicholao* Celerario ejusdem Domus in Abbatem ejusdem loci, Regium assensum adhibuit et favorem. Et hoc significatum est Domino *N.* Archiepiscopo *Armachano*

machano Hiberniæ Primati, ut quod ſuum eſt in hac parte exequatur. In cujus, &c. Teſte Rege apud *Bangor.* 11 die *Julii.* *An.* 11 *E.* 1.

REX *S. Waterfordenſi* Epiſcopo, Juſticiario *Hiberniæ*, ſalutem. Cum electioni nuper factæ in Eccleſia Conventuali de *Dymelek*, de fratre *Nicholao* Celerario ejuſdem Domus in Abbatem ejuſdem loci, **Regium aſſenſum adhibuerimus et favorem:** Nos conſiderantes quod idem Electus circa proſecutionem electionis prædictæ multum laboraret, ſi ea occaſione ad noſtram præſentiam accederet, & volentes ſuis laboribus & expenſis parcere in hac parte, vobis mandamus, quod ſi contingat Electum prædictum in Abbatem loci prædicti canonicè confirmari; **tunc recepta ab ipſo Electo fidelitate in caſu iſto nobis debita,** Temporalia Abbatiæ prædictæ eidem prout moris eſt liberetis. **Receptis prius ab ipſo Electo literis ſuis patentibus ſigillo ſuo, et ſigillo Capituli Eccleſiæ prædictæ conſignatis, quod hac gratia noſtra quam eidem Electo ad præſens ex mera liberalitate noſtra fecimus, nobis vel hæredibus noſtris non cedat in præjudicium vel exhæredationem, ſeu trahatur in conſuetudinem vel conſequentiam temporibus futuris.** In cujus, &c. Teſte ut ſupra. Ibidem. De Temporalibus Abbatiæ de Dymelek in Hibernia reſtituendis.

REX Juſticiario ſuo *Hiberniæ* qui pro tempore fuerit, vel ejus locum tenenti, ſalutem. Cum dudum ad inſtantiam kariſſimæ conſortis noſtræ *Alianoræ* Reginæ *Angliæ*, promiſerimus *Ricardo de Geyton* Clerico, quod eidem de **Eccleſaſtico beneficio** curaremus in *Hibernia* providere, & Juſticiariis noſtris partium illarum qui pro tempore fuerint pluries mandaverimus, quod dicto *Ricardo* vice noſtra de hujuſmodi **beneficio proviberent**, nec dum ipſe ex promiſſione & mandatis noſtris prædictis promotionem illam fuerit aſſecutus, volentes promiſſionem noſtram prædictam quamcitius facultatem habuerimus effectui mancipari: Vobis mandamus, quod præfato *Ricardo* **de aliquo Eccleſiaſtico beneficio Præbendali, vel alio uſque ad valorem Seraginta Librarum, quod in partibus illis prorimo vacare contigerit, et ad donationem noſtram ſpectare faciatis noſtro nomine proviberi, et præ cæteris omnibus id conferri.** In cujus, &c. Teſte Rege apud *Aberconwey* in *Snaudon.* 15 die *Junii.* Pat. 11 E. 1. m. 16. Pro Ricardo de Geyton Clerico.

REX electioni nuper celebratæ in Eccleſia *Eragdunenſi* in *Hibernia* de diſcreto viro Magiſtro *Johanne de Ufford* **in Epiſcopum ejuſdem loci, Regium aſſenſum adhibuit et favorem.** Et hoc omnibus quorum intereſt ſignificatum eſt per præſentes. In cujus, &c. Teſte Rege apud *Aberconwey* in *Snaudon.* 16 die *Marcii.* Ibid. m. 21. De aſſenſu electioni adhibita.

[a] *Matthew Weſtminſter* ſtories, that this year *in* Alemannia *apparuit* Fredericus *quondam Imperator* Romanus, *ſecundum opiniones diverſas ſophiſticus, ſive (ut alii ſentiunt) verus: Antea namque ſecundum quoſdam per* 32. *annos mortuus dicebatur. Secundum vero relationem ipſius, per tempus prædictum mundo incognitus latuit in habitu peregrino. Nunc ſe Imperatorem oſtendit, argumento viſibili & indiciis manifeſtis, Imperialem vendicans dignitatem.* Fredericus *itaque dum Imperio fungeretur,* **et Eccleſiæ adverſaretur Romanæ,** [b] **per ipſam privabatur Imperiali nomine et honore, per univerſalem Eccleſiam Excommunicationis vinculo innodatus, per Papam** Innocentium *quartum,* **in Concilio** Lugdunenſi. *Poſt cujus dejectionem, in regno* Alemanniæ *per electionem regnabant tres Comites ſucceſſive, ſcilicet,* Gulielmus Holandiæ, Richardus Cornubiæ, & Rodulphus, *qui in iſta apparitione* Frederici, *poſſeſſioni regni* Alemanniæ *incumbebat, vocationem ſuam ad Diadema Imperii expectando. Inopinatum illud phantaſma apperiens in* Alemannia Fredericus, *igne combuſtus periit hoc anno.* In imitation of the Emperor *Frederick's* double Excommunication and deprivation by Pope *Gregory* 9. & *Innocent* 4. this year, Petrus Aragonum **per Papam** (Martinum 4.) **ſententia majoris Excommunicationis ligabatur, præcipiebaturque ſub pœna prædicta, ne quis eum ſcienter et prudenter Regem audeat nominare; pro eo, quod inconſulta Romana Eccleſia, Regnum invaſit** Siciliæ. But notwithſtanding this Excommunication, [c] *receſſo* Carolo *Rege in* Apuliam, Siculi *contra eum* Neopolim *cum viginti ſeptem galeis venerunt armatis. Adverſus quos* Carolus *filius Regis* Caroli *tunc Princeps* Achaiæ *egreſſus eſt cum magna galearum multitudine ad pugnandum; obtinentibus victoriam hoſtibus,* Carolus *captus eſt cum multis aliis, & ad Civitatem* Meſſanam *deductus*

[a] Mat. Weſtm. p. 372. Anno 1284. Alberti Crantzii Saxonix, l. 8. c. 34. p. 224. Abbas Uſpergenſis Paraleipom. p. 340, 341. * See here Tom 2. p. 409, to 415, 519, to 550, 644, to 664, 754, 756.

[c] Walſingham Hiſt Angl. p. 12, 13.

An. 12 *E.* 1. *deductus captivus.* Soon after, out of grief for this defeat, *mortuus eſt* Carolus *Rex* Siciliæ, *cujus regni & filiorum tutela* **Papa** Martinus Robertum *Comitem* Atrabatenſem **conſtituit, largitus eidem pro hac re pecuniæ magnam ſummam.** The next year (*Anno* 1285.) at this Popes inſtigation, [d] *de terra* Franciæ *egrediens Rex* Philippus *cum innumerabili exercitu bellatorum,* Arragoniam *properavit, illam proponens ſuo Imperio ſubjugare,* **juxta donationem Papæ** Martino **filio ſuo** Carolo. *Ad quam veniens regionem, quædam Caſtra & Villas,* **fretus auxilio Summi Pontificis obtinuit, qui contra** Petrum, **quondam Principem terræ illius nomine Regis privatum, Legatum tranſmiſit ibidem. Hic dictus** Petrus Toler, **occidi permiſit tam Eccleſiaſticas quam ſeculares perſonas quæ ſententiam Eccleſiaſticam multoties repetitam nullatenus formidabant.** King *Edward* the 1. at the requeſt of the Abbot of St. *Denys* in *France,* endeavoured all he could to compoſe theſe Wars and differences between theſe Kings and *Peter,* for the better relief of the Holy Land, and the common good and peace of the Chriſtian Church and Chriſtianity; but his Nuncioes ſent for that end were rejected by the Popes Legate, as this Letter of his to the Abbot informs us.

[d] Mat. Weſtm. p. 372, 373. Wa ſingham Hiſt. Angl. p 13.

Brevis Regis Anno 12 E. 1. nu. 571.

REX Abbati Sancti *Dionyſii* in *Francia,* ſalutem. Super diſſenſione inter Dominum veſtrum Regem *Franciæ,* & Dominum Regem *Siciliæ,* ex una parte, & *Petrum Draponenſem* & fautores ſuos ex altera exorta, ac Regni *Siciliæ* per eundem *P.* occupatione facta, dolemus novit altiſſimus vehementer, & ſi ad cauſam diſſenſionum inter ipſos pacificandam & ſedandam opem operam & conſilium impendere poſſemus utique gauderemus. **Et hoc ob amorem quem erga Reges gerimus et gerere debemus memoratos, et etiam pro ſtatu Terræ Sanctæ et Regum prædictorum, ac inſuper Chriſtianitatis commodo univerſæ;** Et ſuper eo quod proprio motu veſtro uſque præter dicti Domini veſtri Regis conſcientiam nos ad hoc excitare voluiſtis, veſtræ benevolentiæ quantum poſſumus gratiamur, diſcretionem veſtram in hoc ſpecialiter commendantes. Et quia nuncii noſtri quos nuper in *Vaſconiam* deſtinavimus, **circa hoc de mandato noſtro laborare volentes per Sacroſanctæ Romanæ Eccleſiæ Legatum, ibidem in hac pactebantur repulſam,** ſicut vos credimus non latere, circumſpectionem veſtram affectuosè requirimus & rogamus, quatinus vos **qui Deum et pacem diligitis** & cernitis, quanta bona ex hujuſmodi pacis reformatione poterunt provenire, nobis conſilium & aviſamentum veſtrum ſignificare velitis, cujuſmodi conſilium & diligentiam apponere poterimus in præmiſſis. **Nos enim ad honorem Dei, et Eccleſiæ ſuæ Sanctæ, et commodum et tranquillitatem partium prædictarum, ac etiam totius Chriſtianitatis, conſilium quantum poterimus libenti animo apponemus.** Dat. apud *Ebor.* 12 die *Januarii,* anno regni noſtri duodecimo.

These pious Chriſtian endeavours of the King for peace, being inſolently rejected by the Popes Legate, the iſſue of the War this year (which he fomented) was ſo tragical to all parties, that *Peter* of *Aragon* died of a wound received in battel with the *French,* King *Philip* and Pope *Martin* both died of ſickneſſe, about the ſame time the *French* were likewiſe expelled *Portugal,* and *Alphonſo* (*Peters* ſon) ſucceeded his father, notwithſtanding the Popes Excommunications and deprivation, which then were not formidable, but contemptible even in *Sicily, Aragon, Italy,* and *Rome* it ſelf.

An. 12 *E.* 1. King *Edward* in the 12. year of his reign, to keep a good correſpondence with the Pope, his Cardinals, Notaries, and other Officers in the Court of *Rome,* to promote his own affairs and deſigns, upon receipt of Pope *Martins* Bull and Acquittance, iſſued theſe enſuing Warrants for the payment of two years arrears of 1000 Marks for *England* and *Ireland,* granted by King *John,* then due and demanded by the Pope; as likewiſe for payment of ſeveral arrears of Penſions he had granted to Cardinals and others, as theſe Writs in the *Liberate Roll* of that year aſſure us.

Liberate 12 E. 1. m. 3. Pro denar. Papæ liberand.

REX Theſaurariis & Camerariis ſuis, ſalutem. Liberate de Theſauro noſtro in termino Sancti *Michaelis* proximo futuro, Magiſtro *Giffredo* de *Sancto Veranio* **Clerico Domini Papæ, duo millia Marcarum, quæ a retro ſunt eidem pro duobus annis tranſactis,** videlicet, **annis regni noſtri decimo, et undecimo,** de

annuo

anno cenſu mille Marcarum, quem eidem Domino Papæ debemus, & recipiatis *An.* 12 *E.* 1.
à præfato Magiſtro *Giffredo* literas ſuas patentes, ſolutionem dictæ pecuniæ teſtificantes, et Bullam Domini Papæ, quam vobis ſuper hoc exhibebit; et eandem Bullam una cum literis patentibus prædictis, et etiam Bullam quam dictus Dominus Papa nobis pro pecunia prædicta tranſmiſit, et quam vobis miſimus, penes vos ſub ſalva cuſtodia reſervetis. Teſte Rege apud *Carnarvan.* 7 die *Julii.*

REX Theſaurar. & Camerar. ſuis, ſalutem. Liberate de Theſauro noſtro *Baruncino Gualteri* & ſociis ſuis Mercatoribus noſtris de *Luk*, ſeraginta Marcas, per manus ſuas liberandas venerabili patri Domino Matthæo Sanctæ Mariæ in Portico Diacono Cardinali, de termino Natalis Domini anno regni noſtri duodecimo, de annuo feodo ſuo ſeraginta Marcarum, quod ei conceſſimus percipiend. ad Scaccarium noſtrum. Niſi pecunia illa ſibi prius fuerit liberata per aliud breve noſtrum. Et recipiatis a præfatis Mercatoribus literas ſuas patentes receptionem dictæ pecuniæ teſtificantes. Teſte Rege apud *Carnarvan.* 22 die *Octobris.* Liberate An. 12 E. 1. m. 1. Pro Domino M. Sanctæ Mariæ in Porticu Diacono Cardinali.

REX eiſdem ſalutem. Liberate de Theſauro noſtro eidem *Baruncino* & ſociis prædictis Quinquaginta Marcas, per manus ſuas liberandas venerabili patri Domino Jacobo Sanctæ Mariæ in Coſmedyn. Diacono Cardinali, de terminis Paſchæ et Sancti Michaelis anni regni noſtri duodecimi, de annuo feodo ſuo Quinquaginta Marcarum, quod ei conceſſimus percipiend. ad Scaccarium noſtrum. Niſi, &c. Et recipiatis, &c. ut ſupra. Teſte ut ſupra. Ibidem. Pro J Sanctæ Mariæ in Coſmedyn. Diacono Cardin.

REX eiſdem ſalutem. Liberate de Theſauro noſtro eidem *Baruncino* & ſociis ſuis prædictis Viginti Marcas, per manus ſuas liberandas dilecto Clerico noſtro Magiſtro Angelo Domini Papæ Notario, de terminis Paſchæ et Sancti Michaelis anni regni noſtri duodecimi, de annuo feodo ſuo Viginti Marcarum, quod de nobis percipit ad Scaccarium noſtrum. Niſi, &c. Et recipiatis, &c. Teſte ut ſupra. Ibidem. Pro Magiſtro Angelo Domini Papæ Notario.

Moreover the King writ and ſent theſe enſuing Letters to theſe and other Cardinals and Officers of the *Roman* Court, partly to excuſe his not writing particularly to them by his Meſſengers, and his ſeiſing the Diſmes collected for the Holy Land, and likewiſe to thank them for their former pains, care, and deſiring their future diligence in promoting his affairs, as theſe Writs aſſure us, which I reſcued out of the Rubbiſh in the White Tower.

EDwardus Dei gratia Rex *Angliæ*, Dominus *Hiberniæ*, & Dux *Aquitaniæ*, venerabili viro Clerico & amico ſuo dilecto *B. de Neapoli* Domini Papæ Notario, ſalutem & dilectionem ſinceram. Querelam licet occultam quam miſſæ nobis per dilectum Clericum noſtrum Magiſtrum *Greſham* de Sancto *Georgio* veſtræ literæ continebant, ex eo videlicet, quod nobiſſime per nuncios noſtros non fuit amicus antiquus noſtris literis viſitatus, intelleximus diligenter, illud in excuſationis noſtræ ſubſidium reſcribentes, quod firmiter credebamus nos vobis ſcripſiſſe per nuncios memoratos, licet per oblivionem fuerit prætermiſſum; unde oblivioni amicus imputet, quod literatorie non extitit viſitatus, & firmiter teneat, quod de cætero Regiis viſitabitur literis ſicut ille quem puro corde diligimus, et a quo grata ſervicia recepiſſe recolimus, et recipere in futurum ſperamus quociens nuncios ad Romanam Curiam mittere nos continget; ſuper ſtatu vero noſtro prædictus Clericus noſter vos certificare poterit viva voce. Valete. Dat. apud *Montem alium* in *Wallia* 5 die *Octobris*, anno regni noſtri duodecimo. Brevia Regis ſub privato ſigillo Anno 12 E. 1.

EDwardus Dei gratia Rex *Angliæ*, Dominus *Hiberniæ*, & Dux *Aquitaniæ*, venerandæ diſcretionis viro amico ſuo dilecto Magiſtro *Petro de Petriſgroſſi*, Sanctæ Romanæ Eccleſiæ Vicecancellario, ſalutem & ſinceræ dilectionis affectum. Cum ſicut ex inſinuatione venerabilis patris Domini *H.* Tituli *Laurentii* in *Lucina* Presbyteri Cardinalis, & ex relacione dilecti Clerici noſtri *Stephani* de Sancto *Georgio* nuper intelleximus ſuper renovatione & regiſtratione literarum Apoſtolicarum negotia noſtra continentium, vos exhibueritis ad requiſitionem ipſorum con- Brevia Regis Anno 12 E. 1.

An. 12 E. 1. contemplatione noſtri promptos, favorabiles et benignos; Nos id gratum habentes quamplurimum et acceptum, diſcretioni veſtræ gratiarum referimus uberrimas actiones, rogantes attentius quatinus negotia noſtra cum tractabuntur in Curia, habere velitis ſemper noſtri amoris intuitu favorabiliter et utiliter commendata. Et ſi quæ per nos fieri poterunt, quæ honorem veſtrum reſpiciant, ea libenti animo faciemus cum a vobis fuerimus requiſiti. Valete. Dat. apud *Hopam* in *Wallia* 4 die *Octobris*, anno regni noſtri duodecimo.

Brevia Regis Anno 12 E. 1. VEnerabili in Chriſto Patri amico ſuo chariſſimo Domino *M.* Dei gratia Sanctæ *Mariæ* in Porticu Diacono Cardinali, *Edwardus* Dei gratia Rex *Angliæ*, Dominus *Hiberniæ*, & Dux *Aquitaniæ*, ſalutem, cum ſinceræ dilectionis affectu. Literas veſtras quas nobis per dilectum Clericum noſtrum Magiſtrum de Sancto *Georgio* tranſmiſiſtis gratanter nos noveritis recepiſſe, ac per eas intelleximus tenorem ipſarum, ac rumores Curiæ quorum dictus Clericus nobis recolit viva voce. De miſſione vero amicabili literarum ipſarum, vobis gratiarum referimus uberrimas actiones, Paternitatem veſtram affectuoſe rogantes, quod tam de veſtro quam de præfatæ Curiæ ſtatu, una cum rumoribus ipſarum partium nos velitis quoties vobis affuerit Nunciorum opportunitas reddere certiores. Licet autem ut ſcripſiſtis, petitiones noſtræ ad plenum non fuerint eraditæ, id tamen æquanimiter ſuſtinemus, ſperantes, quod proceſſu temporis plenius expedientur veſtro conſueto auxilio mediante, ob quod obtinendum cum requiſiti fueritis, ſolicite ſi placet, et amicabiliter vigiletis. Placidus ſane occurrit & gratus auditui noſtro, articulus quem miſiſtis, videlicet, quod credebatis quod Decima regni noſtri et terrarum noſtrarum ne alienata fuerit, nec diſtracta, nec aliquibus obligata, licet de ſocietate in ſocietatem prædictæ Decimæ depoſitum commutetur, et nos vobiſcum credimus illud idem, vobis attente regratiantes de favore quo alios nuncios noſtros fuiſtis noſtri gratia proſecuti, quamvis benevolentia veſtra ſuper hoc modicitatis poſſibilitatem allegetur. Cæterum ſuper ſtatus noſtri continentia prætatus Clericus vos certificare poterit viva voce. Valete. Dat. apud *Montem altum* 5 die *Octobris*, anno regni noſtri duodecimo.

Ibidem. E*Dwardus* Dei gratia Rex *Angliæ*, Dominus *Hiberniæ*, & Dux *Aquitaniæ*, venerabili viro amico & Clerico ſuo dilecto Domino *Percivallo* de *Lovania* Domini Papæ Capellano, Canonico *Eboracenſi*, ſalutem, et ſinceræ dilectionis affectum. Literas veſtras gratanter recepimus, quæ nobis per dilectum Clericum noſtrum Magiſtrum *Stephanum* de Sancto *Georgio* tranſmiſiſtis, quarum tenorem & rumores regionum ipſarum quos idem Clericus noſter ex parte veſtra nobis viva voce retulit intelleximus diligenter, de miſſione literarum ipſarum & certificatione prædictorum rumorum, gratiarum vobis referentes uberrimas actiones, et rogantes quatinus tam de ſtatu veſtro, quam de rumoribus ipſarum partium nos velitis crebris literarum miſſionibus reddere certiores. De eo vero quod nobis per eundem Clericum intimaſtis, videlicet, *quod vos in Clericum noſtrum apud* Aſſiſium *abolim recepimus*, reſpondemus, quod receptionem illam ratificamus, et de novo vos in Clericum noſtrum admittimus. Ita quod ubicumque fueritis, Clericus noſter ſitis, et de beneficio favoris noſtri ſicut noſter Clericus gaudeatis. Cauſam tamen quam vobis ſuper hoc literas noſtras patentes non conceſſimus, & etiam continentiam ſtatus noſtri, præfatus Clericus noſter vobis exponere potent oraculo vivæ vocis. De falcone autem quem ad opus noſtrum facitis cuſtodire, vobis regraciamur ex corde, & affectaremus libenter quos vos eſſetis & nullus alius falconarius in portando, ut tam de ipſo quam de veſtris falconibus mutuis poſſemus ſolaciis recreari. Dat. apud *Montem altum* in *Wallia* 5 die *Octobris*, anno regni noſtri duodecimo.

Ibidem. SUo *W. de Hamelton*, ſalutem. Faciatis fieri quandam literam ſupplicatoriam nomine Domini Regis Magiſtro *Hugoni de Eveſham* Sedis Apoſtolicæ Cardinali, pro *Alano de Thorneton* Domini Regis Clerico, pro negotiis ipſius *Alani* quæ in Curia Romana habet expedienda, *&c.* Dat. apud Sanctum *Aſaphum* ſeptimo die *Octobris*.

The

The King out of his affection to the Abbey, Abbot, and Covent of *Weſtminſter*, iſſued this Writ to the Treaſurer and Barons of the Exchequer, to inquire of all their Liberties, and of all Liberties belonging to any exempt Abbot, and to certifie him thereof in the next Parliament, that ſo he might therein grant them ſuch further Liberties as he and his Council ſhould deem convenient by his Soveraign Authority, which Abbey he honoured, loved before other Abbies. *Aln.* 12 E. 1.

EDwardus *Dei gratia Rex* Angliæ, *Dominus* Hiberniæ, *& Dux* Aquitaniæ, *Theſaurario & Baronibus ſuis de Scaccario ſalutem. Cum propter benivolentiam & affectionem ſpecialem quam progenitores noſtri Reges* Angliæ *erga Abbatiam Sancti* Petri Weſtmonaſterii, *& Abbates & Monachos Deo ibidem deſervientes habuerunt, & quam nos erga eoſdem habemus, ob multas cauſas quæ nos ad hoc movere debent, velimus* ut Abbatia illa, et maxime vacationum temporibus adeo libera ſit ſicut aliqua Abbacia regni noſtri exempta ſicut ipſa eſt; *Vobis mandamus, quod tàm per ſcrutinium rotulorum Scaccarii noſtri prædicti, quàm aliis modis quibus melius & evidencius ſcire poteritis, diligenter inquiratis cujuſmodi & quibus libertatibus Abbatia illa exempta, aliis Abbaciis de regno noſtro in libertatibus & libertatum juribus præeminentiorem & magis liberam fore decreveritis, ac Abbates Abbaciæ ejuſdem quæcumque fuerint gaudeant & utantur; & nos ſuper eo quod per hujuſmodi rotulorum ſcrutinium, aut alio modo per vos inveniri contigerit*, in proximo Parliamento noſtro reddatis certiores, *ut cum tunc ſuper præmiſſis plenius certiorati fuerimus, præfatis Abbati & Conventui* Weſtmonaſterii, et Eccleſiæ ſuæ ibidem, libertates quas ſibi expedire viderimus concedamus, et faciamus ratificari, prout id.. de Conſilio noſtro tunc duxerimus providendum, cum ipſam præcipue inter alias honorare et diligere teneamur rationibus ſupradictis. Brevia Regis, An. 12 E. 1.

He likewiſe ratified their election of a New Abbot approved by the Pope, and reſtored his Temporalties.

REX *dilecto & fideli ſuo* Malcolmo de Harleye *Cuſtodi Abbatiæ* Weſtmonaſterii, *ſalutem.* Cum ſanctiſsimus in Chriſto Pater Martinus *Dei providentia ſacroſanctæ* Romanæ ac univerſalis Eccleſiæ Summus Pontifex, Electionem nuper factam in Eccleſia Sancti Petri Weſtmonaſterii *de fratre* Waltero de Wenlock *Monacho* Weſtmonaſterienſi *in Abbatem ejuſdem loci*, cui prius Regium adhibuimus aſſenſum et favorem, confirmaverit; ſicut per literas ipſius Domini Papæ bullatas nobis conſtat; recepimus fidelitatem ipſius Abbatis, et ei Temporalia ejuſdem Abbatiæ reſtituimus. *Et ideo vobis mandamus, quod eidem Abbati Temporalia hujuſmodi ſine dilatione reſtituatis. Teſte Rege apud* Baladonthlyn. 20 *die* Junii. Pat. 12 E. 1. m. 9. De Temporalibus Abbatiæ Weſtm. reſtituendis.

Two Executors being excommunicated this year by the Biſhop of *London*, were taken upon a *ſignificavit*, by a Writ of *Capias Excommunicatum* by the Sheriffs of *London*, and impriſoned in *Newgate*, yet releaſed by them before ſatisfaction given to the Church, upon a falſe ſuggeſtion, and a Writ *de Cautione admittenda*; the King upon the Biſhops complaint writ to the Biſhop to certifie him of the truth thereof.

EDwardus Dei gratia Rex *Angliæ*, Dominus *Hiberniæ*, & Dux *Aquitaniæ*, venerabili in Chriſto patri *R.* eadem gratia *Londonienſi* Epiſcopo ſalutem. Sanè nuper ad denunciationem veſtram Vicecomitibus noſtris *London.* mandaverimus, quod *Ricardum de la Knolle*, & *Robertum de Montibus*, tanquam excommunicatos et claves Eccleſiæ contemnentes, per corpora ſua, ſecundum conſuetudinem *Angliæ* Juſticiares, donec Sanctæ Eccleſiæ tam de contemptu quam de injuria et illata ab eis eſſet ſatisfactum, et iidem Excommunicati ea occaſione aliquandiu in priſona noſtra de *Newegate* ob hoc detenti; et poſtea, ut dicitur, inde deliberati fuerint: Nos ſuper modo deliberacionis prædictæ quibuſdam de cauſis certiorari volentes, Vobis mandamus, ſicut aliàs mandavimus, quod id quod per vos in hac parte actum fuerit diſtinctè & apertè nobis ſignificetis, remittentes nobis hoc Breve. Teſte meipſo apud *Blidam* 21 die *Januarii*, Anno Regni noſtri undecimo. Brevia Regis An. 12 E. 1. n. 265.

Whereupon the Biſhop made this Certificate to the King.

EXcellentiſſimo Domino ſuo *Edwardo*, Dei gratia Regi *Angliæ*, Domino *Hiberniæ*, & Duci *Aquitaniæ*; *R.* eadem miſeratione *Londonienſis* Eccleſiæ Miniſter Ibidem.

An. 12 E. 1. ſter humilis, ſalutem in Domino, cum omni reverentia et honore. Noverit Dominatio veſtra, quod poſtquam ad denunciationem noſtram, *Ricardum de la Knolle*, & *Robertum de Montibus*, Executores Teſtamenti Magiſtri *Ricardi de Stanes* tanquam Excommunicatos et claves Eccleſiæ contemnentes, per Vicecomites *London.* Juſticiari per corpora ſua præcepiſtis, donec Eccleſiæ Sanctæ tam de contemptu quam de injuria ei illata ab eis ſatisfactum fuiſſet, ad ſuggeſtionem dictorum *Ricardi* & *Roberti* præfatis Vicecomitibus *London.* breve veſtrum mandaſtis, ut ad nos in perſonis propriis accedentes, nos ex parte veſtra monerent & inducerent efficiter, quod accepta ab ipſis *Ricardo* & *Roberto* * cautione idonea de parendo mandatis Eccleſiæ in forma Juris, quam nos ſuggeſſerunt reſpuiſſe, licet frequenter obtatam, ipſos abſolveremus et mandaremus a carcere liberari, & ſi hoc in præſentia dictorum Vicecomitum facere nollemus, tunc ipſi Vicecomites dictos *Ricardum* et *Robertum* a priſona liberarent, ſi ea occaſione & non alia in ea fuiſſent detenti. Licet autem dicti Vicecomites non per ſe, ſet per manum cujuſdam Clerici nobis breve prædictum oſtendiſſent, nos Officiali noſtri ſtatim literas noſtras direximus, continentes, quod recepta cautione idonea de parendo mandatis Eccleſiæ ſuper his pro quibus excommunicati fuerunt, ipſos abſolveret, et a carcere faceret liberari, ſet has noſtras literas præfatus Clericus Vic. recipiens, ipſos Officiali noſtro nullatenus aſſignavit, ſicut ab eodem Officiali eſt teſtatum, nichilominus tamen audivimus, quod prædicti *Ricardus* & *Robertus* ſunt à carcere liberati nulla ſatisfactione Eccleſiæ præſtita, per quos tamen et qualiter hæc liberatio processerit ignoramus. Bene ſemper valeat Excellencia veſtra per tempora longiora. Dat. apud *Blaketun.* 15. Kal. *Marcii*, anno Domini 1283.

Dorſo. *Excellentiſſimo Principi Domino* E. *Dei gratia Regi* Angliæ *illuſtri.*

* Regiſter pars 2. f. 66. Fitzh. Nat. Brev. f. 63, 64.

The King upon this Certificate, iſſued this * *new* Writ to the ſaid Sheriffs for their caption and reimpriſonment, and likewiſe to bring them before him at a certain day, to anſwer this abuſe.

* See Regiſt. pars 2. f. 67. Fitzh. Nat. Brev. f. 64. B.

Brevia Regis, num. 198.

EDwardus Dei gratia Rex *Angliæ*, Dominus *Hiberniæ*, & Dux *Aquitaniæ*, Vicecomitibus *London.* ſalutem. Cum nuper ad denunciationem venerabilis patris *R. London* Epiſcopi vobis præceperimus, quod *Ricardum de la Knolle*, & *Robertum de Montibus* Excommunicatos et claves Eccleſiæ contemnentes per corpora ſua juſticiaretis, ſecundùm conſuetudinem *Angliæ*, donec Sanctæ Eccleſiæ tam de contemptu quam de injuria ei illata ab eis eſſet ſatisfactum, et iidem excommunicati aliquandiu in priſona noſtra de *Newegate* ob hoc detenti fuiſſent, et poſtmodum nulla omnino inde facta ſatisfactione, aut præſtita cautione, ut moris eſt, de parendo juri, per *Walterum le Blunt*, & *Auketinum de Betevill* tunc Vicecomites *London.* a priſona prædicta deliberati ſunt, in læſionem libertatis Eccleſiaſticæ, et noſtri contemptum manifeſtum; ſicut ex ipſius Epiſcopi querela accepimus, ſuper quo nec immerito miramur & movemur: Vobis præcipimus firmiter injungentes, quod prædictos excommunicatos, niſi modo legitimo a prædicta priſona deliberati fuerint qua detinebantur occaſione prædicta, iterato capi, et per corpora ſua juſticiari faciatis, juxta formam prioris mandati noſtri vobis inde directi. Et nichilominus venire faciatis coram nobis præfatos *Walterum* & *Auketinum* in Craſtino Sancti *Laurencii* ubicumque tunc fuerimus in Regno noſtro, ad faciendum & recipiendum quod juſtum fuerit in præmiſſis, & habeatis ibi hoc breve. Teſte meipſo apud *Karnarvan.* 6 die *Julii.* Anno regni noſtri duodecimo.

The Archbiſhop of *Canterbury* having excommunicated and interdicted ſome of the Tenants belonging to the Abbey of *Fiſcan* in *England*, over whom he had no ordinary or delegated Juriſdiction; the Abbot thereupon appealed to *Rome* againſt him, and likewiſe to the King againſt this oppreſſion, deſiring his favour that * no proceſſe might iſſue out of his Court againſt them, and that he might conſtitute Attornies in this caſe, ſince he could not come into *England* without great damage to his houſe.

* See Regiſt. f. 68. Fitzh. N. B. f. 64 E.

Brev. Regis, An. 12 E. 1. num. 341.

EXcellentiſſimo Principi Domino *Edwardo* Dei miſeratione Regi *Anglorum* illuſtri, Domino *Yberniæ*, ac Duci *Aquitaniæ*; *Ricardus* ejuſdem permiſſione

Abbas

Abbas Monaſterii *Fiſcannenſis* ſuus humilis Monachus & devotus, pro ipſoque licet indignus apud Deum cum ſuis fratribus orator aſſiduus, ſalutem in eo qui regna dat cœleſtia, & regere feliciter dat terrena. Ad hæc Deus veſtram Regalem celſitudinem præeſſe voluit ſuper terris, ut oppreſſorum injuſte gravamina veſtræ diſcretionis miſericordiæ per æquitatis ſemitam retrahentur. Cum itaque Reverendus pater Dominus *Cantuarienſis* Archiepiſcopus in Vallibum, noſtrum *Fiſcannenſem*, & noſtros homines in veſtro regno *Angliæ* commorantes, Suſpenſionis et Excommunicationis ſententias de facto protulerit, cum nullam in eoſdem Juriſdictionem habeat ordinariam vel etiam delegatam, noſque in Romana Curia, ad quam ex prædictis gravaminibus durimus appellandum, appellacionem noſtram modo debito proſequamur, parati in ipſa appellationis cauſa procedere ut ordo exigit rationis, veſtræ Regali celſitudini ſupplicamus tota cordis et animi puritate, ut nullam captionem ſive cohercionem quamcumque contra noſtros prædictos Vallibum et homines a veſtra Curia ſuſtineat emanare; Vos attentè & humiliter exorantes, quatinus Attornatos quos per noſtras patentes litteras Attornatos noſtros in *Anglia* conſtituimus generales, caritatis intuitu admittere dignemini ac velitis, cum ſimus tot diverſis ad præſens noſtri Monaſterii negotiis impediti, quod ad partes veſtras non poſſemus accedere abſque dicti noſtri Monaſterii læſione multiplici & jactura. Valeat in perpetuum veſtra Regalis excellencia in Domino feliciter per tempora longiora. Which the King aſſented to, as appears by the Patent Roll of this year. *An.* 12 *E.* 1.

The Abbeſſe of *Tarente* having paid her Subſidy with the *Ciſtercians*, the King iſſued this Writ in her behalf, and for allowing the Charters of Liberties granted to that Monaſtery in the Exchequer.

SUO, *Hugoni de Kendal* ſalutem. Mandetis Vicecomitibus & taxatoribus & Collectoribus Triceſimæ in Comitatibus quos lator præſencium vobis dicet quatinus demandam quam faciunt Abbatiſſæ de *Tarente*, quæ cum *Ciſtercienſibus* Subſidium fecit Domino noſtro Regi ſicut dicit, ponant in reſpectum uſque ad proximum Parliamentum; Scribatis eciam Theſaurario & Baronibus de Scaccario, quod allocari faciant eidem Abbatiſſæ cartas libertatum quas vendicat, et Abbatiſſam ipſam libertatibus illis gaudere permittant, juxta tenorem priorum mandatorum quæ ſuper hoc receperunt. Dat. apud *Baladenlyn* 14 die *Junii*. Brevia Regis An. 12 E. 1. num. 342.

The King having made uſe of ſome of the Oxen, Lambs, and Sheep belonging to the Biſhoprick of *Wynton*, and ſome of them dying of the murrain during the vacancy; upon the reſtoring of the Temporalties and reſidue of the Stock to the ſucceeding Biſhop, made this allowance to him in mony of the ſtock thus wanting; as this Record informs us.

EDwardus Dei gratia Rex *Angliæ*, Dominus *Hyberniæ*, & Duci *Aquitaniæ*, Theſ. & Baronibus ſuis de Scaccario ſalutem. Mandamus vobis, quod dilectos & fideles noſtros *Willielmo de Hamelton*, & *Willielm. de Sancto Claro*, nuper Cuſtodes noſtros Epiſcopatus *Winton.* tunc vacantis, & in manu noſtra exiſtentis, exoneretis in Compoto ſuo dicti Epiſcopatus de ſexaginta et quatuor libris, novem ſolidis, et quatuor denariis, quos venerabili patri J. nunc Wynton. Epiſcopo liberaverunt pro defectu Centum et undecim boum, et octingenti et viginti et quatuor agnorum præfato Epiſcopo liberatorum, pro defectu tam bidentum quam agnorum de inſtauro ad prædictum Epiſcopatum pertinente, quod ipſi tempore vacationis prædictæ nomine noſtro receperunt, et quod præfato Epiſcopo tempore quo temporalia ejuſdem Epiſcopatus eidem Epiſcopo reſtituimus reddidiſſe debuerant, et unde per mortuam dicto tempore vacationis ſuper hoc contingente, et alio modo coram vobis oſtenſo deficiebat, uſque ad ſummam prædictarum ſexaginta et quatuor librarum, novem ſolidorum, et quatuor denariorum, ſicut in prædicto Compoto coram vobis reddito plenius continetur: De quibus quidem ſexaginta & quatuor libris, novem ſolidis, & quatuor denariis præfato Epiſcopo ſic ſolutis literas patentes præfati Epiſcopi penes ſe habent, & coram vobis oſtendere ſunt parati. Teſte meipſo apud *Rochelan.* 13 die *Junii*. Anno Regni noſtri duodecimo. Clauſ. 12 E. 1. m. 5. in Cedula.

An. 12 *E.* 1. *Guido* formerly Prior of *Montacute* was this year imprisoned in the Tower of *London* for certain offences against the King, as this Writ to bail him assures us.

Clauſ. 12 E. 1. m. 2 Pro Prio e de Monte Acuto, de pon. per manucapt

REX *Ranulpho de Acre* Custodi Turris nostræ *London.* salutem. Mandamus vobis, quod si *Guido* quondam Prior de *Monte acuto*, captus et detentus in prisona nostra Turris prædictæ pro quibusdam Transgressionibus sibi impositis, inverierit vobis sufficientes Manucaptores, qui eum manucapiant breve coram nobis à die Sancti *Michaelis* in quindecim dies, ubicunque tunc fuerimus in *Anglia* ad standum recto de his quæ nos, seu alii contra ipsum loqui voluerimus; tunc ipsum *Guidonem* ab eadem prisonâ per manucaptionem prædictam interim replegiari facias. Teste Rege apud *Cestriam* 15 die *Sept.*

* See Fitzh. N. B. f 65. & Excommengement, 11, 17, 20, 24. Cooks 1 Instit. f. 134. a.

The Archbishop of *Yorke* going to *Rome* by the Kings license, about the affaires of his Church, the King out of special grace by his Royal prerogative granted him, that Writs should issue out of his Chancery against those his Vicar General should excommunicate within his Diocesse in his absence beyond the Seas, upon his Vicars certificate, by this Patent, whose * *certificate else had not been good in Law.*

Pat. 12 E. 1. m 6. Pro Archiep. Ebor. de Excommunicatis justic.

REX omnibus, &c. salutem. Sciatis, quod de gratia nostra speciali concessimus venerabili patri *W. Eborum* Archiepiscopo, *Angliæ* Primati, pro negotiis Ecclesiæ suæ prædictæ ad Curiam *Romanam* de licentia nostra profecturo, quod ad denunciationem illius, quem idem Archiepiscopus loco sui ad vices suas in spiritualibus gerendas constituerit, excommunicatos suæ Diocesis per Brevia de Cancellaria nostra, secundum regni nostri consuetudinem, justiciari faciemus, prædicto Archiepiscopo existente in partibus supradictis. Teste Rege apud *Aber.* 24. die *Augusti.*

The King this year constituted a special Proctor for 3. years by this Patent to defend the Rights and Liberties of his Free Chappels and Crown, against all Papal and Episcopal invaders and opposers of them.

Pat. 12 E. 1. m. 3. De Procurator. fac. pro liberis Capellis Regis.

REX omnibus Ballivis suis ad quos, &c. salutem. In omnibus causis et negotiis liberas Capellas nostras in regno nostro Angliæ constitutis, ubicunque et coram quibuscunque personis contingentibus, dilectum nostrum Magistrum *Radulphum de Merlawe* nostrum Procuratorem facimus, constituimus, ac etiam ordinamus. Dantes eidem potestatem specialem nomine nostro agendi, defendendi, ac etiam prosequendi Jura et Libertates nostras in Capellis prædictis et earum pertinentiis, tam in rebus quam in personis, prout juri et honestati Regiæ videbitur convenire; appellandi etiam, appellationes prosequendi, et omnia alia et singula faciendi, quæ ad conservationem et tuitionem nostram et libertatum hujusmodi pertinere noscuntur: Ratum & firmum habituri quicquid dictus *Radulphus* quibuscunque diebus & locis nomine nostro in præmissis omnibus & singulis duxerit faciendum; hæc omnibus quorum interest, tenore præsentium intimamus. In cujus, &c. per triennium duratur. Teste Rege apud *Overton*, 28. die *Septembris.*

Godwins Catalogue of Bishops, p. 278, 279. Tho. Walsingham, Hist. Angl. p. 13.

The Bishoprick of *Salisbury* becomming void by the death of *Robert de Wykehampton*, (whose election was confirmed by the Prior and Covent of *Canterbury*, during the vacancy of the Archbishoprick) the Bishops of the Province reputing it an injury that the Prior and Covent should confirm him, which they were perswaded belonged to themselves, not only refused to consecrate him as Elect, but appealed against his confirmation (the Papacy being then likewise void) unto the College of Cardinals, where after 3. or 4. years costly contention, judgement was given for the Elect, and he thereupon consecrated; the King gave his Royal assent to *Walter Stamel* elected to succeed him; as the license to elect, and Writs for restitution of the Temporalties, *Pat.* 12 *E.* 1. *m.* 11. Teste Rege, &c. 24 die *Maii*, inform us.

The King seising the Advowsons of several Churches in *Wales*, as forfeited by their Patrons rebellions against him, by his Sovereign Ecclesiastical authority gave them

them to the Biſhop of St. *Davids*, with power to appropriate them to his Church of S. *Davids* & *Lekadeken*, (*Lancaden*) and make, or annex them to Prebendaries there. *An.* 12 *E.* 1.

Clauſ 12 E. 1. m. 4. n. 25. Pro Epiſcopo Meneven. de advocatione Eccleſiarum, &c.

REX Archiepiſcopis, *&c. ſalutem. Sciatis nos conceſſiſſe & hac Carta noſtra confirmaſſe, pro ſalute animæ noſtræ, & animarum anteceſſorum & hæredum noſtrorum venerabilis patri* Th. Meneven. *Epiſcopo* **Advocationes Eccleſiarum** *de* Karank, Lanſanfred, Trefeglos, Hennenen, Killen, Tretilan, Landaranks, Landebyen, Sullen, Abereranneth, Gogof, Lanluchaern, Kellan, Lanpeder, Lankethan, Karann, Medney, Roſtyen, Ledrod, Lan Riſcud, Lampadarn, Odyn, Lankeby, Bethus, Bledrus, Lanwenank, Lanveyr, Ollwyn, Glaenporch, Aberporch, Lanteſſilian, Lanyna, Lanarch, Lannerthaeron, Betus, Bydemith, Eſtrad, & Lan Eyoks *in* Goeria *cum pertinenciis*; **quarum advocationes ad manum noſtram per fozisfacturam Patronorum Eccleſiarum prædictarum devenerunt.** *Habend. & tenend. prædicto Epiſcopo & ſucceſſoribus ſuis imperpetuum. Ita videlicet quod idem Epiſcopus & ſucceſſores ſui* **Eccleſias illas appzoppiare poſſint Eccleſiis** Meneven. & Lakadeken, **et de eiſdem Eccleſiis Præbendas facere, vel eas annectere Præbendis in eiſdem Eccleſiis pzius oxdinatis, et eas conferre pzout ſibi et ſucceſſozibus ſuis magis viderint expedire**; (who could not do it without the Kings royal licenſe and authority.) *Quare volumus, &c. quod prædictus Epiſcopus & ſucceſſores ſui habeant & teneant Advocationes Eccleſiarum prædictarum imperpetuum. Ita videlicet, &c. ſicut prædictum eſt. Hiis teſtibus venerabili patre* B. Bathon. & Wellen. *Epiſcopo*, Tho. de Clare, Johanne de Veſcy, Roberto de Tybetot, Radulpho de Hengham, Waltero de Wymburne, Bogone de Knouill. Johanne de Monte alto, Galtero de Pycheford, *& aliis. Dat. per manum noſtram apud* Baladenlyn. 10 *die* Junii.

The Biſhop of St. *Davids* hereupon by his Charter, with conſent and approbation of the King, and his Dean and Chapter, made and erected a New Collegiate Church of Canons in *Lan Caden* in *Wales*, conſtituted ſeveral Canons and Præbendaries therein, annexing and appropriating the forecited Churches thereunto, the Patronages whereof were granted him by the King, who ſet his Seal to the Biſhops Charter, and ratifyed it with his own Charter to make it valid in Law.

Pat. 12 E. 1. m. 9. Pro Epiſcopo Meneven. de Eccleſia collegiand.

REX omnibus, &c. ſalutem. Inſpeximus literas Patentes venerabilis patris Th. Meneven. *Epiſcopi in hac verba.* In nomine Sanctæ Trinitatis, & individuæ Unitatis, Patris ingeniti, & Filii unigeniti, & Spiritus Paracliti, univerſis ſanctæ Matris Eccleſiæ filiis pateat per præſentes, quod nos *Th.* permiſſione divina *Meneven.* Eccleſiæ Miniſter humilis & indignus, ad aciem mentis & memoriæ jugiter reducentes, & jugi revolutione, deliberatione provida ponderantes, quanta provenit ſalus & ſoliditas ex unanimi & unito conſortio ſtabilitati Collegii, quod prætextu multiplicati fulciminis inexpugnabile & indeficiens remanebit. Cum inconvincibilitatis optentu merito habeatur venerantius & reverentius apud omnes, quod hiis diebus vix evenit in Eccleſiis ſingularum perſonarum; zelum conſiderationis noſtræ ad animarum proficuum, & ad venuſtatem floridam, qua noſtra Dioc. perpetuo ſub memoria noſtri vigeat & vireſcat, Redemptoris noſtri confidentia roborati, piè duximus convertend.' In hoc etiam avidè acuimus cor noſtrum & effundimus viſcerabiliter vota noſtra, ut loca de *Eſtratelley*, loca quidem hactenus lamentatus, (interitus & excidii) convertantur in loca lætitiæ Spiritualis, & obſequii Redemptoris, Tuti etiam refugii & ſecuritatis patriæ undique adjacentis, ubi quamplures de Dei & Domini noſtri Regis fidelibus vitam & victualia per inſidiantium molimina, ignominioſe ante hæc tempora & miſerè perdiderunt. Noverint igitur omnes & ſinguli, quod nos **ad honozem Dei et incrementum cultus Chzisti et fidei Chzistianæ**, de aſſenſu **devotissimi et illustris Regis noſtri** Edwardi, **de conſenſu et unanimi conſilio Capituli noſtri** *Meneven.* ac etiam de *Lancadane.* noſtræ Dioc. noſtrique patronatus, & in ſitu ſoli noſtri collocatam, abſque cujuſque hominis & Juris injuria, deinceps pro ſalute animæ memorati Domini noſtri Regis, Regum etiam *Angliæ* præteritorum pariter & ſuccedentium, noſtra inſuper ac prædeceſſorum, & omnium fidelium defunctorum, **Collegiatam facimus et foze decernimus**, in honore & patrocinio S. *Mauricii* ſociorumque ejus, & beati *Thomæ* **Martyzis Domini Chzisti**, *& quicquid ſolempnitas celebris Collegii appetit & depoſcit, illud authoritate Dei*

ac

An. 12 *E.* I. *ac Dominica poteſtatis & Dioceſana potentia plenè, perpetuò & piè transfundimus ab hac hora: Volentes, & decreto provido ſtatuentes, quod Canonici, Seculares, & Vicarii eorundem ſub certitudine & numero viginti unius Canonicorum; quem numerum certum & fixum facimus, ab hoc die in nocturnis & divinis officiis, ad uſum & ad inſtar noſtra* Meneven. *Eccleſia ſub habitu Canonico* ——— *Deo digne deſerviant & devotè. Similes eiſdem Canonicis* Meneven. *in omnibus aliis præterquam in amuciis, quas in honore beati* Mauritii *ſociorumque ejus, & ad memoriam fidelium defunctorum, qui letaliter vulnerati, & more hidentium jugulati, capitibus amputatis, vitam miſere perdiderunt, quas purpureas ordinamus rubore nimio non notandas.* Penulas autem hujuſmodi amuciarum caprinas eſſe volumus vel agninas, ne præ tonſitate ſuperba vel notabili, id quod in ſignum & ſuffragium humili propoſito inſtituimus, mortuorum devotioni, ſpreta deformiter & neglecta decidat, quod abſit, aliaſvè vileſcat. Qui Canonici per nos & ſucceſſores noſtros creari diſponimus, & in priorum deceſſibus vel ceſſionibus providos pariter recreandos. Volumus etiam, quod proventus Eccleſiæ de *Lan Cadane* memoratæ, inter Canonicos ibidem reſidentes & officius divinis continuè inſiſtentes pro æqualibus portionibus dividantur; Præcentorum in eadem tertia parte reſervata, quem **continue in eadem volumus reſidere.** Quod ſi pauciores Canonici, quam ſeptem, in eadem fuerint reſidentes, duarum partium proventus ad fabricam Eccleſiæ memoratæ convertantur, vel cum Eccleſia perfecta, libris, palliis, indumentis, & aliis Eccleſiæ neceſſariis fuerit decorata, dicti proventus in uſus pauperum Vicariorum ibidem Deo ſervientium convertantur; prout nos & noſtri ſucceſſores melius duxerimus ordinandum. *Et nos & noſtri ſucceſſores Stallum habentes in Choro, & locum in Capitulo Eccleſiæ antedictæ,* cozet**ctiones, viſitationes, et ordinationes, prout in Eccleſia noſtra** Meneven. **hactenus facere conſuevimus, in eadem imposterum faciemus.** Eccleſias autem Parochiales ſubſcriptas eidem celebri Collegio, quod jam pro parte (benedictus Deus) in perſonis providis inchoavimus, **ad perpetuum illius loci fulcimen in Præbendas conferimus, et caritative tanquam Patronus et Epiſcopus aſſignabimus.** Volumus igitur & decernimus, quod ſeptem Canonicis, quos in gradu ſacerdotali per ſe vel Vicarios ibidem Deo diſponimus deſervire, ad inſtar & exemplum Eccleſiæ noſtræ *Meneven.* Eccleſiæ de *Lanteglen*, de *Langelan*, de *Lando* & *Lanoylan*, de *Lan Ewath*, de la *Sanfred*, de *Lan Ochull.* & *Lan Lannennaell*, & *Lan venit*, exnunc de conſenſu earundem, ſine tamen præjudicio ipſorum, in obventionibus & fructibus ſuis dum vivunt, & regunt, perpetuo remaneant præbendatæ. Ita quod ſeptem canonicis, quos in officio *Diaconali* per ſe vel vicarios ſuos modo prædicto ibidem eſſe pariter ordinamus, Eccleſiæ de Sancto *Germano*, de *Royl*, de *Lampeder*, de *Monchref*, de *Landeget*, de *Capng*, & de *Blainledrad*, in *Præbendas* cedant ſingulis ſeperatim. Diſponimus etiam, quod ſeptem Canonicis, quos in Officio Subdiaconali per ſe vel Vicarios ſuos ſimili modo ibidem deſervire præcipimus, Eccleſiæ de *Trallan*, de *Lan Canten*, de *Lan biſter*, de *Lan Gammarch*, de *Lan Archinen*, de *Lan Teſſyljan*, & de *Nant Ewenellen*, in Præbendas ſeperatis perpetuo perſeverent. Volumus etiam, & tenore præſentium ordinamus, quod nos & ſucceſſores noſtri ad Augmentum Cultus Divini ſex marcas annuas ad ſuſtentationem cujuſdam *Vicarii*, qui in dicta Eccleſia locum teneat Subdiaconi, annis ſingulis conferamus, quouſque per nos vel ſucceſſores noſtros eidem uſque ad ſummam memoratam in terris & annuis redditibus proviſum fuerit competenter. Ordinamus etiam decernentes, quod in eadem Eccleſia ſint quinque Clerici inferioris gradus, quorum duo ſint *Cereferarii*, duo *Tribularii*, & quintus in proceſſione *Crucem deferat* ordinatè; In minoribus Officiis ibidem nihilominus, cum opus fuerit, miniſtrantes. Quibus ad ſui ſuſtentationem quinquaginta Solidos annuos aſſignamus, inter eos pro æqualibus portionibus dividendos, quouſque eidem major portio vel conſimilis per nos vel ſucceſſores noſtros de dicta Eccleſia de *Lan Cadano* vel alibi fuerit aſſignata. Aſſignamus autem in inſtanti ad Canonicorum habitacula habitandi procinctum ſingulis competentem, donec hujuſmodi habitacula & clauſuram Collegii certius in ſingulos ordinemus. Decernimus inſuper & ordinamus, quod quilibet Canonicus habeat poſt ſui creationem ſuum ibidem *Vicarium perpetuum* honeſtæ & approbatæ vitæ **perſonaliter et continue reſidentem**, & ad inſtar Eccleſiæ noſtræ *Meneven.* deſervientem in ſingulis ſub habitu ejuſdem Collegii prænotato. Ita quod ſine cauſa notabili & juſta **non amoveantur** à *Vicariis hujuſmodi* à quocunque.

que. Numerum quoque Canonicorum præſictorum ad præſens (ut evidentior ſit ſtatus eorundem Vicariorum quos habebunt) partimur & dividimus in tres partes; Quarum prima, ſeptem Canonici deſerviant ipſi Collegio per ſe vel Vicarios in ordine Sacerdotali, & quilibet Vicarius hujuſmodi gradus Sacerdotalis quadraginta ſolidos in pecunia numerata percipiet pro ſtipendiis annuatim: Secunda pars, Canonicorum ſeptem deſerviet in ordine *Diaconali* per ſe vel Vicarios competentes; & quilibet Vicarius iſtius ordinis duas marcas in pecunia numerata recipiet pro ſtipendiis annuatim: Tertia pars, ſeptem Canonicorum in ordine *Subdiaconali* per ſe vel Vicarios, ſicut expedit, deſervient competentes. Et quilibet Vicarius iſtius gradus viginti ſolidos in pecunia numerata à Domino ſuo habebit & percipiet annuatim. Ordinamus etiam & decernimus, quod talis ſit ſtatio ſervitorum, ſcilicet, quod in prima parte Occidentali ipſius Chori verſus navem Eccleſiæ à dextris & à ſiniſtris ſtent in ſupremo gradu utrobique Canonici Presbyteralis ordinis, & non alii. Item in ultima parte Orientali ipſius Chori verſus Altare, ſtent Canonici utrobique Diaconalis ordinis, & non alii. Item in medio ipſius Chori hinc inde ſtent Canonici Subdiaconalis ordinis, & etiam Vicarii Sacerdotes. In ſecundo vero gradu ſubtus ſtent Vicarii Diaconi & Subdiaconi, & cuſtodes Altaris, & Allocentur gradatim quilibet juxta gradum ſuum. Item in tertia forma Pueros & Queriſtas præcipimus collocari. Super augmentatione vero & diminutione Præbendarum & Vicariorum hujuſmodi, quatenus excreverint & corruerint facultates correptiones & interpretationes omnium præmiſſorum, ſecundum quod commodius viderimus expedire, nobis & ſucceſſoribus noſtris plenè præſentibus reſervamus. Nolumus autem ſet omnino prohibemus, quod iſti ſic inſtituti Canonici in Eccleſia noſtra *Meneven.* quicquam ratione Electionis, ingreſſus, tractatus, vel conſilii, aut alterius juris vel uſus habeant vel vendicent quoquo modo, ſet in præmiſſis omnibus jura Epiſcopalia & Archidiaconalia, ac noſtræ Cathedralis Eccleſiæ *Meneven.* manere volumus immutata. **In præmiſſæ autem Ordinationis teſtimonium et perpetuam firmitatem, ſigillum illuſtris Regis et Domini noſtri** Edwardi, **et Capituli noſtri** Meneven. **una cum noſtro, præſenti Decreto et Scripturæ apponi procuravimus et appendi.** Dat. & act. apud *Makesfeld* in craſtino Nativitatis beatæ Virginis Anno Domini 1283. & anno regni Regis *Edwardi* undecimo. Hiis teſtibus, *J.* Dei gratia *Winton. R. Bathon.* & *Wellen. A. Dunelm. W. Norwic.* & *O. Lincoln.* Epiſcopis; *H. Lancaſt. J. Surrey. W. Warwic. H. Heref.* & *Eſſex.* Comitibus. **Nos autem Ordinationem præfati Epiſcopi juxta tenorem prædictarum literarum ſuarum ratam habentes et gratam, eam pro nobis et hæredibus noſtris, quantum in nobis eſt, concedimus et confirmamus; ſicut literæ prædictæ rationabiliter teſtantur.** In cujus, &c. Teſte Rege apud *Baladenlyn.* 10 die *Junii.* *An.* 12 *E.* 1

The Prior of *Charity* ſending *Robert* a Prior to viſit the Houſes in *England* of his Order, the King granted this ſafe conduct and protection to him and his fellow Freers in their return thence.

REX omnibus Ballivis, &c. ſalutem. Sciatis quod cum dilectus nobis in Chriſto Prior de *Caritate*, fratrem *Robertum* Priorem de *Colongiis* ejuſdem Ordinis, **ad viſitandas Domos Ordinis ſui ſibi ſubjectas infra Regnum noſtrum, et ad corrigendam ſubditorum exceſſus per ſuas literas deputaſſet**; & idem frater *Robertus* **completo jam viſitationis officio**, cum aliquibus fratribus ſuis ad propria duxerit remeare: Nos ipſum in ſalvum & ſecurum conductum noſtrum ſuſcepimus, & vobis omnibus & ſingulis firmiter injungendo mandamus, quod cum ipſe cum fratribus ſuis prædictis per vos tranſitum fecerit redeundo, non inferatis ei vel ſequacibus ſuis, in perſonis aut rebus, injuriam, moleſtiam, &c. ſet eiſdem potius tranſeundo opem & conſilium præbeatis, cum ab eis ſuper hoc fuerbis requiſiti. In cujus, &c. duratur. uſque ad feſtum *Nativ. Domini* prox. futur. Pat. 12 E. 1. m. 4. Pro Priore de Colongiis de conductu.

The Church of *Tuam* in *Ireland* during its vacancy, being oppreſſed for want of the Kings protection, the Dean and Chapter thereof made this petition to the Chancellor to promote their complaints to the King and Council, for their relief therein.

Reverendo

An. 12 E. 1. Brevia Regis Anno 12 E. 1.

REverendo Patri in Chriſto ac Domino ſuo, Domino *Roberto Burnel* Dei gratia Epiſcopo *Batonienſi*, Cancellario Domini noſtri Domini *Edwardi* Regis *Angliæ*, Domini *Hyberniæ*, Ducis *Aquitaniæ*, ſui devoti licet pauperes Decanus & Capitulum *Tuamen.* ſalutem, reverentiam & honorem, cum orationibus, ſuffragiis devotarum. Quia veſtram Paternitatem per Dei gratiam credimus videre & intelligere, **querelas et ſupplicationes noſtras circa Dominum Regem pro defectu tuitionis Eccleſiæ noſtræ** *Tuamenſis* **tempore præſentis ſuæ vacationis**, propter quod eaſdem ſerie iſtarum literarum vobis ad præſens non ſignificamus: veruntamen cum de prædictis videritis & intellexeritis, veſtræ Pontificalis dignitatis piam miſericordiam & ſolitam benignitatem in Deo requirimus & exoramus, quatinus caritatis intuitu Deum habentes præ oculis, ſicut conſueviſtis auxilium, conſilium veſtrum pariter & favorem in negociis & agendis ejuſdem Eccleſiæ *Tuamenſis* coram Domino ſuo, Conſilio & vobis impetrandis, cum effectu præbere velitis. Tantum propter Deum inde facientes, quod eadem Eccleſia cum ſuis in orationibus aſſiduis vobis imperpetuum ſit aſtricta. Valeat reverenda veſtra Paternitas ſemper in Chriſto Jheſu.

What Eccleſiaſtical preferments the King by his Royal Prerogative conferred in *Ireland*, and gave his Royal aſſent to this year, theſe Records inform us.

Pat. 12 E. 1. m. 12. De licentia eligendi Hibern.

REX dilectis ſibi in Chriſto Priori & Conventui Eccleſiæ Cathedralis Sanctæ *Trinitatis Dublin.* ſalutem. Accedens ad nos frater *Johannes de Saunford* Concanonicus veſter, cum literis patentibus Capituli veſtri, nobis humiliter ex parte veſtra ſupplicavit, ut cum Eccleſia veſtra per mortem fratris *Johannis de Derlington* nuper Archiepiſcopi *Dublin.* Paſtoris ſolatio ſit deſtituta, **alium vobis eligendi in Patrem et Paſtorem licentiam concedere dignaremur:** Nos igitur precibus veſtris in hac parte favorabiliter inclinati, **licentiam illam vobis duximus concedendam**; Mandantes, quod talem vobis aſſumatis in Patrem & Paſtorem, qui Deo devotus, regimini Eccleſiæ veſtræ neceſſarius, **nobiſque et regno noſtro, ac terræ noſtræ** *Hiberniæ* **utilis et fidelis exiſtat.** In cujus, &c. Teſte Rege apud *Karnarvan.* 5 die *Maii.*

Conſimiles literas habent Prior & Conventus de *Albodesbiry* de electione Abbatis.

The Prior and Covent electing *John Saunford* Archbiſhop of *Dublin*, the King aſſenting thereto, ſent this Certificate to the Pope, for his confirmation and conſecration, according to the uſe and Uſurpation in that age.

Pat. 12 E. 1. m. 7. De aſſenſu electioni adhibend. Hibern.

REX electioni nuper celebratæ in Conventuali Eccleſia Sanctæ *Trinitatis Dublin.* de diſcreto viro Magiſtro *Johanne de Saunford* Decano Eccleſiæ Sancti *Patricii* ejuſdem Civitatis in Archiepiſcopum loci illius, **Regium aſſenſum adhibuit et favorem. Et hoc ſignificatum eſt Domino Papæ, ut quod ſuum eſt in hac parte exequi dignetur cum favore.** In cujus, &c. Teſte Rege apud *Karnarvan.* 20 die *Julii.*

The King alſo iſſued theſe two *Congedeſliers* for the election of two other Biſhops in *Ireland*, their Sees being then vacant by Biſhops deaths.

Pat. 12 E. 1. m. 14. De licentia eligendi.

REX Decano & Capitulo Eccleſiæ *Clonenſis*, ſalutem. Accedens ad nos *Mauritius* filius *Mauritii* Clericus, cum literis patentibus Capituli veſtri, nobis ex parte veſtra humiliter ſupplicantes, quod cum Eccleſia veſtra prædicta per mortem fratris *Alani* nuper Epiſcopi ejuſdem loci, Paſtoris ſolatio ſit deſtituta, **alium vobis eligendi in Epiſcopum et Paſtorem licentiam concedere dignaremur.** Nos, &c. Teſte Rege apud *Roch.* 8 die *Martii.*

Pat. 12 E. 1. m. 19. De licentia eligendi.

REX dilectis ſibi in Chriſto Decano & Capitulo *Duaren.* Eccleſiæ, ſalutem. Accedens ad nos Magiſter *Nicholaus de Canagh* Concanonicus veſter, cum literis patentibus Capituli veſtri, nobis ex parte veſtra humiliter ſupplicavit, quod cum Eccleſia veſtra prædicta per mortem (bonæ memoriæ) *Mauritii* nuper Epiſcopi ejuſdem loci, Paſtoris ſit ſolatio deſtituta, **alium vobis eligendi in Epiſcopum**

et

et Paſtorem licentiam concedere dignaremur. Nos, &c. Teſte Rege apud *Sanctum Oſwaldum* 16 die *Januarii*. *An.* 12 *E.* 1.

Moreover he preſented to theſe Benefices and Prebendaries in *Ireland* by his Prerogative, by reaſon of the vacancy of the Archbiſhoprick of *Dublin*.

B *Artholomæus* de S. *Neoto* habet literas Regis de Præſentatione ad Eccleſiam de *Kilfernick*, vacantem per mortem *Eudonis* nuper Præcentoris Eccleſiæ Sancti *Patricii Dublin.* & Perſonæ ejuſdem Eccleſiæ de *Kilfernick*, **et ad donationem Regis ſpectantem, ratione Archiepiſcopatus** *Dublin.* **vacantis, et in manu Regis exiſtentis.** Et diriguntur literæ cuſtodi Spiritualitatis Archiepiſcopatus prædicti. Teſte Rege apud *Baladenlyn.* 22 die *Junii*. Pat. 12 E. 1. m 9. De Præſentatione.

REX dilectis ſibi in Chriſto Decano & Capitulo Sancti *Patricii Dublin.* ſalutem. Sciatis quod dedimus & conceſſimus dilecto Clerico noſtro Magiſtro *Thomæ de Sedington* **Theſaurariam** quam Magiſter *Willielmus de Monemuth* nuper defunctus habuit in Eccleſia prædicta, vacantem per mortem ejuſdem *Willielmi*, **et ad donationem noſtram ſpectantem, ratione Archiepiſcopatus** *Dublin.* **vacantis, et in manu noſtra exiſtentis.** Et ideo vobis mandamus, quod eidem *Thomæ* ſtallum in Choro & locum in Capitulo (prout moris eſt) aſſignetis. In cujus, &c. Teſte Rege apud *Karnarvan.* 20 die *Julii*. Ibid. m. 8. De Theſauraria Eccleſiæ Sancti Patricii Dublin. data.

REX venerabili in Chriſto patri *S. Waterforden.* Epiſcopo, Juſticiario *Hiberniæ*, ſalutem. Cum **dederimus et conceſſerimus** dilecto Clerico noſtro *Waltero de Wimburn.* **Præcentoriam una cum Præbenda**, & aliis appendiciis ſingulis habend. ſicut *Eudo* de Sancto *Edmundo* jam defunctus, eam plenius tenuit in vita ſua in Eccleſia Sancti *Patricii Dublin.* Cathedrali. Vobis mandamus, quod ſi quid de Præcentoria & Præbenda, ſeu appendiciis prædictis annexum, poſt mortem præfati *Eudonis*, per breve aliquod de ſigillo noſtro *Hiberniæ*, ſeu alio modo quocunque alienatum, diſtractum, ſeu per quemcunque occupatum fuerit, **prædictis Præcentoriæ et Præbendæ reintegrari et reſtitui fac.** Teſte Rege apud *Ceſtr.* 14 die *Septembris*. Clauſ. 12 E. 1. m. 2. Pro Waltero de Wimburn.

REX dilectis ſibi in Chriſto Capitulo Sancti *Patricii Dublin.* ſalutem. Sciatis quod dedimus & conceſſimus dilecto Clerico noſtro *Jacobo de Iſpannia*, Nepoti chariſſimæ conſortis noſtræ *Alianoræ* Reginæ *Angliæ*, **Præbendam illam,** cum pertinentiis in Eccleſia Sancti *Patricii Dublin.* quam venerabilis pater Electus *Sarum* nuper habuit in Eccleſia prædicta, **vacantem et ad donationem noſtram ſpectantem, ratione Archiepiſcopatus** *Dublin.* **vacantis, et in manu noſtra exiſtentis.** Et ideo vobis mandamus, quod eidem *Jacobo* ſtallum in Choro & locum in Capitulo (prout moris eſt) aſſignetis. In cujus, &c. Teſte Rege apud *Karnarvan.* 22 die *Octobris*. Pat. 12 E. 1. m. 2. De Præbenda data.

By which Record it is apparent, 1. That by the very election of a Prebend in *Ireland* to be a Biſhop in *England*, the Prebendary in Law became void. 2ly. That the King then preſented thereunto, not by reaſon of his promoting him to a Biſhoprick, but by reaſon of the vacancy of the Archbiſhoprick of *Dublin* then in his hands, to which the Patronage of the Prebendary appertained.

King *Edward* the 1. having totally ſubdued the *Welſh*, in the 13. year of his reign, **pridie Kalendas* Maii *poſt* Walliam *ſubjugatam ad* Weſtmonaſterium *veniens, præcedentibus Archiepiſcopo* Cantuarienſi, *& Suffraganeis ſuis Epiſcopis veſtitis, cum turmis Nobilium & Religioſorum, & popularium comitivis, portionem Dominicæ Crucis non modicam, ornatam auro & argento & lapidibus pretioſis, quam de* Wallia *ſecum tulit, ad* Weſtmonaſterium *cum ſolenni proceſſione & concentu advexit*; where he ſummoned a Parliament after the Feaſt of *Eaſter*, wherein he made ſundry excellent Laws for the *redreſſe of many oppreſſions of the people*, and *defaults and defects of the Laws*; whereof *Matthew Weſtminſter* renders us this brief account. *His temporibus convocatis potentioribus terræ ſuæ apud* Weſtm. *condidit Rex Statuta,* *An.* 13 *E.* 1.

* Walſingham Hiſt. Angliæ An. 1285. p. 13 Ypodigma Neuſtriæ, p 71. Mat. Weſtm. p. 373.

An. 13 *E.* 1. *quæ* Westmonasterii *secunda dicuntur*, inter quæ **Jurisdictionem Ecclesiasticorum Judicum defalcabit. Et quia prius statuerat, ne Religiosæ personæ in secularibus possessionibus crescerent, nunc statuit, ut prius habita non minorarent, vel decrescerent.**

In this Parliament, to prevent all Suits in Ecclesiastical Courts for Advousons of Churches, and to give Patrons better and speedier remedies to recover their Advousons, against usurpers, in the Kings Temporal Courts, then formerly they had, the King, Lords and Commons enacted this Law.

* Westm. 2. cap. 5. Statutes at large, & Cooks 2 Instit. p. 353, 354.

* *Cap.* 5. Whereas for Advowsons of Churches there be but three originall Writts; that is to say, one *Writt of Right*, and two of *Possession*, which be *Darrayne Presentment*, and *Quare Impedit*; and hitherto it hath beene used in the *Realme*, that when any haveing noe right to present, had presented to any Church, whose Clerk was admitted; he, that was very Patron, could not recover his Advowson, but onely by a *Writt of Right*, which should be tryed by *Batayle*, or by *Great Assise*; whereby Heires within age, either by fraude, or else by negligence of their *Gardians*; and Heires, both of right and meane Estate, either by negligence, or else by fraude of *Tennants by the Courtesie*, *Tennants in Dower*, or otherwise for terme of Life, or for Years, or in Fee Taile, were many times *disinherited of their Advowsons*, or at the least (which was the better for them) were driven to their *Writt of Right*; in which case *they were hitherto without remedie*: It is provided, *that such Presentments shall not bee so prejudiciall to the right Heires, or to them unto whome such Advowsons ought to revert after the death of other persons.* For as often as any haveing no right doth present, dureing the time that such Heires are in Ward, or dureing the Estates of *Tennants in Dower*, by the *Courtesie*, or otherwise for *terme of Life*, or of *Years*, or in *Taile*, at the next avoidance when the Heir is come to full age, or when after the death of the Tennants before named, the Advowson shall revert to the Heir being of full age, *hee shall have such Action and Receipt by Writt of Advowson possessorie, as his last Aunceſtor should have had at the last avoidance, happening in his time, being of full age before his death, or before the Demise was made for terme of Life, or in Fee Taile, as before is said.* The same shall bee observed in Presentments made unto Churches, *being of the Inheritance of Women, what time they shall bee under the power of their Husbands, which must bee ayded by this Estatute, by the remedie aforesaid.* Also Religious men, *as Bishops, Archdeacons, Persons of Churches, and other spirituall men, shall bee ayded by this Estatute, in case any haveing noe right do present unto Churches belonging to Prelacies, spirituall Dignities, Personages, or to Houses of Religion, what time such Houses, Prelacies, spirituall Dignities, or Personages bee vacant.* Neither shall this Act bee so largely understanden, that such persons for whose remedie this Statute was ordeyned, shall have the recovery aforesaid, surmysing that *Gardeynes of Heires, Tennants in Taile, by the Courtesie, Tennants in Dower, for terme of Life, or for Years, or Husbands which have faintly defended Pleas moved by them or against them*, **because the Judgements given against them in the * Kings Courts, should not bee annulled by this Statute, the Judgement shall stand in his force, untill it bee reversed in the Court of the King, as erroneous, if errour bee found, or by Assise of Darreine Presentment, or by enquest in Quare Impedit, if it bee passed, by Attaint, or be annulled by Certification, which shall bee freely graunted.** And from henceforth one forme of *Pleading* shall bee observed amongst Justices in *Writts of Darraine Presentment*, and *Quare Impedit*; so that where the Defendaunt alledged *plenarty in the Church of his own Presentation*, the Plea shall not fall by reason of that *plenarty*, so that the **Writt bee purchased within six moneths, though hee cannot recover his Presentation within the six moneths.** And sometimes where a Fyne is levied betweene many claiming one Advowson, and inrolled before the Justices in the rolle or fine in this forme, That one shall present the first time, and at the next Advowson another, and the third time another, and so of many in case there bee many. And when one hath presented for his tourne according to the forme of their agreement, and fyne, and at the next avoidance, hee to whome the second Presentation belongeth, is disturbed by any that was partie to the said fine, or in his stead; It is provided, that from henceforth he that is so disturbed, shall have no need to sue a *Quare Impedit*, but shall resort to the *Rolle* or *Fine*. And if the said concord or agreement bee found

* Which had sole Jurisdiction and conusance of Advousons by the Common Law.

found in the *Rolle* or *Fine*, then the Shiriffe ſhall bee commanded, that hee give knowledge unto the *Diſtourber*, that hee bee ready at ſome ſhort day, conteyning the ſpace of *fifteene dayes*, or *three weekes*, (as the place happeneth to be neare or farre) for to ſhew if hee can alledge any thing, wherefore the partie that is diſtourbed, ought not to preſent. And if hee come not, or peradventure doth come, and can alledge nothing to barre the partie of his Preſentation, by any deed made or written ſince the fine was made or inrolled, *hee ſhall recover his Preſentation, with his dammages.* And where it chanceth, that after the death of the Auncestor of him that preſented his Clerk to a Church, the ſame Advowſon is aſſigned in *Dower* to any Woman, or to *Tennant by the Courteſie*, which doe preſent, and after the death of ſuch Tennants, the verie Heire is diſtourbed to preſent, when the Church is void; It is provided, that from henceforth it ſhall bee in the election of the partie diſtourbed, whether he will ſue a Writt of *Quare Impedit*, or of *Darraine Preſentment*. The ſame ſhall bee obſerved in Advowſons demiſed for terme of *Life*, or *Yeares*, or in *Fee Taile*. And from henceforth in *Writts of Quare Impedit*, and *Darraine Preſentment*, dammages ſhall be awarded, that is to wit of the time of ſix moneths paſt, ſo that the Biſhop do preſent, and the very Patrone loſeth his Preſentation for that time, *dammages ſhall bee awarded for two yeares value of the Church.* **And if the ſix moneths be not paſſed**, and the preſentment be deraigned within the ſaid time, *then dammages ſhall bee awarded to the halfe yeares value of the Church.* And if the diſtourber have not whereof hee may recompence dammages, **in caſe where the Biſhop preſenteth by lapſe of time, hee ſhall bee puniſhed by two yeares impriſonment.** And if the Advowſon be deraigned *within the halfe yeare, yet the diſtourber ſhall bee puniſhed by the impriſonment of halfe a yeare.* And from henceforth Writts ſhall bee graunted for * *Chappells, Prebends, Vicarages, Hoſpitalls, Abbeys, Priories*, and other *Howſes* which bee of the *Advowſons of other men, that have not beene uſed to be graunted before.* And when the Perſon of any Church is diſtourbed to demande *Tythes* in the next Pariſh by a † *Writt of Indicavit*, that Patron of the Perſon ſoe diſtourbed, ſhall have a *Writt* to demande the *Advowſon of the Tythes, being in demande*; and when it is deraigned, then ſhall the Plea paſſe in the Court Chriſtian, as farre forth as it is deraigned in the Kings Court. When an Advowſon deſcendeth unto Parceners, though one preſent twice, and uſurpeth upon his Coheire, yet he that was negligent ſhall not bee cleerly barred, but another time ſhall have his tourne to preſent, when it falleth.

An. 13 *E.* 1

* See Statham, Fitzherberts & Brooks Abridgements, Natura Brevium, & the Regiſter, Tit. Aſſiſe de Darraine Preſentment, & Quare Impedit; Cooks 2 Inſtit. p. 363, 364.

† See Glanvil l. 4. c. 13. Bracton l. 5 f. 402. Britton f. 260. Regiſter of Writs, f. 35, 36.

What benefit this Act gave to Patrons, and what additions it made to the Common Law, the words of the Act, together with *Statham, Brooke, Fitzherbert, Hughs* in their Abridgements of the Law, *Natura Brevium*, and *Aſh*, Titles *Aſſiſe de Darrein Preſentment, Droit de Advonſon, Indicavit, Quare Impedit*, and Sir *Edward Cooke* in his Commentary on it, *Inſtitutes* 2. p. 353, to 366. will at large inform you: Only I ſhall obſerve three particulars from it.

First, That although Pope *Alexander* 3. the Council of *Lateran* under him, and our Biſhops endeavoured to deprive the King and his Temporal Courts of holding Plea of Advouſons of Churches, and the right of Patrons to preſent to them, (as I have [a] *elſewhere* obſerved) yet our Kings and Nobles would never aſſent thereto, but preſerved their antient Right and Juriſdiction veſted in them by the Common Laws of *England*, which they further ratified by this Statute.

2ly. That although this Pope and Council of *Lateran* (not of *Lions*, as [b] *Britton* miſtakes) confined Patrons when Churches or Prebendaries became void, [c] **quod infra ſex menſes perſonis**, *quæ digne adminiſtrare valeant, conferantur*; whereas [d] *Bracton*, [e] *Fleta*, and our other [f] *Law Books* inform us, **ante Concilium** Lateranenſe **nullum currebat tempus contra præſentantes**; the Biſhop providing only a Clerk to ſerve the Cure till the Patron preſented or collated to it, but having no power or right to preſent thereto himſelf by way of lapſe; yet this [g] *Councils* Canons did *never oblige the Kings of England*, who by their *Prerogatives* were *obliged to no time*, *but might and did preſent or collate to Biſhopricks, Churches, Abbies, Prebendaries, and other Benefices preſentative or donative, to which they had right, whenever they pleaſed*; nor did this binde other Patrons & Subjects of this Realm, till eſtabliſhed as a Law by conſent of the King in Parliament; yea the *ſix moneths*, (as the Council) or *half year* (as this Act ſtiles it) ſhall be accounted ſix full *Kalendar moneths*, amounting to half

a Here Tom. 1. p. 763, 764, 810, 811.
b Cap. 92. f. 225. a.
c Surius Concil. Tom. 3. Pars 1. cap. 6. p. 628. See Here Tom. 1. p. 806. Gratian Diſt 63.
d Lib 4. c. 6. ſect 5. f 247. a.
e Lib 5 c. 14. ſect. 6. p. 321.
f Cooks 2 Inſtit. p. 361.
g See here Tom 1 p. 806. Tom. 2 p 481, 482, 563.

An. 13 c. 1.

* Cooks 6 Report, f. 62. & 2 Instit p. 361. Crook. 2 Rep p. 141. Bracton l. 5. c. 5. sect. 7. Rot. Pat. 27 E. 3. pars 1. m. 18. a memorable Record in this point.

† 2 Instit. p. 365.

a Chron. Johan. Bromton, col. 914, 929, 930. W. Lambards Archaion, f. 119. Abrah. Whelocus, p. 122.

b See here, p. 141, 142.

c See here, p. 13, 14, 15, 90, 91, 92, 138, to 143.

d Tom. 2 p. 893, 909, 983, 990, 991.

e Flores Hist. p. 206. Hist. Angl. p. 649 651, 652. Here Tom. 2 p 663, 671, 672, 692.

half one year, not *six moneths* consisting of 28. *dayes*, as was adjudged by all the *Judges* of *England* in * *Catesbyes* case, and others therein recited.

3ly. That the *right of Tithes*, by the Common Law was originally and antiently triable only at the Common Law in the Kings Temporal Courts, not in the Ecclesiastical by the Canon Law, who had no Jurisdiction to hold plea of Tithes issuing out of Freeholds, no more then of rents, before the right of them was determined in the Kings Court by a Writ of *Indicavit*; which Writ (as † Sir *Edward Cooke* observes) **is against the Canonical Sanction**, *and yet hath been ever obeyed*; for all **forreign Sanctions or Canons against the Law of the Realm are of no force, and binde not here.**

Next, whereas King *Cnute* the *Dane* after his return from *Rome* into *England* in a Parliamentary Council at *Wynton*, in *Sancto Natali Domini*, (printed in the [a] *Chronicle of Bromton*, Mr. *William Lambard*, and Mr. *Abraham Whelock*, cap. 96, 97. in the *Latin*, but 67, & 68. in the *Saxon* Edition) for the ease of his people enacted this Law, **De intestato mortuis.** *Hac est allevatio quam omni populo meo prævidere volo, in quibus nimis omnino fuerant aggravati.* **Si quis ex hac vita decedat sine distributione rerum suarum,** (or, as *Lambard* and *Whelock* better translate it, **fugerit ab intestato mortuus**) **vel per incustodiam, vel per mortem improbisam, non usurpet sibi Dominus ejus de pecunia sua,** (*nisi quantum adjustam relevationem pertinet, quæ* Anglicè *vocatur* Hereget) **sed sit secundum dictionem ejus,** (or, *judicio ejus*, not of the Bishop or Ordinary) **ipsa pecunia recte dibita, uxori, pueris, et proximis, unicuique secundum modum, qui ad eum pertinet,** *& sint relevaciones ita minutæ sicut modus est:* Which Law was afterwards ratified by [b] *Edward* the *Confessor*, *William* the *Conqueror*, & *Hen.* 1. whereby it is apparent, 1. That before this Law, the Lord of every person dying intestate, usually claimed all his money and goods to himself. 2ly. That this Law confined every Lord to seise and retain no more of his Tenants money or goods, then would satisfie the relief, rent, or *heriot* due to him at his death. 3ly. That all the rest of his goods were to be rightly distributed between his wife, children, kinred, to each of them according to his proportion, as the Lord (not Bishop or Ordinary) should adjudge or direct. 4ly. That the Writ *De Rationabili parte bonorum* in case of Intestates, is not grounded upon the particular custom of some Counties, Boroughs or Cities, as is commonly mistaken, but on a general Law of the Land, namely on this Law of King *Cnute*, ratified both by the *Confessor*, *Conqueror*, *Henry* the 1. *Magna Charta*, c. 18. and on the Common Law of the Realm, as *Bracton* l. 2. c. 26. f. 60, 61. *Hornes Mirrour of Justices*, c. 5. sect. 2. p. 213. *Fleta* l. 2. c. 57. *Fitzherbert* in his *Natura Brevium*, f. 122. b. assure us, and the antient Writs in *Glanvil*, l. 12. c. 20. **Secundum consuetudinem terræ nostræ**, directly resolve, against the mistaken Clause in the Writs in the *Register*, f. 122. **secundum consuetudinem in Comitatu prædicto** (Berks) **hactenus usitatum**; and Sir *Edward Cookes* error grounded thereon, 2 Instit. p. 33. **That this Writ doth not lie without a particular Custom.** 5ly. That the Bishop or Ordinary before, or after this Law, had no legal authority by it, or any other Statute before this Parliament to make any distribution of the intestates goods, either to his wife, children or kinred, much lesse to any pious uses for the good of his Soul; not once mentioned, nor intimated in this or any other of his or his predecessors Lawes. Yet they usurped by degrees to themselves, either by pretext of a Clause in King *Richard* the 1. his *Charter*, or [c] King *Johns Great Charter*, (omitted in that of King *Henry* the 3. and *Edward* the 1.) or by a pretended *Ordinance* of the *King and Lords*, suggested in *Ottobons*, and Archbishop *Stratfords* Constitutions; or by Archbishop *Boniface* his *Constitutions* in the *Council of Lambeth*, (*though protested, appealed against by King* Henry *the* 3. **as grievances, against the rights of his Crown, the Lawes, Customes of the Realm**, as I have [d] *formerly* evidenced) a power to seise, dispose, and distribute to pious uses *the goods and chattels of intestate persons*; or rather in imitation of Pope *Innocent* the 4. who by a new unheard-of Papal Statute and Constitution (Anno Dom. 1246.) claimed to himself and his successors *the disposal of the goods and chattels of all persons dying intestate, especially Clergymens*, seising upon them by his Emissaries; **non sine Principum injuria et jactura, utromnia eorum bona Papalis Charybdis deglutiret, et in gremio suæ avaritiæ amplectaretur, non sine nota manifestæ cupiditatis,** as [e] *Mat. Westminster*, *Matth.*

Matth. Paris, and others ſtory of him, *Quodcum audiſſet Dominus Rex* (H. 3.) *An.* 13 *E.* 1.
deteſtans Romanæ Curiæ argumentoſam, ac multiplicem et multiformem avaritiam, hoc fieri prohibuit, comperiens illud in damnum regni et ſuum redundare præjudicium; (claiming a Regal intereſt in, and Juriſdiction over them;) which Statute and Conſtitution the *Cardinals not long after enforced this Pope to revoke*, by reaſon of the *general ſcandal it gave* in divers Climates; yet Pope *Martyn* the 4th. revived it by his practiſe near this time, in claiming the goods and chattels of [f] *Robert Kylwardby*, Archbiſhop of *Canterbury*, *dying inteſtate at* Rome, under pretext *of diſtributing them to the poor, and pious uſes*, which our Biſhops did thereupon likewiſe imitate in *England*, to the prejudice of Inteſtates Wives, Children, Lords, Creditors to whom they were obliged or indebted; Hereupon, to rectifie this uſurpation and abuſe, the King, Lords and Commons in this Parliament enacted this Law, ch. 19.

f Antiqu. Eccleſ. Brit. p. 198. See here, p. 216.

Cum poſt mortem alicujus decedentes inteſtati, *& obligati aliquibus in debito, bona deveniant ad Ordinarium diſponenda*, obligetur de cætero Ordinarius ad reſpondendum de debitis quatenus bona defuncti ſufficiunt; *eodem modo quo executores reſpondere tenentur, ſi Teſtamentum feciſſent.* West 2 c. 19.

[g] Sir *Edward Cooke*, in his Commentary on this Statute affirms; *This Act was made in affirmance of the Common Law; That the Ordinary is the perſon whom the Law appointeth to take charge of the Adminiſtration of the goods and chattels of the party that dyeth inteſtate, or* quaſi inteſtatus; *and juſtly did the Law in this caſe appoint the Ordinary, for the Law preſumed, that he that had the care of his ſoul in his life-time, would after his death have care of his temporal goods and chattels to ſee them well diſpoſed and adminiſtred.* But under his favour, I conceive it moſt evident, that the Common Law of *England* never intruſted the Biſhop or Ordinary (much leſſe their Vicars Generals, Chancellors, Commiſſaries, Officials, Surrogates) with the general diſpoſition, adminiſtration, or Judicature of all *inteſtates* temporal goods, debts, chattels after their deaths, of which they had, yea ought to have no care, diſpoſition, juriſdiction, adminiſtration during their lives, being inconſiſtent with, incongruous to their ſpiritual function, which is only the cure of ſouls, not of mens worldly eſtates, as I have [h] *elſewhere* evidenced; and the [i] *forecited Lawes* of *King Cnute*, *Edward* the *Confeſſor*, the *Charter* of *King Henry* the 1. and *Magna Charta*, which divide the goods and chattels of Inteſtates between their wives, children, if they have any, or the next of kin, and leave them to their adminiſtration and diſtribution, or elſe to the Kings, Lords of whom they held, not to the Biſhop or Ordinaries; Which being the antient *Common & Statute Law of England*, this his aſſertion muſt be a clear miſtake, contrary to his own and our other Judges Reſolutions in [k] *Henſloes* caſe: So that the end of this Statute (as I apprehend) was only to ſubject Ordinaries who ſeiſed goods or Chattels of perſons dying inteſtate by their uſurped Juriſdiction, (under this forged, falſe Popiſh pretext, *of diſtributing them to pious uſes for the good of their ſouls, to leſſen their torments, and reſcue them out of purgatory*) and make them as farre forth liable to ſatisfie the Inteſtates Bonds and Debts, as his Executors then were, had he made any; but not to give them any new legal authoritie or Juriſdiction over Inteſtates goods and chattels, which they had not before by the Common, or any other precedent Statute Law.

g 2 Inſtitutes, p. 397.

h See Here, p. 138, 139, 140.

i Here, p. 13, 14, 141, 142.

k 6 Report, f. 37, 38. 2 Inſtit. p. 488.

Moreover, to prevent the fruſtrating of the Statutes againſt *Mortmain* by religious and other Eccleſiaſtical perſons, through *defaults*, *colluſions*, or *erecting Croſſes* on Lands, this new Law was then likewiſe enacted.

* *When religious men and other Eccleſiaſtical perſons do implead any; and the perſon impleaded makes default, whereby he ought to loſe the Land, foraſmuch as the Juſticies have thought hitherto, that if the party impleaded make default by colluſion, that where the Demaundant by occaſion of the Statute could not obtain ſeiſin of the Land by way of Gift or other alienation, he ſhall now by reaſon of default, and* ſo the Statute is defrauded: *It is ordeined by our Sovereign Lord the King in this caſe, that after the default made, it ſhall be inquired by the Countrey, whether the Demandant had right in the thing demanded, or no? and if it be found that the Demandant had right, the Judgement ſhall paſſe with him, and he ſhall recover ſeiſin;* and if he hath no right, the Land ſhall accrew to the nexte Lord of the Fee, if he demand it within a year from the time of the Inqueſt taken. And if he do not demand it within a year, it ſhall accrew to the nexte Lord * 13 E. 1. c. 32.

An. 13 E. 1. Lord above, if he do demande it within half a year. And so every Lord after the next Lord, immediately shall have the space of half a year for to demand it successively, untill it come to the King, to whom at length, through default of other Lords, the Land shall accrew: *And to challenge the Jurors of the Inquest every of the Chief Lords of the Fees shall be admitted; and likewise for the King they that will shall challenge. And after the Judgement given, the Land shall remain in the Kings hands, untill it be dereyned by the Demaundant or some other Chief Lord; and the Shiriffe shall be charged to answer therefore at the Exchequer.*

Cap. 33. *Forasmuch as many Tenants* *set up, *or cause to be set up* **Crosses** *in their Lands in prejudice of their Lords, to the intent their Tenants should defend themselves against the Chief Lords of the Fee, by the priviledge of* **Templars and Hospitallers**; *It is ordeyned,* **that such Lands shall be forfeit to the Chief Lords, or the King,** in the same **manner as is provided for Lands alienedin Mortmayne.**

* See Fleta, l. 2. c. 50. sect. 16, 17, 18. p. 108. l. 5. c. 35. p 365.

For the true meaning and scope of which two Statutes, I shall referr you to *Statham, Brooke* and *Fitzherbert* their Abridgements, Title *Collusion*; and *Cooke* 2 *Institutes*, p. 428, to 433.

To prevent the Whoredom & Ravishment of Nuns they enacted, c. 34. *Qui Monialem à domo sua abducat, licet Monialis consentiat,* **puniatur per prisonam** trium annorum, *& satisfaciat domui à qua abducta fuerat competenter,* **et nihilominus redimatur ad voluntatem Regis**; all temporal penalties for what the Clergie deemed an Ecclesiastical offence; whence the Writ upon this Statute by a Prioresse for taking away a Nun, recites, * *per quod divinum servitium in Ecclesia ipsius Prioriss multipliciter substractum fuit & diminutum.*

* Register, f. 74. b. & 107. b.

Moreover to prevent the Alienation of Lands given to Monasteries by the King, his Ancestors, or others to religious uses, or services, by *Abbots, Priors* and *Wardens* for their own private luchre, or advancement, to purchase great preferments from the Pope, or to enrich their kinred, whores, or bastard children, against the Founders and Donors intent, to the discontinuing or ceasing the divine services or uses for which they were originally given, they provided new temporal remedies, no waies pleasing to the Abbots or Monks.

Cap. 41. *Our Soveraign Lord the King hath ordeined, that if Abbots, Priours, Keepers of Hospitals, and other Religious Houses, founded by Him or by his Progenitors, do from henceforth aliene the Lands given to their houses by him, or by his Progenitors;* **the Land shall be taken into the Kings hands, and holden at his will**; **and the Purchacer shall lose his recovery as well of the Lands, as of the Money that be paid.** *And if the House were founded by an Earle, Baron, or other persons, for the Lands so aliened, he, from whom, or from whose Auncestor the Land so alienated was given,* **shall have such a Writ to recover the Lands in Demean.** Præcipe tali Abbati quod justè, &c. reddat *G. F.* tale tenementum, quod eidem domui collatum fuit in liberam Eleemosinam per prædictum *G.* vel antecessores suos, & quod ad prædictum *G.* reverti debet, per alienationem, quam prædictus Abbas fecit de prædicto Tenemento, contra formam Collationis prædictæ, ut dicit. *In like manner for Lands given for the maintenance of a* Chauntery, *or of a light in a* Church *or* Chappell, *or other* Alms *to be maintained, if the Land given be aliened. But if the Land so given for a* Chauntery, Light, Sustenance of poor people, or other Almes to be mainteined or done, *be not aliened, but such Alms shall be withdrawn by the space of two years, an action shall lye for the Donor or his heir to demaunde the Land so given in Demean, as it is ordeined in the Statute of* Glouceſter (c. 4.) *for Lands leased, to do or to render the fourth part of the value of the Land, or more.*

* See John Bale his Acts of English votaries; Onus Ecclesiæ, cap. 19. to 24. Alvarus Pelagius de Planctu Ecclesiæ, l. 2. Artic. 5, 7, 9, 19, 20, 23, 24, to 28. Nicholaus de Clemangiis de Corrupto Ecclesiæ statu; & Claudius Espencæus de Continencia, lib. 4, 5.

One chief design in making this Law, was to prevent Abbots and Priors giving, or leasing the Lands of their Churches to their Whores, Concubines and Bastard children; a * common practise among these unchast Votaries, as well as with Popes, Cardinals, and Popish Bishops.

22 E. 1, c. 20. & 19.

* Cooks 2 Instit. p. 458.

By virtue of this Act, *Hil.* 38 E. 3. rot. 14. *coram Rege*, it was found by Inquisition, that * *Thomas de Pipe* Abbot of *Stonely* in *Warwickshire*, (a lusty Stallion) of the foundation of *Henry* the 2. had alienated divers parts of the Mannor of *Stonely*, and other Lands for life, Isabellæ de Beneshare **Concubinæ dictæ Abbatis, et Johanni filio eorundem Abbatis et Isabellæ primogenito**: *habendum & tenendum ad terminum vitæ eorundem* Isabellæ & Johannis; And other lands to other persons,

absque

abſque aliqua reddendo inde annuatim, vel præ manibus inde ab eiſdem percepto, ſed tantummodo ad opus et proficuum ipſius Abbatis; et maxime pro ſuſtentatione et inbentione prædictorum Iſabellæ et puerorum eorundem Abbatis et Iſabellæ, qui excedunt numerum Monachorum ſuorum miſſas celebrantium, ſi forte deoneretur de ſtatu ſuo. And this was held an alienation within the meaning of Act. *An.* 13 *E.* 1.

They likewiſe ſetled what fees Abbots, Priors, Archbiſhops and Biſhops ſhould pay to the Kings Marſhal and Chamberlein when they made their homage and fealty to the King for their *Baronies* held of him by *Barony*, and not in *Frankalmoigne*.

Concerning the Kings Marſhalls of Fee, the ſaid Marſhalls ſhall take of Abbots *and* Priours *holding an whole* Barony, *when they make Homage or Fealty for their* Baronies *one Palfrait, or the price. And this ſhall alſo be obſerved amongſt* Archbiſhops *and* Biſhops. *Of ſuch as hold but a part of a Barony, whether they be Religious or Secular, he ſhall take according to the Portion of the part of the Barony that they hold. Of Religious men that hold in* free Almes, *and not by a* Barony *or part of a* Barony, *the* Marſhal *from henceforth ſhall demaund nothing. And our Soveraigne Lord the King hath granted, that by this Eſtatute a* Marſhall *of Fee ſhall not be barred hereafter to demand more, if he can ſhew that he hath right unto more. The Kings* Chamberlains *from henceforth ſhall have of* Archbiſhops, Biſhops, Abbots, Priours, *and other perſons Spiritual, of* Earls *and* Barons *holding an entire* Barony, *a reaſonable fine, when they do their Homage.* Ibid. Cap. 41.

By this it is apparent, that Archbiſhops, Biſhops, Abbots, and Priors, then did, and ought to do both Homage and Fealty to the King as their Soveraign Lord, for their Baronies, as well as Temporal Lords, at leaſtwiſe after their election, and before their conſecration, if not after it; as is evident by *Glanvil*, l. 9. c. 1, 2. *Bracton*, f. 78. E. *Britton*, c. 68. *Fleta*, l. 3. c. 16. *Littleton*, §. 86. and other evidences I have [1] *elſewhere* cited at large, notwithſtanding all Popiſh Canons and Decrees againſt it.

[1] *The firſt Part of a Brief Regiſter of Parliamentary Writs, p. 195, to 208.*

The *Templars* and *Hoſpitallers*, and Conſervators of their Priviledges by Bulls from Popes uſurping upon the Kings Prerogative and Subjects Liberties, by illegal Citations into their Courts, for matters belonging to the Kings Courts; they then enacted this Law againſt ſuch their Uſurpations.

Be it prohibited from henceforth to Hoſpitallers *and* Templars, *that hereafter they bring no man in Plea before the Keepers of their Priviledges, for any matter, the knowledge whereof belongeth to the Kings Court; which if they doe, firſt they ſhall yield Damages to the party grieved, and be grievouſly puniſhed unto the King. The King alſo prohibiteth to the Keepers of ſuch Priviledges, that from henceforth they graunt no Citations at the inſtance of Hoſpitallers, Templars, or other perſons priviledged, before it be expreſſed upon what matter the Citation ought to be made. And if the Keepers do ſee that a Citation is required upon any matter, the knowledge whereof belongeth to the Kings Court, the Keepers ſhall neither make nor knowledge the Citation. And if the Keepers doe otherwiſe, they ſhall yield Damages to the party grieved, and nevertheleſſe ſhall be grievouſly puniſhed by the King. And foraſmuch as ſuch perſons priviledged depute Keepers, Superiours, Chaunters, Sextons, which be Religious men, and which have nothing to ſatisfie the Parties grieved, nor the King, which be more bold to offend the Kings Dignity, then their Superiours, to whom puniſhment may be aſſigned by their Temporalties; Let the Prelates of ſuch Obedients therefore beware from henceforth, that they doe not ſuffer their Ordinaries to aſſume to themſelves any Juriſdiction in prejudice of the King and his Crown; and if they do, their Superiours ſhall anſwer for their fact, as if they had been convict upon their proper Act.* Ibid. Cap. 43. And by parity of Law and Equity, Archbiſhops, Biſhops, and other Ordinaries ought to anſwer for the uſurpations, extravagances, excommunications, oppreſſions of their Vicars, Archdeacons, Chancellors, Commiſſaries, Surrogates, and other inferior officers, who commonly are more bold to uſurp upon the Kings Crown, Dignity, Courts, and more vex, oppreſſe, grieve his Subjects, then their Superiours, as the experience of all ages evidence, to raiſe a fortune or family by unlawful gain, though they go to Hell in concluſion, and intail a curſe upon their poſterity.

This

An. 13 *E.* 1. This Year in this Parliament, as [a] Sir *Edward Coke*, and ſome of our ordinary printed Statute Books report, *Circumſpecte agatis*, was made and publiſhed, thus recorded in *William Lindewode* his *Provinciale*, l. 2. *De Foro Competenti* f. 70. printed *Antwerpiæ*, Anno 1525. 20 die *Decembris*: in *Richard Tottles Magna Charta*, Londini 1556. f. 89. and other Statute Books ſince.

[a] 2 Inſtitutes, p. 487. b.

REX *talibus Judicibus ſalutem. Circumſpecte agatis de negotiis tangentibus Epiſcopum* Norwicenſem, *& ejus Clerum*; non puniendo eos ſi placitum tenuerint in Curia Chriſtianitatis de his quæ ſunt mere ſpiritualia; *videlicet*, de correctionibus quæ Prælati faciunt pro mortali peccato; *viz.* pro fornicatione, adulterio, et hujuſmodi: *pro quibus aliquando infligitur* pœna corporalis, aliquando pecuniaria, *maximè ſi convictus fuerit de hujuſmodi liber homo. Item*, ſi Prælatus puniat pro Cimiterio non clauſo, Eccleſia diſcoperta, vel non decenter ornata; in quibus caſibus alia pœna non poſſit infligi quam pecuniaria. *Item*, ſi Rector petat verſus parochianos Oblationes vel Decimas debitas vel conſuetas, vel ſi Rector agat contra Rectorem de decimis majoribus, vel minoribus, dummodo non petatur quarta pars valoris Eccleſiæ. *Item*, ſi Rector petat Mortuarium in partibus ubi mortuarium dari conſuevit. *Item*, ſi Prælatus alicujus Eccleſiæ, vel advocatus petat a rectore Penſionem ſibi debitam: omnes hujuſmodi petitiones ſunt faciendæ in foro Eccleſiaſtico. De violenta manuum injectione in Clericum, et in cauſa Diffamationis conceſſum fuit alias, quod placitum inde teneatur in Curia Chriſtianitatis, cum non petatur pecunia, ſed agatur ad correctionem peccati, et ſimiliter pro fidei læſione. In omnibus prædictis caſibus habet Judex Eccleſiaſticus cognoſcere Regia prohibitione non obſtante.

Whether *Articuli Cleri* be a Statute or Act of Parliament or not, and when, where, or by whom made, there have been different, yea contrary opinions amongſt Lawyers: *Mich. 19 E. 3. *Fitzh. Juriſdiction* 28. *Grene* a Counſellor pleaded it as a *Statute*, in a Writ of *Annuity* brought by the Biſhop of *Wincheſter* againſt the Archbiſhop of *Sarum*, which *Annuity* he and his predeceſſors claimed by preſcription againſt the Archdeacon and his predeceſſors; comparing it, to the caſe of an *Annuity* between the *Parſon* and *Vicar*, and between the *Patron* and *Parſon*, which ought to be brought in Court Chriſtien, *qe per Prohibition la Court illonque ne ſurceſs*, et ceo voet le Statut de Circumſpecte agatis. To which *Hillary* (then a Judge) replied; ceo neſt pas eſtatut neuſable; and *Willoughby* (then Chief Juſtice of the Kings Bench) thus ſeconded, Non, les Prelats ceo fieront meſme: *& in touts deux les caſes que vous aves myſe, ceſt Court ſur Title de preſcription voit le conuſtre: par que reſpondes, &* ceo fuit per agard. So as theſe two learned Judges then reſolved it to be no Statute or Act of Parliament, but a Writ or Conſtitution made by the *Prelates themſelves*. Yet notwithſtanding afterwards in the Yearbooks of 10 H. 4. f. 1. b. *Fitzherbert Præmunire* 13. in a caſe concerning a *Mortuary*, *Chyne* a Pleader, after him *Conſtable*, Anno 12 H. 7. f. 23. a. and *Plowden* in *Plots caſe*, An. 4 E. 6. fol. 36. b. ſtile it, Leſtatute *de Circumſpecte agatis*. Sir *Edward Coke* in his 4 Report, f. 20 b. in his 6 Report, f. 67 a. *William Geoffries* caſe, Mich. 31 & 32 Eliz. & 7 Report, f. 44. ſtiles it, Le Statute et Act de Circumſpecte aga. An. 13 E. 1. Yea in his 2. Inſtit. p. 487, &c. he not only ſtiles, but prints, comments on it as a Statute made An. 13 E. 1. and poſitively avers, that this is an Act of Parliament, *and a* Writ deviſed in the Parliament of Weſtm. 2. Anno 13 E. 1. *which is proved not only* by our Books, (forecited, quoted in his Margin) but by an Act of Parliament, to wit, 2 & 3 E. 6. ch. 13. which calls *Articuli Cleri*, and *Circumſpecte agatis*, Statutes, in the laſt *proviſo* but one; whence he concludes in his Commentary thereon. *This Act is (*as here it appeareth*) a Statute, and enacted* An. 13 E. 1. *though ſome have ſaid, that this was no Statute, but made by the Prelates themſelves.* Beſides the *Statutes* at large printed at *London*, An. 1564. moſt other *Statutes* at large ſince, with *Raſtalls* and others *Abridgements of Statutes*, call it, The Statute of Circumſpecte agatis, 13 E. 1. Only *Richard Totle* his *Magna Charta*, printed *London* 1556. f. 89. terms it *Circumſpecte agatis*, Edit. An. 13 E. 1. without ſtiling it, *a Statute*.

* The firſt Lawbook, caſe that mentions it.

* 2 Inſtit. p. 662, 663.

[a] See his Preface to his Provinciale.

William Lindewode our greateſt *Engliſh* Canoniſt, An. 1423. being the *firſt year of

of King *Henry* the 6. inſerted this *Circumſpecte agatis* into his *Provincial Conſtitutions* of our Archbiſhops and Prelates, Provincialis lib. 2. Tit. *De foro Competenti*, f. 70. and made a large gloſſe thereon, where he writes, *Iſtud c.* Circumſpecte, *non eſt Conſtitutio provincialis, ſed emanavit a* Decreto Dom. Regis, (not Act of Parliament) *quomodo viz. Juſticiarii ſui miſſi in Dioceſi* Norwyc. *ad aliqua ibidem ex parte Regis facienda & inquirenda, ſe quo ad Clerum ejuſdem Dioceſis abſtinerent ab infra ſcriptis, dimittentes ea fozo Eccleſiaſtico, et Eccleſiæ judicio terminanda et decidenda. Et nota, quod in hoc c.* recitantur in ſpecie 13. caſus, ſive articuli, in quibus cognitio mere pertinet ad Judicem Eccleſiaſticum. And on the words *Norwycenſem Epiſcopum*, he thus gloſſeth. Rex ei miſit certos Juſticiarios ſuos ad procedendum ſub certa forma contra Epiſcopum Norwycenſem, et alios de Clero ſibi adhærentes, quibus poſtea Rex ſcripſit, ut hic habetur. So as *Lyndewode* (who firſt gloſſed upon this Text and Writ) never ſtiled nor eſteemed it a Statute or Act of Parliament, but only a private Writ iſſued by the King to his Juſtices ſent into the Dioceſe of *Norwich*, to inquire for the King of the abuſes and encroachments of this Biſhop and his Clergy upon his prerogative and the peoples Liberties, procured by this Biſhop and his Clergy after their miſſion thither. But what King it was who thus ſent this Writ, or when, or where it was made or dated, he determins not, being not mentioned in the Writ it ſelf, nor any Copies of it (all without date) the firſt whereof I finde printed being that in *Lyndewode* his *Provinciale*, Antwerpiæ impreſſum, Anno 1525. 25 die *Decembris, ſumma cura atque diligentia* Chriſtophori Eudovien. *An.* 13 E. 1.

To ſatisfie my ſelf and others, whether this was a real Statute or Act of Parliament, and when, where, or by whom firſt made, I have made the diligenteſt ſearch and enquiry I could after it and its original, both in our Records and Hiſtories, and am clear of opinion after all my inquiries, That it is no real Act of Parliament, nor made in the 13. year of King *Edward* 1. in the Parliament at *Weſtminſter*, nor in any other Parliament or year of this King *Edward* his reign; that it was only a Writ grounded on *Articuli Cleri* Anno 9 E. 2. made by, or iſſued upon the Biſhop of *Norwich* his requeſt, after *Articuli Cleri*; as theſe following Reaſons perſwade me.

Firſt, It is not once mentioned nor recorded in the *Statute Roll* of the Acts of Parliament made in the 13. and all other years of the reign of King *Edward* the 1. remaining in the Tower of *London*, nor in any *Patent*, *Clauſe*, *Charter*, *Fine*, or other Roll or Record of this Kings reign, (which I have twice diligently peruſed) nor in the Records of King *Edward* 1. in his *Majeſties Exchequer*; where doubtleſs it would have been enrolled, as well as all other Acts, Statutes, Ordinances, and Writs of importance made in his reign, being of ſo grand concernment to his Prerogative, Courts of Law, the Prelates Juriſdiction, and Subjects Liberties.

2ly. It is not ſo much as mentioned by, nor regiſtred in the antient parchment Manuſcript of the Statutes of King *Henry* 3. *Edward* 1. and beginning of *Edward* 2. his reign, in *Lincolns Inne* Library, written (as the hand perſwades me) in the reign of King *Edward* the 2.

3ly. The firſt time it was urged in any Court of Juſtice as a *Statute*, was * *Mich.* 19 E. 3. and then the Judges (who beſt knew its original) affirmed and reſolved it to be no Statute, but only a Writ formed in the Kings Name, by the Biſhops themſelves, to the prejudice of the Kings Crown and Courts, to enlarge their own Juriſdiction.

* Fitzh. Juriſdiction 28. See here p. 336.

4ly. Thereupon about 6. years after, in the 3d. Parliament held in the 25. year of King *Edward* 3. at *Weſtminſter*, *Friday* the Feaſt of St. *Hilary*, the Biſhops and Clergy in their Petitions to the King, did neither ſtile, nor preſſe the obſervation thereof as a Charter, Statute, or Ordinance of Parliament, but under the Name of a bare * *Ordinance* of *Circumſpecte agatis*, as ſome then called it: Their Petition, and the Kings anſwer thereto, is thus recorded in the Parliament Roll. † Item, qil vous pleſe graunter qe l'ordinance qe lon appelle *Circumſpecte agatis*, le quel eſt bien tenuz en pluſours poinctz, qe touchent contiuance de voſtre place, et voſtre profit, ſoit mainten et entierment tenue, en touz poinctz touchant Seinte Eſgliſe. To which the King gave this anſwer: *Item quant en quint point*, ſoit pene l'ordinance qe home appelle *Circumſpecte agatis*, et en quel point elle neſt mie tenue, et qe ſur ceo reaſon en ſoit faite. From which Petition and anſwer thereunto, I ſhall obſerve;

* See the Abridgement of the Records in the Tower, p. 81. which miſtranſlates it a Statute.

† Rot. Parl. An. 25 E. 3. nu. 62.

An. 13 E. 1. ſerve: 1. That in that *Circumſpecti agatis* mentioned in this their Petition, there were many points which concerned the conuſance of the Kings Court, and the Kings profit, which were well obſerved, as there are in *Articuli Cleri*; but in that now printed under this Title, there is nothing conteined of this nature; wherefore it ſeems to be meant only of *Articuli Cleri*, not of this forecited Writ, grounded on the Eccleſiaſtical branches of it. 2ly. That if meant of it, yet the Biſhops and Clergy themſelves did not then call it a *Statute* or *Ordinance of Parliament* in their Petition, nor the Kings Judges, Officers eſteem or obſerve it as ſuch, in any points that concerned Holy Church. 3ly. That the Biſhops and Clergy themſelves did in their Petitions in this Parliament, diſtinguiſh, yea ſever it from thoſe Charters, Statutes, Ordinances granted and confirmed to them in Parliaments by the King and his Royal Predeceſſors, inſiſted on in their firſt Petition, in theſe words; nu. 58. *Que le Roy de ſa benignete, (*would vouchſafe*) a eux grauter & confermer* **totes les libertes, privileges et droitz, grantez et donez per luy et ſes noble progenitours avant ſes heures a Seinte Eſglise per lour Chartres, Eſtatuz, et autres Ordinances eut faitz; nuiment le Chartre nadgares a eux grant, &c.** (*viz.* 14 E. 3. Stat. 3. c. 2.) **pur le Roy en ſon Parlement tenuz a** Weſtm. **le mercredy en un quareſme lan de ſon regne** Dengleterre **quatorziſme, et de** France **primer, et que vous Juſtices les allouent come reaſon eſt, et ſils ne faont;** *commander a voſtre Chancellor, qe briefs ſoient grantez a cheſcun qe les demandra ſolonc la forme,* **et tenour des dits grants, Ordinances et Eſtatuz.** Which the King then abſolutely granted and confirmed to them; giving likewiſe a particular anſwer, **Quant au point touchant L'ordinance nadgares fait en Parlement**; in the 14. year of his reign. Since then they mentioned not this Ordinence of *Circumſpecte agatis* in their firſt petition, amongſt the other Charters, Statutes and Ordinances made and granted to them in Parliament; nor alledge in their ſecond Petition, wherein they mention it, that it was made in Parliament, nor in what Parliament, as they did the Charter, Ordinance made by the King in the Parliament held at *Weſtminſter Anno* 14 *E.* 3. (c. 2.) concerning his preſentation to Advouſons in others rights, (the place, day, year whereof they particularly expreſſed) yea prayed no Writs to be made upon it by the Chancellor to thoſe who demanded them, as they did upon the Charter, Statutes and Ordinances made in Parliament, it ſeems clear to me they did not repute it an *Act*, or *Parliament Ordinance.* 4ly. The King in his anſwer thereto, not calling it an *Ordinance made in Parliament*, as he did that in their firſt Petition, but only *L'ordinance qe home appelle, Circumſpecte agatis*; giving no preſent anſwer to it, as to the reſt, but *that it ſhould be viewed and conſidered, in what point it was not obſerved*; and *that thereupn reaſon ſhould be done*: Theſe are convincing Arguments to me, that it was no real Act nor Ordinance of Parliament, but a meer Writ made and procured by the Biſhop of *Norwich* out of Parliament, during the Judges abſence in their Circuits, without adviſing with them, as the Judges reſolved and declared in open Court *Anno* 19 *E.* 3. not above ſix years before this Petition for its future obſervation.

5ly. Neither *Matthew Weſtminſter*, nor *Thomas Walſingham*, *William Thorn*, *Raanulphus Ceſtrenſis*, *Henry de Knyghton*, nor any other of our Monkiſh or Prelatical Hiſtorians, living in or neareſt the time when this ſuppoſed Statute was made, make any mention thereof in their Hiſtories or Annals, as no doubt they would have done, were there any ſuch then enacted, being ſo advantagious to the Clergy, and much enlarging their Eccleſiaſtical Juriſdiction.

6ly. The whole frame thereof, with its direction only to particular Judges, in this particular caſe of the Biſhop and Clergy of *Norwich*, unanſwerably demonſtrates it to be only a private Writ framed in the Kings name, or iſſued by him to his Juſtices, as *Lindewode* acknowledgeth; not a Statute, or general Writ framed by the King, Lords and Commons in Parliament, to be from thenceforth univerſally obſerved in all Dioceſſes, and in all Temporal Courts, Circuits by his Judges.

7ly. Had it been made and iſſued in the Parliament of *Weſtminſter* 2. An. 13 E. 1. as Sir *Edward Cooke* affirms, no doubt it would have been added to, or inſerted amongſt the other Acts, Statutes, and general Writs therein framed and provided, cap. 5, 10, 19, 23, 24, 25, 26, 31, 35, 45, 46, 48. or at leaſt ſome intimation would therein been made thereof; but in neither of all theſe Acts, or other new

Writs

Writs framed in that Parliament, is there any mention or intimation of this, or other like Inhibition to the Kings Juſtices, in any one of, much leſſe in all the 13. cauſes therein conteined; therefore not probable to be made in that Parliament or year: The rather, becauſe in the *Patent Roll* of 13 E. 1. nu. 9, 13. I finde a ſpecial licenſe of alienation in Mortmain, & alſo a pardon for an eſcape of a Clerk convict, granted to the Biſhop of *Norwich*, but no other Writ or Patent beſides concerning him, in that or any other Roll of that year; which no doubt would have recorded this Writ of *Circumſpecte agatis* for him *in perpetuam rei memoriam*, had there then been any ſuch iſſued, being of greater concernment to the King and Biſhop, then his licenſe of *Mortmain*, or pardon for an Eſcape. *An.* 13 *E.* 1.

8ly. All the particulars therein mentioned, are enumerated, conteined in *Articuli Cleri*, preſented by the Biſhops and Clergy to King *Edward* 2. in his * *Parliaments* of An. 5, 8, & 9 E. 2. Artic. 1, 2, 3, 4, 5. wherein they make not the leaſt mention of this *Statute* or Writ of *Circumſpecte agatis*; which no doubt they would have particularly named upon that occaſion, and deſired its obſervation, confirmation and explanation, had it been formerly enacted, publiſhed as a *Statute*, or *Ordinance made in Parliament*; and not petitioned only for an *Explanation* of the Kings *Anſwers to their own new Petitions* in 9 E. 2. and his two preceding Parliaments, without once naming this *Circumſpecte agatis* in the reign of his Father King *Edward* 1.

* Cooks 2 Inſtit. p. 618, 619, 620.

9ly. There are ſome obſervable clauſes in this Writ, which evidence it rather to be made by the Biſhops, then the King or his Council, and that not in 13 E. 1. but after *Articuli Cleri* Anno 9 E. 2.

As Firſt, Theſe general clauſes; *De his quæ ſunt merè ſpiritualia*, viz. **de correctionibus quæ Prælati faciunt pro mortali peccato**; viz. **pro fornicatione, adulterio, et huiuſmodi**: Which affirm, That all mortal ſins, eſpecially *fornication*, *adultery*, and the like, are *meerly ſpiritual* in their own nature, therefore properly puniſhable only in the Biſhops Spiritual Courts, by their Spiritual Laws and penalties: When as God himſelf and St. *Paul* expreſly reſolve, they are meerly *fleſhly*, or *carnal*, directly contrary to *ſpiritual* things, Gal. 5. 16, to 25. *Walk in the* **ſpirit**, *and ye ſhall not fulfill the luſts of the* **fleſh**; *for the* **fleſh** *luſteth againſt the* **ſpirit**, *and the* **ſpirit** *againſt the* **fleſh**; **and theſe are contrary one to the other.** *Now the* **works** *of the* **fleſh** *are manifeſt, which are theſe*; **adultery, fornication, uncleanneſſe, laciviouſneſſe, idolatry, witchcraft, hatred, variance, ſeditions, hereſies,** *envyings, murders, drunkenneſſe, revellings*, **and ſuch like.** How then *adultery*, *fornication*, *uncleanneſſe*, *laciviouſneſſe*, or *idolatry*, *hereſie* ſhould be *meerly ſpiritual*, any more then *witchcraft*, *ſedition*, *murder*, *drunkenneſſe*, and other *mortal ſins*, here and [a] *elſewhere* conjoyned by the Apoſtle as *meerly carnal*, yea *contrary to that which is ſpiritual*, I cannot diſcern. The rather, becauſe by the expreſſe *Laws* and *Inſtitutions* of God himſelf, *adultery*, *fornication*, *idolatry*, *blaſphemy*, *hereſie*, as well as *murder* and *ſedition*, were to be puniſhed by the Civil Magiſtrates and People, with *death* and other *temporal puniſhments*, not by the *High-Prieſts*, or *Biſhops* in their Conſiſtories, as is evident by *Gen.* 34. 25, 26, 31. c. 38. 24, 25. *Levit.* 20 10. to 22. 13, to 30. c. 24. 11, to 17. *Deut.* 13. 1, to 17. 2 *Kings* 10. 18, to 29. *Zech.* 13. 2, 3. *John* 8. 4, 5. Yea the Goſpel it ſelf reſolves, that *Kings and Civil Magiſtrates* (not Biſhops or Prieſts) *are Gods Miniſters, to whom he hath committed the Sword, to execute wrath and vengeance upon all them that do evil*; Rom. 13. 1, to 7. 1 Pet. 2. 13, 14. Hence *adultery*, *whoredom* and *fornication*, by the Laws of King [b] *Alfred*, *Cnute*, and other our antient Kings, were puniſhed *by the Civil Judges*, *Magiſtrates*, *and in Court Leets*, *with temporal puniſhments*, *and pecuniary fines*, as they were antiently amongſt the *Germans*, and other *Heathen Nations*, and *only Excommunicated*, not by the Biſhop, but *by the* * *whole Church and Congregation* for the ſcandal given to them, without impoſing any corporal or pecuniary puniſhments. Hence our [c] King *Henry* the 3. iſſued ſundry Writs of Prohibition to *Groſthead* Biſhop of *Lincoln*, the Biſhop of *Worceſter*, and their Officers, prohibiting them to make any *Inquiries upon Oath* of the *incontinency* or *manners* of Noblemen or others, in their *Courts* or *Viſitations*, as an *innovation not formerly uſed*, *againſt his Crown and Dignity*, *tending to the great ſcandall*, *defamation and vexation of his Subjects*. Therefore it is improbable King *Edward* the 1. would make, iſſue out any ſuch Law or Writ as this, to authorize their Juriſdiction and proceedings in ſuch caſes, againſt his Fathers

a Rom. 1. 26, to 32. 1 Cor. 6. 9, 10. 1 Tim. 1. 9, 10.

b Aluredi Leges, Lex 12, 13 Lat. 10, 21. Canuti Leges, Lex 75, to 82. Chron. Joannis Bromton, col. 813, 928. Spelmanni Concil. Tom. 1. p. 195, 234, 367, 369, 373, 376, 557, 558. Leges H. 1. c. 12, 34. Edmundi Leges c. 4. Fleta l. 1. c. 47. Cooks 2 Inſtit. p. 488. Spelmanni Gloſſarium Tit. Adulterium.

* 1 Cor. 5. 4, 5, 12, 13. 2 Cor. 2. 6, to 11.

c See Here Tom 2. p. 699, 704, 705, 706. & Tom. 3. p. 78; to 83.

An. 13 *E.* 1.

Prohibitions. Besides, [d] *William Lindewode* himself in his Gloss upon this Writ, acknowledgeth this clause to be too general and indefinite, and therefore thus limits it; *Non intelligas de omni peccato mortali, sed de tali cujus punitio de sui natura spectat ad forum Ecclesiasticum*: **nam si ratione cujusvis peccati mortalis cognosceret Ecclesia, sic periret temporalis gladii jurisdictio, cum vix esset dare causam quin ratione peccati posset deferri ad Ecclesiam.** Therefore it is improbable this wise King, his Counsil, Judges, Parliament should be so *uncircumspect*, as to insert this general ambiguous clause into this Writ, much lesse into an Act of Parliament, so destructive to the Kings Temporal Sword, Courts, and Jurisdiction. The only reasons why Bishops and Clergymen then reputed *adultery*, *fornication*, and such like *carnal sins*, to be *meer spiritual things and offences*, were these two: First, Because spiritual persons in that age (by reason of prohibitions of Priests marriage) were more guilty of them then Laymen, as their own *Canons*, [e] *Writers* attest: Wherefore they voted them by their Canons to be *meerly spiritual*, thereby to engrosse the conusance and punishment of them to themselves, to exempt themselves from any punishments for them by Temporal Judges, concealing or conniving at these sins in those of their own order, which they seldom punished, the better to palliate and conceal their *uncleannesse* from the Laity. 2ly. Because they were sins for the most part against their pretended new *Sacrament of Marriage*, and the conusance of all causes relating to this *Sacrament* must be *spiritual*, and belong to them, to whom alone this *Sacrament* was then *unlawfull*, *incompatible* by their own Canons, so far as to null their very Sacrament of *Orders* if they *married*, diametrically repugnant to *Christs* and his *Apostles* Doctrine, *Mat.* 19. 3, to 15. 1 *Cor.* 7. 9, &c. 1 *Tim.* 3. 2, 4, 11. c. 4. 3. *Tit.* 1. 5, 6. *Hebr.* 13. 4.

d Provincial l. 2. f. 70 a De mortali peccato.

e See Alvarus Pelagius de Planctu Ecclesiæ, l. 2. Artic. 3. to 28. Claudius Espencæus de Continentia, l. 4. c. 11. l. 5. c. 7, 8 l. 7. c. 7, to 14. & Com in Tit. 1. Nicholaus de Clemangiis de Corrupto Ecclesiæ statu, c. 23, 24. Onus Ecclesiæ, c. 21, 22, 23. Cornelius Agrip. de Van. Scientiarum, c. 63. John Bale his Acts of English Votaries.

Secondly, *William Lindewode* under this large word *hujusmodi*, in his Gloss thereon hooks in not only *stuprum*, *incestus*, *& alia qua sub peccato luxuriæ continentur*; *sed etiam alia crimina quæ sunt tractanda & punienda in foro Ecclesiastico*, viz. *sacrilegium*, *crimen usurarum*, *hæresis*, *symonia*, *perjurium*, *inspectatores augurum*, *consultores mathematicorum*, *phanaticis augures*, *aruspices*, *& ebriosi*. Therefore it is most probable the Bishops and their Canonists, not the King, his Counsil or Judges, inserted these general indefinite clauses into this Writ, to enlarge their own Jurisdiction to the utmost extent upon all occasions, to the prejudice of the Kings Prerogative, and his Temporal Courts.

Thirdly, This clause, *Si Prælatus puniat pro Cimiterio non clauso*, &c. was an Innovation not long before first introduced and inquired of by * *Grosthead* Bishop of *Lincoln* in his Visitation Articles, against which King *Henry* 3. issued Writs of Prohibition, *Anno* 1220. After which it was prescribed by [f] *Alexander* Bishop of *Coventry Anno* 1237. by *Walter de Cantilupo Anno* 1240. by *Walter* Bishop of *Durham Anno* 1255. and more particularly by *Peter Quivil* Bishop of *Exeter Anno* 1287. the 15. of *Edward* 1. But the enforcing of it on the Parishioners against their wills, by pecuniary mulcts imposed in Ecclesiastical Courts, was a thing not heard of before this *Circumspecte agatis*; the Bishops, Deans and Chapters themselves being enforced to purchase special Licenses and Charters from the King, to enclose and immure their own Church-yards belonging to their Cathedrals at their proper costs, as the * Patents purchased by them this year from the King for enclosing the Church-yards of the Cathedrals of *Pauls*, *York*, *Lincoln*, *Exeter*, *Wells*, and others, assure us: Therefore they could not then legally prescribe or enforce it on the Parishoners by their own Ecclesiastical Jurisdiction.

* See Here Tom. 3. p. 80.

f See Spelmanni Concilia Tom. 2. p. 192, 209, 241, 299, 365.

* See Here Tom. 3. p. 344, 345.

Fourthly, This clause, *Si Rector petat Mortuarium in partibus ubi Mortuarium dari consuevit*, Mortuaries being then but newly broached, encroached by their own [g] *Constitutions*, against the antient Law, Custom of the Realm, to the peoples great oppression, and prejudice of Landlords in their *Heriots*; it is not probable the King or Parliament would prohibit his Justices from punishing or restraining this usurpation, oppression, Innovation by *Mortuaries*, not grown into a Custom till long after 13 E. 1. as is evident by *Articuli Cleri* An. 9 E. 2. cap. 1. till which *Prohibitions* were usually granted by the Kings Judges in cases of *Mortuaries*, as *Lindwode* Provinc. l. 1. *De Consuetudine*, f. 14, 15. acknowledgeth, & 10 H. 4. f. 1, 2. *Fitzh.* Præmunire 13. intimate.

g See Spelmanni Glossarium Tit. Mortuarium; & Concil. Tom. 2. p. 133, 390, 391, 433, 453. Vid. 10 H. 4. f. 1. 2 H. 5. f. 10. Fitzh. Jurisdiction 38. 22 H. 8. c. 6. Cooks 2 Instit. p 491, 600, 619.

Fifthly, This last clause, *De violenta manuum injectione in Clericum*, *& in casu Diffama-*

Diffamationis, conceſſum fuit alias, quod placitum inde teneatur in Curia Chriſtianitatis, makes it clear to me, that this Writ *de Circumſpecte agatis* was made after *Articuli Cleri*, when all the things therein conteined, were ſpecially complained of, and theſe two particulars of *laying violent hands on Clerks*, and *Diffamations*, expreſly granted, as *Artic. Cleri* c. 1, 3, 4. reſolve; being never granted for ought appears by Record or Hiſtory, in any Parliament before: Therefore this conceſſion muſt relate to it, and by neceſſary conſequence *Circumſpecte agatis* muſt be made after it, not in 13 E. 1. at leaſt 30 years before *Articuli Cleri*. *An.* 13 E. 1.

2oly. The Statute of 2 & 3 E. 6. c. 13. of *Tithes*, mentions *Circumſpecte agatis* as ſucceeding and puny to *Weſtminſter* 2. and *Articuli Cleri*, both therein ranged before it: Therefore not made in the Parliament of 13 E. 1.

3ly. *Prohibitio formata de* Statuto *Articuli Cleri*, (printed in *Totles Magna Charta*, pars 2. f. 70.) thus directed, to the Prelates, Archdeacons, Officials, and other Eccleſiaſtical Officers within the Biſhoprick of *Norwich*, ſeems to me a pregnant Argument, that *Circumſpecte agatis* (directed to the Juſtices on behalf of the ſelf-ſame perſons within the ſame Dioceſſe) was made after it, by way of expoſition and explanation of ſome general clauſes therein, mentioned to be againſt the Kings Crown and Dignity.

EDwardus, &c. *Prælatis, Archidiaconis, Officialibus, & aliis Miniſtris Eccleſiaſticis per Dioceſin* Norwic. *conſtitutis, ſalutem.* Cum cognitio placitorum ſuper feodalibus et libertatibus feodalium, diſtrictionibus, officiis miniſtrorum, executionibus contra pacem noſtram factis, felonum * negationibus, conſuetudinibus ſecularibus, attachiamentis, vi laica, malefactoribus rectatis, roberiis, arreſtationibus, manoriis, vocationibus Eccleſiarum, conventionibus, ſufficientibus Aliis, juratis, recognitionibus Laicum feodum contingentibus, ac rebus aliis, de cauſis pecuniarum, et de aliis catallis et debitis, ſi non de Teſtamento vel Matrimonio, ad Coronam et dignitatem noſtram pertineant eodem regno, de conſuetudine ejuſdem regni approbata et hactenus obſervata. Et Proceres ſeu Magnates, et alii de eodem regno, temporibus prædeceſſorum noſtrorum Regum Angliæ, ſeu noſtro auctoritate alicujus non conſueverunt, contra conſuetudinem illam ſuper huſmodi rebus, in cauſa trahi vel compelli ad comparendum coram quocunque Judice Eccleſiaſtico. Nos que et progenitores noſtri ex conſuetudine prædicta pro nobis et aliis de ipſo regno uſi fuerimus, ſemper libertatibus huſmodi tanquam pertinentibus ad Regiam dignitatem noſtram. Ac vos et miniſtri veſtri de communitate Com. noſtrorum Norff. & Suff. qui pro huſmodi rebus per vices pro voluntatibus veſtris trahitis in placitis coram vobis in Curia Chriſtianitatis, ſicut ex relatu fidedignorum pro certo accepimus. Vobis prohibemus, ne placitum illud teneatis in Curia Chriſtianitatis, maxime cum huſmodi placita ad Nos et non ad alium pertineant in eodem regno. Ac nos ſuper hiis et aliis, quorum cognitio ad Nos pertinet, parati ſumus quibuſcunque per Nos et Miniſtros noſtros in Curia noſtra plenam et celerem juſtitiam exhibere. *Mandamus autem dilecto & fideli noſtro R. & Vic. noſtro Com. predictorum*, quod præmiſſa vobis et aliis in partibus illis, et talia conſimilia in præjudicium dignitatis noſtræ Regiæ acceptantibus ſtrmiter inhibeant ex parte noſtra. Et quod ſi qui veſtri huſmodi placita teneant, vel ſi quæ ea ſequantur coram vobis in Curia Chriſtianitatis contra Prohibitionem noſtram prædictam, dictus Vicecomes vos et alios huſmodi placita tenentes, vel ſequentes, ponant per vadios et ſalvos plegios quod ſitis vel ſint coram Juſticiariis noſtris apud Weſtm. ad certum diem, ad reſpondendum coram eis ſuper præmiſſa, et ad faciendum ulterius, quod hactenus in huſmodi caſibus et conſimilibus fieri conſuevit. Et quod non permittant, quod aliqui Laici in Ballivis ſua in aliquibus locis conveniant ad aliquas recognitiones, * per ſacramenta ſua facere, niſi in cauſis Matrimonialibus et Teſtamentariis. Et ne ſuper huſmodi feodis, debitis et catallis, et coram vobis et aliis Judicibus Eccleſiaſticis in præjudicium Juriſdictionis noſtræ Regiæ, ad Coronam et dignitatem noſtram ſpectantibus ſubire præſumant. Et quod quid vos in hac parte de his feceritis, reddatis nos ad plenum certiores. *In cujus rei teſtimonium*, &c. *Teſte*, &c.

Cooks 2 Inſtit. p. 600.

* Negotiationibus.

* See Here Tom. 2. p. 699, 704, 705, 706, 874, 907.

Sir

An. 13 E. 1.

h 2 Inſtit. p. 600, 601.

[h] Sir *Edward Cooke* in his ſecond *Inſtitutes* on *Articuli Cleri* An. 9 E. 2. affirms, that this *Prohibitio formata de* **Statuto** *Articuli Cleri*, was made in the time of King *Edward* the 1. *about the beginning of his reign*, againſt the Canons of Archbiſhop *Boniface*. But I find no ſuch Writ as this in any Records during his reign, and the Articles, Conſtitutions of Archbiſhop *Boniface* and his Clergy being preſently * *rejected*, oppoſed and appealed againſt by King *Henry* the 3. as prejudicial to his Crown, and grievances to him and his Realm, and ſo never put in execution till Archbiſhop *Stratford* revived them, Anno 1242. I clearly conceive this Prohibition was framed upon *Articuli Cleri*, to which the King gave anſwers in the Parliament of 9 E. 2. which Articles the Biſhop of *Norwich*, his Archdeacons and Officials exceeding, the Judges thereupon by vertue of this clauſe, *& aliis quorum cognitio ad Nos pertinet*, reſtrained them to proceed in ſome things they conceived the King had granted them in his Anſwers to their Articles Anno 9 E. 2. whereupon they made or procured this Writ of *Circumſpecte agatis*, to reſtrain the Judges exceſſes therein.

* See Here Tom. 2. p. 890, to 913, 983, 990, 991.

Finally, The ſtiling *Circumſpecte agatis* a Statute, in our Statutes at large and Law-books, is no convincing evidence that it is a *real Statute*, there being very frequent miſtakes in the publiſhers of our Statutes at large, and in Sir *Edward Cooke*, in ſtiling ſeveral Writs of the King alone to his *Barons* or *Juſtices*, *Statutes*, and printing them as ſuch; witneſs [i] **Statutum** *novum de Scaccario, aliter dictum* **Statutum** *de* Roteland. 24 *die* Maii, *Anno* 10 *E.* 1. there being no Parliament held in that place or year, nor ſuch a Statute in the *Statute Rolls*, it being only a Writ of the Kings to his *Barons*, and ſo recorded in *Clauſ.* An. 12 *E.* 1. *m.* 7. *dorſo.* [k] **Statutum** *de Militibus*, Anno 1 E. 2. no Parliamentary Statute, but the Kings own Writ, as Sir *Edward Cooke* acknowledgeth; with ſundry others of this nature. Yea his and others miſtakes in the true times of making ſundry *real Statutes*, as of the Statute *de Judaiſmo*, made Anno 3 E. 1. as *Clauſ.* 4 *E.* 1. *m.* 8. 11. *Pat.* 5 *E.* 1. *m.* 13. *Mat. Weſtm.* Anno 1275. p. 62. *Graftons* Chronicle, p. 163, 164. *Stows* Chronicle, p. 200. Survey of *London*, p. 289. the Firſt Part of my ſhort Demurrer to the *Jews* long diſcontinued Remitter into *England*, p. 35, to 42. & Part 2. p. 60, to 70. 77. irrefragably evidence; which yet [l] Sir *Edward Cooke* confidently averrs to be made in the Parliament of 18 E. 1. the Statute *De Tallagio non concedendo*, made Anno 25 E. 1. as *Thomas Walſingham* Hiſt. Angl. p. 37, 38, 41. & *Ypodigma Neuſtria* p. 84, 85. truly informs us, not Anno 34 E. 1. as Sir *Edward* and moſt others miſtake; may eaſily induce us to beleeve, that he and others who call *Circumſpecte agatis* a *Statute*, *made in Parliament* Anno 13 E. 1. were miſtaken in both, for the premiſed reaſons: Wherefore the printed Edition of the Statutes at large, *London* 1577. placeth *Circumſpecte agatis* under the Head of, *Statutes unknown when or by whom they were made.* All which I humbly ſubmit to the ſerious conſideration of the Sages and Students of the Common Law, to rectifie thoſe great encroachments on, and prejudices to the Kings prerogative, Courts, and Common Law, which the erronious aſſerting of *Circumſpecte agatis* to be a *Statute and Act of Parliament* made Anno 13 E. 1. have introduced, for want of Lawyers diligent *circumſpection* in examining the truth thereof by our *Records* and *Hiſtories* of thoſe times.

i Totles Magna Charta & Statutes at large, Cooks 4 Inſtit. p. 107, 112.

k Statutes at large, Cooks 2 Inſtit. p. 593.

l 2 Inſtit. p. 506, 532.

[a] Mat Weſtm. An. 1286 p 374 Tho. Walſingham, Hiſt. Angliæ, p. 14.

[b] Bracton, l 5. c. 20. f. 421 b. Littleton ſect. 200. Cooks 1 Inſtit. f. 199.

* Mat. Weſtm. An, 1285. p. 373. Walſingham, Hiſt. Angl p. 13. See Onuphrius, Platina, Balæus, Laertius Cherubinus in his life.

This year [a] *generoſa virago* Alienora *Regina* Angliæ, *mater Regis, ſpreta pompa ſeculi, apud* Ambresberiam, *die Tranſlationis Sancti* Thomæ Cantuarienſis, *habitum religionis, diu deſideratum ſuſcepit*, **dote ſua in regno** Angliæ **ſibi perpetuo poſſidenda, per ſummum Pontificem confirmata**, notwithſtanding her profeſſion; [b] *againſt not only Popiſh Canons of the Church*, but *the Lawes and Cuſtome of the Realm*, which Popes for money, and their own advantage, would eaſily diſpenſe with upon any occaſion, even againſt the very eſſential conſtitutions of their Religious Orders, Vows, Oathes of *poverty*, to *renounce the world*, with *all things in it*, when they entred into Religion. *Cum ſemel quis ſe religioni contulerit*, **renunciat omnibus quæ ſeculi ſunt**; being contradicted and diſpenſed with in this Queens caſe.

* Pope *Martin* the 4. deceaſing, and *Honorius* the 4. ſucceeding him, *cui pedum ac manuum fere officium abſtulerat aretra agritudo, unde ſedendo in ſella ad hoc artificioſè facta, miſſarum ſolennia celebravit.* This Pope in the firſt year of his Papacie, upon

upon the Petition of *John Gifford* and *Margaret Nevill*, delegated authoritie to the Biſhop of *Hereford*, to inquire, whether there were ſuch conſanguinitie between them as might hinder their marriage, as ſome had maliciouſly ſuggeſted to their parents, who would not aſſent thereto till therein ſatisfied; And if he found upon inquiry they might lawfully marrie, then to licenſe them freely to do it by his Apoſtolical authoritie, or if there were any impediment, yet to authoriſe them to marrie, if he deemed it convenient; which Bull I found in the *White* Tower *Chappel*. *An.* 13 *E.* I.

HOnorius *Epiſcopus*, *Servus ſervorum Dei*, *venerabili fratri Epiſcopo* Heref. *ſalutem*, & *Apoſtolicam benedictionem*. *Dilectus filius Nobilis vir* Johannes Giffardi *Dominus de* Clifford, & *dilecta in Chriſto filia nobilis mulier* Margareta *de* Novavilla *tua Dioc. ſua nobis petitione monſtrarunt, quod cum inter eos de contrahendo invicem matrimonio ageretur, quidam eorum æmuli dicta mulieris parentibus minus veraciter ſuggeſſerunt*, quod iidem nobiles quarto ſunt conſanguinitatis gradu conjuncti; & *licet nullus appareat, qui gradus hujuſmodi conſanguinitatis diſtinguere noverit, aut de ipſa dicere ſufficienti certitudine veritatem, ipſi tamen propter hoc hujuſmodi matrimonium contrahere, contradicentibus præfatis parentibus, diſtulerunt*. Quare nobis dicti Nobiles humiliter ſupplicarunt, *ut cum ex hujuſmodi matrimonio in partibus illis pacis & quietis commoda proventura ſperentur*, prohibere ſuper hoc de benignitate apoſtolica dignaremur: *Nos itaque de circumſpectione tua plenam in Domino fiduciam obtinentes*; & *conſiderantes quod tibi poteſt promptius & plenius innoteſcere veritas ſuper iſtis*, Fraternitati tuæ præſentium tenore committimus et mandamus, quatenus inquirens ſuper conſanguinitate præfata diligentius veritatem, *ſi tibi de ipſa conſtare non poſſit*, Nobilibus memoratis inter ſe matrimonium libere contrahendi licentiam auctoritate noſtra concedas. *Si vero de ipſius impedimento conſiterit*, & *rationabilem & ſufficientem cauſam ſubeſſe compereris*, propter quam hujuſmodi matrimonium jure contrahend. ſecundum Deum eſtimes expedire, *ſuper quos tuam conſcientiam oneramus cum Nobilibus ſæpefatis*, ut inter ſe matrimonium libere contrahere impedimento non obſtante prædicto, et in ſic contracto licite remanere valeant, eadem authoritate diſpenſes. *Dat.* Romæ *apud Sanctam* Sabinam 2 *Idus* Martii. *Pontificatus noſtri anno primo*. In Turre London.

Almericus de Montefort citing the Kings brother *Edmund* Earl of *Lancaſter* out of the Realm by a Citation from the Pope, againſt the ancient Rights and Liberties of the King and kingdom, to the prejudice and diſinheriſon of the Crown, and people of *England*; the King thereupon ſent this Letter to a *Roman* Cardinal to inform the Pope of this injurie, to move him to diſmiſſe the cauſe, and to remit it to his own examination and Judicature, being alwaies readie to do right to *Almericus* and all other his ſubjects, who complained to him of any injuries.

REX, &c. venerabili in Chriſto Patri *H.* eadem gratia titulo Sancti *Laurentii in Lucina* Presbytero Cardinali ſalutem, & ſinceræ dilectionis ſemper augmentum. Cum cognitiones placitorum ſuper feodalibus et libertatibus feodalium, dotibus, et cauſis pecuniariis ad nos et Coronam ſeu Dignitatem noſtram pertineant in eodem regno de conſuetudine ejuſdem Regni hactenus obſervata, et Proceres ſeu Magnates, aut alii, de eodem Regno ullis temporibus prædeceſſorum noſtrorum Regum Angliæ, ſeu noſtro authoritate alicujus non conſueverunt contra conſuetudinem illam ſuper hujuſmodi rebus in cauſam trahi vel compelli ad comparendum coram quocunque Judice extra idem Regnum, Noſque et iidem progenitores noſtri et conſuetudine prædicta a Summis Pontificibus ſemper hactenus approbata ſine reclamatione vel impedimento alicujus pro nobis et aliis de ipſo Regno ſemper uſi ſumus libertate hujuſmodi, tanquam pertinente ad Regiam dignitatem; Ac *Almerico de Monteforti*, ſicut pro certo intelleximus, dilectum fratrem noſtrum Edmundum Comitem Lancaſtriæ authoritate Literarum Papalium ſuper hujuſmodi rebus trahere nitatur in Cauſam extra idem Regnum, in noſtri juris et dignitatis Regiæ, et totius Communitatis Regni noſtri præjudicium manifeſtum; Nos de conſueta benevolentia veſtra ſpecialiter confidentes, Paternitatem veſtram attente requirimus & rogamus affectione qua poſſumus ampliori, quatinus erga Summum Clauſ. 13 E. I. m. 12. dorſo. Pro Edmundo fratre noſtro.

An. 13 *E.* 1. mum Pontificem inducere velitis cum effectu, ut ipse id quod per dictum Almaricum contra dictum fratrem nostrum, seu alios de dicto Regno, in derogationem Regiæ dignitatis, ab ipsa Curia sic impetratum est, velit favorabiliter revocare cognitionem, inde ad examen nostrum, si placet, benivole remittendo: maxime cum semper parati simus procuratori ejusdem Almerici, si de dicto fratre nostro, aut aliis de dicto regno nostro nomine ipsius Almarici conqueri voluerit infra idem Regnum, secundum Legem et Consuetudinem ejusdem, plenam et celerem justitiam exhibere. Dat. apud *Bristoll* 28 die *Decembris*.

Gilbert Earl of *Glouceſter* being divorced by ſentence from his Contract of marriage with *Alice* his Wife at her proſecution, or left to marry her if he pleaſed, he was notwithſtanding content to grant her ſeveral Manors and Lands for her honourable maintenance, by this agreement made between them entred on record; to which ſundry Biſhops, Nobles and others ſubſcribed as Witneſſes.

Clauſ. 13. E 1 m 9. dorſo. De quadam Conventione facta inter Comitem Glouc. & Hertf & Aliciam de Marchia.

HÆC eſt Conventio facta inter Nobilem virum *Gilbertum de Clare* Comitem *Gloverniæ* & *Hertf.* ex parte una, & Dominam *Aliciam* de *Marchia* ex altera, *videlicet*, Quod cum in cauſa Diborcii dudum mota & agitata inter dictam *Aliciam* de *Marchia* Actricem, & Judicium procurantem, ac diborcium fieri petentem, ex parte una, & dictum Dominum *Gilbertum* defendentem ex altera, ſit pro dicta *Alicia* lata ſententia diffinitiva, & prædictus *Gilbertus* per eandem ſententiam a vinculo contractus Patrimonialis inter ipſum *Gilbertum*, et dictam *Aliciam* de facto habiti ſit abſolutus penitus et liberatus, ubi et nubendi authoritate Eccleſiæ ſit libera conceſſa facultas. Ipſius tamen Dominæ Nobilitatem generis, dictus Dominus *Gilbertus* conſiderans, ac nolens, quod occaſione defectus ſuſtentationis honeſtæ ſibi materia contriſtandi tribuatur: et ſua mera liberalitate, eidem Dominæ *Aliciæ* quoad vixerit Manerium de *Taxſtede* eodem modo quo nunc tenet, una cum magno Parco, Maneria de *Welles* & *Warham* eodem modo quo nunc tenet, una cum octo libratis, undecim ſolidatis, & octo denariis in redditu, ſuperpluſag. operibus & perquiſitis de viſu Franciplegii, excepto wreko maris, Manerium de *Wyſton* ſicut modo tenet, *Bureford* & *Speinham Londe* ſicut modo tenet, Dummodo dicta *Alicia* dictam ſententiam et ipſius effectum ratam habuerit, aut in bonoris dicti Domini Gilberti, ſeu commodi diſpendium vel grabamen, verbo aut facto, clam vel palam, per ſe aut alium quicquam perſeveranter non attemptaverit. Ita eiſdem Maneriis & terris utendo & fruendo dicta *Alicia* ad ſuam ſuſtentationem ut præmiſſum eſt, quod ad aliquod alienationis, impignorationis, enormis devaſtationis aut deſtructionis genus non attingat vel referatur. Si vero dicta *Alicia* contra præmiſſa ſeu aliquod præmiſſorum venerit, venire procuraverit, vel contravenire volentes non impedierit cum effectu, aut in fata deceſſerit, liceat dicto Domino *Gilberto* & hæredibus ſuis ipſius Dominæ *Alicia* aut cujuſque reclamatione non obſtante, dictam conceſſionem revocare, ac dictas terras, poſſeſſiones & Maneria liberè ingredi & pacificè poſſidere. Præmiſſa vero Maneria, poſſeſſiones, terras & tenementa, & alia ſupranominata prædictus *Gilbertus* & hæredes ſui prædictæ *Aliciæ* warrantizabunt, quoad vixerit ſub modo, forma, & conditionibus ſupradictis. In cujus rei teſtimonium tam dictus *Gilbertus* quam dicta *Alicia* huic præſenti ſcripto in modum Cirographi confecto alternatim diviſo ſigilla ſua mutuo appoſuerunt. Hiis teſtibus, Domino *Roberto Burnell Bathon.* & *Wellen.* Epiſcopo, tunc illuſtris Regis *Angliæ* Cancellario, Domino *Antonino Bek Dunolmenſi* Epiſcopo, Domino *Johanne* de *Sancto Johanne*, Domino *Radulpho* de *Henham*, tunc Domino Juſtic. *Roberto* de *Walezs* Milite, Magiſtris *Richardo* & *Willielmo* de *Clifford*. Dat. *Lond.* 17 Kal. *Junii*, Anno Regni Regis *Edwardi* Tertiodecimo.

This year the King for the honor of God and of the Church, by his Letters Patents licenſed the Dean and Chapters of *Pauls*, *Yorke*, and *Lincolne*, to incloſe the Churchyards of their Cathedral Churches with Walls and Gates, and to ſhut up their Gates every night, to prevent the incurſions of Theeves, and other Malefactors, who committed ſundry *bloody murders* and *fornications* too therein, and in the lanes, houſes adjoyning to them, provided alwayes, that the Gates ſhould ſtand open from morning to night, for all perſons to paſſe through them without

any

any impediment; the conſecration and incloſing of theſe Churchyards then, proceeding from the Kings grace, not ſecluding free paſſage through them in the day time, as ſome have ſince pretended. *An.* 13 *E.* 1.

REX omnibus ad quos, &c. ſalutem. Sciatis, quod cum per nocturnos incurſus latronum & aliorum Malefactorum per vicos & venellas in procinctu Cimiterii Cathedralis Eccleſiæ Sancti Pauli London. et in Cimiterio illo multotiens de nocte vagantium, homicidia, fornicationes, et alia mala pluries hactenus fuerint perpetrata, et formidetur quod adhuc conſimilia vel majora pericula per hujuſmodi incurſus in vicis et venellis, et Cimiterio ac procinctu prædictis poterunt evenire, niſi contra pericula illa remedium apponatur. Nos ad honorem Dei et dictæ Eccleſiæ, ac Sanctorum quorum corpora requieſcunt in eadem; necnon ad ſecuritatem et quietem Canonicorum et Miniſtrorum prædictæ Eccleſiæ et ſuorum ibidem reſidentium, conceſſimus pro nobis et hæredibus noſtris, quantum in nobis eſt, Decano et Capitulo Eccleſiæ prædictæ, quod Cimiterium illud et procinctum muro lapideo circumquaque includere, et ſic incluſa ſibi et ſucceſſoribus ſuis tenere poſſint, ſine occaſione et impedimento noſtri et hæredum noſtrorum in perpetuum. Ita tamen quod portas & poſternas faciant in locis neceſſariis & competentibus ibidem; Et quod portæ illæ & poſternæ ſingulis diebus apertæ ſint ab aurora diei uſque ad noctem; Ita quod omnes et ſinguli ibidem tranſire volentes pro voluntate ſua et ſine impedimento prædictorum Decani et Capituli et ſucceſſorum ſuorum, ſeu miniſtrorum ejuſdem Eccleſiæ quorumcunque, liberum ingreſſum habeant per portas et poſternas ſupradictas, et ita quod portæ illæ et poſternæ de nocte claudantur, et in aurora diei aperiantur ſicut prædictum eſt. In cujus, &c. Teſte Rege apud *Weſtm.* 10 die *Junii.* Pat. 13 E. 1. m. 15. intus. Pro Decano & Capitulo Sancti Pauli London. de Cimiterio claudendo, &c.

The like Patents verbatim, or with very little variation, were granted to the Dean and Chapter of *Yorke*, Pat. 13 E. 1. m. 21. *intus*. *Teſte Rege apud* Weſtm. 18. *die* Maii. And m. 22. *intus*, to the Dean and Chapter of *Lincoln*, *ad inſtanciam venerabilis patris* Oliveri *Epiſcopi* Lincoln. *Teſte Rege apud* Weſtm. 8 *die* Maii.

What Penſions the King paid this year to the Popes Notaries, to promote his affairs in the Court of *Rome*, theſe Records inform us.

REX Theſaur. & Camerariis ſalutem. Liberate de Theſauro noſtro dilecto Clerico noſtro Magiſtro Angelo, Domini Papæ Notario decem Marcas, de termino Paſchæ Anno Regni noſtri 13. de annuo feodo ſuo biginti Marcarum quod de nobis percipit ad Scaccarium noſtrum. Teſte Rege apud *Weſtm.* 28 die *Maii.* Liberate 13 E. 1. m. 5. intus. Pro Magiſtro Angelo Dom. Papæ Notario.

REX eiſdem ſalutem. Liberate de Theſauro noſtro eidem Angelo Triginta Marc. de termino Sancti *Michaelis* Anno regni noſtri nono, et biginti Marc. de terminis *Paſch.* & Sancti *Michaelis* Anno Regni noſtri decimo, de annuo feodo ſuo biginti Marc. quod de nobis percipit ad Scaccarium noſtrum. Teſte ut ſupra. Ibid. m. 5.

REX Theſaurario & Camerariis ſuis ſalutem. Liberate de Theſauro noſtro dilecto Clerico noſtro Magiſtro Angelo Domini Papæ Notario, biginti Marcas, de terminis Paſchæ et Sancti Michaelis, Anno Regni noſtri duodecimo, quæ ei aretro ſunt de annuo feodo ſuo biginti Marcarum, quod de nobis percipit ad Scaccarium noſtrum. Teſte Rege apud *Bellum locum* Regis 18 die *Novembris.* Ibid. 13 E. 1. Pro Magiſtro Angelo D. Papæ Notario.

REX Theſaurario & Camerariis ſuis ſalutem. Liberate de Theſauro noſtro dilecto Clerico noſtro Magiſtro Bernardo de Neapoli Domini Papæ Notario ſexcies biginti Marcas, viz. quadraginta Marcas de termino Sancti *Michaelis* anno Regni noſtri duodecimo, et quaterviginti Marcas de terminis *Paſchæ* & Sancti *Michaelis* anno Regni noſtri terciodecimo, quæ ei aretro ſunt de annuo feodo ſuo quaterbiginti Marcarum quas de nobis percipit ad Scaccarium noſtrum. Teſte Rege apud *Swayneſton*, 4. die *Novembris.* Ibid. Pro Magiſtro Bernardo de Neapoli Domini Papæ Notario.

An. 13 *E.* 1. Ibidem. m. 3.

REX Theſaurario & Camerariis ſuis ſalutem. Liberate de Theſauro noſtro *Jacobo Barbazon* & ſociis ſuis Mercatoribus de Societate *Bartholomæi Mark* de *Sen.* viginti Marcas, per manus ſuas liberandas dilecto Clerico noſtro Magiſtro Angelo, Domini Papæ Notario, de terminis *Paſchæ* & Sancti *Michaelis* Anno Regni noſtri undecimo, de annuo feodo ſuo Triginta Marcarum, quod de nobis percipit ad Scaccarium noſtrum. Et recipiatis à præfatis Mercatoribus literas ſuas patentes receptionem dictæ pecuniæ teſtificantes. Teſte Rege apud *Weſtm.* primo die *Julii.*

Walter de Wenlock Prior elect of *Weſtminſter* by the Kings Licenſe went to the Court of *Rome* the year before for his own and his Churches affairs, with no leſſe then 30. men of his own houſhold; the Cuſtoms of whoſe paſſage and of others the King allowed by this Writ.

Liberate 13 E. 1. m. 4. Pro Johanne de Burne.

REX Baronibus ſuis de Scaccario ſalutem. Allocate *Joanni* de *Burne* nuper Cuſtodi Portus noſtri *Doveriæ* in compoto ſuo ad Scaccarium prædictum quinque ſolidos, pro cuſtuma paſſagii dilecti nobis in Chriſto fratris Walteri de Wenlok, tunc Electi Weſtm. et triginta hominum de propria familia ipſius Electi ſecum transfretancium ad Curiam Romanam, pro negotiis ſuis et Eccleſiæ ſuæ prædictæ, anno Regni noſtri duodecimo, &c. Et viginti & quatuor ſolidos pro cuſtuma paſſagii venerabilis patris *S. Gadicenſis* Epiſcopi, ad partes remotas pro negociis Domini *A.* quondam Regis *Caſtellæ* ſororii noſtri transfretantis, cum quadraginta et ſeptem hominibus de familia ſua, et ſexdecim equis, videlicet pro paſſagio prædicti Epiſcopi & hominum ſuorum octo ſolidos, & pro paſſagio prædictorum equorum ſexdecim ſolidos anno prædicto. Et duos ſolidos pro cuſtuma paſſagii duorum fratrum Minorum de *Pictavia*, in veniendo ad nos a partibus tranſmarinas prædictis, cum quatuor hominibus ſuis anno prædicto; Niſi, &c. Et recipiatis ab eo brevia noſtra de præcepto, per quæ præmiſſa fecit. Teſte Rege apud *Weſtm.* 16 die *Junii.* Such was the exceſſive Pomp, Train, State of Abbots, Biſhops and Monks in that age.

It being found by Inquiſition that the Dean and Chapter of *Sarum*, (great lovers of veniſon) by Charters from the Kings progenitors had the Tithes of all Veniſon of the King taken within the Foreſt of *Clarendon* granted them, which they formerly received; the King iſſued this Writ for their future reception thereof, though due onely by ſpecial grant, not Law.

Clauſ. 13 E. 1. m. 5. Pro Decano & Capitulo Sarum de Decima venationis, &c.

REX Ballivo ſuo de *Clarendon* ſalutem. Cum compertum eſt per inquiſitionem quam per dilectos & fideles noſtros *Robertum* filium *Johannis* Seneſcallum Hoſpicii noſtri, & Magiſtrum *Thomam de Sudinton* fecimus, quod dilecti nobis in Chriſto Decanus & Capitulum Cathedralis Eccleſiæ beatæ *Mariæ Sarum* habere debent et ſolent Decimam tocius venacionis captæ in foreſta noſtra de Clarendon, ex conceſſione progenitorum noſtrorum Regum Angliæ, quorum cartas et confirmationes earum iidem Decanus et Capitulum coram dictis fidelibus noſtris oſtenderunt; *Vobis mandamus*, quod eiſdem Decano et Capitulo Decimam tocius venacionis capiendæ de cætero in foreſta noſtra prædicta quociens eam ibidem capi contigerit habere faciatis juxta tenorem cartarum prædictarum. Teſte Rege apud *Lindhurſt* 30 die *Auguſti.*

What Clerks this year impriſoned and indicted for manſlaughter and felony, were demanded, made their purgations before the Ordinary, and thereupon had Writs of Reſtitution of their goods awarded, this Writ will acquaint us.

Clauſ. 13 E. 1. m. 8. Pro Radulpho de Arnhale

CUM *Robertus atte Bek* de *Kirmingeton* Clericus nuper ſuper homicidio, *Robertus* de *Newcomene* de *Leycesby* Clericus, ſuper receptamento cujuſdam felonis filii, & *Willielmus* de *Friſton*. Clericus, ſuper ſiniſtra ſuſpicione furti et roberiæ, coram Juſticiariis Regis nuper Itinerantibus in Comitatu *Lincolnienſi* indictati, & ad requiſitionem venerabilis patris *O. Lincolnienſis* Epiſcopi per eoſdem Juſticiarios

os eidem Episcopo juxta privilegium Clericale, prout moris est liberari, innocentiam suam super hujusmodi criminibus coram eodem Episcopo legitime purgaverint, prout idem Episcopus per literas suas patentes Regi significavit, per quod, &c. Restitution of their seised goods was awarded as in former Writs. *Teste Rege apud* Westm. duodecimo die *Julii*. *Ann.* 13 *E.* 1.

Some of the Bishop of *Londons* men and tenants being condemned, and flying for Felony; the King issued this Writ to restore the Bishop to their goods and chattels seised for the King, granted to and confirmed by his predecessors Charters and usage to the Bishops, in prejudice of the Crown.

MAndatum est Thesaurario & Baronibus de Scaccario, quod habere faciant venerabili patri *R. London.* Episcopo, catalla hominum suorum damnatorum et fugitivorum de Episcopatu illo, prout ipse & prædecessores sui Episcopi *London.* catalla illa, juxta tenorem Cartarum progenitorum nostrorum Regum *Angliæ*, quas idem Episcopus inde habet, semper hactenus habuerunt. Teste Rege apud *Westm.* 8. die *Maii*. Clauſ. 13 E. 1. m. 10. Pro Episcopo London.

The King having totally subdued the *Welsh*, and cut off the head of that Serpent which had so frequently poisoned, infested the peace of the Realm and Church of *England*, involving him in great Debts, needing new supplies of money to discharge them, and settle the state thereof in peace for the future; sent this elegant Writ to the Archbishop, requesting a voluntarie Aide from the Clergy of the 20th. part of their goods to be given him for these ends for 2. years.

REX *Venerabili in Christo Patri* J. *eadem gratia* Cantuariensi *Archiepiscopo, totius* Angliæ *Primati salutem. Satis memoriter retinetis qualiter progenitores nostri Reges* Angliæ *in partibus* Walliæ *multa remedia temporalia & localia multociens adhibentes, guerras & turbaciones diversas aliquandiu sedaverunt, & nichilominus angue latitante in herba, putruerunt cicatrices vulnerum inflictorum, qua nisi alligata fuissent usque ad locius regni nostri præcordia letaliter penetrassent; super quibus altissimus non solum remedium mitigacionis adhibuit, set putridum caput resecavit, venenum funditus extinxit, & morbum illum à tanto tempore induratum exquisitè curavit, pacem nobis & vobis ac toti regno nostro nuperrime concedens inconcussam: circa quarum sedacionem debitorum multitudinem quasi infinitam tunc contraximus importunè, & insuper data nobis victoriâ de rebellibus nostris terræ illius, illa necessitas urgentissima exigendi, firmandi & confirmandi statum partium illarum, qui tanto tempore dictis progenitoribus nostris, & nobis* et Ecclesiæ Sanctæ, *ac toti Regno nostro contrarius extitit & Rebellis,* nos indurit ut Clerum regni nostri interpellaremus cum effectu, quod ipsi nobis Subsidium facerent gratiose, qui precibus nostris favorabiliter annuens in hac parte, vicesimam bonorum suorum Ecclesiasticorum biennalèm ad eronerationem debitorum nostrorum concessit liberaliter et benigne, de quo vobis et ipsi plurimum regraciamur. Et quia primus annus concessionis illius in festo Sancti Martini proximo præterito jam transactus existit, paternitatem vestram affectuose requirimus et rogamus, quatinus pecuniam provenientem de eodem Clero de termino Sancti Martini ut prædictum est transacto, ernunc colligere, et usque Novum Templum London. *ad crastinum Clausi* Paschæ *deferri faciatis, quibusdam fidelibus nostris, & illis à* quibus mutuum recepimus *ex causa prædicta in præsencia Thesaurarii & Baronum nostrorum de Scaccario liberandum, super quibus dilecto Clerico nostro* Henrico de Ledis *præsencium portitori adhibere velitis plenam fidem, qui una cum hiis quos ad hoc duxeritis deputandos, dictum negocium de præcepto nostro exequetur & expediri, ac fieri procurabit, secundum quod ei plenius injunximus viva voce. Et quid super hiis facere decreveritis, prædictos Thesaurarium & Barones nostros certificetis in instanti media quadragesima, quibus mandavimus, quod de negocio isto & omnibus circumstantiis ejusdem, vobis cum hiis quos ad hoc duxeritis deputandos & Clericis nostris ad hoc assignatis se intromittant, & videant & provideant quod omnia modo debito & honesto fiant, & manum per mandata nostra ad hoc diligencius apponant, prout melius ad opus nostrum viderint expedire. Teste Rege apud* Cantuariam 28 *die* Januarii. Ibid. m. 11. dorso. De Vicesima colligenda,

An. 13 *E.* 1. *Conſimiles litera diriguntur Epiſcopis* Roſſenſi & Ciceſtrenſi, *quod prafato* Henr. *credant quem Rex aſſignavit ad dictum negocium exequendum ibidem, &c. ut ſupra.*

Conſimiles litera diriguntur, &c. to the other Biſhops there named.

The Biſhop of *Wynton* ſeiſing the monies, Jewels, and other goods of a Clerk beneficed within the Dioceſſe of *Bath* and *Wells*, who felonioufly ſlew himſelf within the Priorie of *Taunton*, claiming them to belong to him as Lord of the Manor, though the felon had no Lands nor Tenements within the Manor or Liberty of *Taunton*; the King upon the Biſhop of *Bath* and *Wells* complaint, iſſued this Writ to the Biſhop of *Winton*, to deliver the goods to the Biſhop of *Bath* and *Wells* his Dioceſan, to be diſpoſed of as the King ſhould ordain, who it ſeems had beſt title to them.

Cl. 13 E. 1. m. 10. dorſ. Pro Bathonienſi & Wellenſi Epiſcopo.

REX venerabili in Chriſto patri *J.* eadem gratia *Wintonienſi* Epiſcopo ſalutem. Querimoniam venerabilis patris *R. Bathonienſis & Wellenſis* Epiſcopi Cancellarii noſtri accepimus, continentem, quod vos ratione Libertatis Maneriі veſtri de *Taunton* infra Epiſcopatum *Bathonienſem* exiſtentis, per quam catalla dampnatorum et felonum ad vos ibidem aſſeritis pertinere, denarios, jocalia et cætera bona Willielmi de Wygeton. Clerici ſuæ Dioceſis, et in eadem beneficiati, qui ſe ipſum infra Prioratum de Taunton felonice interfecit, in manum veſtram cepiſtis, et ea detinetis, quo minus præfatus Epiſcopus Bathonienſis de bonis prædictis poſſit, juxta Dioceſani officium prout ad ipſum pertinet, ordinare: Et quia captio prædicta æqua non fuerit, nec eſſe potuit, niſi præfatus Wiilielmus terras ſeu tenementa infra libertatem veſtram prædictam tenuerit die feloniæ prædictæ ſic perpetratæ; Vobis mandamus, quod ſi prædictus *Willielmus* terras vel tenementa die prædicto non habuerit infra libertatem prædictam, tunc denarios, jocalia et cætera bona prædicta ſic in manum veſtram capta præfato Dioceſano liberetis, ad diſponendum de eiſdem, prout de Conſilio noſtro inde extitit ordinatum. Teſte Rege apud *Langeley* 25 die *Aprilis*.

The Archbiſhoprick of *Yorke* becomming void by the death of *William Wickwane* Archbiſhop thereof, the King applied the profits thereof during the vacancie, towards the building of Caſtles in *Wales*, to ſecure it, as this Patent informs us.

Pat. 13 E. 1. m. 5. De Archiepiſcopatu Eborum commiſſo.

REX commiſit *Ottoni* de *Grandiſono* Archiepiſcopatum *Ebor.* vacantem, & in manu Regis exiſtentem, cuſtodiendum quamdiu Regi placuerit; Ita quod exitus inde provenientes in conſtructionem operacionum Caſtrorum Regis Walliæ, prout Rex ei injunxit, poni faciat et expendat; et ita quod Malcolmus de Harlegh, quem idem *Otto* coram Rege ad cuſtodiam illam ſub ipſo habendam deputavit, de exitibus illis pro prædicto *Ottone* Regi reſpondeat ad Scaccarium Regis. In cujus &c. Teſte Rege apud *Wynton.* 15 die *Septembris*.

Et mandatum eſt Militibus, &c. quod, &c. intendentes ſint, &c. Teſte ut ſupra.

The Treaſurerſhip of the Church of *Yorke* being then alſo void, the King granted it by this Patent to *Bogo de Clare*.

Ibid. m. 5. De Theſauraria Eborum data.

REX dilectis ſibi in Chriſto Decano & Capitulo Eccleſiæ beati *Petri Eborum* ſalutem. Sciatis, quod caritatis intuitu, dedimus & conceſſimus dilecto Clerico noſtro *Bogoni de Clare* Theſaurariam *Eboracenſis* Eccleſiæ, vacantem, & ad noſtram donationem ſpectantem, ratione Eborum Archiepiſcopatus vacantis, et in manu noſtra exiſtentis. Et ideo vobis mandamus, quod eidem *Bogoni* ſtallum in Choro & locum in Capitulo, racione dignitatis prædictæ, prout moris eſt aſſignetis. Teſte Rege apud *Wynton.* 15 die *Septembris*.

Soon after the King upon the Petition of the Dean and Chapter, granted them this licenſe to elect another Archbiſhop.

REX

An. 13 E. 1.

REX dilectis ſibi in Chriſto Decano & Capitulo Eccleſiæ beati *Petri Eborum* ſalutem. Accedentes ad nos Magiſter *Thomas* Archid. *Clyveland*, & *Thomas* de *Hedon* Concanonicus veſter, cum literis patentibus Capituli veſtri nobis ex parte veſtra **humiliter ſupplicarunt**, quod cum Eccleſia veſtra prædicta per mortem bonæ memoriæ *Willielmi* nuper Archiepiſcopi ejuſdem loci, paſtoris ſit ſolatio deſtituta, alium vobis eligendi in Archiepiſcopum & paſtorem **licentiam concedere** dignaremur. Nos igitur precibus veſtris in hac parte favorabiliter inclinati, **licentiam illam vobis duximus concedendam**; Mandantes quod talem vobis eligatis in Archiepiſcopum & paſtorem, qui Deo devotus, regimini Eccleſiæ veſtræ neceſſarius, nobiſque & Regno noſtro utilis & fidelis exiſtat. In cujus, &c. Teſte Rege apud *Wynton.* 22. die *Septembris.* Pat. 13 E. 1. m 4. De licencia eligendi.

By vertue of which licenſe, they elected *John de Romeyn* Archbiſhop, to which the King giving his royal aſſent, he made this Certificate thereof to the Pope, who *had then uſurped a Juriſdiction to confirm and approve of the elections of all Archbiſhops, or reject them at his pleaſure, obliging them to come to* Rome *for their Palls or conſecrations*; which they purchaſed at very dear rates: as I have **elſewhere* evidenced. *See Here, Tom. 1 p. 153, to 160.

DOmino Papæ Rex ſalutem. Sciatis, **quod electioni nuper celebratæ in Cathedrali Eccleſia** *Eborum*, de diſcreto viro Magiſtro *Johanne le Romeyne* Canonico Eccleſiæ illius, **in Archiepiſcopum ejuſdem loci, Regium aſſenſum adhibuimus et favorem. Et hoc Sanctitati veſtræ tenore præſentium ſignificamus, ut quod veſtrum eſt in hac parte exequi dignemini cum favore.** In cujus, &c. Teſte Rege apud *Bellum locum Regis* 15 die *Novembris.* Et duplicatur. Ibid. m. 1. De aſſenſu electioni adhibito

This elect Archbiſhop repairing to *Rome* with this Certificate, *quarto Idus* Februarii *proximo ſequente*, *à Papa* Honorio *quarto* **in Curia** Romana **conſecratus** eſt; as **Thomas Stubbs* relates. *Acta Pontif. Ebor. col. 1727. Godwins Catalogue, p. 470.

The Subprior and Covent of *Luffeld* having by the Kings licenſe elected a Prior which he approved, and the Biſhop of *Lincolne* nulling his election; they thereupon elected a new Prior, without petitioning for or obtaining a new Licenſe from the King, or gaining his Royal aſſent thereto, againſt his Crown and Dignitie, for which the King ſeiſed their Temporalties, till out of ſpecial grace he committed them to them till the next Parliament, to conſider what he ſhould do therein, reſerving the iſſues thereof to himſelf, as this Record aſſures us.

REX dilecto Clerico ſuo *Henr. de Bray* Eſcaetori ſuo citra *Trentam* ſalutem. Cum vacante Prioratu de *Luffeld*, per ceſſionem fratris *Adæ* nuper Prioris ejuſdem loci, Supprior & Conventus ejuſdem Domus, **petita a nobis, prout moris eſt, licencia ſibi eligendi in Priorem**, fratrem *Willielmum de Brackele* Monachum ejuſdem Domus in Priorem loci illius ſibi elegerint, **et ipſum Electum nobis præſentaverint, noſque electioni illi aſſenſum Regium adhibentes**, mandaverimus venerabili patri *O. Lincolnienſi* Epiſcopo, quod id quod ſuum fuit in hac parte exequeretur. Ac idem Epiſcopus **electionem illam caſſaverit**, & poſt caſſacionem illam præfatum *Adam* **non petita vel optenta a nobis, ad ſupplicacionem dictorum Supprioris et Conventus, prout moris eſt, iterata licencia eligendi, ſibi alium in Priorem, nec etiam aſſenſu Regio prout ad Coronam et dignitatem noſtram pertinet, requiſito, præfecerit in Priorem Domus prædictæ, quod in noſtræ exhæredacionis periculum de facili redundare poſſet**; Nos ſtatui Domus prædictæ compacientes, **et dictis Suppriori et Conventui graciam in hac parte facere volentes ſpecialem**; Vobis mandamus, quod temporalia Prioratus prædicti, quæ occaſione vacacionis prædictæ in manu noſtra exiſtunt, præfato *Adæ* committatis. **Tenenda uſque ad proximum Parliamentum noſtrum poſt Paſcha proximo futurum. Ita quod de exitibus inde provenientibus nobis tunc reſpondeat, et ulterius faciat quod de Conſilio noſtro in præmiſſis duxerimus ordinandum.** Teſte Rege apud *Lodes* ſecundo die *Februarii.* Fines 13 E. 1. m. 16. Pro Prioratu de Luffeld. commiſſo.

The

An. 13 *E.* 1. The King this year granted this acquittance to the Dean of *Hereford*, for 2. Bulls and other Letters of Pope *Clement* depoſited with him, which the King received from him.

Pat. 13 E. 1. m. 2. Pro Johanne de Aqua blanca Decano Hereford.

REX omnibus ad quos, &c. ſalutem. Noveritis nos recepiſſe à dilecto nobis in Chriſto *Johanne* de *Aqua blanca* Decano *Hereford.* duas literas ſeſitis recordationis Domini *Clementis* Papæ Bulla ſua Bullatas, et quaſdam alias literas ejuſdem dum Legationis officio in Regno *Angliæ* fungebatur, quas quidem literas idem Decanus in depoſito habuit penes ipſum, & ipſum inde tenore præſencium quietamus. In cujus, &c. Teſte Rege apud *Swaineſton* quinto die *Novembris.*

The King by his Charter granted this Libertie among others, to the Burgeſſes of *Bere* in *Wales*, dying teſtate or inteſtate.

Rot. Wallix, An 13 E. 1. m. 4 De Burgenſibus de Bere de libertatibus eis conceſſis.

REX Archiepiſcopis, &c. ſalutem. Sciatis quod volumus & concedimus pro nobis & hæredibus noſtris, quod Villa noſtra de *Bere* de cætero liber Burgus ſit, & homines noſtri ejuſdem Villæ liberi ſint Burgenſes, &c. Concedimus etiam pro nobis & hæredibus noſtris eiſdem Burgenſibus libertates ſubſcriptas, videlicet, quod nullus Vicecom. &c. Et eciam, quod ſi iidem Burgenſes aut eorum aliqui infra terram aut poteſtatem noſtram teſtati deceſſerint vel inteſtati, Nos vel hæredes noſtri bona ipſorum confiſcari non faciemus, quin eorum hæredes ea integre habeant quatenus dicta catalla dictorum defunctorum fuiſſe conſtiterit, dum tamen de dictis hæreditus noticia aut fides ſufficienter habeatur. Hiis teſtibus venerabili patre *R. Bathonienſi & Wellenſi* Epiſcopo, Cancellario noſtro, &c. Dat. per manum noſtram apud *Kardigan*, 22. die *Novembris.*

By which Charter, and ſome others with the like clauſe, I conceive it apparent; 1. That Biſhops and Ordinaries at this time had no Juriſdiction at all to grant adminiſtration, or diſpoſe of the goods and chattels of Inteſtate perſons in *Wales*, and that their next heirs and kinred ought to enjoy and diſpoſe of them by this new Charter, according to the premiſed Laws grants of * K. *Cnute*, *Edward the Confeſſor*, *William the Conqueror*, and *Henry* the 1. of which this new Grant of the King was but a confirmation. 2ly. That the † former Kings and Princes of *Wales* did likewiſe claim the goods and chattels of perſons there dying inteſtate as forfeited and appertaining unto them, as our Kings of *England* antiently did; which this new *Charter* exempted them from, but gave not their Regal power to the Biſhop or Ordinary, to diſpoſe of them at their pleaſure to pious uſes.

* See Here, p. 141, 142, 332. & 13, 14, 15, 90, 91.

† See Here, p. 91, Glanvil, l. 2. c. 16.

King *Edward* being this year in *Gaſcoigne*, the Prior of *Grandemont* complaining to him of the Rebellion, diſobedience, abuſes, rapines, wandrings, and bearing arms of divers Freers under his Juriſdiction, to the great ſcandal of Religion, and deſiring his aide to puniſh and reform them; the King thereupon, as conſtituted by God for the defence of Religion and the Church of God, eſpecially within his own Dominions, iſſued this memorable Writ to his Steward of *Gaſcoigne* for their apprehenſion, and correction.

Rot. Vaſconiæ An. 13 E. 1. m. 1. Pro Priore Grandimontenſi.

REX Seneſcallo ſuo *Vaſconiæ* ſalutem. Ex parte Religioſi viri — Prioris *Grandimontenſis* nobis extitit ſupplicatum, quod cum quidam fratres Ordinis ſui *Grandimontenſis* tanquam inobedientes filii a religionis ſemita recedentes, eidem Priori inobedientes et rebelles exiſtant, Domoſque ſuas ſuæ juriſdictioni et diſtrictui noſtro exiſtentes, contra voluntatem et ordinacionem ejuſdem Prioris tenere et diſpenſare nitantur, bona eorum diripientes et in pravos uſus convertentes, atque omni Religionis honeſtate contempta, per terram noſtram cum armis evagantes, rapinas et violencias multas eidem Priori et fratribus ſibi obedientibus, ac eciam pluribus aliis inferant impudenter, et multo majora et enormia conentur committere, in Religionis ſcandalum et Eccleſiæ opprobrium ſempiternum, niſi per poteſtatem noſtram eorum rebellioni et maliciæ obvietur: Nos ſuper hoc apponere remedium curaremus, præſertim cum anteceſſoribus noſtris Regibus *Angliæ* prædictus ordo quadam prærogativa dilectus, donis & eleemoſinis prout idem Prior recognoſcit, dotatus fuerit & ditatus; Verum quia nos ad defenſionem

ſionem tocius Religionis et Eccleſiæ, et ſpecialiter in poteſtate noſtra exiſtencium et regimine nobis commiſſo recognoſcimus nos conſtrictos, et dignum eſt ut quos timor Dei a malo non revocat, pœna ſaltem coherceat temporalis; Vobis & omnibus Ballivis noſtris in Ducatu *Aquitaniæ* conſtitutis tenore præſencium injungimus & mandamus, ut ſi quos tales arma portantes cum habitu vel ſine habitu, vel bona earundem Domorum furripientes, et contra ordinacionem Ordinis, et mandatum ſeu voluntatem ejuſdem Prioris irreverenter aſportantes, vel de hoc vobis ad inſtanciam ejuſdem Prioris conſtare poterit, in Juriſdictione noſtra capiatis, ſeu capi faciatis, eoſdem prædicto Priori reſtituendos, ut ſecundum dicta et ſtatuta Ordinis per ejuſdem Prioris circumſpectam providenciam, jurta delictorum ſtorum merita puniantur. In cujus, &c. Dat. apud *Meleburn.* 7. die *Auguſti.* *An.* 13 *E.* 1.

In the ſame Roll, m. 2, 3. The Prior and Covent of *Medicino*, of the Order of *Clunie*, by a long inſtrument, made an exchange with the King, and admitted him into a Copartnerſhip with them in all the Lands of the Priorie, *ad pariagium, paritatem, & communionem Juſticiæ & Juriſdictionis, alto & baſſo*, meri et mixti imperii *quam habuit in villa de* Medicino *& ejus diſtrictu*, being unable by their own power, *propter inobedientiam, potentiam & proterviam ſuorum ſubditorum, Juriſdictionem & Juſtitiam quam habebant in villa de* Medicino, *& ejus pertinentiis exercere, nec jura, nec deveria ſua ab eorum ſubditis percipere, nec eciam optinere, nec* decenter punire maleficia, delicta, *& crimina quæ in dicta villa & ejus pertinenciis contingebat frequencius evenire, nec paſſis dampna & violenter oppreſſis facere juſtitiæ complementum.* That ſo the King by his Royal power might reform all thoſe abuſes they could not redreſſe by their own; which he aſſented to, *ſpecialiter ad tranquillitatem Prioratus conſulere & ſalubriter providere, ut circa regularem obſervanciam cui ex voto & obligatione ſui ordinis obnoxii tenentur*, poſſent attentius attendere et vacare, et Domino Jheſu Chriſto liberius famulari.

How the King by his Eccleſiaſtical Prerogative then diſpoſed of Benefices, Advouſons of Biſhopricks and Prebends in *Vaſcoigne* as well as *England*, theſe Records will inform us.

REX dilecto & fideli ſuo *Johanni de Greylly* Seneſcallo *Vaſconiæ* & *Agenenſi* ſalutem. Cum ſicut intelleximus in terra noſtra *Vaſcon.* & *Agenenſi* aliquarum Eccleſiarum collacio ſeu præſentacio ad nos pertinere noſcatur, vobis committimus & mandamus, quatinus cum dicta beneficia vel aliquod ipſorum vacare contiget, vos ad ipſa perſonas idoneas per vos vel per alium præſentetis, vel eadem conferatis, prout ad nos noveritis pertinere. In cujus rei teſtimonium has literas noſtras fieri fecimus patentes. Dat. apud *Weſtm.* 17. die *Junii.* Anno Regni noſtri terciodecimo. Rot. Vaſc. An. 13 E. 1. De Beneficiis conferendis, &c.

REX omnibus ad quos præſentes literæ pervenerint, ſalutem. Sciatis quod nos dilecto & fideli noſtro *Johanni de Greyliaco* Militi Seneſcallo *Vaſconiæ*, & Magiſtro *Bonetto de Sancto Quintino, Johanni de Forgotis, Reymundo de Ferariis*, & *Bernardo Fabri* Clericis noſtris, vel tribus ſeu duobus ipſorum cum eodem Seneſcallo plenam poteſtatem & ſpeciale mandatum concedimus tractandi et ordinandi pro nobis et nomine noſtro cum venerabili patre *A.* eadem gratia Archiepiſcopo *Luxitano*, & Capitulo ſeu Conventu ſuo ſuper advocacione temporalitatis dicti Archiepiſcopi ſive Archiepiſcopatus per ipſum de nobis tenendæ, ſeu permutacione, de terris, feodis, poſſeſſionibus, & aliis quibuſcumque juribus noſtris facienda, prout utilitati noſtræ viderint expedire. Ratum habituri & gratum quicquid per eoſdem Seneſcallum & Clericos noſtros, ſeu tres vel duos ipſorum cum ipſo Seneſcallo, tractatum, compoſitum, permutatum fuerit vel eciam ordinatum, & ordinacionem ſeu compoſicionem per ipſos factas ut dictum eſt, compleri faciemus & ſervari. In cujus, &c. Teſte ut ſupra. Dat. apud *Weſtm.* 13 die *Junii.* Rot. Vaſcon. 13 E. 1. m. 10. De poteſtate data tractandi & ordinandi ſuper advocacionem temporalitatis Archiepiſcopatus Luxitani, &c.

EDwardus, &c. & *Alienora*, &c. Conſors ſua, dilecto Clerico ſuo Magiſtro *Nicholao de Caſtello* dicto de *Attrebato* ſalutem. Prædendam quam habuit *Engelramus* Dominus quondam Canonicus Eccleſiæ Sancti *Wulfranni* Abbatis *Vill.* in eadem Dorſo Rot. Vaſconiæ 13 E. 1. Pontini Pro Magiſtro Nicholao de Caſtello.

An. 13 *E.* 1. eadem Eccleſia vacantem, et ad noſtram donacionem ſpectantem, cum tocius juris ſui plenitudine bobis conferimus, & de ea caritatis intuitu prȝovidemus. In cujus, &c. Dat. apud *Weſtm.* 3 die *Maii*, Anno &c. 13.

Et mandatum eſt Decano & Capitulo Eccleſiæ Sancti *Wulfranni* Abbatis *Villa*, quod dictum Magiſtrum *Nicholaum* recipientes in Canonicum, & in fratrem Eccleſiæ ſuæ præd ctæ, ipſum vel procuratorem ejus ſuo nomine in tempoȝalem poſſeſſionem prædictæ prȝæbendæ, cum tocius juris ſui plenitudine inducant, ſtallum in choȝo et locum in Capitulo, prȝout moȝis eſt, aſſignantes eidem. Adhibitis ſollemnitatibus aliis in talibus conſuetis. Dat ut ſupra.

What Soveraign Eccleſiaſtical Juriſdiction, and puniſhments for encroachments thereon the King this year exerciſed in *Ireland*, eſpecially againſt *Nichelas* Archbiſhop of *Ardmach*, who ſeiſing the Temporalties of the Biſhoprick of *Drummore* during the vacancie, in derogation of the Kings prerogative, for which he was amerced twenty Marks by the Juſtices of the Kings Bench in *Ireland*: (the moitie whereof the King upon his ſubmiſſion pardoned, out of his ſpecial grace; but ordered him to pay all the reſidue) theſe Records atteſt.

Clauſ. An. 13 E. 1. m. 2. Hibernia. Pro Archiepiſcopo Ardmachano.

REX *Theſaurario & Baronibus de Scaccario ſuo* Dublin. *ſalutem. Sciatis*, quod de gratia noſtra ſpeciali pardonavimus *Venerabili patri* Nicholao Ardmachano amerciamentum illud in quo nuper incidit coȝam Juſtic. de Banco noſtro Dublin. prȝo occupatione tempoȝalium Epiſcopatus Drummorenſis, quam idem Archiepiſcopus ſuper nos feciſſe dicebatur tempoȝe ultimæ vacationis Epiſcopatus ejuſdem, et nobis injuſte detentoȝum, prȝout coȝam eiſdem Juſticiariis fuit adjudicatum. *Et ideo vobis mandamus, quod ipſum Archiepiſcopum de prædicto amerciamento quod ab eo occaſione prædicta exigitis, quietum eſſe faciatis. Teſte Rege apud* Wynton. 4. *die* Octobris.

Ibidem. Pro eodem Archiepiſcopo.

REX *Theſaurario & Baronibus de Scaccario ſuo* Dublin. *ſalutem. Sciatis, quod de illis* viginti marcis *in quibus venerabilis pater* Nicholaus *Archiepiſcopus* Ardmacanus *nuper coram Juſticiariis noſtris de Banco* Dublin. *pro exitibus Temporalium Epiſcopatus* Drummorenſis *in ultima vacacione ejuſdem* nobis per ipſum injuſte detentis extitit condempnatus, pardonabimus eidem Archiepiſcopo decem marcas, ita quod aliæ decem marcæ nobis ad idem Scaccarium plenarie ſolbantur. *Et ideo vobis mandamus, quod ipſum Archiepiſcopum de prædictis decem marcis quietum eſſe faciatis. Teſte ut ſupra.*

Cl. 13 E. 1. dorſo m. 5. De Statutis liberatis.

MEmorandum *quod die Veneris in feſto* Exaltacionis Sanctæ Crucis, *Anno, &c.* 13. *apud* Wynton. *liberata fuerunt* Rogero Bretun *Clerico, venerabilis patris* W. Waterfordenſis *Epiſcopi tunc Juſticiarii* Hiberniæ quædam Statuta per Regem et Conſilium ſuum edita et prȝovisa, *videlicet* Statuta Weſtm. (1) *ſtatim poſt Coronationem Regis edita, &* Statuta Glouceſtriæ, *&* Statuta *pro* Mercatoribus *facta, ac* Statuta Weſtm. (2) *in Parliamento Regis* Paſchæ *anno prædicto provisa & facta*, in Hiberniam deferenda, et ibidem prȝoclamanda et obſervanda. Theſe Statutes then made in the Parliaments of *England*, obliging both the Prelates and Clergie of *Ireland* in Church affairs, as well as the Nobles and Commons in Temporal matters.

Pat. 13 E. 1. m. 19. De licencia eligendi.

MAndatum *eſt Juſticiario* Hiberniæ, *quod Inſulam illam quæ fuit* Roberti le Poher *juxta* Watreford. *liberet venerabili patri* W. Middenſi *Epiſcopo*, (to augment his Biſhoprick) *tenendam quamdiu Regi placuerit juxta extentam per ipſum inde factam, vel ſi neceſſe fuerit faciendam. Teſte Rege apud* Neubiry, 9. *die* Januarii.

Cl. 13 E. 1. m. 12. Pro Epiſcopo Midden.

ODo Magrawy *nuncians Regi vacacionem Eccleſiæ* Elfinenſis, habet literas Regis de licentia eligendi.

Et memorandum, quod prȝius elegerunt et obiit Electus ante confirmationem ſuam, et prȝopter hoc pecierunt modo licentiam eligendi. Thereupon electing a new.

REX

An. 13 *E.* 1.

Pat. 13 E. 1. m 4. Hibern. De aſſenſu poſtulationi ſeu electioni adhibito.

REX *poſtulacioni ſeu electioni* nuper factæ *in Eccleſia Cathedrali* Elphin. *de Fratre* Gelano *Abbate Sanctæ* Trinitatis *de* Lochle in Epiſcopum Eccleſiæ prædictæ, Regium aſſenſum adhibuit et favorem. *Et hoc ſignificatum eſt Cuſtodi Spiritualitatis Archiepiſcopatus* Tuamenſis *ſede vacante. In cujus, &c. Teſte Rege apud* Wynton. 5 *die* Octobris.

Ibid. m. 8. De Temporalibus Archiepiſcopatus Dublin. reſtitutis.

REX dilecto Clerico ſuo *Nicholao de Clere* cuſtodi ſuo Archiepiſcopatus *Dublin.* ſede vacante, ſalutem. Cum Sanctiſſimus in Chriſto pater Honorius Dei providentia Sacroſanctæ Romanæ ac Univerſalis Eccleſiæ Summus Pontifex, electionem nuper celebratam de diſcreto viro Magiſtro *Johanne de Saunford*, nuper Decani Eccleſiæ Sancti *Patricii Dublin.* in Archiepiſcopum loci illius, confirmaverit, ſicut per literas ipſius Summi Pontificis patentes nobis conſtat, cepimus fidelitatem ipſius Archiepiſcopi, et Temporalia Archiepiſcopatus prædicti, prout moris eſt, reſtituimus eidem. Et ideo vobis mandamus, quod eidem Archiepiſcopo Temporalia Archiepiſcopatus prædicti, cum pertin. reſtituatis in forma prædicta. In cujus, &c. Teſte Rege apud *Wolvemere* 6 die *Auguſti*.

Et mandatum eſt Militibus, &c. Teſte ut ſupra.

Ibid m. 13. De aſſenſu adhibito electioni, & Temporalibus reſtituendis.

REX venerabili in Chriſto patri *S.* eadem gratia *Watrefordenſi* Epiſcopo, Juſticiario ſuo *Hiberniæ*, vel ejus locum tenenti, ſalutem. Cum dilecti nobis in Chriſto Prior & Conventus Sanctorum *Petri* & *Johannis* de *Clonnard.* nobis per literas ſuas patentes ſignificaverint, quod Eccleſia ſua prædicta per mortem bonæ memoriæ fratris *Elyæ* nuper Abbatis ejuſdem loci, paſtoris eſt ſolatio deſtituta, ſupplicantes nobis, prout moris eſt, quod licentiam ſibi alium eligendi in Abbatem eiſdem concedere dignaremur: Ac nos precibus eorundem, *&c.* Nos eorundem Prioris & Conventus laboribus & expenſis in hac parte parcere volentes, iſta vice conceſſimus eis de gratia noſtra ſpeciali, & vobis dedimus poteſtatem, *&c.* Receptis prius ab ipſo Electo literis ſuis patentibus ſigillo ſuo, necnon et ſigillo Capituli ſui conſignatis, quod hæc gratia noſtra quam eidem Electo ad præſens ex mera liberalitate noſtra conceſſimus, nobis vel hæredibus noſtris non cedat in præjudicium vel exhæredationem, ſeu trahetur in conſequentiam temporibus futuris. In cujus, &c. Teſte Rege apud *Kerdig.* 16 die *Decembris*.

Ibid. m. 10. De poteſtate data præſentandi ad Eccleſiam de Lexmody.

REX dilecto Clerico ſuo Magiſtro *Johanni de Beverle* Cancellario Scaccarii noſtri *Dublin.* ſalutem. Idoneam perſonam ad Eccleſiam de *Lexmedy Midenſis* Diœceſis, cum eam vacare & ad noſtram donationem ratione vacationis Epiſcopatus ejuſdem ſpectare contigerit, præſentandi vice et auctoritate noſtra tenore præſencium liberam vobis concedimus poteſtatem. In cujus, &c. Teſte Rege apud *Weſtm.* primo die *Julii*. Et duplicatur.

Stephen Biſhop of *Waterford*, an ambitious Prelate, (who totally neglected his Epiſcopal office, and plunged himſelf over head and ears in worldly affairs) being formerly Treaſurer, was this year made Chief Juſtice of *Ireland*, for which he procured a Penſion out of the Exchequer there of 500 *l.* a year during his continuance in that imployment, as this Patent aſſures us.

Pat. 13 E. m. 5. Hiber.

REX omnibus ad quos, &c. ſalutem. Sciatis quod conceſſimus venerabili patri *S. Watrefordenſi* Epiſcopo, Juſticiario noſtro *Hibern.* quingentas libras ſingulis annis, à die Dominica proxima ante feſtum Apoſtolorum *Philippi* & *Jacobi* anno regni noſtri terciodecimo, quamdiu fuerit Juſticiarius noſter, ibidem ad Scaccarium noſtrum *Dublin.* percipiendas, unam videlicet medietatem ad Scaccarium noſtrum Sancti *Michaelis*, & aliam medietatem ad Scaccarium noſtrum *Paſcha*, pro expenſis ſuis in officio prædicto. Ita tamen quod ſi turbacio, quod abſit, in prædicta terra emerſerit, per quod Caſtra noſtra munire, & circa defenſionem terræ noſtræ propriæ ibidem ſumptus apponere neceſſario oportebit, tunc volumus quod aliquis Baro vel Clericus de quo fiducia habeatur, per Theſaurarium & Barones noſtros de eodem Scaccario deputetur, ad pecuniam noſtram in eodem Scaccario recipiendam, & in municione & defenſione hujuſmodi ponendam & expendendam; per viſum & teſtimonium

An. 13 *E.* 1. teſtimonium prædicti Juſticiarii, prout de conſilio prædictorum Theſaurarii & Baronum ad opus noſtrum melius & ſecurius fuerit faciendum. In cujus, &c. Teſte Rege apud *Wolvemere* 6 die *Auguſti.*

The like Patent to him, almoſt *verbatim*, is entred in the *Liberate Roll* of this year, 13 E. 1. m. 3. *Teſte Rege apud* Ambresbury 15 *die* Auguſti.

What an ill account of theſe his Stewardſhips this ſecular Biſhop gave to the King in the Parliament at *Weſtminſter*, who out of his grace pardoned the arrears due to him upon his account, this Record aſcertains us.

Pat. 13 E 1. m. 7. Pro Epiſcopo Waterfordenſi.

REX omnibus ad quos, &c. ſalutem. Sciatis quod cum venerabilis pater *Stephanus Watreſordenſis* Epiſcopus, **nobis teneretur in magna ſumma pecuniæ de arreragiis compoti ſui quem reddidit ad Scaccarium noſtrum apud** *Weſtm.* **in Parliamento noſtro** poſt Paſcha anno regni noſtri terciodecimo, de toto tempore quo fuerat *Juſticiarius* noſter & *Theſaurarius* noſter in *Hibernia*: Nos attendentes ſumptus immenſos quos circa municionem Caſtrorum noſtrorum in *Hibernia*, & circa guerras ibidem ſedandas, & circa alia diverſa negotia noſtra appoſuit. Conſiderantes etiam amiſſionem quorundam victualium & rerum quæ pro ſuſtentatione exercitus noſtri in *Wallia* ad partes eaſdem de *Hibernia* dudum miſit, de quibus forſan ſecundum rigorem recti compoti & aliquorum judicium non haberet (allocat) præfato Epiſcopo: ipſius aliunde penſatis meritis, **totam pecuniam prædictam, et omnia arreragia illa, de gratia noſtra ſpeciali parvonabimus, et ipſum inde tenore præſentium quietamus.** Ita tamen quod ſi aliqui in poſterum à nobis aliquid petierint, de quo idem Epiſcopus exoneratus exiſtit in compoto ſuo prædicto, ipſe nos inde acquietare debeat verſus eos. Volumus etiam, quod ſi inveniatur quod dictus Epiſcopus de aliquo ſe non oneraverit in compoto prædicto, unde onerare ſe debuiſſet, de eodem nichilominus ſe onerare & exonerare poſſit impoſterum, & nobis inde reſpondere ſine calumpnia qualicumque. In cujus, &c. Teſte Rege apud *Wulvemere* 6 die *Auguſti.*

An. 14 *E.* 1. *Anno* 14 *E.* 1. *John le Romeyne* being accuſed before the Kings Juſtices for ſuing the Prior of *Huntingdon* in the Spiritual Court, againſt the Kings Prohibition iſſued to him, and departing the Court without the Judges licenſe, obliged himſelf, and all his Eccleſiaſtical and Temporal livings, goods, to ſtand to the Kings will and pleaſure therein, and give ſuch ſatisfaction to the Prior of *Huntingdon*, as the Kings Court ſhould award in the premiſes; which Recogniſance the King commanded to be enrolled, for perpetual memory thereof.

Clauſ. 14 E. 1. m. 8. dorſo. De quadam obligatione facta Regi per J. le Romeyn, de eo quod venit contra Prohibitionem Regiam, &c.

UNiverſis Sanctæ matris Eccleſiæ filiis ad quos præſens ſcriptum pervenerit, *J. le Romeyne* Canonicus *Ebor.* ſalutem in Domino ſempiternam. Noverit univerſitas veſtra, quod cum magnificus Princeps Dominus *Edwardus* Dei gratia Rex *Angliæ* illuſtris, me *Johannem* in Curia ſua calumpniatus fuiſſet, **ſuper eo quod veniſſe debueram contra Prohibitionem Regiam a ſua magnificentia mihi miſſam, et de eo quod coram inde Juſtic. ſuis Itinerantibus apud** Norht. **occaſionatus ſine eorum licentia, ut dicitur, tunc receſſi.** Ego prædictus *Johannes* ſuper præmiſſis omnibus **ſuæ voluntati et gratiæ plene et totaliter me ſubmiſi**, obligando me & omnia bona mea Eccleſiaſtica & mundana, quæ nunc habeo, & in poſterum habuero, per præſentes meas literas patentes **gratum ſumm inde facere et in omnibus adimplere. Ac Prior de Huntingdon, pro quo dicta prohibitio mihi tradita fuerat, ſuper hoc ſatisfacere, quatenus in Curia prædicti Domini Regis convinci contigerit me præmiſſis, ſeu eorum aliquo deliquiſſe.** In cujus rei teſtimonium ſigillum meum appoſui huic ſcripto. Dat. apud *Bellum locum* Regis, quinto Kal. *Decembris*, Anno Domini 1285. **Rex præcepit iſtud ſcriptum irrotulari ad perpetuam rei memoriam.**

* Tho Stubs Actus Pontif. Eborac. col. 1727 Godwins Catalogue of Biſhops, p. 470.

This * *John le Romeyne*, born in *Rome*, being ſoon after elected, confirmed and conſecrated Archbiſhop of *York* by Pope *Honorius*, the King iſſued this Patent and Writ to reſtore his Temporalties to him.

REX

An. 14 E. 1.

REX dilecto Clerico ſuo *Malculmo de Harle* cuſtodi Archiepiſcopatus *Ebor.* ſede vacante, ſalutem. **Cum Sanctiſſimus Pater Dominus** Honorius **Summus Pontifex electionem nuper in Eccleſia Cathedrali** Ebor. **de diſcreto viro Magiſtro** Johanne le Romeyn **in Archiepiſcopum lecti ejuſdem factam, cui Regium aſſenſum prius adhibuimus et favorem, confirmaverit, prout per literas patentes ipſius Summi Pontificis accepimus: Nos confirmationem illam acceptantes, cepimus fidelitatem ipſius Archiepiſcopi, et Temporalia ejuſdem Archiepiſcopatus, prout moris eſt, reſtituimus eidem.** Et ideo vobis mandamus, quod eidem *Johanni* Temporalia Archiepiſcopatus prædicti cum pertin. liberetis, ſicut prædictum eſt. In cujus, &c. Teſte Rege apud *Langeley*, 12 die *Aprilis*.

Et mandatum eſt Militibus, &c. In cujus, &c. Teſte ut ſupra.

Pat. 14 E. 1. m. 18. De Temporalibus Archiepiſcopatus Ebor. reſtitutis.

John Peckham Archbiſhop of *Canterbury* having * formerly prohibited by his Pontifical Edicts all perſons within his Province to lodge, or ſell Victuals to, or converſe with *William Wickwane* Archbiſhop of *York*, or his Servants, when ſent for by the King upon his publick affairs, under pain of Excommunication, becauſe he carried his Croſſe before him within his Province, to his prejudice as he conceived; the King upon *John le Romeyne* his ſucceſſors arrival in *England* from *Rome*, (where he was conſecrated) enjoyned them by his ſupreme authority to ſell him, his family and attendants Victuals, and all other neceſſaries they wanted for the future, in all places where they paſſed, notwithſtanding the Archbiſhops Inhibitions, by theſe two Patent Writs.

* See here p. 235, 236.

REX omnibus ad quos, &c. ſalutem. Cum inter venerabiles patres *J. Cantuar.* & *J. Ebor.* Archiepiſcopos **contentionis materia ſit ſuborta, vel credatur futuris temporibus ſuboriri, ac Dominus Archiepiſcopus** Ebor. **jam in** Anglia **ad nos de noſtra licentia acceſſurus, victualibus et aliis neceſſariis pro ſe et familia ſua indigeat ſicut conſtat, vobis mandamus firmiter injungentes, quod eidem Archiepiſcopo** Ebor. **et familiæ ſuæ, et comitivæ ſuæ, cum ipſos per partes veſtras tranſitum facere contigerit; victualia et alia neceſſaria quibus indiguerint venditioni exponatis eis ſuper hujuſmodi neceſſariis, occaſione contentionis prædictæ nihil penitus ſubtrahentes.** In cujus, &c. duratur. uſque ad feſtum *Aſcenſionis Domini* prox. futurum. Teſte Rege apud *Wood.* 15 die *Marcii*.

Pat. 14 E. 1. m. 19. intus. Pro Archiepiſcopo Ebor. & Familia ſua.

REX omnibus ad quos, &c. ſalutem. Cum inter venerabiles patres *J. Cantuar.* & *J. Ebor.* Archiepiſcopos **contentionis materia ſit ſuborta, vel credatur futuris temporibus ſuboriri, &c.** (juſt as in the former, but) Teſte Rege apud *Merewell* 30 die *Marcii*.

Ibid. m. 19.

The Abbot and Covent of *Bogeham* having by fraud and force intruded themſelves into the Church of *Haleſham*, and forcibly thruſt out the Rector thereof, againſt the ſentence of the Archbiſhop of *Canterbury* in his Eccleſiaſtical Court for his reſtitution; for which they were excommunicated and aggravated by the Archbiſhop, whoſe Excommunications and Mandates they not only contemned, but blaſphemed and derided, perſiſting in their force and ſacriledge; the Archbiſhop thereupon made this Certificate thereof to the King, humbly imploring his Royal ayd and authority to remove the force, reduce them to obedience, and put the Rector in quiet poſſeſſion thereof, leſt the Judgement of the Church ſhould come into contempt in his dayes.

EXcellentiſſimo *Principi Domino* Edwardo *Dei gratia Regi* Angliæ *illuſtri, Domino* Hiberniæ, *& Duci* Aquitaniæ, *Frater* Johannes *permiſſione divina* Cantuar. *Eccleſiæ miniſter humilis, totius* Angliæ *Primas, ſalutem,* **cum omni reverentia et honore.** *Licet dudum Eccleſia de* Haleſham *ejectis ab ea, Abbate de* Bogeham, **et fraudis ſuæ complicibus qui inauditis dolis ſe intruſerant in eandem,** *ſuo Rectori ab antiquo Magiſtro* Roberto de Blechington *fuerit,* **per decretum Curiæ noſtræ ſententialiter reſtitutus,** *& ipſe fuerit in poſſeſſione pacifica ejuſdem Rectoriæ quam virtute decreti hujuſmodi annis plurimis ſicut aranationes patria non ignorat: Dicti tamen*

Brevia Regis in Tur. Lond. Anno 14 E. 1.

An. 14 *E.* I. *Abbas & Conventus* reſumptis fraudis ſuæ priſtinæ moliminibus, vi et armis erpulſo prædicto Rectore ſe in ipſam, Dei timore poſtpoſito, furtim et ſacrilege intruſerunt contra decretum et ſententias noſtræ Curiæ antedictæ: Et licet ſint excommunicati et aggravati quantum poteſtas Cantuarienſis Eccleſiæ ſe extendit; ipſi tamen noſtras ſententias inauditis blaſphemiis ſubſannantes, in ſuo ſacrilegio perſeverant, non curantes quid damni in ſuis incurrant conſcientiis; cum tamen * *Nota.* lucro ſacrilego, Archiva ſua valeant inſtaurare, * falſæ religionis et veræ hypocriſis titulum defendentes, et manu armata Eccleſiam detinent prophanatam, in totius enervationem, quantum in ipſis eſt, Eccleſiaſticæ diſciplinæ. *Ut igitur quod laudabiliter & canonicè factum eſt in forma juſtitiæ effectui debito valeat mancipari,* Majeſtati Regiæ ſupplicamus humiliter et devote, quatenus ad compeſcendam tantam præſumptionem malitiæ, vim, et poteſtatem laicalem, vis ſecundum regni conſuetudinem ab eadem Eccleſia jubeat amoveri, et memoratum Robertum in ejuſdem poſſeſſionem pacificam reduci, et reductum authoritate Regia protegi et defendi: Ut quod minus valet cohertio Sanctæ matris Eccleſiæ in hac parte, pro Dei et Eccleſiæ ſuæ reverentia Regia ſuppleat magnitudo, ne noſtris temporibus judicium Eccleſiæ veniat in contemptum. *Valeat reverenda Majeſtas Regia ſemper in Chriſto & Virgine glorioſa. Dat. apud* Obithmalling 7 *Idus* Martii, *Anno Domini* 1287.

What the King did upon this Certificate I finde not, but from thence I ſhall obſerve: 1. That this proud Archprelate, who ſo much oppoſed the Kings Regal and Eccleſiaſtical authority in other forementioned particulars, was here enforced humbly to implore the ayd and aſſiſtance thereof, to ſupport his own Archiepiſcopal Decrees, cenſures, and make them effectual in their execution. 2ly. That his Eccleſiaſtical cenſures and authority were both extraordinarily contemned, reproached, yea derided by this Abbot, Covent, and other Religious perſons, notwithſtanding his grandeur, and high favour in the Court of *Rome*. 3ly. That Abbots and Monks in that age, made no conſcience by force or fraude to invade and detain the Churches of other Clergymen, to fill their own purſes, (being true hypocrites, and of a falſe Religion) by the verdict of this Archprelate, who was and writ himſelf a Frier.

The King about the ſame time, at the prayer of *Robert Burnell* Biſhop of *Bath* and *Wells*, granted the Biſhop this ſpecial licenſe to incloſe the Churchyard of the Cathedral Church in *Wells*, with a wall, battlements and gates, for the honour of God, the honeſty of the Church, and of the corps of the Saints therein reſting, and the peace, ſecurity of the Canons and Miniſters inhabiting therein, ſo as it ſhould ſtand open for paſſengers all the day time, and be ſhut up only in the night.

Pat. 14 E. 1. m 19. intus. Pro Bathon. & Wellen. Epiſcopo de Cimiterio Wellen claud. &c.

REX omnibus ad quos, &c. ſalutem. Sciatis, quod ad honorem Dei, et honeſtatem Eccleſiæ Cathedralis Wellen. ac Sanctorum quorum corpora requieſcunt in eadem, necnon ad ſecuritatem et quietem Canonicorum et Miniſtrorum prædictæ Eccleſiæ, et ſuorum ibidem reſidentium, conceſſimus pro nobis & hæredibus noſtris venerabili patri *Roberto Bathon.* & *Wellen.* Epiſcopo, quod ipſe Cimiterium Eccleſiæ prædictæ, et procinctum domorum Canonicorum prædictorum infra Civitatem ſuam Wellen. muro lapideo circumquaque includere, et murum illum kernellare, et procinctum illum ſic inclusum eiſdem Epiſcopo et ſucceſſoribus ſuis ad ſuam et dictorum Canonicorum ſecuritatem majorem tenere poſſit, ſine occaſione vel impedimento noſtri et hæredum noſtrorum, Juſtic. et aliorum Miniſtrorum noſtrorum quorumcunque imperpetuum. Ita quod in ſtratis & locis aliis neceſſariis & competentibus ibidem, portas & poſternas fieri, & ſtratas quas ipſum in procinctu illo includere contigerit ad propius et commodius, quod pro tranſeuntibus fieri poterit diverti faciat, et ita quod portæ illæ et poſternæ ſingulis diebus ab aurora diei uſque ad noctem ſint apertæ pro utilitate tranſeuntium per portas et poſternas ſupradictas. Ita etiam quod portæ illæ & poſternæ de nocte claudantur, & in aurora diei aperiantur, ſicut prædictum eſt. In cujus, &c. Teſte Rege apud *Woodſtock*, 15 die *Marcii*.

The

The like licenſe he then granted to the Biſhop, Dean and Chapter of St. *Peters* Church in *Exeter*, to incloſe their Churchyard with a wall, gates and poſterns, differing only in this obſervable Prologue. *An.* 14 *E.* 1.

REX omnibus ad quos, &c. ſalutem. Sciatis quod cum per nocturnos incurſus latronum, & aliorum malefactorum per vicos & venellos in procinctu Cimiterii Cathedralis Eccleſiæ Sancti *Petri Exon.* **et in Cimiterio illo multocies de nocte vagantium, homicidia, fornicationes, et alia mala pluries hactenus fuerint perpetrata, et formidetur quod adhuc conſimilia vel majora pericula per hujſmodi incurſus in vicis et venellis, et Cimiterio, ac procinctu prædictis poterunt evenire, niſi contra pericula illa remedium apponatur.** Nos ad honorem Dei, & dictæ Eccleſiæ, *&c.* as in the former. Teſte Rege apud *Exon.* primo die *Januarii.* Et duplicatur. Pat. 14 E. 1. m. 24. intus. Pro Epiſcopo, & Decano & Capitulo Exon Cimiterio includendo, &c.

The * *occaſion* of this Patent, and incloſing this Churchyard of *Exeter*, *was the ſlaughter of* Walter Lichlade *the firſt Chaunter thereof, as he came from the Mattins then ſaid ſoon after midnight; upon which occaſion the King came thither, and kept his Chriſtmas there, and gave order to incloſe the Churchyard, building certain gates therein, by a compoſition made between the Biſhop and Citizens.* * Godwins Catalogue of Biſhops, p. 325, 327.

This year, (1287.) * *Papa* Honorius *quartus moritur, cui ſuccedit* (An. 1288. as *Mat. Weſtminſter*) Nicholaus *quartus, natione* Romanus, *de ordine Fratrum Minorum.* **Hic volum** (*ut dicitur*) **Fratrum ejuſdem ordinis multa privatim ſtatuit, quæ faciunt non ſolum ſuperbire Minores, ſed etiam inſanire**; as *Thomas Walſingham* ſtories of him and them. * Th. Walſingham Hiſt. Angliæ, p. 14. Mat. Weſtm. p. 374, 376. Platina, Onuphrius, Barnes, Baluzus, Opmeerus, and others in Nicholas 4.

The Abbot of St. *Peters* of *Salop* alienating a Meſſuage and Tenement in *Mere*, of the Kings antient Demeſne, given to it by his Anceſtors to finde a Monk and Prieſt to celebrate Divine Service in a Chappel within that Mannor, immediately after the Statute of *Weſtm.* 2. cap. 41. the King thereupon iſſued this Writ to the Sheriff of *Stafford*, to ſeiſe it into his hands.

REX Vic. *Staff.* ſalutem. Cum de communi conſilio regni noſtri ſtatuerimus, *quod ſi Abbates, Priores, cuſtodes Hoſpitalium, & aliarum domorum Religioſarum fundatarum à nobis vel à progenitoribus noſtris, alienaverint de cætero ten. domibus ipſis à nobis vel à progenitoribus noſtris collata, ten. illa in manum noſtram capiantur, & ad voluntatem noſtram teneantur, & emptor amittat ſuum recuperare tam de ten. quam de pecunia quam ſolverit pro eiſdem*; ac Abbas Sancti *Petri Salop.* unum Meſuagium, & unam carucatam terræ cum pertin. in manerio de *Mere*, quod eſt de antiquo Dominico coronæ noſtræ, quæ idem Abbas & prædeceſſores ſui ex collacione & confirmacione progenitorum noſtrorum Regum *Angliæ*, à tempore quo non extat memoria habuerunt, ad inveniendum unum Monachum de Abbacia prædicta, & unum Clericum ad celebrandum divina in Capella de *Wudehuſe* in prædicto manerio de *Mere*, *Willielmo de Merton*, poſt publicacionem ſtatuti prædicti, **ſine licentia et voluntate noſtra vendiderit et alienaverit**, ut pro certo intelleximus: Tibi præcipimus, quod ſi ita eſt, **tunc meſuagium illud et terram ſine dilatione capias in manum noſtram, et ea ſalvo cuſtodias donec aliud inde præceperimus.** Ita quod de exitibus inde provenientibus nobis reſpondeas ad Scaccarium noſtrum juxta formam ſtatuti noſtri prædicti. Teſte *Edmundo* Comite *Cornubiæ* conſanguineo noſtro apud *Weſtm.* 6 die *Julii.* Fines 14 E. 1. m. 7. De Meſſuagio capiend in manum Regis. Weſtm. 2. 13 E. 1. c. 41.

The firſt ſeiſure I have obſerved after this Statute.

A Clerk flying to a Church for Sanctuary, for a robbery by him committed, and there being ready to abjure the Realm, without making his purgation; the Biſhop conceiving it to be againſt the Liberty of the Church, petitioned the Earl of *Cornwall* (then *Cuſtos* of the Realm in the Kings abſence) that he might be delivered to him or his Official to keep, and make his purgation; which the Coroner was commanded to do after 40 dayes, and if he made not his purgation by a day prefixed, then he was to be reſtored to the Church, and make his abjuration.

REX

An. 14 *E.* 1. Clauſ. 14 E. 1. m. 3. intus. Pro Epiſcopo Lincoln. de quodam Capellano qui fugit ad Eccleſiam, &c.

REX cuſtodi placitorum coronæ ſuæ in Hundredo de *Welle-Wateniak*, ſalutem. Supplicavit nobis venerabilis pater *Oliverus Lincoln.* Epiſcopus, quod cum quidam *Richardus de Scardeburgh* Capellanus, **pro latrocinio quod patravit fugerit ad Eccleſiam de** *Marton* **in Epiſcopatu prædicto, et ibidem in præjudicium libertatis Eccleſiaſticæ, paratus eſſe ſe dicat Regnum noſtrum abjurare, prædictum Capellanum eidem Epiſcopo tanquam Dioceſano ſuo juxta libertatem Eccleſiaſticam pertractandum, abſque prædicta abjuratione facienda liberari faciamus.** Et quia **ex conſuetudine Regni noſtri nullus pro tranſgreſſione ſua fugiens ad Eccleſiam in eadem Eccleſia ultra quadraginta dies ſub protectione noſtra morari debet.** Tibi præcipimus, quod ſi prædictus Capellanus in Eccleſia prædicta moram fecerit per quadraginta dies, **tunc ipſum prædicto Epiſcopo vel Commiſſario ſuo liberos cuſtodiendum uſque ad Quindenam Sancti** Michaelis **proximo futuram.** Ita quod habita tunc inde diſcuſſione **coram Conſilio noſtro, juxta conſiderationem ejuſdem Conſilii, reducatur idem Capellanus ad Eccleſiam prædictam, prædictam abjurationem in præſentia tua facturus, ſi juxta conſiderationem illam fuerit faciendo.** Teſte *Edmundo* Comite *Cornub.* conſanguineo Regis apud *Weſtm.* 5 die *Julii.*

I finde this memorable Inquiſition retorned the year before, but filed after, not only concerning the bounds, but Tithes and Oblations of the Pariſh of *Braye*, part of which Tithes the King had ſequeſtred.

Clauſ. 14 E 1. m. 5. dorſo. De quadam Inquiſitione capta de bundis parochiæ de Braye, & Decimis & oblacionibus, &c.

INquiſitio capta coram *R. Fulcon.* aſſingnato apud *Elyngton* juxta *Braye* die Veneris in feſto Sanctæ *Margaretæ* Virginis, anno regni Regis *Edwardi* tercio-decimo, per ſacramentum *Bartholomei de Erle, Roberti de Hulle, Roberti de Wautham, Gilberti Maddok, Johannis de Henefend, Godefridi de Henefend, Johannis de Sanyngeſhull, Rogeri le Cras, Rogeri del Wich, Roberti Beneyt, Roberti de la Chaumbre*, & *Edmundi de Littelefend*, ad hoc juratos, & de conſenſu parcium electos: Qui dicunt ſuper ſacramentum ſuum, quod parochia de *Braye* incipit apud *Eodeleſpole*, & ſic ſe extendit uſque ad domum *Walteri de la Hawe*, qui eſt de parochia de *Wyndeſ.* & à domo ejuſdem *Walteri*, uſque ad *Elyſtr.* quæ eſt bunda verſus auſtrum, & ab illo loco uſque *Hethtrewe*, quæ eſt bunda verſus occidentem; & ſic uſque ad quendam locum in quo ſtetit quoddam quercus quæ fuit bunda juxta *Bradenebrugg*; & ſic ab illo loco uſque *Crukesfend*, quæ vocabatur *Vacherye Regum Anglia*, & neſciunt ſi ſit de parochia prædicta, vel non, **ſet ſemper de antiqua cultura ſolverunt Eccleſiæ de** *Braye* **Decimas, de nova cultura ſolverunt Decimas ſuas de aliqua parte ad eandem Eccleſiam, et de alia parte ſolverunt Decimas aliquo tempore Eccleſiæ** *Sarr.* **de novo; et de quadam parte Dominus Rex ſequeſtravit Decimas.** Præterea dicunt, quod de *Crukesfend* extendit parochia prædicta uſque la *Fayrhok*, quæ eſt bunda parochiæ prædictæ; & de la *Fayrhok* uſque *Wolvelye*, quæ eſt de parochia de *Wautham* Abbatis; & ſic de *Wolvelye* uſque ad *Maydenhith*: **Et quæſiti ſi Abbates** *Cyrenceſtr.* qui pro tempore fuerunt, **ceperunt aliquas Decimas extra bundas prædictas**, dicunt, **quod non, niſi tantummodo ſicut ſuprà dictum eſt.** Et quia nondum fuit plenè declaratum, utrum *Cruchefend* eſſet bunda parochiæ de *Braye*, nec ne; Dictum fuit eiſdem Juratoribus, quod ſe plenius inde cerciorarent. Ita quod ad certum diem eis præfigendum ipſum *Robertum* cerciorarent, ita quod omnes Juratores venerint coram eodem *Roberto* apud *Cruchefend* die Lunæ proxima poſt feſtum Exaltationis Sanctæ Crucis, præter *Robertum de Wautham* qui mortuus eſt, & *Robertum Beneyt* qui infirmabatur; ita quod partes in dictum eorum conſenſerunt. Et dicunt ſuper ſacramentum ſuum, quod *Cruchefend* fuit quondam vaccaria Domini Regis, & eſt in le *Fryth*; & quod homines de *Cruchefend* fecerunt Eccleſiæ de *Braye*, & adhuc faciunt, exceptis duabus culturis, **omnes Decimas et oblaciones inde provenientes**, ſet intelligunt ſi *Cruchefend* nunc primo redigeretur in culturam quod Eccleſia de *Braye* **nichil inde caperet.** Quæſiti qua ratione, dicunt, quod *Cruchefend* eſt in le *Frith*, & le *Frith* nichil pertinet ad *Braye*: Dicunt etiam, quod per ducentos annos & amplius, **perceperunt Rectores Eccleſiæ de** *Braye*, **oblaciones et omnimodas Decimas inde provenientes.** Præterea dicunt, quod omnes terræ contentæ in cedula præſentibus intercluſa redactæ fuerunt in culturam citra quadraginta annos nunc proximo elapſos.

Et

Et memorandum, quod iſta Inquiſicio quam cito irrotulata fuit, liberata fuit per manum *J. de Langeton* die Martis in vigilia Apoſtolorum *Philippi* & *Jacobi*, Anno, &c. 14. Magiſtro *H.* de *Braunceſton* tunc Decano *Sarr.* & *Henr.* de *Eſſe* Canonico ejuſdem Eccleſiæ cum brevi originali. *An.* 14 *E.* 1.

* *John de Kirkeby* Dean of *Worceſter*, formerly elected Biſhop of *Cheſter*, but his election made void by *John Peckham* Archbiſhop of *Canterbury* for holding many ſeveral Eccleſiaſtical preferments; for that a man of ſo good conſcience as a Biſhop ought to be, would rather content himſelf with a little Living, then cumber himſelf with ſo many charges; was notwithſtanding this year by the Kings *Conge deſlier* elected Biſhop of *Ely*, in which being confirmed by the Kings Royal aſſent, and approved by the ſame Archbiſhop (notwithſtanding his former *pluralities*,) the King iſſued out Writs in uſual form for the reſtitution of his Temporalties, to the Gardians of the Temporalties and Biſhops Tenants, entred at large in the *Patent Roll*, 14 E. 1. m. 4. *Teſte Com.* Cornubiæ *apud* Weſtm. 7 *die* Septembris. * See Godwins Catalogue of Biſhops, p. 210. *Nota.*

The Pope deputing *Giffredus de Vezano* his Clerk and Nuncio to execute the buſineſſe of the *Croſs*, and of the *Diſme* granted for the aid of the *Holy Land*, which the King had formerly ſeiſed and ſecured; the King iſſued this Patent of aſſiſtance for him and his agents in this affair to Sheriffs, and all other his Officers and Subjects.

REX Vicecomitibus & omnibus Ballivis & fidelibus ſuis ad quos præſentes litera pervenerint ſalutem. Cum dilectus nobis Magiſter Giffredus de Vezano *ad* negotium Crucis, et Decimæ in ſubſidium Terræ Sanctæ conceſſæ exequendum ſit deputatus; *Nos negocium illud favore benivolo proſequi cupientes, vobis mandamus, quod eidem Magiſtro* Giffredo *& ſuis in his quæ negocium tangunt memoratum, auxiliantes ſitis & conſulentes quocienſ opus fuerit, & ab ipſo vel ſuis fueritis requiſiti. In cujus, &c. Teſte Rege apud* Cantuariam 10. *die* Maii. *Et habet inde quinque paria literarum.* Pat. 14 E. 1. m. 9. De negotio Crucis & Decimæ exequendo.

The King having occaſion to borrow and make uſe of this money for the urgent affairs of the Kingdom, it was divided into ſeveral ſummes, and depoſited in ſeveral hands, by the Nuncioes aſſent, order, at the Kings ſpecial requeſt, ſome unto forein Popiſh Merchants, other ſumms unto ſeveral Abbots, Priors, and their Covents, other ſummes into the hands of the *Templars* and *Hoſpitallers*, who all entred into ſeveral Obligations and Recogniſances together with the King (enrolled in Chancerie) to repay all theſe monies to the Church of *Rome*, Popes Nuncio or his Deputies, within two moneths ſpace, when ever required to do it, under ſeveral penalties, forfeitures, hard conditions, ſubjection to Excommunications, Interdicts of Popes or their Nuncioes, and renunciations of all legal advantages, or loſſes by any caſualties, as the Recognitions and Obligations themſelves, very obſervable, will more fully evidence.

NOverint univerſi præſentes literas inſpecturi, quod nos Edwardus *Dei gracia Rex* Angliæ, *Dominus* Hiberniæ, *& Dux* Aquitanniæ *recognoſcimus & confitemur, quod Magiſter* Giffredus de Vezano *Canonicus Cameracenſis Camera Domini Papæ, Clericus*, Apoſtolicæ ſedis Nuncius, et executor negociorum Terræ Sanctæ, ſuper Decima et aliis in Regno noſtro a dicta ſede deputatus, ad preces et requiſicionem noſtras depoſuit nomine Eccleſiæ Romanæ et Terræ Sanctæ, octo millia librarum bonorum Sterlingorum, de pecunia Decimæ conceſſæ ipſius Terræ Sanctæ ſubſidio in ipſo Regno collecta, penes Ricardum Guydicionis, Henricum de Podio, & Raynerum Guydicionis, & Matthæum Rugepeil, Cives et Mercatores Lucanos de ſocietate Ricardorum de Luca, *recipientes pro ſe à dicta ſocietate & ſingulis ſociis ſuis dicta ſocietatis: Et ipſi Mercatores obligando ſe & ſingulos ſocios ſuos & dictam ſocietatem*, promiſerunt dictum depoſitum libere, plene et integre ſolvere et reſtituere apud Novum Templum London. ipſi Giffredo, vel alio certo præfatæ ſedis Nuncio, infra duos menſes poſtquam a prædicta ſede vel eodem Giffredo, ſeu alio ejuſdem ſedis certo nuncio, ipſi vel aliquis eorum, ſeu alii vel alius de dicta ſocietate fuerint requiſiti. Et nos ad majorem Romanæ Eccleſiæ et ipſius Terræ Sanctæ ſecuritatem Pat. 14 E. 1. m. 11. De Decima.

An. 14 *E.* 1. curitatem ſuper depoſito manucapimus pro dictis Mercatoribus et eorum ſociis ac ſocietate, quod promiſſionem et obligacionem eorum fideliter et plenarie obſervabunt. *Et promittimus bona fide*, quod in defectu eorum plenam et integram ſolucionem ſocius pecuniæ ſupradictæ apud dictum Templum, eiſdem Mercatoribus, vel eorum ſociis ſeu ſocietate non conventis, vel bonis eorum eciam non excuſſis, infra unum menſem poſtquam requiſiti fuerimus, prædicto Giffredo vel alii certo dictæ ſedis nuncio libere faciemus. Et ad hoc nos et omnia bona noſtra, et hæredes et ſucceſſores noſtros ipſi Giffredo recipienti nomine Romanæ Eccleſiæ ac Terræ Sanctæ ſpecialiter obligamus. *In cujus, &c. Teſte Rege apud* Cantuariam 9. *die* Maii.

Pat. 14 E. 1. m. 11. De Decima.

Noverint univerſi præſentes literas inſpecturi, quod nos Edwardus *Dei gratia Rex* Angliæ, *Dominus* Hiberniæ, *& Dux* Aquitanniæ *recognoſcimus & confitemur, quod Magiſter* Giffredus de Vezano *Canonicus Cameracenſis* Domini Papæ Clericus, Apoſtolicæ ſedis nuncius, et executor negociorum Terræ Sanctæ a dicta ſede in Regno noſtro, ſuper Decima ipſius Terræ Sanctæ conceſſa ſubſidio, et aliis deputatus, de conſilio noſtro et ad preces et requiſicionem noſtras, depoſuit nomine Romanæ Eccleſiæ et Terræ Sanctæ, de pecunia ipſius Decimæ in dicto Regno collecta, ſex milia octingentas triginta tres libras ſex ſolidos et octo denarios bonorum ſterlingorum, penes infraſcriptos Religioſos, ſecundum et particulas infraſcriptas, *videlicet penes Abbatem & Conventum Sancti* Albani mille marcas, **penes ... Abbatem & Conventum Sancti* Edmundi mille marcas, *penes ... Priorem & Conventum de* Merton quingentas libras, *penes ... Abbatem & Conventum Sancti* Auguſtini Cantuariæ quingentas marcas, *penes ... Abbatem & Conventum de* Rameſeya mille libras, *penes ... Abbatem & Conventum de* Thorneia quingentas marcas, *penes ... Abbatem & Conventum de* Oſeneye *juxta* Oxon. quingentas libras, *penes ... Abbatem & Conventum de* Croiland quingentas libras, *penes ... Abbatem & Conventum de* Burgo Sancti Petri quingentas libras, *penes ... Abbatem & Conventum* Hubindon mille marcas, *penes Priorem & Conventum* Elyenſem quingentas libras, *& penes ... Abbatem & Conventum* Weſtm. *juxta* London. mille marcas: *& ſingulorum prædictorum Monaſteriorum Religioſi per ſuas patentes literas quantitates & particulas ſupradictas, prout pro ſingulis hujuſmodi Monaſteriis prædicantur*, ſe recepiſſe et habere in depoſito recognoverunt, et promiſerunt obligando ſe et ſucceſſores ſuos et eorum bona infra duos menſes poſtquam requiſiti fuerint, libere, plene et integre ſolvere et reſtituere dicto Giffredo, vel alii certo prædictæ ſedis nuncio apud Novum Templum ſuis periculis et expenſis. Et nos ad majorem Eccleſiæ Romanæ ac Terræ Sanctæ ſecuritatem pro dictis Religioſis manucapimus, quod ipſi omnes et ſinguli promiſſiones et obligaciones eorum, prout in eorum continetur literis fideliter et plenarie obſervabunt. *Et promittimus bona fide*, dicto Giffredo nomine Romanæ Eccleſiæ ac Terræ Sanctæ recipienti, quod in defectum eorundem Religioſorum vel aliquorum ipſorum, prædictas quantitates vel ſingulas earum in quibus defectus fuerit, infra unum menſem poſtquam requiſiti fuerimus, plenarie et libere perſolvemus apud dictum Templum eidem Giffredo, vel alio certo prædictæ ſedis nuncio, prædictis Religioſis non conventis, vel bonis eorum eciam non excuſſis. Et ad hæc nos et omnia bona noſtra, et hæredes et ſucceſſores noſtros ſpecialiter obligamus. Renunciando omnibus privilegiis, conſuetudinibus, et ſtatutis, quibus contra prædicta modo aliquo defendere nos poſſemus. *In cujus, &c. Teſte ut ſupra.*

* Blanks were left for their names.

Ibidem.

Noverint univerſi præſentes literas inſpecturi, quod nos Edwardus *Dei gratia Rex* Angliæ, *Dominus* Hiberniæ, *& Dux* Aquitanniæ, recognoſcimus et confitemur, *quod Magiſter* Giſredus de Vezano, *&c.* as before. de conſilio noſtro et ad requiſicionem noſtram depoſuit penes Religioſos viros fratrem Willielmum *Priorem Hoſpitalis Sancti* Johannis Jeruſalem. *in* Anglia, *& Præceptorem & Theſaurarium Domus dicti Hoſpitalis de* Clerknewell London. quinque mil. marc. bonorum ſterlingorum de pecunia Decimæ Terræ Sanctæ ſubſidio deputato in Regno noſtro collecta: Et ipſi Religioſi promiſerunt dictam pecuniam ſolvere, reddere, et reſtituere plene et libere ipſi Magiſtro Gifredo, vel alii certo Apoſtolicæ ſedis nuncio infra unum menſem poſtquam ipſi vel eorum aliquis fuerint requiſiti, ſicut cum literis patentibus

patentibus ſigillatis ſigillis eorum et ſigillo Prioratus Angliæ cum barba et bulla plumbea Magiſtri generalis dicti Hoſpitalis plenius continetur; Et nos pro ſecuritate Romanæ Eccleſiæ ac Terræ Sanctæ manucepimus pro ipſis Religioſis, quod ipſi promiſſionem et obligacionem ſuas plenarie obſervabunt. *In cujus, &c. Teſte ut ſupra.* *An.* 14 E. 1.

REX omnibus ad quos præſens ſcriptum pervenerit ſalutem. Vidimus depoſitum mille marcarum *in Abbacia Sancti* Edmundi exiſtencium, de pecunia Decimæ a Clero regni noſtri Angliæ in ſubſidium Terræ Sanctæ nuper conceſſa. *Vidimus eciam* literas *Abbatis & Conventus ejuſdem loci* obligatorias Magiſtro Giffredo de Vezano Cameræ Domini Papæ *Clerico*, Apoſtolicæ ſedis nuncio, et executori negotiorum Terræ Sanctæ ſuper Decima et aliis in dicta ſede in Anglia deputato ſuper ejuſdem depoſiti receptione confectas in hæc verba. Noverint univerſi præſentes literas inſpecturi, quod nos Abbas & Conventus Sancti *Edmundi* de plano recognoſcimus et confitemur nos recepiſſe, et habere in depoſito nomine *Romanæ* Eccleſiæ et *Terræ Sanctæ* a venerabili viro Magiſtro Giffredo de Vezano Cameræ Domini Papæ Clerico, Apoſtolicæ ſedis nuncio, et executore negotiorum *Terræ Sanctæ* ſuper Decima et aliis a dicta ſede in Anglia deputato de pecunia ipſius *Terræ Sanctæ* conceſſa, ſubſidio quæ collecta fuit in Regno Angliæ mille marcas bonorum novorum, et legalium ſterlingorum, cui depoſito nos voluntarie obtulimus pro noſtris et Monaſterii noſtri utilitatibus. Et promittimus per fidem noſtram ac juravimus, nos depoſitum ipſum plene et integre reddere, ſolvere et aſſignare dicto Magiſtro Giffredo, ſeu alii certo dictæ Apoſtolicæ ſedis nuncio apud Novum Templum London. infra duos menſes poſtquam nos vel aliquis noſtrum a dicto Magiſtro Giffredo, ſeu alio certo dictæ ſedis nuncio fuerimus requiſiti, de qua requiſicione credatur ſimplici verbo dicti Magiſtri Giffredi, ſeu alterius hujuſmodi certi nuncii; Suſcipientes in nos caſus et periculi furti, rapinæ, incendii, et vis majoris, et omnes alios caſus, et omnia alia pericula qui et quæ quomodolibet evenire poſſent. Et ſubjicientes nos juriſdictioni dicti Magiſtri Giffredi, et cujuſcunque alterius certi dictæ ſedis nuncii, ut per excommunicationis in perſonas, et interdicti in Eccleſiam noſtram ſententias, ſine aliqua monicione compellere nos poſſint et poſſit, ad plenam reſtitucionem depoſiti ſuprædicti. Renunciando omni Juri Canonico et Civili tacito et expreſſo competenti et competituro, et omnibus privilegiis et indulgenciis impetratis et impetrandis, ac eciam Regiis prohibitionibus quibus contra præmiſſa, vel aliquod præmiſſorum contrafacere vel contravenire poſſemus. Obligando nos et omnia bona noſtra, et Monaſterii noſtri ac ſucceſſores noſtros Romanæ Eccleſiæ et Terræ Sanctæ. Et ut in præmiſſis plenior ſecuritas habeatur, ſponte promittimus et vobemus, dare pro Subſidio Terræ Sanctæ quinquaginta libras pro ſingulis menſibus, quibus poſt requiſicionem prædictam defecerimus in præmiſſis. In quorum omnium teſtimonium has literas noſtras ſigillo noſtro communi fecimus conſignari. Acta & data in Capitulo Monaſterii noſtri in Craſtino *Paſcha*, Anno Domini 1286. *Et quia pro quibuſdam arduis & ſpecialibus negociis nos & regnum noſtrum* Angliæ *contingentibus, quæ de novo emerſerunt, pecunia* quamplurimum indignimus pro eiſdem negociis noſtris felicius expediendis, a præfatis Abbate et Conventu mutuo mille marcas recepimus antedictas, obligantes nos, hæredes et ſucceſſores noſtros dictis Abbati et Conventui, ac ſucceſſoribus ſuis ſub omnimodis condicionibus et pœnis in forma obligationis ſuæ ſuperius annotata contentis, ad plenam et integram ejuſdem pecuniæ ſolucionem ſeu conſtitutionem infra duos menſes faciendam, poſtquam nos ab ejuſdem Abbate et Conventu, vel a dicto Magiſtro Giffredo, ſeu alio certo dictæ ſedis nuncio ſuper hoc fuerimus requiſiti. Promittimus eciam bona fide pro nobis hæredibus et ſucceſſoribus noſtris, quod ipſos Abbatem et Conventum, ſucceſſores ſuos, ac Monaſterium penes Dominum Papam, præfatum Magiſtrum Giffredum, et alium quemcunque certum dictæ ſedis nuncium, in omnibus caſibus et periculis quæ racione dicti mutui eiſdem quoquo modo poſſent evenire, illæſos conſervabimus et indempnes. *In cujus, &c. Teſte Rege apud* Weſtm. 25 *die* Aprilis. Pat. 14 E. 1. m. 17. De pecunia Decimæ mutuo recepta, ſub ſigillis Cellarii pendentes de eodem negocio.

Conſimiles literæ fiebant de depoſito mille marcarum in Abbacia Weſtm. *de verbo ad verbum, ut ſupra.*

Conſimiles litera de depoſito quingentarum librarum in Prioratu de Ely *de verbo ad*

An. 14 *E.* 1. *verbum ut ſupra, excepta data litera facta prædicto* Giffredo, *quæ eſt Act. &c. in craſtino* Annunciacionis Dominicæ *Anno Domini prædicto. In cujus, &c.*

Conſimiles literæ fiebant de depoſito quingentarum librarum in Abbacia de Burgo Sancti Petri *de verbo ad verbum ut ſupra, cum eadem data litera facta dicto* Giffredo, *Acta, &c. ut ſupra, die martis in Craſtino* Annunc. Dominicæ *Anno Domini prædicto. In cujus, &c. Teſte ut ſupra.*

Conſimiles literæ fiebant de depoſito quingentarum librarum in Abbacia de Croyland *de verbo ad verbum ut ſupra.* Entred at large Ibid. m. 17. Cedula.

Conſimiles literæ fiebant de depoſito treſcentarum Marcarum in Abbacia de Certeſye, *de verbo ad verbum ut ſupra, exceptâ datâ, &c.*

Conſimiles literæ fiebant de depoſito quingentarum marcarum in Abbacia de Thorneye *de verbo ad verbum ut ſupra, exceptâ datâ, &c.*

Conſimiles literæ fiebant de depoſito mille librarum in Abbacia de Rameſeye *de verbo ad verbum ut ſupra, excepta data ejuſdem litera, quæ eſt, &c. ut ſupra. die Martis in Craſtino* Annunc ationis Dominicæ, *Anno Domini prædicto.*

Conſimiles literæ fiebant de depoſito quingentarum librarum in Prioratu de Merton, *de verbo ad verbum ut ſupra, exceptâ datâ, &c.*

Conſimiles literæ fiebant de depoſito mille marcarum in Abbacia de Abindon, *excepta data litera prædicta, quæ eſt Act. ut ſupra, die Sabbati proxima poſt feſtum* Paſchæ, *Anno Domini prædicto. In cujus, &c. Teſte ut ſupra.*

Conſimiles literæ fiebant de depoſito quingentarum librarum in Abbacia de Oſeneya, *&c. ut ſupra, excepta data dictæ litera, &c. die Veneris proxima poſt feſtum* Paſchæ *Anno Domini prædicto. In cujus, &c. Teſte ut ſupra.*

To ſuch ſtrange, unreaſonable ſhifts, obligations, penalties and forfeitures was the King put, to obtein the uſe of theſe Diſmes for the preſſing publick occaſions of himſelf and his Realm, collected from his own Clergie and Subjects, through his favour, by the Pope and his Nuncio, (to whom he and all theſe Abbots and perſons premiſed muſt be obliged to repay it upon 2. moneths notice.)

The King this year granted this Protection for the relief and preſervation of the Abbot and Covent of *Meſſenden,* varying ſomewhat from others in the recital and grounds thereof.

Pat. 14 E. 1. m. 12. Pro Abbate & Conventu de Meſſenden, de domo ſuo commiſſa.

REX omnibus ad quos, &c. ſalutem. Cum dilecti nobis in Chriſto Abbas & Conventus de *Meſſenden.* **per mozinam obium et equozum ſuozum, et aliis incommodis multimodis, quibus ut pzo certo intelleximus ſuper modum pzægravantur, adeo depauperentur et depzimantur, quod terræ ſuæ pzo magna parte jacent incultæ, et blada ſua in eiſdem vehementer defecerunt, et inſuper iidem Abbas et Conventus Mercatozibus et aliis Creditozibus ſuis diverſis in multimodis debitis teneretur,** ad quorum ſolucionem & Domus ſuæ relevacionem, facultates ejuſdem Domus per magnum temporis ſpacium ſufficere non poſſent, **abſque diſperſione Canonicozum Domus illius, vel feodalium ſuozum dilapidacione ſeu ſaxte Domus ejuſdem ſubverſione totali, quod nollemus:** Nos imbecillitati ſtatus ipſorum compatientes, ne hujuſmodi diſcriminis aut depreſſionis periculum videatur imminere, Domum illam cum terris, redditibus, & omnibus poſſeſſionibus ac rebus aliis ad eandem Domum pertinentibus **cepimus in pzotectionem et defenſionem noſtram ſpecialem,** &c. as in other protections forecited. Teſte Rege apud *Weſtm.* 30. die *Aprilis.*

The King likewiſe as Supream Ordinarie and Patron of the Abbey of *Radyng* and Religious houſes thereunto belonging, appointed *Ralph Breton* his Clerk to ſuperviſe the ſtate of all their Debts, goods, iſſues, profits, Tenures of all their Manors and Lands, and to ſatisfie all their Debts out of them, and to convert them to no other uſe, except the neceſſary ſuſtenance and ſupport of the Monaſteries, and almes due out of them.

Pat. 14 E. 1. m. 12. Cedu'a.

EDwardus Dei gracia Rex *Angliæ,* Dominus *Hiberniæ,* & Dux *Aquitaniæ.* Omnibus ad quos præſentes literæ pervenerint ſalutem. Cum nuper ad Abbaciæ de *Radyng.* relevationem & debitorum ejuſdem exoneracionem, dilectum Clericum noſtrum

noſtrum *Radulphum de Brocton*, ad ſuperbidendum ſtatum omnium bonorum et *An.* 14 *E.* 1.
exituum ſingulorum Abbaciæ prædictæ, et Manerii de *Leominiſtre*, et aliorum Manerio-
rum et reddituum ad dictam Abbaciam ſpectancium quoquo modo, et ad omnia
debita dictæ Abbaciæ loci prædicti de exitibus prædictis acquietanda; Ita quod exi-
tus illi non in alios uſus convertantur; Salvis tamen prædictis Abbati et Monachis,
& familiæ neceſſariæ in prædictis Abbacia & Manerio commorantibus neceſſariis, &
oneribus eleemoſinarum debitis & honeſtis, aſſignaverimus Cuſtodem; Et ne præ-
textu alicujus ordinacionis ſuper porcionibus Monachos prædictæ Abbaciæ contin-
gentibus, aut aliquibus aliis ab antiquo ſeu de novo factæ debitorum Abbaciæ præ-
dictæ exoneracio, ſeu ejuſdem relevacio quoquo modo impediatur ſeu retardetur,
Volumus, quod dictus Clericus noſter contradictione et ordinacione Conventus, aut
alicujus alterius non obſtantibus reſecatis per eundem Clericum noſtrum, de con-
ſilio & voluntate Abbatis, tam in portionibus Monachorum quam in familia, & po-
tiſſimè in ſupervenientibns expenſis ſuperfluis, tam in dicta Abbacia quam in Ma-
nerio de *Leominiſtre*, ac aliis maneriis omnibus ad dictam Abbaciam quoquo mo-
do ſpectantibus, ad ſuſtentacionem Monachorum, & familiæ neceſſaria tantùm &
honeſta, de conſilio Abbatis antedicti provideat, ordinet & diſponat; ſalvis tamen
eleemoſinarum oneribus debitis & honeſtis. In cujus rei teſtimonium has literas
noſtras fieri fecimus patentes. Teſte meipſo apud *Ledes* quarto die *Maii*, Anno
Regni noſtri quartodecimo.

EDwardus Dei gratia, &c. Vic. *Hereford.* & omnibus Ballivis & fidelibus ſuis *Ibidem.*
de eodem Comitatu ſalutem. Cum ad exoneracionem debitorum in quibus
dilecti nobis in Chriſto Abbas & Conventus de *Radyng*, tam ratione Abbaciæ ſuæ
quam manerii de *Leominiſtre* diverſis creditoribus tenentur, ad loci ejuſdem &
omnium maneriorum ſuorum tam de *Leominiſtre* quam aliorum relevacionem, di-
lectum Clericum noſtrum *Radulphum de Brocton* aſſignaverimus Cuſtodem, ut per
eundem exitus omnium maneriorum in exoneracionem debitorum, & non in uſus
alios convertantur; ſalvis tamen Monachis &. familiæ tam in dicta Abbacia quam
in manerio de *Leominiſtre*, ac aliis maneriis ſuis commorantibus neceſſariis, &
oneribus elemoſinarum & aliorum debitis & honeſtis: Vobis mandamus, quod ei-
dem *Radulpho* in hiis quæ cuſtodiam illam contingunt, quociens neceſſe fuerit &
ab ipſo ſuper hoc fueritis requiſiti, conſulentes ſitis & auxiliantes, nullatenus ei
moleſtiam, quin ordinet quod exoneracioni dictæ Domus viderit expedire, inferri
permittentes. In cujus rei teſtimonium has literas noſtras fieri fecimus patentes.
Teſte meipſo apud *Ledes* quarto die *Maii*, ut ſupra. Eodem modo, &c.

The King out of his ſpecial favour to the Scholars of the Univerſity of *Oxford*, granted their Chancellor Juriſdiction to hold plea of all perſonal actions and contracts between the Scholars and his Jews, and to impriſon, or excommunicate them, as well as others, by warrants ſent to the Sheriff, or Conſtable of the Caſtle of *Oxford*, by this Patent.

REX omnibus ad quos, &c. ſalutem. Sciatis quod conceſſimus dilectis nobis *Pat.* 14 E. 1.
Magiſtris & Scholaribus Univerſitatis Oxon. quod ſuus Cancellarius qui *m.* 15. Pro
pro tempore fuerit de actionibus perſonalibus et quibuſcunque contractibus initis *Magiſtris &*
et ineundis inter ipſos Magiſtros et Scolares, et eorum quemlibet et Judæos no- *Scolaribus U-*
ſtros ibidem libere poſſit recognoſcere, et in ipſos Judæos quos ſuper hujuſmodi *niverſitati*
actionibus et contractibus convinci contigerit coram ipſo cenſuram Eccleſiaſticam *Oxon.*
ſi neceſſe fuerit exercere; Ita quod cum Judæus aliquis ſuper aliqua læſione alicui
Scolari Univerſitatis prædictæ contra pacem noſtram illata, vel etiam inferenda
coram Cancellario memorato fuerit legitima probacione convictus; Volumus et
concedimus per præſentes, quod idem malefactor per Vicecomitem noſtrum Oxon.
vel Conſtab. Caſtri noſtri ibidem, ſtatim ad denunciacionem præfati Cancella-
rii capiatur, et ſalvo cuſtodiatur in noſtra priſona, donec de læſione hujuſmodi
læſo fuerit ſatisfactum, prout eiſdem Magiſtris et Scolaribus de læſionibus ibidem
per Laicos ibi factis per cartas progenitorum noſtrorum Regum Angliæ plenius eſt
conceſſum. In cujus, &c. quamdiu nobis placuerit duraturas. Teſte Rege apud
Weſtm. 18. die *Aprilis.* A pregnant Evidence that the King is the original fountain

An. 14 *E.* 1. of all * Eccleſiaſtical Juriſdiſdiction and Cenſures as well as Temporal, and could then enable the Vicechancellor (though a Lay-man) to exerciſe and inflict the ſame by his Patents.

* See 37 H. 8. c. 17.

There ariſing not long after ſome Controverſies between the Scholars of the Univerſitie of *Oxford* and their Servants, and the Mayor and Townſmen, to the diſturbance of the peace; the King to preſerve the peace of the *Univerſity*, iſſued this Commiſſion to hear and determine them.

Pat. 14 E. 1. m. 7. dorſo. Pro Cancellario & Scolaribus Univerſitatis Oxonii, de tranſgr. aud. & terminandis.

REX dilectis & fidelibus ſuis *Nicholao de Stapelton*, *Henrico de Shotbrike*, & *Elye de Sutton* ſalutem. Cum diſſenciones, diſcordiæ, & controverſiæ diverſæ inter Cancellarium & Scolares **Univerſitatis** *Oxon.* ex parte una, & Majorem, Ballivos, & probos homines Villæ noſtræ prædictæ ex altera, & ſimiliter inter eoſdem Scolares & eorum ſervientes, ſuper tranſgreſſionibus hinc inde poſtquam iter verſus partes tranſmarinas jam arripuimus factis, ut dicitur, ſunt ſubortæ, in **læſionem pacis noſtræ manifeſtam**: Nos diſſenſiones, diſcordias, controverſias & tranſgreſſiones prædictas cum celeritate qua convenit ſedari, & de tranſgreſſionibus taliter perpetratis emendas volentes fieri competentes, **aſſignavimus vos** ad inquirendum per Sacramentum Militum & aliorum proborum & legalium hominum, tam de Villa *Oxon.* & ſuburbio ejuſdem neutri parti ſuſpectorum, quam de partibus adjacentibus, per quos, &c. ſuper diſſenſionibus, diſcordiis, controverſiis & tranſgreſſionibus prædictis, & aliis circumſtanciis præmiſſa contingentibus plenius veritatem, & ad diſſenſiones, diſcordias, controverſias & tranſgreſſiones illas audiend. & terminand. **ſecundum legem et conſuetudinem Regni noſtri.** Et ideo vobis mandamus, quod ad certos, &c. convocatis coram vobis partibus quarum intereſt, diſſenſiones, diſcordias, controverſias & tranſgreſſiones prædictas audiatis & terminetis ibidem in forma prædicta, facturi, &c. Salvis, &c. Mandavimus enim Vicecomiti noſtro *Oxon.* quod ad certos, &c. venire faciat, &c. per quos, &c. melius ſciri poterit & inquiri. In cujus, &c. Teſte *Edmundo* Comite *Cornubia* Conſanguineo noſtro, apud *Weſtm.* 28 die *Junii.*

The Pope by his Bulls having granted authoritie to the Maſter and Freers of the Hoſpital of St. *James* in the Dioceſſe of *Luca*, once every year to collect Almes in all Churches; the King to promote this Act of Charitie to theſe Mendicants, granted them this Patent to protect, aſſiſt them therein, and to arreſt all falſe malicious Collectors of theſe Alms.

Pat. 14 E. 1. m. 11. Pro Attorn. Magiſtri & fratrum Hoſpitalis S. Jacobi de Alto paſſu.

REX Archiepiſcopis, Epiſcopis, Abbatibus, Prioribus, & omnibus Ballivis & aliis Chriſti fidelibus in *Anglia*, *Hybernia* & *Wallia*, ad quos præſentes literæ pervenerint ſalutem. Cum **Dominus Papa** dilectis nobis in Chriſto Magiſtro & Fratribus Hoſpitalis Sancti *Jacobi* de *Alto paſſu Lucanenſis* Dioceſis **duxerit indulgendum**, quod ſemel in anno recipiantur in **Eccleſiis ad colligendas elemoſinas**, propter quod ipſi ad loca diverſa pro elemoſinis colligendis accedunt. **Nos** dilectum nobis in Chriſto fratrem *Johannem de Camera* **generalem** Attornatum Magiſtri & fratrum prædictorum, & alios attornatos quos ſibi ſubſtituere voluerit, **ſuſcepimus in protectionem et defenſionem noſtrum ſpecialem.** Vobis Ballivis noſtris præcipientes, quod ſi quid eis per quoſcumque Clericos vel Laicos forisfactum fuerit, id eis ſine dilacione faciatis emendari. **Vos etiam Prælatos rogamus**, quatinus cum idem frater *Johannes* aut alii prædicti Hoſpitalis attornati per ipſum fratrem ſubſtituti, **ad loca veſtra pro hujuſmodi elemoſinis colligendis accederint, benigne in Eccleſiis veſtris recipientes eoſdem, ipſos in eiſdem Eccleſiis veſtris admonere populum, et elemoſinas libere quærere permittatis, et eiſdem** *Johanni* et aliis attornatis ad hujuſmodi elemoſinas in veſtris Dioceſibus &c deputatis colligendas literas veſtras convocatorias liberaliter concedere veſtris. Ita quod a Deo meritum, et a nobis grates repozcere debeatis ſpeciales. Et quia intelleximus quod quidam malivoli advocantes ſe per Magiſtrum & fratres Hoſpitalis prædicti elemoſinas colligunt & recipiunt nomine ipſorum, licet per ipſos ad hoc poteſtatem non habeant, nos hujuſmodi maliciam reprimere cupientes, vobis Ballivis noſtris præ-

cipimus

cipimus, quod ipsos malivolos cum per vos transitum fecerint, prout rationabiliter fuerit faciendum * arrestari faciatis, donec aliud inde præceperimus, seu ipsi malivoli de hujusmodi malicia competentes emendas fecerint, prout alias in casu consimili fieri consuevit. In cujus, &c. per biennium duraturas. Teste Rege apud *Cantuariam* 9 die *Maii*

An. 14 *E.* 1.

* False and counterfeit Collectors of Alms were frequent, and punished with imprisonment & restitution of what they collected in that age.

The Abbot and Covent of *Hyde* being indebted in an annual summe to the Dean and Chapter of *Sarum*, the King granted them this license to alienate the advousons of two Churches to them, notwithstanding the Statute of *Mortmain*, to discharge this Debt, and for them to appropriate those Churches if they pleased.

REX omnibus ad quos, &c. salutem. Sciatis quod cum dilecti nobis in Christo Abbas & Conventus de *Hyda Winton.* quorum domus ex progenitorum nostrorum quondam Regum *Angliæ* eleemosynis est fundata, Decano & Capitulo *Sarum* in viginti libris annuis ratione cujusdam contractus inter præfatos Abbatem & Conventum, & eosdem Decanum & Capitulum dudum initi teneantur, per quarum quidem viginti librarum annuarum solucionem status dictæ Domus plurimum est depressus; **Nos** eis in hoc, ut tenemur, subvenire volentes, **concedimus** pro nobis & hæredibus nostris, **quod dicti Abbas et Conventus Ecclesias de** *Colingburn* & *Peveseye* **patronatus eorundem infra Episcopatum** *Sarum* **situatas, dare et assignare possint** venerabili patri Episcopo *Sarum*, & præfatis Decano & Capitulo, & eorum successoribus, **vel ipsas Ecclesias ordinationi dictorum Episcopum, Decani et Capituli submittere. Et quod ipsi de eisdem Ecclesiis libere ordinare, valeant ad relevamen ejusdem oneris, et aliorum onerum incumbentium domui supradictæ, prout secundum Deum utilitati dictæ domus de** *Hyda* **viderint expedire.** Et præfatis Episcopo, & Decano & Capitulo insuper concessimus, **quod ipsi de prædictis Ecclesiis ordinare possint in forma prædicta.** Nolentes quod idem Abbas & Conventus, seu præfati Episcopus, & Decanus & Capitulum ratione statuti nostri de terris & ten. ad manum mortuam non ponendis, per nos vel hæredes nostros occasionentur in aliquo vel graventur. In cujus, &c. Teste Rege apud *Langeley* 12 die *Aprilis*.

Pat. 14 E. 1. m. 18. Pro Abbate & Conventu de Hyda Winton quod dare possint Episcopo Sarum & Capitulo ibidem, Ecclesias de Colingburn & Peveseye, &c.

The King and his Royal Progenitors having for a long time till that present, used to seise all the corn, sheep, oxen, horses, cattle, silver vessels, jewels, books, treasures, and other goods and chattles of the Abbots of *Westminster*, after their deaths, by reason of the vacancy, to their own uses, and retain them as their own, to the great prejudice of the Church and succeeding Abbots, the King thereupon out of his great respect to St. *Peter*, and the reasons expressed in the Patent, granted to *Walter* the present Abbot and Covent, and their successors, that they should from thenceforth be as free as any other Church in the Realm, by his predecessors Charters; and that neither he, his Heirs nor Ministers, should seise or retain any of them to their own use, but only for the benefit of the Church and succeeding Abbot, saving his right to the profits of the Temporalties during the vacancy, as this Patent manifests.

REX omnibus ad quos, &c. salutem. **Cum nos et progenitores nostri dudum Reges** Angliæ, **post mortem Abbatum Ecclesiæ Sancti** Petri Westm. **ratione vacationis ejusdem Ecclesiæ, ad blada in grangiis, oves et boves, equos et alia animalia, equitaturam, vasa argentea, jocalia, libros, thesaurum, et ad alia bona Abbatum majorum manum apposuere, et eo quod nostra tenere hucusque consueverimus, in grave dampnum Ecclesiæ prædictæ & Abbatum futurorum: Nos ob reverentiam beati Petri, spiritualis patroni Ecclesiæ prædictæ, et Sancti Edwardi Regis, & pro * salute animæ Domini *H.* Regis patris nostri, & liberorum nostrorum quorum corpora in Ecclesia prædicta requiescunt, necnon & pro salute animæ nostræ, & uxorum nostrarum & consortis nostræ, & progenitorum & hæredum nostrorum, volentes, quod Ecclesia prædicta sit adeo libera, sicut aliqua Ecclesia regni nostri, Waltero nunc Abbati et Conventui ejusdem loci, et successoribus suis concedimus, quod quascunque prædictam Ecclesiam per mortem, vel alio modo vacare contigerit, nos hæredes nostri, aut alii ministri nostri, ad hujusmodi**

Pat. 14 E. 1. m. 22. Pro Abbate & Conventu Westm.

* To which this Charter & grant availed nothing in reality.

An. 14 *E.* 1. modi bladа, oves, bobes, animalia, equitaturam, vasa, scalia, libros, thesaurum, vel alia bona Abbatum dict' Ecclesiæ mortuorum manum non apponemus, nec ea capi faciemus convertenda in usus nostros, set ea omnia convertantur et cedant in utilitatem Ecclesiæ prædictæ, et futuri Abbatis ejusdem. Salvis tamen nobis et hæredibus nostris exitibus provenientibus de portione assignata Abbatibus ibidem tempore vacationis Abbatiæ prædictæ, percipiend. eodem modo quo nos eos in vacationibus aliarum Abbatiarum et Prioratuum capere consuevimus et debemus. In cujus, &c. Teste Rege apud *Westm.* 18 die *Februarii*. Et duplicatur.

By this Patent I conceive it evident, 1. That our Kings by their antient Prerogative had the disposal of all the Goods, Chattels, Jewels, Plate, Books of Abbots and Religious persons who dyed intestate, in point of Law, (being disabled to make Wills or devise them) which were of their foundations, or held their Lands from and under them; and so of all their other Tenants dying intestate, (as I have * formerly evidenced out of *Glanvil*, and King *Henry* the 1. his Charter.) 2ly. That our Kings divested themselves of this Right and Prerogative, only by special Charters of grace made to Abbots and Monasteries. 3ly. That Bishops and other Ordinaries had no Jurisdiction of, or disposing power over the Chattels or Goods of intestate Abbots, much lesse of Laymen.

* Here p. 14, 91, 138, to 143.

Sanctius de Pynea (a Foreigner) Prebend in the Church of *Suthwell*, being promoted and made Bishop of *Tripolis*, the Church thereby becoming void, the King conferred it on *Boretto de S. Quintin*, (another Alien) by reason of the Temporalties of the Archbishoprick of *York* in his hands: It being then the received Law and Custom of the Realm, That the promoting of any Foreigner, who had a Prebendary or Benefice in *England*, by the Pope or any other Foreign Prince to a Foreign Bishoprick, made his Livings in *England* void in Law, so as the King and other Patrons might present thereto, as this Record resolves.

Pat. 14 E. 1. m. 21. De Præbenda data

REX caritatis intuitu dedit & concessit Magistro *Bonetto* de *Sancto Quintino* Clerico suo, Præbendam illam cum pertin. quam *Sanctius de Pynea* nuper habuit in Ecclesia *Suthwellensi*, **vacantem per promotionem ipsius** Sancii **in Episcopum** Tripolitanum, **et ad donationem Regis spectantem, ratione Archiepiscopatus** Eborum **vacantis, et in manu Regis existentis.** Et mandatum est Capitulo *Suthwellensi*, quod eidem Magistro *Bonetto* ratione Præbendæ prædictæ, **stallum in Choro et locum in Capitulo, prout moris est, assignet.** In cujus, &c. Teste Rege apud *Westm.* 28 die *Februarii*.

Theobald de Verdun Constable of *Ireland*, constituted the Bishop of *Bath* and *Wells*, then Chancellor, his Attorney, to present to all his Churches in *England* which should fall void during his absence in *Ireland*; the first of this nature I have observed to be enrolled and exemplified by the King.

Pat. 14 E. 1. m. 9. Pro Bathonienſi & Wellenſi Epiſcopo, de Eccleſiis conferendis, &c.

REX omnibus ad quos, &c. salutem. Inspeximus literas patentes sigillo dilecti & fidelis nostri *Theobaldi de Verdun* signatas, quas idem *Theobaldus* fecit venerabili patri *Roberto Bathonienſi & Wellenſi* Episcopo, Cancellario nostro, in hæc verba: *Universis Sanctæ matris Ecclesiæ filiis præsentes literas inspecturis vel audituris*, Theobaldus de Verdun **Constabularius** Hiberniæ, *salutem in Domino. Noveritis me loco meo constituisse venerabilem in Christo patrem* Robertum *permissione divina* Bathonienſem & Wellenſem *Episcopum*, **ad conferendum omnes Ecclesias ad meam donationem spectantes, quoquo jure infra regnum Regis** Angliæ, **cum eas de jure vel de facto vacare contigerit**, *quamdiu moram in partibus* Hiberniæ *me astrahere contingat. Ratum habens & gratum quicquid idem Episcopus nomine meo in præmissis duxerit faciendum. In cujus rei testimonium has literas meas eidem Episcopo feci patentes. Dat. apud* Cestriam *die Sabbati proxima post festum* Exaltationis Sanctæ Crucis, *Anno Domini* 1284. In cujus, &c. Teste Rege apud *Westm.* 25 die *Maii*.

What licenses for, and Royal assents to the Elections of Bishops, Abbots, Abbesses, and restitution of their Temporalties; and what Ecclesiastical Benefices the King this year conferred in *Ireland*, these following Records inform us.

Petrus

An. 14 *E.* 1. Pat. 14 E. 1. m. 14. De licentia eligendi.

PEtrus *Obrangill* Capellanus, nuncians Regi mortem bonæ memoriæ *Dyonisii* nuper Epiſcopi *Akadenſis*, habet literas Regis Decano & Capitulo *Akadenſi* **de licentia eligendi.** Teſte Rege apud *Weſtm.* 29 die *Aprilis.*

Ibidem. De Temporalibus reſtituris.

REX venerabili in Chriſto patri *S.* eadem gratia *Watrefordenſi* Epiſcopo, Juſtic. ſuo *Hibern.* ſalutem. Cum dilecti nobis in Chriſto Decanus & Capitulum *Akadenſe* nobis per literas ſuas patentes ſignificaverunt, quod Eccleſia ſua prædicta per mortem *Dyoniſii* nuper Epiſcopi ejuſdem loci, paſtoris eſt ſolatio deſtituta, ſupplicantes nobis, prout moris eſt, **quod licentiam ſibi aliam eligendi in Epiſcopum eiſdem concedere dignaremur**: Ac nos precibus eorundem Decani & Capituli in hac parte favourabiliter inclinati, **licentiam illam eis duximus concedendam.** Mandantes ipſis, &c. Receptis prius ab ipſo Electo literis ſuis patentibus ſigillo ſuo, necnon & ſigillo Capituli ſui conſignatis, **quod hæc gratia noſtra quam eidem Electo ad præſens ex mera liberalitate noſtra conceſſimus, nobis vel hæredibus noſtris non cedet in præjudicium vel exhæredacionem, ſeu trahetur in conſequenciam temporibus futuris.** In cujus, &c. Teſte ut ſupra.

Pat. 14 E. 1. m 8 De licencia eligendi.

W*Alterus* de *Ardert* Canonicus Eccleſiæ Cathedralis *Arrefertenſis* nuncians Regi mortem bonæ memoriæ *Johannis* nuper Epiſcopi ejuſdem loci, **habet literas Regis** Decano & Capitulo Eccleſiæ prædictæ **de licentia eligendi.** Teſte *Edmundo* Comite *Cornubiæ* Conſanguineo Regis apud 28. die *Junii.*

Pat. 14 E. 1. m. 9. De licentia eligendi.

FRater *Willielmus* Canonicus Domus beatæ *Mariæ* de *Trum*, nuncians Regi mortem *Felicia* nuper Abbatiſſæ Domus beatæ *Mariæ* de *Clomardia*, habet **literas Regis** Prioriſſæ & Monialibus Abbaciæ prædictæ **de licencia eligendi.** Teſte *Edmundo* Comite *Cornubiæ* Conſanguineo Regis apud *Weſtm.* 25 die *Maii.*

Pat. 14 E. 1. m 9. Hibern. de temporalibus reſtituris.

REX venerabili in Chriſto patri *S.* eadem gracia *Watrefordenſi* Epiſcopo Juſticiario ſuo *Hiberniæ* ſalutem. Cum dilectæ nobis in Chriſto Prioriſſa & Moniales Domus beatæ *Mariæ* de *Clonardia* nobis per literas ſuas patentes ſignificaverint, quod Eccleſia ſua prædicta per mortem *Felicia* nuper Abbatiſſæ ejuſdem loci, paſtoris eſt ſolacio deſtituta; ſupplicantes nobis, prout moris eſt, quod **licenciam ſibi aliam eligendi in Abbatiſſam eiſdem concedere dignaremur**, ac nos precibus earundem Prioriſſæ & Monialium in hac parte favorabiliter inclinati, **licenciam illam eis duximus concedendam**; Mandantes, *&c. Receptis prius, &c. verbatim* as that *pro Epiſcopo* Akadenſi. Teſte *Edmundo* Comite *Cornubiæ* Conſanguineo Regis apud *Weſtm.* 25 die *Maii.*

An. 15 *E.* 1. a Spelmanni Concil. Tom. 2. p. 350, &c.

On the 12. of *May* in the year of our Lord 1287. (the 15. of King *Edward* the 1.) [a] *Peter Quivil* Biſhop of *Exeter*, a greater *Canoniſt* then *Divine*, held a *Diocaſan Synod* at *Exeter*, wherein he preſumed (by the Archbiſhops example) to make and publiſh no leſſe then 55. *Canons* and *Conſtitutions*, ſundry of them very prejudicial to the Kings prerogative, and to the properties and Liberties of *Lay-Subjects*, lately printed at large in Sir *Henry Spelmans* Councils.

Ibid. p. 375.

I ſhall begin with Cap. 30. Ne Clericus Clericum coram ſeculari Judice conveniat. **Cum nec volens nec invitus Clericus valeat Laicum conſtituere Judicem, inhibemus, Ne Clericus Clericum ſuper re ſpirituali, aut quacumque actione perſonali ſibi competente, vel ſuis, trahat in cauſam correctionis coram Judice ſeculari.** *Alioquin ille qui hoc facere attentaverit*, **cauſam perdere declaramus.** *Et quanquam non ſuo nomine ſed alieno advetitum examen Clericum trahi procuravit, nihilominus eum qui taliter in frandem legis committit*, **prædictis pœnis decrevimus involutum. Si quis vero Laicus Clericum cuſtuſcunque gradus duxerit eſſe pulſandum, coram Eccleſiaſtico Judice eas proponat quas habere exiſtimat occaſiones.** *Qui vero hujus ordinis violator extiterit*, **ſi Clericus fuerit, grabi ſubjecet ultioni; Si vero Laicus puniatur (ut) violator Eccleſiaſticæ liberatis, ac ſi in generalem Excommunicationis ſententiam (qua violatores hujuſmodi innodantur) incidiſſe publice denuntiatur. Si quis vero Laicus Clericum ad forum pertrahit ſeculare, ſuper actione maxime perſonali, et Judex ſecularis Clericum coram ſe compellat reſpondere**

An. 14 E. 1. dere, vel quia non respondit ipsum grabare propter hoc præsumat; tam ipsum Judicem quam taliter pertrahentem, authoritate præsentis Synodi sacrosanctæ, Excommunicationis ac specialis Interdicti sententias et generales, cæteraque remedia Ecclesiastica contra eosdem fore procedendum, nihilominus decernentes, donec grabamen hujusmodi revocaverit, et Clerico in hoc læso satisfecerit compellantur.

By which Canon this Bishop and his Clergy endeavoured, 1. To deprive the King with his Temporal Courts and Judges of their antient undoubted Jurisdiction of all personal Actions between Clergymen themselves and their Servants, and likewise between any Laymen or Clergymen, and to appropriate or engrosse them wholly unto their Ecclesiastical Courts & Judicatures. 2ly. They most insolently encroached not only upon the priviledges and Liberties of Clergymen, in restraining them to sue or complain before any Lay Judge for personal Actions or Trespasses by any Clerks or Laymen, under penalties, but especially on all Laymen and Judges, by subjecting both of them to their special, general Excommunications and Interdicts, (as violators forsooth of the Churches Liberties) in case they presumed to sue or prosecute any Clergyman of what degree soever for any personal action or cause before any of the Kings or other Lay-Judges, or to punish any Clerks for their contempts for refusing to answer before them in such actions. A very high and daring presumption and usurpation worthy observation.

Not much unlike to this is their other Constitution, in relation to debts and distresses of Clergy men, cap. 41, & 42. worthy observation.

Ibid. p 381, 382. Cap. 41. Ne Clerici districtioni fori, vel obligent se seculari, vel in Parcis vel Vivariis Magnatum furtum committant. *Annis singulis & diebus, mundus iste nequam, labe plus solito corripitur peccatorum, & tanto ardentius conatur inventum, quanto quis sibi congregat cumulum delictorum. Ecce enim rabies inaudita,* quorumdam insurgunt filii in parentes, et ipsos nituntur subjacere servituti, per quos sunt ad vitam perpetuam regenerati, et servitute diabolica liberati; *quod apertius (patet) in Laicu,* qui Clerum et Ecclesiæ Libertates nituntur subjicere suæ ditioni, quorum temerariam audaciam resecare tenemur, potius quam fovere. Prohibemus igitur, sub pœna Excommunicationis, ne Clerici, maxime Beneficiati, pro debito proprio vel alieno, districtioni se obligent Judicis secularis, cujus obligationis prætextu Laici de facto, quanquam de jure non valeant, Clericos ad Judicia secularia pertrahant. Et sicut per Clericorum contractus nolumus quod amplius id contingat, *sic multo magis detestamur,* si propter eorum delicto id debeat evenire. Unde districte inhibemus, ne quisquam Clericorum *in Foresta Domini Regis, vel Parcis aliorius cujuscunque, aut Warenna,* furtum committere venationis, *vel in stagno, piscariis vel vivariis quorumcunque,* furtum præsumat committere. *Si quis autem Clericorum contra has Prohibitiones nostras venire præsumpserit,* siquidem in contractu, ipsum a divinis in terennium volumus manere suspensum: *si in delicto, ipso facto,* vinculum Excommunications incurrat: *& postea si monitus à Prælato suo pro gravi culpa,* ad ipsius Prælati arbitrium satisfacere non curaverit; extunc si beneficiatis fuerit, ipsum a Beneficio suo decrevimus fore privandum. *Si vero beneficiatus non existat,* ab executione ordinum per quinquennium suspendatur. *Dicit etenim ratio, ut in quibus major reperitur culpa, in ipsos gravior exerceatur vindicta.*

* Ibid, p. 382. Cap. 42. De forma liberandi Bona Clericorum à Laicis malè capta & retenta. Bona mobilia et immobilia Clericorum, sicut ipsorum personas sub protectione Ecclesiastica consistere sanctorum patrum decreta sanxerunt, ut neque Laicis de ipsis statuendi seu disponendi quicquam Ecclesiæ respiciat commodum ulla sit permissa facultas: sed quicquid fecerunt in hac parte, firmum et stabile esse non poterit, donec ab Ecclesia fuerit approbatum. Quanto minus sit eis licitum, bona Clericorum capiendi et detinendi, nemo est qui ambiget sanæ mentis. *Cum igitur Clericorum seu aliarum personarum quacunque bona* a Ballivis Magnatum, seu aliis quibuscunque capi et detineri contigerit, ab injuria propria, quod absque læsione Ecclesiasticæ libertatis posse fieri non videtur, ad eorum liberationem taliter procedi statuimus et mandamus; *ut per loci Archidiaconum vel Officialem ipsius, vel alium quem ipse assignaverit, moneantur ipsorum bonorum detentores primo, secundo, & tertio, sub testimonio trium vel quatuor Clericorum, vel saltem Laicorum, si Clericorum*

copia

copia non habeatur, per quos moniciones poſſint probari, ſi de ipſis in dubium alias revocetur, quod bona ipſa Clericis, à quibus ſunt ablata, reſtituant indilate, *& ſi reddiderint, Clericos ipſos ſibi fore obnoxios, quod compareant in proximo loci Capitulo adverſus eos, proſecuturi actionem. Quem quidem terminum ipſis Clericis aſſignari præcipimus, ut querelantibus reſpondeant in forma juris. Si vero factis monitionibus Detentores bona ipſa reſtituere per biduum detrectaverint, extunc qui illud monuit,* in ſcriptis excommunicet detinentes, cum ſuis complicibus et fautoribus, qui ſi Istam in ipſos ſententiam ad hæc aliud biduum bona ipſa reſtituere præpoſuerint, locum in quo taliter bona detinentur, Eccleſiaſtico interdicto ſupponat. Et ſi nec robur, nec ſatigatio hujuſmodi adhuc ſufficeat ad tantam obſtinatorum malitiam compeſcendam, contra eorum complices et fautores per Inquiſitiones legitimas et ſequentes Excommunicationis ſententias cenſuras Eccleſiaſticas modis omnibus præcipimus aggrabari. Deinde hiis remediis attemptatis, (niſi ad deliberationem proficiant) ſuſtineamus patienter ut Eccleſia non habeat quid ultra faciat, quod hiis cujus bona detenti ſunt, jus ſuum coram ſeculari Judice proſequatur. *Hanc formam volumus obſervari, niſi Clericus Laicum feodum poſſideat, ratione cujus bona ſua Laico feodo capi contigerit;* Nam quantum ad ipſum feodum pertinet, Clerici ſecularibus obnoxii ſunt legibus. *An.* 15 *E.* 1.

Ad hæc; quoniam ut ait beatus Gregorius, *Culpam vehementer me committere æſtimo, ſi ea, quæ pro timore omnipotentis Dei ſunt ſuggerenda, noluero. Et aliter, cum increpare delinquentes non vult, eos proculdubio tacendo Paſtor occidit: Ut igitur valeamus cum Apoſtolo dicere & clamare,* Mundæ ſunt manus meæ à ſanguine ovium noſtrorum; Silere et impunitam verſutiam quorundam Laicorum, maxime Vallidorum Magnatum (quæ) noſtra conſcientia minime nos permittit. *Ipſi etenim frequenti querela didicimus,* in tantam furoris audaciam modernis temporibus inciderunt, in quo magis contumelias, damna, et opprobria perſonis Eccleſiaſticis et rebus eorum intulerunt, eo magis congaudent, et id potiſſime gloriantur; *Heu miſeri infœlices & in tenebris ambulantes.* Nonne Deus pater noſter eſt qui vos creavit? Eccleſiaque mater, quæ vos regenerabit? *Nonne in Canone Cautum reperitur,* Qui abſtulit patri aut matri, & dicit, quia hoc peccatum non eſt, homicidii particeps eſt? *Ergo qui pecunias Eccleſiæ rapit, aufert, et defraudat, Homicida eſt. Nonne mirabilis inſaniæ eſſe cognoſcitur; Si filius patrem, diſcipulus Magiſtrum ſibi ſubjugare conetur,* et iniquis obligationibus illum ſui pœna ſubjicere, a quo credit non ſolum in terra, ſed etiam in cœlis ſeſe ligari poſſe et ſolvi? Quapropter in virtute Sanctæ Trinitatis firmiter inhibemus, ne quiſquam Laicorum Clericum cujuſcunque conditionis vel ordinis capere vel incarcerare præſumat, aut aliter in eum injicere manus temere aut violenter, cum ſcriptum ſit, Nolite tangere Chriſtos meos, & in Prophetis meis nolite malignari; Quod de Prælatis Eccleſiarum et Clericis intelligimus eſſe dictum, (A groſſe miſtake, being ſpoken only of *Abraham, Iſaac, Jacob,* their wives and families, neither of which were Prelates or Prieſts by order, but *Laymen,* as is evident by *Pſal.*105.10. to 16. 2 *Chron.* 16. 10. to 23. *Gen.*12.to 20. *Gen.* 20.3.to 18. *c.*26.28,29. *Gen.*34.30. *c.*35. 3,5. compared together) niſi pro ipſius Clerici captione (velut excommunicati) ſcripſimus; *ſed pro crimine homicidii, aut conſimili enormi delicto, capiendus fuerit, tanquam violator pacis Domini Regis Regni.* Quod ſi quis Clericum aliter capere, detinere, et incarcerare præſumpſerit, aut in eum manus injicere violentas, ipſum, candelis accenſis, pulſatis Campanis, in ſingulis Eccleſiis Archdiaconatus, in quo hujuſmodi Sacrilegus converſatur, excommunicatum a Canone tam diu publice nuntiari, donec hanc injuriam pacis ſatisfecerit competenter, præcipimus, et cum noſtrarum teſtimonio literarum ad Sedem Apoſtolicam venerit, abſolvendus.

* A learned Nonſequitur.

Item, quidam Laici proprios terminos excedentes, inter ſacrum Sanctuarium et prophanum minime diſtinguentes; ſolummodo quod ſacrum eſt a manibus Pontificum conſecratum, ſanctuarium appellant, dum Eccleſiam et ipſius Cimiterium Sanctuarium tantum mendaciter aſſeverant; *Quorum ne dum civilis verumetiam Canonica ſanctio liquidò contradicit, dum inquit,* Nulli licet ignorare, omne quod à Domino conſecratum, ſive fuerit homo, ſive animal, ſive ager, vel quicquid fuerit, ſemel conſecratur, ſanctum ſanctorum erit Domino, & ad jus pertinet Sacerdotum. *Propter quod inexcuſabilis erit omnis,* qui a Domino et Eccleſia, cui competunt, aufert, vaſtat, invadit, et eripit, uſque ad emendationem, Eccleſiæque ſatisfactionem,

An. 15 *E.* 1.

nem, vel Sacrilegus judicetur; et si emendare noluerit, excommunicetur. Depellenda est etenim illius usurpationis contumelia, ne prædia usibus cætuum dicata, a quibusdam irruentibus vexentur. Quod si quis præsumpserit, ut sacrilegus judicetur. *Hinc est quod omnes illos, qui nedum* Clericorum personas, sed res eorum mobiles, seu se moventes intra Ecclesiam vel ipsius Cimiterium, aut in agro ad Ecclesiam pertinente, vel alibi, absque rationabili causa, rapiunt, capiunt, et abducunt, ipsis inbitis quorum bona sunt; nisi celeri restitutione sibi prospexerint; ut inimicos Dei et Ecclesiæ, ac sacrilegos excommunicamus, et a sanctæ matris Ecclesiæ liminibus sequestramus; necnon ad bonorum liberationem ipsorum procedi præcipimus juxta formam superius traditam, quandocunque pro eo quod Clerici aut Laicali causam spiritualem, ut puta violenta manuum injectione in Clericum (*nisi ad correctionem rebus præmissis*) vel matrimonium contrahendo, Decimis, Oblationibus, Portuariis, læsione fidei vel juramenti, et cæteris hujusmodi, de jure vel consuetudine ad forum Ecclesiasticum pertinent, in foro Ecclesiastico fuerint prosecuti, ipsos ad forum traxerint seculare; necnon et Judex secularis, qui eos ob hoc gravare præsumpserit, nisi post trinam admonitionem a gravamine desliterit inferendo, et satisfecerit de illata injuria, consimili Excommunicationis sententia innodamus; firmiter præcipientes, ut rei judicatæ exceptionem Judices seculares admittant. Rei dico cujus cognitio ad Ecclesiasticum pertinet Judicem: et Ecclesiastici Judices similiter, cum de re judicata per Judicem secularem excipitur, admittere non postponant.

By these two last Constitutions, they endeavoured to protect and exempt the bonds, contracts, persons, goods of all Clergymen, (unless only in Criminal and capital causes) Churches, Churchyards from the Kings secular Courts, Judges, Officers, and expose all Lay persons, Officers, Judges to their Ecclesiastical Excommunications and Interdicts, who should presume to sue, arrest, or question them, as murderers, invaders of their Mother Churches priviledges, and sacrilegious persons.

I shall in the next passe to their Decree *De Testamentis*, cap. 50.

[a] *Statuimus ut nullus cujuscunque status aut conditionis existat* (which includes the King, as well as Lords, and Commons) *Clericum vel Laicum, liberum vel servum*, (which extends to [b] *Villaines*, as well as Servants) *de bonis quæ possidet tempore mortis*, libere testare impediat quoquo modo, sub pœna excommunicationis, quam impedientes decrevimus incurrere ipso facto, cum quantum ad ea quæ tunc possidet, liber quilibet censeatur, *sicut de hujus regni consuetudine hactenus est observatum. Quandocunque igitur sano vel ægro, libero vel servo, suum placebit condere Testamentum, statuimus*, ut pro Rectore, Vicario, vel Capellano Ecclesiæ parochialis confestim transmittat, *ut in ipsorum præsentia & duorum vel plurium fide dignorum de omnibus bonis suis mobilibus portionem suam contingentibus*, disponat pro animæ suæ salute sicut sibi placebit, et melius crediderit expedire, *uxoris & filiorum, si quis habuerit, portionibus per omnia salvis, &c. In fine autem cujuslibet Testamenti, hanc clausulam adjici volumus generalem:* Cætera omnia bona mea, sibe in rebus, sibe in manibus fuerint debitorum in hoc testamento non expressa, volo ut pro animæ meæ salute, per manus Executorum meorum in pios usus distribuantur; & *quod Creditoribus meis per manus eorundem similiter sit satisfactum.* Si qui vero Laicorum decesserint intestati; de bonis eorum, per locorum Ordinarios, taliter præcipimus ordinari, ut pro animæ defuncti in pios usus totaliter erogentur.

a Ibid. p. 387, 389.
b Fleta, cap. 13. Cookes 2 Instit. f. 118. b.

By which new Constitution this Bishop and others Ordinaries then endeavoured to usurp, 1. A new Jurisdiction to prescribe the form of all Testaments, and who should be witnesses to them, and to assign all goods, Chattels not particularly bequeathed in Testaments, to *pious uses*, *viz.* to erect Chantries, Monasteries, hire Priests, Monks to chaunt Masses for their Souls, to rescue them out of their imaginary purgatory fire, to enrich themselves thereby; 2ly. A Jurisdiction to dispose of all goods of Laymen dying intestate, to such *pious uses* as they should appoint, against Christs own president, and the ancient Lawes and usage of this Realm [c] *forecited*. 3ly. An authority to enable *Villains* to make Wills and Testaments, when as by the *Lawes and Customs* of the Realm, [d] *no Villain could dispose of his goods by will, without his Lords special license*; Nor any Prelate or Abbot of the kingdome, demise or dispose of the Corn, stock, goods or the temporalties of his Bishoprick or Monastery, without the Kings special license. More-

c Here, p. 14, 15, 91, 92. 138, to 142.
d Fleta, l. 3. c. 57. Littleton Sect 177, 192. Cooks 2 Instit. f. 118, 124.

Moreover, their Conſtitution concerning *Mortuaries*, (a new incroachment then much oppugned) is very conſiderable. *Cap. 52. *De Mortuariis.* *Mortuariorum præſtationem ex eo intelleximus* ſalubriter ſumpſiſſe initium, *quod Decimis majoribus & minoribus, ac cæteris juribus Parochialibus per ignorantiam non ſolutis, læſis Eccleſiis præſtarentur, ut talis oblivio procedens ex incuria non ſolventis, poſſet ſaltem, per hoc, apud diſtrictum Judicem excuſari. Et quanquam iſta proviſio eſſet aliqualiter fructuoſa omnibus Chriſtianis*; quidam tamen, vel cauſam hujuſmodi præſtationis ignorantes; vel (*quod deterius eſt*) de ſalute propria non curantes, ipſam mirabiliter ſubtraxerint, ſuam miſeriam in poſteros tranſmittentes: *quâ ſe nituntur modernis temporibus excuſare*, quod nec ipſi nec majores eorum, hanc præſtationem ullo tempore agnoverint. *O excuſatio miſera & infœlix, quæ dum ſit in peccatis, ſuos ducit ad interitum erculantes. Unde ſunt & alii, qui animæ ſuæ ſaluti provide conſulentes*, volut devoti Eccleſiæ filii præſtationem ipſam agnoſcunt, ſicut majores eorum hactenus cognoverunt: *Sicque contigit*, quod in una parochia ſolbi ſecundum melius averium pro defunctis, et in alia, penitus denegari. *Ut igitur à palea triticum ſeparemus*: ſtatuendo præcipimus, ut in parochia, in qua talis ſolutio fieri conſuevit, nullus ab ea ſe valeat excuſare; ſed in eadem fiat præſtatio uniformis, cum eadem non debeat cum univerſo jure cenſeri. *Parochianos aliarum Parochiarum monemus & hortamur in Domino, ut ſpiritum aſſumentes conſilii ſanioris*, tam ſalubrem præſtationem agnoſcant de cætero, et de ea ſatisfacere ſtudeant ſicut cæteri in futurum. *Videntur namque rabie nephanda moveri*, qui male detentis Deo et Eccleſiæ ſatisfacere tunc non curant, quando quod debetur ſibi nequiunt amplius retinere: ſed ipſius ſubibunt judicium, cui in hac parte judicium intulerunt. *In Parochiis vero in quibus* ſecundum melius averium dari hactenus conſuevit, illud ligandi, donandi, aſſignandive in alios uſus, decedentibus omnibus interdicimus facultatem. In Executores, ſeu alios quoſcunque detentores (niſi legitime moniti, ſatisfecerint Deo et Eccleſiæ de eodem) Excommunicationis ſententiam præcipimus promulgari. Thus did theſe Prelates and Clergymen, by their own Canons and Conſtitutions, againſt the Laws and Cuſtom of the Land, and Subjects Liberties, without conſent of King or Parliament, upon frivolous, avaritious pretences, enforce the payment of *Mortuaries* by degrees upon all men, to the prejudice of the Lords of Mannors in their Heriots, and of the Executors, Wives, Children of deceaſed perſons. *An.* 15 *E.* 1

I pretermit their Cap. 5. *De Pœnitentia.* Cap. 9. *De Eccleſiis, Capellis, & Oratoriis conſtruendis & reparandis.* Cap. 12. *De Eccleſiarum ornamentis & eorum cuſtodia.* Cap. 13. *Ne in Eccleſiis vel Cimiteriis earum mercata vel placita ſecularia teneantur*; (which no more prophaned them then their Eccleſiaſtical Courts, or Theeves and Murderers flying to, and reſiding in them as Sanctuaries, to protect themſelves againſt publick Juſtice;) which they ſpecially provide for Cap. 15. *De Immunitate Eccleſiarum perſonis, & rebus earum.* Cap. 27. *Ne Clerici de bonis Eccleſiaſticis in ſolo ædificent laicali.* Cap. 42. *De Viſitationibus Archidiaconorum & Procurationibus, & non viſitando.* Cap. 53. *De Decimis*; wherein are ſeveral clauſes intrenching upon the Kings Prerogative, or Subjects Liberties. They conclude their Conſtitutions Cap. 55. *De ſententiis Excommunicationum*, with the general ſentences and Anathemaes of Excommunication, made by *Stephen* Archbiſhop of *Canterbury* in the Council of *Oxford*, and of *Otthobon* the Popes Legate in the Council of *London*; decreeing, * *Has Excommunicationum ſententias, ſic proinde vulgatas*, necnon et noſtras quas ſupra criminoſos tulimus et rebelles, *prima Dominica in Adventu Domini, Dominica in* Septuageſima, *& Dominica proxima ante feſtum beati* Petri ad Vincula *intra Miſſarum ſolennia, cum major aderit Cleri & Populi multitudo*, candelis accenſis, pulſatis campanis, in ſingulis Eccleſiis parochialibus noſtræ Diœceſis per locorum Presbyteros, et per Decanum Chriſtianitatis Exoniæ in prædicto feſto beati Petri Cathedralis Eccleſiæ Exonii præcipimus ſolemniter publicari; to terrifie and ſubject the people to their illegal encroaching Conſtitutions and Cenſures. * Ibid. p. 390. * Ibid. p. 394, 395.

As this Biſhop and Synod thus invaded the Kings Prerogative and Subjects Liberties, by theſe precedent Conſtitutions, ſo they thus advanced the Supremacy and Authority of the Church and Popes of *Rome*, in point of conſecrating Reliques, canonizing Saints, and granting Abſolutions for ſome offences peculiarly reſerved to Popes and Prelates.

An. 15 E. 1.

* Cap. 48. *De Reliquiis & veneratione Sanctorum. Nonnunquam per malos, ſicut per bonos, miracula facta, Sanctorum ſacra commemorat Eccleſia;* **idcirco ad Sacrosanctam Romanam Eccleſiam, quæ per Dei omnipotentis gratiam, authoritate Apoſtoli & traditionis,* nunquam erraſſe probatur a tramite.** *In hoc igitur eſt recurrendum, et expectandum ipſius Decretum, ne quis hoc approbando, quod ipſe reprobat, a Catholicis Hæreticus comprobetur. Idcirco in Concilio generali provide novimus eſſe prohibitum,* Ne quis Reliquias de novo inventas, publicè venerari præſumat, **niſi a Romano Pontifice prius fuerint approbatæ. Quam prohibitionem inviolatam ab omnibus præcipimus cuſtodiri: Statuentes, ut nullus Sanctorum Reliquias venales exponat; ſed nec lapides, fontes, arbores, ligna, veſtes, aut res quaſcunque alias ut ſanctas propter ficticia documenta aliqualiter veneretur, cum illud hæreticam ſapere pravitatem Apoſtolica declarat ſententia;** et **nulli licere docetur aliud, vel ſentire, quam † Romanam Eccleſiam matrem omnium Eccleſiarum ſequi viderit et tenere.** *Si qui autem contra hoc venire præſumpſerit, niſi moniti ſuum deponent errorem,* **tanquam hæreticos cenſemus graviter puniendos.**

* Ibid. p. 396.

* *ſapius erraſſe,* had been truer.

† Which canonized, adored falſe Saints, Reliques, taught forged Miracles, practiſed Idolatry, Symony, Bribery, Fraud, Rapine, Covetouſneſs, Rebellion, Treaſon, diſpenſations with ſacred Oaths; and yet erred not in theſe.

In their *Modus exigendi Confeſſiones*, (wherein they totally expunged the Second Commandment againſt the making and worſhipping of Images, whereof they were then moſt notoriouſly guilty) they thus informed their Prieſts and Lay-people, what offences were then ſpecially reſerved to the Popes and Biſhops abſolutions, to whoſe perſons, Courts they muſt reſort for them, to their vaſt expence and vexation. * *Quia tamen quædam ſunt peccata propter qua debet ſimplex Sacerdos,* **ad Papam vel Epiſcopum mittere pœnitentem;** *ea præſenti tractatui utique duximus inſerenda: ut auditis talibus mittat Sacerdos pœnitentem ad Epiſcopum vel ejus Pœnitentiarium, ut ipſe, audito pœnitente, diſcernat,* **utrum ad Epiſcopum abſolutio pertineat, vel ad Papam debeat ipſum deſtinare. Sunt autem hi ad Papam mittendi ad abſolutionem ſuſcipiendam;** *ſcilicet,* **Percuſſores Clericorum vel Religioſorum, ſive Clericorum, ſive Laicorum, vel Laicum, dum tamen ſunt in Collegiis.** *Item, Incendiarii qui domos incendunt;* **Violatores Eccleſiarum,** *Sortilegii & Damonibus immolantes; & etiam aliud quam Deum adorantes. Item,* **communicantes ſcienter et prudenter cum Excommunicatis a Papa, et etiam ab Epiſcopo.** *Item,* **falſarii Literarum Domini Papæ, et etiam procurantes falſitatem ab alio fieri, et ſcienter et prudenter falſis literis utentes:** (of which there were then many.) *Item, falſi teſtes. Item, ſupponens partum; id eſt, faciens alienum partum ſuum, ut alii exhæredentur. Item, partum ſuum necans, vel per injuriam ſuffocans. Item, tonſores moneta. Item,* **impedientes legem Domini Papæ:** (whoſe Antimonarchical Canon Laws muſt not be oppoſed, or contradicted.) *Item,* **proditor Domini ſui, vel regni, vel alterius.** *Item, ſectans hæreſes, id eſt,* **hæreticus;** *ſcilicet, qui fovet hæreticos. Item, Symoniacus; ſcilicet,* **qui emit vel dat aliquid, ut habeat aliquid Spirituale, vel qui vendit Spirituale, vel etiam Spirituali annexum; vel etiam qui procurat aliud dare, ut ipſe vel alius habeat aliquod Spirituale, ſicut beneficium Eccleſiaſticum, vel etiam Ordines.** (And were not † Popes, Cardinals, Biſhops, Prieſts moſt guilty of this ſinne, in that, and in preceding and ſucceeding ages?) *Item,* **raptores rerum ſacrarum.** *Item,* **Sciſmaticus,** *id eſt,* **recedens ab Eccleſia Romana.** *Item,* **Invaſores poſſeſſionum Eccleſiaſticarum.** *Item, adjutores Saracenorum in armis, vel aliis prohibitis. Item,* **Uſurarius.** *Item,* **Judex qui facit ſtatuta contra libertatem Eccleſiæ, vel qui fovet talibus:** (by granting Prohibitions to reſtrain their Uſurpations.) *Item, qui ſuſpenſus divina celebravit. Item, qui enormia contra naturam committunt, circa luxuriam:* (as Popes and Cardinals uſually did.) *Et ſi forte non poſſit peccator induci, quod hujuſmodi Epiſcopo vel ejus Pœnitentiario (confiteatur) adeat Epiſcopum Sacerdos; & expoſito ei crimine, recipiat ab Epiſcopo poteſtatem abſolvendi pœnitentem. Hi quidem, ſicut dictum eſt,* **mittendi ſunt ad Epiſcopum,** *ut ipſe, quos abſolvere poterit,* **abſolvat; quos vero abſolvere non poterit, ad Papam mittat Epiſcopus abſolvendos;** to fill his and his Officers purſes, the principal reaſon of the reſervation of all Abſolutions in theſe caſes to himſelf.

* Ibid. p. 401, 402.

† *Ad literam nihil hodie communiter faciunt Prælati niſi propter munera & retributiones data vel danda;* Alvarus Pelagius de Planctu Eccleſiæ, l. 2. Artic. 5. f. 91. *Pro pecuniis conſecrant & ordinant; pro pecunia omnia conferunt ſacramenta; Sacramenta emunt, Sacramenta vendunt: Nihil accipitur gratis, nihil datur gratis,* Ibid. Artic. 9. f. 109. *Vix credo, maximè in* Hiſpania, *quod de centum Epiſcopis ſit unus, qui non ſit Simoniacus in ordinibus & beneficiis conferendis.* Ib. Artic. 20. f. 122.

This year (1288.) [a] 15 *die menſis* Februarii, (after the death of Pope *Honorius* the 4th.) *Frater* Hieronimus, *de ordine Fratrum Minorum, ſed Presbyter Cardinalis, in Summum Pontificem conſecratur, &* Nicholaus *quartus vocatur*; whereon

[a] Mat. Weſtm. p 375, 376. Platina, Onuphrius, Stella, Creſpin, Balæus, Laertius Cherubinus in Nicholao 4.

An. 15 E. 1.

Mat. Weſtminſter thus deſcants; Frater Hieronimus **Minor, eſt mundi modo Primus.** [b] *Per idem tempus* Alfonſus *Rex* Aragoniæ **miſſis ad Curiam Romanam nunciis, reconciliari petivit Eccleſiæ, de his quæ per Patrem ſuum** (King *Peter*) **facta fuerant ſe excuſans.**

[b] Tho. Walſingham Hiſt. Angl. p. 14. Ypodigma Nuſtr. p. 72.

The Archdeacon of *Richmund* ſuſteining ſome damage by this Pope *Honorius* his appropriation of the Church of *Kircham* to the Abby of *Valle Royal*, at the Kings inſtance, he thereupon by his Letrers Patents authorized and commanded the Abbot and Covent by a certain day, to purchaſe the Patronage of a Church within the Archdeaconry, of one hundred Marks or more by the year, and to annex it to the Archdeaconry in perpetuity; which they covenanted to do, and that in the mean time the Archdeacon ſhould enjoy an annual penſion from the Abbot, as this Record atteſts.

Chart. Pat & Clauſ. An. 15 E. 1 m. 2. dorſ. Pro Archidiacono Richemund.

DOminus Rex volens proſpicere indempnitati Archid. *Richemund.* & Archidiaconorum ejuſdem loci qui pro tempore fuerint, **pro eo quod ex appropriatione Eccleſiæ de *Kircham*** Archidiaconatus prædicti facta viris Religioſis Abbati & Conventui de *Valle Regali* ordinis *Ciſterc. Lichefeld.* Dioceſis, **per Sanctiſſimum Papam Dominum *Honorium* quartum, ad inſtantiam Domini Regis memorati,** præfatus Archidiaconus & ſui ſucceſſores, dampnum & injuriam incurrere poterunt in futurum, **ordinavit et præcepit,** quod Religioſus vir Abbas prædictus, pro ſe & Conventu ſuo citra feſtum Sancti *Michaelis* proximo ſequens jus patronatus alicujus Eccleſiæ **valentis centum marcas et plus,** infra Archidiaconatum prædictum emeret, & Magiſtrum *Henricum de Newerk* ejuſdem loci Archidiaconum, vel ſuum ſucceſſorem, ſi de eo interim humanitus contigerit, **nomine ſuo et ſui Archidiaconatus, et ſucceſſorum ſuorum in eodem Archidiaconatu feoffaret,** præfato Archidiaconatui **perpetuis temporibus annectendæ;** unde apud *Burdegalam* octavo die *Januarii* anno regni Regis *Edwardi* 15. *Johannes* Abbas de *Valle Regali* in præſentia venerabilis patris Domini *R.* Dei gratia *Bathonienſis* & *Wellenſis* Epiſcopi, Domini Regis Cancellarii, perſonaliter conſtitutus, gratis, & **de licentia Domini Regis** recognovit pro ſe & ſuo Conventu, quod citra prædictum feſtum Sancti *Michaelis*, de jure patronatus unius Eccleſiæ infra Archidiaconatum prædictum, **valentis centum marcas et plus,** prædictum Archidiaconum & ſucceſſores ſuos infeodabit, ſibi & præfato Archidiaconatui **perpetuis temporibus annectendæ.** Quod ſi non fecerit, vult & recognovit, quod in prænotato feſto Sancti *Michaelis*, memorato Archidiacono ſolvet apud *Eborum* viginti marcas nomine annuæ penſionis eidem Archidiacono & ſucceſſoribus ſuis ſingulis annis in eiſdem terminis & loco perpetuis temporibus exſolvendas, quouſque de jure patronatus alicujus Eccleſiæ **valentiæ centum marcas et plus,** infra Archidiaconatum prædictum ipſum Archidiaconum & ſuos ſucceſſores feoffaverit, prout ſuperius eſt expreſſum. Conceſſit etiam pro ſe & ſuo Conventu, quod ad prædictam annuam penſionem **ſingulis annis prædicto Archidiacono et ſuis ſucceſſoribus,** prout dictum eſt, ſuis terminis & loco fideliter exſolvendam, per omnia bona illius Monaſterii **poſſit diſtringi,** &c.

Henry de Branceſton being elected and confirmed Biſhop of *Sarum* by the Kings and Archbiſhops aſſent, had a Writ to reſtore his Temporalties in uſual form this year.

Pat. 15 E. 1. m. 12. De Temporalibus reſtitutis.

REX dilecto ſuo *Malculmo de Harle*, cuſtodi Epiſcopatus *Sarum*, ſede vacante, ſalutem. Cum, *&c.* Et ideo vobis mandamus, quod eidem Electo Temporalia Epiſcopatus prædicti cum pertin. ſine dilatione liberetis, ſicut prædictum eſt. In cujus, &c. Teſte *Edmundo* Comite *Cornubiæ* conſanguineo Regis apud *Weſtm.* 15 die *Martii.*

The King having conquered *Wales*, in the 15. year of his reign granted and confirmed to the Biſhop of *Bangor* and his ſucceſſors, all the rights, liberties, poſſeſſions and cuſtoms they had formerly uſed and enjoyed; who claiming the third part of the Tithes of all the Kings Demeſns, Mills, and Mines of Lead in *Engleſend*, the King iſſued this Writ for his enjoyment of thoſe Tithes at preſent, ſo as he ſhould be reſponſible to the King for them, if they were not juſtly due.

REX

An 15 E. 1. Rot Walliæ An 14 E. 1. usque 22 in 9

REX dilecto & fideli ſuo *Regin. de Grey*, Juſtic. ſuo *Ceſtr.* ſalutem. Cum dudum conceſſerimus, quantum in nobis eſt, venerabili patri *A. Bangorenſi* Epiſcopo, & ſucceſſoribus, **quod ipſi utantur et gaudeant pacifice et quiete eiſdem juribus, libertatibus, poſſeſſionibus et conſuetudinibus diu optentis, quibus idem Epiſcopus et prædeceſſores ſui Epiſcopi dicti loci uſi et gaviſi fuerunt temporibus retroactis; ac idem Epiſcopus clamat habere debere tertiam partem Decimarum Dominicorum noſtrorum, et Molendinorum noſtrorum in** Engleſend, **et tertiam partem Decimarum Mineræ noſtræ de plumbo ibidem**; aſſerens ſe & prædeceſſores ſuos prædictos inde in plena & pacifica poſſeſſione retroactis temporibus extitiſſe, prout per quandam inquiſitionem coram vobis inde captam evidenter apparet: Vobis mandamus, **quod præfatum Epiſcopum tertiam partem Decimarum prædictarum percipere et habere permittatis, juxta conceſſionem noſtram prædictam, et tenorem inquiſitionis prædictæ**; & prout idem Epiſcopus & prædeceſſores ſui prædicti eam retroactis temporibus percipere & habere conſueverunt, donec aliud inde præceperimus. Ita tamen, **quod idem Epiſcopus nobis inde reſpondeat, ſi ad nos de jure debeat pertinere.** Teſte *Edmundo* Comite *Cornubiæ* conſanguineo Regis apud *Weſtm.* 16 die *Decembris.*

What *Congedeſliers*, and Royal aſſents to Elections to Eccleſiaſtical dignities and places relating to *Ireland*, the King this year granted, theſe Records inſtruct us.

Pat. 15 E. 1. m. 9. De licentia eligendi.

PRior & Conventus de Inſula ordinis Sancti *Auguſtini Liſmorenſis* Diocæſis in *Hibernia*, nunciantes Regi per fratrem *Gilbertum de Inſula* Concanonicum ſuum ceſſionem fratris *Petri de Inſula* nuper Abbatis ſui, habent literas Regis **de licentia eligendi.** Teſte *Edmundo* Comite, &c. apud *Weſtm.* 6 die *Junii.*

Pat. 15 E. 1. m. 6. Pro Prioriſſa & Monialibus Abbatiæ de Pelo Portu beatæ Mariæ.

REX Juſticiario ſuo *Hibern.* ſalutem. Cum dilectæ nobis in Chriſto Prioriſſa & Moniales Abbatiæ de *Bello Portu* beatæ *Mariæ* prope *Waterford Oſſorienſis* Diocæſis, nobis per literas ſuas patentes ſignificaverint, quod Eccleſia ſua prædicta per mortem *Deſideratæ le Poher*, nuper Abbatiſſæ ejuſdem loci, paſtoris eſt ſolatio deſtituta, ſupplicantes nobis prout moris eſt, **quod licentiam ſibi eligendi in Abbatiſſam eiſdem concedere dignaremur**; ac nos precibus earundem Prioriſſæ & Monialium in hac parte favorabiliter inclinati, * **licentiam illam eis duximus concedendam**: Mandantes, *&c.* Nos earundem Prioriſſæ & Monialium laboribus & expenſis in hac parte parcere volentes iſta vice, conceſſimus eis **de gratia noſtra ſpeciali**, & vobis dedimus poteſtatem, quod facta electione de futura Abbatiſſa, ſicut prædictum eſt, eidem Abbatiſſæ **aſſenſum Regium vice noſtra præbeatis**, ſignificantes, *&c.* (as in others forecited.) **Receptis prius ab ipſa Electa literis ſuis patentibus ſigillo ſuo, necnon et ſigillo Capituli ſui conſignatis, quod hæc gratia noſtra quam eidem Electæ ad præſens ex mera liberalitate noſtra conceſſimus, nobis vel hæredibus noſtris non cedat in præjudicium vel erhæredationem, ſeu trahetur in conſequentiam temporibus futuris.** In cujus, &c. Teſte *Edmundo*, &c. apud *Weſtm.* 26 die *Junii.*

* Enrolled by it ſelf in the ſame membrane.

Pat. 15 E. 1. m. 11. Pro Priore & Conventu de Kenles.

REX Juſticiario ſuo *Hiberniæ*, ſalutem. Cum dilecti nobis in Chriſto Prior & Conventus Monaſterii Sanctæ *Mariæ* de *Kenles* in *Midia*, de **licentia noſtra** prout moris eſt, dilectum nobis in Chriſto fratrem *Angelicum* Concanonicum ſuum in Abbatem ſuum elegerint, **cui Regium aſſenſum prius adhibuimus et favorem**: Nos eorundem Prioris & Conventus laboribus & expenſis in hac parte parcere volentes iſta vice, volumus & vobis damus poteſtatem, *&c.* (as in the former.) **Receptis tamen prius ab ipſo Electo literis ſuis patentibus ſigillo ſuo, necnon et ſigillo Capituli ſui conſignatis, quod hæc gratia noſtra quam eidem Electo ad præſens ex mera liberalitate noſtra conceſſimus, nobis vel hæredibus noſtris non cedat in præjudicium vel erhæredationem, ſeu trahatur in conſequentiam temporibus futuris.** In cujus, &c. Teſte *Edmundo* Comite *Cornubiæ* conſanguineo Regis apud *Weſtm.* 6 die *Maii.*

King

King *Edward* the 1. in the 16 year of his reign going into *Aragon*, *in* Bierna Oloracenſi *Civitate Reges* Angliæ & Aragoniæ *convenerunt ſuper liberatione* Caroli *Principis* Saliternæ *coguati Regis* Angliæ, *tractatum diligentem habentes, qui conditionaliter fuit liberatus ſub hac forma*; viz. *quod data Regi* Arragoniæ *certa ſumma pecuniæ, ipſe* Carolus a Domino Papa pacem Arragonenſibus impetraret, *quam ſi infra terminum limitatum impetrare non poſſet, rediret ad carcerem. Quibus conditionibus* juramento firmatis, Carolus *tradere debebat tres filios & alios milites nobiles quadraginta, pro quibus quouſque venirent, Rex* Angliæ *liberationem* Caroli *accelerans, nobiles viros qui ſecum erant obſides tradidit, & pecuniam uſque ad triginta millia librarum perſolvit*; pro cujus detentione Rex Arragonum vinculis ligabatur Excommunicationis. *Sed in hac convocatione Regum duorum*, per Legatum ad hoc ſpecialiter deſtinatum abſolutionis gratiam nieruit obtinere. Prince *Charles* being thus releaſed by our King *Edwards* procurement, moſt perfidiouſly by the (Popes encouragement) *in vigilia S.* Johannis Baptiſtæ *decem millia* Francorum *militum aliorumque virorum fortium, quibus præfuit Comes* Atrabicenſis, *cum navibus & galeis* Siciliam *ingredi nitebatur, ſed dicti Regis* Arragonum *ſatellites in piratis pro magna parte dictam multitudinem ſubmerſerunt, quoſdam verò vivos ceperunt, & eos in carceribus recluſerunt*: After which *Charles* himſelf, inſtead of performing his Oath and Covenant, a juramento ſuo exeranda et detestabili auctoritate Nicholai *quarti Papæ* poſtea abſolutus, regnum Siciliæ contra fidem et religionem invaſit atque tenuit. Which *Walſingham* thus relates; Carolus *Princeps* Achaiæ, (An. 1291.) Romam *veniens*, per Papam Nicholaum a juramento Regi Arragoniæ præſtito abſolvitur, et in Regum Siciliæ coronatur. Such countenancers, fomenters of groſſeſt perjuries, and breaches of Solemn Leagues, Covenants, were theſe Antichriſtian holy Fathers of *Rome* in that age, worthy to be had in perpetual execration.

An. 16 *E.* 1.

a Tho. Walſingham Hiſt. Angl. Ann. 1288. p. 35. Ypodigma Neſtriæ. Mat. Weſtm. p. 370. 375.

b Mat. Weſt. p. 375. Polyd. Virgil Hiſt. Angl. l. 17. p. 326. Walſingham Hiſt. p. 15. Matth. Parker Antiq. Eccleſ. Brit. p. 206.

* King *Edward* after this releaſe of his Cozen *Charles* returning from *Aragon* into *Gaſcoigne*, and Blankleforth *in* Vaſconia *juxta* Burdegalem, *poſt convaleſcentiam de gravi infirmitate*, Cruce-ſignatur, cum copioſa hominum multitudine, et Chriſtianorum exercitus Capitaneus eſt effectus per Legatum Romanæ Curiæ ad hoc miſſum; Quoniam Judæos omnes tanquam Crucis hoſtes expulit de Waſconia, et aliis terris ſuis univerſis quas in Regno Franciæ poſſidebat; and ſoon after baniſhed them out of *England*; but was hindred from his voyage to the Holy Land by his wars with the *French*, *Welſh*, and *Scots*.

c Mat. Weſtm p. 374. 375. 376. Walſingham Hiſt. p. 15. Henr. de Knyghton, de Eventibus Angl. l. 3. c. 1, 2. col. 2466, 2468.

What arrears of annual Penſions the King iſſued to the Popes Cardinals and Notaries this year, to promote his affairs, theſe Records relate.

REX Theſaur. & Camerariis ſuis. Liberate de Theſauro noſtro venerabili patri Domino *Matthæo* Sanctæ *Mariæ* in *Porticu* Cardinali Centum et quinquaginta marcas, videlicet ſexaginta marcas de terminis *Paſchæ* & Sancti *Michaelis* anno Regni noſtri quartodecimo, & triginta marcas de terminis *Paſchæ* & Sancti *Michaelis* anno Regni noſtri quintodecimo, & triginta marcas de termino *Paſchæ* anno Regni noſtri ſextodecimo, de annuo feodo ſuo ſexaginta marcarum quod ei conceſſimus percipiendum ad Scaccarium noſtrum. Teſte Comite ut ſupra. Per breve de Privato Sigillo.

Liberate 16 E. 1. m. 2. Pro D. Matthæo S. Mariæ in Porticu Cardinali.

REX Theſaurario & Camerariis ſuis ſalutem. Liberate de Theſauro noſtro dilecto Clerico noſtro Magiſtro *Berardo de Neapoli* Domini Papæ Notario ſexies viginti marcas, videlicet quadraginta marcas de termino Sancti *Michaelis* anno Regni noſtri quartodecimo; & quater viginti marcas de terminis *Paſchæ* & Sancti *Michaelis* anno Regni noſtri quintodecimo, quæ et arretro ſunt de annuo feodo ſuo quater viginti marcarum, quod de nobis percipit ad Scaccarium noſtrum. Teſte *Edmundo*, &c. apud *Weſtm.* 25 die *Octobris*.

Ibidem. m. 2. Pro Magiſtro Berardo de Neapoli Domini Papæ Notario.

What Account the King had of the Subſidie granted him by the Clergie in the Province of *Canterbury*, and within *Lincolne* Dioceſſe, this Record will inform us.

REX omnibus ad quos, &c. ſalutem. Inſpeximus literas patentes dilecti nobis in Chriſto Magiſtri *Radulphi de Ivingho* Cancellarij Eccleſiæ Sancti *Pauli London.*

Pat. 16 E. 1. m. prima. Pro Epiſcopo Lincolnienſi de Viceſima.

An. 16 E. 1. *don.* ad audiendum & recipiendum compotum **Collectorum Vicesimæ** nobis à Clero tocius provinciæ *Cantuariensis* concessæ assignati in hæc verba. Omnibus Christi fidelibus ad quos præsentes literæ pervenerint *Radulphus de Ivingho* Cancellarius Ecclesiæ Sancti *Pauli London.* ad audiendum & recipiendum compotum Collectorum **Vicesimæ Domino** Edwardo **Regi** Angliæ **illustri a Clero tocius** provinciæ Cantuariensis **per biennium concessæ deputatus**, salutem in Domino. Sciatis quod venerabilis pater Dominus *Oliverus Lincolniensis* Episcopus qui in se assumpserat onus collectionis **Vicesimæ biennalis** prædicto Domino Regi in Episcopatu *Lincolniensi* à Clero concessæ, die Martis in crastino Sanctæ *Lucæ* Evangelistæ anno regni Regis prædicti sextodecimo, per Dominum *Willielmum de Stoketon* Clericum suum ad hoc per ipsum Episcopum assignatum nobis reddi fecit plenariè compotum finalem de tota prædicta **Vicesima biennali** Episcopatus prædicti, per quem quidem compotum comperimus expressè **summam tocius vicesimæ prædictæ se extendere ad mille quadringentas quaterviginti decem et novem libras, novem denarios et quadrantem**; & non ultra; **excepta Vicesima contingente prædendas** Ecclesiæ Lincolnienſis, **et Ecclesias ab antiquo ad communiam Canonicorum ejusdem Ecclesiæ spectantes, de quibus prædendis et Ecclesiis quo ad levacionem et collectionem Vicesimæ earundem dictum Dominum Episcopum exonerabimus**, pro eo quod Capitulum *Lincolniens.* de vicesima ipsum contingente nobis per se respondebit ad plenum. De summa quidem præscripta constat nobis manifestè prædictum Dom. Episcopum solvisse Domino nostro Regi prædicto ante tempus computacionis suprascriptæ **Mille quadringentas tres libras, decem novem et solidos octo denarios et obolum**, per unam literam acquietanciæ sub sigillo Domini Regis, & sex paria literarum acquietanciæ sub sigillo Magistri *Thomæ de Brodestrete* Rectoris Ecclesiæ de *Tollesbir. London.* Diocesis ad recipiendum Vicesimam tocius provinciæ *Cantuariensis* specialiter à Domino nostro Rege prædicto deputati, quas literas omnes & singulas tam Domini Regis quam Magistri *Thomæ* prædicti ex tradicione & liberacione prædicti Domini *Willielmi* penes nos recepimus & habemus. Allocavimus eciam præfato Domino Episcopo, tam pro Ecclesiis exemptorum quam ex aliis racionibus diversis coram nobis in prædicto compoto per *Willielmum* prætactum propositis, sicut apparet per particulas in serie compoti supratacti, quatervigiuti & octo libras sexdecim solidos quatuor denarios obolum & quadrantem. Post præscriptas verò solùciones & allocantias ac compotum finalem Vicesimæ auditum recepimus à præfato Domino Episcopo per manus antedicti *Willielmi* nomina quorundam Rectorum qui Vicesimam Ecclesiarum suarum nondum ad plenum solverant, nobis liberata pro sex libris quatuor solidis & octo denariis, de quibus sex libris quatuor solidis & octo denariis levandis & prædicto Domino Regi solvendis nosmetipsos oneravimus, sæpedictum Episcopum exinde penitus exonerando. Et sic eundem Dominum Episcopum à tota collectione prædictæ Vicesimæ suæ Diocesis & omnibus suis circumstanciis totaliter **quietamus**, & erga prædictum Dominum Regem & omnes alios tenore præsentium **quietabimus in æternum.** In cujus rei testimonium hanc nostram literam fieri fecimus patentem sigillo nostro majori consignatam. Dat. *London.* die Martis in Crastino Sancti *Lucæ* Evangelistæ, Anno Domini 1288. & Anno Domini Regis prædicti suprascripto. Nos igitur præmissa acceptantes eundem Episcopum inde quantum in nobis est tenore præsencium quietamus. In cujus, &c. Teste *Edmundo* Comite *Cornubiæ* Consanguineo Regis apud *Westm.* 8. die *Novembris.*

Ibidem. Pro eodem Quintadecima.

REX omnibus ad quos, &c. salutem. Inspeximus literas patentes dilecti nobis Magistri *Radulfi de Ivingho* Cancellarii Ecclesiæ Sancti *Pauli London.* ad audiendum & recipiendum compotum Collectorum **Quintædecimæ** nobis à Clero tocius provinciæ *Cantuariensis* concessæ **assignati** in hæc verba. Omnibus Christi fidelibus ad quos præsentes literæ pervenerint, *Radulphus de Ivingho* Cancellarius Ecclesiæ Sancti *Pauli, &c.* ad audiendum & recipiendum compotum Collectorum Quintædecimæ Domino *Edwardo* Regi *Angliæ* illustri à Clero tocius provinciæ *Cantuariensis* per triennium concessæ deputatus, salutem in Domino. Sciatis quod venerabilis pater Dominus *O. Lincolniensis* Episcopus onus collectionis Quintædecimæ triennalis prædicto Domino Regi in Episcopatu *Lincolniensi* à Clero concessæ, die Veneris proxima post festum Sancti *Dionysii* Martyris, anno regni Regis sexto-

An. 16 *E.* 1.

lextodecimo, per Dominum *Willielmum de Stocketon* Clericum ſuum ad hoc per ipſum Epiſcopum aſſignatum, nobis reddi fecit plenariè compotum finalem de tota prædicta Quintadecima triennali Epiſcopatus prædicti. Per quem compotum comperimus expreſſè ſummam totius prædictæ Quintædecimæ ſe extendere ad duo millia nongentas, quaterviginti decem et octo libras, decem et octo denarios et obolum et non ultra, exceptâ Quintadecima contingente prædendas Eccleſiæ *Lincolnienſis* et Eccleſias ab antiquo ad communam Canonicorum ejuſdem Eccleſiæ ſpectantes. De quibus Præbendis & Eccleſiis quoad levacionem & collectionem Quintædecimæ earundem, dictum Dominum Epiſcopum exoneravimus, pro eo quod Capitulum *Lincolnienſe* de Quintadecima ipſum contingente nobis per ſe reſpondebit ad plenum. De ſummâ quidem præſcriptâ conſtat nobis manifeſtè prædictum Dominum Epiſcopum ſolviſſe Domino noſtro Regi prædicto ante tempus computacionis ſupradictæ duo millia octingentas undecim libras duos ſolidos et novem denarios per ſeptem paria literarum acquietanciæ ſub ſigillo Domini Regis, & tria paria literarum acquietanciæ ſub ſigillo noſtro quo ſpecialiter pro arreragiis Quintædecimæ utimur & utebamur, quas literas omnes & ſingulas tam Domini Regis quam noſtras ex traditione & liberacione prædicti Domini *Willielmi* penes nos recepimus & habemus. Allocavimus eciam præfato Domino Epiſcopo tam pro Eccleſiis exemptorum quam ex aliis racionibus diverſis coram nobis in prædicto compoto per *Willielmum* prætactum propoſitis, ſicut per particulas in ſerie compoti ſupratacti Centum ſexaginta decem libras & octo denarios & obolum. Poſt præſcriptas verò ſoluciones & allocancias ac compotum finalem Quintædecimæ auditum, recepimus à præfato Domino Epiſcopo per manus antedicti *Willielmi* in pecunia numerata, octo libras, quatuordecim ſolidos, & quatuor denarios obolum & quadrantem. Recepimus etiam per manus ejuſdem *Willielmi* in quibuſdam nominibus quorundam Rectorum qui Quintam Decimam Eccleſiarum ſuarum nondum ad plenum ſolverant, nobis liberavit octo libras, duos ſolidos, decem denarios & quadrantem. De quibus octo libris, duobus ſolidis, decem denariis & quadrante levandis, & prædicto Domino Regi ſolvendis noſmetipſos oneravimus, ſæpedictum Epiſcopum exinde penitus exonerando, & ſic eundem Dominum Epiſcopum de tota collectione prædictæ Quintædecimæ ſuæ Dioceſis in omnibus ſuis circumſtanciis totaliter quietamus, & erga prædictum Dominum Regem & omnes alios tenore præſentium quietabimus in æternum. In cujus rei teſtimonium hanc noſtram literam fieri fecimus patentem ſigillo noſtro majori conſignatam. Dat. *Londini* die Martis in Craſtino Sancti *Luce* Evangeliſtæ, Anno Domini 1288. & Domini Regis prædicti anno ſupradicto. Nos igitur præmiſſa acceptantes, eundem Epiſcopum inde quantum in nobis eſt tenore præſencium quietamus. In cujus, &c. Teſte, &c. ut ſupra. A good preſident both for Accounts and acquittances in ſuch caſes.

This year *Gilbert de Sancto Leofardo* (commended by * *Mat. Weſtminſter* and *Godwin* in his Catalogue of Biſhops) was elected, and confirmed Biſhop of *Chichiſter* by the Kings royal aſſent, as this Writ for reſtoring his Temporalties aſſures us.

* Anno 1305, p. 456. Godwins Catal. p. 387.

REX dilecto Clerico ſuo *Malcalmo de Harle* Cuſtodi Epiſcopatus *Ciceſtrenſis* ſede vacante ſalutem. Cum venerabilis pater *D. Cantuarienſis* Archiepiſcopus totius *Angliæ* Primas electionem nuper celebratam in Cathedrali Eccleſiæ *Ciceſtriæ* de diſcreto viro Magiſtro *Gilberto de Sancto Leofardo* Theſaurario ejuſdem Eccleſiæ in Epiſcopum loci, cui prius Regium aſſenſum adhibuimus et favorem, confirmaverit, ſicut per literas patentes ipſius Archiepiſcopi nobis inde directas accepimus, nos confirmacionem illam acceptantes, recepimus fidelitatem ipſius Electi, & temporalia Epiſcopatus prædicti, prout moris eſt, reſtituimus eidem. Et ideo vobis mandamus, quod eidem Electo temporalia Epiſcopatus prædicti cum pertin. ſuis ſine dilacione liberetis, ſicut prædictum eſt. In cujus, &c. Teſte *Edmundo* apud *Weſtm.* 24 die Junii.

Pat. 16 E. 1. m. 10. De Temporalibus reſtitutis.

Et mandatum eſt Vicecomitibus, &c. In cujus, &c. Teſte ut ſupra.

The King granted this Protection to the Abbot and Covent of *Ryevall*, upon theſe grounds therein expreſſed.

An. 16 *E.* I.

Pat. 16 E. 1. m. 14. Pro Abbate & Conventu de Ryevall, de cuſtodia domus ſuæ.

REX omnibus ad quos, &c. ſalutem. Cum dilecti nobis in Chriſto Abbas & Conventus de *Ryevall* per mozinam ovium et equozum ſuozum, et aliis incommodis multimodis, quibus ut pzo certo intelleximus ſuper modum pzægravantur, adeo depauperentur et depzimantur, quod terræ ſuæ pzo magna parte jacent inculte, et blada ſua in eiſdem vehementer defecerunt, et inſuper iidem Abbas et Conventus Mercatozibus et aliis Creditozibus ſuis diverſis in multimodis debitis teneretur, ad quorum ſolucionem & Domus ſuæ relevacionem, facultates ejuſdem Domus per magnum temporis ſpacium ſufficere non poſſent, abſque diſperſione Canonicozum Domus illius, vel feodalium ſuozum dilapidacione ſeu fozte Domus ejuſdem ſubverſione totali, quod nollemus: Nos imbecillitati ſtatus ipſorum compatientes, &c. (as in former protections of this kind.) Teſte Comite &c. apud *Weſtm.* 28. die *Aprilis.*

[a] Chronica W. Thorne, cap. 29. col. 1951, 1952, 1973.

Anno Dom. 1289. there hapned this Controverſie between Archbiſhop *Peckham* and the Abbots and Monks of St. *Auguſtines Canterbury*, upon this occaſion: [a] *Cum Dominus* Edwardus *de partibus* Vaſconiæ *in* Angliam *veniſſet*, *& apud Sanctum* Auguſtinum *hoſpitatus*, *cum Regina*, *filiis ſuis*, *& multis aliis in vigilia* Aſſumptionis, *quæ tunc* Dominica *erat*, Johannem Peckham Cantuarienſem *Archiepiſcopum fecit invitari*, *ut in feſto die* Aſſumptionis *ſecum in loco illo comederet. Quo feſto plures & majores Regni qui ad Regem convenerunt*, *interfuerunt. Quo audito*, Abbas et Conventus metuentes ſibi et ſuæ exemptioni pzæjudicium generari, ſi Archiepiſcopus veniret cum Cruce erecta, inſtabant multum apud Dominum Regem et ſuum Conſilium, ne permitteret Archiepiſcopum ſic venire cum Cruce in libertatum ſuarum læſionem ſuique Monaſterii pzæjudicium et grabamen: *ſet Rege adhuc volente ut Archiepiſcopus veniret*, *& Archiepiſcopo nolente*, niſi Cruce pzævia et erecta; *præcepit Rex Cancellario*, *quod faceret Abbati & Conventui habere literas Archiepiſcopi meliores quas ſciret*, *& eciam literas Regis*, quod huſuſmodi ingreſſus Archiepiſcopi, ſeu Crucis delatio, eis non poſſet vel ſuis libertatibus in aliquo pzæjudicare. *Unde dicti Abbas & Conventus* non valentes reſiſtere, nec audentes contradicere Regiæ voluntati, ne ejuſdem offenſam ſeu grabiſſimam læſionem incurrerent, ob majozem timozem hujus periculi annuerunt in hoc fieri beneplacitum Regis, ut intraret cum Cruce Archiepiſcopali; *habitis tamen prius proteſtationum literis ab eodem* de ſalvo ſtatu ſuo; *ſet habita maxima altercatione ſuper forma hujuſmodi inter partem Archiepiſcopi & Abbatis. Petierunt interea Clerici Domini Archiepiſcopi vice ſua*, *ut ſibi exhiberentur privilegia inſpicienda*, *quibus ſe pars Abbatis defendebat*, quod Archiepiſcopus non intraret. *Quod eciam Dominus* Elienſis *Epiſcopus & regni Cancellarius cum inſtantia requirebat. Ad quod pars Abbatis multis rationibus reſpondebat*, ſe non teneri de jure nec velle facere, maximè Clericis Archiepiſcopi illa vice. *Ipſi tamen Epiſcopo quædam privilegia ut amico*, et ob reverentiam Domini Regis *in ſuo Capitulo monſtraverunt. Et ſic partibus ab invicem recedentibus*, *advenit Dominus* Bathonienſis *Epiſcopus & Regis Cancellarius*, *viditque privilegia prius exhibita Epiſcopo* Elienſi. *Quibus viſis & auditis*, *ſatis eiſdem Epiſcopis conſtabat evidenter*, quare Archiepiſcopus ingredi non debebat. *Et cum neutra pars vellet in unam formam literarum aliquatenus conſentire*, *dictus Dominus* Bathonienſis miſſus ad hoc ſpecialiter per Regem ut in fozmam aliquam concozdarent, *quædam parca verba de Clericorum Regis conſilio appoſita fierunt illi formæ literarum quam preordinaverat pars Abbatis: Et illis literis pars Abbatis cauſa majoris viſitandi periculi* pzo beneplacito regis ſtare conſenſit: *quæ talis eſt.*

Univerſis Chriſti fidelibus ad quos præſentes literæ pervenerint, frater *Johannes* permiſſione divina *Cantuarienſis* Eccleſiæ Miniſter humilis, totius *Angliæ* Primas, ſalutem & pacem in Domino ſempiternam. Noverit univerſitas veſtra, quod cum nos ſpecialiter invitati à Chriſtianiſſimo Domino noſtro Domino *Edwardo* Rege *Angliæ* illuſtri, ut cum eo eſſemus in prandio die feſti *Aſſumptionis* glorioſæ Virginis *Mariæ* Anno Domini 1289. ad ipſius inſtantiam et rogatum Abbatem Monaſterii Sancti *Auguſtini Cantuar.* ad *Romanam* Eccleſiam nullo medio pertinentis, in quo Dominus Rex prædictus cum ſuis Primoribus tunc ſolempniter feſtivabat Cruce pzævia intramus. Conſitemur et recognoſcimus de plano, quod per hoc non intendimus nec volumus Abbati et Conventui loci ejuſdem aliquod pzæjudicium generari,

generare, nec per hoc eorum privilegiis aut juribus nunc vel in posterum in aliquo derogare, nec nobis adquirere possessionis aliquid jurisdictionis aut juris. In cujus rei testimonium sigillum nostrum præsentibus est appensum, die, festo, & anno prædicto. *An.* 16 E. 1

Set eas sigillare pars Archiepiscopi recusabit omnino. *Venerunt iterum ad Abbatem ex parte Archiepiscopi Archidiaconus* Cantuariensis, *Magister* Lucas *Cancellarius Archiepiscopi, & Magister* Reginaldus *de* Brandon, *simul cum Magistro* Willielmo *de* Haleberghe, *& Domino* Johanne *de* Lewes, *& dixerunt Archiepiscopi nomine hujusmodi nuncium Abbati.* Salutat vos Dominus noster Archiepiscopus; & quia ut scitis Dominus Rex invitavit eum, ut comedat secum hodie in hac domo, rogat vos quatinus permittatis, ut possit venire cum decentia status sui et sine præjudicio statui destrj, quia non curat præjudicare in aliquo aut contravenire libertatibus vestris, & hoc si placet velitis sic concedere, aut versus Dominum Regem tantum facere et procurare, quatinus Rex nostrum Dominum habeat excusatum quod huc non veniat, set ut bene de Regis licentia possit in domo propria remanere. *Deliberante vero Abbate super hiis cum suo consilio & respondente,* quod voluit, licet invitus, ut oportuit in forma prætacta sicut antedixerat præceptis Regiis obedire. *Et statim missi ab Archiepiscopo recesserunt. Cumque hæc postmodum essent relata Domino Regi per Cancellarium suum prædictum, deliberato consilio* mandavit Rex per ipsum Cancellarium Archiepiscopo, ne veniret, set ad custum Regis ipse die extra in proprio hospitio remaneret. Et quo Archiepiscopus multum offensus, aliquaque verba comminatoria contra partem Abbatis ut dicebatur proferens, remansit sic extra in hospitio proprio, et perrexit in crastino extra villam. *Et post pauca temporis intervalla* Archidiaconus *& Commissarius* Cantuarienses *auctoritate cujusdam mandati dicti* Archiepiscopi *eis & Magistro* Aselino *directi, Abbatem apud* Sture *existentem monuerunt,* ut privilegia exhiberet prorima die juridica in Ecclesia Sancti Gregorii Cant. *juxta formam dicti mandati, illis diem & locum ad hoc eis dicti nuncii assignantes; Cujus mandati tenor,* is registred at large in [b] *William Thorne* his *Chronica:* the substance whereof was; *Privilegia sedis Apostolicæ seu jura alia & munimenta si qua habent inspicienda exhibeant & ostendant, per quæ Ecclesias quas in proprios usus maxime de novo in Civitate & Dioceſi* Cantuariæ *habere dicuntur, tanquam appropriatas sibi valeant retinere, pensionesque percipere de diversis Ecclesiis, & decimarum portiones vel precium earundem infra limites diversarum parochiarum nostræ diocesis quæ propriis suis reguntur Rectoribus, &c. Item, quod absurdius est, gravius & multo detestabilius,* ingressum nostrum personalem erecta Cruce præbia infra septa sui Monasterii corpora sanctorum Archiepiscoporum Cantuariensium *prædecessorum in eodem Monasterio quiescentium,* visitandi causa seu peregrinandi ibidem prout ad alios communiter moris est, *verbumq; Dei inibi Clero & populo proponendo, quamquam sine præjudicio ipsius Monasterii Monachorumque ac privilegiorum eorundem si qua habeant hoc facere voluerimus, & protestati sæpe fuerimus, &c.* Abbas vero Archiepiscopum suum non esse Judicem proponens, nec se teneri suo obtemperare mandato, statim ex hujusmodi gravaminibus viva voce sedem Apostolicam appellabit: *dictique Archidiaconus & Commissarius consulerunt Abbatem ut ipse sano consilio iterum sub via pacifica plenius responderet. Abbas hoc annuit;* sending first a Letter, and then reforting personally to the Archbishop at *Lambheth*; where *Salvagius* the Abbots Clerk spake thus to the Archbishop; *Domine pater reverende, Dominus Abbas qui hic est,* non venit huc coram vobis ut ad judicem, figuraque judicii, *set ut homo pacis, & tranquillitatem & pacem vestræ conscientiæ multum affectans, ostendere vobis coram Clericis vestris quæ per ipsum fuerunt ostendenda.* After which, *Dominus Abbas ex quorundam peritorum consilio rationes Archiepiscopi articulis correspondentes in scripturam provida deliberatione redigere mandavit;* the two last whereof I shall only recite. [c] *De invitatione* (Archiepiscopi) *ad missas celebrandas, quia in diebus solempnibus uti habet pallio & aliis insignibus Archiepiscopalibus,* quibus non nisi in Ecclesiis sibi commissis et subjectis uti debet: unde in Ecclesiæ Sancti Augustini missas celebrare non debet cum a sua jurisdictione constat esse exemptam. *De absolutione Monachorum, &c.* quia non habet potestatem in eos, nec eos potest absolvere, nec ligare ad prædicandum populo, *&c.* quia plus hoc convenit facere in propria Ecclesia, quam non sua. *Ad ultimum,* super Crucis delatione (the grand Controversie) hoc videtur esse jurisdictionis et subjectionis indicium; unde nos exemp-

[b] Col. 1951, 1952.

[c] Ibid Col. 1956.

An. 16 *E.* 1. ti in locum nostrum sibi non subjectum cum hujusmodi insigniis ipsum sane admittere salvo statu nostro non possumus, licet protestationem fecerit; quam quidem protestationem quasi contrario facto suo sublatam, tamen propter exemplum populi nostris immunitatibus sufficere nullatenus reputamus. *Istis responsionibus coram Archiepiscopo propositis, & quodammodo per easdem satisfactus,* a citationibus manum retraxit, et Abbas quantum ad ipsum dimissus est in pace, *die comparationis eidem nullatenus assignato.*

From this contest between this proud Archbishop and Abbot about carrying up his Crosse, I shall observe; 1. The just punishment of God upon him for *excommunicating all who should entertain or sell any victuals to the Archbishop of *York* or his followers for carrying up his Cross before him within his province some few years before, when specially sent for by the King about the publike affairs of the kingdom, now retaliated with this Abbots opposing the bearing up his own Cross before him in the Monastery of St. *Augustines* even within his own Metropolis and See of *Canterbury*, when specially sent for thither to dine with the King. 2ly. His pride and obstinacie, in refusing to subscribe such a Letter as the King directed to reconcile this difference and preserve the Abbots priviledges, or to repair to the King without his Crosse born up before him; together with his spleen and malice against the Abbot and Covent for not admitting him to carry up his Crosse within their Monasterie. 3ly. The strange abuse he and other our Archbishops made in that age of that they stiled and reputed the very Crosse of Christ; which as it was an *emblem* of our [e] *Saviours lowest humiliation*; by whose *Crosse* St. *Paul* affirmed, [f] *the world was crucified unto him, and he unto the world*; and likewise a * *means of Christian love, peace, unity*; yet our *Luciferian* Archbishops made, reputed it a badge, ensigne of their Metropolitical Jurisdiction, Authority, Pomp, State, causing it to be carried up in pomp before them for that end, as an emblem of their Antichristian pride and ambition; yea made it, and its carrying up before them, a cause of frequent, hot contentions, schismes: witnesse the † *manifold, high contests* between the Archbishops of *Canterbury*, *Yorke*, and the Abbots of St. *Augustines* about *crosse-bearing*, to the great disturbance of the Church, State, King, Counsil, and the reproach, scandal of Christianitie, as well as Archiepiscopacie: So farr were they from imitating the doctrine or example of our *Saviour*, or St. *Paul* in this particular.

e Phil. 2. 8.

f Gal. 6. 14.

* Ephes. 2. 13, 14, 15, 16. Col. 1. 20. c. 2. 14.

† See Mr. Lambards Perambulation of Kent, p. 81, to 87.

The same year, there fell out this suit between this proud Archbishop of *Canterbury*, his Officers, and this Abbot of St. *Augustines*, concerning Almes and Tithes, which occasioned Excommunications and Appeals to *Rome* about their priviledges and exemptions; thus registred by [g] *William Thorne.*

g Chronica W. Thorne, col. 1956, 1957, 1958.

Anno Domini supradicto habitus est processus contra Rectorem de Waldwarsare. *Qui Rector tam in capitulis Archidiaconi quam alibi querelam deponens contra fratrem* Martinum *tunc elemosinarium istius Ecclesiæ super occupatione quarundam Decimarum de quibusdam Hamelettis, viz.* Mendetre, Estsole, Westwold & Essele *provenientium, ipsum elemosinarium asserentem dictas Decimas & omnia jura parochialia inhabitatoribus dictorum locorum, ac præcipuè omnes oblationes & obventiones ad Ecclesiam de* Norborne *qualitercunque provenientes ad ipsum elemosinarium & vicarium ejusdem taliter simul cum cantaria spectare debere, & quod si spectant & spectabant ab antiquo pacificè, publicè, & notoriè, nec dimisisset in pace, obtenta fuit quædam litera conservatoria Decano de* Sandewico *directa; per quam præcipiebat eidem, & in virtute obedientiæ mandavit, quatenus dictum* Stephanum *Rectorem supradictum moneret legitimè, & efficaciter induceret, ut de omnibus præmissis ablatis, sæpedictis religiosis plene satisfaceret infra mensem,* inhibens eidem ne in eos vel eorum Ecclesias de cætero plus attemptet. *Quod si monitionibus & inhibitionibus suis parere contempserit, ipso facto* ab officio et beneficio idem conservator suspendit, *mandans eidem Decano, quod ipsum in singulis Ecclesiis decanatus sui singulis diebus Dominicis et festivis, quousque condigne super illis satisfecerit,* suspensum faceret nunciari. *Set executione ejusdem literæ ad tempus dilatâ, idem Rector pendente dilatione procuravenit ab Archidiacono quandam literam in forma communi contra omnes parochianos suos ad solvendum sibi ea quæ ab eis Elemosinarius exigebat. Et tunc auctoritate predictæ conservatoriæ ipse S. Rector publice* diebus festivis in vicinis ibi Ecclesiis ab officio et beneficio fuit denuntiatus suspensus. Et ipse se divinis immiscuit nichilominus sic ligatus. *Interim*

terim autem impetrata fuit alia conservatoria eidem Decano directa, cujus tenor talis est. An. 16 E. I.

Abbas Eccl'esiæ Sanctæ Crucis de *Waltham*, &c. Cum vos alias ad mandatum noſtrum, **immo verius Apoſtolicum**, *Stephanum* Rectorem de *Waltham* monueritis & induxeritis, ut dictis Abbati & Conventui Sancti *Auguſtini* ſuper majoribus & minoribus Decimis ac aliis juribus parochialibus ipſos religioſos & eorum Eccleſiam de *Nordburne* ſpectantibus & per ipſum Rectorem ablatis & invaſis plenarie ſatisfaceret infra menſem à die confectionis mandati noſtri, **et quia monitionibus et inhibitionibus præmiſſis parere contempſerit, ipſum denunciaveritis eſſe ſuſpenſum.** Et quia creſcente contumacia creſcere debet & pœna, **vobis in virtute obedientiæ qua ſedi Apoſtolicæ tenemini, et ſub pœna cohercionis canonicæ firmiter injungimus et mandamus, quatinus ſingulis diebus Dominicis et feſtivis in ſingulis Eccleſiis Decanatus veſtri inter Miſſarum ſolempnia publicetis adhuc et habmandanti, quod Rector ille de ablatis ſatisfaciat ſub pœna Excommunicationis majoris quam in hac parte ſi non paruerit extunc ut extunc in eundem Rectorem proferimus in his ſcriptis. Nobiſque injungimus et mandamus, ut poſt lapſum menſis ipſius ipſum Rectorem cum ſolempnitate præmiſſa niſi ſatisfecerit pulſatis campanis, candelis accenſis ſic Excommunicatum eſſe denuncietis, et denunciari faciatis.** (Such was their animoſity, violence, abuſe of the Spiritual Sword againſt each other.)

Iſtis ſic habitis, idem Rector pro tuitione **Curiæ** Cantuarienſis **ſedem Apoſtolicam appellavit, procurans ab officiali Curiæ** Cantuariæ **ſcribi et mandari eidem Decano et ſibi inhibendo, ne pendente in Curia** Cantuarienſi **huſuſmodi tuitorio appellationis negotio quiſquam in præjudicium Rectoris appellantis attemptare faceret quominus haberet liberam appellationis ſuæ proſecutionem**; *& etiam citaret Abbatem & Conventum Sancti* Auguſtini *& Vicarium de* N. **quod comparerent coram ipſo ſeu Commiſſario in Eccleſia beatæ** Mariæ **de Arcubus in dicto tuitionis negotio facturos et recepturos quod poſtulaverit ordo juris.** *Die adveniente & Rectore prædicto per Procuratorem in Conſiſtorio de Arcubus comparente, & non parte Abbatis, poſt proclamationem, propoſuit Magiſter* Salvagius *Clericus Abbatis, non ut procurator ſed ut amicus*, **quod dictus Abbas et Conventus cum ſuis ita ſunt exempti quod non debebant nec volebant ibi vel alibi coram eis ſuper aliquo reſpondere, nec etiam ſuper his privilegia ſua exhibere.** *Interim autem impetrata fuit alia litera ab Abbate S.* Edmundi *conſervatore inhibitoria*, **ne officialis** Cantuarienſis **et Decanus de Arcubus eidem Rectori de** Waltham **tuitionis beneficium conferrent, aut partem Abbatis contra ſua privilegia in aliquo gravarent, ſed ipſos ſecundum libertatis et exemptionis ſuæ exigentiam ab omni judiciali examine libere dimitterent, cum nullo jure vel conſuetudine poſſent in eos juriſdictionem aliquam ſeu poteſtatis exercitium abſque ſedis Apoſtolicæ ſpeciali mandato et exprefſe ad eos directo aliquatenus vendicare, quorum privilegiorum contravenientes ſine dubio per multa Romanorum Pontificum privilegia Excommunicationi aſſeruit ipſo facto ſubjacere.** Whereupon at laſt they ſubmitted themſelves to Arbitrators to end this hot conteſt, ſuſpenſions and Anathemaes of one another about their Priviledges.

What licenſes to elect Biſhops, Abbots, Priors, Abbeſſes, and Royal aſſents to Elections made in *Ireland*, and reſtitution of Temporalties thereupon, iſſued from the King this year, theſe Records atteſt.

M*Aurirus le Dokne* facriſta Eccleſiæ de *Cloven.* nuncians Regi ceſſionem venerabilis patris *Gilberti* nuper electi in Epiſcopum & Paſtorem Eccleſiæ illius, habet literas Regis Decano & Capitulo ejuſdem Eccleſiæ **de licentia eligendi.** Teſte *Edmundo*, &c. apud *Weſtm.* 12 die *Julii.* Pat. 16 E. I. m. 10. De licentia eligendi.

REX Juſticiario ſuo *Hibern.* vel ejus locum tenenti, ſalutem. Cum dilecti nobis in Chriſto Decanus & Capitulum *Arferten.* nobis per literas ſuas patentes ſignificaverint, quod Eccleſia ſua prædicta per mortem *Nicholai* nuper Epiſcopi ejuſdem loci, paſtoris eſt ſolacio deſtituta, ſupplicantes nobis prout moris eſt, **quod licentiam ſibi alium eligendi in Epiſcopum eiſdem concedere dignaremur**: Nos, &c. (as in other licenſes and Royal aſſents) Teſte *Edmundo*, &c. apud *Weſtm.* 10 die *Auguſti.* Ibid. m. 10. De aſſenſu electioni adhibito, & Temporalibus reſtituris, &c.

Frater

An. 16 *E.* 1.

Ibidem. FRater *Johannes* Canonicus Eccleſiæ Sancti *Petri* de *Clonard.* nuncians Regi reſignationem *Borgonildæ* nuper electæ in Abbatiſſam domus Monialium de *Clonard.* habet literas Regis Prioriſſæ & Conventui Monialium ejuſdem loci **de licentia eligendi.** Teſte ut ſupra.

Pat. 16 E. 1. m. 4. De aſſenſu electioni adhibito. REX **electioni nuper factæ** in Eccleſia Conventuali de *Clonard.* de *Burgenilda* Moniali ejuſdem domus in Abbatiſſam illius loci, **Regium aſſenſum adhibuit et favorem**; & hoc ſignificatum eſt *Th. Midenſi* Epiſcopo, ut quod ſuum eſt in hac parte proſequatur. Teſte *Edmundo*, &c. apud *Weſtm.* 16 die *Octobris.*

Ibidem. De Temporalibus reſtitutis. REX venerabili in Chriſto patri *J. Dublin.* Archiepiſcopo tenenti locum Juſticiarii in *Hibernia*, ſalutem. Cum dilectæ nobis in Chriſto Prioriſſa & Moniales Abbatiæ de *Clonard. Midenſis* Dioceſis, de licentia noſtra, prout moris eſt, dilectam nobis in Chriſto *Burgenildam* Monialem ejuſdem Domus in Abbatiſſam ſuam elegerint, **cui Regium aſſenſum prius adhibuimus et favorem:** Nos earundem Prioriſſæ & Monialium laboribus & expenſis in hac parte parcere volentes iſta vice, volumus & vobis damus poteſtatem, *&c.* **Receptis tamen prius ab eadem Electa literis ſuis patentibus ſigillo ſuo, necnon et ſigillo Capituli ſui conſignatis, quod hæc gratia noſtra quam eidem Electæ ad præſens ex mera liberalitate noſtra conceſſimus, nobis vel hæredibus noſtris non cedat in præjudicium ſeu exhæredationem, vel trahatur in conſequentiam temporibus futuris.** In cujus, &c. Teſte *Edmundo*, &c. apud *Weſtm.* 16 die *Octobris.*

Pat. 16 E. 1. m. 4. De licentia eligendi. PRior & Conventus domus beatæ *Mariæ* de *Nonan Midenſis* Dioceſis, nunciantes Regi reſignationem fratris *Ricardi* nuper Abbatis ejuſdem loci, per fratrem *Robertum* Concanonicum ſuum, habent literas Regis **de licentia eligendi.** Teſte ut ſupra.

Ibidem. De aſſenſu electioni adhibito, & Temporalibus reſtitutis. REX venerabili in Chriſto patri *J.* eadem gratia *Dublin.* Archiepiſcopo tenenti locum Juſticiarii in *Hibernia*, ſalutem. Cum dilecti nobis in Chriſto Prior & Conventus domus beatæ *Mariæ* de *Nonan Midenſis* Dioceſis, nobis per literas ſuas patentes ſignificaverint, quod Eccleſia ſua prædicta per reſignationem fratris *Ricardi* nuper Abbatis ejuſdem loci, paſtoris eſt ſolatio deſtituta, ſupplicantes nobis prout moris eſt, **quod licentiam ſibi eligendi in Abbatem eis concedere dignaremur**; ac nos precibus eorundem Prioris & Conventus in hac parte inclinati, **licentiam illam eis duximus concedendam:** Mandantes ipſis, *&c.* **Receptis prius ab eodem Electo literis ſuis patentibus ſigillo ſuo, necnon et ſigillo Capituli ſui conſignatis, quod hæc gratia noſtra quam eidem Electo ad præſens ex mera liberalitate noſtra conceſſimus, nobis vel hæredibus noſtris non cedat in præjudicium vel exhæredationem; ſeu trahatur in conſequentiam temporibus futuris.** Teſte *Edmundo*, &c. apud *Weſtm.* 7 die *Novembris.*

Pat. 16 E. 1. m. 11. De aſſenſu electioni adhibito, & Temporalibus reſtitutis, &c. REX Juſticiario ſuo *Hibern.* vel ejus locum tenenti, ſalutem. Cum dilecti nobis in Chriſto Prior & Conventus domus beatæ *Mariæ* de *Dimlek*, nobis per literas ſuas patentes ſignificaverint, quod Eccleſia ſua prædicta per ceſſionem fratris *Nicholai* nuper Abbatis ejuſdem loci, paſtoris eſt ſolatio deſtituta, ſupplicantes nobis prout moris eſt, **quod licentiam ſibi alium eligendi in Abbatem eiſdem concedere dignaremur:** Nos, *&c.* Teſte Comite, &c. apud *Weſtm.* 20 die *Julii.*

Pat. 16 E. 1. m. 15. De licentia eligendi. NIcholaus filius *Ricardi* Capellanus, & *Ricardus de Kemeſeye*, nunciantes Regi mortem *Iſoldæ de la Hide* nuper Abbatiſſæ domus beatæ *Mariæ* de *Hogis* juxta *Dublin.* habent literas Regis Prioriſſæ & Monialibus ejuſdem domus **de licentia eligendi.** Teſte Comite, &c. apud *Weſtm.* 15 die *Aprilis.*

An. 17 *E.* 1. The next year the King gave his Royal aſſent to theſe Elections, and Confirmations of Biſhops in *Ireland*, and reſtitution of their Temporalties.

An. 17 *E.* 1. Pat. 17 E. 1. m. 8

L*Aurencius* Canonicus Eccleſiæ *Caſſalenſis*, nuncians Regi mortem *D.* quondam Archiepiſcopi ejuſdem loci, habet literas Regis Decano & Capitulo ejuſdem Eccleſiæ *Caſſalenſis* **de licentia eligendi.** Teſte Rege apud *Reylegh* 4 die *Sept.*

Ibidem. De licentia eligendi.

N*Icholaus* filius *Ricardi* Præcentor Eccleſiæ *Oſſorienſis*, nuncians Regi mortem bonæ memoriæ *R.* quondam Epiſcopi ejuſdem loci, habet literas Regis directas Decano & Capitulo Eccleſiæ prædictæ **de licentia eligendi.** Teſte Rege apud *Reylegh* 5 die *Sept.*

Pat. 17 E. 1. m. 5. De aſſenſu electioni adhibito.

REX **electioni nuper factæ** in Eccleſia Cathedrali Sancti *Kannici Kilkenny* de Magiſtro *Michaele de Exon.* Canonico ejuſdem Eccleſiæ, **in Epiſcopum ejuſdem loci, Regium aſſenſum adhibuit et favorem.** Et hoc ſignificatum eſt *J. Dublinenſi* Archiepiſcopo, ut quod ſuum eſt in hac parte exequatur. In cujus, &c. Teſte Rege apud *Clarendon.* 2 die *Novembris.*

Ibidem. De Temporalibus reſtitutis.

REX Juſtic. ſuo *Hibern.* vel ejus locum tenenti, ſalutem. Cum nos **electioni nuper factæ** in Eccleſiæ Cathedrali Sancti *Kannici Kilkenny*. **Regium aſſenſum adhibuerimus et favorem,** & velimus eidem Electo propter bonum & laudabile teſtimonium, quod de ipſo perhibetur coram nobis **gratiam facere uberiorem** in hac parte, ut ſuis parcamus laboribus & expenſis, vobis mandamus, quod electione illa canonicè confirmata, **et capta nomine noſtro ab eodem Electo fidelitate nobis debita, ut eſt moris,** Temporalia Epiſcopatus ejuſdem ſibi liberari faciatis. **Receptis tamen prius ab eodem Electo literis patentibus ſigillo ſuo, necnon ſigillo Capituli ſui ſignatis, quod hæc noſtra gracia nobis vel hæredibus noſtris non cedet in præjudicium, nec trahetur in conſequentiam in futurum.** In cujus, &c. Teſte ut ſupra.

The King likewiſe by his Prerogative reſtored Lands he had ſeiſed in *Ireland*, given to a Nunnery there, againſt the Statute of *Mortmain*, and confirmed them to it, by this Patent.

Pat. 17 E. 1. m. 6. Pro Prioriſſa & Monialibus de Taghmonlingbeg. in Hibern.

REX omnibus, &c. Licet de communi conſilio regni noſtri providerimus, *quod non liceat viris Religioſis ſeu aliis ingredi feodum alicujus, ita quod ad* Mortuam manum *deveniat, ſine licentia noſtra & capitalis Domini de quo res illa immediatè tenetur*; volentes tamen dilectis nobis in Chriſto Prioriſſæ & Monialibus de *Taghmonlingbeg.* in *Hibernia*, **gratiam facere ſpecialem** conceſſimus eis, quantum in nobis eſt, quod quatorviginti acras terræ cum pertin. in *Armacrenan.* quas ſibi adquiſiverunt de *Ricardo* filio *Rogeri*, & quas occaſione ſtatuti noſtri prædicti **capi fecimus in manum noſtram**, tenere poſſint & habere ſibi & ſucceſſoribus ſuis imperpetuum, juxta formam feofamenti eis per prædictum *Ricardum* inde facti, ſalvo jure cujuſlibet. Nolentes quod eadem Prioriſſa & Moniales, ſeu prædictus *Ricardus*, per nos vel hæredes noſtros occaſione ſtatuti prædicti inde occaſionentur in aliquo ſeu graventur. Salvis tamen capitalibus Dominis feodi illius ſerviciis inde debitis & conſuetis. In cujus, &c. Teſte Rege apud *Windeſor.* viceſimo die *Octobris.*

Moſt other Religious Houſes by money or friends purchaſed the like reſtitutions, pardons, or diſpenſations for Lands purchaſed by, or given to them in *Mortmain* in that age.

The King according to cuſtom ſeiſing all the Goods, Chattels, and likewiſe the Veſſels and Church Ornaments of the Archbiſhop of *Tuam* in *Ireland*, for debts due unto him at his death, ordered the Ornaments of his Chappel to be reſtored by this Writ, to adorn the Church of *Tuam*, and that in the Kings name as his free gift.

Clauſ. 17 E. 1. m. 4. intus. Pro Decano & Capitulo Eccleſiæ Tuamenſis, de ornamentis eidem Eccleſiæ per Regem dat.

L*Icet Rex prout ex conſuetudine ad ipſum in caſu conſimili pertinente, omnia bona et catalla, ſimul cum vaſis et exteris ornamentis Eccleſiæ quæ fuerunt* Stephani *nuper* Tuamenſis **Archiepiſcopi defuncti, capi fecerit in manum ſuam occaſione debitorum in quibus idem Archiepiſcopus Regi ad Scaccarium ſuum** Dublin. **tenebatur die quo obiit**; Rex nichilominus velit, **ob Dei reverentiam, et animæ dicti defuncti ſalutem, ipſam Eccleſiam** Tuamenſem **ornamentis Capellæ ipſius**

An.17 E.1. **ipſius Archiepiſcopi ad rei memoriam decorari.** Mandatum eſt Theſaur. & Baronibus de Scaccario *Dublin.* quod hujuſmodi ornamenta ratione prædicta per ipſos Theſaur. & Barones in manum Regis capta, **Decano et Capitulo ejuſdem Eccleſiæ liberent, vice et nomine Regis eidem Eccleſiæ remanentibus in futurum.** Teſte meipſo apud *Ledes,* 22 die *Auguſti.*

The King having given his licenſe and Royal aſſent to the elected Archbiſhop of *Tuam* in *Ireland,* he thereupon went to *Rome* to Pope *Nicholas* the 4th. for his confirmation and conſecration; where although he was unanimouſly elected, yet to avoid the long delayes there uſed to examine ſuch Elections, he reſigned the right of his Election into the Popes hands; who thereupon conferred the Archbiſhoprick upon him by his own Proviſion and gift, ſending this Bull to the King to certifie him thereof, and to deſire his Royal favour to reſtore the Goods and Temporalties of the Archbiſhoprick to him, the Original whereof I reſcued out of the Rubbiſh in the White Tower Chapple.

NICHOLAUS *Epiſcopus ſervus ſervorum Dei, chariſſimo in Chriſto filio Regi* Anglorum *illuſtri, ſalutem & Apoſtolicam benedictionem.* **Divinæ gratiæ Majeſtatis acquiritur, ſi Miniſtris ejus et his præcipue, qui Pontificali dignitate ſunt prædicti, pro ipſius reverentia condignus honor impenditur, et favor neceſſarius exhibetur.** *Same tanto plenius per hujuſmodi charitatis opera, te Regi regum gratum condecet inveniri,* **quanto ipſe de tuæ benignitatis affluentia te in Dominum multis pr̃ eſſe voluit, et grandem honorum copiam tuis pedibus ſubjugavit.** *Dudum ſiquidem* Tuamen. *Eccleſia per obitum bonæ memoriæ* Stephani *Archiepiſcopi* Tuamen. *paſtoris ſolatio deſtituta, dilecti filii Capitulum ipſius Eccleſiæ ad tractandum de futuri ſubſtitutione Prælati (prout moris eſt) inſimul convenerunt, ac per viam compromiſſi in hujuſmodi negotio procedentes, dilectis filiis* Johanni Majori & Concordi Magoneum *Archidiaconis,* Johanni de Alatro *Præcentori,* Nicholao de Hyndeberg *Theſaurario,* Thomæ de Watford *Cancellario,* Alano de Wellis, & Nicholao de Guarcin. *Canonicis Eccleſiæ ſupradictæ, providendi ea vice eidem Eccleſiæ de paſtore conceſſerunt liberam poteſtatem. Qui authoritate conceſſionis hujuſmodi dilectum filium* W. *Electum* Tuamen. *tunc Rectorem Eccleſiæ de* Athnorwy Tuamen. *Dioc.* **in Tuamen. Archiepiſcopum concorditer elegerunt;** *dictuſque* Willielmus *electioni hujuſmodi à ſe factæ conſenſit.* **Ac demum ſuper hujuſmodi electionis negotio de ipſo factæ perſonaliter ad Apoſtolicam ſedem accedens, ne prædicta Eccleſia *ſub dilationis expectatione, quæ quandoque in negotiorum examinatione emergit, diutius incommoda vidualitatis ſentiret; omne jus, quod tibi ex electione hujuſmodi competebat, ſponte et libere in noſtris manibus reſignavit. Nos itaque hujuſmodi reſignatione recepta, de ordinatione ipſius Eccleſiæ ſollicite cogitantes;** *ac talem eidem Eccleſiæ cupientes præeſſe Pontificem, per quem poſſet ſalubriter gubernari,* **ad perſonam dicti** Willielmi **direximus oculos mentis noſtræ,** *cui de literarum ſcientia, morum maturitate, prudentia ſpiritualium, temporalium providentia, & generis nobilitate laudabile teſtimonium perhibetur,* **ipſumque** Willielmum **de fratrum noſtrorum conſilio Eccleſiæ prædictæ præfecimus in Archiepiſcopum et Paſtorem:** *Firmam ſpem fiduciamque tenentes, quod eidem Eccleſia per ſua diligentia ſtudium præſervabitur à noxiis & ſpiritualibus, & temporalibus proficiet incrementis.* **Rogamus itaque excellentiam Regiam et hortamur attente, quatenus eundem Electum pro noſtra et Apoſtolicæ ſedis reverentia, circa recuperationem bonorum et jurium ejuſdem Eccleſiæ, favoris Regii præſidio proſequaris;** *ut ipſe tuæ Celſitudinis fultus auxilio, in commiſſa ſibi cura Paſtoralis officii poſſit Deo propitio proſperari: Ac tibi exinde à Deo perennis vitæ præmium, & à nobis condigna proveniat actio gratiarum. Dat.* Romæ *apud* Sanctam Mariam majorem 6 *Non.* Maii, *Pontificatus noſtri anno ſecundo.*

* A new Papal device, by delayes at Rome to enforce Archbiſhops lawfully elected, to reſign their elections into his hands, that ſo they might receive them from their hands & authority by Papal Proviſions dearly purchaſed.

Upon receipt whereof, the King receiving his Oath of Fealty, as he was duly elected, and one to whom he had formerly given his Royal aſſent, not as preferred by the Popes new Proviſion, iſſued this Writ to reſtore the Temporalties.

Pat. 17 E 1. m. 6 intus. De Temporalibus reſtituendis.

REX venerabili patri *J.* eadem gratia *Dublin.* Archiepiſcopo, Juſticiario ſuo *Hiberniæ,* vel Eſcaetori ſuo ibidem, ſalutem. Cum Dominus Pontifex dilectum

dilectum nobis in Chriſto *Willielmum* Rectorem Eccleſiæ de *Athnorwy*, **electum in Archiepiſcopum Eccleſiæ** *Tuamenſis*, **cui prius Regium aſſenſum adhibuimus et favorem**, ejuſdem Eccleſiæ præfecerit in Archiepiſcopum & Paſtorem, **ſicut per literas dicti Summi Pontificis Bullatas accepimus: Nos præfectionem illam acceptantes, cepimus fidelitatem ejuſdem** *Willielmi*, & Temporalia Archiepiſcopatus prædicti, prout moris eſt, reſtituimus eidem. Et ideo vobis mandamus, quod eidem *Willielmo* Temporalia Archiepiſcopatus prædicti liberetis, ſicut prædictum eſt. In cujus, &c. Teſte Rege apud *Burgum* 29 die *Septembris*. *An.* 17 E. 1.

Likewiſe found in the White Tower Chappel, this Original enſuing Bull of Pope *Nicholas* to the King, certifying him of his confirmation of the Election of the Abbot of *Waltham*, and conſecration of him with his own hands, and thereupon imploring the Kings favour and aſſiſtance to him, in a ſubmiſſive ſtile.

NICHOLAUS *Epiſcopus Servus ſervorum Dei, chariſſimo in Chriſto filio Regi* Angliæ *illuſtri, ſalutem & Apoſtolicam benedictionem.* **Ad fovendum in charitatis viſceribus Eccleſiarum Prælatos, eos præcipue qui Pontificali dignitate præeminent; eo te fiducialibus noſtris precibus invitamus, quo in bonorum operum executione Celſitudinis Regalis affectum extimamus magis promptum ac facilem invenire;** *maximè cum apud Deum, cujus Prælati hujuſmodi ſunt Miniſtri, retributionis æternæ præmium, & apud homines laudis præconium acquiratur. Sane dudum Monaſterium Sanctæ Crucis de* Waltham *ad* Romanam *Eccleſiam nullo medio pertinentis, ordinis Sancti* Auguſtini London. *Dioc. Abbatis regimine deſtitutum, dilecti filii Prior & Conventus ipſius Monaſterii vocatis omnibus qui volnerunt, debuerunt & potuerunt commodè intereſſe, die ad eligendum præfixa (ut moris eſt) convenientes in unum pro futuri ſubſtitutione Abbatis, ac per viam deliberantes procedere compromiſſi, in dilectos filios fratres* Robertum *tunc Canonicum*, Henricum de Templo, Baldrunum, Henricum, Richardum, Jacobum & Johannem *Canonicos ipſius Monaſterii unanimiter & concorditer compromittere convenerunt, conceſſa eis providendi ea vice per electionem Canonicam vel poſtulationem concordem ipſi Monaſterio de Abbate, plena & libera poteſtate; promittentes, quod illum in ſuum & dicti Monaſterii Abbatem reciperent, quem iidem compromiſſarii de gremio ipſius Monaſterii vel de ſeipſis eligere procurarent, ſicque poſtmodum iidem compromiſſarii ſecedentes in partem hujuſmodi compromiſſi diligenter forma ſervata, ſuiſque votis diligenter diſcuſſis, ſex ex ſeipſis qui erant numero ſeptem in eundem fratrem* Robertum *unanimiter & concorditer conſenſerunt. Et tandem dictus frater* Henricus *ſuo ac eorundem compromiſſariorum ſuorum nomine, & de conſenſu ſingulorum de dicto Conventu & unanimi voluntate eundem fratrem* Robertum *in ejuſdem Monaſterii Abbatem elegit. Sicque poſtmodum idem frater* Robertus *ad eorundem Prioris & Conventus inſtantiam, electioni hujuſmodi de ſe facta conſenſit. Verum quia poſtmodum præſentato nobis hujuſmodi electionis decreto, electionem ipſam quam per venerabilem fratrem* B. *Epiſcopum* Portuenſ. *& dilectos filios noſtros* H. *Tituli Sanctæ* Sabinæ *Presbyterum, &* Petrum *Sancti* Euſtachii *Diaconum Cardinales, diligenter examinari fecimus, invenimus de eodem fratre* Roberto *utpote perſona idonea Canonice celebratam, illam de prædictorum & aliorum fratrum noſtrorum conſilio* **confirmavimus, ipſumque in ejuſdem Monaſterii Abbatem præfecimus et Paſtorem, et ſubſequenter munus benedictionis de noſtris manibus ſibi duximus impendendum.** *Cum itaque fili chariſſime* **ſit virtutis opus, Eccleſias et perſonas Eccleſiaſticas, præſertim Pontificali præditas dignitate, benigno favore proſequi, ac eas verbis et operibus pro Regis æterni gloria venerari:** *Serenitatem Regiam* **rogamus et hortamur attente,** *quatenus eundem Abbatem & Monaſterium ſibi commiſſum,* **pro noſtra et Apoſtolicæ ſedis reverentia habeas propenſius commendatos.** *Ita quod idem Abbas* **tuo fultus auxilio,** *in commiſſa ſibi cura paſtoralis officii poſſit Deo propitio proſperari, ac tibi exinde à Deo perennis vitæ præmium,* **et a nobis condigna proveniat actio gratiarum.** *Dat.* Reate 3 *Kal.* Octobris, *Pontificatus noſtri anno ſecundo.* In Turri London

The Abbot of *Weſtminſter* loving fleſh and Veniſon, better then prayer, fiſh, and faſting, procured this grant and Writ from the King to him and his ſucceſſors, for 8. Bucks every year to be taken in the Foreſt of *Windeſore*, and brought to *Weſtminſter*.

An. 17 *E.* 1. by the Conſtable of *Windeſore* Caſtle, at the Kings coſt, and there offered before the High Altar every year, as a ſacrifice to the Abbot (rather then to God) for the ſalvation of the Kings, his Anceſtors and Heirs ſouls, by feaſting the Abbots and Monks bodies, which little conduced thereunto.

Clauſ. 17 E. 1. m. 4. intus. Pro Abbate Weſtm de octo damis annuis ſibi per Regem conceſſis, &c.

REX dilecto & fideli ſuo *Galfrido de Pycheford* Conſtabulario Caſtri ſui de *Wyndeſhore*, ſalutem. Quia per Chartam noſtram **pro ſalute animæ noſtræ, et animarum anteceſſorum et hæredum noſtrorum,** dedimus & conceſſimus, & Charta præd cta confirmavimus **Deo et Sancto** *Petro*, **et Abbati** *Weſtm.* **et ſucceſſoribus ſuis imperpetuum, octo damos ſingulis annis** capiendos in Foreſta noſtra de *Wyndeſhore*, ad cuſtum noſtrum & hæredum noſtrorum, per manum Conſtabularii de *Wyndeſhore* quicunque pro tempore fuerit Conſtabularius, **deferendos per eundem Conſtabularium uſque** *W ſtm.* **in Vigilia Sancti** *Petri* **ad Vincula.** Ita quod hii qui dictam venacionem illuc deferent, **ſingulis annis facient duas menpas ante magnum Altare Sancti** *Petri Weſtm.* Vobis mandamus, **quod prædicto Abbati octo damos in prædicta Foreſta capi et uſque** *Wſtm.* **deferri, et duas menpas ante magnum Altare fieri faciatis de anno præſenti,** ſecundum tenorem Chartæ prædictæ, ſi eos nondum habuerit per aliud breve noſtrum. Teſte meipſo apud *Ledes* 22 die *Auguſti.*

After which he procured the like Writs every year.

The Abbot of *Cluny* in *France*, and ſome others, having a purpoſe to impoſe and exact a Tax from all the Monaſteries of his Order in *England*, without the Kings conſent, to the diminution of their Almes, Divine Services, and prejudice of them and their Founders, the King thereupon iſſued this Writ, prohibiting them to pay any Tax or Contribution to the Abbot, or any other, under pain of ſeiſing all their Temporalties, till they received his further ſpecial command therein.

Pat. 17 E. 1. m. 8. Pro Prioribus & cæteris Religioſis ordinis Cluniacenſis in Anglia.

REX univerſis & ſingulis Prioribus & aliis Religioſis ordinis *Cluniacenſis* in *Anglia* ad quos, &c. ſalutem. Quia ex relatu accepimus jam quorundam, **quod quidam tallagia et contribuciones a vobis exigunt, ſeu exigere et habere proponunt hiis diebus, quæ ſi a vobis per exactiones hujuſmodi præſtarentur, manifeſte redundarent in diminucionem elemoſinarum a progenitoribus noſtris Regibus** Angl. **ac aliis fidelibus regni noſtri, de quorum fundacione domus veſtræ in** Anglia **exiſtunt conſtitutarum, necnon et ſubſtractionem divinorum obſequiorum ac depauperationem domorum earundem manifeſtam, quod ſuſtinere nolumus, ſicut nec debemus: vobis mandamus firmiter inhibentes, ne tallagia vel contribuciones quaſcunque Abbati** Cluniacenſi, **vel alicui alii aliquatenus præbeatis, donec a nobis ſuper hoc aliud habueritis ſpecialiter in mandatis. Et hoc ſicut omnibus quæ de nobis tenetis in regno noſtro pacifice gaudere volueritis nullatenus omittatis.** In cujus, &c. Teſte Rege apud *la Neylaunde* 15 die *Sept.*

* Page 279.

* *Francis Godwin* in his *Catalogue of Biſhops* obſerves, that from the year 1284. the See of *Saliſbury* had 5. Biſhops within the ſpace of 5. years, whereof *William Comer* (as he ſtiles him) was the 4. but his name was *William de Corner*, as this Writ for reſtoring his Temporalties, together with the Patent of the Kings Royal aſſent to his election, aſſure us.

Pat. 17 E. 1. m 20. & 21. De Temporalibus reſtitutis.

REX dilecto Clerico ſuo *Malcolmo de Harley*, ſalutem. Cum venerabilis pater *J. Cantuarienſis* Archiepiſcopus totius *Anglia* Primas, electionem nuper celebratam in Eccleſia Cathedrali *Sarum*, de diſcreto viro Magiſtro *Willielmo de Corner* in Epiſcopum ejuſdem loci, **cui prius Regium aſſenſum adhibuimus et favorem**, confirmaverit, ſicut per literas patentes ipſius Archiepiſcopi nobis inde directas accepimus. **Nos confirmacionem illam acceptantes, cepimus fidelitatem ipſius Electi,** & Temporalia Epiſcopatus prædicti, prout moris eſt, reſtituimus eidem. Et ideo vobis mandamus, quod eidem Electo Temporalia Epiſcopatus prædicti cum pertin. liberetis, ſicut prædictum eſt. In cujus, &c. Teſte *Edmundo*, &c. apud *Weſtm.* 26 die *Febr.*

Et mandatum eſt Militibus, &c. In cujus, &c. Teſte ut ſupra.

What

What account the King received of the Vintiſme and Quindiſme granted him by the Clergy from the Dioceſſe of *Bath* and *Wells*, for 5. years paſt, according to the Taxation of *Norwich*, this Record will inform us. *An.* 17 *E.* 1.

REX omnibus ad quos, &c. ſalutem. Inſpeximus literas patentes dilecti nobis Magiſtri *Radulphi de Ivingho* Cancellarii Eccleſiæ Sancti *Pauli London.* ad audiendum & recipiendum compotum de Quintadecima nobis per triennium, & Viceſimæ per biennium à Clero *Cantuarienſis* provinciæ conceſſis, à quibuſcunque earundem Quintædecimæ & Viceſimæ Collectoribus in eadem provincia ex ſpeciali mandato noſtro deputati, in hæc verba. Memorandum, quod undecimo Kal. *Febr.* anno gratiæ 1288. comparuit *Willielmus de Bathon.* Vicarius *Wellenſis*, ex præcepto diſcreti viri Magiſtri *Radulphi de Wikham*, venerabilis patris Domini *R.* Dei gratia *Bathon.* & *Wellen.* Epiſcopi, tunc extra regnum agentis Vicarii, coram nobis Magiſtro *de Ivingho* Cancellar. Eccleſiæ Sancti *Pauli London.* ad audiendum & recipiendum compotum de Quintadecima Domino *Edwardo* Dei gratia illuſtri Regi *Angliæ* per triennium, & Viceſima per biennium à Clero *Cantuarienſis* provinciæ conceſſis, à quibuſcunque earundem Quintædecimæ & Viceſimæ Collectoribus in eadem provincia, ex ſpeciali mandato dicti Domini Regis deputato, & ad faciendum omnia quæ dicti negotii qualitas requirit, prout in literis dicti Domini Regis nobis ſuper hoc directis plenius continetur, in hoſpicio noſtro *London.* præfato Magiſtro *Radulpho de Wikham* eiſdem die & loco perſonaliter præſente, & reddidit compotum finalem de Quintadecima & Viceſima ſupradictis Epiſcopatum *Bathon.* & *Wellen.* per quinquennium contingentibus pro dicto Domino Epiſcopo, & omnibus earundem Quintædecimæ & Viceſimæ Collectoribus in dicto Epiſcopatu per idem tempus deputatis. Et eſt ſumma æſtimationis beneficiorum dicti Epiſcopatus per triennium, **ſecundum taxationem** *Norwic.* 9363 *l.* 5 *s.* 6 *d.* **ſumma Quintædecimæ ejuſdem æſtimationis per triennium** 624 *l.* 4 *s.* 4 *d. ob.* **ſumma æſtimationis beneficiorum dicti Epiſcopatus per biennium** 6242 *l.* 3 *s.* 4 *d.* **ſumma Viceſimæ ejuſdem æſtimationis per biennium** 312 *l.* 2 *s.* 6 *d.* **ſumma totalis Quintædecimæ et Viceſimæ** 936 *l.* 6 *s.* 10 *d.* de quibus idem *Willielmus* computat in liberacionibus factis diverſis Mercatoribus ad opus Domini Regis ad mandatum ipſius, & ad Scaccarium & Garderobam ſuam per prædictos dictos Dominum Epiſcopum & Collectores, prout patet per literas dicti Domini Regis de mandato, & per literas dictorum Mercatorum de recepta, ſcilicet, per quindecim literas quas penes nos retinuimus ſuper compotum & per receptam noſtram 793 *l.* 10 *d. ob.* In acquietanciis Collectorum de beneficiis ſuis & allocationibus factis, ut patet per particulas quas penes nos habemus, 56 *l.* 14 *s.* 5 *d. ob. q.* In expenſis circa prædictam pecuniam levandam 63 *l.* 6 *s.* 4 *d.* Summa totalis liberacionis, acquietanciarum & allocacionum ac expenſarum 913 *l.* 1 *s.* 8 *d. q.* Et ſic ſunt in arreragiis 23 *l.* 5 *s.* 1 *d. ob. q.* Quæ quidem arreragia prædicti Magiſtri *Radulphus de Wikham* & *Willielmus de Bathon.* ſolvi fecerunt in compoto ad opus Domini Regis *Ricardo Guidicionis* Mercatori *Lucan.* de ſocietate *Ricardorum* per manus Domini *Willielmi de Holecote* Capellani dicti Domini Epiſcopi, prout patet per literas prædicti *Ricardi* quas penes nos una cum aliis acquietanciis retinuimus ſupradictis: Unde nos *Radulphus de Ivingho* ſupradictus auctoritate qua fungimur in hac parte pronunciamus prædictos Dominum *R.* Dei gratia *Bathon.* & *Wellen.* Epiſcopum, & omnes Collectores prædictos quietos eſſe omnino & in nullo teneri **de tota Quintadecima et Viceſima dictum Epiſcopatum**, per prædictos quinque annos contingente. Promittentes bona fide nos, omnes & ſingulas perſonas quas dictæ literæ acquietanciarum quas penes nos retinuimus ratione ſolutionis dictorum Quintædecimæ & Viceſimæ contingunt, erga Dominum Regem prædictum & quoſcunque alios ſuper retencione hujuſmodi indempnes conſervaturos. Damus etiam & committimus auctoritate prædicta prædicto *Willielmo de Bathon.* plenam poteſtatem faciendi literas acquietanciæ ſingulis perſonis à quibus recepit literas memoratas, quas habemus ſuper receptis. Ita quod præſens litera penes eum reſideat in warantum. In cujus rei teſtimonium ſigillum noſtrum præſentibus eſt appenſum. Dat. *London.* die & anno ſupradictis. Nos præmiſſa acceptantes, præfatos **Epiſcopum et Collectores**, quantum in nobis eſt, inde quietamus per præſentes. In cujus, &c. Teſte *Edmundo*, &c. apud *Weſtm.* 23 die *Januarii*.

Pat. 17 E. 1. m. 21. Pro Epiſcopo Bathon. & Wellen. & Collectoribus Viceſimæ & Quintadecimæ in eodem Epiſcopatu.

An. 17 *E.* 1. The King having conquered *Wales*, out of his Royal authoritie and ſpecial grace confirmed all the ancient rights, Liberties, poſſeſſions and cuſtoms of the Church of *Aſſaph* to the preſent Biſhop and his ſucceſſors, which they formerly uſed and enjoyed, and that he might freely make his Teſtament, by theſe Writs.

Rot. Wallie 17 E. 1. pars 2. m. 10. Pro Epiſcopo Aſſavenſi.

REX omnibus ad quos, &c. ſalutem. Volentes venerabili patri *Aniano* Epiſcopo de Sancto *Aſſapho* optentu dilectionis quam erga perſonam ſuam geri-mus graciam facere ſpecialem, conceſſimus quantum in nobis eſt, pro nobis & hæredibus noſtris eidem Epiſcopo & ſucceſſoribus ſuis Eccleſiæ prædictæ, quod ipſi de cætero utantur et gaudeant pacifice et quiete eiſdem juribus, libertatibus, et poſſeſſionibus et conſuetudinibus diu optentis, quibus idem Epiſcopus et prædeceſſores ſui Epiſcopi ejuſdem loci uſi et gabiſi fuerant temporibus retroactis. In cujus, &c. Teſte Rege apud *Rothelan.* 9. die *Novembris.* Anno regni noſtro quinto.

REX omnibus ad quos, &c. ſalutem. Volentes venerabili patri A. Epiſcopo de Sancto *Aſſapho* graciam facere ſpecialem, conceſſimus ei pro nobis et hæredibus noſtris, quod ipſe cum ſibi libuerit libere poſſit ſuum condere teſtamentum. Mandantes vobis omnibus & ſingulis & firmiter injungentes, quod executores teſtamenti ejuſdem Epiſcopi cum ipſum contigerit expirare, minime impediatis quo minus teſtamentum hujuſmodi debitæ executioni valeant demandare juxta ordinacionem Epiſcopi ſuprædicti. In cujus, &c. Teſte Rege apud *Burd.* 17 die *Maii.*

The King by his Soveraign authoritie, to prevent the hindrance of Gods Service, and preſerve the rights of the Churches in *Gaſcoigne* againſt all violations by his Subjects and Souldiers, iſſued this Writ to his Seneſchal and other Officers there, to compell all Clerks and other perſons who violated their priviledges, upon the Biſhops and his Officials complaints, to yield due obedience to them, by diſtraining their goods and impriſoning their perſons.

Rot. Vaſcon. 17 E. 1. pars 2. m. 13. Pro Epiſcopo Vaſatenſi.

REX dilectis & fidelibus ſuis Seneſcallo *Vaſcon.* & omnibus Bajulis, Præpoſitis in Dioceſi *Vaſaten.* & alibi conſtitutis, ad quos, &c. ſalutem. Volentes retardacioni divini cultus et ſubditorum periculis, quæ ex violacionibus Eccleſiarum frequenter accidunt obviare, ac venerabili in Chriſto patri Kariſſimo noſtro *Hugoni* Dei gracia Epiſcopo *Vaſatenſi* favorabilem nos in ſuis honeſtis peticionibus exhibere, vobis firmiter injungendo mandamus, quatinus ſi qui vel quis ex veſtris ſubditis Eccleſiam vel Cimiterium in Civitate vel Dioceſi *Vaſaten.* auſu temerario præſumpſerit violare, et ad juſſum vel monicionem ejuſdem Epiſcopi vel Officialis ſui reconciliacionem ſuis ſumptibus contempſerit vel diſtulerit efficaciter procurare, ad ipſius Epiſcopi vel ſuorum requiſicionem violatores hujuſmodi per captionem bonorum ſuorum vel aliter, prout videritis expedire, cum de præmiſſis vobis clare conſtiterit ad procurandum cum effectu reconciliationem, et ſatisfaciendum dampnum et injuriam paſſis, prout vobis ſuaderint et juſſum fuerit ſine diffugio compellatis. *Mandamus vobis etiam*, quatinus ſi quem vel quos Clericos Clericalem tonſuram et habitum deferentes in Civitate vel Dioceſi *Vaſaten.* capere vos contingat, illos vel illum reſtituatis vel mittatis reſtituendos præfato Epiſcopo, vel mandato ſuo juxta demerita puniendos, niſi rationabile quid obſtiterit: non inferentes vel inferri permittentes eiſdem aliquam læſionem; ſuper his autem unus veſtrum alium non expectet. Dat. apud *Condrum.* 4. die *Maii.*

He likewiſe granted this Protection to the Biſhop and his Servants;

Ibidem.

REX dilectis & fidelibus ſuis Seneſcallo *Vaſcon.* & omnibus aliis Bajulis, Præpoſitis in Dioceſi *Vaſaten.* & alibi conſtitutis, ad quos præſentes literæ pervenerint ſalutem. Venerabilem in Chriſto patrem cariſſimum noſtrum *Hugonem* Dei gratia *Vaſatenſem* Epiſcopum, volentes graciæ ſpecialis proſequi benivolencia et favore; vobis firmiter injungendo mandamus, quatinus eidem Epiſcopo, ſerbitoribus et nunciis ſuis Clericis et Laicis, in perſonis, bonis et juribus eorundem nullum grabamen aut moleſtiam inferatis, ſeu permittatis inferri, ſed in his protegatis

gatis et defendatis, eosdem Molestatores si qui fuerint ad ipsius Episcopi vel suorum requisicionem sic debitè compescentes, & quod forisfactum fuerit celeriter emendari facientes, quod præfatus Episcopus vel sui ex hoc mandato nostro votivum commodum, prout rationabile fuerit consequatur, & pro defectu protectionis quem super hoc quod absit intervenerit, in vobis punire intendimus, ad nos redire vel mittere non cogantur, super hiis autem unus vestrum alium non expectet. Dat. *Condrum.* in Festo *Inventionis Sanctæ Crucis*, Anno, &c. *An.* 17 E. 1.

King *Edward* the 1. having by his Prerogative royal a right to collate to the prebendarie of *Nassington* in the Church of *Lincolne*, during the vacancie of the Bishoprick; which the Pope intended to conferre on some other by Provision; the King thereupon issued this memorable Prohibition to the Bishop, setting forth the ancient Right and Prerogative of the Crown alwaies used, and allowed by Popes themselves, to present to, and conferr all Præbendaries and other dignities belonging to Bishopricks during their vacancie; inhibiting him by pretext of any Letters whatsoever directed or to be directed to him, to act, constitute, ordain, or attempt any thing touching that Prebendary or any other, to the prejudice of him or his Royal Dignitie without his privitie, under pain of seising his Baronie.

REX venerabili in Christo Patri *O.* eadem gratia *Lincoln.* Episcopo salutem. Dignitas Regia et Coronæ *Angliæ*, ac Regni consuetudo sic sunt semper, et sic hactenus habuerunt, ut observentur in eis, quod ab antiquo usitatum, et a summis Pontificibus perpetuo est concessum, ac a tempore quo non extat memoria, eo quod sola *Angliæ* consuetudine utitur et non jure scripto, absque interruptione temporis approbatum. Ne igitur in præbenda de *Nassinton* in *Lincoln.* Ecclesia, quæ de Corona et patronatu nostro existit, exhæredatio Coronæ et Regiæ interveniat manifeste, præsertim cum vacante sede Episcopatus *Lincoln.* præbendæ illius, sicut omnium aliarum tam dignitatum quam præbendarum ejusdem Ecclesiæ collatio ad nos pleno jure dinoscitur pertinere. Vobis mandamus firmiter inhibentes, ne pretextu literarum quarumcunque vobis directarum, seu dirigendarum in posterum in prædicta præbenda vel alia ad nos ratione Baroniæ vestræ in prædicta *Lincolniensi* Ecclesia quaquam pertinente, quod nobis seu dignitati Regiæ dampnosum vel præjudiciale esse poterit ordinando, vel instituendo, de nobis inconsultis attemptare aliquatenus præsumatis, per quod ad Baroniam illam ob vestri demeritum manum apponere debeamus. Teste *Edmundo*, &c. apud *Westm.* 15 die *Martii.* Claus. 17 E. 1. m. 7. dorso. Ne Episcopus Lincoln. aliquid temptet in Prebenda de Nassinton quod Regi damnosum vel præjudiciale esse poterit, &c.

The King this year sent two special Messengers to *Rome* to the Pope and Cardinals with these Letters of Credence, to dispatch some weighty affaires wherewith they were intrusted, to be communicated to them by word of mouth, not specified in the Letters.

SAnctissimo Patri in Christo ac Domino Reverendo, Domino *Nicholao* Dei gratiâ Sacrosanctæ *Romanæ* & universalis Ecclesiæ Summo Pontifici; *Edwardus*, &c. devota pedum oscula Beatorum, cum omni reverentia & honore. Dilectos Consiliarios & fideles nostros Nobilem virum *Othonem de Grandissono* Militem, ac Religiosum & discretum virum fratrem *Gulielmum de Hothum* de Ordine Prædicatorum, pro quibusdam negotiis nostris ad Sanctitatis vestræ præsentiam destinantes, paternitatem vestram humiliter imploramus, quatinus præfatos Nuncios nostros solita benignitate recipere, et eisdem vel eorum alteri super omnibus et singulis quæ vobis ex parte nostra dixerint vel duxerit exponenda, indubitatam fidem et firmam credentiam adhibere velitis, veluti nobis ipsis. Ac ea quæ dicte nostra petierint, ad gratiam exauditionis admittere et prosequi gratiose. Vitam prosperam & longævam annuat vobis Deus ad regimen Ecclesiæ suæ sanctæ & pacem totius populi Christiani. Dat. apud *Laverdak* 8 die *Maii*, Anno Dom. 1289. Rot Vascon. 17 E. 1. pars 2. memb. 11.

He

An. 17 *E.* 1. He likewise sent particular Letters of Recommendation and Credence to the respective Cardinals, whose names are thus enrolled.

Ibid. Episcopi Cardinales. VEnerabili in Christo Patri Amico suo Karissimo Domino *Latino*, Dei gratia *Ostien.* & *Velletren.* Episcopo, Sacrosanctæ *Romanæ* Ecclesiæ Cardinali; *Edwardus* eadem gratia, &c. salutem, cum incremento continuo gloriæ & honoris. Dilectis Consiliariis & fidelibus nostris Nobili viro *Ottoni de Grandissono*, & Religioso viro & discreto fratri *Guillielmo de Hothum* de Ordine Prædicatorum, quos pro quibusdam negotiis nostris ad Dominum Summum Pontificem et ejus Curiam destinamus quædam commissimus vobis vivæ vocis oraculo referenda. Paternitatem vestram rogantes, quatinus præfatis Nunciis nostris vel eorum alteri super omnibus quæ nobis ex parte nostra oretenus duxerint exponenda, fidem velitis indubiam adhibere. Dat. apud *Laverdak* 8 die *Maii*, Anno Regni nostri 17.

Consimiles literæ diriguntur singulis Cardinalibus de Curia *Romana*, videlicet

Domino *Bernardo* Dei gratia Episcopo *Penestrino*, Sacrosanctæ *Romanæ* Ecclesiæ Cardinali.

Domino *Bentevenge* Dei gratia *Alban.* Episcopo, &c.

Domino *Johanni* Dei gratia Episcopo *Tusculano*, &c.

Domino *Bernardo* Dei gratia Episcopo *Portuen.*

Domino *Gerardo* Dei gratia Episcopo *Sabyn.*

Pope *Nicholas* the 4. being setled in his Pontifical Chair, taking into his consideration that King *Edward* the 1. was 5. years in arrear to the Church of *Rome* for the annual pension of 1000 Marks granted by King *John*, notwithstanding Pope *Honorius* his predecessors Bulls and *Nuncios* sent to him to demand and receive it, thereupon in the first year of his Papacie sent this Bull unto him, requesting in an humble manner the payment thereof to his Clerk and Nuncio *Giffredo* then in *England*, thus entred on Record.

Claus 17 E 1. m. 4. De quadam Litera missa Regi per Dom. Papam de quodam Censu annuo mille marcarum, &c. NIcholaus Episcopus Servus servorum Dei, Charissimo in Christo filio Regi *Angliæ* illustri salutem & Apostolicam benedictionem. Honorem tuum fili charissime, decere credimus, ac tui et Regni tui profectibus expedire, ut quod juste debes sacrosanctæ *Romanæ* Ecclesiæ Patri tuæ, sic promptus exolvas, quod gratiam acquiras ex debito, et commendari mereatur Celsitudo Regia ex affectu. Cum igitur Census annuus mille Marcarum sterlingorum a te, sicut nosti, eidem *Romanæ* Ecclesiæ debeatur, ac felicis recordationis *Honorius* Papa 4. prædecessor noster, super solutione ipsius Census de tribus annis debiti facienda a te, sub certa forma tibi direxerit scripta sua, et nondum Cameræ sedis Apostolicæ de dicto Censu pro eisdem tribus annis satisfactum existat. Serenitatem Regiam requirimus et rogamus attente, per Apostolica tibi scripta mandantes, quatinus Censum ipsum pro eisdem tribus annis jam præteritis, et etiam pro duobus sequentibus, terminandis in proximo futuro festo beati *Michaelis*, dilecto filio Magistro *Giffredo* Cameræ nostræ Clerico in *Anglia* commoranti, has tibi literas præsentanti, nostro et Ecclesiæ prædictæ nomine facias integre et liberaliter assignari: Ita quod nos id gratum habentes, Magnificentiam tuam possimus exinde merito commendare. Dat. *Romæ* apud Sanctum *Petrum* 4. Kalend. *Maii*. Pont. nostri Anno primo.

Et memorandum, quod die Veneris proxima post festum *Assumptionis* beatæ *Mariæ* anno Regni, &c. decimo septimo apud *Ledes*, liberata fuit ista Bulla Magistro *Willielmo de Luda* tunc Custode Garderobæ Domini Regis, in eadem Garderoba custodienda.

The King hereupon to ingratiate himself with the new Pope, the better to promote his cosen *Charles* to the Realm of *Sicily*, whom he had enlarged out of prison, and expedite his own affairs in the Court of *Rome*, concerning a dispensation for his Sonne to marrie the heir of the Crown of *Scotland*, and other businesse touching *Gascoigne* and *France*, (for which he had then sent special Embassadors to *Rome* with Letters both to the Pope and Cardinals;) issued this Writ for the payment of these 5. years arrears accordingly, recorded in the *Liberate Roll* of this year.

REX

An. 17 E. 1.

Liberate 17 E. 1. m. 2. intus De Denariis Dom. Papæ liberandis.

REX Theſaur. & Camerariis ſuis ſalutem. Liberate de theſauro noſtro Magiſtro Giffredo de Vezano, Domini Papæ Clerico quinque millia Marcarum per manus ſuas eidem Domino Papæ liberand. de Annis Regni noſtri 12, 13, 14, 15, et 16. *videlicet*, de quolibet Anno mille Marcas, quem idem Dominus Papa percipit ad Scaccarium noſtrum. Et recipiatis ab eodem Magiſtro Giffredo ſufficientem quietanciam de pecunia ſupradicta. Teſte Rege apud *Ledes* 18 die *Auguſti*.

This is the laſt payment I finde made by King *Edward* the 1. of this annual penſion during his reign, to which he made ſo many * *former* long demmurrers and delayes of payment.

* Seehere, p. 158, 159, 278, 279.

The Pope upon receipt hereof was ſo well pleaſed, that he granted a diſpenſation to the Kings Son Prince *Edward* to marry with the heir of the Crown of *Scotland*, thereby to unite theſe two Crowns, Kingdoms, and prevent the long bloody Wars between them, though within the prohibited degrees of Conſanguinitie, thus enrolled in the *Patent Roll* of Anno 17 E. 1.

Pat. 17 E. 1. m. 3. Cedul. intus. De facto Norwag.

NICHOLAUS *Epiſcopus Servus ſervorum Dei, dilecto filio Nobili viro* Edwardo *nato chariſſimi in Chriſto filii noſtri* Edwardi *Regis* Angliæ *illuſtris, ſalutem & apoſtolicam benedictionem.* Petitio tua nobis exhibita continebat, *quod propter contiguitatem* Angliæ Scotiæque *Regnorum diverſa ſcandala, rancores, & odia inter ipſa Regna & eorum Reges hactenus ſunt exorta, ex quibus nonnulla rerum & corporum contigiſſe pericula dinoſcuntur; ſicque cum claræ memoriæ* A. *Rex* Scotiæ *ſit viam univerſa Carnis ingreſſus proprio maſculino genere non extante, & dilecta in nobis Chriſto filia* Margareta *nata chariſſimi in Chriſto filii noſtri* Erici Norwegiæ *Regis illuſtris, neptis pradicti Regis* Scotiæ *Regno ipſi* Scotiæ *Regi ſuccedat verisimiliter dubitatur, quod ſi forſan Regnum ipſum ad manus alterius ex ipſius* Margaretæ *contrahendo conjugio proveniret, de facili poſſent hujuſmodi ſcandala, rancores & odia pullulare, ac provenire ex ipſis pericula graviora; unde ad hujuſmodi periculis obviandum, ac ad ſedandum & obliviſcendum ſcandala, rancores, & odia ſupradicta, & ad procurandum & nutriendum vera pacis & dilectionis commoda inter prædicta regna & incolas eorundem, deſideras* cum prædicta Margareta matrimonialiter copulari. Set quia tertio conſanguinitatis gradu quo tu et eadem Margareta, nata ex quadam Margareta conſobrina tua præfati Norweg. Regis uroze, vobis attinetis ad invicem prohibente, id non poteſt perduci legitime ad effectum, Apoſtolicæ ſedis licentiam ſuper hoc humiliter implorasti; Nos itaque in prædictis regnis et ubique locorum Deo et Romanæ Eccleſiæ devotorum, pacem et concordiam affectantes, et intendentes ad id ſtudia quæ poſſumus adhibere; Sperantes quoque quod ex hujuſmodi matrimonio ſi fiet memoratis Regnis, odiorum tenebris inde propulſis, proſperitatum quamplurium, dante Domino incrementa provenient. Conſiderantes etiam, quod ſi prædictum Regem patrem tuum, juxta ſui voti præſagia, contingat in Terræ ſanctæ ſubſidium proficiſci, poſſet ipſi Regi ſuoque Regno et tibi, et per conſequens præfatæ Terræ Sanctæ negotio, ſi alii prædicta Margareta nuberet, deperire. *Penſantes inſuper*, quod nulla ex hujuſmodi provenire debere ſcandala veriſimiliter formidantur.

His & aliis dignis conſiderationibus ſubſiſtentibus excitati, tuis ſupplicationibus annuentes, tecum et cum Margareta præfata ut impedimento conſanguinitatis hujuſmodi non obſtante matrimonium invicem legitime contrahere, ac in contracto licite remanere poſſitis, authoritate Apoſtolica de ſpeciali gratia diſpenſamus; proles ſuſcipiendam ex te ac dicta Margareta ex hujuſmodi matrimonio nunciantes ex nunc legitimam, de Apoſtolica plenitudine poteſtatis. Nulli ergo omnino hominum liceat hanc paginam noſtræ diſpenſationis infringere, vel ei auſu temerario contraire. *Si quis autem hoc attemptare præſumpſerit*, indignationem Omnipotentis Dei, et Beatorum Petri & Pauli Apoſtolorum ejus, ſe noverit incurſurum. *Dat.* Romæ *apud Sanctam* Mariam *majorem* 16 *Kal.* Decembris, *Pontificatus noſtri Anno ſecundo.*

King *Edward* upon the receipt of this Diſpenſation, ſent theſe enſuing Letters and Proxies to *Ericus* King of *Norwey*, and likewiſe to the Gardians of the Realm of

of *Scotland*, to consummate this marriage, upon these following Articles and Agreements; which, because not extant (to my remembrance) in any History, I shall transcribe out of the Records in the Tower.

Pat. 17 E. 1. m. 4 Ced.

MAgnifico Principi & amico suo Kariſſimo Domino *Erico*, Dei gratia Regi *Norwagiæ* illustri, *Edwardus* Dei gratiâ Rex *Angliæ*, Dominus *Hiberniæ*, & Dux *Aquitaniæ*, salutem, & prosperis semper successibus habundare. Cum ex liberali benignitate Sedis Apostolicæ sufficiens et plena nobis dispensatio de filio nostro *Edwardo*, & *Margareta* filia vestra Regina *Scotiæ* matrimonialiter adinbicem copulandis, non obstante consanguinitatis gradu, quo sibi adinbicem attinere nostruntur, per sanctissimum patrem nostrum Dominum *Nicholaum* ejusdem Sedis ac universalis Ecclesiæ Summum Pontificem, rite et inspirante gratia Salvatoris sit concessa, et realiter jam optenta; ad quod utique Custodes, Magnates, Prælati, ac tota communitas prædicti Regni *Scotiæ*, unanimi et expressa voluntate suum præbuerant jam consensum; id quod vobis, ut confidimus, propter utriusque regni *Angliæ* & *Scotiæ* secundam prosperitatem & mutuam utilitatem placidum & acceptum esse, verisimiliter attendamus; vestram Serenitatem Regiam requirimus & rogamus attentè, quatenus ad tam fælicem dictæ dispensationis & copulæ conjugalis effectum prosequendum finaliter & complendum, prædictæ Dominæ *Margaretæ* filiæ ad partes nostras *Anglicanas* adventum curetis adeo tempestivè maturare, ut obnixius obstringamur. Grave siquidem gereremus, si nostra hinc inde vota in hoc aliqualiter discreparent, aut saltem protelare faceretis, quod in hac parte Regiam Celsitudinem non deceret. Valeat & vigeat fœliciter Regia Majestas vestra, & prosperis semper floreat incrementis. Dat. apud *Aumbrisbury* 15 Kal. *Maii*, Anno Regni nostri decimo octavo.

Ibidem.

EIdem Regi, *Edwardus* Dei gratia Rex *Angliæ*, Dominus *Hiberniæ*, & Dux *Aquitanniæ*, salutem, & prosperis semper successibus habundare. Ad frequentem & votivam instantiam venerabilis patris Domini *Antonii* Dei gratia *Dunelm.* Episcopi vestram de Regno *Scotiæ* utilitatem affectantis, & vehementer prosequentis, quam utique nos in hoc & in aliis appetimus fœliciter prosperari, damus, concedimus & committimus eidem Episcopo plenam & specialem potestatem & authoritatem plenariam, vobiscum per se, vel per suos Procuratores aut nuncios speciales, tractandi, conferendi, ordinandi Juramento, scriptis vel obligationibus, suo & nostro nomine, si necesse fuerit affirmandi negotia, vos & nos filium nostrum & filiam vestram contingentia, secundum quod magis viderint expedire. Ratum habentes & firmum quicquid per prædictum patrem *Dunelm.* Episcopum, vel Nuncios aut Procuratores suos, vel eorum aliquos, ad hoc specialiter deputatos tactum, ordinatum vel affirmatum fuerit suo & nostro nomine in præmissis. In cujus, &c. Sigillum nostrum fecimus præsentibus appendi. Dat. apud *Wodestok* 10 die *April.* Anno, &c. eodem.

Et memorand. quod istæ duæ literæ, licet sint de data in eis contenta, irrotulatæ fuerunt hic, eo quod tangunt factum *Norwag.* & nichilominus ista ultima litera irrotulata est in Rotulo Patentium de Anno xvii. mense *April.*

Ibid m. 3.

OMnibus has literas visuris vel audituris, *Edwardus*, &c. salutem. Noveritis nos literas *Custodum regni Scotiæ* communi Sigillo Regni ejusdem signatas, non cancellatas, non abolitas, nec in aliqua sui parte vitiatas, in forma quæ sequitur, inspexisse. *Excellentissimo Principi Domino* Edwardo *Dei gratia Regi* Angliæ *Illustri, Domino* Hiberniæ, *& Duci* Aquitaniæ, *Custodes Regni* Scociæ *per Communitatem ejusdem Regni, salutem, & continuum semper gloriæ & honoris incrementum. Notum vobis facimus per præsentes, quod cum ad preces & instantiam vestram ad præsentiam vestram venerabiles in Christo patres* W. *&* R. *permissione divina Sancti* Andreæ *&* Glasguen. *Episcopos; Nobiles viros* Robertum de Brus *patrem, Dominum* Wall. Anand. *&* Johannem Comyn *destinemus pro quibusdam rebus seu negotiis, vobis per quosdam solempnes Nuncios Domini Regis* Norwag. *illustris, suggestis, sicut per literas vestras nuper nobis missas didicimus; damus & concedimus prædictis destinatis potestatem & mandatum tractandi cum dictis nunciis* Norwag. *coram vobis, super rebus seu negotiis vobis expositis per eosdem, & ea quæ erunt in vestra præsentia ab utraque*

que parte concorditer ordinata, affirmandi. Salvis tamen in omnibus & singulis & per omnia Libertate & Honore Regni Scotiæ; *Ratum & gratum habituri quicquid per prædictos destinatos in vestra præsentia tractatum fuerit & affirmatum; dummodo ex hoc Regno* Scotiæ *& ejus incolis nullum imposterum prajudicium generetur. In cujus rei testimonium, has literas patentes Sigillo regimini regni* Scotiæ *deputato fecimus sigillari. Dat. apud Monasterium de* Melros *tertio die* Octobris, *Anno Gratiæ*, 1289. *In cujus, &c.* *An.* 17 *E.* 1.

Memorand. quod ista Litera sigillata liberata fuit in Ecclesia beatæ *Mariæ Sarum* septimo die *Novembr.* Anno, &c. decimo septimo, per manum venerabilis patris *R. Bathon. & Wellen.* Episcopi Cancellar. Regis, Nunciis Regis *Norwag.* Et litera originalis unà cum litera subsequente, eodem die, in eadem Ecclesia, liberata fuit per manus ejusdem Cancellarii Domino Episcopo *Dunelm.* in præsentia venerabilis patris Domini *Wigorn.* Episcopi, & Domini *W. de Valen.* & *J. de Warenna* Com. *Sarr.* per manum ejusdem Episcopi *Dunelmen.* in Garderoba Regis liberand.

OMnibus has literas visuris vel audituris, *Edwardus, &c.* salutem. Noveritis nos literas Sereniſſimi Principis *Ericii*, eadem gratia Regis *Norwag.* illustris Sigillo suo signatas, non cancellatas, non abolitas, nec in aliqua sui parte vitiatas, in forma quæ sequitur, inspexisse. *Excellentissimo & Magnifico Principi, affini & amico suo Karissimo, Domino* Edwardo *Dei gratia Regi* Angliæ, *Domino* Hiberniæ, *& Duci* Aquitanniæ, Ericius *eadem gratia Rex* Norwag. *salutem, & sinceræ dilectionis constantiam, cum honoris & Gloriæ perpetuis incrementis. Noverit vestra Majestas Regia, quod nos dilectos ac fideles nostros,* Tirricium de Campis Ludi *Baronem,* Petrum Algothi *quondam Regni* Suet. *Cancellar.* Thorwaldi de Shetland, & Guthorinum de Osleya, *Milites, latores præsentium, facimus, constitnimus & ordinamus nostros veros & legitimos Procuratores & Nuncios speciales, ad tractandum & conferendum cum Serenitate vestra, super quibusdam negotiis, nos & filiam nostram Karissimam* Margaretam *Consanguineam vestram, Dominam ac Reginam* Scotiæ *ac ipsum Regnum suum* Scotiæ *tangentibus: Dantes & concedentes eisdem nunciis & procuratoribus nostris authoritatem plenariam & mandatum speciale ad stabilienda prædicta negotia & ad omnia alia facienda, sine quibus prædicta negotia expedire non possint, prout nobis & filiæ nostræ supradictæ melius credere viderint ad commodum & honorem. Ita tamen quod si omnes hiis expediendis interesse nequiverint, tres vel duo ex ipsis nichilominus in negotiis procedant supradictis. Ratum habituri & gratum, quicquid per dictos nuncios & procuratores nostros, seu ipsorum tres vel duos factum fuerit & ordinatum in præmissis seu quolibet præmissorum. In cujus rei testimonium præsens procuratorium sigilli nostri appensione fecimus roborandum. Dat. apud Civitatem* Bergens. *Kal.* April. *anno regni nostri Decimo.* In cujus rei testimonium, has literas nostras fieri fecimus patentes. Teste meipso apud *Clarendon.* 6. die *Novembr.* Anno Regni nostri decimo septimo. Pat. 17 E. 1. m. 3.

REX Prælatis, Magnatibus, ac toti Communitati Regni *Scotiæ*, salutem & dilectionem sinceram. Quia negotia, quæ contingunt Karissimam Consanguineam nostram, *Margaretam* Dominam & Reginam Regni ejusdem, ad honorem Dei & tranquillitatem totius Communitatis ejusdem Regni, ac commodum & profectum ipsius Consanguineæ nostræ prædictæ bene & fideliter prosperari, totis desideriis pe optamus; Vos requirimus & rogamus attentè, quatinus Custodibus ad regimen dicti Regni nomine prædictæ nostræ Consanguineæ deputatis, taliter intendentes sitis & obedientes, quod nos & Domina vestra antedicta possumus & debeamus fidelitatem vestram habere meritò commendatam. Proponimus siquidem statim post instans Parliamentum nostrum *London.* ad partes vestras *Scotiæ*, aliquos de nostro Consilio destinare; per quos ac etiam per ipsius Terræ Custodes de statu ejusdem Regni, quem appetimus tranquillum & pacificum semper esse, certificati erimus, Deo dante. Dat. apud *Clarendon.* ut supra. Et sunt Clausæ. Pat. 17 E. 3. m. 3, 4.

REX omnibus ad quos, &c. salutem. Sciatis nos concessisse venerabilibus patribus, *Willielmo* Dei gratia Sancti *Andreæ*, & *Roberto Glasguen.* Episcopis, ac Nobilibus viris, *Roberto de Bruys*, Domino *Wal. de Anant.* & *Johanni Comyn*, qui ad nos ex parte Custodum Regni *Scotiæ* nuper venerunt in nuncium; & *Terrico de' Campis* Ibidem.

An. 17 *E.* 1. *Cameris Ludi, Petro Algoti, & Guitborno de Assibeye*, Nunciis & Procuratoribus egregii Principis Domini *Ericii* Regis *Norwag.* quod si Domina *Margareta* nata Regis ejusdem, nostraque nepta, Domina Regina & hæres *Scotiæ*, in partibus *Angliæ* veniat, ab omni contractu Maritagii & Sponsalium libera & quieta, nos ipsam domicellam ita liberam & quietam ab omni contractu Matrimonii & Sponsalium probis hominibus Regni *Scotiæ* ad eorum requisitionem liberabimus, quam citò terra *Scotiæ* prædicta assecurata fuerit & in pace. Ita quod ipsa Domina securè venire valeat in eandem, & inibi commodè commorari; sub tali tamen modo, quod prædicti probi homines Regni *Scotiæ* antequam præfatam recipiant Dominam, sufficientem ponent securitatem & bonam nobis & Regi *Norwag.* supradicto, **quod ipsam Dominam nullatenus maritabunt, nisi de consensu nostro, et Regis** *Norwag.* supradicti, & hæredum succedentium nobis Regi *Angliæ*, si de nobis interim contingat humaniter, vel in remotas partes à nostro regno prædicto contigeret nos transferre. In quibus casibus hæredes nostros, ac hæredum nostrorum & Regni Custodes in nostri absentia obligamus ad præmissa servanda, quæ promisimus bona fide. In cujus rei testimonium, &c. Teste Rege apud *Clarendon* 6 die *Novembr.*

Et sunt duplicatæ & similiter liberatæ per manum venerabilis patris *R. Bathen.* & *Wellen.* Episcopi Cancellar. Regis apud *Sarum* 8. die *Novembris*, *Willielmo de Bliburg.* per manum suam liberand. Unam videlicet nunciis Regis *Norwag.* & aliam nunciis Custodum *Scotiæ.*

Ibidem. CUM egregius Princeps *Eryk.* Rex *Norweye*, & Domina *Margareta* nata Regis ejusdem, Domina Regina & hæres regni *Scotiæ*, requisivissent per suos solempnes nuncios, Dominum videlicet *Terricum de Campis Ludi*, *Petrum Algothi*, & *Guthorinum de Aseleya*, magnificum Principem Dominum *Edwardum* Dei gratia illustrem Regem *Angliæ*, quod ipse opem apponeret & consilium, **qualiter prædictæ Reginæ neptæ suæ obediretur, ut Domina Regina, et Hæres Regni Scotiæ suprædicti, et quod ipsa inde ordinare possit pariter et gaudere, prout aliis faciunt Reges regnis**, præfatus Dominus *Angliæ* Rex illustris, pro bono pacis dicti regni *Scotiæ*, & reformatione status suæ neptæ, jam dictæ, Custodibus regni *Scotiæ* literas suas misit, quod Custodes ipsi mitterent personas nominatas & certas, qui potestatem haberent tractandi formam aliquam pro se & aliis, ad emendationem dicti regni *Scotiæ*, & reformatione status Reginæ jam dictæ. Iidem quoque Custodes ad requisitionem hujusmodi Domini Regis *Angliæ* prælibati, miserunt, juxta effectum requisitionis ejusdem, venerabiles in Christo patres Sancti *Andreæ* & de *Glascuen.* Episcopos, & nobiles viros Dominos *Robertum de Brus*, Dom. *Val. de Anaunt*, & *Johannem de Comyn*, ad tractandum prout superius est jam dictum; qui apud *Sarisbur.* venientes, ad mensem Sancti *Michaelis* prox. nunc elapsum. ad quem locum prædictus Dominus Rex *Angliæ* honorabiles in Christo patres Dominos *Godfridum Wygorn.* & *Antonium Dunelmensem* Episcopos, ac egregios viros, Dominos *Guillielm. de Valenc. Pembrok.* & *Johannem de Garenum* Com. pro tractatu prædicto transmisit, qui similiter venientes ibidem ad tractand. ex parte ipsius Regis *Angliæ* cum nunciis *Norweye*, & nominatis *Scotorum* suprædictis, post disceptationes inter eos varias & tractatus, **in formam tandem talem pariter concordarunt**, videlicet, *Quod præfata Domina Regina & Hæres in Regnum veniat* Angliæ *aut* Scotiæ *citra festum* Omnium Sanctorum *proximo jam futurum, ab omni contractu Maritagii & Sponsalium libera & quieta, & hoc præfati Nuncii* Norweye, *quantum in ipsis est bona fide promiserant, se Procuratores futuros & curaturos citra terminum jam prædictum, nisi Regina rationabile & allocabile Essonium habeat in hac parte. Promisit insuper bona fide jam dictus Rex* Angliæ, *quod si præfata Domina ab omni contractu Maritagii & Sponsalium, in manum suam aut custodiam libera veniat & quieta; & quando Regnum* Scotiæ *assecuratum benè fuerit & in pace, ita quod Domina ipsa securè venire valeat, & in eo morari, ipsumque Regem* Angliæ *per gentem Regni* Scotiæ *requiri continget, idem Rex* Angliæ *eandem Dominam in Regnum* Scotiæ *mittet, ita liberam & quietam à contractibus, de quibus superius est locutum, sicut recepit eandem. Ita tamen quod bona gens* Scotiæ, *antequam ipsam Dominam recipiant, sufficientem faciant securitatem & bonam Regi* Angliæ *prænotato*, **quod prædictam Dominam, nisi per ordinationem ipsius, voluntatem et consilium, ac per assensum Domini Regis Norweye Patris ipsius Dominæ nullatenus maritabunt.** *Prænominati*

minati vero Missi Scotiæ promiserunt similiter bona fide pro se & aliis Regni Scotiæ, quod ipsi assecurabunt terram Scotiæ antequam dicta Domina veniat in eandem, & quod Securitatem sibi facient, quod tuto & in Regnum suum secure venire poterit, et pro suæ voluntatis libito commorari, prout ipsius terræ vera Domina, Regina, et Hæres, quodque de præmissis omnes securitates præstabunt, quæ rationabiles fuerint, et quas dicti Nuncii Norweye ipsos facere posse dicent. *Quod si forsan de Custodibus aut Ministris aliquis vel aliqui dicti Regni* Scotiæ *ipsis de* Norweya *vel Reginæ prædictæ inutilis, vel inutiles suspicionus aut suspicioſi extiterit vel extiterint, tunc Ministri & Custodes amoveantur hujusmodi, quotiens opus erit, & meliores alii de Regno* Scotiæ *loco ponuntur eorum, secundum considerationem & providentiam proborum hominum terrarum* Scotiæ & Norweyæ, *& illorum insuper quos ad hoc præelibatus Rex* Angliæ *duxerit destinandos. Si autem illi de* Scotiâ *& de* Norwegiâ *in hac parte concordare non possint, mediantibus ope & consilio gentium Regis* Angliæ *supradicti, tunc res ex illa parte se teneat, cui gentes ipsius Regis* Angliæ *Consilium concordaverint. Et hoc nedum sit attendendum in expressis superius, set & in omnibus disceptationibus, quæ inter eos in dicto Regno* Scotiæ *resultabunt, ejusdem Regni statum & reformationem contingentibus quoquomodo. Placet enim partibus, quod dicti Regni* Scotiæ *status hujusmodi* Angl. & Norweye *Regibus reportetur. Item concordarunt partes prædictæ, quod ad mediam* Quadragesimam *proximo jam futuram erit gens* Scotiæ *apud* Rokesburgh. *& in circuitu loci ejusdem, gens vero quam transmittet Rex* Angliæ *ad requisitionem illorum de* Scotiâ & Norweyâ *in partibus de* Warks, & *de* Karlin. *eodem die erit. Ad quem diem promiserunt illi de* Scocia *bona fide de affirmanda præmissis omnibus & complendis, tam de Securitatibus, quam cunctis aliis supra scriptis, quæ contingunt emendationem Regni* Scotiæ *memorati: & hoc in illorum præsentia, quos præfatus Rex* Angliæ *ad dictos diem transmittet & loca, ut videre possint prædicta firmiter adimpleri. Et in testimonium præscriptorum præfati procuratores Regis* Norweye *& Missi de* Scotia *huic scripto cirographato in tres pecias, quarum duæ in* Gallico *penes Regem* Angliæ *& illos de* Scotia, *& tertia in* Latinum *translata, penes Procuratores* Norweyæ *resident, sua apposuerunt sigilla. Et ad requisitionem Procuratorum* Norweyæ *& nominatorum* Scotiæ *prædictorum præfati Domini* Wygorn. & Dunelmen. *Episcopi, ac de* Pembrok. *& de* Garen. *Comites supra scripti sua similiter præsentibus apposuerunt sigilla in testimonium præmissorum. Dat. apud* Salesbury *Dominica in Festo Sancti* Leonardi, *Anno Dom.* 1289. *An.* 17 E. 1.

King *Edward* likewise to perfect the Marriage between his Son Prince *Edward* and *Margaret* Queen of *Scots*, with the general approbation of the Keepers, Nobles and Natives of that Realm, granted and ratified to the Nobles and people of *Scotland* these ensuing Articles, agreed on by special Commissioners sent on both sides, and approved by him by Letters under his Great Seal, which he took an Oath to observe, under the penalty of forfeiting One Hundred Thousand Pounds to the Church of *Rome* towards the Holy Wars, and subjecting himself to the Popes Excommunication, and his Kingdom to an Interdict, in case of violation or non-performance, as this Patent (enrolled both in *Latine* and *French*) attests. I shall only recite the *Latine*, whereof the *French* is but a Counterpart. *An.* 18 E. 1.

UNiversis ad quorum notitiam præsentes literæ pervenerint. *Edwardus* Dei gratia Rex *Angliæ*, &c. salutem in Domino. Cum nos nuper ad partes *Scotiæ* destinassemus venerabiles patres in Christo *Antonium Dunelmensem* & *Radulphum Karliolensem* eadem gratia Episcopos, & Nobiles viros *Johannem Garennæ* & *Henricum Lincoln.* Comites, *Willielmum de Vescy* Militem, & Magistrum *Henricum de Newerk* Decanum Ecclesiæ *Ebor.* nostros solempnes Nuncios & Procuratores, qui nostro nomine aliqua annuissent & concessissent Custodibus, Episcopis, Abbatibus, Comitibus, Baronibus, ac toti Communitati ejusdem regni *Scotiæ*, si per eos sic concessa nobis & nostro consilio placuissent; ac prædicti Nobiles & tota Communitas regni *Scotiæ* prædicti, ob hoc & alia negotia misissent ad nos venerabilem patrem *Robertum* Dei gratia *Glascuensem* Episcopum, & Nobilem virum Dominum *Johannem Comyn* Custodes regni *Scotiæ*, ac venerabilem patrem *Alanum* eadem gratia *Cathinensem* Episcopum, suos solempnes Nuncios & Procuratores: Nos super prædictis per nostros Nuncios concessis informati & consulti, considerantes Pat. 18 E. 1. m. 8, 9.

An. 18 *E.* 1. etiam & ponderantes amorem & affectionem quam gens prædicti regni *Scotiæ* habet ad nos, & filium noſtrum & hæredem *Edwardum*, conceſſionem & factum prædictorum Nunciorum noſtrorum ratum habemus & firmum, prout de verbo ad verbum eſt infra ſcriptum ſub tali tenore. *Univerſis ad quos præſentes literæ perzenerint*, Antonius Dunelmenſis, & Radulphus Karliolenſis *Dei gratia Epiſcopi*, Johannes de Garenna, & Henricus de Lincoln. *Comites*, Willielmus de Velcy *Miles*, & Henricus de Neuwerk *Decanus Eccleſiæ* Ebor. *Procuratores ſpeciales & Nuncii ſolempnes magnifici Principis Domini* Edwardi *Dei gratia Regis* Angliæ *illuſtris, ſalutem. Cum inter cætera, quæ contingunt negotium & tractatum habitum inter Excellentiſſimum Princip m Dominum noſtrum ſupradictum ex parte una, & venerabiles patres Cuſtodes & cæteros Epiſcopos, Abbates, & totum Clerum, Nobiles viros, Comites & Barones, totamque Communitatem regni* Scotiæ *ex altera, ſuper Matrimonio contrahendo inter Dominum* Edwardum *filium & hæredem prædicti Domini noſtri Regis, & Dominam* Margaretam *natam egregii Principis Domini* Erici *Regis* Norwagiæ, *ejuſdem regni* Scotiæ *Hæreditariam & Reginam; à nobis eſſet petitum ex parte eorundem Cuſtodum, Prælatorum, Nobilium, & Communitatis ipſius regni* Scotiæ, **quod pro Domino noſtro prædicto et hæredibus ſuis, eis concederemus et firmaremus jura, leges, libertates, et conſuetudines dicti regni** Scotiæ, **tam Eccleſiaſticas quam Seculares, hactenus uſitatas et optentas:** *Nos habita conſideratione diligenti ad pacem & tranquillitatem utriuſque regni, & mutuam dilectionem habitantium in eiſdem, cunctis temporibus remanſuram*, **concedimus nomine et vice Domini noſtri prædicti et hæredum ſuorum, quod jura, leges, libertates, et conſuetudines ejuſdem regni** Scotiæ, **in omnibus, et per omnia per totum ipſum regnum et ejus Marchiam integre et inviolabiliter perpetuis temporibus obſerventur: Salvo jure dicti Domini noſtri et alterius cujuſlibet, quod ſibi vel alii cuicunque ſuper hiis quæ conſiſtunt in Marchia vel alibi ante præſentis Conceſſionis tempora competit vel competere juſto modo poterit in futurum.** *Volentes & concedentes expreſſè nomine dicti Domini noſtri, hæredum ſuorum & noſtro, quod deficientibus prædictis* Edwardo & Margareta, *vel eorum altero abſque liberis extantibus, in omni caſu & eventu, in quo ad proximiores hæredes regnum prædictum debeat de jure reverti*, **integre, libere, abſolute,** abſque ulla ſubjectione **revertatur et reſtituatur eiſdem, ſi forſan ad manus antedicti Domini noſtri Regis vel hæredum ſuorum, ipſum regnum** Scotiæ **aliquo caſu contingerit devenire.** *Ita quod ratione præſentis facti Domino noſtro Regi vel hæredibus ſuis, aut alicui alii nichil accreſcat aliquatenus vel deſcreſcat. Similis vero fiat reſtitutio per prædictum Dominum noſtrum Regem vel hæredes ſuos de corpore prædicta Dominæ* Margaretæ, *ſi in eventu reverſionis hujuſmodi, in ipſius vel hæredum ſuorum fuerit poteſtate, ſecundum formam ordinationis & conventionis factæ ſuper hoc apud* Sarum. *Concedimus inſuper & promittimus bona fide, Domini noſtri prædicti nomine & hæredum ſuorum, quod quando prædicta* Margareta *Domina & Reginæ* Scotiæ *maritabitur charisſimo nato & hæredi ejuſdem Domini noſtri* Edwardo, *dotabitur vel habebit in * donationem propter nuptias de cæteris terris in regno* Angliæ *prout decet congruè ſtatum ſuum, unde ipſa Regina & amici ſui contenti rationabiliter eſſe poterunt & debebant. Promittentes nichilominus vice & nomine prædicti Domini noſtri Regis & hæredum ſuorum,* **quod regnum** Scotiæ **remaneat * ſeperatum et divisum et liberum in ſe, ſine ſubjectione a regno** Angliæ **per ſuas rectas, divisas et Marchias, ſicut a retro hactenus extitit obſervatum.** *Salvo jure dicti Domini noſtri & alterius cujuſlibet, quod ſibi vel alii cuicunque ſuper hiis, quæ conſiſtunt in Marchia vel alibi, ante præſentis Conceſſionis tempora competit, vel competere juſto modo poterit in futurum. Set quod Caſtra & Fortalicia de novo in Marchia non firmentur, non ſumus in hoc conſulti,* **quod dicto Domino noſtro Regi et ſuis talem imponeremus Servitutem, ubi anteceſſores et homines ſui uſi ſunt hactenus firmare Caſtra, Fortalicia, et Domos in terris ſuis, ſicut fecerunt ſui progenitores, quia alias majori ſubjicerentur ſervituti, quam illi de regno** Scotiæ **vel aliqui anteceſſorum ſuorum.** *Ad hæc expreſſè concedimus pro eodem Domino noſtro & hæredibus ſuis,* **quod Capitula Eccleſiarum Cathedralium, Collegiatarum et Conventualium, quæ propias habent elections, non compellantur exire regnum ipſum** Scotiæ **ad petendum licentiam eligendi, vel præſentandi ſuos Electos, vel fidelitatem Regi** Scotiæ **facere ſeu Sacramentum.** *Et quod nullus tenens in Capite de prædicto Rege* Scotiæ *compellatur exire regnum pro homagio, fidelitate, ſeu ſine pro relevio faciendo. Illud idem viduis & miſerabilibus perſonis in petendis & habendis*

* dotationem.

* As now it doth.

habendis doribus & quærenda juſtitia coercentes. Set in regno ipſo aliquis ex parte An. 18 E. I.
dicti Domini noſtri Regis nomine Dominæ Margaretæ *ipſius regni Reginæ, & Domini* Edwardi *filii & hæredis Domini noſtri prædicti, deputetur ad jam dicta recipienda & eorum nomine facienda: Salvo homagio quod in perſonali Regis præſentia fieri oportebit, ſet fidelitate facta habeat ſeiſinam terræ ſuæ ſine dilatione per breve de Cancell. Nec quod aliquis de regno* Scotiæ *pro contractu inito vel delicto commiſſo in eodem regno, vel in aliquo caſu teneatur reſpondere extra idem regnum,* **contra leges et conſuetudines eiuſdem regni**, *ſicut hactenus extitit rationabiliter obſervatum. Et quod ſigillum regni quod nunc currit, poſt mortem Regis teneatur & currat, quouſque Regina prædicta venerit in regnum ſuum,* **et fecerit Deo et Eccleſiæ, ac Communitati ipſius regni in loco ad hoc ſpecialiter deputato, quod fuerit faciendum, ſecundum leges et conſuetudines dicti regni.** *Et quod* **tunc fiat novum ſigillum** *de conſuetis armis & circumſcriptione nomine Reg.* Scotiæ *tantum, penes Cancellarium ejuſdem regni, qui pro tempore fuerit, remanſurum. Volentes quod habeant Cancellarium de regno, & in regno* Scotiæ *reſidentem ad officium Cancellar. exequendum. Et idem concedimus de* **Camerario, Clerico de Rotulis Capellæ Domini Regis,** *Juſticiariis, & aliis ejuſdem regni Miniſtris; & quod nulla litera jus commune vel gratiam continens ſpecialem, de dicta Cancellaria tranſeat, niſi ſecundum ſolitum & debitum curſum Capellæ Regis & regni* Scotiæ *prædictorum. Reliqua vero Cartæ privilegia & alia munimenta, quæ tangunt regalem dignitatem & regnum* Scotiæ, *in tuto loco ponantur, ſub firma cuſtodia infra regnum* Scotiæ, *& ſub ſigillis majorum de regno, & per viſum eorum, donec prædicta Domina venerit in regnum ſuum, & prolem habuerit ſuperſtitem, & prædicta munimenta ac privilegia in ſuis juribus integraliter cuſtodiantur. Et ſimiliter quod nulla fiat ſubjectio, alienatio, vel obligatio rerum ad regalem dignitatem regni* Scotiæ *pertinentium, donec prædicta Domina & Regina in regnum ſuum venerit, & prolem ſuperſtitem habuerit, ut ſuperius eſt expreſſum. Promittentes firmiter & concedentes, quod nati & hæredes, Comitum, Baronum, & Nobilium qui pro tempore erunt in cuſtodia & maritagio Domini Regis* Scotiæ *poſt mortem anteceſſorum ſuorum, per prædictum Regem nullatenus diſperagentur.* **Nec quod Parliamentum teneatur extra Regnum et Marchiam** Scotiæ **ſuper hiis quæ contingunt ipſum Regnum vel Marchiam, ſeu ſtatum inhabitantium ipſum Regnum. Nec etiam tallagia, auxilia, exercitus, vel malatonta exigantur a prædicto Regno, aut imponantur gentibus ejuſdem Regni, niſi pro communibus Regni negotiis expediend. et in caſibus in quibus Reges** Scotiæ **talia petere conſueverunt. Ad quæ omnia ſupradicta integre et fideliter obſervanda, prædictus Dominus noſter Rex faciet in animam ſuam jurari.** *Et Prælati ac Magnates* Angliæ *infraſcripti, videlicet,* Cantuar. *&* Ebor. *Archiepiſcopi, ac* Winton. Lincoln. Dunelm. *&* Carliol. *Epiſcopi, necnon Nobiles viri Domini* Edmundus *Domini noſtri Regis Germanus, &* Cornub. Penebroch. Glovernæ, Warennæ, Lincoln. Norff. *&* Suff. *&* Oxon. *Comites, fideliter procurabunt præmiſſa firmiter obſervari. Et ſi Rex egerit extra regnum, quod locum-ſuum-tenens vel tenentes in ejus abſentia, vel hæres ipſius Domini Regis legitimæ ætatis exiſtens, aut ejuſdem hæredis cuſtos ſeu cuſtodes, dum fuerit minoris ætatis, quilibet in ſuo caſu* **præſtabunt ſeu præſtabit conſimile Sacramentum.** *Promittimus etiam, quod prædictus Dominus noſter Rex pro ſe & hæredibus ſuis obligabit ſe ad reſtitutionem dicti regni faciendam in caſibus ſupradictis,* **ſub pœna Centum Millium Librarum ſterlingorum, ſolvendarum Eccleſiæ Romanæ in ſubſidium Terræ Sanctæ. Et præter hæc quod Dominus Papa dictum Dominum noſtrum Regem et hæredes ſuos poſſit per ſententias Excommunicationis in perſonas, et Interdicti in regnum et terras eorundem, tam ad regni prædicti reſtitutionem, quam ad pœnæ ſolutionem, ſi commiſſa fuerit, cohercere; principali obligatione nihilominus in ſuo robore duratura.** *Concedimus inſuper & promittimus nomine Domini noſtri Regis prædicti, quod idem Dominus noſter præſentem Obligationem propriis ſumptibus & pro viribus faciet infra annum à tempore Sponſalium inter prædictos* Edwardum *&* Margaretam **contractorum articulatim per Summum Pontificem confirmari, et infra idem tempus Communitati regni** Scotiæ **liberari;** *quod ſi infra annum prædictum id facere non poterit, illud, quam citius poterit, fieri impetrabit, ita quod illud perficiatur: Et ſi hoc non faciat ſuo tempore, quod hæredes ſui ad id faciendum bona fide teneantur. Proteſtamur etiam in hiis ſcriptis, quod omnia præmiſſa taliter intelligantur,* **quod juri unius regni vel alterius ratione præſentis facti, nichil decreſcat aliqualiter vel accreſcat:**

An. 18 *E.* 1. accreſcat: **Nec alicui Regum regnorum prædictorum, quin libere habeant ſtatum ſuum.** *In quorum omnium & ſingulorum præmiſſorum teſtimonium & evidentiam pleniorem, ſigilla noſtra præſentibus duximus apponenda. Dat. apud* Brigh. *die Martis proxima ante feſtum beatæ* Margaretæ *Virginis, videlicet,* 15 *Kal.* Auguſti *Anno Domini* 1290. *Et ad majorem hujuſmodi ratificationis & confirmationis noſtræ ac omnium prædictorum auctoritatem & evidens teſtimonium, has literas noſtras fieri fecimus patentes,* **ſigillo noſtro Regio conſignatas.** Dat *Norht.* 28 die *Aug.*

The King after this appointed the Biſhop of *Durham*, to be this Queen *Margarets* and his Sonne Prince *Edwards* Lieutenant in *Scotland*, for the preſervation of the Peace and Government thereof, by this Patent.

Pat. 18 E 1. m 9. REX venerabilibus Patribus *Willielmo* Sancti *Andreæ*, & *Roberto Glaſcuen.* eâdem gratia Epiſcopis, ac nobilibus viris *Johanni Comyn.* & *Jacobo Seneſcallo*, Cuſtodibus Regni *Scotiæ*, cæteriſque Epiſcopis, Abbatibus, Prioribus, totique Clero, Comitibus, Baronibus, ac toti Communitati Regni ejuſdem ſalutem. **Cum ad Leges et Conſuetudines Regni** *Scotiæ* **obſervandas et Sacramenti præſtiti debito teneamur:** Nos de probata fidelitate, & nota induſtria perdilecti noſtri venerabilis patris Domini *Antonii* Dei gratia *Dunelmenſis* Epiſcopi pleniſſime confidentes, ad pacem, tranquillitatem & profectum totius Regni *Scotiæ*, ac etiam ad ſupportationem oneris cæteris ipſius Regni *Scotiæ* incumbentis, **eundem Epiſcopum ad vos mittimus, et tenore præſentium aſſignamus, ad tenendum in eodem Regno locum chariſſimæ noſtræ Dominæ** *Margaretæ* **filiæ magnifici Principis Domini** *Erici* **Dei gratia Regis** *Norwagiæ* **illuſtris, Dominæ et Reginæ veſtræ, ac chariſſimi nati noſtri** *Edwardi*, **et ad juſtificandum et ratificandum Regnum prædictum, una cum cæteris ipſius Cuſtodibus**, de conſilio Prælatorum & Magnatum ejuſdem Regni, **ſecundum leges et conſuetudines, inibi hactenus obſervatas.** Quare univerſitatem veſtram attentius requirimus & rogamus, quatinus ob honorem noſtrum, Dominæ veſtræ & nati noſtri, eundem Epiſcopum ad præmiſſa benignè & curialiter admittentes, ſitis intendentes & obedientes eidem in his omnibus quæ ad gubernationem & ſtatum ipſius Regni pacificum requiruntur. In cujus, &c. Dat. *Norht.* 28 die *Aug.*

At which time he and his Sonne likewiſe conſtituted Proctors to treat with the King of *Norway* in his and his Sonne *Edwards* name; concerning his Sonnes marmarriage and eſpouſals with his daughter *Margaret* Queen of *Scotland*, as theſe Records inform us.

2. 18 E. 1. m. 9. Ibidem. UNiverſis ſanctæ matris Eccleſiæ filiis, ad quos præſentes literæ pervenerint. *Edwardus* natus & hæres Sereniſſimi Principis Domini *Edwardi* Dei gratia Regis *Angliæ*, Domini *Hyberniæ*, & Ducis *Aquitaniæ*, ſalutem æternam in Domino. Ad contrahendum nomine noſtro Matrimonium cum nobili Domicella Dominâ *Margaretâ*, filiâ egregii Principis Domini *Erici* Regis *Norwag.* Regni *Scotiæ* Dominâ & Reginâ, & etiam omnia alia facienda, quæ ad prædictum contractum pertinent, aut pertinere poterunt quoquo modo; Illuſtri Principe Domino *E.* Dei gratia Rege *Angliæ* Patre noſtro prædicto ad hoc aſſenſum & auctoritatem præſtante, nobilem virum Dominum *Johannem* Comitem *Garrenum*, Procuratorem noſtrum ordinamus, facimus, & conſtituimus per præſentes: Ratum & gratum habitur. quicquid idem *Johannes* nomine noſtro fecerit in præmiſſis. In cujus rei teſtimonium & præſtitæ auctoritatis evidentiam, inclytus genitor noſter prædictus præſentes literas ſuo & noſtro nomine ſigilli ſui munimine roboravit. Dat. ut ſupra.

Conſimilis litera facta eſt Domino *A. Dunolmenſi* Epiſcopo, &c. Dat. ut ſupra.

Item conſimilis litera facta eſt Magiſtro *Henrico de Newerk* Decano *Eborum.* Dat. ut ſupra.

Item conſimiles tres literæ factæ ſunt eiſdem de Sponſalibus, quæ ſic incipiunt poſt ſub-ſalutationem: Ad contrahenda **nomine noſtro Sponſalia** cum nobili, &c. Dat. ut ſupra.

Univerſis

An. 18 *E.* 1.

UNniverſis ſanctæ matris Eccleſiæ filiis, ad quos præſentes literæ pervenerint, *Edwardus* Dei gratia Rex *Angliæ*, &c. ſalutem. Noverit univerſitas veſtra, quod nos tenore præſentium ordinamus, facimus, & conſtituimus dilectos noſtros, venerabilem Patrem Dominum *Antonium* eadem gratia *Dunelmen.* Epiſcopum, & nobilem virum *Johannem* Comitem *Warenn.* & Magiſtrum *Henricum de Newerk* Decanum Eccleſiæ *Eborum*, noſtros nuncios ſolempnes, & Procuratores legitimos, ad tractandum cum egregio Principe Domino *Erico* Rege *Norwag.* aut ipſius nunciis ſeu procuratoribus ad hoc deputatis, ſuper Sponſalibus ſeu Matrimonio contrahendis vel contrahendo inter *E.* natum noſtrum chariſſimum & Hæredem ex una parte, & Dominam *Margaretam* filiam ejuſdem Principis *Norwagiæ*, Dominam & Reginam *Scotiæ* ex altera; Dantes eiſdem omnibus, aut duobus eorum poteſtatem plenariam & ſpeciale mandatum, tractatus illos nomine noſtro iniendi, proſequendi, firmandi & perficiendi; & nos ad omnia, quæ inter eos & prædictum Principem vel ejus Nuncios ſeu Procuratores conveniri, ſpecialiter obligandi, **in animam noſtram** (ſi neceſſe fuerit) **jurandi quodlibet genus liciti Sacramenti**; & omnia alia faciendi, quæ ad expeditionem & finalem completionem negotii memorati neceſſario aut utiliter requirentur, & quæ nos ipſi in premiſſis præſentialiter faceremus. Ratum & gratum habentes & habituri, ſub ypoteca rerum noſtrarum, quicquid ipſi Procuratores noſtri aut eorum duo, quos præſentes eſſe contigerit in præmiſſis, nomine noſtro duxerint faciendum. In cujus, &c. Dat. *Norht.* 29 die *Auguſti*, Anno regni noſtri, &c. 18. Ibidem

After which followes another Procuration in the ſame words, only with the addition of *Robert* Biſhop of *Glaſgo* to the forenamed, with the ſame *Teſte*; and likewiſe this enſuing Procuration.

UNiverſis ſanctæ matris Eccleſiæ filiis, ad quos præſentes literæ pervenerint, *Edwardus* Dei gratia Rex *Angliæ*, &c. ſalutem. Noverit univerſitas veſtra, quod nos tenore præſentium ordinamus, facimus, & conſtituimus dilectos noſtros venerabilem patrem *Antonium* Dei gratia *Dunelm.* Epiſcopum, *Johannem de Garrenna* Comitem, & Magiſtrum *Henricum de Neuwerk* Decanum Eccleſiæ *Ebor.* Nuncios ſpeciales & Procuratores legitimos chariſſimi nati & hæredis noſtri *Edwardi*, cujus tutelam gerimus, ad contrahendum nomine ſuo Sponſalia vel Matrimonium cum nobili Domicella Domina *Margareta* filia egregii Principis Domini *Erici* Regis *Norwagiæ*, regni *Scotiæ* Domina & Regina; & etiam ad omnia alia facienda, quæ ad prædictum contractum pertinent aut pertinere poterunt quoquo modo. Ratum & gratum habentes & habituri, ſub ypoteca rerum noſtrarum, quicquid prædicti Procuratores & Nuncii, aut eorum duo, quos præſentes eſſe contigerit, in præmiſſis, noſtro & prædicti nati noſtri nomine duxerint faciendum. In cujus, &c. Dat. ut ſupra. Et dupl. Ibidem.

To facilitate this Marriage, the Biſhop of *Durham* at the Kings requeſt obliged himſelf to pay 400 *l.* by the year to certain perſons in *Norway*, to diſcharge which annuity the King granted him ſeveral Mannors amounting to a greater value, by this Patent.

REX omnibus ad quos, &c. ſalutem. Cum venerabilis pater *A. Dunelmenſis* Epiſcopus ad requiſitionem noſtram obligaverit ſe quibuſdam perſonis de regno *Norwag.* in Quadringentis libris eiſdem perſonis ſingulis annis ſolvendis, quouſque Domina *Margareta* filia egregii Principis *Erici* Regis *Norwagiæ* illuſtris, & Domina & Regina *Scotiæ* quindecim annorum plene compleverit ætatem: Nos in recompenſationem illarum Quadringentarum librarum annuarum, aſſignavimus præfato Epiſcopo Maneria ſubſcripta, *viz.* Manerium noſtrum de *Werk*, &c. with ſundry other Mannors, Lands and Tenements therein ſpecified. Pat. 18 E. 1. m. 8.

What ſecurity the King demanded, and the *Scots* condeſcended unto, for ſurrendring the Forts and Caſtles in *Scotland* to the Queen and his Son, upon her arrival there or in *England*, this Record atteſts.

An. 18 *E.* 1.

Pat. 18 E. 1. m. 8.

A Touz ceus qi ceſte lettre verrunt ou orrunt, *Robert* par la grace de Deu Eveſqe de *Glaſgen.* & *Johan Comyn* Gardeyns du Reaume de *Eſcoce*, e *Alayn* per meime la grace de Deu Eveſqe de *Chatenes*, ſolempnes Meſſages & Procururs des autres Gardeyns, & des Eveſqes, Abbes, Priors, Countes & Baruns, e de tote la Commune de *Eſcoce*, ſaluz en Deu. Come les honurables Peres en Deu *Anntoyne* de *Dureme*, & *Rauf* de *Cardoyl* par la grace de Deu Eveſqes, e les Nobles homes *Johan de Garenne* & *Henry de Nichole* Countes, Sire *Guilliame de Veſcy*, e Meſtre *Henry de Newerk* Deen del Egliſe de *Everwyk*, eſpecians Procururs & ſollempnes Meſſages le noble Prince Sire *Edward* par la grace de Deu Roy de *Engleterre*, pur acons perils & ſuſpecions qe il auoient entendu, nus euſſent de par meimes le Roy de *Engleterre* demaunde la garde des Chaſtiens & de Forteleſces du Reaume de *Eſcoce*, & de cele demaunde departir ne voleynt ſaunz Counſeillier lou Seigneur le Roy avauntdit. Nus ſur ceo e autres choſes venimes a la preſence meimes le Roy de *Engleterre* avauntdit. Qui ſeur celes choſes conſeil e deliberation euwe, a noſtre requeſte nous graunta cele choſe delaer, deqes a la venue noſtre Dame, qe ſerra a la touz Seinz prochein avenir, ou devaunt ſi Dieu pleſt. Pur la quele choſe nus Procururs & Meſſages avauntdiz, ouek aucuns des Gardeyns des Chaſteux de *Eſcoce*, ceſt aſaver Sire *Guilliame de Seint Cler*, *Patrick de Graham*, e *Johan de Soules*, qe iloqe vindrent oue nous, en noun des avauntdiz Gardeyns, Eveſqes, Abbes, Priors, Countes & Baruns, e tote la Commune du Reaume de *Eſcoce*, grauntons, volons, & fermement promettons, qe quel hore qe la Dame veigne en *Engleterre* ou en *Eſcoce*, quite & deliure de tot mariage, eſtre celui, qe nus auons otrie; Nus icels Chaſteus e Forteleſces rendrons & ferons rendre a lavanndite noſtre Dame, e a noble Ber Sire *Edward* fiz al avantdit Roy de *Engleterre*, E de cel hore enauannt les obeirons enſemble, come a Seignour e Dame en ceſte choſe & totes autres qe al avauntdit Reaume apendent, de cel houre, qe il ſerront venuz en *Eſcoce*, e averont fet per eus ou per autres dedenz le Reaume ſerement de quel qe il ſeient en lu duw, ſolom les leys e les coſtomes de la terre de *Eſcoce*, ne a nul autre mariage ne aſſentirons, ne a autre Seigneur ne obeirons, taunt qil viueront, ſi il ne ſoit par le aſſent e la volente le Roy de *Engleterre*, e Sire *Edward* ſon fiz. E ſi la Dame ne veigne en *Engleterre* ou en *Eſcoce* entre cy e la touz ſeinz prochein avenir, nus volons e promettons pur nus & pur touz les autres du Reaume de *Eſcoce*, qe touz les Gardeyns des Chaſteus e de Forteleſces de meimes le Reaume ſeient adonqe obligez **per ſerement e par eſcrit, de garder e de ſauber i ceus Chaſteus et Foꝛteleſces al oes e en noun noſtre Dame** anannt**dite, e Sire** *Edward* **fiz e heyr le anannidit Roy de** *Engleterre*. E ſi nul des Gardeyns des Chaſteus e de Forteleſces ſeyt ou ſeyent renablement ſuſpecenous a eus ou a nous, il ſerrount remuwe taunt de foiz come meſter ſerra per commun counſeil du Roy de *Engleterre*, e de bone gent de *Eſcoce*, e as autres du Reaume nient ſuſpecenous, ſouz bone ſeurte bailleu. Memes la choſe grauntons, otrions & promettons des Gardeyns e des autres Miniſtres du Reaume.

But the ſickneſs and death of this Queen in her voyage towards *Scotland* and *England*, put a period to all the premiſed Procurations, Patents, Articles, fruſtrated this much deſired marriage between Prince *Edward* and her, and raiſed new Queſtions between the Competitors for the Crown, which of them was next Heir thereunto; who all referred the final deciſion thereof to King *Edward*, as Supreme Lord of *Scotland*, as I ſhall more at large relate in due place in ſucceeding years.

* Hiſt. Angl. p. 16.

* *Thomas Walſingham* ſtories, Anno 1290. *Circa hoc tempus* **ſubente Papa** Nicholao **taxatæ ſunt Eccleſiæ** Anglicanæ **ſecundum verum valorem** (to raiſe his Diſmes and Exactions higher) **et tunc ceſſavit taxatio** Norwicenſis **per** Innocentium **quartum prius factum**: who had raiſed them likewiſe in his time.

* Mat Weſtm. p. 386. Chron. Wil. Thorne, col. 1958.

Anno 1292. (18 E. 1.) in a third Parliament held at *Weſtminſter*, * *Data eſt Domino Regi à Clericis & Laicis in ſubſidium*, **Quindena** *omnium temporalium & ſpiritualium totius* Angliæ *circa feſtum Sancti* Andreæ *Apoſtoli*; *unde* **Quindena** *concernens Abbathiam Sancti* Auguſtini *de bonis eorum mobilibus ſecundum veram taxationem eorundem in omnibus manerriis ſuis* 137 l. 15 s. 11 d. q. ſo great was

their

their wealth in that age. In this Parliament, *cap.* 3. there was this Proviſo added to the Statute of *Quia emptores terrarum*, to prevent alienations in Mortmain: *Et ſciendum eſt, quod per prædictos venditiones ſeu emptiones terrarum ſeu tenementarum, ſunt partis alterius earundem,* **nullo modo poſſunt terræ ſeu tenementa illa in parte, vel in toto ad manum mortuam devenire, arte vel ingenio contra formam ſtatuti dudum ſuper hoc editi:** (viz. *de Religioſis*, Anno 7 E. 1.) enrolled in the Statute Rolls of King *Edw.* 1. in the Tower, printed in all our Statutes at large, in *Raſtals* Abridgements, Tit. *Mortmain*, and *Cooks* 2 Inſtitutes p. 504. How much the covetous Monks and Clergy in that age were troubled at, and grieved with this Statute againſt *Mortmain*, will appear by this cenſure of, and exclamation againſt it by * *William Thorne* a Monk of *Canterbury*. *Anno Domini* 1293. Edwardus **Rex æmulorum Sanctæ Eccleſiæ inſtigatione circumventus,** *ſtatuit & conſilio Procerum ſuorum ordinavit,* Quod nullus Religioſus aliqua tenementa emere vel vendere, vel ex dono alicujus aliquid percipere, aut alio qualicunque modo, arte vel ingenio quicquam adquirere; & ſi ſecus à quoquam Religioſo fuerit attemptatum, liceret Domino Regi illud ſic adquiſitum, emptum vel datum per eſcaetorem ſuum ingredi, & in perpetuum tenere in feodo & hæreditate. **Heu, heu, proh dolor! quomodo non ſolum perîit tunc liberalitas illa Deo grata, qua devoti Reges, Proceres, cæterique fideles pro magno deſiderio habuerant Religioſos fundare, prædia et poſſeſſiones in honorem Dei liberaliſſime conferre, et ipſos tueri: Verum ertunc opere hujus charitatis palam tabeſcente, et unoquoque manum ſuam a talibus beneficiis retrahente, non ſolum poſſunt Religioſi quicquam novum adquirere, quinetiam nec antiquis ſuis poſſeſſionibus propter oppreſſionem laicorum, ne dicam magnatum, proſpere ut laici gaudere; ſed his noviſſimis temporibus ſapientes hujus ſeculi horum proſperitati invidentes, ſuæque fraudi conſulentes, univerſos Religioſos ne ſic oblata acceptarent, et quod nequius eſt, ſibi quicquam appropriarent; per decretum et ſenioxum judicium, ut dictum eſt, coartarunt; et ſic de eis veraciter poſſet dici, quod egreſſa ſuit iniquitas a ſenioribus judicibus qui ſiliam Iſrael, puta Eccleſiam, nequiter condempnaverunt.**

An. 18 *E.* 1

* Chronica, col. 1961.

King *Edward* having remained beyond the Seas 3 years, 2 months, and 15 dayes, returning thence into *England*, in *Auguſt* Anno gratiæ 1289. *poſtea per* Angliam *tranſiens, ſuos Juſticiarios & Miniſtros,* **qui in ſua abſentia muneribus exercati, indicia perverterunt, et in aliis erraverunt ſecundum quantitatem tranſgreſſionum punivit;** as [a] *Matthew Weſtminſter* ſtories: Which [b] *Thomas Walſingham* thus expreſſeth: *Rex auditis quaremoniis eorum* Anglicanum, *qui de Regiis Miniſtris volebant conqueri,* **Juſticiarios fere omnes de falſitate deprehenſos a ſuo officio depoſuit, ipſos juxta ſua demerita gravi multans pœna.** [c] *Henry de Knyghton* thus more particularly relates it; *Cumque Rex moram traxiſſet in* Vaſconia *tribus annis, Nunciatum eſt ei, quod majores regni* Angliæ *oppreſſerant & foriſfecerunt de terris ſuis,* **ut theſaurum ab eis erigerent: unde divites placitantes in Banco Regis corruperant falſos Juſticiarios regni,** *ſcilicet*, Thomam de Weland, Adam de Stretton, Richardum de Boyland, **et alios. Unde Rex in adventu ſuo ſui** Anglicani **fuit auxiatus et occupatus,** Thomas de Weland **erulabat de** Anglia **et ibit in** Franciam. [d] *Fabian* in his Chronicle, Anno 1289. and *William Caxton* ſtory, *That they being found guilty of ſuch treſpaſſes and cauſes as they were accuſed of, ſome of them were outlawed, and loſt ſuch goods as they had, and the other puniſhed by long impriſonment.* [e] *Ralph Holinſhed, Grafton,* [f] *Speed, Stow,* [g] *Daniel*, in their Chronicles, Hiſtories and Annals, Anno 1289. out of the Chronicle of *Dunſtar*, inform us, *That in a Parliament then aſſembled the Judges upon due examination and proofe of their Extortions, were fined to pay to the King theſe ſums following:* *Sir* Ralph Hengham *Chief Juſtice of the higher Bench* 7000 *marks*, *Sir* John Lovetot *Juſtice of the lower Bench* 3000 *marks*, *Sir* William Bromton *Juſtice* 6000 *marks*, *Sir* Solomon Rocheſter *Chief Juſtice of Aſſiſes* 4000 *marks*, *Sir* Richard Boyland 4000 *marks*, *Sir* Thomas Sodington 2000 *marks*, *Sir* Walter Hopton 2000 *marks*, (*theſe three laſt were Juſtices Itinerant*) *Sir* William Saham 3000 *marks*, Robert Lothbury *Maſter of the Rolls* 1000 *marks*, Roger Leyceſter 1000 *marks*, Henry Bray *Eſcheator and Judge for the Jews* 1000 *marks*; *but Sir* Adam Stratton *Chief Baron of the Exchequer was fined in* 34000 *marks, and* Thomas Wayland *Chief*

a Flores Hiſt. p. 376.
b Hiſt. Angl. p. 15. Ypodigma Neuſtr. p. 72.
c De Eventib. Angl. l. 3. c. 1. col. 2466.
d Part 7. f. 132.
e Chronicle, p. 284, 285.
f Hiſtory of England, p. 651.
g Collection of the Hiſtory of England, London 1634. p. 189.

An. 18 E. 1. *Justice (found the greatest delinquent, and of the greatest substance) had all his Goods, Chattels, Jewels and Corn seised and confiscated to the King; which were it but equal to that of Sir* Adam Stratton, *these Fines brought to the Kings coffers above one hundred three thousand marks, which at the rate as money goes now amounts to above four hundred thousand marks: A mighty treasure to be gotten out of the hands of so few men; which how they could amasse in those dayes, when litigations and Law had not spread it self into those infinite wreathings of contention as since it hath, may seem strange even to our greater getting times.* To prevent such corruption for the future, the King at that time [h] *caused all his Justices to swear,* That from thenceforth they would take no pension, fee or gift of any man, except only a breakfast, or the like present. *O divine and still necessary severity, only able to break the pernicious combination of men, that under the profession of Law and offices of Justice, make merchandize of honour, justice, law and conscience, which cannot in the end but bring forth ruine and confusion.* So these Historians: who were all mistaken (as I conceive) in the case of *Thomas Weyland,* indicted of *Felony,* (not *Bribery,* unless then reputed *Felony*) who abjuring the Realm, his Lands were thereupon seised by the King and chief Lords of whom he held, as is undeniable by the *Fine Roll* of Anno 18 E. 1. m. 5, 7, 17. Claus. 18 E. 1. m. 7. and also by *Placita Parliamenti apud* Asherugg *in crastino* Epiphaniæ, *An.* 19 E. 1. nu. 1. where *Margery* wife of *Thomas Weyland,* and *Richard* his son, *being joynt-tenants with him of the Mannor of* Sobber *for life, the remainder to the heirs of the body of* Richard, *by a fine levied in the 6. year of the King, (which they pleaded) petiti ned to be restored to the possession thereof, then seised into the Kings hands, quoad annum & vastum, quos Dominus Rex in eodem Manerio habet, & clamavit per forisfacturam dicti* Thomæ, **qui feloniam fecit, pro qua regnum Regis abjuravit.** Whereas the Mannor was not held of the King, but of the Earl of *Gloucester, & idem Comes post abjurationem illam Domino Regi satisfecit pro anno & vasto ejusdem Manerii, eo quod idem* Thomas *illud de eo tenuit; nec de consuetudine regni debeat Dominus Rex annum & vastum alicujus ten. per forisfacturum alicujus habere, nisi de liberis tenementis quæ idem forisfactor tenuit in feodo,* &c.

h Speeds History, p. 651.

i See Cooks 3 Instit. c. 68. p. 146, 147.

k See Placita Parliamentaria published by Mr. Rylye, London 1661. p. 66, 67.

Soon after, Anno 1290. (18 E. 1.) the King out of his piety and zeal to Christian Religion, in the same Parliament by a publike Act banished all the Jewes out of *England,* and confiscated all their Houses and Lands, for their infidelitie, blasphemie, crucifying of Christian children, in contempt of Christ crucified, and clipping of his coin: which [a] *Matthew Westminster* thus relates. *Circa hos dies, scilicet* 31 Augusti, Judæorum *exasperans multitudo, quæ per diversas urbes & castra fortia habitabat per retroacta tempora confidenter,* **jussa est cum uxoribus et parvulis suis, una cum bonis suis mobilibus,** ab Anglia **cedere circa festum** Omnium Sanctorum, quod **eis pro termino ponebatur, quem sub pœna suspendii transgredi non est ausa,** *quorum numerus erat* (ut credebatur) 16 *M. DXI. Exierat autem tale Edictum a laudabili Rege* Anglorum *in partibus* Aquitanniæ, **a qua omnes** Judæi *pariter* exulabant. [b] *Thomas Walsingham* writes, *Rex eodem anno* Judæos **omnes expellens** de Anglia, *quia expensis in* Galliis, **bona eorum reliqua confiscabit.** [c] *Thomas Stubs* thus backs them, *Anno* 1290. *in* Christino Animarum **exulati fuerunt** Judæi **regno** Angliæ, et **hoc eodem die per totam** Angliam. [d] *Polydor Virgil,* adds; *Concilium* Londini *ad* Westmonasterium *habetur,* **in quo imprimis agitata est ejectio** Judæorum, *quorum erat per omnem* Angliam *ingens multitudo, quod sic oves ab hœdis segregarentur. Itaque* **publico Edicto, jussum est, ut ultra paucos dies omnes abirent cum bonis. Illi justis Concilii parentes, alii alio discesserunt. Ita profuga gens** de Anglia **in perpetuum exibit misera semper aliquo terrarum peritura, usque eo dum denique deleatur.** [e] *Henry de Knyghton* subjoynes, *Cumque* (REX) *fecisset voluntatem suam Justiciariis, statim eum movebat una alia causa, de moneta quam invenichat viliter tonsa & corrupta in præjudicium coronæ, & ad grave dampnum populi, per infidelitatem & maliciam* Judæorum, *sicut fuit inquisitum & inventum:* **Et fecit stabiliri unum Parliamentum in quo convicti sunt** Judæi **de ea falsitate; et statuit, quod omnes** Judæi **exirent de terra** Angliæ, **deinceps non redituri propter eorum incredulitatem principaliter, et propter falsitatem quam eis dure imposuerunt Christiani.** *Et pro hac causa cum festinatione facienda & sine dilatione explenda,* **Communes Regni dederunt Regi quintum denarium de omnibus suis mobilibus.** To these I might accumulate the *Black Book in the Kings Eschequer, Ranulphus Cestrensis* Polychronicon,

a Flores Hist. An. 1290 p. 377.

b Historia Angl. p. 15 Ypodigma Neustri p. 72.

c Actus Pontif. Eborac. col. 1718.

d Historiæ Angl. l. 17. p. 327.

e De Eventibus Angliæ, l. 3. c. 1. col. 2466.

chronicon, lib. 7. ch. 38. f. 308. *Fabians* Chronicle, part 7. An. 1290. p. 131. *William Caxtons* Chronicle, part 7. Mr. *John Fox* his Acts and Monuments, Vol. 1. p. 443. *Johannes Balæus* Scriptorum Britanniæ, Cent. 4. c. 22. p. 320. & cap. 60. in Appendice. *Ralph Holinshed* his Chronicle, Vol. 3 p. 285. *Richard Grafton* his Chronicle, p. 169. *Nicholas Trivet*, *John Speed* his History of *Great Britain*, p. 650. *Samuel Daniel* his Collection of the History of *England*, p. 190. *John Stow* in his Annals, p. 204. & Survey of *London*, p. 289. Sir *Richard Baker* his Chronicle of *England*, p. 146, 147. *Henry Isaacson* his Chronologie, An. 1290. Dr. *Peter Heylyn* his Microcosme, p. 570. Mr. *Samuel Purchas* his Pilgrimage, Book 2. ch. 16. Sect. 7. All these Domestick Authors, together with *Johannes Mercer*, in Histor. Majori Brit. l. 4, c. 9. *Centuriæ Magd.* 13. cap. 15. col. 1284, 1286, & cap. 9. col. 967. *Raphael Volaterranus*, Geographiæ l. 3. f. 25. Annales Dominicorum *Colmarenſium*, Anno 1291. *Gilbertus Genebrardus* Chronogr. l. 9. p. 659. *Abrahamus Bzovius*, Annal. Eccleſiaſticarum, Tom. 13. An. 1291. nu. 1. col. 966. (to omit all others) unanimously attest the direct **perpetual banishment of the** Jews **by Publike Edict** out of *England*, **never to** return into it again. Whose Testimonies are irrefragably warranted, confirmed by several expresse Records in the *Tower* of *London*, both for the *Jewes* safe conduct out of *England*, and for their Transportation by a prefixed day **upon their Exile thence**, and the seisure, sale of their Houses, lands, goods escheated to the King PER EXILIUM JUDÆORUM; witness Cl. 18 E. 1. m. 6. *De* Judæis **Regno** Angliæ **exeuntibus**. Pat. 18 E. 1. m. 14. **De passagio et Conductu** Judæorum Angliæ. *Pro* Bonamico Judæo Eborum *& familia sua.* Pat. 18 E. 1. m. 13. *Pro* Mosseo *filio* Jacobi *de* Oxon. Judæo, *& familia sua.* Pat. 19 E. 1. m. 20. *De Judaismo Vicecomitibus & omnibus aliis Ballivis*; to collect all the profits and rents arising out of the *Jewes* Houses **a tempore Exilii eorundem**: the Charter and Patent Rolls Anno 19 & 20 E. 1. **De Domibus** Judæorum **concessis post exilium eorum de** Anglia: in every of which (being near 130) the King recites, **Domos illas per Exilium ejusdem** Judæi (therein named) **a regno nostro tanquam escaeta nostra in manu nostra existentis**, and by *Placita Parliamenti post* Pasch. *apud* London, An. 21 E. 1. rot. 4. the [c] Prior of *Bridlingtons* and the [f] Archbishop of *Yorke* cases, both sued by the King for 300 *l.* owing to a *Jew* **ante exilium** Judæorum, which belonged to the King **post eorum exilium**. All which I have cited at large in the first Part of *My Short Demurrer to the* Jewes *long discontinued Remitter into* England, Edit. 2. p. 43. to 66. & Part 2. p. 111, to 124. to refute Sir *Edward Cookes* grosse mistake in his 2. *Institutes*, p. 506, 507, 508. (in his Comment on the Statute **De Judaismo**;) where he averrs, *that the* Jewes *were never banished out of* England, *but only their usury, whereupon they voluntarily deserted it*; *and that this Statute was made Anno* 18 E. 1. *when as in truth it was enacted long before their banishment*, Anno 3 E. 1. as I have * *infallibly evidenced.*

[c] R... Par... [f] Plac... An 21 E. 1. n. 11, 13.

In this Parliament of 18 E. 1. wherein the *Jewes* were exiled, *William de Valentia* and *Jone* his wife having procured a Bull from the Pope to the Archbishop of *Canterbury*, against the Laws and Custom of the Realm, and Prerogative of the King, to examin and determin who was lawfull heir to *William de Monte Canisio*, and to bastardize and disinherit *Dionysia* his daughter then in Ward to the King, (against the Certificate of the Bishop of *Worcester*, who had certified the Kings Court that she was legitimate) petitioned the King, to appoint a Guardian to defend her and her Estate before the said Archbishop and other Delegates of the Pope, or that they might appoint her a Gardian, if the said Bull should not seem to the King and his Council, prejudicial to the Kings Crown and Dignity: Which Petition the King and his Council in Parliament rejected upon due consideration, for 10. memorable reasons expressed in this Record and answer to his Petition.

* See here, p. 153. & The first Part of my Brief Demurrer to the Jews long discontinued Remitter into England, p 31, to 42. & Part 2. p. 66. to 70.

[a] Willielmus de Valentia *supplicavit Domino Regi*, quod cum ipse et Joanna uxor ejus haberent quandam Bullam impetratam, Archiepiscopo Cantuariensi directam, super successione in bonis quæ fuerunt Willielmi de Monte Canisio nuper defuncti, et quis vel quæ eidem Willielmo de Monte Canisio succedere debet; quod Dominus Rex tradere velit et committere aliquem Curatorem cuidam Dionysiæ filiæ prædicti Willielmi, ut dicitur; et quæ est in custodia ipsius Domini Regis, ut hæres ipsius Willielmi propinquior, ad prosequendum et defendendum pro prædicta Dionysiâ et statu

[a] Placita Parl. An. 18 E. 1. rum. 3 Petitio Will. de Valencia & Joann. uxor. ejus de prosecutione Bullæ suæ. See Ryley his Placita Parliamentaria, p. 4, 5.

An. 18 E. 1. ſtatu ſuo, coram prædicto Archiepiſcopo et Judicibus in prædicta Bulla nominatis; vel quod Dominus Rex concedat et permittat, quod ipſi Judices eidem Dionyſiæ ex Officio ſuo aliquem Curatorem poſſint committere; et profert prædictam Bullam; et petit, quod ſi videatur Domino Regi et ejus Conſilio, quod Bulla illa non ſit præjudicialis Coronæ et Dignitati Domini Regis, quod Petitio ſua concedatur: Et quia Bulla illa viſa, audita, et intellecta, manifeſte patet, quod Bulla illa finaliter tendit ad jus ſucceſſionis hæreditariæ terminandum, cum de ſucceſſione hæreditaria nemo debeat cognoſcere, niſi Curia Regis, vel Curia Eccleſiaſtica ad mandatum Curiæ Domini Regis: Et etiam ſi Bulla illa procederet, manifeſte eſſet contra conſuetudinem hactenus in Regno uſitatam; et etiam quia Dominus Rex nuper providit, quod Appellationes non fiant, vel Cauſæ agitentur in Curia Chriſtianitatis, de hiis quæ à Curia Regis ibidem ſunt demandata, propter multa inconvenientia quæ exinde ſequerentur; et etiam quia Placita de ſucceſſione hæreditaria ita ordinate ſe habent, quod primo per Breve Domini Regis incipere debent in Curia Regis, et de Curia illa (ſi neceſſe fuerit) mitti ad Curiam Chriſtianitatis, et non e converſo; et etiam quia multa Placita et innumerabilia temporibus retroactis in Curia Regis placitata, et etiam Judicia ſuper eiſdem reddita irritarentur, et forte reverſarentur, ſi Bulla iſta procederet, cum forte teſtimonia Epiſcoporum vel aliorum adnullarentur vel infirmarentur; et quia prædicti Willielmus et Johanna per prædictam Bullam intendunt infirmare factum Epiſcopi Wigorniensis (*cujus factum fuit, quod prædicta* Dionyſia *filia prædicti* Willielmi de Monte Caniſio *cenſebatur legitima*) et per Bullam illam intendunt factum illud infirmare, et prædictam Dionyſiam baſtardam probare et convincere; et etiam * quia quidam Symon de Ludgate, qui nuper quandam Bullam, non tam præjudicialem Coronæ Domini Regis, impetraverat, per judicium Domini Regis ad priſonam adjudicabatur ad voluntatem Domini Regis. Et ſi Dominus Rex Bullam iſtam procedere permitteret, faceret contrarium judicii per ipſum et Concilium ſuum redditi. Et etiam quia ipſe Dominus Rex eſt Cuſtos et curator prædictæ Dionyſiæ ſecundum conſuetudinem Regni, ratione cuſtodiæ ipſius Dionyſiæ; nec alium Curatorem dare poterit, niſi ſibi ipſi injuriaretur; et etiam ſi Curatorem daret, ſic daret litem Pupillo ſuo, quod eſſet inconveniens. Et etiam ſi Dominus Rex permitteret prædictum Archiepiſcopum, aut alios Judices Curatorem dare, ſic de neceſſitate oporteret ipſum permittere de cætero quemlibet alium Judicem delegatum, et in brevi † Dominum Papam; et ſic incontinenti deveniret † Eccleſia Romana in ſeiſina cognoſcendi de ſucceſſione hæreditaria de Terris et Tenementis in Regno iſto; quod manifeſte eſſet contra Coronam et Conſuetudinem Regni, et ſic eſſet Curia Regis ſubjecta Judicibus delegatis impoſterum: Videtur Domino Regi quod Curatorem prædictæ Dionyſiæ licite non poteſt concedere, nec permittere quod prædicti Judices aliquem ei committant, *&c.* *Poſtea ad Parliamentum Domini Regis poſt* Paſcha *anno prædicto, venit prædictus* Willielmus de Valentia *coram ipſo Domino Rege*; et petiit, quod Dominus Rex permitteret ipſum ſequi quandam Appellationem coram Archiepiſcopo Cant. quam ipſe Willielmus et Johanna uxor ejus fecerunt de quadam Sententia iniqua, per prædictum Epiſcopum Wigorn. pronunciata, ſuper Patrimonio inter prædictum Willielmum de Monte Caniſio et quandam Amiciam matrem prædictæ Dionyſiæ filiæ, *&c.* contracto, ut dicitur; et etiam ſuper legitimationem prædictæ Dionyſiæ filiæ, *&c.* Quæ quidem Sententia iniqua robur perpetuum obtinebit, niſi prædictum Appellum, interpoſitum infra Annum a tempore appellationis factæ, ſit proſecutum, ſecundum quod idem Willielmus a quibuſdam diſcretis jura ſcripta ſcientibus, intellexit. Et quia prædictus Willielmus et Johanna per prædictam Appellationem intendunt prædictam Sententiam taliter infirmare, et per conſequens prædictam Dionyſiam filiam prædicti Willielmi de Monte Caniſio baſtardam probare, et ſic per viam illam ad hæreditatem ipſius Dionyſiæ attingere, et ipſam Dionyſiam, infra ætatem et in cuſtodia Regis exiſtentem, de libero Tenemento ſuo amovere, de quo ex liberatione Domini Regis fuit admiſſa, quod manifeſte eſt inconveniens et contra legem et conſuetudinem Regni; Inhibitum eſt eidem Willielmo, quod prædictam Appellationem ante ætatem prædictæ Dionyſiæ nullo modo proſequatur, *&c.*

* See 30 Aſſ. pl. 19. Brooke Præmunire 1c. Cooke 5 Rep. f. 12.

Nota.

† *Nota.*

From which memorable Anſwers to theſe two Petitions by the King and his Counſil

Counſil in Parliament, we may obſerve: Firſt, the manifold Policies, and new Inventions of the Popes and Court of *Rome* and their Delegates, as alſo of Biſhops and Eccleſiaſtical Courts, by degrees, to uſurp the Conuſance and determination of the Succeſſion and Rights of all Freeholds and Inheritances within the Realm to themſelves, from the King and his Temporal Courts, and to ſubject the Kings Courts to theirs, againſt his Crown, Dignitie, the ancient Laws, and Cuſtoms of the Realm. 2ly. The Kings, his Counſils, Parliaments care, and induſtry to prohibite, oppoſe ſuch uſurpations upon grave and weighty conſiderations, to prevent the manifold miſchiefs which would thereupon enſue both to the King, kingdom and ſubjects. 3ly. Their pious care to protect the rights of Infants and Wards in that age, againſt all Papal and Prelatical devices to baſtardize or diſinherit them, by Delegations or Appeals to any Eccleſiaſtical Judicatures. 4ly. That the procuring of any Bulls from *Rome* prejudicial to the Kings Crown and Dignity, was ſuch an high offence, as at leaſt deſerved impriſonment during the Kings pleaſure, and for which ſome had been formerly impriſoned by Judgement in the Kings Court, to deterre all others from procuring the like. *An.* 18 *E.* 1.

Afterwards in the ſame Parliament, this **William de Valentia* exhibited another Petition concerning this matter, complaining of injuſtice in diſinheriting his wife againſt the *Earl of Cornwall*, and other of the Kings Counſil, for admitting *Dionyſia* to be right heir to *William de Monte Caniſio*, wherein the truth of the caſe is thus related by the Earl, and others of the Counſil; *Qui bene cognoſcunt & recordantur, quod prædictus* Willielmus de Valencia *prædictum breve Inquiſitionis petiit & illud optinuit, ſed dicunt, quod antequam breve illud petiit, venit quædam* Dionyſia de Monte Caniſ. *mater prædict.* Willielmi de Monte Caniſio *coram eis in pleno Conſilio, & adduxit quandam* Dionyſiam *filiam prædicti* Willielmi de Monte Caniſio, *aſſerens ipſam eſſe veriorem & propinquiorem hæredem prædicti* Willielmi *defuncti, & etiam hæredem ſuum proprium, & ut filiam & hæredem ipſius* Willielmi de Monte Caniſio *filii ſui defuncti, nomine Domini Regis admitterent. Et dicunt,* quod quia publicum et notorium fuit, quod idem Willielmus tempore ſuo prædict. Dionyſiam ut filiam et hæredem ſuam tenuit, et hoc idem dum vixit in pluribus locis ſciri et proclamari fecit: et etiam quia Epiſcopus Wygorn. qui nunc eſt, in cujus Epiſcopatu eadem Dionyſia, *&c.* filia, *&c.* originem traxit, per literas ſuas patentes, quam Archiepiſcopus *Cantuar.* viva bone teſtabatur, quod eadem Dionyſia fuit filia prædicti Willielmi legitima. *Ipſe Comes, Theſaur. & alii eandem* Dionyſiam, nomine Domini Regis admiſerunt ut hæredem prædicti Willielmi propinquiorem, et prædict. terras et tenementa cum pertinentiis nomine Cuſtodiæ ratione minoris ætatis ipſius Dionyſiæ in manus Domini Regis ſeiſire fecerunt. *Ideo* videtur Domino Regi, quod prædictus Comes, Theſaur. et aliis de Conſilio ſecundum quod recordantur bene et rite proceſſerunt. Which made the premiſed addreſſe by *William de Valentia* to, and Bull from *Rome* more criminal and injurious. * Placita Parl. An. 18 E. 1. nu. 36. See Ryley p 51, 52.

As the King and Parliament paſſed this memorable Cenſure againſt the Popes premiſed Bull, and Petition grounded on it; ſo they gave a more ſevere Judgement againſt the Prior of *Trinity*, and *Bogo de Clare*, who audaciouſly preſumed to ſerve a Citation from the Archbiſhop of *Canterbury* in the Kings own Palace upon the Earl of *Cornwall*, ſitting the Parliament, as he was going to it: for which they were attached and proſecuted both at the ſuit of the King himſelf, of the Steward and Marſhal of the King, the Earl of *Cornwall*, and Abbot of *Weſtminſter*, fined in great ſines, and committed Priſoners to the Tower of *London*, as this memorable Record will more fully inform us.

* *Prior Sanctæ* Trinitatis London. & Bogo de Clare attachiati fuerunt ad reſpondend. Domino Regi, Petro de Chanet *Seneſcallo Domini Regis*, Waltero de Fanecurt *Mareſcallo Domini Regis*, Edmundo *Comiti* Cornubiæ, *& Abbati* Weſtm. de hoc, quod cum idem Comes, ad mandatum Domini Regis, ad iſtud Parliamentum ſuum London. veniſſet, et per medium majoris Aulæ Weſtm. verſus conſilium Domini Regis licite et pacifice venire et negotia ſua proſequi debet, abſque hoc, quod aliquas Citationes vel Summonitiones ibidem admittat, prædictus Prior ad procurationem ipſius Bogonis, die Veneris proximo ante feſtum Purificationis *beatæ* Mariæ hoc anno, prædictum Comitem in prædicta Aula citabit, quod compareret ad certos diem et locum coram Archiepiſcopo Cantuar. ſuper ſibi objiciendis reſponſurus; * Placita Parl. 18 E. 1 p. 4 nu. 4. Querela H. Comit. Cornub. verſus Bogonem de Clare, & Priorem Sanctæ Trin. London.

An. 18 *E.* 1. furus; in contemptum Domini Regis manifeſtum et dedecus ſuum decem mille libẓarum, et in læſionem libertatis Eccleſiæ pẓædicti Abbatis conceſſæ per Curiam Romanam, cum pẓædictus locus ſit omnino exemptus a juriſdictione Archiepiſcopoꝝ rum ſeu Epiſcopoꝝum quoꝝumcunque, per libertates ſibi et Eccleſiæ ſuæ Weſtm. conceſſas, et ad dampnum ipſius Abbatis mille libẓarum, et in pẓæjudicium Officii pẓædictoꝝum Seneſcalli et Mareſcalli manifeſtum, et dampnum non modicum; cum ad ipſoꝝum Officium et non ad alium Summonitiones et Attachiamenta infra Palatium Domini Regis pertineat faciend. et etiam ad dampnum pẓædicti Comitis quinque mille libẓarum; et inde pẓoducunt ſectam, *&c.*

Et Prior *&* Bogo *venerunt*; *&* Prior bene cognoſcit, quod ipſe citabit pẓædictis die et loco pẓædictum Comitem, ut pẓædictum eſt. *Et ſimiliter prædictus* Bogo bene cognoſcit, quod ipſe fecit citare pẓædictum Comitem, ut pẓædictum eſt. *Sed dicit*, quod ipſe omnino ignoꝝabit quod pẓædictus *locus fuit exemptus; et quod non intellexit aliquem contemptum Domini Regis, ſeu aliquod pẓæjudicium ejus Miniſtris, per Citationem illam feciſſe; et omnino ponit ſe in gratiam, miſericoꝝdiam, et voluntatem Domini Regis alto et baſſo. Et quia pẓædicti Prior *&* Bogo cognoſcunt pẓædictam Citationem pẓædictis die et loco per ipſos fuiſſe factam, et quæ manifeſte facta fuit in contemptum Domini Regis; Conſideratum eſt, quod pẓædicti Prior *&* Bogo mandentur Turri London. et ibidem cuſtodiantur ad voluntatem Domini Regis, *&c.* *Et quoad prædict. Com. & Abbatem, datus eſt dies eis, die Veneris in craſtino* Purificationis *beatæ* Mariæ, *&c.* *Poſtea* pẓædictus Bogo invenit plegios ſubſcriptos, ad ſatisfaciendum Domino Regi de pẓædicta tranſgreſſione ante receſſum ſuum de Weſtm. de inſtanti Parliamento, alioquin quod ipſi reſtituent coꝝpus ejus Turri London. in receſſu Domini Regis, *ſcilicet*, Johannem de Eyville, Henricum Hoſe, Robertum le Vele, Radulphum Blut, Rouland de Erlei, Robertum de Radington, Willielmum de Rye, Willielmum de Nerford, *&* Willielmum Evereys, qui ipſum plegiaverunt in foꝝma pẓædicta. *Et prædictus* Prior invenit plegios ſubſcriptos; *ſcilicet*, Robertum de Melkele, Robertum de Gravel, Willielmum de Melkeſhop, *&* Willielmum de Sutton, *qui ipſum* Priorem *plegiaverunt ſub eadem forma qua prædicti* Johannes de Eyville *& alii ſuperius prædictum* Bogonem *plegiaverunt.* Poſtea venit pẓædictus Bogo et finem fecit Domino Regi pẓo pẓædicta tranſgreſſione per duas mille marcas. Et recipitur per plegios, *&c.*

Et quoad prædict. Com. poſtea venit prædictus Bogo, et bad. eidem Comiti mille libẓas pẓo tranſgreſſione ſibi facta. *Et idem Comes*, ad inſtantiam Epiſcopi *Dunolmen*, Epiſcopi *Elienſis*, et aliorum de Conſilio ipſius Domini Regis, remiſit eidem Bogoni pẓædictas Mille libẓas uſque ad Centum libẓas, *&c.* *Et ſciendum, quod plegii de prædicto fine admittuntur* coram Theſaurario ad Scaccarium per pẓæceptum Domini Regis. *Et prædictus* Prior mittitur ibidem ad faciendum ſecundum quod Theſaurarius ei dicet ex parte Domini Regis.

* *Nota.*

From which Record and Judgement it is moſt evident; Firſt, That the Kings Royal palace is exempted from all Archiepiſcopal and Epiſcopal Juriſdiction whatſoever; 2ly. That the ſerving of a Citation therein by any Officer of the Archbiſhop, is an high contempt and diſhonour to the King in thoſe who ſerve, or procure it to be there ſerved on any perſon, deſerving a very great fine to the King, and impriſonment in the *Tower of London*, eſpecially during the Kings perſonal preſence there, and in time of Parliament, upon a Peer and Member of Parliament, and an injurie both to the Kings *Steward*, and *Marſhall*. 3ly. That *Weſtminſter* Abby was by Popes Bulls and our Kings Charters exempted from all Archiepiſcopal Juriſdiction. 4ly. That the Fine and impriſonment impoſed on them in this Caſe, was not for any breach of the Priviledge of Parliament, not here mentioned nor inſiſted on, (as [a] Sir *Edward Cooke*, and [b] Mr. *Elſing* miſtake) but for the contempt, injury, and diſhonour to the King, his Palace Priviledge, Officers, and the Court, as I have [c] *elſewhere* evidenced more at large.

[a] Inſtit. p. 24
[b] Manner of holding Parliaments, p. 144, 145.
[c] The Fourth Part of a Brief Regiſter, &c. of Parliamentary Writs, p. 819 to 829. 1188, to 1197.

The *Fine* and *Clauſe Rolls* of Anno 19 E. 1. inform us, that the King pardoned *Bogo de Clare* 1000. Marks of this his fine of 2000. Marks, and that for his Queens ſake he alſo remitted to him 200. Marks due to the Queen for her *Aurum Reginæ*; there being by ancient Cuſtom due to the *Queen* (by her prerogative) one hundred Marks for every Thouſand Marks *fine* (*and ſo ten pound for every hundred pound*

pound fine) voluntary made and aſſented to with the King, for any offence over and above the fine made to or compounded for with the King; as [d] *Gervaſius Tilburienſis*, and ſundry [e] *Records*, *Preſidents*, both in the *Tower of London*, and *Court of Exchequer* at *Weſtminſter* reſolve in ſeveral ages and Kings reigns. *An.* 18 E. 1.

d De Neceſſariis Scaccarii obſervanciis, Dialogus 2. c pars 1. m. 23.

e Clauſ. 9 Johan. Regis, m 10. Clauſ. 20 H. 3. m. 30. Pat. 20 H. 3. 26. De auro Reginæ. Fines 26 H 3 m. 11. Clauſ. 29 H. 3. m. 10. Fines 29 H 3. m. 4, 5 Clauſ. 35 H. 3. m. 13. Fines 13 E. 1. m. 7. Fines 14 E. 1. m. 27. Pat. 12 R. 2. pars 1. m. 29. in Turre London.

REX de illis duobus mille Marcis per quas *Bogo de Clare* finem fecit cum Rege pro quadam tranſgreſſione ſibi impoſita, et de quibus Rex ei prius pardonavit quingentas Marcas, pardonavit ei alias quingentas Marcas de gracia ſpeciali. Et de reſiduis mille Marcis Rex conceſſit eidem *Bogoni* quod ſolutis Regi ducentis Marcis de reſiduis octingentis Marcis ſolvat Regi per annum ad Scaccarium Regis ducentas Marcas, unam videlicet medietatem in feſto Sancti *Johannis Baptiſtæ* proximo futuro, & aliam medietatem in feſto Sancti *Hillarii* proximo ſequenti, & ſic de anno in annum ad eoſdem terminos ducentas Marcas, quouſque prædictæ octingentæ Marcæ Regi ad Scaccarium Regis ſolvantur. Et mandatum eſt Theſaurario & Baronibus de Scaccario, quod prædictum *Bogonem* inde prædictis quingentis Marcis quietum eſſe, & ei de dictis octingentis Marcis ſolutis Regi prædictis ducentis Marcis, ut prædictum eſt, terminos illos habere, & ſic fieri & irrotulari faciant. Teſte Rege apud *Aſſherugge* 16 die *Januarii*. Fines 19 E. 1. m. 18. Pro Bogone de Clare.

REX Theſaurario & Baronibus ſuis de Scaccario ſalutem. Ob bonam affectionem quam Kariſſima Conſors noſtra *Alienora* quondam Regina *Angliæ* erga dilectum nobis *Bogonem de Clare* habere novimus dum vivebat, pardonavimus eidem *Bogoni* ducentas Marcas in quibus præfatæ Reginæ die quo obiit tenebatur pro *Auro ſuo ipſam contingente de quodam fine duorum millium Marcarum, quem idem *Bogo* fecit nobiſcum pro quadam tranſgreſſione ſibi impoſita. Et ideo vobis mandamus, quod prædictum *Bogonem* de prædictis ducentis Marcis quietum eſſe faciatis. Teſte Rege apud *Aſſherugge* 13. die *Jan.* Clauſ. 19 E. 1. m. 10. Pro Bogone de Clare.

* *Nota.*

This *Bogo de Clare* in the ſame Parliament, was attached at the ſuit of *John de Waleys* Clerk, upon a different account, that the ſaid *John* entring into his houſe in *London* on the Lords day to ſerve a *Citation* out of the Archbiſhop of *Canterburies* Court, certain of his family took and enforced him againſt his will, to eat the ſaid *Citation*, together with the Seal, and alſo impriſoned, beat, and ill intreated him, to his dammage of 20 *l.* and in contempt of the King, to his dammage of 1000 *l.* as this Record informs us.

*Bogo de Clare *attach. fuit ad reſpondendum* Johanni de Waleys *Clerico de hoc, quod cum idem* Johannes *die Dominica in feſto* Sanctæ Trin. *proximo præterito in pace Domini Regis &* ex parte Archiepiſcopi Cantuar. intraſſet domum prædicti Bogonis in Civitate London. et ibidem detuliſſet quaſdam literas de Citatione quadam faciend. quidam de familia prædicti Bogonis ipſum Johannem, literas illas, et etiam Sigilla appenſa ei et contra voluntatem ſuam manducare fecerunt, et ipſum ibidem impriſonaverunt, verberaverunt, et male tractaverunt, contra pacem Domini Regis, et ad dampnum ipſius Johannis viginti libr. et etiam in contemptum Domini Regis mille libr. et inde prodacit ſectam. * Placita Parl. 18 E. 1 n 15. Querela Johannis de Waleys verſus Bogonem de Clare. See Ryley Placita Parl. p. 22, 23.

Et Bogo *venit & defendit vim & injuriam, & quicquid eſt in* contemptum Domini Regis, et contra pacem ſuam, *&c. & dicit, quod non videtur ei, quod debeat prædicto* Johanni *ad prædictam querelam ſuam reſpondere. Dicit enim, quod idem* Johan. *in querela ſua dicit, quod quidam de familia ipſius* Bogonis *prædict. tranſgreſſ. ei feciſſe deberunt, nullas certas perſonas nominando, prout moris eſt in Curia. Nec etiam dicit quod illæ perſonæ de familia ſua quæcunque fuerunt, per præceptum ſuum tranſgreſſionem illam (ſi qua fuerit) feciſſe debuerunt. Et ſic in querela ſua nec dicit ipſum* Bogonem *eſſe factorem nec facti præceptorem: unde petit judicium. Et ſuper hoc idem* Johannes *quæſitus, ſi prædictus* Bogo *aliquam tranſgreſſionem ei fecit vel fieri præcepit? dicit, quod non; ſed quod quidam de familiâ ſuâ quorum nomina ignorat Ideo prædict.* Bogo *quoad*

An. 18 *E.* 1 *quoad ſectam ipſius* Johannis *inde ſine die.* Et quia Dominus Rex prædictam tranſgreſſionem ſic enormiter factam, ut dicitur, tum propter Contemptum ipſi Domino Regi in præſentia ſua, *viz.* infra Virgam, et in Parliamento ſuo factum, tum propter malum exemplum temporibus futuris, tum propter audaciam delinquendi ſic de cætero aliis reprimendam, permittere non vult impunitam, *dictum eſt prædicto* Bogoni, quod ad ſectam Domini Regis inde reſpondeat, et quo prædict. tranſgreſſ. dicitur fuiſſe facta infra portam ſuam et per manupaſtos et familiares ſuos; *Et etiam quia per quoſdam teſtatum eſt, quod quædam certæ perſonæ tunc de familia ſua, viz.* Henr. de Braban, Johannes Dunken, Rogerus de Burnham, Willielmus de Carrec, Johannes le Porter, & Henr. de Aneſley fuerunt principales factores prædict. tranſgreſſ. *dictum eſt eidem* Bogoni, *quod eos & cæteros qui fuerunt de familia ſua tempore quo prædict. tranſgreſſ. facta fuit, habeat coram ipſo Domino Rege in Quindena* Sanctæ Trin. *&c. ad faciend. & recipiend. quod per Regem & ejus Conſilium fuerit ordinand. Ad quem diem prædictum prædictus* Bogo *adduxit coram ipſo Domino Rege & ejus Conſilio omnes de familia ſua præter præd.* Henr. Johannem, Rogerum, Willielmum & Johannem *le Porter, & Henr. qui incontinenter poſt prædictum factum receſſerunt & abierunt, nec aliqua parte ſunt in poteſtate vel amicitia vel obſequio prædicti* Bogonis *vel ſuorum, prout per examinationem Militum, Clericorum, & aliorum de familia ipſius* Bogonis juratorum, *& ſingulariter examinatorum compertum eſt; & qui quidem jurati dixerunt, quod præd.* Henr. *& alii præd. factum fecerunt ſine præcepto & aſſenſu ipſius* Bogonis; *& abſque hoc, quod præd.* Bogo *aliquid ſcivit de facto illo antequam factum fuit. Et ſuper hoc idem* Bogo *petit judicium ſi de præcepto, miſſione, vel aſſenſu, ſi ſibi imponeretur ad ſectam Domini Regis reſpondere debeat antequam factores principales aliquo modo de facto illo convincantur?* Et quia per conſuetudinem et legem Angliæ, nullus de præcepto, vi, et auxilio aut miſſione reſpondere debeat antequam factores aliquo modo convincantur; conſideratum eſt quod prædict. Bogo ad præſens quoad hoc eat inde ſine die, *& prædict.* Johannes de Waleys *ſequatur verſus factores principales prout ſibi viderit expedire, ſi voluerit. Et inſuper* Thomas de Thurbervill *de Com.* Hereford, Walterus de Molelworth *de Com.* Hunt. Willielmus de Melkeſham *de Com.* Eborum, Simon. de Lundgate *de Com.* Sum. David le Grand *de Com.* Hereford. & Willelmus le Franceys *de Com.* Buck. *manuceperunt prædict.* Bogonem, *ad habendum ipſum coram Domino Rege, ad reſpondendum ipſo Domino Regi ad voluntatem ſuam, cum prædict. factores de facto illo fuerint convicti,* ſi Dominus Rex verſus eum inde loqui voluerit.

From which Record I ſhall obſerve: Firſt, That the Archbiſhops Citations were much ſlighted and oppoſed in that age. 2ly. That this enforcing his Clerk to eat and ſwallow down his Citation, with its Seal, was complained of to, and highly reſented by the King, as a contempt againſt his Royal authority, being within the verge of his Court and ſitting the Parliament, not puniſhed by the Archbiſhop with Eccleſiaſtical cenſures. 3ly. That Maſters ought not to be puniſhed for abuſes, contempts or offences committed by their Servants, without their privity or aſſents unto them before or after their conviction, nor any to be puniſhed as acceſſaries, before the principals be convicted.

There happening many conteſts between the Biſhop of *Lincoln*, and the Maſters and Scholars of the Univerſity of *Oxford*, concerning the preſentation and confirmation of their *Chancellor*, whether he ought to come out of the Vniverſity in perſon to the Biſhop, or to be admitted by his Proxies; the King by his Prerogative to advance Learning, and ſettle peace between them, made this friendly accord for the future, which they both ſubſcribed in this Parliament.

* Placita Parl. 18 E 1. nu. 2. See Ryley, p. 4. Concordia inter Epiſcopam Lincoln. & Univerſitatem Oxon.

* *Cum inter venerabilem patrem* Oliverum Lincoln. *Epiſcopum ex una parte, &* Magiſtros Univerſitatis Oxon *ex altera,* mota eſſet materia diſcordiæ ſuper præſentatione et confirmatione Cancellarii ſui; *& idem Magiſtri dixerunt,* quod nunquam ſolebant Electum ſuum extra Oxon. mittere ad confirmandum, ſed per nuncios ſuos fuerit eorum Electus ſemper hucuſque confirmatus, et commiſſio Epiſcopo tranſmiſſa. *Et prafatus Epiſcopus dixiſſet,* quod commiſſio illa eſt de pura & libera voluntate ſua: Ita quod quando commiſſio illa per nuncios facta fuerit, hoc fuit de pura gratia ſua: et quia prædicti Magiſtri gratiam illam habere volebant

volebant in jus et conſuetudinem, prædictus Epiſcopus gratiam illam continuare non intellexit. Tandem ad inſtantiam **Domini Regis**, ad iſtud Parliamentum ſuum, qui omnes contentiones vult pacificare, *partes prædicta ſe in hunc modum concordarunt*, viz. **quod prima vice cum prædicti Magiſtri Cancellarium ſuum elegerint**, prædictus **Epiſcopus** ita prope Oxon. **approprinquabit, quod Magiſtri ejuſdem Univerſitatis ad ipſum venire poterint, et Electum ſuum præſentare et reddere, abſque hoc, quod aliquam Electionem amittant.** *Idem etiam Epiſcopus dixit*, **quod hoc facto, ipſe intendit gratioſus eſſe prædictis Magiſtris in iſtis et in aliis, nec intendit eos grabare ſine ſuo merito**; *et credit quod ſucceſſores ſui eodem modo eiſdem* **Magiſtris amici erunt et gratioſi: Et intendit quod alias cum Cancellarii Univerſitatis prædictæ erunt electi**, *ſi idem Epiſcopus propè* Oxon. *foerit*, **ipſos Cancellar. admittet quando perſonaliter venerint; et ſi partibus longinquis fuerit, intendit de gratia ſua illos admittere per Procuratores**; *ſet quod ad hoc non teneatur per promiſſionem iſtam, nec alio modo niſi de pura gratia et libera voluntate ſua.* *Et ad iſtam concordiam faciendam, prædictus Epiſcopus præſens fuit, & etiam frater* Willielmus de Leominiſtr. Johannes de Monemowe, Ricardus de Bradeley, Johannes de la More, & Stephanus de Herdley, **Magiſtri prædictæ Univerſitatis, qui concordiæ prædictæ unanimiter conſenſerunt, et quorum quilibet aſſenſum ſuum manu propria ſcripſit**, *&c.*

Ao. 18 *E.* 1.

* *redire*

There being likewiſe at the ſame time ſome differences between the Scholars and Townſmen of *Oxford*, formerly compremiſed, the King for the peace and honour of the Univerſity, whereof he had a ſpecial regard, ordered in this Parliament, that the ſame Accord between them ſhould be recited and kept in his own Wardrobe. * *Memorandum*, **quod per præceptum Domini Regis Rotulis de pace et concordia inter Cancellar. et Scholares Univerſitatis** Oxon. **ex una parte, et Majorem et Burgenſes ejuſdem Villæ ex altera, facta, et coram Domino Rege recitata**, *tradebatur per manum* Johannis de Berewyk, Waltero de Langeton *Clerico de Garderoba Domini Regis, ad cuſtodiendum in ipſa Garderoba. Et etiam quod tranſcriptum ejuſdem pacis concordiæ prædictæ Cancellario in uno Rotulo, & etiam prædicto Majori & Burgenſibus in alio Rotulo libr abatur, ut partes prædictæ de cætero ſuper ſtatu ſuo ſint certiores*, &c.

* Placita Parl. 18 E. 1. nu. 22. Ryley, p 39.

In the ſame Parliament, there was this memorable Suit concerning the right of Tithes, then and in former ages triable in the Kings Temporal Courts. * Radulphus *Epiſcopus* Karliol. *petit verſus Priorem Eccleſiæ* Karliol. **Decimas duarum placearum terræ de novo aſſartarum in Foreſta de** Ingelwood, *quarum una vocatur* Lynthwait, *& alia* Kirkethwait, **et quæ ad ipſum Epiſcopum pertinent**, *eo quod prædictæ placeæ ſunt infra limites parochialis Eccleſiæ ſuæ de* Aſpaterick, *& eo quod idem Epiſcopus & prædeceſſores ſui toto tempore antequam placeæ illæ redactæ fuerunt in culturam, & boſco cooperta*, **percipere conſueverunt Decimam pannagii earundem placearum**, *quousque prædictus Prior, per quandam ſuggeſtionem, tacita veritate dicta*m, **hoc anno tulit quoddam breve Domini Regis, Juſtic. Domini Regis de Foreſta ſua ultra Trentam, et ipſum Epiſcopum de Decimis prædictis ſpoliavit injuſte. Et quod Decimæ prædictæ ad ipſum Epiſcopum pertinent ratione Eccleſiæ ſuæ de** Aſpaterick **prædict. petit quod inquiratur. per patriam**, *&c.*

* Placita Parl. 18 E. 1. nu 34. See Ryley, p. 49, 50.

Et Prior venit & dicit, **quod Decimæ prædictæ ad ipſum et Eccleſiam ſuam beatæ** Mariæ Karliol. **pertinent**, *& non ad prædict. Epiſcopum. Dicit enim, quod Dominus* H. *Rex vetus*, **conceſſit** *Deo & Eccleſiæ ſuæ beatæ* Mariæ Karliol. *& Canonicis ibidem Deo ſervientibus*, **omnes Decimas de omnibus terris quas idem Dominus Rex, aut hæredes ſui Reges** Angliæ, **in Foreſta prædict. in culturam redigere fecerint**, *& Eccleſiam prædict. inde feoffavit per quoddam cornu eburneum quod dedit Eccleſiæ ſuæ prædict. & quod adhuc habet, & petit judicium*, &c.

Et ſuper hoc venit Magiſter Henricus de Borton *perſona Eccleſiæ de* Thuresby, *& dicit*, **quod Decimæ prædict. ad ipſum ratione Eccleſiæ ſuæ pertinent**, *& non ad prædictos Epiſcopum & Priorem; quia dicit, quod placeæ prædict.* **de quibus Decimæ petuntur ſunt infra limites parochiæ ſuæ**; *& quod ipſe & prædeceſſores ſui ſemper fuerunt in poſſeſſione* **percipiendi Decimas majores et minores prædict. placearum ut de jure Eccleſiæ ſuæ de** Thuresby, *quouſque prædict. Prior ſimul cum aliis quibuſdam*

An. 18 E. 1. *buſdam hoc anno,* **ratione prædicti brevis, ipſum de Decimis illis ſpoliaverunt injuſte.** *Et quod placea illa ſunt infra limites parochiæ ſuæ, & quod ipſe & prædeceſſores ſui ſemper fuerunt in poſſeſſione* **percipiendi prædict. Decimas; tam majores quam minores, petit quod inquiratur. per patriam,** *&c.*

Et Willielmus Inge *qui ſequitur pro Domino Rege, dicit,* **quod Decimæ prædictæ ad Dominum Regem pertinent, et ad nullum alium;** *quia dicit,* **quod prædictæ placeæ ſunt infra bundas Foreſtæ ipſius Domini Regis de** Ingelwood; **et quod ipſe Dominus Rex in Foreſta ſua prædicta** (by his Soveraign Eccleſiaſtical Prerogative) **Villas ædificare, Eccleſias conſtruere, terras aſſertare, et Eccleſias illas cum Decimis terrarum illarum pro voluntate ſua cuicumque voluerit conferre poteſt, eo quod Foreſta illa non eſt infra limites alicujus parochiæ.** *Et petit,* **quod Decimæ illæ Domino Regi remaneant, prout de jure debent ratione prædicta,** &c. *Et quia Dominus Rex ſuper præmiſſis voluit certiorari; & ne unicuique tribuatur quod ſuum eſt, aſſignentur* Willielmus de Veſci *Juſtic. Foreſta ſua ultra* Trentam, &c. *ad rei veritatem in præmiſſis inquirendam, & quod inde acquiſierunt ſcire faciant Domino Regi in proximo Parliamento ſuo poſt Paſcha.* In which Parliament they certified the King and his Counſil, **Quod ad captionem prædictæ Inquiſitionis procedere non potuerunt ad diem coram eiſdem datum, ratione cujuſdam literæ Epiſcopi** Karliol. **ſibi porrectæ, de inhibitione, ne aliquos ad juramentum ponerent tempore illo.** *Et quam literam idem* Willielmus & Thomas *coram* **ipſo Domino Rege ſigillo ipſius Epiſcopi ſignatam protulerunt:** (A very high affront to Juſtice, and the Kings Royal direction in Parliament.) *Ideo per præceptum Domini Regis aſſignantur prædicti* Willielmus & Thomas, *&* Johannes de Lithepeynes, *&* Michael de Harcle, *ad capiendam Inquiſitionem prædictam. Ita quod inde certificant Dominum Regem ad proximum Parliamentum ſuum poſt feſtum Sancti* Michaelis *prox. futur.* &c.

From which caſe it is obſervable: 1. That in that age it was the received opinion, as well as in this, that all Tithes in Foreſts and other places, which are *extra*-parochial, or without the bounds of any Pariſh, belong of right to the King by his Soveraign Eccleſiaſtical Prerogative, as Supreme Governour and Head on Earth of the Church of *England*, and as he is **perſona mixta et unita cum Sacerdotibus,** as was reſolved in this caſe, and in * *our Law-books* ſince; whereas no meer Layman is originally capable of Tithes. 2ly. That by his Soveraign Eccleſiaſtical Prerogative he might erect New Pariſhes, Pariſh Churches, and grant Tithes unto them where there were none before, without the Pope or Biſhop. 3ly. That he likewiſe held Plea of Tithes in his Temporal Courts.

* 22 Aſſ. p. 75. Brook Diſmes 10. 38 Aſſ. p. 20. 10 H. 7. 18. 2. Cooks 2 Report 44. 2.

In the ſame Parliament of 18 E. 1. there happened two memorable caſes concerning the delivery and purgation of Clerks convict, to and before their Ordinaries: The firſt was the caſe of * *Walter de Berton*, impriſoned in the Tower of *London*, being convicted before *John de Metingham* in the laſt Eyre in the County of *Dorſet*, **De falſatione ſigilli Domini Regis**; whom the King commanded to be delivered to the Biſhop of *Sarum*, **qui eum petiit ut Clericum ſuum ſub pœna et in forma qua decet, quia videtur conſilio, quod in tali caſu non eſt admittenda purgatio**; it being out of the Statute of *Weſtm* 1. ch. 2. which extends only to *Felony*, whereas this counterfeiting of the Kings Seal was then reputed, and afterwards declared to be *Treaſon*, 25 E. 3. ch. 2.

* Placita Parl. 18 E. 1. nu. 38. Ryley, p. 56.

The ſecond was the caſe of the Abbot of *Weſtminſter*, by way of complaint againſt the Kings Juſtices, who ſummoned him being a Baron to appear before them, and ſeiſed his Temporalties for a contempt, becauſe his Archdeacon ſuffered two Clerks convicted of murder, to make their Purgations before the certain day prefixed by him in Court, to which the proſecutor for the King was adjourned, and thereby prejudged; thus entred in the Pleas of that Parliament.

* Placita Parl. 18 E. 1. nu. 39. See Ryley, p. 57, 58.

* *Abbas* Weſtmonaſterii *ſupplicavit Domino Regi & ejus Conſilio, quod cum quadam voluntas & injuria ſibi per Juſticiarios ſuos, ad placita ejuſdem Domini Regis aſſignatos, nuper ſint facta, quod factum eorum coram Domino Rege recitetur & emen-*

detur

detur ſi ipſi Domino Regi & ejus Conſilio videatur, quod eidem Abbati injurietur. Dicit etiam, quod cum ipſe habeat & habere debeat, & prædeceſſores ſui Abbates Weſtm. *temporibus retroactis per conceſſiones & confirmationes Regum* Angliæ *habere conſueverant, returnum omnimodo um brevium & præceptorum Domini Regis, ipſum Abbatem, homines, terras ſeu libertates ſuas ubicumque infra regnum tangentium, tam coram Juſticiariis itinerantibus, quàm aliis Juſticiariis Domini Regis quibuſcunque, & per Ballivos & Miniſtros ſuos ſum. & attach. eorundem brevium & præceptorum facere:* Gilbertus de Thornton *& ſocii ſui Juſtic. Domini Regis ad placita ejuſdem Domini Regis aſſign. die Jovis in feſto Apoſtolorum* Petri & Pauli *prox. præterit. per quendam* Barthol. le Criour *Servientem ſuum eidem Abbati* **parato magnam Miſſam celebrare in Eccleſia ſua** Weſtm. *præceperunt,* **quod eſſet coram eis in craſtino reſponſurus de hoc,** *quod ei dicerent ex parte Domini Regis. Ad quem diem idem Abbas* **ob reverentiam Domini Regis, coram eiſdem Juſticiariis comparuit,** *qui ei impoſuerunt,* **quod duo Clerici de morte hominis rectati, et ad ſectam Domini Regis coram eis convicti per inquiſitionem patriæ ex officio ſuo captam, liberabantur Archidiacono ipſius Abbatis ut loci Ordinario, et eos ut Clericos petenti. Et qui quidem Archidiaconus coram eiſdem Juſtic. certum diem ſtatuit eiſdem Clericis ad purgationem ſuam faciendam, et eundem diem præfixit cuidam** Ricardo Boſtard, **qui dixit ſe velle ſequi pro Domino Rege verſus eoſdem Clericos de morte prædict.** *Et licet idem Abbas coram eis calumpniavit,* **quod eſſet Baro Domini Regis, et quod ſine Brevi Domini Regis et ejus Returno, de talibus reſpondere non debuit,** *per libertates ſuas ſibi & Eccleſiæ ſuæ conceſſas, iidem Juſtic. ſuper calumpniis illis certum diem ei coram eis dederunt. Ad quem diem idem Abbas tunc cum ipſo Domino Rege perſonaliter exiſtens, fecit defaltam coram eiſdem Juſtic.* **ob quam Juſtic. prædict. Baroniam ſuam in manum Domini Regis capere fecerunt,** *& etiam per Breve Domini Regis, Vic. in quorum Com. terræ & tenementa ſua ſunt,* **præceperunt diſtringere ipſum Abbatem per omnes terras et catalla,** et quod de exitibus, &c. *Ita quod haberent corpus ejus coram ipſo Domino Rege à die Sancti* Michaelis *in unum menſem ubicunque,* &c. *ad reſpondend. de facto prædicto. Unde dicit, quod Juſtic. prædict.* **manifeſte ſibi injuriarunt in hoc, quod ipſum ſine Brevi Domini Regis coram eis venire fecerunt, contra libertates regias ſibi et Eccleſiæ ſuæ conceſſas.** *Et etiam in hoc,* **quod eidem Abbati injunxerunt, quod reſponderet coram eis de purgatione prædict. admiſſa, cum Dominus Rex ex quo Clerici de felonia in Curia ſua ad ſectam ſuam vel alterius cujuſcunque convicti fuerunt per Inquiſitionem patriæ ex officio Juſtic. ſuorum captam et Ordinario cuicunque eos petenti ſub pœna ei qua decet fuerunt liberati, de eorum purgatione ſeu de die illius purgationis admittenda, ſtatuenda, per conſuetudinem in regno hactenus uſitatam non ſe debent intromittere.** *Et petit, quod Dominus Rex vocatis Juſticiariis ſuis prædictis factum eorum audiat & intelligat, & ſibi faciat quod de jure & conſuetudine regni fuerit facienda.*

Et prædict. Juſticiarii veniunt & bene recordantur quod duo Clerici, viz. Walterus de Thorny, & Johannes de Thorny *de morte hominis coram* Rad. de Hengham & *ſociis ſuis nuper Juſtic. Domini Regis ad placita ſua aſſign. per quandam mulierem appellati fuerunt: Quæ quidem mulier poſtea verſus eos in ſecta ſua facienda fecit defaltam: Ob quod conſideratum fuit, quod Clerici illi quoad ſectam ejuſdem mulieris irent inde quieti. Et quod ad ſectam Domini Regis veritas inquireretur per patriam: Per quam à die Paſcha in unum menſem convictum fuit coram ipſis* Gilberto & ſociis *ſuis, quod prædict. Clerici de morte prædict. fuerunt culpabiles; propter quod liberati fuerunt cuidam* Waltero de Hunt. *Archidiacono ipſius Abbatis loci Ordinario, ut de felonia prædicta convicti. Qui quidem Archidiac. in præſentia eorundem Juſtic.* **certum diem ſtatuit de purgatione eorundem Clericorum admittenda,** *& eundem diem præfixit cuidam* Ricardo Boſtard, *qui dicebat, ſe velle ſequi pro Domino Rege verſus eos pro morte prædict. Et dicunt,* **quod prædict. Archidiaconus ante diem ſtatutum et præfixum prædicto** Ricardo **admiſit purgationem illorum Clericorum, in contemptum Domini Regis manifeſtum, et ad ſectam ſuam et auferendum.** *Propter quod ipſi Juſtic. hoc intelligentes, mandaverunt prædict. Abbati ex parte Domini Regis, quod veniret coram eis ad certum diem in querela ſua contentum, ad reſpondendum de contemptu & tranſgreſſione prædicta. Et quia prædictus Abbas poſtea coram eis fecit defaltam ad diem ſibi datum,* **in contemptum Domini Regis iterato,** *iidem Juſtic.*

An. 18 *E.* 1. *præceperunt* diſtringere prædictum Abbatem, ut prædictum eſt. *Et dicunt, quod aliam injuriam ſeu voluntatem ei non fecerunt. Et petunt, quod ſi videatur Domino Regi & ejus Conſilio, quod in proceſſu iſto erratum ſit, quod factum ſuum per ipſum Dominum Regem & ejus Conſilium emendetur. Et quia prædict. Juſtic. recordantur, quod prædicti Clerici ad ſectam Domini Regis per Inquiſitionem patriæ ex officio ſuo captam coram eis de felonia prædicta convicti fuerunt, ut prædict. Archidiac. loci Ordinario, eos ut Clericos petenti, ſub pœna qua decet liberati,* nec eſt juri conſonum vel hactenus in regno noſtro uſitatum, quod Dominus Rex vel alius quicunque fuerit, verſus Clericos quoſcunque de quacunque felonia rectatos, et in Curia Regis ad ſectam ſuam per Inquiſitionem patriæ et officio Juſtic. captam, vel alio modo convictos, iterato ſectam ſuam de eodem facto habeat in Curia ipſius Domini Regis, vel etiam in Curia Eccleſiaſtica, qualitercunque Archidiac. prædict. certum diem coram eisdem Juſtic. ſtatuit de purgatione prædict. admittenda, et eundem diem præfixit prædict. Richardo minus diſcrete et contra conſuetudinem uſitatam, et etiam contra libertatem Eccleſiaſticam; et etiam cum Clerici in caſu conſimili vel alia felonia ſibi impoſita de cætero nunquam ſe purgarent, ſi ad ſectam Domini Regis vel alterius cujuſcunque, et ad cujus ſectam in Curia Regis convicti fuerint totiens reſponderent in Curia Regis vel Eccleſiaſtica, quotiens ipſe Dominus Rex vel alius quicunque ſectam ſuam renovaret, et ſe deſſe ſequi diceret; Quod omnino eſſet inconveniens et manifeſte tam contra legem et conſuetudinem Regni, quam contra libertatem Eccleſiaſticam; *Conſideratum eſt*, quod executio prædicti Brevis ſuſpendatur; et quod Terræ et Tenementa prædict. Abbatis, quæ in manum Domini Regis ratione prædicti Brevis capiuntur, ſibi deliberentur. *Et quod idem Abbas quoad hoc præſens eat inde ſine die, ſalvo Domino Regi & prædicto* Richardo, *& quibuſcunque aliis ſectas ſuas quæ ad eos pertinet verſus prædictos Clericos ſeu alios quoſcunq; de morte prædict. Et quod Abbas Brevia Vic. &c.*

What other Clerks convict were reſtored to their libertie, goods and lands upon their purgation this year; this Record will inform us.

Clauſ. 18 E 1. m. 7. Pro Barth. Gogyng Clerico.

REX Vic. *Cantebrig.* ſalutem. Cum *Bartholomæus* dictus *Gogyng* de *Cantebrig.* Clericus, ſuper crimine homicidii *Galfridi de Griſelee* interfecti, ut dicitur, coram dilectis & fidelibus Regis *Johanne de Eyvill*, *Radulpho Baſſet*, & *Roberto Malet* Juſtic. noſtris ad gaolam Regis *Cantebr.* deliberandam aſſignatis, rectatus, & ad requiſitionem venerabilis *W. Elienſis* Electum per eoſdem Juſtic. eidem Electo juxta privilegium Clericale, prout moris eſt liberatus, innocentiam ſuper hujuſmodi crimine coram eodem electo legitime purgaverit, prout idem Electus nobis per literas ſuas patentes ſignificavit; Mandatum eſt Vic. *Cantebr.* quod bona & catalla, terras & tenementa ejuſdem *Bartholomæi*, occaſione mortis prædictæ per teipſum capta in manum noſtram, ſi ſupradictus *Bartholomæus* fugam non fecerit, reſtituas eidem hac vice de gratia noſtra ſpeciali. Teſte Rege apud *Weſtm.* octavo die *Julii.*

In the ſame Parliament the Earl of *Glouceſter* and others ſeiſing the Temporalties of the Biſhoprick of *Landaffe*, and preſenting to the Benefices and Prebendaries thereto belonging, againſt the prerogative of the King, as appertaining to their Seigniories, and ejecting *Marcolm de Harlegh* to whom the King had committed them; he thereupon exhibited a Petition againſt the Earl and others in Parliament, to vindicate the Kings prerogative: which, together with the proceedings thereon are thus recorded.

Placita Parliamenti 18 E. 1. nu. 40. See Ryley, p. 59, 60, 61, 62.

* Marcolomus de Harlegh *monſtravit Conſilio Domini Regis per quandam Petitionem, quod cum poſt mortem* Willielmi de Brewoſe *quondam* Landaven. *Epiſcopi, cuſtodiam prædicti Epiſcopatus nomine Domini Regis ſibi eſſet commiſſa; Et idem* Malcolomus *Manoria quæ fuerunt prædicti Epiſcopo ratione cuſtodiæ ſibi commiſſa in* manum Domini Regis feciſſe voluiſſet, Gilbertus de Clare *Comes* Glouceſtr. & Herkford, *Manerium de* Landath. *cum omnibus pertinentiis ſuis, & etiam Manerium de* Lankaderwader, *& omnia quæ fuerunt prædicti Epiſcopi* infra Dominium ipſius Com. de Clamorgan, feciſſe fecit in manum ſuam, et feiſinam illam adhuc occupabat, *& Archidiaconatum*

natum de Landath & *Prebendas à tempore mortis prædicti Epiſcopi vacantes in Eccleſia* *An.* 18 *E.* 1.
prædicta pro voluntate ſua contulit, & adhuc confert cum illas vacare contigerit, in pꝛæjudicium Cozonæ Domini Regis, et exhæredationem ſuam manifeſtam; *Cum idem Comes per ipſum* Malcolomum *ex parte Domini Regis ſæpius fuiſſet requiſitus, quod ſeiſinam prædict. Maneriorum ratione Cuſtodiæ ſibi commiſſæ eidem liberaret, & quod Dominum Regem Archidiaconatum prædict. & Prebendas prædictas conferre permitteret. Dicit etiam quod Comes* Hereford. *qui nunc eſt* fecit ſeiſire poſt mozтem pꝛædicti Epiſcopi in manum ſuam, Willam de Doneſtowe, *& etiam quod* Willielmus de Brewoſe *ſenior poſt mortem prædicti Epiſcopi* ſeiſire fecit in manum ſuam Willam de Biſhopeſton in Gower, *& adhuc detinet,* in pꝛæjudicium Cozonæ ut pꝛædictum eſt, *&c. Dicit etiam, quod* Edmundus *frater Domini Regis poſt mortem prædicti Epiſcopi cepit de Tenentibus Manerii de* Loncylis Creſſemy *quod fuit prædicti Epiſcopi lxxv. ſolidos,* qui ad ipſum Dominum Regem pertinebant ratione Cuſtodiæ pꝛædictæ; *Et quod Comes* Norff. & Mareſchall. *Domini Regis qui nunc eſt, poſt mortem prædicti Epiſcopi ſeiſire fecit in manum ſuam Manerium de* Macherne in Netherwente, *& proficua ejuſdem Manerii & Exitus cepit; ſed cum idem tam frater Domini Regis quàm Comes* Norff. *per ipſum* Malcolmum *requiſiti fuerint, prædict. Comes* Norff. *ſeiſinam ejuſdem Manerii ipſi* Malcolmo *liberare fecit, cum omnibus inde perceptis tempore ſeiſinæ ſuæ, &c. Et etiam prædict.* Edm. *frater Domini Regis prædict. lxxv. ſolidos ipſi* Malcolmo *fecit liberare. Et Comes* Glouc. *& alii veniunt. Et Comes* Hereford *bene cognoſcit quod prædicta Villa de* Doneſtowe *poſt mortem prædicti Epiſcopi ſeiſita fuit in manum ſuam per Ballivos ſuos ipſo ignorante. Et dicit, quod poſt ſeiſinam illam Decanus & Capitulum Eccleſiæ* Landav. *protulerunt coram ipſo Comite quandam Chartam ſub nomine* Humfridi de Boun Anteceſſoꝛis ſui quondam Comitis Hereford. factam, *qua teſtabatur, quod idem* Humfridus *quondam Comes, &c. conceſſit, dedit, & Chartâ ſua confirmavit Decano & Capitulo Eccleſiæ* Landavenſis *prædictam Villam de* Doneſtowe; *tenend. ſibi & ſucceſſoribus ſuis in liberam, puram & perpetuam Eleemoſinam imperpetuum. Propter quod ipſe liberare fecit ſeiſinam prædictæ Villæ prædicto Decano & Capitulo, juxta formam Cartæ prædictæ. Et dicit,* quod ipſe nihil clamat in pꝛædicta villa ratione Cuſtodiæ tempoze vacationis pꝛædicti Epiſcopatus; Immo totum jus ſuum ſi quod habeat vel tempoꝛibus futuris habere contigerit, hoc totum Domino Regi et hæredibus ſuis pꝛo ſe et hæredibus ſuis concedit, relaxat, et quiet. clamat imperpetuum. *Ideo prædictus* Malcolmus *cuſtos habeat Breve,* quod ſeiſire fac. pꝛædictam Willam in manum Domini Regis nomine cuſtodiæ pꝛædict. Epiſcopatus: Et quod Domino Rege de Exitibus et pꝛoficuis inde pꝛovenientibus reſpond. &c. *Et Comes* Glouc. *dicit, quod omnes Terræ & Tenementa infra patriam de* Glamorgan *exiſtentia ſunt de Dominio ſuo; Ita quod* tam cuſtodia Terrarum et Ten. pꝛæd. ad pꝛædictum Epiſcopatum ſpectantium cum pꝛædictam Sedem vacare contigerit, quam aliarum Terrarum quarumcunque in patria illa, cum cuſtodia contigerit earundem, ad ipſum pertinet ratione Dominii ſui in partibus illis, et nullum alium. *Et dicit,* quod omnes Anteceſſoꝛes ſui, a tempoze quo non extat memoꝛia, ſemper habuerunt cuſtodiam pꝛædictarum Terrarum, et Pꝛæbendas pꝛædictæ Eccleſiæ de Landath. Sede vacante, contulerunt; *abſque hoc,* quod Dominus Rex vel ejus Pꝛogenitoꝛes unquam aliquam cuſtodiam pꝛædictarum terrarum habuerunt, ſeu Pꝛæbendas Eccleſiæ pꝛædictæ contulerunt, niſi caſualiter ſic evenifſet tempoꝛibus retroactis, quod ſedes pꝛædicti Epiſcopatus vacaſſet tempoze quo ipſe vel aliquis Anteceſſoꝛum ſuoꝛum Comitum fuit infra ætatem, et in Cuſtodia pꝛogenitoꝛum Domini Regis. *Ita quod ipſi* Pꝛogenitoꝛes habuerunt inde Cuſtodiam ut Cuſtodiam de Cuſtodia ratione minoꝛis ætatis ejus ſeu alicujus Anteceſſoꝛum ſuoꝛum. *Dicit etiam, quod quidam* Richardus de Clare *quondam Comes* Glouc. *pater ſuus, cujus hæres ipſe eſt, fuit in ſeiſina de prædicta cuſtodia prædict. Maneriorum tempore vacationis prædictæ ſedis nuper præteritæ; & quod ipſe poſt mortem ſuam in inſtanti vacationis prædictæ ſedis intravit in cuſtodia prædict. Maneriorum, ut in jure & hæreditate ſua, & de quo jure prædict. pater ſuus obiit ſeiſitus, & non per aliquam occupationem Domino Regi factam. Poſtea apud* Kingeſchipton *die Lunæ prox. poſt feſtum Sancti* Lucæ *Evangeliſtæ anno decimo octavo prædict. Comes* Glouc. & Hertford. reddidit Domino Regi id quod ad ipſum pertinuit de Advocatione et cuſtodia Epiſcopatus pꝛædicti, una cum collationibus Pꝛæbendarum et Dignitatum ejuſdem tempoze vacationis Epiſcopatus illius, ut jus ipſius Domini Regis, pꝛout Scriptum ipſius Com.

quod

An. 18 *E.* 1. quod Domino Regi inde fecit, plenius teſtatur, &c. *Et idem Dominus Rex poſtea de gratia ſua ſpeciali* dedit et conceſſit pro ſe et hæredibus ſuis eidem Comiti et Johannæ uxori ſuæ, kariſſimæ filiæ ipſius Domini Regis, advocationem et cuſtodiam Epiſcopatus prædicti cum pertin. *Habend. & tenend. de ſe & hæredibus ſuis eiſdem Com. & Johannæ*, cum collationibus Præbendar. et Dignitatum Epiſcopatus illius ſingulis temporibus vacationum ejuſdem, ad totam vitam utriuſque eorum Com. et Johannæ. Ita quod poſt deceſſum ipſorum Com. et Johannæ, Advocatio et Cuſtodia Epiſcopatus prædicti, una cum Collationibus Præbendarum et Dignitatum ejuſdem temporibus vacationis Epiſcopatus illius, ad ipſum Regem et hæredes ſuos integre revertentur quieta de hæredum eorundem Com. et Johannæ imperpetuum; Salva Domino Regi et hæredibus ſuis in ſingulis vacationibus Epiſcopatus prædict. Fidelitate ipſius qui in Epiſcopum ejuſdem loci contigerit confirmari, *prout carta ipſius Domini Regis eiſdem Com. & Johannæ inde facta plenius teſtatur.*

This caſe I finde more fully preſſed and expreſſed on the Kings behalf in the Patent Roll of this year.

Pat. 18 E. 1. m. 2. intus Cedula.

* A ſtrong Argument againſt Oral Traditions & their certainty.

UNiverſis Chriſti fidelibus, &c. *Edwardus* Dei gratia Rex *Angliæ*, &c. ſalutem. * Memoriæ hominum labili adeo fallax inſidiatur oblivio, ut ea quæ modernis temporibus plana ſint et aperta, tractu temporis obſcura erunt et incerta niſi ſcriptore teſtimonio faſciantur. Et ob hoc prohibide decrevit legum authoritas ſententias diffinitivas in ſcriptis proferri, ne ea quæ juris tramite ordinata ſunt et recte diſpoſita proceſſu temporis in recidivæ contentionis ſcrupulum relabantur. Suborta ſiquidem inter nos ex parte una, et *Gilbertum de Clare* Comitem *Glouc.* & *Hertf.* ex altera, ſuper advocatione Eccleſiæ *Landaven.* et Cuſtodia temporalium prædictæ Eccleſiæ ac collocationibus Dignitatum et Præbendarum in eadem ſede *Landavenſi* vacante materia quæſtionis, Anno Domini MCCXC. in Chraſtino Animarum *apud* Clipſton *pro nobis proponi fecimus*, contra Com. prædictum, quod præfata advocatio Eccleſiæ *Landavenſis*, Cuſtodia Temporalium, et Collationes dignitatum et præbendarum in eadem Eccleſia ſede *Landavenſi* vacante, non ad dictum Com. ſed ad nos et noſtræ Coronæ dignitatem, ſicut in cæteris Eccleſiis Cathedralibus Regni noſtri *Angliæ* de Jure et Regni conſuetudine pertinebant. Et quod progenitores noſtri Reges *Angliæ* qui pro tempore fuerant præmiſſis uti conſueverunt pleno jure, et quod piæ memoriæ *H.* progenitor noſter qui proximo regnavit ante nos, in vacatione prædictæ *Landavenſis* Eccleſiæ per mortem *Helyæ* quondam loci illius Epiſcopi, commiſit Temporalia *Walerando Teutonico* Militi, qui finita adminiſtratione ad Scaccarium præfati Patris noſtri reddidit rationcinia. Et in eadem vacatione contulit unam Præbendam vacantem Magiſtro *Willielmo de Burgo* tunc Theſaur. Warderobæ ſuæ; et aliam Præbendam *Albredo de Feſcampo* tunc Subthef. ejuſdem Warderobæ, et Archidiaconatum *Landaven.* cuidam *Thomæ* tunc Capellano piæ memoriæ *Alienoræ* matris noſtræ. Adjectumque fuerat ex parte noſtra, quod Epiſcopi *Landavenſes* qui pro tempore fuerunt, tenuerant Baroniam ſuam et terras et poſſeſſiones a Progenitoribus noſtris *Angliæ* Regibus, et a nobis, nichilque a Domino Comite ſeu ipſius Progenitoribus. Et quod Eccleſia *Landavenſi* vacante, Canonici ejuſdem non a Comitibus, ſed a Regibus petunt licentiam eligendi: unde pro nobis propoſitum extitit, quod idem *G.* Comes *Glouc.* & *Heref.* in præſenti vacatione ejuſdem Eccleſiæ per mortem bonæ memoriæ *W. de Brewos* nuper *Landavenſis* Epiſcopi præmiſſas cuſtodiam Temporalium, et collationes dignitatum et præbendarum nullo jure utens de facto, cum de jure non poſſet, in injuriam et derogationem Coronæ noſtræ ſibi biciose uſurpavit. Et quia idem Comes habita ſuper hoc deliberatione pleniori, conſitebatur præmiſſa quæ ſibi oppoſita fuerant ex parte noſtra vera eſſe, Advocationemque dictæ Eccleſiæ *Landavenſis*, Cuſtodiam temporalium, et collationes dignitatum et præbendarum, ad noſ et Coronæ noſtræ dignitatem pleno jure pertinere, ut idem Comes præmiſſis Cuſtodia temporalium, et Collationibus dignitatum et præbendarum utatur ſede *Landavenſi* vacante, ad vitam ſuam duntaxat ſibi conceſſimus gratioſe: Ita plane, quod per factum hujuſmodi nobis aut noſtris hæredibus per hæredes ſeu ſucceſſores præfati Comitis ſuper præmiſſis nullum penitus præjudicium generetur. Dat. &c.

Nota.

This

The Charter of the King then made to *Gilbert de Clare* and his Counteſſe, is thus inrolled. *An.* 18 *E.* 1.

REX Archiepiſcopis, &c. ſalutem. Sciatis quod cum nos exigeremus & vendicaremus verſus dilectum & fidelem noſtrum *Gilbertum de Clare* Comitem *Glouceſtr.* & *Hertford.* **advocationem et cuſtodiam Epiſcopatus** *Landavenſis* **cum pertin. una cum collacionibus prædendarum et dignitatum ejuſdem tempore vacacionis Epiſcopatus illius**, & idem Comes nobiſcum ſuper hoc placitare nolens, id quod ad ipſum pertinet de advocacione & cuſtodia Epiſcopatus prædicti, una cum collacionibus præbendarum & dignitatum ejuſdem tempore vacacionis Epiſcopatus illius **Nobis reddidit ut jus noſtrum, prout in ſcripto ejuſdem Comitis nobis inde confecto plenius continetur** Nos eidem Comiti & chariſſimæ filiæ noſtræ *Johanna* uxori ſuæ graciam facere volentes ſpecialem in hac parte, **dedimus et conceſſimus** pro nobis & hæredibus noſtris eidem Comiti & *Johanna* **advocacionem et cuſtodiam Epiſcopatus prædicti, cum pertin.** *Habend. & tenend. de nobis & haredibus noſtris eiſdem Comiti &* Iohannæ, **cum collacionibus prædendarum et dignitatum Epiſcopatus illius ſingulis temporibus bacacionum ejuſdem**, ad totam vitam utriuſque eorundem **Comitis et** *Johannæ*; Ita quod poſt deceſſum ipſorum Comitis & *Johannæ*, **advocatio et cuſtodia Epiſcopatus prædicti, una cum collacionibus prædendarum et dignitatum ejuſdem temporibus bacacionum Epiſcopatus illius ad nos vel hæredibus noſtris integre revertantur** quietæ de hæredibus eorundem Comitis & *Johannæ* imperpetuum. Quare volumus & firmiter præcipimus pro nobis & hæredibus noſtris, quod prædicti Comes & *Johanna* habeant & teneant de nobis & hæredibus noſtris advocacionem & cuſtodiam Epiſcopatus prædicti, cum pertin. **una cum collacionibus prædendarum et dignitatum Epiſcopatus illius ſingulis temporibus bacacionum ejuſdem ad totam vitam utriuſque ipſorum Comitis et** *Johannæ*. Ita quod poſt deceſſum eorundem Comitis & *Iohannæ* advocacio & cuſtodia Epiſcopatus prædicti, una cum **collacionibus prædendarum et dignitatum ejuſdem temporibus bacacionum Epiſcopatus illius ad nos vel hæredes noſtros integre revertantur quietæ de hæredibus eorundem Comitis et** Johannæ **imperpetuum**, ſicut prædictum eſt. Hiis teſtibus Venerabili patre *R. Bathonienſi & Wellenſi* Epiſcopo, *Willielmo de Valencia* avunculo noſtro, *Henr.* de *Lacy* Comite *Linc.* *Johanne de Warenna* Comite *Surr.* *Roberto Tibetot*, *Reginaldo* de *Grey*, *Waltero* de *Bello Campo*, *Petro de Chaumprent*, *Richardo* de *Boſco*, & aliis. Dat. per manum noſtram apud *Kingeſclipſton* ſecundo die *Novembris*. Which the King the next year likewiſe ratified by another Charter almoſt in the ſelf-ſame words, recorded in *Clauſ.* 19 E. 1. m. 1. *Teſte Rege apud* Hereford 2. *die* Novembris.

Rot. Cartarum Anno 18 E. 1. n. 5. Pro Gilberto de Clare Com. Glouc. & Hertf. & Johan. uxore ejus, & Brevia Regis in Tur. London. An. 18 E. 1.

After which, *Placita Parliamenti*, An. 21 E. 1. inform us, That *Comiti* Glouc. *& aliis clamantibus nuper Cuſtodiam quarundam terrarum ad Epiſcopatum* Landaf. *exiſtentium, & infra Dominium ſuum exiſtentium* **tempore vacationis ejuſdem Epiſcopatus ad ſe pertinere, de Communi Conſilio reſponſum fuit; Quod in cuſtodia Epiſcopatuum tempore vacationis earundem, ſeu terrarum aut tenementorum aliquorum ad eoſdem Epiſcopatus pertinentium, licet infra Dominium ſuum extiterunt, nichil clamare potuerunt propter privilegium Regium et Coronæ Dignitatem, ad quam ſpecialiter pertinet Epiſcopatuum vacantium cuſtodia.** And in the Parliament of 22 E. 1. nu. 3. upon the Petition of the Biſhop Elect of *Landaff* to the King, the Earl of *Glouceſter* and *Hertford*; upon ſhewing this grant to him and his Wife, reſtored the Temporalties of the Biſhoprick he had ſeiſed to the Biſhop, by the Kings command.

* See Ryley p. 120, 203.

In the ſame Parliament of 18 E. 1. there were Proclamations made, and Writs iſſued to ſundry Sheriffs, againſt the Popes proviſions and appropriations of the Prebendaries of *Naſſinton* and *Fenton* to two Churches and Cardinals in *Rome*, in derogation of the Kings prerogative and diſheriſon of his Crown, and that none by vertue of the Popes proviſions ſhould invade or take poſſeſſion of, or be inſtalled in, or receive the fruits thereof, or money for them, without the Kings ſpecial command, under pain of forfeiting his eſtate, and impriſonment of his body during the Kings pleaſure;

An. 18 *E.* 1. ſure; who commanded all the Lands and Tenements belonging to them, to be ſeiſed into his own hands: he having * *formerly* iſſued out *Writs* to the like effect.

* Clauſ. 17 E. 1. m. 7 dorſo. Here, p 389.

* Placita Parl. Anno 18 E. 1. See Ryley, p 43. De Proviſionibus Præbend. de Naſſington & de Fenton.

* *Memorand.* quod cum quædam Proviſiones factæ ſunt ſuper Præbenda de Naſſyngton in Eccleſia de Lincoln. appropianda Baſilicæ Principum Apoſtolorum de Urbe, et Præbenda de Fenton in Eccleſia Eborum appropianda Hoſpitali Sancti Spiritus de Urbe, in exhæredationem Domini Regis manifeſtam, quod Dominus Rex præcepit Vicecom. Lincoln. Norht. et Eborum, et etiam mandavit Cuſtodi Civitatis London. quod proclamari faciat publice, ne quis poſſeſſionem prædict. Præbendarum ingrediatur, ipſo Domino Rege inconſulto, aut Stallum in Choris Eccleſiarum prædictarum occaſione prædictarum Præbendarum occupet vel indadat quoquo modo; aut fructus earundem Præbendarum, ſeu pecuniam occaſione fructuum eorundem recipiat, per ſe vel per alium, ſine mandato Domini Regis ſpeciali, * pœna incurſionis rerum et corporum incarcerationis ad voluntatem Domini Regis; Dominus etiam Rex præcepit Vicecom. prædict. quod omnes Terras et Tenementa ad prædictas Præbendas pertinentia in Comitatibus ſuis capiant in manum ſuam, ita quod nullus ad ea manum apponat, donec Dominus Rex aliud inde præceperit.

* ſub

After which, he iſſued this Writ for committing the Cuſtodie of the Prebendary of *Naſſinton* to the Biſhop of *Lincoln*, with a command to him not to permit any *Roman* to enter into it, under pain of forfeiting his Barony.

Clauſ. 18 E 1. m. 4. intus. De Præbenda de Naſſinton.

CUM Rex nuper quibuſdam certis de cauſis præceperit Vic. *Norht.* quod Præbendam de *Naſſynton*, quæ eſt præbenda *Lincoln.* Eccleſiæ, cum bladis et omnibus aliis fructibus et bonis ejuſdem Præbendæ caperet in manum Regis, et ea ſalvo cuſtodiret, donec Rex aliud inde præcepiſſet. Et jam vult Rex, quod Venerabilis pater *O. Lincoln.* Epiſcopus Cuſtodiam prædictam habeat ſub certa forma. Mandatum eſt eidem Vic. quod prædictam Præbendam, cum bladis & omnibus aliis fructibus ejuſdem Præbendæ, præfato Epiſcopo ſine dilatione liberet cuſtodiend. ſicut prædictum eſt. Et hoc nullatenus omittat. Teſte Rege apud *Rufford.* 18 die *Septembris.*

Et memorandum, quod Rex commiſit eidem Epiſcopo Cuſtodiam prædictam ſub forisfactura Baroniæ ſuæ: Ita quod idem Epiſcopus non permittet aliquem *Romanum* ingredi eandem Præbendam ſine licentia Regis, et quod per hoc eidem Domino Regi vel Magiſtro *Johanni de Lacy* Præbendario Præbendæ prædictæ qui Regis inſiſtit obſequiis præjudicium non generetur ſub forisfactura prædicta.

Nicholas a Cardinal Deacon of St. *Maries* of the *Porch* in *Rome* having the year before obtained from Pope *Nicholas* a new unheard-of Proviſion, by his Papal authority to unite and appropriate theſe two Prebendaries of *Naſſyngton* and *Fenton* to two Churches in *Rome*, and endeavouring to get the actual poſſeſſion of them by the Popes Bulls and proceſſe publiſhed in the Realm, to the diminution of Gods ſervice and the Almes of the Poor, againſt the piety and intention of their Founders, the manifeſt diſheriſon of the King and his heirs, the dangerous conſequence of ſuch ill preſidents to draw on the like, whereby the Churches ſhould be left deſtitute of Miniſters, maintenance, and Divine ſervice; their Revenues being aſſigned to forreign uſes, to Gods high diſpleaſure, who would not have one Church and Altar robbed, to enrich or increaſe the ſervices of another. The King and his Nobles in this Parliament, beſides the * premiſed Prohibitions and Proclamations againſt this Innovation and Uſurpation, writ and ſent theſe memorable Letters to the Pope and all his Cardinals in general, and to this Cardinal in particular, to recall and reform this unheard-of Proviſion and abuſe, which by their reſpective Oathes they were obliged to oppoſe, and could not permit or connive at: worthy ſpecial obſervation, being recorded for perpetual memory.

* See here, p. 389.

Clauſ 18 E 1. m. 10. dorſo. Literæ directæ Papæ & Cardinalibus, pro Præbenda de Naſſinton in Eccleſia Linc. & alia Præbenda in Eccleſia Ebor.

SAnctiſſimo in Chriſto Patri Domino *Nicholao*, Divina providentia Summo Pontifici, ſuus devotus filius *E.* eadem gratia Rex *Anglia*, Dominus *Hybernia*, &

& Dux *Aquitaniæ* ſalutem, & devota pedum oſcula beatorum. Conſiderantes propenſius, & ante mentis noſtræ oculos reducentes, illum piæ paternitatis veſtræ affectum quem ad honoris noſtri et Regni augmentum et quodam ſpeciali favore jugiter direxiſtis, nequibimus animo comprehendere, nec credimus utique quod a tam Sancti Patris conſcientia proceſſerint collationes et executiones nonnullæ nuper in Regni noſtri partibus authoritate Apoſtolica, ut aſſeritur, publicatæ; Fertur liquidem, quod impetrante venerabili Patre Domino *N.* Dei gratia Sanctæ *Mariæ* in *Porticu* Diacono Cardinali unam Prædendam in *Ebor.* et aliam in *Lincoln.* Eccleſiis Hoſpit. *Sancti Spiritus* de *Saxia* de *Urbe*, & Baſilicæ Sancti *Petri*, ſedes Apoſtolica diſtincte conferendo approprians, ſuper nanciſcenda poſſeſſione Prædendarum ipſarum executiones miſit graviſſimas, et apud noſtros regnicolas hactenus inauditas. Quæ profecto ſi ſortirentur effectum, divini cultus diminutionem periculoſe ingererent, primitivorum donatorum voluntates propulſa pietate mutarent, ſolitas Eleëmoſynas Regni pauperibus ſubtraherent, ac in noſtrum et hæredum noſtrorum exhæredationem manifeſtam cederent, necnon in perniciioſum exemplum in futurum tranſirent, dum * hæ alienationes perpetuæ adjicerent ſimiles, per quas poſt tempora brevis curſum Regni noſtri deformarentur Eccleſiæ, et ceſſantibus ſtipendiis redderentur Miniſtrorum obſequio deſtitutæ, ipſarum prohibentibus alienis utilitatibus aſſignatis. Quod gratum Altiſſimo noſtro judicio non videtur, qui cultum ſui nominis ſic ampliari deſiderat, quod ob ditationem unius Altaris aliud minime ſpolietur. Sanctæ Paternitati veſtræ igitur prona inſtantia ſupplicamus, quatinus præmiſſa circumſpectione paterna æquius decernentes, circa ea velitis zelo propitio congruum et ſalubre remedium adhibere: tepeſcere namque non poſſumus quin exhæredationem noſtram, quæ ſtatum Coronæ noſtræ contingit, ſicut et Sacramenti noſtri vinculo aſtringimur, pro viribus evitemus. Paternitatis veſtræ beneplacitum per exhibitorem præſentium reſcribi poſcimus ſuper iſtis. Conſervet vos, &c. *An.* 18 E. 1. * *Nota.*

The Earls, Barons, and Nobles Letter to the Pope thus followes, to the ſame effect with the Kings.

SAnctiſſimo in Chriſto Patri Domino *Nicholao*, Divina providentia Summo Pontifici, Devoti filii *Edmundus* Illuſtris Regis *Angliæ* natus, *Willielmus de Valentia* Comes *Penbrock*, *Edmundus* Comes *Cornubiæ*, *Gilbertus de Clare* Comes *Glouc.* & *Hertf.* *Johannes de Warenna* Comes *Surr.* *Henr. de Lacy* Comes *Linc.* *Humfr. de Bohun* Comes *Heref.* & *Eſſex*, *Johannes de Haſtinges*, *Richardus* filius *Johannis*, *Johannes de* Sancto *Johanne*, *Willielmus de Brewoſe*, *Willielmus le Latimer*, *Rogerus de Monte alto*, & *Walterus de Huntercumb*, Barones, et *totius Regni *Angliæ* Comites, Barones et Proceres ſalutem, et devota pedum, &c. Penſata paternali affectione ac pio regimine quibus ſedes Apoſtolica priſcis temporibus Eccleſiam rexit *Anglicanam*, et Regnicolas *Angliæ* fervida nutrivit devotione, animo comprehendere nequibimus, nec credere volumus, quod a tam Sancti Patris conſcientia proceſſerint collationes et executiones nonnullæ nuper in *Anglicanis* partibus, authoritate Apoſtolica, ut aſſeritur, publicatæ. Fertur liquidem quod impetrante Venerabili Patre Domino *Matthæo* Sanctæ *Mariæ* in *Porticu* Diacono Cardinali, unam Præbendam in *Ebor.* & aliam in *Linc.* Eccleſiis Sancti *Spiritus* de *Saxia* de *Urbe*, & Baſilicæ Sancti *Petri*, ſedes Apoſtolica prædicta diſtincte conferendo approprians, ſuper nanciſcenda poſſeſſione Prædendarum ipſarum, executiones miſit graviſſimas et apud nos hactenus inauditas; quæ profecto ſi ſortirentur effectum, divini cultus diminutionem periculoſe ingererent, *&c.* (*verbatim*, as in the Kings precedent Letter to the Pope.) Sanctæ igitur veſtræ Paternitati prona inſtantia ſupplicamus, quatinus præmiſſa circumſpectione paterna æquius diſcernentes, circa ea velitis zelo propitio congruum et ſalubre remedium adhibere, ad honorem Dei, ſublimationem Regni *Angliæ*, Regiæque Coronæ, quibus obſervandis aſtringimur Juramento, quod veſtro patrocinio pie petimus obſervari in noſtræ fomentum devotionis, ne Eleëmoſynæ ab Anteceſſoribus noſtris *Anglicanis* collatæ Eccleſiis inde ſubtractæ, ad alios transferantur. Clauſ. 18 E. 2. m. 10. dorſo. * *Nota.*

The Kings Letters to the Cardinal who procured theſe new Proviſions and appro-

An. 18 *E.* 1. priations in particular, and to the whole Colledge of Cardinals in general, is thus recorded to perpetual memory in the Clauſe Rolls.

Clauſ. 18 E. 1. m. 10 dorſo. VEnerabili in Chriſto Patri *N.* Dei gratiâ Sanctæ *Mariæ* in *Porticu* Diacono Cardinali. *E.* Dei gratiâ ſalutem, & ſinceræ dilectionis augmentum. Epiſtola veſtra nuperrime nobis directa inter cætera continebat, quod Clerici noſtri Magiſter *J.* de *Laſci*, & *W. de Pickering*, diſpares vobis in veſtra amicitia veſtriſque obſequiis extiterant. Hoc proculdubio verum eſſe fatemur. Immo nec eorum obſequium pro nobis hactenus factum nec impoſterum faciendum veſtræ amicitiæ nobis gratæ aliqualiter comparamus, quam amicitiam noſtris temporibus non ſolum perſeveranter continuari, & continuis incrementis cupimus augmentari, et in hiis quæ vobis cedere poterunt in honorem ſine Coronæ noſtræ læſione favorem vobis Regium impertiri. Prohibitiones tamen vobis factæ de Præbendis *Ebor.* et *Linc.* manifeſta cederent in noſtram exhæredationem, Coronæ noſtræ Regiæ læſionem, et ſcandalum populi, ſi optatum a vobis ſortirentur effectum. Idcirco nos, qui ad conſervationem ſtatus Coronæ noſtræ aſtringimur Juramento, quantumcunque honorem veſtrum et commodum optemus, ipſas Prohibitiones non poſſumus nec volumus ſuſtinere; Set * nec Proceres et Magnates Regni noſtri ipſas æquanimiter permitterent, etiamſi vellemus. Quod inſuper Nuncios veſtros recommendaſtis veſtræ innoteſcat paternitati, quod non ſolum illi ſet etiam omnes veſtris negotiis in Regno noſtro Deo propitio erunt tuti. Conſervet, &c.

* *Nota.*

Ibidem. AMabilium Deo Patrum, Sacroſanctæ *Romanæ* Eccleſiæ Cardinalium Cœtui Venerando, *Edwardus*, *&c.* Salutem & ad beneplacita ſingulorum & omnium paratiſſimam voluntatem. Conſiderantes propenſius, & ante mentis noſtræ oculos reducentes ſincerum affectum, quem ad honorem noſtri & Regni noſtri augmentum jugiter direxiſtis, nequimus animo comprehendere, nec credimus utique quod de Conſcientia tam Sancti Collegii proceſſerint Collationes et Executiones nonnullæ nuper in Regni noſtri partibus authoritate Sedis Apoſtolicæ, ut aſſeritur, publicatæ. Fertur ſiquidem, quod impetrante Venerabili patre Domino *N.* Dei gratia Sanctæ *Mariæ* in *Porticu* Diacono Cardinali, unam Præbendam in *Ebor.* et aliam in *Linc.* Eccleſiis Hoſpit. *Sancti Spiritus* in *Saxia* de *Urbe*, et Baſilicæ *Sancti Petri* dictas ſedes diſtincte conferendo approprians, ſuper nanciſcenda poſſeſſione præbendarum ipſarum, executiones miſit graviſſimas et apud noſtros Regnicolas hactenus inauditas: Quæ profecto, ſi ſortirentur effectum, divini cultus diminutionem periculoſe ingererent, *&c.* (*verbatim* as in the precedent Letter to the Pope.) Benevolentiam veſtram igitur ex mutua confidentia, requirimus et rogamus attente, quatinus præmiſſa circumſpectione probida æquius diſcernentes, circa ea velitis zelo propitio congruum et ſalubre remedium procurare, tepeſcere namque non poſſumus, quin exhæredationem noſtram quæ ſtatum Coronæ noſtræ contingit, ſicut ex Sacramenti vinculo aſtringimur, pro viribus obviemus. Diſcretionis veſtræ beneplacitum per exhibitorem præſentium reſcribi poſcimus. Conſervet vos, &c.

It ſeems theſe Prohibitions and reſolute Letters prevented theſe and all ſuch like Proviſions and appropriations for the future, which the Pope and Cardinals could no wayes juſtifie nor excuſe.

In a Bundle of Writs, Anno 17 & 18 E. 1. in the White Tower Chapel, I found this Letter of *Vezano* the Popes Nuntio, to Pope *Nicholas* the 4. who by his Bulls authorized and commanded him to proceed in an Appeal to him and the Court of *Rome*, at the proſecution of the Nephew of Pope *Innocent* the 4th. Rector of the Church of *Hugnate* within the Dioceſſe of *Yorke*, grounded upon a contract for Debt belonging to the Kings Courts, contrary to the Kings Prohibitions to him; which the Kings Judges, together with the King, his Counſil, and Nobles, upon ſerious conſultation, refuſed notwithſtanding his importunitie to permit him to proceed in, as being againſt the Kings Crown and Dignity; whereupon he ſent back his Bull to the Pope, as his Letter to him more at large relates.

Sanctiſſimo

An. 18 E. 1.

Brevia Regis An. 17 & 18 E. 1. in Turre London.

SAnctiſſimo Patri Domino *N.* Divina providentia Summo Pontifici, *Giſſredus de Vezano* Cameræ ſuæ humilis Clericus, pedum oſcula beatorum. Sanctitati veſtræ remitto literas Apoſtolicas quæ ſic incipiunt. — NICHOLAUS *Epiſcopus Servus ſervorum Dei, dilecto filio Magiſtro* Gifredo de Vezano *Canonico Cameracen. Cameræ noſtræ Clerico*, **Apoſtolicæ ſedis Nuntio, in Anglia commorauti**, *ſalutem & Apoſtolicam benedictionem. Sua nobis* Albertus Arcilis, **Nepos felicis recordationis** Innocentii **Papæ quarti Prædeceſſoris noſtri**, *Rector Eccleſiæ de* Hugnate Eboracenſis *Dioceſis, petitione monſtravit, &c. Et ſic finiunt. Datum* Romæ *apud Sanctam* Mariam *majorem*, 15 *Kal.* Aprilis, *Pontificatus noſtri anno ſecundo.* — Quas, poſtquam habueram reſponſum a **Juſticiariis Illuſtris** Domini **Regis** *Angliæ*, quod reſpondere nolebant mihi ſine **Rege**, utrum **Prohibitiones Regiæ** mihi præſentatæ locum habere deberent, vel poſſem procedere eis non obſtantibus, retinueram oſtendendas ipſi **Domino Regi**, ut videre poſſet, quod de cognitione cauſæ appellationis, contentæ in eiſdem Apoſtolicis literis, per ſe vel ſuos ſe intromittere non debebat; et pateretur, quod, non obſtantibus dictis **Prohibitionibus** ſine ejus offenſa poſſem mandatum Apoſtolicum adimplere. Supplicans flexis genibus, ne ad inobedientiam vel infidelitatem ſervi Dominus imputet, ſi mandatum contentum in ipſis **Apoſtolicis** literis efficaciter non implevi, quia ipſi **Domino Regi** præfatas **Apoſtolicas**, et prohibitiones ex parte ſua, mihi præſentatas, tradidi; et ei ſuper ipſo negotio expoſui diligenter, quæ exponenda vidi; requirendo et ſupplicando, quod ſuper hoc providere vellet, quod ejus et Eccleſiæ Romanæ deceret honorem. **Tandem idem Dominus Rex**, habita deliberatione, ſuper ipſis Apoſtolicis literis et **Prohibitionibus**, cum * **Conſilio ſuo**, in quo fuerunt plures **Comites, Barones et Prælati**, vocari me fecit et reſponderi in ejus et dicti **Concilii** præſentia: **Quod cognitio contractus de Debito**, (de quo fit mentio in Apoſtolico reſcripto) **de antiqua et approbata conſuetudine ſpectabat ad Coronam et Dignitatem Regiam**, et ipſe et ſui **Anteceſſores** uſi fuerant cognitione hujuſmodi contractuum. Et ex quo præfatus contractus erat fundamentum negotii, ne per hujuſmodi appellationes jure **Regio** defraudari poſſet, quod procederem in ipſo negotio ſuſtinere nolebat; aſſerendo, quod ſi etiam ipſe vellet, * **Barones nullo modo ſuſtinerent**, quod **Prohibitiones** (**Regiæ**) locum in hoc et aliis ſimilibus non haberent. Datum *London.* ſeptimo Kal. *Februarii.* Anno Dom. 1289.

* *Nota.*

* *Nota.*

A moſt pregnant Teſtimony of the Popes own Nuncio to the Pope himſelf, both of the Kings, his Juſtices, Counſils, Barons, Nobles care, vigilancie, ſtrenuous oppoſition, and deliberate, peremptory reſolution againſt this new Papal encroachment by Appeals, upon the antient rights and prerogatives of his Crown and Courts.

As the King was thus carefull to defend the rights of his Crown and Courts againſt the Popes, ſo likewiſe againſt his own Prelates and their Officials uſurpations in their Eccleſiaſtical Courts; witneſs theſe Writs of Attornie, to proſecute perſons for ſuing in Court Chriſtian againſt the Kings prohibition, for goods and Debts, not of Teſtament or Marriage.

Brevia Regis An. 17 E. in Turre London.

E*Dwardus*, &c. Dedimus vobis poteſtatem recipiendi Attornatos *Remundi* Vicarii Eccleſiæ de *Lannoban.* quos coram vobis loco ſuo attornare voluerit, ad lucrandum vel perdendum in loquela quæ eſt coram Juſticiariis noſtris de Banco per Breve noſtrum inter *Ricardum de Strengelleſt* & prætatum *Remundum* de eo, quod idem *Remundus* **ſecutus eſt placitum in Curia Chriſtianitatis de Catallis et Debitis** quæ non ſunt **de Teſtamento vel Matrimonio contra Prohibitionem noſtram.** Et ideo, &c. Teſte *Edmundo* Com. *Cornub.* Conſanguineo noſtro apud *Weſtm.* x. die *Decemb.* Anno Regni noſtri Decimo ſeptimo.

In another Bundle of Writs to make Attornies, *Anno* 18 *E.* 1. in the Tower, I finde three Writs to proſecute Suits before the Kings Juſtices *de Banco*: The firſt, * *inter* Thomam le Venour *de* Settewell, & Simonem Meone, **de eo quod idem** Simon **ſecutus eſt placitum in Curia Chriſtianitatis de Catallis et Debitis, quæ non ſunt de Teſtamento vel Matrimonio.** *Teſte meipſo apud* Melburne 12 *die* Januarii, *anno regni noſtri* 18.

* Brevia Regis Anno 18 E. 1. in Turre London.

An. 18 *E.* 1.

The ſecond, and third, *inter* Willielmum de Heyvile, & *Magiſtrum* Adam de Boudon, **quia idem** Adam **tenuit tale placitum in Curia Chriſtianitatis**, &c. *Teſte Rege apud* Turrim London. 16 *die* Junii, *Anno* 17. & 21 *die* Octobris *Anno* 18. And the like Writ of Attorney iſſued for * *Henry de Punce* proſecuted before the Kings Juſtices at *Weſtm.* by *John de Gras*, **quod idem** Henricus **ſecutus eſt placitum in Curia Chriſtianitatis de Catallis et Debitis, quæ non ſunt de Teſtamento vel Patrimonio, contra Prohibitionem noſtram.** *Teſte meipſo apud* Briſtol. 26. *die* Decembris. *Anno regni noſtri* 13. there uſually omitted.

* Bundela Brevium An. 13 E. 1. in Turre London.

In two other parcels of Writs in the *White Tower*, Anno 18 E. 1. there are theſe Writs.

Brevia Regis An. 18 E. 1. in Turri London.

EDwardus, *&c. Vic.* Canc. *&c. Si* Benedictus Kyld *pone*, &c. *fratrem* Thomam *Priorem de* Roſs, *quod ſit coram Juſticiariis noſtris apud* Weſtm. *à die Sancti* Johannis Baptiſtæ *in Quindecim dies, oſtenſurus*, **quare tenuit placitum in Curia Chriſtianitatis de Catallis et Debitis, quæ non ſunt de Teſtamento vel Patrimonio, contra Prohibitionem noſtram.** *Pone etiam per vadium & ſalvos plegios Magiſtrum* Ricardum de Nedham *perſonam Eccleſiæ de* Northflete, *quod tunc ſit ibi, oſtenſurus*, **quare ſecutus eſt idem placitum in eadem Curia, contra Prohibitionem noſtram**, *&c. Teſte meipſo apud* Weſtm. 18 *die* Junii, *anno regni noſtri* 18. The like Writ iſſued at the Kings Suit, *Vic.* Surr. *verſus* Petrum *de Sancto* Mario, & Willielmum de Sardinia, **quare tenuerunt placitum in Curia Chriſtianitatis de Catallis et Debitis** *Decan. & Capit. beati* Petri Exon. *&c. Teſte, &c. apud* Wynton. 20 *die* Aprilis, *anno regni noſtri* 18.

To which I ſhall ſubjoyn this Prohibition, which I found in another Bundle of Writs, Petitions, and Privy Seals, Annis 17 & 18 E. 1. in the *White Tower* Chappel, wherein are extant not only the Original Writs for the elections of 2. or 3. Knights for every County to ſerve in Parliament, with the names of the Knights elected, and their Manucaptors endorſed on them, (the firſt of this kinde I have yet diſcovered) but likewiſe this Writ to the Official of the Archbiſhop of *Yorke*, for ſuing ſeveral perſons *ex officio mero & promota* to excommunicate them for raſhly laying ſacrilegious hands upon *William of Derlington* a Clerk, againſt the Canonical Sanctions, upon theſe enſuing Articles.

Bundela Brevium 17 & 18 E. 1. in Turre London.

Nos Officialis Curiæ Eborum. *ex* **noſtro Officio** *objicimus tibi* Roberto de Clyff *manenti in* Thornton, *quod* **in ſententiam Excommunicationis a Canone latam incidiſti; pro eo, quod manus ſacrilegas in Dominum** Willielmum de Derlington *Capellanum* **temere injeciſti.** *Quod ita notorium eſt in partibus de* Thorneton, *& ita divulgatum, quod nulla poſſit tergiverſatione celari; Unde intendimus* **ob ſalutem Animæ tuæ te corrigere in præmiſſis, quatenus * Canonicæ Sanctiones permittunt et facere ſuadent in hac parte.** *Salva nobis in omnibus juris beneficio.*

* Synodus Exonienſis, An. 1287 & others Spelmanni Concil. Tom. 2. p. 383, 428, 310, 311

Nos Offic. Curiæ Eborum ex **officio noſtro** *objicimus vobis* Aſcino Grot, Aſchino Mareſcallo, Roberto Fyke, Thomæ de Clyff, *manentibus in* Thorneton, *quod* **in ſententiam Excommunicationis a Canone latam incidiſtis; pro eo, quod manus ſacrilegas in Dominum** Willielmum de Derlington *Capellanum* **temere injeciſtis**, *&c. ut ſupra. Unde intendimus*, **ob ſalutem Animarum veſtrarum, vos corrigere in præmiſſis, quatenus Canonicæ Sanctiones permittunt et facere ſuadent in hac parte.** *Salvo nobis in omnibus juris beneficio.*

Nos Offic. Curiæ Eborum. ex **noſtro officio** *objicimus tibi* Willielmo de Wagelbardby, quod **in ſententiam Excommunicationis a Canone latam incidiſti; pro eo, quod manus ſacrilegas in Dominum** Willielmum de Derlington *Capellanum* **temere injeciſti**; *Quod ita notorium eſt, &c. (ut in primo articulo ſupradicto.)*

In Dei nomine Amen. Dico & in jure propono coram vobis Domine Officiali Curiæ Eborum, *ſeu veſtro Commiſſario quocunque, ego* Willielmus de Derlington *Capellanus, contra* Petrum *dictum* Skat, *& contra quemlibet legitimè intervenientem pro eodem*; *Quod dictus* Petrus, **Dei timore pariter et humano pudore præſus abjectis, manus ſacrilegas in me temere injecit, in Animæ ſuæ periculum, et mei præjudi-**

cium

cium non modicum et gravamen, ac ſcandalum plurimorum; et ſic in ſententiam Excommunicationis majoris a Canone latam, ipſo facto, damnabiliter incidebat. *Quare peto (probatis de jure probandis)* dictum Petrum in Excommunicationis ſententiam ſic incidiſſe, per vos pronunciari, ac publice excommunicatum denunciari, quouſque beneficium Abſolutionis in forma juris meruerit obtinere. *Hæc dico, propono & peto,* dividim ſeu conjunctim, prout mihi melius videbitur expedire. *Artans me ad ea dumtaxat probanda, quæ mihi ſufficient in hoc caſu ad victoriam obtinendam: Salvo mihi in omnibus juris beneficio.* *An.* 18 E. 1.

Theſe ſuits thus proſecuted on theſe Articles for this Treſpaſſe, properly belonging to the Kings Crown and Temporal Courts, before * *Articuli Cleri*, only *pro ſalute animæ*, procured this memorable Prohibition thereupon. * An. 9 E. 2. c. 4 See Cooks 2 Inſtit. p. 490.

EDWARDUS Dei Gratia Rex *Angliæ*, &c. Officiali Archiepiſcopi *Eborum*, & ejus Commiſſar. ſalutem. Cum placita de tranſgreſſionibus, contra pacem noſtram factis, in Regno noſtro, ad Coronam et Dignitatem noſtram ſpecialiter pertineant, ac *Willielmus de Derlington*, *Willielmum de Wigarby*, *Robertum de Clyffe*, *Thomam* filium *Roberti*, *Robertum Fykedun*, *Aſcinum Grot*, *Aſcinum le Mareſcal*, & *Petrum Skat* Laicos, ſuper hujuſmodi tranſgreſſionibus, trahat in placitum coram vobis in Curia Chriſtianitatis; in læſionem Coronæ et Dignitatis noſtræ, et grave dampnum ipſorum *Willielmi de Wggewardby*, *Roberti*, *Thomæ*, *Roberti*, *Aſcini*, *Aſcimi* & *Petri Skat*, *ut ex querela ſua accepimus*; Vobis prohibemus, ne placitum illud teneatis in Curia Chriſtianitatis; maxime cum hujuſmodi placita ad nos et non ad alium pertineant in Regno noſtro, ac nos ſuper hiis et aliis quarum cognitio ad nos pertinet parati ſumus eidem *Willielmo de Derlington* et aliis quibuſcunque in Curia noſtra plenam et celerem juſtitiam exhibere. Teſte meipſo apud *Weſtm.* 28. die *Januarii*. Anno Regni noſtri Decimo octavo. Ibidem.

That neither the Popes Bulls, Proviſions or awards, nor Archbiſhop of *Canterburies* Ordinances concerning the erection or diviſion of Prebendaries in *England*, were of any validity in Law in that age, without the Kings Royal aſſent and confirmation under his Great Seal; and how the Archbiſhop did and might deprive the Popes own Chaplains of Churches in *England*, theſe Records will inform us.

REX omnibus, &c. ſalutem. Inſpeximus literas patentes venerabilis patris *J. Cantuarienſis* Archiepiſcopi, totius *Angliæ* Primatis, factas ſuper Præpoſitura & Præbendis in Eccleſia de *Wengham*, per ipſum Archiepiſcopum ordinatis & diſtinctis, in hæc verba. *Univerſis ſanctæ matris Eccleſiæ filiis ad quorum noticiam præſens ſcriptura pervenerit, Frater* Johannes *permiſſione divina* Cantuarienſis *Archiepiſcopus, totius* Angliæ *Primas, ſalutem in Domino ſempiternam.* Exorta dudum in Romana Curia ſuper Eccleſia de Wengham noſtræ Dioc. materia quæſtionis, inter Dominum Tediſium de Camilia Domini Papæ Capellanum, *ex parte una*, et nos, ac quoſdam Clericos noſtros quibus dictam Eccleſiam cum ſuis Capellis poſt privationem de prædicto Tediſio canonice per nos factam contuleramus, *ex altera*, eadem cauſa ibidem aliquandiu agitata, tandem interveniente aſſenſu et auctoritate Sanctiſſimi patris Domini Honorii Papæ quarti; *Reverendus pater Dominus* Bernardus Portuenſis *Epiſcopus*, *Sanctæ* Romanæ *Eccleſiæ Cardinalis*, *cujus arbitratui*, diſpoſitioni, *dicto*, *laudo*, *diffinitioni & decreto altè & baſſè tam dictus* Tediſius *pro ſe*, *quàm diſcretus vir Magiſter* Willielmus de Marduna *Juris Civilis profeſſor*, *noſter & prædictorum Clericorum in hac parte ſpecialis Procurator*, *habens ad hoc mandata ſufficientia ſe ſubmittere curaverunt*, *pretactæ liti & contentioni pacificum finem imponens*, recepta prius ipſius Tediſii ceſſione et renunciatione de præfata Eccleſia de Wengham et pertin. ſuis, ac etiam omni jure et actione ſibi competentibus et competituris quomodolibet in eiſdem auctoritate Apoſtolica ſuper hoc ſibi commiſſa, *inter alia diſpoſuit*, *ſtatuit & decrevit Eccleſiam de* Wengham *de Præpoſito & decem Canonicorum ſecularium collegio per* Cantuarienſem *Archiepiſcopum tanquam ejuſdem patronum Eccleſia ordinandam*, *& ipſius proventus in Præpoſituram & certas ac diſtinctas Prabendas pront facultates ſuppeterent dividendos*, juxta conceſſionem et Pat. 18 E. 1. m. 26. De ordinacione & diviſione Præpoſituræ & Præbendarum in Eccleſia de Wengham.

An. 18 *E.* 1 et auctoritatem felicis recordationis Domini Gregorii Papæ decimi, ſuper hoc procurante bonæ memoriæ Roberto prædeceſſore noſtro Archiepiſcopo Cantuarienſi commiſſam, ſicut in litera Apoſtolica ſuper hoc confecta plenius dinoſcitur pertinere. *Advertentes itaque ordinacionem & diffinicionem dicti Domini Cardinalis in* divini cultus augmentum cedere et proſperiorem dictæ Eccleſiæ ſtatum, *cupientesq; eam prout decet effectu proſequendo complere*, juxta beneplacitum Sancti patris Domini Honorii prædicti ratificantis et confirmantis, et certa ſcientia tam conceſſionem et ordinationem Domini Gregorii, quam etiam decretum prædicti Domini Portuenſis, ad Dei gloriam, et honorem, Apoſtolica auctoritate prædicta, *ſtatuimus, ordinamus, inſtituimus, & perpetuo ſtabilimus in Eccleſia de* Wengham, unam Præpoſituram et Canonicatus cum ſuis Præbendis, quas noſtræ collationi et ſucceſſorum noſtrorum, ſalvo ſemper pro ſuo tempore jure Regio, ſpecialiter reſervamus. *Quas quidem Præpoſituram & Præbendas in eiſdem porcionibus & proventibus conſiſtere volumus quibus ipſas ſingillatim expreſſimus in ordinacione quam ſuper diviſione proventuum & facultatum Eccleſiæ prædictæ & Capellarum ad ipſam ſpectantium, ac etiam informatione ipſius Collegii & Miniſtrorum Eccleſiæ lacius prout expedit pertractamus. Ipſas autem ſex Præbendas hiis propriis duximus exprimendas vocabulis*, Chilton, Peddingge, Tineham, Bonigton, Rettlinge, Wymelingeweld: *Quarum duæ primæ ſunt* Presbyterales, *duæ ſecundæ* Diaconales, *& duæ ultimæ* Subdiaconales, ſicut in prætacta litera Domini Papæ Gregorii continetur. *Omnibus itaque dicto Collegio & huic ſacræ inſtitutioni pacem & unitatem ſervantibus ſit pax & gloria à Domino Jeſu Chriſto. Acta & data apud* Suthmalling. 12 *Kal.* Marcii, *Anno Domini* 1286. *Ordinationis noſtræ nono.* Nos autem prædictas ordinationem et diviſionem Præpoſituræ et Præbendarum prædictarum ratas habentes et gratas, eas pro nobis et hæredibus noſtris concedimus et confirmamus, ſicut literæ prædictæ rationabiliter teſtantur. In cujus, &c. Teſte Rege apud *Weſtm.* ſeptimo die *Junii, anno regni noſtri* 18.

Ibidem. REX omnibus, &c. ſalutem. Ordinationem venerabilis patris *J. Cantuarienſis* Archiepiſcopi, totius *Angliæ* Primatis, factam in Eccleſia de *Wengham* ſuæ Diocæſis, de Præpoſito & decenti Canonicorum ſecularium collegio, ac diviſionem proventuum & facultatum ejuſdem Eccleſiæ in Præpoſituram, & certas ac diſtinctas Præbendas, necnon cotidianam diſtribucionem & dividendas annales, ſicut in literis patentibus ipſius Archiepiſcopi quas inſpeximus factum ipſum plenius continetur, ratas habentes et gratas, eas pro nobis et hæredibus noſtris concedimus et confirmamus, ſicut literæ ipſæ rationabiliter teſtantur. Teſte ut ſupra.

How pernicious Appropriations of Pariſh Churches, made by Popes and Archbiſhops to Hoſpitals and Abbies, were to Gods Service, the ſouls, bodies of the Pariſhioners, and how offenſive to them; and that they could not be appropriated or diſappropriated by the Pope or Archbiſhop, but by the Kings Royal aſſent and licenſe, theſe Records will evidence.

Pat. 18 E. 1. m. 16. De revocatione Eccleſiæ de Racolure. REX omnibus, &c. ſalutem. Inſpeximus literas patentes venerabilis patris *J. Cantuarienſis* Archiepiſcopi, ſuper revocatione Eccleſiæ de *Racolure* in ſtatum priſtinum, in hæc verba. *Univerſis ſanctæ matris Eccleſiæ filiis ad quorum noticiam præſens ſcriptura pervenerit, Frater* Johannes *permiſſione divina* Cantuarienſis *Archiepiſcopus, totius* Angliæ *Primas, ſalutem in Domino ſempiternam. Dudum bonæ memoriæ Dominus* Robertus *prædeceſſor noſter, ut cameram Archiepiſcopalem ab onere præſtationis cujuſdam magnæ quantitatis pecuniæ quam de* Herbaldon *leproſorum, & de* Northgate *pauperum, Hoſpitalia noſtra Diocæſis, pro ſuſtentatione infirmorum & pauperum ipſorum Hoſpitalium ex antiqua conſuetudine conſueverunt annuatim percipere, & tam beati* Thomæ *quàm aliorum Archiepiſcoporum* Cantuarienſium *ſucceſſorum ipſius tempore uſque ad tempus ejuſdem* Roberti *adtunc perceperant, liberaret, Eccleſiam de* Racolure *ejuſdem Diocæſis ad liberam collacionem* Cantuarienſis *Archiepiſcopi pertinentem*, in propios uſus ipſis Hoſpitalibus in compenſationem ejuſdem quantitatis, *conceſſit, Capituli* Cantuarienſis *ad hoc procurato conſenſu. Nos autem præfato* Roberto *immediatè permittente Domino ſuccedentes, ac advertentes ſolliciti*, memoratam appropriationem in Eccleſiæ ac Hoſpitalium prædictorum grave

præ-

præjudicium ac jacturam multipliciter redundare, cum et * Eccleſia ipſa ex hoc debitis, et ab antiquo conſuetis defraudetur obſequiis, et animarum cura non abſque gravi periculo in ea damnabiliter negligatur, quodque parochiani ejuſdem Eccleſiæ ipſam leproſis ſubeſſe ac hujuſmodi appropriationem moleſte ferentes pro eo quod ipſis Rectoris ſolacio deſtitutis per eam ſuffragia ſpiritualia ſubtrahuntur eis, de juribus ipſius Eccleſiæ non reſpondent, ſicque dicta Hoſpitalia de redditibus ipſius Eccleſiæ, licet plus valere dicantur, debitam nequeant percipere quantitatem. Volentes quoque animarum ſaluti et dictorum Hoſpitalium utilitatibus in hac parte conſulere, et tam in ſpiritualibus Parochianorum quam in temporalibus Hoſpitalium prædictorum commodis providere, Sanctiſſimi patris Domini Nicholai Papæ quarti ad hoc per literas Apoſtolicas concurrente beneplacito et mandato; *& etiam Capituli noſtri, ac dictorum Hoſpitalium, & ipſorum Cuſtodis accedente conſenſu,* Eccleſiam de Racolure ſuppradictam in ſtatum priſtinum revocamus, *& Archiepiſcopalem Cameram juxta priſtinam ordinationem & conſuetudinem prædictam ad eandem pecuniæ quantitatem quam ante* appropriationem *hujuſmodi ab ipſa percipere conſueverant dictis Hoſpitalibus annis ſingulis perſolvendam pro nobis & ſucceſſoribus noſtris imperpetuum* obligamus. *In cujus rei teſtimonium præſentem ſcripturam ſigilli noſtri fecimus appenſione muniri. Dat. apud* Lammeheth 7 *Kal.* Julii, *Anno Domini* 1290. *Ordinationis noſtræ duodecimo.* Nos autem prædictam revocationem et onerationem Cameræ Archiepiſcopalis Cantuar. ad ſuſtentationem infirmorum prædictorum ſic ordinatam, ratas habentes et gratas eas pro nobis et hæredibus noſtris, quantum in nobis eſt, concedimus et confirmamus, ſicut literæ prædictæ rationabiliter teſtantur. In cujus, &c. Teſte ut ſupra.

An. 18 E. 1.

* *Nota.*

REX omnibus ad quos, &c. ſalutem. Cum Præbenda de *Dale* ab olim pertinens extiterat ad menſam & proprietatem *Cantuarien.* Archiepiſcopi cujuſcu que, & per plures Archiepiſcopos diverſis perſonis fuerit ſucceſſivè collata, ac ab hujuſmodi uſibus quaſi perpetuò alienata. Et jam Præbenda illa per venerabilem patrem *J. Cantuarien.* Archiepiſcopum, totius *Angliæ* Primatem, ad jus & proprietatem menſæ Archiepiſcopalis prout conſuevit antiquitus, authoritate ſit Apoſtolica revocata et plenarie reſtituta. Nos hujuſmodi revocationem et reſtitutionem in omnibus acceptantes, authoritate Regia præcipimus et perpetuo ſtabilimus, ut nunquam de cætero dicta Præbenda a quocunque ſine noſtra licentia in uſus alios convertatur. In cujus, &c. Teſte Rege apud *Weſtm.* 15 die *Febr.*

Pat. 18 E. 1. m. 38. Pro Archiepiſcopo Cantuar. de Præbenda de Dale & reversio de Privato ſigillo. An. 18 E. 1. in Turri London.

Pope *Nicholas* preferring his own lucre, and favour of King *Edward* and his Chaplains, before Gods ſervice, or peoples ſouls, againſt ſundry Canons, licenſed 20 of the Kings Clerks imployed in his ſervice which he ſhould nominate, to be Non-reſidents from their Eccleſiaſtical Benefices for 10 years ſpace, as theſe Patents inform us, nominating moſt of theſe Non-reſidents.

REX univerſis ad quos, &c. ſalutem. Univerſitati veſtræ notum facimus per præſentes, quod cum Sanctiſſimus pater noſter in Chriſto Dominus *Nicholaus* Papa quartus nobis de gratia ſpeciali conceſſerit, quod viginti Clerici noſtris obſequiis inſiſtentes quos duxerimus nominandos, ſua Beneficia Eccleſiaſtica per decennium libere percipere valeant, non obſtante, quod primam vel aliam reſidenciam non fecerint in eiſdem, prout in literis Apoſtolicis plenius continetur. Nos dilectum Clericum noſtrum *Johannem de Montibus* Canonicum Eccleſiæ *Verdunenſis*, noſtris obſequiis fideliter ac diligenter inſiſtentem nominavimus inter cæteros Clericos, noſtris obſequiis inſiſtentes, ad dictam gratiam per prædictum tempus liberaliter optinendum. In cujus, &c. Teſte Rege apud *Weſtm.* 7 die *Maii.*

Pat. 18 E. 1. m. 31 De privilegio pro Clericis Regis conceſſo.

Conſimiles literas habent *Arnaldus de la Caſe*, Magiſter *Bernardus Fabri*, Magiſter *Benettus de Sancto Quintino*, & Magiſter *Grimoaldus de Mercato.*

Conſimiles literas de verbo ad verbum habet *Reymundus de Ferrariis*; Dat. apud *Weſtm.* 26 die *Maii*, anno regni noſtri 18.

Conſimiles literas habet *Baldewinus de Whyhaunt*, *Arienſ.* Canonicus. Teſte ut ſupra.

Item conſimiles literas habet Magiſter *Petrus Arnaldi* de *Vice.* Teſte ut ſupra.

Item

An. 18 *E.* 1. Item conſimiles literas habet *Iterus Buchard.* Dat. ut ſupra.

Item conſimiles literas habet Magiſter *Reymundus de Pimbus.* Dat. apud *Weſtm.* 4 die *Junii.*

Conſimiles literas habet *Gerardus de Wrpus.* Dat. ut ſupra.

Conſimiles literas habet Magiſter *Johannes Gerardi.* Dat. ut ſupra.

Conſimiles literas habet *Willielmus de Eſtanayco.* Dat. ut ſupra.

Conſimiles literas habent Magiſter *Bernardus de Bonis Villa* Canonicus *Petragoricen.* & Magiſter *Bertrandus del Gouth*, Archs. Dat. ut ſupra.

The King to preſerve the Liberties of his Free Chappels from the Juriſdiction and Uſurpations of Archbiſhops, Biſhops, and other Ordinaries, cauſed his Father King *Henries* Patent, and Pope *Innocents* Bull concerning their Exemption, to be this year exemplified under his Great Seal, that all might take notice of, and not infringe them.

Pat. 18 E. 1. m. 26. De libertatibus liberarum Capellarum Regis. *See Tom. 2. p. 982, 983. 357, 358, 720, 721, 727, 728, 759, 1047.

REX omnibus, &c. ſalutem. Inſpeximus literas celebris memoriæ Domini *H.* Regis *Angliæ* patris noſtri patentes, in hæc verba. * H. *Dei gratia Rex* Angliæ, *Dominus* Hiberniæ, *Dux* Normanniæ, Aquitaniæ, *&* *Comes* Andegav. *omnibus ad quos præſens ſcriptum pervenerit, ſalutem.* **Cum plures in** Anglia **Capellas habeamus ereptas, quorum libertates locorum Ordinarii infeſtant plerumque in dilatione privilegiorum noſtrorum ad loca diverſa tranſmiſſa, nobis poſſet de facili periculum imminere,** *nos dilecto Clerico noſtro Magiſtro* Waltero de Louches *Decano Eccleſiæ Sanctæ* Mariæ Stafford. **tranſcriptum cujuſdam privilegii noſtri de libertatibus Capellarum noſtrarum faciens mentionem, et ſigillo noſtro ſignatam duximus committend. ut illius tranſcripti inſpectionem habentes, eidem habeant conceſſioni libertatum factæ Capellis prædictis. Reſcriptum igitur Apoſtolicum de verbo ad verbum ſic duximus ſubſcribendum.**

Innocentius Epiſcopus ſervus ſervorum Dei, Kariſſimo in Chriſto filio Regi *Anglorum* illuſtri, ſalutem & Apoſtolicam benedictionem. Tanto libentius Celſitudinis tuæ precibus benignum impartimur aſſenſum, **quanto inter Reges et Principes Chriſtianos te ſpecialiter reputamus dilectum filium et devotum: tuis itaque ſupplicationibus inclinati, diſtrictius inhibemus, ne ullus Ordinarius, aut etiam Delegatus vel Subdelegatus, in Capellas Regias et Oratoria earundem Eccleſiæ Romanæ immediate ſubjecta, ſeu Canonicos vel ſervitores ipſorum, contra tenorem privilegiorum et indulgentiarum Apoſtolicæ ſedis Excommunicationis vel Interdicti ſententiam audeat promulgare, ſeu aliquod ipſis onus imponere, quod aliis ereptis Eccleſiis non conſuevit imponi, abſque mandato ſedis Apoſtolicæ ſpeciali, quod expreſſam faciat de inhibitione hujuſmodi mentionem. Nulli ergo omnino hominum liceat hanc paginam noſtræ inhibitionis infringere, vel ei auſu temerario contraire; ſi quis autem hoc attemptare præſumpſerit, indignationem Omnipotentis Dei et beatorum** Petri **et** Pauli **Apoſtolorum ejus ſe noverit incurſurum.** Dat. *Lugduni* 12 Kal. *Auguſti*, Pontificatus noſtri anno tertio.

Nos autem literas prædictas propter rupturam ſigilli literarum illarum duximus exemplificandam ſub ſigillo noſtro. In cujus rei teſtimonium, &c. Teſte Rege apud *Weſtm.* 14 die *Junii.*

This year the King confirmed the grant of ſeveral Tithes, Churches, and Advouſons, formerly made by *Robert de Candos*, to the Monaſtery of *Bek* and *Goldelive.*

Chart 18 E. 1. nu. 30. Pro Priore & Conventu Eccleſiæ S. Mariæ Bec. See Monaſtic. Anglic. Tom. 1. p. 590.

REX Archiepiſcopis, &c. ſalutem. Inſpeximus Chartam quam *Robertus de Candos* fecit Deo & Eccleſiæ Sanctæ *Mariæ Becci*, & Monachis ibidem Deo ſervientibus, in hæc verba. *Robertus de Candos*, univerſis hominibus ſuis *Francis*, *Anglis* atque *Wallenſibus*, & omnibus Sanctæ Eccleſiæ Dei fidelibus, ſalutem in Domino. Univerſitati veſtræ notum facio me aſſenſu & voluntate *Iſabel.* uxoris meæ dediſſe, & hac mea præſenti Charta confirmaſſe Deo & Eccleſiæ Sanctæ *Mariæ Becci*, & Monachis ibidem Deo ſervientibus, pro anima Regis *Willielmi*, & *Matild.* Reginæ, &c. in puram & perpetuam & liberam elemoſinam Eccleſiam Sanctæ *Mariæ Magdalenæ* de *Goldelive*, cum terris & decimis ad eam pertinentibus, &c.

Dedi

Dedi etiam eis **totam decimam totius terræ meæ de** *Wales*, ſcilicet, **denariorum meorum, de melle in boſco et plano, et de parnagio, et decimam molendini mei de** *Karl.* **et decimam pomorum pomerii mei totius dominii mei de** *Karl.* **et decimam de venacione mea, et prati mei, et de omnibus rebus de quibus decima debet dari**, &c. Dedi etiam eis **omnes Eccleſias non vacantes** totius defenſionis meæ in quibus jus advocationis habebam, **cum terris et decimis ad eas pertinentibus**, ſicut Eccleſiam Sanctæ *Trinitatis* juxta *Karl.* cum omnibus pertin. ſuis in mora & extra moram; Eccleſiam *Julii* & *Aaron*, Eccleſiam de *Stanea*, Eccleſiam de *Walaumpton*, Eccleſiam de *Periton*, Eccleſiam de *Selver*, Eccleſiam de *Acolt*, Eccleſiam de *Bicheford*, Eccleſiam de *Grettingham*. Has **omnes Eccleſias** cum pertin. ſuis, ut in jus prædictorum Monachorum cum vacaverint plenè & integerrimè cedant, ded, ad cujus expectationis fidem roborandam dedi ſæpedictis Monachis **decimas omnium dominiorum meorum interim in villis meis in quibus Eccleſiæ illæ ſitæ ſunt**. Dedi etiam eis omnes libertates & liberas conſuetudines quas ego ipſe in terra mea habeo, ſcilicet, ut ipſi & omnes homines ſui, & de illis tenentes, liberè, quietè, & honorificè, & pacificè teneant & habeant, ſine alicujus hæredum meorum reclamacione ſacam & ſocam, &c. Inſpeximus etiam Chartam quam *Hoelus* Dominus de *Karl.* fecit Deo & Eccleſiæ Sanctæ *Mariæ Magdalenæ* de *Goldelive* prædictæ, & Monachis ibidem Deo ſervientibus, in hæc verba. Univerſis Chriſti fidelibus ad quos præſens ſcriptum pervenerit, *Hoelus* Dominus de *Karl.* ſalutem. Univerſitati veſtræ notificetur me aſſenſu & voluntate *Morgani* filii & hæredis mei, & uxoris meæ, & filiæ meæ conceſſiſſe, & præſenti Charta confirmaſſe Deo & Eccleſiæ Sanctæ *Mariæ Magdalenæ* de *Goldelive*, & Monachis ibidem Deo ſervientibus, in puram & perpetuam & liberam elemoſinam, omnes libertates & liberas conſuetudines quas ego ipſe in terra mea habeo, ſcilicet, &c. ſacam & ſocam, &c. Præterea conceſſi illis **decimam parnagii de** *Waſtadcot*, **et decimam molendini de** *Lisbiry*, *Liswiry*, ſcilicet, de feudo *Roberti de Candos*, **et decimam pomerii mei de** *Karl.* **et decimam venationis, et decimam mellis in boſco, et totam terram de Sancto** *Nigario*, &c. Inſpeximus etiam confirmationem quam *Walterus Mareſcallus* quondam Comes *Penbrok.* fecit Deo & Eccleſiæ Sanctæ *Mariæ Becci* prædictæ, & Monachis ibidem Deo ſervientibus, in hæc verba. Omnibus ad quorum notitiam præſens ſcriptum pervenerit, *Walterus Mareſcallus* Comes *Penbr.* ſalutem. Noveritis nos Chartam *Roberti de Candos* in hæc verba inſpexiſſe; *Robertus de Candos*, univerſis hominibus ſuis *Francis*, *Anglis*, & *Wallenſibus*, &c. (as before.) Nos vero donationem præfatam Monachis prædictis factam, ratam habentes eam pro nobis & omnibus hæredibus & ſucceſſoribus noſtris confirmavimus, & præſentis ſcripti munitione & ſigilli noſtri appoſitione corroboravimus, ſalvo jure illorum qui de prædictis terris tenent. Hiis teſtibus, Domino *David Baſſet*, Domino *Petro de Watevill*, *Roberto de Turbervill*, *Johanne de Turbervill*, *Nicholao de Sancta Brigida*, *Willielmo de Derneford*, *Philippo de Denelani*, *Willielmo de Sancto Mauro*, *Roberto de Mora*, Militibus, *Nicholao* Domino de *Wideſton*, *Rogero de Wilecrich*, & multis aliis. Inſpeximus etiam confirmationem quam *Walterus* quondam Comes *Penbr.* fecit prædictæ Eccleſiæ Sanctæ *Mariæ Magdalenæ* de *Goldelive*, & Monachis prædictis, in hæc verba. Omnibus, &c. (as before.) Nos autem donationes, conceſſiones & confirmationes prædictas ratas habentes & gratas, **eas pro nobis et hæredibus noſtris**, prædictis Priori & Conventui & eorum ſucceſſor. quantum in nobis eſt, **concedimus et confirmamus**, prout Chartæ prædictæ rationabiliter teſtantur, & prout ipſi & prædeceſſores ſui libertatibus & liberis conſuetudinibus prædictis rationabiliter uſi ſunt. Hiis teſtibus, venerabilibus patribus *R. Bathon.* & *Wellen.* & *W. Sarum* Epiſcopis, *Edmundo* fratre noſtro, *Gilberto de Clare* Comite *Glouc.* & *Hertf.* *Willielmo le Latimer*, *Otone de Grandiſono*, *Roberto de Tibetot*, *Waltero de Bello Campo*, *Ricardo de Boſco*, *Hugone de Brok*, *Petro de Campaigne*, & al. Dat. per manum noſtram apud *Havering*, primo die *Julii*. *An.* 18 *E.* 1.

From which it is apparent, That the Tithes, Advouſons and Appropriations of Churches, then held and enjoyed by Religious perſons, were claimed and enjoyed only by the ſpecial grants of their Patrons, and Charters of our Kings confirming them, not by any Divine or Papal right or title.

An. 18 E. 1. In a Bundle of Writs of Attorney *Anno* 18 E. 1. I found this *dedimus poteſtatem* iſſued to the Abbot of *Thame*, to take this memorable Oath and ſecurity from *Peter de Divion* Abbot of *Rewley*, being an Alien born under the King of *France*.

Brevia Regis Anno 18 E. 1. in Turre London.

EDwardus *Dei gratiâ Rex* Angliæ, *&c. Abbati de* Thame, *ſalutem. Sciatis quod dedimus vobis poteſtatem* **recipiendi Sacramentum** *de dilecto nobis in Chriſto* Petro de Divione *Abbate de* Regali loco *juxta* Oxon. *qui de dominio & poteſtate Regis* Franciæ *exiſtat*, **necnon ſufficientem manucaptionem, quod bene et fideliter erga nos ſe habebit, et quod bona Abbatiæ prædictæ extra regnum noſtrum nullatenus elongabit, nec literas, nuncios, vel interſigna, ad dictas partes** Franciæ **mittet, per quæ ſcandalum ſeu dampnum nobis aut regno noſtro evenire poterit, nec ſe ad dictas partes** Franciæ **aliqualiter transferet, ſine licentia noſtra ſpeciali**: *Et ideo vobis mandamus, quod* **acceptis Sacramento et ſecuritate prædictis**, *nos inde, & de nominibus Manucaptorum illorum* **ſub ſigillo veſtro diſtincte et aperte** *ſine dilatione reddatis certiores*: *Remittentes nobis hoc breve. Teſte meipſo apud* Turrim London. 24 *die* Octobr. *anno, &c.* 18.

The Abbot endorſed this retorn thereon. *Ego Frater* Johannes *Abbas de* Thame, *virtute iſtius mandati*, **recepi Sacramentum** *Domini* Petri de Divione, *Abbatis de* Regali loco *juxta* Oxon. *apud* Oxon. *Dominica in feſto Apoſtolorum* Simonis *&* Judæ; *& etiam* **recepi Manucaptores** *ipſius Domini* Petri *Abbatis de* Regali loco, *viz.* Johannem de Doclynton *Majorem Villæ* Oxon. Johannem de Crokesford *juniorem*, Ricardum Kary, Johannem de Fallee, *&* Johannem le Peyntour, *Burgenſes dictæ Villæ* Oxon. *Qui conjunctim & diviſim manuceperunt dictum Dominum* Petrum *Abbatem de* Regali loco, **quod idem Abbas bene et fideliter erga Dominum Regem ſe habebit; et omnia alia in Brevi iſto contenta perficiet et obſervabit.**

It ſeems moſt Abbots and Priors that were Aliens, took the like Oath, and gave ſufficient Pledges for their fidelity and true allegiance to the King in that age, (eſpecially in times of War) and not to ſend the Goods of their Monaſteries out of the Realm, which they frequently did to the Kingdoms prejudice.

The Biſhop of *Norwich* excommunicating the Vicar of *Stokneylond*, who appealed to the See of *Rome* againſt his ſentence as unjuſt, and he being impriſoned by a *Capias Excommunicatum* upon the Biſhops certificate after his Appeal, and thereupon enlarged by the Kings Writ; after his enlargement, upon a falſe ſuggeſtion, that he had not Appealed, being in danger to be reimpriſoned by a Writ of *recaption*; the King thereupon iſſued this Writ to the Sheriff of *Norfolk*, to ſummon both parties to appear before him, to hear and determine this cauſe.

Brevia Regis An 17 & 18 E. 1. in Turre London.

EDwardus, *&c. Vicecomiti* Norff. *ſalutem. Cum nuper ad requiſitionem venerabilis patris* R. Norwicenſis *Epiſcopi, per ſuas literas patentes nobis ſignificantis, quod Magiſter* Willielmus de Caldewell *Vicarius Eccleſiæ de* Stokneylond *propter manifeſtam contumaciam ſuam* **excommunicatus eſt, nec ſe vult per cenſuram Eccleſiaſticam juſticiari**, *per Breve noſtrum tibi præcepimus, quod prædictum* Willielmum *per corpus ſuum, ſecundum conſuetudinem* Angliæ *juſticiares*, **donec Sanctæ Eccleſiæ tam de contemptu quam de injuria, ei illata ad eo, eſſet ſatisfactum**; *Et jam intelleximus quod prædictus* Willielmus *pro ſe* **a ſententia prædicta in ipſum per prædictum Epiſcopum lata, tanquam ab iniqua Sedem Apoſtolicam legitime appellavit, et Appellationis ſuæ negotium proſequitur cum effectu**; *nolentes, quod prædicto* Willielmo *per prædictum Breve noſtrum* **via præcludatur, quo minus dictæ Appellationis ſuæ negotium proſequi poſſit in forma juris**; *maximè, cum hujuſmodi* **Breve noſtrum de gratia noſtra procedat, et appellantium ſtatus integer eſſe debeat**; *tibi præcipimus, quod ipſum* Willielmum **a priſona qua detinetur occaſione prædicta ſine dilatione deliberari faceres**, *donec de Conſilio noſtro aliud inde duxerimus ordinandum. Et poſtea ad ſuggeſtionem* Willielmi Barry, *nobis falſo ſuggerentis, quod prædictus* Willielmus *nullam appellationem fecerat, quare à priſona prædicta deliberari deberet*; **Tibi præcipimus**, *quod prædictum* Willielmum *per corpus ſuum, ſecundum conſuetudinem* Angliæ *juſticiares, donec Sanctæ Eccleſiæ tam de contemptu*

temptu quàm de injuria ei illata ab eo, fuerit ſatisfactum. Nos *ſuper præmiſſis in præſentia partium* plenius certiorari, et partibus inde plenam et celerem juſtitiam exhiberi volentes; *tibi præcipimus, quod ſcire facias præfato* Wilhelmo Barry, quod ſit coram nobis *à die Sancti* Hilarii *in Quindecim dies ubicunque tunc fuerimus in* Anglia, auditurus quid ſuper præmiſſis de Conſilio noſtro duxerimus ordinandum. *Et habeas ibi prædictum* Willielmum de Caldewell, *ſi eum per te interim capi contingat, illud idem auditurus.* Et *hoc Breve. Teſte meipſo apud* Weſtm. 2. *die* Januarii, *Anno Regni noſtri* 18. A clear evidence that the King was Supreme Judge in all caſes of Excommunication, Appeals, Exorbitances, legality or illegalitie of Eccleſiaſtical Courts and Prelates proceedings, and to hear, rectifie, and finally determine them upon his Subjects complaints. *An.* 18 *E.* 1.

The Biſhop of *Worceſter* intending to make ſome Parochial Churches, whereof he was Patron, Prebendaries, and to annex them to the Collegiate Church of *Weſtbury* near *Briſtol*, which the Prior and Chapter of *Worceſter* oppoſed, for fear they ſhould thereby loſe their right of electing their Biſhop, the King thereupon ſent this Letter to them, to aſſent thereto, for advancement of Gods ſervice, and his royal honor and benefit, being a thing he cordially deſired, and to return him their anſwer the next Parliament, when all things and differences between them ſhould be finally ſetled without further ſuit or expenſes.

Previa Regis Anno 18 E. 1. in Turre London.

EDwardus *Rex, &c. Dilectis in Chriſto Priori & Capitulo* Wygorn. *ſalutem. Cum pater venerabilis* Godefridus Wygorn. *Epiſcopus, commendabili ductus propoſito, quaſdam Eccleſias aliquando Parochiales ad ſuum Patronatum omni jure ſpectantes in Eccleſia Collegiata de* Weſtbur. *prope* Briſtol. fecerit præbendales. *Inſuper alias reſiduas, ſui conſimilis patronatus & Dioceſis proponat hujuſmodi libertati donare;* quo magis cultus augeatur divinus, quod quidem apperimus toto corde, cum conferre Præbendas dextra vacante Eccleſia, multum nobis eſſet nobilius et decentius, quam Beneficia curæ parochiali annexa: dilectionem veſtram requirimus & rogamus, quatinus ipſius Epiſcopi condeſcendentes deſideriis quoad hoc, immo noſtris, velitis ea ad effectum deducere exoptatum; veſtrum in hac parte cum favore exhibendo conſenſum: Nec timor vel ſuſpicio, quoad electionem futuram de Epiſcopo, ſeu de ullo gravamine per Canonicos ſupradictos, animos veſtros conterat ullo modo, cum præſcriptio longiſſima, ac alia Jura fortiſſima vos ſatis muniant & defendant. In hiis autem veſtram erga nos dilectionem volumus experiri. In proximo autem noſtro Parliamento poſt *Paſcham*, volumus per præſentiam veſtram (*viz.* Prioris) nobis ſuper hiis fieri reſponſiva; ut exinde quæ deceant & expediant ac liceant, inter patrem & filios abjectis laboribus & expenſis, cautius & ſalubrius tunc temporis finaliter ordinentur. Teſte meipſo apud *Weſtm.* 3. die *Februarii*, Anno Regni noſtri Decimo.

This year [a] *Menſe* Septembris *in* Terra Sancta *mirabile & flebile infortunium contigit Chriſtianis*, Soldanus *namque* Babyloniæ, *cum multitudine oneroſa, obſedit famoſam* Tripolis *civitatem, quam proh dolor, cepit, & ſolo tenus finaliter complanavit, non ſine maxima effuſione ſanguinis Chriſtiani. In vituperium inſuper & contemptum nominis* Jheſu Chriſti (or rather in deteſtation of Popiſh Idolatry, and Image-adoration) *per Civitatem deſtructam,* ad caudas equorum Sanctorum Imagines juſſit trahi. Hereupon Pope *Nicholas* the 4th. under pretext of relieving the Holy Land, ſent forth his Nuncioes and Bulls into *Germany*, *France*, and *England* to the Kings, Princes, Prelates and Clergy to aſſemble together in Synods to raiſe *Diſmes* and *Taxes* for ſundry years towards the relief of the *Holy land*, but in truth to fill his own Coffers, and advance his Papal Juriſdiction over them, as his predeceſſors had done by this pious fraud; what oppoſition he met with in *Germany* in this his deſign, and proviſions of Biſhopricks, eſpecially from *Menardus* Earl of *Tyrol* (whom he then cauſed to be excommunicated, who juſtly cenſured him and his Prelates as *Antichriſtian* by his publike Edict) [b] *Johannes Aventinus* thus relates. *Eadem tempeſtate* Nicholaus *quartus Pontifex Maximus* Franciſcanus, *omnes Archimyſtas* Germaniæ, *quemque cum ſuis collegis in ſua provincia Concilia habere jubet.* Ab hiſce rurſus conſilium ſimul et auxilium petit, quo Paleſtina armis recuperari poſſit.

[a] Mat. Weſt. An. 1289. p. 376. Tho. Walſingham, Hiſt. Angl. p. 15.

[b] Annalium Boiorum, l. 7. p. 577. See Philip Mornay Hiſt. Papatus p. 427.

An. 18 *E.* 1. *Primarius* Boiorum *Sacerdos* Juvaniam *ſexta Calendas* Februarii Monachos atque Sacerdotes vocat, majores, minoreſq; cogit Pontificulos, mandata Pontificis maximi aperit. Ubi illi Romanam avaritiam rurſus ad Decimas aſpirare perſentiſcunt, paucis et Concilii decreto, rem magnam eſſe, et ſe tot extra ordinem tributis attritos et exinanitos reſpondent, proinde amplius deliberandum, caput Reipublicæ Chriſtianæ prius dandum, Chriſtianos Principes in gratiam redigendos, ſine horum auctoritate nihil decernendum cenſent. *Eodem Concilio* Mænardo Tyrolio *duas ob cauſas potiſſimum* ſacris, juſſu Pontificis Maximi interdictum eſt. Tridentini Epiſcopi caſtella occuparat, vique obtinebat. Hainricum jus Pontificium profitentem Epiſcopum Tridentinum continuis attrivit bellis, cedereque compulit. *Hic mortuo,* Nicholaus *Pontifex* Romanus Franciſcanus *religione,* Philippo Mantuano, *ſui ordinis viro,* eundem Pontificatum tradit, *hocque inſtigante* Mænardus devotus eſt. *Qui ſibi injuriam fieri ſanctiſſimis illis patribus vociferatur, edicto publico obnunciat, crimina objecta ita diluit:* Equidem (ita me Deus amet) bellum non infero, ſed propulſo; nihil unquam mihi magis cordi fuit, quàm pacem cum quovis hominum, maximè cum Epiſcopis conſervare, niſi boni patres, ut cæteri mortalium, copia rerum corrupti, nobis immeritiſſimis ultro arma prava libidine dominandi intuliſſent, noſque terris avitis ſpoliare conati fuiſſent. Arma aſſumpſi, Caſtella hoſtibus patrio ademi, quo mihi ac popularibus otio frui abſque armis liceat. Quod ſi quiſpiam vas atque præs fuerit, ne metuere perfidiam, & lupos habeam, neve de cætero hujuſmodi nobis a faſtidioſis illis Archiſynagogis (nam Paſtoribus dicere religio eſt) contingant, acturum omnia reddam: aliter nunquam committam, ut tam ſtultus videar, ut e manu manubrium mihi eripi patiar, aut memet ultro, atque meos ludibrio effeminatis Antichriſtis, atque prodigioſis Eunuchis eſſe ſinam. Nemo magis concordiam Chriſtianam labefactat, non ſacris literis interpretandis aut diſcendis, ſed liberis dant operam, Liberum amant, divitias congregant, dominationem abidiſſime appetunt. Pro biſce nobiſcum ſanguine obium decertant, Chriſti paupertatem, Comitum ejus ſimplicitatem non ſolum non

* *Nota.* æmulantur, ſed irrident quoque atque antiquare conantur. Si * Antichriſti non ſunt, quid aliud obſecro ſunt? Eſtne iſtud paſcere obes? amare gregem? regna, opes, aliena appetere, pro gloria, dignitate digladiari? ovicula opprimere? occidere, belligerari? Chriſti præceptum invertunt, donanti tunicam et pallium bi auferunt. Quis tam ferreus, ut verius dicam, tam ſtolidum pecus fuerit, ut ſu-

Nota. perbiam, faſtum, perfidiam, fraudem, flagitia, ſcelera, luxum, avaritiam nebulonum æquo animo ferat? Pejores Turcis, Saracenis, Tartaris, Judæis ſunt, plus bis omnibus Chriſtianæ ſimplicitati officiunt, libertatem Chriſti ſanguine partam excindere conantur, dominationem arripiunt: Cum noſtri ſervi ſunt, ipſi dominari contra jus gentium, adverſus leges, auſpicia et oracula divina, dominos ſibi ſervire volunt. Scitum eſt vulgi proverbium, Sacerdotes ſuperſtitionum præſtigiis caliginem oculis effundere mortalium, et cæremoniis carminibuſque caſſis, veluti Mandragoræ ſopori feræ poculo mentem mutare, et humanis animis atque ſenſibus ſtuporem præpinare. Nunquid Paſtor aut obes tondet, aut mulget? nonne nuncius rem Domini, atque eorum, ob quorum utilitate mittitur, agere debet? Proinde a ſævo, et nobis iniquo Pontifice, ad æquum Paſtorem, pientiſſimumque patrem provoco. *Inter hæc dum illa ad Pontificem* Romanum *referuntur, ipſe animam efflat.*

* See Here, p. 375.

King *Edward* the 1. who had * formerly croſſed himſelf for the Holy Land, to gain 6. years Diſmes from the Clergy of *England* and *Ireland*, readily complied with the Pope in this deſign; as theſe Letters, Articles, Obligations of his to the Pope atteſt.

Pat. 18 E. 1. m. 40. De negotio Terræ Sanctæ.

SUmmo Pontifici cum recommendatione humili, pedum oſcula beatorum. Literarum Sanctitatis veſtræ ſuper negotio *Terræ Sanctæ* per fratrem *Willielmum de Hotham* nobis exhibitarum tenore nobis diligenter expoſito & plenius intellecto, deliberata ſuper hiis habito conſilio aſſentimus in Articulos inferius annotatos, *videlicet,* Quod terminus paſſagii generalis veſtra authoritate ſtatuatur, à feſto Nativitatis Sancti *Johannis Baptiſtæ* proximo in tres annos, quod erit Anno Domini MCCXCIII. Ita quod tunc mora qualibet omnino poſtpoſita fiat paſſagium generale. Et quod per omnes Chriſtianitatis Crux communiter prædicetur in Terræ

ſubſidium

ſubſidium memoratæ, ſicut magis expediet negotio dictæ Terræ. Item, quod Decima ſex Annorum collecta in ſubſidium *Terræ Sanctæ* in *Angliæ* et *Scotiæ* Regnis, et in terris *Walliæ* & *Hiberniæ* Nobis aſſignetur in duobus terminis, videlicet, medietas ipſius in feſto Nativitatis beati *Johannis Baptiſtæ* proximo venturo, et alia medietas in feſto *Nativitatis* ejuſdem *Sancti* deinde ſecuturo. Et idem fiat de obventionibus in dictis *Angliæ* & *Scotiæ* Regnis, ac in terris *Walliæ*, *Hiberniæque* collectis, et adhuc pro illis temporibus colligendis: de Decima vero et obventionibus ſex Annorum futurorum colligenda in dictis Regnis *Angliæ* et *Scotiæ*, ac terris *Hiberniæ* et *Walliæ*, medietas ſecundum quod tribus primis annis colligetur nobis ante tempus paſſagii aſſignetur. Reſidua vero medietas Decimæ et obventionum eorundem ſex annorum annis ſingulis, prout collecta fuerit nobis poſtquam transfretaverimus aſſignetur, fiat autem Collectio et exactio ipſius Decimæ et obventionum per perſonas Eccleſiaſticas * Regni noſtri. Item, quod omnes Cruceſignati qui eſſe poterunt habiles ad pugnandum, vel aliàs utiles Terræ Sanctæ monitionibus et perſuaſionibus efficacibus inducantur, et quantum rationabiliter fieri poterit compellantur in ipſo paſſagio transfretare in Subſidium præfatæ Terræ prout utilius eſſe poterit ipſi terræ. Item, De Decimis et obventionibus collectis in Subſidium *Terræ Sanctæ* in terris illis quorum Domini non transfretabunt, impedimentis nunc obſtantibus Domino habente ſublatis, taliter nobis ſubveniatur quod merito poſſumus et debeamus eſſe contenti. Hos omnes Articulos & ſingulos ſuperius expreſſos, ſponte recipimus et acceptamus, ipſiſque noſtrum præſtamus aſſenſum, et quatinus contingunt vel contingere poſſunt nos inviolabiliter obſervaturos promittimus, volentes ipſos robur plenæ firmitatis habere, et præſentes Literas noſtras Regio pendente ſigillo munitas, vobis et Eccleſiæ *Romanæ* concedimus, *in teſtimonium veritatis*. *Dat. apud* Weſtmonaſter. *tertio die* Februarii, *Anno Domini* 1289.

An. 18 E. 1.

* That ſo the Pope might not finger them.

Eidem, Rex ſalutem, præſentium tenore vobis Sanctiſſime Pater veſtriſque Succeſſoribus *Romanis* Pontificibus, & Eccleſiæ *Romanæ* promittimus, quod ſi nos ſponte, vel culpa noſtra deficere in transfretando in Subſidium *Terræ Sanctæ* contigerit, ſeu per nos ſteterit quo minus in præfixo generalis paſſagii termino transfretemus, omnia quæ de Decima nobis conceſſa in *Angliæ*, *Scotiæ* Regnis, ac terris *Walliæ* et *Hyberniæ*, nos recepiſſe contigerit, reſtitueremus ad veſtrum dictorumve ſucceſſorum, et Eccleſiæ Romanæ mandatum; etiam ſi per ipſorum receptorum vel omnia ipſa recepta in præparatione transfretationis fuiſſent expenſa: ſi vero non transfretaverimus in ipſo termino aliquo impedimento legitimo impediti, expenſæ quæ factæ fuerunt in præparatione prædicta pro medietate nobis, et pro medietate reliqua imputentur prædictæ Decimæ, ſeu de ipſa Decima deducantur: Et ſi quid facta imputatione ſeu deductione hujuſmodi apud nos de Decima ipſa remanſerit, illud ſimiliter reſtituemus ad veſtrum, dictorumque ſucceſſorum, et Eccleſiæ *Romanæ* mandatum: ſi quid etiam de expenſis quæ fiant in præparatione prædicta, vel de datis ſeu aſſignatis ejus occaſione nobis taliter impeditis recuperari contingat, vel de rebus præparatis occaſione paſſagii illius, medietatem ſimiliter reſtituemus, et reliqua medietas erit noſtra. Pro his itaque omnibus firmiter obſervandis et plenarie adimplendis, Nos, ſucceſſores noſtros, ac exitus noſtros Regni *Angliæ*, aliarumque terrarum noſtrarum, bona noſtra mobilia, vobis, dictis ſucceſſoribus veſtris et Eccleſiæ *Romanæ* obligamus ſpecialiter et expreſſe, præſentes literas noſtras Regio pendente ſigillo munitas, vobis, ſupradictis veſtris ſucceſſoribus, et Eccleſiæ, in veritatis teſtimonium concedendo. Dat. ut ſupra.

Pat. 18 E. 1. m. 40.

These Letters and Obligations the King ſent to the Pope by his ſpecial Meſſengers, together with this to the Cardinals at *Rome*, thus recorded.

VEnerabili patri in Chriſto amico ſuo Kariſſimo, Domino *J.* Dei gracia titulo Sanctæ *Cæciliæ* Presbytero Cardinali, *Edwardus*, *&c.* ſalutem & ſinceræ dilectionis affectum. Cum pro quibuſdam noſtris negociis, de quibus aliàs vobis ſcripſimus, pro ſubſidio *Terræ Sanctæ*, Nobilem virum Dominum *Galfridum de Geynvill*, Magiſtros *Willielmum de Grenefeld*, & *Thomam de Lugger*, Juris Civilis profeſſores, ad ſedem Apoſtolicam duxerimus deſtinandos; Paternitatem veſtram affectuoſe requirimus

Cl. 18 E. 4. m. 14. dorſo. De literis miſſis Cardinalibus.

An. 18 *E.* 1. requirimus et rogamus, quatinus ipſa negocia faboze benivolo pzoſequentes, ad eozum expedicionem tam celerem quam felicem, quantum commode poteritis, interponere dignemini partes veſtras. Dat. apud *Weſtm.* 3. die *Februarii.*

Sub eadem forma ſcribitur Cardinalibus ſubſcriptis,

Domino *H.* titulo Sanctæ *Sabinæ* Presbytero Cardinali.
Domino *M.* titulo Sancti *Laurencii* in *Damazo* Presbytero Cardinali.
Domino *P.* titulo Sancti *Marci* Presbytero Cardinali.
Domino *J.* Sanctæ *Mariæ* in *Via lata* Diacono Cardinali.
Domino *P.* Sancti *Euſtachii* Diacono Cardinali.
Domino *M.* Sanctæ *Mariæ* in *Porticu* Diacono Cardinali.
Domino *N.* Sancti *Adriani* Diacono Cardinali.
Domino *B.* Sancti *Nicholai* in *Carcere Tulliano* Diacono Cardinali.
Domino *J. Tuſculano* Epiſcopo.
Domino *B.* Epiſcopo *Peneſtrino.*
Domino *B.* Epiſcopo *Portuenſi.*
Domino *L. Hoſt.* & *Velletr.* Epiſcopo.
Domino *Sabinen.* Epiſcopo.

The King likewiſe granted 200. pounds to the Popes Chaplain in *Scotland* for his expenſes, pains, and labour there taken in the Service of *Queen Margaret* deceaſed, by this Writ.

Pat. 18 *E.* 1. m. [illegible] regiſt [illegible]ocio. D. Papæ Capellano.

REX & Superioz Dominus *Scotiæ*, Venerabili in Chriſto Patri *A.* eadem gratiâ *Catanen.* Epiſcopo, Cancellario ſuo *Scotiæ* ſalutem. Quia Magiſter *Hugotio* Domini Papæ Capellanus *Margaretæ* grata & laudabilia præſtitit obſequia, labores & expenſas in ejus obſequiis multipliciter apponendo, ut pro certo intelleximus; Nos præfatum *Hugotionem* pro ſervitio laboribus & expenſis ſuis prædictis reſpici volentes pzout decet. Vobis mandamus, quod dilecto & fideli noſtro *Alexandro de Ballioło* Camerario *Scotiæ* per literas ſigillo regimini prædicti Regni *Scotiæ* deputato, detis in mandatis, quod eidem Magiſtro *Hugotioni* faciat habere ducentas libzas pzo ſerbitio, laboziibus et erpenſis ſuis pzædictis, & nos eas præfato Camerario in primis compotis ſuis volumus allocari. In cujus, &c. Teſte Rege apud *Thresk* 23 die *Auguſti.*

The Pope ſending his Nuncio into *Scotland* this year to take the Accounts of the Collector of the Diſmes there lately dead, and collect the arrears thereof; the King as Superiour Lord of *Scotland*, iſſued this Patent to the Biſhops and Prelates of *Scotland*, favourably to receive, aſſiſt and adviſe him and his Commiſſary therein, as often as required.

Pat. 18 *E.* 1. *m.* 21. intus.

REX & Superioz Dominus *Scotiæ*, Venerabilibus in Chriſto Patribus *W.* & *R.* eadem gratia Sancti *Andr.* & *Glaſcuen.* Epiſcopis, & cæteris Epiſcopis & Prælatis ejuſdem Regni ad quos, &c. ſalutem. Cum Dominus Papa dilectum nobis in Chriſto *Giffredum de Vezano* ejuſdem Domini Papæ Clericum et Nuncium deputaverit ad compotum exeçutozum Teſtamenti Magiſtri *Bajamundi* quondam Collectozis Decimæ in Subſidium *Terræ Sanctæ* conceſſæ in Regno pzædicto, audiend. et arreragia ejuſdem Decimæ, et debita ipſius *Bojamundi* levanda et colligenda, juxta fozmam mandati Apoſtolici ſibi ſuper hoc directi; Vobis mandamus, quod præfato *Giffredo* vel ejus Commiſſario ſeu Commiſſar. in præmiſſis vos exhibeatis fabozabiles et benignos, Conſilium veſtrum & juvamen eidem Magiſtro *Giffredo* vel ejus Commiſſar. ſeu Commiſſariis ſuper hiis impendentes, quociens ab ipſo vel eozum aliquo inde fueritis requiſiti. Teſte Rege apud *Deviſes*, decimo ſexto die *Septembris.*

The King this year by his Eccleſiaſtical Soveraignty granted this ſpecial Patent authorizing the Abbot of St. *Edmonds* freely to diſpoſe of his Goods and Chattels by his Teſtament, without diſturbance by the King or his Officers.

REX

An. 18 *E.* 1

Clauſ. 18 E. 1. m 6 De Abbate de Sancto Edmundo.

REX omnibus, &c. ſalutem. Dilectus nobis in Chriſto *Johannes* Abbas de Sancto *Edmundo* nobis humiliter ſupplicabit, ut nos ei licenciam concedere dignaremur; *videlicet*, quod ipſe de bonis et catallis ſuis libere poſſet condere Teſtamentum ſuum, ita quod executores Teſtamenti ſui abſque occaſione et impedimento noſtro et hæredum noſtrorum, Eſcaetorum, Vicecomitum, et omnium aliorum Ballivorum et Miniſtrorum noſtrorum quorumcumque, plenam et liberam inde habere poſſint adminiſtracionem ad executionem Teſtamenti ſui prædicti inde faciendam: Nos precibus prædicti Abbatis favorabiliter inclinati, concedimus ei pro nobis et hæredibus noſtris, quantum in nobis eſt, quod idem Abbas hujuſmodi Teſtamentum ſuum licite condere, et Executores Teſtamenti ſui de bonis et catallis ſuis prædictis libere poſſit diſponere, ac liberam adminiſtrationem habere ad executionem dicti Teſtamenti ſui inde faciendam, ſine occaſione vel impedimento noſtri vel hæredum noſtrorum, Eſcaetorum, Vicecomitum, et omnium aliorum Ballivorum ac Miniſtrorum noſtrorum quorumcunque, ſicut prædictum eſt. Recepta ab eiſdem Executoribus ſufficienti ſecuritate, quod de debitis ſi quæ idem Abbas die obitus ſui nobis debuerit ad Scaccarium noſtrum fideliter reſpondebunt. In cujus, &c. Teſte Rege apud *Kingeſcliffton* 18 die *Octobris*.

How farr the King by his prærogative could charge ſucceeding Biſhops deceaſing with the Debts owing to him by their predeceſſor, or apportion them between them, and the Biſhops executors, this Record will inform us.

Pat. 18 E. 1. m. 21. Pro Epiſcopo Dunelmenſi de debitis ſuis.

REX omnibus ad quos, &c. ſalutem. Volentes venerabili patri *Antonio Bek Dunelmenſi* Epiſcopo, pro grato & laudabili ſervicio ſuo quod nobis diu impendit gratiam facere ſpecialem, conceſſimus ei pro nobis & hæredibus noſtris, quod de omnibus debitis in quibus nobis tenetur reddat ad Scaccarium noſtrum centum libras per annum, unam videlicet medietatem ad Scaccarium noſtrum Sancti *Michaelis*, & aliam medietatem ad Scaccarium noſtrum *Paſchæ*, & ſic de anno in annum centum libras ad eoſdem terminos, quouſque prædicta debita nobis ibidem perſolvantur: Ita tamen, quod ſi idem Epiſcopus in fata decedat antequam dicta debita nobis ſic fuerint perſoluta, ſucceſſores ſui Epiſcopi *Dunelmenſes* et hæredes ejuſdem *Antonii* de debitis quæ tunc inde remanſerint ſolvenda onerentur, *viz.* prædicti ſucceſſores de dictorum debitorum una medietate, et hæredes prædicti de altera medietate nobis ſeu hæred. noſtris reſpondeant ad Scaccarium ſuprædictum. Et quod Executores Teſtamenti prædicti Epiſcopi pro debitis illis non impediantur, quo minus liberam adminiſtrationem bonorum habeant ad executionem dicti Teſtamenti inde faciendam. In cujus, &c. Teſte Rege apud *Haveringg.* 28 die *Junii*.

What Penſions the King paid this year to the Popes Notary, Advocates at *Rome*, Merchants or Brokers, theſe Warrants will inſtruct us.

Liberate 18 E. 1. m. 2. Pro Jac. Brabanzun, & Bonaventur. Hugelyn. Mercatoribus.

REX Theſaur. & Camerariis ſuis ſalutem. Liberate de Theſauro noſtro *Jacobo Brabanzun*, & *Bonaventur. Hugelyn* Mercator. *Senenſibus* quaterviginti et decem marcas, per manus ſuas liberandas dilecto Clerico noſtro Magiſtro *Angelo* Domini Papæ Notario, viz. quaterviginti marcas de annis Regni noſtri quartodecimo, quintodecimo, ſextodecimo, & decimo ſeptimo, ſcilicet de quolibet termino viginti marcas, et decem marcas de termino *Paſchæ* Anno regni noſtri 18. de annuo feodo ſuo 20. marcarum quod de nobis percipit ad Scaccarium noſtrum. Et recipiatis ab ipſis Mercatoribus literas ſuas patentes receptionem pecuniæ prædictæ teſtificantes. Teſte Rege apud *Weſtm.* 16 die *Julii*.

Liberate, An. 18 E. 1. m 1. Pro Lapo de Piſtor & ſociis ſuis Mercatoribus de Piſtor.

REX Theſaur. & Camerariis ſuis ſalutem. Liberate de Theſauro noſtro *Lapo de Piſtor.* & ſociis ſuis Mercatoribus de *Piſtor.* ducentas marcas pro ducentis marcis quas per præceptum noſtrum liberaberunt *Franciſco Accurſio* Legum profeſſori, pro arreragiis annui feodi ſui quadraginta marcarum quod ei conceſſimus, ſcilicet de annis Regni noſtri terciodecimo, quartodecimo, quintodecimo, ſextodecimo, & decimo ſeptimo, & quas eiſdem Mercatoribus ſolvere promiſimus in feſto Sancti

An. 18 *E.* 1. Sancti *Michaelis* prox. præterito. Recipientes ab eiſdem Mercatoribus literas noſtras patentes quas inde habent. T. R. apud *Kingeſclipſton* 23. die *Octobris.*

Pat. 18 E. 1. m 2. intus. Pro Civibus & Mercatoribus Lucan.

REX omnibus ad quos, &c. ſalutem. Conſiderantes diutina & laudabilia ſervitia quæ nobis fecerunt dilecti nobis *Paganuncius Guidicionis, Labrus Vulpelli, Johannes Simoneti, Adintus Rubei Pili, Barthelottus Bandini, Richardus Guidicionis, Orlandinus de Podio,* & *Richardus Bonefacius,* & ſocii ſui Cives & Mercatores noſtri de ſocietate *Ricardorum* de *Luk.* tam in partibus ciſmarinis quàm ultramarinis: Penſantes etiam grata **ſervitia, induſtriam et diligentiam** cari noſtri *Labri Vulpelli* prædicti, & labores quos ſuſtinuit **pro nobis in Curia Romana, dedimus** eiſdem **Mercatoribus noſtris** (the Popes common Brokers and Uſurers to return monies to *Rome*) **quinque millia marcarum percipiend. ad Scaccarium noſtrum** *Weſtm.* in craſtino feſti Nativitatis beati *Johannis Baptiſtæ* prox. futuro, & ad hoc obligamus nos & bona noſtra. In cujus, &c. Teſte Rege apud *Clypſton,* quarto die menſis *Novembris.*

* See Godwins Catalogue, p. 221.

* *William de Luda* being elected and confirmed Biſhop of *Ely* by the Kings Royal aſſent, the King iſſued this Writ for reſtoring his Temporalties.

Pat. 18 E. 1. m. 28. De Temporalibus Epiſcopatus Elienſis reſtitutis.

REX dilecto Clerico ſuo *Nicholao Fermeband,* ſalutem. Cum venerabilis pater *J. Cantuar.* Archiepiſcopus, electionem nuper factam in Eccleſia *Elienſi* de venerabili viro Magiſtro *Willielmo de Luda* Decano Sancti *Martini Magni London.* in ipſius Eccleſiæ *Elienſis* Epiſcopum & Paſtorem, **cui prius Regium aſſenſum adhibuimus et favorem, confirmaverit,** ſicut per literas ipſius Archiepiſcopi patentes nobis inde directas accepimus: **Nos confirmationem illam acceptantes, cepimus fidelitatem ipſius Electi,** & Temporalia Epiſcopatus prædicti, prout moris eſt, **reſtituimus eidem.** Et ideo vobis mandamus, quod eidem Electo temporalia Epiſcopatus prædicti ſine dilatione liberetis, ſicut prædictum eſt. In cujus, &c. Teſte Rege apud *Weſtm.* 30 die *Maii.*

Et mandatum eſt Militibus, &c. In cujus, &c. Teſte ut ſupra.

The King for a certain Fine granted this extraordinary grace to the Prioreſſe and Covent of *Shafton,* that they ſhould have the cuſtody of the Temporalties thereof during the next vacancy, by ceſſion or death of the preſent Abbeſſe.

Fines 18 E. 1. m 20. Pro Prioriſſa & Conventu Shafton. de fine, &c.

REX per finem centum librarum quem Prioriſſa & Conventus *Shafton.* fecerunt cum eo, & quas ei ſolvent ad Scaccarium ſuum, conceſſit eis, quod eadem Prioriſſa & Conventus habeant cuſtodiam Abbatiæ ſuæ **toto tempore vacationis ejuſdem, poſt ceſſionem vel deceſſum** *Laurencia* nunc ejuſdem loci Abbatiſſæ, **hac vice de gratia Regis ſpeciali,** & quod percipiant & habeant omnes exitus & proventus ejuſdem Abbatiæ ad opus ſuum, tam in tallagiis hominum ſuorum quàm in terris & rebus aliis ad Abbatiam illam ſpectantibus, **quæ ad Regem pertinere poſſent, ſi cuſtodiam illam in manu ſua Rex teneret.** Ita quod nullus Ballivus Regis vel alius ex parte Regis eas impediat vel ſe intromittat de cuſtodia illa quo minus dicta Prioriſſa & Conventus habeant hac vice liberam adminiſtrationem omnium bonorum & catallorum ad Abbatiam illam ſpectantium, **ſalvis tamen Regi advocationibus Eccleſiarum ad Abbatiam illam ſpectantibus, gardis et eſcaetis de feodis militaribus ſi quas accidere contigerit tempore vacationis prædictæ. Et ſalva Regi et hæredibus ſuis impoſterum in aliis vacationibus ejuſdem Abbatiæ, cuſtodia memorata cum acciderit.** In cujus, &c. Teſte Rege apud *Weſtm.* 25 die *Januarii.*

Et ſciendum, quod ſi contingat in vacatione Abbatiæ prædictæ aliquam ſub diſcordia eligi in Abbatiſſam, **finis prædictus pro nullo habeatur.**

Three Clergymen who were Collectors being indebted to the King, he iſſued theſe Writs both to Sheriffs and Biſhops by his Prerogative, to ſeiſe and ſequeſter all their Temporal and Eccleſiaſtical Lands, Livings, Goods and Chattels in ſeveral Counties and Dioceſſes, notwithſtanding our * *Biſhops Canons and Conſtitutions* to the contrary.

* See Spelmanni Concil. Tom 2. p 273, 583, 443, 721.

Quibuſdam

Ar. 18 E. 1.

Fines 18 E. 1. m. 21. De terris & tenement. bonis & catallis Johan. de Lovetot, Wil. de Burneton, Rog. de Leyceſtria, & Rob. de Littlebury, captis in manum Regis.

Quibuſdam certis de cauſis mandatum eſt Cuſtodi & Vicecomitibus *London.* quod omnes terras & tenementa, bona & catalla *Johannis de Lovetot, Willielmi de Burneton, Rogeri de Leyceſtria,* & *Roberti de Littlebury* in Balliva ſua, ſine dilatione **in manum Regis capiant,** & ea ſalvo & abſque diſtractione aliqua cuſtodiri faciant, donec Rex aliud inde præceperit. Ita quod inde ad Scaccarium Regis Regi reſpondere poſſint ad mandatum Regis. Teſte Rege apud *Weſtm.* 14 die *Januarii.*

Eodem modo mandatum eſt Vicecomitibus *Cantebr. Midd. Norff.* & *Suff.* videlicet, cuilibet eorum per ſe, quod terras & tenementa, bona & catalla prædicti *Willielmi* in Ballivis ſuis ſine dilatione capiant in manum Regis, & ea ſalvo cuſtodiri faciant, &c. Teſte ut ſupra.

Item mandatum eſt Vicecomitibus *Ebor.* & *Northumbr.* videlicet, utrique eorum per ſe, quod terras, tenementa, bona & catalla prædicti *Willielmi* in Ballivis ſuis ſine dilatione capiant in manum Regis, & ea ſalvo cuſtodiri faciant, &c. Teſte ut ſupra.

Item mandatum eſt Vicecomiti *Eſſex* & *Hertf.* quod terras, tenementa, bona & catalla prædictorum *Johannis, Willielmi* & *Rogeri* in Balliva ſua ſine dilatione capiat in manum Regis, & ea ſalvo cuſtodiri faciat, &c. Teſte ut ſupra.

Item quibuſdam certis de cauſis mandatum eſt venerabili patri *J. Wynton.* Epiſcopo, **quod omnia bona Eccleſiaſtica** *Willielmi de Burneton* in Epiſcopatu ſuo ſine dilatione ſequeſtrari, & ea ſic ſequeſtrata ſalvo & abſque diſtractione aliqua cuſtodiri faciat, donec, &c. ut ſupra. Teſte ut ſupra.

Eodem modo mandatum eſt *A. Dunolmenſi* Epiſcopo, quod **bona Eccleſiaſtica** prædictorum *Willielmi, Rogeri* & *Roberti* in Epiſcopatu ſuo ſine dilatione ſequeſtrari, & ea ſic ſequeſtrata ſalvo & abſque diſtractione aliqua cuſtodiri faciat, donec aliud, &c. Teſte ut ſupra.

Eodem modo mandatum eſt *J.* Archiepiſcopo *Ebor.* & *R. Karliolenſi* Epiſcopo diviſim, **quod omnia bona Eccleſiaſtica** prædicti *Willielmi* in Epiſcopatibus ſuis ſine dilatione ſequeſtrari, & ea ſic ſequeſtrata ſalvo & abſque diſtractione aliqua cuſtodiri faciant, donec, &c. Teſte ut ſupra.

The King out of his piety and charity, this year gave ſeveral ſums of money to buy Books and Ornaments for Religious Houſes, that were burnt in *Gaſcoigne* and *England*, as theſe Records atteſt.

Rot. Vaſcon. 18 E. 1. m. 3. Pro fratribus Prædicatoribus Baion.

REX Seneſcallo ſuo *Vaſconiæ*, & Conſtabulario Caſtri ſui *Burdeg.* ſalutem. Dilectorum nobis in Chriſto Fratrum Prædicatorum *Baionæ* ſtatui **ſuper Domorum et Librorum incendio pio compatientes affectu**; vobis mandamus, **quod ducentas libras monetæ noſtræ** *Burdeg.* **eiſdem Fratribus de denariis noſtris liberari faciatis de dono noſtro, ad allevacionem eorundem ſuper amiſſione prædicta.** Et hoc nullatenus omittatis. Et nos pecuniam illam cum eam eis liberaveritis, vobis præfato Conſtabulario in compoto veſtro volumus allocari. Teſte Rege apud *Lang.* 26 die *Julii.*

Liberate An. 18 E. 1. m. 1. Pro Prioriſſa & Monialibus de Ceſtrehunt propè Walth.

REX Theſaur. & Camerariis ſuis, ſalutem. Liberate de Theſauro noſtro dilectæ nobis in Chriſto Prioriſſæ & Monialibus de *Ceſtrehunte* propè *Waltham*, **viginti libras de dono noſtro ad domos ſuas nuper per inforcuntum combuſtas conſtruend.** Teſte Rege apud *Kingeſclipſton*, 20 die *Octobris.*

The King repairing and building the Caſtle of *Carnarvan* in *Wales*, after his conqueſt thereof, among other monies converted the profits of the Archbiſhoprick of *York* (then void) to that uſe, as this Writ reſolves.

Liberate An. 18 E. 1. m. 7. Pro Malcolm de Harlegh

REX Theſaur. & Camerariis ſuis, ſalutem. Allocate *Malcolmo de Harlegh* nuper Cuſtodi noſtro Archiepiſcopatus *Ebor.* ſede vacante, in compoto ſuo ad Scaccarium prædictum quatuor libras, quas per præceptum noſtrum poſuit in cariagio **octingentarum et duodecim librarum, duodecim ſolidorum, et quatuor denariorum**, proveniencium de exitibus ejuſdem Archiepiſcopatus à Civitate noſtra *Ebor.* **uſque Villam noſtram de** *Kaernarvan.* cum novem equis & hominibus

An. 18 *E.* 1. conductis, ad dictam pecuniam ducendam anno regni noſtri quartodecimo. Et quadraginta ſolidos quos ſimiliter per præceptum noſtrum poſuit in cariagio centum & quadraginta librarum, & quindecim ſolidorum, provenientium de eiſdem exitibus à Civitate prædicta uſque Villam prædictam anno eodem. Et quinquaginta ſolidos quos ſimiliter per præceptum noſtrum poſuit in cariagio centum & quinquaginta & ſeptem librarum, & octo ſolidorum, provenientium de exitibus prædictis à prædicta Civitate uſque Villam prædictam anno eodem. Et viginti & ſex ſolidos, & octo denarios, quos ſimiliter per præceptum noſtrum poſuit in conductione centum & unius librarum provenientium de exitibus prædictis à *Chirchesdon* uſque ad prædictam Villam de *Kaernarvan* anno prædicto. Niſi, &c. Teſte Rege apud *Fromton* 26 die *Novembris*. *Per Billam de Scaccario.*

So as the profits of that Archbiſhoprick received this year, applyed to this uſe, amounted to above 1100 *l.* beſides other allowances to Officers, and all other expenſes therein mentioned, which I pretermit.

The Abbot of *Wetheneye* and his Tenants in *Ireland*, receiving and harbouring the Kings Enemies and Rebels, againſt his allegiance, was notwithſtanding his Profeſſion fined 60. Marks to the King for this offence, which he was to pay by certain annual ſums to the Kings Exchequer there, as this Writ informs us.

Fines 18 E. 1. m. 1. Hibern. Pro Abbate de Wetheneye.

REX de illis **ſexaginta marcis** per quas Abbas de *Wetheneye* finem fecit cum Rege **pro tranſgreſſione quam ipſe et homines ſui fecerunt, receptando** *Hibernicos* de *Thremund.* **inimicos et rebelles Regis,** conceſſit eidem Abbati, quod reddat Regi per annum ad Scaccarium Regis *Dublin.* quinque marcas, *viz.* duas marcas & dimid. ad Scaccarium Regis *Paſcha* proximo futur. & duas marcas & dimid. ad Scaccarium Regis Sancti *Michaelis* proximo ſequens, & ſic de anno in annum quinque marcas ad eoſdem terminos, **donec prædictæ ſexaginta marcæ Regi perſolvantur.** Et ideo mandatum eſt Theſaur. & Baronibus de eodem Scaccario, quod eidem Abbati terminos illos habere, & ſic fieri & irrotulari faciant. Teſte Rege apud *Kingeſclipſton* 4 die *Novembris.*

There being ſome Pleas held in *Ireland* of Advouſons of Churches, in the Courts of ſome Lords within whoſe Lordſhips the Churches were, and a queſtion made, whether ſuch Churches of Abbots and Biſhops falling void, when their Temporalties were not in the Kings hands, or during their vacancy, belonged to the Kings, or to the Lords Courts within whoſe Lordſhips they were, to the prejudice of the Kings Crown and Right, who as ſupreme Patron and Ordinary had the conuſance of all Suits concerning Advouſons; he therenpon iſſued this Writ of *Cerciorari*, to remove thoſe Pleas and all their proceedings out of *Ireland* from the Lords Courts there, into *England.*

Brevia Regis An. 17 & 18 E. 1.

EDwardus, *&c. Juſtic. ſuo* Hiberniæ, *ſalutem. Cum inter noſtrum dilectum & fidelem* Galfridum de Genevill, *& Abbatem beati* Thomæ *extra* Dublin. *coram nobis placitum pendeat, ſuper Eccleſia de* Donamore; **Utrum** (*viz.*) **placitum inde ſicut de cæteris Eccleſiis, quæ ſunt de patronatu Epiſcopatuum et Abbatiarum in** Hibernia, **ratione crocearum terræ illius in manu noſtra exiſtentium, ad nos vel ad Dominos, infra quorum libertates Eccleſiæ hujuſmodi ſituantur, pertineat placitandum;** *ac* Hugo Hoſee *venerabilem patrem* Th. Midenſ. *Epiſcopum,* **in Curia** Galfridi de Trym **ſuper Eccleſia de** Galtrim **de advocatione ejuſmodi Epiſcopi exiſtente, ut dicitur, ſam implacitet, in noſtri præjudicium** manifeſtum, *ut accepimus;* **Nos nolentes per hujuſmodi placita aut alia in caſu conſimili in dicta terra** Hiberniæ **nobis præjudicari,** *ſed placitum illud ſuper dicta Eccleſia de* Galtrim, *una cum prædicto placito ſuper dicta Eccleſia de* Donamore, **coram nobis** *ſimul & ſemel, prout juſtum fuerit,* **terminari:** *Vobis mandamus, quod ad Curiam prædicti* Galfridi de Trym *accedentes, loquelam ſuper dicta Eccleſia de* Galtrim, *in eadem Curia habitam, ut prædictum eſt, recordari, & Recordum illud & Proceſſum cum Brevi originali, & omnibus aliis adminiculis, loquelam illam tangentibus, ſub ſigillo veſtro & ſigillis eorum qui recordo illi interfuerint diſtinctè & apertè nobis mittatis, & hoc Breve: Ita quod ea habeamus coram nobis apud* Weſtm. *a die Sancti* Michaelis

Michaelis *in* 15. *dies, partibus eundem diem præfigentes, quod tunc ſint ibi, factura & receptura quod juſtum fuerit in hac parte. Teſte* Edm. *Com.* Cornub. *Conſang. noſtro apud* Weſtm. 28 *die* Maii, *anno regni noſtri decimo ſeptimo.* Whereupon the Records of thoſe proceedings were returned and certified to the King in *England* the year following, as prejudicial to the Kings Crown and Juriſdiction. *An.* 18 *E.* 1

A few years before the Biſhops and Archdeacons of *Ireland* endeavoured by the power of the Biſhop of *Bath* and *Wells*, then Lord Chancellor of *England*, to engroſſe all Suits in the Kings Courts in *Ireland* againſt Executors, into their own Eccleſiaſtical Courts, as matters of Teſtament, not belonging to the Kings Courts, and a breach of their Eccleſiaſtical Priviledges, as appears by this complaint and petition of the Biſhop and Archdeacon of *Ferne* to this Lord Chancellor, *An.* 13 *E.* 1. (where it ſhould have been inſerted) concerning a Suit brought againſt the Archdeacon as an Executor, in the Kings Exchequer in *Dublin.*

Brevia Regis An 13 E. 1. in Turre London.

VEnerabili patri in Chriſto & amico (ſi placet) chariſſimo, Domino R. *Dei gratia* Bathon. & Wellen. *Epiſcopo*, R. *miſeratione divina Eccleſiæ* Fernenſ. *Miniſter humilis, ſalutem & ſincera dilectionis conſtantiam cum orationum ſuffragiis.* **Cum vos libertatis Eccleſiaſticæ columnam agnoſcamus cæteris firmiorem,** *veſtram moneat paternitatem,* **quod in partibus** Hiberniæ, **contra libertatem Eccleſiaſticam, inſolenter et noviter eſt ſuſcitatum, quod piæ paternitati veſtræ præſenti pagina referimus dolentes;** *videlicet, Quod cum* Nicholaus *Archidiaconus noſter* Fernenſ. **Executor Teſtamenti** Adæ de Sancto Johanne, **de bonis ejuſdem defuncti, tanquam Executor, jamdudum diſponeret et miniſtraret,** *ut dicitur; quidam Miles* Willielmus Waſpayl, *nomine Domini* Waterfordenſis *Epiſcopi, Juſticiarii* Hiberniæ *ſpecialis,* **de mandato ipſius Domini Juſticiarii, et ejus patrocinio ſpecialiter confidens,** & *audaciam habens;* **quaterviginti et ſex libras argenti ab eodem Archidiacono noſtro exigit coram Baronibus de Scaccario Domini Regis** Dublin. **ipſum ibidem conveniendo per Breve de Scaccario,** (*cujus tranſcriptum vobis mittimus, præſentibus incluſum.*) *Qui quanquam idem Archidiaconus per Attornatum ſuum coram eis allegaſſet,* **quod ſuper huſuſmodi re Teſtamentaria ibidem non debuiſſet reſpondere,** *ac per nos inſtanter petitum eſſet,* **quod cauſa illa ad noſtrum remitteretur examen, in eadem cauſa proceſſerunt; compellando ipſum Attornatum eidem** Willielmo **ibidem reſpondere de pecunia prædicta; quam idem** Willielmus **dicit ſe ſolviſſe** Reginaldo de Dene **per diſtrictionem Scaccarii prædicti:** *Qui* Reginaldus de Dene *eſt in cuſtodia dicti Juſticiarii, & filiam ſororis ejuſdem Juſticiarii duxit in uxorem.* **Et cum huſuſmodi * cauſa mere ſit Teſtamentaria, et ad examen Eccleſiaſticum de jure debeat pertinere, ſicut veſtra novit diſcretio, et nos ſemper parati fuerimus, et ſimus, de dicto Archidiacono noſtro, dicto Militi et aliis de ſe querelantibus plenam juſtitiam exhibere, ad libertatis Eccleſiaſticæ defenſionem et conſervationem, pro qua vos ſemper impendiſtis, ſummo (ſi placet) ſtudio remedium in præmiſſis providere dignemini.** *Prædicta vero cauſa inter ipſum Militem & dictum Archidiaconum, prout didicimus,* **in foro Eccleſiaſtico, coram Domino** Lechlin. *Epiſcopo, in cujus Dioceſi idem* **Miles dicit, ipſum Archidiaconum de bonis dicti defuncti adminiſtraſſe, exiſtit alias uſque ad ſententiæ diffinitivæ calculum ventilata, donec dicto Epiſcopo defuncto, per ipſius** Willielmi **negligentiam, conquieſcit. Unde intuitu Dei et Eccleſiæ, taliter in præmiſſis operari et providere veſtra diſcretio dignetur, ut Eccleſiaſtica libertas illæſa cuſtodiatur.** *Valeat pia paternitas veſtra ſemper in Domino. Dat. feria ſecunda in Septim.* Pentecoſt. *anno gratiæ* 1285.

* If this were Law, that all Executors muſt be ſued for Debts only in Biſhops Eccleſiaſtical Courts, then all Executors ſhould ſue others only in the Biſhops Courts for debts due to their Teſtators.

Supplicat vobis (Domine Cancellarie) Nicholaus *Archidiaconus* Fernenſ. (*qui vetus eſt, & gravi infirmitate detentus*) *remedium ſibi fieri de quibuſdam injuriis,* **libertati Eccleſiaſticæ et ſibi factis;** *quod cum quondam exiſtit* **Executor Teſtamenti** Adæ de Sancto Johanne *defuncti, & bona ejuſdem defuncti vice Executoris fideliter diſpoſuit & miniſtravit, & de bonis & catallis dictum Teſtamentum tangentibus,* **finalem compotum reddidit coram ſuo Dioceſano;** *ſuper hoc venit Dominus* Willielmus Waſpayl *Miles, ob favorem Juſticiarii* Hiberniæ, **et implacitat ipſum coram Baronibus de Scaccario** Dublin. **contra legem et juſtitiam,** *de quaterviginti* Ibidem.

An. 18 E. 1. *& ſex libris argenti, per quoddam Breve de viridi Cera, (quod dicitur,* Venire fac.*)* **eo quod extitit Executor prædicti defuncti, deficut huſuſmodi placita, Teſtamentum tangentia, coram eiſdem de jure non debent placitari; nec idem** Williel-mus, **Baro de Scaccario, nec Miniſter Domini Regis eſt.** *Et nichilominus ipſum cohartant ad reſpondendum* **coram ipſis de debito prædicto.** *Quare petit, caritatu intuitu, remedium ſibi fieri.*

What Biſhops and Abbots were this year elected and confirmed in *Ireland* by the Kings Royal licenſe and aſſent, theſe Records will evidence.

Pat. 18 E. 1. m. 13. De aſſenſu electioni adhibito.

REX **adhibuit aſſenſum electioni nuper factæ** in Eccleſia Cathedrali *Duacen.* de fratre *Laurencio* Abbate *Collemctor.* ordinis *Ciſtercienſis* **in Epiſcopum** *Duacen.* Et hoc ſignificatum eſt *W. Tuamenſi* Archiepiſcopo, ut quod ſuum eſt exequatur in hac parte. Teſte Rege apud *Selveſton*, 10 die *Aug.*

Pat. 18 E. 1. m. 17. Hibern. De Temporal. reſtitutis.

REX Juſtic. ſuo *Hiberniæ*, vel ejus locum tenenti, ſalutem. **Cum nos electioni nuper factæ in Cathedrali Eccleſia** *Cluovenſi* **de fratre** *Willielmo Oduſith.* **ordinis** *Minorum* **in Epiſcopum ejuſdem loci, Regium aſſenſum adhibuerimus et favorem**; & velimus eidem Electo gratiam facere uberiorem in hac parte, ut ſuis **parcamus laboribus et expenſis**; vobis mandamus, quod electione illa à loci Metropolitano canonicè confirmata, & recepta nomine noſtro ab eodem Electo **fidelitate nobis debita**, ut eſt moris, Temporalia Epiſcopatus prædicti eidem liberari faciatis. **Receptis tamen prius ab ipſo literis patentibus ſigillo ſuo, necnon ſigillo Capituli ſui ſignatis, quod hæc noſtra gratia nobis vel hæredibus noſtris non cedet in præjudicium, ſeu trahetur in conſequentiam in futurum.** In cujus, &c. Teſte Rege apud *Weſtm.* 15 die *Julii.*

Ibid. m. 41.

REX Venerabili in Chriſto patri *J.* &c. Archiepiſcopo *Dublin.* Juſtic. ſuo *Hibern.* ſalutem. Cum venerabilis pater *N.* Archiepiſcopus *Armachan. Hiberniæ* Primas, **Eccleſiæ Cathedrali** *Ardachaden.* **paſtoris ſolatio deſtitutæ**, de perſona diſcreti viri Magiſtri *Matthæi de Ardagh.* Canonici Eccleſiæ prædictæ ***providerit, ipſum præficiendo in Epiſcopum ejuſdem Eccleſiæ et Paſtorem**, ſicut per literas ejuſdem Archiepiſcopi patentes nobis inde directas plenius nobis conſtat, & inſuper dilecti nobis in Chriſto Decanus & Capitulum Eccleſiæ prædictæ *Ardachaden.* nobis per literas ſuas patentes humiliter ſupplicarunt, **ut præfectionem illam acceptemus: Nos ipſorum precibus in hac parte favorabiliter annuentes, et præfectionem illam acceptantes, cepimus fidelitatem præfati Magiſtri** *Matthæi*, & Temporalia Epiſcopatus prædicti, prout moris eſt, reſtituimus eidem. Et ideo vobis mandamus, quod eidem Magiſtro *Matthæo* Temporalia Epiſcopatus prædicti cum pertin. liberetis, ſicut prædictum eſt. In cujus, &c. Teſte meipſo apud *Weſtm.* 28 die *Januarii.*

* It ſeems to be without a precedent licenſe of the King, or election by the Dean & Chapter, ſupplyed by their ſubſequent aſſents thereto.

Pat. 18 E. 1. m. 10. Hibern. De Temporal. reſtitutis.

REX Juſtic. ſuo *Hiberniæ*, vel ejus locum tenenti, ſalutem. Cum dilecti nobis in Chriſto Prior & Conventus de Inſula de *Melanfith.* nobis per literas ſuas patentes ſignificaverint, quod Eccleſia ſua prædicta per mortem *Petri* nuper Abbatis ejuſdem loci, Paſtoris eſt ſolatio deſtituta, ſupplicantes nobis prout moris eſt, quod licentiam ſibi alium eligendi in Abbatem eiſdem concedere dignaremur, ac nos precibus, &c. Nos eorundem Prioris & Conventus laboribus & expenſis in hac parte parcere volentes, iſta vice, conceſſimus eis **de gratia noſtra ſpeciali**, & vobis dedimus poteſtatem, quod facta electione prædicta de futuro Abbate, ſicut prædictum eſt, eidem Abbati **aſſenſum Regium**, &c. **volumus etiam**, &c. **quod ſi**, &c. **tunc recepta ab ipſo Electo fidelitate in caſu iſto nobis debita**, temporalia, &c. **Receptis tamen**, &c. ut in præcedentibus. In cujus, &c. Teſte Rege apud *Weſtm.* 10 die *Julii.*

What licenſes and diſpenſations againſt the Statute of *Mortmain*, of Lands and Tenements given to Biſhops in *Ireland*, the King granted this year, theſe Records inform us.

REX

An. 18 *E.* 1. Pat. 18 E. 1. m. 24. Pro Archiep. Archimachano Hiberniæ Primate.

REX omnibus, &c. ſalutem. Licet nuper provideri fecerimus, *quod non liceat viris Religioſis aut aliis ingredi feodum alicujus; ita quod ad Manum mortuam deveniat ſine licentia noſtra & Capitalis Domini ac quo res illa immediatè tenetur*; Conceſſionem tamen remiſſionem & quietam clamacionem quas *Rogerus de Thornton* & *Iſabella* uxor ejus, & *Radulphus Burgoys* venerabili patri Archiepiſcopo *Archimarcano Hybernia* Primati fecerunt, de decem & ſeptem carucatis terræ cum pertin. in *Brumeskyn*, ut dicitur. **Habend. ſibi et ſucceſſoribus ſuis Archiepiſcopis ejuſdem loci imperpetuum, ratas habentes et gratas, eas pro nobis et hæred. noſtris quantum in nobis eſt concedimus et confirmamus,** ſicut ſcripta prædictorum *Rogeri, Iſabellæ*, & *Radulphi* eidem Archiepiſcopo inde confecta rationabiliter teſtantur; Salvo jure cujuſlibet: Nolentes quod iidem *Rogerus, Iſabella*, & *Radulfus*, ſeu hæred. ſui, vel prædictus Archiepiſcopus aut ſucceſſores ſui ratione ſtatuti prædicti inde per nos vel hæred. noſtros occaſionentur in aliquo vel graventur. In cujus, &c. Teſte Rege apud *Weſtm.* 15 die *Junii*.

Conſimiles literas habet idem Archiepiſcopus de donacione & conceſſione quas *Alicia de Napton* fecit eidem Archiepiſcopo **de advocationibus Eccleſiarum de** *Bernemede, Dumbenny* & *Kilkerli*, ut dicitur. Habend. &c. In cujus, &c. Teſte ut ſupra.

Ibid. m. 14. Hibern. Pro Epiſcopo Middenſi.

REX omnibus ad quos, &c. ſalutem. Inſpeximus Cartam quam *Robertus de Wygorn.* perſona Eccleſiæ de *Nober* fecit venerabili patri *Thomæ Midenſi* Epiſcopo in hæc verba. *Sciant præſentes & futuri, quod ego* Robertus de Wygorn. *Rector Eccleſia de* Nober *pro ſalute animæ meæ dedi, conceſſi, & hac præſenti carta mea confirmavi venerabili in Chriſto patri Domino* Thomæ *Dei gracia* Midenſi *Epiſcopo, tria burgagia cum ædificiis & pertin. in Villa de* Nober, *quæ habui ex vendicione* Henrici de Northamton. *Vicarii de* Stachmoholmoc, *ſecundum diviſas, perambulaciones & metas in carta ejuſdem* Henrici *ſuper hiis confecta comprehenſis plenius contentas. Habenda & tenenda dicta burgagia cum ædificiis prædictis & pertin. de me & hæred. meis* **ſibi et ſucceſſor. ſuis et Eccleſiæ ſuæ** Midenſi **libere et quiete, bene et in pace imperpetuum.** *Reddendo inde annuatim Dominis feodi per annum redditum debitum & conſuetum, prout in carta prædicta prædicti* Henrici *plenius continetur. Ego vero prædictus* Robertus *& hæredes mei prædicta tria burgagia, cum ædificiis & pertin. ſecundum quod prædictum eſt, prædicto Domino Epiſcopo ſucceſſoribus ſuis & Eccleſiæ ſuæ prædictæ contra omnes gentes warrantizabimus imperpetuum. Et ut hæc mea donacio, conceſſio, & præſentis cartæ meæ confirmacio perpetuæ firmitatis robur optineant, eidem cartæ ſigilli mei impreſſionem appoſui. Hiis teſtibus Magiſtro* Johanne de Keneleye *Archidiacono* Midenſi, *Magiſtro* Johanne de Dumbilton. *Archidiacono de* Kenles, *Magiſtro* Willielmo de Waſſeburn. *Magiſtro* Willielmo de Sidan, *Domino* Stephano de Exon, Henr. Vinetur, Ada Vinetario, Simone de Porta, Ada Beletambe, Waltero de Clongel, Johanne de la More, Johanne Herte, Philippo de Mareſton. *& aliis.* **Nos autem donacionem et conceſſionem prædictas ratas habentes et gratas, eas pro nobis et hæred. noſtris quantum in nobis eſt concedimus et confirmamus,** *ſicut carta prædicta rationabiliter teſtatur. In cujus, &c. Teſte Rege apud* Weſtm. 12. *die* Julii.

What Liberties the King this year granted by his Charters to *John de Saunford* Archbiſhop of *Dublin*, and the Canons of *All Saints* there, thoſe who pleaſe may peruſe in Chart. 18 E. 1. nu. 86. & 94.

In the Plea Rolls in the *White Tower*, *Tr.* 18 E. 1. I met with theſe ſuits for proſecuting and holding Plea in Courts Chriſtian of Chattels, Debts and Advowſons, not belonging to their Juriſdiction.

Placita apud Weſtm. Trin. 18 E. 1. Rot. 21 dorſo.

Radulphus *Vicarius Eccleſiæ de* Mapeldeſted *attachiatus fuit ad reſpondendum* Ricardo *filio* Gerardi de Heckeſofte *de placito, quare ipſe ſimul cum Magiſtro* Willielmo de Notton *Archidiacono* Midd. **tenuit placitum in Curia Chriſtianitatis de catallis et debitis quæ non ſunt de Teſtamento vel Patrimonio, contra prohibicionem Regis,** &c. *Et unde queritur quod cum idem* Ricardus *ſummonitus eſſet coram eiſdem*

Radulpho

An. 18 *E.* 1. Radulpho & Willielmo *ad respondendum de quinque marcis quas ab eo tunc exigebant: Ad idem* Ricardus *die Veneris proxima post festum Sancti* Nicholai *in Ecclesia de* Hanstede, *anno Regis nunc decimo septimo*, prohibitionem Regis ne placitum illud teneret, prædictis Radulpho et Willielmo exhibuisset, prædictus Radulphus spreto mandato Regis, nichilominus prædictum placitum simul cum prædicto Willielmo tenuit, in contemptum Domini Regis et grave dampnum ipsius Ricardi, *&c. Unde dicit*, quod deterioratus est et dampnum habet ad valentiam centum solidorum; et inde producit sectam, *&c.*

Et Radulphus *per Attornatum suum venit & defendit vim et injuriam quando, &c. Et bene defendit*, quod nunquam tenuit placitum in Curia Christianitatis de prædictis quinque marcis contra prohibitionem Regis sicut ei imponit. *Et hoc paratus est defendere contra ipsum & sectam suam sicut Curia consideraverit, &c. Ideo vadiet ei legem suam* 12. *manu, &c. Et veniat cum lege sua in* Chrastino Animarum, *&c. Plegii de lege* Willielmus de Tynchyngsend & Willielmus de Twynstede, *&c.*

Ibid. Rot. 26. intus. Surr. Willielmus de la Punt *per Attornatum suum optulit se* 4. *die versus* Willielmum de London *Canonicum de* Suthwerk *de placito* quare tenuit placitum in Curia Christianitatis de catallis et debitis quæ non sunt de Testamento vel Matrimonio contra prohibitionem, *&c. Et ipse non venit, & præceptum fuit Vicecomiti*, quod attachiaret eum *quod esset hic ad hunc diem, &c. Et Vicecomes nichil inde fecit, set mandavit quod prædictus* Willielmus de London *Clericus est, & non habet Laicum feodum in Ballywa sua per quod potest attachiari. Ideo mandatum est Episcopo* Wyntoniæ, *quod venire faciat eum hic in* Crastino Animarum. *Et unde Vicecomes mandavit, &c.*

Ibid. Rot. 69. Ebor. Petrus de Malo lacu *per attornatum suum optulit se quarto die versus Magistrum* Robertum de Pykering, *&* Ricardum *Priorem* de Sancto Oswaldo, *de placito quare idem Magister* Robertus *simul cum* Johanne *Archiepiscopo* Eborum tenuit placitum in Curia Christianitatis de advocatione medietatis Ecclesiæ de Lychfeldia contra prohibitionem, *&c. Et ipsi non venerunt*; Et præceptum fuit Vicecomiti quod attachiaret eos, *&c.*

Ibid. Rot. 96. Ebor. *Magister* Willielmus de Marchia *per attornatum suum optulit se* 4. *die versus Magistrum* Simonem de Clervaus *Officialem Archidiaconi* Cleveland *de placito* quare tenuit placitum in Curia Christianitatis de catallis et debitis quæ non sunt de Testamento vel Matrimonio, *& versus* Thomam *Abbatem* de Ryevall, Johannem de Normanby *Commonachum suum, & Magistrum* Rogerum de Scardeburgh de placito quare secuti sunt idem placitum in eadem Curia contra prohibitionem, *&c. Et ipsi non venerunt, &c. Et prædictus* Simon de Clervaus attachiatus fuit *per* Johannem *ad* Fontem, *&c.* Ideo ipsi in misericordia. *Et præceptum est Vicomiti quod distringat eos per omnes terras, &c. Et quod de exitibus, &c. Et quod habeat corpora eorum hic à die Sancti* Michaelis *in quindecim dies, &c.*

In the same Plea Roll, in an Assise of Darraign presentment I finde this Plea of plenarty pleaded by a Prioresse by vertue of an Impropriation, and of a person intruded into it, by whose presentation the Plaintiff claimed a Title, who was actually deprived by a Judicial Sentence in the Court of *Rome*, and the Abbesse thereby restored to the possession thereof.

Ibid. Rot. 105 Wiltes. *Assisa venit recognitura quis advocatus tempore pacis præsentavit ultimam personam quæ mortua est ad Ecclesiam de* Wamberge *quæ vacat, &c. et cujus advocationem* Alanus *filius* Rogeri de la Zuche, *&* Emelina Lungespeye *aliàs clamaverunt versus Priorissam de* Ambresbury, *&c. Et modo venit prædictus* Alanus, *& similiter prædicta Priorissa per Attornatos suos. Et quia eadem Priorissa aliàs dixit, quod non potuit prædicto* Alano *sine prædicta* Emelina *participe sua inde respondere, præceptum fuit Vicecomiti quod summoneret eam quod esset hic ad hunc diem ad sequendum simul, &c. Et ipsa non venit, & summon. &c. Ideo consideratum est, quod prædictus* Alanus *respondeatur sine prædicta* Emelina, *&c. Et* Alanus *dicit, quod quidam* Stephanus Lungespay *antecessor ipsius* Alani *& prædictæ* Emelinæ, *cujus hæres ipsi sunt quæ non sequitur, &c. ad prædictam Ecclesiam præsentavit quendam* Hugonem de la Penne *Clericum suum tempore pacis Domini* H. *Regis patris Domini Regis nunc, qui ad præsentacionem suam fuit admissus & institutus, & per cujus resignationem prædicta Ecclesia modo vacat, &c. Et de* Stephano *descendit, &c. & prædictæ* Emelinæ *quæ non, &c. Et de ipsa* Ella *descendit, &c. isti* Alano *qui nunc, &c.*

Et

Et *Prioriſſa per attornatum ſuum venit & dicit, quod non debet ei inde ad hoc breve reſpondere, quia dicit, quod prædicta Eccleſia plena eſt & conſulta de ipſa Prioriſſa & Conventu ſuo* qui illam tenuit in pzopzios uſus de adbocatione ſua pzopzia, *& fuit ante impetracionem brevis.* Et *hoc parata eſt verificare ubi & quando debuerit, &c.* An. 18 E. 1

Et *prædictus* Alanus *dicit, quod prædictus* Hugo *nuper perſona prædictæ Eccleſiæ ad præſentacionem prædicti* Stephani *anteceſſoris, &c. à tempore inſtitutionis ſuæ ut perſona imperſonata in eadem ſtatum continuavit uſque feſtum Sancti* Michaelis *proximo præteritum, & tunc* Hugo *Eccleſiam illam reſignavit. Et dicit, quod quam cito noticia reſignacionis, &c. ad ipſum pervenit ipſe infra quinque menſes proximo ſequentes breve ſuum impetravit. Et hoc petit quod inquiri per aſſiſam. Unde dicit, quod ſtatus plenitudinis quem prædicta Prioriſſa dicit ſe habere, potius debet dici in eum Intruſio, quam plenitudo. Dies datus eſt eis de audiendo Judicio ſuo hic à die Sancti* Michaelis *in xv. dies. Poſtea . . . . . ad diem illum venerunt partes per attornatum ipſius Prioriſſe. Et Prioriſſa dicit, quod advocacio prædictæ Eccleſiæ fuit cujuſdam Prioris & fratrum de* Nogento Rodrode, qui Eccleſiam illam tenuerunt in pzopzios uſus de adbocacione ſua pzopzia per centum annos ante impetrationem pzædicti bzebis. *Et dicit, quod prædictus* Hugo *ſuper poſſeſſione prædictorum Prioris & Fratrum intruſit ſe in prædictam Eccleſiam, & illam tenuit occupatam quouſque idem* Hugo *ad ſectam ipſius Prioris* per ſententiam diffinitibam latam in Curia Romana fuit ab Eccleſia illa pzivatus, et idem Pzioz in eadem Eccleſia reſtitutus. *Et hoc paratus eſt verificare ubi & quando debuerit, &c. Et dicit, quod idem Prior & fratres poſtea dederunt advocationem prædictæ Eccleſiæ ipſi Prioriſſæ & Eccleſiæ ſuæ prædictæ, tenend. ipſi Prioriſſæ & cæteris Prioriſſis quæ ei ſuccedent, &c. Et profert quandam Cartam nomine ipſorum Prioris & fratrum quæ hoc teſtatur. Et dicit, quod poſtea Epiſcopus* Sarum appzopziabit ipſi Pzioziſſæ pzædictam Eccleſiam tenendam in pzopzios uſus; unde cum pzædicti Pzioz et fratres per ſententiam pzædictam poſſeſſioni ſuæ pzopzietatis in pzædicta Eccleſia fuerunt reſtituti; et de ſiſtna ſua pzopzietatis feoffarunt ipſos Pzioziſſam et Conbentum de adbocatione ejuſdem, Epiſcopus Sarum ipſis appzopziabit Eccleſiam illam, et ipſi tenuerunt illam appzopziatam quaſi immediatam poſt ſeiſinam pzædictozum Pziozis et fratrum, *petit Judicium, &c. Et quia prædicta Prioriſſa nichil dicit quare aſſiſa illa debeat retardari, conſideratum eſt, quod procedatur ad aſſiſam, &c. Set ponitur in reſpectu uſque in Craſtino* Purificationis *beatæ* Mariæ *pro defectu Recognitorum, quia nullus venit. Ideo Vicecomes habeat corpora, &c.*

* *Matthew Parker* Archbiſhop of *Canterbury* ſtories, that *John Peckham* Archbiſhop of *Canterbury* this year, after the viſitation and ſubjugation of his whole Province, ſummoned a Council of his Clergie at *Redyng*, wherein he intended and propounded the drawing of all Cauſes concerning Advowſons meerly belonging to the Kings Temporal, to their Eccleſiaſtical Courts, and to cut off all Prohibitions to them from the Kings Courts in perſonal cauſes; a deſign they had long attempted: which the King hearing of, expreſly commanded them by ſpecial Meſſengers, to deſiſt from it, whereupon their deſign was fruſtrated, and this Council diſſolved. * De Antiqu. Eccleſ. Angl. f. 205. Anno 1290.

Subacta ſibi jam his modis Provincia, Clerum ſuum Redingi congregabit. Pzopoſuitque cognitionem de Patronatu Eccleſiarum, multis annis ad Regium tribunal ſpectantem, inde ad Eccleſiaſticum fozum traducere, tum Pzohibitiones Regias in Litibus de bonis et catallis pzozſus reſcindere, et ne deinceps Eccleſiaſticos Judices a jure reddendo retardarent vetare, (Such was his Papal inſolencie and diſloyaltie) * Sed Rex incepto hoc audito, nuncios ad Concilium deſtinatis multis, tam Archiepiſcopo quam toti Clero minis pzæcepit, ut deſiſterent. Unde factum eſt, ut a ſua pzæſumptione Archiepiſcopus penitus tranſiliret. Ita diſſoluto Concilio omnes Pzælati ſpe inanes receſſerunt. To which he ſubjoyns this notable paſſage concerning the Prelates incontinencie, the briberie, uſurie of the Pope and Court of *Rome*, and their Merchants, the ſuppreſſing all proceedings againſt an unchaſt Biſhop for mony, and the Archbiſhops endeavours to advance his own abſolute authority. In eo etiam Concilio *fama publica id exigente*, perquiſibit de Epiſcopo quodam Concubinario; de quo ad Matthæum quendam Romanæ Eccleſiæ Cardinalem ſcripſit, *ſed de ejus nomine nullam mentionem fecit, id enim, ut ait, nuncio ſuo proferendum* * Petrus de Ickeham.

An. 18 E. 1. *ferendum commisit. Petiit in aliis literis à Cardinali* Matthæo, ut de eo cogitando Papam secreto sermonem consuleret, neque res enunciaretur. Multos enim ei in Romana Curia amicos et explogatores fuisse, potissimum autem Mercatores *Lucanenses*, quorum (ut diximus) opera in expilationibus et usuris Papa sæpe usus esset. *Hunc autem non nominatum Episcopum cum secreto convenisset, atque quæsivisset*, an vera essent quæ de ejus concubinatu fama retulisset? *Testes, quos Archiepiscopus expectabat & adesse jussit, metuens tandem turpia narrasse*, et ipsius turpitudinis diem fatium fuisse, describit. *Deinde eadem septimana cum* Mortlaci *moraretur, venisse ad eum fœminam quendam* Julianam de illius Episcopi factis quædam narraturam. Ea juramento coacta peperisse se quinque liberos ex eodem Episcopo adhuc superstites, fatta est. *Hunc cum coercere vellet*, metuens ne se muneribus ad Papam sundendis defenderet, per hunc Cardinalem præoccupavit Papam. Respono, inquit, eum adhuc aggredi iterato. Sed scio, quod conatus meus parum proderit, nisi me litera juvat Apostolica. Nox enim ut eum tetigero, appellationis alis falsidicæ rete meum effugiet, infinitam pecuniam effusurus. Vero autem, ut in omnibus aliis mihi per vos adsit adminiculum Papæ, per quod mea crescat authoritas, et timor incutiatur rebellibus, meaque jurisdictio excitetur, ut constantius nova inchoem, et inchoata authoritate majori valeam confirmare.

I finde in the Parchment Book of Collections of *Placita Parliamenti* 18 E. 1. in the *Tower*, that the King to preserve the Jurisdiction of his own Temporal Courts against the Bishops encroachments, and yet to preserve their legal Jurisdiction in causes properly triable by them by the grace and grant of his predecessors, made this Constitution upon the Ecclesiastical Judges grievous complaint, that the Chancellor or Chief Justice for the time being, when a Prohibition was granted to stay any suit in Court Christian, should send for the Libel, and if upon examination they found the Kings Court by Writs out of the Chancerie could not relieve the party, and that the cause belonged to the Ecclesiastical Court to determine, they should order them to proceed notwithstanding the Prohibition.

* Placita Parliamentaria An. 18 E. 1. m. 21. See Ryley p. 39. Quod Judices Ecclesiastici procedant non obstante Prohibitione Regis.

* Cum Judices Ecclesiastici ad procedendum in causis coram ipsis agitatis per Prohibitionem Domini Regis sæpius supersedant in casibus ubi remedium conquerentibus ad Curiam Domini Regis per Breve de Cancellaria sua fieri non possit, propter quod querentes illi in utraque Curia tam Regia quam Ecclesiastica jure suo et remedio sunt elongati, ad grave dampnum ipsorum, prout Dominus Rex ex gravi querela quorundam intellexit: Dominus Rex vult et præcepit, quod cum Judices Ecclesiastici per Prohibitionem Regiam sibi porrectam supersedeant in casibus prædictis, quod Cancellarius vel Capitalis Justiciarius ipsius Domini Regis qui pro tempore fuerit, viso libello illius causæ, ad instantiam querentis, si viderint quod per Breve de Cancell. querenti remedium suo casu fieri non possit, set quod ad Curiam Ecclesiasticam pertineat causam illam determinare, scribant Judicibus coram quibus causa illa prius fuerit agitata, quod in causa illa procedant, non obstante Prohibitione Regia prius sibi inde directa. Therefore the Archbishop and Clergy had no cause at all to attempt the suppression of all *Prohibitions* to them to restrain their usurpations on the Kings Crown, Courts, or Subjects Liberties.

An. 19 E. 1. King *Edward* sending his Letters to the Archbishops and Bishops of *Ireland* to convene their Clergie, and induce them to grant him a Dism of their Spiritualties to defray his expenses and Debts in redeeming his * *Nephew Charles*, and setling Truces in foreign parts, the Clergie of *Ireland* unanimously refused to grant his request, by reason of their extreme poverty, and many years wars and depredations, yea sundry of them appealed to the Pope against it, as these Letters of the Archbishops of *Tuam* and *Cassels*, and Bishop of *Dary* to the King, which I found in the *White Tower* Chappel, will more fully relate.

* See Here, p. 375.

Brevia Regis 19 E. 1. in Turre London

Excellentissimo Principi ac Domino suo Reverendissimo Domino Edwardo *Dei gratia Illustri Regi* Angliæ, *Domino* Hiberniæ, *& Duci* Aquitaniæ, W. *permissione divina* Tuamen. *Ecclesiæ Minister humilis, salutem in eo* qui Regibus dat salutem.

Serenitati

Serenitatis veſtræ literas affectione qua decuit nuper recepimus, quibus intime nos roga- *An.* 19 *E.* 1.
ſtis, quod ad certos diem et locum noſtros Suffraganeos et Clerum noſtræ Provinciæ coram nobis faceremus ſpecialiter convocari; *quodque ipſos ex parte veſtra induceremus efficaciter*, quod una nobiſcum Decimam Spiritualium ipſos contingentium vobis concederent gratioſe ad exonerationem Debitorum, quibus eſtis impliciti, propter nullas graves et expenſas neceſſarias, quas nuper morando tradendo ſeciſtis in partibus tranſmarinis, deliberationem magnifici Principis, veſtri Conſanguinei, Domini *Caroli Regis Siciliæ faciendam, *Super quibus Regia veſtra Celſi-* * See here, p.
tudini tenore præſentium reſpondemus, Quod juxta literarum veſtrarum tenorem Suffra- 375.
ganeos et Clerum noſtræ Provinciæ ad certos diem et locum fecimus convocari; *ipſoſque diligentia & inſtantia, quibus potuimus (novit Altiſſimus) induximus, & ferventiſſime rogavimus*, quatenus requiſitionem tanti Principis, tam exilem, recuſarent nullatenus vel tardarent, ſed eam potius gratanter concederent et votivè. *Qui quidem Suffraganei ſinguli, cum dicto Clero, ad deliberandum ſeceſſerunt ad partem: eorumque Clerus deliberato conſilio reſpondit unanimiter*, Quod propter guerram, paupertatem, et Eccleſiæ libertates in ſtatu debito conſervandas, petitionem veſtram prædictam nullo modo concedere poterat, nec volebat. A cujus reſponſione itidem Suffraganei, ut aſſeruerunt rationibus antedictis, et propter Appellationem *Nota.*
per ipſum Clerum ad ſedem Apoſtolicam interjectam, diſcedere non valebant, et ſic cum eo partem duxerunt eligere negatibam. *Nos caterum immediatum noſtrum Clerum, ad certos diem & locum per nos ſimiliter convocatum, efficaciter induximus & ferventer*, Quod conceſſioni petitionis prædictæ minimè ſuperſederent; *Intimantes eidem, ac noſtris Suffraganeis, eorumque Clero*, quod licet per Conceſſionem hujuſmodi modice crederent prægrabari, per eam tamen poſſent veram veſtrorum benevolentiam Miniſtrorum, et uberiorem gratiam indubitanter captare, ac vos ipſi per hoc induci ad gradamina *Hibernicana* Eccleſiæ et perſonis Eccleſiaſticis ibidem illata hactenus, revocanda, et foraſtis ad eandem Eccleſiam reſtituendam in ſolidum priſtinæ libertati. *Quibus auditis, ſuper hiis deliberavit, in hunc modum reſpondens*; Quod cum ſua Beneficia exilia nimis exiſtant, ipſique per Satellites *Hibernicos* et per guerram, depauperati ſunt et adnihilati; adeo quod victus totius anni eis non ſufficit commode per ſex Menſes, (quod eſt planius omni plano) dictæ petitioni in aliquo condeſcendere, non voluntate ſed impotentia repugnante, penitus denegabat; *ſedem Apoſtolicam, ne nos contra ipſum hac occaſione procederemus, inconſulto Romano Pontifice (cujus licentia ſpecialis, jurta Statuta Canonica, eſt neceſſaria in talibus obtinenda)* una cum Clero Provinciæ concorditer in ſcriptis appellans. *Nos ſiquidem qui voluntati Regiæ ſitimus, ut condecet, pro viribus complacere*, ſpontanam duximus moræ Debitorum adeo prægravatam, tempeſtate guerrarum tam continuæ perturbatam, et tam tenuem in facultatibus (*licet erubeſcamus hoc dicere*) quod et ea non poſſumus jurta dignitatis noſtræ decentiam commode ſuſtentari, ſed extra noſtram Diœceſim, in qua nulla penitus victualia poſſidemus, nos urget ad præſens neceſſitas commorari; et in fide qua Creatori, Romanæ Eccleſiæ ſubſique tenemur aſtricti, omnia noſtra bona mobilia et ſe movientia, pro exoneratione noſtræ Eccleſiæ Debitorum, per triennium concederemus et amplius cum actione multiplicium gratiarum (*licet hoc aliquibus incredibile videatur.*) Unde ad præmiſſa cum noſtris Suffraganeis atque Clero contra noſtram voluntatem nunc compellimur concordare. *Quapropter Regiam veſtram Magnificentiam devotis precibus exoramus*, quatinus, intuitu pietatis divinæ, noſtræ compatientes impotentiæ, excuſationem noſtram juſtiſſimam et veriſſimam in præmiſſis gratam habere dignemini pariter et acceptam. *Valeat & vigeat veſtra Regia Celſitudo, &c. Datum apud* Athnery 8. *die* Junii, *Anno &c.* 1291.

DOMINO *ſuo Reverendiſſimo Domino* E. *Dei gratia Regi* Angliæ, *&c. ſuus humilis ac devotus* S. *eadem gratia* Caſſel. *Miniſter, ſalutem, & glorioſum de hoſtibus ſemper reportare triumphum. Literas veſtræ Regiæ Majeſtatis recepimus, continentes, quod fratres noſtros & Co-epiſcopos induceremus*, ut vobis de ſuis Spiritualibus Decimam unius Anni liberaliter concederent, ad relevanten immenſarum expenſarum circa Principis de la Morrey deliberationem, *& pacis inter Reges diverſos reformationem, per vos factarum. Nos autem fratrum noſtrorum, Capitulorum, & Cleri facta congregatione generali, negotium veſtrum prædictum eiſdem pleniſſimè* Ibidem.

An. 19 *E.* 1. (*prout possibilitas nostra permittebat*) *expensimus: Rationes efficaces, per quas eorum animos* ad Decimam concedendam *alliceremus, adducentes, intimas eis supplicationes infundendo, & crebris monitionibus eos salubriter exhortando,* ut huic vestræ gratiosæ petitioni annuerent: *Qui demum, super hoc cum Clero suo habito diligenti tractatu,* unanimiter nobis finale dederunt responsum; Quod cum omnes sui Parochiani sint variis guerrarum concussionibus et aliis indebitis exactionibus depauperati, Clerus ad tantam devenit inopiam, quod unde vivere omnino non habent; et licet Cleri ad hoc voluntas inclinet, potentia tamen repugnat. Et licet nos et Confratres nostri animo benivolo vestræ petitioni condescenderemus, consensum tamen Cleri ob causas prædictas allicere non possumus. *Et quia nos de alieno fine juris injuria largiri non valemus, vestræ Majestati devotè supplicamus, quatinus caritatis intuitu, & ob Creatoris vestri reverentiam, istud nobis non impingatis: quia novit ille qui nichil ignorat, quod nos corpus nostrum & omnia quæ habemus, pro vobis exponere sumus parati: & circa dictum negotium, licet illud ad finem non perduximus optatum, omnem quam potuimus adhibuimus diligentiam. Conservet vos, &c.*

In eadem Bundela, An. 19 E. 1.

Excellentissimo Domino & Magnifico Principi E. *Dei gratia Illustri Regi* Angliæ, *&c. suus (si placet) frater* N. *ejusdem miseratione,* Daren. *Ecclesiæ Minister humilis & indignus, corporis & animæ salutem, de hostibus triumphum, & per Regni temporalis fructuosos labores, æternæ quietis & regni cœlestis sceptrum feliciter promereri. Ad vestræ illustris Excellentiæ mandati ac petitionis instantiam,* à Paschate *Dominica in tres Septimanas per discretum virum Magistrum* Thomam Cantok, *Clericum vestri ac Nuncii* Dublinenses, *una cum aliis totius* Hyberniæ *Prælatis,* ibidem ob idem mandatum vestrum pariter congregatis, recepti, sicut ibidem de communi omnium Prælatorum et singularum Diocesium Clericorum consilio et assensu probatum fuerat; *Nos omni celeritate, qua potuimus, universo Clero nostro ad majorem Ecclesiam* Kildar. *convocato, cum omni instantia, diligentia & industria, quibus scivimus,* eundem Clerum per varias exhortationes, monitiones, et obsecrationes, secundum gratiam nobis datam induximus cum effectu, ut Petitionem rationabilem et modestam, de Decima parte suorum Bonorum Spiritualium, vestræ Magnificentiæ, tanti Principis, ac nostri nativi Domini, cum omni sollicitudine, benivole ac gratanter, studerent debito ac optato effectui mancipare. Qui Clerus deliberato Consilio, universaliter, omnes et singuli, sine cordis angustia concorditer responderunt, quod bonis ex cordis affectu de bonis suis Spiritualibus libenti animo subvenirent, si facultates voluntatibus responderent. Set re vera (ut testificari potest tota *Hibernia*) Provincia Daren. Dioc. pro majori parte per crudeles et continuas Guerras, ac diuturnas jam per 24. annos, per Dominorum oppressiones ac Wallibozum extorsiones, et Hybernicorum quasi cotidianas spoliationes et furta, in tantum est dissipata ac quasi funditus extenuata, quod ad suam sustentationem et tenuem, et exilem non sufficiunt: Propter quæ ad præsens (*de quo maxime dolent*) non valent petitionem vestram in hac parte, prout vellent, aliquatenus adimplere: Set orationes et lachrymas, quibus in his adversitatibus et ærumnis pro defectu pacis abundant, pro vobis et vestris Regi omnipotenti corde contrito et tribulato omni devotione qua poterunt offerre continue non desistent; quorum impotentiam et bonorum inopiam, non affectionis aut ingratitudinis ignaviam (teste Deo) habere dignetur vestra Majestas Regiæ misericorditer excusatam. *Nos vero licet eadem incommoda patiamur, & ære alieno propter defensionem pauperum nostrorum ab incursibus hostilibus* Hybernensium *vastatorum sumus quamplurimum onerati, qui summu vobis tam ex naturali affectu quam ex multiplicibus vestris beneficiis & honoribus arctius & tenerius astricti,* toto cordis affectu et gratanti animo decimam partem bonorum nostrorum Spiritualium, ad annum proximum, ad festum Sancti *Michaelis* propius incipientem, vobis concedimus gratiose, * —— —— —— *& verentes tanto Principi ac Domino nobis in negotiis nostris gratissimo, sicut retroactis temporibus experti sumus, offerre tam exigui subsidium* —— —— *quod vestram Regiam generositatem potius pensetur affectus quam census, coram Deo vobis possumus testificari quod à concessione* —— —— depauperata et miserabiliter tribulata sicut nunc, cujus veritatem et causam scire poteritis ab his qui terram noverunt. *Valeat, &c.*

* *Dolentes.*

Sundry

The Archbiſhop of *Dublin*, with ſundry Earls, Barons and Gentlemen of *England* who had Lands in *Ireland*, having granted the King this year a Quindiſme in *Ireland* at his ſpecial requeſt, in an extraordinary way, (though moſt Archbiſhops, Biſhops, Abbots, Priors, Eccleſiaſtical perſons and inferiour Clergy of *Ireland* denyed and oppoſed it) the King iſſued theſe ſeveral Patents to them, that it ſhould not be drawn into future cuſtom or preſident to their prejudice, requeſting the like Quindiſme from others there. *An.* 19 E. 1.

REX omnibus & ſingulis fidelibus ſuis in *Hibernia* ad quos, &c. ſalutem. Cum venerabilis pater **F. *Dublin.*** Archiepiſcopus, necnon dilecti & fideles noſtri *W. de Valencia* Comes *Pembroch.* *G. de Clare* Comes *Glouc.* & *Herif.* & *Rogerus le Bygod* Comes *Norff.* & Mareſcallus *Angliæ*, & alii quamplures Barones & Magnates in partibus *Hibernia* terras habentes, **nobis bonorum ſuorum Quintamdecimam gratanter conceſſerint, ad exoneracionem æris alieni qua multipliciter prægravamur**, prout in literis ſuis patentibus inde confectis plenius continetur. Nos de fidelitate & affectione quas vos erga nos habere cognovimus, ſpecialiter confidentes & conſiderantes, **vos velle ex cauſis quibus iidem Magnates nobis ſubvenerint ſimiliter ſubvenire, vos attente requirimus et rogamus, quatinus huiuſmodi Quintamdecimam de bonis veſtris nobis velitis concedere gracioſe**, prout dilectus Clericus noſter Magiſter *Thomas Canetok* Cancellarius noſter *Hiberniæ* plenius noſtro nomine vobis dicet. Et quid nobis in hac parte feceritis ſeu duxeritis faciend. veſtrum quilibet per ſuas literas nobis reſcribat, ut ex hoc ſcire poterimus **in quantæ fidelitatis et affectionis ardore erga nos geritis veſtra vota.** Volumus ſiquidem & concedimus pro nobis & hæredibus noſtris, **quod huiuſmodi veſtra conceſſio gracioſa vobis aut libertatibus veſtris non cedat in præjudicium, vel trahatur in conſuetudinem ſeu conſequentiam in futurum.** In cujus, &c. Teſte Rege apud *Bergeveny*, 26 die *Octobris*. Pat. 19 E. 1. m. 3. Hibern. De Quintadecima.

REX omnibus Ballivis & fidelibus ſuis ad quos, &c. ſalutem. Sciatis, quod cum dilectus & fidelis noſter *Theobaldus de Verdon* **Quintamdecimam bonorum ſuorum mobilium, necnon hominum et tenencium ſuorum infra libertates ſuas in *Hibernia*, quantum in ipſo eſt, nobis conceſſerit gracioſe**, ſicut ipſe & alii fideles noſtri in *Anglia* nuper fecerunt, **volumus et concedimus pro nobis et hæredibus noſtris, quod conceſſio illa præfato *Theobaldo* ſeu hæredibus ſuis, vel hominibus earundem libertatum, aut eiſdem libertatibus non cedat in præjudicium, vel trahatur in conſuetudinem ſeu conſequentiam in futurum.** In cujus, &c. Teſte ut ſupra. Ibidem.

Conſimiles literas habet *Rogerus le Bygod* Comes *Norff.* & Mareſcallus *Angliæ*. Teſte ut ſupra.

Conſimiles literas habet *Agnes de Valenc.* Teſte ut ſupra.

Conſimiles literas habent **Archiepiſcopi, Epiſcopi, Abbates, Priores, Hoſpitalarii, Templarii, et alii Eccleſiaſtici viri in *Hibernia*.** Teſte ut ſupra.

Conſimiles literas habet *Ricardus de Burgo* Comes *Ulton.* Teſte Rege apud *Wygorn.* 10 die *Novembris*.

What Soveraign Eccleſiaſtical Juriſdiction the King exerciſed this year over Eccleſiaſtical perſons and preferments in *Ireland*, theſe Records will inform us.

REX Juſtic. ſuo *Hibernia*, Vicecom. & omnibus aliis Ballivis & Miniſtris in *Hibernia* conſtitutis, ſalutem. **Volentes inter Fratres ordinis Prædicatorum *Hibernia*, pacem, tranquillitatem et concordiam firmiter obſervari**; Vobis mandamus, & in fide qua nobis tenemini firmiter injungimus, quod reverendo patri fratri *Raymundo* generali Miniſtro dicti Ordinis, & aliis Fratribus quibus ſuper hoc commiſerit vices ſuas, **ut libere corrigere poſſit ſeu poſſint, exceſſus dictorum Fratrum quoties opus fuerit**, (by the Kings order and appointment) **ſecundum Ordinis ſilius diſciplinam viriliter aſſiſtatis, ad ipſorum requiſitionem, rebelles dicti Ordinis compeſcentes modis et formis ad hoc neceſſariis, quoties per ipſos vel ipſorum alſquem inde fueritis requiſiti. Mandamus inſuper per præſentes omnibus ſubditis noſtris *Hibern.* ut in præmiſſis vobis pareant et intendant.** In cujus, &c. Pat. 19 E. 1. m. 6. De Fratribus Minoribus Hibern.

An. 19 *E.* 1. Dat. apud *Deviſes* 18 die *Septembris*. It ſeems theſe Monks were then very diſorderly and rebellious againſt their Superiour, ſo as nothing but the Kings Soveraign power could reſtrain or reform them.

Pat. 19 E. 1. m 15. Hibern. De Temporalibus reſtitutis.

REX *Willielmo de Veſcy* Juſtic. ſuo *Hiberniæ*, ſalutem. **Cum Dominus Papa electionem nuper celebratam in Cathedrali Eccleſia** *Caſſalen.* de diſcreto viro *Stephano* Archidiacono *Glendalacen.* in Eccleſia *Dublin.* **in Archiepiſcopum dictæ Eccleſiæ** *Caſſalen.* **cui prius Regium aſſenſum adhibuimus et favorem confirmaverit, ſicut per literas ejuſdem Papæ Bullatas nobis inde directas plenius nobis conſtat: Nos confirmationem illam acceptantes, cepimus fidelitatem ipſius** *Stephani*, & Temporalia Archiepiſcopatus prædicti, prout moris eſt, ei reſtituimus. Et ideo vobis mandamus, quod eidem *Stephano* temporalia Archiepiſcopatus ejuſdem ſine dilatione liberetis, ſicut prædictum eſt. In cujus, &c. Teſte Rege apud *Elmedon* 27 die *Marcii*.

Et mandatum eſt Militibus, &c. Teſte ut ſupra.

Pat. 19 E. 1. m. 21. Hibern. De Temporal. reſtitutis.

REX *Willielmo de Veſcy* Juſtic. ſuo *Hibern.* ſalutem. **Cum nuper electioni factæ** in Eccleſia Cathedrali *Roſſen.* de *Laurencio* Canonico ejuſdem Eccleſiæ **in Epiſcopum ejuſdem loci, Regium aſſenſum adhibuerimus et favorem.** Nos eidem Electo ut ſuis parcatur laboribus, *&c.* Acceptis tamen, *&c.* (as in others premiſed.) In cujus, &c. Teſte Rege apud *Aſſherugg.* 12 die *Januarii*.

Ibidem. De aſſenſu electioni adhibito.

REX **electioni nuper factæ** in Eccleſia *Roſſen.* de *Laur.* Canonico ejuſdem Eccleſiæ **in Epiſcopum ejuſdem loci, Regium aſſenſum adhibuit et favorem.** Et hoc ſignificatum eſt *Caſſalen.* Archiepiſcopo, ut quod ſuum eſt in hac parte exequatur. Teſte ut ſupra.

Pat. 19 E. 1. m. 22. Hibern. De Temporal. reſtitutis.

REX dilecto & fideli ſuo *Willielmo de Veſcy* Juſtic. ſuo *Hibern.* ſalutem. Cum **nuper electioni factæ** in Eccleſia Conventuali Sancti *Thomæ* Martyris juxta *Dubliniam*, de fratre *Radulfo de Wiltſhir* Priore ejuſdem domus in Abbatem ejuſdem loci, **Regium aſſenſum adhibuerimus et favorem**: Nos eidem Electo ut ſuis parcatur laboribus, &c. Acceptis tamen, &c. In cujus, &c. Teſte Rege apud *Aſſherugg.* 8 die *Januarii*.

Ibid. m. 23. De aſſenſu electioni adhibito.

REX, &c. **electioni nuper factæ** in Eccleſia Conventuali Sancti *Thomæ* Martyris juxta *Dubliniam*, de fratre *Radulfo de Wiltſhir* Priorem ejuſdem domus in Abbatem ejuſdem loci, **Regium aſſenſum adhibuit et favorem.** Et hoc ſignificatum eſt venerabili patri *J. Dublin.* Archiepiſcopo, ut quod ſuum eſt in hac parte exequatur. Teſte ut ſupra.

Pat. 19 E. 1. m. 16. Hibern. De Temporal. reſtitutis.

REX dilecto & fideli ſuo *Willielmo de Veſcy* Juſtic. ſuo *Hiberniæ*, ſalutem. Cum dilecti nobis in Chriſto Prior & Conventus domus beatæ *Mariæ* de *Kenlys*, nobis per literas ſuas patentes ſignificaverint, quod Eccleſia ſua prædicta per reſignationem fratris *Angelici* nuper Abbatis ejuſdem loci, Paſtoris eſt ſolatio deſtituta, ſupplicantes nobis, &c. Nos eorundem Prioris & Conventus **laboribus et expenſis in hac parte parcere volentes**, *&c.* (with all following clauſes, as in other Patents of this kind.) In cujus, &c. Teſte Rege apud *Weſtm.* 15 die *Marcii*.

In ſix ſeveral bundles of Writs in the White Tower, *Anno* 19 *E.* 1. I found theſe Writs for proſecuting and holding Plea of Lay Fee, Chattels and Debts, that concerned not Matrimony or Teſtament, in Eccleſiaſtical Courts.

Brevia Regis Anno 19 E. 1. in Turre London.

EDwardus *Dei gratia Rex* Angliæ, &c. *Vic.* Kanc. *ſalutem. Si* Rogerus de Morewoth *fecerit te ſecurum*, &c. *tunc pone per vadium & ſalvos plegios Magiſtrum* Ricardum de Feringes *Archidiaconum* Cantuar. *quod ſit coram Juſticiariis noſtris apud* Weſtm. *in Octabis* Purificationis *beatæ* Mariæ *oſtenſurus*, **quare tenuit placitum in Curia Chriſtianitatis de Laico feodo ipſius** Rogeri in Coryton, **contra Prohibitionem noſtram.** *Pone etiam per vadium & ſalvos plegios* Robertum de Glaſton. *perſonam Eccleſiæ de* Coryton, *quod tunc ſit ibi oſtenſurus*, **quare fecerus**

eſt

eſt idem placitum in eadem Curia contra Prohibitionem noſtram. *Et habeas ibi nomina plegiorum, & hoc breve. Teſte meipſo apud* Aſſherugg. 11 *die* Januarii, *anno regni noſtri* 19. *An.* 19 E. 1.

EDwardus *Dei gratia Rex* Angliæ, &c. *Vicecomiti* Devon. *ſalutem. Si* Robertus de Morkehill *fecerit te ſecurum*, &c. *tunc pone per vadium & ſalvos plegios Magiſtrum* Petrum de Inſula *Archidiaconum* Exonienſem, & Rogerum le Clerk, *quod ſint coram Juſticiariis noſtris apud* Weſtm. *à die Sancti* Michaelis *in quindecim dies, oſtenſuri,* **quare tenuerunt placitum in Curia Chriſtianitatis de Catallis et Debitis, quæ non ſunt de Teſtamento vel Patrimonio, contra Prohibitionem noſtram.** *Pone etiam per vadium & ſalvos plegios* Matthæum *Vicarium Eccleſiæ de* Payhembiry, & Henricum le Chapeleyn *de* Wydecomb, *quod tunc ſint ibi oſtenſuri,* **quare ſecuti ſunt idem placitum in eadem Curia contra Prohibitionem noſtram.** *Et habeas ibi nomina plegiorum, & hoc breve. Teſte meipſo apud* Berewyk *ſuper* Twedam 6 *die* Auguſti, *anno regni noſtri* 19. Brevia Regis Anno 19 E. 1. in Turre London.

The like Writ iſſued to the Sheriff of *Wiltes*, for Aleſia *quæ fuit uxor* Walteri Hubert, *verſus Magiſtrum* Willielmum de Abyndon *Archidiaconum* Wiltes. *quod ſit coram Juſticiariis noſtris apud* Weſtm. *&c. oſtenſurus,* **quare tenuerit placitum in Curia Chriſtianitatis de Catallis et Debitis, quæ non ſunt de Teſtamento vel Patrimonio, contra Prohibitionem noſtram.** *Et verſus* Philippum de Neuband, *perſonam Eccleſiæ de magna* Sumerford, **quare ſecutus eſt idem placitum in eadem Curia contra Prohibitionem noſtram.** *Teſte meipſo apud Sanctum* Andræam *in* Scotia 21 *die* Julii, *anno regni noſtri* 19. Ibidem.

EDwardus *Dei gratia Rex* Angliæ, &c. *Vic.* Surr. *ſalutem. Si* Johannes le Mareſchal *fecerit te ſecurum de clamore ſuo proſequendo, tunc pone per vadium & ſalvos plegios Magiſtrum* Petrum de Sancto Mario *Archidiaconum* Surr. *& Magiſtrum* Johannem de Tycheſeye, *quod ſint coram Juſticiariis noſtris apud* Weſtm. *à die* Paſchæ *in* 15. *dies, oſtenſuri,* **quare tenuerunt placitum in Curia Chriſtianitatis de Catallis et Debitis, quæ non ſunt de Teſtamento vel Patrimonio, contra Prohibitionem noſtram.** *Pone etiam per vadium & ſalvos plegios* Rogerum de Patrickesburn *Vicarium Eccleſiæ de* Kerſaulton, *quod tunc ſit ibi oſtenſurus,* **quare ſecutus eſt idem placitum in eadem Curia contra Prohibitionem noſtram.** *Et habeas ibi nomina plegiorum, & hoc breve. Teſte meipſo apud* Ebor. —— *die* Aprilis, *anno regni noſtri* 19. Ibidem.

EDwardus *Dei gratia Rex* Angliæ, &c. *venerabili in Chriſto patri* J. *eadem gratia Epiſcopo* Wynton. *ſalutem. Mandamus vobis, quod venire faciatis coram Juſticiariis noſtris apud* Weſtm. *in Octabis Sancti* Michaelis, *Magiſtrum* Petrum de Sancto Mario *Archidiaconum* Surr. *Clericum veſtrum, ad reſpondendum* Johanni le Mareſchal *de* Kerſhalton, *de placito,* **quare tenuit placitum in Curia Chriſtianitatis de Catallis et Debitis, quæ non ſunt de Teſtamento vel Patrimonio, contra Prohibitionem noſtram,** *ut dicitur; & unde Vic. noſter* Surr. *mandavit Juſticiariis noſtris apud* Weſtm. *à die* Paſchæ *in* 15. *dies, quod prædictus Magiſter* Petrus *Clericus eſt, & non habet Laicum feodum in Balliva ſua per quod poteſt attachiari. Et habeatis ibi hoc breve. Teſte* J. de Metingham *apud* Weſtm. 8 *die* Junii, *anno regni noſtri* 19. Thus retorned by the Biſhop. Ibidem.

Dorſo. *Per iſtud breve Magiſtrum* Petrum de Sancto Mario *Archidiaconum* Surr. *citavimus, & per ſequeſtr. bonorum ſuorum Eccleſiaſticorum diſtrinximus, ad veniendum & faciendum quod in brevi continetur.*

EDwardus *Dei gratia*, &c. *venerabili in Chriſto patri* R. *eadem gratia Epiſcopo* London. *ſalutem. Mandamus vobis, ſicut alias vobis mandavimus, quod venire faciatis coram Juſticiariis noſtris apud* Weſtm. *in Octabis Sanctæ Trinitatis* Radulphum *Vicar. Eccleſiæ de* Mapeldoiſted *Clericum veſtrum, ad reſpondend.* Ricardo *fil.* Gerardi Hakeſofte, *de placito,* **quare ipſe ſimul cum Magiſtro** Willielmo de Norton *Archid.* Midd. **tenuit placitum in Curia Chriſtianitatis de Catallis et Debitis, quæ non ſunt de Teſtamento vel Patrimonio, contra Prohibitionem noſtram,** *ut dicitur. Et vos ipſi tunc ſitis ibi auditur. Judicium veſtrum de hoc,* quod mandatum Brevia Regis An. 19 E. 1. in Turre London.

An. 19 E. 1. tum noſtrum prius inde vobis directum, non eſtis executi, *ſicut vobis mandatum fuit. Et habeatis ibi hoc Breve. Teſte* J. de Metingham *apud* Weſtm. 23 *die* Febr. *Anno regni noſtri* 19.

Previa Regis Anno 19 E. 1. in Turre London.

EDwardus, &c. *Vicecomitibus* London. *ſalutem. Si* Rogerus Cruk, *&c. tunc ponite, &c.* Bartholomæum de Caſtello, *quod ſit coram Juſticiariis noſtris apud* Weſtm. *à die Sancti* Johannis Baptiſtæ *in quindecim dies, oſtenſurus,* quare ſecutus eſt placitum in Curia Chriſtianitatis, de Catallis et Debitis quæ non ſunt de Teſtamento vel Matrimonio, contra Prohibitionem noſtram, *&c. Teſte meipſo apud* Norham, 7 *die* Junii. *Anno Regni noſtri* 19.

Brevia Regis An. 19 E. 1. in Turre London.

EDwardus, &c. Lincoln. *Epiſcopo, ſalutem. Mandamus vobis ſicut alias mandavimus, quod venire faciatis coram Juſtic. noſtris, &c. Magiſtrum* Johannem de Monemuth Cancellarium Univerſitatis Oxon. *& Magiſtrum* Johannem de Ros Clericos veſtros, *ad reſpondendum* Radulpho de Lech *de placito,* quare tenuerunt Placitum in Curia Chriſtianitatis, de Catallis et Debitis quæ non ſunt de Teſtamento vel Matrimonio, contra Prohibitionem noſtram, *ut dicitur. Et unde Vic. noſter* Oxon. *mandavit Juſticiariis noſtris apud* Weſtm. *à die Sancti* Michaelis, *in tres Septimanas, quod prædicti Magiſter* Johannis de Munemuth *& Magiſter* Johannis de Ros *Clerici ſunt, & non habent Laicum feodum in Balliva ſua, per quod poſſint attachiari. Et unde vos ipſi mandaſtis Juſticiariis noſtris apud* Weſtm. *in Craſtino* Purificationis *beatæ* Mariæ, *quod Breve noſtrum, quod vobis inde venit, adeo tardè venit, quod illud exequi non potuiſtis. Et habeatis ibi hoc Breve. Teſte* J. de Metingham *apud* Weſtm. —— *die* Febr. *Anno Regni noſtri* 19. Whereupon he returned one of hem who had a Benefice ſummoned.

Previa Regis An. 19 E. 1. in Turre London.

EDwardus, *&c. Vic.* Norff. *ſalutem. Si* Johannes Ourpel *&* Thomas Dynne, *fecerint te ſecurum, &c. tunc pone, &c.* Ricardum de Boylonde, *qui fuit Officialis Archidiaconi* Norff. *quod ſit coram Juſtic. noſtris apud* Weſtm. *à die Sancti* Hillarii *in quindecim dies, oſtenſurus,* quare tenuit placitum in Curia Chriſtianitatis de Catallis et Debitis, *&c.* contra Prohibitionem noſtram. *Pone etiam, &c. Abbatem de* Weſtderham *quod tunc ſit ibi oſtenſurus,* quare ſecutus eſt idem placitum in eadem Curia, contra Prohibitionem noſtram. *Teſte meipſo apud* Aſherugg. *An. r. n.* 19.

So many encroachments were there this year upon the Kings Courts, Prerogative, and Subjects Liberties by the Eccleſiaſtical Courts, Officers, and Clergymen; and ſo many Prohibitions, Actions againſt them for the ſame, the laſt in *Norwich* Dioceſſe: Notwithſtanding *William* Biſhop of *Norwich,* but few years before made a *Fine* of one Thouſand marks to the King, for his Archdeacon and Clerks convicted before his Juſtices Itinerant in the County of *Norfolk*, for their Treſpaſſe in drawing ſome into their Eccleſiaſtical Courts for Chattels, Debts, and ſecular contracts, which concerned not Teſtament or Matrimony, and for Lay Fees, to the prejudice of the Kings Crown and Dignity, to redeem them from impriſonment and vile uſage; of which Fine the Archdeacon payd 100 marks for his ſhare, as this Record (cited by the Judges in a Treatiſe concerning *Prohibitions*) informs us.

* Com. Plac. in Tur. Lond. Anno 17 E. 1. Ro 9. Norff.

* *Inter communia Placita de Termino Sanctæ* Trinitatis, *Anno* 17 E. 1. *die Veneris in craſtino Converſionis Sancti* Pauli, *cum exigeretur à Magiſtro* Alano de Preſton *Archidiacono* Norff. *portio quæ dicebatur ipſum contingere* de Fine mille marcarum, *quem bonæ memoriæ* W. *quondam* Norwicenſis *Epiſcopus fecit cum Rege,* de Clericis ſuis convictis coram Juſticiariis *ultimo Itinerantibus in Comitatu* Norff. ſuper diverſis tranſgreſſionibus, trahendo in placitum in Curia Chriſtianitatis quoſdam tam ſuper Catallis, Debitis, Contractibus ſecularibus, quam Laicis feodalibus, quæ non ſunt de Teſtamento vel Matrimonio, ſed ſpectantibus ad Curiam Domini Regis, ne impriſonarentur, vel viliter tractarentur. *Tandem inſpecto Rotulo* de Tranſgreſſionibus Clericorum prædict. exhibitis ad Scac. *per* R. B. unum Juſticiar. prædict. examinatiſque qualitate et quantitate tranſgreſſionum vel oppreſſionum prædicto Archidiacono impoſitis, *conceſſum eſt ei,* quod det Regi Centum marcas pro poſitione ſua prædict. &c. *Poſtea prædict. Magiſter* Alanus ſolvit prædict. Centum marcas per unam Talliam Scacc. quæ allocatur eidem Epiſcopo in Fine prædict. Mille marcarum ſub nomine prædict. Magiſtri Alani *in Rot* 9. Norff.

In

In the Third bundle of Writs *Anno* 19 E. 1. I met with this Writ of reſummons and *Procedendo* to the Judges, who ſtayed proceedings at Law upon an Excommunication pleaded, and refuſed to proceed after an Abſolution from it, certified by the Archbiſhop of *York*. *An.* 19 *E.* 1

EDwardus *Dei gratia Rex* Angliæ, &c. *dilectis & fidelibus ſuis* Johanni de Metingham, *& ſociis ſuis Juſticiariis de Banco, ſalutem. Monſtravit nobis* Stephanus Skot *de* Manfield, *quod cum loquela, quæ fuit coram* Thoma de Weylond *& ſociis ſuis nuper Juſticiariis noſtris de Banco, per Breve noſtrum, inter ipſum* Stephanum *petentem, &* Dionyſiam *quæ fuit uxor* Roberti de Manfield *tenentem, de tertia parte unius Meſſuagii, & duarum Bovatarum terræ cum pertinentiis in* Manfield: *Et loquela quæ fuit coram eiſdem Juſticiariis, per aliud Breve noſtrum, inter prædictum* Stephanum & Henricum Pygot, *de eo quod idem* Henricus *acquietet præfatum* Stephanum *de ſervitio quod* Willielmus de Lenyngton *&* Johanna *uxor ejus*, Henricus de Crauncewyk *&* Elizabeth *uxor ejus*, Adam de Kirkeby *&* Matil. *uxor ejus, &* Alicia *ſoror ejuſdem* Matil. *ab eo exigunt de libero tenemento ſuo, quod de præfato* Henrico Pygot *tenet in* Manfield: *Et loquela quæ fuit coram eiſdem Juſticiariis per aliud Breve noſtrum, inter ipſum* Stephanum *petentem, &* Henricum Pygot *tenentem, de duabus partibus unius Meſſuagii, & duarum Bovatarum terræ cum pertinentiis, (exceptis una Acra, & una Roda terræ) in* Manfeld, *prætextu cujuſdam literæ venerabilis patris*]. *Archiepiſcopi* Ebor. *coram Juſticiariis prædictis in Octabis Sancti* Michaelis *anno regni noſtri decimo ſeptimo ibidem porrectæ, Teſtificantes,* **quod prædictus** Stephanus **propter manifeſtam contumaciam ſuam auctoritate prædicti Archiepiſcopi Diœceſana excommunicatus fuit, nec ſe voluit per cenſuram Eccleſiaſticam juſticiari, hactenus ſine die remanſerint; ac licet idem** Stephanus **alias literas prædicti Archiepiſcopi patentes coram vobis in prædicto Banco oſtenderit, teſtificantes, quod prædictus** Stephanus **a prædicta Excommunicationis ſententia abſolutus eſt, et a vobis petierit, quod loquelæ ſuæ prædictæ per Brevia noſtra de judicio coram vobis in eodem Banco perplacitandæ, more debito et conſueto reſummoneantur: Vos tamen reſummonitionem illam ſibi facere denegaſtis, in ipſius** Stephani **diſpendium non modicum et gravamen, et exhæredationis ſuæ periculum manifeſtum, et contra legem et conſuetudinem regni noſtri.** *Et quia nolumus quod prædictus* Stephanus *ſuper jure ſuo in præmiſſis, per hujuſmodi dilationes importunas, ulterius defraudetur; Vobis mandamus, quod inſpecto Recordo & Proceſſu loquelarum prædictarum, coram præfato* Thoma *&* ſociis ſuis habitis, *& etiam* **literis prædicti Archiepiſcopi de abſolutione prædicta,** *ſi inveneritis ita eſſe: Tunc loquelas prædictas coram vobis reſummoneri faciatis: Ita quod ſint in eodem ſtatu coram vobis in Banco prædicto ad certum diem, quem partibus ad hoc duxeritis præfigendum, quo fuerunt in prædictis Octabis Sancti* Michaelis, *quando occaſione prædictæ literæ prædicti Archiepiſcopi* **de Excommunicatione prædicta ſine die remanſerunt,** *ut in loquelis prædictis extunc procedatur,* **prout de jure et ſecundum legem et conſuetudinem regni noſtri fuerit providendum.** *Nec pro defectu veſtri oporteat ipſum* Stephanum *ea occaſione ad nos habere recurſum: Teſte meipſo apud* Aſſherugg. 20 *die* Junii, *Anno regni noſtri* 19. Ibidem

The Archbiſhop of *Yorke* excommunicating ſundry perſons in *Weſtmerland*, who were impriſoned upon a *Capias Excommunicatum*, and refuſing to accept of their Caution; the Chancellor iſſued this Writ in the Kings name to accept their Caution, and enlarge them, to which the Sheriff made this dilatory return.

EXcellentiſſimo in Chriſto Patri Domino *R.* permiſſione divina *Bathonienſi & Wellenſi* Epiſcopo, Domini Regis Cancellario, ſuus (ſi placet) *G. de Bronnelneſord* Vicecomes *Weſtmerl.* Salutem, Reverentiam, & Honorem. Mandatum Domini Regis in hæc verba recepi. *Edwardus*, &c. Vic. *Weſtmeril.* ſalutem. Ex parte *Rogeri de la Cuſine, Johannis Wagebatayle, Simonis Bennalet, Willielmi de Muſkeburn. Rogeri* fil. *Roberti Mareſchalli, Willielmi Patenyn* Capellani, *& Nicholai de Fintall*, quos, ad denunciationem venerabilis Patri *J. Eborum* Archiepiſcopi, **tanquam excommunicatos, et claves Eccleſiæ contempnentes,** per corpora ſua **ſecundum conſuetudinem Angliæ,** per te juſticiari præcepimus, donec Sanctæ Bundela Brevium, An. 19 E. 1 in Turre London.

An. 19 *E.* 1. Sanctæ Eccleſiæ, tàm de contemptu, quàm de injuria ei illata ab eis, fuerit ſatisfactum: nobis eſt oſtenſum, quod licet iidem *Rogerus*, *Johannes*, *Simon*, *Willielmus*, *Rogerus*, *Willielmus* & *Nicholaus* eidem Archiepiſcopo frequenter obtulerunt idoneam cautionem de parendo mandatis Eccleſiæ in forma juris, ut abſolutionis beneficium conſequi poſſint: idem tamen Archiepiſcopus cautionem illam ab eis hactenus admittere recuſabit, de quo miramur. Et quia nolumus quod iidem *Rogerus*, *Johannes*, *Simon*, *Willielmus*, *Rogerus*, *Willielmus* & *Nicholaus* contra juſticiam in priſona diutius detineantur; Tibi præcipimus, ſicut alias præcepimus, quod in propria perſona tua ad prætatum Archiepiſcopum accedas, & ipſum ex parte noſtra moneas, & efficaciter inducas, ut accepta ab eiſdem *Rogero*, *Johanne*, *Simone*, *Willielmo*, *Rogero*, *Willielmo* & *Nicholao* cautione prædicta, ipſos à Priſona prædicta mandet deliberari. Et ſi idem Archiepiſcopus in præſentia tua id facere noluerit, tunc tu ipſos *Rogerum*, *Johannem*, *Simonem*, *Willielmum*, *Rogerum*, *Willielmum* & *Nicholaum* à priſona prædicta, ſi ea occaſione & non alia detineantur in eadem, deliberari facias; vel cauſam nobis ſignifices, quare mandatum noſtrum aliàs tibi inde directum exequi noluiſti, vel non potuiſti. Teſte meipſo apud *Dunfermelyn* in *Scotia* 14 die *Julii*. Anno Regni noſtri decimo nono.

Mandatum alias mihi ſuper hoc directum exequi non potui, eo quod tunc fui ad Scaccarium Domini Regis, compotum meum redditurus, per præceptum Domini Regis. Iſtud mandatum exequi non potui, eo quod *Robertus de Herteford* & ſocii ſui Juſticiarii aſſignati ad Aſſiſas capiendas nunc ſedent in Comitatu noſtro. Et poſt eorum receſſum ad Chacea Domini Regis de *Engelwode* & de *Landa* de *Plumpton* per mandatum Domini Regis una cum auxilio totius Comitatus noſtri prædicti me oportet intereſſe; Unde (ſi placet) me excuſatum habere velitis, eo quod negotia Dominum Regem tangentia præ omnibus aliis credo fore prærogatura. Valeat Sanctitas veſtra per tempora diuturna.

The Kings Conſort Queen *Alianor* deceaſing in *December*, the King thereupon out of his Prerogative and devotion (according to the practiſe of that blind age) the 4th of *January* iſſued this Writ to all the Religious Houſes and Monks of *Cluny* in *England* to ſing Maſſes and make Prayers for her ſoul, to purge it from all the remaining ſpots of ſinne, and to certifie him the number of the Maſſes they would ſay for her, that proportionably he might thank them.

Pat. 19 E. 1. m. 11. Litera ſupplicatoria de orando pro Regina.

REX venerandæ Religionis viro Abbati *Cluniacenſi* ſalutem, & dilectionem in Chriſto ſinceram. Deus omnium Conditor & Creator, qui cœleſtis profunditate conſilii ordinat, vocat, diſponat & revocat ſubjectas ſuæ providenciæ creaturas, Sereniſſimam Conſortem noſtram *Alienoram* quondam Reginam *Angliæ*, ex Regali ortam progenie 4. Kalend. *Decembris* de præſenti ſeculo (quod vobis non ſine multa mentis amaritudine nunciamus) ſicut ſibi placuit evocavit. Cum itaque dictam Conſortem noſtram quam vivam carè dileximus, mortuam non deſinamus amare, ac opus ſanctum & ſalubre juxta divinæ ſcripturæ ſententiam cenſentur pro defunctis, ut a peccatorum ſolbantur nexibus exorare, paternam caritatem veſtram affectuoſis precibus duximus exorandam & inſtancius implorandam, quatinus ipſius Conſortis noſtræ exequias cum omni devotione ſolempniter prosequentes, animam ejus cum decantatione Miſſarum et aliis Eccleſiaſticis Sacramentis Deo vivo, qui aufert Spiritum Principum ſpecialiter recommendetis; Adjuvantes eandem, ac etiam facientes à Prioribus, Monachis, Clericis, & aliis veſtris ſubditis in Sacramentorum ſuffragiis, eleemoſinis, cæteriſque operibus caritatis ſalubriter adjuvari, ut ſi quid maculæ non purgatæ in ipſa forſan oblivionis defectu, vel alio modo remanſit per utilia Orationum veſtrarum præſidia juxta divinæ miſericordiæ plenitudinem abſtergatur. (Not by Purgatory fire, Holy Water, or Popes pardons.) Quæſumus igitur, ut de Miſſarum et aliorum ſuffragiorum hujuſmodi numero quæ pro præfata Conſorte noſtra decreveritis facienda, per veſtras literas nos curetis reddere certiores, ut ex hoc metiri poſſimus ad quales quantaſque grates et gratias ob præmiſſa devotioni veſtræ teneri merito debeamus. Dat. apud *Aſſherugg*, 4 die *Januarii*.

* *William*

* *William Thorne* informs us, that about this time, (An. 1290.) (moſt probably upon the like Writ) *Dominus* Thomas (Prior of *Chriſt-church* in *Canterbury*) *conceſſit Domino Regi in feſto tranſlationis beati* Edwardi 50 Pſalteria, et 2350. Miſſas pro animabus progenitorum ſuorum et Reginarum *Angliæ*, as a great extraordinary liberality and Spiritual Almes. *An.* 19 *E.* 1. * Chronica, col. 1958.

About this time alſo the Abbot of *Condam* ſent this Letter to the King, to inform him what Prayers, Maſſes and Anniverſaries he and his Monaſtery had ordered for her ſpeedy tranſlation to heavenly joyes.

EXcellentiſſimo Principi, ac inter chares chariſſimo Domino ſuo, Domino *Edwardo* Dei gratia Regi *Anglia*, &c. ſuus in omnibus & per omnia, *Arnaldus Othonis* divina permiſſione humilis Abbas *Condom.* ſalutem quam peperit uterus Virginalis. Cum cordis compunctione & amaritudine Rumores de Domina noſtra chariſſima Domina *Helianora* Regina uxore veſtra audivimus; continentes, ipſam eſſe viam univerſæ Carnis ingreſſam; Cujus animam ob Dei reverentiam & veſtram & ejus ſpecialem dilectionem cum toto Conventu noſtro, ut Sororem in Spiritualibus, ſtatim rumore perlato recepimus; et ſpecialiter in Miſſis, Jejuniis, Oꝛationibus, Pelemoſinis, in Monaſterio noſtro et Oꝛatoꝛibus nobis ſubmiſſis, factis et faciendis; et etiam ad Anniverſarium annuum ſpeciale per nos et Conventum noſtrum faciendum in die ſui obitus; ut ille, cui nichil eſt abſconditum, per ſuam ſanctam miſericordiam, propter prædicta Beneficia & alia, quæ in ejus commemorationem ubique fieri contigerit, ipſam celeriter ad cœleſte gaudium vocare dignetur, *Amen.* Valete bene & diu, & Dominus conſervet vos & familiam veſtram, & in agendis vos dirigat, & ad vitam æternam perducat, Amen. Dat. *Condom.* die Sabbati poſt feſtum *Paſchæ* Anno Dom. 1291. Fundela Brevium, An. 19 E. 1. in Turre London.

The King this year among other Privileges, granted to the Burgeſſes of *Haverford* in *Wales*, Omnes bonas leges & conſuetudines quibus Burgenſes noſtri de *Kardigan* uſi ſunt hucuſque rationabiliter & gaviſi, ut in communis, planis, aquis, & omnibus aliis aiſiamentis ad prædictam Villam de *Haverford* ſpectantibus, & ſemper retroactis temporibus optentis & juſtè uſitatis. Conceſſimus eciam eiſdem Burgenſibus, quod ſi dicti Burgenſes aut eorum aliquis infra terram & poteſtatem noſtram teſtati vel inteſtati deceſſerint: Nos vel hæredes noſtri bona ipſoꝛum conſiſcari non faciemus, quin eoꝛum hæredes bona illa integre habeant quatenus ea dictoꝛum defunctoꝛum fuiſſe conſtiterit, dum tamen de dictis hæredibus fides aut noticia habeatur. Which clauſe concerning inteſtates goods implies, that formerly they were forfeited or belonged to the King, and were at his diſpoſal, not their own, nor the Ordinaries. Chart. 19 E. 1. m. 1. Pro Burgenſibus de Haverford.

The King out of his Royal piety and Charity granted this Patent of Protection and aſſiſtance to the Maſter and Freers of St. *Lazarus* in *Jeruſalem*, to collect the Alms of good people againſt the Enemies of Chriſts Croſs, (to whom the Pope to pick the peoples purſes, had granted Indulgences for that purpoſe;) and to arreſt all falſe and counterfeit Collectors of ſuch Almes, who then it ſeems abounded.

REX omnibus ad quos, &c. ſalutem. Cum dilecti nobis in Chriſto Magiſter & fratres Militiæ domus Dei & Sancti *Lazari Jeroſolom.* mittant quoſdam Nuncios ſuos cum pꝛiviliegtis Apoſtolicis et indulgenciis ad loca diverſa ad elemoſinas Chꝛiſti fidelium colligendas ad ſanctum beꝛillum beati *Lazari*, contra crucis Chꝛiſti inimicos ſuſtentandum. Nos eoſdem Magiſtrum & fratres, ac eorum nuncios prædictos in protectionem & defenſionem noſtram ſuſcepimus ſpecialem; Vobis mandantes, quod ipſos Magiſtrum & fratres ac nuncios manuteneatis, protegatis, & defendatis, non inferentes eis vel inferri permittentes injuriam, moleſtiam, dampnum aut gravamen. Et ſi quid eis forisfactum fuerit, id eis ſine dilatione faciatis emendari. Rogamus eciam vos, quod cum dicti fratres vel eorum nuncii ad vos venerint de bonis veſtris elemoſinas petituri, ipſos benigne admittere, et eiſdem intuitu caritatis ad ſuſtentacionem pꝛædictam de bonis veſtris erogare velitis, ut a Deo remunerationem condignam, et a nobis grates repoꝛtare poſſitis. Et quia quidam falſarii advocantes ſe per Magiſtrum & fratres domus prædictæ, nomine Pat. 19 E. 1. m. 13. Pro Magiſtro & fratribus Militiæ Domus Dei & Sancti Lazari Jeruſal.

An. 19 E. 1. mine ipsorum Magistri et fratrum elemosinas colligunt, licet per ipsos potestatem ad hoc non habeant, ut intelleximus, Vos iterato requirimus & rogamus, quod cum aliqui tales sine literis patentibus prædicti Magistri causa hujusmodi Collectæ faciendæ per vos transitum fecerint, ipsos cum collecta illa arrestari faciatis, donec de hujusmodi malicia emendas fecerint competentes, prout in casu consimili aliàs fieri consuevit. In cujus, &c. Teste Rege apud *Norham.* 10 die *Junii.*

The like Patent and Protection issued, *num.* 20. *Pro Magistro & Fratribus Sancti* Jacobi de Alto Passo. *Teste Rege apud* Asherugg. 18 *die* Januarii.

The King also this year granted this Protection to the Abbey of *Fountaines* of the *Cistercian* Order, which formerly were very wealthy, but then grown poor and indebted, varying in the recital from former Protections of this kinde.

Par. 19 E. 1. m. 13. De Abbacia de Fontibus Johanni de Berewyk commissa.

REX omnibus ad quos, salutem. Non multum merentur ad disparia judicari, nova construere, & prius honorificè ac benè constructa, necnon dirruta subsequenter reficere, et **in statum antiquum reponere prosperum et felicem.** Satè projicientibus nobis nostræ considerationis intuitum **ad multiplices possessiones et amplas, necnon ad divitiarum habundantiam multifor̃em, quibus** Abbacia de *Fontibus Cistercienſis* Ordinis *Eborum* Diocesis, **tempore fundationis** suæ insignita **extitit et dotata, ac ad bonores multimodos et elemosinarum largitiones** quasi innumeras **et alia opera pietatis** quæ **ex ipsa Abbacia olim consueverant provenire,** necnon **ad pauperationem non modicam, depressionemque flebilem et statum miserabilem** quibus **extitit dudum depressa, et adhuc deprimitur in immensum.** (By bribes, exactions of Popes, and ambitious Abbots of their own order.) Nos super statum illum & calamitatem & miseriam Abbaciæ prædictæ pietate moti, eam cum terris, redditibus, & omnibus possessionibus ac rebus aliis ad eandem Abbaciam pertinentibus, cepimus in protectionem & defensionem nostram specialem, & Abbaciam illam cum omnibus pertin. **ad requisitionem dilector̃ nobis in Christo Abbatis et Conventus ejusdem Abbaciæ,** dilecto Clerico nostro *Johanni de Berewik,* quamdiu nobis placuerit commisimus custodiendam. Ita quod omnes exitus, redditus & proventus terrarum & possessionum Abbaciæ illius salva rationabili sustentacione prædictorum Abbatis & Conventus & hominum suorum, ad exonerationem debitorum suorũ et relevationem aliorum defectuum ejusdem Abbaciæ reserventur, & eisdem exonerationi & relevationi per visum aliquorum de discrecioribus Abbaciæ ejusdem per adjutorium & consilium prædicti *Johannis,* prout melius fieri poterit applicentur: Nec volumus quod aliquis Vicecomes, Ballivus, seu Minister noster, aut alius quicumque in Abbacia prædicta, aut grangiis ad eam spectantibus, quamdiu in custodia præfati *Johannis* fuerit hospitetur, sine ejusdem *Johannis* licencia speciali. In cujus, &c. Teste Rege apud *Norham,* primo die *Junii.*

The like Protection *verbatim* was granted by the King to the Prior of *Lenton* of the same Order of *Cluny,* Pat. 20 E. 1. m. 4. *Teste Rege apud* Knaresburgh 18 *die* Septembris.

The King this year as Superior Lord of *Scotland,* commanded this Protection under his Great Seal of *Scotland* to be made to the Bishop of *Carlisle* and another Collector of the *Dismes* granted in *Scotland* to the Pope.

Rot. Scotiæ, 19 E. 1. m. 11. intus De protectionibus faciendis R. Karl. & A. Catenen. Episcopo Collectoribus Decimæ in Regno Scotiæ.

REX & **Superior Dominus** *Scotiæ,* Venerabili in Christo Patri *A.* eadem gratiâ *Catanen.* Episcopo, Cancellario suo *Scotiæ* salutem. Mandamus vobis quod per literas Sigillo Regimine *Scotiæ* deputato signatas, faciatis habere Venerabili Patri *R. Karliol.* Episcopo & vobis ipsis Collectoribus **Decimæ bonor̃ Ecclesiasticor̃ dicti Regni** *Scotiæ* **Sacrosanctæ Romanæ Ecclesiæ Summo Pontifici concessæ,** Protectiones Regias cum clausis consuetis in forma Capellas, quamdiu prædictus *Karliol.* Episcopus & vos collectioni **Decimæ prædictæ intenderitis duratur.** In cujus, &c. Teste Rege apud *Chatton* 14. die *Augusti.*

The Abbots and Freers in that age, who pretended so much mortification of the flesh,

fleſh, faſting and abſtinence, were yet ſuch lovers of Veniſon, that they procured grants of the Tithes of all Veniſon killed in the Kings Foreſts, though not Tithable by Law, and were earneſt ſuiters for due payment thereof as well in times of War as Peace; witneſſe this Writ amongſt others. *An.* 19 E. 1.

MAndatum eſt *Johanni de Veſcy* Juſtic. Foreſtæ citra *Trentam*, quod habere faciat Abbati et Conventui Sanctæ *Mariæ Eborum* Decimam venacionis captæ et capiendæ in omnibus Foreſtis Regis in Com. *Ebor.* quam per cartas progenitorum Regis *Angliæ* in eiſdem Foreſtis habere debent, et prout ipſi temporibus aliorum Juſtic. Foreſtæ in eiſdem Foreſtis habere conſueverunt temporibus retroactis. Teſte Rege apud *Caldeſtrem* in *Scotia* 2. die *Auguſti*. Clauſ. 19 E. 1. m. 4. Pro Abbate & Conventu S. Mariæ de Decima venacionis.

How the covetous Monks preſumed to receive and purchaſe Lands in *Mortmain*, without the Kings licenſe, againſt all Statutes, Proviſions to prevent it, and when ſeiſed, procured reſpites of their ſeiſures till the next Parliament; theſe two preſidents, beſides ſundry others, will aſcertain us.

MAndatum eſt *Malculmo de Harley* Eſcaetori Regis citra *Trentam*, quod manerium de *Toſte* cum pertin. quod nuper cepit in manum Regis, eo quod Prior et Conventus de Sixele illud poſt publicationem ſtatuti de terris et ten. in manum mortuam non ponendis, ſine licencia Regis ſunt ingreſſi, replegiari faciat eiſdem Priori et Conventui uſque ad proximum Parliamentum Regis, una cum omnibus inde perceptis à tempore captionis ejuſdem in manum Regis. Teſte Rege apud *Aſſherugge*, 18. die *Jan.* Ibid m 10. Pro Priore & Conventu de Sixele.

MAndatum eſt eidem *Malculmo*, &c. quod Meſſuagia illa quæ fratres Ordinis Sancti *Auguſtini* in Villa de *Huntindon* commorantes, nuper poſt confectionem Statuti noſtri de terris aut tenementis in manum mortuam non ponendis editi ſibi appropriarunt, et quæ ea occaſione cepit in manum Regis, eiſdem fratribus uſque ad pror. Parliamentum replegiari faciat. Teſte Rege apud *Weſtm.* 20. die *Decembris*. Ibid. m. 11. Pro fratribus Ordinis Sancti Auguſtini Huntingdon.

I ſhall cloſe up this year with this memorable paſſage of *Matthew Weſtminſter* concerning Pope *Nicholas* and the Archbiſhop of *Canterburies* deaths, and the Freer-Minors inſolency, pride, avarice whiles they lived, being of their Order.

[a] *Anno gratiæ* 1292. *tertio Nonas* Aprilis, Romæ *obiit Papa* Nicholaus *quartus, qui ſedit annis quatuor, menſe uno, diebus* 18. *poſt cujus obitum quidam verſificator pro Epitaphio ſic dixit*; a Flores Hiſt. An. 1292. p. 382, 383. See Walſingham, Hiſt. Angl. p. 20. Platina, Balæus, Creſpin, Opmerus, Laertius Cherubinus, and others in the life of Nicholas 4.

Gloria, laus, ſpeculum fratrum Nicholae Minorum,
Te bivente bigent, te moriente cadunt.

Cujus tempore fratres de Ordine Minorum Papam pro Sole habentes, Lunam Archiepiſcopum *Cantuarienſem* nominantes, cæperunt ſua Cornua erigere in univerſum orbem, nulli parcentes ordini vel honori in provincia *Anglicana*; nam Monachos et Profeſſores patris *Benedicti Wygorn.* & *Weſtm.* opido miſericorditer per potentiam et audaciam infeſtabant, (ſuch was theſe Monks enmitie againſt each other) *ut adimpleretur Propheſia Sanctæ Virginis* Hildegardis, *quæ in tempore beati* Bernardi *floruit Spiritu Sancto plena, quo docente, expoſuit & condidit multos libros, ſcilicet librum* Scivias, &c. *Inter cætera prophetia ſuæ opera in libro ſecundo* Speculi Temporum futurorum, *ſive* Pentacronon *Virginis* Hildegardis, *ſub Anno Gratiæ* 1142. *in titulo* de Novis Religionibus, *ſic dicebat ſecundo Capitulo, quod ſic incipit*; De imminente luce, *Iterum audivi vocem dicentem*, O filia *Syon*, corona capitis filiorum tuorum inclinabitur, et pallium dilectionis dibitiarum eorum minuetur, *quia illud tempus non cognoverunt, quod eis ad videndum & ſubditos ſuos ad docendum dedi. Nam & verba ad nutriendum parvulos meos eis data ſunt, quæ ipſis recto & congruente tempore non præbent, & inde peregrini filii multi fame defecerunt, quoniam recta doctrina non reficiantur.* Vocem quoque habent et non clamant, opera in eis data ſunt, et non operantur, gloriam abſque merito habere volunt, et meritum abſque opere. *Qui gloriam cum Deo vult habere, proprietatem ſuam abdicat, & qui meritum*

An. 19 E. 1. *ritum apud Deum habere desiderat, opus ad hoc exhibeat, sed quia non facitis,* ad ser bos ſerbozum computamini, et ipſi Judices veſtri erunt, ac libertas veſtra a vobis declinabit. *Sicut benedictio à* Canaan, *iſta flagella percurrent. Alia autem & peſtra alia pejora venient;* Nam Diabolus in ſemetipſo de vobis dicit, *eſcas epulantium & convivia omnis voluntatis meæ inveniam.* Sed et oculi et aures, et venter ac venæ meæ de ſpurcitiis iſtozum plena ſunt, et ubera mea plena ſunt de vitiis eozum. Nam ipſi laboꝛare in Deo ſuo nolunt, ſed eum quaſi nihilum computant. *Quapropter cum eis incipiam militare, & jucunde cum eis ludere,* quòniam eos in agro Domini ſui laboꝛare non invenio, quemadmodum Deus eozum ipſos jubet. *Sed Oves diſcipuli & ſubditi mei, multo plus eis coram populo diſciplinati, & quia tunc eſtis, ergite vos ſuper eos,* et omnes divitias et omnem bonoꝛem abſtraite ab eis, atque omnino ſpoliantes ſuffocate eos. *Hæc Diabolus in ſemetipſo dicit, quæ etiam in multis judicio Dei ita complebit. Sed ego qui ſum audientibus me dico, in tempore illo, cum illud fiet per quendam errantem populum pejorem & errante populo quæ nunc eſt,* ſuper vos pꝛævaricantes, pꝛævaricatoꝛes ruina cadit, qui ubique vos perſequitur, et qui opera veſtra non celavit, ſed quia ea denudabit, et qui de vobis dicet, iſti Scorpiones in moꝛibus et operibus ſerpentinis. *Sed & quaſi in Zelo Domini de vobis imperabitur: iter impiorum peribit. Nam vias veſtras in iniquitate veſtra & intentionem deridebunt & ſubſannabunt, ſed populus iſte qui hæc faciet* a Diabolo ſeductus et miſſus pallida facie veniet, *& velut in omni ſanctitate ſe componet,* ac majoꝛibus ſeculaꝛibus Pꝛincipibus ſe conjunget. *Quibus & de vobis ſic dicit, quare hos vobiſcum habetis, quare eos eſſe patimini,* qui totam terram in maculoſis iniquitatibus ſuis polluunt. Iſti æꝛii et luxuꝛioſi ſunt, et niſi eos a vobis ejiciatis tota Eccleſia deſtruetur. *Populus qui hæc de vobis dicet vilibus capis, quæ alieni coloris ſunt, induitur & recto modo intonſus incedit, atque omnibus ſuis placitum & quietum hominibus oſtendit.* Avaritiam quoque non amat, pecuniam non habet, *atque in oculis ſris tantam abſtinentiam imitatur, quod vix ullus ex eis poterit reprehendi.* Diabolus autem cum hominibus iſtis eſt, latitare ſub fulgoꝛe ejus ſe oſtendens, velut in conſtitutione mundi ante ruinam fuit, et Pꝛopheꝛis aliquantulum ſe ſimilem fecit, et dicit populo: *jucunda loquere ſcilicet quia rapida & immunda animalia, & velut me eis oſtendam, ſed nunquam in pennas ventorum fulguꝛante tonitruo volare volo, & omnibus modis infundere quæ omnem voluntatem meam perficerent, & ſic in hominibus iſtis ſigna mea omnipotenti Deo aſſimulabo. Nam Diabolus per aerios Spiritus hæc operatur, &c. Iſti autem deceptores non ſunt qui ante noviſſimum diem venturi ſunt, & cum Diabolus in altum volaverit, ut ipſe initio contra Deum pugnare caperit, ſed tamen poſtquam ipſi in perverſitatibus* Baal, *aliis pravis operibus ſic inventi fuerint,* Pꝛincipes et alii majoꝛes in eos irruent, et veluti rapidos Lupos eos occident ubicunque eos invenerint. *Tum aurora veſtra injuſtitia & noviſſima veſtra meliora prioribus erunt, ac de præteritis omnibus timorati eritis, & quaſi puriſſimum aurum fulgebitis, & ſic per longa tempora permanebitis. Nam prima aurora juſtitiæ in ſpirituali populo, tunc ſurget ut primitus cum parvo numero incepit,* nec ipſi multas facultates nec multas divitias habere volunt, quæ animas occidunt, *ſed dicent,* ve vobis quia peccavimus. *Ipſi namque de præterito timore & de præterito dolore ad juſticiam confortabuntur, quemadmodum Angeli in caſu Diaboli & amore Dei confortati ſunt,* et ſic poſtea in humilitate vivent, nec pꝛavis operibus Deo rebellare cupient, *ſed à multis erroribus purgati deinceps in fortiſſima vi rectitudinis perſiſtent: Hic terminatur ſecundum Capitulum ſecundi libri* Pentacronen, *ſive* Speculi temporum futurorum *beatæ virginis* Hildegardis. *Hanc Epiſtolam inſeruimus huic operi, quia multi non habent libri ſuperius annotati copiam vel exemplar. Et ut intelligant hanc legentes, quod Spiritus ubi vult ſpirat, & quæ ventura ſunt annunciat, per breve ſpatium temporis ſequentis* Sole fratrum Minoꝛum obſcurato per moꝛtem Papæ, qui erat ejuſdem Oꝛdinis, *ut ſuperius eſt expreſſum;* Luna patiebatur eclipſim: Archiepiſcopus namque Cantuar. cujus ſapientia ante obitum ſuum fuerat totaliter devoꝛata, qui in pꝛoſperitate ſua multos abjecerat et contempſit, et maxime Pꝛofeſſoꝛes Oꝛdinis beatiſſimi *Benedicti,* ſine planctu Monachoꝛum in hoc anno obiit.

How much theſe *Freers Minors* were then likewiſe oppoſed, cenſured by the Biſhops and Clergie of *France* for their inſolencies, uſurpations, hypocriſie, innovations, you may read in the Complaints of the Univerſity of *Paris* and * *French Prelates* againſt them.

* See Philip de Morney Hiſt. Papatus, p 418, 419.

* *Albertus*

* *Albertus Crantzius* ſtories of this Pope *Nicholas*, *natione* Lombardus, *religione Minor*, that he had this *memorabilis ex tuo. Traditur illum, cum ſe deceſſurum intelligeret, convocaſſe in unum Cardinales, & ratione temporum ſuorum coram eis reddita,* **omnes de plenitudine poteſtatis, dignitate qua præditi fuerunt, abſolviſſe, ut in reliquum privati viverent.** *Itidem primum ſtupuiſſe Cardinales de eo quod acciderat;* **deinde quaſi moti capitis hominem, qui ad ortum inſaniret, reliquiſſe. Ille totidem ſui Ordinis fratres evocaſſe, illos titulis Cardinalium inſignivisſe, jurejurando, ne quem ſe moriente niſi ex ſuo numero Pontificem crearent, neve ullum in ſuum adoptare finerent collegium niſi ſui fratrem ordinis, adegiſſe.** *Hoc teſtamento condito, ad ſuperos evolaſſe. Mira res ſi vera relatio. Exinde uſque ad tempora* Sexti 4. **occultum in fratribus Minoribus fuiſſe Papatum,** *qui in perſona ejus defecerit.* Thus did theſe Freers Minors endeavour to monopolize the Papacy, Headſhip of the Church, and all Cardinals Caps, unto themſelves, for which they juſtly incurred the premiſed Cenſures by their fellow Monks, who envyed their grandeur, honour, wealth, ſecular employments, and favour with Kings and Princes. *An.* 19 *E.* 1 * Saxonix l. 8. c. 35. p. 224. Centur. Magd. 13. c. 10. col. 1091.

* *Anno* 1293. (by reaſon of the forementioned conteſts between the Archbiſhop, Abbot, Prior and Monks of *Canterbury*) *Prior S.* Auguſtini, *& Decanus* Cantuarienſes *ad mandatum conſervatorum privilegiorum noſtrorum,* **ob vexationes adverſariorum, et ad cautelam futurorum,** *coram Officiali Archidiaconi, & de* Weſtbere, *de* Bregge *&* Sandwico, Elham, Lymene, Cherring, *& de* Oſpringe *Decanis, & coram aliis multis in Capitulo S.* Auguſtini, *Dominica prima poſt Octavas* Epiphaniæ, **privilegia** *ſcilicet beati* Auguſtini Anglorum *Apoſtoli, primi* Cant. *Archiepiſcopi, ac* Romanorum *Pontificum* Bonifacii, Agathonis, Cœleſtini, Calixti, Innocentii, Urbani, Eugenii, Lucii, Alexandri, Gregorii, Innocentii, Alexandri *&* Honorii *apertè recitarunt, & ſolempniter publicarunt, ita videlicet,* **quod Monaſterium S.** Auguſtini, **Abbas et Fratres, cum pertinentibus ad eoſdem, exempti ſunt omnino a quorumlibet ordinariorum Juriſdictione, ſubjectione et poteſtate, ac ſpecialiter a Domini** Cantuar. **Archiepiſcopi, Officialis et Archidiaconi eiuſdem, necnon et cujuſlibet alterius Judicis, Legati, delegati præter ſedis Apoſtolicæ ſpeciale mandatum ad dictos Religioſos nominatim directum, plenam et expreſſam de indultis hujuſmodi faciens mentionem. Et quod eidem Religioſi, res, poſſeſſiones, homines, et Clerici eorundem, Apoſtolici ſedi immediate ſubjecti, et non alteri. Et quod privilegia hujuſmodi contravenientes ſcienter, cum ſuis fautoribus canonica monitione præmiſſa, per prædictum Sanctum** Auguſtinum, **ſocioſque ſuos** Laurentium, Melitum *&* Juſtum Cantuarienſes **Archiepiſcopos excommunicati, ac per ſuprædicta privilegia Apoſtolorum etiam indignationem incurrunt, ab officio Clerî ſubmoti, a communione Sanctorum alieni, propterque privati officio excommunicationi ſubjaceant eo ipſo. Et quod Eccleſias de** Menſtre, Chiſtelet, Nordborne, Middleton *&* Faverſham, **cum Capellis non valeat Ordinarius interdicere, vel ſuſpendere quoquo modo. Et quod in aliis Eccleſiis ſibi appropriatis, una cum iſtis non ipſi Religioſi, ſed ſui ipſorum locorum Vicarii, debent Ordinariis de oneribus ordinariis tenuri, et juribus Epiſcopalibus reſpondere. Sed ſuper cuſtodia vacantium Eccleſiarum noſtri patronatus, decedentibus perſonis vel Vicariis Eccleſiarum prædictarum, claves earundem in Capitulum noſtrum deferri, et cuſtodia et obventiones earundem eſſe in manu Abbatis et Conventus, donec Perſonæ vel Vicarii Archiepiſcopo ad eaſdem fuerit præſentatio, tam antiqua quam moderna experta tradit uſtatio.** Thus did theſe *Auguſtine* Monks proclaim theſe their tranſcendent Priviledges (purchaſed at dear rates from ſucceſſive Popes) in the Metropolitical See and City of *Canterbury* it ſelf, in high affront and defiance of the proud Archbiſhop of *Canterbury* and his Officers, (though endowed with extraordinary power and priviledges by Kings Charters and Popes Bulls, and Primate and Metropolitan of all *England*) as totally exempt from his and his Officers Metropolitical Juriſdiction, Cenſures, Canonical demands, and owing no ſubjection to them in the leaſt degree or punctilio whatſoever: So as that of the Poet, might more truly and properly be applyed to theſe proud Monks and Prelates thus eagerly contending for priority and exemption, then to *Cæſar* and *Pompey*. *An.* 20 *E.* 1. * Chron. Wil. Throne, col. 1960, 1961.

vide poſt 841 ac

* *Nec quenquam jam ferre poteſt* Cæſarve **priorem,**
Pompeiuſve **parem.** * Lucan Phaſ. l. 1.

Whoſe Antichriſtian pride, ſuits, animoſities, exhauſted their own and the Kingdoms Treaſure,

An. 20 *E.* 1. Treaſure, filled Popes and their greedy *Roman* Officers purſes, yea advanced their Juriſdictions and Uſurpations over them both, to whom they immediately ſubjected themſelves to avoid the leaſt ſubjection one to another, againſt St. *Peters* expreſſe Evangelical precept, then quite forgotten, or rejected as uncanonical, 1 *Pet.* 5. 5. **Yea all of you be ſubject one to another, and be cloathed with humility**; *for God reſiſteth the proud, and giveth grace unto the humble.*

Archbiſhop *Pechams* death this year, put a period to theſe conteſts between the Abbot and him; of whom * *Mat. Parker* renders us this character and account. Johannes Peckham Cantuarienſis *Archiepiſcopus, cum* 13. *annis ſediſſet, adeſſe hujus vitæ ſenſit exitum: Teſtamentum itaque condidit, cujus Executores* Nicholaum de Knovile *Rectorem de* Maidſton, & Simonem de Greille *conſtituit. Hi poſt mortem* Gualteri Reignolds, *ſede Archiepiſcopale vacante, ad reddendam executionis ſuæ teſtamentariæ rationem à Priore* Cantuarienſi *in jus vocati ſunt. Rationibus exactis compertum eſt, ex inventario, præter legata in ſpecie relicta,* **ſuperfuiſſe ei** Johannis Peckham **bonis** 5305 l. 17 s. 2 d. & q. **monetæ** Anglicanæ. **Hanc ſummam ab defuncti funera ſuaſque erpenſas bi callidi Executores ſibi pene totam a Pzioze decerni obtinuerunt. Ut reddita ratione non amplius quinque ſolidis ſer denariis in pauperum et pios uſus diſtribuendis remanſerit. Hinc videmus quibus artibus tam occultam avaritiam hic bonus vir texit: Qui paupertatem et inopiam Archiepiſcopatum ſuum ingreſſus replezabat (ut diximus) ſuam. Idem paucis annis tanta abundantia copiaque repletus eſt, ut Cardinalibus et Curialibus Romanis grandia ſtipendia annua decerneret, et quod laudi verti debet:** *Pauperibus maneriorum ſuorum* 770. *marcas diſtribui mandavit.* **His tam immenſis ſumptibus non obſtantibus, conſanguineos ſuos multos mirum in modum pluribus prædiis locupletavit, alioſque ad Equeſtrem, alios ad Generoſum Ozdinem ederit;** *quorum de ſtirpe nonnulli in* Cantio *atque aliis* Angliæ *Comitatibus veterem tunc inſtitutum & ab eo acceptum ſplendorem retinent. In omnibus quas frequenter ſcriptitavit literis, hoc titulo exorſus eſt*; Johannes **Frater** Cantuarienſis **Eccleſiæ Sacerdos humilis,** (though as proud as the Pope, who yet ſtiles himſelf *Servus ſervorum Dei*) **Regi ſuiſque Miniſtris pzo Eccleſiæ** Cantuarienſis **prædiis** atque **juribus audacter reſtitit, ut irato et offenſo ſæpe Rege de exilio ſubinde cogitaret;** (which he knew he oft demerited.) *Ideoque multis Prebendam quam (ut diximus)* Lugduni *habuit petentibus, reſpondere ſolitus eſt*; **De diem illum videre et expectare, quo hinc abiens ibi reſideret;** (being conſcious of his demerited exile.) *Quamquam ex Fratrum & Prædicatorum ordine prodiit,* **juris tamen Civilis et Pontificii quam ſacrarum Scripturarum fuit peritior;** *etſi* † *libros permultos in illa rixoſa, garrula & digladiatoria fratrum Theologia conſcripſit.*

† See Palæus Scriptor. Brit. Cent. 4. c. 64.

I finde this Report of a memorable Caſe in our * *Common-Law Books*, happening about this time, before the Statute of *Carliſle*, againſt Popes Bulls and Proviſions; ***A Subject** of this Realm* **procured a Bull of Excommunication from the Pope againſt another Subject, and gave notice thereof to the Treaſurer of the King; for which offence,** *le Roy voluyt quil uſt eſte tray & pendus,* **the King willed he ſhould be drawn and hanged as a Traytor:** *& non obſtante que le Chauncellor & le Treaſurer par luy gemulerunt devant le Roy,* **uncore par agard il fuſt le Roialme, &c.** Whence Judge *Brooke* and Sir *Edward Cooke* obſerve, **That the bringing in and publiſhing ſuch Bulls from the Pope,** (to the prejudice of the Kings Juriſdiction, and his Subjects vexation) **was by the antient Common Law of** *England* **adjudged Treaſon againſt the King, his Crown and Dignity, for which the offendor ſhould have been drawn and hanged by this Kings award, and opinion in that caſe**; had he not mitigated the penalty upon the Chancellors and Treaſurers petition.

* Lib. Aſſiſarum An. 30 E. 3. pl 19. Brook Corone 115. & Treaſon 14. Cooks 5 Report, Of the Kings Eccleſiaſtical Law, p. 12.

The Vicar General of the Spiritualties of the Archbiſhop of *York*, during his abſence refuſing to admit the Kings Clerk to the Church of *Dalſton* in the Dioceſſe of *Carliſle*, to which the King preſented him by reaſon of the vacancy of that Biſhoprick then in his hands, upon an Inquiſition found, that the laſt Biſhop had divided that Church into three parts, which thoſe to whom he divided it enjoyed, and ſo the Church was full and not void; The King thereupon declared, that this diviſion being made without his Royal licenſe or aſſent, was null and void in Law, tending to his diſinheritance, which he neither could nor would admit, and therefore

fore notwithſtanding the Biſhops Ordinance, commanded him to admit his Clerk thereto, without any more delayes or excuſes; which if he refuſed, he commanded the Sheriff of *Cumberland* to take poſſeſſion of the Church, and ſequeſter the profits thereof till he gave further order therein, by theſe memorable Writs, evidencing his Soveraign Eccleſiaſtical authority and Judicature in ſuch caſes. *An.* 20 *E.* 1.

REX dilecto ſibi Magiſtro *Johanni de Crancumbe* Archidiac. *Eſtriding.* venerabilis in Chriſto Archiepiſcopi *Ebor. Angliæ* Primatis, ipſo extra regnum agente Vicario generali, ſalutem. Cum præſentaverimus vobis nuper dilectum Clericum noſtrum *Johannem de Drokensford* ad Eccleſiam de *Dalſton Karl.* Dioc. vacantem & ad noſtram donationem ratione Epiſcopatus *Karl.* vacantis, & in manu noſtra exiſtentis ſpectantem, vos ipſum Clericum noſtrum ad præſentationem noſtram ad dictam Eccleſiam, prætextu cujuſdam inquiſitionis captæ ſuper vacatione ipſius continentis inter cætera, **quod non vacat, quia per ordinationem Epiſcopi *Karl.* nuper defuncti, ipſa Eccleſia divisa fuerat in tres partes, quarum portionarii ſunt ſuperſtites, et ipſius poſſeſſioni incumbunt,** prout literæ veſtræ patentes inde confectæ, & ſigillo veſtro munitæ, quas vidimus continebant, **admittere non curaſtis.** Nos itaque attendentes, **quod dictus Epiſcopus diviſionem aliquam de prædicta Eccleſia ſine nobis et ſpeciali noſtro aſſenſu, quem ſicut recolimus nunquam a nobis optinuit, non valebat facere nec debebat; quare ipſam Eccleſiam in eodem ſtatu tenemus conſiſtere in quo fuit tempore ordinationis hujuſmodi ſectionis factæ de ea vacantem eſſe, videlicet pleno jure. Conſideranteſque quod in noſtram exhæredationem et Coronæ noſtræ præjudicium non modicum redundaret, ſi ſectionem pateretur eandem, quam utique pati nolumus ſicut nec debemus.** Vobis mandamus, **quod non obſtante ordinatione diviſionis ſeu ſectionis factæ ut præmittitur, de Eccleſia memorata, quam quidem nullam penitus reputamus, præfatum Clericum noſtrum ſeu Procuratorem ipſius ſuo nomine abſque moroſæ tarditatis diſpendio ad eandem Eccleſiam admittatis. Et per Officialem *Karl.* faciatis admitti, et Rectorem inſtitui in eadem,** ſic igitur in hujuſmodi negotio vos habentes, **quod de quavis deſidia ſeu inobedientia non poſſitis merito reprehendi propter quod Conſilium aliud apponere nos oporteat in hac parte.** Dat. apud *Culeford.* primo die *Maii.* Clauſ. 20 E. 1. m. 6. dorſo. De negotio tangente præſentationem factam per Regem ad Eccleſiam de Dalſton Karl. Dioc. de Johanne de Drokensford rico Regis.

REX Vic. *Cumbriæ* ſalutem. Cum præſentaſſemus nuperrimè diſcreto viro Magiſtro *Johanni de Crancumb* Archid. *Eſtriding* venerabilis in Chriſto Patris Archiepiſcopi *Eborum Angliæ* Primatis Vicario generali, dilectum Clericum noſtrum *Johannem de Drokennesford* ad Eccleſiam de *Dalſton Karl.* Dioc. vacantem, & ad noſtrum donationem ratione Epiſcopatus *Karl.* vacantis, in manu noſtra exiſtentis, ipſe dictum Clericum noſtrum ad præſentationem noſtram ad dictam Eccleſiam prætextu cujuſdam inquiſitionis captæ ſuper vacatione ipſius, continentis inter cætera, quod non vacat, qui per ordinationem Epiſcopi *Karl.* nuper defuncti ipſa Eccleſia deviſa fuerat in tres partes, quarum portionarii ſunt ſuperſtites, & ipſius poſſeſſioni incumbunt, prout literæ Vicarii prædicti patentes inde confectæ & ſigillo ſuo munitæ quas vidimus continebant, admittere non curavit. Nos itaque attendentes, **quod prædictus Epiſcopus diviſionem aliquam ſine nobis, et ſine noſtri ſpeciali aſſenſu, quem ſicut recolimus nunquam a nobis optinuit, non volebat facere nec debebat, quare ipſam Eccleſiam in eodem ſtatu tenemus conſiſtere, in quo fuit tempore ordinationis hujuſmodi ſectionis factæ de ea, vacantem eſſe (*viz.*) pleno jure. Conſideranteſque quod in noſtram exhæredationem, et Coronæ noſtræ præjudicium non modicum redundaret, ſi ſectionem pateremur eandem quam utique pati nolumus, nec debemus: *Ac per alias literas noſtras mandemus præfato Vicario itterato,* quod non obſtante ordinatione diviſionis ſeu ſectionis factæ, ut præmittitur, de Eccleſia memorata, quam quidem nullam penitus reputamus, præfatum Clericum noſtrum ſeu procuratorem ipſius ſuo nomine abſque ulteriorjs moræ diſpendio ad Eccleſiam eandem admittat, ac per Offic. Karl. admitti faciat et Rectorem inſtitui in eum. *Tibi præcipimus,* quod ſi memoratus Vicarius mandato noſtro hujuſmodi non paruerit, nec illud curaverit adimplere, extunc poſſeſſionem Eccleſiæ ipſius nomine noſtro capiens, non permittas portionarios antedictos poſſeſſioni ejuſdem Eccleſiæ taliter incumbentes aliquam adminiſtrationem illius habere,** Ibidem.

An. 20 E. 1. re, set fructus et bona quæ inveneris in eadem, et etiam quæ ex ea pervenerint in futurum conserves, et salvo custodias, donec aliud a nobis super hoc habueris in mandatis.

John Roman Archbishop of *Yorke* issued this memorable Precept to the Prior of *Boulton* to excommunicate *Anthony Bek* Bishop of *Durham*, for that *John de Maydenstan* Constable of *Durham* and his Complices, had by the Bishops command, or subsequent assent, imprisoned *John de Amelya*, a publike Notary by the Popes authoritie, and *William de Wilton* of *Pickering*, his Clerks, in the Castle of *Durham*, sent thither to the Bishop with his and his Officials Letters of Citation and Canonical mandates; there detaining them prisoners, and refusing to release them, after several admonitions sent to him in writing by the Archbishop to enlarge them, and a sentence of Interdict denounced against him for not releasing them, against his Canonical obedience, to the peril of his soul, and the great injury, high contempt, attenuation of his Archiepiscopal authority, Church, Religion, & for refusing to give any competent satisfaction for these contempts, after they were released by processe out of the Kings secular Court, but not by his Archiepiscopal Mandate to him.

* Claus. 20 E. 1. m. 2. dorso. & Brevia Regis An. 20 E. 1. Tenor cujusdam literæ directa Priori de Bolton, per Archiepiscopum Ebor. ad excommunicand. Episcopum Dunolm.

IOHANNES permissione divina *Eborac.* Archiepiscopus, *Angliæ* Primas, dilecto in Christo filio Priori de *Boulton* in *Craven* salutem, gratiam & benedictionem. Cum dudum venerabilem fratrem Dominum *A. Dunolmensem* Episcopum Suffraganeum nostrum primo sufficienter, & legitimè monuerimus ac moneri fecimus, quod *Johannem de Amelya* auctoritate Apostolica Notarium publicum, et Wilhelmum de Melton, dictum de *Pickering*, Clericos nostros, quos ad suam præsentiam quam in Ecclesia *Dunolmensi*, juxta scita Canonum reperire credidimus, cum nostris, & Offic. nostri literis mandata Canonica continentibus destinaverimus, quousque *Johannes de Maydenstan* Constabularius *Dunolm.* & sui Complices ceperant et fecerant carcerali custodiæ mancipari, ipso Episcopo hoc mandante, vel quod suo nomine factum fuerit, et post facto ratum habente, liberaret, et liberari faceret et restitui pristinæ libertati, dictis Clericis super violentia nobis Ecclesiæque nostræ Eborum de injuria et contemptu commissis, pro facto hujusmodi satisfacerent competenter: * Sed dicto Episcopo monitis parere hujusmodi, & ea facere negligenti, seu penitus non curante, debitæ obedientiæ, et salutis suæ propriæ nusquam memor, eidem Episcopo per nostras alias literas sub pœna sententiæ suspensionis ab ingressu Ecclesiæ, quam in eum in scriptis protuli, si mandatis nostris omiserit obedire, ut dictos Clericos nostros quos in Carcere suo in castro suo *Dunolm.* captivos notoriè detinebat, liberaret & permitteret illæsos abire; eisque, nobis & Ecclesiæ nostræ prædictæ pro commisso hujusmodi satisfaceret competenter & satisfieri procuraret. * Ac ipse Episcopus commissam inobedientiam multiplicans, & velut aspis ad vocem incantantium aures suas obturans, mandata sibi legitime destinata obaudiens, dictos Clericos non liberavit, set captivos detinuit sicut prius. Propter quod tercio * eidem Episcopo nostris dedimus literis in mandatis, quod sub pœna sententiæ excommunicationis quam in scriptis in personam ipsius protulimus justitia exigente, si mandatis nostris ultra contemptibiliter duxerit resistendum, quod sæpefatos Clericos de Captivitate hujusmodi liberaret, eosque liberè abire permitteret, eisdem, nobis & Ecclesiæ nostræ, quos notoriè contra Deum & justitiam, ac debitam obedientiam, & ipsius animæ salutem constiterat offendisse, juxta juris exigentiam satisfaceret competenter. Verum dictus Episcopus, ut videtur, quodammodo a fide recedens quæ debita obedientia roberatur, cum non nisi per inobedientiam schisma in Dei Ecclesia generetur, ac testante beato *Gregorio*, *sola obedientia est quæ fidei meritum possidet, sine qua quisque infidelis convincitur*; * etiamsi fidelis esse videatur, mandatis nostris Canonicis obedire contemptibiliter vilipendens, memoratos Clericos infra terminum ad liberandum sibi per nos juxta qualitatem negotii legitime deputatum, nullatenus liberabit, set in Cleri opprobrium totius Ecclesiæ disciplinæ contemptum, dictorum Clericorum, nostri et Ecclesiæ nostræ præjudicium et gravamen, eosdem post mandata nostra totiens ut prædicitur multiplicata, captivos, sicut prius, Carceri detinuit diutius mancipatos, licet per remedium Curiæ secularis secundum legem Regni, non alicujus nostri authoritate mandati eos denuo liberasset; propter quæ non est dubium Episcopum antedictum in dictas

* Et

* Sed

* prædicto

* etsi

dictas ſuſpenſionis et excommunicationis ſententias, ut præmittitur, rite latas merito incidiſſe. Et quia nil obedientia prodeſſet humilibus ſi contumacia contumacibus non obeſſet; Nos volentes per Cenſuram Eccleſiaſticam ac ipſius executionem quæ ab omnibus Catholicis eſt timenda, ipſius Epiſcopi culpis exigentibus pariter et offenſis legitime procedere contra eum, ut cæteris devotis Eccleſiæ filiis innoteſcat damnabilis ſtatus ejus, ne ſua communione peſtifera grex ulterius inficiatur dominicus, utque quos Dei timor a malo non revocat, vos ſaltem cohibeat coercio Eccleſiaſticæ diſciplinæ; et tuboze confuſi ad ſatisfactionem veniæ et debitam obedientiam compellantur; Vobis noſtra authoritate committimus, ut contra memoratum Epiſcopum, ad declarationem prædictarum ſententiarum ac executionem et publicationem eazundem ſic debite procedatis, quod veſtram debeamus induſtriam merito commendare; denunciantes et publicantes per vos, aut per alium deputandum a vobis in Eccleſiis de *Alverton*, et de *Derlington*, ac aliis locis ſolemnibus noſtræ Provinciæ quibus competencius poteritis, Epiſcopum antedictum in dictas ſuſpenſionis et excommunicationis ſententias incidiſſe, et eas ut præmittitur incurriſſe. Ad quam executionem faciendam & omnia & ſingula ipſam contingentia, ſecundum quod de jure fuerit faciend. ac etiam procedendum, vobis plenam committimus poteſtatem. Qualiter autem Commiſſionem noſtram fueritis executi, de receptione præſentium, et quid in præmiſſis feceritis, nos quam citius poteritis certificare curetis per veſtras Patentes literas harum ſeriem continentes. Dat. apud Sanctum *Martinum* juxta *Viterbium* 13. Kal. *Maii*, Anno Gratiæ 1292. & Pontificatus noſtri ſeptimo. *An.* 20 *E.* 1.

The Prior hereupon* accordingly publiſhed this Excommunication againſt the Biſhop of *Durham*, for which the Archbiſhop the next year was complained of, and fined in Parliament after a long debate, as I ſhall there relate, in its proper ſeries. * Plac. Parl. An. 21 E 1. Ryley p. 133 to 141.

The Biſhops of *Miden* and *Oſſory* having a greater ambition to be imployed in State then Church-affairs, and to be *Privy Counſellors*, than *preaching Biſhops* in *Ireland*, procured theſe Letters Patents from the King to his Council of that Realm, to admit them into the Council there, ſo oft as they ſate in Counſil about the Kings (not Churches) affairs.

REX omnibus & ſingulis de Conſilio ſuo in *Hibernia* exiſtentibus ſalutem. De prudentia & circumſpectione venerabilis Patris *Tho. Midenſis* Epiſcopi, quem charum habemus & commendatum, ſpecialem gerentes fiduciam, quod præſentia ipſius in Conſiliis dandis, et in tractatu habendo de negotiis noſtris in *Hibernia* expediendis plurimum nobis, et vobis poſſit eſſe profutura, et quod fideliter commodum noſtrum pro viribus ſuis procurabit et honorem; *Volumus*, quod idem Epiſcopus de cætero conſiliis noſtris intereſſe una vobiſcum, quoties de agendis noſtris ibidem tractatus habetur. Et ideò vobis mandamus, quod prædictum Epiſcopum ad noſtrum Conſilium admittatis, et ipſum tanquam unum de noſtris Conſiliariis de cætero habeatis. Teſte Rege apud *Berewyk* ſuper *Tweed* 22 die. *Octobris*. Conſimiles literas de verbo ad verbum habet Epiſcopus *Oſſoren*. Teſte ut ſupra. Pat. 20 E. 1. m. 3. intus. De Epiſcopis admittendis ad Conſilium Regis in Hibernia.

The Biſhop of *Cork* in *Ireland* holding plea of things belonging to the Kings Crown and Dignity in his Eccleſiaſtical Court, was thereupon amerced 140 *l.* for his contempt and offence by the Kings Juſtice there at two ſeveral times: Above 45 *l.* whereof being levyed on his goods and chattels by proceſſe out of the Exchequer, the King upon his petition remitted part of the remainder by this Writ.

CUM *venerabilis pater* Robertus Corcagienſis *Epiſcopus nuper coram venerabili patre* S. Tuamenſi *Archiepiſcopo tunc Juſtic. Regis* Hiberniæ, amerciatus eſſet ad centum libras pro contemptu, et idem Epiſcopus poſtmodum amerciatus fuiſſet coram eodem Juſtic. ad quadraginta libras, pro eo, quod adbocabit ſe teniſſe placita in Curia Chriſtianitatis ad Coronam et dignitatem Regis ſpectancia, de quibus quidem amerciamentis, quadraginta et quinque libræ, quinque ſolidi, et decem denarii de bonis et catallis prædicti Epiſcopi per ſummoniciones Scaccarii pet diver- Claus. 20 E. 1. m. 13. Hibern. Pro Roberto nuper Corcagenſi Epiſcopo

An. 20. *E.* 1. ſos Vicecomites levantur, *ſicut per inquiſicionem quam per dilectos & fideles Regis, Magiſtrum* Elyam de Wynton, *&* Robertum de Stapelton *fieri Rex fecit, Rex accepit.* **Rex caritatis intuitu pardonavit eidem Epiſcopo** *quaterviginti & quatnordecim libras, quatnordecim ſolidos & duos denarios qui adhuc Regi aretro ſunt* **de amerciamentis prædictis.** *Et ideo vobis mandatum eſt Theſaurario & Baronibus de Scaccario* Dublin. *quod prædictum Epiſcopum de prædictis quaterginti libris quatnordecim ſolidis & duobus denariis quietum eſſe faciant. Teſte Rege apud* Weſtm. *primo die* Decembris.

If all Prelates uſurping on the Kings prerogative and Courts, had been conſtantly fined, and their fines duly levyed for the like uſurpations, the King and his people had not afterwards been ſo frequently troubled and vexed by them in *England* or *Ireland*.

King *Edward* out of his Soveraign Eccleſiaſtical Authority, blinde devotion, and love to his late deceaſed Conſort Queen *Alianor*, inſtituted a Solemn *Anniverſary* to be kept for her every year, iſſuing ſums of money, and granting ſeveral Mannors, Lands to the Abbot and Covent of *Weſtminſter* for that end, wherein he preſcribed how many Tapers and of what weight they ſhould find, how many and what Maſſes, Dirges, Pater-Noſters, Ave-Maries they ſhould ſing, and what Almes they ſhould diſtribute to the Poor for her Soul; obliging the Abbot, Prior, and Monks by a ſolemn Oath duly to perform the ſame, under pain of forfeiting all their goods, chattels, and the lands thus given to them for this end; as theſe Records will inform us.

Clauſ. 20 E. 1. m. 1. De denariis liberandis ad anniverſarium Reginæ Conſortis Regis.

REX *Theſaur. & Camerariis ſuis ſalutem. Liberate de Theſauro noſtro dilectis & fidelibus noſtris* Willielmo de Marchia, Johanni de Berewyk, & Radulpho de Stanford *Capellano noſtro* **ducentas libras, ad anniverſariam bonæ memoriæ** Alienoræ quondam **Reginæ** Angliæ **Conſortis noſtræ jam inſtantem inde celebrandum.** *Teſte Rege apud* Berewik *ſuper* Twed. 24. *die* Octobris.

Cart. 20 E. 1. n. 4 Pro Abbate & Conventu Weſtmonaſterii de terris eis datis per Regem pro anima Reginæ Conſortis ſuæ.

REX *Archiepiſcopis, &c. ſalutem. Sciatis*, **quod caritatis intuitu, pro ſalute claræ memoriæ** Alienoræ **quondam Reginæ** Angliæ **Conſortis noſtræ**, *dedimus, conceſſimus, & hac carta noſtra confirmavimus pro nobis & hæredibus noſtris Deo & Eccleſiæ Sancti* Petri Weſtmonaſterii, & Waltero *Abbati, ac Priori & Conventui ejuſdem loci manerium de* Briddebrok *cum pertin. in Com.* Eſſex, *una cum advocatione Eccleſiæ ejuſdem Manerii, & cum homagio & ſervicio* Drogonis de Barenton *& hæredum ſuorum, de quarta parte feodi unius Militis cum pertin. quam prædictus* Drogo *de nobis tenet in* Herneſtede, *maneria de* Weſterham & Edulnebrugge *cum pertin. in Com.* Kanc. *manerium de* Turneſton *cum pertin. una cum advocatione Eccleſiæ ejuſdem manerii in Com.* Buk. *maneria de* Knolle & Grafton, *cum hameletis de* Halſpathe, Buleye, Hulverlee, Whitlakesfeld, Kynewaldeſhey, Noteburſt, Langedon, & Didington *cum pertin. in Com.* Warr. *Habend. & tenend. eiſdem Eccleſiæ Abbati, Priori & Conventui, & ſucceſſoribus ſuis cum omnibus pertin. ſuis, una cum returno brevium noſtrorum, & omnibus libertatibus & liberis conſuetudinibus quas ipſi habent in aliis terris ſuis, per cartas progenitorum noſtrorum Regum* Angliæ *& noſtras, & aliis quibuſcumque ad terras illas ſpectantibus*, **conditionibus ſubſcriptis**; *Itavidelicet*, **quod iidem Abbas, Prior et Conventus, vel Prior et Conventus ſi Abbas præſens non fuerit die ſuper vigilio Sancti** *Andreæ* **Apoſtoli, in vigilia diei quo anniverſarium dictæ Reginæ celebrari contigerit, ſolempniter revestiti in choro dicti Monaſterii cum toto et pleno Conventu, Placebo et Dirige cum novem lectionibus, accenſis centum cereis circa tumulum ejuſdem Reginæ, ita quod quilibet ſit de duodecim libris cereæ, quos dicti Abbas, Prior et Conventus et eorum ſucceſſores invenient, et ſingulis annis in anniverſario dictæ Reginæ facient innovari, et quod dicti cereі ad Placebo et Dirige in vigilia anniverſarii** *ardeant, et in die anniverſarii quouſque Miſſa magna fuerit celebrata, cum magnarum et aliarum campanarum pulſatione ſolempni, pro ipſius animæ ſalute decantabunt ſolempniter et facient decantari, die autem ſequenti vigilia ſcilicet Sancti* Andreæ, **idem Abbas vel Prior ſi Abbas non fuerit præſens, et idem Prior digniorem illo Prælatum ad hoc procurare non poterit, miſſam ſolempnem in magno altari ſuo cereis et candelis accenſis, et pulſatis ſicut prædictum eſt campanis, ſolempniter celebrabit et faciet** celebrari

* To illuminate their blind devotions.

celebrari die ſcilicet anniverſarii dictæ Reginæ; et ſinguli Monachi ejuſdem Eccleſiæ conſimilem miſſam pribatam eodem die celebrent, et alii Monachi in minoribus ordinibus conſtituti pſalterium totum, et fratres converſi ejuſdem loci Dominicas orationes, et ſimbolum, cum ſalutatione beatæ Virginis, juxta numerum per eoſdem Abbatem et Conventum eis ad hoc aſſignandum dicant et verſilient pro ipſius anima, et animabus omnium fidelium defunctorum. Eodemque die dicti Prior et Conventus et ſucceſſores ſui, ſingulis pauperibus ad domum ſuam confluentibus unum denarium eſterlingum, vel monetam valentem unum eſterlingum die quo iſta conceſſio noſtra facta fuit, expectato concurſu vel adventu pauperum uſque ad horam terciam ejuſdem diei antequam particio illa incipiatur, facient pro ipſius anima erogare. Ita quod diſtribucio quam Abbas dicti Monaſterii et ſucceſſores ſui ſepties viginti pauperibus facere tenentur, quolibet anno fiat in vigilia anniverſarii prædicti, et poſtea per totum annum ſingulis ſeptimanis fiat diſtribucio prædicta, ſecundum quod in alia carta inde confecta plenius continetur. De cereis vero prædictis remanebunt per totum annum triginta cerei circa tumulum Reginæ prædictæ uſque ad innovacionem cereorum in anniverſario ipſius Reginæ ſicut prædictum eſt faciendam, quos prædicti Abbas, Prior et Conventus, et ſucceſſores ſui, in feſtis majoribus et in adventu Magnatum ibidem, ac alias accendi faciant quociens viderint oportunum. *Præterea dicti Abbas, Prior & Conventus, & ſucceſſores ſui* duos cereos quorum quilibet erit de duabus libris ceræ, juxta Tumulum Reginæ prædictæ continue ardentes invenient, et perpetuo ſuſtinebunt. *Et volumus & concedimus pro nobis & hæredibus noſtris quod hiis omnibus plene & fideliter peractis*, totum reſiduum pecuniæ provenientis de exitibus terrarum prædictarum quod ſuperfuerit dictis Priori et Conventui tantum remaneat ad pitanciaſ ſuas ſecundum voluntatem ſuam inde prohibendas. *Nec volumus nec intendimus per hoc, quod prædictus Abbas in carta hujuſmodi conceſſionis noſtræ præmittitur, quod aliquid commodi ipſi Abbati vel alicui ſucceſſorum ſuorum accreſcat in terris illis, vel de advocationibus Eccleſiarum ad terram illam ſpectantibus, ſeu de cuſtodia earundem; ſalva prælacia & regula ſua, aut per ſe, vel per ſuos inde in aliquo ſe intromittat, ſet quod prædicti Prior & Conventus, & ſucceſſores ſui inde ordinent ad uſus prædictos juxta votum ſuum. Concedimus etiam pro nobis & hæredibus noſtris*, quod tempore vacacionis Abbaciæ prædictæ ad terras prædictas, vel ad bona ſua in eiſdem exiſtencia, per nos vel miniſtros noſtros manum non apponemus, ſet ea eis integraliter ſub noſtra protectione ſervare faciemus. *Et quia nolumus quod proceſſu temporis ea quæ præmiſſa ſunt oblivioni tradantur, ſet quod recens memoria inde ſemper habeatur, volumus & firmiter præcipimus pro nobis & hæredibus noſtris*, quod quilibet futurus Abbas ibidem, ante reſtitucionem temporalium ſuorum præmiſſa Sacramento ad hoc præſtito faciat obſervari. Et *ſi forte Abbas de medio ſit ſublatus*, tunc Prior coram nobis *ſi in partibus vicinis tunc fuerimus, vel* coram Theſ. et Baronibus de Scaccario *ſi longius fuerimus*, conſimile faciet Sacramentum in ſingulis vacacionibus Abbaciæ prædictæ. *Et ad majorem agnicionem hujus rei, firmiter præcipimus pro nobis & hæredibus noſtris, quod ſingulis annis die anniverſarii prædictæ Reginæ, videlicet in vigilia Sanctæ* Andreæ *Apoſtoli, in Capitulo ejuſdem Abbaciæ* coram toto et pleno Conventu præſens Carta de verbo ad verbum plenarie recitetur. Et ad omnia præmiſſa in omnibus articulis et condicionibus ſuis, ſicut prædictum eſt, fideliter obſervanda, obligant ſe prædicti Abbas, Prior et Conventus, et ſucceſſores ſuos qui pro tempore fuerint, et omnia bona ſua mobilia et immobilia, habita et habenda ubicumque fuerint inventa. *In hujus rei teſtimonium tam nos pro nobis & hæred. noſtris, quàm prædicti Abbas, Prior & Conventus, præfati & ſucceſſoribus ſuis præſenti cartæ in modum Cirographi confectæ ſigilla noſtra apposuimus. Hiis teſtibus, venerabilibus patribus* A. Dunolmenſi, J. Wintonienſi & W. Ebjenſi *Epiſcopis*, Willielmo de Valencia *Avunculo noſtro*, Gilberto de Clare *Comite* Glouc. & Hertf. Henr. de Lacy *Comite* Lincolniæ Johanne de Sancto Johanne, Roberto de Tibetot, Reginal. de Grey, Gilberto de Thorenton, Waltero de Bello Campo, Ricardo de Boſco *& aliis*. *Dat. per manum noſtram apud* Berewik *ſuper* Twed. 25 *die* Octobris.

An. 20 *E.* 1.

[1] *Anthony* Biſhop of *Durham* erecting the Pariſh Churches of *Cheſter* and *Langechaſter*, which were very rich and large, into a Deanary and 7. Prebendaries, for the advancing of Gods Service, and the good of the peoples ſouls, and obliging the

An. 20 *E.* 1. Dean and Prebends by Oath to perſonal reſidence thereon, and diſcharge of their duties and Gods Service therein, according as he had preſcribed by his Ordinances and Charters, which were altogether invalid without the Kings Royal aſſent, and confirmation by his Soveraign Eccleſiaſtical Authority and Charter; the King to promote Gods Service, and the good of his peoples ſouls, ratified the Biſhops Ordinances by theſe two Charters which recite them, warranting the diviſion of great and rich Pariſhes and Biſhopricks into many, and obliging the Dean, Prebends, Miniſters, Chaplains thereof by Oath to perſonal reſidence and diſcharge of their duties and divine Offices therein, worthy imitation.

Chart. 20 E. 1. nu. 27. Pro Antonio Dunolmenſi Epiſcopo.

REX *Archiepiſcopis, &c. ſalutem. Literas patentes venerabilis patris* Antonii Dunolmenſis *Epiſcopi ordinacionem per ipſum factam perpetuis temporibus duraturam ſuper Decanatu & Prebendis in Eccleſia de* Ceſtr. *ſui patronatus & Dioceſis, plenariè continentes inſpeximus, in hac verba.* Univerſis ſanctæ matris Eccleſiæ filius præſens ſcriptum viſuris vel audituris, *Antonius* permiſſione divina *Dunolmenſis* Epiſcopus, ad futuram rei memoriam. **Plures rivuli qui ab uno fonte procedunt aquæ tumorem evacuant, fontis tamen valorem non minuunt aut decorem, imo ex ſe uſum producere tanto placidiorem fons ipſe dinoſcitur, quanto pluribus locis aridæ ſitis moleſtia fatigatis effuſo gurgite aquæ copiam uberius ſubminiſtrat.** Illa quoque matrona deſpicabilis non habetur, ſet pocius laude digna, quam etſi frequens conceptus extenuet, fœcunda tamen honorificat procreacio filiorum. **Sic utique * una Eccleſia ſui titulum non perdit honoris, ſi ex ſui habundancia plures beneficiorum ſolacio conſoletur, immo tanto nobilior eſt cenſenda, quanto et deſervit miniſtrorum amplior famulatus.** Sanè cum ſuper Eccleſia de *Ceſtr.* noſtræ Dioceſis, quæ nobis pleno jure ſubjicitur utpote ad noſtrum ſpectans patronatum, variis dudum quæſtionibus & controverſiis emerſis inter Dominum *Willielmum de Clifford* Clericum, ſe pro Rectore ejuſdem Eccleſiæ tunc gerentem, ex parte una, ac Magiſtrum *Alanum de Eſingwalde* ex altera, aſſerentem, dictum *Walterum* per bonæ memoriæ Dominum *Robertum* prædeceſſorem noſtrum immediatum eadem Eccleſia fuiſſe & eſſe *ſententialiter ex certis & legitimis cauſis privatum*, eamque ſibi ab eodem prædeceſſore noſtro canonicè fuiſſe collatam, ſicque varii & diverſi proceſſus judiciales tàm auctoritate Delegata quàm Ordinaria, non abſque gravi diſcrimine, & tàm corporum quàm animarum periculo fuiſſent hinc inde diutius agitati. Tandem partes antedictæ coram nobis præſencialiter conſtitutæ, nolentes tàm periculoſis licium amfractibus ulterius implicari, ſubmiſerunt ordinationi noſtræ Eccleſiam illam cum Capellis, terris, fructibus & obventionibus univerſis ad eandem pertinentibus, & totum jus quod eis competit, vel competere potuit in eadem, proceſſibus habitis inter eos renunciantes, expreſsè promittentes nichilominus ſe ratum habere quicquid per nos ordinatum, ſtatutum ſeu proviſum fuerit in præmiſſis, idque perpetuis temporibus inviolabiliter obſervare. Attendentes igitur prædictæ Eccleſiæ de *Ceſtr.* quæ ad noſtrum ſpectare dinoſcitur patronatum, **parochiam eſſe diffuſam, et proventuum redditus habundantes, adeo quod ad plurium ſuſtentacionem ſufficiunt miniſtrorum, eamque paucos hactenus habuiſſe ſervitores, ex quo divinis multociens fraudebatur obſequiis, et in ipſius parochia diffuſa cura negligebatur dampnabiliter animarum**; quæ tamen poſt Eccleſiam noſtram *Dunolmenſem* inter cæteras Eccleſias noſtræ Dioceſis tipum gerit dignis honoribus extollenda, utpote quam ſanctum & reverendum corpus beati *Cuthberti* patroni noſtri, quod per centum & quindecim annos inibi præſencialiter conquievit, quadam prerogativa ſpecialiter inſignivit. *Conſiderantes etiam*, **utilitatem evidentem et motivam ad ordinacionem ſubſequentem**, *videlicet*, **divini cultus augmentum, et ſalutis animarum uberiorem profectum, urgentem inſuper neceſſitatem in hac parte propenſius ponderantes, quam evidenter perpendimus ex defectu et raritate Juriſperitorum et Conſiliariorum in noſtra Dioceſi**, *ad quos in magnis & arduis Eccleſiæ noſtræ negotiis habere poterit impellente neceſſitate recurſum, de Capituli noſtri* Dunolmenſis *expreſſo conſenſu acceptata ſubmiſſione prædicta, & circumſtanciis univerſis plenius intellectis:* In nomine Domini noſtri Jeſu Chriſti, **ordinamus in hunc modum**; *videlicet*, **quod prædicta Eccleſia de** Ceſtr. **extunc collegiata exiſtat, et ſint in eadem de cætero unus Decanatus et ſeptem Prebendæ: Ita quod Decanus ſit perpetuus in ordine Sacerdotali, curam gerens in ſolidum animarum, et reſidenciam**

* The ſame reaſon holds for the dividing of great and rich Biſhopricks, as well as Pariſh Churches, between many deſerving perſons.

reſidenciam ibidem continue faciens perſonalem, inveniat duos Capellanos idoneos conſortes in habitu Vicariis Canonicorum, pro cura hujuſmodi ſollicite ſuppoꝛtanda, alioſque minoꝛes Clericos habeat ad ſerviendum Eccleſiæ competenter omnia ipſius onera oꝛdinaria ſuppoꝛtando: Cancellum cum indiguerit reficiendo et ſuſtinendo, ad novæ tamen fabꝛicationis vel conſtructionis opus minime teneatur. Capellis inſuper de Taunfeld & Lameley faciat per Miniſtros idoneos deſerviri. *Ad qua omnia & ſingula ſupportanda volumus & firmiter ſtatuimus, quod Decanatui obvenciones tocius alteragii tàm in Eccleſia de* Ceſtr. *quàm Capellis antedictis, videlicet,* moꝛtuaꝛioꝛum, lanæ, agnoꝛum, lactis, vituloꝛum, lenoꝛum, lini, canabi, gallinarum, aucarum, poꝛcelloꝛum, et omnium minutarum perſonalium decimarum, una cum redditu et Curia tenencium Eccleſiæ in Villa de Ceſtr. et de Walrigg. et tota terra Dominica de Hernerton totaliter applicentur. *Meſuagia etiam ad pradictas Capellas de* Lameley *&* de Taunfeld *ſpectancia, cum curiis & terris ſuis Dominicis eidem Decanatui aſſignavimus, hoc excepto, quod utriuſque loci Prabendarii habebunt quandam portionem ſeu partem Curiæ arbitrio noſtro limitandam, in qua poterunt competenter reponere ſua blada. Habeat etiam Decanus piſcariam in* Ripa *de* Were, et decimam piſcariæ. *Ad hæc quilibet Prabendariorum qui tres primas habent,* Pꝛæbendas inveniat ſuis ſumptibus unum Vicarium Capellanum; et de aliis quatuoꝛ reſtouis, ſinguli habeant Vicarium Diaconum in ipſa Eccleſia miniſtrantes in habitu Canonicali, et modum pſallendi teneant ſecundum moꝛem Eccleſiæ Ebor. vel Sarum. Singuli autem ſint ebdomadarii in ſuo ſtatu ſecundum oꝛdinem vicis ſuæ ſurta diſpoſicionem Decani, qui ſicut in cura parochiali, ſic in his quæ ad divinum ſpectant officium oꝛdinet, coꝛrigat, chaꝛum regat et diſponat, ac etiam in his puniat tranſgreſſoꝛes. Matutinas quoque mane diet pꝛopter parochianos volumus et mandamus. *Et ne diſcordiam pariat communitas, ſet ſinguli ſuis finibus ſint contenti, Prabendas illas taliter duximus diſtinguendas; videlicet, quod ad primam Prabendam pertineant* decimæ pꝛædiales univerſæ de magna Lumeley, parva Lumeley, Lampton, Wodeſende, ac etiam decimæ minæ carbonum. *Ad ſecundam Prabendam de* Lameley, Kilbleſworth, Raveneſworth, Dervecrok, Hedley, Ladeſheved, *terra de* Fugers, Raveneſhelm, *&* Northuſes. *Ad tertiam de* Pelton, Pokeley, Pelawe, Piketre, Tribeley, Edmanfley, Stereſley, *&* Nettelwrth. *Ad quartam de* Ceſtr. *&* Withill. *Ad quintam de* Caunfeld, Lince, Crok, Taunfeldley, Stanley, Stanley Hall, Caldeſete, *&* Steles. *Ad ſextam de* Birteley, Herverton, Mora, *&* Harden. *Ad ſeptimam de* Urpath, Ulkeſtan, *&* Twyſles. *Totum autem reſiduum parochiæ de* Ceſtr. *videlicet,* decimas pꝛædiales de Planworth *&* Walrigg, *& omnium vaſtorum tàm in haya quàm alibi in eadem parochia redigendorum ad culturam communem, reſidencium aſſignamus, & inter ipſos duntaxat aqualiter dividantur, qui per tres menſes ad minus in anno continuè, vel interpellatim in Eccleſia ipſa* reſidenciam fecerint perſonalem. *Ita quod in feſto Sancti* Martini *in hyeme, & in feſto* Pentecoſtes *fiat eorundem proventuum communium diſtribucio. Et qui pro medietate temporis antedicti perſonaliter reſiderint, pro rata medietatis hujuſmodi diſtribntionem percipiant proporcionaliter de communa, de reſiduo temporis illius nichil penitus percepturi,* niſi omnes ejus partes integraliter compleverint reſidendo. *Ordinamus inſuper, quod decima pars proventus cujuſlibet* non reſidentis, reſidentibus aſſignetur, et ſi nullum reſidere contigerit, hujuſmodi pꝛædictæ decimæ in uſus Eccleſiæ, vel in uſus pauperum degencium infra limites Pꝛæbendarum nonreſidencium convertantur. *Area autem Eccleſiæ ad inhabitandum inter Decanum & tres Prabendarios primos juxta noſtrum arbitrium dividatur. Ne etiam de ordine ſedendi vel procedendi contencio oriatur, ſtatuimus, ut poſt primum ſtallum ex parte auſtrali, (quod nobis & ſucceſſoribus noſtris* in ſignum pꝛæeminenciæ ſpecialiter reſervamus) *Prabendarius prima Prabendæ optineat primum locum. Prabendarius tertiæ Prabendæ optineat ſecundum. Prabendarius quintæ, tertium. Prabendarius ſeptimæ, quartum. Ex parte vero boriali Decanus Eccleſiæ retineat primum locum. Prabendarius ſecundæ Prabendæ ſecundum locum. Prabendarius quartæ, tertium; & Prabendarius ſextæ Prabendæ quartum; & eundem ordinem obſervent invicem in procedendo. Hanc autem ordinacionem concurrente conſenſu Capituli noſtri,* ad honoꝛem Dei et Eccleſiæ Chꝛiſti factam, ſtatuimus perpetuis temporibus inviolabiliter obſervandam, auctoꝛitate, dignitate et poteſtate Eccleſiæ noſtræ Dunolmenſis et ſucceſſoꝛum noſtroꝛum in omnibus ſemper ſalvis. *In cujus rei*

An. 20 *E.* 1.

An. 20 E. 1. *rei perp. tuam firmitatem sigillum nostrum præsentibus est appensum. Actum & datum apud* Aukeland *quinto die Idus* Novembris, *Anno gratiæ* 1286. *& consecrationis nostræ anno tertio.* **Nos autem eidem ordinacioni Regium præbentes assensum, eam pro nobis et hæredibus nostris præfato Episcopo et successoribus suis Episcopis** Dunolmensibus, **quantum in nobis est, concedimus et confirmamus,** *sicut literæ prædictæ rationabiliter testantur. In cujus rei testimonium has literas nostras fieri fecimus patentes. Hiis testibus, venerabilibus patribus* R. Bathon. & Wellen. *Cancel. nostro, &* W. Elyen. *Episcopis,* Gilberto de Clare *Comite* Glouc. & Hertf. Henr. de Lacy *Comite* Lincoln. Johanne de Warenna *Comite* Surr. Johanne de Sancto Johanne, Roberto filio Walteri, Waltero de Bello Campo, Gilberto de Briddeshale, Ricardo de Bosco, & *aliis. Dat. per manum nostram apud* Berewyk *super* Twed. 12 *die* Junii.

Chart. 20 E. 1. m. 26. REX *Archiepiscopis, &c. salutem. Literas patentes venerabilis patris* Antonii Dunolmensis *Episcopi ordinacionem per ipsum factam perpetuis temporibus duraturam super Decanatu & Prabendis in Ecclesia de* Langeceſtr. *sui patronatus & Diocesis, plenarie continentes inspeximus, in hac verba.* Universis sanctæ matris Ecclesiæ filiis præsens scriptum visuris vel audituris, *Antonius* permissione divina *Dunolmensis* Episcopus, ad futuram & perpetuam rei memoriam. **Plures tituli,** *&c. verbatim* as in the former. **Sic utique una Ecclesia titulum non perdit honoris, si ex sui habundancia plures beneficiorum solacio consoletur, immo tanto nobilior est censenda, quanto et deservit ministrorum amplior famulatus.** Sanè vacante dudum Ecclesia de *Langeceſtr.* nostræ Diocesis, per mortem Magistri *Alexandri de Alverton* quondam Rectoris ejusdem, quæ nobis pleno jure subjicitur, utpote ad nostrum spectans patronatum, dilectum in Christo filium Magistrum *Johannem de Cravene* Presbyterum, ad ipsius Ecclesiæ defensionem legitimum defensorem pro ipsius indempnitate in temporalibus & spiritualibus tuciùs conservanda tempore vacacionis ejusdem, ex officii nostri debito deputavimus sub hac forma. *Antonius* permissione divina *Dunolmensis* Episcopus, dilecto in Christo filio Magistro *Johanni de Cravene* Presbytero, salutem, gratiam & benedictionem. Cupientes utilitati & indempnitati Ecclesiæ de *Langeceſtr.* nostræ Diocesis, vacantis per mortem Magistri *Alexandri de Alverton* quondam Rectoris ejusdem cauciùs ut tenemur, tibi de cujus industria circumspecta plenam in Domino fiduciam optinemus, defensionem ac tuitionem illius Ecclesiæ, cùm suis juribus, libertatibus & pertin. universis tempore vacacionis ejusdem committimus, & tenore præsencium te legitimum ejusdem constituimus defensorem; dantes tibi plenam & liberam potestatem in causis & negociis dictæ Ecclesiæ agendi, defendendi, appellandi, appellationes prosequendi, de calumpnia & de veritate dicenda, ac quodlibet aliud genus liciti sacramenti quociens opus fuerit juramentum præstandi, status ipsius reformacionem & in integrum restitucionem petendi & recipiendi, de bonis, obvencionibus, proventibus, statu & juribus, ac ipsius pertin. quibuscumque liberè disponendi, & omnia alia faciendi quæ statum ipsius Ecclesiæ in judicio vel extra qualitercunque contingunt, & quæ per verum & legitimum defensorem poterunt expediri. Ratificantes quicquid per te nomine prædictæ Ecclesiæ actum seu procuratum fuerit in præmissis. Hæc omnibus quorum interest innotescimus per præsentes, quas sigilli nostri munimine fecimus communiri. Datum apud *Middleham* 8 Kal. *Aprilis,* anno gratiæ 1283. Prædicto itaque defensore in nostra præsentia personaliter constituto, habitoque tractatu sollempni & diligenti qui in ordinacionibus & concessionibus perpetuis rerum Ecclesiasticarum exigitur. **Quia prædictæ Ecclesiæ parochiam esse diffusam et proventuum redditus habundantes esse conspicimus, adeo quod ad plurium sustentacionem sufficiunt ministrorum, eamque paucos hactenus habuisse servitores et quo divinis multociens fraudabatur obsequiis, et in ipsius parochia diffusa cura negligebatur dampnabiliter animarum. Considerantes insuper utilitatem evidentiam et motivam ad ordinacionem subsequentem,** *videlicet,* **divini cultus augmentum, et salutis animarum uberiorem profectum, urgentem etiam necessitatem in hac parte propensius ponderantes, quam evidenter perpendimus ex defectu et raritate Jurisperitorum et Consiliariorum in nostra Diocesi,** *ad quos in magnis & arduis Ecclesiæ nostræ negotiis habere poterit impellente necessitate recursum,* auditis & plenius discussis hiis quæ per dictum defensorem pro jure & utilitate ipsius

Ecclesiæ

Eccleſiæ de *Langeceſtr.* allegata fuerant & propoſita coram nobis, ac univerſis circumſtanciis apercius intellectis, de Capituli noſtri *Dunolmenſis*, ac ſæpedicti defenſoris legitimi voluntate & aſſenſu: *In nomine Domini noſtri Jeſu Chriſti*, **ordinamus in hunc modum**; *videlicet*, **quod prædicta Eccleſia de** Langeceſtr. **ernunc Collegiata eriſtat, et ſint in eadem de cætero unus Decanatus et ſeptem Præbendæ**, *&c. verbatim* as in the former Charter. In cujus rei perpetuam firmitatem ſigillum noſtrum præſentibus eſt appenſum. Actum & datum apud *Aukeland* 12 Kal. *Octobris*, Anno graciæ 1283. & Conſecrationis noſtræ anno prima. **Nos autem eidem ordinacioni Regium præbentes aſſenſum, eam pro nobis et hæredibus noſtris prædicto Epiſcopo et ſucceſſoribus ſuis Epiſcopis** Dunolmenſibus, **quantum in nobis eſt, concedimus et confirmamus**, ſicut literæ prædictæ rationabiliter teſtantur. In cujus, &c. Hiis teſtibus, &c. ut ſupra. Dat. ut ſupra. *An.* 20 E. 1.

John Lythegraynes and *Alice* his wife erecting a Chappel and Chantrie to the *Virgin Mary* in their Manor of *Laſingby*, conſiſting of one Maſter and 6 Chaplains, to ſing Maſſe for their ſouls and the ſouls of their anceſtors, and of King *Edward* and his heirs, of the preſent Biſhop of *Durham* and his ſucceſſors, and of all faithfull ſouls deceaſed, preſcribing an oath to them of perpetual reſidence, and diſcharge of the particular Divine Services and truſts repoſed in them, procured the King by his Supream Eccleſiaſtical Authority to ratifie this his Charter, (elſe invalid in Law,) by this his Royal Charter inrolled in the Tower.

Chart. 20 E. 1. n. 5, 6. Pro Waltero de Preſton Capellano Laſingby.

REX Archiepiſcopis, &c. ſalutem. Inſpeximus cartam quam dilectus & fidelis noſter Johannes de Lythegraynes & Alicia *uxor ejus fecerunt Deo, & beatæ & glorioſæ Virgini* Mariæ & Waltero de Preſton *Capellano in hæc verba.* Omnibus hanc Cartam viſuris vel audituris, *Johannes de Lythegraynes* & *Alicia* uxor ejus ſalutem in Deo ſempiternam. Noveritis nos pro ſalute animarum noſtrarum, Anteceſſorumque noſtrorum, & pro ſalute animæ Domini *Edwardi* Dei gratia illuſtris Regis *Angliæ*, & hæredum ſuorum, necnon & pro ſalute animæ Domini *Antonii* eadem gratia *Dunolmenſis* Epiſcopi & ſucceſſorum ſuorum, & pro animabus omnium fidelium defunctorum, dediſſe, conceſſiſſe, & hac præſenti carta noſtra confirmaſſe Deo, & beatæ & glorioſæ Virgini *Mariæ*, in cujus nomine & honore quondam Capellam in manerio noſtro de *Layſingby* cum omnibus ſuis pertin. ut in Dominicis, Villenagiis, cum villanis & eorum ſequelis & catallis omnibus, redditibus, pratis, paſcuis, moris, mariſcis, turbariis, ſtagnis, aquis, vivariis & molendinis, cum omnibus pertin. ſuis in liberam puram & perpetuam elemoſinam imperpetuum. Quem quidem *Presbyterum* prædictorum manerii & capellæ conſtituimus & facimus *Magiſtrum perpetuum.* Habendum & tenendum eidem Magiſtro & ſucceſſoribus ſuis *Presbyteris* ibidem Deo ſervituris, ad ſuſtentacionem **ſex Capellanorum ibidem Deo ſerviturorum et divina celebrancium**, prout inferiùs continetur, liberè, quietè, bene & honorificè, cum omnibus ſuis pertin. in liberam, puram, & perpetuam elemoſinam imperpetuum. Ita tamen, quod ſi contingat præfatum Magiſtrum, vel quemcumque alium ipſius loci Magiſtrum, in vita noſtra ſeu alterius noſtrum cedere vel decedere, vel culpis ſuis exigentibus amoveri, *benè licebit nobis & utrique noſtrum in tota vita noſtra & utriuſque noſtrum, infra quadraginta dies poſt ceſſum vel deceſſum, ſeu amocionem cujuſlibet Magiſtri prædictorum manerii & capellæ loco ſuo alium idoneum Presbyterum ipſorum manerii & capellæ facere & conſtituere pro libito noſtro Magiſtrum perpetuum. Et ſi fortè, quod abſit, infra illos quadraginta dies quantum in nobis eſt ipſorum manerii & capellæ alium Magiſtrum non fecerimus, benè licebit Domino Epiſcopo* Dunelmenſi *qui pro tempore fuerit unum Presbyterum idoneum prædictorum manerii & capellæ facere & conſtituere Magiſtrum illa vice:* Ita tamen quod aliàs cum vacaverit in vita noſtra, vel alterius utriuſque noſtrûm, nobis vel alterutri noſtrûm non cedat in præjudicium quominus ipſorum manerii & capellæ alium poſſimus facere & conſtituere Magiſtrum: Et volumus quod prædicti Capellani per præfatum Magiſtrum & ſucceſſores ſuos eligantur, & quocienſcunque neceſſe fuerit per eundem amoveantur, & alii ſuis locis ponantur *qui ſint honeſti, caſti, ſufficienter literati, & benè morigerati.* **Et ſinguli Magiſtri primo die introitus ſui jurent de *perſonali reſidencia factenda, et fidelitate domui in omnibus obſervanda, Terras et tenementa, calices, libros, veſtimenta, et omnia alia ornamenta, et alia bona** quæcumque

* *Nota*

An. 20 E. 1. quæcùmque ad dictas domum et capellam spectancia, quantum in eis est, salvo et fideliter custodienda et custoditi facienda. Et singuli Capellani in suo introitu idem præstent Sacramentum quamdiu ibidem sunt moraturi. Omnes etiam Presbyteri dum sanitate gaudent, singulis diebus simul in prædicta capella pro animabus nostris et omnium antecessorum et successorum nostrorum, Regum et Episcoporum prædictorum, necnon et omnium fidelium defunctorum, divina et omnes horas canonicas, una cum Placebo et Dirige cantent et celebrent. Ita quod una missa de beata *Maria* Virgine in prædicta capella, et una de die, et tres misse pro animabus nostris, et pro animabus omnium fidelium defunctorum, et una missa pro anima Domini *Antonii* Episcopi *Dunelmensis*, et successorum suorum Episcoporum *Dunelmensium* in capella beati *Johannis Baptiste* singulis annis celebrentur. Concedimus etiam Deo & Ecclesiæ Sancti *Cuthberti Dunolm.* quod post obitum utriusque nostrum Episcopas *Dunolmensis* qui pro tempore fuerit, & omnes ejus successores Episcopi ejusdem loci imperpetuum loco cujuslibet Magistri prædictorum manerii & capellæ cedentis vel decedentis, seu culpis suis exigentibus amoti, alium Presbyterum discretum & honestum ipsorum manerii & capellæ faciat & constituat Magistrum, curam illius loci agentem, qui similiter juret suo introitu se perpetuo ibidem residere, nisi pro urgentibus negotiis loci illius ac manerii ipsum abesse oporteat vel contingat. Et nos *Johannes* & *Alicia* & hæredes nostri totum prædictum manerium cum omnibus pertin. suis prædictis, Magistro & Sacerdotibus ibidem Deo servituris, prout plenius prænotatur, contra omnes warrantizabimus & defendemus imperpetuum. Et ut præsens concessio & donacio nostra Deo & beatæ *Mariæ* Virgini, ac Magistro & Presbyteris ibidem Deo servituris in forma qua superius notatur, stabiles & irrevocabiles imperpetuum permaneant, excludimus omnibus hæredibus nostris per præsens scriptum & donum nostrum omnem viam & omnimodum jus & clamium quod per quodcumque breve, vel quacumque actione ratione vel occasione eis competere possit petendi, vendicandi vel clamandi prædictum manerium cum pertin. vel aliqualem partem imperpetuum. Et in perpetuum testimonium hujus rei, ac majorem securitatem faciendam, præsenti scripto sigilla nostra apposuimus. Hiis testibus Dominis *Willielmo de Colebill, Ricardo de Ronnâby, Ricardo de Waxand, Johanne Hannsard, Marmeduco Darel* Militibus, *Johanne Dayvill de Dychton, Willielmo de Smytheton, Willielmo de Amandevill, Alano Norrays, Nicholao de la Land. Richardo de Thorneton, Stephano Maunsell de Alverton, Hugone de Oterington, Johanne Clerico, Nicholao Astyn, Willielmo de Astakely,* & aliis. Dat. apud *Laysingby* die Dominica post festum Sanctorum *Tyburcii* & *Valeriani* Martyrum, anno regni Regis *Edwardi* decimo octavo. Nos autem donacionem, concessionem et confirmationem prædictas ratas habentes et gratas, eas pro nobis et hæred. nostris quantum in nobis est concedimus et confirmamus, sicut carta prædicta rationabiliter testatur. Hiis testibus venerabilibus patribus *Roberto Bathon.* & *Wellen. Johanne Wynton, Anton. Dunolm. Willielmo Elien.* Episcopis, *Edmundo* fratre nostro, *Henrico de Lascy* Com. *Linc. Rogero le Bigod* Com. *Norff.* & Marescallo *Angliæ, Humfrido de Bonn* Comite *Hereford.* & *Essex, Roberto de Tybetot, Waltero de Bello Campo, Ricardo de Bosco, Elia de Hanvill, & aliis.* Dat. per manum nostram apud *Westm.* 4. die *Febr.*

From which 3. Charters I shall observe, 1. That the King, this Bishop and other founders of Chantries in that age, took special care to oblige Deans, Prebends, Priests, Masters and Chaplains not only by their Charters, covenants, but also by solemn promissory Oathes to constant personal residence on their Cures, and the diligent discharge of their pastoral duties, which yet notwithstanding they were apt to neglect. 2ly. That they particularly prescribed, both what and how many Masses, prayers, Tapers, Alms, divine or superstitious Services they should perform for the benefit of their own and others souls departed, whereof our Kings had then the Soveraign Charge, care, for which they made special provisions by their Charters both for that and succeeding ages; as these, with all other their Charters for erecting, endowing, or confirming of Bishopricks, Monasteries, Chappels, Churches or Chauntries abundantly evidence.

King *Edward* the 1. for the peace, quiet, good Government and encouragement of Scholars and learning in the University of *Cambridge*, this year ratified all former Charters

Charters granted to them by his Father King *Henry* the 3. and former Orders and agreements made between them and the Mayor and Townſmen of *Cambridge* for that end, by this his Royal Charter; evidencing the great care our Kings had to protect, advance, encourage Scholars and learning in our Univerſities, and keep the Townſmen from exacting on them in any kinde. *An.* 20 *E.* 1.

REX *Archiepiſcopis, &c. ſalutem. Inſpeximus literas patentes quas Dominus* H. *quondam Rex* Angliæ *pater noſter fecit* Univerſitati Scolarium Cantebr. *in hac verba.* Henricus *Dei gratia Rex* Angliæ, *Dominus* Hyberniæ, *&* *Dux* Aquitaniæ, *Omnibus Ballivis & fidelibus ſuis ad quos præſentes literæ pervenerint, ſalutem. Sciatis,* quod ad pacem et tranquillitatem, necnon ad utilitatem Univerſitatis Scolarium Cantebr. prohibimus et conceſſimus, *quod duo Aldremanni ſiant in* Cantebrigia, *& quatuor de diſcrecioribus & legalioribus Burgenſibus ejuſdem Villæ aſſocientur ipſis Aldermannis, qui omnes jurent fidelitatem, & ſint aſſiſtentes & conſulentes Majori & Ballivis noſtris* Cantebr. *ad pacem noſtram conſervandam, & ad aſſiſas prædictæ Villæ cuſtodiend. & ad inveſtigandum malefactores & perturbatores pacis noſtræ, & vagabundos de nocte, & receptatores latronum & malefactorum,* et *corporale præſtent Sacramentum, quod omnia prædicta fideliter obſervabunt. In qualibet autem parochia Villæ* Cantebr. *ſint duo homines electi de legalioribus parochianis, & jurati, quod in qualibet quindena inquirent ne quis ſuſpectas hoſpitetur in parochia, & ſi aliquis receptaverit aliquem per tres noctes in domo ſua, reſpondeat pro eo. Nullus eciam* *regratarius emat victualia in villa Cantebr. *vel extra verſus villam veniencia, nec aliquid emat ut iterum vendat, ante horam terciam, & ſi fecerit, amercietur ſecundum quantitatem & qualitatem delicti.* Si vero Laicus inferat Clerico grabamen vel enormem læſionem, ſtatim capiatur: et ſi magna ſit læſio, incarceretur in villa ipſa, et ibi detineatur quouſque Clerico rationabiliter fuerit ſatisfactum. Si autem Clericus inferat grabamen vel enormem læſionem Laico, incarceretur in prædicta villa quouſque Cancellarius Univerſitatis ipſum poſtulaverit. *Piſtores, Braciatores* Cantebr. *in primo tranſgreſſu ſuo amercientur; in ſecundo, panem amittant vel cerviſiam; in tercio tranſgreſſu habeant judicium de Pillorio vel Tumberello. Quilibet Piſtor habeat ſigillum ſuum, & ſignet panem ſuum per quod poſſit cognoſci cujus panis ſit; quod ſi non fecerit, graviter amercietur. Quicunque de villa* Cantebr. *braciaverit ad vendendum, exponat ſignum ſuum, alioquin amittat cerviſiam. Vina* Cantebr. *communiter vendantur & indifferenter tam Clericis quàm Laicis ex quo imbrochiata fuerint. Temptacio panis fiat bis in anno, videlicet in quindena poſt feſtum Sancti* Michaelis, *& circa feſtum Sanctæ Mariæ in* Marcio. *Et Aſſiſa cerviſiæ fiat eiſdem terminis ſecundum valorem bladi & braſei. Et quocieſcunque debeat fieri temptacio panis & cerviſiæ,* *interſit Cancellarius prædictæ Univerſitatis, vel aliqui ex parte ſua ad hoc deputati, ſi ſuper hoc requiſiti intereſſe voluerint, quod ſi non interſint, nec ſuper hoc requiſiti fuerint, nichil valeat temptacio prædicta. *Præterea volumus quod villa* Cantebr. *à ſimis & ſordibus mundetur & munda teneatur, & quod aquæductus aperiantur ſicuti antiquitus eſſe ſolebant, ac aperti cuſtodiantur, ut per eos ſordes affluere poſſint, niſi alia neceſſitas aut utilitas obſteterit; & quod alia obſtacula tranſitum impediencia amoveantur, & præcipuè ut magnum foſſatum villæ mundetur:* Ad quæ obſervanda ordinentur duo Burgenſes ex legalioribus in quolibet vico juratî coram Majore et Ballivis, Cancellario et Magiſtris ad hoc requiſitis, ſi venire voluerint. *In cujus rei teſtimonium has literas noſtras fieri fecimus patentes. Teſte meipſo apud* Weſtm. *vicesimo ſecundo die* Febr. *anno Regni noſtri quinquageſimo ſecundo. Inſpeximus eciam literas patentes quas idem Rex pater noſter fecit Cancellario & Scholaribus* Cantebr. *in hac verba.* Henricus *Dei gracia Rex* Angliæ, *Dominus* Hiberniæ, *&* *Dux* Aquitaniæ, *Omnibus Ballivis & fidelibus ſuis ſalutem. Sciatis,* quod ob honorem Dei et Eccleſiæ ſacroſanctæ, necnon et commodum et communem utilitatem Scolarium in Municipio Cantebr. ſtudencium, *conceſſimus Cancellario & Scolaribus prædictis, & eorum ſucceſſoribus ibidem ſtudentibus,* Quod omnes domus ejuſdem villæ quas Scolares prædictos inhabitare contigerit, per duos Magiſtros et duos Burgenſes ejuſdem villæ ſecundum rationabilem taxationem, de cætero taxantur de quinquennio in quinquennium. *Et ideo vobis mandamus,* quod prædictis Cancellario et Scolaribus contra hanc conceſſionem noſtram impedimentum, moleſtiam aut grabamen non inferatis, vel aliquibus inferri permittatis. *In cujus rei teſtimonium has literas noſtras fieri fecimus patentes. Teſte meipſo apud* Weſtm. *ſexto die* Feb.

Chart. 20 E. 1. n. 51. Pro Cancellario & Scolaribus Univerſitatis Cantebrig. Vid. Clauſ. 49 H. 3. m. 10. Pat. 17 E. 3. pars 2. m. 23. Pat. 9 H. 6. pars 2. m. 16. Pat 9 E. 4. pars 3. m. 8.

* Vid. Pat. 10 E. 3. pars 1. m 32.

* Vid. Pat. 3 E. 3. pars 1. m. 6, & 8.

* Pat. 2 R. 2. pars 1. m. 16, & 39. & pars 2. m. 10. Pat. 4 R. 2. pars 2. m. 24. Pat. 8 R. 2. pars 2. m. 41. Rot. Parl. An. 8 R. 2. Art. 11. Pat. 9 R. 2. pars 2. m. 20.

An. 20 E. 1. *anno Regni nostri quinquagesimo. Inspeximus etiam literas patentes quas idem Rex pater noster fecit* Magistris et Scolaribus Universitatis ejusdem Villæ *in hac verba.* H. *Dei gratia Rex* Angliæ, *Dominus* Hyberniæ, *& Dux* Aquitaniæ, *Omnibus Ballivis & fidelibus suis ad quos præsentes literæ perveverint salutem. Quia Ballivi & Burgenses nostri* Cantebr. non solum negligentes existunt, verumetiam impotentes ad malefactorum insolencias, et alia Magistris et Scolaribus Universitatis ejusdem villæ nociva modo debito reprimenda, per quod sicut pro certo intellerimus, contingit dictos Magistros et Scolares multociens impediri, ita quod actus scholasticos in quiete studentibus maxime necessaria nequeunt exercere; Nos dictorum Magistrorum et Scolarium tranquillitati et paci prospicere cupientes, volumus et præcipimus, *quod Vicecomites Com.* Cantebr. *qui pro tempore fuerint, quando Ballivi aut Burgenses prædicti negligentes vel impotentes inventi fuerint in præmissis,* hujusmodi malefactores, ac pacis nostræ dictæque Universitatis turbatores, cum sufficienti posse Com. prædicti, si necesse fuerit, ab hujusmodi præsumptionibus temerariis penitus desistere, et prædicta nociva reprimi faciant, cum ex parte Universitatis prædictæ inde fuerint requisiti. Ita quod dicti Magistri et Scolares ibidem studiis liberalibus applicati, sub protectione manus nostræ oblatis liberius prospicere valeant incrementis. *In cujus rei testimonium has literas nostras fieri fecimus patentes. Teste meipso apud* Westm. *vicesimo die* Julii, *anno regni nostri quinquagesimo tercio. Inspeximus eciam literas patentes quas idem Rex pater noster fecit* Magistris et cæteris Scolaribus Universitatis ejusdem villæ, *in hac verba.* H. *Dei gratia Rex* Angliæ, *Dominus* Hiberniæ, *& Dux* Aquitaniæ, *Omnibus ad quos præsentes literæ pervenerint salutem. Quia dilectis nobis in Christo* Magistris et cæteris Scolaribus Universitatis Cantebr. *per Comites, Barones, Milites, & alios torneamenta ibidem exercentes, aventuras quærentes & ad arma euntes,* frequencius solent pericula et incommoda multipliciter evenire, quæ si tollerarentur, in dispidium ibidem studencium per processum temporis cedere possent manifeste, quod sustineri nolumus sicut nec debemus: Nos indempnitati Magistrorum et Scolarium prædictorum volentes in hac parte, quatenus fieri poterit prohibere; Concessimus eis de gratia nostra speciali, quod torneamenta aliqua, aventuræ, Justæ, seu hujusmodi hastiludia non fiant de cætero in villa prædicta, seu per quinque miliaria circumquaque. Et prohibemus super gravem forisfacturam nostram, ne quis de Regno nostro apud villam prædictam, seu alibi infra prædicta miliaria circumquaque torneare, justas facere, seu aventuras, vel alia hastiludia quærere præsumat contra concessionem nostram prædictam. *In cujus rei testimonium, has literas nostras fieri fecimus patentes. Teste meipso apud* Westm. *vicesimo quarto die* Julii *anno regni nostri quinquagesimo quarto. Inspeximus eciam quoddam scriptum* inter Scolares et Burgenses Cantebr. et Communitatem ejusdem villæ *in modum Cyrographi confectum in hac verba.* In nomine Domini, Amen. *Cum inter Magistros & Scolares ac Burgenses* Cantebr. *& Communitatem ejusdem* sæpius fuisset contencio exorta, cujus occasione tam Clero quam populo multa imminebant pericula, *tandem interveniente Nobili viro Domino* Edwardo *illustris Regis* Angliæ *primogenito, anno Domini M. CC. septuagesimo, mense* Aprilis, *talis forma pro periculis imminentibus & futuris vitandis, & pro pace imposterum observanda fuit provisa, videlicet, Quod singulis annis infra quindenam à tempore quo Magistri ibidem legentes suas lectiones resumpserint post festum Sancti* Michaelis, *eligantur de quolibet Com.* Angl. quinque Scolares de discretioribus ibidem commorantibus, *& tres de* Scocia, *& duo de* Wallia, *& tres de* Hibernia, *& decem Burgenses, scilicet septem de urbe, & tres de suburbio,* qui juramentum corporale præstabunt hinc inde tam Clerici quam Laici vice omnium, quod pacem et studii tranquillitatem observabunt, et ab aliis pro posse observari procurabunt, et consimile Sacramentum omnes alii Clerici et Laici dictis electis præstabunt, *scilicet,* quod bene et pacifice in studio stabunt: Et si aliqui mali vel rebelles Scolares seu Laici inventantur, qui prius amoniti, vel judicialiter conventi se corrigere noluerint, ad ipsum capiendum secundum quod decet statum eorum et ordinem Clericalem Burgenses juvabunt. *Eligantur autem in forma prædicta certi Magistri qui nomina omnium principalium & singularum domuum scribant, & omnium in eisdem domibus habitancium,* qui similiter eisdem jurabunt principalibus specialiter jurantibus, quod nullum pacis perturbatorem in suis hospiciis scienter recipient; Et si postquam recepti fuerint tales inveniantur, quod incontinenti personis juratis et electis denunciabunt. Laici eciam

am familiam et inquilinos in ſuis domibus habentes conſimile Sacramentum præſtabunt, et a ſua familia ac inquilinis recipient. *Quod ſi aliqui rebelles inveniantur*, tam per Clericos quam per Laicos in forma prædicta extra Univerſitatem ſeu Communitatem ejiciantur. *Et ſi tanta fuerit rebellium multitudo quod per Burgenſes cum Cleri auxilio ejici non poſſit, Domino Regi & ſuo Conſilio denuncietur. Caterum ſi contingat aliquos hujuſmodi electorum* Clericorum vel Laicorum *dicto termino abeſſe, habeant poteſtatem alios loco eorum ſubrogare. Ordinatum eſt etiam, quod ſingulis annis in reſumpſione Magiſtrorum prius ſtent electi tam Clericorum quàm Laicorum, vel quod alii de novo eligantur*, omnibus et ſingulis privilegiis dictæ Univerſitatis prius per Dominum Regem vel prædeceſſores ſuos conceſſis in ſuo robore duraturis. *Et ad præmiſſa omnia & ſingula fideliter obſervanda*, Clerici Laicis, et Laici Clericis Sacramento præſtito corporali ſe invicem obligarunt, *& huic ſcripto in modum cyrographi confecto* commune ſigillum Univerſitatis Cantebr. et ſigillum commune Burgenſium, una cum ſigillo Domini Regis apponi fecerunt. *Nos autem proviſiones, conceſſiones & ordinaciones prædictas ratas habentes & gratas, eas pro nobis & hæredibus noſtris* Cant. Magiſtris et Scolaribus Univerſitatis prædictæ et eorum ſucceſſoribus ibidem commorantibus, quantum in nobis eſt concedimus et confirmamus, ſicut prædictæ literæ patentes, et prædictum ſcriptum rationabiliter teſtantur. *His teſtibus venerabilibus patribus* R. Bathon. *&* Wellen. A. Dunolm. *&* W. Elien. *Epiſcopis*; Edmundo *fratre noſtro*, Willielmo de Valencia *avunculo noſtro*, Gilberto de Clare *Comite* Glouceſtr. *&* Herteford, Henr. de Lacy *Comite* Linc. Humfrido de Bohun *Comite* Hereford. *&* Eſſex, Waltero de Bello Campo, Roberto Malet, Ricardo de Boſco, *& aliis*. *Dat. per manum noſtrum apud* Weſtm. 6. *die* Februarii. *An.* 20 *E.* 1.

How carefull the King was to maintain the premiſed Cuſtome and Priviledge of this Univerſity, concerning the rents, or taxes ſet on houſes let to Scholars, will appear by his memorable Writ this year to ſuperſede an *Aſſiſe* of *Novel diſſeiſin* brought by the Prior of *Bernewell* againſt the Chancellor of *Cambridge*, for letting out his houſe to a Scholar, upon ſufficient caution to pay the Rent, in the Priors neglect to let it to him.

Brevia Regis in Turre London, An. 20 E. 1.

Edwardus Dei gratia, &c. dilectis & fidelibus ſuis *Elia de Beckingham*, & *Hugoni de Croſſingham*, ſalutem. Ex parte Cancellarii et Scholarium Univerſitatis *Cantabrigiæ* nobis eſt oſtenſum, quod cum per Cartas progenitorum noſtrorum Regum *Angliæ* eiſdem Cancellario & Scholaribus conceſſas, & noſtram Confirmationem, Domus Burgenſ. in eadem villa Scolaribus conducendæ per duos Magiſtros dictæ Univerſitatis & duos Burgenſes ejuſdem Villæ taxari debeant, & conſueverint; Ita quod penſio ad quam hujuſmodi domus taxari debuerit hoſpitibus illis à quibus domus illæ ſic conductæ fuerint ſecundum veram taxationem perſolvatur; ac etiam ſecundum Statuta et Conſuetudines ejuſdem Univerſitatis a prima fundatione ejuſdem hactenus ibidem obſervata, ſine quibus dicta Univerſitas nullatenus ſtare poſſet, Scolares hujuſmodi Domus conducere volentes, in defectu hoſpitum quorum Domus illæ fuerint, ſi hoſpites illi inventi non fuerint, vel malitioſe ſe abſentaverint, vel ſi forte inventi Domos ſuas Scholaribus locare noluerint, et ſufficientem cautionem de dicta penſione pro Domibus illis ſolvenda a dictis Scholaribus admittere recuſaverint, Cancellarium Univerſitatis prædictæ adeant, qui recepta a dictis Scholaribus cautione ſufficiente, domos illas eis, ſicut moris eſt, in eadem Univerſitate liberari faciat inhabitandas: ac prædictus Cancellarius *quandam Domum Prioris de* Bernewell *in prædicta villa* Cantebr. Magiſtro *Radulpho de Leiceſtr.* in defectu ipſius Prioris cautionem à dicto *Radulpho* pro penſione Domus illius eidem Priori ſolvenda admittere volentis, per bonam cautionem juxta conſuetudinem Univerſitatis prædictæ inhabitandam liberabit. Prædictus Prior de *Bernewell* confingens, ſe per prædictos Cancellarium & *Radulphum* fore diſſeiſitum de Tenemento prædicto, *Aſſiſam novæ diſſeiſinæ* coram vobis arram. ad grave dampnum prædictorum Cancellarii et *Radulphi*, necnon et prædictæ conſuetudinis Univerſitatis prædictæ læſionem manifeſtam; & quia prædictis eiſdem Cancellario & *Radulpho* injuriari, ſeu Libertatibus et Conſuetudinibus ejuſdem Univerſitatis in aliquo derogari nolumus in hac parte; Vobis mandamus, quod habito

An. 20 *E.* 1. bito reſpectu ad Conſuetudines et Statuta prædicta, ad captionem Aſſiſæ prædictæ nobis et noſtro Conſilio ſuper hoc inconſultis, nullatenus procedatis. Dat. apud *Sanctum Edmundum* 27. die *April.* Anno regni noſtri viceſimo.

In the 20th. year of this Kings reign, I finde this Writ of *Quod damnum* iſſued in order to grant ſome Meſſuages, Lands, and the Advouſon of the Church of St. *Michael* in *Cambridge*, to the Vice-chancellor and Scholars of that Univerſity, towards the maintenance of a Chauntry, defraying the expences of the Univerſity in defence of their Liberties, and maintenance of poor Scholars therein, for advancement of Learning and Religion.

Previa Regis in Turre London. An. 20 & 21 E. 1.

EDwardus *Dei gratia Rex* Angliæ, &c. *Vic.* Cantebr. *ſalutem. Præcipimus tibi quod per Sacramentum proborum & legalium hominum de Comitatu tuo, per quos rei veritas melius ſciri poterit, diligenter inquiras, ſi ſit ad dampnum vel præjudicium noſtrum, vel aliquorum, ſi concedamus* Rogero de Ridelingfeld *Capellano, quod ipſe quatuor Meſſuagia, & triginta acras terræ, cum pertinentiis in* Cantebrig. & Matild. Ate-Wolde, *quod ipſa Advocationem Eccleſiæ Sancti* Michaelis *in eadem Villa, dare poſſint & aſſignare dilectis nobis in Chriſto* Galfrido de Pakenham **Cancellario Univerſitatis noſtræ** Cantebrig. **et Magiſtris Univerſitatis ejuſdem, ad onera Suffragiorum ſpiritualium, pro animabus Regum et Reginarum Angliæ, et liberorum ſuorum, et aliorum Benefactorum ejuſdem Univerſitatis, et expenſarum quæ pro defenſione Libertatum et ſtatus Univerſitatis ejuſdem fieri contigerit**; nec non et in parte ſuſtentationis **pauperum Scholarium ibidem degentium. Habend. et tenend. eiſdem Cancellario et Magiſtris Univerſitatis prædictæ, et eorum ſucceſſoribus Cancellario et Magiſtris Univerſitatis illius imperpetuum**: *Nec ne? Et ſi ſit ad dampnum vel præjudicium noſtrum, vel aliorum; tunc ad quod dampnum & quod præjudicium noſtrum, & quod dampnum & quod præjudicium aliorum, & quorum, & qualiter, & quomodo? Et de quo vel de quibus Meſſuagia illa, Terra & Advocatio teneantur, & per quod ſervitium, & quantum valeant per annum in omnibus exitibus. Et ſi terræ & tenementa prædictorum* Rogeri & Matild. *ſibi remanentia ultra donationes & aſſignationes prædictas ſufficiant ad conſuetudines & ſervitia, tam de prædictis Meſſuagiis, Terra & Advocatione datis, quam retentis, debita facienda, & ad omnia alia onera quæ ſuſtinuerunt & ſuſtinere conſueverunt, ut in ſectis, viſibus franci plegii, auxiliis, tallagiis, vigiliis, finibus, redemptionibus, amerciamentis, contributionibus, & aliis quibuſcunque oneribus emergentibus ſuſtinenda, prout ante donationes prædictas fieri conſueverunt: Et Inquiſitionem inde diſtincte & aperte factam, nobis ſub ſigillo tuo, & ſigillis eorum per quos facta fuerit, ſine dilatione mittas, & hoc Breve. Teſte meipſo apud* Culford. 7 *die* Maii, *Anno regni noſtri* 20. Which * Church with other Lands I finde afterwards appropriated to the Houſe and Scholars of St. *Michael* in *Cambridge.*

* Pat. 17 E. 2. pars 2. m. 12.

The Abbot and Covent of the Greater Monaſtery of *Turon*, exempt by Popes Bulls from all Epiſcopal Juriſdiction, fearing that a clauſe in Pope *Innocents* Bull ſhould invalid this their Priviledge and Exemption, procured two new Bulls (from Pope *Innocent*, and Pope *Alexander*) to ſecure themſelves, and their Cells in *England* from all Epiſcopal Juriſdiction; which they exemplified in and by this Charter of King *Edward* the 1. under his Great Seal, and enrolled in Chancery this year.

Chart. 20 E. 1. m. 13. Cedula.

EDwardus *Dei gratia Rex* Angliæ, *Dominus* Hiberniæ, *& Dux* Aquitaniæ, *omnibus hac viſuris, ſalutem. Inſpeximus quædam privilegia in ſerico bullata, non cancellata, non abolita, nec in aliqua ſui parte viciata, ex parte Religioſorum virorum Abbatis & Conventus Majoris Monaſterii* Turonenſis *nobis exhibita, formam quæ ſequitur continencia.*

Innocentius Epiſcopus ſervus ſervorum Dei, dilectis filiis Abbati & Conventui Majoris Monaſterii *Turonenſis*, **ad Romanam Eccleſiam nullo mediante ſpectantis**, ſalutem & Apoſtolicam benedictionem. Cum nuper duxerimus ſtatuendum, ut **exempti quantacunque gaudeant libertate, nichilominus tamen ratione delicti, ſeu contractus, aut rei de qua agitur contra ipſos, rite poſſint coram loco**rum **Ordinariis conveniri, et illi quo ad hoc ſuam in ipſos juriſdictionem prout jus erigit**

exercere.

rrercere. Vos dubitantes, ne per Conſtitucionem hujuſmodi libertatibus et im- *An.* 20 *E.* 1.
munitatibus, ac juribus vobis et membris veſtris, privilegiis et indulgenciis ab Apoſtolica ſede conceſſis præjudicari valeat: Nobis humiliter ſupplicaſtis, ut providere ſuper hoc indempnitati veſtræ paterna ſolicitudine curaremus. Quia verò Monaſterii ſacra religio ſic vos apud nos favore dignos conſtituit, ut nobis votivum exiſtat, vos ab omnibus per quæ vobis poſſent provenire diſpendia immunes liberi animo præſerbare, auctoritate vobis præſencium indulgemus, ut occaſione Conſtitucionis hujuſmodi nullum eiſdem libertatibus et immunitatibus, ac juribus impoſterum præjudicium generetur. Nulli ergo omnino hominum liceat hanc paginam noſtræ conceſſionis infringere, vel ei auſu temerario contraire. Si quis autem hoc attemptare præſumpſerit, indignacionem omnipotentis Dei, & beatorum *Petri* & *Pauli* Apoſtolorum ejus ſe noverit incurſurum. Dat. *Lugduni* 3 Idus *Aprilis*, Pontificatus noſtri anno octavo.

Alexander Epiſcopus ſervus ſervorum Dei, dilectis filiis Abbati & Conventui Majoris Monaſterii *Turonenſis*, ad Romanam Eccleſiam nullo medio pertinentis, Ordinis Sancti *Benedicti*, ſalutem & Apoſtolicam benedictionem. *Laudabilis religio quæ in Monaſterio veſtro colitur, ſic ab eo mundanæ diſſolucionis relegavit illecebras, ut inter alia clauſtralis abſtinenciæ nexibus religatum, obſervanciæ puritate fulgeat regularis, & voluntatis libitum coartans, omnino ſub obediencia debito dignam & ſedulam exhibeat Domino ſervitutem; unde tanquam pociori devotione præminens attolli jamdudum exempcionis privilegio meruit, & velut ſanctitatis eminencia præſignitum nonnullu diverſarum gratiarum titulis honorari.* Cum itaque in privilegiis ipſius Monaſterii contineatur expreſſe, ſicut nos ipſi ex inſpectione ipſorum privilegiorum collegimus, ne quiſquam Archiepiſcopus aut Epiſcopus beati Martini Majus Monaſterium, aut ipſius majoris Monaſterii Monachos pro ulla cauſa, ullo in loco excommunicare præſumat, ac univerſi Priores et Monachi veſtri, ſive in ipſo Monaſterio, ſive in ipſius Prioratibus commorentur et membris, in eodem Monaſterio prout aſſeritis profeſſionem emittant, et ad voluntatem Abbatis ipſius Monaſterii qui eſt pro tempore mittantur ad Prioratus et membra eadem moraturi ineis, et ab ipſo Abbate cum ei placuerit, ad idem Monaſterium revocentur, et conveniens ſit ut qui eidem Monaſterio pari ſe in illo profeſſione alligant, eadem gaudere debeant libertate. Nos veſtris devotis ſupplicacionibus inclinati, *ut univerſi Priores & Monachi prædicti ubicunque fuerint, gaudeant & utantur liberè privilegiis, indulgenciis, libertatibus, immunitatibus, & graciis quibus gaudent & utuntur Monachi in ipſo Monaſterio commorantes*, conſtitucione ſeu declaracione felicis recordacionis Innocentii *Papæ prædeceſſoris noſtri*, circa exemptos edita, vel quibuſlibet aliis ſtatutis ſeu declaracionibus factis et promulgatis ab Apoſtolica ſede ad inſtanciam quorumcunque, et quibuſcunque literis Apoſtolicis per quoſcunque obtentis nequaquam obſtantibus, auctoritate vobis præſencium de ſpeciali gratia indulgemus. Nos enim Interdicti, Excommunicationis et Suſpenſionis ſententias et proceſſus, ſi quos in vos et Monaſterium veſtrum, vel Prioratus aut Monachos prædictos, ſeu Prioratus et membra veſtra contra præſentis indulti tenorem per quoſcunque ferri vel haberi contigerit, irritos decernimus et inanes. Nulli ergo omnino hominum liceat hanc paginam noſtræ conceſſionis & conſtitucionis infringere, vel ei auſu temerario contraire. Si quis autem hoc attemptare præſumpſerit, indignacionem omnipotentis Dei, & beatorum *Petri* & *Pauli* Apoſtolorum ejus ſe noverit incurſurum. Dat. *Viterbii* 6 Idus *Novembris*, Pontificatus noſtri anno tertio. *Nota.*

Thus one Popes Bull contradicted, and then repealed, or explained another, to gain monies from their exempt Monaſteries, Abbots and Monks upon all occaſions, who could not endure to be ſubject to any Archiepiſcopal or Epiſcopal Juriſdiction.

The Pope granting the Biſhop and Freers of the Hoſpital of St. *Maries* of *Bethlem*, Bulls and Indulgences to collect Almes for the relief of the poor and infirm in their Hoſpitals, in divers parts of the world; the King out of his charity and Royal authority granted them this Protection, Licenſe, and Patent of aſſiſtance to collect and receive the Almes of his Subjects within the Realm, and to ſeiſe and puniſh all falſe Collectors thereof, not authorized by them.

REX

An. 20 E. 1.

Pat. 20 E. 1. m. 16. intus. Pro Epiſcopo & Fratribus Eccleſiæ beatæ Mariæ de Bethleem & eorum Nunciis. See here p. 449, 450.

REX omnibus ad quos, &c. ſalutem. Cum dilecti nobis in Chriſto venerabilis pater Epiſcopus & Fratres Eccleſiæ beatæ *Mariæ* de *Bethleem*, mittant quoſdam Nuncios ſuos cum **privilegiis Apoſtolicis et indulgentiis** ad loca diverſa, **ad elemoſinas Chriſti fidelium colligendas in ſubſidium Eccleſiæ beatæ** *Mariæ* de *Bethleem*, **pauperum et infirmorum in eorum Hoſpitalibus per diverſas partes** mundi degentium. Nos eoſdem Epiſcopum & Fratres,, ac eorum Nuncios prædictos in protectionem & defenſionem noſtram ſuſcepimus ſpecialem; Vobis mandamus, quod ipſos Epiſcopum, Fratres & Nuncios manuteneatis, & protegatis, & defendatis, non inferentes eis vel inferri permittentes injuriam, moleſtiam, dampnum aut gravamen. Et ſi quid eis forisfactum fuerit, id eis quantum in vobis eſt, ſine dilatione faciatis emendari. Rogamus etiam vos, quod cum dicti Fratres vel eorum Nuncii ad vos venerint, **de bonis veſtris elemoſinas petituri, ipſos benigne admittere, et eiſdem intuitu charitatis ad ſuſtentationem prædictam de bonis veſtris erogare velitis, ut a Deo remunerationem condignam, et a nobis grates repoſtare poſſitis ſpeciales.** Et quia quidam * falſarii advocantes ſe per Epiſcopum & Fratres Eccleſiæ prædictæ, nomine ipſorum Epiſcopi & Fratrum elemoſinas colligunt, licet per ipſos poteſtatem non habeant, ut intelleximus, Vos iterato rogamus, quod cum aliqui tales ſine literis patentibus prædicti Epiſcopi vel ejus Nuncii cauſa hujuſmodi collectæ faciendæ per vos tranſitum fecerint, ipſos cum collecta illa arreſtari faciatis, donec de hujuſmodi malicia emendas fecerint competentes, prout in caſu conſimili aliàs fieri conſuevit. In cujus, &c. Teſte Rege apud *Stebenheth.* 15 die *Aprilis.*

* See p. 243.

Pat. 20 *E.* 1. m. 6. The King granted the like Patent and Protection *verbatim*, *Pro Magiſtro & Fratribus Hoſpitalis Sancti* Jacobi *de* Alto Paſſu, *& eorum attornatis. Teſte Rege apud* Berewyk. ſuper Twed. 15 *die* Julii: as he had * *formerly* done.

* See here p. 275, 364, 365.

This year the King by two diſtinct Patents, running in the ſame form, nominated two * more of his 20. Clerks who ſhould enjoy the Popes Priviledge granted to him for Non-reſidence from their Livings ten years ſpace.

* See here p. 423, 424.

Pat. 20 E. 1. m 21 intus De privilegio pro Clericis Regis conceſſo.

REX omnibus ad quos, &c. ſalutem. Univerſitati veſtræ notum facimus per præſentes, quod cum Sanctiſſimus pater in Chriſto Dominus *Nicholaus* Papa quartus, nobis de gratia ſpeciali conceſſerit, **quod viginti Clerici noſtris obſequiis inſiſtentes, quos duxerimus nominandos, ſua beneficia Eccleſiaſtica per decennium libere recipere valeant, non obſtante quod primam vel aliam reſidentiam non fecerint in eiſdem, prout in literis Apoſtolicis plenius continetur.** Nos dilectum Clericum noſtrum Dominum *Agmonem de Quarto* Præcentorem *Lugduni*, noſtris obſequiis fideliter ac diligenter inſiſtentem nominamus inter cæteros Clericos noſtris obſequiis immorantes ad dictam gratiam, per prædictum tempus liberaliter optinend. In cujus, &c. Teſte Rege apud *Weſtm.* quinto die *Februarii.*

The like Patent *in terminis*, nominated *Magiſtrum Arnaldum de Tillio* for another Non-reſident. *Teſte Rege apud* Stebenheth. 11 *die* Decembris.

How the King by his Soveraign authority, commiſſioned others to viſit his Hoſpitals, make Ordinances for, place Maſters in them in his ſtead, this Patent inſtructs us.

Pat. 20 E. 1. m. 10. See Bundela Brev. An. 20 E. 1. a Writ to the ſame effect.

REX omnibus ad quos, &c. ſalutem. Cum dilectus noſter *Willielmus de Hamelton* Archid. *Eborum* **in viſitacione et ordinacione quas de præcepto noſtro nuper fecit in Hoſpitali noſtro** beati *Nicholai* infra Civitatem noſtram *Ebor.* fundato, Magiſtrum eidem Hoſpitali præficere diſtulerit, **quousque de noſtra ibi ſuper hoc conſiterit voluntate.** Per quod nos nolentes, quod Hoſpitale illud Magiſtro diutius careret, nec quod bona ejuſdem poſſent pro defectu regiminis diſſipari: Mandavimus dilecto nobis in Chriſto Abbati beatæ *Mariæ Ebor.* & dilecto & fideli noſtro *Johanni de Lythegreynes*, quod ipſi aliquem Capellanum providum & honeſtum de Civitate prædicta, vel partibus adjacentibus, qui regimini ejuſdem Hoſpitalis vellet & ſciret intendere, **eligerent vice noſtra.** Ac iidem Abbas & *Johannes*

Robertum

Robertum le Graunt perſonam Eccleſiæ *Sanctæ Crucis Ebor.* de communi conſenſu Majoris & Communitatis Civitatis prædictæ, ad hoc nominaverint in Magiſtrum. Nos de ipſius *Roberti* induſtria confidentes, commiſimus ei Hoſpitale prædictum cum pertin. cuſtodiendum, **quamdiu bene et fideliter ſe gesserit in eodem.** Ita quod **ordinacionem** per præfatum Clericum noſtrum in eodem Hoſpitali nuper factam, **et per noſtras patentes literas poſtmodum confirmatam in ſingulis ſuis articulis firmiter et inviolabiliter faciat obſervari,** quod in dictis literis noſtris plenius continetur. In cujus, &c. Teſte Rege apud *Berewyk* ſuper *Twed.* 12 die *Junii.* *An.* 20 E. 1.

Et mandatum eſt fratribus & ſororibus, &c. Teſte ut ſupra.

The King ſtanding in need of monies, his Treaſurer borrowed from the Popes Nuncio and Merchants no leſſe then one Hundred Thouſand Marks at once, due at the ſecond terme of payment thereof, out of the Diſmes granted him by the Pope for relief of the Holy Land, collected in *England*, as theſe Records atteſt.

REX omnibus ad quos, &c. ſalutem. Sciatis quod aſſignavimus dilectum & fidelem noſtrum Magiſtrum *Willielmum de Marchia* Theſaur. noſtrum, **ad petendum et recipiendum nomine noſtro centum millia marcarum de Decima collecta in regno noſtro *Angl.* et nobis a ſede Apoſtolica in ſubſidium Terræ Sanctæ conceſſa,** de ſecundo termino ſolucionis ejuſdem, una cum ſuperpluſagio de toto tempore **conceſſionis Decimæ illius, tam a Mercatoribus noſtris** *Lucanen.* **quam ab aliis quibuſcunque ad Decimam illam nobis ſolvendam, a prædicta ſede Apoſtolica deputatis.** In cujus, &c. Teſte Rege apud *Berewyk* ſuper *Twed.* 13 die *Junii.* Pat. 20 E. 1. m. 10.

REX omnibus ad quos, &c. ſalutem. Sciatis nos recepiſſe per manus dilecti & fidelis noſtri Magiſtri *Willielmi de Marchia* Theſaur. noſtri, à dilectis nobis Magiſtro *Giffredo de Vezano* Cameracen. **cameræ Domini Papæ Clerico, et Apoſtolicæ ſedis in *Anglia* Nuncio,** & Magiſtro *Johanne de Luk.* Canonico Sancti *Pauli London.* **centum millia marcarum de Decima in regno noſtro *Angl.* collecta, et nobis a prædicta ſede in ſubſidium Terræ Sanctæ conceſſa,** de ſecundo termino ſolucionis ejuſdem: **De quibus centum millibus marcarum præfatos Magiſtros *Giffredum* & *Johannem*, et ſedem prædictam, tenore præſencium quietamus.** In cujus, &c. Teſte ut ſupra. Thus the King and Pope divided this great ſpoyle between them, no part thereof being applyed to the Holy Lands relief. Ibidem.

The Abbot and Covent of *Certeſey* procuring divers Churches to be appropriated to them, to which notwithſtanding others preſented their Clerks by prayers or power, againſt their wills, upon the deaths of their Temporary Vicars, procured a Bull from Pope *Clement* the 3d. and Charter from the Biſhop of *Winton*, to hold them to their proper uſes after the Encumbents deaths or reſignations, ſo as they preſented Vicars to them; which being invalid without the Kings ſpecial licenſe and confirmation, they procured this Patent from him to confirm theſe appropriations to them, by reaſon of the poverty and loſſes of the Monaſtery, wherein the Popes Bull, and Biſhops Charter are recited and ratified.

REX omnibus ad quos, &c. ſalutem. Inſpeximus literas patentes quas venerabilis pater *Johannis Winton.* Epiſcopus fecit dilectis nobis in Chriſto Abbati & Conventui de *Certeſeye*, in hæc verba. *Univerſis præſentes literas inſpecturis*, Johannes **permiſſione divina** Winton. *Eccleſiæ Miniſter, ſalutem in Domino ſempiternam. Noveritis nos literas felicis recordationis* Clementis *Papæ tercii, nobis ex parte Religioſorum virorum Abbatis & Conventus de* Certeſeye *noſtræ Diocaſis præſentatas, non cancellatas, non abolitas, nec in aliqua ſui parte viciatas, filo ſerico, & vera bulla bullatas vidiſſe, legiſſe, ac diligenter examinaſſe, ſub eo qui ſequitur verborum tenore. Clemens* Epiſcopus ſervus ſervorum Dei, dilectis filiis Abbati & Conventui de *Certeſeya*, ſalutem & Apoſtolicam benedictionem. Religioſis locis adeſſe **univerſalis regiminis adminiſtracione compellimur,** & eorum commoditatibus ſollicitè providere caritatis zelo propenſius commovemur, ut oculus Apoſtolicæ ſedis eorundem locorum commodis Pat. 20 E. 1. m. 11. Pro Abbate & Conventu de Certeſeye.

An. 20 *E.* I. commodis officio ſollicitudinis paſtoralis invigilet, & eorum indempnitati provida ſtuderet circumſpectione cavere. Ad noſtram ſiquidem audienciam pervenit, quod quædam parochiales Eccleſiæ Monaſterio veſtro ad ſuſtentacionem fratrum hoſpitum ac pauperum ſuſceptionem fuerunt collatæ, ſcilicet de *Botham*, & de *Edeſtam*, & de *Ewell*, & de *Waltham*, & de *Horleya*, & de *Coveham*, & de *Culeſdon* Eccleſiæ, & de *Weteſdon*, & de *Certeſeya* Capellæ, in quibus Clerici inſtituti per temporales Vicarios miniſtrabant; quibus decedentibus, tam Eccleſiaſticæ quam Seculares perſonæ, interdum precibus et potencia potius quam veſtra voluntate, Clericos ſuos in eis faciebant inſtitui; In quo jus Monaſterii veſtri contigit deperire, et Eccleſias ipſas bonis et poſſeſſionibus amplas vobis inutiles et infructuoſas eriſſere. Nos autem quorum eſt errata corrigere, et quæ perperam fuerunt ad æquitatis tramitem revocare; Vobis & Eccleſiæ veſtræ cupientes utiliter providere, auctoritate vobis Apoſtolica indulgemus, ut cum Clerici aut Sacerdotes prædictarum Eccleſiarum decedunt, aut eas vivi dimittunt, licitum ſit vobis eas in manu veſtra retinere, et earum beneficia ad proprios uſus reſervare, electis ibidem Vicariis et Dioceſano Epiſcopo præſentatis; Ita quidem quod Epiſcopo non liceat qui ſibi fuerint præſentati, niſi ob manifeſtam et rationabilem cauſam repellere; eædem vero Eccleſiæ et earum beneficia vobis et ſucceſſoribus veſtris imperpetuum conſerventur, eorum pro quorum gubernacione et ſuſtentacione conceſſa ſunt omnimodis uſibus profutura, ſalva ſedis Apoſtolicæ auctoritate, et Dioceſani Epiſcopi Canonica juſtitia. Præterea auctoritate duximus Apoſtolica ſtatuendum, ne quis Archiepiſcopus, Epiſcopus, Archidiaconus, Decanus, ſeu aliquis Eccleſiæ Prælatus, vos aut Eccleſias veſtras, vel Clericos veſtros ſuſpendere, interdicere ſeu excommunicare, vel a vobis, vel a poſſeſſionibus veſtris quicquam exigere quod indebitum ſit vel extraordinarium, niſi ex rationabili cauſa et ordine judiciario cognita, ullo auſu præſumat. Decrevimus ergo, ut nulli omnino hominum liceat hanc paginam noſtræ conſtitucionis & prohibicionis infringere, vel ei auſu temerario contraire. Si quis autem hoc attemptare præſumpſerit, indignationem omnipotentis Dei, & beatorum *Petri* & *Pauli* Apoſtolorum ejus ſe noverit incurſurum. Data *Laterani* 13 Kal. *April.* Pontificatus noſtri anno quarto. *Cum igitur Eccleſia de* Botham *predicta noſtri Dioceſis, dictorumque Religioſorum patronatus per reſignationem* Johannis de London. *nuper Rectoris ejuſdem in manibus noſtris purè & ſimpliciter nuper factam vacare noſcatur ad preſens: Nos attendentes,* quod eorundem Religioſorum redditus et proventus adeo ſunt tenues et exiles, in tantumque iſtis diebus modis variis decreſcebant, quod remanente onere quod de die in dies excreſcit, et numero Deo ſibi famulancium, ipſi tanquam ære alieno depreſſi, eorumque facultatibus lapſi, penſatis oppreſſionibus variis, tam exactionum quam etiam peſtilenciarum, et inundacione aquarum quæ in animalibus, pecudibus et aliis nuper in illis partibus de Certeſeye contigerunt, non poterunt ex ipſis commode ſuſtentari, nec hoſpitalitatem, ut præmittitur, vel alia caritatis opera prout conſueverunt hactenus exercere. *Hiis & aliis rationibus evidentibus & legitimis,* quibus Eccleſiarum appropriatio non tam juri contraria quam pietati conſona eſt cenſenda, merito excitati, *quod per felicis recordationis* C. *Papam predictum, tam pie, tam miſericorditer factum & conceſſum exiſtit, quantum in nobis eſt, ratum habentes & firmum; cupientesque effectui debito mancipare, eiſdem Religioſis concedimus per preſentes, ut ipſi per Procuratores eorundem dicta Eccleſia jam vacantis, qua eis ut premittitur,* auctoritate ſedis Apoſtolicæ appropriata exiſtit, *corporalem poſſeſſionem liberè ingredi valeant & eam licitè retinere,* ipſiusque fructus et proventus ſibi et ſucceſſoribus ſuis ad uſus præmiſſos imperpetuum convertendos, ſalva in omnibus jure Epiſcopali, auctoritate, et dignitate Winton. Eccleſiæ. Ita tamen quod eidem Eccleſiæ per idoneum Vicarium nobis præſentandum honeſte deſerviatur juxta formam ſuperius annotatam. *In cujus rei teſtimonium preſentes literas noſtras eiſdem Religioſis fieri fecimus patentes ſigilli noſtri impreſſione munitas. Actum & datum apud* Eſſere *primo die* Aprilis, *Anno Domini* 1292. *Conſecrationis verò noſtræ decimo.* Nos autem conceſſionem prædictam ratam habentes et gratam, eam pro nobis et hæredibus noſtris, quantum in nobis eſt, prædictis Abbati et Conventui, et ſucceſſoribus ſuis, concedimus et confirmamus, ſicut literæ prædictæ rationabiliter teſtantur. In cujus, &c. Teſte Rege apud *Berewik* ſuper *Twed.* 8 die *Junii.*

King

King *Henry* the 3. having granted the Tithe of his rent called *Chaumpard* in the Iſle of *Gerneſey*, to the Chappel of St. *Mary* in *Orguil* Caſtle there, (where I was once a Priſoner by ſome Prelates malice) to maintain a Chaplain to ſay divine ſervice every day for his ſoul, and the ſouls of his predeceſſors and heirs, K. *Edward* ratified it by this Patent to the ſaid Chaplain and his ſucceſſors. *An.* 20 E. 1.

REX Ballivis ſuis & omnibus tenentibus Inſularum de *Gerneſeye* & *Gereſeye*, ſalutem. Cum bonæ memoriæ Dominus *H.* quondam Rex *Angl.* pater noſter, intuitu Dei, & ob reverentiam beatæ Virginis *Mariæ*, & pro ſalute animæ ſuæ, & animarum anteceſſorum & hæredum ſuorum, per Cartam ſuam dederit & conceſſerit ad ſuſtentacionem cujuſdam Capellani divina celebrantis ſingulis diebus in Capella beatæ *Mariæ* de Caſtro de *Orguil* in Inſula de *Gerneſ.* **decimam totius redditus ſui**, qui vocatur *Chaumpard*, in eadem Inſula de *Gerneſeye*; habendum & tenendum imperpetuum, in liberam, puram & perpetuam elemoſinam, prout in Carta prædicta, quam inſpeximus, plenius continetur: Nos dictæ Cartæ tenore conſiderato diligenter, **voluntatem dicti patris noſtri cupientes adimplere, et maxime in hoc caſu**, donacionem & conceſſionem ſuper præmiſſis à dicto patre noſtro factas, ratas habentes & gratas, volumus & per præſentes literas pro nobis & hæredibus noſtris concedimus, **quod Capellanus noſter qui nunc in dicta Capella eſt inſtitutus, et ejus ſucceſſores**, qui per nos, vel hæredes noſtros, vel Ballivos noſtros, vel hæredum noſtrorum de dicta Inſula de *Gerneſeye* in dicta Capella erunt aſſignati, **decimam prædictam totius redditus noſtri, qui dicitur** *Chaumpard*, **in dicta Inſula de** *Gerneſeye*, **habeant et integre percipiant in puram et perpetuam elemoſinam, libere, pacifice et quiete.** In cujus, &c. Teſte Rege apud *Walſingham* 10 die *Maii*. Pat. 20 E. 1. m. 12. Pro quodam Capellano divina celebrante in Capella beatæ Mariæ de Orguil in Inſula de Gerneſeye.

I finde the Kings Royal licenſe and aſſent to the election only of one Abbeſſe in *Irtland*, recorded in this year.

REX dilecto & fideli ſuo *Willielmo de Veſcy* Juſtic. ſuo *Hibern.* ſalutem. Cum dilecti nobis in Chriſto Abbatiſſa & Conventus beatæ *Mariæ* de *Bello Portu* juxta *Waterford.* nobis per literas ſuas patentes ſignificaverint, quod Eccleſia ſua prædicta per mortem *Matil. Comyn* nuper Abbatiſſæ ejuſdem loci, paſtoris ſit ſolatio deſtituta, ſupplicantes nobis, prout moris eſt, **quod licentiam ſibi aliam eligendi in Abbatiſſam eiſdem concedere dignaremur**; ac nos precibus eorundem Abbatiſſæ & Conventus in hac parte favorabiliter inclinati, **licentiam illam eis duximus concedendam**; mandantes quod talem, &c. Nos eorundem Abbatiſſæ & Conventus laboribus & expenſis in hac parte parcere volentes, iſta vice conceſſimus eis, &c. Acceptis tamen ſecuritate, &c. *ſine data.* Pat. 20 E. 1. m 12. De licentia eligendi, & poteſtate data adhibendi aſſenſum electioni, & temporalia reſtituendi in Hibernia.

What *Engliſh* Biſhops were elected, confirmed, and reſtored to their Temporalties this year by the Kings Royal licenſe and aſſent, theſe Patents and Writs will beſt inform us.

REX **electioni nuper factæ** in Eccleſia Cathedrali *Karl.* de fratre * *Johanne de Halghton* Canonico ejuſdem domus in Epiſcopum loci illius, **Regium aſſenſum adhibuit et favorem.** Et mandatum eſt Magiſtro *Johanni de Crancumb* Archid. *Eſtriding.* venerabilis patris *J.* Archiepiſcopi *Ebor. Angl.* Primatis, ipſo Archiepiſcopo in partibus tranſmarinis agente Vicario generali, ut quod ſuum eſt in hac parte exequatur. Teſte Rege apud *Derlington* 26 die *Maii*. Who confirming his election, the King reſtored his Temporalties by a Writ to his Eſcheator; *Teſte Rege apud* Berewyk *ſuper* Twed. 18 die *Julii*. Ibid. m. 10. Pat. 20 E. 1. m. 12. De aſſenſu adhibito electioni. *See Godwins Catalogue, p. 540.

REX dilecto Clerico ſuo *Malculmo de Harle* Eſcaetori ſuo citra *Trentam*, ſalutem. Cum venerabilis pater *J. Cantuarienſis* Archiepiſcopus electionem nuper factam in Eccleſia Cathedrali beati *Petri Exon.* de venerabili viro Magiſtro * *Thoma de Bitton* Decano *Wellenſi* in Epiſcopum loci prædicti, **cui Regium aſſenſum prius adhibuimus et favorem, confirmaverit**, ſicut per literas patentes ipſius Archiepiſcopi nobis inde directas accepimus: **Nos confirmationem illam acceptantes fidelitatem ipſius Electi**, & Temporalia Epiſcopatus prædicti, prout moris eſt, reſtituimus eidem. Et ideo vobis mandamus, quod Temporalia ejuſdem Epiſcopatus Pat. 20 E. 1. m. 19. Pro electo Exon. de temporalibus reſtituendis. *See Godwins Catalogue, p. 329.

An. 20 E. 1. Epiſcopatus eidem Electo reſtituatis, ſicut prædictum eſt. Teſte Rege apud *London.* 2 die *Novembris*.

Et mandatum eſt Militibus, &c. Teſte ut ſupra.

Pat. 20 E. 1. m. 27. De Temporalibus Sarum reſtitutis.

REX *Radulpho de Berners*, ſalutem. Cum venerabilis pater *J. Cantuar.* Archiepiſcopus, totius *Angliæ* Primas, electionem nuper celebratam in Eccleſia Cathedrali *Sarum* de diſcreto viro * *Nicholao Longeſteye* dictæ Eccleſiæ Theſaurario in Epiſcopum ejuſdem loci, **cui prius Regium aſſenſum adhibuimus et favorem, confirmaverit**, ſicut per literas patentes ipſius Archiepiſcopi nobis inde directas nobis conſtat. **Nos confirmationem illam acceptantes, cepimus fidelitatem ipſius Electi**, & Temporalia Epiſcopatus illius, prout moris eſt, reſtituimus eidem. Et ideo vobis mandamus, quod eidem *Nicholao* Temporalia Epiſcopatus illius reſtituatis, ſicut prædictum eſt. Teſte Rege apud *Cantuar.* 16 die *Decembris*.

Et mandatum eſt Militibus, &c. Teſte ut ſupra.

* See Godwins Catalogue, p. 279, 280.

The Pope granting the King a Diſme in *Ireland* for relief of the Holy Land, and appointing who ſhould collect it, he iſſued this Patent for their aſſiſtance therein to all his Bayliffs and Subjects in *Ireland*.

Pat. 20 E. 1. m. 20. De Decima colligenda in Hibern.

REX Vicecomitibus & omnibus aliis Ballivis & fidelibus ſuis in *Hibern.* ad quos, &c. ſalutem. **Cum Dominus Pontifex venerabiles patres** *Th. Midenſem* & —— *Kildarenſem* **Epiſcopos, per literas ſuas bullatas deputaverit ad Decimam in terra prædicta nobis in ſubſidium Terræ Sanctæ conceſſam colligendam**, prout in eiſdem literis plenius continetur; Vobis mandamus, **quod eiſdem Epiſcopis ad eandem Decimam colligendam, ſitis conſulentes et auxiliantes quoties ab eiſdem Epiſcopis vel eorum altero ex parte noſtra ſuper hoc fueritis requiſiti.** In cujus, &c. Teſte Rege apud *Waverle* 12 die *Februarii*.

The King in the Prologue of his Patent this year on the behalf of the Abbot and Covent of St. *Edmunds*, thus expreſſeth his Royal Office and care to maintain Churches in their Eccleſiaſtical as well as Temporal Liberties, and to redreſſe their violations.

Pat. 20 E. 1. m. 22. Pro Abbate & Conventu de S. Edmundo.

REX omnibus ad quos, &c. ſalutem. **Cum nos Eccleſias ac Eccleſiaſticas Libertates**, & maximè illas quæ de noſtris & progenitorum noſtrorum quondam Regum *Angl.* elemoſinis ſunt fundatæ, **manutenere volumus et defendere, ut tenemur**: Ac quidam ſalutis ſuæ immemores in Villa Sancti *Edmundi*, aſſumptis ſecum quibuſdam fautoribus ſuis, nuper in noſtri & Abbatis Sancti *Edmundi*, cujus Eccleſia de hujuſmodi elemoſinis eſt fundata, & in eluſionem libertatis ejuſdem Eccleſiæ à tempore fundationis ejuſdem optentæ & hactenus uſitatæ, necnon & dignitatis & pacis noſtræ læſionem manifeſtam, quamplures injurias & tranſgreſſiones enormes eidem Abbati & Eccleſiæ ſuæ prædictæ intulerint, ut accepimus. Nos ſuper hoc **ſicut nobis incumbit remedium providere, et libertates** à nobis & progenitoribus noſtris **dictæ Eccleſiæ ſic conceſſas et uſitatas, tanquam patronus ejuſdem Eccleſiæ illibatas conſervare volentes**: Ad inſtantiam prædicti Abbatis, & de conſilio noſtro aſſignavimus dilectos & fideles noſtros *Johannem de Met, Willielmum de Giſelham*, & *Hugonem de Croſſingham*, vel duos ex ipſis quos præſentes eſſe contigerit, ad inquirendum per ſacramentum proborum & legalium hominum per quos, &c. ſuper injuriis & tranſgreſ. prædictis plenius veritatem, & ad plenam & celerem juſticiam eidem Abbati inde exhibendam, ſecundum legem & conſuetudinem regni noſtri. Nolentes quod aliquid per iſtud factum eidem Abbati & ſucceſſoribus ſuis **cedat in præjudicium vel læſionem libertatum Eccleſiæ memoratæ.** In cujus, &c. Teſte Rege apud *Weſtm.* 2 die *Februarii*.

King *Edward* this year by his Soveraign authority, commanded the heart of his Father King *Henry* the 3d. to be delivered to the Abbeſſe of *Fonteveroit*, to be interred in that Nunnery, according to his promiſe in his life time; which the Abbot of *Weſtminſter* accordingly delivered to her 20 years after his deceaſe, in the preſence of ſundry Biſhops, Nobles, and others, by the Kings command, as this Patent atteſts.

REX

An. 20 *E.* 1.

Pat. 20 E. 1. m. 20. De corde Regis Henrici liberato Abbatiſſæ Fontis Ebroici ad ſepeliendum in Monaſterio ſuo.

REX omnibus ad quos, &c. ſalutem. Quia pro certo intelleximus, quod celebris memoriæ Dominus *H.* quondam Rex *Anglia* pater noſter ipſo dudum exiſtente apud Monaſterium *Fontis Ebraldi*, cor ſuum poſt ejus deceſſum eidem Monaſterio promiſit, & dilecta nobis in Chriſto Abbatiſſa Monaſterii prædicti nuper in *Anglia* accedens, cor illud ſibi juxta promiſſionem prædictam petiit liberari, dilectus nobis in Chriſto *Walterus* Abbas *Weſtmonaſterii* cor prædictum integrum in præſencia venerabilium patrum *A. Dunolm.* & *R. Bathon.* & *Wellen.* Epiſcoporum, & dilectorum & fidelium noſtrorum *Edmundi* fratris noſtri, & *Willielmi de Valencia* Avunculi noſtri, & aliorum fidelium noſtrorum plurimorum, die *Lunæ* proxima ante feſtum beatæ *Luciæ* Virginis anno Regni noſtri viceſimo in Eccleſia *Weſtmonaſterii* prædictæ Abbatiſſæ de voluntate et præcepto noſtro liberavit, ad prædictum Monaſterium *Fontis Ebraldi* deferend. et ſepeliendum in eodem. In cujus, &c. Teſte Rege apud *London.* 3. die *Decemb.*

What inrodes, encroachments the Biſhops, Clergymen, and their Officials this year made upon the Kings Crown, prerogative Royal, and Temporal Courts of Juſtice, by holding Pleas of Chattels and Debts which concerned not Marriage and Teſtament, and likewiſe of Advowſons and Freeholds, againſt the Kings Prohibitions to them; how contemptuouſly they proceeded to excommunicate thoſe who delivered the Kings prohibitions to them, to reſtrain their encroachments, and to impriſon them by *Capias Excommunicatums*, notwithſtanding the Kings Prohibitions; and how zealous the King, his Judges, Subjects were to oppoſe theſe their encroachments, uſurpations, and contempts againſt the Kings Crown, Dignity, Courts Prohibitions, and his Subjects liberties, will appear by theſe inſuing Writs, actions, ſuits againſt them both by the parties grieved, and by the King himſelf, (the Originals and returns whereof, endorſed on them, I reſcued out of the rubbiſh in the *White Tower Chappel*,) and by the Plea Rolls Anno 20 E. 1. which I ſhall here preſent you with.

Brevia Regis An. 20 E. 1. in Turre London. n. 18. Holm.

EDwardus *Dei gratia Rex* Angliæ, *Dominus* Hiberniæ, *& Dux* Aquitaniæ, *Vic.* Linc. *ſalutem. Pone per vadium & ſalvos Plegios* Oliverum *Epiſcopum* Linc. *quod ſit coram Juſticiariis noſtris apud* Weſtm. *à die Sanctí* Hillarii *in xv. dies, & ibi habeat* R. *Vicarium Eccleſiæ de* Wycham *Clericum ſuum*, ad reſpondendum Nobis de placito, Quare cum Placita de Catallis et Debitis quæ non ſunt de Teſtamento vel Patrimonio ad Nos et ad dignitatem noſtram, et non ad alium in regno noſtro pertineant; *Idem* Richardus (*ſicut ex relatu plurimorum accepimus*) ſecutus eſt placitum in Curia Chriſtianitatis de catallis et debitis Richardi de Witham *Clerici*, quæ non ſunt de Teſtamento vel Patrimonio, in læſionem dignitatis noſtræ, et contra Prohibitionem noſtram, *ut dicitur. Et ad oſtendendum*, quare non habuit prædictum Richardum *Vicarium Eccleſiæ de* VVycham *Clericum ſuum coram Juſticiariis noſtris apud* Weſtm. *à die Sancti* Michaelis *in xv. dies ſicut ſibi mandatum fuit; et habeas ibi nomina plegiorum & hoc breve. Teſte* J. de Metingham *apud* Weſtm. 10 *die* Novembr. *Anno Regni noſtri viceſimo*; who put in Pledges, endorſed on the Writ.

Brevia Regis Anno 20 E. 1. In Turre London.

EDwardus *Dei gratia Rex* Angliæ, *&c. Vic.* Devon. *ſalutem. Monſtravit nobis* Robertus de Morkeſel, *quod cum Magiſter* Petrus de Inſula *Archidiaconus* Exon. *in Curia veſtra coram Juſticiariis noſtris apud* Weſtm. *à die Sanctæ* Trinitatis *in* 15. *dies proximo præterit.* attachiatus eſſet, *ad reſpondend. eidem* Roberto *de placito*, quare tenuit placitum in Curia Chriſtianitatis de quodam Jubenco ipſius Roberti quod non eſt de Teſtamento vel Patrimonio contra Prohibitionem noſtram, quam idem Robertus prius ei porrexerat, ne prædictum placitum in prædicta Curia teneret. *Ac idem Magiſter* Petrus *ad diem illam in prafata Curia noſtra comparuiſſet & vadiaſſet eidem* Roberto *inde legem ſuam, prout moris eſt in eadem Curia noſtra*, quod placitum illum non tenuit in prædicta Curia Chriſtianitatis, *& tamen ei ad eundem* R. *diem feciſſet: & poſtea* in eadem Curia noſtra inhibitum eſſet prædicto Magiſtro Petro ne occaſione proſecutionis prædicti placiti prædicto Roberto aliquam inferret moleſtiam; idem Magiſter Petrus * eo gravius et moleſtius placitum illud ulterius

* *Nota.*

An. 20. *E.* 1. ulterius tenuit in eadem Curia Chriſtianitatis quouſque ſententia in ipſum Robertum promulgata, ipſum excommunicabit, et per totam Archidiaconatum prædictam publice excommunicare fecit: et poſtea breve noſtrum de ipſo Roberto ſic excommunicato, tanquam claves Eccleſiæ contemnente capiendo, jam tibi porrexit, *ut dicitur*, in Coronæ et Dignitatis noſtræ læſionem manifeſtam, Curiæ noſtræ prædictæ contemptum, et prædicti Roberti diſpendium non modicum et grabamen; prout ex grabiſſima ipſius Roberti querela accepimus. Et quia tanta contemptum et inobedientiam (*ſi commiſſa fuerint*) relinquere noluimus impunita; *tibi præcipimus, quod ſi prædictus* Robertus *fecerit te ſecurum de Clamore ſuo proſequendo, tunc pone per vadium & ſalvos plegios prædictum Magiſtrum* Petrum, *quod ſit coram Juſticiariis noſtris apud* VVeſtm. *a die Sancti* Hillarii *in* 15. *dies*, ad reſpondendum tam Nobis de prædictis contemptu et inobedientia, *quam prædicto* Roberto *de tranſgreſſione prædicta. Præcipimus eciam tibi, quod ſi tibi conſtare poſſit, quod prædictus* Robertus ea occaſione et non alia excommunicatus ſit, tunc ab ipſo Roberto capiendo per aliquod breve noſtrum per prædictum Magiſtrum Petrum impetratum penitus deſiſtas, et ipſum Robertum interim pacem noſtram habere permittas; *& habeas ibi nomina plegiorum & hoc breve. Teſte* J. de Metingham *apud* Weſtm. 18 *die* Novembris. *Anno regni noſtri viceſimo.* The Sheriff returning, *Magiſter* Petrus de Inſula *Clericus eſt, & non habet Laicum feodum per quod poſſit attachiari.* Thereupon a new Writ in like form iſſued to the Biſhop of *Exeter*, to cauſe him to appear.

A Writ of the ſame nature, with ſome diverſity, iſſued this year in another caſe to the Sheriffs of *London* for the like contempt and vexation.

Brevia Regis An. 20 E. 1. in Turre London.

EDwardus, &c. *Vicecomitibus* London. *ſalutem. Monſtravit nobis* Adam Payn, *quod cum Magiſter* Simon de la Neylond *et* Hermannus le Somenar *in Curia noſtra coram Juſtic. noſtris apud* VVeſtm. *in* Octabis *Sancti* Johannis Baptiſtæ *prox. præterit. attach. eſſent ad reſpondend. eidem* Adæ *de placito, quare prædict. Magiſt.* Simon. tenuit placitum in Curia Chriſtianitatis de quodam debito unius Parcæ, *quam prædictus* Hermannus *coram eodem Magiſtro* Simone *exigebat*, quæ non eſt de Teſtamento vel Matrimonio: et de placito, quare prædictus Hermannus ſecutus fuit dictum placitum in eadem Curia Chriſtian. contra prohibitiones noſtras, quas idem Adam prius eis porrexerat, ne prædictus Magiſter Simon. placitum illud in eadem Curia Chriſtianitatis ulterius teneret; nec prædictus Hermannus idem placitum in eadem Curia ſequeretur, *ac iidem Magiſter* Simon *&* Hermannus *ad diem illum venijſſent in præfata Curia noſtra coram præfatis Juſticiariis noſtris apud* VVeſtm. *& defendiſſent contra prædictum* Adam *et Sectam ſuam, quod prædictus Magiſter* Simon non tenuit placitum prædictum, nec prædict. Hermannus ſecutus fuit in prædicta Curia Chriſtianitatis, *et vadiaſſent eidem* Adæ *inde leges ſuas, & habuiſſent diem veniendi cum legibus ejus coram Juſticiariis noſtris apud* Weſtm. *in Octabis Sancti* Martini *proximo futuris; præfatus Magiſter* Simon *pendente inde inter eos in prædicta Curia noſtra præfato Placito*, prædictum placitum nichilominus ulterius tenuit in prædicta Curia Chriſtianitatis; *et ſimiliter præfatus* Hermannus idem placitum in eadem Curia ulterius ſecutus eſt, *quouſque prædictus Magiſter* Simon, ſententia in ipſum Adam promulgata ad ſectam prædicti Hermanni, ipſum excommunicabit, et per totam Archidiaconatum London. publice excommunicare fecit; et poſtea Breve noſtrum de ipſo Adam ſic excommunicato, tanquam claves Eccleſiæ contemnente, capiendo, jam vobis porrexerunt, *ut dicitur*, in Coronæ et Dignitatis noſtræ læſionem manifeſtam, Curiæ noſtræ prædictæ contemptum, et prædicti Adæ diſpendium non modicum et grabamen; *prout ex gravi querela ipſius* Adæ *accepimus.* Et quia tanta contemptum et inobedientiam (*ſi commiſſa fuerint*) relinquere noluimus impunita; *vobis præcipimus quod ſi prædictus* Adam *fecerit vos ſecurum de clamore ſuo proſ. tunc pone per vadium et ſalvos pleg. prædictos Magiſtrum* Simonem *et* Hermannum, *quod ſint coram Juſtic. noſtris apud* VVeſtm. *in* Octab. *Sancti* Michaelis, *ad reſpondendum* tam nobis de prædictis contemptu et inobedientia, quam prædicto Adæ *de tranſgreſſione prædicta: Præcipimus etiam vobis, quod ſi vobis conſtare poterit,* quod prædictus Adam occaſione prædicta et non alia excommunicatus ſit, tunc ab ipſo Adam capiendo per aliquod Breve noſtrum ea occaſione per prædictos Magiſtr. Simonem

Simonem & Hermannum impetratum ſeu impetrandum penitus deſiſtatis, et ipſum Adam interim pacem noſtram habere permittatis. *Et habeatis ibi nomina pleg. & hoc Breve. Teſte* J. de Metingham *apud* Weſtm. 14 *die* Julii, *Anno regni noſtri viceſimo.* The like Writ of *alias* iſſued to the ſame Sheriffs between the ſame parties 10 *die* Novembris, the ſame year. *An.* 20 *E.* 1.

EDwardus *Dei gratia Rex* Angliæ, &c. *Vic.* Wiltes. *ſalutem. Si* Robertus de Horſinton *fecerit te ſecurum de Clam. ſuo proſeq. tunc pone per vadium & ſalvos plegios* Eudonem *perſonam Eccleſiæ de* Sturton, *quod ſit coram Juſticiariis noſtris apud* Weſtm. *in* Octabis *Sancti* Michaelis, *oſtenſurus*, quare tenuit placitum in Curia Chriſtianitatis de Catallis et Debitis, quæ non ſunt de Teſtamento vel Matrimonio, contra prohibitionem noſtram. *Et habeas ibi nomina pleg. & hoc Breve. Teſte meipſo apud* Berewyk *ſuper* Twedam 7. *die* Julii, *Anno regni noſtri viceſimo.* Brevia Regis in Turre London, An. 20 E. 1.

The like VVrits at large iſſued the ſame year, *Vic.* Somerſ. for Agnes de Siderneſen. *contra* Willielm. *Vicar.* Eccleſiæ de *Wynesford Defend. ad reſpond. apud* Weſtm. *in* Octab. *Sancti* Michaelis, quare ſecutus eſt *(conſimile)* placitum, &c. *Teſte (ut ſupra)* 18 *die* Junii. *Vic.* Kantiæ, for Alanus de Hulles, *contr. Magiſt.* Lucam de Brey, & *Magiſt.* Willielmum de Halyngberg, quare tenuerunt *(conſimile)* placitum, &c. *Teſte meipſo apud* Roybing. 23. *die* Julii. With another Writ between the ſaid parties, 30. *die* Auguſti: *Vic.* Kantiæ, for Michael de Northflete *contra fratrem* Nicholaum *Præcentorem Eccleſiæ de* Bernewell, quare tenuit placitum, &c. *Et Magiſtrum* Richardum de Hecham *perſonam Eccleſiæ de* Northflete, quare ſecutus eſt idem placitum in Curia Chriſtianitatis de bonis et catallis quæ non ſunt, &c. contra prohibitionem, &c. *Teſte meipſo apud* Spalding, 15 *die* Maii. *Vic.* Hereford. for Mabill. de la Bedeon, *verſus fratrem* Willielmum de Paris, quare tenuit *(conſimile)* placitum, & Willielmum *Vicarium Eccleſiæ Sancti* Stephani *extra villam Sancti* Albani, quare ſecutus eſt idem placitum. *Teſte apud* Farendon 28 *die* Febr. *Vicecomitibus* London. for Andreas de Furmager, *verſus Magiſt.* Simon de Neulond & *Magiſt.* Johannem de Maerhale, quare ſecuti ſunt *(conſimile)* placitum. *Teſte, &c. apud* Hereford. 2. *die* Novembr. *Vicecomiti* Buks, *ſalutem. Si* Robertus le Dun *de parva* Bukhull *fecerit te ſecurum, &c. tunc pone, &c.* Willielmum *perſonam Eccleſiæ de parva* Brikhulle, Willielmum le Clerk de Marcle, & Robertum *Vicarium Eccleſiæ de* Ugliene, *quod ſint, &c.* Oſtenſuri, quare ſecuti ſunt placitum in Curia Chriſtianitatis de Catallis et Debitis quæ non ſunt de Teſtamento vel Matrimonio, contra prohibitionem noſtram, *&c. Teſte meipſo apud* Grenewiche, 13. *die* Decemb. *Anno regni noſtri viceſimo.*

Breve conſimile dirigitur Vicecomiti Buk. *pro* Johanne de Prydynton *contra* Willielmum *Vicarium Eccleſiæ de parva* Brykhill. Willielmum le Clerk de Marcle, & Robertum *Vicarium Eccleſiæ de* Vgliene, *Dat. ut ſupra.* Ibidem.

EDwardus, &c. *Vicecomiti* Wiltes. *ſalutem. Præcipimus tibi quod diſtringas Magiſtrum* Radulphum de Brickwell *per omnes terras & catalla ſua: Ita quod nec ipſe, nec aliquis per ipſum, ad ea manum apponat, donec aliud à nobis inde habueritis præceptum. Et quod habeas corpus ejus coram Juſtic. noſtris apud* Weſtm. *in* Octabis *Sancti* Hillarii, *ad reſpondendum* Petro *filio* Garino *de placito*, quare tenuit placitum in Curia Chriſtianitatis de catallis et debitis quæ non ſunt de Teſtamento vel Matrimonio, contra prohibitionem noſtram, *ut dicit. Et ad audiendum judicium ſuum de pluribus defaltis. Et habeas ibi hoc breve. Teſte* J. de Metingham *apud* Weſtm. *tertio die* Novembris, *Anno regni noſtri* 20. Ibidem.

EDwardus, &c. Venerabili in Chriſto Patri *G.* eadem gratia Epiſcopo *Ciceſtr.* ſalutem. *Mandamus vobis, quod venire faciatis coram Juſtic. noſtris apud* Weſtm. *in* Octabis *Sancti* Michaelis Thomam de Burn, & Stephanum *perſonam Eccleſiæ de* Yuhurſt *Clericos veſtros, ad reſpondendum* Simoni de Baroun *de placito* quare *prædictus* Thomas tenuit placitum in Curia Chriſtianitatis de catallis et debitis quæ non ſunt de Teſtamento vel Matrimonio contra prohibitionem noſtram, *ut dicit. Et unde Vic. noſter* Suſſex *mandavit Juſtic. noſtris apud* Weſtm. *à die* Paſchæ *in quindecim dies, quod prædictus Magiſter* Thomas & Stephanus *Clerici ſunt, & non habent* Ibidem.

An. 20 *E.* 1. *habent Laicum feodum in balliva ſua. per quod poſſunt attachiari. Et habeas ibi hoc Breve. Teſte* J. de Metingham *apud* Weſtm. 28 *die* April. *Anno regni noſtri viceſimo*; who indorſed this return, *Bona Eccleſiaſtica* Thomæ de Burn, & Stephani *Perſonæ Eccleſiæ de* Yuhurſt *ſequeſtrata ſunt, quod ſint coram Juſticiariis apud* Weſtm. *dic in brevi contento*; but they not appearing, there iſſued a New Writ *Vic.* Suſſex, *Pone per vadiis & ſalvos plegios* Epiſcopus Ciceſtriæ, *quod ſit coram Juſticiariis noſtris apud* Weſtm. *Et ibi habeat* Thomam de Burne & Stephanum, *&c.* **Clericos ſuos ad reſpondend.** Simoni Baron. *de placito prædicto. Teſte* J. de Metingham *apud* Weſtm. 14 *die* Octobris, *Anno regni noſtri* 20. The like Writ iſſued *Epiſcopo* Lincoln. *quod venire faciat*, &c. Simonem *perſonam Eccleſiæ de* Hegeling, & Philippum *Vicarium Eccleſiæ de* Clee *Clericos ſuos, ad reſpondend.* Henrico de **Hoke, quare tenuerunt placitum**, &c. *Teſte* J. de Metingham 27 *die* Octobr. *Anno regni noſtri* 20. Another Writ iſſued *Epiſcopo* Sarum, *quod venire faciat* Radulphum de Brightwell *Clericum ſuum, &c. ad reſpondendum* Petro *filio* Warini **quare ſecutus fuit placitum in Curia Chriſtianitatis de catallis et debitis**, &c. *Teſte* J. de Metingham *apud* Weſtm. 3 *die* Novembr. *An. regni noſtri* 20.

Moreover in the Plea Rolls in the Tower, *Paſchæ* 26 E. 1, I finde theſe ſuits upon Attachments for ſuing and holding Pleas in Court Chriſtian of Debts, Chattels which concerned not Teſtaments or Mariage, and of Advouſons of Churches.

* Placita Termin. Trin. 20 E. 1. in Turre Lond. Rot. 76.

* Juliana *quæ fuit uxor* Roberti de Hill *per attornatum ſuum optulit ſe* 4. *die verſus Magiſtrum* Willielmum ——— & Willielmum *Abbatem de* Malmesbury *de placito*, **quare prædictus Magiſter** Willielmus **tenuit placitum in Curia Chriſtianitatis de catallis vel debitis quæ non ſunt de Teſtamento vel Patrimonio**, contra **prohibitionem**, &c.

Ibid. Rot. 155. Suſſex.

VVillielmus de Schelond & Robertus de Cherleheld *per attornatum ſuum optulerunt ſe* 4. *die verſus* Ricardum le ——— *de placito*, **quare ſecutus eſt placitum in Curia Chriſtianitatis de catallis et debitis quæ non ſunt de Teſtamento vel Patrimonio, contra prohibitionem**, &c. **Et ipſe non venit**, &c.

Placita Term. Paſch. 20 E. 1. Rot. 21. in Turre Lond.

——— *Hoſpitalis* Nicholai Burdet, *optulit ſe* 4. *die verſus Magiſtrum* Petrum de Sannary, & *Magiſtrum* Willielmum de Sarden, & Robertum *filium* Alani de Weſtrington, *de placito*, **quare prædicti** Petrus *et* Willielmus **tenuerunt placitum in Curia Chriſtianitatis de advocatione Eccleſiæ de** Rande **contra prohibitionem**: **Et de placito, quare prædictus** Robertus **ſecutus fuit idem placitum in eadem Curia contra prohibitionem**, &c. *Et ipſi non venerunt*, & Robertus *fuit attachiatus per*, &c. *Ideo ipſi in miſericordia*, &c.

Ibidem, Rot. 23.

Præceptum fuit Vicecomiti, quod de terris et catallis Magiſtri **Adæ de** Bodyndon *in balliva ſua fieri faceret Centum ſolidos, et illis haberet hic ad hunc diem ad reddendum* Roberto de Okenore, *et* Aliciæ *uxori ejus*, **qui eis in Curia Regis** hic adjudicati fuerunt **pro dampnis ſuis quæ habuerunt, ratione quod prædictus** Adam **ſecutus eſt placitum in Curia Chriſtianitatis, de advocatione tertiæ partis Eccleſiæ de** Frecketon, **contra prohibitionem**, &c. *Prout per quandam Juratam inter eos ſummonitam et captam convictum fuit, &c.*

As theſe parties injured, ſo likewiſe the King himſelf then proſecuted ſuch who held or purſued ſuch ſuites in Court Chriſtian belonging only to him and his Courts, againſt his Crown and Dignity, as theſe Writs and Records inform us.

Brevia Regis An. 20 E. 1. in Turre London

EDwardus, &c. *Vicecomitibus* London *ſalutem: Ponite per vadium, &c.* Johannem de Wydehull *perſonam Eccleſiæ de* Warlingham, *Magiſtrum* Petrum de la Done, *Magiſtr.* Lucam *de* Sancto Leonardo, & *Magiſtrum* Rogerum de Radenhale, *quod ſint coram Juſticiariis noſtris apud* Weſtm. *in Octabis Sancti* Hillarii, *oſtenſuri*, **quare cum placita de catallis et debitis in regno noſtro quæ non ſunt de teſtamento vel matrimonio, ad nos et ad coronam et dignitatem noſtram, et non ad alium pertineant in regno noſtro, iidem** Johannes, Petrus, Lucas & Rogerus, *ſicut ex relatu plurium accepimus*, **ſecuti ſunt placitum in Curia Chriſtianitatis de catallis et debitis Prioris de** Bermondeſeye **quæ non ſunt de Teſtamento vel Patrimonio**,

monio, in læſionem Coronæ et dignitatis noſtræ, et contra prohibitionem noſtram, *An.* 20 *E.* 1. *&c. Teſte meipſo apud* Weſtm. *primo die* Jan. *Anno regni noſtri* 20.

Johannes, &c. *attachiatus fuit ad reſpondendum* Domino Regi *de placito*, quare cum placita de catallis et debitis quæ non ſunt de Teſtamento vel Patrimonio, ad ipſum Regem et coronam et dignitatem ſuam, et non ad alium in Regno ſuo pertineant: *Idem* Johannes (*ſicut ex relatu plurium accepimus*) ſecutus eſt placitum in Curia Chriſtianitatis de catallis et debitis Walteri de Blicketon *Clerici*, quæ non ſunt de Teſtamento vel Patrimonio, in læſionem coronæ et dignitatis Regis, et contra prohibitionem, &c. *Et unde Dominus Rex, per* Willielmum Inge, qui ſequitur pro Domino Rege, *dicit, quod cum prædictus* Johannes *ſequeretur in Curia Chriſtianitatis* coram Magiſtro Roberto de Pykeringe Officiali Epiſcopi Eborum de ——— Conſtanc. de Donington Executoris Teſtamenti Walteri de Bicketon, de catallis et debitis ipſius Walteri quæ non ſunt de Teſtamento vel Patrimonio, petendo ab eis viginti libras ex cauſa mutui: Ac quidam Alanus Mannyng Regiam prohibitionem eidem Johanni detuliſſet, &c. in majori Eccleſia Sancti Petri Eborum ne prædictum placitum ſequerent, &c. Idem Johannes ſpreta prohibitione prædicta nichilominus ſecutus eſt prædictum placitum in Curia Chriſtianitatis coram præfato Officiali, quouſque prædicti executores per ipſum ab ingreſſu Eccleſiæ fuerunt ſuſpenſi, &c. in læſionem dignitatis et coronæ noſtræ, &c. Et inde producit ſectam, &c. Placita Term. Paſch An. 20 E. 1. Rot. 42.

I finde another ſuit brought by the Abbot of *Battle*, for 40 *s.* lent by his predeceſſor to *Wlnardus Manſe* in the Court of *Rome*, to diſpatch his buſineſſe there.

Wlnardus Manſe *ſummonitus fuit ad reſpondendum Abbati* de Bello *de placito, quod reddat ei quadraginta ſolidos quos ei debet & detinet*, &c. *Et ipſe non venit; unde queritur, quod cum prædictus* Wlnardus *die proxima poſt feſtum S.* Dionyſii, *anno regni Domini Regis nunc quinto*, in Curia Romana apud Lugdun. mutuavit a quodam Abbate de Bello *prædeceſſore nunc Abbatis quadraginta ſolidos*, pro negociis prædicti Wlnardi in prædicta Curia promovendis et expediendis, ſolvend. eidem anteceſſori, &c. *ad feſtum* Purificationis *beatæ* Mariæ *proximo ſequens in* Anglia *apud Abbatiam de* Bataile, *prædictus* Wlnardus *ad terminum prædictum prædicto Abbati eoſdem ſolidos non ſolvit. Et licet ſæpius per Abbatem nunc requiſitus eſſet prædictam pecuniam ſolvend. illam ſolvere contradicit; unde dicit, quod deterioratus eſt & dampnum habet ad valenciam quadraginta ſolidorum: et inde producit ſectam; & profert quoddam ſcriptum ſub nomine ipſius* VVlnardi *factum apud* Lugdun. *quod prædictum debitum teſtatur ſolvendum in* Anglia, &c. *Et* VVlnardus *per attornatum ſuum venit & defendit vim & injuriam quando, &c. Et dicit, quod non debet de aliquo debito reſponaere. Dicit enim quod ipſe Abbas petit prædictam pecuniam tanquam ſibi ipſi debitam, & per narrationem ſuam dicit mutuatam fuiſſe de quodam Abbate prædeceſſore ſuo, per quod ſibi videtur quod illud verbum in brevi contentum Abbati qui nunc eſt deſervire non poteſt. Immo de injuſtè detinet tantum, & petit judicium de breve. Preterea, prædictus* VVlnardus *non recedens ab ipſa exceptione, immò ea ſibi ſalva dicit, quod per prædictum ſcriptum etiam patet,* quod prædictus contractus factus fuit apud Lugdun. *ſuper* Romam extra Regnum Angliæ, ſuper quo contractu Curia cognoſcere non poteſt, ſi ipſe VVlnardus contractum dedicere voluerit. *Et petit judicium, &c.* Placita Anno 20 E. 1. Rot. 96. Suff.

In the ſame Plea Roll I met with this Notable caſe concerning an intruſion of an Abbot into a Church during the Minority of an heir, the Kings Courts rejection of two Certificates of a Plenarty or Vacancy of the Church by the Biſhop againſt the uſual form; an Inhibition procured by the Defendant to the Biſhop not to certifie, with a Verdict and Judgement thereupon in an *Aſſiſe of Darrayn preſentments* brought by a Guardian, which ſuit depended ſundry years.

Aſſiſa alias coram *Thoma* de *Weyland* & ſociis ſuis Juſticiariis hic, ſcilicet in Octabis Sanctæ *Trinitatis* anno regni Domini Regis nunc decimo ſeptimo, venit recognitura, quis advocatus tempore pacis præſentavit ultimam perſonam quæ mortua eſt ad Eccleſiam de *Chetelton*, quæ vacat, & cujus advocationem *Nicholaus* de *Aldingley* cuſtos terræ & hæredis *Ricardi* filii *Henrici* de *Chetelton* clamat verſus Abbatem de Ibid. Rot 165 Staff.

An. 20 *E.* I. de *Deulacres*, ratione disseisinæ prædictæ, &c. Et unde idem Custos dixit, quod quidam *Robertus de Chetelton* antecessor prædicti hæredis tempore pacis tempore R. Regis nunc præsentavit quendam *Petrum* Clericum suum ad prædictam Ecclesiam, qui ad præsentacionem suam fuit admissus & institutus, & ultimo obiit persona in eadem, per cujus mortem prædicta Ecclesia tunc vacavit, & adhuc vacat, &c. Et de ipso *Roberto* descendit jus præsentacionis *Willielmo* ut filio & hæredi. Et de ipso *Willielmo* quia obiit sine hærede de se, descendit jus præsentacionis, &c. cuidam *Hugoni* ut fratri & hæredi; & de prædicto *Hugone* descendit jus præsentacionis, &c. cuidam *Roberto* ut filio & hæredi, qui fuit infra ætatem & adhuc est.

Abbas tunc venit & dixit, quod non debuit ei inde ad hoc breve respondere, quia dixit, quod prædicta Ecclesia non vacavit, **immo est plena et consulta de ipso Abbate et Conventu suo qui eam tenent in proprios usus, et tenuerunt jam quadrag. annis elapsis.** Et hoc parati sumus verificare, sicut Curia consideraverit. Et ad verificationem, Justiciariis protulit quandam Cartam sub nomine cujusdam *Hugonis* antecessoris (*Richardi*) quæ testatur quod prædictus *Hugo* dedit & concessit Abbati & Conventui de *Deulacres* prædictam advocationem prædictæ Ecclesiæ.

Nicholaus dixit, quod prædictus Abbas non debuit ad aliquam verificationem inde admitti, quia dixit, quod post mortem prædicti *Petri* personæ ultimæ prædictæ Ecclesiæ, Abbas prædecessor prædicti Abbatis de *Deulacres* in prædictam Ecclesiam se intrusit tempore quo prædictus *Willielmus* filius prædicti *Henrici* fuit infra ætatem, & in custodia *Henrici* de *Aldingley*, qui per suam negligenciam permisit prædictum Abbatem intrare prædictam Ecclesiam, unde petit Judicium, si per prædictam intrusionem debeat inde à præsentacione sua impediri, &c.

Abbas dixit sicut prius dixit, quod prædicta Ecclesia plena fuit & consulta de ipso & Conventu suo ut prædictum est; Et hoc paratus est verificare sicut Curia consideraverit, scilicet **per Ordinarium ejusdem loci, &c.** Postea à die Sancti *Hillarii* in 15 dies anno Regis nunc decimo octavo, **venerunt partes**, & nichil aliud dixerunt quam quod prius dixerunt. Ideo Abbas & *Nicholaus* si voluerit, habeat breve ad Episcopum *Coventrensem* & *Lychfeldensem*, **quod constare faciat Justiciariis hic a die** *Paschæ* in quindecim dies, **si prædicta Ecclesia sit vacans, vel non?** Et si non sit vacans, **de quo et ad cujus præsentacionem pacis tempore plena fuerit, &c?** Ad quem diem Episcopus nichil inde fecit, nec breve misit. Et tunc sicut prius præceptum est Episcopo quod convocatis, &c. diligenter inquiret in forma prædicta; & quid inquisierit constare faciat hic in Octabis Sanctæ *Trinitatis* proximo sequentis per literas, &c. Et Episcopus esset, &c. Ad quem diem misit Episcopus literas suas minus sufficienter factas, eo quod mandavit, *quod prædicta Ecclesia de* Chetelton *de Religiosis præfatis non est plena nec consulta justo titulo, set per eosdem per intrusionem triginta annos & amplius occupata, &c.* Ad quem diem præceptum fuit Episcopo sicut pluries quod convocatis, &c. diligenter inquireret in forma prædicta. Et quid inde invenerit constare faceret hic à die Sancti *Martini* in quindecim dies proximo sequentes, &c. Ad quem diem Episcopus mandavit, *quod prædicti Religiosi de* Deulacres *post mortem cujusdam* Rogeri *quondam personæ prædictæ Ecclesiæ qui obvenciones ejusdem Religiosis concessit tota vita sua pro sustentacione sua habenda in eadem domo, hucusque continuaverunt possessionem ejusdem Ecclesiæ, absque aliquo justo titulo, propter quod idem Episcopus Ecclesiam illam vacantem de jure ac vacuam reputavit.* Et quia idem Episcopus tunc non certificavit Justiciariis hic præcise, **si prædicta Ecclesia sit vacans, vel non?** Ideo mandatum fuit ei sicut pluries quod convocatis, &c. diligenter inquireret, & constare faceret Justiciariis hic ad hunc diem expresse & præcise, **si prædicta Ecclesia sit vacua, vel non?** Et Episcopus sic fecit, &c. Et modo venit prædictus *Nicholaus*, & similiter prædictus Abbas per Attornatos suos. Et Episcopus super hoc misit literas suas patentes certificatorias quæ testantur, **quod cum idem Episcopus esset in exequendo mandatum Domini Regis, (sicut decuit) reverenter, postea fuit ei Inhibitio Offic. Curiæ** *Cantuariæ* **per quendam Monachum prædict. Abbatis, cujus prætextu ulterius non processit hucusque, sed supersedit propter Inhibitionem illam per prædictos Monachos ei deliberatam, &c.** Et quia prædictus Abbas allegavit, prædictam Ecclesiam plenam esse & consultam de ipso Abbate & Conventu suo, qui illam tenent in proprios usus; & hoc paratus fuit verificare coram loci Ordinario; **Et idem Abbas per prædictam Inhibitionem ipso Episcopo postea, prætextu cujus idem Episcopus**

ad

ad verificationem p̄z dictam p̄cedere non potuit, liberabit, renuntiando verificationi ſuper vacatione Eccleſiæ p̄dictæ, quam p̄ius dixit. Conſideratum eſt quod procedatur ad aſſiſam, &c. Et dictum eſt prædicto Abbati, quod dicat ad verificationem Aſſiſæ ſi ſibi, &c. Et Abbas dicit, quod prædictus hæres nihil Juris clamare poteſt in prædicta Advocatione, quia dicit, Quod quidam *Hugo* anteceſſor prædicti hæredis, & per medium cujus, &c. dedit, conceſſit, & Carta ſua confirmavit Deo, & beatæ *Mariæ*, & Abbati & Conventui de *Denlacres*, totum Jus & Clameum quod habuit in Advocatione & Patronatu Eccleſiæ de *Chetelton*; & quod conceſſit, quod prædicti Abbas & Conventus prædictam Eccleſiam cum omnibus pertinentiis & libertatibus ſuis habeant & poſſideant, liberè & quietè, purè & pacificè, ſicut ad Eccleſiam ſuam de *Leks* pertinentem. Et quod ipſe & hæredes ſui warrantizab. &c. Et profert quandam Cartam ſub nomine prædicti *Hugonis*, quæ hoc teſtatur. Unde petit judicium, &c. *An.* 20 *E.* 1.

Et *Nicholaus* petit, quod procedatur ad Aſſiſam, ſecundum quod prius conſideratum; quia dicit, non eſt ſuum reſpondere præfatæ Cartæ, &c. Et prædictus Abbas quæſitus, ſi prædictus *Robertus* de *Chetelton* anteceſſor prædicti hæredis ultimo præſentavit, &c. vel non? Dicit, quod ad hoc non vult reſpondere, &c. Ideo cap. Aſſiſa; ſed ponitur in reſpectum uſque à die Sancti *Johannis Baptiſtæ* in 15. dies, pro defectu recognitionis, quia nullus venit. Ideo Vicecomes habeat corpora, &c.

Poſtea ad diem illum venerunt partes, & ſimiliter recogn. præfatæ Aſſiſæ. Et idem Abbati allocatis calumpniis ſuis verſus quamplures Recogn. quæ fuerunt allocandæ, & quæ non per Sacramentum adnihilatæ; proceſſum eſt ad Aſſiſam, &c.

Juratores dicunt ſuper Sacramentum ſuum, quod prædictus *Robertus* de *Chetelton*, & anteceſſor prædicti hæredis cujus, &c. tempore pacis, tempore prædicti Domini *J.* Regis, ultimo præſentavit prædictum *Petrum* Clericum ſuum, qui ad præſentationem ſuam fuit admiſſus & inſtitutus, & ultimò obiit perſona in eadem à patrono præſentata. Et quæſiti, **quantum tempoꝛis lapſum ſit poſt moꝛtem** ipſius Petri? *Dicunt*, **quod decem anni, et amplius, &c.** Et quia convictum eſt per aſſiſam iſtam; quod prædictus *Robertus* anteceſſ. hæred. &c. ultimo præſentavit, ut ſuperius patet; Conſideratum eſt, **quod p̄dictus Cuſtos nomine p̄dicti hæredis recuperet P̄ræſentationem ſuam ad p̄dictam Eccleſiam.** Et habeat Breve Epiſcopo *Coventren.* & *Lychfeld.* **quod ad p̄ſentacionem p̄dicti Cuſtodis, ad p̄dictam Eccleſiam, idoneam perſonam admittat; Et Abbas in miſericoꝛdia, &c.**

By which caſe we may diſcern. Firſt, how many unjuſt, fraudulent tricks and deviſes theſe pretended Religious Abbots and Monks then had, to deprive infants and others of their rights of patronage unto Churches, by intruſions and pretended appropriations; 2ly, what dilatory pleas and fraudulent inhibitions unbecomming Chriſtians, much leſſe religious Votaries, they uſed to prevent, retard their recovery of their rights by Legal ſuits and proceſſe in the Kings Courts, when they could not ingroſſe the conuſance of them into their own Eccleſiaſtical Courts, as *they* * *frequently endeavoured*; which would ſoon have deprived all Lay-Patrons of their Advouſons, had their Titles been never ſo clear or legal. * See Here, p. 268, 439.

The Biſhop of *Rocheſter* preſenting and inſtituting *Robert Eſtre* the Kings Chaplain to the Church of *Woldeham*, then found to be void by *Walter* the Parſons entry into Religion in the Church of *Rocheſter*, which he exchanged for the Church of *Henlee* afterwards appropriated to the Biſhop and his ſucceſſors; the ſaid *Walter* caſting off his Monks habit, and vexing the ſaid *Robert* ſo as he was in danger to loſe the ſaid Living; the King thereupon writ to the preſent Biſhop of *Rocheſter* to do him right againſt the ſaid *Walter*, and to reſtore him to the Church out of which he had forcibly ejected him: whereupon the Biſhop admoniſhed *Walter* to remove the force out of the Church, and deliver the poſſeſſion thereof to *Robert Eſtre*, excommunicating him for not doing it; who contemning his Mandate and Excommunication, procured an inhibition to him out of the Court of *Canterbury* to which he had appealed, not to act any thing to *Walters* prejudice pending his appeal: whereupon the Biſhop made this Certificate to the King of his proceedings therein, deſiring his Majeſty

An. 20 *E.* 1. to remove the force and injuſtice in this cauſe by his Temporal ſword and Miniſters, ſince he could not effect it by his Spiritual ſword,

Brevia Regis de Privato Sigillo, Anno 20 E. 1.

Excellentiſſimo Principi & Domino ſuo Reverendo, Domino Edwardo *Dei gratia Regi* Angliæ *illuſtri, ſuus devotus, frater* Th. *miſeratione divina* Roffen. *Eccleſiæ Miniſter humilis ſalutem, cum omni reverentia & honore. Majeſtatis veſtræ Litteras omni qua potuimus reverentia nuper recepimus, in hac verba; Edwardus* Dei gratia, &c. Venerabili in Chriſto patri *Th.* eadem gratia *Roffen.* Epiſcopo, ſalutem. Cum bonæ memoriæ nuper Epiſcopus *Roffen.* ultimus prædeceſſor veſter ratione reſignationis quam dilectus Capellanus noſter *Robertus de Eſtre* in manus ipſius Epiſcopi fecit de Eccleſia de *Henlee Lincoln.* Dioc. cujus advocationem idem prædeceſſor veſter a dilecto Conſanguineo & fideli noſtro *Edmundo* Comite *Cornub.* ſibi & ſuis ſucceſſoribus adquæſivit, Eccleſiam de *Woldeham* veſtræ Dioceſ. veſtri etiam patronatus, quæ tunc temporis vacaſſe dicebatur, pro eo * quod quidam *Walterus*, qui Eccleſiam illam tenuit, habitum Monachalem in veſtra Eccleſia *Roffen.* ſuſceperat, præfato Capellano noſtro contulerit, et ipſum inſtituerit in eadem. Qui quidem *Walterus* poſtmodum ſpreto habitu ſuo prædicto, et ad ſtatum rediens priſtinum, præfatum Capellanum noſtrum ſuper Eccleſia multipliciter inquietavit, et adhuc inquietare non ceſſat; *ita quod idem Capellanus noſter in periculo perdendi illam Eccleſiam jam conſiſtit, niſi ſibi ſubveniatur celerius in hac parte.* Paternitatem veſtram affectuosè requirimus & rogamus, quatinus ad factum prædeceſſoris veſtri prædicti in præmiſſis veſtræ conſiderationis intuitum dirigentes, illudque plenius advertentes, præfato Capellano noſtro de Eccleſia prædicta vel alia favore Regio taliter providere, quod promotione ſuâ in hac parte nullatenus defraudetur. Scituri quod ſi ibi ſecus evenerit (quod nöllemus) omittere non poſſumus ſicuti nec debemus, quin eidem Capellano noſtro celeri juris remedio ſubveniamus in hac parte, prout melius viderimus faciendum. Quid autem duxeritis faciendum in hac parte, nobis per latorem præſentium literarum reſcribatis. Teſte meipſo apud *Culford* quarto die *Maii* anno regni noſtri viceſimo. *Nos igitur hujuſmodi mandato veſtro prontiſſime ut debuimus obtemperare volentes, prædictum* Walterum *& omnes ſecum vi & armis dictam Eccleſiam occupantes per literas noſtras ſufficienter monuimus,* ut ſi monitis noſtris contumaciter non pareret in ſcriptis excommunicavimus, *ut infra certum diem in literis noſtris expreſſum, à dicta Eccleſia & Domibus ad eam pertinentibus omnino recederent, ut Dominum* Robertum *prædictum dicta Eccleſia & ejus poſſeſſione cum omnibus ſuribus ſuis in pace gaudere permitterent; proteſtantes inſuper, quod ſi idem* Walterus *jus, quod ſibi in eadem Eccleſia competere aſſerit,* vellet proſequi coram nobis, nos eundem in ſua juſtitia libentiſſime audiremus, et quod in hac parte juſtum foret et canonicum faceremus; *Qui dictam monitionem noſtram,* et excommunicationis ſententiam, qua ipſos innodabimus parvipendentes, dictam Eccleſiam contra Deum et juſtitiam et pacem veſtram adhuc detinent et occupant di et armis: procurantes nichilominus nobis per Dominum Offic. Curiæ *Cantuarienſis,* cui per obedientiam ſubjicimur, diſtrictius inhiberi, ne pendente in eadem Curia cujuſdam tuitoriæ appellationis negotio, quam a nobis idem *Walterus* ſe aſſerit interpoſuiſſe, quicquam in ejus præjudicium attemptemus ſeu attemptari faciamus, quo minus hujuſmodi negotium tuitorium proſequi valeat cum effectu. Et quia hujuſmodi armorum violentiam ſpiritualis gladius a dicta Eccleſia non ſufficit amovere, dominationi veſtræ quam intime ſupplicamus, quatinus prædictam vim et armatam violentiam per veſtros Miniſtros amoveri faciatis ab eadem Eccleſia et Domibus memoratis, id quod ad Coronam et Dignitatem veſtram in hac parte ſpectare dinoſcitur, ſecundum Deum et juſtitiam ulterius exercentes. *Dignitatem veſtram Regiam ſemper incolumem conſervet Altiſſimus cum ejus matre virgine gloriosa per tempora longiora. Dat. apud* Tretteſclive 10. *Kal.* Julii, *Anno Domini* 1292.

* It ſeems by this, that a perſons entrance into Religion, made his Church void, & nulled his preſentation & induction to it.

The Chancellor imploying one of his Clerks and Creatures to carry the Popes Bulls and Kings Writs into *Ireland* for levying a Diſme and Quindiſm there for the King, he rendred this account to him of his voyage thither and proceedings therein, by theſe Letters which I found in the *White Tower*, being blamed (as it ſeems) for his negligence in that affair.

Ve-

An. 20 *E.* 1.
Literæ & Brevia Regis de privato ſigillo, Anno 20 E. 1.

VEnerabili in Chriſto patri ſuoque chariſſimo Domino, ſuus Clericus quem creavit, ſalutem, & cum promptitudine ſerviendi in ſervitute continua ſe paratum. Ecce (amantiſſime Domine) quam gravis afflictio additur mihi afflicto, ultra id quod nuperrimè vobis ſcripſi; Statim ſiquidem poſtquam de vobis veni Briſtoll. & venti commoditatem perceperim cum Bullis quas traditas mihi bidiſtis, ut eos perpetuari facerem, ne per mortem Papæ, quæ fortaſſis contigeret, earum retardaretur proſecutio vel effectus; *ferè ſolus & nudus, quia navis quam prò me & familia mea conduxeram ex toto non extitit præparata, cum feſtinatione omnimoda verſus* Hiberniam *properavi*, ſpe credens firmiſſima indignationem Regis per hoc totaliter effugiſſe, et ex eo gratias reportaſſe. *Verumptamen, quia* quamplurima Brevia Decimam et Quintamdecimam tangentia, *una cum mea familia & aliis rebus meis poſt me transvehend. quamtocius ut ſperabam,* Briſtoll. *dimiſi*; quæ omnia Brevia, tam ex abrupto progrediens, mecum ſalvo ducere non valebam, nec ipſa ſicut cæteras res meas nondum acceperim, *niſi veſtra benignitas me dignetur proſpicere, in id incidere dubito quod plenè credidi evaſiſſe, & pro gratiis earum (quod abſit) contrarium incurriſſe. Ne forſan credatur & per ſiniſtros aliquos ſibillatores noſtro Domino Regi ſuggeratur,* quod Quintædecimæ proſecutio ſit neglecta, licet ipſa ut ſpero effectualiter fuerit retardata. *Expediens ſiquidem non foret, quod illud injunctum mihi nuncium inchoaſſem, donec quamplurium* Hibern. *Incolarum* in proterbitate induratos et inboluntarios animos ad majorem affectum verſus Dominum Regem piis operibus necnon verbis attraxerim allectibis. *Etiam & ſi* Quintamdecimam præſent. bonorũ ſuorũ conceſſerint citra feſtum *Purif.* beatæ *Mariæ, quæ quidem conceſſio citius fieri non poſſit de hujuſmodi conceſſione Dom. noſter Rex reſpective lucrum modicũ reportaret. Utilis igitur hujus rei non inchoatæ dilatio me potius immunem debet à culpa ſervare, quàm præcipitatio immatura culpare. Pie pater, quia* Brevia ſæpefata & *ferè omnia bona mea dubito naufragio fore deperdita,* Petrum de Abyndon *latorem præſentium vobis miſi pro* nobis Brevibus impetrandis, *prout vobis ſi placet, ſicut cætera me tangentia dicet plenius oretenus. Et quia Dominus* Robertus Bagot & *quamplures alii de Conſilio Regis in* Hibern. *me rogarunt pro eodem, quod ſibi committerem cuſtodiam* Rotulorum et Brevium Regis de Banco Dublin. *aſſerentes me hoc facere poſſe, id tamen nolui, veſtris conſenſu & licentia irrequiſitis; abſit enim, quod abſque veſtro præcepto, quid hujuſmodi facerem vel aliud quodcunque, quod contra veſtram cederet voluntatem. In veritate ipſum reputo diſcretum, fidelem, & valde prudentem, & talis laudabili teſtimonio comprobatur. Altiſſimus vos in proſperitate continua ſemper ſalvet. Dat. apud* Dublin. *die Lunæ prox. poſt feſtum Sanctæ* Luciæ.

Ibidem.

REverendo in Chriſto Patri, ſuoque amantiſſimo Domino, ſua creatura, *ſalutem, & ſe cum quanto poterit obſequio & honore in continua ſervitute. Die Lunæ in Quindena Sancti* Hillar. *ad quem Barones & Magnates* Hibern. *necnon fidelis communitas ejuſdem, ipſis duntaxat qui ſunt de libertatibus certis ex cauſis exceptis, apud* Dublin. *vocati extiterant,* ipſorum majorum animis, ad obtemperand. in omnibus voluntati Domini noſtri Regis prius inductis, eiſdem Baronibus et Magnatibus, Militibus et cæteris de communitate tunc ibidem præſentibus, nuncium expoſui de Quintadecima mihi injunctum. *Quo expoſito, omnes* Hiberniæ *ferè Majores ipſam Quintamdecimam conceſſerunt in forma ſubſcripta; videlicet, Quod à præſtatione & taxatione ejuſdem deducantur eorum Arma, Equitatura, generis cujuſcunque Utenſilia, necnon eorum Theſaurus & Garderoba. Cæteri vero de vulgo & plures Magnates poſt immenſas altercationes habitas inter ipſos,* aſſeruerunt ſe guerris quotidianis gravari, et ex eo, quamplurimum ære alieno. *Propter quod niſi & ipſorum debita, quæ debent, ſimiliter deducantur, vel in tantum exonerentur verſus ſuos Creditores, quantum ſolvent de Debitis illis Quintadecimæ nomine, ipſam nullo modo præſtabunt. Gratanter etiam & unanimiter concedentes quod* Quintamdecimam *de debitis quæ eis debentur perſolvent. Quocirca paternitati veſtræ placeat (Reverende) iſtius conceſſionis formam exponere* Domino noſtro Regi, *ut ſuæ Excellentiæ michi libeat demandare, quid de præmiſſis duxerit ordinand. De eo maxime, utrum ſibi placeat, quod de iſtius Anni nunc bonis apparentibus Quintadecima perſolvatur; an ipſius actio uſque in Annum futurum proximo differatur, quod magis videtur meo judicio expedire. Enimvero præſentis Anni bona ſunt fere conſumpta. Dignetur etiam Dominus noſter Rex*

An. 20 *E.* 1. *terminos ordinare quibus Quintadecima debet ſolvi. Aſſeruerunt enim prædicti* Hiberniæ *Incolæ, in conceſſione ejuſdem Quintædecimæ, quod ipſam niſi diffuſis terminis aliqualiter ſolvere non poſſunt propter duo; unum, quia pauperes; aliud, ſi ex præmatura et celeri exactione ejuſdem pauperiores efficiantur, citius ſui inimici infideles* Hibernici *eis aſſidue machinantes, ſubdolis incurſibus ipſos forſan invadent, depriment et confundent. Pie pater, negotia me plura tangentia Magiſter* Henricus de Ragele *lator præſentium vobis (ſi placet) refert viva voce: in quorum aliquibus dignemini manus correctionis apponere, & aliis veſtra benignitate auxilium impertiri. Scit vobis idem Magiſter referre qualiter & quomodo negotium de Decima Clericorum præſtanda inchoavi, & quibus vigiliis & diligentia tam prædictum negotium quàm iſtud ſtudeo & inſiſto ad effectum felicem perducere & optatum. Pro certo (reverende Pater) eſſe re poteris Domino noſtro Regi, quod Dominus* David de Effington *bonus & fidus amicus hactenus à tempore adventus mei in* Hibern. *extitit in præmiſſis, necnon cæteris omnibus quæ ſibi injunxi ex parte prædicti noſtri Domini facienda; ſet ultra omnes quos in* Hibernia *ſum expertus, Archiepiſcopus* Caſſell. *ex immenſa fidelitate et affectione quas gerit erga Dominum noſtrum Regem eſt merito commendandus. Quæ, ſi placet, eidem noſtro Domino referatis, ut prædictus Dominus* David *ab indignatione quam adhuc ignorat incurriſſe mandetur; & prædictus Archiepiſcopus grates ex ſuis benemeritis valeat reportare. Vos in proſperitate Altiſſimus ſemper ſalvet.*

In the ſame Bundle of Writs of Privy Seal and Letters this year, I finde this memorable caſe related in a Letter concerning a deviſe of a Meſſuage in *London* to a Chauntry, and the probat thereof in that age, with the oppoſition made againſt it by the heir who brought an *Aſſiſe of Mortdaunceſter*, becauſe the Teſtator died before his Seal was put unto it; which ſuit the Author of this Letter endeavoured to engage the Chancellor to ſuperſede, and make the Will inviolable.

Literæ & Brevia Regis de privato ſigillo, Anno 20 E. 1.

SAlutem & ſe totum. Quia *Johannes de Hakeburn.* quoddam Meſſuagium cum pertinentiis in Civitate *London.* **in Teſtamento ſuo legabit** *Johannæ* uxori ſuæ, tenendum ad vitam ipſius *Johannæ*, **ad ſuſtentationem unius Capellani** pro anima ipſius Johannis **Divina celebraturi; et idem Teſtamentum tam coram Ordinariis quam in Guſtengo** *London.* **legitime eſt probatum**, quod Dominum noſtrum Cancellarium credo non latere, eò quod relatum fuit michi *London.* quod idem Dominus noſter Cancellarius pro eodem negotio fuit in *Gildhalla London.* & novit probationem ejuſdem teſtamenti, vel ad **probationem ejuſdem procedere præcepit**: propter quod, ut ſuperius eſt expreſſum, **legitime eſt probatum.** Et quidam *Johannes le Irmongere*, qui ſe dicit eſſe fratrem & hæredem ejuſdem *Johannis*, & unus eſt Executorum ipſius *Johannis*, & pars (ut executor) probationis Teſtamenti prædicti, quandam *Aſſiſam mortis Anteceſſoris* arram. coram Vicecom. *London.* de eodem Tenemento verſus prædictam *Johannam*, **in fraudem et eluſionem Teſtamenti prædicti**, maliciosè & contra Deum & Juſtitiam, ut à multis fidedignis in Civitate prædicta intellexi. Dilectionem veſtram de qua plenè confido, affectuosè requiro, quatinus negotium iſtud Domino noſtro Cancellario, qui partem ejuſdem novit (ut credo) & pro quo Dominus *Hugo de Creſſingham* ſcribit eidem, oſtendere, & partes veſtras erga ipſum efficaciter interponere velitis amore mei, ut idem Dominus noſter Cancellarius quandam Aſſociacionem de Domino *Johanni de Metingham* Cuſtodi & Aldermannis dictæ Civitatis concedat, juxta tenorem Cedulæ quam vobis mitto præſentibus intercluſam; quam tradidit michi prædictus Dominus *Hugo.* Ita tamen quod ſi correctione indigeat, de conſilio veſtro & aliorum ſociorum veſtrorum corrigatur. Et quia Teſtamentum prædictum legitimè probatum eſt, nec aliud oppoſitum eſt eidem probationi, niſi **quod poſt idem Teſtamentum editum, Sigillum Teſtatoris eidem Teſtamento non erat appoſitum, eo quod ita feſtinanter obiit, quod poſt Teſtamentum prædictum editum ante ejus obitum apponi non potuit eidem; Et ultima voluntas Teſtatoris, et non Sigilli ſui appoſitio**, facit Teſtamentum; ——— ſi conſtet prædicto Domino noſtro Cancellario de probatione prædicta, ſicut prædictum eſt, ſine præjudicio melioris ſententiæ, juri congruit ——— quod ſcribatur Cuſtodi & Aldermannis prædictis, qui hujuſmodi facti Recordum habent, **executionem Teſtamenti prædicti, ſicut probatum eſt fieri faciant**; & quod Vicecomites prædicti, qui eis ſunt inferiores & ſui Miniſtri, nec aliquod

aliquod Recordum inde habent in præjudicium libertatis Civitatis prædictæ, quam habent de gratia Domini Regis & non aliundè de lege vel jure, ad captionem Aſſiſæ prædictæ in præjudicum prædictæ *Johannæ* contra formam Teſtamenti prædicti **nullatenus procedant.** Inauditum enim eſt, quod id quod coram Juſtic. actum eſt & approbatum, coram Vicecom. poſſit aut debeat infirmari. Unde vobis placeat de iſto negotio efficaciter intromittere, vos rogo quantum poſſum, ut effectum ſortiri poſſit debitum. Maxima autem malitia proſecuta eſt in hoc facto, propter quod prædictus Dominus noſter Cancellar. in *Gildhalla* fuit perſonaliter, & Cuſtodi & Aldermannis injunxit, **quod propter Aſſiſam prædictam non omitterent quin ad probationem Teſtamenti prædicti et executionem ejuſdem procederent, et nichilominus impetratum eſt Breve de Cancellaria quod Vicecomites ad captionem ejuſdem Aſſiſæ procedant; quod non eſt valde honeſtum.** Et hoc dicatis (ſi placet) Domino noſtro prædicto. Ego vero ſum *London.* pro negotiis Converſorum, & ad vos ero quam citius ego potero ubicunque vos juvero, Domino concedente. *Vale.* *An.* 20 E. 1.

How vexatious and injurious Biſhops Officials were in that age, in Excommunicating men with greater Excommunications, without either precedent monition, confeſſion or conviction, this Complaint, Appeal and Inhibition will evidence.

OFfic. *Karl.* diſcreto viro Domino *Thomæ de Capell.* Vicar. Eccleſiæ de *Kyrkebyſtep*, ſalutem in authore ſalutis. Suâ nobis *Thomas* dictus *Godehusband* paroch. Eccleſiæ de *Burg.* ſub *Staynmor.* petitione monſtravit, **quod vos in eum, non monitum, non confeſſione ſua convictum, contra ſtatuta Concilii generalis, et ſine cauſa rationabili, majorem ſententiam promulgaſtis, ſeu promulgari feciſtis, in grave ipſius *Thomæ* præjudicium, non modicum et grabamen. Dictus *Thomas* ſentiens ſe per eo indebite prægravari, a dicta ſententia ad nos (ut aſſerit) legitime appellavit. Quocirca vobis inhibemus, ne pendente hujuſmodi appellatione coram nobis quicquam in partis appellantis præjudicium attemptetis, ſeu attemptari faciatis, quo minus ſuam Appellationem factam libere proſequi valeat, ut eſt juſtum.** Citamus etiam vos per præſentes, quod compariatis coram nobis vel Commiſſar. noſtro in prox. Capitulo *Weſtm.* celebrand. parti appellanti in forma juris reſponſur. & ulterius factur. quod juſtitia ſuadebit. Quid in præmiſſis feceritis dicto Capitulo per literas veſtras patentes harum ſeriem continentes legitime conſtare faciatis. Datum apud *Bellum locum*, &c. Brevia Regis de priv. ſigill in Turre London. An. 20 E. 1.

OFfic. *Karl.* diſcreto viro Domino *Thomæ de Capell.* Vicar. Eccleſiæ de *Kyrkebyſtep*, ſalutem in authore ſalutis. Cum *Thomas* dictus *Godehusband* paroch. Eccleſiæ de *Burgh.* ſubtus *Staynmor.* coram nobis in judicio comparuiſſet, ac ipſum per vos majoris vinculo **Excommunicationis fuiſſe innodatum, (ut aſſerit) et a vobis ad nos legitime appellavit, idem *Thomas* beneficium abſolutionis in forma juris a nobis ſibi impendi humiliter poſtulavit.** Cumque ſupra dicta abſolutione aliquandiu diſceptatum extitiſſet, tandem nos vobis iſta vice gratioſe differentes, **ipſum ad vos per præſentes citra prox. Capitulum *Weſtm.* mittimus abſolvend. quod ſi in hujuſmodi abſolutione impendenda negligentes fueritis ſeu remiſſi, nos ipſum extunc in forma juris abſolvemus.** Quid in præmiſſis feceritis nobis ſeu Commiſſario noſtro dicto Capitulo legitime conſtare faciatis per literas veſtras patentes quæ harum ſeriem repreſentent. Dat. apud *Appelby* 15 Kal. *Jan.* Anno Domini 1291. Ibidem.

What Letters the King by his Privy Seal ordered his Chancellor to iſſue and ſend this year unto the Pope and Cardinals at *Rome*, on the behalf of *Hugo de Leominſter* his Clerk, and his Kinſman *Alphonſo* the King of *Aragons* ſon, theſe original Writs inform us.

EDwardus Dei gratia Rex *Angliæ*, Dominus *Hiberniæ*, & Dux *Aquitaniæ*, venerabili in Chriſto patri R. eadem gratia *Bathon.* & *Wellen.* Epiſcopo, Cancellar. ſuo, ſalutem. Literas quas vobis tranſmittimus præſentibus interclusas fratri *M.* de Fundela Brev. de privato ſigillo, Anno 20 E. 1. Turre London.

An. 20 E 1. *de Aquâ ſparſâ* Cardinali pro dilecto Clerico noſtro *Hugone de Leominſter* ex parte noſtra dirigend. ſtatim viſis præſentibus magno ſigillo noſtro conſignari faciatis, & eas præfato *Hugoni* retradi ſigillatas. Dat. ſub privato ſigillo noſtro apud *Farndon* 4. die *Marcii*, Anno regni noſtri 20.

VEnerabili in Chriſto patri Domino *G.* Dei gratia *Sabinen.* Epiſcopo, Sacroſanctæ *Romanæ* Eccleſiæ Cardinali, amico ſuo, *Edwardus* eadem gratia Rex *Angliæ*, Dominus *Hiberniæ*, & Dux *Aquitaniæ*, ſalutem & dilectionis intimæ continuum incrementum. Cum dilectus Conſanguineus noſter Dominus *Alphonſus* filius Domini *Ferrandi* quondam illuſtris Regis *Caſtellæ*, **ad Curiam Romanam perſonaliter jam accedat**, pro quibuſdam negotiis ſuis quæ optinet inibi exequenda, Paternitatem veſtram attente requirimus & rogamus, quatinus in negotiis hujuſmodi vos conſulentes & propitios exhibere velitis, noſtris precibus & amore; adeo ſi placet, quod idem *Alphonſus* has noſtras preces ſibi ſentiat efficaces. Dat. apud *Farndon* 6 die menſis *Marcii*, Anno gratiæ 1291.

EDwardus Dei gratia Rex, &c. venerabili in Chriſto patri *R.* eadem gratia *Bathon.* & *Wellen.* Epiſcopo, Cancellario ſuo, ſalutem. **Mittimus vobis tria paria literarum præſentibus interclusa; unum videlicet Domino Summo Pontifici, aliud Domino** *Benedicto* **Cardinali, pro negotiis Domini** *Alphonſi* **filii Domini** *Ferrandi* quondam illuſtris Regis *Caſtellæ* filii; & unum eidem Regi dirigend. Mandantes quod aſſumpta in Garderoba noſtra apud *London.* vel alibi, **in forma nominum cæterorum Cardinalium quibus ſcribere ſumus uſi, literas noſtras ſcribi faciatis eiſdem**, eodem tenore quo Domino *Benedicto* ſcribimus ſupradicto: Quibus peractis eas una cum literis prædictis magno ſigillo noſtro, prout moris eſt, conſignari faciatis, & conſignatas tradi præſentium portitori. Dat. ſub privato ſigillo noſtro apud *Farndon* 6 die *Marcii*, Anno regni noſtri 20.

There being a Suit pending in the Court of *France*, between the King and Biſhop of *Avicien* concerning *Bigorra*, which he had alienated to the King, the Dean of St. *Severin* ſent this advice and account to the King concerning it, whereby we may diſcern how far the Cardinals and Pope were engaged therein on both ſides, to gain monies from both.

Brevia Regis de privato ſigillo, Anno 20 E 1. in Turre Lond.

DOmino ſuo, *Reymundus* Decanus Eccleſiæ Sancti *Severini Burd.* ſe ipſum. Noveritis Dominum *G. Avicien.* Epiſcopum de *Pariſ.* verſus partes *Lemovicen.* unde oriundus exiſtit, & non verſus ſuam Eccleſiam receſſiſſe, expectando Quindenam *Paſchæ* ad quam quæſtio ſui judicii de *Bigorra* extitit prorogata. Et quia intellexi, **quod aliqui Domini Cardinales ſuper dicto facto** *Bigorræ* **pro vobis ſcripſerunt eidem,** expediens videretur, quod ad ipſum Epiſcopum aliquem certum & ſecretum nuncium mitteretis, **non expectato quoad hoc termino ſupradicto**: Sibi enim dixi, quod cum Eccleſia ſua ſuper dicto feodo ſi ipſis placuerit rationabiliter componetis; & quod magnum eſſet indecens, **quod poſt alienationem dicti feodi vobis factam, cum alio convenirent.** Hæc autem verba ideo ſibi expoſui, quia licet optineretis in judicio poſſeſſorio, in quo per judicium *Franc.* jam prolatum, **ſubcubuiſtis injuſte,** prout poteſt liquide apparere per proceſſum Curiæ *Franciæ* in publicatione teſtium diu eſt vobis datum, in peritorio tamen judicio propter defectum decreti **in alienatione dicti feodi Eccleſiaſtici vobis facta,** non adhibiti, ſubcumbere haberetis, etſi cauſa ſeu ratio aliqua contra vos non ſubeſſet. Si autem ad dictum Epiſcopum ex parte veſtra ante dictum terminum non mittatur, fortè ſibi videbitur, quod multa per me & alios veſtros ſibi dicta fuerint ad illudend. eidem. Rurſus Dominus *Aimericus* dictus *la Porta* Miles, quondam Dominæ *Bregeriaci* Conſanguineus & intimus Domini Epiſcopi ſupradicti, qui pro vobis erga ipſum Epiſcopum ad compoſitionem habendam, libenter & diligenter intendit, & ſi opus fuerit, perſonaliter laborabit, michi pro verò expoſuit, **quod idem Epiſcopus ſi ad expenſas * ſufficienter pecuniam habuiſſet, ſub coloze dictarum literarum Dominozum Cardinalium ſibi miſſarum propter hoc negotium, greſſus ſuos de Parliamento præſenti ad Romanam Curiam recto itinere direxiſſet.** Veſtra igitur circumſpectio provideat, quid & qualiter ſuper hoc ſit agendum. Dominus vos

* Nothing could be then tranſacted at Rome without good ſtore of monie.

vos conſervet ad ſuum ſervitium & veſtrorum regimen, **per tempora longiora cum grata commemoratione Decanat. veſtri.** Dat. *Pariſ.* die Lunæ poſt Octab. feſti Purificationis beatæ *Mariæ.* *An.* 20 E. 1.

I ſhall now crave liberty to inſert into this year and Chapter, the moſt remarkable claims, declarations, demonſtrations of King *Edward* the 1. his Soveraign Dominion over the *Kingdom, Kings, Prelates, Nobles, Clergy* and *Commonalty* of *Scotland*, as Superior Lord of *Scotland*; which he then undeniably evidenced by antient Chronicles, Hiſtorians, the Homages, Oathes made to him and his Royal Predeceſſors by the Kings of *Scotland* in former ages; the unanimous confeſſions, Charters, Homages, Fealty of all the Competitors to the Crown of *Scotland*, after the death of King *Alexander*, and Queen *Margaret* his daughter without iſſue, before her intended marriage to Prince *Edward* his ſon; the ſurrender of the whole Kingdom, with the Caſtles and appurtenances thereof into his hands, as Superior Lord thereof, by the Guardians of *Scotland*, with the unanimous conſent of the Nobility, Clergy, Commonalty of that Nation; by the memorable Petitions of all the pretenders to the right and deſcent of the Realm and Crown of *Scotland* to them, after Queen *Margarets* deceaſe; who ſet forth their reſpective Titles, and ſubmitted them all to his abſolute Judicature, as their Superior Lord; who thereupon after ſundry deliberate, juſt, legal proceedings therein, and many hearings and interpleadings, by advice and conſent of his Parliament, and of the Prelates, Earls, Nobles, and moſt eminent Lawyers of both Kingdoms, finally adjudged the right of the Crown of *Scotland* to *John Baliol* as next heir in Law; who thereupon ſwore Fealty and Homage to him as to the Soveraign Lord of *Scotland*, after his Coronation and reſtitution of the Kingdom and Caſtles to him by the Kings Writs; who frequently ſummoned him to his Court, Parliaments upon complaints & appeals, for his injuſtice, oppreſſions, treachery, and confederacies with the *French* King againſt his homage and allegiance: All which particulars being only briefly, yea very imperfectly related by [a] *Mat. Weſtminſter*, [b] *Thomas Walſingham*, [c] *Henry de Knyghton*, and the reſt of our Hiſtorians, I ſhall here preſent you with at large, (for the vindication of the antient right and Soveraign Dominion of our *Engliſh* Kings over that Realm and Church, againſt all claims of uſurping Popes, or ingrate perfidious, rebellious Kings of *Scotland*) out of a moſt memorable irrefragable Record then made thereof by King *Edwards* ſpecial command, written by two ſworn Notaries approved by the Pope in a very excellent fair hand, in ſundry large Rolls of parchment, now remaining in the Tower of *London*; the truth of each particular therein conteined, with all circumſtances of time, place, and other emergencies, being atteſted by many Biſhops, Earls, Nobles, and other perſons of quality of the *Engliſh* and *Scottiſh* Nations, preſent at all the Tranſactions, and theſe two ſworn Notaries: Which being thus recorded by King *Edward in perpetuam rei memoriam*, to all ſucceeding generations, and the exacteſt Narrative, Record both for Hiſtory, judicial and legal proceedings, rare pleadings, Pedigrees of the *Scottiſh* Royal Line, the ſeveral Titles made to the Crown of *Scotland*, and the compleateſt, uncontrolableſt evidence of our Kings Soveraign Juriſdiction and Lordſhip over *Scotland*, this day extant, moſt worthy publick view, though very long, reciting ſundry Patents, Charters, Oathes both in *French* and *Latine*, for the reaſons therein expreſſed.

a Flores Hiſt. An. 1291, 1292. p. 370, to 383.
b Hiſt. Angliæ p. 17, to 24. Ypodigma Neuſtriæ, p. 73, to 78.
c De Eventibus Angl. l. 3. c. 2. col 2469, &c. Polychronicon l. 7. c. 39. Chron. Will. Thorne, col. 1962. Fabian, Caxton, Holinſhed. Grafton, Speed, Stow, Daniel, Baker in Ed 1.

IN Nomine Domini, Amen. *Quoniam antiquorum induſtria circumſpecta utilitate publica* Tabellionatus *officium noſcitur adinventum, perſonis fidedignis concedendum, ut contrahentium vota, acta judicialia, proceſſus, contractus & pacta, & alia quaque ipſorum facta preſentia diligenter & prudenter aſcultantes, & etiam recolligentes conſcribant, & requiſiti ſuper his publica faciant Inſtrumenta,* **ad quæ etiam fideliter et ſine fraude facienda, conſcribenda, et in publicam formam redigenda, ipſorum quilibet requiſitus præſtiti Sacramenti virtute conſtringitur.** *Idcirco præmiſſa attendens, indempnitatique mea proſpicere volens,* **quatenus ex mei debito teneor ſuramenti, tam ſuper proceſſu recognitionis Superioritatis et directi Dominii regni Scotiæ, quam aliis quæ in ipſo proceſſu coram excellentiſſimo Principe et Domino noſtro Domino** Edwardo **Dei gratia Rege** Angliæ illuſtri, ſuperiori

Rotulus de Superioritate Regis Angliæ in regno Scotiæ, & fidelitate & homagii Regum & regni Scotiæ Regi Angliæ, An 19, 20, 21, 22, 23 E. 1. in Turre London.

et

An. 20 *E.* 1. et directo Domino regni Scotiæ, inter quosdam Nobiles subscriptos, quorum cuilibet jus succedendi in dictum regnum Scotiæ sibi competere vendicabat, rogatus, cum ea qua potero diligentia compellor scribere quæ sunt veritatis, ad perpetuam rei memoriam posteris ostendendam; ut futuris temporibus, si necesse fuerit, et sciri voluerit actorum veritas in hac parte, hujusmodi scire volentes veritatem ad præsens Instrumentum publicum recursum habere poterint opportunum; et quæ per humanam labilitatem et temporum lapsum a memoria recesserunt, per istius inspectionem Instrumenti sive Processus recenti memoriæ reducantur. Vacante nuper dicto regno *Scotiæ* & Regis præsidio carente per obitum claræ memoriæ Domini quondam *Alexandri* Regis ejusdem filiorumque suorum, ac subsequenter per mortem nobilissimæ ac clarissimæ Dominæ, Dominæ quondam *Margaretæ* filiæ excellentissimi Principis Domini, Domini *Erici* Dei gratia Regis *Norwegiæ*, Neptis ipsius Regis *Alexandri*, quæ in dicto regno *Scotiæ* successisse debebat eidem: subortisque inter Nobiles subscriptos, quorum quilibet jus succedendi in dictum regnum *Scotiæ* sibi competere vendicabat, contentionis & dissentionis materiis, *Excellentissimus & serenissimus Princeps & Dominus noster, Dominus* Edwardus *Dei gratia Rex* Angliæ *illustris*, et superior et directus Dominus dicti regni, perpendens ipsum regnum et statum ejusdem ex tanti Principis destitutione multipliciter conturbatum, Indicto apud Norbm. Dunolm. *Dioc. in confiniis dicti regni* Scotiæ suo Parliamento, ad eundem locum tanquam superior et directus Dominus ipsius regni personaliter declinavit; ut quæstiones hujusmodi, lites et jurgia, quæ inter ipsos Nobiles jus succedendi in dictum regnum Scotiæ (ut præmittitur) vendicantes, terminaret, et ortas super hæc inter ipsos contentionis et dissentionis materias amputaret, finemque litibus apponeret, et vendicantium quemlibet in jure suo benigne audiret, sibique et aliis omnibus et singulis petentibus, justitiæ faceret (*ut dicebat*) complementum.

* See Mat. Westm. An. 1291 p. 377, to 382. Tho. Walsingham Hist. Angl. p. 16, to 20.

* *Anno à nativitate Domini* 1291. *Indictione quarta, mensis* Maii *die decimo, congregatis coram excellentissimo Principe & Domino, Domino* Edwardo *Dei gratia Rege* Angl'. *illustri, apud* Norhm. ad ipsius Regis mandatum, utriusque regni Nobilibus et Prælatis, Militibus et perplurib⁹ aliis in multitudine copiosa; *Nobilis vir Dominus* Rogerus Brabancon. *Miles, & dicti Domini Regis* Angl. *Justiciarius, in cujus ore idem Dominus Rex verba sua posuerat, ipsum organum suum constituens,* In præsentia mei infrascripti Notarii et testium subscriptorum ad hoc vocatorum specialiter et rogatorum, *nomine & vice ipsius Domini Regis* Angl. *Episcopi, Prælatisque aliis Ecclesiasticis, Comitibus, Baronibus, Militibus, aliisque omnibus & singulis de* Communitate regni Scotiæ *ibidem congregatis (ut præmittitur) verba subscripta, vel his similia, hunc habentia sententialiter intellectum, sermone tamen* Gallico *dixit & proposuit oraculo vivæ vocis.*

Serenissimus Princeps & Dominus noster excellentissimus Dominus *Edwardus* Dei gratia Rex *Angliæ* illustris, superior et directus Dominus regni *Scotiæ*, perpendens statum ejusdem per mortem claræ memoriæ Domini quondam *Alexandri* ultimi Regis ejusdem, & etiam liberorum suorum, commotione gravi fuisse jamdiu, est, & esse multipliciter conturbatum, & ex tanti Principis destitutione varia perplexitate depressum; conspicienſque ipsum regnum & inhabitantes ejusdem Incolas diversarum procellarum turbine fluctuantes, ob affectionem & zelum quem habebat, & habet erga vos & universos & singulos, quorum tuitio et defensio ad ipsum spectare dinoscitur, ac etiam ad faciendum omnibus jus ad dictum regnum *Scotiæ* vendicantibus, justitiæ complementum, ac etiam pro tranquillitate & pace inter regnicolas ipsius regni conservanda; vos in hac Quindena *Paschæ* proximo præteritæ ad locum istum in dicti regni *Scotiæ* confinio situatum, (ut vestris etiam laboribus parceret & expensis) per suas certi tenoris literas specialiter convocavit, propter aliqua, quæ vobis intendebat & intendit exponere prima facie, & monstrare. Veniens itaque ob illam causam ad locum istum personaliter de remotis, ut ipse tanquam superior et directus Dominus regni Scotiæ (cujus interest per superioritatem et directum Dominium hujusmodi, quod est suum, paratus est docere, et per diversas Chronicas, in diversis utriusque regni Monasteriis et locis aliis compertas, et per alias informationes et rationes evidentes, probationes (si necesse fuerit) et certa documenta) justitiam faciat universis; ita quod discordiarum et dissentionum vestrarum sublatis materiis, firma pacis tranquilli-

tas

tas eidem regno et ejus incolis permaneat in futurum. Nec eſt etiam ſuæ intentionis quicquam indebite occupare, nec alicujus juſtitiam differre, aut libertates diminuere ſeu impedire; ſed (ut præmittitur) tanquam ſuperior et directus Dominus regni *Scotiæ*, jure ſuo uti, et omnibus et ſingulis facere juſtitiæ complementum. Et ut hæc deduci valeant commodius ad effectum, idem Dominus noſter Rex veſtrum ſuper præmiſſis ex habundanti benivolum requirit aſſenſum, et ſuperioritatis et directi dominii hujuſmodi recognitionem; Volens in hiis & aliis omnibus, dictum regnum *Scotiæ* tangentibus, veſtris uti conſiliis opportunis. *An.* 20 E. I.

Quibus per præfatum Dominum Rogerum (*ut præmittitur*) *nomine dicti Domini Regis* Angl. *peroratis, & à præfatis Epiſcopis & aliis Prælatis Eccleſiaſticis, Comitibus, Baronibus, Magnatibus, aliiſque Nobilibus de Communitate dicti regni* Scotiæ *ibidem præſentibus plenius intellectis, iidem Epiſcopi & alii Prælati Eccleſiaſtici, Comites, Barones dicti regni* Scotiæ *ibidem præſentes*, diem ad conſulendum cum abſentibus dicti regni *Scotiæ* Nobilibus & Prælatis, ac communitate, & deliberandum ſuper requiſitione prædicta ipſis ex parte Domini Regis facta, & ad reſpondendum eidem ſibi concedi cum inſtantia petierunt. *Habitaque ſuper hac deliberatione aliquali* (*licet ipſi, quid idem Dominus Rex ipſo die facere & dicere voluit, fuiſſent primitus præmuniti ſufficienter*) *ex habundanti tamen fuit eis terminus per ipſum Dominum Regem proximus ſequens dies aſſignatus, ad audiendum deliberationem Domini Regis ſuper jam dictis induciis petitis denegandis vel etiam concedendis. Actum in parochiali Eccleſia de* Norhm. *anno, indictione, menſe & die prænotatis; præſentibus venerabilibus in Chriſto patribus Dominis* Johanne *Dei gratia* Ebor. *Archiepiſcopo*, Angl. *Primate*, Antonio Dunolm. Radulpho Carleolen. Willielmo Elien. Willielmo Sancti Andreæ, & Roberto Glaſcuen. *Epiſcopis; & nobilibus viris Dominis* Henrico Lincoln. Rogero Northfolch. & *Mareſcallo* Angl. *Comitibus, Magiſtris* Henr. Ebor. Johanne Lichefelden. Thoma Wellen. & Andr. Exon. *Eccleſiarum Decanis, ac* Johanne Ertun *de* Cadomo *publico auctoritate Apoſtolica Notario, ac aliis tam Nobilibus quam Prælatis perpluribus in multitudine copioſa.*

Quo die, undecimo videlicet menſis Maii, *anno & indictione prænotatis, loco eodem, præfati Epiſcopi regni* Scotiæ & *Nobiles coram dicto Domino Rege* Angliæ, *ut prius, comparuerunt; & diem ad deliberandum & conſulendum cum abſentibus regni* Scotiæ *Nobilibus & Prælatis, ac communitate, ſuper dicta requiſitione regia eis, ut præmittitur, facta,* de recognitione videlicet benivola ſuperioritatis et directi dominii regni Scotiæ, quod dicebat eſſe ſuum jus et eidem reſpondendum, cum inſtantia petierunt. *Quibus idem Rex poſt diligentem ſuper hoc deliberationem, reſpondit & dixit*; Se velle eorundem voluntati complacere in hac parte, præfixit & aſſignavit eiſdem ſecundum diem menſis *Junii* prox. ſequent. ad interim conſulendum cum abſentibus regni *Scotiæ* Nobilibus & Prælatis, & aliis de communitate ejuſdem regni ſuper præmiſſis, & deliberandum, & illo die præciſè reſpondendum requiſitioni ſuæ ſupradictæ, & ad exhibendum proponendumque ulterius, & oſtendendum præciſè & peremptoriè munimenta vel ſcripta aut alia quævis documenta, ſi quæ habuerunt, quæ ipſum a jure ſuo prædicto ſuperioritatis et directi dominii ſui dicti regni *Scotiæ*, aut ab exercitio ſeu executione dicti ſui juris excludere poſſent, et rationes et documenta pro ipſo et jure ſuo prædicto oſtenſa, per validiora et efficatiora aliqua via juris infirmare; proteſtans, ſe velle et paratum eſſe ea, quatenus jura permitterent, eis allocare, et facere quod juſtitia ſuaderet in eventu. *Præmiſſaque per venerabilem patrem Dominum* Antonium *Dei gratia* Dunolm. *Epiſcopum, ipſum ad hoc organum ſuum conſtituens, præfatis Nobilibus regni* Scotiæ & *Prælatis ibidem præſentibus nunciavit, ac etiam notificavit. Præſentibus teſtibus ſupraſcript. cum aliis quampluribus.*

Ut autem per præſentem proceſſum ſive Inſtrumentum publicum omnibus Chriſti fidelibus evidenter appareat, cujuſmodi rationibus evidentibus & documentis veriſimilibus & probabilibus dictus Dominus Rex Angliæ jus ſuperioritatis et directi dominii regni Scotiæ ſuum eſſe, et ad ipſum jure Coronæ regni Angliæ et dignitatis ſuæ regalis præeminentia pertinere debere aſſerebat, et etiam oſtendebat; *incipiendo à tempore* Bruti, & *ſic ſucceſſivè deſcendendo uſque ad tempus ſuum*, ſicut in antiquis Chronicis et libris in diverſis Angliæ & Scotiæ regnorum Monaſteriis compertis ſcripta reperiebantur; *videlicet, in Chronicis Magiſtrorum* Mariani Scoti, Willielmi de Malmesbyr. Rogeri de Hoveden, Henr. de Huntingdon, & Radulphi de Diceto,

An. 20 E. 1. *in multis libris, necnon Sanctorum Patrum* **Summorum Pontificum literis ſuis bullis plumbeis more Romanæ Curiæ pendent. bullatis, et aliis ſcripturis a ſede Apoſtolica approbatis, ea ſeriatim de verbo ad verbum nihil addens vel minuens,** *quod ſenſum mutet vel intellectum corrumpat, preſenti Inſtrumento publico ſive proceſſui conſcribam.*

Inprimis, *qualiter ſub temporibus* Ely *&* Samuelis *propheta vir quidam ſtrenuus ac inſignis,* [a] Brutus *nomine, de genere* Trojanorum, *poſt excidium urbis* Trojæ, *cum multis Nobilibus* Trojanorum *in quandam Inſulam tunc* Albion *vocatam, a gigantibus inhabitatam; quibus ſua & ſuorum devictis potentia & occiſis, eam nomine ſuo* Britanniam, *ſocioſque ſuos* Britones *appellavit. Et ædificavit Civitatem, quam* Troinovantum *nuncupavit, quæ modo* Londonia *appellatur. Et poſtea idem* Brutus *dictam Inſulam in tres partes dividens, eam tribus ſuis filiis reliquit poſſidendam,* Logrino *videlicet,* Albinacto, *&* Cambro: Logrino *vero quia primogenito, illam partem* Britanniæ, *quæ nunc* Anglia *vocatur,* **cum ſuperioritate et dominio partium aliarum;** Albinacto *vero ſecundo ſuo nato illam partem* Britanniæ, *quæ tunc a nomine* Albinacti Albinia *dicta, nunc vero* Scotia *nuncupatur;* Cambro *vero tertio ſuo filio partem illam quæ tunc ſuo nomine* Cambria, *nunc vero* Wallia *vocitatur;* **reſervata tamen** Logrino **ſeniori regia ſemper dignitate.** *Petebat enim* Trojana *conſuetudo, quod dignitas hæreditatis primogenito proveniret. Biennio vero poſt mortem* Bruti *applicuit in* Albinia *quidam Rex* Humorum *nomine* Humber, *&* Albinactum *fratrem* Logrini *occidit. Quo audito* Logrinus *Rex* Britannorum *perſecutus eſt eum, qui fugiens ſubmerſus eſt in flumine quod de nomine ſuo* Humber *vocatur, & ſic* Albinia *revertitur ad dictum* Logrinum. *Hæc autem in Hiſtoria* Bruti. Item, *in Chronicis* Mariani Scoti, [b] Rogeri de Hoveden, *&* [c] Willielmi de Malmesbyr. (*quorum compilationes & libri in diverſis Monaſteriis & locis aliis utriuſque regni inveniuntur*) *inter cætera reperitur, Quod anno Domini* 901. Edwardus *Monarcha* Angliæ *cognomento ſenior filius* [d] Eluredi Scotorum, Humbrorum *&* Stregewallorum *Reges,* **ſuæ ditioni ſubegit, et in deditionem recepit.** *Et quod anno Domini* 911. *Rex* Scotorum *cum tota gente, &* Reginaldus *Rex* Danorum, *cum* Danis *&* Anglis Northumbriam *incolentibus, & Rex etiam* Stregewallorum *cum ſuis, eundem Regem* Edwardum **ſibi Imperatorem et Dominum elegerunt, firmumque fœdus cum eo pepigerunt.** Item, *quod anno Domini* 924. *idem* Edwardus *Rex* Angliæ *cunctis* Britanniam *incolentibus* Anglorum, Scotorum, Cumbrorum, Danorum, *&* Britonum *populis præfuit.* Item, *quod anno Domini* 926. [e] Adelſtanus *filius & immediatus ſucceſſor ejuſdem* Edwardi, Conſtantinum *Regem* Scotorum, *&* Danorum *Regem prælio vicit & fugavit; qui poſtmodum cum ipſo fœdus pepigerunt, in loco qui dicitur* Emothe, *quarto Idus* Julii. *Hoc autem invenitur in Chronicis* Mariani Scoti *&* Rogeri de Hoveden *in multis libris. Et in Chronicis* Willielmi de Malmesbyr. Henr. de Huntingdon, *&* Radulphi de Diceto, *inter cætera ſic invenitur.* Adelſtanus *Rex* Angliæ Conſtantinum *Regem* Scotorum *cedere regno compulit, quem tamen poſtea regno* Scotiæ *privatum per ipſum ſub ſe regnare, ſicut prius, gratioſius; dicens conſilio ſuo renitenti,* **Gloriouſius eſt Regem facere quam eſſe.** Item, *anno Domini* 934. *idem* Adelſtanus *Rex* Angliæ *eundem* Conſtantinum *Regem* Scotorum *rebellantem* **debicit et fugavit,** *&* **terram** Scotiæ *uſque* Dunfermelin *vaſtavit. Qui* Conſtantinus *poſtea filium ſuum dicto* Adelſtano *Regi cum dignis muneribus in obſidem tradidit, & ſic pacificantur. Et hoc in Chronicis* Mariani Scoti, Rogeri de Hoveden, Henrici de Huntingdon, *&* Radulphi de Diceto, *in multis libris invenitur. Et in Chronicis* Willielmi de Malmesbyr. *in multis libris inter cætera reperitur, quod anno Domini* 937. Eugenius *Rex* Cumbrorum, *&* Conſtantinus *Rex* Scotorum, *in loco qui dicitur* Dacorum *venientes, ſe cum ſuis regnis eidem* Adelſtano *Regi* Angliæ *dediderunt; cujus pacti gratia filium* Conſtantini *juſſum baptizari idem* Adelſtanus *de ſacro fonte ſuſcepit.* Item, *anno Domini* 940. Adelſtano *prædicto defuncto, ſucceſſit ſibi in regnum* Edmundus *frater ejus, qui regnavit ſeptem annos ſine rebellione* Scotorum. Item, *in Chronicis* Mariani Scoti, [f] Willielmi de Malmesbyr. *&* Henrici de Huntingdon *in multis libris invenitur, quod anno Domini* 947. Edredus *frater* Adelſtani *minor, dicto* Edmundo *fratri ſuo ſucceſſit; qui* Northumbris *devictis, in* Scotiam *vexilla direxit: Et* Scoti *nimio terrore percuſſi, ſine bello ſe ſubdiderunt eidem,* **et fidelitatem ſibi ut Domino debitam juraverunt;** *Quodam Rege,* Yritio *nomine,* **per ipſum ſuper ipſos** Scotos *tunc ſtatuto.* Item, *anno Domini* 955. *mortuo Rege* Edredo *prædicto, ſucceſſit ſibi* Edwinus *filius*

dicti

a This ſtory of *Brute* was then aſſerted as a truth by the King & whole Parliament of *England.* See Henr. Huntindon Hiſt. l. 1. Galfr. Monumetenſis Hiſt. Brit. l. 1. c. 2, to 15. Mat. Weſtm. Flores Hiſt. Ætas 3. p. 23, 24 Ponticus Verunnius Hiſt. l. 1. Polychronicon, Fabian, Gratton, Holinſhed, and others in the Life of *Brute.*

b Annal. pars prior, p. 411, 412.

c De Geſtis Regum Angl. l. 2. c. 3.

d Florentius Wigornienſis Chron. p. 333, 347. Simeon Dunelmenſis Hiſt. col. 151, 154.

e Florent. Wigorn. p. 348. Sim. Dunelm. col. 154. Hoveden, p. 422. Wil. Malmesb. de Geſtis Reg. Angl. l. 2. c. 6. Henr. Huntindon Hiſt. l. 5 p. 354. Chron. Joh. Bromton col. 838, 839. H. de Knyghton de Event. Angl. l. 3. c. 4. col. 2484.

f De Geſtis Regum Angl. l. 2. c. 7. p. 53, 54, 55. Henr. Huntindon Hiſt. l. 5. p. 355. Rog. de Hoveden Annal. pars prior, p. 423. Florent. Wigorn. Chron. p. 352, 353. Simeon Dunelmenſis Hiſt. col. 156.

dicti Edmundi *fratris* Edredi *Regis, qui regnavit quatuor annis, cujus tempore* Scoti *non rebellaverunt.* Item, *in Chronicis* Mariani Scoti,[a] Rogeri de Hoveden,[b] Willielmi de Malmesbyr. [c] Henrici de Huntingdon, & Radulphi de Diceto, *in multis libris invenitur, quod anno Domini* 978. Edgarus *Rex* Angliæ, *qui immediate ſucceſſit* Edwino *Regi fratri ſuo, Regem* Scotorum Kinadium, Malcolmum Cumbrorum, & Marcum *Regem plurimarum Inſularum, alioſque quinque Subregulos ad Curiam ſuam coactos,* **uno et perpetuo Sacramento ſibi obligavit**; *adeo ut apud* [d] *Civitatem* Legionum *eidem ut mandarat occurrentes in pompam triumphi per flumen de* Edene *illos deduceret una in navi impoſitos prope proram ſedens remigare cogeba', affectans per hoc regalem ſuam magnificentiam, qui tot Regum potentiam ſibi ſubjectam haberet ditare. Dixit tunc demum, poſſe ſucceſſores ſuos gloriari, ſe* Anglorum *Reges eſſe, cum tanta bonorum prærogativa fruerentur. Et quod in quodam convivio fama fuit dictum Regem* Scotorum Kinadium *ludibunde dixiſſe, mirum videri tot provincias ſubjici* Edgaro *tam vili homuncioni:* Quod Edgarum *poſtea non latuit*; *Qui ſtatim dictum* Kinadium *accerſivit, & quaſi conſultandi gratia longe in Sylvam ipſum deducens, unum è duobus enſibus, quos ſecum attulit, eidem tradidit dicens*; Nunc licebit tibi vires tuas experire, cum ſoli ſumus, jam enim fac, ut appareat, quis alteri merito ſubjici debeat, turpe enim eſt Regem eſſe in convivio dicaculum nec eſſe in prælio promptum: *Et confuſus ille ſtatim ad pedes Regis cecidit, ſimplicis ſui vitii veniam precatus eſt, & conſecutus.* Item, *anno Dom.* 985. *ſucceſſit Regi* Edgaro *Sanctus* Edwardus *Martyr, filius dicti* Edgari, *qui anno regni ſui quarto ſub noverca ſua* Altritha *martyrium paſſus eſt, cujus tempore* Scoti *non rebellaverunt.* Item, *anno Domini* 980. *ſucceſſit Sancto* Edwardo Egelredus *frater ejus, qui regnavit triginta annis, cujus tempore nihil invenitur de rebellione* Scotorum. Item, *anno Domini* 1016. *ſucceſſit* Egelredo Edmundus Ironſide *filius ejus, qui primo anno regni ſui apud* Oxoniam *à filio* Erici *Ducis proditioſe interfectus eſt.* Item, *anno Domini* 1017. *Rex* Kanutus Danus *ſucceſſit in regnum Angliæ, qui anno regni ſui* 15 Romam *profectus eſt, & elemoſinis peccata redimens eodem anno navigio in* Angliam *rediit*; *& mox* [e] Scotiam *rebellantem Regemque ipſius* Malcolmum *expeditione illius educta parvo ſubegit negotio, ſubdituſq; eſt ei dictus* Malcolmus *Rex* Scotorum, *& alii duo Reges* Melbrache & Germake: *& quod poſtmodum ſcriptum invenitur de eodem* Knuto *in Cronicis* Mariani Scoti, Willielmi de Malmesbir. Henr. de Huntingdon, & Radulphi de Diceto *in multis libris*; **Erat Rex**[g] Knutus **Dominus totius** Daciæ, **totius** Angliæ, **totius** Norwegiæ, **et totius** Scotiæ. Item, *Anno Domini* 1035. *ſucceſſit Regi* Knuto Haraldus *filius ejus, qui regnavit quatuor annis & quatuor menſibus, cujus tempore nihil invenitur de rebellione* Scotorum. Item, *Anno Domini* 1040. *Regi* Haraldo *ſucceſſit* Hardeknutus *frater ejus, qui cum biennio prater decem dies regnaſſet, apud* Lamehethe *mortuus eſt, cujus tempore nihil invenitur de rebellione* Scotorum. Item, *in Cronicis* Mariani Scoti, Rogeri de Hoveden, Henr. de Huntingdon, Radulphi de Diceto, & Willielmi de Malmesbir. *in multis libris, & etiam in Cronicis Sancti* Albani *ſic invenitur*; *Quod Anno Domini* 1047. *dicto* Hardeknuto *ſucceſſit* Edwardus, *qui cognominatus eſt* Juſtus, *filius* Egelredi *Regis, cujus juſſu Dux* Northumbrorum *cum Regis* Scotorum Machiota *prælium comiſit, ipſumque vita et regno ſpoliavit, et* [h] Malcolmum **filium Regis** Cumbrorum **juſſu dicti Regis** Edwardi **Regem** Scotorum **conſtituit.** *Et alibi in eiſdem Cronicis Rex* Edwardus *cognomento* Juſtus, **dedit regnum** Scotiæ Malcolmo **filio Regis** Cumbrorum **de ſe tenendum.** Item, *Anno Domini* 1066. Haraldus *filius* Godwinus *Comitis* Cantiæ, *electus fuit in Regem* Angliæ, *qui primo anno regni ſui in bello contra* Willielmum *dictum* Baſtard, *conqueſtorem occubuit.* Item, *in Chronicis* Mariani Scoti, Rogeri de Hoveden, & Henr. de Huntingdon *invenitur, quod Anno Domini* 1066. Willielmus *dictus* Baſtard. Angliam *eſt ingreſſus*; *& ſexto anno regni ſui*, Malcolmo *Rege* Scotorum *rebellante, per terram & mare exercitum duxit in* Scotiam, *& eidem* Malcolmo *in loco qui dicitur* Abrenithy *occurrit, &* [i] Malcolmus **ſuus homo debenit.** *Et in Cronicis Sancti* Albini *invenitur, quod Rex* Willielmus *dictus* Baſtardus, **recepto a dicto Rege** Scotorum Malcolmo **homagio et obſidibus**, *in* Angliam *eſt reverſus.* Item, *in Cronicis* Mariani Scoti, & Rogeri de Hoveden. *in multis libris invenitur*;

An. 20. *E.* I

a annal. pars prior, An 973. p. 426.
b De Geſtis Reg. Angl. l. 2. c. 8. p. 59.
c Hiſtor. l. 5. p. 356, 731. Florentius Wigorn. An. 978.
d Simeon Dunelmenſis Hiſt. col. 159. Mat. Weſtm. Anno 974. p. 375. Ailredus Abbas de Genealog. Regum Angl. col. 359. Chr. Joan. Bromton col. 869. Seldeni Mare Clauſum, p. 165.
e Will. Malmesbur. De Geſtis Regum Angl. l. 2. c. 8. p. 69.
f Will. Malmsbur. De Geſtis Regum Angl. l. 2. c. 11. p. 74. Chron. Johannis Bromton, col. 912.
g Henr. Huntingdon, Hiſt. l. 6. p. 364. H. de Knyghton de Event. Angl. l. 11. c. 3. col. 2317.
h Simeon Dunelmenſis Hiſt. An. 1054. col. 187. Florentius Wigornienſis, Chron. An. 1054. Will. Malmesbur. de Geſtis Regum, l. 2. c. 13. p. 79. Henr. Huntindon Hiſt. l. 6. p. 366. Roger Hoveden. Annal. pars prior, p. 443. Henr. de Knyghton, de Event. Angl. l. 1. c. 11. col. 2333.
i Roger Hoveden. Annal. pars prior, p. 454. Henr. Huntindon Hiſt. l. 7. p. 369. Will. Malmesbur. De Geſt. Reg. l. 3. p. 103. Radulfus de Diceto Abbreviat. Chron. col. 485, 486. Chronicon Johannis Bromton, col. 972. Henry de Knyghton, de Eventibus Angl. l. 1. c. 3. col. 2347. Mat. Paris, & Mat. Weſtm. Anno 1072. p. 4.

An. 20 *E.* 1. *Quod Anno Domini* 1086. *ſucceſſit eidem* Willielmo Baſtard. Willielmus Ruffus *filius ejus, qui anno* 14. *regni ſui rebellante* Malcolmo *Rege* Scotorum & Northumbriam *invadente, cum* Roberte *fratre ſuo acies in* Scotiam *direxit, cui* Malcolmus *occurrit, & pax inter eos facta eſt conditione tali,* **Ut idem** Malcolmus **Rex** Scotiæ **eidem** Willielmo [k] **Regi** Angliæ, **ſicut patri ſuo fecerat, obediret.** *Et in Cronicis* Henrici de Huntingdon *invenitur, quod* Willielmo *dicto* Ruffo *Rege* Angl. *acies in* Scotiam *dirigente,* Malcolmus *Rex* Scotorum *nimio terrore perterritus,* **homo ipſius Regis** Willielmi **efficitur, et eidem juramento fidelitatis eſt ſubjectus.** Item *in Cronicis* Mariani Scoti, Rogeri de Hoveden, Willielmi de Malmesbir. & Henrici de Huntingdon *in multis libris invenitur, Quod Anno Domini* 1094. Malcolmo *Rege* Scotorum *interfecto unà cum* Edwardo *primogenito in* Northumbriam *per* Morellum *Militem ſtrenuiſſimum,* Scoti *elegerunt* Dovenaldum *fratrem ejuſdem* Malcolmi *in Regem: Quo audito,* Duncanus *filius* Malcolmi *ad Regem* Angliæ Willielmum, *cujus tunc obſes erat, acceſſit;* **et ut ſibi patris ſui concederet, poſtulabit, et etiam impetrabit** ab eodem, **et ſibi fidelitatem jurabit, et ſic ad** Scotiam **properabit, &** Dovenaldum *patruum ſuum de regno* Scotiæ **expulit, &** *loco ſuo* **regnabit.** *Et anno ſequenti dicto* Duncano *dolosè perempto, dictus* Dovenaldus *iterum regnum* Scotiæ *invaſit; quem dictus Rex* Willielmus *de regno* **expulit, &** Edgarum **filium** Malcolmi **prædicti Regem** Scotorum **conſtituit.** Item, *in Chronicis* Henr. de Huntingdon *in multis literis invenitur. Quod Anno Domini* 1100. *dicto* Willielmo Ruffo *Rege* Angliæ *ſucceſſit* Henr. *ſenior frater ejus; Cujus regni anno ſeptimo* Edgarus *Rex* Scotiæ *deceſſit: Cui ſucceſſit* Alexander *frater ejuſdem* [l] Edgari **de conſenſu Domini Regis** Henrici. Item, *in Cronicis* Mariani Scoti, Rogeri de Hoveden, & Henrici de Huntingdon *invenitur; Quod anno Domini* 1106. *Rege* Henr. *ſeniore defuncto, ſucceſſit eidem Rex* Stephanus; *cujus regni anno primo, cum à* David *tunc Rege* Scotorum **homagium peteret et fidelitatem, et ipſe id ei facere recuſabit, quia** [m] **primus erat omnium** Scotorum **qui homagium et fidelitatem fecerat** Matildi **Imperatrici.** *Filius tamen ejuſdem* David Henr. *nomine* **fecit homagium dicto Regi** Stephano. Item, *in Cronicis* Rogeri de Hoveden *in multis libris invenitur, quod anno Domini* 1154. *Regi* Stephano *prædicto ſucceſſit* Henricus *ſecundus filius Imperatricis, cujus anno regni ſui* 11. *obiit* Malcolmus *Rex* Scotorum, *cui ſucceſſit* Willielmus *frater ejus. Et anno dicti Regis* Henrici *viceſimo primo in craſtino Coronationis* Henrici *filii ſui* **fecit Rex** Henr. **pater** Willielmum **Regem** Scotorum **et** David **fratrem ſuum, et Comites et Barones regni** Scotiæ **devenire homines filii ſui Regis** Angliæ, **et jurare ſibi fidelitatem contra omnes homines; ſalva tamen ſibi fidelitate ſua, quam eidem prius juraverat.** Item, *anno Domini* 1164. *& regni dicti* Henrici *Regis patris viceſimo, dictus* Willielmus *Rex* Scotorum *rebellare incipiens venit in* Northumbriam *cum ingenti exercitu, & ſtragem magnam exercuit in populo; cui occurrentes Milites Comitatus* Eborum *apud* Alnewyk *ipſum ceperunt, & dicto* Henrico *Regi tradiderunt. Et anno Domini* 1175. 15 *Kal.* Martii, Willielmus *Rex* Scotorum *liber abire permittitur: & eodem anno tertia die poſt aſſumptionem beatæ* Mariæ *Virginis, ſcilicet* 17. *Kal.* Septembr. *apud* Eborum *facta fuit hac conventio & finis inter prædictum* Henricum *Regem* Angliæ *& prafatum* Willielmum *Regem* Scotiæ. *Cujus conventionis & finis in omnibus & per omnia tenor eſt talis.*

k Simeon Dunelmenſis, Hiſt. An. 1093. col. 218. Flor. Wigorn. An. 1093. Hoveden Annal. pars prior, p. 462, 463, 464. Chron. Johan. Bromton, col. 987, 989, 990, 995. Mat. Paris, & Mat. Weſtm. Annis 1090, 1092. H de Knyghton, de Event. Angl l. 2 c. 6. col. 2365.

l Hen. Huntindon, Hiſtor. l. 7. p. 379. Chron. Johan. Bromton, col. 1003.

m Simeon Dunelmenſis, Hiſt. col. 254, 258. Ricardus Prior Haguſtaldenſis, de Geſtis Regis Stephani, col. 312. Chron Johan. Bromton, col. 1024. Henr. de Knyghton, de Event. Angl l. 2. c. 9, 10. col. 2384, 2385.

[n] Hæc eſt Conventio & Finis, quem *Willielmus* **Rex** *Scotorum* fecit cum Domino ſuo Domino *Henrico* Rege *Angl.* filio *Matildis* Imperatricis. *Willielmus* Rex *Scotorum* **devenit** homo ligeus Domini Regis *Angliæ Henr.* contra omnem hominem **de** *Scotia* & de omnibus aliis terris ſuis; & fidelitatem ei fecit ut ligio Domino ſuo, ſicut alii homines ſui ipſi facere ſolent. Et ſimiliter fecit homagium *Henrico* Regi filio ſuo; ſalva fide Domini Regis patris ſui. **Omnes vero Epiſcopi et Abbates et Clerus terræ Regis** *Scotiæ* **et ſucceſſores ſui facient Domino Regi** *Angliæ* **ſicut ligio Domino fidelitatem, de quibus habere voluerit, ſicut alii Epiſcopi ſui facere ſolent, et** *Henrico* **Regi filio ſuo et hæredibus ſuis.** Conceſſit autem Rex *Scotiæ*, ut *David* frater ejus, & Barones, & alii homines ſui Domino Regi *Angliæ*, **Quod Eccleſia** *Scoticana* **talem ſubjectionem amodo faciet Eccleſiæ** *Anglicanæ*, **qualem illi facere debet et ſolebat tempore Regum** *Angliæ* **prædeceſſorum ſuorum. Similiter** *Richardus* Epiſcopus Sancti *Andreæ*, & *Ricardus* Epiſcopus *Dunkelden.* & *Galfridus* Abbas de *Dunfermelin.* & *Herbertus* Prior de *Goldingham* **conceſſerunt; Quod etiam Eccleſia** *Anglicana* **illud jus habeat in Eccleſia** *Scotieana*, **quod de jure habere debet;**

n Roger de Hoveden, Annal. pars poſterior, p. 545, 546. Henr. de Knyghton, de Event. Angl. l. 3 c. 5. col. 2486. Mat. Weſtm. Anno 1175. p. 52. Mat. Paris, Hiſt. Angl. p. 124.

et

et quod ipſi non erunt contra jus Eccleſiæ *Anglicanæ*. Et deſicut ligiam fidelitatem Domino Regi *Angliæ* & *Henrico* filio ſuo fecerunt, eos inde aſſecuraverunt. Hoc idem facient alii Epiſcopi et Clerus *Scotiæ* per conventionem inter Dominum Regem *Angliæ*, et Regem *Scotiæ*, et *David* fratrem ſuum et Barones ſuos factam, Comites etiam & Barones et alii homines de terra Regis *Scotiæ*, de quibus Dominus Rex *Angliæ* habere voluerit, facient ei homagium contra omnem hominem, et fidelitatem ut ligio Domino, ſicut alii homines ſui ei facere ſolent; & *Henrico* Regi filio ſuo et hæredibus ſuis; ſalva fide Domini Regis patris ſui. Similiter hæredes Regis *Scotiæ*, et Baronum et hominum ſuorum homagium et ligeantiam facient hæredibus Domini Regis *Angliæ* contra omnem hominem. Præterea, Rex *Scotiæ* & homines ſui nullum amodo fugitivum de terra Domini Regis *Angliæ* pro felonia receptabunt in *Scotia* vel in alia terra ſua, niſi voluerit venire ad rectum in Curia Domini Regis *Angliæ*, et ſtare judicio Curiæ ſuæ: ſed Rex *Scotiæ* & homines ſui quamcitius poterunt eum capient, et Domino Regi *Angliæ* reddent, vel Juſticiariis aut Ballivis ſuis in *Anglia*. Si autem de terra Regis *Scotiæ* aliquis fugitivus fuerit pro felonia in *Anglia*, niſi voluerit venire ad rectum in Curia Domini Regis *Scotiæ*, vel in Curia Domini Regis *Angliæ*, et ſtare judicio Curiæ, non receptabitur in terra Domini Regis *Angliæ*, ſed liberabitur hominibus Regis *Scotiæ* per Ballivos Domini Regis *Angliæ*, ubi inventus fuerit. Præterea homines Domini Regis *Angliæ* habebunt terras ſuas quas habebant, et habere debent de Domino Rege *Angliæ*, & de Rege *Scotiæ* et de hæredibus ſuis. Et homines Regis *Scotiæ* habebunt terras ſuas quas habebant & habere debent de Domino Rege *Angliæ* & de hominibus ſuis. Pro iſta vero conventione et fine firmiter obſervanda Domino *Henrico* Regi *Angliæ* et *Henrico* filio et hæredibus ſuis à Rege *Scotiæ* et hæredibus ſuis, liberavit idem Rex *Scotiæ* Domino Regi *Angliæ* Caſtellum de *Rokſburgh*, et Caſtellum de *Berwyk*, et Caſtellum de *Jedderworth*, et Caſtellum *Puellarum*, et Caſtellum de *Strivelin* in miſericordia Domini Regis *Angliæ*: Et ad cuſtodiendum caſtella illa aſſignavit Rex *Scotiæ* de redditu ſuo menſuraliter ad voluntatem Domini Regis *Angliæ*. Præterea pro prædicta conventione et fine exequenda, liberavit Rex *Scotiæ* Domino Regi *Angliæ* *David* fratrem ſuum in obſidem et Comitem *Duncan.* et Comitem *Waldenn.* et Comitem *Gilbertum*, et Comitem de *Angoz.* et *Ricardum* de *Morevilla* Conſtabularium et *Neth.* filium *Willielmi*, et *Ricardum Comyn.* et *Walterum Corbet*, et *Walterum Olifard*, et *Johannem de Vaux*, et *Willielmum de Lyndeſeya*, et *Philippum de Colevilla*, et *Philippum de Valoignes*, et *Robertum Fremberd*, et *Robertum de Burneville*, et *Hugonem Giffard*, et *Hugonem Rydell*, et *Walterum de Berkele*, et *Willielmum de la Haye*, et *Willielmum de Mortimer*. Quando vero Caſtella reddita fuerint, *Willielmus* Rex *Scotiæ* et *David* frater ſuus liberabuntur. Comites quidem et Barones prænominati unuſquiſque poſtquam liberaverit obſidem ſuum ſcilicet filium ſuum legitimum quem habuerit, et alii nepotes ſuos vel propinquiores ſibi hæredes, et Caſtellis (ut dictum eſt) redditis, liberabuntur. Præterea Rex *Scotiæ* et Barones ſui prænominati aſſecuraverint, quod ipſi bona fide et ſine malo ingenio ſive occaſione facient, quod Epiſcopi et Barones et homines terræ ſuæ, qui non affuerint quando Rex *Scotiæ* cum Rege *Angliæ* finivit, eandem ligeantiam et fidelitatem Domino Regi *Angliæ* et *Henr.* filio ſuo facient quam ipſi fecerunt; Et quod Barones & homines qui affuerunt obſides liberabunt Domino Regis *Angliæ* de quibus habere voluerit. Præterea Epiſcopi, Comites & Barones conventionaverunt dicto Regi *Angliæ* & *Henrico* filio ſuo, Quod ſi Rex *Scotiæ* aliquo caſu à fidelitate Domini Regis *Angliæ*, & filii ſui, & à Conventione prædicta recederet, ipſi cum Domino Rege *Angliæ* tenebunt ſicut cum ligio Domino ſuo contra Regem *Scotiæ*, donec ipſe ad fidelitatem Domini Regis *Angliæ* redeat. Prædictam itaque conventionem firmiter obſervandam bona fide & ſine malo ingenio Domino Regi *Angliæ* & *Henrico* filio ſuo & hæredibus ſuis à *Willielmo* Rege *Scotiæ*, & *David* fratre ſuo; & à Baronibus ſuis prædictis, & ab hæredibus eorum aſſecuraverit ipſe Rex *Scotiæ* *David* frater ſuus & omnes Barones ſui prænominati deſicut ligei homines Domini Regis *Angliæ* contra omnem hominem, & *Henrici* filii ſui, ſalva fidelitate Domini Regis patris ſui. His teſtibus *Ricardo* Archiepiſcopo *Eborum*, et *Johanne Sarum* Decano, et *Roberto* Abbate *Malmesbir.* et *Radulpho* Abbate de* *Mondesburgh*, & *Herberto* Archidiacono *Norhampton*, & *Walt*ero de *Conſtantiis*, & *Rogero* Capellano Regis, & *Osberto* Clerico de *Camera*, & *Ricar-*

An. 20 *E.* I

* Mundeburgh

de

An. 20 *E.* 1. *do* filio Domini Regis *Angliæ* Comite *Pictavia*, & *Galfrido* filio Domini Regis Comite *Britanniæ*, & Comite *Willielmo Essex.* & *Hugone* Comite *Cestriæ*, & *Ricardo Humets* Constabulario, & Comite de *Molent.* & *Jordano Castion*, & *Humfrido de Bohun*, & *Willielmo* de *Curcy* Senescallo, & *Gilberto Malet* Senescallo apud *Falesiam.*

Hiis itaque recitatis in Ecclesia Sancti Petri Eborum *coram prædictis Regibus* Angliæ, *& etiam Rege* Scotiæ & David *fratre suo, & universo populo*, Episcopi, Comites, Barones et Milites de terra Regis *Scotiæ* juraverunt Domino Regi Angliæ et Henrico filio suo et hæredibus eorum fidelitatem contra omnem hominem sicut ligeis Dominis suis. *Post hanc vero compositionem & finem*, [o] *Anno Domini* 1176. *& regni dicti Regis* Henrici *vicesimo secundo, ad Concilium celebratam apud* Northamptoniam *venit Dominus* Willielmus *Rex* Scotiæ *per mandatum Domini Regis* Angliæ, *adducens secum omnes* Episcopos, Abbates, Priores totius regni sui; *anno vero sequenti proximo, idem* Henricus *Rex* Angliæ *tradidit Castrum de* Roksburgh *in custodia* Willielmo de Stoteville, *& custodiam Castri* Puellarum Rogero de Stoteville, *& custodiam Castri de* Berewyk Galfrido de Neville. *Anno vero regni ejusdem* Henrici *Regis vicesimo septimo, idem* Willielmus *Rex* Scotiæ *venit in* Normanniam *per mandatum dicti Regis Domini sui, cujus admonitione & consilio idem Rex* Scotorum *concessit* Matthæo *Episcopo* Aberden, *&* Johanni *Episcopo Sancti* Andreæ, *quos ipse de* Scotia fugaverat, licentiam repatriandi. *Hæc autem inveniuntur in Chronicis* Rogeri de Hoveden *in multis Libris. Et etiam in Chronicis ejusdem* Rogeri *quod Anno Domini* 1189. *dicto Regi* Angliæ Henr. *successit* Ricardus *filius ejus.* [p] *Quo anno mense* Decembr. *venit* Cantuariam *idem* Willielmus *Rex* Scotorum *ad ipsum Regem* Ricardum et homagium sibi fecit, *cujus tempore* Scoti *non rebellaverunt.* Item *in* [q] *Cronicis ejusdem* Rogeri de Hoveden *in multis libris invenitur, quod Anno Domino* 1199. *dicto Regi* Ricardo *successit* Johannes *frater ejus, qui statim post Coronationem suam misit* Philippum Dunolm. *&* Rogerum Bigod, *& quosdam alios Nobiles ad dictum* Willielmum *Regem* Scotorum *cum literis Regiis de salvo conductu, & statuit sibi diem veniendi apud* Lincoln. *in crastino Sancti* Edmundi *Regis. Quo die mensis videlicet* Novembris, 8. *Kal.* Decembris, *feria quinta, iidem Rex* Johannes Angliæ *&* Willielmus *Rex* Scotiæ *convenerunt ad colloquium extra Civitatem* Lincoln, *super montem arduum*, et ibi in conspectu omnis populi idem Willielmus Rex Scotorum devenit homo ligius prædicti Regis Angliæ Johannis, et fidelitatem sibi jurabit super crucem Huberti Cantuar. Archiepiscopi de vita et membro et terreno honore contra omnes homines, et de pace servanda sibi et regno suo. Item *in Cronicis Monasterii de* Bridelington, *& aliis quamplurimis invenitur, quod Anno Domini* 1209. *mense* Junii, *apud* Berewicum *super* Twedam *idem Rex* Angliæ Johannes *castrum construxit, & contra* Willielmum *Regem* Scotorum *exercitum suum copiosum congregavit ad debellandum eum pro eo*, quod filiam suam desponsaverat Comiti Boloniæ præter assensum ipsius Regis Angliæ Johannis. *Et in* [r] *Cronicis Monasterii de* Kyngwede Wygorn. *Dioc. invenitur, quod eodem anno pace inter ipsos Reges reformata; cito idem Rex revertebatur in* Angliam, datis sibi duabus filiabus dicti Regis Willielmi in obsidibus. Item *in* [s] *Cronicis Monasterii Sancti* Albani *invenitur, quod Anno Domini* 1216. *dicto Regi* Angliæ Johanni *successit* Henricus *filius suus; cujus regni anno tricesimo quinto, idem Rex* Henricus *cum Regina sua* Angliæ, *& multitudine Prælatorum* Angliæ *apud* Ebor. *congregati in festo Nativitatis Domini, tractarunt de Matrimonio contrahendo inter* Alexandrum *Regem* Scotorum *filium dicti* Willielmi *Regis, &* Margaretam *filiam dicti Regis* Henrici. *Et in die Sancti* Stephani *proximo sequente idem Rex* Alexander *dictam* Margaretam *solempniter desponsavit. Et eodem die* fecit idem Alexander homagium dicto Regi Angliæ Henr. *Et commissa est dicta Regina* Scotiæ *tutela* Roberti de Ros *&* Johannis de Balliolo, *& etiam regnum* Scotiæ *cum Rege* Alexandro *prædicto de consilio Magnatum utriusque regni.* Item *in quadam Charta Regis* Scotiæ Edgari *filii* Malcolmi *facta Ecclesiæ* Dunolm. *inter cætera continetur*; Quod idem Rex Edgarus recognoscit se possidere totam terram de Louneys et etiam Regnum Scotiæ de dono Domini sui Willielmi Regis Angl. *Et in carta* Willielmi *Regis* Scotorum *facta dicto Regi* Angliæ Johanni *continetur; Quod idem Rex* Willielmus *concessit carissimo Domino suo Domino* Johanni *Regi* Angliæ, *quod maritet dictum* Alexandrum *filium suum* sicut hominem suum ligium, ubicunque voluerit ad fidem, ita quod non disparagatur. *Et etiam similiter, quod quicquid de ipso*

o Roger de Hoveden, p. 550. Polychr. l. 7 c. 13. Hen. de Knyghton, de Eventibus Angl. l. 2. c. 12. col. 2356.

p Roger de Hoveden, p. 662 Radulfus de Diceto, Ymag Hist. col. 649 Chron. Johan. Bromton, col. 1167. Mat. Paris, Hist. Angl. p. 149. Matth. Westm. An. 1189. p. 63.

q Chron. Johan. Bromton, col. 1283, 1284. Henr. de Knyghton de Eventibus Angliæ, l. 2. c. 14. col. 2414.

r Mat. Paris, Hist. Angl. An. 1209. p. 218. Mat. Westm. p. 87.

s Mat. Paris, p. 431.

ipſo contingat, idem Willielmus *Rex* Scotiæ & Alexander *filius ſuus*, Henrico *filio* *An.* 20 *E.* 1.
Regis Angliæ Johannis tanquam ligio Domino contra omnes mortales fidem et fidelitatem tenebunt, et juvabunt eum pro viribus ſuis ad tenendum ipſum in Regno ſuo; ſalva fide ſua qua prædicto Regi Angliæ Johanni tenebantur. Item *in quibuſdam literis Apoſtolicis ſub nomine ſœlicis recordationis Domini quondam* Honorii *Papa tertii conceptis, & ipſius bulla plumbea more* Romanæ *Curiæ pendent. bullatis, inter cætera continetur*; Ad hæc Regi Scotorum ipſum Regem Angliæ Dominum ſuum nequiter impugnanti, ac propter hoc excommunicationis vinculo innodato, &c. Item, *& in quibuſdam aliis literis Papalibus ſub nomine fœlicis recordationis Domini quondam* Gregorii *Papæ noni conceptis, & bulla ſua plumbea more* Romanæ *Curiæ pendent. bullatis Regi* Scotiæ *directis, ſimiliter inter cætera continetur*; *Quod jamdudum inter clare memoriæ* Henricum *avum*, & Johannem *patrem Regis* Angliæ *ultimi ex parte una*, & Willielmum *Regem* Scotorum *ex altera, Compoſitio amicabilis interceſſit*; *per quam ipſe* Willielmus *prædictis avo & patri & eidem Regi* Angliæ, ac Alexander *Rex* Scotæ *filius ejuſdem* Willielmi *Regibus* Angliæ Johanni & Henrico ligium homagium, et fidelitatem fecerunt, quæ tenentur ſucceſſores eorum et Comites et Barones Regni Scotiæ ipſis et ſuis ſucceſſoribus exhibere, ac Comites et Barones eſſe cum Regibus Angliæ contra Reges Scotiæ, ſi compoſitionem eandem forſitan non ſervarent. Item, *idem* Gregorius *ſimiliter in ſuis literis ſub nomine ſuo conceptis, & bulla ſua plumbea more* Romanæ *Curiæ pendent. bullatis, inter alia ſcribit Archiepiſcopo* Eborum. & *Epiſcopo* Carleolen. quod moneant et inducant dictum Regem Scotiæ ſuprædictam amicabilem Compoſitionem obſervare. Item, *ad hæc in aliis ejuſdem Papæ* Gregorii *noni literis dicto Regi* Scotiæ *directis inter cætera continetur*; Quod cum idem Rex Scotiæ homo ligius ſit ipſius Henrici Regis Angliæ, et eidem fidelitatis præſtiterit juramentum, quo ſe principaliter aſtrinxit, quod in ipſius Regis Angliæ et regni ſui detrimentum nihil penitus debeat attemptare, &c. Item, Clemens *Papa ſcribens* Henrico *Regi* Angliæ *pro* Johanne *Epiſcopo Sancti* Andreæ *expulſo ab Epiſcopatu ſuo per Regem* Scotiæ, *inter cætera ſibi mandat, quod* Willielmum *Regem* Scotiæ *moneat & inducat*, et ſi neceſſe fuerit, diſtrictione Regali, qua ei præeminet et conceſſa ſuæ Regiæ Celſitudini poteſtate compellat, ut dicto Epiſcopo omnem rancorem remittat, ipſumque Epiſcopatum ſuum habere permittat in pace. Item, *in quodam libro de vita & miraculis beati* Johannis *de* Beverlaco, quæ ſunt per Romanam Curiam approbata, *ſimiliter inter cætera reperitur. Regnante inclito Rege* Adelſtano *viro Catholico qui Monarchiam totius* Angliæ *tenuit*, Scotorum *Rex cum ſuis tranſito flumine qui dividit* Angliæ *regnum à* Scotia, *cœpit depopulare villas, homines exterminare, agros depredare, & (ut verum fatear) totam regionem in exterminium conabatur deducere in Septentrionali parte* Angliæ. *Quod cum fama volante prefatus Rex comperiſſet, congregato exercitu ſtatuit (quam citius enim potuit) armata manu ei occurrere. Proviſiſque interim neceſſariis propoſitum carpebat iter. Cumque in provincia* Lincoln. *deveniſſent, quidam ovantes tam pauperes quam mediocres obvii ſibi facti ſunt*; *Quos cum interrogaſſet, quæ eſſet cauſa tanti gaudii, & unde venirent? reſponderunt, quod de* Beverlaco *venirent, ubi ſanctus* Johannes *Confeſſor quoſdam ex eis variis infirmitatibus oppreſſos gratia Dei ſanos effecerat*; & *hæc erat cauſa tanta lætitiæ. Et inde progrediens iterum alios catervatim venientes obvios habuit*; *quos cum ſimiliter requiſivit, unde venirent? Illi vero reſponderunt, quod de* Beverlaco *ubi quoſdam ex eis vel mutos, vel claudos, cæcos vel ſurdos mira Dei potentia ſanctus Dei Confeſſor ſanaverat. Cumque Rex venerandum hunc Confeſſorem in tanta veneratione habitum, & per Deum tanta operari valuiſſe comperiret, habito conſilio cum ſuis, dixit ſe debere talem patronum adire, ut ſibi in inſtanti negotio ſubveniret. Tranſmiſitque ſuum exercitum per occidentalem regionem verſus* Eborum, *ut eum ibi præſtolarentur, ipſe vero tranſito flumine* Humbre *venit* Beverlacum, *procumbenſque in oratione in Eccleſia coram Altare in præſentia reliquiarum venerandi confeſſoris, devoto animo prolixius orabat. Exurgenſque deinde ab oratione coram adſtantibus tam Clericis quam Laicis & aſcultantibus, talem orationem exorſus eſt, dicens.* O glorioſe Confeſſor *Johannes* qui tot virtutibus & ſignis refulges (ut fama refert) precor te ut mihi ſubvenire digneris per interceſſionem tuam apud Deum in inſtanti negotio, ut inimicorum infeſtationem pernoxiam, te patrocinante, exſuperare queam. *Et continuò extrahens cultellum ſuum de vagina poſuit ſuper altare, dicens*; Ecce vadium meum coram te pono, quod te auxiliante vita comite rediens recipiam, ita quod

Eccleſiam

An. 20 E. 1. Ecclesiam tuam honorificabo & redditibus augebo, si Dei nutu tuoque suffragio hostes debellare quivero. *Custodes vero Ecclesiæ qui aderant, suggesserunt sibi, ut signum aliquod inde secum in monumentum assortaret. Et fecit quoddam vexillum sibi ac eadem Ecclesia proferri, consignans se ad suum exercitum reversus est. Cumque* Scoti *audissent* Anglorum *exercitum advenire, non sunt ausi eos in finibus eorum expectare, nec campestri bello eis resistere, sed transfretaverunt Flumen quod dicitur* Scotorum *vadium, ut ibi infra proprios terminos securius se in bello ad resistendum parare possent. Rex vero* Adelstanus *cum omni exercitu* Angliæ, *cum ad Flumen pervenisset, didicit* Scotos *transisse, & præcepit suis super ripam fluminis sua tentoria figere, ibique aliquantulum pausare. Subsequenti nocte quiescentibus cunctis cum suo Rege, talis visio eidem Regi apparuit cæteris dormientibus, & omnino ignorantibus. *Videbatur enim ei, quod quidam Pontificali habitu indutus coram se adstaret, sibique diceret; Adelstane* Rex, fac tuos in crastinum præparari, ut transeant flumen istud ad debellandum contra *Scotos. Cumque interrogaret Rex*, Quisnam esset qui talia sibi diceret? *Respondit qui astabat*, quod ipse esset *Johannes*, cujus precibus expetierat se protegi, cum *Beverlaci* in ejusdem Ecclesia oraret. *Subinde statim intulit*; Noli timere cum exercitu transire armato; nam debellabis eos; hoc enim tibi nunciare veni. *Mane itaque facto curavit Rex suis visionem patefacere, & de victoria certificare. Qui lætantes animati sunt ad certamen; & transfretavêre flumen.* Scotos *vero invenerunt cum suo Rege paratos ad resistendum. Commissoque gravi prælio, multi ex* Scotis *perierunt, vivus autem vix ipsorum Rex effugit ad totius regni confusionem & desolationem. Quo viso, Rex* Angliæ *lætus effectus gratias egit Deo, venerandoque Confessori, videlicet* Johanni *suo intercessori*, totumque regnum continuo suo subjugavit imperio, *contens & perlustrans cunctas illius terræ provincias, principes & præpositos urbium, indicens eis*, ut tributa sibi suisque successoribus, scilicet *Angliæ* Regibus, ex debito persolverent. Septem etiam Insulas adjacentes atque vicinas sibi serbire compulit; et tam diu in illis partibus commoratus est, quod jam tres anni finirentur. Jamque rebertens per loca maritima juxta *Dunbar* vidit Scopulos præminere. Aspicit, taliaque suspirans eloquia protulit, *dicens*; Si Deus, interveniente beato *Johanne* mihi aliquod signum evidens facere permittat, quatenus tam succedentes quam præsentes cognoscere possent *Scotiam Anglorum* regno jure subjugari utpote devictum ab *Adelstano* Rege, sibique et suis successoribus tributum omni tempore debere persolvere, non immeritò illi devotè gratias agerem. *Ut extrahens gladium de vagina percussit in scilicem, quæ adeo penetrabilis (Dei virtute agente) fuit gladio, quam si eadem horâ lapis butyrum esset, vel mollis glarea, qui lapis ad ictum gladii ita concavatur, ut mensura ulnæ longitudine possit coaptari, et usque ad præsentem diem evidens signum patet, quod Scoti ab Anglis debicti et subjugati, monimento tali evidenter cunctis adeuntibus demonstrante.* Item, de homagio Domino Regi Angliæ debito de terra Galwydiæ *subscripta inveniuntur; anno Domini* 1185. *mense* Augusto *apud* Carleolum, Rolandus Galwydiæ *Dominus, illuc, ut jussus fuerat, Domino Regi occurrens, in deditionem sponte venit, veritus tamen (ut creditur) exercitus multitudinem quam ad debellandum eum Rex ipse adduxerat, nisi maturius captam contumaciam reliquisset.* Recepto itaque homagio ipsius Rolandi de Gawydia, simul et Comitis David fratris Willielmi tunc Regis Scotiæ de omnibus terris, quæ tenebat, *demisitque Rex exercitum suum & in* Angliam *festinavit. Anno regni Regis* Henrici *vicesimo secundo* Gilbertus *filius* Fergus *princeps* Galwennorum *venit in* Angliam *in conductu Regis* Scotiæ, et devenit homo ligius Henrici Regis patris, et fidelitatem sibi jurabit contra omnes homines. *Et pro amore ipsius habendo*, dedit Regi mille marcas argenti, et Duncanum filium suum in obsidem, de pace sibi servanda.

* Ethelredus Abbas, de Genealogia Regum Angl. col. 357.

* Chron. Johann. Bromton, col 838. Henr. de Knyghton de Eventib. Angliæ, l. 3. c. 4. col. 2484, 2485.

Anno Domini & Indictione prænotatis, mensis Junii *die secundo* (after this Historical Declaration of the Kings Superior Dominion to *Scotland* made and published,) *congregatis ex opposito Castri de* Norhm. Dunolm. *Dioc. ex alia parte fluminis de* Tweda *in quadam area viridi, in parochia de* Upsetlyngton *Sancti* Andreæ *Dioc. prafatis Episcopis, Prælatisque aliis Ecclesiasticis dicti regni* Scotiæ, *una cum Comitibus, Baronibus, aliisque Nobilibus de communitate dicti regni, necnon & Nobilibus viris, jus ad dictum regnum vendicantibus, præfatus* Rex Angliæ illustris in dicto Castro de Norhm. *existens, venerabilem in Christo patrem Dominum* Robertum *Dei gratia* Bathon. & Wellen. *Episcopum, ponensque verba sua in ore ipsius, ipsum ad subscripta*

ſcripta organum ſuum conſtituens, præfatis Epiſcopis, Prælatiſque aliis Eccleſiaſticis Comitibus, Baronibus & Nobilibus de communitate dicti regni Scotiæ *deſtinavit. Qui cum ad ipſos veniſſet, ſtatim quæſivit ab eiſdem* nomine, et vice, ac de mandato ſpeciali dicti Regis Angliæ, *ut dicebat*, quid jam ſuper dilatione ſuprascripta, quam alias, ut præmittitur, a dicto Domino Rege Angliæ petierant, et eiſdem conceſſa fuere ut petebant per eundem, feciſſent; *& hoc vicibus iteratis*, et an aliqua dicere, exhibere, proponere, vel etiam oſtendere voluiſſent, quæ ipſum Dominum Regem Angliæ a jure Superioritatis et directi Dominii regni Scotiæ, ejuſque exercitio et executione excludere poterant et de jure debebant, et quod ea, ſecundum quod dies deſiderabat, proponerent et etiam exhiberent, ſi ſibi crederent expedire: proteſtans ſe paratum eſſe nomine dicti Regis Angliæ et bene ea benigne audire, et ipſis quatenus juſtum fuerit allocare, vel ea Domino Regi Angliæ ſuoque conſilio referre; ut ipſe ſuper hiis, quid de jure faciendum fuerit, deliberare valeret, et facere, quod juſtitia requirebat; *Ipſiſque licet pluries ſuper hoc requiſiti*, omnino tacentibus, nihilque dicentibus, exhibentibus, oſtendentibus, vel etiam proponentibus, *eiſdem ex parte dicti Domini Regis* Angliæ *& ejus nomine, ſubſcripta ſibi injuncta dicenda (ut dicebat) organo vocis ſuæ (ſermone tamen* Gallico) *dixit & expoſuit, hunc tamen habentia ſententialiter intellectum.* *An.* 20 *E.* 1.

Excellentiſſimus Princeps & Dominus noſter, Dominus *Edwardus* Dei gratia Rex *Angliæ* illuſtris, Superior et directus Dominus regni *Scotiæ*, deſolatum ſtatum ejuſdem perpendens, & ex Principis ſive Regis ſui deſtitutione condolens, & pericula, quæ etiam regno hiis diebus per diſſenſiones Magnatum ejuſdem, quorum quilibet jus ſucceſſionis ſibi competere vendicat, & ſuper hoc ad invicem contendunt, provenire poterunt, conſiderans: ob affectionem zeli & deſiderium boni, quod habebat & habet ad dictum regnum & incolas ejuſdem, & præcipuè ad ipſos quorum tuitio & defenſio ad eum ſpectare dinoſcitur, & ut diſcordantes ad concordiam reducat, lites, quæſtiones & jurgia, quæ inter Nobiles prædictos jus ad idem regnum ſibi competere vendicantes, audiret & fine debito terminaret, & tranquillitatem & pacem in dicto regno conſervaret, & unicuique petenti juſtitiæ faceret complementum, nuper nonnullos regni *Scotiæ* Epiſcopos, Prælatoſque alios, Comites, Barones, & Nobiles alios in multitudine copioſa convocavit; & per ſuas certi tenoris literas mandavit eiſdem, ut in quindena *Paſchæ* proximo præterit. apud *Norhm. Dunolm.* Dioc. in confinio *Angliæ* & *Scotiæ* regnorum convenirent cum ipſo, ſuper quibuſdam ipſos & ſtatum regni *Scotiæ* tangentibus tractaturi; ad quem locum in termino ſtatuto ſe ſignificabat perſonaliter declinaturum. Quo termino adveniente, ipſoque Domino noſtro Rege in loco prædicto exiſtente, vos Epiſcopi, Prælatique alii Eccleſiaſtici, Comites, Barones, & Nobiles alii dicti regni *Scotiæ* juxta formam & effectum mandati Domini Regis vobis directi ad eundem locum accedentes, requiſitionem quandam recognitionis benivolæ juris ſui Superioritatis et directi Dominii regni *Scotiæ*, quod ſuum eſſe dicebat, et in cujus poſſeſſione, vel quaſi progenitores ſui *Angliæ* Reges, a tempore cujus contrarii memoria non exiſtit, fuerint, et adhuc ipſe eſt, quod per nonnullas rationes evidentiſſimas et per ſcripturas antiquas approbatas, proceſſus atque cronicas in diverſis utriuſque regni Monaſteriis compertas, certaque alia documenta evidenter et ſufficienter vobis ibidem oſtendebat, et oſtendere ſemper eſt paratus: tamen ex habundanti vos requiſivit, ut ipſum ſuperiorem et directum veſtrum Dominum recognoſceretis, et eidem ſicut anteceſſores et progenitores veſtri ſuis anteceſſoribus et progenitoribus *Angliæ* Regibus fecerunt, pareretis, ſicut decet; adjicienſque, quod ſi qua haberetis, quæ ipſum a jure ſuo prædictò ſuperioritatis et directi Dominii hujuſmodi exercitio ſeu executione ejuſdem excludere de jure poſſent vel deberent, et rationes ſuas et documenta pro jure ſuo adducta per balidioza et efficacioza enervare vel etiam infirmare, quod paratus erat ea benigne audire, admittere et approbare, quatenus de jure fuerant approbanda et etiam allocanda; Qua requiſitione vobis (ut præmittitur) facta, vos terminum ſive diem ſufficientem ad conſulendum Epiſcopos alioſque Prælatos Eccleſiaſticos, Comites, Barones, et alios Nobiles ac communitatem regni *Scotiæ* tunc abſentes petebatis, et ad hoc faciendum, et ad exhibendum, oſtendendum et proponendum munimenta vel ſcripta, ſeu alia quæbis documenta ſi quæ haberetis, quæ ipſum Dominum noſtrum Regem a jure ſuo prædicto repellere poſſent, et rationes et jura pro ſe adducta enervare, vel etiam per

An. 20 *E.* 1. validioza et efficacioza infirmare, ad veſtram inſtantem petitionem præciſe et peremptorie obtinuiſtis, et diem hodiernum vobis ad hoc (ut præmittitur) conceſſum, præfixum et aſſignatum admiſiſtis; Utoſque jam in iſto termino peremptorio pluries nomine et vice ipſius Domini noſtri Regis *Angliæ*, et ex parte ſua per nos *Robertum Bathon.* et *Wellen.* Epiſcopum requiſiti, nihil omnino prœponitis, nec oſtenditis, nec aliquis veſtrum contra præmiſſa pro jure ſuo adducta et vobis oſtenſa prœponit vel oſtendit. Idcirco vobis omnibus et ſingulis tam Epiſcopis, Prælatiſque aliis Eccleſiaſticis, quam Comitibus, Baronibus, Nobilibus et Magnatibus aliis de Communitate dicti regni Scotiæ his congregatis, idem Dominus noſter Rex *Angliæ* per nos *Robertum Bathon.* et *Wellen.* Epiſcopum inſinuat et denunciat; quod cum ex parte veſtra per vos vel veſtrum aliquem nihil ſit prœpoſitum, exhibitum vel oſtenſum, quod Jus, executionem ſeu exercitium Juris ſui hujuſmodi Superioritatis et directi ſui Dominii prædicti debeat aliqualiter impedire; intentionis ſuæ eſt jure ſuo prædicto uti, et in ipſo negotio inter contendentes de jure ſucceſſionis regni *Scotiæ* prœcedere, ratione Superioritatis et directi Dominii, quod eſt ſuum, ad cognoſcendum, diſcutiendum et diffiniendum ſingulariter de jure ſingulorum Jus ad dictum regnum *Scotiæ* ſibi competere vendicantium, et eorum unicuique juſtitiæ facere complementum. Idcirco ex parte dicti Domini noſtri Regis *Angliæ* et de ipſius mandato ſpeciali, incipiendo a vobis Domino *Roberto de Brus* Domino *Vallis Anandiæ*, *qui inter alios jus ſuccedendi in regnum* Scotiæ *ſibi competere vendicantes*, jus vobis competere dicitis, interrogando quærimus hic in præſentia iſtorum Prælatorum, Comitum, Baronum, et aliorum Nobilium utriuſque regni hic exiſtentium, an ſuper petitione Juris vobis competentis ad dictum regnum velitis coram ipo Rege *Angliæ*, utpote Superiori et directo veſtro Domino regni Scotiæ, ſtare juri, et ab eo petere, reſpondere et recipere juſtitiæ complementum? *Qui ſtatim publicè, palam & expreſſè in præſentia omnium & ſingulorum ibidem præſentium, meique Notarii infraſcripti reſpondens dixit organo vocis ſuæ*, nemine contradicente, vel reclamante; quod Dominum Regem Angliæ recognovit Superiorem et directum Dominum dicti regni Scotiæ, et conceſſit ſe velle ſtare juri coram ipſo ſuper jure ſibi competenti ad regnum prælibatum, et ab ipſo et coram ipſo, utpote Superiori et directo Domino ſuo regni Scotiæ, petere, reſpondere et recipere in hac parte juſticiæ complementum. *Quo facto idem Pater* Bathon. & Wellen. *Epiſcopus, ad nobilem virum Dominum* Florentium *Comitem* Holandiæ *ſe convertens, ab eodem nomine & mandato ſpeciali ipſius Regis* Angliæ, *ut ſupra à dicto Domino* Roberto *de* Brus, *& eodem modo quæſivit & etiam interrogavit*; *Qui ſicut Dominus* Robertus *de* Brus in omnibus et per omnia organo vocis ſuæ ſtatim reſpondit; ipſumque dictum Regem Angliæ Superiorem et directum Dominum regni Scotiæ palam et expreſſe recognovit, et conceſſit ſe velle ſtare juri coram ipſo, utpote coram Superiori et directo Domino Scotiæ, ſuper jure ſibi competenti ad regnum Scotiæ prælibatum, et ab eo et coram eo petere, reſpondere et recipere in omnibus et per omnia, quod conſideratum ſibi fuerit in hac parte. *Eodem modo idem Epiſcopus ſtatim ibidem à nobili viro Domino* Johanne de Haſtinges *nomine dicti Domini Regis* Angliæ, *& de ipſius mandato ſpeciali, ut ſupra, interrogando quæſivit ibidem, an ipſe ſuper jure ſibi competenti ad ipſum regnum* Scotiæ *vellet ſtare juri coram dicto Domino Rege* Angliæ, ut Superiori et directo Domino regni Scotiæ, et ab ipſo et coram ipſo petere, reſpondere et recipere in omnibus, quod Curia ſua conſideraverit? *Qui ſtatim palàm & expreſſè* organo vocis ſuæ recognovit eundem Regem Angliæ Superiorem et directum Dominum ipſius regni Scotiæ, et conceſſit ſe velle ſtare juri coram ipſo ſuper jure ſibi competenti ad ipſum regnum, et ab ipſo et coram ipſo petere, reſpondere et recipere quod eſt juſtum. *Ad hæc ſtatim ibidem nobilis vir Dominus* Patricius de Dunbar *Comes de* Marchia, *& Nobiles viri Dominus* Willielmus de Ros, *& Dominus* Walterus de Huntrecome *Procur. ſeu Attornatus Domini* Willielmi de Veſcy *pro ipſo Domino* Willelmo, Robertus de Pinkny, *& Dominus* Nicholaus de Coules *Milites*, eorum quilibet per ſe petit admitti in petitione juris, quod quilibet ſe habere dicebat ad ſuccedendum in ipſum regnum Scotiæ; *Qui inquiſiti ut ſupra, & interrogati per eundem* Bathon. & Wellen. *Epiſcopum*, quilibet eorum ſingillatim per ſe, an vellet ſtare juri ſuper petitione juris, quod ſe habere credebat in ſucceſſione dicti regni Scotiæ, et petere, reſpondere et recipere coram ipſo et ab ipſo tanquam Superiori et directo ſuo Domino ipſius regni, quod conſideratum ſibi fuerit in eventu:

Nota.

tu? *reſponderunt palam & expreſſe ſingillatim*, **ſicut interrogabantur, coram omnibus ibidem præſentibus Nobilibus et Prælatis, nemine contradicente vel reclamante, quod ipſum Dominum Regem** Angliæ **ſuperiorem et directum Dominum dicti regni** Scotiæ **recognoverit, et ſe velle ſtare juri coram eo ſuper jure ſucceſſionis, quod ſibi competere credebant ad regnum prælibatum, et ab ipſo et coram ipſo petere, reſpondere et recipere quod Curia ſua eis conſiderare voluerit in eventu.** *Inſuper Nobilis vir Dominus* Thomas Ranulphi *Miles, Domini* Johannis de Balliolo *abſentiam Domini ſui excuſavit, & dixit, Dominum ſuum præfixionem ſeu aſſignationem illius diei ad faciendum ea quæ tunc fiebant totaliter ignorare; dixit etiam*, **dictum Dominum ſuum in ſucceſſione juris ad dictum regnum** Scotiæ **præ omnibus aliis petentibus pinguius jus habere, et petiit ſe admitti nomine Domini ſui, et Dominum ſuum in perſonam ſuam ad petendum jus ſuum inter alios ibidem, et ipſum Dominum ſuum in craſtino in perſonam propriam admitti, et audientiam debitam ſuper jure ſibi competenti ad idem regnum eidem concedi.** *Acta ex oppoſito Caſtri de* Norhm. *ut præmittitur, anno, indictione, menſe, die & loco proximo prænotatis. Præſentibus venerabilibus in Chriſto patribus Dominis Dei gratia* Antonio Dunolm. Willielmo Elien. Willielmo Sancti Andrææ, Roberto Glaſcuen. & Marco Soderenſi *Epiſcopis; ac Nobilibus viris Dominis* Willielmo de Valenc. Penbrok. Henrico de Lacy Lincoln. Rogero Bigott Northfolch. & *Mareſcallo* Angliæ, Dovenaldo de Mar, Gilberto de Anegoz, & Roberto de Brus de Caryk, *Comitibus; ac venerabilibus & diſcretis viris Magiſtris* Henr. Ebor. Johanne Lichf. Thoma Wellen. & Andræa Exon. *Eccleſiarum Decanis;* Willielmo Ebor. Waltero Wellen. Petro Exon. Thom. Suthfolch. *in Eccleſia* Norwicen. Durando Stoneie *in Eccleſia* Lincoln. & Roberto Ceſtriæ *in Eccleſia* Lich. *Archidiaconis; ac Nobilibus viris Dominis* Theobaldo de Verdon. Thom. de Berkle, Hugone le Deſpenſer, Waltero de Bello Campo, Willielmo de Sancto Claro, Patricio de Graham, Willielmo de Moravia, Ricardo Syward, Galfrido de Moubray, Mich. de Wymes, Waltero Curry, & Willielmo de Monte Revelli, *Militibus; ac Magiſtro* Johanne Erturi de Cadomo *Notar. public.* **teſtibus ad præmiſſa vocatis ſpecialiter et rogatis, cum aliis utriuſque regni Nobilibus et Prælatis, Militibus et Proceribus aliis, Clericis et Laicis in multitudine copioſa.**

Anno Domini & Indictione prænotatis, dicti menſis Junii, *die tertia, congregatis in loco proximo ſupraſcripto dicti regni* Scotiæ *Nobilibus & Prelatis, ſicut die proximo precedenti, acceſſit ad ipſos ex parte dicti Domini Regis* Angliæ *venerabilis pater Dominus* Bathon. & Wellen. *Epiſcopus, in cujus ore idem Rex (ſicut aliàs) verba ſua poſuerat, ipſum organum ſuum conſtituens, eiſdem eadem, quæ die proximo precedenti, nomine dicti Regis intimavit, & qua fiebant coram ipſis iterato recitavit per ordinem ſeriatim. Et quia Nobilis vir Dominus* Johannes de Balliolo, *qui actis diei heſterne non interfuit, nunc præſens erat ibidem*, **et ſe dicebat præ omnibus aliis regnum** Scotiæ **petentibus pinguius jus habere, petens ſe cum effectu ad proſecutionem juris ſui inter alios admitti, et audientiam debitam ſibi concedi;** *ad interrogationem dicti patris ſibi ex parte Domini Regis* Angliæ *factam*, **an vellet ſtare juri coram ipſo Domino Rege, ut ſuperiori et directo Domino regni** Scotiæ, **et ab ipſo et coram ipſo petere, reſpondere et recipere juſtitiæ complementum?** *Reſpondit ſicut & cæteri Nobiles ſupraſcripti*, **recognoſcens palam organo vocis ſuæ, dictum Dominum Regem** Angliæ **ſuperiorem et directum eſſe Dominum dicti regni** Scotiæ, **et ſe velle coram ipſo gratanter ſtare juri, et petere, reſpondere et recipere in omnibus ipſum tangentibus quod juſtitia ſuaderet.** *Quibus ſic factis, ex parte dicti Domini Regis idem Pater præcepit eiſdem omnibus & ſingulis tam Nobilibus quàm Prelatis, & aliis de Communitate regni* Scotiæ *ibidem congregatis, quod ſtatim ad Eccleſiam parochialem de* Norhm. *accederent, & coram Domino Rege convenirent*, **voluntatem ſuam audituri.** *Quibus coram ipſo Domino Rege (ut præmittitur) in dicta Eccleſia parochiali de* Norhm. *congregatis, venerabilis pater Dominus* Bathon. & Wellen. *Epiſcopus ibidem ex parte Domini Regis ipſiuſque* **nomine, vice et mandato,** *eadem verba quæ die prox. precedenti coram ipſis recitavit (lingua tamen* Gallica) *hunc habentia ſententialiter intellectum.*

Sereniſſimus Princeps & Dominus noſter Dominus *Edwardus* Dei gratia Rex *Angliæ* illuſtris, **ſuperior et directus Dominus regni** *Scotiæ*, deſolatum ſtatum ejuſdem perpendens, & ex principis deſtitutione turbatum conſiderans, & nonnulla

An. 20 *E.* 1. pericula quæ eidem regno per diſſentiones Magnatum ejuſdem, qui jus ſibi vendicant ſucceſſionis ad illud, & etiam ſe habere contendunt, poterunt pervenire, ob affectionem & zelum quem habebat & habet erga dictum regnum & ipſius incolas, & præcipuè ad univerſos & ſingulos, quorum tuitio & defenſio ad eum ſpectare dinoſcitur; & ad faciendum cuilibet petenti juſtitiæ complementum, & tranquillitatem & pacem inter regnicolas & Nobiles prædictos contendentes conformandam, nuper nonnullos Epiſcopos, Prælatoſque alios Eccleſiaſticos, Comites, Barones & Nobiles dicti regni *Scotiæ*, (ſicut pluries coram vobis recitavimus) ipſius nomine & pro ipſo fecit per ſuas certi tenoris literas ad locum iſtum in confinio regnorum ſituatum (ut veſtris parceret laboribus & expenſis) congregari; ibidemque ſuum **Parliamentum** ſtatuit & indixit; ad quem locum in termino ſtatuto ſicut promiſit perſonaliter declinavit, ſicut noſtis. Cumque inter alia in **dicto Parliamento** dicta, ex parte Domini noſtri Regis petitio quædam vobis ex habundanti facta fuiſſet, **de recognitione veſtra benivola Superioritatis et directi Dominii** regni *Scotiæ*, **quod ſuum eſt, ſicut per nonnullas rationes manifeſtas et certa documenta et munimenta quamplura vobis oſtendebat, in cujus poſſeſſione juris vel quaſi progenitores ſui *Angl.* Reges a tempore cujus contrarii memoria non exiſtit fuerint inconcuſſe.** Ad quam petitionem reſpondere illa vice diſtuliſtis, petentes cum effectu diem vobis concedi ad deliberandum & conſulendum cum abſentibus dicti regni Nobilibus ac Prælatis, ac Communitate ejuſdem regni, ſuper reſponſione faciendâ dictæ petitioni; ac ipſe veſtris precibus inclinatus diem heſternum, vobis conceſſit, ſtatuit & præfixit ad tractandum, deliberandum & conſulendum cum dictis abſentibus Nobilibus & Prælatis, ac Communitate prædicta ſuper præmiſſis, & illo die præciſè & peremptoriè reſpondendum petitioni memoratæ, ulteriuſque eodem die proponendum, exhibendum & oſtendendum jura, ſcripta, rationes, munimenta, & alia quævis documenta ſi quæ haberent, **per quæ poſſent ipſum Dominum noſtrum Regem a jure ſuo prædicto Superioritatis et directi Dominii hujuſmodi excludere, et rationes et jura pro ſe adducta per validiora infirmare; vobis in termino vobis ad præmiſſa ſtatuto et præfixo heſterna die videlicet, inſimul congregati, et per nos ex parte Domini noſtri Regis, et de ipſius injuncto ſpeciali vicibus iteratis, et hodie in eodem loco quo heri interrogati, quidnam ſuper dicta dilatione quam petebatis feciſſetis: et, an aliqua dicere, proponere vel exhibere velletis, quæ ipſum Dominum noſtrum a jure ſuo prædicto repellere poſſent, aut de jure deberent: nihil omnino diriſtis, propoſuiſtis vel exhibuiſtis.** Quare idem **Dominus noſter Rex adhuc vobis omnibus et ſingulis hic præſentibus, ſicut pluries per nos inſinuari fecit et denunciari: ita in præſentiarum coram ipſo vobis inſinuat et denunciat, quod intentionis ſuæ eſt, dicto jure ſuo uti, et in ipſo negotio inter contendentes procedere jure Superioritatis et directi Dominii hujuſmodi quod eſt ſuum, ad cognoſcendum, diſcutiendum et diffiniendum de jure ſingulorum jus ad dictum regnum *Scotiæ* vendicantium.** Et quia quidam dicti regni Nobiles, & etiam aliunde de jure ſucceſſionis hujuſmodi contendentes, heſterna die & hodierna, per nos ex parte Domini noſtri Regis, & de ipſius mandato ſpeciali interrogati fuiſſent ſingillatim, **eorum quilibet per ſe in præſentia Prælatorum et Nobilium utriuſque regni, et aliorum quamplurium de Communitate regni *Scotiæ* ibidem præſentium, an ſuper jure ſucceſſionis, quod ſe credebant habere ad dictum regnum *Scotiæ*, vellent ſtare juri coram Domino noſtro Rege *Angliæ* tanquam ſuperiori et directo Domino ejuſdem regni, et ab ipſo et coram ipſo petere, reſpondere et recipere quod juſtum fuerit in eventu; ac dicti Nobiles palam et expreſſe coram ipſis Nobilibus et Prælatis, ac aliis de Communitate dicti regni *Scotiæ*, nemine contradicente vel reclamante, recognoverunt organo vivæ vocis dictum Regem *Angliæ* ſuperiorem et directum Dominum regni *Scotiæ*, et conceſſerunt, ſe velle gratanti animo ſtare juri coram ipſo, ut ore ſuperiori et directo Domino dicti regni *Scotiæ*, et ab eo et coram eo petere, reſpondere et recipere in omnibus et per omnia ſuper jure ſibi competenti ad dictum regnum quod juſtitia ſuaderet.** Unde nos præmiſſa & eorum ſingula omnibus & ſingulis utriuſque regni Nobilibus & Prælatis, ac aliis hic præſentibus, ex parte ipſius Domini noſtri Regis hic in ſua præſentia & nomine ſuo dicimus, **quod in ſumma, hoc eſt intentionis et voluntatis ſuæ ſtudium, quod diſſentionum et diſcordiarum omnimodarum inblatis materiis, pax et tranquillitas in ipſo regno vigeat, et ipſius incolæ divino**

auxilio

auxilio mediante, vera et firma concordia perfruantur; nec intendit aliqua super quemptam occupare minus juste, nec alicujus justitiam protelare, vel libertates aliquas diminuere aut infringere; sed omnibus et singulis petentibus, tanquam superior et directus Dominus regni *Scotiæ*, exhibere et facere justitiæ complementum. Insuper & in parte ipsius Domini nostri Regis & suo nomine protestamus, quod quamvis jus superioritatis et directi Dominii regni *Scotiæ* sit suum, et exercitium seu executio ejusdem spectet ad eum, propter hoc non intendit se a jure hæreditario (si quod sibi competat) ad dictum regnum, quo ad proprietatem ipsius excludere, licet utatur jure suo superioritatis et directi dominii sui prædicti exhibendo aliis justitiam, sed etiam jus suum inter alios petentes dictum regnum in vis, modis et temporibus quibus de jure poterit prosequi, et sibi viderit expedire. Ad hæc autem dictus Dominus Rex *Angliæ* præmissa per præfatum Dominum *Bathon.* & *Wellen.* Episcopum, suo nomine (ut præmittitur) recitata & dicta, sermone *Gallico* ore proprio recitavit, dicens hæc verba vel his similia hunc habentia sententialiter intellectum. *An.* 20 *E.* 1.

Nos Edwardus *Dei gratia Rex* Angliæ, et superior Dominus regni Scotiæ, *statum ejusdem desolatum considerantes, & ex Principis seu Regis sui destitutione multipliciter conturbatum, & varia perplexitate depressum condolentes, & propter dissensiones Magnatum jus ad dictum regnum se habere contendentium, ob affectionem & zelum quem habuimus & habemus ad ipsum regnum & ipsius incolas (sicut dictus* Bathon. *Episcopus coram vobis nostro nomine recitavit) & præcipuè ad universos & singulos quorum tuitio & defensio ad nos spectare dinoscitur, ac etiam pro pace dicti regni & inhabitantium ejusdem, ad partes istas gressus nostros direximus, nostris non parcentes laboribus nec expensis. Cumque vos Episcopi aliique Ecclesiarum Prælati, Comites, Barones & Nobiles regni* Scotiæ ad nostrum mandatum hic in termino vobis assignato congregati, *requisitionem quandam vobis ex parte nostra factam*, super recognitione vestra benivola nobis facienda de superioritate et directo dominio regni Scotiæ quod est nostrum; et in cujus possessione vel quasi progenitores nostri Angliæ Reges a tempore cujus contrarii memoria non existit, et nos adhuc existimus in præsenti; quod per rationes evidentissimas et manifestas, ac jura, certaque alia documenta vobis nostro nomine sufficienter ostensa evidenter apparet; quæ audistis et etiam intellexistis vicibus iteratis. Ea propter, petitum fuit a vobis nomine nostro, quod nos superiorem et directum Dominum nostrum dicti regni et habundanti recognosceretis, et nobis ut superiori Domino vestro (sicut justum est) pareretis; adjiciendo, quod si aliqua haberetis contra nos aut jus nostrum hujusmodi, quæ nos a jure nostro, exercitio seu executione juris ejusdem excludere possent, et rationes et jura pro nobis et jura nostra hujusmodi adducta et facientia, per validiora et efficaciora infirmare; ea parati essemus quatenus justum fuerit admittere et facere super his, quod secundum Deum et justitiam fuerit faciendum; vos autem præmissis plenius intellectis, diem ad consulendum cum absentibus tunc Episcopis et aliis Ecclesiarum Prælatis ac Nobilibus, et Communitate dicti regni super responsione facienda dictæ nostræ requisitioni cum instantia petebatis et obtinuistis ad interim consulendum cum absentibus, et deliberandum super præmissis, et respondendum, et ulterius præcise et peremptorie ostendendum, exhibendum et proponendum munimenta vel scripta, aut alia quæ vobis documenta, si quæ haberetis, quæ nos a jure nostro hujusmodi excludere possent, et jura pro nobis adducta per validiora et efficaciora infirmare; ac vos in dicto termino, vobis ad hoc assignato, et per vos acceptato, convenientes, nihil omnino proposuistis, nec adhuc proponitis; nec vestrum aliquis proposuit aut proponit, quod nos a jure nostro aut hujusmodi exercitio aut executione ejusdem excludere debeat vel poterit, ut refertur. Vobis omnibus et singulis de Communitate ipsius regni, sicut hesterna die et hodierna per dictum Episcopum Bathon. notificari fecimus et denunciari nomine nostro, ita in præsenti notificamus et denunciamus; Quod intentionis nostræ est uti jure nostro, et in negotio inter contendentes de jure successionis regni Scotiæ præfatæ procedere jure superioritatis et directi dominii hujusmodi, quod est nostrum, ad cognoscendum, discutiendum et diffinitivum de jure singulorum jus ad regnum Scotiæ vendicantium quoquo modo. *Cumque prænominati Nobiles jus ad dictum regnum vendicantes per præfatum Episcopum* Bathon. *nostro nomine singillatim interrogati vicibus iteratis in præsentia Prælatorum,*

An. 20 E. 1. *torum, Comitum, Baronum, & aliorum Nobilium de Communitate regni* Scotiæ, en ſuper petitione juris ſui quam facere intendebant, voluerunt ſtare juri coram nobis, et petere, reſpondere et recipere ſicut coram ſuperiori et directo Domino ſuo dicti regni juſtitia complementum? ac ipſi et eorum quilibet per ſe, palam et publice coram vobis omnibus, nullo contradicente vel reclamante, nos ſuperiorem et directum Dominum dicti regni Scotiæ recognoverunt et recognovit, et ſe velle ſtare juri coram nobis conceſſerunt et conceſſit, et etiam a nobis et coram nobis petere, reſpondere et recipere, tanquam a ſuperiori et directo Domino ſuo regni Scotiæ, quod juſtitia ſuaderet. Jocirca vobis omnibus et ſingulis his præſentibus dicimus et notificamus aperte, quod in ſumma hoc eſt noſtræ voluntatis ſtudium, pacem et tranquillitatem in regno Scotiæ inter ipſius regnicolas confirmare; ut diſcordiarum et diſſentionum contendentium ſublatis materiis, unicuique facere juſtitiæ complementum; nihil indebite ſuper quemplam occupare, nullius juſtitiam protelare, ſeu libertates diminuere, nec quenquam ledere minus juſte, ſed unicuique petenti tanquam ſuperiori et directus Dominus Scotiæ jus ſibi competens tribuere, leges et conſuetudines ipſius regni juri conſonas et approbatas facere inviolabiliter obſervari, ac etiam operam ſollicitam circa ea quæ reformationem ſtatus ipſius regni reſpiciunt impendere, et quietem partium prædictarum. Sperantes enim cum Dei adjutorio ſic in hac parte providere, quod ad divini nominis laudem cedet, et ſtatum proſperum regionis et incolarum ejuſdem commodum in futurum. Et quamvis nos ſimus ſuperior et directus Dominus ipſius regni, et ipſius exercitium et executio juris ad nos pertineat, non intendimus propter hoc nos a jure hæreditario, (ſi quod nobis competat) ad idem regnum quoad proprietatem ipſius excludere, licet utamur jure noſtro exhibendo et faciendo aliis juſtitiam, ſed etiam jus noſtrum inter alios petentes velle proſequi et declarare viis, modis et temporibus quibus de jure poterimus et viderimus expedire.

Ad hæc Nobilis vir Dominus Johannes de Balliolo *ſurrexit, & dicto Domino Regi dixit*; Quod ipſum ſuperiorem et directum Dominum regni Scotiæ recognovit, et conceſſit ſicut alias, ſe velle ſtare juri coram ipſo ſuper jure ſucceſſionis ſibi competentis ad dictum regnum, et ab ipſo et coram ipſo ut ſuperiori et directo ſuo Domino petere, reſpondere et recipere, quod conſideratum ſibi fuerit in hac parte. *Eodem modo Dominus* Johannes Comyn *Dominus de* Banenagh. *ſurrexit*, ipſum ut Dominum Regem ſuperiorem et directum Dominum regni Scotiæ palam et publice recognovit, et petiit ſe admitti inter alios petentes idem regnum ad proſecutionem juris ſibi competentis ad dictum regnum, et conceſſit ſe velle ſtare juri coram ipſo; et ab ipſo et coram ipſo tanquam ſuperiori et directo Domino regni Scotiæ petere, reſpondere et recipere juſtitiæ complementum. *Cujus petitioni dictus Dominus Rex inclinatus*, ipſum Dominum Johannem Comyn inter alios petentes admiſit. *Et ſtatim ibidem ſupranominati Nobiles jus ſucceſſionis in regnum* Scotiæ *vendicantes* (*ut præmittitur*) omnes et ſinguli, ſuper recognitionibus ſuis ſupradictis ſuas patentes literas eidem Domino Regi fieri fecerunt ſigillorum ſuorum impreſſionibus conſignatas, tenorem qui ſequitur continentes.

* See Mat. Weſtm. An. 1291 p. 378, 379. & Tho. Walſingham Hiſt. Angl. p. 18, 19.

A tous ceaus qui ceſtes lettres verront ou orront *Florence* Counte de *Hoiland*, *Robert de Brus* Seignor de *Val Denants*, *Johan de Baillol* Seignor de *Galeweye*, *Johan de Haſtinges* Seignor de *Bergeveny*, *Johan Comyn* Seignor de *Badenagh*, *Patrik de Dunbar* Counte de la *Marche*, *Johan de Veſcy* pur ſon piere, *Nicholas de Seules* e *William de Ros*, ſalus en Dieu. Com nous entendoms avoir droit al Roialme de *Scoce*, e cele droit monſtrer, chalenger, e averrer devant celui qui plus de poair, juriſdiction e reſon euſt de trier noſtre droit, e le noble Prince Sire *Edward* par la grace de Dieu Roy *Dengleterre* nous eit informetz per bones & ſuffizantes reſons, qe a lui apent, e avoir doit la ſoverain Seignieurie du dit Royalme *Deſcoce*, e la conigzance de oir, trier e terminer noſtre droit, nous de noſtre propre volunte ſanze nule manere de force ou diſtreſſe, voloms, otroioms et grauntoms de receiure droit devant lui com ſoverain Seignor de la terre, e voloms la lemeins e promettoms, qe nous auroms e tendroms ferm e eſtable ſon fait, e qe celui encontra le Roialme, a qui droit le dorra devant lui. En teſmoignance des queus choſes, nous auoms mis nos ſeals a ceſt eſcrit. Fait e done a *Norhm.* le Mardi prochein apres Laſcenſion, lan de grace 1291.

Quibus

Quibus (ut præmittitur) factis, habitoque tractatu inter ipſum Dominum Regem ſuumque Conſilium, & Prælatos & Nobiles de Communitate regni Scotiæ *memorati, & ipſos Nobiles jus ad regnum* Scotiæ *vendicantes, qualiter in prædicto negotio eſſet utilius procedendum, & etiam ſuper reformatione ſtatus ejuſdem regni; demum de unanimi omnium & ſingulorum utriuſque regni Nobilium & Prælatorum conſenſu & voluntate, nullo contradicente vel reclamante, ordinatum extitit & conſenſum; quod Dominus* Johannes de Balleolo *& Dominus* Johannes Comyn *pro ſe & aliis petentibus qui electioni faciendæ per ipſos conſentire voluerint, eligant quadraginta viros fidedignos & diſcretos, quos ad hoc idoneos eſſe crediderint; & Dominus* Robertus de Brus *pro ſe & aliis petentibus, qui nominationi & electioni per ipſum faciendæ, ſimiliter conſentire vellent, eligant alios quadraginta, quorum ſic electorum nomina hinc inde tertia die proximo ſequent. quinta videlicet dicti menſis* Junii, *eidem Domino Regi tradantur inſcriptis, & ipſe ultra illos ſic nominatos & electos, viginti quatuor & plures vel pauciores pro ſuæ libito voluntatis,* ratione ſuperioritatis et directi dominii ſui huiuſmodi, illis octoginta nominatis et electis aſſignet et ſtatuat; *ita ut hi omnes ſic nominati & electi, & per ipſum Regem aſſignati, inſimul congregati,* jura omnium et ſingulorum petentium dictum regnum audiant, et diſcuſſionem faciant, ſicut [illegible] tioni magis viderint convenire: et diſcuſſione plena facta, quid inveneri[illegible] ter referant Domino Regi, ad quem pertinet dictum negotium diffini[illegible] Deum habens præ oculis, ut ſuperior et directus Dominus regni Scotiæ [illegible] pronuntiet, ſicut de jure fuerit faciendum: *poteſtate tamen libera addendi, mu[illegible] & diminuendi de aſſignandis per ipſum Regem ſibi ſemper reſervata. Si verò alic[illegible] vel aliquos de prædictis octoginta perſonis ſic nominatis & electis per nobiles ſupradictos, infirmitate ſeu alio impedimento legitimo detineri contingat, ita quod venire non poterit, ordinatum eſt & ab omnibus conſenſum, quod alius vel alii abſentis vel abſentium vices ſuppleant vel ſuppleat, & eorum loco vel locis per ipſos qui eos elegerunt & nominarunt, ſubrogentur. Et prædictus modus procedendi & diſcutiendi de jure petentium prædictorum, quia omnibus placuit, ab omnibus extitit approbatus, laudatus & acceptatus. Acta in parochiali Eccleſia de* Norhm. *& alibi (ut præmittitur) anno, indictione, menſe & die prox. prænotatis; Præſentibus venerabilibus in Chriſto, Dominis* Johanne *Dei gratia* Eborum *Archiepiſcopo* Angl. *Primati*, Antonio Dunolm. Roberto Bathon. & Wellen. Willielmo Elien, Willielmo *Sancti* Andrææ, & Roberto Glaſcuen. *Epiſcopis: ac nobilibus viris Dominis* Edmundo Lancaſtriæ, *dicti Domini Regis germano*, Willielmo de Valenc. Pembrock, Henrico de Laſcy Lincoln. Rogero Bigot Northfolchiæ, & *Mareſcallo* Angliæ, Dovenaldo de Mar, Gilberto de Anegos, & Roberto de Brus de Carrik *Comitibus*; Theobaldo de Verdon, Thomam de Berkley, Hugone le Diſpenſer, Willielmo de Sancto Claro, Patricio de Graham, Wilhelmo de Moravia, Syward, Galfrido de Moubray, Michaele de Wymes, Waltero de Bello Campo *dicti Domini Regis Seneſcallo*, & Willielmo Monte Revelli, *Baronibus; ac venerabilibus & diſcretis viris, Magiſtris* Henrico de Newerk *Decano* Eborum, Johanne de Laſcy *Cancellar.* Ciceſtren. & Waltero de Langeton *Decano de* Burges, *ac Magiſtro* Erturi de Cadomo *Notar. publico, cum aliis tam Epiſcopis, Abbatibus, Prioribus & Clericis quàm Comitibus, Militibus & Nobilibus in multitudine copioſa.*

Anno à Nativitate Domini 1291. *Indictione quarta, menſis* Junii, *die quarto, congregatis coram ſereniſſimo Principe & Domino, Domino* Edwardo *Dei gratia Rege* Angliæ *illuſtri, Superiore & directo Domino regni* Scotiæ, *Nobilibus viris Domino* Florentio *Comite* Holandiæ, Roberto de Brus *Domino* Vallis Anandiæ, Johanne de Balliolo *Domino* Galwidiæ, Johanne de Haſtinges *Domino de* Bergeveny, Johanne Comyn *Domino* de Dunbar *Comite de* Marchia, Johanne de Veſcy *pro patre ſuo*, Nicholao de Soules, & Willielmo de Ros, *Baronibus; Jus ad dictum regnum* Scotiæ *vendicantibus, cum aliis tam Epiſcopis, Comitibus, & Baronibus, quàm aliis Militibus & Nobilibus utriuſque regni quampluribus,* poſſeſſionem regni Scotiæ et Caſtrorum ejuſdem eidem Domino Regi nemine contradicente vel reclamante de communi conſenſu Communitatis ejuſdem regni ut ſuperiori et directo Domino ſuo, conceſſerunt et etiam tradiderunt; et ſuas patentes literas ſuis ſigillis pendentibus conſignatas factum ſuum prædictum teſtificantes ſibi fieri fecerunt, tenorem qui ſequitur continentes.

An. 20 *E.* 1.

* See Matth. Weſtminſter, p. 738, 739. & Walſingham quaſupra.

* A touts ceaus qui ceſtes præſentes lettres verront ou erront, *Florence* Comte de *Hoilande*, *Robert de Brus* Seigneur du *Vall Davant*, *Johan de Baillol* Seigneur de *Gaweye*, *Johan de Haſtinges* Seigneur de *Bergeveny*, *Johan Cemyn* Seigneur de *Badenagh*, *Patrik de Dunnbar* Comte de la *Marche*, *Johan de Veſcy* pur ſon piere, *Nicol de Soules*, è *Willam de Ros*, ſalus en Dieu. Com nous eoms otriez è graunte de noſtre bone volunte et commun aſſentes ſans nule deſtreſſe, al noble Prince Seigneur *Edward* par la grace de Dieu Roy, *Dengletre*, qe il com ſoverein Seigneur de la terra *Deſcoce* puiſſe oier, trier e terminer nos chalenges e nos demandes, qe nous entendoms monſtrer e averrer pur noſtre droit en la Royalme *Deſcoce*, et droit receivre devant luy com ſoverein Seigneur de la terre, promettantz ia le meins qe ſon fait auroms e tendroms fermè eſtable, e qe il euportra le Royalme a qui droit le dorra devant lui. Mes pur ceo qe lavant dit Roy *Dengleterre* ne poet nule manere de reconiſſance faire ne accomplir ſanz judgement, ne judgement ne doit eſtre ſanze execution, ne execution ne poet il faire duement ſanz la poſſeſſion e ſeiſine de meſme la terres des chaſteaux; nous volums, otroioms e grantoms, quil com ſoverein Seigeur a parfaire les choſes avant dites, eit la ſeiſine de toute la terre e des chauſteaus de *Scoce*, tant qe droit ſoit faite e parfurme a demandantz, en tielle manere qe avant ceo qil eit ſeiſine avantdite face bone ſeurete e ſuffiſante as Demandantz, e as Gardeins, e a la commune du Royalme *Deſcoce*, a faire la reverſion de meſme le Royame e des chateaus oue toute le Roiaute, Dignite, Seigneurie, Franchiſes, Cuſtumes, Dcitures, Leyes, Uſages, e poſſeſſions, e toutes maneres de appurtenances en meſme leſtate quil eſtient quant la ſeiſine lui fu livrée, e baile, a celui qui le droit empoztera par judgement de la Royalme, ſabe au Roi *Dengleterre* le homage de celui qe ſerra Roi, iſſint que la reverſion ſoit fait de euz, les deuz mois apres le jour qe le droit ſerra triez e fermez. E qe les iſſues de meſme la terra en le moien temps receibes, ſoient ſalbement mis en depos, e bien gardez pur la main del Chambrelain *Deſcoce* que oze eſt, e de celuy qui ſerra aſſigne a luy de par le Roy *Dengleterre*, e deſouz leur Seaules, ſabe reſonable ſuſtenance de la terre, e des chaſteauz, e de Miniſtres du Royalme. En teſmoigne de ceſtes choſes avauntdites nous avoums mis nos ſeaules a ceſte eſcrit. Fait e done a *Norhm* le Meskredi apres *Laſcenſion*, lan de Grace Mil. CC. Nonante primerime.

* Anno 1291. p. 379. See Chron. Will. Thorn, col. 1962.

(*Iſtam regni* Scotiæ *ordinationem* (as **Matthew Weſtminſter* ſtories) *in foro ſupradicto ordinatam*, *Dominus Rex* Edwardus *pluribus Domibus religioſis*, *& maxime viris religioſis*, *Priori & Conventui de* Merton *deſtinari præcepit*, ut ad perpetuam rei geſtæ memoriam in Chronicis ſuis facerent annotari. *Unde vobis mandamus*, *quod eadem faciatis in Chronicis veſtris ad perpetuam rei geſtæ memoriam annotari. Teſte Magiſtro* Gulielmo de Marchio *Theſaurario noſtro apud* Weſtmonaſterium, *nono die* Julii, *anno regni noſtri decimonono*; *Per breve de privato ſigillo.*) The Record thus proceeds.

Anno & Indictione prænotatis, *menſis* Junii *die quinto*, *congregatis in parochiali Eccleſia de* Norham Dunolm. *Dioc. ſupraſcriptis nobilibus viris ſuis ad dictum regnum* Scotiæ *vendicantibus*, *coram venerabili viro D.* Johanne de Berewico *dicti Domini Regis* Angliæ *Clerico & Decano de* Wymburn. *ad recipiendum nomina hinc inde electorum*, *quàm etiam aſſignatorum per ipſum Regem ſibi in ſcriptis tradita*, *recepit*, *quæ ſunt. Inprimis ex parte Domini Regis aſſignati ſunt & nominati*, *venerabiles patres in Chriſto*, *Domini* Robertus Bathon. & Wellen. Antonius Dunolm. Willielmus Elien. & Radulphus Carleolen. *Epiſcopi*; *Frater* Willielmus de Hotham *Provincialis Fratrum Pradicatorum in* Anglia, *& frater* Willielmus de Gainsburgh *Miniſter generalis ordinis fratrum minorum*, *Magiſtri* Henricus de Newerke *Decanus* Eborum, Johannes de Derby *Decanus* Lichf. Durandus *Archidiaconus* Stowie, Robertus de Rodewell *Archidiaconus* Ceſtriæ, Willielmus Grenefeld *Canonicus* Eborum, & Willielmus de Kilkenny; *ac Nobiles viri*, *Dominus* Henricus de Laſcy *Comes* Lincoln. Rogerus Bigod *Comes* Northfolchiæ *& Mareſcallus* Angliæ, Johannes de Sancto Johanne, Hugo le Diſpenſer, Robertus *filius* Rogeri, Thomas de Berkle, Brianus *filius* Adam, Rogerus Brabazon, Willielmus de Bereford, Johannes de Lithegreines, Thomas de Fiſheburne, & Walterus de Routhbyr. *Ex parte vero Domini* Roberti de Brus *Domini* Vallis Anandiæ, *& aliorum qui electioni & nominationi per ipſum faciendæ conſenſerunt. electi ſunt & nominati venerabiles patres*, Robertus Glaſcuen. & Matthæus Dunkelden. *Epiſcopi*; *Abbas de* Melros, *& Abbas de* Jeddeworth, Patricius

cius *Comes de* Marchia, Dovenaldus *Comes de* Marr, Walterus *Comes de* Menereth, Johannes *Comes* Atholiæ, Malcolmus *Comes de* Levenaux, Jacobus *Seneſcallus* Scotiæ, Willus de Soules, Nicholas de Graham, Johannes de Lindeſeia, Johannes Seneſcalli, Alexander de Bonkhill, Willielmus de Haya, David de Torthorad, Johannes de Calentyr. Willielmus de Fenton, *Magiſter* Adam de Crokdayk, Henricus de Aberdeen, *cujus loco poſtea poſitus fuit* Walterus de Lindeſeya, Reginaldus de Crauford, Nicholas Cambel. Willielmus de Strivelin, Johannes de Strivelin de Moravia, Johannes de Inchemartin, *Magiſter* Robertus de Merleya, *Magiſter* Willielmus de Strivelin, *Magiſter* Thomas de Bonkhill, Henr. de Lennatchton, *Magiſter* Willielmus de Anandia, *Magiſter* Willielmus de Goſeford, *Magiſter* Richardus de Bolton, *Frater* Reginaldus de Ribull, *Monachus de* Melros, Willielmus de Coningesburgh, Willielmus de Preſton, Gilbertus de Conisburgh, & Galfridus de Caldecote. *Ex parte vero Domini* Johannis de Balleolo *Domini* Galwidiæ *& eorum qui nominationi et electioni per ipſum faciendæ conſenſerunt, electi ſunt & nominati, et eorum nomina in ſcriptis tradita, venerabiles Patres* Willielmus Sancti Andrææ, Henricus Aberdon. Willus Dunblan. Marcus Sodoren. Henricus Candidæ caſæ, & R. Roſſen. *Epiſcopi*; *Abbas de* Dunfermelin. *Abbas de* Sancta Cruce, *Abbas de* Combuskineth, *Abbas de* Calkon, *Abbas de* Tungeland, *Abbas de* Scona, *Abbas de* Coupre, *Prior* Sancti Andrææ, Walterus *Archid.* Dunblanen. Johannes *Comes de* Boughan, Gilbertus *Comes de* Anegos, Maſilius *Comes de* Strathern. Willielmus *Comes de* Ros, Alexander de Ergadia, Andreas de Moravia, Galfridus de Moubray, Herbertus de Makeſwell, Symon Fraſer *Pater*, Patricius de Graham, Willielmus de S. Claro, Reginaldus le Cheen *pater*, Reginaldus *filius*, Nicolaus de Hiva, Robertus Combron. *Dominus de* Balingrenagh, Richardus Fraſer, Johannes de Strivelin de Cars, Andreas Fraſer, Michael de Wymes, Michael Scotus, Richardus de Stranton, Willielmus de Moravia de Tolibardardin, Willielmus de Melgredon, Radulphus de Laſceles, & David de Graham. *Acta in parochiali Eccleſia de* Norham *(ut præmittitur) Anno, Indictione, menſe & die, præſentibus venerabilibus in Chriſto patribus, & Dominis* Roberto Bathon. & Wellen. & Willielmo *Dei gratia* Elyen. *Epiſcopis*; *& venerabilibus & diſcretis viris, Magiſtro* Henrico de Newerk *Decano* Eborum, *& Domino* Waltero de Langeton *Decano de* Burges; *ac Nobilibus viris Dominis* Henrico de Laſcy Lincoln. Rogero Bigod Northfolchiæ *& Mareſcallo* Angliæ *Comitibus, cum Magiſtro* Johanne Erturi *de* Cadomo *Publico Notario, & aliis tam Eccleſiarum Prælatis & Nobilibus quam popularibus utriuſque regni quamplurimis.* *An.* 20. *E.* I.

Anno Domini & Indictione dicti menſis Junii *die ſexto, congregatis in Caſtro de* Norham. Dunolm. *Dioc. Nobilibus viris ſupranominatis jus ad dictum regnum* Scotiæ *vendicantibus, coram excellenti Principe & Domino, Domino* Edwardo *Dei gratia Rege* Angliæ *illuſtri,* **Superiori et directo Domino regni** Scotiæ, *ſuoque Conſilio, una cum aliis utriuſque regni Nobilibus & Prælatis recitatis; recitatiſque actis diei proximo præcedentis, ex parte ipſius Domini Regis dictis Nobilibus regni* Scotiæ *& Prælatis dicebatur, Quod de loco decenti & termino ſive die competenti inter ſe deliberarent, & etiam conſentirent, ubi & quando melius & utilius poſſent congregari & morari, ad audiendum & recipiendum petitiones petentium prædictorum, & de jure ſingulorum cognoſcendum & diſcutiendum, & diſcutione plenè facta, cum ad hoc deventum fuerit, eidem Dom. Regi quod invenitur fideliter referendum, ut ipſe Deum habens præ oculis, judicet & pronuntiet, ſicut de jure fuerit faciendum; habitaque inter ipſos deliberatione ſuper hoc & tractatu diligenti, locum aptum apud* Berewicum *ſuper* Twedam, *ad tractandum, cognoſcendum, diſcutiendum & diffiniendum ſuper præmiſſis unanimiter & concorditer ſtatuerunt & etiam elegerunt; & eidem Domino Regi electionem ſuam loci prædicti & conſenſum præſentarunt; quem locum idem Dominus Rex acceptavit. Et quia de termino ſive die aliquo inter ſe concordare noluerunt,* idem **Dominus Rex**, tanquam **Superior et directus Dominus ipſius regni**, ſecundum diem menſis Auguſti **proximo futur. dictis nobilibus Jus ad regnum** Scotiæ **vendicantibus pro termino peremptorio ſtatuit et præfixit, de conſenſu unanimi et voluntate omnium et ſingulorum utriuſque regni Nobilium et Prælatorum ibidem præſentium, ad proponendum ſua Jura, et ſuper proponendis ab eiſdem cognoſcendum, procedendum et diſcutiendum et diffiniendum, cum continuatione et prorogatione dierum uſque ad finalem determinationem negotii prælibati inter petentes ſuprædictos, quis ipſorum pinguius**

An. 20 *E.* 1. jus haberet ad regnum Scotiæ pꝛælibatum. *Acta fuerunt præmiſſa in Camera exteriori (ut præmittitur) Anno, indictione, menſe & die proximo prænotatis; Præſentibus venerabilibus in Chriſto patribus, Dominis* Johanne *Dei gratia* Eborum *Archiepiſcopo*, Angliæ *Primati*, Roberto Bathon. & Wellen. Antonio Dunolm. & Willielmo Elien. *Epiſcopis*; *cum nobilibus viris Dominis*, Edmundo Lancaſtriæ *dicti Domini Regis germano*, Gilberto de Clara Glovernıæ, Umfrido de Bohun Hertfordiæ, Willielmo de Valenc. Penbrok, Henr. de Laſcy Lincoln. & Rogero Bigot Northfolchiæ & *Mareſcallo* Angliæ, *Comitibus*; *ac Magiſtris* Henr. de Newerke Eborum, & Thoma Wellen. *Eccleſiarum Decanis*, Johanne de Laſcy *Cancellar.* Ciceſtren. & Willielmo de Grenefield *Canonico* Eborum, *Magiſtro* Johanne Erturi de Cadomo *publico apoſtolica authoritate Notario infraſcripto, cum aliis ejuſdem regni Nobilibus & Prælatis, ac popularibus quampluribus.*

Anno Domini & Indictione prænotatis, dicti menſis Junii, *die undecimo*, Willielmus *Sancti* Andrææ, & Robertus Glaſguen. *Epiſcopi, ac Nobiles viri Domini* Johannes Comyn *de* Badenagh, & *Seneſcallus* Scotiæ, *Cuſtodes dicti regni per Communitatem poſt mortem Regis ſui* Alexandri *electi*, & *ſpecialiter deputati, coram dicto Domino Rege* Angliæ, Superiore et directo Domino ejuſdem regni *in Caſtro de* Norham *comparuerunt, cum omnibus Caſtellanis ſive Conſtabular. Caſtrorum regni* Scotiæ *quæ fuerunt quondam Regis defuncti, qui per ipſum quondam Regem, ſive poſt ejus obitum per Cuſtodes & regni Communitatem electi, ſive poſiti fuerant, aut quovis alio modo deputati*, ſuaſque Cuſtodias et Ballivas eidem Domino Regi, tanquam ſuperiori Domino ſuo ipſius regni reddiderunt, et etiam liberarunt. Quorum cuſtodiis per ipſum Dominum Regem receptis, regni videlicet Scotiæ Caſtrorum, Civitatum, Villarum, Burgorum, et aliorum omnium et ſingulorum Regiæ dignitati infra idem regnum qualitercunque pertinentium, *idem Dominus Rex dictos Patres S.* Andrææ & Glaſcuen. *Epiſcopos*, Johannem Comyn, & Jacobum *Seneſcall.* Scotiæ, *(ſicut prius)* tanquam Dominus regni Scotiæ ſuperior, ejuſdem regni Cuſtodes conſtituit, et eiſdem ipſius regni cuſtodiam commiſit, ſub ipſo et ſuo nomine gubernandum. *Subſequenter verò dicti regni* Scotiæ *Nobiles & Prælati ad mandatum dicti Domini Regis præcipientis, venerabilem in Chriſto Patrem Dominum* Alanum *Dei gratia* Cathanen. *Epiſcopum in Cancellarium* Scotiæ eligerunt, et electionem ſuam de ipſo factam eidem Domino Regi pꝛæſentarunt; Cujus electionem idem Dominus Rex acceptavit, et ipſum Cancellarium Scotiæ pꝛæfecit, et diſcretum virum Dominum Walterum de Amundeſham Clericum ſuum in ſocium ſibi adjunxit et etiam aſſociavit. *Acta in Caſtro de* Norham *(ut præmittitur) anno, indictione, menſe & die prænotatis, præſentibus venerabilibus in Chriſto Patribus*, Roberto Bathon. & Wellen. Antonio Dunolm. Willielmo Elien. & Radulpho Carleolen. *Epiſcopis; una cum Nobilibus viris Dominis* Edmundo Lancaſtriæ, Willielmo Penbrock, Gilberto Glovernıæ, & Henrico Lincoln. *Comitibus, ac venerabilibus & diſcretis viris, Magiſtro* Henrico de Newerk *Decano* Eborum, *Magiſtro* Johanne de Laſcy *Cancellar.* Ciceſtren. *Magiſtro* Johanne Erturi de Cadomo *publico apoſtolica authoritate Notario, cum aliis utriuſque regni Nobilibus & Prælatis quampluribus, ac mi Notario infraſcripto.*

Anno Domini & indictione prædictis, dicti menſis Junii *die duodecimo, congregatis in quadam area viridi ex oppoſito Caſtri de* Norham. *ex alia parte fluminis de* Tweda *in Marchia de* Viſetlington *Sancti* Andrææ *Dioc. Nobilibus viris Dominis*, Roberto de Brus, & Johanne de Baleolo, *cum aliis ſuis ad regnum* Scotiæ *vendicantibus, ac venerabilibus in Chriſto Patribus Dominis* Willielmo *Sancti* Andrææ, & Roberto Glaſcuen. *Epiſcopis*; *Dominis* Johanne Comyn, & Jacobo *Seneſcall. Cuſtodibus regni* Scotiæ, *aliiſque utriuſque regni Nobilibus & Prælatis, venerabilis Pater Dominus* Alanus *Dei gratia* Cathanen. *Epiſcopus Cancellar. regni* Scotiæ *per dictum Dominum Regem* Angliæ *factus, venit coram ipſis, & ſigillum ad regimen* Scotiæ *deputatum* ſibi ex parte dicti Domini Regis, et ejus nomine oblatum et traditum recepit; et inſpectis ſacroſanctis et oſculatis Dei Evangeliis coꝛpoꝛale pꝛæſtitit juramentum, Quod officium Cancellar. dicti regni Scotiæ ſibi per ipſum Regem Angliæ ut pꝛæmittitur commiſſum, ſecundum leges et conſuetudines regni Scotiæ fideliter gereret, et pꝛo tempoꝛe ſuo ſe habuit in eodem, et eidem Domino Regi Angliæ ut ſuperiori et directo Domino regni Scotiæ intenderet et pareret in officio Cancellar. et unicuique de dicto regno in omnibus et ſingulis ad ipſum officium pertinentibus exhiberet

An. 20 *E.* 1.

habere et faceret juſtitiæ complementum, Literis tamen gratiæ omnimodis eidem Domino Regi Angliæ ſpecialiter reſervatis. *Inſuper Dominus* Walterus de Amundeſham *Clericus prafato Epiſcopo* Cathenen. *in dicto officio Cancellar.* aſſociatus (*ut præmittitur*) tactis ſacroſanctis et oſculatis Dei Evangeliis ibidem exiſtens conſimile fecit pro tempore Juramentum. *Quibus ſic factis, venerabiles in Chriſto patres & Domini*, Willielmus *S.* Andreæ, & Robertus Glaſcuen. *Epiſcopi*, Johannes Comyn, & Jacobus *Seneſcallus* Scotiæ *Cuſtodes dicti regni, una cum nobilibus eorundem ad idem regnum vendicantibus, aliiſque Proceribus, Prælatis & Militibus ejuſdem regni ibidem congregatis ad dictum Dominum Regem in dicto Caſtro de* Norham *exiſtentem* pertexerint. *Et habito ſuper præmiſſis & aliis faciend. inter ipſos, & Conſilium Domini Regis tractatu, aliqualiter ordinatū fuerit ibidem, & ex parte Domini Regis ibidem omnibus & ſingulis dictum*, quod ultra flumen de Tweda in loco in quo illo die fuerant congregati, qui eſt infra limites regni Scotiæ, die craſtino, omnes et ſinguli tam Epiſcopi et alii Eccleſiarum Prælati, quam Comites, Barones, Magnates, Proceres, Cibitatum et Burgorum Communitates, et alii omnes et ſinguli qui fidelitatem Domino Regi Scotiæ facere tenebantur, qui tunc ibidem præſentes fuerint convenirent, fidelitatem dicto Domino Regi ut ſuperiori et directo Domino dicti regni Scotiæ facturi, ſecundum formam convenientem per ipſum Dominum Regem ſuumque Conſilium ordinandum. Ita quod præmiſſis ſic factis et parte ipſius Domini Regis Angliæ, ut ſuperioris et directi Domini regni Scotiæ pax ſua per totum ipſum regnum publice proclamaretur, et juxta proclamationem ſuo nomine factam firmiter obſervaretur in futurum. *Acta ſunt præmiſſa, anno, indictione, menſe, die & locis proximo prænotatis, præſentibus venerabilibus in Chriſto Patribus, Dominis* Roberto Bathon. & Wellen. Antonio Dunolm. & Willielmo Elyen. *Epiſcopis; cum nobilibus viris Dominis* Edmundo *dicti Domini Regis germano Comite* Lancaſtriæ, Willielmo de Valenc. *Comite* Penbrok, Gilberto de Clara *Comite* Gloverniæ, & Henrico de Laſcy *Comite* Lincoln. & *venerabilibus viris Magiſtris* Henrico de Newerk *Decano* Eborum, Johanne de Laſcy *Cancellar.* Ciceſtren. & *Domino* Waltero de Langeton *Decano de* Burges, *ac Magiſtro* Johanne Erturi de Cadomo *publico apoſtolica auctoritate* Notario, *cum aliis utriuſque regni Prælatis, Comitibus, Baronibus, Militibus & popularibus in multitudine copioſa, ac me* Notar. *infraſcripto.*

Anno Domini & Indictione prænotatis, dicti menſis Junii, *die tertiadecima, congregatis in loco per dictum Dominum Regem eis* (*ut præmittitur*) *aſſignato, dictis Nobilibus regni* Scotiæ *& Prælatis, cum aliis quampluribus, acceſſit ad eos ſereniſſimus Princeps & Dominus Rex* Angliæ *illuſtris, & primo Nobilem virum Dominum* Brianum *filium* Alani *pradictis Cuſtodibus regni* Scotiæ *aliis per ipſum deputatis adjunxit & aſſociavit. Et ab eiſdem Cuſtodibus, tam Sancti* Andreæ *et* Glaſcuen. *Epiſcopis, quam* Johanne Comyn, Jacobo *Seneſcal. et* Briano *filio* Alani corporale ad ſancta Dei Evangelia recepit juramentum, in præſentia utriuſque regni Nobilium meique Notarii infraſcripti, quod cuſtodiam regni Scotiæ eis committam fideliter gerent, et etiam circa ipſius cuſtodiam faciendam operam ſolicitam adhibebunt, et ſecundum leges et conſuetudines dicti regni unicuique petenti, communem et plenam Juſtitiam exhibebunt, et pro tempore ſuo facient complementum, et eidem Domino Regi Angliæ ut ſuperiori et directo regno Scotiæ in omnibus obedient et intendent. *Inſuper dicti Domini* Willielmus *Sancti* Andreæ & Robertus Glaſcuen. *Epiſcopi* inſpectis ſacroſanctis, *et Domini* Johannes Comyn. & Jacobus *Seneſcallus Cuſtodes regni* Scotiæ (*ut præmittitur*) *deputati*, tactis eiſdem Evangeliis et oſculatis, per ſe horum quilibet juramentum fidelitatis eidem Domino Regi Angliæ tanquam ſuperiori et directo Domino regni Scotiæ juraverunt. *Similiter et* Marcus Sodorenſis *Epiſcopus ipſius regni Cancellarius, ac* Nobiles viri *Domini* Robertus de Brus *Dominus* Vallis Anandiæ, Johannes de Balleolo *Dominus de* Galwidia, Robertus de Brus *Comes de* Carik, Patricius de Dunbar *Comes de* Marchia, Dovenaldus *Comes de* Mar, Johannes *Comes de* Boughan, Johannes *Comes* Atholiæ, Gilbertus *Comes de* Anegos, Malcolmus *Comes de* Levenaux, Walterus *Comes de* Meneteth, Johannes Comyn *Dominus de* Badenagh, Jacobus *Seneſcallus* Scotiæ, Willielmus de Soules, Johannes de Soules, Patricius de Graham, Thomas Randolf, VVillielmus de Sancto Claro, Radulphus de Hoveden, Alexander de Balliolo *Camerarius* Scotiæ, VVillelmus Comyn, Johannes Seneſcalli, Ingeramus de Umfranvile,

An. 20 *E.* 1. franville, VVillielmus de Moravia de Trilibardin, Henricus de Pinkney, VValterus Burden, Radulphus de Cranford, & Henricus de Sancto Claro, *Milites et Barones dicti regni* Scotiæ, **eorum quilibet per se singillatim eidem Domino Regi Angliæ ibidem ut superiori et directo Domino suo ejusdem regni fidelitatem fecerunt, et tactis sacrosanctis et osculatis Dei evangeliis juraverunt.** *Quibus (ut præmittitur) factis, idem Dominus Rex præcepit, et fecit pactem suam ibidem publice proclamari; et, ut ubicunque per totum ipsum regnum* Scotiæ *proclamaretur, jussit, & firmiter observaretur, hoc idem omnibus de Communitate dicti regni* Scotiæ *ibidem existentibus, et etiam dictis Custodibus per ipsum deputatis injunxit: Et secundum diem mensis Augusti proximo sequent. omnibus et singulis ipsius regni* Scotiæ *Episcopis et aliis Ecclesiarum Prælatis, necnon omnibus et singulis nobilibus Jus ad dictum regnum* Scotiæ *vendicantibus, ac etiam auditoribus hinc inde nominatis et electis et per ipsum assignatis, Comitibus, Baronibus, Militibus, aliisque Proceribus dicti regni in Parliamento suo coram ipso apud* Berewicum *super* Twedam *pro termino peremptorio præfixit et assignavit, ad procedendum, cognoscendum et faciendum in dicto negotio inter vendicantes dictum regnum, cum continuatione et prorogatione dierum (sicut alias) inter ipsum Dominum Regem et ipsos Nobiles et Prælatos regni* Scotiæ *ordinatum extitit et consensum. Acta in quadam area viridi ex opposito Castri de* Norham, *in parochia de* Upsetlington *Sancti* Andreæ *Dioc. prope flumen de* Tweda *(ut præmittitur) anno, indictione, mense et die proximo prænotatis. Præsentibus venerabilibus in Christo Patribus Dominis* Roberto Bathon. *et* VVellen. Antonio Dunolm. *et* Radulpho *Dei gratia* Carleolen. *Episcopis; una cum Nobilibus viris, Dominis* Edmundo *dicti Domini Regis germano* Lancastriæ, VVillielmo de Valentia Pembrok, Gilberto de Clare Glovorniæ, *et* Henrico de Lascy Lincoln. *Comitibus*; Johanne de Sancto Johanne, VValtero de Bello Campo *dicti Domini Regis Seneschallo*, Nicolao de Segrave, Petro de Chavant, & VVillielmo de Monte Revelli, *dicti Domini Regis Camerariis*, Johanne Betecourt, Guidone Ferre, VVillielmo de Bereford, *et* Elia de Haungle, *Militibus, ac venerabilibus et discretis viris Magistris,* Henrico de Newerke *Decano* Eboracensi, Johanne de Lascy *Cancellar.* Cicestren. *ac Magistro* Johanne Erturi de Cadomo *publico apostolica authoritate* Notario; *cum aliis utriusque regni Nobilibus et Prælatis in multitudine copiosa.*

Anno Domini *& indictione prænotatis, dicti mensis* Junii *die quartodecimo,* Nobiles *viri* Ricardus *dictus* Syward. Simon Fraser, & Alexander *filius Comitis de* Meneteth, *venerunt,* **et fidelitatem dicto Domino Regi Angliæ, ut Superiori et directo Domino regni Scotiæ fecerunt; et tactis sacrosanctis Dei Evangeliis et osculatis juraverunt, in quodam Panerio juxta Norham.** *Præsentibus Domino* Henrico de Bluntisdon, *et* Radulpho de Stamfordia, *ac Magistro* Johanne Erturi de Cadomo *publico apostolica authoritate Notario, cum aliis quampluribus. Et anno Domini et indictione prædictis dicti mensis* Junii *exeuntis die septimo, existente dicto Domino Rege* Angliæ *apud* Berewicum *super* Twedam, *religiosus vir frater* Henricus *Prior de* Coldingham, *&* Dominus Johannes de Vaus *venerunt, & in capella Castri de* Berewico **fidelitatem fecerunt eidem Domino Regi Angliæ, et etiam juraverunt.** *Præsentibus venerabilibus patribus Dominis,* Roberto Bathon. *&* Wellen. *et* Alano Cathenen. *Episcopis; et Domino* Henrico de Bluntisdon. *dicti Domini Regis Elemosynar. ac Magistro* Johanne Erturi de Cadomo *publico apostolica authoritate Notario, cum aliis quampluribus.* Item, *ibidem anno* Domini *& indictione prædictis, dicti mensis exeuntis die sexto, religiosa mulier Domina* Agnes de Berinham *Prioriſſa de* Berewico, Petrus de Morington, Johannes de Bradeley, *et* Edmundus de Bindington, *venerunt,* **et eidem Domino Regi Angliæ ut superiori et directo Domino regni Scotiæ fidelitatem fecerunt, et etiam juraverunt, tactis sanctis Evangeliis et osculatis;** *Præsentibus nobilibus viris Dominis,* Johanne de Sancto Johanne, *&* VValtero de Bello Campo *Militibus; Domino* VValtero de Langeton, *et Magistro* Johanne Erturi de Cadomo *publico Notario, cum aliis quampluribus. Anno* Domini *et indictione prædictis dicti mensis* Junii *exeuntis die quarto adhuc loco proximo prænotato,* Dominus Alexander de Bonkhille *venit, & dicto Domino Regi* **ut superiori et directo Domino regni Scotiæ fidelitatem fecit, et tactis sacrosanctis et osculatis Dei Evangeliis juravit;** *Præsentibus Dominis,* Johanne de Sancto Johanne, *et* Gilberto de Routhbyr. *Clerico, ac Magistro* Johanne Erturi de Cadomo *publico apostolica authoritate Notar. cum aliis quampluribus. Anno* Domini *& Indictione prænotatis dicti mensis*

Junii

Junii exeuntis die tertia, Burgenſes et Communitas de Villa de Berewico *in parochiali* *An.* 20
eccleſia ipſius villæ congregati, videlicet Philippus de Rydale *Major Villæ*, Ranulphus de VVhiteby, Ingeramus de Colton. Henricus Fraunceys, Thomas le Venour, Richardus Tannator, Petrus de Coventre, Robertus de Eborum, Thomas de Seighkirk, Henricus Aurifaber, Thomas Mouſy, Johannes Clericus de Berewico, Johannes de Hove, Johannes de Routhbyr. Euſtachius Leſpicer, VVillielmus May, Matthæus le Cotelier, Gregorius de Coldingham, *Magiſter* Rogerus Bartholomei, Thomas de Beverlaco, VVillielmus Chaucon. David de Kelnſworth *Ballivus*: Alanus de Langeton. VVillielmus Clericus, Robertus Ruſſell, Nicholaus de Beverley, Rogerus Leſpicer, VVillielmus de Holthale, VVarinus de Pebles, Adam de Barton, Nicholaus de VVhiteby, Laurentius Clericus, VVillielmus Grethened, Johannes de Cornbyr. Henricus Spring, Adam de Mar, Adam de Seleby, Johannes de Strivelin, Johannes Monachus, Johannes de VVhiteby, Johannes Otre, Alexander Pelliparatius, Robertus de Barton, Adamus Moigne, Robertus de Dunbar, Martinus Leſpicer, Radulphus Taket, VVarinus le Violer, *et* VVillielmus Clericus de Berewyk, *præfato Domino Regi* Angliæ **ut ſuperiozi et directo Domino regni** Scotiæ **fidelitatem fecerunt, et tactis ſacroſanctis Dei Evangeliis juraverunt.** *Præſentibus nobilibus viris Dominis*, Johanne de Sancto Johanne, & Johanne Botecourte, *Militibus*; *cum Dominis* Waltero de Longeton, & Gilberto de Routhbyr. *& aliis quampluribus. Anno Domini & Indictione prænotatis dicti menſis* Junii *die ultimo, congregati in Capella Caſtri de* Berewico *Burgenſes ejuſdem villæ ſubſcripti, videlicet* Simon de Tridelton, Radulphus Philippi, Robertus Oliver, Nicholaus Champion, Robertus de Lambreton. Richardus de Menſton. Jacobus Aurifaber, Henricus Tonſor, Thomas le Tannour, Rogerus Philippi, Richardus Gilbe, Willielmus Brokour, Robertus de Breghin, Walterus de Goſewyk, Tho. Bataile, Johannes de Knapton, Willielmus de Menſington, Johannes de Wainflet, Adam de Mulcreft, & Willielmus de Grendon. *venerunt, & in præſentia mei infraſcripti Notarii & Teſtium ſubſcriptorum*, **dicto Domino Regi** Angliæ **fidelitatem fecerunt, ut ſuperiozi et directo Domino regni** Scotiæ, **et tactis ſacroſanctis et oſculatis Dei Evangeliis juraverunt.** *Præſentibus nobilibus viris Dominis*, Johanne de Sancto Johanne, Roberto Malet, & Helya de Hanville, *Militibus*; *cum Domino* Gilberto de Roubyr. *et aliis quampluribus. Anno Domini et Indictione prænotatis menſis* Julii *die quinto, Nobilis vir Dominus* Willielmus Douglas *in Capella Manerii Domini* Walteri de Lindeſeya *apud* Thurſtanſton. *Sancti* Andreæ *Dioc. venit*, **et fidelitatem fecit Domino Regi** Angliæ **memozato ut ſuperiozi et directo Domino regni** Scotiæ **Domino Rege** Angliæ **prædicto in dicto Manerio hoſpitato**; *præſentibus veneralibus in Chriſto patribus Dominis*, Antonio Dunolm. & Alano Cathenen. *Epiſcopis; & nobilibus viris aliis quampluribus. Anno Domini & Indictione prædictis, menſis* Julii *die octavo, exiſtente Domino Rege* Angliæ *in* Caſtro Puellarum, *religioſus vir Dominus* Adam *Abbas Sanctæ* Crucis *de* Edinburgh, & *Dominus* Richardus Fraſel *venerunt, & in capella dicti Caſtri eidem Domino Regi* Angliæ *(ut ſupra)* **fidelitatem fecerunt, et etiam juraverunt**; *Præſentibus Nobilibus viris Dominis*, Willielmo Latymer, Radulpho Baſſet *Conſtabulario Caſtri*, & Thom. le Uſſer. *& aliis quampluribus.*

Anno Domini & Indictione prænotatis, menſis Julii *die duodecimo, exiſtente dicto Domino Rege* Angliæ *in Caſtro de* Strivelin, *venerunt ibidem venerabilis in Chriſto pater* Willielmus *Dei gratia Epiſcopus* Dunblanen. *& nobiles viri Domini* Maliſius *Comes de* Strathern. Galfridus de Moubray, & Willielmus de Rotheinan. *& eidem Domino Regi* Angliæ **ut ſuperiozi et directo Domino regni** Scotiæ **fidelitatem fecerunt.** *Præſentibus ibidem venerabilibus in Chriſto patribus Dominis* Antonio Dunolm. Roberto Glaſcuen. & Albano Cathenen. *Epiſcopis*; *ac nobilibus viris*, Domino, Edmundo *Comite* Lancaſtriæ *dicti Domini Regis Germano*, Johanne de Sancto Johanne, Johanne Comyn *Domino de* Badenagh, & Patricio de Graham, *cum aliis quampluribus.* Item, **ibidem dictus Dominus Rex de unanimi voluntate et conſenſu expreſſo omnium Epiſcopozum, Comitum, Baronum et aliozum Nobilium regni** Scotiæ **tunc præſentium ozdinationem quandam fecit ſuper fidelitatibus capiendis de perſonis abſentibus, qui fidelitatem facere tenebantur per totam terram** Scotiæ, **ut eozundem laboribus parceret, et expenſis, ſub hac forma.** *Cuſtodes regni* Scotiæ, *videlicet* VVillielmus *Sancti* Andreæ, & Robertus Glaſcuen. *Epiſcopi*,

Jacobus

An. 20 E. 1. Jacobus *Seneſcallus* Scotiæ, Johannes Comyn *Dominus de* Badenagh, & Brianus *filius* Alani, & *omnes alii qui per dictum Dominum aſſignabuntur ſuper fidelitatibus capiendis,* debent capere juramenta fidelitatum ab Epiſcopis, Comitibus, Baronibus, Magnatibus, et aliis Nobilibus et libere tenentibus et aliis univerſis, qui fidelitatem facere Domino Regi Scotiæ tenentur: qui vero venerunt et fidelitatem facere noluerint, attachientur per corpora ſua, donec fidelitatem fecerint, ut tenentur. Illi vero qui non veniunt, nec ſe excuſent, ſi habeant cauſam rationabilem, audiantur; et poſtea ad Parliamentum prox. adjornentur. Alii vero qui neque veniunt, nec ſe excuſant, donec fidelitatem fecerint acrius aſtringantur: *Epiſcopus Sancti* Andreæ, Johannes Comyn de Badenagh, & Brianus *filius* Alani hujuſmodi fidelitates recipere in villa Sancti Johannis de Perth. *Et Epiſcopus* Glaſcuen. *et* Jacobus *Seneſcallus* Scotiæ, & Nicholaus de Segrave *apud* Novum Caſtrum *ſuper* Are. Et *Comes de* Sutherland, & *Vicecom. Patriæ cum Ballivis ſuis una cum Caſtellano loci de* Inthernes, *apud* Inthernes. Et *primo debet Caſtellanus recipere fidelitatem à dicto Comite, & poſtmodum ipſe cum Comite de Ballivis, Vicecomitibus & aliis de eodem Comitatu.* Et debent recipi hujuſmodi fidelitatis Juramenta a tertiodecimo die Iulii in quindecim dies anno Domini ſuprædicto. VVillielmus de *Sancto* Claro & VVillielmus de Boyville debent capere fidelitatem *ab Epiſcopo* Candidæ Caſæ, & *poſtea idem Epiſcopus cum illis duobus* capiet fidelitates omnium illorum de Galwidia. *Et ſi eorum tertius impediatur, ita quod vacare non poſſit,* alii duo illorum faciant et procedant. *Et ita de aliis qui ſunt in Ballivâ prædicti* VVillielmi de Sancto Claro. Et habeat unuſquiſque prædictorum Cuſtodum poteſtatem capiendi hujuſmodi fidelitates in omnibus et ſingulis locis per quæ tranſeunt, ab illis qui eas prius non fecerunt. *Anno Domini & indictione prædictis, menſis* Iulii *die decimo ſeptimo, exiſtente dicto* Domino *Rege apud* Dunfermelyn, *venerunt ibidem* Radulphus *Abbas ejuſdem loci, & Nobiles viri Domini* Andreas Fraſer, VVillielmus de Haya, Andreas de Moravia, & Conſtantinus de Loghore, *Vicecomes de* Fyf, et eidem Domino Regi Angliæ ut ſuperiori et directo Domino regni Scotiæ fidelitatem fecerunt et juraverunt, quidam eorum ſuper majus altare dicti Monaſterii, et quidam in Capitulo; *Præſentibus venerabilibus in Chriſto patribus Dominis,* Antonio Dunolmenſi, & Alano Cathenenſi *Epiſcopis; una cum Nobilibus viris, Dominis,* Iohanne de Sancto Iohanne, Patricio de Graham, & Galfrido de Moubray *Militibus, & aliis Nobilibus, Clericis ac Laicis quampluribus. Anno Domini & Indictione prænotatis, dicti menſis* Julii *die decimo nono, congregatis in Capella de* Kingorn. *Nobilibus viris Dominis* Johanne de Moravia, Michaele Scoto, Acone de Kynros, Roberto Horeth, Willielmo de Logheton, & Thom. Keyr, *Militibus,* fidelitatem dicto Domino Regi Angliæ ut ſuperiori et directo Domino regni Scotiæ fidelitatem fecerunt, et tactis Sacroſanctis et oſculatis Dei Evangeliis juraverunt. *Præſentibus Nobili viro Domino* Willielmo de Laiburn *Militi, Domino* Radulpho de Stanfordia, Waltero de Amundeſham, & Willielmo de Dunfres, *cum aliis Clericis ac Laicis quampluribus. Anno Domini & Indictione prædictis, dicti menſis* Julii *die viceſimo ſecundo, exiſtente dicto Domino Rege apud Sanctum* Andræam, *venerunt ibidem in Capitulo loci religioſus vir* Johannes *Prior Sancti* Andrææ, *una cum Nobilibus viris Dominis* Adam de Rocref, Willielmo de Maul, Alexandro de Abrinthy, Hug. de la Haye, Henrico de Anſtrether, Alexandro de Ardern, Johanne de la Haye, & Roberto de Betune, *Militibus,* et fidelitatem dicto Domino Regi Angliæ ut ſuperiori et directo Domino regni Scotiæ fecerunt, et juraverunt, tactis Sacroſanctis et oſculatis Dei Evangeliis. *Præſentibus venerabilibus in Chriſto patribus Dominis* Willielmo de Sancti Andrææ, & Alano Cathenen. *Epiſcopis, Magiſtro* Alano de Dunfres, & *aliis tàm Clericis quàm Laicis in multitudine copioſa, Anno Domini & Indictione prænotatis, dicti menſis* Julii *die viceſimo tertio,* Johannes *Abbas Monaſterii de* Lunders, & *Nobiles viri Domini* Willielmus de Fenton, & Simon de Freſthele, *venerunt, & in Monaſterio de* Lunders ſuper majus Altare dicto Domino Regi Angliæ ut ſuperiori et directo Domino regni Scotiæ fidelitatem fecerunt, et tactis Sacroſanctis et oſculatis Dei Evangeliis juraverunt. *Præſentibus Domino* Waltero de Bello Campo, *dicti Domini Regis* Angliæ *Seneſcallo, cum Domino* Waltero de Amandeſham *Clerico, & aliis Clericis & Laicis quampluribus. Anno Domini & Indictione prænotatis, dicti menſis* Julii *die viceſimo quarto, exiſtente dicto Domino Rege* Angliæ *in Villa Sancti* Johannis

Johannis de Perth. *Burgenſes, & ipſius Ville Communitas in Cimiterio Eccleſie Fratrum Predicatorum ejuſdem congregati; videlicet,* Johannes de Perth. Johannes Anker, Johannes filius Richardi, Robertus Piſcator *Ballivus Ville, &* Duncanus del Celer; *ſimiliter* Gilbertus Cokin, Alexander del Monthe, Petrus filius Wymark, Robertus de Scardeburgh, Radulphus Tundeman, Chriſtinus Flemeng, Walterus Diaconus, Adam le Trompour, Duncanus Corry, Johannes Douce, Adam le Tailour, Simon de Strathy, Johannes Rakſtra, Richardus de Nevile, Malcolmus de Janua, Walterus Shenker, Dovenaldus Brid, Robertus Carpentarius, Johannes de Lenne, Petrus Blackmantel, Hugo Thorel, Adam de Letham, Willielmus Dunſtan, Johannes Southren, Wadinus de Southgate, Rogerus de Baligalli, Michael Pelliparius, Robertus de Alureton, Michael Troiſdeners, Simon Gaunter, Willielmus Talemer, Fergus & Michael de Inſula Miſſarum, Uttredus Mareſcallus, Thomas de Donewyce, Willielmus de Polle, Henricus Cirotecarius, Philippus Taket, *Magiſter* Willielmus de Sancto Nicholao, *Magiſter* Robertus de Boughan, Thomas Wyles, Johannes Dounan, Philippus de Berkle, Simon Tackmore, David de Dunde, Willielmus filius Præpoſiti, Richardus Piſtor, Robertus Piſtor, Adam de Athetle, Thomas Parvus de Donewyce, Willielmus Aurifaber, Willielmus de Crophill, Malcolmus Belle, Rogerus Piſtor, Reginaldus Speldre, Thomas de Carz, Robertus del Inche, Roſſi de Southgate, Simon le Sealer, Willielmus Lucifer, Simon de Keth, Petrus filius Roberti Knight, Willielmus Wynk, Johannes Stag, Audi de Kaingham, Andreas Scorth, & Patricius Galightly, *quilibet per ſe, pro ſe & Communitate dicte Ville* **fidelitatem fecit, et tactis Sacroſanctis et oſculatis Dei Evangeliis juravit Domino Regi** Angliæ **memorato, ut ſuperiori et directo Domino regni** Scotiæ **præſtitit.** *Præſentibus venerabili in Chriſto patre Domino* Alano Cathenen. *Epiſcopo, Cancellar.* Scotiæ, & *Nobilibus viris Dominis* Johanne de Sancto Johanne, & Roberto Malet *Militibus, & Domino* Waltero de Amundeſham *Clerico, cum aliis Clericis & Laicis quampluribus. Et eodem die in Eccleſia dictorum Fratrum Predicatorum de* Perth. *religioſus vir frater* Andræas *Abbas de* Cupro, Maria *Regina de* Mann, *& Comitiſſa de* Strathern, Johannes le Botilier, *&* Johannes de Cambron *Milites, & in camera dicti Domini Regis ibidem, frater* Thomas *Abbas de* Scona, **fidelitatem fecerunt Domino Regi** Angl. **memorato, ut ſuperiori et directo Domino regni** Scotiæ, **et ad Sancta Dei Evangelia juraverunt.** *Præſentibus in Eccleſia & Camera venerabilibus in Chriſto patribus Dominis* Antonio Dunolm. Willielmo Sancti Andreæ, & Alano Cathenen. *Epiſcopis, ac Nobilibus viris Dominis* Dovenaldo de Mar, & Maliſio de Strathern, *Comitibus, Domino* Waltero de Bello Campo *dicti Domini Regis* Angliæ *Seneſcallo, & Domino* Henrico de Bluntiſdon *ipſius Regis Elemoſinar. cum aliis quampluribus. Anno Domini & Indictione predictis, dicti menſis* Julii *die viceſimo quinto, Dominus* Johannes de Ergadia, *filius Nobilis viri Domini* Alexandri de Ergadia, *venit & in Camera dicti Domini Regis* Angliæ *illuſtris in domibus dictorum Fratrum Prædicatorum de* Perth. **eidem Domino Regi ut ſuperiori et directo Domino regni** Scotiæ **fidelitatem fecit, et tactis Sacroſanctis et oſculatis Dei Evangeliis juravit.** *Præſentibus venerabilibus in Chriſto patribus Dominis* Antonio Dunolm. & Alano Cathenen. *Epiſcopis, ac Nobilibus viris Dominis* Johanne Comyn de Badenagh; & Waltero de Bello Campo *Militibus, cum aliis quampluribus. Anno Domini & Indictione prænotatis, dicti menſis* Julii *die viceſimo octavo, exiſtente dicto Domino Rege* Angliæ *apud* Linliſcou, *venit ibidem* Chriſtina *Prioriſſa de* Manuel, *& eidem Domino Regi, ut ſuprascripti,* **fidelitatem fecit et juravit.** *Præſentibus venerabilibus & diſcretis viris Domino* Henr. de Bluntiſdon *Archidiacono* Dorſetiæ, *Domino* Radulpho de Stanford, & Johanne de Exonia, *cum aliis quampluribus. Anno Domini & Indictione prænotatis, menſis* Julii *die viceſimo nono, exiſtente dicto Domino Rege* Angliæ *in Caſtro de* Edenburgh, *venerunt ibidem religioſus vir* Johannes *Abbas de* Neubotle, Radulphus *Magiſter Hoſpitalis de* Soltre, Walterus *Magiſter Domus de* Balnecrif, Alicia *Prioriſſa de* Hadington, **et eidem Domino Regi ut ſuperiori et directo Domino** regni Scotiæ **fidelitatem fecerunt, et tactis Sacroſanctis et oſculatis Dei Evangeliis juraverunt,** *in præſentia mei infraſcripti Notarii, & teſtium ſubſcriptorum. Præſentibus venerabili in Chriſto patre Domino* Antonio *Dei gratia* Dunolm. *Epiſcopo, ac Nobilibus viris Dominis* Umfrido de Bohun Hereford. & Johanne de Britannia Richem. *Comitibus,* Walterus de Huntrecombe, Radulpho Baſſet, Guidone Ferre,

An. 20 E. 1.

Thoma

An. 20 *E.* 1. Thoma le Huſſer, & *Magiſtro* Edmundo de London. *cum aliis quamplurib.* *Et eiſdem die & loco præſentibus, dictis teſtibus in eadem dicti Domini Regis, ibidem venerunt frater* Alexander *Prior Hoſpitalis Sancti* Johannis Jeroſolymitani in Scotia, & *frater* Brianus *Præceptor Militiæ Templi in eodem regno,* **et fidelitatem eidem Domino Regi** Angliæ, **ut ſupra, fecerunt, et juraverunt.** *Anno Domini & Indictione prænotatis, menſis* Auguſti *die primo, exiſtente dicto Domino Rege apud* Berewicum *ſuper* Twedam, *venerunt ibidem venerabiles in Chriſto patres Domini* Henricus Aberdon. & Robertus Roſſen. *Epiſcopi, & Nobiles viri Domini* Willielmus *Comes de* Ros, Willielmus de Moravia Dives, & David de Graham *Milites; & in quadam Capella juxta cameram Domini Regis,* **eidem Domino Regi ut ſuperiori et directo Domino regni** Scotiæ **fidelitatem fecerunt, et ad Sancta Dei Evangelia (ut ſupra) juraverunt;** *In præſentia venerabilium patrum Dominorum* Roberti Bathon. & Wellens & Alani Cathenen. *Epiſcoporum, & Nobilium virorum* Umfridi Hereford. & Henrici Lincoln. *Comitum,* Johannis de Sancto Johanne, & Roberti filii Walteri *Militum, Magiſtri* Johannis de Cadomo *Notarii publici, meique Notarii infraſcripti, & aliorum Clericorum & Laicorum quamplurium. Anno Domini & Indictione prænotatis, dicti menſis* Auguſti *die quarto* Henricus *Abbas de* Abirbrothok, & *Dominus* David de Torthorand *Miles venerunt, & in Eccleſia Fratrum Prædicatorum de* Berewico *deſerta, dicto Domino Regi* Angl. **ut ſuperiori et directo Domino regni** Scotiæ **fidelitatem fecerunt, et ad Sancta Dei Evangelia juraverunt:** *Præſentibus venerabilibus in Chriſto patribus Dominis* Antonio Dunolm. Roberto Bathon. & Wellen. Radulpho Carleolen. Willielmo Sancti Andreæ, Roberto Glaſcuen. & Alano Cathenen. *Epiſcopis, ac Nobilibus viris Dominis* Henrico de Laſcy Lincoln. & Rogero Bigot Northfolch. *Comitibus,* Briano *filio* Alani, & *Magiſtro* Willielmo de Grenefend *Canonico* Eborum, *Magiſtro* Johanne Erturi de Cadomo *publico apoſtolica authoritate Notario, cum aliis quamplu-ribus, & me Notario infraſcripto. Anno Domini & Indictione prænotatis, loco quo proximo ſupradicto menſis* Auguſti *die ſexto, religioſus vir Abbas de* Kynglos *venit,* & **fidelitatem fecit Domino Regi** Angliæ **memorato ut ſuperiori et directo Domino regni** Scotiæ **et inſpectis ſacroſanctis et oſculatis Dei Evangeliis jurabit.** *Et in craſtino, loco eodem, videlicet dicti menſis* Auguſti *die ſeptimo, Dominus* Johannes de Cantelou *venit,* **et fidelitatem fecit Domino Regi** Angliæ **memorato, tactis ſacroſanctis et oſculatis Dei Evangeliis in forma prædicta jurabit.** *Præſentibus venerabili in Chriſto Patre Domino* Alano Cathenen. *Epiſcopo, Domino* Johanne de Sancto Johanne, *Magiſtro* Johanne Erturi de Cadomo *Notario publico, cum aliis Clericis & Laicis quampluribus, meque Notario infraſcripto.*

Anno à Nativitate Domini 1291. *Indictione quarta, dicti menſis* Auguſti *die tertia, Sereniſſimus Princeps & Dominus noſter Dominus* Edwardus *Dei gratia Rex* Angliæ *illuſtris,* **ſuperior et directus Dominus regni** Scotiæ, *quandam in præſentia mei infraſcripti Notarii & teſtium ſubſcriptorum fecit proteſtationem, ſermone tamen Gallico, hunc habentem ſententialiter intellectum.* Licet nos *Edwardus* Dei gratia Rex *Angliæ* nuper per noſtras literas conceſſerimus **de noſtra gratia ſpeciali** Nobilibus viris *Florentio* Comiti *Hollandiæ, Roberto de Brus* Domino *Vallis Anandiæ, Johanni de Balleolo* Domino *Galwidiæ, Johanni de Haſtinges* Domino de *Bergeveny, Johanni Comyn,* Domino de *Badenagh, Patricio de Dunbar,* Comiti de *Marchia, Johanni de Veſcy* Procuratore ſeu Attornato *Willielmo de Veſcy* patris ſui, *Willielmo de Ros,* & *Nicholao de Soules* petentibus ſeu vendicantibus ex ſucceſſione hæreditaria (ut jus ſuum) regnum *Scotiæ* coram nobis; quæ quidem partes una cum aſſenſu venerabilium patrum *Willielmi* Sancti *Andreæ* & *Roberti Glaſcuen.* Epiſcoporum, *Johannis Comyn* & *Jacobi* Seneſcalli *Scotiæ,* Cuſtodum dicti regni, necnon Comitum, Baronum, Procerum, & aliorum de Communitate ejuſdem regni tunc præſentium, & nobis **ſuperius et directum Dominium ipſius regni** Scotiæ **recognoverunt, conſentientes etiam ſtare juri coram nobis ſuper petitionibus ſuis hujuſmodi et a nobis recipere juſtitiæ complementum,** ita quod fieret eis juſtitia ſuper dictis ſuis petitionibus infra prædictum regnum *Scotiæ* & non alibi, donec Rex in eodem regno haberetur. **Proteſtamur et dicimus, quod intentionis noſtræ non extitit, nec extitit, quod per gratiam hujuſmodi** (quam prædictis Nobilibus petentibus & aliis de Communitate prædicta fecimus, ut præmittitur) **nobis vel hæredibus noſtris** Angliæ

Regibus

Regibus aliquod impoſterum præjudicium generetur, quin nos et ipſi in caſu conſimili et aliis emergentibus valeamus infra regnum noſtrum Angliæ pro voluntate noſtra libere Jus noſtrum ſuperioritatis et directi dominii dicti regni *Scotiæ* exercere et facere quod debeamus, et ad nos ut ſuperiorem et directum Dominum incumbit in futurum. *Facta fuit Proteſtatio ſupraſcripta (ut præmittitur) in Capella Caſtri de* Berewico *ſuper* Twedam, *anno, indictione, menſe & die proximo prænotatis; præſentibus venerabilibus in Chriſto patribus, Dominis,* Robertus Bathon. & Wellen. Antonio Dunolm. Willielmo Elien. Willielmo *Sancti* Andreæ, Roberto Glaſcuen. Henrico Aberdon. & Willielmo Dunblan. *Epiſcopis; ac Nobilibus viris Dominis*, Amadeo Sabaudiæ, Henrico Lincoln: Johanne de Boughan, Dovenaldo de Mar, & Willielmo de Ros, *Comitibus; & venerabilibus & diſcretis viris Magiſtris* Henrico de Newerk *Decano* Eborum, Roberto *Archidiacono* Ceſtriæ, Willielmo de Grenefeld *Canonico* Eborum, & Willielmo de Kilkenny, *Clericis; ac Nobilibus viris Dominis*, Johanne Comyn de Badenagh, Jacobo *Seneſcallo* Scotiæ, Johanne de Sancto Iohanne, Nicolao de Segrave, Iohanne de Soules, Willielmo de Sancto Claro, & Galfrido de Moubray, *Militibus; ac Magiſtro* Iohanne Erturi de Cadomo *publico apoſtolica auctoritate Notario*, teſtibus vocatis et rogatis; *cum Nobilibus & Prælatis utriuſque regni quampluribus.* *An.* 20 *E.* I.

Anno à Nativitate *Domini* 1291. *Indictione quarta menſis* Auguſti *die tertia continuata cum die* Jovis *prox. præcedente, quem diem Jovis partes ſubſcriptæ jus ad regnum* Scotiæ *ex ſucceſſione hæreditaria ſibi vendicantes, ex aſſignatione & præfixione ſereniſſimi Principis & Domini, Domini* Edwardi *Dei gratia Regis* Angliæ *illuſtris*, ſuperioris et directi Domini Regni Scotiæ ſupradicti *(ut præmittitur) habuerunt ad comparendum ipſo apud* Berewicum *ſuper* Twedam, *& in negotio inter ipſas partes ſuper jure ſuccedendi in dictum regnum* Scotiæ *inchoato procedendum, petendum, reſpondendum, & recipiendum Juſtitiæ complementum; Convenientibus coram ipſo Domino Rege ſuoque conſilio in Eccleſia fratrum prædicatorum de* Berewico *deſerta, utriuſque regni Nobilibus & Prælatis, necnon omnibus & ſingulis jus ad dictum regnum* Scotiæ *vendicantibus, ac viginti quatuor de regno* Angliæ *auditoribus, per ipſum Dominum Regem* Angliæ *ratione ſuperioritatis & dominii ſui prædicti nominatis & electis (ut præmittitur;) et etiam octoginta auditoribus per nobiles viros, Dominos* Robertum de Brus, & Iohannem de Balleolo *& alios, qui nominationi & electioni per ipſos faciendæ conſentire voluerint, nominatis & electis ad audiendum petitiones & jura Nobilium prædictorum dictum regnum vendicantium, & ad cognoſcendum, diſcutiendum & diffiniendum de Jure ſingulorum petentium prædictorum; & Domino Regi prædicto id quod invenerint fideliter referendum, ut ipſe Deum habens præ oculis pro jure illius pronunciet, quem pinguius jus ad idem regnum habere viderit in eventu, & unicuique petenti juſtitiæ faceret complementum.* Inprimis *ex parte* Nobilis viri *Domini* Florentii *Comitis* Hollandiæ *fuit pro jure ſuo propoſitum, narratum & petitum hoc modo.*

Florentius Comes *Holandiæ* petit à Domino Rege *Angliæ* Superiori et directo Domino Regni *Scotiæ* hæreditatem ſuam dicti regni ſibi liberari tanquàm hæredi propinquiori; eo quod *Margareta* filia Regis *Norwegiæ* conſanguinea ipſius Comitis (cujus hæres ipſe eſt) fuit ſeiſitus in dominico ſuo ut de feodo de prædicto regno *Scotiæ* tempore pacis, tempore Domini *Edwardi* Regis *Angliæ* Superioris et directi Domini Regni Scotiæ; & inde nuper obiit ſeiſita; Et de prædicta *Margareta*, quia obiit ſine hærede de ſe, reſortiebatur Feodum & Dominium, ut debuit reſortiri cuidam *Adæ*, ut conſanguineo & hæredi ſororis quondam Regis *Scotiæ Willielmi* tritavi prædictæ *Margaretæ*; & de ipſa *Ada* deſcendit feodum & dominicum & debuit deſcendere cuidam *Florentio* ut filio & hæredi; Et de ipſo *Florentio* deſcendit Feodum & Dominicum & deſcendere debuit cuidam *Willielmo* ut hæredi; Et ex ipſo *Willielmo* deſcendit Feodum & Dominicum, & deſcendere debuit iſti *Florentio* ut filio & hæredi, qui nunc petit. Et quod ipſe eſt hæres ipſius *Margaretæ* propinquior, paratus eſt oſtendere prout debet, ſalvo ſibi beneficio addendi, mutandi & minuendi, prout melius viderit expedire.

Ex parte vero Nobilis viri Domini Patricii de Dunbar *Comitis de* Marchia pro Jure fuit propoſitum, narratum & petitum hoc modo. *Patricius* Comes de *Marchia* ſupplicat, quod ſuper regno *Scotiæ* ſibi fiat Juſtitiæ, quod debet de jure ſibi obvenire propter defectum ſucceſſionis deſcendentis à Rege *Scotiæ Alexandro* ultimo per reverſionem & reſortam ad *Idam* filiam *Willielmi* quondam Regis *Scotiæ*:

An. 20 *E.* 1. De qua deſcendit Jus ſuccedendi ad dictum regnum ad *Patricium* Comitem de *Marchia*, tanquam ad filium & hæredem; A quo deſcendit idem Jus ad *Patricium* ſecundum ſimiliter Comitem de *Marchia*, tanquam ad filium & hæredem, qui nunc petit ut hæres propinquior per ſucceſſionem regni *Scotiæ*.

Ex parte vero Nobilis viri Domini *Willielmi de Veſcy* fuit pro Jure ſuo propoſitum, narratum & petitum hoc modo. *Willielmus* Rex *Scotiæ* genuit *Alexandrum* Regem, qui regnavit poſt ipſum; & idem *Alexander* genuit *Alexandrum* ſecundum qui poſtea regnavit, & duxit in uxorem *Margaretam* filiam *Henrici* Regis *Angliæ* illuſtris, de quibus exivit una *Margareta*, quæ fuit nupta Regi *Norwegiæ*; Et de illis exivit quædam alia *Magareta*, quæ fuit hæres *Scotiæ*; quæ quidem ſine hærede de corpore ſuo obiit, ſicut illa quæ fuit minoris ætatis. Item idem *Willielmus* Rex genuit *Margaretam* ſororem prædicti *Alexandri* Regis, & fuit nupta illa *Margareta Euſtachio de Veſcy*; de qua genuit *Willielmum de Veſcy* qui obiit in *Vaſconia*, & idem *Willielmus* genuit *Johannem de Veſcy* (qui obiit ſine hærede de corpore ſuo) & *Willielmum de Veſcy* fratrem ipſius *Johannis*, qui modo petit regnum *Scotiæ*, ſicut propinquior hæres de ſanguine prædictæ *Margaretæ* quæ obiit ſine hærede de ſe; per cujus obitum jus debet reſortiri iſti *Willielmo* qui modo petit.

Ex parte vero Nobilis viri Domini *Willielmi de Ros* fuit ſimiliter pro jure ſuo propoſitum, narratum & petitum hoc modo. *Willielmus de Ros* ſupplicat, quod juſtitia ſibi fiat de clamio ſuo quod ponit in regnum *Scotiæ*, quod ſibi debet obvenire de Jure in hunc modum. Rex *Willielmus* genuit Regem *Alexandrum*, qui regnavit poſt ipſum; Et idem *Alexander* genuit *Alexandrum* ſecundum, qui poſtea regnavit, & habuit unam filiam *Margaretam* nomine, quæ fuit nupta Regi *Norwegiæ*; de quibus exivit quædam alia *Margareta*, quæ poſtea fuit hæres *Scotiæ*, & obiit ſine hærede de corpore ſuo. Et per defectum exitus de ſanguine ejuſdem *Margaretæ*, & per reverſionem debet reverti ad *Iſabellam* primogenitam, & *Adam* & *Margaretam* filias dicti Regis *Willielmi*, patris dicti *Alexandri*, fratris prædictarum *Iſabellæ*, *Adæ* & *Margaretæ*, & patris *Alexandri* qui ultimo obiit, ſicut ad propinquiores de ſanguine prædictæ *Margaretæ*; quæ quidem *Iſabella* deſponſata fuit *Roberto de Ros*: Et de ipſis *Roberto* & *Iſabella* exivit quidam *Willielmus*, & de *Willielmo* quidam *Robertus*, de quo *Willielmus* qui nunc petit, ſicut propinquior homo per defectum ſanguinis prædictæ *Margaretæ* & reverſionem prædictam ad *Iſabellam* anteceſſorem ſuum, tanquam ad primogenitam; cui *Iſabellæ* ratione primogenituræ debet dictum regnum integrè remanere: Et quod regnum non debet dividi paratus eſt verificare.

Ex parte vero Domini *Roberti de Pinkny* ſimiliter fuit pro jure ſuo propoſitum, narratum & petitum hoc modo. *David* Rex *Scotiæ* genuit *Henricum*, *Henricus Willielmum*, *Willielmus Alexandrum* primum, *Alexander* primus *Alexandrum* ſecundum, & ille *Alexandrum* tertium, qui obiit ſine prole, & *David* ſimiliter, qui obiit ſine prole, & *Margaretam* Reginam *Norwegiæ*, ex qua genita eſt quædam alia *Margareta*, quæ jam obiit ſine prole. Ex prædicto *Henrico* patre Regis *Willielmi* ſimiliter genita fuit quædam *Margareta*, ex qua *Margaretâ Alicia*, & ex ea *Henricus de Pinkny*, à quo *Henrico Robertus de Pinkny*, qui nunc petit regnum *Scotiæ* per reverſionem & reſortium ad dictam *Margaretam* proaviam ſuam propter defectum prolis exeuntis de prædicta *Margareta* filia Regis *Norwegiæ*.

Ex parte vero Domini *Nicolai de Soules* fuit ſimiliter pro jure ſuo propoſitum, narratum & petitum hoc modo. Sicut Domino placuit *Alexandro*, qui ultimo obiit Rex ſcitus de regno *Scotiæ*, & omnibus illis qui de illo per rectam lineam exierunt, viam univerſo carnis ingreſſo, Jus ejuſdem reſortiebatur, & debuit reſortiri *Margaretæ* quondam uxori *Alani le Huſſer*, ſicut uxori & hæredi ejuſdem Regis *Alexandri*; Et de ipſa *Margareta* deſcendit Jus & deſcendere debuit *Ermegardæ* filiæ & hæredi prædicti Regis *Alexandri*, & de ipſa *Ermegardia* deſcendit Jus & deſcendere debuit *Nicholao de Soules*, qui nunc petit ſicut filius & hæres.

Ex parte vero *Patricii Galightly* pro jure ſuo ſimiliter fuit propoſitum, narratum & petitum hoc modo. Coram vobis Dominis auditoribus à Domino Rege *Angliæ* **ſuperiozi et directo Domino regni** *Scotiæ* **deputatis**, ac Communitate tota, dicit & exponit *Patricius Galightly*, quod cum bonæ memoriæ Rex *Henricus* fuit pater *Willielmi* Regis, qui genuit *Alexandrum* Regem patrem Regis *Alexandri* ultimo defuncti,

defuncti, & idem *Patricius Galightly* ſit ex eodem *Henrico* in legitimo matrimonio procreatus, ac per hoc ex Regali progenie ſit propinquior Domino *Alexandro* Regi, ut filio patrui ſui, *Alexandro* ultimo videlicet nunc defuncto, de cujus ſucceſſione nunc agitur ad præſens, quod ipſum *Patricium* Domino *Alexandro* Regi defuncto propinquiorem gradum & jure potiorem ad ſucceſſionem regni de jure ſibi debiti præferatis; potiſſimè cum ab omnibus ſit juratum poſt mortem ejuſdem, quod deficiente Domicella, propinquiorem de ſanguine regali in Regem aſſumerent, & ab eo nullatenus diſſentirent: Et hæc dicit & proponit, ſalvo ſibi jure addendi & diminuendi. *An.* 20 *E.* 1.

Ex parte vero *Rogeri de Mundeville* pro jure ſuo fuit ſimiliter propoſitum, narratum & petitum hoc modo. *Rogerus de Mundeville* ſupplicat, quod de jure quod habet ad regnum *Scotiæ*, inquiratur per gentes de *Angliæ*, *Hiberniæ* & *Scotiæ*, ex eo quod quidam Rex *Willielmus* habuit unum filium & duas filias, & ante mortem ſuam tradidit illos cuidam *Malcolmo* Regi *Scotiæ* fratri ſuo, qui filium illius fecit occidi; una vero dictarum filiarum obiit, & alia quæ vocabatur *Auſtrip.* nupta fuit in *Ulveſt.* cuidam *Willielmo de Say*; de quibus exivit unus filius vocatus *Willielmus*, & idem *Willielmus* habuit unam filiam vocatam *Anfuk*, quæ nupta fuit *Roberto de Vandone*; de quibus exivit una filia nomine *Agatha*, cujus filius & hæres eſt iſte *Rogerus*, qui modo petit.

Ex parte vero Nobilis viri Domini *Johannis Comyn* pro jure ſuo fuit ſimiliter propoſitum, narratum & petitum hoc modo. Domino Regi *Angliæ* illuſtri, **ſuperiori et directo Domino regni** *Scotiæ*, & coram auditoribus aſſignatis monſtrat *Johannes Comyn*, Quod ipſe habet melius jus ad regnum *Scotiæ* optinendum, & in eo ut Rex regnare quàm aliquis alius; ex eo quod quidam anteceſſor ſuus *Dovenaldus* filius *Duncani* filii *Erici* fuit ſeiſitus de regno *Scotiæ* in Dominico ſuo ut de feodo tempore pacis, & in eo ut Rex de jure regnavit, de ipſo *Dovenaldo* jus dicti regni *Scotiæ*, & debuit deſcendere cuidam *Gothrik*, ut filio & hæredi; & de *Gothrik* deſcendit jus & debuit deſcendere *Hextildæ* ut filio & hæredi; & de *Hextilda* deſcendit jus & debuit deſcendere cuidam *Willielmo* ut filio & hæredi; de *Willielmo* deſcendit jus & debuit deſcendere cuidam *Ricardo* ut filio & hæredi; de *Richardo* deſcendit jus & debuit deſcendere cuidam *Johanni* ut filio & hæredi; & de *Willielmo* (quia obiit ſine hærede de corpore ſuo) deſcendit jus & debuit iſti *Johanni* qui modo petit ut fratri & hæredi. Et quod tale ſit jus ſuum, paratus eſt verificare prout Dominus Rex & Conſilium ſuum, ac Curia ſua conſideraverit ſecundum leges & conſuetudines regni *Scotiæ*, & per Chronicas, & alio modo. Et ſupplicat, quod ſalvum ſit ſibi jus corrigendi, addendi & minuendi, & omne aliud quod ſibi bonum videbitur dicere, ſecundum leges & conſuetudines regni *Scotiæ*. Et non vult quod iſtud cedat in præjudicium *Johanni de Balliolo* ullo modo.

Ex parte vero Nobilis viri Domini *Johannis de Haſtinges* fuit pro jure ſuo ſimiliter propoſitum, narratum & petitum hoc modo. Cum regnum *Scotiæ* nuper vacaverit per mortem Regis *Alexandri*, qui ultimo obiit ſine hærede, qui modo remaneat de ſe, qui poſſit hæreditatem in *Scotia* clamare; per quod terra *Scotiæ* & omnes aliæ terræ, quæ fuerint dicti Regis *Alexandri*, hæreditarie ſpectant ad exitum trium filiarum Comitis *David* fratris Regis *Willielmi* avi prædicti Regis *Alexandri*, ut ad conſanguineas & unum hæredem, propinquiores de ſuo ſanguine, videlicet ad *Margaretam*, *Iſabellam* & *Adam*; & de prædicta *Ada*, exivit *Johannes* qui nunc petit regnum *Scotiæ* ut jus ſuum, tanquam hæres propinquior in gradu de ſanguine Regis *Alexandri* qui ultimo obiit, & *Margaretæ* filiæ Regis *Norwegiæ* in linea collaterali, ut de legitimo regali ſanguine *Scotiæ*.

Ex parte vero Nobilis viri Domini *Johannis de Balliolo* Domini *Galwidiæ* fuit ſimiliter pro jure ſuo propoſitum, narratum & petitum hoc modo. Coram Domino Rege *Angliæ*, **Capitali Domino** *Scotiæ*, & coram auditoribus electis petit *Johannes de Balliolo* jus ſuum de regno *Scotiæ* de ſeiſina anteceſſoris ſui *David* nomine, qui fuit Rex & regnavit; unde de eodem *David* deſcendit jus & deſcendere debuit cuidam *Henrico* ut filio & hæredi; de eodem *Henrico* deſcendit jus *Malcolmo* ut filio & hæredi, & regnavit & obiit ſine hærede de corpore ſuo; unde de *Malcolmo* deſcendit jus & debuit deſcendere *Willielmo* ut fratri & hæredi; de *Willielmo* qui regnavit deſcendit jus & debuit deſcendere *Alexandro* ut filio & hæredi, *Alexander* regnavit, & deſcendit jus & debuit deſcendere *Alexandro* ut filio & hæredi, qui

An. 20 E.1. ultimo obiit Rex; de *Alexandro* descendit jus & debuit descendere *Alexandro* filio & hæredi; *Alexander* obiit sine hærede de corpore suo, & descendit jus & debuit descendere *David* ut fratri & hæredi; *David* obiit sine hærede de corpore suo, & descendit jus & debuit descendere *Margaretæ* ut sorori & hæredi; de *Margareta* descendit jus & debuit descendere *Margaretæ* ut filiæ & hæredi filiæ Regis *Norwegiæ*; de illa *Margareta*, quia obiit sine hærede de se, resortiebatur jus & debuit resortiri *Margaretæ*, *Marjoriæ* & *Isabellæ*, ut consanguineis & uni hæredi, **(si regnum esset partibile)** sororibus *Alexandri* proavi *Margaretæ* filiæ Regis *Norwegiæ*: **Et quia regnum non est partibile,** remansit jus & debuit remanere de integro *Marjoriæ*, ut sorori antenatæ prædictæ *Margaretæ* & hæredi; de illa *Marjoria* descendit jus & descendere debuit (quia obiit sine hærede de corpore suo) cuidam *Isabellæ* ut sorori & hæredæ; de *Isabella* resortiebatur jus & debuit resortiri cuidam *David*, ut avunculo & hæredi fratri Regis *Willielmi* patris ejusdem *Isabellæ*; de *David* descendit jus & debuit descendere *Henrico* ut filio & hæredi; *Henricus* obiit sine hærede de corpore suo, unde de eodem *Henrico* descendit jus & debuit descendere cuidam *David*, ut frater & hæredi; *David* obiit sine hærede de corpore suo, unde de ipso *David* descendit jus & debuit descendere cuidam *Johanni*, ut fratri & hæredi; *Johannes* obiit sine hærede de corpore suo, unde de eodem *Johanne* descendit jus & debuit descendere *Margaretæ*, *Isabellæ*, *Matildæ* & *Adæ*, ut sororibus & uni hæredi, **si regnum esset partibile; Et quia regnum non est partibile,** descendit jus de integra *Margaretæ*, sorori antenatæ dicti *Johannis*, ut sorori & hæredi; de *Margarita* descendit jus & debuit descendere cuidam *Thomæ* ut filio & hæredi; *Thomas* obiit sine hærede de corpore suo, unde de ipso *Thoma* descendit jus & debuit descendere *Christianæ* & *Dervorgildæ*, ut sororibus & uni hæredi, **si regnum esset partibile; Et quia regnum est impartibile,** descendit jus de integro *Christianæ* prædictæ, ut sorori antenatæ prædicti *Thomæ*, & hæredi. Eadem *Christiana* obiit sine hærede de corpore suo, unde de ipsa *Christiana* descendit jus & debuit descendere *Dervorgildæ* ut sorori & hæredi; de *Dervorgilda* descendit jus & debuit descendere *Hugoni* ut filio & hæredi; *Hugo* obiit sine hærede de corpore suo, & descendit jus & debuit descendere *Alano* ut fratri & hæredi; *Alanus* obiit sine hærede de corpore suo, de quo descendit jus & descendere debuit *Alexandro* ut fratri & hæredi; *Alexander* obiit sine hærede de corpore suo, unde de ipso descendit jus & descendere debuit *Johanni de Balliolo*, ut fratri & hæredi, qui modo petit jus suum, **ut illi qui exiit de sorore primogenita de regno impartibili:** Et supplicat Domino Regi, & suo Consilio, & aliis electis, **quod velint jus suum decidere secundum leges et consuetudines** *Scotiæ*, **et sibi justitiam exhibere**; salvo sibi jure addendi & diminuendi secundum leges & consuetudines *Scotiæ*.

Ex parte vero Nobilis viri Domini *Roberti de Brus* Domini vallis *Anandiæ*, & pro jure suo fuit similiter propositum, narratum & petitum hoc modo. Coram vobis Domino *Edwardo* Dei gratia Rege *Angliæ* illustri, **et superiori Domino regni** *Scotiæ*, monstrat *Robertus de Brus* Dominus vallis *Anandiæ*, quod ipse est rectior & propinquior hæres regni *Scotiæ* cum pertinentiis; quia Rex *Willielmus* Rex *Scotiæ* antecessor suus frater Comitis *David* de *Huntingdon* fuit seisitus de ipso regno in Dominico suo ut de feodo & jure cum pertinentiis tempore pacis, tempore *Henrici* Regis *Angliæ*, qui vocabatur filius-Imperatricis, & temporibus Regum *Ricardi* & *Johannis* filiorum suorum. Et idem *Willielmus* regnavit Rex in *Scotia* tempore suo, & pacifice obiit Rex seisitus: De eodem *Willielmo* descendit regnum *Scotiæ* *Alexandro* filio suo, ut filio & hæredi, qui regnavit & obiit Rex seisitus: De eodem *Alexandro* descendit regnum *Alexandro* filio suo, ut filio & hæredi, qui regnavit & obiit Rex seisitus. Ille idem *Alexander* habuit duos filios, *Alexandrum* primogenitum, & *David* secundogenitum, & unam filiam quæ vocabatur *Margareta*, quæ fuit Regina *Norwegiæ*; qui filii obierunt vivente patre, & nullum statum expectaverunt regnandi in regnum *Scotiæ*. Illa *Margareta* habuit unam filiam de Rege *Norwegiæ* nomine *Margaretam*; cui prædictus Rex *Alexander* Rex *Scotiæ* avus suus in vita sua post mortem liberorum suorum, fecit probos homines terræ suæ jurare & affirmare per scriptum ad tenendum eam pro Domina regni *Scotiæ*, si decederet sine hærede de corpore suo. Quæ quidam *Margareta* obiit sine possessione corporali regni *Scotiæ* expectanda, & sine hærede de corpore suo. Post quam *Margaretam*, nihil remansit de exitu prædicti Regis *Willielmi* in linea descendente;

per

per quod regnum *Scotiæ* cum pertinentiis debuiſſet per legem & juſtitiam reſortitum fuiſſe Comiti de *Huntingdon*, poſtnato fratri prædicti Regis *Willielmi*, ſi ſtatum regnandi in regno *Scotiæ* expectaſſet. Qui quidem *David* habuit tres filios, *Henricum*, *David* & *Johannem*, qui fuit Comes *Ceſtriæ*; qui omnes obierunt ſine hæredibus de corporibus ſuis, & ſine ſtatu regnandi in regno *Scotiæ* expectando. Ille idem *David* habuit etiam quatuor filias, *Matildem* quæ obiit ſine hærede de corpore ſuo, *Margaretam*, *Iſabellam*, & *Adam*; de *Iſabella* exivit *Robertus de Brus*, qui modo eſt, qui petit regnum *Scotiæ*; propter quod idem *Robertus* dicit, quod regnum *Scotiæ* debet reſortiri ad eum ſine medio per legem & juſtitiam ut propinquiori in gradu de ſanguine Regis *Alexandri*, qui ultimo obiit, & *Margaretæ* filiæ Regis *Norwegiæ* ſupradictæ in linea collaterali, ut de ſanguine regali *Scotiæ* legitimo. **Quod quidem regnum** *Scotiæ* **cum pertinentiis dictus** *Robertus de Brus* **clamat tenere libere in libertate regni de vobis Domino** *Edwardo* **Dei gratia Rege** *Angl.* **et de Corona** *Angliæ* **hæreditarie imperpetuum.** Et monſtrat vobis, quod Rex *Alexander* filius Regis *Willielmi* prædicti deſperans de hærede de corpore ſuo tenuit dictum *Robertum* rectum hæredem ſuum, ſi ipſe decederet ſine alio hærede de ſuo corpore habendo. Et pro tali diffinivit ex aſſenſu proborum hominum de regno ſuo, & pro tali ipſum pronunciavit coram eis, de quibus plures adhuc ſunt ſuperſtites, qui de hoc teſtimonium poterunt perhibere. Et Rex etiam *Alexander*, qui ultimo obiit, tenuit ipſum pro tali, & id pluribus ſpecialibus ſuis dedit intelligi, ſi exitus de ipſo deficeret. Et præterea omnes probi homines de *Scotia* ſunt jurati propinquiori de ſanguine Regis *Alexandri*, qui ultimo obiit, qui de jure hæreditare debebit, ſi dicta *Margareta* filia Regis *Norwegiæ* ſine hærede de corpore ſuo obiret. Unde ſupplicat Dominationi veſtræ, quod ſecundum formam petitionis ſuæ ſibi velitis plenam juſtitiam exhibere, ſicut ad veſtram pertinet dignitatem. Salvo ſibi jure in omnibus addendi, mutandi & diminuendi ſecundum quod attendet ſuo protectui convenire. *An.* 20 E. 1.

Quibus petitionibus partium prædictarum coram dictis auditoribus (*ut præmittitur*) *propoſitis, eorumque rationibus oſtenſis,* **et dicto Domino Regi relatis per auditores prælibatos in præſentia Prælatorum et Nobilium utriuſque regni ibidem præſentium, præſentibus omnibus et ſingulis petentibus dictum regnum, meque Notario infraſcripto; præfixit idem Dominus Rex et etiam aſſignavit petentibus dictum regnum de conſenſu eorundem, diem Lunæ proximo poſt feſtum Sanctæ Trinitatis,** *Anno Domini* 1292. *Indictione quinta, menſis* Junii *die ſecundo,* **in Parliamento ſuo loco eodem coram ipſo cum continuatione et prorogatione dierum, ad procedendum, cognoſcendum et diſcutiendum ſuper petitionibus partium prædictarum uſque ad finalem deciſionem earundem.**

Anno à Nativitate Domini 1292. *Indictione quinta, menſis* Junii *die ſecundo, Domino Rege* Angliæ *illuſtri apud* Berewicum *ſuper* Twedam, *congregatiſque ibidem utriuſque regni Nobilibus & Prælatis, ac Auditoribus electis nominatis, & per ipſum Dominum Regem deputatis ad audiendum petitiones & jura partium dictum regnum* Scotiæ *vendicantium, cognoſcendum & diſcutiendum de eiſdem, & Domino Regi quid invenerint, referendum; comparuerunt coram ipſis Nobiles viri ſupraſcripti jus ad regnum* Scotiæ *vendicantes, ſecundum formam præfixionis eis factæ jus ſuum proſecuturi, facturi ulterius & recepturi quod juſtitia ſuaderet. Ex parte egregii Principis & Domini, Domini* Erici *Dei gratia Regis* Norwegiæ, *quidam ſui Nuncii & Procuratores literatorie conſtituti coram dicto Domino Rege* Angliæ *ſuoque Conſilio comparuerunt; videlicet, Magiſter* Hugotio Plebanus, *Plebis de* Caſtellione Aretine *Dioc. Domini Papæ Capellanus, Magiſter* Petrus Algoti, *Magiſter* Bernardus Ludovici, Willielmus de Torroghan *Miles, &* Aymo *Canonicus* Berghan, *ſicut per ipſius Regis* Norwegiæ *literas ſui ſigilli impreſſione munitas, per ipſos in medio exhibitas & peritellas apparebat; petentes nomine dicti Domini ſui dictum regnum* Scotiæ, *cum juribus & pertinentiis ſuis eidem Domino ſuo adjudicari, ipſumque in Regem dicti regni per prædictum Dominum Regem* Angliæ **in ſuperiorem Dominum dicti regni** Scotiæ *conſtitui & ordinari, & in corporalem poſſeſſionem ejuſdem regni* Scotiæ *mitti & manuteneri. Supplicarunt inſuper dicti Procuratores, procuratorio nomine dicti Domini ſui, eidem Domino Regi* Angliæ, *quod nemini dictum regnum* Scotiæ *in ipſius Regis* Norwegiæ *Domini ſui præjudicium, damnum & gravamen adjudicaret: Pro eo quod ipſum regnum* Scotiæ *per mortem Dominæ* Margaretæ, *& claræ memoriæ quondam*

Domi-

An. 20 *E.* 1. *Dominæ & Reginæ ipſius regni* Scotiæ *filiæ dicti Regis* Norwegiæ *ad ipſum jure hæreditario eſt legitime devolutum.* Whoſe Letters of Procuration I ſhall here inſert out of * *Thomas Walſingham*, not tranſcribed in this Record.

* Hiſt. Angl. An. 1293. p. 21. Ypodig. Neuſtr. p. 76, 77.

OMnibus præſentes literas inſpecturis vel audituris pateat evidenter, quod nos *Ericus* Dei gratia Rex *Norwagiæ* tenore præſentium fecimus, conſtituimus & ordinavimus, prout de jure & facto melius facere potuimus, noſtros veros & legitimos Attornatos, & Procuratores & Nuncios ſpeciales, nobilem virum *Aaven. de Hagr.* & Magiſtrum *H. Plebanum*, Plebis de *Caſtilione*, *Arretino* **Domini Papæ Capellanum**, & Magiſtrum *Petrum Algor.* ad comperiendum pro nobis & vice noſtra, coram excellenti Principe Domino Dei gratia *Edwardo* Rege *Angliæ* illuſtri, **et ſuperiori Domino regni** *Scotiæ*, & ad petendum nomine noſtro, **tanquam per ſuperiorem Dominum regni** *Scotiæ* **nobis adjudicari regnum** *Scotiæ* **ſupradictum**, cum omnibus juribus & pertinentiis ſuis, cum ipſum regnum per mortem Dominæ *Margaretæ* filiæ noſtræ, olim Dominæ & Reginæ regni *Scotiæ*, ſit ad nos jure hæreditario devolutum legitimè. Item ad petendum nomine noſtro adjudicari nobis & præfatis Attornatis & Procuratoribus noſtris, aſſignari pro nobis fructus & redditus regni *Scotiæ* quatuor annorum, qui fluxerunt à tempore mortis Domini *Alexandri* bonæ memoriæ quondam Regis *Scotiæ*, uſque ad diem mortis Dominæ *Margaretæ* filiæ noſtræ, olim Dominæ Reginæ *Scotorum*, qui percepti ſunt vel percipi debuerunt de dicto regno, cum ad nos dicti fructus ſeu Redditus pleno jure pertineant; tum quia fuimus legitimus adminiſtrator bonorum Reginæ præfatæ cum viveret, tum etiam quia gravia expenſarum & ſumptuum onera ſuſtinuimus propter eam, dum in regno *Norwagiæ* moram traxit, & poſtmodum mittendo eam ad regnum ſuum *Scotiæ* ſupradictum. Item ad petendum nomine noſtro condemnari univerſitatem regni *Scotiæ*, & ipſum regnum ad ſolvendum nobis ſeu dictis Attornatis & Procuratoribus noſtris recipientibus vice noſtra **pœnam Centum millium librarum Sterlingorum, in quam inciderunt univerſitas præfata et regnum prædictum, non recipiendo libere præfatam Dominam** *Margaretam* **filiam noſtram in Dominam et Reginam regni** *Scotiæ*, **nec ei obediendo in aliquo.** Et ad petendum ſupplementum ſeptingentarum marcarum quas habere debemus à regno *Scotiæ*, occaſione dotis Dominæ *Margaretæ* olim filiæ noſtræ & uxoris Regis *Scotiæ* prædicti, cum fructus & redditus terrarum nobis aſſignati pro ſeptingentis marcis annuis, ad quingentarum ſummam non aſcendant. Item ad agendum & defendendum, lucrandum & perdendum coram præfato Principe Domino *Edwardo* Rege *Angliæ*, **ſuperiore Domino regni** *Scotiæ* debita quomodocunque & qualitercunque, & ex quacunque cauſa vel cauſis nobis debeantur, & à quibuſcunque perſonis, loco vel univerſitate, & quocunque nomine illa jura cenſeantur, & ad omnia alia & ſingula facienda, quæ veri & legitimi Attornati ſeu Procuratores & Nuncii facere poſſent in præmiſſis, & quilibet præmiſſorum ſi mandatum etiam exegerint ſpeciale, quam noſmet facere poſſemus ſi præſentes eſſemus: promittentes ſub hypotheca & obligatione omnium bonorum noſtrorum, pactum firmum & gratum habere & tenere perpetuò, & non contravenire aliquo ingenio vel modo, quicquid per prædictos Attornatos ſeu Procuratores noſtros, vel duos ſaltem ex eis actum vel procuratum fuerit in præmiſſis & quolibet præmiſſorum. Datum *Tunsburg.* Anno Dom. 1292. anno regni noſtri terciodecimo. In cujus rei teſtimonium has literas fieri fecimus, & noſtro Sigilli munimine roborari. The Record thus proceeds.

Qua petitione, ut præmittitur audita, præcepit Dominus Rex Angliæ *auditoribus ſupradictis, & injunxit, ut ad locum priſtinum pergerent, & petitionem* Domini *Regis* Norwegiæ *inter petitiones Nobilium regnum* Scotiæ *vendicantium audirent, & ſuper ipſis petitionibus, rationibus & juribus partium petentium dictum regnum cum ſumma diligentia cognoſcerent, & cognitione et diſcuſſione præhabita diligenti de jure ſingulorum,* **eidem Domino Regi referrent:** *Præcepit etiam idem Dominus Rex, et injunxit omnibus et ſingulis jus ad dictum regnum* Scotiæ *vendicantibus, quod ad dictum locum accederent, et petitiones ſuas coram ipſis auditoribus proſequerentur, ſi ſibi viderint expedire. Quibus ut præmittitur coram ipſis auditoribus loco, quo prius, comparentibus recitatis ibidem et perlectis petitionibus petentium prædictorum, eorumque rationibus cum ſumma diligentia auditis, & reſponſionibus hinc inde factis, ad eaſdem propter aliquas difficul-*

difficultates in præmiſſis petitionibus compertas, rationes et allegationes hinc inde factas, prælati auditores ad ipſum Dominum Regem acceſſerunt, *et quæ coram ipſis acta fuerunt, ſeriatim per ordinem referebant. Qui omnia & ſingula prædicta ſibi relata per auditores memoratos,* cum omnibus et ſingulis utriuſque Regni Nobilibus et Prælatis totoque ſuo conſilio diligentius examinabit. *Et diſcuſſione ſuper hiis habita diligenti, quia conſideravit magnam dilationem ex prædicto modo procedendi, non ſine gravi dampno & periculo ipſius regni poſſe veriſimiliter pervenire; Volenſque dicto periculo obviare, lites & jurgia ſedare, et quatenus poterit dictum proceſſum abbreviare, & ad maturam & celerem expeditionem hujuſmodi negotii procedere, de voluntate unanimi & conſenſu expreſſo omnium & ſingulorum petentium prædictorum,* conſentientibus etiam utriuſque regni Nobilibus et Prælatis, ordinavit quod primo procederetur ad cognoſcendum, diſcutiendum et diffiniendum de jure dictorum Roberti de Brus, & Johannis de Balliolo, *quouſque diſcuſſum fuerit ad plenum de jure eorundem, & quis ipſorum potior ſit in jure regnandi, & dictum regnum* Scotiæ *gubernandi. Et quod interim alii omnes & ſinguli Petentes prænotati de proſequendo ſuperſedeant, & ſuam omnino differant proſecutionem, jure tamen eorum & cujuſlibet eorundem eis in eventu & eorum cuilibet ſemper ſalvo. Ita videlicet quod diſcuſſio plenè & determinato inter ipſos* Robertum & Johannem, *cæteri omnes petentes & eorum quilibet, jus ſibi competens ex tunc liberè proſequatur modo quo voluerit & crediderit meliori. Qua ordinatione ut præmittitur dicta & ab omnibus acceptata, & etiam approbata,* licet idem Dominus Rex Angliæ de Jure ſibi competenti ratione ſuperioritatis et directi ſui Dominii prælibati, ad cognoſcendum, diſcutiendum et terminandum dictum regnum procedere potuiſſet, *tamen ut ſecurius & conſultius cognoſceret & diffiniret, quo ipſe per ipſos auditores* Scotiæ *octoginta fuiſſet plenius informatus;* recepto primitus ab ipſis octoginta Auditoribus corporali Juramento, de fideli ſuo conſilio ſibi impendendo, præcepit eiſdem et injunxit ſub debito præſtiti Juramenti, quod ſibi conſulerent, qualiter et per quas leges ſibe conſuetudines ſit in prædicto negotio ad judicium procedendum. *Habitoque inter ipſos auditores ſuper hoc tractatu diutino et diligenti, cum inter ſe non poterunt concordare, eidem Domino Regi una voce dicebant,* quod propter diſſentiones aliquas ſuper legibus et conſuetudinibus diverſis inter ipſos ortas, non audebant in caſu tam arduo et hactenus inaudito abſque majori et ſaniori Conſilio et Deliberatione, eidem Domino Regi conſulere; *Supplicarunt inſuper eidem Domino Regi, quod placeret ſibi dictos viginti quatuor de* Anglia *Auditores per ipſum aſſignatos eiſdem aſſociare. Quibus viginti quatuor* Angliæ *dictis octoginta* Scotiæ *aſſociatis, poſt deliberationem & tractatum aliqualem habitum cum eiſdem ſuper præmiſſis, ad ipſum Dominum Regem redierunt & eidem dixerunt;* Quod ex quo dicti octoginta de *Scotia* ſuper legibus & conſuetudinibus *Scotiæ* in tanta perplexitate & diſcordia fuiſſent, de quorum conſilio ſi concordes eſſent, idem Dominus Rex ad figurandum Judicium in prædicto negotio procedere debuiſſet, & ipſi viginti quatuor *Angliæ* pauci ſint reſpectu illorum octoginta; nec etiam ipſi ſint à majoribus & diſcretioribus regni *Angliæ,* propter quæ non audebant ſuper ſe aſſumere tantum onus, abſque majori conſilio Prælatorum, Nobilium, Magnatum et Sapientum regni *Angliæ* tunc abſentium, nec etiam conſulere in negotio prænotato; *Et propter de Conſilio unanimi & conſenſu omnium auditorum prædictorum, & aliorum utriuſque regni Nobilium & Prælatorum ibidem præſentium, ac petentium idem Regnum prædictum, præfixit & aſſignavit idem Dominus Rex dictis Nobilibus ipſum regnum* Scotiæ *petentibus diem craſtinum Tranſlationis Sancti* Edwardi *Regis & Confeſſoris* in Parliamento ſuo loco eodem, coram ipſo et auditoribus, ad procedendum ibidem in negotio memorato, *cum continuatione & prorogatione dierum, cognoſcendum, diſcutiendum, & de jure ſingulorum diffiniendum, pronunciandum & declarandum, prout de jure fuerit faciendum. Et quod majores & diſcretiores regni ſui ob iſtam cauſam ad dictos diem & locum convocarentur præcepit. Et quod medio tempore tam dicti hinc inde auditores, quam cæteri omnes utriuſque regni Nobiles & Prælati tunc præſentes ſuper præmiſſis cogitarent & deliberarent, quod conſultius fieri debeat in eventu.* Et decrevit idem Dominus Rex interim, *per ſuos certos nuncios diverſarum terrarum ſuper facto hujuſmodi conſulere ſapientes, & ut eorum conſilium citra dictum diem ſibi referatur. Acta apud* Berewicum *ſuper* Twedam *(ut præmittitur) anno, indictione, menſe & die proximo prænotatis, cum continuatione & prorogatione dierum. Præſentibus venerabilibus in Chriſto*

An. 20 E. 1.

An. 20 E. I. ſto Patribus Dominis Antonio Dunolm. Roberto Bathon. & Wellen. Willielmo Elien. Willielmo Sancti Andreæ, Roberto Glaſcuen. & Henr. Dei gratia Aberdon. Epiſcopis, & Nobilibus viris Dominis Amadeo Subaudiæ, Henrico Lincoln. Johanne de Boughan & Dovenando de Mar Comitibus, ac Magiſtro Johanne Erturi de Cadomo publico apoſtolica authoritate Notario, cum aliis tam Eccleſiarum Prelatis utriuſque regni, quam Comitibus, Baronibus & Militibus, & aliis popularibus in multitudine copioſâ.

Anno à Nativitate 1292. Indictione ſexta, menſis Octobris die quintodecimo, in craſtino videlicet Sancti Edwardi Regis & Confeſſoris, exiſtente ſereniſſimo Principe & Domino, Domino Edwardo Dei gratia Rege Angliæ illuſtri, ſuperiozi et directo Domino regni Scotiæ apud Berewicum ſuper Twedam, et Parliamentum ſuum ibidem indictum incipiente, comparuerunt coram ipſo Nobiles viri omnes et ſinguli regnum Scotiæ vendicantes, & etiam utriuſque regni Nobiles, & Prelati, ac Auditores prælibati: nominati, electi & aſſignati quæſivit idem Dominus Rex in primis palàm & publicè, ſicut aliàs in ultimo ſuo Parliamento ibidem fecerat, ab omnibus utriuſque regni Nobilibus & Prelatis auditoribus memoratis, & aliis de Conſilio ſuo ſapientibus & diſcretis, per quas leges ſive conſuetudines ſit in prædicto negotio ad judicium procedendum? Et, an in caſu in quo certæ leges non reperiuntur vel conſuetudines, aut etiam diverſæ et Scotiæ regnis, qualiter ſit judicandum? Et ſi de dicto regno Scotiæ ſit aliter judicandum, quam de Comitatibus, Baroniis, et aliis Tenuris? Reſponderunt una voce, nullo contradicente vel reclamante, concorditer, Quod per Leges et Conſuetudines regni illius qui præſt, ſi certæ reperiantur, in hoc caſu judicare poteſt et debet; Et ſi in caſu hujuſmodi leges certæ et Conſuetudines non reperiuntur; Idem Dominus Rex de Conſilio Nobilium et Prelatorum, et aliorum Procerum et Magnatum regni ſui poteſt et debet condere novam legem. Dixerunt etiam, quod de prædicto regno quoad jus ſuccedendi, eſt judicandum, et ad judicium procedendum, ſicut de Comitatibus, Baroniis et aliis Tenuris impartibilibus. Quibus Reſponſionibus auditis & intellectis, queſivit Dominus Rex à prædictis Nobilibus viris Domino Roberto de Brus, & Johanne de Balliolo, ſi vellent quicquid aliud pro juris ſui declaratione, quam propoſuerunt, proponere, dicere vel oſtendere? Ipſis vero reſpondentibus, Quod ſicut præcepit & injunxit auditoribus memoratis, quod locum quo prius adirent, & prædictos Robertum & Johannem de die in diem in omnibus & ſingulis, quæ dicere ſeu proponere vellent, benignè audirent, ſibique eorum rationes oſtenſiones & jura præhabita diſcuſſione diligenti fideliter referrent. Coram quibus auditoribus in Eccleſia fratrum prædicatorum de Berewico deſerta, prafati Nobiles, Robertus & Johannes, una cum aliis petentibus ad ipſius Domini Regis præceptum conſtituti. Dictus Dominus Robertus de Brus ad ea quæ in petitione ſua ſupraſcripta proponebantur adjecit dicendo, ratiocinando, & narrando; Quod quæſtio ſuper jure regnandi, habet terminari & judicari per Jus naturale per quod Reges regnant, & non per leges & conſuetudines inter ſubditos uſitatas; per quod quidem Jus naturale proximior in ſanguine linea collaterali, melius Jus habet regnandi. Dicebat etiam, quod Lex & Conſuetudo quæ ſunt inter Tenentes & Subditos, Superiorem ligare non poſſunt, præcipuè Regem ſuum. Unde dixit, quod licet in hæreditatibus partibilibus ſecundum leges & conſuetudines inter ſubditos obſervatas primogenita aliquam habeant Prærogativam, in regno tamen impartibili, ubi proximorum in ſanguine regali legitimus tempore vacationis regni inventus ſecundum Jus naturale eſt præferendus, primogenita nullam habet nec habere debet prærogativam. Dixit etiam, quod Conſuetudo ſuccedendi in regnum Scotiæ plenè facit pro eo; quia uſitatum eſt in Scotia, quod frater Regis præcedentis præferendus eſt ejus filio in ſucceſſione regni Scotiæ, ratione proximitatis in gradu. Et ad hoc quædam antiqua produxit exempla; videlicet, quod quidam Dovenaldus frater Kineth mach Alpin regnavit immediate poſt fratrem ſuum, excluſo Conſtantino primogenito prædicti Kineth; & hoc ratione propinquitatis ſanguinis ipſius Alpini, & poſt prædictum Dovenaldum regnavit Conſtantinus primogenitus ipſius Kineth mac Alpin. Et poſt eum regnavit Eth. frater ejus ſenior; excluſo Dovenaldo filio prædicti Conſtantini: De quibus Conſtantino & Eth. fratribus & filiis prædicti Kineth mac Alpin deſcenderunt omnes Reges, qui poſtea regnaverunt in Scotia uſque modò, & ſemper ſicut erant propinquiores in gradu regnabant quilibet poſt alium uſque ad tempus Regis Malcolmi viri ſanctæ

Margaritæ

Margaritæ Reginæ. Et adhuc poſt prædictum *Malcolmum*, quidam frater ejus regnavit, excluſo filio ejuſdem *Malcolmi*: Et adduxit ulterius ſimiliter idem Dominus *Robertus* quædam alia exempla de conſimilibus ſucceſſionibus in quibuſdam terris aliis et regionibus, utpote de Comitatu *Sabaudiæ* & regno *Yſpaniæ*. *Dixit etiam*, quod mulier regnare non debet, quia officium regiminis exercere non poteſt; et tempore quo prædictum regnum vacabit per mortem Regis *Alexandri* ultimi Regis *Scotiæ* fuit *Dervorgulda* mater prædicti *Johannis de Balliolo* ſuperſtes, quæ ratione prædicta regnare non potuit nec debuit. Et ſic Jus ipſius regni prædicto *Roberto* tanquam Maſculo, & in æquali gradu cum prædicta *Dervorgulda* exiſtenti ſine medio debet reſortire propter inſufficientiam dictæ *Dervorgulda* quia Mulier. Unde petit idem *Robertus*, quod habito reſpectu ad leges Regales, per quas Reges regnant et regnare debent, et etiam ad exempla per ipſum producta; Quod dictus Dominus Rex jus ſuum velit declarare, et ſibi Juſtitiam exhibere. *An.* 20 *E.* 1.

Ad hæc ſtatim ex parte Nobilis viri Domini *Johannis de Balliolo* reſpondebatur hoc modo; *Quod dictum regnum* Scotiæ *non poteſt nec debet eidem* Roberto de Brus *quovis modo de jure adjudicari*; *proeo, quod ubi prædictus* Robertus *in petitione ſua petit regnum* Scotiæ *cum pertinenciis ſuis, ut rectior & proximior hæres ipſius regis, eo quod* Willielmus *Rex* Scotiæ *Anteceſſor ejus frater* David *Comitis* Huntingdon. *fuit ſeiſitus de prædicto regno* Scotiæ *in Dominico ſuo ut de feodo, & de jure tempore pacis, & tempore Regis* Henrici *primi Domini Regis* Angliæ, *qui nunc eſt*, *& de ipſo* Willielmo *deſcendit jus dicti regni cuidam* Alexandro *ut filio & hæredi qui regnavit & obiit inde ſeiſitus. Et de ipſo* Alexandro *deſcendit Jus ejuſdem regni cuidam* Alexandro *ut filio et hæredi qui ſimiliter regnavit et obiit inde ſeiſitus. Qui quidem* Alexander *habuit duos filios qui obierunt ſine hærede de ſe patre eorum viventes, & unam filiam* Margaretam *nomine Reginam* Norwegiæ, *quæ ſimiliter obiit vivente patre*; *de qua quidem* Margareta *exivit quædam alia* Margareta, *cui Dominus* Alexander *avus ipſius* Margaretæ *fecit homines ſuos de regno ſuo jurare*, quod ipſam tenerent pro Domina dicti regni Scotiæ, *& hoc fecit per ſcriptum affirmari. Quæ quidem* Margareta *obiit ſine hærede de ſe, per quod jus prædicti regni debuiſſet reſortiri cuidam* David *fratri prædicti* Willielmi *Regis, ſi ſtatum regnandi expectaſſet*; *Et idem* David *habuit tres filios qui obierunt ſine hærede de ſe, et quatuor filias* Matildam *quæ obiit ſine hærede de ſe*, Margaretam, Iſabellam & Adam, *de qua* Iſabella *exivit* Robertus de Brus *qui nunc petit, & dicit*, quod ad ipſum debet prædictum regnum *Scotiæ* ſine medio, ut ad proximiorem in gradu de ſanguine Regis *Alexandri* qui ultimo obiit, & ſimiliter dictæ *Margaretæ* in linea collaterali. Et quod præterea quidam *Alexander* pater prædicti Regis *Alexandri* qui ultimo obiit, recognovit coram Baronibus ſuis ipſum *Robertum* pro proximiori hærede ſuo, ſi ipſum decedere contingeret ſine hærede de corpore ſuo; Et quod illud idem dictus *Alexander* Rex qui ultimo obiit recognovit, ſi abſque hærede de corpore ſuo decederet, ſciente *Dervorgulda* matre prædicti Domini *Johannis de Balliolo* & non contradicente; quod idem *Robertus* in petitione ſua prædicta omiſſionem fecit in ea parte ſuæ petitionis, ubi dicit, quod *Jus regni prædicti debuiſſet reſortiri* David *fratri Regis* Willielmi *per mortem prædictæ* Margaretæ *de* Norwegia, *nullam faciendo mentionem de* Margareta, Marjoria, & Iſabella *filiabus prædicti Regis* Willielmi *fratris prædicti* David, *deſicut nullum Jus potuit nec debuit reſortiri ad prædictum* David *fratrem prædicti Regis* Willielmi, *niſi per medium prædictarum filiarum ipſius Regis* Willielmi. *Et quoad hoc quod idem* Robertus *dicit, quod jus prædicti regni debuit ad ipſum reſortiri ſine medio*; *idem* Johannes *dicit prius, quod nullum jus poteſt deſcendere vel reſortiri alicui, niſi per medium rectæ lineæ deſcendentis vel aſcendentis, ſecundum leges & conſuetudines utriuſque regni, per quod dicit*, quod omiſſis aliquo vel aliquibus de recta linea aſcendente vel deſcendente, aliquid jus ad eum non potuit reſortiri. *Et quoad hoc, quod idem* Robertus *dicit*, quod eſt proximior in gradu, in eo, quod dicit, quod prædictus *David* habuit tres filias *Margaretam*, *Iſabellam*, & *Adam*, de qua *Margareta* exivit *Dervorgulda*, & de ipſa *Johannes*, qui nunc eſt, Et de prædicta *Iſabella Robertus* qui nunc petit; & ſic proximior in gradu; per quod dicit ſe habere melius Jus ad regnum prædictum ſecundum conſuetudinem quorundam regnorum. *Dicit idem* Johannes, *quod quicquid dicat de aliis regnis & regionibus, vel de ipſorum conſuetudinibus*; *in regnis tamen* Angliæ & Scotiæ, *in quibus Reges*

An. 20 E. 1. *regnant per ſucceſſionem in recta linea, & Comites & Barones eodem modo ſuccedant in hæreditatibus ſuis, Exitus poſtnatæ, licet in gradu proximorum, non excludit exitum primogenitæ, licet remotiorem in gradu in ipſa recta linea, ſucceſſione durante. Dicit etiam, quod ex quo prædictus* Robertus *concedit, quod* Margareta *anteceſſor prædicti* Johannis *fuit primogenita prædicti* David, *& prædicta* Iſabella *mater prædicti* Roberti *poſtnata; & quod prædictum* regnum Scotiæ **non eſt partibile**; *per quod dicit, quod jus ipſius regni & ipſum regnum unicæ perſonæ debeat remanere; videtur ei, quod in hujuſmodi ſucceſſione ſecundum leges & conſuetudines utriuſque regni* antenata **præferenda eſt poſtnatæ**; **et eadem ratione Exitus antenatæ eſt præferendus exitui poſtnatæ, tam ratione primogenituræ, quam impartibilitatis regni prædicti.** *Unde per rationes prædictas, durante exitu primogenitæ, nihil juris exitui poſtnatæ accreſcere poteſt. Et quoad hoc quod prædictus* Robertus *dicit, quod* Alexander *Rex* Scotiæ *filius Regis* Willielmi *tenuit eum pro propinquiore hærede ſuo, ſi ſine hærede de ſe contingeret ipſum mori, & pro tali eum coram Baronibus ſuis recognovit; idem* Johannes *dicit,* **Quod quoad petendum regnum prædictum hujuſmodi recognitio ſibi valere non debet, etiam etſi facta fuiſſet.** *Et quod idem* Robertus *in petitione ſua recognoſcit, quod prædictus* Alexander *obiit ſeiſitus de regno prædicto in Dominico ſuo ut de feodo & Jure, & quod de prædicto* Alexandro *deſcendit Jus prædicti regni cuidam* Alexandro *ut filio & hæredi, qui ſimiliter obiit inde ſeiſitus; unde per recognitionem ſuam prædictam ſatis oſtendit, quod ille* Alexander *ſine hærede de ſe non deceſſit; & quod Jus prædicti regni ad filium ſuum ut ad hæredem per mortem ipſius fuit tranſmiſſum. Et ſic per recognitionem prædicti* Alexandri *(ſi quæ facta fuit) nihil juris fuit ſibi acquiſitum. Item quoad hoc, quod prædictus,* Robertus *dicit,* quod quæſtio ſuper Jure regnandi **habet terminari & judicari per Jus naturale, per** quod Reges regnant, & non per leges & conſuetudines inter ſubditos uſitatas; *Idem* Johannes *dicit,* **Quod per eaſdem leges et Conſuetudines debet Dominus Rex Angliæ ſuperior Dominus regni Scotiæ cognoſcere et judicare de dicto regno Scotiæ inter petentes, per quas idem Rex Angliæ de terris et tenementis ad Coronam ſuam ſpectantibus, ſi per anteceſſores ſuos infra regnum ſuum occupatis,** cognoſcit et judicat, et **anteceſſores ſui cognoſcere et judicare ſolebant. Et hoc eſt per communem Legem et Conſuetudinem regni ſui, et non per aliquas alias Leges et Conſuetudines qualeſcunque.** *Et quoad hoc, quod idem* Robertus *dicit,* Quod Lex & Conſuetudo quæ ſunt inter tenentes & ſubjectos ſuperiorem ligare non poſſunt, & præcipuè Regem ſuum; *idem* Johannes *dicit, quod prædictus* Robertus *non eſt in eo caſu in quo judicari debet per ſubjectum,* **ſed per ſuperiorem,** ſcilicet **per Dominum ſuum Regem Angliæ ſuperiorem Dominum dicti regni** Scotiæ, **de cujus Progenitoribus a tempore cujus non extat memoria dictum regnum** Scotiæ **per homagium tenebatur, et de ipſo teneri debet. Et ipſi petentes ſint in ipſius Curia Regis et Domini ſui, ad recipiendum jus ab eo, ſicut ſubditi de tenementis quæ ab ipſo tenentur.** *Unde dicit,* **quod ex quo ſunt ſubjecti dicto Domino ſuo Regi Angliæ et Coronæ ſuæ, quolibet jure requiritur, ut ipſi tanquam ſubditi et petentes Jus ad regnum, quod de eo tenetur, per Leges et Conſuetudines regni ſui judicari.** *Et dicit,* **quod per eaſdem Leges et Conſuetudines primogenita habet prærogativam in ſuccedendo tam in hæreditatibus impartibilibus quam partibilibus.** *Item quoad hoc, quod prædictus* Robertus *dicit,* quod Conſuetudo ſuccedendi in dicto regno *Scotiæ* plenè facit pro eo in hoc, *quod dicit,* Quod frater Regis cujuſdam prædecedentis præfertur illius filio in ſucceſſione regni ratione proximitatis in gradu; & ad hoc quædam produxit exempla; *Idem* Johannes *dicit,* **Quod per hoc,** *quod prædictus* Robertus *intendit oſtendere per exempla prædicta, quod frater poſtnatus regnavit poſt fratrem antenatum ipſius filium repellendo, & hoc ratione proximitatis in gradu ſuccedendi præfertur proximiori,* **quia filius proximior eſt patri in gradu hujuſmodi ſuccedendi, quam frater patris, ſecundum leges et Conſuetudines utriuſque regni.** *Et quoad exemplum, quod idem* Robertus *dicit,* Quod frater *Malcolmi* quondam Regis *Scotiæ* regnavit immediatè poſt ipſum *Malcolmum,* ejus filium repellendo; *Idem* Johannes *recognoſcit, Quod frater prædicti* Malcolmi *per aliquod tempus modo prædicto regnavit; ſed dicit, quod filius dicti* Malcolmi *ſic expulſus* * *adivit Dominum ſuum* Willielmum *Regem* Angliæ **et ſuperiorem Dominum regni Scotiæ, conquerendo de injuria per fratrem patris ſui ſibi facta;** *ad cujus querelam idem Dominus Rex* Angliæ *fratrem prædicti* Malcolmi **à prædicto**

* See here, p. 492.

prædicto regno ejecit, et filium ejusdem Malcolmi Regem ejusdem regni Scotiæ constituit, *qui postmodum toto tempore suo regnavit. Dicit etiam idem* Johannes, *quod post mortem ejusdem Regis filii* Malcolmi, *idem frater* Malcolmi *iterato se in dictum regnum intrusit*, et regnare cæpit; per quod ad querimoniam cujusdam * Edgari secundi filii ejusdem Malcolmi, prædictus Rex Willielmus superior Dominus dicti regni Scotiæ, prædictum Malcolmi sic regnantem injuste de eodem regno Scotiæ iterato ejecit; et prædictum Edgarum Regem ipsius Regni constituit. *Post quem omnes alii Reges* Scotiæ *usque nunc* per rectam lineam successionis secundum Leges et Consuetudines in utroque regno usitatas regnaverunt. *Et quoad exempla de* Yspania *& Comitatu* Sabaudiæ, *dicit, quod illa Exempla prædicto* Roberto *non debent valere; pro eo, quod aliæ sunt & diversæ Leges & Consuetudines in* Yspania *&* Sabaudia *quam in regnis* Angliæ & Scotiæ; nec Rex debet inter subditos suos per alias Leges et Consuetudines judicare, quam per Leges et Consuetudines regnorum quibus præest. *Et quoad hoc, quod prædictus* Robertus *dicit*, quod mulier regnare non debet, quia officium regiminis exercere non potest: *Idem* Johannes *dicit*, Quod si mulier regnare non debet, nec jus regnandi ad ipsam descendere seu resortiri, idem Robertus nihil Juris vendicare potest in regno prædicto; eo, quod si aliquod jus de ipso regno ad ipsum resortiri deberet, hoc esse non posset, nisi per medium Isabellæ matris suæ; *unde dicit*, *Quod si nullam jus regnandi ad dictam* Isabellam *matrem suam resortiri potuit; nec ad ipsum* Robertum *nisi per eandem* Isabellam *tanquam ad filium descendere quoque modo. Dicit etiam, quod idem* Robertus *in hujusmodi* dicto suo est sibi ipsi contrarius. Et *quia satis notorium est, quod tam ipse* Robertus *quàm omnes alii Comites, Barones, Proceres & Magnates regni* Scotiæ juraverunt fidelitatem Margaretæ filiæ Regis Norwegiæ quæ ultimo obiit Domina et Regina dicti regni Scotiæ, et ipsam pro Regina et Domina tenuerunt; *& sic erat idem* Robertus modo negando verbo, quod prius facto concesserat, quod quidem factum dedicere non potest; *Undè cum sit benè recognitum, quod* Willielmus *Rex* Scotiæ *fuit seisitus de prædicto regno* Scotiæ, *& de prædicto* Willielmo *descendit jus* Alexandro *ut filio & hæredi; & à prædicto* Alexandro *descendit jus cuidam* Alexandro *ut filio & hæredi, qui obiit sine hærede de se; Et de ipso* Alexandro *cuidam* David *ut fratri & hæredi, & de ipso* David *quia obiit sine hærede de se cuidam* Margaretæ *ut sorori & hæredi; & de ipsa* Margareta *cuidam* Margaretæ *ut filiæ & hæredi; & de ipsâ* Margareta *quæ obiit sine hærede de se, resortiebatur jus & debuit resortiri quibusdam* Margaretæ, Marjoriæ, & Isabellæ *ut consanguineis & uni hæredi, si dictum regnum esset partibile*; Et quia non est partibile, *remansit jus & remanere debuit prædictæ* Margaretæ *ut antenatæ; Et de ipsa descendit jus cuidam* Margaretæ *ut filiæ & hæredi; Et de ipsa* Margareta, *quia obiit sine hærede de se, resortiebatur jus & debuit resortiri prædictis* Marjoriæ & Isabellæ *ut antenatis* et uni hæredi, si regnum esset partibile; Et quia non est partibile, remansit Jus et remanere debuit prædictæ Marjoriæ ut antenatæ et hæredi, *Et de ipsa* Isabella *quia obiit sine hærede de se, descendit jus & descendere debuit prædictæ* Isabellæ *ut sorori & hæredi; Et de ipsa* Isabella *quia obiit sine hærede de se, resortiebatur jus & debuit resortire cuidam* David *ut avunculo & hæredi fratri Regis* Scotiæ Willielmi *prædicti, patris prædictæ* Isabellæ; *Et de ipso* David *descendit jus & descendere debuit cuidam* Henrico *ut filio & hæredi; Et de ipso* Henrico *quia obiit sine hærede de se, descendit jus & descendere debuit cuidam* David *ut fratri & hæredi; Et de ipso* David *quia obiit sine hærede de se, cuidam* Johanni *ut fratri & hæredi; Et de ipso* Johanne *quia obiit sine hærede de se, descendit jus & descendere debuit quibusdam* Margaretæ, Isabellæ & Adæ, *ut sororibus & uni hæredi, si regnum esset partibile*; Et quia non est partibile, *remansit jus & remanere debuit prædictæ* Margaretæ *ut antenatæ Sorori ipsius* Johannis *& hæredi; Et de ipsa* Margareta *descendit jus & descendere debuit cuidam* Thomæ *ut filio & hæredi; Et de ipso* Thoma *quia obiit sine hærede de se, descendit jus & descendere debuit quibusdam* Christianæ & Dervorguldæ *ut sororibus & uni hæredi, si regnum esset partibile*; Et quia regnum non est partibile, *remansit jus & remanere debuit prædictæ* Christianæ *antenatæ sorori ipsius* Thomæ, *ut sorori & hæredi; & de ipsa* Christiana, *quia obiit sine hærede de se, descendit jus & descendere debuit prædictæ* Dervorguldæ *ut sorori & hæredi; Et de ipsa* Dervorgulda *descendit jus & descendere debuit cuidam* Hugoni *ut filio & hæredi; Et de ipso* Hugone *quia obiit sine hærede de se, cuidam* Alano *ut fratri & hærede; Et de ipso*

An. 20. E. 1

* See here, p. 492.

An. 20 E. 1. Alano *quia obiit ſine hærede de ſe, cuidam* Alexandro *ut fratri & hæredi*; *Et de ipſo* Alexandro *quia obiit ſine hærede de ſe, deſcendit jus & deſcenaere debuit iſti* Johanni *ut fratri & hæredi, qui nunc petit regnum* Scotiæ *ut jus ſuum. Cumque per deſcenſus prædictos liqueat evidenter, quod prædictus* Johannes *ſit hæres prædictæ* Margaretæ *primogenitæ prædicti* David *per rectam lineam ſuccedendo deſcendens*; *& conceſſum ſit per eundem* Robertum, **quod prædictum regnum eſt impartibile**, *per quod neceſſario requiritur, quod hujuſmodi hæreditas impartibilis tantummodo uni ſororis & hæredi & exitui ipſius debeat remanere ſecundum leges & conſuetudines utriuſque regni. Et ſi uni tantum, ſemper præferenda eſt primogenita & ipſius exitus in omni hujuſmodi hæreditate impartibili, tam ratione primogenituræ* **quam impartibilitatis hæreditatis regni petiti**; *per quas etiam leges & conſuetudines nullus gradus proximitatis ſanguinis in ſecunda linea excludit remotiorem exeuntem de primogenita in prima linea recte deſcendentem, petit ipſe* Johannes *petitionem præfati* Roberti *quoad jus ſuccedendi in prædictum regnum* Scotiæ, *repelli penitus & caſſari, & ſecundum petitionem ſuam juſtitiam ſibi fieri, ac jus ſuum prout in petitione ſua continetur in omnibus & ſingulis judicialiter declarari, ac idem regnum* Scotiæ *ſibi per vos adjudicari.*

Præmiſſis coram auditoribus, Prælatis & diſcuſſis, relationeque facta dicto Domino Regi Angliæ *de eiſdem per auditores memoratos*; *quæſivit idem Dominus Rex à dictis* Roberto de Brus & Johanne de Balliolo *coram ipſo perſonaliter conſtitutis, organo vocis ſuæ,* An aliqua alia quam dixerant dicere vellent? *Et ipſi reſponderunt,* Quod non, niſi forſan quicquam ab eis ad ipſius informationem petere voluiſſet. *Qua reſponſione facta, quæſivit idem Dominus Rex palam & publicè ab utriuſque regni Nobilibus & Prælatis, totoque Conſilio ac auditoribus memoratis, quod eorum conſilium ſibi daret*; Quis iſtorum duorum *Roberti & Johannis* ſit alteri præferendus in jure ſuccedendi in dictum regnum *Scotiæ* ſecundum præmiſſa hinc inde propoſita & oſtenſa? *Et,* An remotior in uno gradu in ſucceſſione exiens de primogenita, debeat ſecundum leges & conſuetudines utriuſque regni excludere proximiorem in gradu exeuntem de ſecundogenita? Vel proximior in gradu exiens de ſecundogenita, debeat ſecundum leges & conſuetudines ipſorum regnorum excludere remotiorem in uno gradu exeuntem de primogenita? *Ad quæ etiam unanimiter reſponderunt, nullo reclamante vel contradicente,* **Quod remotior in uno gradu linealiter deſcendens de primogenita, ſecundum leges et conſuetudines utriuſque regni præferendus eſt proximiori in gradu exeunti de ſecundogenita in qualibet hæreditaria ſucceſſione.** *Quocirca prefatus Dominus Rex dicta reſponſione intellecta, totum negotium prædictum præcepit & fecit exactiſſimè reexaminari coram utriuſque regni Nobilibus & Prælatis. Et eiſdem* Roberto de Brus & Johanni de Balliolo *ſextum diem menſis* Novembris, *diem* Jovis *videlicet proximum poſt inſtans feſtum* Omnium Sanctorum, *loco eodem præfixit & aſſignavit ad audiendum judicium ſuum in negotio memorato. Quibus die & loco, anno & indictione, præfati Nobiles Domini* Robertus de Brus, & Johannes de Balliolo, *una cum aliis petentibus idem regnum coram dicto Domino Rege perſonaliter comparuerunt*; **habitaque per ipſum Dominum Regem ſuper præmiſſis inter dictos Nobiles propoſitis et dictis deliberatione magna, et etiam conſideratione ad leges et conſuetudines utriuſque regni, necnon ad formam et modum petitionis dicti Domini** Roberti, **et ad recognitiones ſuprædictas factas per eundem, rationeque et reſponſiones hinc inde factas**: *quia apparebat evidenter dictum* Robertum de Brus *jus in ſua petitione non habere ſecundum formam ejuſdem & naturam*; **de conſilio Prælatorum et Nobilium utriuſque regni, Auditorum prædictorum, et aliorum de Conſilio ſuo ibidem præſentium, conſideravit idem Dominus Rex judicialiter et pronunciavit; quod prædictus** Robertus **per petitionem ſuam prædictam nichil capiat de regno** Scotiæ **memorato.** *Et quia ſuper petitione dicti* Johannis de Balliolo *non potuit ad judicium procedere, quouſque cæteri petentes audirentur, & de jure eorundem ſecundum formam petitionum ſuarum diſcuteretur; præcepit Dominus Rex tàm dicto Domino* Johanni de Balliolo, *quàm cæteris omnibus & ſingulis dictum regnum* Scotiæ *petentibus; quod coram auditoribus ſupradictis in loco quo alias petitiones ſuas de die in diem proſequerentur, quouſque de eiſdem plenè diſcuteretur. Similiter & ipſis auditoribus dedit in mandatis,* quod eundem locum adirent, & dictos petentes in dicendis & oſtendendis coram ipſis benignè audirent, & diſcuſſione rationum & jurium eorundem plenè facta, eidem Domino Regi, quod invenerint, fideliter referant ſicut prius. *Coram quibus auditoribus dicti petentes comparuerunt in Eccleſia*

Fratrum

Fratrum Prædicatorum de Berewico *deſerta*; *& pro petitionibus ſuis & jure ſuo roborandis rationes varias & diverſas adduxerunt*: *Inter quos idem* Robertus de Brus *perſonaliter accedens, proteſtabatur, ſe velle jus & actionem petendi dictum regnum* Scotiæ, *vel ſaltem propartem ejuſdem, per aliam formam & modum quam prius intentare*; *petens ſe inter alios petentes ad hoc admitti per eoſdem. Et ad hoc ſuo nomine proſequendum*, Galfridum de Caldecote, Egidium de Camſches, *&* Johannem de Brye *poſuit loco ſuo. Quibus ad hoc admiſſis, ut quando voluerint proſequantur, ſupervenit Dominus* Johannes de Haſtinges, *& propartem ſuam petiit de prædicto regno* Scotiæ *tanquam de hæreditate partibili*; *quia dixit, quod jus prædicta hereditatis regni* Scotiæ *deſcendebat* Margaretæ, Iſabellæ *&* Adæ *filiabus* David *Comitis* Huntingdon. *ut uni hæredi*: *Et de illis deſcendit & deſcendere debuit jus* Johanni de Balliolo, Roberto de Brus, *&* eidem Johanni de Haſtinges, *hæredibus prædictarum* Margaretæ, Iſabellæ *&* Adæ: *Et ſic pro integro jure quod inde habent, in quo omnes ſunt pares, prædicta hæreditas eſt partibilis inter ipſos, per quod propartem ſuam inde petiit. Et quod prædicta hæreditas ſit partibilis nititur oſtendere per ſubſcriptas rationes. Tum quia omnes terræ & tenementa, feoda, libertates, dominica & honores, quæ de corona regni* Angliæ *tenentur in capite* **ſunt partibilia**: *Tum quia homagium & ſervicium quæ inde debentur Regi & coronæ* Angliæ, **oſtendunt prædictum regnum eſſe ſub lege Communi, et ſic partibile.** *Inſuper præfatus Dominus* Robertus de Brus *venit, & conſimilem fecit petitionem*; *petens videlicet propartem ſuam dicti regni & omnium terrarum & libertatum cum omnibus pertinentiis, de quibus terris & libertatibus* Alexander *ultimus Rex* Scotiæ *obiit ſeiſitus*, **(nomine et dignitate regalibus duntaxat exceptis)** *pro eo quod totus exitus ejuſdem* Alexandri *eſt extinctus per mortem* Margaretæ *filiæ Regis* Norwegiæ; *de qua reſortiebatur jus prædictarum terrarum & reſortiri debuit cuidam* David *Comiti* Huntingdon. *fratri Regis* Willielmi *avi prædicti* Alexandri, *& proavi prædicta* Margaretæ. *Et de ipſo* David *deſcendit jus & deſcendere debuit quibuſdam filiabus ipſius* David, *videlicet* Margaretæ, Iſabellæ *&* Adæ, *tanquam uni hæredi*; *& de prædicta* Iſabella *deſcendit jus & deſcendere debuit ut de propartе ſua iſti* Roberto *qui nunc petit ut filio & hæredi*; *quam quidem propartem idem* Robertus *clamat tenere in capite de dicto Domino ſuo Rege* Angliæ, **ſuperiori Domino regni** Scotiæ **per homagium.** *Et petit idem* Robertus *à Domino ſuo Rege prædicto*, **ut ſecundum legem Communem regni** Angliæ **juſtitia fiat**; *adducens inſuper quaſdam alias rationes, per quas ſimiliter nitebatur oſtendere*, **dictum regnum** Scotiæ **eſſe partibile.** *Et licet ad prædictas tàm dicti Domini* Johannis de Haſtinges, *quàm Domini* Roberti de Brus *rationes & oſtenſiones fuiſſet* (*ut videbatur*) *ex parte Domini* Johannis de Balliolo *ſufficienter reſponſum, præmiſſis per auditores memoratos Domino Regi relatis*: *Idem Dominus Rex volens tamen ſuper hiis* **cum conſilio ſuo et auditoribus prælibatis deliberare**, *quæſivit publicè ab utriuſque regni Nobilibus & Prælatis, & Auditoribus, & aliis ibidem congregatis*, **An regnum** Scotiæ **ſit partibile? Et ſi idem regnum non ſit partibile, An eſcaetæ et acquiſita ejuſdem ſint partibilia?** *Cui omnes, prahabita ſuper hiis deliberatione aliquali, unanimiter & concorditer reſpondерunt*; **Quod dictum regnum** Scotiæ **non ſit partibile, nec ipſius eſcaetæ ſeu acquiſita infra regnum prædictum, ex quo ad manus Regis devenìſſent.** *Quibus reſponſionibus auditis & intellectis, præfixit & aſſignavit idem Dominus Rex partibus ſupradictis omnibus jus ad dictum regnum* Scotiæ *vendicantibus pro termino peremptorio diem* Lunæ *prox. poſt feſtum Sancti* Martini **in Parliamento ſuo apud** Berewicum *ſuper* Twedam, **judicia ſua ſuper jam dictis ſuis petitionibus præciſe auditurus**; **volens interim ſuper omnibus et ſingulis hinc inde propoſitis, dictis, oſtenſis et allegatis cum utriuſque regni peritis, auditoribus memoratis, et aliis de Conſilio ſuo ad plenum deliberare, dictumque proceſſum et jura partium examinare**; **ut deliberatione præhabita, quid de jure fieri debeat plenius informari.** *Acta apud* Berewicum *ſuper* Twedam (*ut præmittitur*) *anno, indictione, menſe, diebus & locis proximo prænotatis, præſentibus venerabilibus in Chriſto patribus & Dominis, Dominis* Antonio Dunolm. Willielmo Elien. Johanne Carleolen. Willielmo Sancti Andræ, Roberto Glaſcuen. Matthæo Dunkelden. & Marco Sodoren. *Epiſcopis*; *ac Nobilibus viris Dominis* Henr. Lincoln. Umfrido Hereford. Johanne de Boghan, Gilberto de Anegos, & Maliſio de Strathern. *Comitibus*; *ac Magiſtro* Johanne Erturi de Cadomo *publico Apoſtolica authoritate Notario, cum aliis quampluribus*,

Anno à Nativitate Domini 1292. *Indictione ſexta, menſi* Novembris *die decimo ſeptimo.*

An. 20 *E.* 1.

An. 20 E. 1. *septimo, die* Lunæ *videlicet proxima post festum Sancti* Martini, *congregatis coram excellenti Principe & Domino, Domino* Edwardo *Dei gratia Rege* Angliæ *illustri* **superiori et Domino regni** Scotiæ, *in aula Castri de* Berewico *super* Twedam, *Sancti* Andreæ *Diocesi, utriusque regni Nobilibus & Prælatis, ac Auditoribus memoratis, aliis Magnatibus & popularibus in multitudine copiosa, præsente ibidem me Notario infrascripto, cum testibus subscriptis, præconizatisque publicè Nobilibus viris superius nominatis jus ad dictum regnum* Scotiæ *(ut præmittitur) vendicantibus,* Erico *videlicet Rege* Norwegiæ, Florentio *Comite* Holandiæ, Willielmo de Vescy, Patricio *Comite de* Marchia, Willielmo de Ros, Roberto de Pinkny, Nicholao de Soules, & Patricio Galightly, *& non comparentibus, sed se retrahentibus omnino, quia non suas petitiones propositas prosecuti,* **consideratum est per idem Dominum Regem, et judicialiter pronunciatum, de consensu utriusque regni Nobilium et Prælatorum, Quod per petitiones suas prædictas nihil consequantur.**

* Hist. Angl. p. 22. Ypodigma Neustr. p. 76.

(* *Tho. Walsingham* renders us this more full and particular account concerning the King of *Norweys* Proctors answers, delayes, and the Judgement given at last against him. *Requisitum fuit de eisdem Attornatis,* quid volunt addere, minuere vel mutare, & quod in petitione sua danda declararent? *Qui dicunt,* quod nolunt declarare antequam habuerint colloquium cum dicto Domino Rege *Angliæ* superiori Domino regni *Scotiæ,* nec aliquid aliud proponere vel dicere ea vice. *Et hac requisitio fuit facta, quia alias in petitione sua, quæ coram ipsis fuit ibidem lecta, reservavit sibi beneficium addendi, minuendi & mutandi, prout plenius ex tenore ipsius petitionis apparet, & datus est eis dies usque ad diem* Mercurii *proximo sequentem, ad audiendum voluntatem Domini Regis. Postea die* Mercurii *proximo post festum beati* Martini, *venerunt prædicti Attornati Regis* Norwegiæ *coram Consilio prædicti Domini Regis* Angliæ, **et Superioris Domini** Scotiæ, *& dictum fuit eis per consilium dicti Domini Regis,* quod declararent manifeste actionem Domini Regis *Norwegiæ,* per quam intendunt recuperare regnum *Scotiæ,* tanquam jus Domini sui; *qui quidem Attornati responderunt & dixerunt,* quod voluerunt prius habere colloquium cum præd. to Domino suo Rege *Norwegiæ,* & ipsum super exactione & petitione prædictis consulere antequam ulterius prosequerentur. *Et multociens requisiti, quod petitionem Domini sui manifestius declararent, tandem dixerunt præcisè,* quod petitionem Domini sui noluerunt declarare, nec ulterius super hoc aliud dicere, antequam eundem Dominum suum consulti fuerint in præmissis. *Ideo datus est eis dies de die in diem coram prædicto Domino Rege* Angliæ, **superiore Domino dicti regni** Scotiæ, *ad audiendum judicium suum, de eo quod noluerunt ulterius prosequi petitionem Domini sui prædicti.)*

The Record proceeds; *Et quia* Johannes Comyn & Rogerus de Mundevile **non sunt suas petitiones prosecuti, ideo similiter est per ipsum Dominum Regem judicialiter pronunciatum, quod nihil capiant per easdem.** *Quoad petitionem vero Domini* Roberti de Brus *ultimam, per quam petiit tertiam partem regni* Scotiæ, *ut propartem suam, tanquam de hæreditate partibili; quia compertum est, quod idem* Robertus *alias coram Domino Rege in sua petitione, per quam petebat totum regnum* Scotiæ, *recognovit plenè & concessit,* **prædictum regnum esse impartibile,** *per quod uni tantum hæredi debuit remanere;* **quam quidem recognitionem et concessionem dedicere non poterit coram ipso: Et quia per Prælatos, Comites, Barones, Proceres et Magnates, totumque Consilium utriusque regni concordatum est et consideratum, quod prædictum regnum uni hæredi debeat remanere, pro eo quod de sui natura est impartibile, sicut et alia regna: Idcirco per eundem Dominum Regem consideratum est et judicialiter pronunciatum, Quod dictus Dominus** Robertus **et his quæ in dicta petitione sua continentur, nihil consequatur omnino.** *Et quoad petitionem Domini* Johannis de Hastinges, *qui similiter petiit tertiam partem dicti regni, ut propartem suam de hæreditate partibili; quia plenè compertum est, (ut præmittitur)* **quod prædictum regnum de sui natura non est partibile, et etiam quod escaetæ et acquisita quæ acciderint infra dictum regnum, et ad manus Regis devenerint sunt impartibilia sicut ipsum regnum, eapropter, juvantibus etiam aliis rationibus quamplurimis in processu super his habito propositis et dictis, consideratum est per dictum Dominum Regem, et judicialiter pronunciatum de consensu utriusque regni Nobilium et Prælatorum; Quod dictus Dominus** Johannes de Hastinges **nihil capiat per petitionem suam suprædictam.** *Quoad petitionem vero Domini*

mini Johannis de Balliolo, *qui petiit totum regnum prædictum ut jus ſuum. Idem Dominus Rex perlecta coram ipſo petitione ſua, cum juribus & rationibus pro jure ſuo adductis; recitatiſque rationibus & objectionibus contra ipſum & jus ſuum propoſitis, & hinc inde oſtenſis,* dictum negotium totum præcepit et fecit per utriuſque regni conſilium per plures dies cum ſumma diligentia et habundanti examinari. *Et examinatione plenè facta, quia compertum fuit manifeſtè,* et per omnes utriuſque regni Nobiles, Prælatos, Auditores, et Sapientes conſideratum et concordatum, Quod prædictum regnum Scotiæ eſt impartibile, et uni debeat hæredi remanere: Et hoc idem ſatis eſt per petentes prædictos recognitum judicialiter coram ipſo Domino Angliæ Rege pro tribunali ſedente, ut ſuperiori et directo Domino dicti regni. Et quia idem Dominus Rex habet judicare de jure ſubditorum (ut præmittitur) per leges et conſuetudines regnorum quibus præeſt, quod ab omnibus utriuſque regni Nobilibus et Prælatis eſt approbatum, concordatum et dictum, et per eaſdem leges et conſuetudines in caſu propoſito conſenſum eſt et judicialiter declaratum, quod remotior in gradu deſcendente in prima linea, proximior in ſecunda linea in ſucceſſione hæreditatis impartibilis eſt præferendus. Et etiam quod ordo ſucceſſionis contentus in petitione dicti Johannis de Balliolo, qui eſt hæres de prima linea deſcendente, non eſt ab aliquo petentium prædictorum in aliqua ſui parte dedictus. Idcirco præ omnibus aliis in ſucceſſione hæreditaria dicti regni Scotiæ eſt præferendus, tanquam hæres rectior regni memorati. *Supradictis vero rationibus, unà cum aliis quampluribus in præſenti proceſſu coram dicto Domino Rege ſuoque Conſilio (ut præmittitur) oſtenſis & propoſitis diligenter attentis,* conſideravit dictus Dominus Rex Angliæ, ſuperior et directus Dominus regni Scotiæ,* Quod prædictus Dominus Johan. de Balliolo recuperet et habeat ſeiſinam prædicti regni Scotiæ, cum omnibus pertinentiis ſuis infra idem regnum, ſecundum formam petitionis ſuæ ſuprædictæ: Et etiam omnia quæ ad manus præfati Domini Regis Angliæ ratione ſuperioritatis et directi dominii ſui hujuſmodi devenerunt: Ita tamen, quod idem Dominus Johannes dictum regnum Scotiæ et populum ejuſdem ſibi ſubditum, ſic rite, ſic juſte gubernet et regat, quod nullus pro defectu juſtitiæ occaſionem habeat de ipſo conquerendi; per quod dictus Rex Angliæ, ut ſuperior ſuus Dominus ejuſdem regni, in ipſius defectum ad proſecutionem querelantium directionis manus apponere debeat in eventu: Jure dicti Domini Regis Angliæ, et hæredum ſuorum Angliæ Regum, cum voluerint inde loqui eiſdem, ſemper ſalvo. *Hiis itaque peractis aſſignavit idem Dominus Rex eidem* Johanni de Balliolo *diem* Jovis *proximo ſequentem coram ipſo ubicunque fuerit,* ad faciendam ſibi fidelitatem pro regno Scotiæ memorato. *Et etiam diem* Nativitatis *proximo ſequentem ſimiliter ubicunque tunc fuerit in regno* Angliæ, *eidem Domino* Johanni de Balliolo *Regi* Scotiæ, ad faciendum ſibi homagium pro eodem regno præſtrit et aſſignavit. Et quod interim proſequatur brevia ad habendum ſeiſinam de regno Scotiæ ſuprædicto, præcepit. *Ad cujus Regis præceptum ſtatim brevia facta fuerunt pro ſeiſina* tam Caſtrorum quam regni Scotiæ præfati dicto Domino Johanni de Balliolo Regi Scotiæ liberanda, ſub tenore qui ſequitur.

An. 20 E. 1.

* See Henr. de Knyghto de Event. angl. l. 3. c. 2. p. 2469. Mat. Weſtm. p. 386 Tho. Walſingham Hiſt. Angl. p. 22, 23. Ypod. Neuſtr. p 76, 77.

EDWARDUS, Dei gratia Rex *Angliæ*, Dominus *Hyberniæ*, Dux *Aquitaniæ*, & ſuperior Dominus regni *Scotiæ*; Dilectis & fidelibus ſuis, *Willielmo* Sancti *Andreæ* & *Roberto Glaſcuen.* Epiſcopis; *Johanni Comyn*, *Jacobo* Seneſcallo *Scotiæ*, & *Briano* filio *Alani*, Cuſtodibus ſuis dicti regni *Scotiæ* ſalutem. Cum *Johannes de Balliolo* nuper in Parliamento noſtro apud *Berewicum* ſuper *Twedam* veniſſet coram nobis, & petiviſſet prædictum regnum *Scotiæ* ſibi per nos adjudicari, & ſeiſinam ipſius regni ſibi ut proximiori hæredi *Margaritæ* filiæ Regis *Norwegiæ*, Dominæ *Scotiæ*, & Neptis quondam *Alexandri* ultimi Regis *Scotiæ*, jure ſucceſſionis liberari. Ac nos auditis & intellectis petitionibus & rationibus tam prædicti *Johannis* de *Balliolo*, quàm aliorum petentium prædictum regnum, & eiſdem petitionibus & rationibus diligenter examinatis, invenerimus præfatum *Johannem* de *Balliolo* eſſe propinquiorem hæredem prædictæ *Margaretæ* quoad dictum regnum *Scotiæ* optinendum, propter quod idem regnum *Scotiæ* & ſeiſinam ejuſdem eidem *Johanni*, ſalvo Jure noſtro & hæredum noſtrorum, reddidimus: Vobis mandamus, quod ſeiſinam prædicti regni Scotiæ, cum omnibus pertinentiis ſuis infra idem regnum exiſtentibus, et quæ ad manus noſtras tanquam ad ſuperiorem Dominum ipſius regni Scotiæ poſt mortem præfatæ Margaretæ devenerunt, ſine dilatione

* See Scotiæ [illegible] 20 & [illegible] m 7 nu 34. where this Writ is likewiſe entolled.

prædicto

An. 20 *E.* I. prædicto Johanni de Balliolo deliberare faciatis, ſalvo Jure noſtro et hæredum noſtrorum cum voluerimus inde loqui; ſalvis etiam nobis releviis et debitis quibuſcunque quæ de exitibus ſupradicti regni Scotiæ uſque ad diem confectionis præſentium debebantur, ſeu deberi poterunt quoquo modo. Teſte meipſo apud *Berewyk* ſuper *Twedam* decimo nono die *Novembris*, anno regni noſtri viceſimo.

* See Rot. Scotiæ, ibid

Item, **EDWARDUS* Dei gratia Rex *Angliæ*, Dominus *Hyberniæ*, Dux *Aquitani*, & ſuperior Dominus regni Scotiæ, Dilecto & fideli ſuo *Petro Burdet* Conſtabular. Caſtri de *Berewyk* ſalutem. Cum *Johannes* de *Baliolo* nuper in Parliamento noſtro apud *Berewykum* ſuper *Twedam* veniſſet coram nobis & petiiſſet prædictum regnum *Scotiæ* ſibi per nos adjudicari, & ſeiſinam ipſius regni ſibi ut propinquiori hæredi *Margaretæ* filiæ Regis *Norwegiæ* Dominæ *Scotiæ* jure ſucceſſionis liberari; ac nos auditis & intellectis petitionibus & rationibus tam prædicti *Johannis* de *Balliolo* quam aliorum petentium prædictum regnum, & eiſdem petitionibus & rationibus diligenter examinatis, invenerimus præfatum *Johannem* de *Balliolo* eſſe propinquiorem hæredem prædictæ *Margaretæ*, quoad prædictum regnum *Scotiæ* obtinendum; propter quod idem regnum *Scotiæ* & ſeiſinam ejuſdem (ſalvo Jure noſtro et hæredum noſtrorum, cum voluerimus inde loqui) prædicto *Johanni* reddidimus; Vobis mandamus, quod ſeiſinam prædicti Caſtri de *Berewico* cum omnibus pertinentiis ſuis, una cum omnibus aliis rebus tibi per Chyrographum traditis, ſecundum quod in prædicti Caſtri tibi commiſſa cuſtodia res hujuſmodi recepiſti, ſine dilatione præfato Johanni *de* Balliolo vel Attornatis ſuis his literis deferentibus deliberari faciatis. Teſte meipſo apud *Berwicum* ſuper *Twedam* decimo nono die *Novembris*. Anno regni noſtri viceſimo.

Item, *ſub eadem forma & eiſdem verbis, nihil addito vel diminuto, diverſis tamen perſonis, directa fuerunt Brevia ejuſdem Domini Regis* Angliæ *univerſis & ſingulis cuſtodibus Caſtrorum Dominicorum Regis* Scotiæ *per totum regnum* Scotiæ, *quæ fuerunt in manibus Regis* Angliæ, ut ſuperioris Domini ejuſdem regni, in quibus Cuſtodes poſiti fuerant per eundem. Item, *eodem die in aula Caſtri de* Berewico, *in præſentia utriuſque regni Nobilium & Prælatorum, meique Notarii infraſcripti, conſtitutum fuit ſigillum ad regimen* Scotiæ *deputatum, quo uſi fuerunt ejuſdem regni Cuſtodes à tempore obitus* Alexandri *ultimi Regis ejuſdem uſque diem illum, in quatuor partes, & ipſius fruſta Sigilli in quadam burſa de Corio repoſita in Theſaurariâ dicti Domini Regis* Angliæ *conſervanda*, in ſignum et evidentiam pleniorem Superioritatis et directi Dominii ſui, quod habet in prædicto regno Scotiæ, et quod ipſius hæredes Angliæ Reges perpetuis temporibus habere debent, et declarationem Juris ſui hujuſmodi poſteris evidentius oſtendendam. Præſentibus ibidem utriuſque regni Nobilibus et Prælatis, *ac Magiſtro* Johanne Ertun de Cadomo *publico Notario, cum aliis quamplurimis.*

Anno Domini 1292. *Indictione ſexta, menſis* Novembris *die viceſimo, die videlicet Sancti* Edmundi *Regis & Martyris, exiſtente Domino Rege* Angliæ *in Caſtro de* Norham Dunolm. *Dioc. venit ibidem nobilis Princeps Dominus* Johannes de Balliolo *Illuſtris Rex* Scotiæ, et eidem Domino ſuo Domino Regi Angliæ pro eodem regno Scotiæ Fidelitatem fecit, et tactis ſacroſanctis et oſculatis Dei Evangeliis juravit, ſub his verbis. **Ego* Johannes de Balliolo Rex Scotorum, homo et fidelis ero vobis Domino Edwardo Dei gratia Regi Angliæ Illuſtri, et Superiori Domino regni Scotiæ, et vobis fidelitatem facio de eodem regno Scotiæ, quod de vobis teneo et clame tenere; et fidem et fidelitatem vobis portabo de vita et membro, et terreno honore contra omnes homines, et fideliter recognoſcam et vobis faciam ſervitia vobis debita de Regno Scotiæ antedicto; Sic me Deus adjuvet, et hæc ſancta Dei Evangelia.

* See Matth. Weſtm. p. 386 Walſingham, Hiſt. Angl. p. 21 Ypodigma Neuſtriæ, p. 77.

Super qua fidelitate ſic facta dictus Dominus Johannes de Balliolo *Rex* Scotiæ *ſuas patentes literas ſtatim fieri fecit Domino Regi* Angliæ *Sigilli ſui impreſſione ſigillatas, tenorem qui ſequitur continentes.* Omnibus Chriſti fidelibus præſens ſcriptum viſuris vel audituris, *Johannes* Dei gratia Rex *Scotorum*, ſalutem. Noveritis univerſitas veſtra nos feciſſe et juraſſe Domino noſtro ligeo Domino Edwardo Dei gratia Regi Angliæ Illuſtri, et ſuperiori Domino Regni Scotiæ apud Norham, die Jovis in feſto Sancti Edmundi Regis et Martyris, Anno Incarnationis Dominicæ 1292. et regni ipſius Domini noſtri Regis Angliæ Edwardi *viceſimo finiente & viceſimo primo incipiente, in præſentia venerabilium Patrum*

trum Willielmi *Sancti* Andreæ, & Roberti Glaſcuen. *Epiſcoporum*, Johannis *Comitis* de Boghan, Willielmi *Comitis* de Ros, Patricii *Comitis* de Marchia, Walteri *Comitis* de Meniteth, Jacobi *Seneſcalli* Scotiæ, Alexandri de Ergadia, Alexandri de Balliolo, *Domini* de Cadion, Patricii de Graham, & Willielmi de Seinct Clere, *in hunc modum*; *Iſtud audias Domine mi* Edwarde *Dei gratia Rex* Angliæ, ſuperior Dominus regni Scotiæ, *Quod ego* Johannes de Balliolo *Rex* Scotorum vobis facio fidelitatem de regno Scotiæ, quod teneo et clameo tenere de vobis; et ero vobis fidus et fidelis; et fidem et fidelitatem vobis portabo de Vita et Membro, et terreno Honore contra omnes homines; et fideliter cognoſcam et fideliter faciam ſervicia vobis debita de regno Scotiæ antedicto; Sic Deus me adjuvet, et hæc ſancta Evangelia. *In cujus rei teſtimonium, ſigillum quo uſi ſumus hactenus (quia adhuc aliud factum ſub titulo & nomine Regio non habemus) præſentibus eſt appenſum*; Et ſimiliter in teſtimonium fidelitatis prædictæ, Epiſcopi, Comites, Barones, et alii ſupranominati Nobiles præſens ſcriptum ſigillorum ſuorum munimine roborarunt. *Dat. apud* Norham. *die & anno prædictis.* *An.* 20 *Ed.* I.

Et quia idem Dominus Johannes de Balliolo *Rex* Scotorum fidelitatem ſuam prædictam fecit lingua Gallica; *ideirco eadem verba, per quæ fecit, præſenti Inſtrumento annotabo, nihil addito vel diminuto.*

Ceo oies vous mon Seigneur Sire *Edward* Roy *Dengleterre*, Soberaigne Seigneur du Royalme *Deſcoce*, qe jeo *Johan* de *Baillol* Roy *Deſcoce*, vous face feaute du Royalme *Deſcoce*, le quiel jeo tenk e cleim tenir de vous; e qe jeo vous ſerrai foials e loials; e foi e loiaute vous portrai de vie e de membre, e de terrein honeur, contra toutes gentz qui purront vivre et morir; e loiaument conuſtrai, e loiament frai les ſervices qe nous vous deveins du Royalme *Deſcoce* avantdite; en ſi nous eide Dieus e ces Seintes Evangeiles. *Super qua fidelitate ſic facta idem Dominus* Johannes de Balliolo *Rex* Scotiæ *ſuas patentes literas fieri fecit, ut ſupra, ſui ſigilli impreſſione munitas ſub tenore qui ſequitur.* A tous ceaus, qui ceſt eſcrit verront ou erront, *Johan* par la grace de Dieu Roy *Deſcoce*, ſalutz en Dieu. Sache veſtre univerſite moi avoir fait e jures foiaute a mon Seigneur Lige Monſieur *Edward* par meſme la grace Roy *Dengleterre*, a *Norham* la Jovedy en la feſte Seint *Emon* le Roy e Martyr, le an del Incarnation noſtre Seigneur Mil. ducentz nonante ſeconde, e du Regne le dit mon Seigneur le Roy *Edward* finant, e le vintiſme un comenceant, en la preſence des honeurables Pieres *William* e *Robert* de Seint *Andreu* e de *Glaſcu* Eveſques; de *Johan* Counte de *Boghan*, *William* Counte de *Roſſe*, *Patrik* Counte de la *Marche*, *Wautier* Counte de la *Meniteth*, *James* Seneſcall. *Deſcoce*, *Aliſaundre* de *Ergayl*, *Aliſaundre* de *Baillol*, Seigneur de *Cautes*, *Patrik* de *Grayham*, e de *William* de Seint *Cler*, en les paroles ſoutz eſcrites. Ceo oies vous mon Seigneur *Edward* Roy *Dengleterre*, Soverein Seigneur du Roialme *Deſcoce*, que jeo *Johan* de *Baillol* Roy *Deſcoce* vous face foialte du Royalme *Deſcoce*, le quiel jeo tenk e cleim tenir de vous; qe jeo vous ſerrai foial e loial; et foi e loialte vous portrai de vie e de membre, e de terrein honeur contre toutes gentz qui purront vivre e morir, e loialment coneuſtrei e loialment vous fraj les ſervices a vous dues du Royalme *Deſcoce* avantdite, enſi me eide Dieus e ces ſeintes Evangeiles. En teſmoignance de ceſte choſe jeo mis a ceſt eſcrit mon Seal, le quiel jeo ai uſez jeſqes en cea, pur ce qe jeo navoie encore autre Seal fait deſouz title e nom de Roi. Enſemblement en teſmoignance de la foialte avantdite enſi faite, ces Eveſqes, Comites, e Barones, e autres Nobles deſus només ount mis leur ſeals a ceſt præſent eſcrit. Donez a *Norham* le ſour e le an avantditz.

Quibus, ut præmittitur factis, mandavit dictus Dominus Rex Angliæ, *eundem Dominum* Johannem de Balliolo *Regem* Scotorum, in corporalem poſſeſſionem regni Scotiæ (ſicut moris eſt) apud Monaſterium de Scona juxta villam Sancti Johannis de Perth, ſuo nomine induci, *per venerabilem Patrem Dominum* Antonium *Dei gratia* Dunolm. *Epiſcopum*, & *nobilem virum* Johannem de Sancto Johanne, ratione ſuperioritatis et directi dominii ſui regni prælibati, et in ſede ſua Regali juxta ipſius regni conſuetudinem poni cum omni ſolemnitate debita et etiam conſueta; Ut ipſe Dominus Rex Scotiæ præmiſſis rite factis, die et loco ſuperius ſibi aſſignatis, coram dicto Domino Rege Angliæ venire valeat ad faciendum ſibi homagium pro regno Scotiæ memorato, et ulterius tractandum, ordinandum et faciendum cum ipſo ſuper quibuſdam ſtatum regni Scotiæ tangentibus, quod juſtum fuerit et conſonum

An. 20 *E.* 1. sonum rationi. *Acta ut suprascribitur annis, indictionibus, mensibus, diebus & locis prænotatis: Præsentibus venerabilibus in Christo patribus, Archiepiscopis & Episcopis, Comitibus, Baronibus, & aliis utriusque regni Nobilibus, Proceribus & Prælatis supranominatis, cum Magistro* Johanne Erturo de Cadomo *publico Apostolica auctoritate* Notario, *meque* Notario *infrascripto, cum aliis quampluribus Testibus ad præmissa vocatis specialiter & rogatis.*

(I shall only adde out of the Roll of *Scotland* in the *Tower*, that *Duncan* Earl of *Fif* being then within age and in Ward to the King, claiming a right to place the King of *Scotland* in his royal Seat, and to do other Services at his Coronation which he could not personally perform by reason of his infancy; the King thereupon to preserve his right, authorized *John de Saint-John* to perform these Services for him, by this Patent,

Rot. Scotiæ, Anno 20 & 21 E. 1. m. 33. De ponendo Regem Scotiæ in Regiam sedem suam.

REX et Superior Dominus Scotiæ, omnibus ad quos, &c. salutem. Sciatis quod cum *Duncano* fil. & hæredi *Duncani* quondam Comitis de *Fif* infra ætatem & in Custodiâ nostra existentem, quædam certa officia in nova creatione Regis *Scotiæ* de ponendo ipsum in Regiam sedem suam apud *Scone*, secundū consuetudinem dicti Regni *Scotiæ* incumbant, ut accepimus, facienda; Nos nolentes præfato *Duncano* sic infra ætatem & in custodia nostra existenti, præjudicium in hac parte aliqualiter generari, ratione minoris ætatis ejusdem Heredis; Assignavimus dilectum & fidelem nostrum *Johannem de Sancto Johanne* ad ponend. nomine ipsius Hæredis, dilectum & fidelem nostrum *Johannem de Balliolo* Regem *Scotiæ*, cui Regnum illud judicialiter reddidimus, in Regiam sedem suam apud *Scone*, secundum consuetudinem prædictam, & ad omnia alia facienda, recipienda & complenda, quæ idem *Duncanus* facere, recipere, seu complere posset vel deberet, si ibidem præsens & ætatis legitimæ extitisset. In cujus, &c. Teste Rege apud *Norham.* 21. die *Novembris.* The Record thus proceeds.)

Anno à Nativitate Domini 1293. *incipiente, Indictione sexta, mensis* Decembris, *die vicesimo sexto, die videlicet Sancti* Stephani *Prothomartyris, Anno regni dicti Regis* Angliæ *vicesimo primo; Existente ipso Rege* Angliæ *apud* Novum Castrum *super* Tynam Dunolm. *Dioc. comparuit ibidem coram ipso egregius Princeps & Dominus Dominus* Johannes de Balliolo *Dei gratia Rex* Scotorum, *& in aula Castri Domini Regis* Angliæ, ibidem eidem Domino Regi Angliæ superiori et directo Domino regni *Scotiæ*, Homagium pro eodem regno suo fecit in præsentia mei infrascripti Notarii et testium subscriptorum, lingua tamen Gallica, *per hæc verba vel hiis similia, hunc habentia sententialiter intellectum.* Domine mi Domine Edwarde Rex Angliæ, superior Dominus regni Scotiæ, Ego Johannes Rex Scotiæ devenio vester homo ligeus de toto regno Scotiæ cum pertinentiis, et omni eo quod appendet; quod quidem regnum teneo et debeo de Jure, ac clamo pro me et hæredibus meis Regibus Scotiæ, tenere hæreditarie de vobis et hæredibus vestris Regibus Angliæ; et fidem et fidelitatem portabo vobis et hæredibus vestris Regibus Angliæ de vita et membro, et terreno honore contra omnes homines qui possunt vivere atque mori. Et super Homagio suo prædicto sic facto suas patentes literas fieri fecit sigilli impressione munitas, tenorem qui sequitur continentes. Omnibus præsens scriptum visuris vel audituris, *Johannes* Dei gratia Rex *Scotorum*, salutem in Domino. Noverit universitas vestra me feciſſe Homagium sereniſſimo Principi Domino meo ligeo Domino *Edwardo* eadem gratia Regi *Angliæ*, Superiori Domino regni *Scotiæ*, apud *Novum Castrum* super *Tynam* in *Angliæ*, die festivitatis Sancti *Stephani*, in Crastino Nativitatis Domini, Anno Incarnationis ejusdem 1292, & Regni dicti Domini Regis *Edwardi* vicesimo primo; in præsentia venerabilium patrum *Johannis* Archiepiscopi *Dublinen. Antonii Dunolm.* & *Johannis Carleolen.* Episcoporum; *Henrici de Lascy* Comitis *Lincoln. Johannis de Warenna* Comitis de *Surreye*, *Willielmi de Leybourne*, *Briani* filii *Alani*, *Gilberti de Thorneton*, *Rogeri Brabazon*, *Roberti Malet*, & *Roberti de Hertford* Militum; *Johannis de Langeton* Cancellar. *Angliæ*, *Hugonis de Cressingham*, *Johannis Wogan*, Magistri *Johannis Lovel*, & *Walteri de Langeton* de regno *Angliæ*; necnon & in præsentia venerabilium patrum, *Willielmi* & *Roberti* Sancti *Andreæ* & *Glascuen.* Episcoporum; *Johannis* Abbatis de *Ieddeworth*, *Iohannis* Comitis de *Boghan*, *Patricii* Comitis de *Marchia*,

chia, *Gilberti de Umfraville* Comitis de *Anegos*, *Johannis* Comitis *Atholiæ*, *Johannis Comyn*, *Alexandri de Balliolo*, *Thom. Randolf*, *Galfridi de Moubray*, *Patricii de Grayham*, *Willielmi de Seint Cler*, *Richardi Siward*, *Ingerami de Umfreville*, *Andreæ de Moravia*, *Thom.* filii *David de Torthorald*, *Michaelis de Wymes*, *Richardi Fraſer*, *Andreæ Fraſer*, *Alexandri de Bonkhull*, & *Johannis de Strivelin*, de regno noſtro *Scotiæ*, in verbis ſubſcriptis. *Domine mi*, *Domine* Edwarde *Rex* Angliæ, **ſuperior Dominus regni** Scotiæ; **Ego** Johannes **Rex** Scotiæ **devenio homo veſter ligius de toto regno** Scotiæ, **cum pertinentiis et omni eo quod appendit; quod quidem regnum teneo et debeo de jure, et clamo pro me et hæredibus meis Regibus** Scotiæ, **tenere hæreditarie de vobis et hæredibus veſtris Regibus** Angliæ; **et fidem et fidelitatem portabo vobis et hæredibus veſtris Regibus** Angliæ, **de vita et membro, et terreno honore contra omnes homines qui poſſunt vivere atque mori.** *In cujus rei teſtimonium*, **ſigillum meum feci apponi huic ſcripto.** **Similiter in teſtimonium homagii antedicti, Archiepiſcopi, Epiſcopi, Comites, Barones, Clerici, et alii Nobiles** Angliæ **ad rogatum meum, una cum Epiſcopis, Abbate, Comitibus, Baronibus, et aliis Nobilibus de** Scotia ſuprænominatis, **eidem ſcripto ſigilla ſua fecerunt apponi.** *Dat. apud* Novum Caſtellum *ſuper* Tynam *in* Anglia, *die & anno prædictis. Hujus igitur homagii lingua* Gallica *facti* (*ut præmittitur*) *in omnibus & per omnia tenor eſt talis.* Mon Seignor, Sire *Edward* Roy *Dengleterre*, **Dovzain Seignor du Roiame** *Deſcoce*, Jeo *Johan de Baillol* devieng voſtre home lige de tot le Roiame *Deſcoce*, oue les appurtenances e oue quant qe apent, le quiel jeo tienk e doi de droit, e cleim pur moi e mes heirs Rois *Deſcoce* tenir heritablement de vous e de vos heirs Rois *Dengleterre*, e foi e loialte portrai a vous e a vos heirs Rois *Dengleterre* de vie e de membre, e de terrein honeur contre totes gentz qui purront vivre e morir. *Super quo homagio lingua* Gallica *ſic facta*, *idem Dominus* Johannes de Balliolo *Rex* Scotiæ *ſuas patentes literas ſtatim fieri fecit, ſigilli ſui impreſſione munitas, tenorem qui ſequitur continentes.*

An. 20 E. 1.

A tous ceaus qui ceſt eſcrit verront ou orront, *Johan de Bailliol* par la grace de Dieu Roi *Deſcoce*, ſaluz en Dieu. Sache veſtre univerſite, moi avoir fait homage al treſnoble Prince mon Seignor lige Monſire *Edward* par meſme la grace Roi *Dengleterre*, **Dovzain Seignor du Roiame** *Deſcote*, a *Novel Chaſtell* ſur *Tyne* en *Engleterre*, le jour de la feſte Seint *Eſtefne*, lendemain de *Noel*, lan del Incarnation noſtre Seignor Miliſme Ducentiſme Nonantiſme ſeconde, e du regne le dit mon Seignor le Roi *Edward* vintiſme primer, en la preſence des honourables Pieres *Johan* Erceveſqe de *Develin*, *Antoigne de Duream*, e *Johan de Cardoil* Eveſqes; *Henry de Laſcy* Counte de *Nicole*, *Johan de Garenne* Counte de *Surreye*, *Johan de Seint Johan*, *Robert de Typetoft*, *Nicholas de Segrave*, *William de Leyborn*, *Brian le fiz Alein*, *Gilbert de Thorneton*, *Rogier le Brabazon*, *Robert Malet*, e *Robert de Hertford*, Chivalers; *Johan de Langeton* Chaunceller *Dengleterre*, *Hughe de Creſſingham*, *Johan de Wogan*, Meſtre *Johan Level*, e *Wautier de Langeton*, du Roiame *Dengleterre*; e en la preſence des honourables Pieres *William* e *Robert* de Seint *Andreu* e de *Glaſcu* Eveſqes; *Johan* Abbe de *Feddeworth*, *Johan* Counte de *Boghan*, *Patrik* Counte de la *Marche*, *Gilbert de Umfrawille* Counte de *Anegos*, *Johan* Counte de *Atholes*, *Johan Comyn*, *Aliſandre de Bailliol*, *Thomas Randolf*, *Giffray de Moubray*, *Patrik de Graham*, *William de Seint Cler*, *Richard Syward*, *Ingeram de Umfrawille*, *Andreu de Murref*, *Thomas Randolf* le fiz *David de Thorwald*, *Michel de Wymes*, *Richard Fraſer*, *Andreu Fraſer*, *Aliſandre de Benkhille*, e *Johan de Strivelin*, de noſtre Roiame *Deſcoce*, en les paroles deſoutz eſcrites. Mon Seignor Monſ. *Edward* Roi *Dengleterre*, **Dovzain Seignor du Roiame** *Deſcoce*, Jeo *Johan de Bailliol* Roi *Deſcoce* devieng voſtre home lige de tot le Roiame *Deſcoce*, oue les appurtenances e a quant qe apent; le quiel jeo tienk, e doi de droit e cleim pur moi e mes heirs Rois *Deſcoce* tenir heritablement de vous e de vos heirs Rois *Dengleterre*; e foi e loialte portrai a vous e a vos heirs Rois *Dengleterre*, de vie e de membre, e de terrein honeur contra totes gentz qui purront vivre e morir. En teſmoignance de ceſte choſe jeo ai fait mettre mon Seal a ceſt eſcrit. Enſemblement en teſmoignance del homage avantdit Lerceveſqe, Eveſqes, Countes, Barones, Clers, e autres Nobles *Dengleterre* a ma priere, oue les Eveſqes, Abbe, Countes, Barones, e autres Nobles *Deſcoce* deſus nomees a meſme leſcrit ount fait mettre leur Seals. Donez a *Novel Chaſtell* ſur *Tyne* en *Engleterre*, le jour e lan avantditz. *Acta* (*ut præmittitur*)

An. 20 E. 1. mittitur) anno, indictione, menſe, die & loco proximo ſupraſcriptis; præſentibus teſtibus proximo prænotatis, cum aliis quamplurimis, ac Magiſtro Johanne Metun de Cadomo *publico Apoſtolica authoritate Notario.*

* See Placita Parl. An. 21 E. 1. nu. 20. Rylye, p. 145, 146, &c.

† *Juſticiarios.*

* *diſtrictè.*

Anno à Nativitate Domini Milleſimo Ducenteſimo Nonageſimo tertio incipiente, Indictione ſexta, menſis Decembris *die ultimo,* * *gravis querela Magiſtri* Rogeri Bartholomæi, *Burgenſis de* Berewico *ſuper* Twedam, *ſuper quibuſdam ipſius Domini Regis* Angliæ *auditoribus nuper per ipſum in dicto regno* Scotiæ *deputatis ad aures ipſius Domini Regis* Angliæ *pervenit: Qui ſtatim* † *Judiciarios ſuos ibidem præſentes hujuſmodi querelæ conſtituit auditores;* * *diſtrictè eiſdem præcipiens & injungens,* **quod conquerentem audirent, ſibique facerent ſecundum leges et conſuetudines regni ſui juſtitiæ celeris complementum.** *Coram quibus mandatum Regium hujuſmodi exequi volentibus, & aliis de Conſilio dicti Domini Regis* Angliæ, *ex parte ſereniſſimi Principis Domini* Johannis *Dei gratia Regis* Scotiæ, *per venerabilem in Chriſto patrem Dominum* Willielmum *Sancti* Andreæ *Epiſcopum; & etiam Nobiles viros Dominos* Johannem *Comitem de* Boghan, Patricium de Graham, Thomam Randolphi, *& quoſdam alios Proceres regni* Scotiæ *de conſilio dicti eorum Regis, quædam petitio facta fuit talis:* Quod cum Dominus Rex *Angliæ*, **et ſuperior Dominus regni** *Scotiæ*, nuper permiſiſſet Nobilibus & Prælatis ipſius regni leges & conſuetudines regni *Scotiæ* obſervare; **et quod querela et placita ſuper rebus quibuſcunque infra idem regnum exiſtentibus mota, extra idem regnum minime traherentur:** Supplicarunt eidem Domino Regi *Angliæ* ſuoque Conſilio ibidem præſenti, nomine ipſius Regis *Scotiæ*, **Quod ſibi placeret dictam promiſſionem obſervare, et per ſuos præcipere firmiter obſervari.** *Quibus nuntiis ſtatim ex parte ipſius Domini Regis* Angliæ *& ſuo nomine per Nobilem virum Dominum* Rogerum Brabazon *Militem, ipſius Regis Juſticiarium reſpondebatur;* **Quod dicta petitio fruſtratoria videbatur, quoniam ſatis conſtabat dicto Domino Regi, et omnibus regni ſui Nobilibus et Prælatis de jure conſtare debuit, quod præfatus Rex** Angliæ **omnem promiſſionem ejus factam in omnibus obſervaverat, nec in aliquo venerat contra eam vel aliquam earundem;** quamquam ad petitionem unanimem **Communitatis dicti regni** Scotiæ **de Epiſcoporum, Comitum, Baronum, et aliorum Nobilium regni** Scotiæ aſſenſu, quædam dilationum diſpendioſa **prolixitas reſtricta fuiſſet ad tempus per ipſum Regem** Angliæ **pro celeriori juſtitia facienda petentibus idem regnum coram ipſo:** De querelis **vero quæ præfato Domino noſtro Regi** Angliæ **ſunt delatæ de ſuis Auditoribus et Miniſtris nuper per ipſum ut ſuperiorem et directum Dominum ipſius regni deputatis ibidem, qui tunc temporis ſuam perſonam repræſentabant, cujuſmodi querelæ cognitio ad ipſum et non ad alium ſpectare dinoſcitur, et cujus cognitionem ſpecialiter ſibi reſervavit; nullus alius præter eum, ratione ſuperioritatis ſui dominii præfati, poteſt nec debet cognoſcere, nec eorum facta** (ſi in aliquo erraverunt) **corrigere, nec de illis aliquatenus ſe intromittere: Eo quod de judiciis ipſius ſuperioris Domini, et eorum qui ſuam perſonam repræſentarunt, non pertinet ad ſubditos interponere manus ſuas. Proteſtabatur** *inſuper idem Dominus* Rogerus, **nomine et vice ipſius Domini Regis** Angliæ, **et pro ipſo et jure ſuo prædicto ſuperioritatis et directi dominii ſui,** quod habet & habere debet, **et hæredes ſui** Angliæ **Reges in prædicto regno** Scotiæ: *Et dixit,* quod licet idem Dominus Rex *Angliæ* vacante nuper dicto regno *Scotiæ*, ſive Regis præſidio carente,

* See here, p. 395, 396, 397.

ſuper * quibuſdam certis articulis promiſſiones aliquas ad tempus feciſſet, eaſque ſicut promiſerat obſervaſſet; **non intendit propter hoc, nec vult (Rege jam in ipſo regno creato) deinceps artari per eaſdem vel ligari, proteſtatione ſua tunc facta ſubſiſtente, quum ipſe querelas quaſcunque et alia quævis negotia regnum** Scotiæ **et ipſius incolas contingentia juſtis ex cauſis ad ipſum delata, in ſupplementum juſtitiæ admittere velit quandocunque et quotieſcunque, et de eiſdem conquerentibus facere juſtitiæ complementum, ratione ſuperioritatis et directi dominii ſui præfati. Et ſuper hujuſmodi querelis cum acciderint infra regnum ſuum** Angliæ **ubicunque ſibi placuerit querelantes audire, et ſuperius ſuum dominium prædictum exercere. Quam quidem Proteſtationem idem Dominus** Rogerus, **iterato eodem die ſicut prius in camera Domini Regis (ipſo Domino Rege præſente) nomine et vice ipſius Domini Regis innovavit et de novo fecit, in præſentia mei infraſcripti Notarii et teſtium ſubſcriptorum.** *Inſuper ibidem ſtatim Proteſtatione prædicta per ipſum Dominum* Rogerum (*ut præmittitur*) *emiſſa,*

idem

idem Dominus Rex Angliæ illustris coram omnibus utriusque regni Nobilibus et Prælatis tunc præsentibus, organo vocis suæ, sermone tamen Gallico patam et publice protestabatur; Quod non obstantibus promissionibus, concessionibus seu ratificationibus ad tempus factis per eundem Nobilibus regni Scotiæ et Prælatis, (*si quæ fuerint*;) quibuscunque suis literis vallatæ fuerint vel Instrumentis, per quæ vero se artatum minime reputavit aut ligatum; Protestationibus suis aliàs publice super hoc factis suo robore subsistentibus; Intendit et vult querelantes quoslibet, et quæcunque alia negotia dictum regnum Scotiæ et ipsius incolas tangentia ratione superioritatis et directi dominii sui quod habet, et de jure habere debet in eodem regno Scotiæ, sicut et progenitores sui Angliæ Reges suis temporibus habuerunt, (*si legitime et justis et causis sibi deferantur*) admittere vel audire; et super his eis facere, ubicunque et quandocunque sibi placuerit, justitiæ complementum, et superioritatem et directum suum dominium hujusmodi (quatenus justum fuerit) exercere, et eo uti; ipsumque Regem Scotiæ, si necesse fuerit, et negotii qualitas exegerit, infra regnum suum Angliæ super his ad suam præsentiam convocare. *Acta apud* Novum Castrum *super* Tynam, *in aula Castri, & camera dicti Domini Regis* Angliæ, *ut præmittitur, anno, indictione, mense & die proximo prænotatis: Præsentibus venerabilibus in Christo patribus, Dominis* Johanne *Archiepiscopo* Dublinen. Antonio Dunolm. Willielmo Sancti Andreæ, & Roberto Glascuen. *Episcopis; cum Nobilibus viris* Henrico Lincoln. Johanne Warren. Johanne de Boghan. Patricio de Marchia, & Gilberto de Anegos, *Comitibus*; Johanne de Sancto Johanne, Roberto de Typetoft, Nicholao de Segrave, Patricio de Graham, Willielmo de Seint Cler, Alexandro de Balliolo, Galfrido de Moubray, Thom. Randolfe, Gilberto de Thorneton, Roberto Malet, Hug. de Cressingham, & Johanne Wogan, *cum aliis tàm Ecclesiarum Prælatis, quàm Comitibus & Baronibus utriusque regni in multitudine copiosa, ac Magistro* Johanne Erturi de Cadomo *publico Notario*, testibus ad præmissa vocatis et rogatis. *An.* 20 *E.* 1.

Anno à Nativitate Domini Millesimo Ducentesimo Nonagesimo tertio, Indictione sexta, mensis Januarii *die secundo, existente serenissimo Principe & Domino, Domino* Edwardo *Dei gratia Rege* Angliæ *illustri, apud* Novum Castrum *super* Tynam Dunolm. *Dioc. venit ibidem egregius Princeps & Dominus, Dominus* Johannes de Balliolo *eadem gratia Rex* Scotorum *coram ipso & Consilio suo, aliisque utriusque regni Nobilibus & Prælatis*, Recognitiones quasdam acquietantias etiam & remissiones, sponte purè simpliciter & absolutè fecit organo vocis suæ; ipsasque in scripturam redactas, sui sigilli impressione, una cum sigillis Episcoporum, Comitum, Baronum, & aliorum Nobilium regni sui roboratas, tenorem qui sequitur continentes.

Omnibus præsentes literas visuris vel audituris, Johannes de Balliolo *Dei gratia Rex* Scotorum, *salutem in Domino. Cum Dominus noster Dominus* Edwardus *Rex* Angliæ, superior Dominus regni Scotiæ, ratione superioritatis dominii sui tenuerit prædictum regnum Scotiæ in manu sua, quousque fecisset illis justitiam qui jus petierunt in regnum prædictum; *& aliquas Conventiones, Promissiones & Obligationes fecisset petentibus custodibus & probis hominibus ejusdem regni, tàm de ipsius regni & Castrorum restitutione facienda, quàm de rebus aliis, de quibus fecerat scripta sua certis pœnis appositis, sicut in scriptis continebatur eisdem.* Et postmodum in præsentia sua per judicium Curiæ suæ nobis adjudicaverit dictum regnum et seisinam ejusdem regni et Castrorum, cum omnibus aliis rebus liberavit nobis plene et integre, *sicut per Conventiones, Promissiones & Obligationes quas inde fecerat, tenebatur: Nos pro nobis, omnibus hæredibus nostris, & omnibus illis ad quorum manus prædictum regnum deveniet futuris temporibus, quicunque fuerint, quietamus prædictum Dominum nostrum Regem* Angliæ *& hæredes suos imperpetuum de omnibus Conventionibus, Promissionibus & Obligationibus, & pœnis in ipsis Conventionibus, Promissionibus & Obligationibus, nobis seu probis hominibus dicti regni factis, quæ idem regnum in rebus illius regni contingunt. Et si aliquod scriptum, qualecunque sit illud quod tangat præmissa aliquo tempore amodo sit inventum, volumus & concedimus pro nobis & hæredibus nostris, quod nullius sit roboris aut valoris; Ita quod nec Domino nostro Regi prædicto, nec hæredibus suis Regibus* Angliæ *obesse valeat, nec nobis vel hæredibus nostris Regibus* Scotiæ, *nec etiam illis qui dictum regnum* Scotiæ *tenebunt, (quicunque illi sint) prodesse, nec locum aliquo tempore tenere. Insuper promittimus pro nobis & omnibus*

An. 20 E. 1. omnibus noſtris hæredibus Regibus Scotiæ, & pro omnibus illis qui regnum Scotiæ tenebunt, quicunque fuerint, univerſa et ſingula ratificare, quæ prædictus Dominus noſter Rex Angliæ fecit de regno prædicto, aut de rebus ipſius regni ratione ſuperioritatis dominii ſui, dum idem regnum in manibus ſuis fuit; et ea ratificamus et firmamus, ac habemus et habebimus firma et ſtabilia imperpetuum pro nobis et omnibus noſtris hæredibus, et pro omnibus illis qui prædictum regnum tenebunt. *Præterea volumus & concedimus pro nobis & hæredibus noſtris, necnon & pro omnibus illis qui poſt nos prædictum regnum* Scotiæ *tenebunt, quod* * *ſcriptum ſeu ſcripta factum vel facta per præfatum Dominum noſtrum Regem* Angliæ *apud* Northampton *viceſimo octavo die* Auguſti, *anno regni ſui decimo octavo, Cuſtodibus, Epiſcopis, Abbatibus, & toti Clero, Comitibus, Baronibus, & toti Communitati regni* Scotiæ *ſuper quodam contractu matrimoniali faciendo inter filium ejuſdem Domini noſtri Regis* Angliæ, *& filiam Regis* Norwegiæ *Dominam & Reginam* Scotiæ, *cujus hæres nati ſumus, continentia diverſas articulos, conceſſiones, promiſſiones, affirmationes & ratificationes, tangentes ſtatum, leges, jura, libertates, conſuetudines, ſeperationes, diviſiones, & quietantias ſubjectionis prædicti regni* Scotiæ, *& inhabitantium idem regnum, quibuſcunque loco & tempore de cætero noſtra cuſtodia vel aliena reperiantur,* caſſa ſint et irrita et nullius firmitatis; nec aliquo tempore robur optineant, ſed deinceps ſint penitus annullata, et pro nullis etiam teneantur. *Et de omnibus illis conceſſionibus, promiſſionibus, affirmationibus, ratificationibus, & de omnibus aliis rebus quocunque nomine cenſeantur, aut ſpecificentur in ſcripto vel ſcriptis ſuperius nominatis, prædictum Dominum noſtrum Regem* Angliæ *& hæredes ſuos, pro nobis & hæredibus noſtris, & pro omnibus illis qui poſt nos prædictum regnum* Scotiæ *tenebunt, penitus quietamus. In cujus rei teſtimonium præſenti ſcripto ſigillum noſtrum, una cum ſigillis venerabilium patrum* Wilhelmi *Epiſcopi* Sancti Andreæ, *&* Roberti *Epiſcopi* Glaſcuen. Johannis *Comitis de* Boghan, Patricii *Comitis de* Marchia, Gilberti *Comitis de* Anegos, Johannis *Comitis* Atholiæ, Johannis Comyn, Alexandri de Balliolo, Galfridi de Moubray, Patricii de Graham, Willielmi de Seint-Cler, *&* Thomæ Randolf, *fecimus apponi. Datum apud* Novum Caſtellum *ſuper* Tynam *in* Anglia, *ſecundo die menſis* Januarii, *Anno Incarnationis Dominicæ* 1292. *& regni prædicti Domini noſtri Regis* Edwardi *viceſimi primi; & regni noſtri primo.*

* See here p. 392, to 401.

Tenor vero literæ ſubſcriptæ in *Gallico* impreſſione ſigilli dicti Domini Regis *Scotia, una cum ſigillis Epiſcoporum, Comitum, Baronum & Nobilium in eadem nominatorum communitate, talis eſt.*

A tous ceaus qui ceſtes preſentes lettres verront ou erront, *Johan de Baillol* par le grace de Dieu Roy *Deſcoce*, ſaluz en Dieu. Com noſtre Seignor Sire *Edward* Roy *Dengleterre*, ſoverain Seignor du Roialme *Deſcoce*, par le reſon de la ſoverain Seigneurie, eit tenutz levantdit Royalme *Deſcoce* en ſa mein tant quil euſt fait droit a ceaus qui droit demandoient en la Roialme avantdit, e aucuns covenances, promeſſes, et obligations fait as Demandants, e as Gardeins, e as predes homes du Roialme, auſi bien de la reſtitution faire du Roialme e des Chaſteux com des autres choſes, dount il avoit fait ſes Eſcrits, e certeins peines miſes ſi com fu contenue en meſme ſes Eſcritz, e puis en ſa preſence par jugement de ſa Court nous eit le Roialme adjugez; e la ſeſine du Roialme e des Chaſteux ove toutes autres choſes livrez pleinement e entierement com il eſtoit tenutz, par ces covenances, obligations e promes. Nous pur nous e pur touz nos heirs, e pur touz ceaus en qui meins le Roialme devieigne en tempz avenir, qui quil unqes ſoient, quitoms le dit noſtre Seignor le Roy *Dengleterre* e ſes heires a touz jours perdurablement de totes maneres des covenances, e des promes, e des obligations e peines par la reſon des covenances, promes, e obligacions a nous ou a les bones gentz du Roialme avantdit, en le choſes du Royalme. E ſi nul Eſcrit quiel quil ſoit qe touche ceſtes choſes avantditz ſoit en aucuns tempz deſore en avant trouez, voloms e grauntoms pur nous e pur nos heires, quil ſoit de nule value ne force, iſſint quil ne puiſſe a lui ne a ſes heires Rois *Dengleterre* nurre, ne a nous ne a nos heirs Rois *Deſcoce*, ne a ceaus qui le Roialme *Deſcoce* tendrent qui quil unqes ſoient, valer ne leu tenir a nul tempz. Encore promettoms pur nous e pur touz nos heires Rois *Deſcoce*, e pur touz ceaus qui le Roialme *Deſcoce* tendront, qui quil unqes ſoient, qe nous totes les choſes, quil feſoit du dit Roialme, ou des choſes du dit Roialme, par la reſon de la ſovrain Seigneurie tant com le Roialme fu en ſa mein, ratifionis e affermonis

e

e auoms e auroms ferme e eſtable a touz jours pur nous e pur touz nos heirs, e pur touz ceaus, qui le dit Roialme *Deſcoce* apres nous tendront, qe Eſcrit ou Eſcrits fait ou faits par le devantdit noſtre Seignor le Roi *Dengleterre* a *Norhampton* le vinteuniſme jour *D'auguſt* l'an de ſon regne diſeutiſme, as Gardeins, Eveſqes, Abbez, e tote la Clergie, Countes, Barones, e a tote la Communante du Roialme *Deſcoce* de une purparlaunce de un marriage faire entre le fiz le devantdit noſtre Seignor le Roi de *Norwegie* Dame e Roine *Deſcoce*, qui heir nous ſumes, contenantz altres divers articles, conceſſions, promeſſes, affermementz e ratifiements touchantz l'eſtat, leyz, droitz, franchiſes, cuſtumes, ſeveraltes diviſions & quitances de ſubjections del avantdit Roialme *Deſcoce*, e des inhabitanze meſme le Roialme, en quen lu e en quel tempz quil ſont, de ci en avant en noſtre garde, ou en autri trovez, ſoient caſſetz, veins, e nule fermete, ne force, ne eient a nuls temps; mes de tot en tot ſoient deſore en avant anientiz, e pur nules tenutz. E de totes teles conceſſions, promes, affermementz, ratifiementz, e de totes autres choſes par queque nom eles ſoient nomees ou eſpecefietz en leſcrit ou eſcritz avantnomees, le devantdit noſtre Seignor le Roi e ſes heirs, pur nous e pur nos heirs, e pur touts ceaus qui apres nous le Roialme *Deſcoce* tendront, de tot ou tot quitoms par ceſte preſente lettre. En teſmoignance de ceſte choſe a ceſti preſent Eſcrit noſtre ſeal enſemblement, oue les ſeals des honourables Pieres, *William* Eveſqe de Seint *Andreu*, *Robert* Eveſqe de *Glaſcu*, *Johan* Counte de *Boghan*, *Patrick* Counte de la *Marche*, *Gilbert* Counte de *Anegos*, *Johan* Counte de *Atheles*, *Johan Comyn*, *Aliſaundre de Bailliol*, *Giffrey de Moubray*, *Patrick de Graham*, *William de Seint Cler*, e *Thomas Randolfe*, auoms fait mettre. Donee a *Noveau Chaſtell* ſur *Tyne* en *Engleterre*, le ſecounde jour du moys de *Janeuer*, l'an del Incarnation noſtre Seignor Miliſme Ducentiſme Nonantiſme ſeconde; e du regne noſtre Seignor le Roi *Edward* avantdit vintiſme primer; e du noſtre primer.

Anno à Nativitate Domini 1293. *Indictione ſexta, poſtquam regnum* Scotiæ *prædictum adjudicatum fuit Nobili viro Domino* Johanni de Balliolo, *per conſiderationem Curiæ magnifici Principis & Domini, Domini* Edwardi *Dei gratia Regis* Angliæ *illuſtris,* **Superiozis Domini Regni** Scotiæ, *menſis* Novembris *die decimoſeptimo, anno regni ipſius Regis* Angliæ *viceſimo finiente, & anno à Nativitate Domini* 1292. *& Indictione ſexta (ut ſupraſcribitur in proceſſu:) Idemque* Johannes *in ipſius regni* Scotiæ *& Caſtrorum poſſeſſionem corporalem ex parte ipſius Domini Regis* Angliæ *per venerabilem in Chriſto patrem & Dominum, Dominum* Antonium *Dei gratia* Dunolm. *Epiſcopum, & Nobilem virum Dominum* Johannem de Sancto Johanne *inductus, & in ſede ſua Regali apud Monaſterium de* Scona, *juxta villam Sancti* Johannis de Perth *poſitus, juxta ipſius regni conſuetudinem fuiſſet cum ſolempnitate debita & conſueta, exiſtentibus ibidem ipſius regni* Scotiæ *Nobilibus & Prælatis, Comitibus, Baronibus, aliiſque Magnatibus & Proceribus in multitudine copioſa; cæteriſque omnibus & ſingulis, quæ ſolempnitas hujuſmodi requirebat, ritè peractis,* **factiſque per ipſum Dominum Regem** Scotiæ **Johannem ſupradictum eidem Domino Regi** Angliæ, **ut ſuperiozi ſuo Domino ditti regni fidelitate et homagio pzo regno** Scotiæ **memozato,** *prout ſupra in proceſſu plenius inſeruntur; non longi temporis intervallo ſecuto, ad dictum Dominum Regem* Angliæ *ut* **ſuperiozem Dominum regni** Scotiæ plures et graves delatz fuerunt querelæ; *& ſubſequenter per* Macdulphum *filium quondam* * Malcolmi *Comitis de* Fif; *videlicet, quod inter alia dictus Rex* Scotiæ *ſibi in Jure defecerat & Juſtitia exhibenda communi; nec ſibi Juſtitiam facere volvit pluries, & humiliter requiſitus;* **pzopter quod ad dictum Dominum ſuum Dominum Regem** Angliæ, **ſicut ad ſuperiozem Dominum regni** Scotiæ **recurrebat;** *ſupplicans humiliter & devote,* **quod ſuper hujuſmodi defectu ſubvenire dignaretur eiſdem;** *& in ipſius Regis* Scotiæ *defectum ipſum in Jure ſuo dignaretur audire, ſibique facere Juſtitiæ complementum. Unde cum ad inſtantem proſecutionem dicti* Macdulphi, *quædam ipſius Domini Regis* Angliæ *literæ ſub certa forma conceptæ, dicto Regi* Scotiæ *pluries directæ fuiſſent; quod ipſe* Macdulpho *& aliis etiam querelantibus in jure ſuo benignam audientiam præſtaret, ſibique communem juſtitiam facere curaret;* **nec ipſe mandatis ſuis hujuſmodi parere voluiſſet, ſed ipſius Domini ſui Regis** Angliæ **literis ſpzetis potius et bilipenſis,** *prædictum* Macdulphum, **ne ulterius Jus ſuum pzoſequeretur per querelam, fecit carcerali cuſtodiæ mancipari,** *& ſuper quibuſdam terris & tenementis de quibus Juſtitiam ſibi fieri petiit, quoddam iniquum reddi fecit judicium contra eum, prout*

* See Placita Parliamentaria, An. 21 E. 1. nu. 22. Rylye, p. 152. 158. 159.

ejuſdem

An. 20 *E.* 1.

An. 20 E. 1. *ejuſdem* Macdulphi *poſtmodum à carcere liberati, & dictas injurias ſibi factas cum inſtantia proſequentis, querimonia patefecit : quas etiam Injurias ſe obtulit ſecundum quod Curia ipſius Domini Regis conſiderare voluerit, paratum verificare. Ad cujus* Macdulphi *inſtantem proſecutionem & ſupplicationem idem Dominus Rex* Angliæ, ſuperioꝛ **Dominus regni** Scotiæ, **æquitatis rationis ac juſtitiæ oculos advertens, noleníque eidem** Macdulpho **in Jure deficere, ſicuti nec debebat, volenſque manus directionis apponere,** *mandavit Vicecomiti* Northumbriæ, *quod quaſdam ipſius Domini Regis literas dicto Regi* Scotiæ *directas perſonaliter deferret, & ſufficienti teſtimonio ſecum adhibito, dictum Regem* Scotiæ **ad pꝛoꝛium ſuum Parliamentum** apud Weſtmonaſterium **ſtatuendum in pꝛoximo videlicet feſto Sancti** Michaelis **peꝛꝛoꝛnaret, coꝛam ipſo Domino Rege** Angliæ pꝛæfato Macdulpho reſpondſurus, **facturus ulterius et recepturus ibidem quod Juris fuerit et rationis.** *Quo die Parliamenti adveniente Anno à nativitate* Domini 1293. *Indictione ſeptima, & anno Regni auſtri Regis* Angliæ *viceſimo primo, præfatus Dominus* Johannes *Dei gratia Rex* Scotiæ *coram dicto Domino ſuo Domino Rege* Angliæ **ſuperioꝛi Domino regni** Scotiæ apud Weſtmonaſterium, *in aula venerabilis patris Domini Archiepiſcopi* Eborum Angliæ *Primatis,* **ubi idem Rex Angliæ tunc hoſpitabatur, et Parliamentum ſuum tenebat,** *juxta dictum mandatum Regium ſibi (ut præmittitur) ad inſtantem proſecutionem dicti* Macdulphi *directum,* **perſonaliter** comparuit. *Contra quem idem* Macdulphus *querimoniam ſuam depoſuit in hunc modum; videlicet,* Quod cum idem *Macdulphus* coram Epiſcopo Sancti *Andreæ* & ſociis ſuis cuſtodibus Regni *Scotiæ* per ipſum Dominum Regem *Angliæ* **ſuperioꝛem Dominum ejuſdem regni deputatis,** authoritate & mandato ipſius Regis *Angliæ* eis ſpecialiter facto ſeiſinam de quibuſdam terris & tenementis judicialiter recuperaſſet; prædictus *Johannes* Rex *Scotiæ* de eiſdem terris & tenementis injuſtè diſſeiſivit eundem. Et ne Jus ſuum ulterius proſequeretur contra illum, **fecit eum incarcerari,** et contra **badium et plegios in carcere detineri;** & contra ipſum ſic incarceratum ſuper jam dictis terris & tenementis **quoddam iniquum et falſum reddi fecit judicium;** & cum poſtmodum à prædicto carcere liberatus fuiſſet, ipſum Regem *Scotiæ* inſtanter & pluries requiſivit, quod ipſum in Jure ſuo dignaretur audire, & ſibi in ſua Curia communem Juſtitiam exhibere; Quod idem Rex *Scotiæ* ſibi facere dedignavit expreſſè, **in contemptum dicti Domini Regis** Angliæ **ſuperioꝛis** Domini ſui et **mandatoꝛum ſuoꝛum, decem millia marcarum, et ad dampnum** ipſius Macdulph: **ſeptingentarum marcarum.** Et hoc ſicut Curia dicti Domini Regis *Angliæ* conſiderare voluerit, ſe paratum optulit verificare. *Et præfatus Rex* Scotiæ *defendit omnem contemptum dicti Domini ſui* Domini *Regis* Angliæ, *& dixit*; Quod ad reſpondendum dicto *Macdulpho* de aliquo diem non habebat ibidem. Et dictus *Macdulphus* è contrario dicebat, *quod diem tunc habebat ad reſpondendum ſibi per adjornamentum ſibi factum per breve Domini Regis* Angliæ **ſuperioꝛis** Domini ſui; *quod quidem breve ſibi liberatum fuit apud* Strivelin *per Vicecomitem* Northumbriæ, *in craſtino Sancti* Petri *ad vincula, quod conſtat & conſtare poterit per returnum ipſius Vicecomitis. Et requiſitus idem Rex Scotiæ,* ſi hujuſmodi breve Domini ſui Domini Regis *Angliæ* ſibi per prædictum Vicecomitem *Northumbriæ* liberatum fuiſſet, ut dicebatur, *reſponditque ſic,* **et quod paratus fuit, et ſemper eſſe voluit Pꝛeceptis et mandata dicti Domini ſui Domini Regis** Angliæ **recipere reverenter, et idem in omnibus ſuis mandatis humiliter obedire.** *Et quia recognovit, ſe dictum breve recepiſſe, dicebatur ſibi,* quod illud Breve retornet ſecundum continentiam dicti brevis. *Qui reſpondit,* quod brevè illud non habebat ibidem, quia illud Cancellario ſuo tradidit; *& Cancellarius ibidem præſens recognovit ſe dictum breve ex traditione Domini ſui ut præmittitur recipiſſe; ſed non habuit illud ibidem, verumptamen quamcito ad illud venire poterit, illud Domino ſuo reſtituere vellet. Et quia idem Rex Scotiæ recognoverat ſe dictum breve recepiſſe,* **per quod adjoꝛnatus** fuit ad dictum **Parliamentum,** *& diem ad reſpondendum eidem* Macdulpho *habebat ibidem, dictum fuit prædicto Regi* Scotiæ, quod ſibi reſpondeat ut tenetur, juxta quod in *Rotulis placitorum coram ipſo Domino Rege *Angliæ* habitorum plenius continetur. *Ad hoc dictus Dominus Rex* Scotiæ, *eidem Domino ſuo Domino Regi* Angliæ *ſuoque Conſilio quamdam ore proprio ſupplicationem, ipſamque in ſcriptis redactam manu ſua propria eidem Domino ſuo Regi porrexit & tradidit; cujus tenor eſt talis.* Sire jeo ſui voſtre home lige du Roialme *Deſcoce,* e vous pri, qe de ceo qe vous maneta mis a

devant

* Plac. Parl. An. 21 E. 1. nu. 22. Rylye p. 151, to 160.

devant qe touche les gentz de mon Roialme auſi com moi, voilietz mettre en ſuf- *An.* 20 *E.* I.
france jeſqes a taunt que jeo aia eaus parlez, qe jeo ne ſoi ſuſpris par defaute de conſeil, de ſi com les gentz qui ci ſont ò moi ne moy voelent ne oſent conſeillier ſanz autres du Roialme: e quant jeo averoie o eaus conſeillietz, jeo vous reſpondrai a veſtre primer *Parlement* apres la *Pask*, le conſeil quil averont donez, e froi devers vous ceo qe faire deuroi. *Habita ſuper prædicta ſupplicatione cum Nobilibus & Prælatis regni* Angliæ *totoque Concilio ſuo deliberatione aliquali, ad inſtantem requiſitionem Nobilium etiam & Prælatorum, præfatus Dominus Rex* Angliæ, *eodem tamen* Macdulpho *conſentiente, dicto Regi* Scotiæ *ſupplicationem ſuam prædictam* de ſua gratia ſpeciali **conceſſit**, *aſſignans & præfigens eidem ad proximum ſuum Parliamentum poſt* Paſcha, *in craſtino videlicet Sanctæ* Trinitatis, *omnibus in eodem ſtatu quo tunc remanentibus coram ipſo vel Juſticiariis ſuis ad placita locum ſuum tenentibus, & eundem diem dicto* Macdulpho *ad idem quod tunc eſſet facturus, aſſignavit. Et præfato Regi* Scotiæ *præcepit*, quod ad ipſum diem prædictum bzebe, quod ſe recepiſſe cognobit, habeat paratum ibidem. *Quo die, craſtino videlicet Sanctæ* Trinitatis *adveniente, Parliamentum dicti Domini Regis* Angliæ *ceſſavit, ſive non tenebatur, pro eo, quod idem Dominus Rex* Angliæ *multipliciter diſtractus fuerat circa diverſarum terrarum guerras contra ipſum de novo exortas; utpote cum Domino Rege* Franciæ *in* Vaſconia, *& etiam cum* Wallenſibus *in* Wallia. *Loquela vero inter prædictos Regem* Scotiæ *&* Macdulphum *ventilata, coram Juſtitiariis ejuſdem Domini Regis* Angliæ *ad placita ſua tenend. aſſignatis, & coram quibus eadem Loquela fuerat inchoata, continuata fuit & prorogata uſque ad* Parliamentum ipſius Domini Regis Angliæ proximum tenendum, *quod quidem Parliamentum indictum fuit poſtmodum apud Sanctum* Edmundum *in feſto Sancti* Martini *in yeme, Anno regni ipſius Regis* Angliæ *viceſimo tertio, & Anno à Nativite Domini* 1295. *& Indictione nona, omnibus in eodem ſtatu quo tunc remanentibus.*

Anno à Nativitate Domini 1295. *Indictione nona, & anno regni Regis* Edwardi *prædicti viceſimo tertio, Exiſtente ipſo Domino Rege* Angliæ *apud Sanctum* Edmundum, et Parliamentum ſuum ibidem tenente, *dictoque* Macdulpho *ſemper ut alias placitum ſuum viriliter proſequente; ex parte ſereniſſimi Principis & Domini, Domini* Johannis de Balliolo *Regis* Scotiæ, *ſicut alias, religioſus vir Dominus Abbas de* Abirbrothok, *cum quibuſdam aliis de regni* Scotiæ *Proceribus ad præfatum Dominum Regem cum literis ipſius Regis* Scotiæ *venit in Nuncium, & dictum Dominum ſuum Regem* Scotiæ *ſuper eo, quod nec tunc nec prius juxta quod diem habuerat ad Curiam ſuam in præteritis Parliamentis acceſſerat, excuſavit; pretendens certas excuſationum cauſas, propter quas venire perſonaliter non valebat. Supplicabat dictus Abbas & ſocii ſui Nuntii Regis* Scotiæ *prælibati, qui cum ipſo venerunt, dicto Domino Regi* Angliæ *ex parte ipſius Regis* Scotiæ, *quod cum per homines dicti Regis* Angliæ, *eidem Domino ſuo Regi* Scotiæ *& hominibus ſuis plures & graves tranſgreſſiones, moleſtiæ & gravamina allata fuiſſent, & de die in diem tàm per terram quàm per mare inferebantur, quod ſuper hiis dignaretur congruum remedium adhibere. Quibus Nuntiis ex parte ejuſdem Domini Regis* Angliæ *deliberatione prahabita reſpondebatur*; quod idem Rex *Angliæ* certis ex cauſis verſus partes Boreales intendebat dirigere (dante Domino) greſſus ſuos, & quod de omnibus, quæ idem Rex *Scotiæ* docere poterit ſibi & ſuis, fore per homines ipſius Regis *Angliæ* tranſgreſſum, tales emendas ſibi fieri facere voluiſſet, quod ſe contentum de jure reputare deberet: Diem vero quem ipſe Rex Regi *Scotiæ* in ipſo Parliamento ex continuatione, prorogatione, ſive præfixione Juſtitiariorum ſuorum locum ſuum ad placita tenentium coram ipſo Domino Rege *Angliæ* contra dictum *Macdulphum* habebat, uſque primum diem menſis *Martii* proximo ſequentis apud *Novum Caſtrum* ſuper *Tynam* prorogavit; & ipſum Regem *Scotiæ* uſque illum diem expectandum duxit gratioſè; *Dictiſque Abbati & aliis ipſius Regis* Scotiæ *injunxit firmiter & præcepit*, quod dictum Dominum ſuum Regem Scotiæ præmunirent, quod tunc veniret perſonaliter ibidem, cum ipſo Rege Angliæ ſuper præmiſſis et aliis ſtatum et tranquillitatem utriuſque regni et incolarum ejuſdem tangentibus tractatur. ac prædicto Macdulpho in Jure reſponſur. facturus ibidem ulterius et recepturus, quod Juris fuerit et rationis. *Præmiſſis vero in hujuſmodi finibus reſidentibus, quia ex frequenti & inculcata fidedignorum aſſertione, ac famæ divulgantis eloquio ad aures præfati Regis* Angliæ *pervenit*; quod dictus Johannes Rex Scotiæ, cum Eccleſiarum Prælatis, Comitibus, Baronibus, et aliis Nobi-

An. 20 *E.* I. libus, Proceribus, Villarum et Civitatum communitatibus, et aliis majoribus incolis regni Scotiæ doloſa præcogitantes conſilia et quadam præconcepa malitia, et etiam prælocuta, ac proditione præordinata, communicato conſilio cum Serenissimo Principe et Domino, Domino Philippo Dei gratia Rege Francorum, ac aliis ejuſdem regni Nobilibus, (tunc præfati Regis Angliæ inimicis notoriis) amicitias copularunt, pactiones illicitas, confederationes, conſpirationes, et conjurationes in exhæredationem dicti Domini ſui Domini Regis Angliæ, et hæredum ſuorum, ac Regni ſui ſubverſionem et populi ſuo commiſſi regimini, contra homagii ſui debitum et fidelitatis ſuæ juramentum, inter ſe inierunt, ſicut per ipſius tam Regis Franciæ quam Scotiæ, unius et ejuſdem tenoris literas, ſigillorum ſuorum impreſſionibus ſigillatas, ſuper jam dictis pactionibus, confœderationibus, conſpirationibus et conjurationibus confectas, poſtmodum in Caſtro Puellarum inventas, quam etiam recognitione propria et voluntaria ipſius Regis Scotiæ Johannis, in mei inſcripti Notarii et teſtium, *videlicet venerabilis in Chriſto patris & Domini, Domini* Antonii *Dei gratia* Dunolm. *Epiſcopi*; *& Nobilium virorum Dominorum* Umfridi de Bohun Hertfordiæ, & Johannis Comyn de Boghan *Comitum*; Hugonis le Diſpenſer, & Johannis Comyn de Badenagh *Baronum*; *ad hoc vocatorum ſpecialiter & Cimiterio de* Stronkathragh. *facta præſentiâ conſtare poterit evidenter*; *Quarum literarum ſuper præmiſſis factarum in omnibus & per omnia tenor eſt talis*;

* See Henry de Knyghton, de Eventibus Angliæ, l. 3. c. 2. col. 1473, 1474

* *Philippus* Dei gratia *Francorũ* Rex, univerſis præſentes literas inſpecturis, ſalutem. Inter alia per quæ Regnantium & Regnorum exaltatio procuratur, acquiritur pacis & tranquillæ quietis amœnitas, ac fælici & proſpero ſtatui conſulitur ſubditorum, illud videtur attenta conſideratione præcipuum, ut inter Reges & regna ſolidæ charitatis unitas & fidelis amicitiæ fœdera nutriantur; ſicque Reges & Principes ad propulſandas injurias & domandas Inſolentias perverſorum, & reprimendas impugnationes hoſtiles ſibi invicem pro zelo Juſtitiæ affectum cum cauſa depoſcit exhibeant amabilis caritatis, quod alter alteri libenter aſſiſtat in proſperis, & non deficiat in adverſis; ut ſaltem defenſionis oportunæ remedio pacem odientium repreſſis ſalubriter injurioſis impulſibus, pacis optata dulcedo proveniat. In cujus pulchritudine devoti pacis filii actori eo devotius quo tranquillius famulentur. Sanè inclitus Princeps *Johannes Scotiæ* Rex Illuſtris, ſpecialis amicus noſter, præmiſſas utilitates & commoda prudenter attendens, venerabiles patres *Willielmum Sancti Andreæ*, & *Matthæum Dunkelden.* Epiſcopos, ac *Johannem de Soules*, & *Ingeramum de Umfraville* Milites, nuntios & procuratores ſuos ad hoc ſpecialiter conſtitutos, prout in quibuſdam procuratoriis literis indè confectis ipſius Regis Sigillo munitis; quorum de verbo ad verbum tenores inferius ſunt conſcripti, plenius continetur, ad nos pro contrahendis confœderationibus et amicitiæ fœderibus profuturis ſpecialiter deſtinabit. Nos itaque ipſius Regis votis laudabilibus in hac parte grato concurrentes animo, ut hujuſmodi confœderationis affinitas, & amicitiæ fructuoſæ contractus eo ferventius vigeat, ſtabiliuſque perſeveret, quo melioribus firmatus auſpicis nexuque conſtrictus fuerit fortiori; actum, conventum & concordatum extitit inter nos de voluntate & aſſenſu cariſſimi Germani & fidelis noſtri *Caroli, Valeſia* & *Andegaviæ* Comitis, & procuratores prædictos procuratorio nomine dicti Regis, *quod inter* Edwardum *primogenitum filium Regis ejuſdem futurum Regem* Scotiæ, *& qui per conventionem expreſſam habitam cum procuratoribus antedictis ſucceſſurus eſt eidem Regi in regno* Scotiæ, *& aliis terris ſuis*, *& J. primogenitam filiam germani noſtri prædicti, matrimonium contrahatur. Cui Regi nomine dicti filii ſui promittimus nos & ſucceſſores noſtros curaturos & effecturos dari in matrimonium cum prædicta filia viginti quinque millia librarum* Turonenſium *in pecunia numerata*; *Idemque Rex præfatæ filiæ Mille quingentas libras* Sterlingorum *annui redditus in terris, cum Juriſdictionibus & Juſticiis omnimodis ad coronam Regiam non ſpectantibus in locis infraſcriptis, videlicet de* Balliolo, *de* [a] Daumpeter, *de* [b] Halicourt, *& de* [c] Hernoy, *in regno* Franciæ; *necnon de* Lanark, *de* [d] Cadiou, *de* [e] Madiſley, *de* [f] Cuningham, *de* [g] Hadington, *& de Caſtro de* Dunde *in regno* Scotiæ, *cum pertinentiis locorum ipſorum aſſidebat eidem, ita quod ſi redditus & proventus locorum ipſorum dictam ſummam mille librarum* Sterlingorum *annui valoris excidebant, id quod ſuperhabundaret ultra ſummam eandem, præfato Domino noſtro Regi remaneat, & ſi quid de ſumma ipſa deeſſet, idem Dominus noſter in aliis redditibus ſuis in regno* Scotiæ *conſtitutis ſupplere integre tentatur, vel eaſdem mille ſi nos maluerimus necnon quingentas reſiduas aſſignabit ſibi percipiendas in*

a Dampitra.
b Holcote.
c Horney.
d Kirkion.
e Maldiſley.
f Cuningham.
g Hadington.
H de Knyghton.

burſa

burſa in certis locis annuatim ad duos terminos, ipſumque benè aſſecurabit de dotalicio An. 20. E. I.
in dicto habendo, & percipiendo ab eo poſt dictum matrimonium contractum, & mortem dicti filii quamdiu vitam duxerit in humanis. Quodque ſi dicti futuri conjuges à dicto Rege fortaſſe vellent diſcedere, dicto dotalitio in vita etiam Regis ejuſdem liberè perfruantur. Et ſi ſucceſſu temporis prædictus Rex ad ſecunda vota tranſire voluerit, noſtrum ſuper hoc conſilium requirere vel communicare debebit. Idem quoque Rex more juſti Principis, tum ex ſervore Juſtitiæ, tum etiam ex zelo dilectionis internæ quam ad nos et domum noſtram, ſolium, et incolas regni noſtri habere dinoſcitur, moleſte ferens graves injurias, enormes exceſſus, impugnationes hoſtiles, et aggreſſiones iniquas, quibus Rex Angliæ violato fidelitatis debito quo nobis tenebatur aſtrictus, nos, fideles et ſubditos noſtros, tam per terram quam per mare multipharie multiſque modis hactenus offendiſſe dinoſcitur, et offendere cotidie ſatagit et conatur; ac præterea ut nos et ſucceſſores noſtros ſibi et ſuis ſtrictius mutui amoris alliget affectibus, ad repreſſionem ſalubrem injuriarum, impugnationum et aggreſſionum hujuſmodi nobis efficaciter et potenter aſſiſtere gratuita * animoſitate diſponens, dictis conceſſit procuratoribus, ipſique procuratores nomine Regis ejuſdem, et pro eo nobis promiſerunt exprefſe; quod idem Rex Scotiæ in præſenti guerra quam contra dictum Angliæ Regem, fautores confœderatos, tam Regem Alemanniæ quam alios quoſcunque †valitores ejus habemus, nobis et ſucceſſoribus, ſi ad eos guerra hujuſmodi prorogetur, totis ſuis et regni ſui viribus tam per terram quam per mare in Anglia publice ac * patenter aſſiſtent, ac præſtabunt conſilium et auxilium opportunum. Et ut prædicti Regis Angliæ injurioſi conatus eo commodius reprimantur, idemque Rex a perverſis ſuæ hoſtilitatis incurſibus eo citius retrahere cogatur, quo magis fuerit aliis occupatus, dictus Rex Scotiæ ipſi Regi Angliæ guerram ſuis propriis ſumptibus et expenſis toto poſſe ſuo et incolarum etiam regni ſui, quoties toto poſſe fuerit opportunum, nobis guerram cœptam proſequentibus et manutenentibus movere et continuare curabit. *Promiſerunt inſuper pariter procuratores præfati procuratorio nomine memorati Regis* Scotiæ, eundem Regem curaturum et effecturum, quod tam Prælati (quatenus eis de jure licebit) quam Comites, Barones, et alii Nobiles, necnon univerſitates et communitates Villarum regni Scotiæ, erga nos et ſucceſſores noſtros in guerra prædicta pari modo in omnibus (ſicut dictum eſt ſuperius) ſe habebunt, dictoque Regi Angliæ ſimili modo totis ſuis viribus guerram facient, ſicut ſuperius eſt expreſſum. Quodque tam Prælati quam Comites, Barones et alii Nobiles, ac univerſitates communitatesque notabiles dicti regni Scotiæ, ſuas nobis ſuper hoc patentes literas ſuis munitas ſigillis, quam citius fieri poterit deſtinabunt. Conventum fuit ſiquidem inter nos et procuratores prædictos nomine quo ſupra, quod ſi prælibatum Angliæ Regem coadunatis viribus ſuis regnum Scotiæ per ſe, vel per alium invadere forte contigerit, poſt guerram ad requiſitionem noſtram per dictum Scotiæ Regem cœptam, vel poſt affinitatem ſeu confœderationem præſentem inter nos initam occaſione ejuſdem, nos dummodo ex parte ipſius Regis Scotiæ ſuper hoc congruo tempore fuerimus præmuniti, ſibi ſubſidium faciemus, ipſum Regem Angliæ per partes alias occupando, ut ſic ab incepta invaſione prædicta ad alia diſtrahatur, vel ei in Scotiam conveniens adjutorium ſumptibus noſtris quouſque in Scotiam venerint tranſmittendo. Si vero prænominatus Angliæ Rex terram Angliæ perſonaliter forſan exierit, vel terram ipſam notabili peditum vel equitum armatorum hominum (guerra inter nos et ipſum durante) numero vacuarit; promiſerunt procuratores prædicti procuratorio nomine ſupradicto, quod præcipue in hoc caſu dictus Scotiæ Rex cum toto poſſe ſuo terram Angliæ quantum latius ſibi profundius poterit intrare curabit, faciendo guerram bellumque campeſtre, obſidendo, baſtando, ac Regem Angliæ et terram ejus prædictam modis omnibus quibus poterit ſuis ut ſupradicitur ſumptibus impugnando. Actum præterea eſt et expreſſe Conventum inter nos et Procuratores prædictos nomine quo ſupra, quod nos de guerra quam præfatus Scotiæ Rex et Succeſſores ejuſdem contra ſæpefatum Angliæ Regem pro nobis facient, poſtquam guerram ipſam ad requiſitionem noſtram fecerint, vel ſi occaſione initæ affinitatis vel confœderationis idem Scotiæ Rex jam guerram fecerit ſupradictam, vel Rex Angliæ contra ipſum occaſione aliquorum ex præmiſſis, Nos etiam de prædicta guerra noſtra componere aut pacem inire nequibimus vel treugam, * niſi ipſis in pace ſeu treuga quam de dictis omnibus

* amabilitate H. de Knyghton.

† Gubernatores.

* potenter.

Nota.

Nota.

Nota.

* ſine

An. 20 *E.* I. bus guerris faciemus inclusis, nec ipsi similiter pacem vel treugam de guerris omnibus supradictis facere poterunt sine nobis. Pro quibus omnibus et singulis supradictis tenendis, adimplendis et inviolabiliter observandis, obligamus dicto Scotorum Regi et successoribus suis, nos, hæredes et successores nostros, et omnia nostra et ipsorum bona mobilia et immobilia, et in *quibuscunque consistentia præsentia et futura. Tractatus autem, condemiones, pactiones, et omnia et singula suprascripta dictus Scotiæ Rex ratificare et approbare tenetur, et suo nomine innobare, et super ratificatione, approbatione et innovatione prædictis, suas nobis patentes literas suo sigillo munitas, quamcitius fieri poterit destinabit.

* ubicunque existentia.

Tenores vero literarum Procuratoriarum prædictarum tales sunt. Excellentissimo Principi Domino suo, & amico si placet, Domino *Philippo* Dei gratia Regi *Francorum* Illustri; *Johannes* eadem gratia *Scotorum* Rex, salutem in Domino. Noverit vestra Regia Celsitudo quod nos facimus, constituimus & ordinamus per præsentes dilectos & fideles nostros venerabiles Patres, *Willielmum Sancti Andræa*, & *Matthæum Dunkelden.* Episcopos, *Johannem de Soules*, & *Ingeramum de Umfraville* Milites, Attornatos, Procur. & Nuncios nostros speciales ad tractandum vobiscum (si placet) super Sponsalibus & Matrimonio contrahendo cum serenissima Domicella nepte vestra seu consanguinea, & *Edwardo* filio nostro primogenito & hærede; Dantes eisdem generalem, & liberam ac plenariam potestatem, ac mandatum speciale sponsalia & matrimonium prædicta contrahendi, faciendi & perficiendi, quatenus natura contractus hujusmodi, sponsalia & matrimonium inter absentes contrahi permittit & perfici per procuratores seu nuncios ad hoc specialiter constitutos; & omnia alia & singula faciendi, quæ ad dictos contractus seu conventiones pertinent seu quocunque modo poterunt pertinere; & sine quibus dicti contractus seu conventiones ritè nequiverint expediri. Ratum & firmum habentes & habituri, quicquid dicti Procuratores & Nuntii nostri omnes, vel tres, aut duo ipsorum in præmissis, vel aliquo præmissorum duxerint faciendum. In cujus rei testimonium præsentibus literis Sigillum nostrum fecimus apponi. Datum apud *Strivelin* tertio Non. *Julii*, Anno Domini 1295. Regni vero nostri tertio.

* See Henr. de Knyghton, de Event. Angl. l. 3. c. 2. p. 2473, &c.

Item, * Universis præsentes literas inspecturis, *Johannes* Dei gratia *Scotorum* Rex salutem in Domino. Noverit Universitas vestra, quod nos facimus, constituimus & ordinamus per præsentes, dilectos & fideles nostros venerabiles patres *Willielmum Sancte Andreæ* & *Matthæum* Dunkelden. Episcopos, ac *Johannem de Soules*, & *Ingeramum de Umfraville* Milites, Attornatos, Procuratores, & Nuncios nostros speciales, ad tractandum, ordinandum, faciendum & perficiendum omnia & singula negotia nos, *Edwardum* filium nostrum primogenitum & hæredem, regnum nostrum, & incolas regni nostri qualitercunque tangentia, & ubicunque in regno *Francia* cum quibuscunque personis Ecclesiasticis & secularibus cujuscunque conditionis existant aut status; Dantes eisdem omnibus, tribus, aut duobus ex ipsis generalem & liberam, ac plenariam potestatem **obligandi nos et filium nostrum prædictum, regnum nostrum et ipsius incolas, ac jurandi in animam nostram, filii nostri, et regni nostri incolarum**; necnon omnia & singula faciendi & perficiendi, quæ ad prædictos tractatus & ordinationes & negotia necessaria fuerint vel opportuna; Et alia etiam & singula faciendi & perficiendi quæ nos, filius noster & incolæ regni nostri facere possemus, si præsentes essemus, etiam si mandatum exigant speciale. Ratum & gratum habentes & habituri quicquid per dictos quatuor, tres, vel duos eorum actum, gestum, procuratumve fuerit in præmissis, & quolibet præmissorum. In cujus rei testimonium præsentibus literis sigillum nostrum fecimus apponi. Dat. apud *Strivelin* tertio Non. *Julii*, Anno Domini 1295. Regni vero nostri tertio. In quorum omnium testimonium præsentibus literis nostrum fecimus apponi sigillum. Actum *Parisiis* die vicesima tertia mensis *Octobris*, Anno Domini 1295.

Eapropter, volens idem Dominus Rex Angliæ *adjornamentum suum prædictum idem Regi* Scotiæ *per prafatos suos nuncios in personas eorundem factum observare, & futuris periculis, quæ ex præmissis confœderationibus & aliis, sibi & regno suo, & ejusdem incolis possent verisimiliter pervenire, quatenus potuit præcavere, & eisdem obviare; pro adjornamenti prædicti observatione, & regni sui assecuratione, versus partes* Novi Castri *super* Tynam *se transtulit festinanter; præmittens quosdam suos nuncios solemnes de* Novo Monasterio, *& de* Wellebeck, Cistercien. *&* Præmonstraten. *ordinum*

Abbates

Abbates ad Regem Scotiæ *memoratum, ſibique adjornamentum prædictum, & ipſius Domini Regis* Angliæ *adventum ad diem et locum prædictos ex cauſis præmiſſis, nunciavit; & eidem per eoſdem ſpecialiter mandavit, ut quædam Caſtra in utriuſque regni confinio ſcituata, pro aſſecuratione ſua & hominum ſuorum, de dicto Rege* Scotiæ *& ſuis ſub bona cautione faceret liberari, per ſuos ad tempus cuſtodienda, donec de his qua imminebant periculis plenius aſſecuratus fuiſſet; quibus periculis ceſſantibus, dicta Caſtra eidem Regi* Scotiæ, *ſeu illis quos ad illa recipienda, & ſuo nomine cuſtodienda deputare voluerit, ſine difficultate qualibet reſtituere & reſtitui faceret ſine fraude, bona fide promiſit; Super quibus fideliter faciendis, tenendis (ut præmittitur) & adimplendis, dictus Dominus Rex* Angliæ *literas ſuas obligatorias prædictis Abbatibus ſuis nunciis fieri fecit & tradi ſecum deferendas, & eidem Regi* Scotiæ *liberandas, in eventu liberationis Caſtrorum prædictorum eidem Regi* Angliæ, *vel ſuis ſuo nomine ad hoc deputandis in forma ſupradicta. Mandavit inſuper idem Rex* Angliæ *per ipſos ſuos nuntios dicto Regi* Scotiæ *firmiter injungendo in fide qua ſibi tenebatur, quod ad dictum diem, primum videlicet menſis* Martii, *ſibi aliàs (ut præmittitur) præfixum, apud* Novum Caſtrum *ſuper* Tynam, *vel ad alia certa loca in confinio partium illarum* perſonaliter veniret ad ipſum, *ſuper præmiſſis & aliis ſtatum & tranquillitatem utriuſque regni & utilitatem communem tangentibus* cum ipſo tractaturus, *& aſſecurationem ſibi ſuper quibuſdam dubiis facturus, ac alia per ipſum Regem* Angliæ ſuumque conſilium exprimenda auditurus, et ſuper his et ea contingentibus reſponſurus et juſtitiam recepturus, *& dicto* Macdulpho *in jure reſponſurus. Cumque dictus Dominus Rex* Angliæ *apud* Novum Caſtrum, *primo videlicet die menſis* Martii, *Anno à Nativitate Domini* 1296. *Indictione nona, & anno regni ipſius Regis* Angliæ *viceſimo quarto, perſonaliter declinaſſet, dictumque Regem* Scotiæ *eadem per plures dies expectaſſet,* nec ipſe ſecundum quod in mandatis habuit venire, nec quenquam pro ſe mittere curabit, *ad convincendam ipſius Regis* Scotiæ *malitiam, dictus Rex* Angliæ *ad loca dicto regno* Scotiæ *viciniora ſtatuit ſe velle declinare. Et primo apud* Bambergh, *deinde apud* Werk *in confinio ipſius regni* Scotiæ *ſe transferens, adventum dicti Regis* Scotiæ *in locis prædictis per tempus non modicum expectavit. Ad quæ quidem loca dictus Rex* Scotiæ, *(cui de præmiſſis ſatis innotuit, & ea ſibi veriſimiliter latere non potuit)* venire tamen ad ipſum Dominum ſuum Dominum Regem Angliæ, nec amicabiliter mittere curavit; ſed ſpretis dicti Domini ſui mandatis prædictis et vilipenſis, contumaciter in ſua perſiſtens perfidia, ad apparatus bellicos ſe conbertebat, cum Epiſcopis, Prælatiſque aliis, Comitibus, Baronibus, Clericis et Laicis regni ſui Scotiæ, ac etiam exteris aliis conductitiis contra prædictum Dominum ſuum ligeum, Dominum Regem Angliæ, ipſiuſque regnum, et ejuſdem Incolas calcamen elebare præſumpſit. Reddititiſque eidem Regi Angliæ per dictum Regem Scotiæ tam pro ſe quam pro aliis quibuſcunque regni ſui incolis Homagio et Fidelitate ſibi pro dicto regno Scotiæ prius factis (*ut præmittitur*) in proceſſu per ſuas literas verba effectum diffidentiæ ſapientia continentes. Quarum literarum in omnibus et per omnia tenor eſt talis.

An. 20 *E.* I.

* Magnifico Principi Domino *Edwardo* Dei gratia Regi *Anglia*, *Johannes* eadem gratia *Scotiæ* Rex. Cum vos & alii de regno veſtro vobis non ignorantibus, vel cauſam ignorantiæ non habentibus, per violentam potentiam veſtram nobis & regni noſtri Incolis graves & intolerabiles injurias, contemptus, & gravamina, necnon & dampna enormia contra nos, et regni noſtri libertates, ac contra Deum et juſtitiam notorie et frequenter intuleritis, nos extra regnum noſtrum ad levem cujuſlibet ſuggeſtionem pro libito voluntatis veſtræ citando, et indebite vexando, Caſtra noſtra, terras et poſſeſſiones noſtras et noſtrorum infra regnum veſtrum, injuſte et ſine noſtris demeritis occupando, bona noſtra ac ſubditorum noſtrorum, tam per terram quam per mare rapiendo, et infra regnum veſtrum receptando; Percatores et alios regni noſtri incolas occidendo, homineſque noſtros de regno noſtro violenter in regnum veſtrum abducendo, ipſoſque ibidem detinendo et incarcerando; ſuper quibus reformandis nuncios noſtros vobis ſæpe tranſmiſimus; quæ non ſolum remanent adhuc incorrecta, verum etiam de die in diem per vos & veſtros prioribus deteriora cumulantur; vos namque jam cum innumerabili armatorum multitudine exercitu veſtro publicè convocato, ad exhæredandum nos & regni noſtri incolas ad fines regni noſtri hoſtiliter acceſſiſtis, & ultra progrediens in regno noſtro ſtrages & incendia, necnon inſultus & invaſiones violentas tàm per terram quàm

* See Thomas Walſingham Hiſtor. Angliæ p. 31. Ypodigma Neuſtriæ, p. 80, 81, 82. Henr. de Knyghton de Eventibus Angliæ, l. 3. c. 2. col. 2477.

An. 20. *E.* 1. quàm per mare commiſiſtis inhumanè. Nos dictas injurias, gravamina & dampna, necnon & hoſtiles impugnationes ulterius ſuſtinere non valentes, nec in fidelitate et homagio veſtro per violentam oppreſſionem veſtram extortis manendo, cum nos ad defenſionem noſtram et regni noſtri (cujus defenſioni et tuitioni vinculo Juramenti ſumus aſtricti) nos volentes erigere, fidelitatem et homagium vobis facta tam a nobis quam ab aliis quibuſcunque regni noſtri incolis, fidelibus noſtris, ratione terrarum quas in regno veſtro de vobis tenebant, ac etiam ratione menagii ſeu rectionis veſtræ, nomine noſtro, ac nomine eorundem omnium et ſingulorum vobis reddidimus per præſentes.

Congregatoque ingenti exercitu, idem Rex Scotiæ *ad hoſtiles* * *aggreſſus & incurſus procedens, regnum* Angliæ *intravit hoſtiliter & invaſit, villaſque quamplures regni* Angliæ *per ſuos depradatus eſt, eaſque vaſtavit incendiis, homines interfecit, nautas quoſdam* Angliæ *naveſque eorum comburi fecit. Et hiis & aliis conſimilibus facinoribus pluribus non contentus, Comitatus* Northumbr. Cumbr. & Weſtmerland. *dicti regni* Angliæ, *hoſtiliter per ſuos invaſit, ſtragem innumeram hominum ſimul & mulierum ipſius Domini ſui Regis* Angliæ, *Monaſteriorum, Eccleſiarum, & villarum incendia faciendo, & patriam undique depopulando, & ad inſtar* Herodianæ *crudelitatis infantes in cunis, & mulieres in puerperio decubantes immiſericordi & atroci ſævitia trucidando; parvos etiam Clericulos primas literas & Grammaticam addiſcentes, ad numerum circiter ducentorum in Scolis apud* Corbrigg. *exiſtentes, obſtructis ſcolarum ipſarum oſtiis igne ſuppoſito concremarunt; ac divino timore, & humano pudore poſpoſitis, adeo in commotionem ſe dederunt, quod omnino offendibilia ac execrabilia inhumanè committere minimè verebantur. Cernens itaque Rex* Angliæ *tot dampna, opprobria, injurias & facinora in exhæredationem ſuam, & populi ſui deſtructionem, ſibi & regni ſui incolis proditionaliter irrogari,* nec valens ratione Juramenti ſui (quo ad conſervationem jurium Coronæ regni ſui Angliæ eſt aſtrictus) tam execranda, deteſtanda et nefanda facinora ulterius tolerare, nec jura ſua relinquere indefenſa, cum idem Johannes Rex Scotorum et gens ſua ſibi ſubdita, per leges ſe juſtificari ac duci minime permittere voluiſſent, ipſo regno, quod a longiſſimis et antiquiſſimis retro temporibus (*ſicut ſuperius in proceſſu plenius apparet*) ſibi et progenitoribus ſuis Angliæ Regibus extitit feodale, et de ipſis etiam Angliæ Regibus tenebatur, et præmiſſis cauſis commiſſo, ſeu (*ut communiter dicitur*) forisfacto; *Bello inſuper de Conſilio Comitum, Baronum, & aliorum Procerum & Magnatum regni ſui* Angliæ *juxta leges & conſuetudines regni* Angliæ *contra dictum Regem* Scotiæ *& ipſius gentem indicto, contra ipſo potentiæ ſuæ vires extendit;* ſicque contra ipſos tanquam perjuros, notorie proditores, contumaces, rebelles, et publicos hoſtes ſuos procedens, præfatum regnum Scotiæ Jure proprietatis ipſius Domini Regis Angliæ ditioni ſubegit, et etiam ſubjugabit. *Quo viſo, memoratus* * Johannes *Rex* Scotiæ, *una cum Comitibus, Baronibus, & aliis* Nobilibus, *Magnatibus & Proceribus dicti regni* Scotiæ *omnibus & ſingulis,* cum Eccleſiarum Prælatis, *ad memoriam redientes,* et de ſuis facinoribus perpetratis (*ut dicebant*) condolentes vehementer, ad dictum Dominum Regem Angliæ venerunt, et ſe eidem reddiderunt, et ipſius gratiæ et voluntati ſe ſubmiſerunt, *locis tamen & diebus diverſis.* Idemque Rex Scotiæ proditiones, et ſcelera memorata, et conſœderationem ſuprascriptam cum dicto Rege Francorum initam (*ut præmittitur*) contra homagium et fidelitatis ſuæ debitum, quæ pro dicto regno Scotiæ dicto Regi Angliæ fecerat, palam et publice recognovit, dictamque conſœderationem quatenus de facto proceſſit, ſponte, pure, ſimpliciter, et abſolute ſuo, Edwardi filii ſui, et incolarum regni ſui nomine revocavit: Renunciavit inſuper ſpecialiter et expreſſe omni commodo, quod exinde ſibi vel filio ſuo, aut incolis regni ſui poterit pervenire; dictumque regnum Scotiæ, et Jus quod habuit in eodem, et ad illud Regiamque ſuam dignitatem cum honore, et homagiis et fidelitatibus incolarum ejuſdem regni, ac omnibus et ſingulis Regiæ dignitati pertinentibus eidem Domino ſuo Domino Regi Angliæ, pure, ſimpliciter et abſolute reddidit, vita et membris tantummodo ſibi ſalvis; ſicut in Inſtrumento ſibe Proceſſu ſuper hoc, una cum fidelitatibus et homagiis Scotorum Domino Regi Angliæ factis, manu mei Notarii infraſcripti confecto, et ſigno meo ſolito ſignato, intuentibus conſtare poterit evidenter. *Subjugato itaque dicto regno Scotiæ dicti Regis* Angliæ *ditioni,* Eccleſiarum Prælati, Comites et Barones, et alii Nobiles, Magnates, Proceres, Civitatum et Burgorum, Communitates

*See Walſingham, Hiſtor. Angl. p. 31, 32. Ypodigm. p. 80, 81, 82. Henr. de Knyghton, l. 3 c. 4. col. 1472, to 1483. Polydor Virgil, Holinſhed, Fabian, Grafton, Speed, Daniel in Ed. 1.

* Walſingham Hiſt. Angl. p. 31, 32, 33. Ypodig. Neuſtriæ, p. 81, 82. Henr. de Knyghton, de Eventibus Angl. l. 3. c. 2. p. 2476, &c.

Communitates dicti regni Scotiæ, ad fidem et voluntatem dicti Regis Angliæ bementes, eidem fidelitatem et homagium ut immediato et prœpœio Domino regni Scotiæ fecerunt, fuaſque patentes literas ſuper fidelitatibus ſuis prædictis et homagiis ſibi factis fecerunt, ſigillis ſuis pendentibus conſignatas; quæ in Theſauraria dicti Regis Angliæ London. reſident in fidem et teſtimonium præmiſſorum. Reddidiſque eidem Regi Angliæ ut hero et immediato Domino ipſius regni Scotiæ, Civitatibus, Burgis, Villis, Caſtris, et aliis munitionibus et locis omnibus ad Regem Scotiæ qualitercunque pertinentibus; idem Dominus Rex Cuſtodem, Camerar. Cancellar. Eſcaetores, Vicecomites, et alios Ballivos et Miniſtros ad regimen dicti regni Scotiæ undique per totum regnum jure ſuo ſtatuit et prætecit; et Sigillum ad regimen Scotiæ deputandum fieri fecit, et Cancellario ſuo liberabit. *Acta ſunt omnia & ſingula ſupraſcripta, ut præmittitur, ſub Annis, Indictionibus, Menſibus, Diebus, & Locis prænotatis*, præſentibus teſtibus ſupraſcriptis, cum aliis utriuſque regni Nobilibus et Prælatis, ac popularibus in multitudine copioſa. (Of which you ſhall receive a fuller account, Anno 24 E. 1.) *An.* 20 E. 1.

Et ego Andreas *quondam* Guillielmi de Tang. *Clericus*, Ebor. *Dioc.* Sacroſanctæ ſedis Apoſtolicæ publicus authoritate Notarius, qui præmiſſis omnibus et ſingulis una cum ſupraſcriptis teſtibus interfui, eaque ſic fieri vidi et audivi; rogatus ſuper his ſicut ſtebant, præſens ſeu publicum Inſtrumentum triginta quatuor Chartarum penas continens ſimul ſatas, inſerendo in eodem omnium et ſingulorum Inſtrumentorum in ipſo proceſſu habitorum de verbo ad verbum tenores, nihil addens vel minuens quod ſenſum mutet, vel corrumpat intellectum: Illudque in publicam formam redactum et correctum, ſigno meo conſueto tam in ſuturis penarum quam fine ſignavi, in fidem et teſtimonium præmiſſorum.

This is a true Tranſcript of one Roll of this memorable Record, the original whereof is yet extant in the Tower of *London*. The Tranſcripts of the *Scots* reſpective new Oaths, Homages and Fealties to King *Edward*, mentioned in the cloze of this Record, after their moſt perfidious renunciation of their former Oathes and Fealties, (particularly expreſſed in another Roll) and ſubjugation by King *Edwards* forces, I ſhall preſent you with in its proper ſeries, *An.* 24 *E.* 1. in the ſucceeding Chapter; concluding this with ſome few other Records of Eccleſiaſtical affairs and caſes, relating to the Church, Prelates and Clergy of *Scotland*.

Anno 20 E. 1. The Biſhop of *Cathenes* Chancellor of *Scotland* dying there inteſtate, the Kings Officers ſeiſing into his hands all the Goods and Chattels which he had at the time of his death, according to the cuſtom of *Scotland*; the King out of his ſpecial grace, for his good ſervices done to him in his life time, was graciouſly pleaſed to command them to be entirely delivered to the Prior of *Goldingham*, and *Adam* of St. *Edmunds* the Biſhops brother, to be diſtributed by them for his ſoul as they ſhould think meet, by the overſight and order of the Vice-Chancellor of *Scotland*, whom the Biſhop of *Durham* (Lieutenant of *Scotland*) had conſtituted his Attorney for that purpoſe; and to help them to recover all his Goods and Chattels from all thoſe who ſhould detain them, as theſe Records aſſure us.

REX et Superius Dominus regni *Scotiæ*, dilecto & fideli ſuo *Willielmo de Dunfres* tenenti locum Canc. in *Scotia*, ſalutem. Volentes intuitu fidelis obſequii quod bonæ memoriæ *A.* nuper *Cathenen.* Epiſcopus & Cancellarius *Scotiæ* defunctus nobis in vita ſua impendit, eidem defuncto gratiam facere ſpecialem, conceſſimus, quo omnia bona et catalla quæ fuerunt præfati Epiſcopi in *Scotia* die quo obiit, ac per mortem ejuſdem capta ſunt, ſecundum conſuetudinem *Scotiæ* in manum noſtram, dilectis nobis in Chriſto Priori de *Goldingham*, & Magiſtro *Adæ* de Sancto *Edmundo* perſonæ Eccleſiæ de la *Scalrik*, fratri præfati Epiſcopi, integraliter liberentur, pro anima dicti defuncti per manus eorundem diſtribuenda, prout viderint expedire, per viſum et ordinationem veſtram, quem Venerabilis pater *A. Dunelmenſis* Epiſcopus (conſtituted Lieutenant in *Scotland* by the Kings Letters Patents) loco ſuo coram nobis ad hoc conſtituit. *Et ideo vobis mandamus, quod brevia ſub ſigillo* Scotiæ *illis in quorum manibus bona & catalla prædicta exiſtunt* ſine dilatione fieri faciatis, ut ipſi omnia bona et catalla prædicta præfatis Priori et *Adæ* liberent ad præmiſſa facienda ſicut præfatum eſt. Et omnes illos quos dictorum bonorum

Rot. Scot. An. 19 & 20 E. 1. ſub tit. Scotia de anno 20. m. 10. intus. De bonis quæ fuerunt A. Catenen Epiſcopi liberandis Priori de Goldingham & Magiſtro Adæ de Sancto Edmundo, pro anima prædicti Epiſcopi diſtribuend.

An. 20 E. 1. bonorum detentores inveniri contigerit, ad hoc ſi neceſſe fuerit compellatis, & præfato *Adæ* negotia dicti defuncti in partibus illis proſequenti, literas de protectione & conductu pro ſe & ſuis in forma Capellæ per unum annum duraturas, ſieri faciatis. In cujus, &c. Teſte Rege apud *Weſtm.* 8 die *Januarii.*

Rot. Scotiæ An. 19 & 20 E. 1. m. 9. De bonis quæ fuerunt prædicti Epiſcopi liberandis prædictis Priori & Adæ pro anima ipſius Epiſcopi diſtribuend.

REX et Superior Dominus regni *Scotiæ,* dilectis ſibi *Berichio Gerardi* de *Florence, Reynero Balberin,* & ſocius ſuis de ſocietate *Pullertin.* & *Lambinorum* in *Anglia* commorantium, ſalutem. **Quia de gratia noſtra ſpeciali,** & pro bono ſervicio, quod bonæ memoriæ *A. Cathenenſis* Epiſcopus & Cancellarius *Scotiæ* defunctus in vita ſua nobis impendit, conceſſimus ei, **omnia bona et catalla ſua per mortem ejuſdem in manum noſtram capta**; Vobis mandamus, quod propter ſecuritatem quam nobis in *Anglia,* & dilecto & fideli noſtro *Briano* filio *Alani* in partibus *Scotiæ* noſtro nomine præſtitiſtis, de denariis & cæteris bonis prædicti defuncti in manibus veſtris exiſtentibus, non omittatis, **quin denarios et bona illa** ſic in manibus veſtris exiſtentia dilectis nobis Priori de *Goldingham,* & Magiſtro *Adæ* de Sancto *Edmundo* fratri præfati Epiſcopi ſine dilatione qualibet liberetis, **pro anima dicti defuncti diſtribuenda, per diſum et teſtimonium alicujus quem venerabilis pater *A. Dunelmenſis* Epiſcopus loco ſuo ad hoc deputare voluerit, una cum prædictis Priore et *Adam,* quociens ad hoc vacare voluerit cum eiſdem.** Teſte Rege apud *Weſtm.* 14 die *Januarii.*

Eodem modo mandatum eſt præfato *Berichio* & ſociis ſuis prædictis in *Scotia* commorantibus. Teſte ut ſupra.

Ibid. m. 8. De inquiſ. fac. de bonis quæ fuerunt *Alani* quondam Cathenenſis Epiſcopi ſubtractis &c.

REX et Superior Dominus regni *Scotiæ,* dilecto Clerico ſuo Magiſtro *Alano de Dunfres* Cancellario *Scotiæ,* ſalutem. Cum nos nuper intuitu fidelis obſequii quod bonæ memoriæ *Alanus* quondam *Cathenenſis* Epiſcopus defunctus, nobis in officio Cancellariæ ibidem in vita ſua impendit, conceſſerimus **de gratia noſtra ſpeciali, quod omnia bona et catalla quæ fuerunt ipſius Epiſcopi in *Scotia* die quo obiit, et quæ per mortem ſuam capta fuerunt in manum noſtram,** ſecundum conſuetudinem dicti regni *Scotiæ,* dilectis nobis in Chriſto Priori de *Goldingham,* & Magiſtro *Adæ* de Sancto *Edmundo* perſonæ Eccleſiæ de *Laſcalrik* fratri ipſius Epiſcopi, **integraliter liberarentur, pro anima dicti defuncti per manus eorundem juxta ordinationem venerabilis patris *Antonii Dunelmenſis* Epiſcopi diſtribuenda, prout ſaluti animæ ejuſdem defuncti magis viderint expedire.** Ac datum ſit nobis intelligi, quod bona & catalla illa per quosdam homines parcium illarum jam alienata ſunt & ſubtracta; Vobis mandamus, quod per literas noſtras ſigillo regiminis regni *Scotiæ* deputato ſignatas, detis in mandatis Vic. & aliis Ballivis in partibus illis quociens opus fuerit, & ab eis fueritis requiſiti, quod diligenter inquirant ad quorum manus bona & catalla illa ſic devenerunt, & ea ſimul cum debitis quæ eidem debebantur die quo obiit ad quorumcunque manus devenerint præfatis Priori & *Adæ,* vel eorum certis attornatis ſine dilatione habere faciatis, prout de jure fuerit faciendum. Ita quod querela ad nos per prædictos Priorem & *Adam* de cætero non veniat ex hac cauſa. In cujus, &c. Teſte Rege apud *Chatton.* 20 die *Julii.*

Ibid. m. 10. De arreragiis feodi A. nuper Cathenenſis Epiſcopi liberandis Priori de Goldingham & Magiſtro Adæ de Sancto Edmundo pro anima ipſius Epiſcopi diſtribuendis.

REX et Superior Dominus regni *Scotiæ,* dilecto ſibi Magiſtro *Willielmo de Dunfres* Cancellar. *Scotiæ,* ſalutem. Quia volumus quod bonæ memoriæ *A.* nuper *Cathenenſi* Epiſcopo & Cancellario *Scotiæ* defuncto, de arreragiis feodi quod in officio illo percepit in vita ſua per manus Camerarii *Scotiæ* ſatisfiat, vobis mandamus, quod ſigillo *Scotiæ* breve eiſdem Camerariis fieri faciatis, quod ipſi dicta arreragia dilectis nobis Priori de *Goldingham,* & Magiſtro *Adæ* de Sancto *Edmundo* fratri præfati Epiſcopi liberent abſque mora, **pro anima dicti defuncti per diſum et ordinationem alicujus quem venerabilis pater *A. Dunelmenſis* Epiſcopus loco ſuo ad hoc deputari voluerit diſtribuenda.** Teſte Rege apud *Weſtm.* 15 die *Jan.*

From which 4. Records I ſhall obſerve: 1. That in that age all the Debts, Goods and Chattels of Biſhops in *Scotland* dying inteſtate, *by the Cuſtome of that Realm, were ſeiſed into the Kings hands, as belonging to him*; and that this Biſhops Debts, Goods and Chattels, *dying inteſtate,* were by vertue of that cuſtome then ſeiſed into the hands of King *Edward,* as *Superior Lord* of *Scotland,* during the

Interr.

Interregnum. 2ly. That the King alone, not the Archbiſhop of St. *Andrews*, Pope, or other Ordinary whatſoever, had the ſole right, power, Juriſdiction to diſpoſe of them, to whom and to what uſes he pleaſed. 3ly. That the Soveraign care, welfare of the Subjects ſouls, as well Biſhops and Clergymens as Laicks, belonged to the Kings of *England* and *Scotland* in that age, after their deaths, as well as during their lives, not to Biſhops; Therefore by conſequence the adminiſtration and diſtribution of their Goods and Chattels for that end, if they dyed Inteſtate. 4ly. That the King, not of right or cuſtome, but out of his eſpecial grace, and for the good ſervice done to him by this Biſhop (as his Chancellor in *Scotland*) in his life time, granted all the Debts, Monies, Goods, Chattels of this Biſhop, belonging to him by the Cuſtome of *Scotland*, to the Prior of *Gaſtingham*, and *Adam* of St. *Edmunds* the deceaſed Biſhops brother, *to be diſtributed for his ſoul*, by the view and teſtimony of any perſon whom the Biſhop of *Durham* ſhould depute in his place for that purpoſe, to joyn with them in the diſtribution of them; not as a Biſhop or Ordinary, (he having no Epiſcopal Juriſdiction then in *Scotland*, nor yet in *England* out of his Dioceſſe, where the Biſhop had monies in foreign Merchants hands) but as the Kings Lieutenant in *Scotland*, which then he was. 5ly. That the Biſhop appointed *William of Dunfres*, then Chancellor of *Scotland*, as his Deputy for this end; whom the King enjoyned to iſſue out Writs under the Seal of *Scotland* to thoſe who had the Biſhops Goods and Chattels in their hands, immediately to deliver them to the ſaid Prior and *Adam*, and to compell them thereunto, to be diſtributed as aforeſaid for the good of his ſoul. A clear evidence that the King, or ſuch as he appointed, not Biſhops or Ordinaries, had the ſole power of diſtributing Inteſtates Goods to pious uſes, for the (pretended) good of their ſouls. That Biſhops and other Ordinaries in that age, had no legal Juriſdiction to diſpoſe or diſtribute the Goods and Chattels of Inteſtate perſons, but meerly by torcious Uſurpation, in *Scotland*, *England*, or *France*, ſeems moſt apparent to me, by comparing the premiſes with the memorable Articles againſt the Biſhops, Clergy of *France*, and their Officials Innovations, Encroachments, Uſurpations upon the Crown, Dignity, Juriſdiction of the King of *France*, and his Subjects Liberties, to their intollerable grievance, exhibited by the Lord *Peter de Cugneriis*, the Barons and Laity of *France*, in the Parliament held at *Paris* under King *Philip* the 4th. *Anno Domini* 1309. printed in *Engliſh* by * Mr. *John Fox* (in the life of King *Edward* the 1.) out of *Petrus Bertrandus*, *Adverſus Dominum* Petrum de Cugneriis, *ſuper facto Prælatorum Eccleſiæ* Gallicanæ, *Pariſiis* 1495. Articles 63, 64. *Item*, **they will make Inventories of their goods which die Inteſtate, or without making of Will, and will have the poſſeſſion of their goods as well moveable as immoveable in their own hands, to diſtribute to the heirs, or to whom they liſt.** *Item*, **the execution alſo of Teſtaments they take into their own hands, taking Inventories of dead mens goods, and keeping and diſpoſing them to the heirs after their pleaſure; and they have Officials properly deputed for the execution thereof.** And Artic. 23. **In like manner they will determine the matters of Pupills, applying their goods when they die, as they do the goods of them that die Inteſtate, to their own uſe, the cognition whereof belongeth to the King himſelf; becauſe theſe kinde of perſons with their goods are Wards to the King, and under his protection.** Which as it will help to explain the *true end* of making the Statute of 13 *E.* 1. c. 19. againſt * Sir *Edward Cookes* erronious gloſſe thereon; ſo it evidently demonſtrates, that if Biſhops and other Ordinaries ſeiſing, diſtributing, or adminiſtring the goods of Inteſtate perſons, and Pupills under age, (who could make no Wills) were thus publickly Articled againſt in this *French* Parliament, as an unſufferable Innovation, Uſurpation, Grievance in the Realm of *France*, it was likewiſe then reputed no other in our Biſhops, Ordinaries in *England*, and no *legal right antiently conferred on them by the King and Lords in Parliament*, as they erroniouſly * *pretended*. This will further appear by theſe two Records relating to *Scotland*, the one concerning the Executors of the laſt Will and Teſtament of *Alexander* King of *Scots*, to iſſue out Writs for the ſpeedy recovery of the Debts due unto him; the other authorizing and enabling the Biſhop of *Glaſcow* to deviſe and diſpoſe of his moveable Goods by his Teſtament, ſo as it turned not to the prejudice or loſſe of the King himſelf, or the next ſucceeding King in *Scotland*.

An. 20 *E.* 1.

* Acts & Monuments, London 1641. vol. 1. p. 461, &c. in Edw 1.

* See here p. 333. 2 Inſtit. P. 397.

* See here p. 15.

An. 20 *E.* 1.

Rot. Scotiæ An. 19 & 20 E. 1. m. 8. Pro Executoribus Teſtamenti A. quondam Regis Scotiæ, de debitis ejuſdem Regis levandis, &c.

REX **et Superior Dominus regni** *Scotiæ*, venerabilibus in Chriſto patribus *W.* & *R.* eadem gratia Sancti *Andreæ* & *Glaſguen.* Epiſcopis, & dilectis & fidelibus ſuis *Johanni Comyn*, *Jacobo* Seneſcallo *Scotiæ*, & *Briano* filio *Alani*, Cuſtodibus ejuſdem regni, ſalutem. Zelus affectionis intimæ quam ad præclaræ memoriæ ſereniſſimum Principem Dominum *Alexandrum* quondam Regem *Scotorum* illuſtrem (ſororium noſtrum kariſſimum) ipſo vivente gerebamus, **per quod animæ ſuæ ſalutem ferventer affectamus**, mentem noſtram multipliciter excitat & inducit, **ut quæ animæ ſuæ conſerimus ſalutifera, devotione fervida et ſollicitis affectibus proſequamur.** Hinc eſt quod multi & diverſi debitores in eodem regno *Scotiæ* in diverſis debitis præfato Regi die quo obiit tenerentur, qui ejuſdem Regis Executoribus ea nondum ſolverunt, ut accepimus, **per quod Teſtamenti prædicti executio, in grave dicti Regis animæ periculum hucuſque protogatur:** Vobis mandamus, quod dilecto Clerico noſtro Magiſtro *Alano de Dunfres* Cancellario *Scotiæ* detis in mandatis, quod per brevia dirigenda ſingulis Vicecomitibus & Ballivis ejuſdem regni *Scotiæ*, ſigillo regimini regni *Scotiæ* deputato conſignanda, mandari faciat in forma Capellæ, quod prædicta debita de bonis & catallis prædictorum debitorum, **ſecundum legem et conſuetudinem regni** *Scotiæ* **leventur, et præfatis executoribus ſine dilatione liberentur, prout præfati executores rationabiliter monſtrare poterunt**; quod prædicti debitores prædicto Regi in debitis tenentur ſupradictis. In cujus, &c. Teſte Rege apud *Berewyk* ſuper *Twedam* 3 die *Julii*.

Ibid. m. 9. Pro R. Glaſg. Epiſc. quod de bonis ſuis mobilibus poſſit condere Teſtamentum.

REX **et Superior Dominus regni** *Scotiæ*, omnibus ad quos, &c. ſalutem. Sciatis quod pro bono & laudabili ſervitio quod venerabilis pater *R. Glaſguenſis* Epiſcopus, tam bonæ memoriæ Domino *A.* quondam Regi *Scotiæ*, quam nobis impendit poſtquam **ſuperius dominium regni illius ad manus noſtras devenit**, conceſſimus ei, **quod ipſe Teſtamentum ſuum de bonis ſuis mobilibus condere poſſit pro ſuæ libito voluntatis, et quod executores Teſtamenti liberam adminiſtrationem habere et de eiſdem diſponere poſſint juxta formam ejuſdem Teſtamenti, et ipſius Epiſcopi ultimam voluntatem. Ita tamen quod iſta gratia noſtra nobis ſeu Regi futuro regni illius non cedat alias in præjudicium ſeu jacturam.** In cujus, &c. Teſte Rege apud *Weſtm.* 23 die *Januarii*.

The Biſhoprick of *Cathenes* becomming void by the Biſhops death, the King by his Prerogative iſſued this Writ concerning the cuſtody of the Temporalties.

Ibidem. De Epiſcopatu Cathenenſi vacante committendo alicui fideli Regis.

REX **et Superior Dominus regni** *Scotiæ*, venerabilibus in Chriſto patribus *W.* Sancti *Andreæ*, & *R. Glaſguenſi* eadem gratia Epiſcopis, & cæteris Cuſtodibus ejuſdem regni, ſalutem. Mandamus vobis, **quod cuſtodiam Epiſcopatus** *Cathenenſis*, vacantis per mortem bonæ memoriæ *Alani* nuper Epiſcopi ejuſdem loci, cum pertin. **alicui Clerico et fideli noſtro partium illarum**, qui ſufficiens & idoneus ad cuſtodiam illam fuerit, **prout moris eſt in illis partibus committatis.** In cujus, &c. Teſte Rege apud *Weſtm.* 15 die *Januarii*.

The Pope having granted the King a Diſme from the Clergy of *Scotland*, as Supreme Lord thereof, for the ayd of the Holy Land, he iſſued this Writ for the ſafe conduct and protection of thoſe appointed to collect it.

Rot. Scotiæ An. 20 E. 1. m. 11. Pro Collectoribus decimæ in regno Scotiæ, de protectione & conductu.

REX **et Superior Dominus** *Scotiæ*, omnibus Ballivis & fidelibus ſuis ad quos, &c. ſalutem. **Cum Summus Pontifex Decimam bonorum Eccleſiaſticorum infra prædictum regnum** *Scotiæ* **nobis in ſubſidium Terræ Sanctæ conceſſerit graciose, et circa collectionem ejuſdem venerabiles patres** *R. Karleolen.* & *A. Cathenenſem* **Epiſcopos deputaverit, ſicut in Bulla inde confecta plenius continetur**, per quod neceſſariò oportebit eoſdem Epiſcopos tàm in propriis perſonis ſuis, quàm per alios quos loco eorundem ad hoc duxerint tranſmittendos, labores, miſas & expenſas facere in præmiſſis: Nos prædictos Epiſcopos & illos quos ſic pro illis tranſmiſerint homines, terras, res, redditus, & omnes poſſeſſiones ſuas in protectionem & defenſionem noſtram ſpecialem ſuſcipientes; Vobis mandamus, **quod ipſos Epiſcopos et illos ſic tranſmiſſoros homines, terras, res, redditus, et**

omnes

omnes poſſeſſiones ſuas manuteneatis, protegatis & defendatis; Non inferentes eis in perſonis aut rebus injuriam, moleſtiam, dampnum, impedimentum aut gravamen: Et ſi quid eis forisfactum fuerit, id eis ſine dilatione faciatis emendari, & ipſis & eorum quibuſcunque cum per partes veſtras ipſos tranſitum facere contigerit ex hac cauſa, ſalvum & ſecurum conductum amore noſtri præbeatis, **quociens er ipſis vel eorum aliquo ex parte noſtra ſuper hoc fueritis requiſiti.** In cujus, &c. has literas noſtras fieri fecimus patentes quamdiu negotiis prædictis intenderint duraturas. Teſte Rege apud *Berewyk* ſuper *Twedam* in *Scotia* 12 die *Auguſti*. *An.* 20 *E.* 1.

He likewiſe iſſued this Writ to the Biſhops and Prelates of *Scotland*, to receive and aſſiſt the Popes Nuncio and Collectors ſent thither to receive the Accounts, and collect the Arrears of the Diſmes in *Scotland* towards the relief of the Holy Land: And to his Chancellor to pay a ſum of money formerly granted by him to the Popes and Queens Chaplain there.

REX **et Superior Dominus** *Scotiæ*, venerabilibus in Chriſto patribus *W.* & *R.* eadem gratia Sancti *Andreæ* & *Glaſguenſi* Epiſcopis, & cæteris Epiſcopis & Prælatis ejuſdem regni ad quos, &c. ſalutem. **Cum Dominus Papa dilectum nobis in Chriſto Magiſtrum** *Giffredum de Vezano* **ejuſdem Domini Papæ Clericum et Nuncium deputaverit ad compotum executorum Teſtamenti Magiſtri** *Bajamundi*, **quondam Collectoris Decimæ in ſubſidium Terræ Sanctæ conceſſæ in regno prædicto audiend. et arreragia ejuſdem Decimæ et debita ipſius** *Bajamundi* **levanda et colligenda jurta formam mandati Apoſtolici ſibi ſuper hoc dirigi:** Vobis mandamus, quod præfato *Giffredo* vel ejus Commiſſario ſeu Commiſſariis in præmiſſis vos exhibeatis favorabiles & benignos, **Conſilium veſtrum et ſubamen** eidem Magiſtro *Giffredo* vel ejus Commiſſario ſeu Commiſſariis ſuper his impendentes quociens ab ipſo vel eorum aliquo inde fueritis requiſiti. Teſte Rege apud *Deviſes* 16 die *Septembris*. Rot. Scotiæ An 19 & 20 E. 1. m. 10. Quod Epiſcopi & Prælati de reg. o Scotiæ exhibeant ſe favorabiles Mag. Giffredo de Vezano, &c.

REX **et Superior Dominus regni** *Scotiæ*, dilecto Clerico ſuo Magiſtro *Willielmo Dunfres* Cancellario ejuſdem regni, ſalutem. Cum nuper per noſtras patentes literas mandaverimus dilecto & fideli noſtro *Alexandro de Balliolo* Camerario ejuſdem regni, quod Magiſtro *Hugucioni* **Domini Papæ Capellano**, pro gratis & laudabilibus ſerviciis quæ idem *Hugucio Margaretæ* quondam Domicellæ *Norwagiæ*, & Dominæ regni prædicti impendit, & pro laboribus & expenſis per ipſum in ejuſdem *Margaretæ* obſequiis appoſitis, **ducentas libras faceret liberari**; & idem *Alexander* pro eo quod breve noſtrum de ſigillo regimini regni prædicti deputato non habuit, de pecunia illa liberanda nichil inde hucuſque facere curaverit, ut accepimus; Vobis mandamus, quod breve ſub ſigillo prædicto præfato *Alexandro* & ſociis ſuis Camerariis ejuſdem regni fieri faciatis in forma Capellæ de prædicta pecunia præfato *Hugucioni* liberanda, prout alias in caſu conſimili fieri conſuevit. Teſte Rege apud *Weſtm.* 9 die *Januarii*. Ibidem. Pro ungucione Domini Papæ Capellano.

What Eccleſiaſtical Juriſdiction the King then exerciſed in the Iſle of *Man*, as ſupreme Lord thereof, in preſenting to Livings there, and commanding the Biſhop of *Sodor* to admit his Clerks, theſe Records inform us.

Alanus de Wygeton habet literas de Præſentatione ad Eccleſiam Sancti *Carber* in *Man*, vacantem & ad donationem Regis ſpectantem ratione terræ de *Man* **in manu Regis exiſtentis.** Et diriguntur literæ Epiſcopo *Sodorenſi*. Teſte Rege apud *Berwik* ſuper *Twed.* 16 die *Junii*.

Odo Clericus habet literas de Præſentatione ad Eccleſiam Sancti *Santani*, vacantem per mortem *Deſvaldi* nuper Rectoris ejuſdem, & ad donationem Regis ſpectantem ratione terræ de *Man* **in manu Regis exiſtentis.** Et diriguntur literæ *Sodorenſi* Epiſcopo. Teſte ut ſupra.

Roulandus Capellanus habet literas de Præſentatione ad Eccleſiam Sancti *Patricii* de *Dureby*, vacantem & ad donationem Regis ſpectantem ratione terræ de *Man* **in manu Regis exiſtentis.** Et diriguntur literæ Epiſcopo *Sodorenſi*. Teſte ut ſupra. Rot. Scotiæ An. 19 & 20 E. 1. m. 12. De Præſentatione.

An. 20 *E.* 1. I ſhall conclude with this Writ, diſcovering what great eſteem and care the King had of the Records in *Scotland*, which concerned his own and others Rights, Titles to that Realm; how carefully they were peruſed, laid up and there kept by a Maſter of the Rolls in the Caſtle of *Edenburgh*, (as thoſe of *England* then were, and yet are in the Tower of *London*) and what uſe he made of them.

Rot. Scotiæ An. 19 & 20 E. 1. m. 11. De chartis, ſcriptis, & aliis inſtrumentis tangentibus Regem & petentes jus in regno Scotiæ, ſcrutandis & examinandis, &c.

REX **et Superior Dominus** *Scotiæ*, venerabili in Chriſto patri *W.* eadem gratia Epiſcopo Sancti *Andreæ* in *Scotia*, & dilecto & fideli ſuo *Radulpho Baſſet* de *Drayton*, Conſtabulario Caſtri ſui de *Edenburgh*. & *Willielmo de Dunfres* **Cuſtodi Rotulorum regni** *Scotiæ*, & omnibus Ballivis & fidelibus ſuis ejuſdem regni ad quos, &c. ſalutem. Sciatis, quod aſſignavimus dilectos nobis in Chriſto Abbatem de *Dunfermelyn*, & *Adam* Abbatem Sanctæ Crucis de *Edenburgh*. & dilectum & fidelem noſtrum *Johannem de Lithegreynes*, Magiſtrum *Willielmum de Lincoln*. & *Thomam de Fiſheburn*, **ad inveſtigandum, ſcrutandum, videndum et examinandum Chartas, Inſtrumenta, Scripta, Literas Papales, Compoſitiones, Rotulos et Irrotulata, et omnia alia munimenta jus petentium in regno** *Scotiæ*, **et ſimiliter nos et regnum quoquomodo tangentia in Caſtro de** *Edenburgh*. **et alibi in eodem regno exiſtentia, et ad ea recipienda, deferenda et deponenda in locum per nos ad hoc aſſignatum**; & ideo vobis mandamus, quod eiſdem Abbatibus, *Johanni*, *Willielmo* & *Thomæ*, vel prædictis *Johanni*, *Willielmo* & *Thomæ* tantum, cum prædictos Abbates ad hoc vacare non contigerit, interdentes ſitis & auxiliantes, quociens ex parte noſtra ſuper hoc fueritis requiſiti. Et vos præfate Epiſcope claves Theſaurariæ, necnon hoſtiorum, domorum, caſtri prædicti, archarum, ciſtarum & ſcriniorum quorumcunque in quibus prædicta munimenta, literæ, rotuli, & cætera qualiacunque prædicta inſtrumenta ſint recordata, prædictis Abbatibus, *Johanni*, *Willielmo* & *Thomæ* cum eis ad hoc venire contigerit liberetis. In cujus, &c. Teſte Rege apud *Berewyk* ſuper *Twed.* in *Scotia* 12 die *Auguſti*.

BOOK

BOOK V. CHAP. IV.

Conteining King Edward *the* 1. *his claim, exerciſe of* Soveraign Eccleſiaſtical Juriſdiction *over all Perſons, Cauſes within* England, Ireland, Scotland, *and his other Dominions; his Oppoſitions, Prohibitions, Edicts againſt Popes, Biſhops, other Clergymens Uſurpations, Encroachments thereon; eſpecially Pope* Boniface *the* 8. *his Conſtitution, prohibiting all Clergymen under pain of Excommunication, to grant or pay any Taxes, Subſidies to any King, and for Kings to demand or receive them without the Popes precedent licenſe; and his Bulls concerning his Soveraign Dominion, Title to the Realm of* Scotland *and other Kingdoms; The Negotiations between King* Edward, *the Popes, Court of* Rome; *with the ſucceſſions of Popes,* Engliſh, Iriſh *Biſhops, and other Church, State affairs; faithfully collected out of our* Records *and* Hiſtories, *from the beginning of the* 21. *to the end of the* 30th *year of his Reign.*

AMongſt ſeveral Bundles of Writs returned by Sheriffs and others, Anno 21 *Edward* the 1. (reſcued by me out of the rubbiſh in the *White Tower* Chappel) I met with theſe Writs of Attachment at the Kings and parties ſuits for contempts in holding or proſecuting ſuits in Court Chriſtian of Treſpaſſes, Advowſons, Layfees, Chattels and Debts, not of Teſtament or Matrimony, belonging to the Kings Courts, againſt his Prohibitions, Crown and Dignity.

EDwardus *Dei gratia Rex* Angliæ, *Dominus* Hiberniæ, *Dux* Aquitaniæ, *Vicecomitibus* Oxon. *ſalutem. Monſtravit nobis* Willielmus de Sancto Gerigio, *quod cum Magiſter* Henricus de Naſſington *in Curia noſtra apud* Weſtm. *die Sancti* Hillarii *in quindecim dies proximo præterito attachiatus eſſet ad reſpondendum eidem* Willielmo, quare cum placita de Tranſgreſſionibus contra pacem noſtram factis in regno noſtro ad Nos et Coronam et dignitatem noſtram ſpecialiter pertineant, idem Henricus, ſicut ex gravi querela ipſius Willielmi accepimus, tenuit placitum in Curia Chriſtianitatis de hujuſmodi tranſgreſſionibus, in læſionem Coronæ et dignitatis noſtræ, et contra prohibitionem noſtram. Et *de Placito* quare tenuit placitum in eadem Curia Chriſtianitatis de advocatione Capella de Tadham, contra prohibitionem noſtram, *ut dicitur*; *Ac idem* Willielmus *ad diem illum in eadem Curia noſtra comparuiſſet, & idem Magiſter* Henricus *cum feciſſet ſe eſſon. verſus prædictum* Willielmum *de prædictis placitis*; *& habuiſſet diem per eſſon. ſuos coram Juſticiariis noſtris apud* Weſtm. *à die Sanctæ* Trinitatis *in quindecim dies proximo futur. verſus prædictum* Willielmum *de prædictis placitis*; *idem Magiſter* Henricus, pendentibus inde inter eos in prædicta Curia noſtra prædictis placitis, placita illa nichilominus ulterius tenuit in prædicta Curia Chriſtianitatis, quouſque ſententia in ipſum Willielmum ea occaſione ad ſectam ejuſdem Magiſtri Henrici publice promulgata, ipſum excommunicari fecit; et poſtea Rex de noſtrum de ipſo Willielmo excommunicato, tanquam claves Eccleſiæ contemnente, capiendo, jam bonis porrexit, ut dicitur, in Coronæ et dignitatis noſtro læſionem, Curiæ noſtræ prædictæ contemptum manifeſtum, et ipſius Willielmi diſpendium non modicum et gravamen, ſicut ex gravi querela ipſius Willielmi accepimus. Et quia tanta contemptum et malitiam, ſi commiſſa fuerint, tranſire nolumus impunita, *vobis præcipimus, quod ſi prædictus* Willielmus *fecerit vos ſecuros de clamore ejus proſequendo*

* Rundelæ Breviatum, An. 21 E. 1 in Turre London.

An. 21 *E.* 1. *quando, tunc ponite per vadium & ſalvos plegios prædictum Magiſtrum* Henricum, *quod ſit coram Juſticiariis noſtris apud* Weſtm. *à die Sanctæ* Trinitatis *in* 15 *dies*, ad reſpondendum tam nobis quam prædicto Willielmo, de prædictis tranſgreſſione et contemptu. *Præcipimus etiam vobis, quod ſi vobis conſtare poſſit, quod prædictus* Willielmus *occaſione prædicta & non alia excommunicatus ſit*, tunc ab ipſo Willielmo capiendo per aliquod Breve noſtrum, per prædictum Magiſtrum Henricum ea occaſione impetratum penitus deſiſtatis, et ipſum Willielmum inde pacem habere permittatis. *Et habeatis nomina Plegiorum, & hoc breve. Teſte* J. de Metingham *apud* Weſtm. 12 *die*, &c. *Anno regni noſtri* 21.

EDwardus, &c. *Vic.* Suſſex, &c. *Si* Robertus Page, &c. *Pone*, &c. *Magiſtrum* Thomam de Burne & Richardum le Den *de* Kyngeſton, &c. *quod ſint coram Juſtic. noſtris*, &c. *oſtenſuri*, quare tenuit placitum in Curia Chriſtianitatis de catallis et debitis quæ non ſunt de Teſtamento vel Patrimonio contra Prohibitionem noſtram. *Pone etiam*, &c. Margeriam de Ely, &c. quare ſecuta eſt idem placitum, &c. *Teſte meipſo apud* Weſtm. 28 *die* Maii. *Anno regni noſtri* 21.

EDwardus, &c. *Venerabili in Chriſto Patri* S. *Epiſcopo* Sarum, &c. *venire faciatis coram, &c. Magiſtrum* Michaelem de Wodeford *Clericum veſtrum ad reſpondend.* Petro *filio* Warini, quare ſecutus fuit placitum, &c. de catallis et debitis quæ non ſunt, &c. contra Prohibitionem noſtram, &c. *Teſte* J. de Metingham *apud* Weſtm. 26 *die* Febr. *Anno regni noſtri* 21.

EDwardus, &c. *Vic.* Rutland. *ſalutem. Si* Robertus de Ruvill & *filius ejus fecerint*, &c. *pone*, &c. Alexandrum *Vicarium Eccleſiæ de* Bittlebrocks, *quod ſit*, &c. *oſtenſurus*, quare ſecutus eſt placitum in Curia Chriſtianitatis de catallis et debitis quæ non ſunt de Teſtamento vel Patrimonio contra prohibitionem noſtram, &c. *Teſte meipſo apud* Novum Caſtrum *ſuper* Tynam 29 *die* Sept. *Anno r. n.* 21.

EDwardus, &c. *Vic.* Oxon. &c. *Si* Henricus Durant, &c. *Pone*, &c. *fratrem* Rodulphum *Abbatem de* Dorkeceſtre, Radulphum *de* Sywe & Henricum *de Sancto* Edwardo, &c. quare tenuerunt placitum in Curia Chriſtianitatis de catallis et debitis quæ non ſunt, &c. contra Prohibitionem noſtram. *Pone eciam* Thomam de Luche, &c. quare ſecutus eſt idem Placitum, &c. *Teſte meipſo apud* Weſtm. 23 *die* Maii. *An. regni noſtri* 21.

EDwardus, &c. *Vic.* Leyceſtr. *Si* Robertus de Huntiñdon, &c. *Pone*, &c. Rogerum *Priorem de* Beluero, *&c.* quare tenuit placitum in Curia Chriſtianitatis de catallis et bonis quæ non ſunt, &c. contra Prohibitionem noſtram. *Pone eciam* Willielmum de Kelm: *perſonam Eccleſiæ de* Helderby, Robertum Bacun, *& Magiſtr.* Willielmum de Fylinglye, *perſonam Eccleſiæ de* Bottlesford, quare ſecuti ſunt idem placitum, &c. contra Prohibitionem noſtram. *Teſte meipſo apud* Weſtm. 28 *die* Aprilis, *Anno regni noſtri* 21. Beſides others that are periſhed.

Moreover, in the Fragments of the Plea Rolls of *Hil.* 21 E. 1. in the Tower, I find theſe two Actions brought for holding and proſecuting ſuits in Court Chriſtian againſt the Kings Prohibitions, beſides thoſe in the Plea Rolls of other Terms that year, which are putrified.

Placita de Term. Sancti Hillarii, in Turre Lond. An. 21 E. 1. coram Johanne de Metingham, &c. Rot. 17 Lond.

Johannes de Erlawe *attachiatus fuit ad reſpondendum* Adæ le Parmenter & Aliciæ *uxori ejus de placito*, quare tenuit placitum in Curia Chriſtianitatis de catallis et debitis quæ non ſunt de Teſtamento vel Patrimonio contra prohibitionem, &c. *Ac iidem* Adam & Alic. *die* Mercurii *proxima poſt feſtum Sancti* Barnabe *Apoſtoli*, *anno regni Regis nunc decimo octavo in Eccleſia de* Aldermarichirch *in Civitate* London. *in præſencia* Johannis Dyſſel *ſenioris* & Johannis *fratris ejus*, Roberti de Dereby & Ricardi le Barbir *detuliſſent eidem* Johanni Regiam Prohibitionem, ne placitum illud ulterius teneret; ipſe ſpreto mandato Domini Regis prædictum placitum coram ipſo tenuit, prædictos Adam et Aliciam ab ingreſſu Eccleſiæ ſuſpendendo, et poſtea excommunicando, &c. in contemptum mandati Domini Regis: unde dicunt, quod deteriorati ſunt et dampnum habent ad valenciam viginti librarum, et inde producunt ſectam ſuam, &c. *Eſſoniator*

Eſſoniator Johannis de Burton *optulit ſe* 4. *die verſus Magiſtrum* Henricum de Naſſington, *Magiſtrum* Walterum de Wotton, *Magiſtrum* Thomam Cavele, Gilbertum de Evedon, Thomam de Ly, *&c. quare prædicti Magiſter* Henricus, *Magiſter* Walterus, *Magiſter* Thomas, *ſimul cum Magiſtro* Ricardo *perſona Eccleſiæ de* Stilton. tenuerunt placitum in Curia Chriſtianitatis de Laico feodo prædicti Johannis de Burton, *&c.* contra prohibitionem, &c. *Et ipſi non venerunt; & præceptum fuit Vicecomiti*, quod attachiaret eos, &c. *Et Vicecomes nichil fecit, ſed mandavit de prædictis Magiſtro* Henrico, Waltero & Thoma de Cavele, *quod Clerici ſunt.* Ideo mandatum eſt Epiſcopo Lincolniæ, quod venire faciat eos hic in craſtino Sancti Johannis Baptiſtæ, *&c.* *An.* 21 *E.* 1. Ibidem, Rot. 38. North.

This year King *Edward* the 1. held his Parliament at *London* in *Eaſter Term*, to which he adjourned the * *premiſed* petition and complaint of *Macdulphus* againſt *John Bailiol* King of *Scots*, then ordered to appear in perſon to give his further anſwer to it; the proceedings in which cauſe are thus recorded in the Pleas of that Parliament. * Here, p. 535, 536, 537.

**Sciendum eſt, quod Dominus Rex prius mandavit Domino Regi* Scotiæ *per literas ſuas, quod eſſet coram eo in Craſtino Sanctæ* Trinitatis *proximo præterito, ubicunque, &c. prædicto* Magdulpho *ſuper præmiſſis reſponſurus tunc. In inſtanti Brevi de Judicio eidem Regi* Scotiæ *inde dirigendo, loco verborum, ſcilicet*, Mandamus vobis, *inſerenda ſunt hæc verba*, Adjornamus vos, quod ſitis coram nobis, tali die, ubicunque, &c. ad reſpondendum prædicto *Magdulpho* ſuper præmiſſis, &c. & ad oſtendendum, quare non fuiſtis coram nobis in præfato Craſtino Sanctæ *Trinitatis*, prout vobis mandatum fuit. *Et quia ex querimonio prædicti* Magdulphi *Dominus Rex accepit, quod Rex* Scotiæ *ſuper terris & tenementis de* Rereis *&* de Ereg. *quoddam iniquum reddi fecit judicium contra eum; per quod præſumatur, quòd ante judicium illud redditur recordum & proceſſus aliqua fieri debuiſſent*; Mandatum eſt eidem Regi Scotiæ, quod Recordum inde et Proceſſum habeat coram Domino Rege ad terminum ſupradictum; *ut inſpectis Recordo & proceſſu ſupradictis*, fieri faciat partibus Juſtitiæ complementum. *Placit. in Parl. Dom. E. Regis Angliæ in Termino Paſchæ An 21 E. 1. See Rylye, p. 152, 153, 154, 155.

Et ſciendum, quod quando aliquis querens vel appellans ſuper falſo Judicio de re aliqua in Curia Regis Scotiæ ſibi facto conqueratur ſuperiori Domino, vel appellet, mandabitur in hoc caſu Regi Scotiæ, quod Recordum et proceſſum loquelæ in Curia ſua inde habitæ coram Domino ſuperiori venire faciat certo die ubicunque, &c. Et ſi contingat quod ad Dominum Regem Angliæ, tanquam ad ſuperiorem Dominum regni Scotiæ per aliquem perveniat appellatio, ſive querimonia de re aliqua per Regem Scotiæ, ſive per Curiam ſuam eidem conquerenti injuſte (ut aſſeruerit) illata; propter quod Dominus Rex ſuperior mandaverit Regi Scotiæ, quod ad Curiam ipſius Domini ſuperioris, ad diem certum, inde veniat reſponſurus. Ad quem diem ſi Rex Scotiæ a caſu contigerit abſentare, et in proximo die ſequenti ſibi per ſuperiorem Dominum præfixo comparuerit, et contumaciam diei præcedentis purgare non poſſit: *Concordatum eſt*, quod idem Rex Scotiæ amittat cognitionem querelæ principalis, et inſuper ſit in miſericordia Domini ſuperioris, ad voluntatem ipſius Domini. Et hoc idem fiat, ſi non venerit ſecundo die contumaciam primæ diei purgaturus. Cumque etiam idem Dominus Rex Scotiæ in Curia ſuperioris Domini juri pariturus venerit, contumaciam ſuam in caſu prædicto purgare non potens, propter quod cognitio querelæ principalis Domino Regi debeat remanere; ac Rex Scotiæ ſibi impoſita ſuper principali negaverit, vel tanquam indefenſus teneatur, unde oportuerit habere verificationem; Concordatum eſt, quod verificatio admittatur, et fiat per inquiſitionem Patriæ, per ſacramentum proborum et legalium hominum de viſneto, ubi facta fuerit tranſgreſſio, vel alio modo, ſecundum conſuetudinem Curiæ Anglicanæ, aut per legitima documenta. Duos quidem Juratores Inquiſitionis (*ſi Inquiſitio inde fieri debeat*) Vicecomes Domini Regis de Com. Northumbriæ, vel aliquis alius pro voluntate ipſius Domini Regis ad hoc deputandus, venire faciat coram Domino Rege, vel alio per ipſum Dominum Regem ad hoc aſſignato infra Angliam ſive Scotiam, ubi Domino Regi Angliæ placuerit, ad faciend. recognitionem prædictam.

Et ſciendum, quod nullum Eſſonium in toto proceſſu Regi Scotiæ, ſive querenti allocabitur in hoc caſu, ſed habeant Attornatum ſecundum conſuetudinem Curiæ Anglicanæ, ſi ſibi viderint expedire. Et ſi prædictus Rex Scotiæ ſuper diſſrifina

An. 21 *E.* 1. ſina terrarum aut tenementa verſus prædictum Magdulphum aut alios per præceſſum temporis in caſu conſimili convictus fuerit; Conſideratur, quod Appellatores ſeu querentes in hoc caſu recuperent inde ſeiſinam ſuam eis per Dominum Regem Angliæ faciendam, una cum dampnis ſuis; Et Rex Scotiæ in miſericordia Domini Superioris ad voluntatem ipſius Domini: Et præterea, idem appellantes ſeu querentes cadant in homagium et dominium Domini Regis Angliæ de eiſdem terris et tenementis; faciendo inde eidem Domino omnes conſuetudines et ſervitia debita, et ſimiliter de omnibus aliis tenementis quæ habuerunt infra regnum Scotiæ, eodem modo quo prius Regi Scotiæ aliquas conſuetudines et ſervitia facere conſueberunt, vel etiam facere debuerunt. Ita quod idem Rex Scotiæ nullum dominium ſive juriſdictionem aliqualem in perſonis, et tenementis eorundem appellantium aut querentium tota vita utriuſque ipſorum Regum, et appellantium et conquerentium obtineat. Hoc idem obſervandum eſt, *viz.* Quod omnes et ſinguli conquerentes ſive appellantes, qui verſus Regem Scotiæ de qualicunque aut quacunque injuria, per ipſum Regem aut Curiam ſuam eis illata, juſtitiam in Curia Anglicana ſuerunt aſſecuti, debent ſe de homagio conſ. et ſervitiis ſuis Domino Regi Angliæ, tanquam ſuperiori Domino attornare; Et eodem modo, quo prius inde Regi Scotiæ fuerunt reſpondentes, eidem Domino ſuperiori remaneant omnibus intendentes, ſicut ſuperius eſt notatum. Et ſi a caſu Rex Scotiæ convictus ſuper aliquo falſo Judicio; *Concordatum eſt*, quod Judicium illud reſcindatur, vel revocetur; et parti conquerenti ſive appellanti reſtituantur omnia dampna quæ ſuſtinuerunt occaſione ejuſdem Judicii. Et miſericordia vel pœna, quoad Regem Scotiæ verſus ſuperiorem Dominum, ſit arbitraria in hac parte. Et ſi Rex Scotiæ ſuper impriſonamento alicui per ipſum Regem injuſte facto, de quo facere noluerit vel non fecerit Juſtitiam conquerenti, et querimonia ſive appellatio ad ſuperiorem Dominum perbenerit, ſuper quo idem Rex Scotiæ in Curia Angliæ convictus fuerit, querens aut appellans in hoc caſu recuperet dampna ſua; et miſericordia ſeu pœna quoad Regem Scotiæ verſus Dominum ſuperiorem ſit arbitraria, ſicut ſupra.

Et ſciendum eſt, quod in omnibus præmiſſis habeant conquerentes ſive appellantes Protectionem Domini Regis Angliæ, *viz.* quendam Cuſtodem, qui eos in perſonis propriis, et familia ſua, terris et tenementis, redditibus et rebus aliis quibuſcunque infra Scotiam ad ipſos ſpectantibus, pendente appellatione ſive querimonia in Curia Anglicana conſervet, defendat et protegat, ſi hoc petant: Quibus, ſi infra hujuſmodi cuſtodiam aliquid duritiæ vel injuriæ in læſionem protectionis prædictæ fuerit illatum, idem Rex Scotiæ et hæredes ſui homagia, et dominium hujuſmodi conquerentium ſive appellantium amittant, ac Regi Angliæ, tanquam Domino Superiori et hæredibus ſuis remaneant imperpetuum. Et nichilominus Rex Scotiæ in pœna vel miſericordia, ſicut ſupra. *The Writ of Summons to the King of* Scots.

Regi *Scotiæ* ſalutem. Cum nuper, dum eramus apud *Berewyk*, dediſſemus venerabili patri *W.* Epiſcopo S. *Andreæ*, & ſociis ſuis Cuſtodibus regni *Scotiæ* in mandatis, ut de terris & tenementis *Magdulphi* filii *Malcolmi* quondam Comitis de *Fiff*, de *Rereys*, & de *Crey*, de quibus per prædictum Epiſcopum, tunc Cuſtodem Comitatus de *Fiff*, conquerebatur ſe eſſe deforciatum injuſtè, ſibi juſtitiam exhiberent, & demum juxta formam Mandati noſtri prædicti per conſiderationem prædictorum Cuſtodum ſeiſinam terrarum & tenementorum hujuſmodi recuperaſſet, vos de eiſdem terris et tenementis injuſtè & ſine judicio diſſeiſiviſtis eundem, ipſius damnum non modicum et gravamen, &, ne jus ſuum proſequeretur ulterius, feciſtis eundem carcerali cuſtodiæ mancipari, & tandem ſuper dictis terris & tenementis quoddam iniquum reddi judicium contra eum. Cumque poſtmodum à carcere liberatus vos requiſiviſſet inſtanter & pluries, *quod ipſum de jure ſuo curaretis audire, & ſuper petitione ſua quam faciebat de prædictis terris & tenementis ſibi facere jus & juſtitiæ complementum; offerens ſe paratum docere de prædicto jure ſuo, tam literas & alia documenta*, vos omnia illa ſibi facere, contra jus et juſtitiam recuſaſtis (ut dicit.) Propter quæ prædictus *Magdulphus* à gravaminibus antedictis, necnon & à prædicto judicio, tanquam ab iniquo, & à juris defectu ſeu juris denegatione per vos ſibi factis, ad Nos, ut ad Superiorem ipſius regni Scotiæ Dominum, appellavit; petens et ſupplicans per nos, in veſtri defectum, ſibi juſtitiam exhiberi,

ci, ſecundum quod (ratione ſuperioritatis dominii quod in eodem regno habemus) ad nos dinoſcitur pertinere. *Verum cùm juſta petentibus non ſit denegandus auditus, propter quod aliàs vobis mandaverimus per literas noſtras quas penes vos habere credimus,* quod eſſetis coram nobis in Craſtino Sanctæ Trinitatis proximo præterito, ubicumque tunc fuiſſemus in Anglia, præfato Magdulpho in præmiſſis reſponſuri, et in dicta cauſa appellationis (prout juſtum ſuiſſet) proceſſuri, facturi et recepturi quod juſtitia ſuaderet; vos coram nobis ad præfatum terminum non beniſtis ad præmiſſa facienda juxta formam mandati noſtri vobis prius inde directi, de quo miramur quamplurimum et mobemur. Et ideo adjornamus vos, quod ſitis coram nobis a die Sancti Michaelis in 15 dies, ubicunque tunc fuerimus in Anglia, præfato Magdulpho ſuper præmiſſis reſponſuri, et in dicta cauſa, prout juſtum fuerit, proceſſuri, facturi et recepturi quod juſtitia ſuadebit. *Et ad oſtendendum, quare non fuiſtis coram nobis in præfato craſtino S.* Trin. prout vobis mandatum fuit. Et quia, ſicut dictus *Magdulphus* aſſeruit, quod vos ſuper dictis terris & tenementis quoddam iniquum reddi feciſtis judicium contra eum, per quod præſumitur, quod ante judicium illud redditum, Recordum & proceſſus aliqua indè debuiſſent procedi, Vobis mandamus, quod Recordum et Proceſſum illa, cum omnibus ipſa tangentibus, coram nobis ad præfatum Terminum habeatis, ut eiſdem Recordo et Proceſſu inſpectis, fieri faciamus partibus quarum intereſt Juſtitiæ complementum. *Et habeatis ibi hoc breve.* *Teſte* G. de Thorneton, *&c.* *An.* 21 *E.* 1.

The King of *Scots* not then appearing, he was thereupon reſummoned to appear in Parliament in *Michaelmas* Term following; as *Placita Parliamentaria* thus further relate.

Dominus Rex mandavit Vic. Northumbriæ *per breve ſuum, quod cum ex gravi querimonia* Magdulphi *filii* Malcolmi *Comitis de* Fyff *acceperat, quod cum idem Dominus Rex nuper dum erat apud* Berewicum *ſuper* Twedam, *dediſſet venerabili patri* W. *Epiſcopo S.* Andreæ, *& ſociis ſuis Cuſtodibus regni* Scotiæ *in mandatis, ut de terris & tenementis* Macdulphi *prædicti de* Reriis, *de* Crey, *de quibus per prædictum Epiſcopum tunc Cuſtodem Comitatus de* Fyff, *conquerebatur ſe eſſe deforciatum injuſtè, ſibi juſtitiam exhiberent, & demum juxta formam mandati prædicti per conſiderationem prædictorum Cuſtodum ſeiſinam terrarum & tenementorum hujuſmodi recuperaſſet,* Johannes *Rex* Scotiæ *de eiſdem terris & tenementis injuſtè diſſeiſivit eundem, in ipſius damnum non modicum & gravamen. Et ne jus ſuum proſequeretur ulterius, fecit eundem carcerali cuſtodiæ mancipari, et tandem ſuper dictis terris & tenementis quoddam iniquum reddi judicium contra eum. Et cum poſtmodum à carcere liberatus, prædictum Regem requiſivit inſtanter & pluries, quod ipſum in jure ſuo curaret audire, & ſuper petitione ſua, quam faciebat de prædictis terris & tenementis, ſibi facere jus & juſtitiæ complementum; offerens ſe paratum docere de prædicto jure ſuo per literas & alia legitima documenta;* Idem Rex omnia illa, et contra jus, et juſtitiam denegando facere recuſabit. *Propter quod mandatum fuit Vicecomiti prædicto, quod prædicto Regi* Scotiæ *literas* Domini *Regis in propria perſona ſua deferret, ſufficienti teſtimonio ſuper adhibito,* de adjornando ipſum Regem, eſſendi coram Domino Rege ad hunc diem ad reſpondendum prædicto Magdulpho ſuper præmiſſis; *& ad faciendum & recipiendum ulterius quod juſtitia requireret. Et modo venit prædictus Rex, & prædictus* Magdulphus *queritur, quod cum coram Epiſcopo prædicto & ſociis ſuis Cuſtodibus regni* Scotiæ *ſeiſinam de terris & tenementis prædictis recuperavit, præfatus Rex de eiſdem terris & tenementis injuſtè diſſeiſivit eundem,* &c. (as before p. 536.) *Et Rex* Scotiæ *dicit,* quod ipſe eſt Rex regni Scotiæ, nec prædicto Magdulpho ad querelam ſuam, nec de aliquo regnum ſuum contingente auſus eſt reſpondere ſine conſilio proborum hominum regni ſui. *Et præfatus* Magdulphus *petit judicium de ipſo Rege tanquam de indefenſo, ex quo præſens eſt in Curia Regis per adjornamentum ei factum per breve Domini Regis, quod cognovit ſe recepiſſe, nec aliquid ei reſpondet. Et ſuper hoc dictum eſt eidem Regi* Scotiæ *per Dominum ſuum Regem* Angliæ, quod idem Rex Scotiæ eſt homo ſuus ligeus de prædicto regno Scotiæ, de quo fecit ei homagium et fidelitatem, et eſt coram eo hic adjornatus, quod reſpondeat bel dicat, quare nolit, bel non debet hic coram eo reſpondere. *Et idem Rex* Scotiæ *dicit ſicut prius dixit,* quod de aliquo regnum ſuum contingente non eſt auſus, nec poteſt hic reſpondere inconſultis probis hominibus Regni ſui: *Dictum eſt eidem, quod requirat alium diem ad conſulendum ſi voluerit: Qui præciſè reſpondet,* Quod nullum diem requirat, nec aliquod

Placita coram ipſo Domino Rege & Conſilio ſuo ad Parliamentum ſuum poſt feſtum S. Mich. an. regni Regis Edwardi 1. 21. See Ryley p. 157, 158. &c.

An.21 E.1. aliquod adjornamentum hic admittet. *Et habito ſuper hoc conſilio & tractatu diligenti cum Archiepiſcopis, Epiſcopis, Comitibus, Baronibus, Theſaurario & Baronibus de Scaccario, Juſticiar. & cæteris de Concilio Clericis & Laicis tunc ibidem præſentibus; Concordatum eſt*, quod cognitio querelæ principalis remaneat Domino Regi; et quod prædictus Rex Scotiæ erga prædictum Magdulphum remaneat indefenſus. *Et etiam quoad hoc quod idem Rex* Scotiæ *coram ipſo Rege dixit, quod non auſus fuit nec potuit hic reſpondere, inconſultis probis hominibus regni ſeu de aliquo regnum ſuum tangente, nec ad conſulendum diem petere voluit, nec aliquod ajornamentum inde admittere, nec aliquid oſtendere vel dicere pro ſe, quare hic reſpondere non deberet*; In eluſionem et enervationem juriſdictionis ſuperioritatis dominii ſui, et læſionem Regiæ dignitatis et Coronæ ſuæ, *pro eo quod ſe modo coram Rege in Curia ſua non reſponſibilem in præmiſſis ſtandi recto facit, contra hoc* quod alias coram Rege in Curia ſua in petendo regnum Scotiæ, et etiam in reſpondendo aliis jus vendicantibus in eodem, *& etiam in quibuſdam juſ vendicantibus in partem ejuſdem reſpondit, & ibidem juſtitiæ complementum recepit*: Et ſic eſt contemptus manifeſtus et inobedientia expreſſa: *Conſideratum eſt*, quod prædictus Magdulphus quoad impriſonamentum recuperet dampna ſua verſus Regem Scotiæ tanquam indefenſus, *ut prædictum eſt*, taxanda per diſcretionem Curiæ. Et quod Dominus Rex inquirat ſecundum conſuetudinem et uſuagium patriæ, ſi prædictus Macdulphus tenementa, de quibus modo querebatur ſe diſſeiſiri, recuperavit in Curia Regis per judicium ejuſdem Curiæ, ſicut dicit; *& poſtea per Regem* Scotiæ *de eiſdem diſſeiſitus fuit ſicut queritur, necne.* Et idem Rex Scotiæ in miſericordia. *Et quoad inobedientiam & contemptum Domino Regi facta ut prædictum eſt*; quia idem Rex Scotiæ occaſione poſſe ſuæ regalitatis præmiſſa præſumpſit, et juri conſonum eſt, quod quilibet puniatur in eo, quod ei præbet audaciam delinquendi. *Conſideratum eſt ſimiliter*, quod tria principalia Caſtra regni ſui Scotiæ cum villis in quibus eadem Caſtra ſita ſunt, cum juriſdictione Regali in eiſdem, ſeiſiantur in manum Domini Regis, et ſeiſita remaneant quouſque de contemptu et inobedientia prædictis eidem Domino Regi ſatisfecerit. *Poſtea venit prædictus Rex* Scotiæ *ante pronunciationem prædicti judicii coram Domino Rege & Conſilio ſuo*, et fecit Domino Regi quandam ſupplicationem ore ſuo propria per verba ſubſcripta, *& eadem verba in quadam ſcedula ſcripta per manum ſuam porrexit, &c.* Sire jeo ſuy bestre home du Roialme Deſcoce, et dous prie, &c. (as before, p.536,537.) *Et Dominus Rex habito ſuper hoc Conſilio, ad rogatum prædictum prædicti Regis* Scotiæ, *& etiam ad inſtantiam Procerum & Magnatum de Conſilio ſuo*, ex gratia ſua ſpeciali, *& ſimiliter de conſenſu prædicti* Magdulphi, *conceſſit ipſi Regi* Scotiæ ſupplicationem ſuam prædictam, et diem ei dedit ad Parliamentum ſuum poſt Paſcham, *viz. in craſtino S.* Trinitatis, *&c. in omnibus in eodem ſtatu, quo nunc. Idem dies datus eſt* Magdulpho, *&c. Et per ipſum* Dominum *Regem* Angliæ *dictum eſt præfato Regi* Scotiæ *& injunctum, quod habeat ad præfatum terminum prædicta Brevia, qua cognoſcit ſe recepiſſe, ut ſupradictum eſt, &c.*

Et ſciendum, quod prædicta proceſſus & Recordum per manus Gilberti de Rouberry *liberantur* Gilberto de Thornton *& ſociis ſuis, ut coram eis in eiſdem procedatur, & partibus fiat juſtitia prout de jure & ſecundum conſuetudinem Regni fuerit faciendum.*

The Abbot of *Redyng* of the Kings anceſtors foundation, without conſent of the major part of his Covent or of the King, alienating to the Archbiſhop of St. *Andrewes* the Priory of *May* in *Scotland*, which *David* King of *Scots* had ſetled on the Abbot, Covent and their Succeſſors, to pray for the ſouls of him and his anceſtors, to the prejudice and diſinheritance of the King, as well as of the Abbey; the King of *Scots* refuſing to do them juſtice therein, upon pretext, that the Archbiſhop of St. *Andrewes* had appealed to the Pope, the King the ſame year, as Superior Lord of *Scotland*, upon their appeal to him for Juſtice in this caſe, iſſued theſe two memorable Writs to the King of *Scots* to appear before him in *England* by a day, and ordered the Sheriff of *Northumberland* to ſummon him accordingly, to anſwer this his neglect of doing them right before the King, who would determine this caſe by his Soveraign authority.

Rot. Scotiæ, An. 21 E. 1. m. 3.

REX, &c. Superiori Dominus regni Scotiæ, *dilecto & fideli ſuo* J. *eadem gratia Regi* Scotiæ *illuſtri, ſalutem. Fratre* Alano de Eſton. *& Magiſtro* Hugone de

de Saunford *Procuratoribus ſive Attornatis Religioſorum virorum Abbatis & Conventus Monaſterii* Radyng. *quod de elemoſinis progenitorum noſtrorum Regum* Angliæ *& noſtris eſt fundatum, exponentibus nt accepimus, quod cum celebris memoria Dominus* David *quondam Rex* Scotiæ *prædeceſſor veſter, Monaſterium prædictum & Monachos ibidem tunc Deo ſervientes & ſucceſſores ſuos de Prioratu de* May *cum pertin. Dioceſis Sancti* Andreæ *infra regnum veſtrum, per cartam ſuam in liberam, puram & perpetuam elemoſinam feoffaſſet; Ita videlicet, quod iidem Monachi & ſucceſſores ſui Prioratui prædicto, per novem de Commonachis ſuis Sacerdotibus, pro anima præfati Regis* David *& animabus prædeceſſorum & ſucceſſorum ſuorum Regum* Scotiæ *divina celebrantibus imperpetuum, facerent deſerviri, & præfati Monachi ſucceſſoreſque ſui Prioratum prædictum cum omnibus ſuis pertin. per feoffamentum hujuſmodi ſemper pacifice tenuiſſent, quouſque quidam* Robertus de Burghgate *nuper Abbas Monaſterii prædicti Abbatis Prioratum prædictum diſſentiente majore & ſaniore parte Conventus ſui, Nobisque inconſultis, venerabili patri* Willielmo *Epiſcopo* Sancti Andreæ *alienavit, in noſtri prædjudicium, et exhæredationem dicti Monaſterii manifeſtam: Cumque iidem procuratores ſive attornati ad veſtram præſenciam acceſſerint, & vos inſtanter & pluries requiſierint, quod ipſos in jure prædictorum Abbatis & Conventus curaretis audire, & ſuper peticione ſua quam faciebant de Prioratu prædictorum pertin. ſibi facere jus & juſticia complementum, offerentes ſe paratos docere de prædicto jure ipſorum Abbatis & Conventus in forma debita coram vobis, vos habito proceſſu dintino ſuper præmiſſis inter partes memoratas coram vobis, prætextu cujuſdam appellationis confictæ ab audiencia veſtra per prætatum Epiſcopum ad ſedem apoſtolicam interjectæ, cui minime provide, ut dicitur, detuliſtis, in ipſo negocio ulterius procedere non curantes, eiſdem procuratoribus ſive attornatis audienciam in hac parte, contra juſticiam denegaſtis; propter quod iidem procuratores ſeu attornati nomine prædictorum Abbatis & Conventus, a juris defectu, ſeu juſticiæ denegatione, a vobis ad nos, ut ad ſuperiorem ipſius Regni* Scotiæ *Dominum appellarunt, petentes et ſupplicantes per nos in veſtri defectum ſibi juſtitiam exhiberi. Jurta quod ratione ſuperioritatis dominii quod in eodem regno habemus ad nos dinoſcitur pertinere. Cum igitur juſta petentibus non ſit denegandus auditus, & in exhibenda juſtitia ſimus omnibus debitores, vos adjornamus, quod ſitis coràm nobis à die Sancti* Martini *proximo futuro in* 15. *dies, ubicunque tunc fuerimus in* Anglia, *reſponſurus prædictis Abbati & Conventus ſuper præmiſſis, & facturus & recepturus quod juſtum fuerit, quem diem eiſdem Abbati & Conventui aſſignavimus coram nobis, ad faciendum et recipiendum ſimiliter in eiſdem quod juſticia ſuadebit. In cujus, &c. Teſte Rege apud* Dunton. *ſecundo die* Septembris.

An. 21 *E.* 1.

R*EX, &c.* Superior Dominus Regni Scotiæ, *Vicecomiti* Northumbr. *ſalutem. Fratre* Alano de Eſton, *& Magiſtro* Hugone de Saunford *Procuratoribus ſive Attornatis Religioſorum virorum Abbatis & Conventus Monaſterii* Radyng. *quod de elemoſinis progenitorum noſtrorum Regum* Angliæ *& noſtris eſt fundatum, exponentibus accepimus, quod cum celebris memoria Dominus* David *quondam Rex* Scotiæ *Monaſterium prædictum & Monachos ibidem tunc Deo ſervientes & ſucceſſores ſuos de Prioratu de* May, *cum pertin. &c.* (verbatim as in the former Writ, to *pertinere.*) *Cum igitur præfatum* J. *Regem* Scotiæ *per literas noſtras patentes quas ſibi per te vel alios ad hoc ſufficientes volumus præſentari, adjornemus, quod ſit coram nobis à die Sancti* Martini *proximo futuro in* 15 *dies, ubicunque tunc fuerimus in* Anglia, *reſponſurus præfatis Abbati & Conventui ſuper præmiſſis, & facturus & recepturus quod juſtum fuerit, quem diem eiſdem Abbati & Conventui aſſignavimus coram nobis, ad faciendum et recipiendum ſimiliter in eiſdem quod juſticia ſuadebit: Tibi præcipimus firmiter injungentes, quod prædictas literas noſtras in propria perſona tua præfato Regi deferas, & præſentes, ſufficienti teſtimonio tecum adhibito, ſeu per alios ad hoc ydones quod præſentationem earundem literarum cum eidem Regi facta fuerit ſufficienter teſtificari valeant, ſibi deferri facias ac eciam præſentari. Qualiter autem hoc mandatum noſtrum fueris executus, nobis prædictis die & loco per literas tuas diſtinctè & apertè certifices: Remittens nobis hoc breve. Teſte ut ſupra.* Ibidem.

The like Writs in effect the King, as *Superior Lord of Scotland*, iſſued to the King of *Scots* and *Sheriff* of *Northumberland*, upon the complaint of the Biſhop of

An. 21 *E.* 1 *Durham*, for refuſing to do him Juſtice in his Court for certain Villages belonging to his Biſhoprick, which he there demanded of him in a legal manner.

Rot. Scotiæ, An. 21 E. 1. nu. 36.

REX & Superior Dominus regni Scotiæ, *dilecto & fideli ſuo* J. *eadem gratia Regi* Scotiæ *ſalutem. Querelam venerabilis patris* A. Dunolmenſis *Epiſcopi recepimus continentem, quod cum ipſe villas de* Berewyk. *& de* Hadington *cum pertin. ut jus Eccleſiæ* Dunelmenſis *à vobis petiviſſet, & cum magna inſtantia pluries vobis ſupplicaſſet,* quod ei inde in Curia veſtra juſticiam fieri faceretis; Vos id ei facere denegaſtis, et in juſticia ſuper hoc exhibenda totaliter defuiſtis, *propter quod idem Epiſcopus Nobis* ut ſuperiori Domino regni *Scotiæ* cum inſtancia ſupplicavit, ut ſibi ſuper hoc in veſtri defectum juſticiam fieri faciamus. Nos igitur qui tumus et eſſe debemus, ſingulis de poteſtate et dominio noſtro in exhibenda juſticia debitores, *adjornamus vos quod ſitis coram nobis in craſtino Sancti* Johannis Baptiſtæ, *ubicumque tunc fuerimus in* Anglia, *præfato Epiſcopo ſuper præmiſſis reſponſuri, & ulterius facturi & recepturi,* quod Curia noſtra conſideraverit in hac parte. *Et habeatis ibi hoc breve. Teſte Rege apud* Cantuar. 21 *die* Aprilis.

Et mandatum eſt Vicecomiti Northumbr. *quod prædictas literas in propria perſona ſua præfato Regi deferat & præſentet, ſufficienti teſtimonio ſecum adhibito, ſen per alios ad hoc idoneos qui præſentacionem earundem literarum cum eidem Regi facta fuerit ſufficienter teſtificari valeant, ſibi deferri faciat, ac eciam præſentari. Et qualiter hoc mandatum Regis fuerit executus, Regi prædicto die & loco per literas ſuas diſtincte & aperte certificet. Et hoc breve Regi remittat. Teſte ut ſupra.*

Thus did King *Edward* the 1. as Superiour Lord of *Scotland* in that age, exerciſe a Soveraign authority in and over the King, Clergy and kingdom of *Scotland*, in cauſes and inheritances which concerned the Church, Clergy, or Religious perſons, as well as in ſecular mens caſes, notwithſtanding any pretences, or Appeals to *Rome*, where Juſtice was delayed, or refuſed to them by the King of *Scots*, whereof there are ſundry preſidents in the *Patent* and *Plea Rolls* of *Scotland* in this and ſucceeding years, which I pretermit.

* See Placita Parliamentaria, An. 21 E. 1. Rylye, p. 157, to 166. 148.

In the Parchment Book and Collection of the Pleas and Petitions in the Parliament of 21 E. 1. in the Tower, I finde ſundry memorable Judgements and Anſwers given in maintenance of the Kings Soveraign Eccleſiaſtical Juriſdiction, againſt divers encroachments on it. The firſt is upon the petition of *John de Waren*, who by vertue of the Kings Charter to him of Lands in *Wales*, claimed the cuſtody of the Temporalties of the Biſhoprick of St. *Aſaph*, within his Seigneury of *Bromesfeld*, during the vacancy.

* Placita Parl. An. 21 E. 1. nu. 5. Ryley p. 119. De Com. Waren. petente cuſtodiam terrarum de Epiſcopatu de S. Aſaph ſpectantium, infra dominium de Bromesfeld exiſtentium.

* Johannes de Waren. *Comes* Surrey & Suſſex. *ſupplicavit Domino Regi, quod cum idem Dominus Rex terras de* Bromesfeld *cum omnibus ſuis pertinentiis eidem Comiti conceſſiſſet & dediſſet, tenend. ſibi & hæredibus ſuis,* cum omnibus juribus et libertatibus ad eaſdem terras pertinentibus, adeo libere et quiete ſicut Domini terrarum illarum terras illas, antequam conqueſtebantur per ipſum Regem, tenuerunt. *Et cum Domini illi ante conqueſtum terrarum illarum* omni tempore vacationis Epiſcopatus de Sancto Aſaph. cuſtodiam omnium terrarum et tenementorum infra Dominium de Bromesfeld exiſtentium, et ad prædictum Epiſcopatum pertinentium habuerunt et habere conſueverunt. *Et cum ſedes dicti Epiſcopatus jam ſit vacans,* propter quod cuſtodia terrarum et tenement. infra Dominium de Bromesfeld exiſtentium, et ad Epiſcopatum prædictum ſpectantium, durante vacatione prædicta ad ipſum Comitem pertinet, prout ad alios Dominos de Bromesfeld hactenus pertinuit: quod Dominus Rex cuſtodiam earundem terrarum et tenement. infra Dominium ſuum prædictum exiſtentium, et ad Epiſcopatum prædictum ſpectantium, et quæ terræ et tenementa per mortem ultimi Epiſcopi loci prædicti ſeiſita fuerunt in manum Domini Regis, ſibi velit reddere, &c. Ad quam ſupplicationem per ipſum Dominum Regem et Conſilium ſuum unanimiter eſt concordatum et reſponſum; Quod cuſtodiæ omnium terrarum et tenement. ubicunque exiſtentium, ad Epiſcopatus antiquos infra regnum ſuum exiſtentium, tempore vacationis eorundem Epiſcopatuum ad ipſum Dominum Regem ratione Coronæ et Dignitatis ſuæ pertinent, ut de jure Coronæ ſuæ, et non ad alium, licet

licet terræ aut tenementa aliqua eiſdem Epiſcopatibus pertinentia infra libertatem ſeu dominium aliorum fuerunt ſeu extra; et licet Domini terrarum de Bromesfeld aliquo tempore vacationis Epiſcopatus prædict. cuſtodiam terrarum et tenement. ad prædictum Epiſcopatum pertinentium, et infra dominium ſuum exiſtentium uſurpaverunt, et attraxerunt temporibus aliquorum Principum Wall. ſuper ipſos Principes; Dominus Rex nunc per Conqueſtum ſuum terras de Bromesfeld, ſimul cum aliis terris et tenement. quæ Dei auxilio conqueſtus eſt in partibus prædict. et quæ Principes Wall. tenuerunt, reperquiſivit, et Coronæ ſuæ annexit adeo integre et plenarie, cum omnibus ſuis juribus et libertatibus, ſicut terræ et tenementa illa Coronæ Angliæ annexa fuerunt, antequam in manus Principum Wall. devenerunt, et ſicut cætera tenementa in regno ubicunque ad quoſcunque Epiſcopatus pertinentia de eadem Corona tenentur; et de jure Coronæ et etiam de communi conſuetudine regni, cuſtodia omnium terrarum et tenement. quorumcunque Epiſcopatuum in regno exiſtentium tempore vacationis eorundem Epiſcopatuum, ad ipſum Dominum Regem, et non ad alium in regno pertineat. *Et licet Dominus Rex concederet & daret prædicto Comiti terras de* Bromesfeld *cum omnibus ſuis pertinentiis*; non tamen per hoc intelligendum eſt, quod Dominus Rex dedit et libertates et jura ad Coronam et Dignitatem ſuam pertinentia, et quæ de Corona non poterunt ſeperari; veluti cuſtodiam Epiſcopatuum ſeu terr. et tenement. ad Epiſcopatum pertinentium. *Et ſimiliter quia Comiti* Glouc. *& aliis clamantibus nuper cuſtodiam quarundam terrarum ad Epiſcopatum* Landaff. *exiſtentium, & infra Dominium ſuum exiſtentium tempore vacationis eiuſdem Epiſcopatus ad ſe pertinere*, de communi conſilio reſponſum fuit; Quod in cuſtodia Epiſcopatuum tempore vacationis eorundem, ſeu terrarum et tenement. aliorum ad eoſdem Epiſcopatus pertinentium, licet infra Dominium ſuum exiſtentium, nichil clamare potuerunt propter privilegium Regium et Coronæ Dignitatem ad quam ſpecialiter pertinet Epiſcopatuum vacantium cuſtodia, dictum eſt prædicto Comiti Waren. quod ad iſtam ſuam Petitionem nichil ſibi fiet plus quam aliis fiebat, quia de ſimilibus ſimile eſt judicium. An obſervable Judgement in ratification of the Kings Prerogative over all Biſhopricks both in *Wales* and *England* during their vacancies, incommunicable to any Subjects. *An.* 21 *E.* 1.

The ſecond Judgement is that upon the Petition of the Earl of *Glouceſter*. * Humfridus de Bohun *Comes* Heref. & Eſſex. *ſupplicavit Domino Regi, quod cum bonæ memoriæ* Thomas *Epiſcopus* Menevenſis *ultimo defunctus, quadam Maneria de eodem Comite & infra libertatem ſuam de* Breghenough *tempore ſuo teneret*, quorum cuſtodia ad ipſum Comitem durante vacatione ſedis Epiſcopatus prædicti, ratione tenuræ prædict. infra Dominium ſuum pertineat, *& quorum cuſtodiam Ballivi ipſius Domini Regis in partibus illis in manum ſuam ſeiſiverunt & tenent, in exhæredationem ipſius Comitis*, quod Dominus Rex cuſtodiam eorundem Maneriorum ſibi reddere velit. *Propter quod Dominus Rex habito ſuper hoc tractatu diligenti cum Conſilio ſuo, per teſtimonium fidedignorum tàm de Conſilio ſuo, quàm aliorum, intellexit, quod prædict. Epiſcopus dum vixit* omnino deadvocavit tam Maneria quæ ſunt de Epiſcopatu prædict. *infra prædict. libertatem, quàm alibi ſub quocunque* de alio quocunque tenere, præterquam de Domino Rege et hæredibus ſuis ut de Corona. Et ſi Dominus Rex cuſtodiam Maneriorum illorum quæ ſunt infra libertatem prædict. Comitis prædict. et modo liberaret, ſic Eccleſiam prædictam quam idem Dominus Rex ſede vacante in omnibus tenetur conſervare illæſam, et jura et libertates ſuas contra quoſcunque defendere, in ſervitutem redigeret; maxime cum prælatus Epiſcopus dum vixit Maneria illa de eodem Comite tenere deadvocavit. Et ſimiliter, cum cuſtodia Epiſcopatuum, Maneriorum et terrarum, et aliorum quorumcunque ad Epiſcopatus ſpectantium, ut de jure Coronæ, et ratione Prærogativæ et Dignitatis ſuæ ad ipſum Dominum Regem et non ad alium pertineat; Concordatum eſt, quod prædict. Comes quoad iſtam ſuam ſupplicationem nichil capiat, &c.

* Placita Parl. An. 21 E. 1. nu. 10. Ryley p. 128. De Petitione Com. Heref. de Cuſtodia quorundam Maneriorum de Epiſcopatus Menevenſ. habenda.

The third, is the ſentence given againſt the Biſhop of *London*, who preſuming in the preſence of the Juſtices of the Kings Foreſt, and other Nobles at *Chelmesford* in *Eſſex*, to excommunicate *John de Peuleſdon*, and thoſe who kept company with him, and to take away a Writing under the Seal of the Official of the Archbiſhop of *Canterbury*, then produced by him in open Court to juſtifie himſelf, and declare the Biſhops ſentence void; who refuſed to reſtore it to him, though frequently required

An. 21 E. 1. red, to the manifeſt contempt of the King and his ſaid Court, was thus petitioned and proceeded againſt for this miſdemeanor in the ſame Parliament.

[a] Placita Parl. An. 21 E. 1. nu. 6. Ryley p. 120, 121. Querela J. de Peuleſdon verſus Epiſcopum London.

[a] * *Magiſter* Johannes de Peuleſdon *queritur Domino Regi de hoc, quod cum ipſe nuper primo die Itineris* Rogeri Extranei *& ſoc. ſuorum Juſtic. Domini Regis de Foreſta, apud* Cheelmenford *in Com.* Eſſex. *in pace Domini Regis veniſſet, & coram iſdem Juſtic. ſe inter alios fideles Domini Regis optuliſſet,* Richardus de Graneſhed **Epiſcopus** London. **ibidem in præſentia eorundem Juſtic. et aliorum Magnatum ad communem ſummonitionem ejuſdem Itineris præſentium, publice denunciabit ipſum** Johannem **una cum ſecum communicantibus excommunicari: propter quod idem** Johannes **quandam literam ſigillo Offic. Cur.** Cant. **ſignatam, quam penes ſe habuit, in plena Curia Regis ibidem porrexit capitali Clerico Juſtic. prædict. legendam, ad famam et ſtatum ſuum clarificand. et oſtendend. Curiæ et fidelibus Domini Regis ibidem exiſtentibus, quod ſententia prædicti Epiſcopi ipſum in nullo ligavit; quam quidem literam præfatus Epiſcopus ſtatim de manu prædicti capitalis Clerici cepit et aſportavit contra voluntatem ipſius** Johannis, **licet ſæpius per ipſum** Johannem **ex parte Domini Regis inhibitum fuiſſet, ne prædicto Epiſcopo litera prædicta liberaretur, et etiam contra voluntatem prædict capitalis Clerici, cum idem Clericus ipſum Epiſcopum ſæpius rogavit,** quod prædictam **literam ei tradere et rehabere faceret: in contemptum Domini Regis et Curiæ ſuæ prædict. manifeſtum, et etiam ad dampnum ipſius** Johannis **non modicum et gravamen,** &c.

Et prædictus Epiſcopus venit & defendit, **quicquid eſt in contemptum Domini Regis et Curiæ ſuæ prædict.** *Et bene cognoſcit, quod prædictus* Johannes *prædict. die in præſentia Juſtic. prædict. quandam literam porrexit & tradidit capitali Clerico Juſtic. legendam: ſed dicit, quod litera illa lecta non fuit. Immo ipſe incontinenti poſtquam litera illa in manum dicti Clerici devenit,* **cepit literam illam penes ſe.** *Et quia inſpecta litera illa,* **eadem litera ſibi ipſi per Offic.** Cantuar. **dirigebatur, ad quandam Officium ſuum tangentia exequenda, idem Epiſcopus literam illam penes ſe retinuit, et adhuc retinet:** *Et profert eandem literam in pleno Conſilio. Qua lecta & audita,* **manifeſte patet, quod eadem litera ipſi Epiſcopo dirigebatur per Offic. Cur.** Cantuar. *unde dicit, quod eo quod litera illa ipſum tangebat, intellexit,* quod **abſque contemptu Domino Regi, ſeu injuria aliqua alicui alio facienda bene potuit eam penes ſe retinere.** *Et ſuper hoc idem Epiſcopus quæſitus,* **Utrum prædicta litera in præfata Curia Domini Regis per prædictum** Johannem **porrecta fuit præfato Clerico legenda, ad famam et ſtatum ipſius** Johannis **clarificandam, an ſi tradita eidem Epiſcopo per præfatum** Johannem **Clericum, ut idem Epiſcopus literam illam executioni demandaret?** *Dicit,* quod porrecta fuit præfato Clerico Juſtic. legenda, & quod ipſe de manu ipſius Clerici eandem literam cœpit. *Quæſitus etiam,* ſi prædictus Clericus Juſtic. vel etiam ſi præfatus Magiſter *Johannes* aliquo tempore poſtea ipſum Epiſcopum rogarunt, quod literam prædictam ſibi liberaret & rehabere faceret? *Dicit revera,* quod bene intendit, quod de hoc & per Clericum Juſtic. & per prædictum Magiſtrum *Johannem* rogatus fuit. **Et quia dictus Epiſcopus erpreſſe cognoſcit, quod prædicta litera in plena Curia Domini Regis coram præfatis Juſtic. porrecta fuit, et Clerico eorundem Juſtic. ad legendum tradita: et idem Epiſcopus literam illam antequam lecta fuit, de manu prædicti Clerici cepit et ſecum aſportavit, et hucuſque detinuit: nec idem Epiſcopus dicere poterit, quin litera illa porrecta fuit legenda ad famam et ſtatum prædicti Magiſtri** Johannis **clarificandam, et non ut idem Epiſcopus ratione illius literæ ſic porrectæ aliquid quod ad officium ſuum pertinuit tunc exequeretur: *Et etiam,* quia idem Epiſcopus ſimiliter cognovit, quod prædictam literam detinuit poſtquam per præfatos Clericos ab eo petitum fuit, quod illam eis liberaret et rehabere faceret. Et hoc manifeſtius patet per hoc, quod literam illam hic ſecum detulit. Et ſic contemptum erpreſſe fecit Domino Regi et Curiæ ſuæ prædict. tam in hoc, quod literam prædict. de manu Clerici Juſtic. prædict. cepit antequam legeretur, contra voluntatem prædict. Magiſtri** Johannis **illam liberantis, qualitercunque ipſi Epiſcopo dirigeretur, cum non fuit porrecta ibidem ad officium ipſius Epiſcopi exercendum; quam in hoc, quod literam illam detinuit poſtquam petitum fuit ab eodem per Clericum Juſtic. a quo illam in plena Curia cepit quod illam ei reſtituerit. Conſideratum eſt, quod prædictus Epiſcopus remaneat pro tranſgreſſione prædict.**

ad

ad voluntatem Domini Regis puniendus. Et Dominus Rex penes ſe ipſum poenam illam retinet infligendam. *Et ſimiliter*, Dominus Rex vult et præcipit, quod prædicta litera prædicto Magiſtro Johanni liberetur. Et quod quicquid per prædictum Epiſcopum aut ſuos in dampnum et præjudicium prædicti Magiſtri Johannis factum fuerit aut attemptatum contra tenorem literæ prædict. in aliquo, a tempore quo eadem litera in manu prædicti Epiſcopi (ut prædictum eſt) devenit, in quo prædicta litera eidem Johanni prodeſſe potuit aut valuiſſe, ſi litera illa penes ipſum Johannem remanſiſſet, omnino adnulletur. Et hoc per Dominum Regem eidem Epiſcopo dictum eſt, &c. *Poſtea Dominus Rex ad Parliamentum ſuum poſt feſtum Sancti* Michaelis *eodem anno*, ipſi Epiſcopo prædict. tranſgreſſ. de gratia ſua ſpeciali totaliter remiſit. *Ideo ipſe inde quietus & habeat literam acquietanciæ.* By this it is apparent, how contemptuous this Biſhop in that age was to the King, his Temporal Courts and Judges, and how inſolent, oppreſſive, vexatious to the Kings people. *An.* 20 *E.* 1.

The fourth is this memorable caſe, upon the Petition of *Richard de Glouceſter*, for violating the priviledge of the Kings Palace, Court, by ſerving a Biſhops citation on him therein, againſt the priviledge and dignity of his Crown, *&c.*

* Richardus *de* Glouceſtr. *Perſona Eccleſiæ de* Chepingnorton, *qui ſequitur pro Rege*, queritur Domino Regi de hoc, quod cum nulli liceat præterquam Seneſcallo et Mareſcall. dicti Domini Regis aliquem in Palatio ſeu in Hoſpitio Domini Regis ſummonire vel attachiare ad reſpondend. alicui de Placito aliquo, *& idem* Richardus *ad* Curiam Domini Regis *nuper acceſſiſſet*, ad remedium ſibi impetrandum ſuper quadam enormi tranſgreſſione *ſibi facta per Magiſtrum* Willielmum de Chiringtон *Clericum de* Canc. *ipſius Domini Regis, & alios Miniſtros Domini Regis, præfatus Magiſter* Willielmus *die Jovis prox. poſt feſtum Tranſlationis beati* Thomæ *Martyris prox. præteritum apud* Cantuar. infra Hoſpitium Domini Regis ibidem, *viz.* in Capitulo Prioratus Sanctæ Trinitatis, eidem Richardo quandam literam citatoriam in præſentia plurimorum fidedignorum de Conſilio Domini Regis ibidem tunc exiſtentium porrexit, et ipſum citabit, quod compareret certis die et loco coram Offic. de Arcubus London. ad reſpondend. ſuper quibuſdam in eadem litera contentis, in contemptum Domini Regis mille Marcarum, et contra privilegium et dignitatem Coronæ ſuæ, &c. Cum in præſentia Regis omnes fideles ſui et de pace ſua exiſtentes debeant pace gaudere, &c. * Plac. Parl. An. 21 E. 1. nu 9. See Ryley, p. 126, 127.

Et Magiſter Willielmus *venit & defendit quicquid eſt in* Contemptum Domini Regis, et contra privilegium et dignitatem Coronæ ſuæ: *Et benè cognoſcit*, quod ipſe prædicto die et Anno, et loco quandam literam per Offic. prædict. prædicto Richardo directam detulit et ei liberavit, ſed quod hoc in contemptum Domini Regis non fecit, nec aliquid facere intellexit, quod in aliquo cedere poſſet contra privilegium et dignitatem Coronæ, paratus eſt ſe acquietare qualitercunque Domino Regi placuerit, *Supplicat etiam Domino Regi, quod ad hoc ſi placet habere velit reſpectum:* Quod prædictus Richardus non eſt de Conſilio, de Familia, aut Hoſpitio Domini Regis, per quod tali privilegio gaudere poſſet, licet in Hoſpitio Domini Regis fuiſſet ut extraneus, nec per ipſum Regem aut aliquem de ſuis vocatus. *Et etiam ad hoc*, quod prædict. Offic. eſt Miniſter prædict. Eccleſiæ Sanctæ Trin. et de Eccleſia illa omnem ſuam habet authoritatem, nec prædict. Magiſter Willielmus intendit, quod fuit intentionis Domini Regis, quod libertas Eccleſiæ prædictæ in aliquo minueretur per ejus præſentiam. *Per quod videtur ipſi Magiſtro* Willielmo, quod licet aliqua citatio prædict. Richardo aut alii facta fuiſſet in prædicta Eccleſia, bene et licite poſſet fieri, cum Eccleſia illa potius libertate ſua in ſe ipſam gaudere debeat quam in locis remotioribus. *Poſtea per tranſcriptum prædictæ literæ quam prædictus Magiſter* Willielmus *detulit prædicto* Richardo *manifeſtè patet*, quod quam citò idem Richardus literam illam admiſiſſet, quod incontinenti citaretur. Et quia prædictus Magiſter Willielmus cognovit, quod prædictam literam tradidit prædicto Richardo prædict. die et loco et infra hoſpitium Domini Regis, dictum eſt eidem Magiſtro Willielmo, quod non recedat a Curia, priuſquam Dominus Rex ſuper hoc ſuæ dixerit voluntatem ſuam.

By which Caſe, compared with that of the *Prior of Trinity* and *Bogo de Clare* [a] *forfeited*, it is apparent: Firſt, that the ſerving of any Biſhops or Officials citation [a] Here, p. 405, 406.

An. 21 *E.* 1.

tion on any person, though not of the Kings Houshold, who resorts to the Kings Court to complain of injuries, and desire justice, not only in his own Royal palace, but whereever he resides in person with his Court, is an high contempt and offence against the Kings Crown and Dignity; even when and where there is no Parliament sitting, (as there was none at this time and place) as well as when and where a Parliament sits. Secondly, That Sir [b] *Edward Cooke*, and Mr. [c] *Elsing* were much mistaken, in the Case of the *Prior of Trinity* and *Bogo de Clare*, in asserting, that they were fined and sent to the Tower for breach of the Priviledge of Parliament, by serving a Citation on the Earl of *Cornwall*: when as their fine and imprisonment (as appears by that Record, and is more fully evidenced by this) was only for their contempt against the King, in serving a Citation within his Royal Palace, where no man ought to be cited, nor arrested for any cause by any Officer, but only by the Kings Steward or Marshall, as I have [d] *elsewhere* largely evidenced.

b 4 Instit. p. 24.

c Manner of holding Parliaments, p. 144, 145.

d The fourth Part of a Brief Register, &c. p. 819. to 828.

The Fifth and most memorable case in this Parliament, is that of *John de Roman* Archbishop of *Yorke*, for his high misdemeanor and usurpation upon the Kings Crown and Dignity, in presuming the * *year before*, to excommunicate *Anthony Bek* Bishop of *Durham*, whiles attending on the Kings person and service in the Northern parts, for his and his Servants imprisoning two of his Clerks for bringing a Citation to summon the Bishop to appear before him, and refusing to release them upon his Monitions and Interdicts, for which he was after long debate and consideration adjudged to be imprisoned, and forced to pay a Fine of 3000 Marks to the King, as this Record informs us.

* See here, p. 456, 457, Placita Parl. An. 21 E. 1. nu 17, 18. Ryley, p. 135, &c.

De Archiep. Eborum de eo quod excommunicari fecit Episcopum Dunelm. pro eo quod ballivi sui ceperant quosdam nuntios ipsius Archiepiscopi & imprisonaverant apud Dunelm.

Johannes *Archiepiscopus* Eborum *attachiatus fuit* ad respondendum Domino Regi, *de placito*, quare cum placita de imprisonamento et aliis transgressionibus in regno Regis contra pacem Regis factis, ad Regem et Coronam et Dignitatem suam specialiter pertineant, Idem Archiepiscopus per Johannem *Priorem de* Bolton *in* Cravene Commissarium suum, in venerabilem patrem Antonium *Episcopum* Dunelm. dum nuper in partibus Borealibus in obsequio Regis juxta latus suum per præceptum ipsius Regis sub protectione sua extitit, *pro eo, quod Ballivi ejusdem Episcopi* Willielmum de Wrleton & Johannem Romayne *apud* Dunolm. *inventos* ceperunt et imprisonaverunt, Excommunicationis Sententiam, in Regis Contemptum, et Coronæ et Dignitatis suæ læsionem, et contra reverentiam Regi in hac parte debitam, fecit fulminari, et Sententiam illam executioni demandari, *sicut ex relatu plurimorum fide dignorum accepit Rex.* Propter quod idem Rex tantum contemptum et tantam irreverentiam sibi illatas transire impunita sustinere non valens, maxime cum tam ipse Rex quam prædictus Episcopus quantum in ipso fuit præfatis VVillielmo et Johanni de Imprisonamento prædicto celeris justitiæ complementum, juxta regni consuetudinem, semper fuerunt parati exhibere, &c. Et unde Dominus Rex per Richardum de Bretenil, *qui sequitur pro eo dicit*, *Quod prædictus Archiepiscopus die* Mercurii *prox. ante festum S.* Jacobi *Apostoli, anno vicesimo apud* Derlington, *& die* Jovis *& die* Dominica *sequentibus apud* Alverton, et in pluribus aliis locis Diœcesis suæ *per prædictum* Johannem *Priorem de* Bolton Sententiam Excommunicationis in dictum Antonium Episcopum nuper in partibus Borealibus in obsequio Regis, juxta latus suum per præceptum ipsius Regis, et sub protectione sua existentem, pro eo, quod Ballivi ejusdem Episcopi Willielmum de Wrleton, & Johannem Romayn *apud* Dunelme inventos ceperunt et imprisonaverunt, fecerit fulminari, et sententiam illam executioni demandari, in Regis Contemptum, et Regiæ Dignitatis læsionem, et contra reverentiam Regi in hac parte debitam, in despectum ipsius Regis 20. Mill. librarum. Et *hoc offert verificare* pro Domino Rege, *&c.*

Et Archiepiscopus venit & defendit omnem Contemptum, & totum, &c. Et *dicit*, quod ipse nichil fecit in contemptum Regis, nec contra dignitatem suam, nec fuit intentionis suæ aliquid facere sive attemptare contra Regiam Jurisdictionem. Et *dicit*, quod de sententia a Canone lata et per ipsum declarata, in Curia Domini Regis non debet respondere. Set tamen salva libertate Ecclesiæ suæ ob reverentiam Domini Regis bene plane factum suum, et veritatem facti illius declarare, & *suis exceptionibus* tam *cavillationibus*. *Dicit enim*, quod prædictus Episcopus est Suffraganeus et subjectus suus, et tenetur obedire mandatis suis Canonici, et quod pro

An. 21 E. 1.

pro eo, quod ei obtemperare noluit ut debuit in Canonicis mandatis, misit Clericos suos, *viz. prædictos* Willielmum & Johannem ad citandum prædictum Episcopum comparend. coram eo ad certos diem et locum inde responsurus. *Qui quidem Clerici capti fuerunt & detenti apud* Dunelm. *per ipsum Episcopum & Ministros suos.* Ita quod mandatum ipsius Archiepiscopi canonicum non fuit exetutum. *Propter quod* prædictus Archiepiscopus ut Pater filio, et Superior subjecto, et ut ille qui juxta Officii debitum ad correctionem animæ debet operari, ad salutem animæ tantum, et non ad pœnam pecuniariam sibe aliam, monuit prædictum Episcopum quod hujusmodi Clericos canonica mandata deferentes liberaret, et pristinæ libertati restitueret, vel causam ei significaret, quare hoc facere non deberet. *Qui quidem Episcopus illos nec deliberavit, nec causam significare curavit.* Propter quod prædictus Archiepiscopus ipsum iterato monuit, ut prædicta faceret sub pœna suspensionis. *Et prædictus Episcopus* iterato inobediens hujusmodi facere omnino recusavit, inobedientiam suam multiplicando. *Et prædictus Archiepiscopus tertio monuit prædictum Episcopum*, ut sibi in prædictis mandatis Canonicis obediret sub pœna declarationis Sententiæ in eum a Canone latæ, propter hujusmodi manifestam Ecclesiasticæ libertatis læsionem, et inobedientiam. Et prædictus Episcopus animo indurato tertiò mandatis Archiepiscopi Canonicis non obtemperabit, propter quod incidit in sententiam a Canone latam, et ipse Archiepiscopus secundum quod officis suo incubuit, non in præjudicium Regiæ jurisdictionis, Privilegii sibe Dignitatis, declarationem prædictæ sententiæ debito modo sub tenore sequenti pronunciari præcepit, &c. **Johannes* permissione divina *Eborum* Archiepiscopus, *Anglia* Primas, dilecto in Christo filio Priori de *Bolton* salutem, gratiam & Benedictionem. Cum dudum venerabilem fratrem Dominum *A. Dunelm.* Episcopum Suffraganeum nostrum primò sufficienter & legitimè monuerimus, ac moneri fecerimus, quod *Johannem de Amelia* auctoritate Apostolica Notorium publicum, & *Willielmum de Worleton* dictum de **Pyk*. Clericos nostros, quos ad suam præsentiam quam in Ecclesia *Dunelm.* juxta sita Canonum reperiri credimus, cum nostris & Officialis nostri literis Mandata Canonica continentibus, destinaverimus, quousque *Johannes de* †*Madeston* Constabularius *Dunelm.* & sui Complices ceperant & fecerant carcerali custodiæ mancipari, *ipso Episcopo hoc mandante, vel quod suo nomine factum fuerat ex post facto ratum habente*, liberaret & liberare faceret, ac restitui pristinæ libertati, dictis Clericis super violentia nobis Ecclesiæque nostræ *Eborum* de injuria & contemptu commissis pro facto hujusmodi satisfaceret competenter. *Set dicto Episcopo monitis hujusmodi parere & ea facere negligente, seu penitus non curante, debitæ obedientiæ & salutis suæ propriæ nusquam memor, eidem Episcopo per nostras alias Literas sub pœna sententiæ suspensionis ab ingressu Ecclesiæ, quam in eum in scriptis protulimus, si mandatis nostris omiserit obedire*, ut dictos Clericos nostros, quos in carcere suo in Castro *Dunelm.* captivos notoriè detinebat, liberaret & permitteret illæsos abire; Eisque, nobis & Ecclesiæ nostræ prædict. pro commisso hujusmodi satisfaceret competenter & satisfieri procuraret. *Ac ipse* Episcopus *commissam inobedientiam multiplicans, & velut Aspis à voce incantantium aures suas obturans, mandata sibi legitimè destinata obaudiens, dictos Clericos non liberavit, set captivos detinuit sicut prius. Propter quod tertiò eidem Episcopo nostris dedimus literis in mandatis, quod sub pœna Sententiæ Excommunicationis quam in scriptis in personam ipsius protulimus, Justitia exigente, si mandatis nostris ultra contemptibiliter duxerit resistendum*, quod sæpedictos Clericos de Captivitate hujusmodi liberaret, eosque libere abire permitteret, eisdem, nobis & Ecclesiæ nostræ, *quos notoriè contra Deum & justitiam ac debitam obedientiam, & animæ ipsius salutem constiterit offendisse, juxta juris exigentiam satisfaceret competenter.* Verum dictus Episcopus, ut videtur, à fide recedens quæ debita obedientia roboratur, cum non nisi per inobedientiam scisma in Dei Ecclesia generetur, ac testante beato *Gregorio*, sola obedientia est quæ fidei meritum possidet, sine qua quisquis infidelis convincitur, etiamsi fidelis esse videatur; *mandatis nostris obedire contemptibiliter vilipendens*, memoratos Clericos infra terminum ad liberand. sibi per nos juxta qualitatem negotii legitimè deputatum, nullatenus liberavit; *set in Cleri opprobrium, totius Ecclesiasticæ disciplinæ contemptum, dictorum Clericorum, nostri & Ecclesiæ nostræ præjudicium & gravamen, eisdem post mandata nostra totiens, ut prædicitur, multiplicata, captivos sicut prius carceri detinuit diutius mancipatos*; licet per remedium Curiæ secularis secundum Legem regni, non ali-

* See Claus. 20 E. 1. dorſ. 2 Brevia Regis An 20 E. 1. and Here, p. 456, 457.

* Pykering.

† Maydenſton.

An. 21 *E.* 1. cujus noſtri authoritate mandati eos denuo deliberaſſet. *Propter quæ non eſt dubium Epiſcopum antedictum in dictas Suſpenſionis & Excommunicationis ſententias, ut præmittitur, rite latas merito incidiſſe.* Et quia nichil obedientia prodeſſet humilibus, ſi contumacia contumacibus non obeſſet; Nos volentes per Cenſuram Eccleſiaſticam ac ipſius executioni, quæ ab omnibus Catholicis eſt timenda, ipſius Epiſcopi culpis exigentibus pariter & offenſis legitimè procedere contra eum, *ut cæteris devotis Eccleſiæ filiis innoteſcat dampnabilis ſtatus ejus, ne ſua communicatione peſtifera grex ulterius inficiatur Dominicus, utque quem Dei timor à malo non revocat, hunc ſaltem cohibeat cohercio Eccleſiaſticæ diſciplinæ, & rubore confuſus ad ſatisfactionem veniæ & debitam obedientiam compellatur*; Vobis auctoritate noſtra committimus, ut contra memoratum Epiſcopum ad declarationem ſententiarum prædict. ac executionem ac puplicationem earum ſic debito procedatis, quod veſtram debeamus induſtriam merito commendare: *Denunciationes & puplicationes per vos vel per alium deputand. à vobis in Eccleſiis de* Alverton *&* Derlington, *ac aliis locis ſolempnibus noſtræ provinciæ quibus competentius poteritis* Epiſcopum antedictum in dictas Suſpenſionis et Excommunicationis ſententias incidiſſe, et eas (ut præmittitur) incurriſſe. Ad quam executionem faciend. & omnia & ſingula ipſam contingentia ſecundum quod de jure fuerit faciend. ac etiam procedend. vobis plenam committimus poteſtatem. Et qualiter, &c. *Unde ſicut prædictus Archiepiſcopus per nuntios ſuos Clericos & miniſtros Eccleſiæ mandata ſua licita & canonica prædicto Epiſcopo tanquam Suffraganeo & ſubjecto ſuo deſtinavit. Ac idem Epiſcopus ſalutis ſuæ immemor in* obediendo eidem Archiepiſcopo ut Superiori et mandata ſua canonica contempnendo, Nuncios, Clericos et Miniſtros ipſius Archiepiſcopo, et Eccleſiæ ſuæ prædictæ, arreſtari fecit et incarcerari. *Et ſuper hujuſmodi inobedientia, Contemptu & tranſgreſſ. pluries per ipſum Archiepiſcopum eſſet amonitus, ut per Superiorem ſuum*, qui curam habuit et cujus interfuit ſubditi ſui hujuſmodi delicta corrigere et caſtigando emendare, ut prædictos inobedientiam, contemptum et tranſgreſſionem faceret emendare, *bei* cauſam facti ſui ei ſignificaret; *Qui quidem* Epiſcopus *nec emendas inde facere curavit, nec cauſam facti ſui ſignificare: videbatur eidem Archiepiſcopo*, quod contra ipſum tanquam contra ſubditum ſuum contumacem inobedientem Tranſgreſſorem, et Mandatorum ſuorum canonicorum contemptorem ſine Regis offenſa debite potuit et debuit procedere in forma prædicta. *Et quoad hoc quod ei imponitur*, quod fulminari præcepit ſententiam in prædictum Epiſcopum dum fuit in ſervitio Regis per præceptum ſuum juxta latus ſuum et ſub protectione ſua; *Dicit, quod in hoc in nullo deliquit, eo quod eo tempore quo ſententia lata fuit, fuit ipſe Archiepiſcopus in partibus tranſmarinis. Nec continetur in mandato ſuo, quod prædictus Prior hujuſmodi ſententias & denuntiationes pronunciaret, niſi in locis debitis, in quibus competentius illas facere potuit*, ſine offenſa Juris, ſive Regis privilegio. *Et videtur quod ei imputari non debet, ſi prædict. Prior fines Mandati ſui exceſſit; unde dicit*, quod per præmiſſa perpendi poteſt, quod non puplicavit ſententiam in ipſum Epiſcopum pro eo, quod Ballivi prædicti Epiſcopi ceperunt et detinuerunt prædictos Clericos, ſicut Breve Domini Regis recitavit; Immo propter inobedientiam ipſius Epiſcopi manifeſtam. *Et conſideratis præmiſſis & ponderatis juxta intentionem ſuam & officii ſui debitum in forma predicta, ſupplicavit Domino Regi*, quod ei et Eccleſiæ ſuæ prædictæ fiat Juſticia cum favore et gratia in hac parte, &c.

Et Richardus de Bretenill *qui ſequitur pro Rege dicit, Quod prædictus Epiſcopus* Dunelm. *habet duos ſtatus*, viz. Statum Epiſcopi quoad Spiritualia, *& Statum Com. Palatii quoad ten. ſua temporalia. Et dicit, quod licet prædictus Archiepiſcopus ei præcipere poſſit, &* Canonica mandata ſua ſibi tranſmittere in his quæ ad Eccleſiam ſuam pertinent, et Inobedientias et Peccata Subditorum ſuorum corrigere et emendare; Et idem Epiſcopus hujuſmodi præceptis ſuis et mandatis teneatur ut Superiori ſuo obedire; et prout prædictus Archiepiſcopus dicit; *Tamen quantum ad ea quæ ad feoda Temporalia*, quæ de Domino Rege tenet, ſpectant, et in quibus tranſgr. quæcunque factæ ad ipſum Regem, ſive ad Epiſcopum prædictum nomine Regio pertinent, audire et emendare, prædictus Archiepiſcopus retinet officii ſui Spiritualis nullam habet ſeu habere poteſt juriſdictionem; unde, deſicut prædictus Archiepiſcopus cognobit quod Laici Miniſtri ipſius Epiſcopi qui Temporalium rerum et ten. ſuorum habuerunt adminiſtrationem, prædictos Cleri-

cos

cos ceperunt, et in Caſtro ipſius Epiſcopi impriſonaverunt; Cujuſmodi impriſonamenti cognitio ad Dominum Regem ratione dignitatis Regiæ, et non ad alium niſi ex Regia conceſſione, mere pertinet; Ac idem Archiepiſcopus ipſos ſic incarceratos per Cenſuram Eccleſiaſticam liberare, et de injuriis et trangreſſionibus factis eiſdem emendas fieri præcepit, maxime cum hujuſmodi impriſonati ſuum habent recuperare in Curia Regis et habere debent ibi, et non alibi, *de injuriis & dampnis quæ ſuſtinuerunt pro injuſto Impriſonamento unuſquiſque pro ſe, eo quod hujuſmodi delicta ſunt perſonalia, tam in perſonis delinquentibus, quàm in perſonis injuriam patientibus, nec etiam dedicere poteſt*, quin prædictus Prior Commiſſarius ſuus in prædictum Epiſcopum ſub protectione Regis juxta latus ſuum de præcepto Regis in ſervitio ſuo exiſtentem, in Contemptum Regis, et contra Coronam et dignitatem Regiam (ut præd. eſt) ſententiam fulminavit, &c. pro eo quod prædictus Epiſcopus prædictos, &c. ſic incarceratos per Laicos Miniſtros ſuos in ten. temporali deliberare, et dampna eiſdem de Impriſonamento prædicto ſatisfacere noluit, et ſic in his quæ ad Coronam et dignitatem Regiam pertinent, tanquam Judex temporalis Juriſdictionem quam non habuit nec habet exercuit, petit Judicium de cognitione ipſius Archiepiſcopi. *Dies datus eſt prædicto Archiepiſcopo &* Richardo de Bretenil *qui ſequitur pro Rege à die* Paſchæ *in* Tres Septimanas *coram Domino Rege ubicunque, &c. Poſtea à die* Paſchæ *in* Tres Septimanas *venit prædictus Archiepiſcopus* coram Rege et ejus Conſilio; *Et idem Archiepiſcopus quæſitus*, Si quid plus velit dicere, vel aliud dicere ſciat quàm prius dixit; *Dicit*, quod prædictus Epiſcopus *Dunelm.* duplicem Statum habet, unum viz. *Temporalem* quoad Baroniam quàm tenet de Rege, & alium *Spiritualem*, de quo ei tenetur in obedientia. Et *dicit*, quod ratione Temporalitatis non debet ei minus obedire in Spiritualibus. Et quia prædicti Clerici ſui capti fuerunt & impriſonati per Miniſtros ipſius Epiſcopi quos miſerit tantummodò ad mandata canonica deferenda, ac idem Epiſcopus contemptuosè mandatis ſuis Canonicis diſobediendo ad monitionem ſuam eoſdem Clericos deliberare non curavit, videbatur ei, quod ſententiam in quam à Canone incidit ex hoc facto in ipſum declarare potuit, & ſimiliter promulgare. *Quæſitus, ſi priſona illa in qua Clerici illi detinebantur, ſit priſona pertinens ad Baroniam ipſius* Epiſcopi, *an ad Spiritualitatem?* Et *ſi impriſonati quicunque & in priſona illa detenti deliberari debent & conſueverunt per Miniſtros ipſius* Epiſcopi, *ſecundum legem & conſuetudinem Regni?* *Dicit*, quod non poteſt dedicere, quin infra Caſtrum quod eſt de Baronia ſit Priſona illa, & quod ibidem fuerunt impriſonati: Et quod quicunque ibidem impriſonati deliberari debent & conſueverunt per Laicos Miniſtros ipſius Epiſcopi ſecundum Legem & Conſuetudinem Regni. *Quæſitus etiam, ſi priſona illa tempore vacationis* Dunelm. *ſit in cuſtodia Domini Regis, ſive in cuſtodia Cuſtodis Spiritualitatis?* *Dicit*, Quod in Cuſtodia Regis, ſet ſemper, ut dicit, quod quacumque priſona detinebantur, ex quo Clerici ſui fuerunt, & Canonica mandata deferentes (ut prædictum eſt) & per miniſtros ſui Suffraganei capti, videbatur ei quod ad mandatum ſuum debuit eos deliberaſſe. Et hoc ad ipſum pertinuit eidem Suffraganeo ſuo demandare ratione obedientiæ ſibi debitæ. Et *quia prædictus Archiepiſcopus in propria perſona ſua manifeſtè cognoſcit, quod* Epiſcopus Dunelm. *duplicem habet Statum, ſcilicet, Spiritualem & Temporalem; Et quod ad Statum illum Temporalem Incarcerationes & Impriſonamenta per Miniſtros ejuſdem Epiſcopi pertinent facienda, & etiam deliberationes priſonum quorumcunque ad Miniſtros ejuſdem* Epiſcopi *ratione Temporalitatis ejuſdem, ſecundum legem & conſuetudinem Regni; Et quod Priſona in qua detinebantur eſt infra Caſtrum quod eſt pertinens ad Baroniam; in qua quidem Priſona prædicti priſones detinebantur;* Et *hoc idem Archiepiſcopus ore propria ſufficienter fatetur dicendo, quod tempore vacationis priſona illa ratione Baronia & temporalitatis prædicta, eſt & eſſe debet in cuſtodia Regis, & non in cuſtodia Cuſtodis Spiritualitatis;* Et *ſimiliter in Litera prædicti Archiepiſcopi, quam cognovit & advocavit, expreſſe continetur*, Quod prædicti Priſones capti fuerunt per Conſtabularium & Laicos Miniſtros ipſius Epiſcopi, Cuſtodes prædictæ Priſonæ, & in abſentia ipſius Epiſcopi; *& ex præmiſſis clarè ſequitur, quod idem Archiepiſcopus per literas ſuas, quas per vices diverſas præfato Epiſcopo mandavit, qualitercunque illas modo nititur roborare, ratione alicujus obedientiæ Spiritualis*, intendebat artare ipſum Epiſcopum ad deliberandum prædictos priſones, nullo reſpectu habito ad perſonas eorum per quos capti fuerunt, maxime cum eſſent Laici et Miniſtri

An. 21 *E.* 1.

An. 21 *E.* 1. niſtri Temporalitatis, vel ex qualicunque cauſa capti fuerunt, aut in cujuſmodi priſona detinebantur, vel ad quem deliberatio eorum pertinebat; Quæ quidem deliberatio ad Dominum Regem ratione dignitatis Regiæ, ſive illis quibus per Regiam dignitatem talis libertas conceſſa eſt, tantummodo pertinet ſecundum legem et conſuetudinem regni, et non ad alium ratione alicujus Spiritualitatis.

* *Nota.* * Videtur Domino Regi in pleno Parliamento ſuo prædict. Com. Baron. Juſtic. et ſimiliter toti Conſilio ipſius Domini Regis, quod prædictus Archiepiſcopus, quantum in ipſo fuit, nitebatur occupare et uſurpare ſuper Coronam Regiam et Dignitatem in caſu iſto deliberationis impriſonatorum, contra legem et conſuetudinem regni, et contra fidem in qua ſoem Archiepiſcopus Domino Regi et Coronæ ſuæ aſtringitur, ad exhæredationem Domini Regis et hæredum ſuorum manifeſtam. Propter quod per Com. Baron. Juſtic. et omnes alios de Conſilio ipſius Domini Regis unanimiter concordatum eſt, quod prædictus Archiepiſcopus committatur priſonæ pro offenſa et tranſgreſſione prædictis. Et ſuper hoc ante Judicium pronunciatum, licet unanimiter de Conſilio prædict. Magnatum et aliorum concordatum fuiſſet tenend. in hoc caſu, et ſimiliter in caſibus conſimilibus in perpetuum, *prædictus Archiepiſcopus*, Magnates, et alios de Conſilio ipſius Domini Regis rogabit, quod pro eo Dominum Regem requirerent, *ut ante pronunciationem Judicii ipſum ad gratiam ſuam admitteret & voluntatem ſuam.* Et Dominus Rex ad inſtantiam eorundem Magnatum, de gratia ſua ſpeciali, hoc idem ipſi Archiepiſcopo conceſſit. Et *idem Archiepiſcopus humiliter ſupplicat*, quod poſſit de omnibus præmiſſis alto et baſſo voluntati Domini Regis ſe ſubmittere. Et *Dominus Rex ad inſtantiam prædict. Magnatum, admittit ipſum juxta petitionem ſuam ad voluntatem, &c.* Et *dictum eſt eidem Archiepiſcopo ſub gravi forisfactura*, quod non recedat à Parliamento iſto, donec ſuper præmiſſis Domini Regis audiret voluntatem, &c. *Poſtea venit prædict. Archiepiſcopus*, et fecit Finem cum Domino Rege pro tranſgreſſione prædict. pro quatuor millibus Marcarum per Scriptum ſuum obligatorium, in hæc verba. Noverint univerſi, quod nos *Johannes* permiſſione Divina *Eborum* Archiepiſcopus, *Angliæ* Primas, tenemur Sereniſſimo Principi Domino *Edwardo*, Dei gratia Regi *Angliæ* illuſtri, Domino *Hiberniæ* & Duci *Aquitaniæ*, in quatuor millibus Marcarum, de quibus coram ipſo Domino Rege ad Placita ſua in *Rotulis* ſuis ibidem, & etiam in *Scaccario* ipſius Domini Regis fit mentio ſolvendarum eidem pro ſuo beneplacito voluntatis. Ad quarum ſolutionem faciend. obligamus nos et omnia bona noſtra per quæ diſtringamur prout Domino Regi placuerit, ad eandem. Ad quod faciendum hos fidejuſſores invenimus, viz. venerabilem fratrem noſtrum Dominum *J. Karl.* Epiſcopum, Magiſtros *Henr.* Decanum *Eborum*, *Willielmum* Archidiaconum *Eborum*, *Johannem* Archid. *Eſtrithing*, & *Willielmum* Archid. *Nor.* In cujus rei teſtimonium ſigillum noſtrum, unà cum ſigillis prædict. Fidejuſſorum noſtrorum præſentibus eſt appenſum. Dat. apud *Weſtm.* die *Mercurii* prox. ante feſtum *Pentecoſt.* Anno gratiæ, 1293, &c.

In which memorable Caſe and Judgement, we may obſerve; Firſt, the Biſhop of *Durhams* and his Officers high contempts of the Archbiſhops Citations, Admonitions, Suſpenſions, Excommunications, and of the priviledge of his Clerks, whom they apprehended and detained in priſon notwithſtanding their Orders, for endeavouring to ſerve a Citation on the Biſhop. 2ly. The Archbiſhops high offence againſt the Kings Crown and Dignity, in preſuming to enforce the Biſhop and them to releaſe his impriſoned Clerks by his own Eccleſiaſtical Cenſures of Interdict & Excommunication, not by the Kings proceſſe and authority, according to the Law and Cuſtom of the Realm. 3ly. The Archbiſhops juſtification of this his uſurpation to the uttermoſt, and his demurrer to the Kings and Parliaments Juriſdiction to queſtion or judge him for it. 4ly. That for any Archbiſhop or Prelate to excommunicate any perſon in the Kings ſervice, or attending on his royal perſon by his command, and under his protection, or any other for Temporal affairs, is a very high contempt, offence againſt, and uſurpation upon the King, his Crown and Dignity, tending to the Kings and his heirs diſinheritting, by the unanimous reſolution of the King, and of all his Nobles, Barons, Judges, Counſil in this Parliament: which they adjudged to be puniſhed not only then, but in all ſucceeding ages, by impriſonment of the perſons of ſuch Archbiſhops, Biſhops, and others who ſhould be found guilty thereof; and alſo

by

by great fines and ranſoms to the King. 5ly. That this Archbiſhop was then adjudged to be committed Priſoner to the Tower, notwithſtanding his Pall; and enforced to enter into a Recognisance with Sureties, to pay a fine of 4000 marks to the King, notwithſtanding his inſiſting on his Archiepiſcopal Priviledges, and the Nobles mediation on his behalf; a great ſum in that age; the Kings Solicitor declaring his Majeſty was damnified there by no leſs then 20000 pounds, which he muſt have paid, had not his ſubmiſſion and the Lords mediation prevented the penalties of the Judgement againſt him. *An.* 21 E. 1.

The ſixth and ſeventh are theſe two Judgements given againſt the Prior of *Bridlington*, and this Archbiſhop of *York*, in the ſame Parliament, who was ordered to appear before the King and his Counſil, to anſwer his fraud and offence againſt his Oath and Allegiance to the King, for buying a debt of 300 *l.* (owing by the Prior and Covent of *Bridlington* by bond to an exiled Jew of *York*, confiſcated to the King by the common baniſhment of the Jews out of *England*) after his exile at *Paris*, in his return from *Rome*; and enforcing this Prior by his Order in his Viſitation of the Monaſtery, to pay the 300 *l.* to one of his own Vallets as the Jews Attorney; for which miſdemeanors both the Prior and Archbiſhop had Judgement given againſt them by the King and his Counſil, as theſe Records inform us.

* *Prior de* Bridlington *allocutus coram ipſo* **Domino Rege et ejus Conſilio**, *de hoc, quod cum quidam* Bonamy *nuper* Judæus Ebor. *mutuaſſet eidem Priori trecentas libras ſterlingorum ſolvend. eidem* Judæo *ad Gulam Auguſti anno regni Regis nunc viceſimo; & idem* Judæus *ante terminum prædictum,* **per commune exilium Judæorum de iſto regno erularet,** *per quod prædictum debitum ſimul cum omnibus aliis bonis quæ fuerunt ejuſdem* Judæi, *& omnium aliorum* **Judæorum** *in* Anglia, *& quæ in regno remanſerunt* **poſt eorum exilium** *in quorumcunque manus fuerint, ipſius Domini Regis catalla fuerint, & ipſi Domino Regi reddi debuiſſent. Prædictus Prior debitum quod fuit & eſt catallum Domini Regis, ad terminum ſtatutum ipſo Domino Regi non ſolvit, nec ipſum Dominum Regem aut ſuos inde præmunit, immo totaliter concelavit, detinuit, & adhuc detinet,* **in læſionem fidei ſuæ qua Domino Regi tenetur, et ad grave dampnum ipſius Domini Regis,** &c. * Placita Patl. An. 21 E. 1. nu. 13. Ryley p. 131, 132. De Priore de Bridlington.

Et Prior bene cognoſcit, quod prædeceſſor ſuus immediatus pecuniam prædictam de prædicto Judæo *mutuavit, termino præfato ſolvendam. Et quod ipſe ratione mutui illius adhuc ad ſolutionem pecuniæ illius tenetur; ſed dicit, quod* Johannes *Archiepiſcopus* Ebor. *qui nunc eſt, in tertia ſeptimana Quadrageſ. prox. præterit.* **Domum ſuam de** Bridlington, *prout ad officium ſuum pertinet,* **viſitavit**; *& inter cætera in viſitatione ſua ibidem inventa, quæ ſunt de debitis Domus in quæ idem Prior, & quibus, & pro quo tenebatur. Ita quod tunc invenit, quod Domus prædicta prædicto* Judæo *indebitabatur in pecunia prædicta.* **Et ſtatim in Capitulo ipſo Priori injunxit, quod pecuniam illam ſolverit cuidam Valetto tunc ibi præſenti, ad feſtum Nativitatis beatæ Mariæ proximo ſequens**; *Quem Valettum idem Archiepiſcopus dicebat eſſe Attornatum præfati* Judæi: *Et ipſe Prior,* **prout ratione obedientiæ ſuæ tenetur, præcepto præfati Archiepiſcopi obedivit, et eandem pecuniam tunc ſolvere promiſit.** *Et quia idem Prior cognoſcit, quod prædicta pecunia prædicto* Judæo *debebatur, nec ei ſolvebatur* **ante exilium Judæorum,** *& quicquid remanſit de eorum debitis aut catallis in regno* **poſt eorum exilium, Domini Regis fuit**: *Conſideratum eſt,* **quod Dominus Rex recuperaret pecuniam prædictam, ut catalla ſua, verſus prædictum Priorem.** *Et dictum eſt eidem Priori, quod non exeat à Villa priuſquam Domino Regi de prædicta pecunia ſatisfecerit.* **Et quia prædictus Archiepiſcopus præ dicto Priori injunxit,** *quod Catalla Domini Regis prædict. Valetto ſolveret,* **ad dampnum Domini Regis.** *Et ſimiliter, quia Dominus Rex intellexit quod Archiepiſcopus prædict. quoddam Scriptum obligatorium, per quod præfatus Prior prædict.* Judæo *tenebatur in debito prædicto,* **contra fidem Domino Regi debitam, et ſacramentum fidelitatis ſuæ emit aut perquiſivit, ad elongandum Dominum Regem de catallis ſuis prædict. et ſibi appropriand. malitioſe**: *Præceptum eſt Vicecomiti* Ebor. *quod venire faciat prædictum Archiepiſcopum* **coram Domino Rege** *à die Sancti* Michaelis *in* 15. *dies, ubicunque,* &c. **ad reſpondendum Domino Regi de deceptione præ dicta,** &c. *Et ſimiliter, quod prædictum Scriptum (ut dicitur) remanet in cuſtodia Abbatis Sanctæ* Mariæ Ebor. *aut Prioris Sancti* Andræi Ebor. *Ideo præceptum eſt*

Vic

An. 21 E. 1. *Vic. prædict. quod venire faciat eoſdem Abbatem & Priorem ad terminum prædict. ad reſpondend. de Scripto prædicto.*

* Placita Parl. An. 21 E. 1. nu. 25. Ryley p. 172, 173. De Johanne Archiepiſcopo Ebor. concelante catalla Judæi.

In purſuit hereof, * *Præceptum fuit Vic.* Ebor. *quod venire faceret hic ad hunc diem*, viz. *à die Sancti* Michaelis *in* 15. *dies* Johannem *Archiepiſcopum* Ebor. *ad reſpondend. Domino Regi de hoc, quod cum Prior de* Bridlington *& ejuſdem loci Conventus per Scriptum ſuum obligatorium tenebantur cuidam* Bonamy *quondam* Judæo Ebor. *in treſcentis libris ſterlingorum certis terminis ſolvendorum*, **et idem Judæus per commune exilium Judæorum de regno iſto ante ſolutionem prædictæ pecuniæ ſibi factæ exularet, prædictus Archiepiſcopus de Curia** Romana **rediens apud** Pariſios, *cum prædicto* Judæo *conventionem & mercatum faciens, prædictum debitum quod fuit & eſt catallum Domini Regis ab eo emit*, **et poſtea in viſitatione ſua ad Prioratum prædictum facta, eidem Priori et Conventui per obedientiam injunxit, quod pecuniam prædictam cuidam Valetto ipſius Archiepiſcopi, aut nuntio prædicti** Judæi **certo termino ſolverent, contra fidelitatem in qua Domino Regi tenentur, et in alienationem pecuniæ Domini Regis, ad dampnum ipſius Regis mille librarum**, &c.

Et prædictus Archiepiſcopus modo venit, & ſuper facto prædicto coram **Rege et Conſilio ſuo arenatus**, *expreſſè dicit*, Quod nunquam cum prædicto *Judæo* aliquam conventionem fecit ſeu Mercatum de pecunia prædicta ſibi adquirenda; *ſed revera dicit*, **quod in viſitatione ſua ad domum prædictam invenit**, & per Priorem & Conventum ejuſdem domus ſibi oſtenſum fuit, quod domus illa indebitabatur prædicto *Judæo* de prædicta pecunia. **Et idem ad ſalvationem animarum ſuarum, prout tenebatur, eidem Priori et Conventui dixit, Quod pecuniam illam ſana conſcientia retinere non poſſent; et quod ſic facerent, quod animas ſalvarent**; ſed quod nunquam eis injunxit, **quod pecuniam illam ſibi aut alii nomine prædicti Judæi ſolverent**, *paratus eſt ſe acquietare, ſi placuerit Domino Regi & ejus Conſilio. Et Dominus Rex ſuper hoc de gratia ſua ſpeciali, & ad inſtantiam Magnatum de Conſilio ſuo, licet per patriam de jure inquirere poſſet veritatem præmiſſorum, conceſſit prædicto Archiepiſcopo, quod in fide qua ei tenetur, veritatem præmiſſorum fateatur & cognoſcat. Et idem Archiepiſcopus in fide*, &c. *fatetur & dicit*, Quod in veniendo de **Curia** Romana **apud** Pariſios, *benè audivit & intellexit per prædictum* Judæum, *quod prædicta pecunia ei debebatur, & quod idem* Judæus *eum rogavit, ut ei pro Deo eſſet in auxilium ad prædictam pecuniam ſuam recuperandam. Et poſtea, ut prædictum eſt*, **in viſitatione ſua ad domum prædictam**, *hoc idem invenit per confeſſionem prædict. Prioris & Conventus, & eis dixit*, **Quod ſic facerent, quod animas ſuas ſalvarent.** *Et quia idem Archiepiſcopus bene cognoſcit*, **quod poſt exilium prædicti Judæi et aliorum Judæorum de regno iſto**, *à prædicto* Judæo *intellexit, quod pecunia prædicta ſibi in regno iſto debebatur*, **et poſt eorum exilium omnia quæ ſua fuerunt, et in regno iſto remanſerunt, tam debita quam alia bona quæcunque, ipſi Domino Regi remanſerunt et bona ſua fuerunt.** *Et ſuper incontinenti* **poſt eorum exilium ſolennis Proclamatio fiebat per totum regnum**; Quod omnes qui debita aliqua alicui *Judæi* debebant, aut de eorum debitis, bonis & catallis aliquid ſciebant, Domino Regi aut alicui de Conſilio ſuo ſcire facerent. **De qua quidem Proclamatione nullus dicere poteſt, quin ſciebit aut ſcibille debuit.** *Et idem Archiepiſcopus de debito prædicto ſcivit prout fatetur, tàm per* Judæum *quàm per Priorem & Conventum, nec de hoc Domino Regi aut alicui de ſuis conſtare fecit*; **Immo debitum illud concelando, et a Rege alienando, contra fidem qua Regi tenetur, injunxit prætat. Priori et Conventui quod animas ſuas ſalvarent, quod tantum valuit quantum ſi dixiſſet, quod Judæo ſatisfacerent. Conceditur eſt, quod prædictus Archiepiſcopus remaneat in miſericordia Regis pro concelamento et tranſgreſſione prædicta**, &c. **Et idem Dominus Rex ſibi ipſi reſervat taxationem illius miſericordiæ.**

By which Record it is apparent: 1. That all the *Jews* were directly and profeſſedly baniſhed out of *England* by King *Edward* the 1. and his Parliament. 2ly. That all their Houſes, Debts, Goods and Chattels left in *England* after their exile, belonged of right to the King. 3ly. That this their baniſhment, and forfeiture of their Debts, Goods thereby, was publiſhed by the Kings Proclamation throughout the Realm, of which all men did or ought to take notice, being thereby required to diſcover all Debts, Goods and Chattels due unto them, without any concealment;

cealment; yet * Sir *Edward Cooke* (who cites these two Records in his Commentary upon the Statute *de Judaismo*) confidently averres; *The truth is*, **the Jews were not banished out of the Realm by Authority of Parliament**, *as some are of opinion, and as it is said in some of our Historians; but that their Usury was banished by that Act, and that was the cause that they banished themselves into Foreign Countries, that they might live by their Usury:* Whereas these two Records no less then 8. times expresly record **their banishment out of England**, and above one hundred other Records, as well as all our Historians. *An.* 21 E. 1. * 2 Instit. p. 507, 508. 509.

These two Judgements against this Archbishop in Parliament, did so perplex and humble him, that he * *dyed* soon after on the 5. of *March* 1295. * See Thomas Stubbs Actus Pontif. Eborac. col. 1728.

8ly. In this Parliament it was resolved by the Kings Justices and Counsil, upon the Petition of the Prior of *Bermondesey*; 1. That the King by his Prerogative Royal shall present to all Vicaridges, Parsonages, and Benefices belonging to Religious Houses or Bishopricks, during their vacancies. 2ly. That an Abbots, Priors, or Bishops presentation of a Clerk to a Benefice in his life time, if he dye before the Clerks institution and induction, makes no plenarty against the King, but that he may and shall by his Prerogative present another Clerk thereto, as this Record resolves.

* *Prior de* Bermundesey *qui nunc est, monstravit Domino Regi, Quod cum quidam* Henr. *Prior de* Bermundesey, *praedecessor suus immediatus, tempore suo praesentasset quendam* Galfridum de Wytebbery *ad Vicariam de* Camberwell, *quae est de Advocatione dicti Prioratus, & idem* Galfridus *praesentationem illam prosecutus fuisset, ac antequam institutionem in Vicariam praefatam haberet, praefatus Prior praedecessor suus diem clausit extremum. Propter quod custodia dicti Prioratus post mortem praefati* Henr. *quondam Prioris*, &c. *ratione vacationis ejusdem in manum Domini Regis devenit; ratione cujus custodiae idem Dominus Rex ad eandem Vicariam quendam Clericum suum praesentavit.* **Quae quidem praesentatio Domini Regis cedit in praejudicium et exhaeredationem dicti Prioratus, qui est de Advocatione Domini Regis.** *Et supplicavit, quod Dominus Rex praesentationem illam velit revocare*, &c. *Et super hoc in pleno Consilio, habito inde tractatu diligenti; quia per Record. Cancellarii, Justic. & aliorum de Consilio compertum est*, **Quod Dominus Rex et progenitores sui ratione Prerogativae suae fuerunt et sunt in seisina praesentandi ad Ecclesias, Vicarias, et alia Beneficia quaecunque ad quascunque Domus Religionis seu Episcopatus spectantia, tempore vacationis earundem Domorum et Episcopatuum nomine custodiae in manu sua existentium: Dum tamen idem Dominus Rex Ecclesias, Vicarias, seu Beneficia illa vacua et inconsulta invenerit tempore quo hujusmodi Episcopatus seu Domos in manum suam seisierit ratione praedicta.** *Et quia in supplicatione praedicti Prioris continetur, quod praedecessor suus ad praefatam Vicariam praesentavit,* **et antequam praesentatus ille in eandem institueretur, idem Prior praedecessor diem clausit extremum: Nec dici poterit, quod praedicta Vicaria plena fuit et consulta tempore obitus praedicti Prioris praedecessoris per praesentationem suam, seu tempore quo custodia dicti Prioratus in manum Domini Regis devenit. Concordatum est, quod Dominus Rex praesentationem suam ratione Prerogativae suae (ut praedictum est) ad praedictam Vicariam habeat, et quod praesentatus suus ad eandem admittatur, non obstante praesentatione per praefatum Priorem mortuum tempore suo facta**, &c. *Et dictum est Episcopo* Winton. *loci Diocesano,* **quod ad praesentationem Domini Regis ad praefatam Vicariam admittat**, &c. This is one of the first Judgements I have observed in this point, since frequently resolved in our † *Year-books.* * Placita Parl. An. 21 E. 1. nu. 23. Ryley p. 165. De Priore de Bermondsley calumpniante praesentationem ad Vicar. de Camberwell. † See 18 E. 3. 21. a. 24 E. 3. 29. b. 34. b. 25 E. 3. 67. a. 38 E. 3. 4. a. 9 a. 43 E. 3. 14. a. 44 E. 3. 3. 11 H. 4. 9. a. 22 H. 6. 27. a. 33 H. 6. 24. 21 E. 4. 34 b. 28 H. 8. 3. a. Fitz. Quare Imped. 11, 35. Brook Quare Imp. 65. Dyer f. 1. b. 217 b. Fitz Natura Brevium 34. k. Cooks 7 Report 26 a.

What a fray and murder happened this year, between the Arebbishop of *Dublins* and Bishop of *Elies* men, comming from the consecration of *William* Bishop of *Bath* and *Wells*; what numerous trains of Servants they then had, and how peremptorily the Bishop of *Ely* refused to deliver to the Kings Justices or Counsil the names of his Servants, Steward, or Marshal then with him, when they murdered one of the Archbishops Servants, in high contempt of the King and publick Justice, this Record in the Parliament of 21 E. 1. will inform us. * Placita Parl. An. 21 E. 1. Ryley p. 156. Kalendarium recordum missum Regem per J. de Berewyk de Itinere Kanc. de Contentione inter Archiepisc. Dublin. & Episc. Elien.

* Johannes *Archiepiscopus* Dublin. & Willielmus *Episcopus* Elienfis *in veniendo de* Cantuar. *de consecratione* Willielmi Bathon. & Wellen. *Episcopi, hospitati fuerunt in villa de* Newton. *Et cum quidam de familia praedict. Archiepiscopi lusissent in Regia*

An. 21 *E.* 1. *Regia ſtrata juxta hoſpitium ubi prædict. Archiepiſcopus hoſpitatus fuit, venit quidam* garcio *de familia dicti Epiſcopi* Elienſis *tranſiens per familiam ipſius Archiepiſcopi equitando quendam equum; & quem quidem* garcionem *ipſi de familia prædict. Archiepiſcopi proſtraverunt de equo prædicto, & ipſum verberaverunt & male tractaverunt. Quod quidem factum videns quidam* Robertus le Wayte, *vigilator ipſius Epiſcopi, cornavit poſt ſocios ſuos & alios de familia ipſius* Epiſcopi. *Ita quod viginti et* **quinque homines** *de familia ipſius Epiſcopi exierunt ab Hoſpitio* **cum** Arcubus et Sagittis, **et inſultum dederunt prædictis hominibus de familia prædicti** Archiepiſcopi; *Quibus prædicti homines de familia ejuſdem Archiepiſcopi reſiſtebant, & inter ſe pugnaverunt; Ita quod ipſi de familia prædicti* Epiſcopi *per vim fugaverunt omnes de familia ejuſdem Archiepiſcopi ad hoſpitium ejuſdem.* Et *cum ingreſſi fuiſſent partam ubi hoſpitati fuerunt, quodam* Waltero de Polſted *Ciſſore ipſius Archiepiſcopi de foris exiſtente, quem quidam* Richardus de Nottingham *unus de familia ipſius Epiſcopi ſagittavit quadam ſagitta, unde* 17. *die poſtea inde obiit. Et omnes prædictis viginti & quinque de familia prædicti Epiſcopi quorum nomina ignorantur, excepto* Richardo de Nottingham, *ſimul cum* Roberto le Wayte, *ſtatim poſt factum redierunt ad hoſpitium prædicti Epiſcopi à quo exierunt. Et poſtea in craſtino in aurora diei prædictus Epiſcopus receſſit à prædicta Villa de* Newton, *ſimul cum omnibus prædictis viginti & quinque, excepto prædicto* Richardo de Nottingham, *qui ſtatim poſt factum fugit. Et quia compertum eſt per Rotulos Coronatorum, & per* 12. *Juratores quod prædictus* Robertus le Wayte, *& alii de familia prædicti Epiſcopi quorum nomina ignorantur, & de nominibus quorum non poteſt inquiri per aliquos de hundredo iſto, eo quod extranei, & fuerunt in forcia & auxilio ubi prædictus* Walterus *occiſus fuit, & quod exierunt ab hoſpitio ejuſdem Epiſcopi tanquam familiares & de manupaſtu ejuſdem, & poſt prædictam feloniam factam redierunt & cum ipſo abierunt, ut prædictum eſt. Et Vic. teſtatur, quod idem Epiſcopus nihil habet in Com. iſto per quod poteſt attachiari. Ideo præceptum eſt Vicecomitibus* London. **quod attachient eum,** &c. *quod ſit apud* Grenewicum *die* Mercurii *prox. poſt feſtum Sancti* Andreæ *Apoſtoli ad reſpondend.* &c.

Poſtea ad diem illum venit prædictus Epiſcopus: Et dictum eſt ex parte Regis, quod certificet Juſtic. de nominibus famulantium qui ſecum venerunt in prædict. Villa de *Newton,* excepto *Richardo de Nottingham. Qui quidem Epiſcopus dicit,* **quod ipſe eſt membrum Sanctæ Eccleſiæ, et quod non licet ei aliquos in tali caſu accuſare, eo quod cedere poſſit in crimine ſanguinis,** &c. *Et iterum dictum eſt ex parte Domini Regis,* **quod certificet eiſdem Juſtic. de nominibus Seneſcal. et Mareſcal. ſui, qui tunc ſecum fuerunt in prædicta Villa de** Newton: **Et eodem modo quo prius reſpondit.** *Et iterum requiſitus,* ſi omnes qui tunc ſecum fuerunt in prædicta Villa adhuc ſunt ſecum necne? *dicit,* **quod ignorat:** (ſtrange Prelatical undutiful inſolent anſwers.) *Et quia compertum eſt, quod prædictus* Robertus le Wayte *ſimul cum aliis de familia ipſius Epiſcopi qui fuerunt in vi & auxilio prædicta mortis poſt factum redierunt ad hoſpitium prædicti Epiſcopi de quo exierunt, & in craſtino cum eodem Epiſcopo abierunt, & de nominibus eorum non poteſt per homines iſtius Com. inquiri:* **Et idem Epiſcopus præfatos Juſtic. de nominibus eorundem, nec de nominibus Mareſcal. et Seneſcal. non vult certiorare:** *Datus eſt ei dies coram Domino Rege apud* Weſtm. *die* Lunæ *in craſtino Sancti* Nicholai, **per manucaptionem** *viz.* Radulphi de Sandewyk, *Magiſtri* Richardi de Abyndon, Petri de Leyborn, Simonis de Eleſworth, Willielmi Howard, & Richardi de Coſefeld.

Ad quem diem venit prædictus Epiſcopus coram Domino Rege & ejus Conſilio; Et quia Juſtic. prædict. &c. *ſun. in Com.* Kanc. *prædicto jam terminaverunt & clauſerunt, nec præfatus Epiſcopus juxta legem & conſuetudinem regni de receptamento hominum ſuorum, qui fuerunt in forcia & auxilio ad prædict. feloniam faciend. prout ſuperius præſentatum eſt, tenetur reſpondere priuſquam principalis factor illius feloniæ de felonia, & ſimiliter alii qui fuerunt in forcia & auxilio, debito modo convincantur: Dictum eſt per Dominum Regem præfato Epiſcopo,* **quod inveniat bonos manucaptores, qui eum manucapiant, ut habeant corpus ejus ad reſpondendum de receptamento prædict. ubi et quando debebit, et Domino Regi placuerit,** &c. *Et ſuper hoc* Rogerus le Eſtraunge, Willielmus le Latymer, Robertus Malet, Petrus de Channer, Gocelinus de Baddeleſmere, Osbertus de Spaldington, Simon de Elleſworth, & Willielmus de Charleton, *manuceperunt eundem Epiſcopum* Elienſem *in forma prædicta.*

How

How many Clerks this year convicted of murders by Juries, were delivered by their Ordinaries upon their partial or falſe purgations, and reſtored both to their Goods and Lands, to the Kings and Kingdoms prejudice, and ſuch malefactors encouragement, theſe Records among others will inform us. *An.* 21 E. 1.

CUm *Richardus de Cotum* Clericus coram Juſtic. Regis ultimo Itinerantibus in Com. *Lanc.* de morte *Willielmi le Paumer* rectatus, & poſtmodum venerabili patri *R. Coventr.* & *Lichf.* Epiſcopo loci Dioceſano, **juxta privilegium Clericale**, prout moris eſt, **liberatus, innocentiam ſuam ſuper crimine prædicto coram eodem Epiſcopo legitime purgaverit**, ſicut idem Epiſcopus per literas ſuas patentes Regi ſignificavit, *&c.* Mandatum eſt Vic. *Lanc.* quod eidem *Richardo* terras & tenementa, bona & catalla ſua ea occaſione per ipſum Vic. in manum Regis capta, niſi fugam fecerit occaſione tranſgreſſionis prædictæ, ſine dilatione reſtituat **de gratia Regis ſpeciali.** Teſte Rege apud *Wintoniam* 17 die *Auguſti.* Clauſ. 21 E. 1. m. 4. Pro Richardo de Cotum Clerico de bonis liberandis.

The like Writ *verbatim* had *Robertus de Burnhull* Clericus, coram Juſticiariis Regis ultimo Itinerantibus in Com. *Lancaſtr.* de morte *Henrici le Feure* de *Cherleye* rectatus, &c. Teſte ut ſupra. Ibid. Pro Roberto de Burnhull Clerico de bonis reſtituendis.

The like had *Johannes de Wirkshal* Clericus, nuper coram Juſticiariis Regis ultimo Itinerantibus in Com. *Cumbr.* de morte *Willielmi* fil. *Bernardi* de *Derham* rectatus, & poſtmodum venerabili patri *J. Karliolenſi* Epiſcopo loci Dioceſano, **juxta privilegium Clericale**, prout moris eſt, **liberatus, qui innocentiam ſuam ſuper crimine prædicto coram eodem Epiſcopo legitime purgaverit**, &c. Teſte Rege apud *Cantuariam* 6 die *Julii.* Ibid. m. 5. Pro J. de Wirkſhal Clerico de eodem.

Conſimiles literæ de verbo ad verbum diriguntur prædicto Vicecomiti pro *Willielmo* dicto *Bullingg* de *Cokermue* Clerico, coram præfatis Juſtic. in prædicto Comitatu Itinerantibus, de morte *Matthæi de Dunanby* rectato, de terris & tenement. bonis & catallis ſuis ſibi reſtituendis, *&c.* Teſte ut ſupra. Ibid. Pro Wil. Bullingg de Cokermue Clerico, de eodem.

The like had *Richardus le Fraunceys* Clericus, nuper coram Juſticiariis noſtris ultimo Itinerantibus in Com. *Weſtmerl.* de receptamento *Roberti de Appleby* felonis pro morte *Nicholai de Haſtingg*, & *Willielmus de Hartecla*, de auxilio & aſſenſu prædictæ feloniæ rectatus, & poſtmodum venerabili patri *J. Karliolenſi* Epiſcopo loci Dioceſano, **juxta privilegium Clericale**, prout moris eſt, **liberatus**, &c. Teſte ut ſupra. Ibid. Pro Richardo de Fraunceys Clerico, de eodem.

What miſchiefs this pretended Priviledge of making Churches and Monaſteries Sanctuaries for Thieves and other malefactors, brought upon the Inhabitants of thoſe places, obliged to watch, keep them, and liable to fines if they eſcaped, by the Biſhops or Churchmens aſſiſtance, negligence or command, this Record amongſt ſome others will inform us.

QUia Cives Regis *Karlioli* Regi per ſuam petitionem ſupplicarunt, quod Rex illas **ſexdecim libras** quæ de Villata de *Karliolo* exiguntur, per ſummonitionem Scaccarii Regis **pro evaſionibus duorum latronum**; videlicet, unius ab Eccleſia Cathedrali prædictæ Civitatis, & alterius ab Eccleſia Fratrum Minorum ejuſdem Civitatis, de quibus quidem evaſionibus Villata prædicta coram Juſticiariis Regis ultimo Itinerantibus in Com. *Cumbr.* **onerata fuit**, vellet eis caritatis intuitu pardonare: Rex eiſdem Civibus in hac parte gratiam facere volens ſpecialem, pardonavit eis prædictas **ſexdecim libras**; dum tamen Cives illi coram Theſaurar. & Baronibus Regis de Scaccario prædicto recognoſcant, **ſe de cætero teneri ad cuſtodiam hujuſmodi latronum ad Eccleſiam infra prædictam Civitatem ſuſcientium.** Et ideo mandatum eſt eiſdem Theſaurar. & Baronibus, quod ſi iidem Cives coram eis recognoſcant ſe teneri ad hujuſmodi cuſtodiam, tunc ipſos Cives de prædictis **ſexdecim libris** quietos eſſe faciant. Teſte Rege apud *Weſtm.* primo die *Julii.* Clauſ. 21 E. 1. m. 6. Pro Civibus Karlioli.

Per ipſum Regem, per petitionem de Conſilio.

What Knights Fees the Biſhops of *Lincoln* and *Sarum* held of the King, and what fines they paid him for them (as well as Temporal Lords) in his expedition into *Wales*, theſe Records will inform us.

An. 21 *E.* 1.
Clauſ. 21 E. 1. m. 7. Pro Epiſcopo Lincoln

REX Theſ. & Baronibus ſuis de Scaccario ſalutem. Quia venerabilis pater *Oliverus Lincoln.* Epiſcopus liberavit in Garderoba noſtra apud *Rothelan.* die Dominica in feſto Sancti *Luca* Evangeliſtæ anno regni noſtri decimo, venerabili patri *Willielmo de Luda* nunc *Elyen.* Epiſcopo, tunc Cuſtodi ejuſdem Garderobæ, ſexies viginti libras, per quas finem fecit nobiſcum pro ſervicio quinque feodorum Militum quod nobis recognovit pro exercitu noſtro Walliæ anno prædicto, ſicut conſtat nobis per inſpectionem literarum noſtrarum patencium quas idem Epiſcopus Lincoln. inde habet; Vobis mandamus, quod prædictum Epiſcopum *Lincoln.* de prædictis ſexies viginti libris quietum eſſe fac. Teſte Rege apud *Weſtm.* 16 die *Junii.*

Ibid. m. 9. Pro Executoribus teſtamenti Roberti nuper Epiſcopi Sarum.

CUM Rex per literas ſuas patentes quietaverit bonæ memoriæ *Robertum* nuper Epiſcopum *Sarum* de Centum marcis quas liberavit in Garderoba noſtra Magiſtro *Thomæ Bek* tunc Cuſtodi ejuſdem Garderobæ, nunc *Menevenſi* Epiſcopo, die Mercurii in feſto tranſlationis Sancti *Thomæ* Martyris, anno regni Regis quinto, pro medietate ſervicii ſui quinque feodorum Militum quod Regi recognovit pro exercitu Regis *Walliæ*, anno ſupradicto, prout in dictis literis plenius continetur. Mandatum eſt Theſ. & Baronibus de Scaccario, quod executores Teſtamenti prædicti Epiſcopi *Sarum* de prædictis Centum marcis quietus eſſe faciant. Teſte Rege apud Sanctum *Albanum*, 15. die *April.*

The Prior of *Lenton* of the foundation of the Kings Progenitors, under the government of the Abbot of *Cluny*, waſting the goods thereof, and binding it in great debts through their contentions, and bribes in the Court of *Rome*, to the great prejudice of the Houſe, ſcandal of their Order, neglect of their almes and Divine ſervice, and prejudice of the King; he thereupon ſent this memorable Letter to the Abbot of *Cluny* to enforce the Priors to diſcharge theſe debts themſelves, and prevent the like abuſe for the future in all their Houſes in *England*, as he therein preſcribed; or elſe he threatned to reform them himſelf by his own Regal power, in his default.

Clauſ. 21 E 1. m. 9. dorſo. De Prioratu de Lenton:

REX *dilecto ſibi in Chriſto Abbati* Cluniacen. *ſalutem. In quantum Domus veſtra pauperima de* Lenton. *veſtri Ordinis, quæ de progenitorum noſtrorum Regum* Angliæ *elemoſinas eſt fundata*, jam deteriorata exiſtat per defectum Regiminis mutacionem eciam et contencionem Priorum qui regimen Domus illius hactenus habuerunt, *vobis per ſcripturam exponere longum eſſet: Et inter cætera vos credimus non latere*, qualiter Frater Petrus nuper Prior Domus ejuſdem, poſtquam depoſitus erat per prædeceſſorem veſtrum Abbatem Cluniacenſem, et quidam Frater Reginaldus de Jor. ex præſentacione ipſius prædeceſſoris veſtri per Nos fuit admiſſus in Priorem Domus prædictæ, una cum Priore de Creſpeye Domum ipſam de Lenton. abſque conſenſu et aſſenſu Conventus Domus illius dum in Curia erant Romana, pro mille libris Nigrorum Turonenſium obligarunt. *Cum igitur Domus illa de* Lenton. ad ſolucionem illius pecuniæ, et aliorum debitorum quibus dictus Frater Reginaldus Domum illam ſuo tempore onerabit, abſque incurſione perpetuæ egeſtatis, diminucione elemoſinarum prædictarum, et diſperſione Monachorum, *qui pro animabus prædictorum progenitorum noſtrorum & fidelium omnium defunctorum imibi celebraturi morantur, non ſufficeret faciendam*, quod non ſolum in noſtri præjudicium, immo potius in tocius veſtri Ordinis dedecus manifeſtum ſi fieret deterretur; Vos requirimus et rogamus, *quatinus cum omnes Domus veſtri Ordinis ſint una & ſub veſtro Regimine exiſtant*, ac prædicti frater Petrus, et præfatus Prior de Creſpeyo qui Domum prædictam de Lenton. taliter obligarunt, jam ſint Priores alibi per vos facti Domorum veſtri ordinis diciorum quam ſit Domus illa de Lenton. ut accepimus pro conſtanti, velitis Priores illos ad ſolucionem dictarum mille librarum compellere, modis quibus convenit faciend. *Et quia pro communi utilitate tocius Ordinis veſtri*, quod in ordinacione ſeu conſtitucione Priorum veſtrorum qui erunt de cætero in ſingulis Domibus veſtri Ordinis infra Regnum noſtrum, in quibus ut audivimus jam conſimilis morbus latet, per vos ſic perpetuo ſtatuatur, Quod bona Domorum prædictarum per incuriam Priorum hujuſmodi commorancium taliter impoſterum nullatenus diſſipentur, ſed quod recedentibus vel decedentibus

tibus hujuſmodi Præſidentibus, Domus illæ in adeo bono ſtatu ad minus, vel meliori remaneant, quo ipſarum cuſtodiam primitus receperunt; Scituri, quod niſi per vos in præmiſſis ejnunc remedium congruum apponatur, Nos omittere non valemus quin ad hoc, prout nobis incumbit, manum Regiam extendamus. *Quid autem ſuper hiis duxeritis faciendum nobis litteratoriè reſcribatis. Teſte Rege apud* Kirkeby 8. *die* Marcii. *An.* 21 E. 1.

Upon a Certificate made to the King under the reſpective hands and ſeals of the Prior and Covent of *Bath*, and Dean and Chapter of *Wells*, of the death of *Robert Burnell* the Kings Chancellor, Biſhop of *Bath* and *Wells*; they by the Kings licenſe elected * *William de Marchia* Treaſurer of the Kings Exchequer at *Weſtminſter*, to whom the King gave his Royal aſſent.

* See Mat. Weſtm. p. 386 Godwins Catalogue, p 300.

Rex electioni nuper factæ in Eccleſia Conventuali Bathon. *de diſcreto viro Magiſtro* Willelmo de Marchia, *Canonico* Wellenſi, *in Epiſcopum* Bathon. & Wellen. Regium aſſenſum adhibuit et fabozem; *Et mandatum eſt Cuſtodi Spiritual. Epiſcopatus* Cantuar. *ſede vacante, ut id quod ſuum eſt in hac parte exequatur. Teſte Rege apud* Gerwedon. *primo die* Marcii. Pat. 21 E. 1. m. 21, 23. De aſſenſu adhibito electioni.

The Abbot of *Weſtminſter*, a great lover of Veniſon, procured the like Writ *verbatim* this year as in former years, to the Conſtable of *Windſor* Caſtle for 16. Bucks to be brought to *Weſtminſter*, and delivered to him before the High Altar, of which carnal ſacrifice to his * *belly*, (then become his *God*) he was more mindfull, then of Gods Spiritual Service there. * Phil 3. 19.

Mandatum eſt Galfrido de Pychford *Conſtabulario Caſtri Regis* Wyndeſ. *quod in prædicta Foreſta* ſexdecim Damos capi, *& uſque* Weſtm. *deferri, & Meynas prædictas* ante magnum Altare fieri, *& Damos illos præfato Abbati, niſi eos prius in toto vel in parte habuerit, habere faciat; videlicet* octo Damos *de anno prox. præterito,* et alios octo Damos *de anno præſenti, juxta tenorem Cartæ & Confirmationis Reg. prædictarum, & prout eos percipere & habere conſueverunt hucuſque. Et cuſtum quod ad hoc poſuerit, cum Rex illud ſciverit, ſibi in compoto ſuo faciat allocari. Teſte Rege apud* Cantuar. 25 *die* Julii. Clauſ. 21 E. 1. m. 5. intus. Pro Abbate Weſtm. de Damis in Foreſta de Wyndeſor.

Per ipſum Regem.

The Juſtice of *Northwales*, to the prejudice of the Kings right and prerogative, neglecting to ſeiſe the Temporalties of the Biſhoprick of St. *Aſaph* into the Kings hands, within the Land of the Earl of *Lincoln* and others; the King thereupon iſſued this memorable Writ to him, forthwith to ſeiſe them, and anſwer all the iſſues thereof, till they ſhould be reſtored to his Succeſſor; to prevent the prejudice which elſe would occur to his Crown and Dignity by this his neglect.

Rex, &c. multùm miramur nec immerito movetur, de eo quod Robertus de Staundon *Juſtic. ſuus* Northwall. *poſt mortem bonæ memoriæ* Aniani *nuper Epiſcopi de Sancto* Aſſaph. *temporalia Epiſcopatus ejuſdem tam infra terram* Henrici de Laſcy *Com.* Lincoln. *de* Dynbegh, quam alibi infra Wallibam ſuam exiſtencia, in manum Regis non cepit, maxime cum ex hoc Coronæ et Regiæ dignitati futuris temporibus præjudicium manifeſtum per hujuſmodi negligenciam et incuriam de facili poterit immmere: Rex igitur hujuſmodi præjudicium et periculum vitare volens; *prædicto Juſtic. mandavit firmiter injungens,* quod ſtatim viſis literis ſuis, omnia temporalia Epiſcopatus prædicti tam *infra terram prædicti Com. quam alibi infra Wallibam ſuam exiſtencia, ſine dilacione capiat in manum Regis; *Ita quod de exitibus inde provenientibus à die mortis prædicti Epiſcopi, uſque ad diem ad quem breve Regis venerit & liberatum fuerit,* de prædictis temporalibus Electo loci prædicti liberandis ad Scaccarium Regis plenarie reſpondere poſſit: *Et hoc ſient grave dampnum vitare voluerit, nullo modo omittat. Teſte Rege apud* Weſtm. 8. *die* Maii. Fines 21 E. 1. m. 16. De Temporalibus Epiſcopatus de S. Aſſaph. capiendis in manum Regis. *See here, p. 556, 557.

He likewiſe iſſued this Writ in behalf of the Executors of the deceaſed Biſhop, by vertue of his Letters Patents granted to him to make his Teſtament, and diſpoſe his goods.

An. 21 E. 1.

Fines 21 E. 1. m. 23. Pro Executoribus Teſtamenti A. nuper Aſſaven. Epiſcopi. See Pat. 22 E 1. m. 6. Pro Aniano Epiſcopo de S. Aſſaph.

CUM Rex per literas ſuas patentes conceſſiſſet bona memoria A. *nuper* Aſſavenſi *Epiſcopo defuncto, quod ipſe cum ſibi liberet liberè poſſet ſuum condere Teſtamentum, & quod executores Teſtamenti ejuſdem Epiſcopi, teſtamentum hujuſmodi debita executioni valerent demandare, prout in literis noſtris prædictis plenius continetur; mandat* Reginaldo de Gray *Juſtic.* Ceſtriæ, **quod Executores Teſtamenti** ejuſdem Epiſcopi **de bonis et catallis quæ fuerunt ipſius Epiſcopi in Walliis ſua die** quo obiit, **liberam adminiſtrationem habere permittat**, juxta tenorem literarum prædictarum. *Accepto tamen ſufficienti ſecuritate ab executoribus teſtamenti illius, de debitis, ſi qua idem Epiſcopus Regi debuit, Regi reddendis. Teſte Rege apud* Derleye 23. *die* Februarii.

Eodem modo mandatum eſt Roberto de Staundon *Juſtic. Regis* Northwalliæ. *Teſte ut ſupra.*

The Priory of the Vale of St. *Mary* of *Bethkelerd* in *Northwales* becomming void, and the King refuſing to grant a licenſe for a new election, becauſe the vacancy was not certified in due form by Letters Patents under the ſeal of the Covent; the King afterwards, the Houſe being very poor, authorized his Juſtice of *Northwales*, (after a certificate and licenſe to elect made in due form) to give his Royal aſſent thereto, and to receive the Priors fealty.

Pat. 21 E. 1. m. 3. Pro Suppriore & Conventu Vallis b. Mariæ de Bethkelerd. de licentiando, & temporalibus reſtituendis.

REX dilecto & fideli ſuo *Roberto de Staundon* Juſtic. ſuo *Northwall.* ſalutem. Accedens ad nos dilectus nobis in Chriſto Frater *Hugo* Canonicus Prioratus Vallis beatæ *Mariæ* de *Bethkelerd*, nobis ex parte Supprioris & Conventus ejuſdem Prioratus ſupplicavit, quod cum Eccleſia ſua prædicta per ceſſionem fratris *Philippi* nuper Prioris ejuſdem loci, paſtoris ſit ſolacio deſtituta, **alium ſibi eligendi in Priorem et paſtorem eis licentiam concedere dignaremur. Nos pro eo quod prædictus Canonicus literas patentes ſigillo Capituli Prioratus illius ſignatas, et bacacionem dictæ Domus teſtificantes nobis non detulit**, ut moris eſt, **petitioni ſuæ nullatenus annuentes**, ſed paupertati ejuſdem Domus compacientes, & eis gratiam facere volentes ſpecialem, **vobis dedimus poteſtatem**, quod cum præfatus *Hugo* ſeu alius Canonicus dictæ Domus ad vos acceſſerit, ex parte prædictorum Supprioris & Conventus, cum litteris patentibus ſigillo Capituli ſui ſignatis, juxta formam tranſcripti quod vobis mittimus ſub pede ſigilli noſtri conceptis, **hujuſmodi licentiam petiturus, eiſdem Suppriori et Conventui licentiam illam noſtro nomine concedatis : Ita quod cum Electus ille in forma debita vobis poſtmodum fuerit præſentatus, electioni de ipſo factæ aſſenſum Regium vice noſtra præbeatis**; Significantes loci Dioceſano, quod id quod ſuum eſt in hac parte exequatur; Volumus eciam & vobis tenore præſencium damus poteſtatem, quod ſi contingat electionem hujuſmodi per loci Dioceſanum **canonice confirmari, tunc acepta ab ipſo Electo fidelitate in caſu iſto nobis debita in hac parte reſtituatis temporalia**, &c. In cujus, &c. Teſte Rege apud *Weſtm.* primo die *Novembris.*

David Martyn being elected and confirmed Biſhop of St. *Davids* this year, the King iſſued this Writ to reſtore his Temporalties.

Pat. 21 E. 1. m. 4. De Temporalibus Epiſcopatus Menevenſis reſtituendis.

REX *Radulpho de Broghton* ſalutem: Cum dilecti nobis in Chriſto Prior Eccleſiæ Chriſti *Cantuar.* & ejuſdem loci Conventus, Cuſtodes Spiritualitatis Archiepiſcopatus *Cantuar.* ſede vacante, electionem nuper celebratam in Eccleſia *Menevenſi* de diſcreto viro Magiſtro * *David Martyn* Canonico ejuſdem Eccleſiæ in Epiſcopum loci illius, **cui prius Regium aſſenſum adhibuimus et favorem**, confirmaverint, ſicut per literas patentes eorundem Prioris & Conventus nobis inde directas nobis conſtat, **nos confirmacionem illam acceptantes**, cepimus fidelitatem ejuſdem Electi, &c. Teſte Rege apud *Wodeſtock* 31. die *Octob.*

Et mandatum eſt Militibus, &c. Teſte ut ſupra.

* Godwins Catal. p 410.

The King to prevent the incroachments upon the rights of his Crown and prerogative in *Gaſcoigne* by Biſhops, or any other Eccleſiaſtical perſons or Courts, eſpecially by Proviſions and Collations to Churches, authorized by this Patent his Agents

Agents there, to conſtitute Proctors to appeal for him in ſuch caſes. *An.* 21 *E.* 1

REX Univerſis præſentes literas inſpecturis ſalutem. Noveritis, quod dilectis & fidelibus Clericis noſtris Magiſtro *Raymundo de Ferreria*, Decano Eccleſiæ Sancti *Severini Burdeg.* *Sterio de Engoliſma* Conſtabulario *Burdeg.* & *Johan. de Candure* Theſaurario *Agen.* & cuilibet ipſorum in ſolidum, concedimus poteſtatem, & ſpeciale mandatum, faciendi & conſtituendi pro nobis procuratorem ſeu procuratores, quocienſcunque hoc viderint faciendum, ad prȝovocandum et appellandum a prȝiatis Capitulis et Judicibus Eccleſiaſticis ultramarinis, ad Apoſtolicam ſedem, quandocumque nos per ipſos in aliquibus factis aut juribus Eccleſiaſticis gravari continget, vel verißimiliter prȝſumetur de futuro grabamine eoȝundem. Et ſpecialiter contra prȝviſiones aut collaciones quaſcumque per ipſos aut ipſoȝum nomine in noſtrum prȝjudicium factas vel faciendas. Cum poteſtate jurandi prout negociorum & cauſarum qualitas hoc requirat, necnon ad proſequendum prȝdictationes et appellationes prædictas in Cur. dictæ ſedis, et coȝam quibuſcumque Auditoȝibus et Judicibus ab eadem Cur. deputandis. Ita quod quilibet dictorum Procuratorum in abſencia dictorum Decani, Conſtabularii & Theſaurarii poſſint ſubſtituere alium vel alios loco ſui. Et quod tam dicti procuratores qui ſubſtituti ab eis poſſint per ipſos Decanum, Conſtabularium & Theſaurarium vel ipſorum alterum, quocienſcunque alterum eorum placuerit, revocari. Ratum habituri & firmum, quicquid per dictos procuratores & quemlibet ipſorum, & ſubſtitutos ab eis factum fuerit in præmiſſis. Promittentes ſub ypoth. bonorum noſtrorum Ducatus noſtri *Aquitan.* rem ratam haberi & judicatum ſolvi. Et hæc omnibus quorum intereſt, per præſentes literas intimamus. Dat. apud *Weſtm.* 22. die *Maii.* Et duplicatur. Rot. Vaſcon. An. 21 & 1. m. 7.

What licenſes to elect Biſhops and Abbots in *Ireland* the King granted this year, and upon what certificates he gave his Royal aſſent thereto, theſe Records will inform us.

ROBERTUS *de Derby* Clericus *Coverenſis* nuncians Regi mortem *Petri* nuper Epiſcopi *Coverenſis*, habet literas Regis de licencia eligendi. T. R. apud *Novum Caſtrum* ſuper *Tynam*, 28 die *Decemb.* Pat. 21 E. 1. m. 23. De licencia eligendi

REX electioni nuper factæ in Eccleſia Cathedr. *Coverenſ* de diſcreto viro Magiſtro *Johanne* Rectore Eccleſiæ beatæ *Mariæ de Corriton* in Epiſcopum *Coveren.* Regium aſſenſum adhibuit et fabozem; Et hoc ſignificatum eſt Domino *N.* Archiepiſcopo *Ardmach. Hibernia* Primati. Teſte Rege apud *Hudeſak* 16 die *Febr.* Per Breve de Privato Sigillo. Pat. 21 E. 1. m. 22. Hibern. De aſſenſu adhibito electioni.

REX dilecto & fideli ſuo *Willielmo de Veſcy* Juſticiario ſuo *Hibern.* ſalutem. Cum nos electioni nuper factæ in Eccleſia Cathedrali *Coverenſi*, de diſcreto viro Magiſtro *Johanne* Rectore Eccleſiæ beatæ *Mariæ de Corriton* in Epiſcopum prædictæ Eccleſiæ *Coveren.* Regium aſſenſum adhibuimus et fabozem, & velimus ad requiſ. dilectæ nobis *Margaretæ* Comitiſſæ *Ulton.* eidem Electo gratiam facere uberiorem in hac parte; Vobis mandamus, quod ſi contingat electionem, &c. In cujus, &c. Teſte ut ſupra. Ibid. m. 22. Hibern. Pro Electo Coverenſi de Temporalibus reſtituendis.

Per Breve de Privato Sigillo.

FRater Thomas *de Autro Barre* Canonicus Eccleſiæ de *Autro Barre* juxta *Cork*, nuncians Regi depoſitionem fratris *Gilberti Obrogy* nuper Abbatis ejuſdem loci, habet literas Regis de licencia eligendi. T. R. apud *Weſtm.* 21 die *Aprilis.* Pat. 21 E. 1. m. 19. Hibern. De licentia eligendi.

REX dilecto ſuo *Willielmo de Veſcy* Juſtic. ſuo *Hibern.* ſalutem. Cum dilecti nobis in Chriſto Prior & Conventus de *Autro Barre* juxta *Cork*, nobis per literas ſuas patentes ſignificaverint, quod Eccleſia ſua prædicta eſt Abbatis & paſtoris ſolacio deſtituta, ſupplicantes nobis, prout moris eſt, quod licenciam ſibi alium eligendi in Abbatem et Paſtoȝem eiſdem concedere dignaremur; ac nos licet prædictæ literæ aliquantulum defective exiſtant, prȝ eo, quod non faciunt mentionem qualiter Ibid Hibern. Pro Electo de Autro Barre juxta Cork, de temporalibus reſtituendis.

An. 21 *E.* 1. qualiter prædicta domus vacat; nichilominus eisdem Priori & Conventui caritatis intuitu, **gratiam in hac parte facere volentes, licentiam illam eis duximus concedendam**; Mandantes ipsis, quod talem, &c. Nos autem eorundem Prioris & Conventus laboribus & expensis in hac parte parcere volentes, &c. **Acceptis tamen prius literis patentibus**, &c. Ne, &c. In cujus, &c. Teste Rege apud *Westm.* 23 die *Aprilis*.

Per ipsum Regem.

Pat 21 E. 1. m 20. Hibern. De licentia eligendi.

FRater *Willielmus de Camleston* Canonicus Domus Sancti *Johannis de Duno*, nuncians Regi depositionem Fratris *Wilhelmi Ruffi* nuper Abbatis ejusdem loci, **habet literas de licentia eligendi**. Teste Rege apud *Saham* 6 die *Aprilis*.

Ibidem. Pro electo domus S. Johannis de Duno, de Temporalibus restituendis.

REX dilectis & fidelibus suis *Willielmo de Vesey* Justic. suo *Hibern.* Magistro *Thomæ Cantok.* Cancellario suo, & *Willielmo de Esteden.* Thesaurario suo ibidem, salutem. Cum dilecti nobis in Christo Prior & Canonici Domus Sancti *Johannis* de *Duno* nobis per literas suas patentes significaverint, quod Ecclesia sua prædicta **per depositionem Fratris** *Willielmi Ruffi* nuper Abbatis ejusdem loci, pastoris est solatio destituta, supplicantes nobis prout moris est, **quod licentiam** sibi alium **eligendi in Abbatem et Pastorem eisdem concedere dignaremur**; ac nos precibus eorundem Prioris & Canonicorum in hac parte favorabiliter inclinati, licentiam **illam eis duximus concedendam**; Mandantes ipsis, quod talem, &c. Nos eorundem Prioris & Canonicorum laboribus & expensis in hac parte parcere volentes ista vice, concessimus eis **de gratia nostra speciali, et vobis dedimus potestatem**, &c. **Acceptis tamen prius literis**, &c. Ne, &c. In cujus, &c. Teste ut supra.

* Flores Hist. p. 393, 397.

Anno 1294. (as * *Mat. Westminster* relates) Johannes de Samford *Archiepiscopus* Dublinensis, *qui Regi in omnibus favebat, gravi ægritudine correptus, obiit in redeundo à Rege* Arragoniæ, *cui pro negotiis Regis* Angliæ *missus fuerat: Et* Bogo de Clare, *germanus Comitis* Gloverniæ, **multarum rector Ecclesiarum**, vel potius **incubator**, (a true character of Pluralists) *subita nece interemptus est, quia parum boni fecerat in aperto.*

* Mat. Parker] Antiqu. Eccles. Brit. p. 208, 209. Ex Stephano Brokinton, Fox Acts & Monuments, vol. 1. p. 456, 458. Godwins Catalogue of Bps. p. 79, 80. Mat. Westm. Anno 1193. p. 391. Walsingham Hist. Angl. p. 36. Ypodigma p. 98. Chron. Will. Thorne col. 1964. Chronologia August. col. 2173.

† Mat. Parker Antiqu. Eccles. Brit p. 207.

Note.

After the decease of *John Peckham* Archbishop of *Canterbury*, *Anno* 1293. (promoted by the Popes Provision) *** cum eligendi potestas Monachis** Cantuarienshibus **a Rege data esset**, *ex omnium votis & applausu* Robertus Winchelse *Archidiaconus* Essexiæ *Archiepiscopus electus est, summa doctrina, prudentia & agnitatis fama ubique notus atque conspicuus. Cumque* Romam *ad* Cœlestinum *Papam* confirmandus **atque sacrandus veniret**, (by the Kings special license) *Papam totamque* Romanam *Curiam in tantam prudentiæ doctrinæque suæ admirationem & stuporem traduxit, ut non cognovisse se in quocunque dicerent, tantam morum, animique magnitudinem, cum literis & prudentia conjunctam.* **Itaque eum in Cardinalium gregem cooptare** Romæque **secum retinere decreverint.** *Sed expositis multis causis necessariis, qui à* Cantuariensi *Ecclesiâ abesse non poterat, ægrè tandem obtinuit, ut sacratus in* Angliam *rediret.* What a professed devoted servant he afterwards evidenced himself to the Pope and Church of *Rome*, but a vexatious opposite Rebel to his Soveraign Lord King *Edward*, (by whose special favour he was elected and confirmed Archbishop) will appear in its due Chronological series. I shall here only insert *Matthew Parkers* memorable passage in relation thereunto in the beginning of his Life, principally occasioned by the frequent fierce contests in that age between Popes, Popish Prelates and Kings, for Soveraign authority and Jurisdiction. † **Sed omnis tum inter Pontifices atque Reges de Imperio magis atque dominatu, quam de Ecclesia et divini verbi præscripto gerendo fuit contentio. In qua cum acres dimicationes non armorum, sed dictarum et precationum essent concitatæ, Præsules insciitia verbi ipsi erat, ac cæcorum duces Papis adhærebant, et abjecta obedientia Regibus non parebant, quibus divino humanoque jure essent subjecti. Hanc illi contumaciam, constantiam, et Ecclesiæ libertatem tunc appellabant. Multique in ea pertinacia vitas aut fortunas amittebant, Martyres ac Confessores appellabant. Nec nisi multis tunc anteactis annis in hominum animis inveterabilset fallacia, ac multos, præsertim Præsules, a fide atque cultu, quem Regibus tribuere debebant, ad Papam abduxisset, satis bene et cum laude ab Archiepiscopis et**

Episcopis

Epiſcopis geſtos Magiſtratus eſtimare convenit, ſi quis eorum acta perpenderit. Sed quia ab illa ſede Romana, vel dolis infatuati, vel ſceleribus et contagione inquinati fuerunt, et ab obſervantia Regibus debita receſſerunt, ſibi et rebus geſtis non modo laudem detrarerunt, ſed in vita moleſtias ac jacturas, et poſt mortem infamiam atque ignominiam pepererunt. *Ex horum numero fuit* Robertus Winchelſee Cantuarienſis *Archipræſul, cujus acta, ſi quo animo in patriam & rempublicam geſta ſicut exiſtimari debeant, recta judicanda ſunt*; ſin Romanam conſuetudinem pravitatemque ſpectes, ſcelerata atque impia: *Qui nonnunquam, vir bonus & amator Patriæ*, nonnunquam fraudis, proditionis, ſuperbiæ et rapinæ plenus varie a ſcriptoribus perhibetur. * Mr. *John Fox* alſo writing of this Archbiſhops promotion, and the various conteſts between him and his predeceſſor, and King *Edward* the 1. ſubjoynes this memorable obſervation. As this King was troubled in his time with both the Archbiſhops John Peckham and Robert Winchelſey, ſo it hapned to all other Kings for the moſt part, from the time of Lanfrancus, (*that is from Pope* Hildebrand) that every King in his time had ſome buſineſſe with that See; Kings of England being commonly troubled with the Archbiſhops of Canterbury; As William Rufus and Henry the 1. were troubled with Anſelmus; Henry the 2. with Thomas Becket; King Richard and all England with William Biſhop of Ely, the Popes Legate; King John with Stephen Langton; King Henry the 3. with Edmund Archbiſhop, called St. Edmund; this King Edward the 1. with John Peckham and Robert Winchelſey aforeſaid; and ſo other Kings after him with ſome Prelate or other. Whereby we give to underſtand, how and about what time the Church of Rome, which before time was ſubject to Kings and Princes, began firſt to take head above, and againſt Kings and Rulers, and ſo hath (by theſe his Inſtruments) kept it ever ſince. *An.* 21 *E.* 1.

* Acts & Monuments, vol. 1. p. 458.

This Archbiſhop *Robert Winchelſey* was no ſooner conſecrated at *Rome*, but he procured a Bull from Pope *Cœleſtine* the 5. by his Papal Proviſion to conferre the Biſhoprick of *Landaff* (which had been * *void for 9. years ſpace*, and thereby devolved to the Pope by lapſe, as he pretended) on any perſon he ſhould think meet for that imployment: Whereupon without the Kings previous authority, he conferred it by way of Proviſion upon *John de Monmouth*, as appears by this Letter and Certificate of his to the King and his Chancellor, which I lately found in a bundle of Privy Seals, Certificates and Letters (long buried in rubbiſh in the White Tower) *Anno* 21 *E.* 1.

* See Godwin Catalogue, p. 427.

MAgnifico Principi *Domino* Edwardo *Dei gratia illuſtri Regi* Angliæ, *Domino* Hiberniæ, & *Duci* Aquitaniæ, R. *permiſſione divina* Cantuarienſis *Archiepiſcopus, totius* Angliæ *Primas, ſalutem in eo per quem Reges regnant & Principes dominantur.* Cum nuper eſſemus apud ſedem Apoſtolicam perſonaliter conſtituti, et ejuſdem ſedis auctoritate confirmati, ac etiam conſecrati et palleati; *Sanctiſſimus Pater noſter* Cœleſtinus Papa quintus, audito et intellecto, quod Cathedralis Eccleſia Landaven. metropolitico nobis jure ſubjecta diuturno tempore permanſit Paſtoris regimine deſtituta: Ita quod ejus proviſio, ſecundum generalis ſtatuta Concilii ad dictam ſedem extitit legitime devoluta, (A clear miſtake, that Decree *never binding the King, exempted from lapſe* by his Royal Prerogative, as I have elſewhere proved) volens eandem Eccleſiam, quæ ex hujuſmodi vacatione diutina gravia ſuſtinuit in ſpiritualibus et temporalibus detrimenta, a diſpendiis a prolixiore vacatione imminentibus præſervare, ordinationem ipſius Eccleſiæ Landaven. hac vice nobis duxerat committendam: Concedendo nobis poteſtatem præficiendi eidem Eccleſiæ perſonam idoneam, quæ tanto congreat oneri et honori, in Epiſcopum et Paſtorem. *Tenorem autem mandati Apoſtolici in hac parte de verbo ad verbum præſentibus duximus inſerendum. Cœleſtinus* Epiſcopus ſervus ſervorum Dei, venerabili fratri *R.* Archiepiſcopo *Cantuar.* ſalutem & Apoſtolicam benedictionem. Militanti Eccleſiæ (diſponente Domino) licet immeriti præſidentes, circa curam omnium Eccleſiarum ſolertia reddimur indefeſſa ſolliciti, ut juxta paſtoralis officii debitum commiſſi nobis gregis Dominici curam utiliter gerere (divina cooperante clementia) ſtudeamus; & quanquam aſſiduè circa ſingularum commoda vigilemus; tamen erga illas, quæ deplorant viduitatis incommoda

Bundela Brev. & Epiſt. in Turre Lond. An. 21 E. 1.

* See Tom. 2. p. 481, 482, 563. & Here An. 13 E. 1. p. 331, 332.

An. 21 *E.* 1. moda propenſiori cura & majori propulſamur inſtantia, ut eis præficiamus viros ſecundum cor noſtrum, idoneos in paſtores. Sanè ad audientiam Apoſtolatus noſtri pervenit, quod Cathedralis Eccleſia *Landaven.* metropolitico tibi jure ſubjecta, **per ſeptennium jam permanſit, et adhuc permanet Paſtoris regimine deſtituta; propter quod ejus proviſio ad ſedem Apoſtolicam eſt, ſecundum generalis ſtatuta Concilii, legitime devoluta;** (which never abrogated nor reſtrained the Kings Prerogative, *quod nullum tempus occurrit Regi.*) **Nos igitur volentes eandem Eccleſiam, quæ gravia ex hujuſmodi vacatione diutina ſuſtinuiſſe dicitur in ſpiritualibus et temporalibus detrimenta, per noſtræ providentiæ ſtudium a diſpendiis ſibi ex proliriori vacatione imminentibus præſervare, ac cupientes illum eidem Eccleſiæ præeſſe Pontificem per quem ut utriſque (Deo auctore) valeat ſalubriter gubernari; gerentes quoque de tuæ circumſpectionis induſtria fiduciam in Domino pleniorem, fraternitati tuæ ordinationem ipſius Eccleſiæ hac vice tenore præſentium duximus committendam. Concedentes tibi præficiendi eidem Eccleſiæ perſonam idoneam, quæ tanto congruat oneri et honori in Epiſcopum et Paſtorem, ac faciendi eidem perſonæ a Capitulo ipſius Eccleſiæ et Clero et populo Civitatis et Dioc.** Landaven. **aliiſque ſuis ſubditis humiliter obedire: Necnon et contradictores ſuper hoc (ſi qui fuerint) vel rebelles, per cenſuram Eccleſiaſticam, Appellatione poſtpoſita compeſcendi, plenam et liberam authoritate Apoſtolica poteſtatem.** Dat. *Aquile* 6 Non. *Octobr.* Pontificatus noſtri anno primo. **Nos igitur cupientes debito devotionis obſequio mandatis Apoſtolicis obedire, et ea executioni debitæ mancipare,** *ad Magiſtrum* Johannem de Monemuta *Canonicum* Lincoln. *Doctorem in Theologia, multiplicibus virtutum præmiis inſignitum, in ſpiritualibus & temporalibus circumſpectum, noſtræ conſiderationis aciem convertentes, de ipſo, licet tunc abſente,* **eidem Eccleſiæ** Landaven. **de liberatione previa diligenti,** *ut præmittitur, diutius per mortem bonæ memoriæ Magiſtri* Willielmi de Brennes *ultimo Epiſcopi in eadem, vacanti,* **authoritate Apoſtolica providimus, et ipſum in eadem Eccleſia** Landaven. **præfeci in Epiſcopum et Paſtorem.** *Sperantes quod eadem* Landavenſis *Eccleſia per ipſius* Johannis *induſtriæ & circumſpectionis ſtudium præſervabitur à noxiis & adverſis, & ſpiritualibus & temporalibus proficiet incrementis.* **Cumque poſtmodum noſtra proviſio et ordinatio ſupradicta præfato Magiſtro** Johanni **fuiſſet notificata loco et tempore opportunis, nolens divinæ reſiſtere voluntati, quin potius jugo Domini ſatagens ſubjicere collum ſuum, proviſioni et ordinationi dictæ Eccleſiæ de ſe factæ, pure et expreſſe conſenſit coram nobis perſonaliter conſtitutus.** *Cum itaque ſicut novit Majeſtatis veſtræ Celſitudo,* **ſit virtutis opus Eccleſias et perſonas Eccleſiaſticas, præſertim Pontificali præditas dignitate, benignis proſequi gratia et favore: Serenitatem Regiam rogamus attente, quatenus eidem Magiſtro** Johanni, **quem pro electo et confirmato hinc convenit, Regiam Majeſtatem Regalia ſeu Temporalia ejuſdem Eccleſiæ** Landaven. **quæ per vos vacationis ejus tempore teneri dicuntur, liberare digneminì, ac ipſum et Eccleſiam prædictam ſibi commiſſam ſic vobis placeat habere in ſuis opportunitatibus commendatos, ut veſtræ Celſitudinis cultus auxilio, in curæ paſtoralis officio ſibi commiſſo poſſit (Deo propitio) ulterius proſperari; et vobis exinde a Deo perhennis vitæ præmium pervenire.** *Dat. apud* Croyndon 3 *Non.* Martii, *Anno Domini* 1294. *Conſecrationis noſtræ primo.*

Dorſo. Johanni de Langeton *Cancellar. ſuo. Per Regem.*

† Flores Hiſt. p. 397, 398.

† *Matthew Weſtminſter* informs us, That *Anno gratiæ* 1295. Robertus *Metropolitanus* Cantuarienſis *jam de Curia* Romana *regreſſus,* (before his inſtalment at *Canterbury*, to evidence his Papal ſpirit, and advance the Juriſdiction of his Court of Arches) *in Octavis Apoſtolorum* Petri & Pauli, *convocatis quibuſdam Suffraganeis ſuis in Eccleſia Sancti* Pauli London, **ſuper Eccleſiæ libertatibus et conſuetudinibus tractatum tenuit ſpecialem;** *& tanquam verus opilio, repagula & mœnia circa parietinarium, ceu macriarium injurias, ædificare ſatagens,* **Conſtitutiones quaſdam** *à ſanctis Patribus approbatas,* **ſed per mercinariorum incuriam a bi propria baccillantes, in medium legitime revocabit. Necnon et aliis Ordinationibus prioribus annectens propter gregis tuitionem, decrevit inviolabiliter obſervari;** (without the Kings authority or privity.) Theſe Ordinances of his (being 47. in number) you may read at large in Sir * *Henry Spelmans* Councils; wherein he preſcribes

*Tom. 2 p. 413, to 427.

preſcribes ſeveral *forms of Oathes* not only to the *Judges*, *Advocates*, *Clerks*, *Regiſters*, *Proctors* in his Courts of *Arches* and *Audience*, but likewiſe to others convented before them; particularly, † **Quod dicta Curiæ Præſidem contemptores quoſcunque convictos jurare faciat, ſub certa pœna, quod dictam Curiam ſcienter non offendant**: Together with ſeveral new *Excommunications*, forms of *Appeals*, and *Fees* to his *Officers*; againſt the Subjects Liberties, Lawes, Cuſtomes of the Realm, and Kings prerogative Royal: After which, *Die Sancti* Leodegarii *Dominus Archiepiſcopus* Cantuarienſis *ibidem introniz atus fuit*; *& Magiſter* Johannes de Monemue **ab eo eodem die non altero conſecratus eſt in Epiſcopum** Landavenſem. Which * *Thomas Walſingham* thus enlargeth; Robertus de Winchelſe *Doctor ſacræ Theologiæ* **à Papa** Celeſtino **confirmatus, et in Archiepiſcopum** Cantuarienſem **in Curia** Romana **conſecratus**, Angliam *veniens*, Johan. de Monemutha *Doctori Theologiæ*, **Epiſcopatum** Londinenſem (it ſhould be *Landavenſem*) **auctoritate Papali contulit, qui jam vacuerat multis annis**; beginning the exerciſe of his Archiepiſcopal authority with this unparalleld Papal and Archiepiſcopal Uſurpation on the Kings Crown, Dignity, and Royal prerogative, in obedience to his Soveraign Lord the Pope; for which and other his ſubſequent undutifull actions to his Soveraigne, he demerited this ſhort, but true character of Mr. *William Lambard* in his *Perambulation of Kent*, p. 93. *Robertus de Winchelſey*, **a notable Traytor to the King, and true Servant to the Pope.**

An. 21 E. 1.

† Spelman. ib. p. 421.

* Hiſt. Angl. p. 26.

I cannot finde that the King was forwards to reſtore the Temporalties of the Archbiſhoprick of *Canterbury* to this Archbiſhop, or of *Landaf* to *John de Monemuth*, thus intruded into it by the Popes and Archbiſhops authority againſt his prerogative, but detained them near 2. years after in his hands as vacant, receiving the profits, and preſenting to the benefices belonging to them, as appears by the *Patent Rolls* Annis 21 & 22 E. 1. they having no Writs of Reſtitution of the Temporalties till the 23. year of his Regn, Anno 1296.

Upon the death of *Robert Burnell* Biſhop of *Bath* and *Wells* the Kings Chancellor, *William de Marchia* (then Treaſurer of *England*, as * *Godwin* informs us) was elected to ſucceed him in that Biſhoprick; the manner of whoſe election I finde thus related in a Letter ſent to *John Langeton* then Chancellor of *England*, which I met with in the *White Tower Chappel*.

* Catalogue of Biſhops, p. 300

VEnerandæ diſcretionis viro & amico ſuo (ſi placet) fideliſſimo, Domino *J. de Langeton*, illuſtris Regis *Angliæ* Cancellario, ſuus in omnibus *W. de Weremeniſſ.* ſeipſum ad præcepta paratum. Qualiter & quomodo Magiſter *W. de Marchia* apud *Bathoniam* nuperrimè in Epiſcopum ejuſdem loci canonicè electus extiterat, vobis nuncio ſub hiis verbis. Prior *Bathon.* & ejus Conventus ad electionem per viam Scrutinii voluerunt libentiſſimè proceſſiſſe, eò quòd omnes Monachi ſuum Priorem eligiſſe putabant in Epiſcopum & Paſtorem. Ad hujuſmodi electionem per illam viam Canonici *Wellenſis* Eccleſiæ ſuum aſſenſum præbere penitus recuſarunt. Propter quod Monachi & Canonici *Wellenſes* per viam compromiſſionis unanimiter concordarunt, & ſuas literas patentes, prout poſtulat ordo juris, fieri & conſignari procurarunt. Die tertia quinque Monachi *Bathon.* & quinque Canonici, videlicet Præcentor, Cancellarius & Archidiaconus *Wellen.* ac Decanus *Eborum*, & *Malcolmus de Harlegh*, per viam Compromiſſionis electi, in Capitulo, invocata Sancti Spiritus gratia, ad eligendum Pontificem concorditer acceſſerunt. Et cæteri Canonici & Monachi de Capitulo (prout juſtum extitit) receſſerunt. Statim Monachi, videlicet quinque ad hoc electi in prædicta forma, nominaverunt ſuum Priorem, ſemel, ſecundò, tertiò, & quartò: Et prædicti quinque Canonici ſuum aſſenſum illis in nominatione illa dare noluerunt. Præfati quinque Monachi loquebantur ad invicem, & ſciebant, quod ubi major pars, ibi electio, &c. Et quod Decanus *Ebor.* & Dominus *Malcolmus* venerunt apud *Bathoniam* pro promotione prædicti Magiſtri *W. de Marchia*, ſtatim eundem Magiſtrum *W.* nominarunt. Et ex quo iſti quinque Monachi, & iſti duo Canonici, videlicet Decanus *Eborum*, & Dominus *Malcolmus de Harlegh* in perſonam præfati *W. de Marchia* conſenſerunt, ponendum eſſe ſtramen pro tribus Canonicis ſupradictis. Et facta nominatione de prædicti Magiſtri *W.* perſona per iſtos ſeptem ſupradictos, ſtatim inceperunt laudare Deum per Pſalmum conſuetum. Et poſt celebrationem iſtius Pſalmi, Prior *Bathon.* & Decanus

Bundela Brevium, &c. in Turre London. Anno 21 E. 1.

An. 21 *E.* 1. canus *Wellen.* coram omni populo in Ecclesia commoranti pronunciavit, modum electionis de persona Magistri *Willi*[illegible] supradicti. Et statim surrexit quidam Rustcus in Ecclesia illa, & dixit ista verba; **Cristescorz and keinte Marie, habbe bi halle that bine chose Bissop of Bathe.** Auditus Compotorum de Episcopatu *Bathon.* Dominus *W. de Hamelton* citra Quadragesimam ad Cancellar. accedere non permittit. Bene valeat, &c.

a Mat. West. An. 1295. p. 398.
b Mat. 9 9. Mar. 2. 14. Lu. 5. 27, 28. See the Collect on St. Matthews day.
c Mat. Westm. p. 403.

The very same year he was made Bishop (as[a] *Matthew Westminster* relates) *Dominus Episcopus* Bathon. & Wellen. *Magister* Gulielmus de Marche, *villicus Domini Regis, videlicet* **Thesaurarius de Scaccario** (as incompatible with his Episcopal office, as with [b] St. *Matthews* Apostleship, *whom Christ called from the receit of Custom to be an Apostle and Evangelist*) *diffamatus est apud patrem familias, non quasi dissipasset bona illius, sed sibortis variis querelis*, **amotus est a billicatione sua**, & *alius Clericus, Domino Regi familiarissimus*, Walterus de Langetona *nomine, in ejus officio subrogatur.* Soon after the same year, [c] Rogerius Coventrensis & Licheteldensis *Episcopus jam grandævus satisfaciens naturæ, à mundi hujus voragine est ereptus. Cui successit* Walterus de Langetona *Regis familiaris, in transmarinis partibus per Regem Cardinali nuncius assignatus, à quo fuerat consecratus*, **Privilegio** Cantuariensis **Ecclesiæ in omnibus statu suo salvo.**

This year *John de Langeton* succeeding *Robert Burnell* Bishop of *Bath* and *Wells* in the Chancellors office of *England*, the Chancellor and Regent Masters of the University of *Cambridge* sent this Letter to him, imploring his favour to protect their invaded Liberties, as his predecessor did.

Bundela Brevium & Literarum, Anno 21 E. 1. in Turre Lond.

Domino suo reverendo, Domino J. de Langeton, *&c. sui humiles & devoti*, Gilbertus de Segrave *Universitatis* Cantebr. *Cancellarius, ac Magistrorum ibidem regentium cœtus unanimis, quicquid sciunt & poterunt obsequii vel honoris. Ex divina dispositione nobis feliciter est prospectum, quod bonæ memoriæ Dominum* R. *quondam Domini Regis Cancellarium, Universitatis nostræ protectorem, tantum Patrem sequitur talis proles. Pater enim vivit nobis in filio, quem prout evidentiâ facti multipliciter didicimus, ut pater quondam fuerat in nostris agendis, suum filium propitium sensimus adjutorem: de quo vestræ Dominationis Celsitudini regratiamur totis viribus, si ad plenum non possimus ut vellemus. Quia verò contentionis filii* **Universitatem vestram subvertere, ac multiplicatis injuriis, contra nostra Privilegia perpetratis, quantum in eis est gregem Christi dispergere non formidant; ad Benignitatis vestræ gremium, tanquam pueri innocentes, multiformiter afflicti ac indebitè prægravati, confugimus & concurrimus, humiliter implorantes, quatenus hiis quæ per dilectos nobis in Christo Magistros** Johannem de Huntingfeld & Willielmum de Chelmston *vestræ sumus Excellentiæ relaturi, fidem plenariam adhibentes*, **salubre remedium quod Universitati vestræ noveritis opportunum, nobis dignemini misericorditer elargire. Tantum si placet facientes in præmissis, ut Universitas vestra sub alarum vestrarum regimine lætitando, quiete vivere, et ad honorem Christi et Ecclesiæ studendo proficere valeat in futurum.** *Valeat, &c.*

The Church of *Axmynstre*, formerly made a Prebendary and appropriated to the Church of *Yorke*, being alienated and disappropriated from it during the vacancy in the reign of King *Henry* the 3. King *Edward* recovering it by Judgement from the Abbot of *Newenham*, restored and appropriated it this year for ever as a Prebendary to the Church of *Yorke*, as formerly, by this Patent.

Pat. 21 E. 1. m. 7 intus. Pro Ecclesia Petri de Ebor.

REX omnibus ad quos, &c. salutem. Sciatis, quod cum nos nuper in Curia nostra coram nobis apud *Cantuar.* advocationem Ecclesiæ de *Axemynstre* cum pertin. per considerationem ejusdem Curiæ nostræ versus Abbatem de *Newenham* Ordinis *Cistercienſis* recuperaverimus ut Jus nostrum, ac postmodum intellexerimus, quod sede Archiepiscopi *Eborum* per mortem *Sewalli* dudum loci ejusdem Archiepiscopi vacante, & in manu Celebris memoriæ Domini *H.* quondam Regis *Angliæ* patris nostri existente, tuerat dicta Ecclesia de *Warthull* & de *Grendale*, in dicta *Eboracen.* Ecclesia ex concessione progenitorum nostrorum quondam Regum *Angliæ* **Præbendalis**, & eodem vacationis tempore ab eadem *Eboracensi* Ecclesia contra justitiam, et in Juris Regii læsionem, et dictæ *Eboracensis* Ecclesiæ dispen-

dium

dium elongata: Nos facta eorundem progenitorum noſtrorum quatenus conſona fuerint equitati, illæſa conſervare volentes, advocationem ipſius Eccleſiæ, et ipſam Eccleſiam quantum in nobis eſt, cum Juribus et ſuis pertinent. quibuſcunque præfatæ Eccleſiæ *Eborum* reddimus pro nobis et hæredibus noſtris eidem Eccleſiæ *Eborum*, et Præbendariis de *Warthull* et *Grendale* nunc exiſtentibus, & eorum ſucceſſoribus in dicta Eccleſia *Ebor.* in ſtatu quo ante vacationem prædictam fuerat in propriis uſus poſſidendam, abſque calumnia, contradictione vel impedimento noſtri vel hæredum noſtrorum imperpetuum. Nolentes quod Præbendarii locorum eorundem ſuper poſſeſſione prædictæ Eccleſiæ quantum in nobis eſt, moleſtentur in aliquo de cætero, ſeu graventur. In cujus, &c. Teſte Rege apud *Cantuar.* 18 die *Julii.* Et duplicatur. *An.* 21 *E.* 1.

This year *John* Archbiſhop of *Yorke* granted this Licenſe for the Kings Juſtices Itinerant at *Yorke* to hold Aſſiſes in the time of *Septuageſima* and *Sexageſima*, againſt the Conſtitutions of the Church, encroaching on the Kings prerogative, and therefore * *abrogated* by the Stat. of *Weſtm.* 1. 3 E. 1. cap. 51. without ſuch licenſe.

* See here, p. 155, 156. & Cooks 2 Inſtit. p. 264, 265.

JOhannes *permiſſione divina* Ebor. *Archiepiſcopus*, Angliæ *Primas*, *dilectis ſibi* Hugoni de Creſſingham & *ſociis ſuis Juſticiariis Domini Regis apud* Eboracum *itinerantibus*, *ſalutem & gratiam ſalvatoriam. Licet pro communi ſalute fidelium* propter *dictæ Eccleſiaſticæ diſpoſitionis judicio* (without any warrant from, and againſt the Scripture) *ordinatum fuerit et ſtatutum, quod certis anni temporibus contemplativæ devotioni deditis, ſecularis poteſtas neminem poſſet compellere ad jurandum; amore tamen juſtitiæ, quam maturari æquum credimus atque pium, et quadam conniventia toleramus, quod* Aſſiſas *quaſcunque* Mortis Anteceſſoris, & Novæ diſſeiſinæ, *quas coram vobis ventilari contigerit, hoc inſtanti* Septuageſimæ & Sexageſimæ *tempore capiatis, & quod juſtum fuerit faciatis, ſuper quo veſtras conſcientias oneramus. Benè valete. Data apud* Wilton. *idibus* Februarii *Anno gratiæ* 1293. & *Pontificatus noſtri nono.*

Placita de Juratis & Aſſiſis apud Ebor. a die S. Trin in 15 dies, 21 E. 1. rot. 53. Spelmanni Concilia, Tom. 2. p. 413.

The King borrowing 10000*l.* of the moneyes collected for the *Holy Land* in *England* for his own neceſſary affairs, and cauſing ſundry foreign Merchants and his Brother *Edmund*, to enter into ſeveral Recognizances to the Collectors and Church of *Rome*, for repayment thereof, as if borowed by them for their private uſes, the King for their ſecurity and indempnity, declared the money to be borrowed and imployed only for his own uſe, engaging to diſcharge and ſave them harmleſs againſt the Collectors and Church of *Rome*, by this Patent.

REX *omnibus, &c. ſalutem. Sciatis quod cum nos recipi fecerimus per Chariſſimum fratrem noſtrum* Edmundum *Comitem* Leyc. *à venerabilibus Patribus* J. Wyntonien. & O. Lincoln. *Epiſcopis*, Collectoribus Decimæ in ſubſidium Terræ Sanctæ conceſſæ per ſedem Apoſtolicam deputatis, decem millia Libræ rum Sterlingorum de pecunia ejuſdem Decimæ, pro quibuſdam arduis negotiis noſtris in Vaſconia et alibi ex injunctione et præcepto ſpeciali expediendis. Et pro dictorum Collectorum ſecuritate Mercatores de Societate Pullicum et Rembertinorum de Florentia, ſe in dictis decem Millibus libræ rum ad noſtram inſtantiam et rogatum eiſdem Collectoribus obligantes, eandem pecuniæ Summam ſe ex cauſa mutui a prædictis Collectoribus recepiſſe et habuiſſe recognoverunt: præfatuſque *Edmundus* frater noſter nichilominus prædictam pecuniæ Summam ſibi mutuatum fuiſſe recognoverit, et ad ſe pervenisse, et in utilitatem ſuam converſum fuiſſe cognoverit, et eandem reddere promiſerit, *prout in ſcriptis obligatoriis fratris noſtri & Mercatorum prædictorum ſuper hujuſmodi recognitionibus diviſim & ſeperatim confectis, præmiſſa plenius continentur, quamquam ſecundum rei veritatem* dicta pecuniæ ſumma ſit in noſtri utilitatem converſa, et mutuum hujuſmodi et obligationes tam fratris noſtri quam Mercatorum prædictorum, pro nobis et noſtris agendis, et de mandato noſtro, ut præmittitur, ſint inita et contracta. *Nos indempnitati Mercatorum prædictorum volentes in hac parte proſpicere, ut tenemur*, Mercatores eoſdem erga præfatos Collectores, necnon et Romanam Eccleſiam, ac quoſcunque alios ſuper obligationibus hujuſmodi et prædicta ſumma pecuniæ, quietos facere et indempnes

Pat. 21 E. 1. m. 18 Cedul.

indempnes ꝓmittimus fideliter conſervare. In cujus, &c. Teſte Rege apud *Weſtm.* 6 die *Maii*, Anno Domini 1293. & regni noſtri 21. To ſuch ſhifts was the King then put to borrow theſe monies from the Popes Agents, though granted to him for the Holy Lands relief.

An. 22 E. 1.

In the Bundels of Writs in the *White Tower*, Anno 22 E. 1. I finde no leſs then 8. Writs brought at the ſuits of the parties, or at the Kings ſuit, for holding Plea of, or proſecuting Suits in Court Chriſtian, **de Catallis et Debitis quæ non ſunt de Teſtamento vel Patrimonio, contra Prohibitionem noſtram:** I ſhall render you only this breviate of them. * *Rex Vic.* Somerſet. *& Epiſcopo* Bathon. & Wellen. for Hilary de Domoer, *verſus* Thomam de Conde, & Willielmum Burnwell *Archidiaconum* Taunton; 26 & 28 *die* Januarii. *Vic.* Oxon. for Willielmus de Erdington, *verſus Magiſtrum* Johannem Walrand, & *Magiſtrum* Simonem de Dunketon; 17 *die* Maii. *Vic.* Warwic. *pro Domino Rege verſus* Johannem *Priorem de* Kirkeby, *&c.* **in læſionem coronæ et dignitatis noſtræ, et contra Prohibitionem noſtram;** 17 *die* Maii. *Vic.* Bucks. for Alicia *uxor* Willielmi Cryps, *verſus Magiſtrum* Richardum de Sancta Fryderoyda; 6 *die* Maii. *Vic.* Bedford. for Henricus de Marſhal, *verſus Magiſtrum* Benedictum *perſonam Eccleſiæ de* Wardon; 26 *die* Aprilis. *Vic.* Devon. by Richardus de la Weye, *verſus Magiſtrum* Philippum de Exon. *Archidiaconum de* Barneſtaple, & *Magiſtrum* Johannem de Cuwyk, *quare tenuerunt*; & Stephanum *perſonam Eccleſiæ de* Cokington, *quare ſecutus eſt*, &c. 8 *die* Maii. *Vic.* Huntingdon. by Willielmus Pryde, *verſus* Nicholaum de Huntingdon, *quare tenuit, &c.* 13 *die* Febr. Beſides one Writ *Vic.* Oxon. brought by Rogerus de Codesford. *verſus Magiſtrum* Rogerum de Monti Vallibus, **quare tenuit placitum in Curia Chriſtianitatis de laico feodo ipſius** Rogeri de Codesford. *in* Oxon. **contra Prohibitionem noſtram.** *Teſte meipſo apud* Cantuar. 25 *die* Aprilis, *Anno regni noſtri viceſimo ſecundo.* To which I ſhall ſubjoyn two more Writs at large, for holding Plea of *Treſpaſſes* and *Advowſons*, evidencing the vexatiouſneſs and daring contempts of Eccleſiaſtical Courts, againſt the Kings Prohibitions in that age, and the Kings, Judges reſentments of, and proceedings againſt them for the ſame.

* Bundela Brevium An. 22 E. 1. in Turre London.

Ibidem.

EDwardus *Dei gratia Rex* Angliæ, &c. *Vicecomitibus* London. *ſalutem. Monſtravit nobis* Willielmus Faure & Alic. *uxor ejus, quod cum Magiſter* Simon de Wymundham, Willielmus le Somenir, & Matthæus le Someter, *in Curia noſtra coram Juſticiariis noſtris apud* Weſtm. *à die* Paſchæ *in* 15. *dies, anno regni noſtri* 22. **attachiati ſunt** *ad reſpondend. eiſdem* Willielmo Faure & Aliciæ *de placito*, quare **cum placita de Tranſgreſſionibus contra pacem noſtram factis in regno noſtro, ad Nos et coronam et dignitatem noſtram, et non ad alium pertineant in eodem regno**; *ac iidem Magiſter* Simon, Willielmus le Somenir, & Matthæus, **ſecuti ſunt placitum in Curia Chriſtianitatis ſuper hujuſmodi Tranſgreſſionibus, in læſionem coronæ et dignitatis noſtræ, et contra Prohibitionem noſtram, eiſdem** S. W. & M. **directam, ne prædictum placitum ulterius in Curia Chriſtianitatis ſequerentur.** *Iidem Magiſter* Simon, Willielmus & Matthæus, **nichilominus prædict. placitum in prædicta Curia Chriſtianitatis ſecuti fuerunt, quouſque idem** Willielmus & Alicia **ad ſectam ipſorum Magiſtri** S. W. & M. **ſententia Excommunicationis in ipſos fulminata ad ingreſſu Eccleſiæ ſuſpenſi fuerunt; et poſtmodum breve noſtrum de capiendo ipſos** Willielmum & Aliciam **tanquam clades Eccleſiæ contemnentes, malitioſe impetraverunt, ut ſic eos impedant quo minus placitum prædictum in prædicta Curia noſtra coram prædictis Juſticiariis noſtris apud** Weſtm, **finis motum proſequi poſſint, ſecundum legem et conſuetudinem regni noſtri, in ipſorum** Willelmi & Aliciæ **dampnum non modicum, et noſtri contemptum manifeſtum.** *Et ideo vobis præcipimus, quod capta ſecuritate à prafatis* Willelmo & Alicia *de clameo ſuo proſ.* **attachiatis prædictos Magiſtrum** Simonem, Willelmum & Matthæum **per corpora ſua**; *ita quod eos habeatis coram Juſticiariis noſtris apud* Weſtm. *in Octabis Sanctæ* Trinitatis, **ad reſpondend. tam Nobis, quam prædictis** Willielmo & Aliciæ **de prædictis tranſgreſſione et contemptu.** *Et interim* **de capiendo eoſdem** Willielmum & Aliciam **prætextu alicujus brevis noſtri de Cancellaria noſtra occaſione prædicta omnino ſuperſedeatis.** *Et habeatis ibi hoc breve. Teſte* J. de Metingham *apud* Weſtm. 7 *die* Maii, *anno regni noſtri viceſimo ſecundo.* Which was accordingly executed, as appears by the Retorn endorſed thereon.

Nota.

The

The like Writ iſſued *Vicecomitibus* London. *pro* Willielmo de Sancto Georgio, *verſus Magiſtrum* Henricum de Maſſinghton, *quare*, &c. **tenuit placitum** *de hujuſmodi* **Tranſgreſſionibus**, *& quare tenuit placitum* **in eadem Curia Chriſtianitatis de Advocatione Capellæ de** Tadham, **contra Prohibitionem noſtram**, **in læſionem coronæ et dignitatis noſtræ**, &c. *Idem Magiſter* Henricus *pendentibus inter eos in prafata Curia noſtra prædicta placitis*, **prædicta placita nichilominus ulterius tenuit in prædicta Curia Chriſtianitatis, quouſque ſententia in ipſum** Willielmum **ea occaſione ad ſectam ejuſdem Magiſtri** Henrici **publicata et promulgata, ipſum excommunicari fecit: Et poſtea breve noſtrum de ipſo** Willielmo **ſic excommunicato, tanquam claves Eccleſiæ contemnente, capiendo, jam vobis patet, ut dicitur, in coronæ et dignitatis noſtræ læſionem, Curiæ noſtræ prædictæ contemptum manifeſtum**, &c. as in the preceding Writ. *Teſte* J. de Metingham *apud* Weſtm. 12 *die* Dec. *Anno regni noſtri* 22. *An.* 22 *E.* 1.

King *Edward* the 1. in this 22. year of his reign, by reaſon of his expenſive Wars, wanting money and means to provide for and relieve his old decayed *Servants* and *Soldiers*, by vertue of his Prerogative Royal, began by his Writs to demand [a] *Corodies* for them, from Abbots, Priors, and Religious Houſes of his foundation, which held not by *Frankalmoigne*, (as his Father [b] King *Henry* the 3. did before him for the *converted Jews*) and likewiſe Penſions for his *Chaplains* from Biſhops, eſpecially upon his advancing of any New Abbot, Prior, Archbiſhop, Biſhop, and reſtitution of their Temporalties to them; witneſſe theſe 4. *Corodies* granted at once this year.

[c] Henricus Lombard **habet literas Regis deprecatorias directas Abbati et Conventui de** Abbotesbur. **quod ipſum admittant in Domo ſua in dicta neceſſariis quoad vixerit exhibendum.** *Teſte Rege apud* Rokesford, 24 *die* Februarii; **per breve de private ſigillo. Conſimiles literas habet** Johannes Caſtiloun **directas Priori et Conventui Eccleſiæ Chriſti in** Nova Foreſta. *Teſte ut ſupra*; **per breve de private ſigillo. Conſimiles literas habet** Thomas de Lenton **directas Abbati et Conventui** Ceſtriæ. *Teſte ut ſupra*; **per breve de private ſigillo. Conſimiles literas habet** Rogerus Frere **directas Abbati et Conventui de** Cioxton. *Teſte ut ſupra*; **per breve de private ſigillo.** The form whereof you may read in the *Regiſter* and *Fitzherbert*.

After which, ſuch Writs for *Corodies* for the Kings and Queens Servants, Soldiers, and Penſions to the Kings Clerks till promoted to Benefices, very frequently occurr both in the Bundles of Privy Seals and Clauſe Rolls in the Tower, during this Kings reign and his ſucceſſors; Abbots, Biſhops Lands and Revenues being originally granted them by our Kings their Founders, not to ſpend them on their own luxury, pomp, kinred, allies, but to be beſtowed in *almes, hoſpitality, and charity to poor diſtreſſed people*; therefore more eſpecially on ſuch decayed meritorious Servants or Soldiers as the King by his Writs ſhould recommend to them, to be relieved and harbored during life; *being a priviledge due unto him of meer common right*, **of which no preſcription or cuſtome could deprive him**; no wayes extinguiſhed or reſtrained by *Magna Charta* c. 1. 3 E. 1. c. 1. or *Articuli Cleri* c. 11. as our Judges and [d] *Law-books* have ſince frequently reſolved.

The ſame year, (*Anno* 1293. as *Matth. Weſtminſter*, or 1294. as *Walſingham* computes) there fell out a new unexpected quarrel between the *Engliſh* and *French*, upon this occaſion; The [a] *Normans* murdering and pillaging the *Engliſh*, and hanging ſome of them upon the maſts of their ſhips, with dogs, in contempt, highly exaſperated thoſe of the *Cinque-ports* and other *Engliſh* Mariners, who of their own accord united their ſhips together, to revenge themſelves upon the *French*, for this indignity, and other depredations on the *Engliſh* Merchants; [a] *Per idem tempus Mercatores* Angliæ *variis in mari laceſſiti periculis, ſuper mercium ſuarum amiſſione, Regi* Angliæ *conquerebantur*; *Qui Comitem* Lincolniæ Henricum de Lacy *ad Regem* Franciæ *tranſmiſit, ſupplicitèr petens*, ut de aſſenſu ipſius per Reges & eorum conſilia, contra hujuſmodi maritima diſpendia provideretur. *Interim verò dum Comes reſponſum expectat, claſſes ducentarum navium* Normannicarum *& amplius, quæ coadunata, ut* Anglos *virtuoſos invaderet, & invadendo fortius propulſaret, in* Waſconiam *profecta fuerat, quicquid de parte adverſa obvium habuit, prædæ & morti facilè deſtinando. Dum onuſta vino reverteretur gloriabunda, quaſi ibi ſoli maris celſiſſet libertas, a ſexaginta navibus* Anglicanis *capitur in portu* S. Matthæi, *in minori* Brytannia, *& in* Angliam *adducitur*

a See Regiſter of Writs, p. 233. Fitzherbert & Brooks Abridgements Tit. Corodi, Fitz. Natura Brev. f. 230, 231, 232. Articuli Cleri c 11. Cooks 2 Inſt. p. 630. L. 5 E. 4. f. 220.

b See Tom. 2. p. 835, to 841.

c Clauſ. 22 E. 1. d. 11. Pro famulis Regis.

d Long. 5 E. 4. f. 120, 121, 122, &c. Fitz. Nat. Brev. f. 230, to 233. & Abridgement Tit Corodie; and the Law-books in Aſhes Tables, Corodie 4.

a Tho. Walſingham Hiſt. Anglix, p. 23. Ypodigm. Neuſtr. p. 77. 78. Mat. Weſt. An. 1293. pag. 386. to 391. Henr. de Knyghton de Event. Angl. l. 3. cap. 6. col. 2495, to 2498. See Fabian, Caxton, Holinſhed, Grafton, Speed, Daniel, Baker in K. Edw. 1.

feria

An. 22 E. 1. *feria ſexta ante vigiliam Pentecoſtes, ſubmerſis aut caſis hominibus omnibus qui erant in navibus, abſque delictu conditionis, ſolis illis exceptis qui in ſcaphis vix ſibi ſalutis fuerant fugiendo. Perdiderunt quippe* Gallici *quindecim millia hominum in hoc conflictu*, Anglici *eorum cadavera in mari projecerunt, nec unum ſolum ſuperſtitem dimiſerunt; & eorum vaſa, vina & alia neceſſaria continentia, reduxerunt ad propria cum contentis, inter ſe navis & ſpolia dividentes. De quibus Rex* Angliæ *nihil recipere voluit, quaſi eorum non conſentiens voluntati, pro eo quod abſque ejus præcepto talia perpetrarunt.* [b] *In illo enim tempore non erat Rex, neque lex nautis poſita, ſed quod quiſque rapere vel auferre valebat, hoc ſuum eſſe dicebat.* Gernemuthenſis *inexpugnabilis manus luſtrantes confinia* Normannorum, *nulli parcentes conditioni, ſexui, ætati, rogo patriam illuminantes, manus prædis & diſcrimini laxaverunt.* Francigenæ *igitur territi & turbati, adiverunt Regem ſuum, auxilium poſtulantes, Rumor facti diffuſus per* Galliam, *Regem, conſiliumque ſuum non tam admiratione quam indignatione vehementi commovit. Mittuntur igitur nuncii inter Reges pro pace facienda, Ambaſſiatores ex parte Regis* Francorum *ordinati, à Rege* Angliæ *petierunt, ut abſque mora naves cum mercibus per homines ſuos captos, & in regno ſuo receptos, reſtitueret; ſi vellet ſua negotia pro terra* Waſconiæ *in Curia Regis* Franciæ *favorabiliter expediri. Super mandato Rex deliberans, habito conſilio,* Richardum Londinenſem *Epiſcopum, adjunctis eidem aliis viris prudentibus, ad Regem* Francorum *& ſuum conſilium cum hujuſmodi miſit reſponſo, viz.* Cum Rex Angliæ curiam habeat nulli ſubjectam, *ſi qui ſe læſos ſenſerint per homines regni ſui, veniant ad Curiam ſuam, & declaratis ſibi illatis injuriis, Rex eis celerem fieri juſtitiam ordinabit; quod ut ſecurius poſſint facere quibuſcunque conqueri volentibus, Rex de eundo & redeundo per terram ſuam ſalvum dabit conductum. Quod ſi ſic Regi* Francorum *non placeat, eligentur hinc inde arbitri, qui penſatis damnis utriuſque partis, provideant, quomodo querelantibus ſatis fiat, &* Rex Anglorum *dicto eorum & laudo ſub certa obligatione ſe ſubmittet, dum tamen Rex* Francorum *ſe ſubmittat & obliget pari modo. Si verò aliquid occurrat tam arduum, quod per arbitros diſcindi nequeat, definiendum Regibus reſervetur. Et Rex* Angliæ *habito conducto ad Regem* Franciæ *accedentem, ad aliquam villam maritimam veniet, & de aſſenſu mutuo finis negotio imponatur: Quod ſi nec iſtud Rex* Francorum *acceptaverit, in ſummum* Pontificem, cujus eſt inter Reges et Regna pacem fovere, transferatur de aſſenſu mutuo negotium (not as to a ſoveraign Judge, but private voluntary Arbitrator choſen by them:) *vel quia tunc Sedes* S. Petri *vacabat*, ad Cardinales omnes vel aliquos, ut litis et diſcordiæ ſubmota materia, par inter eos et eorum populos reſtaret ut ſolebat. Spernit hæc omnia conſilium *Franciæ*, nec in juriis inſtanter flagitantibus dignatum eſt aliquid reſpondere.

b Mat. Weſtm. p. 396. & 287. Walſingham pag 23.

The King, during the Treaties with the *French* King for peace, by his Eccleſiaſtical Soveraignty iſſued theſe Writs to his Biſhops, to pour forth *devout prayers to God* for a bleſſing on his conference with the King of *France*, that it might tend to the praiſe of Gods holy name, the peace, proſperity and honour of his Realm, and the common good and profit of Chriſtianity; worthy our imitation upon occaſions of this nature.

Clauſ. 22 E. 1. m. 11. dorſo. Pro Rege de precibus. See my ſignal Loyalty and Devotion, &c. part. 2 pag 41, 42.

REX Archiepiſcopo *Eboracenſi*, &c. ſalutem. Cum inter magnificum Principem, Dominum Regem *Franciæ* illuſtrem, Conſanguineum noſtrum, & nos aliqua ſint exorta, propter quæ ad partes intendimus tranſmarinas perſonaliter nos conferre, cum Domino Rege ſuper hiis habituri colloquium & tractatum. Credentes firmiter & ſperantes, quod felicioz votis noſtris effectus adveniret, ſi devotorum interceſſionibus adjuvemur; Paternitatem veſtram affectuoſe requirimus et rogamus, quatinus apud Deum preces devotas ſuppliciter effundatis, et a veſtris ſubditis illud fieri injungatis, ut in hujuſmodi negocio proſequendo, tractando, ac etiam ordinando, ſic Deus et Dominus regat et dirigat actus veſtros, quod cooperante unigenito Dei filio Jeſu Chriſto, laboz noſter in hac parte ita poſſit fructuoſus haberi, quod cedat ad laudem ſui nominis, ac ſtatum quietum et proſperum Regni noſtri pariter et honorem, necnon et ad totius Chriſtianitatis commodum et profectum. Teſte Rege, apud Sanctum Albanum, xiv. die Februarii.

Conſimiles literæ diriguntur *A. Dunelmenſi* Epiſcopo, *J.* Epiſcopo *Karl. O. Linc.* Epiſcopo, *W. Elyen.* Epiſcopo, *R. Norwic.* Epiſcopo, *J. Wynton.* Epiſcopo, *G. Ciceſtr.* Epiſcopo, *J. Roffen.* Epiſcopo, *Th. Exon.* Epiſcopo, *A. Sarum* Epiſcopo, *R. London.* Epiſcopo, *W. Bath. & Well.* Epiſcopo, *R. Coventr. & Lich.* Epiſcopo, *G. Wigorn.* Epiſcopo, — *Aſſaven.* Epiſcopo, *Th. Heref.* Epiſcopo, — *Bangor* Epiſcopo. Con-

Conſimiles literæ diriguntur Cuſtodi ſpiritualitatis Archiepiſcopatus *Cant.* ſede vacante, mutatis tamen mutandis, *viz.* ubi paternitatem, *&c.* ibi devotionem, *&c.* *An.* 22 *E.* 1.
Conſimiles literæ Cuſtodi Epiſcopatus *Landaven.* ſede vacante diriguntur.
Conſimiles literæ diriguntur *M. Meneven.* Electo.

The *French* King and his Counſel rejecting all overtures of Peace with King *Edward* after ſundry Treaties and prayers, inſtead thereof, * *Miſit denique Rex* Francorum *ad civitatem* Agenum, *quas ad Ducatum* Aquitaniæ *ſpectare dignoſcitur, ibique nominatim citari fecit Regem* Angliæ, *ut die certa* Pariſiis *compareret, de injuriis & rebellionibus in terra facta* Waſconiæ *reſponſurus.* Which † *Mat. Weſtminſter* thus relates; *Circa feſtum Sancti* Andreæ *Apoſtoli Rex* Francorum Philippus *direxit Regi* Angliæ *literas citatorias, ut perſonaliter* Pariſius *ad Parliamentum ſuum accederet, reſponſur. quæſtionibus & legitimis cauſis, quas idem Rex & ſui Pares propoſituri erant adverſus eum, in hæc verba.*

*Walſingham Hiſt. p. 23, 24.

† Flores Hiſt. An. 1293. pag. 389, 390, 391.

Philippus *Dei gratia* Francorum *Rex*, Edwardo *eadem gratia Regi* Angliæ, *conſanguineo ſuo, tenenti Ducatum* Aquitaniæ, *ſalutem. Cum notorium ſit & manifeſtum per rei evidentiam, adeò quod nulla poteſt tergiverſatione celari, quod homines de* Baiona, *coadunatis ſibi quamplurimis aliis, qui de regno veſtro* Angliæ, *aſſumptis navibus & armis, ac hominibus armatis in magna multitudine, ibidem palam ac publicè collectis, vobis non inſciis, vel ſaltem probabiliter ignorare non valentibus, exierunt, animo nephando homines ſubditos noſtros de* Normannia, *& de quibuſdam aliis partibus regni noſtri, tàm in terra quàm in mari, in locis etiam noſtræ juriſdictioni ſubjectis; nequiter invaſerunt, innumeros ex iis inhumaniter occidendo, ſtragemque horribilem eis faciendo, multos ex eis capiendo, & adhuc captos detinendo, ac eoſdem navibus & mercibus, quaſi inæſtimabilibus, ex diu ante concepta nequitia depredando, confractis quamplurimis ex dictis navibus, & ſubmerſis, ſpretis & contemptis prohibitionibus & mandatis noſtris factis & propoſitis ſolenniter & publicè, ac palam editis* Burdegali & Baionæ, *& in multis aliis locis, ut aliquis prædictis, vel aliis quibuſcunque ſpecialiter, per terram vel mare vehentibus merces ſuas, præſumerent forisfacere, ſeu aliàs offendere quoquo modo. Naves etiam ſuperbites, & omnes merces ad regnum veſtrum* Angliæ *tranſvehendo, quas in veſtra juriſdictione acceptaſtis, & adhuc receptatis ſcienter, & per nuncios noſtros ſuper eorundem exiſtentium & apparentium reſtitutione requiſitis ſufficienter, reſtitutionem facere non curaſtis, ſed potius contempſiſtis, licet vobis ex parte noſtra fuerit oblatum; quod ſi qua exiſtentia, vel apparentia per homines regni noſtri capta detinerentur de bonis ſubjectorum veſtrorum, de his reſtitutionem vobis fieri faceremus. Cumque notorium ſit & manifeſtum ſimiliter, quod quamplures dictorum hominum de* Baionia, *adjunctis ſibi nonnullis malefactoribus aliis, villam noſtram de* Rupella *proditionaliter invaſerunt, inſultus quamplures in eam facientes & habitatores ipſius, quoſdam etiam occidentes ex eis, & alios multipliciter damnificantes; eoſdem nos, cum exceſſus & facinora prædicta non poſſumus conniventibus oculis pertranſire, vobis, vel locum veſtrum in* Vaſconia & Baiona *tenentibus, quod certum numerum dictorum hominum de* Baione, *per vos, vel prædictos locum veſtrum tenentes, in priſona noſtra* Petragorum *mitteretis infra terminum jam elapſum, pro faciendo quod ratio perſuaderet, & juſtitia poſtularet, præcepimus. Alia quadam mandata ſuper prædictis, per patentes literas noſtras ſufficienter fecimus injungi; quibus injunctionibus & mandatis parere, contumaciter & contemptibiliter eſt neglectum. Cumque ex ratis & legitimis cauſis ſeiſiri mandaverimus civitatem* Burdegalim *terram* Agendici, *& totam aliam terram, quam infra Seneſchallia noſtra* Petragori *metas, in* Petragoriano, Caturinio, Lemovico, *gentes veſtra nomine veſtro tenebant, & locum veſtrum tenentes in prædictis locis, gentibus noſtris dicti mandati noſtri ſine armis executioni demandantibus, inobedientes fuerunt contumaciter, & rebelles, & adhuc in rebellione perſiſtunt, mandatis noſtris & gentibus noſtris non parentes. Sed quod gravius eſt ferendum, civitates, caſtra, villas, & loca dicta terra, contra nos munierunt, inforciant, tota die volentes, quaſi modo hoſtili, juſtificationi noſtræ ſeodi reſiſtere, nec quadam cuſtella, nec fortalicias, qua ab eis ex certis & legitimis cauſis per gentes noſtras requiri fecimus, reddere voluerunt, ſive ea reddere noluerunt, ſive ea reddere contemptibiliter recuſarunt; & gentes terræ illius ad reſiſtendum nobis & noſtris, in viis & itineribus concitaverunt, concitant & invitant, contra nos gentes ipſas juramentis propriis aſtringentes, & in aſſiſis literas ex parte veſtra propoſuerunt publicè, & dixerunt, quod nobis nec gentibus noſtris in ullo pareatur. Imò ſi gentes noſtra juſtificando, ſicut ad nos pertinet, aliquid ſeiſiant, capiant,*

An. 22 E. 1. *piant, vel explectent, vel ſeiſire vellent, capere vel expleƈtare quod fierent, vel fiant gentibus noſtris violenter recuſſa, quæ jam in multis locis intemporabiliter inſligendo, gentes noſtras cum armis turpiter expellendo, verberando, & de terra illa violenter ejiciendo, & alios violenter pertraƈtando, in prædiƈtis & pluribus aliis* **ſeditionem publicam contra nos, et jus regium noſtrum facientes, in præjudicium ſuperioritatis noſtræ, et læſionem Regiæ Majeſtatis;** *quæ tàm diu & tàm nefariè perpetrata ſunt, & adhuc toto die perpetrantur, quod horum ignorantiam vos habere vereſimiliter non poteſtis. Cumque publica referente fama ad nòs pervenit, quod poſt appellationes multas, & à multis locum veſtrum tenentibus ad Curiam noſtram, interpoſita occaſione appellationum,* in magnum et gravè præjudicium ſuperioritatis et juriſdictionis noſtræ **contemptum,** *appellatos ipſos à juriſdiƈtione noſtra, propter eaſdem appellationes exemptos, irrationabiliter & crudeliter, nulla humanitate ſervata,* **ſed ſpreta reverentia nobis debita,** *traƈtaverunt capiendo, & diſtriƈtis carceribus mancipando; videlicet* Grimbaldum de Tyſano, Bernardum de Raunchano, Andræam de Bayſac, Bonafuſium de Coceti, *dictum* Ros; *& quamplures alios bonis ſuis omnibus ſpoliando, & de ſuis domiciliis, locis & hæreditatibus expellendo, dictum* Garciam *& quamplures alios ſuſpendendo,* Arnoldum de Bordis, Bernardum Pelliternum, *& quendam vocatum* Formage, *& in gulis eorum furcas imponendo, & apertè poſt omnes chordis ligando, ne loqui poſſent, ſeu appellare, aut appellationes ſuas renovare; inhibendo ſub pœna ſuſpendii quibuſdam notariis, requiſitis ab ipſis appellantibus, ut ſupradiƈtis appellationibus publica conficerent inſtrumenta, ne hujuſmodi inſtrumenta facerent; videlicet Magiſtro* Martino Mercerio *& pluribus aliis; alioſque incarcerando, eos detinendo, pro eo quod dicebant, quod à Seneſchallo veſtro* Vaſconiæ, *& de tota terra* Agen. *ad nos licitum erat appellare; videlicet* Reymundum de Lacuſſano *advocatum de* Agen. *& quamplures alios diverſorum tormentorum generibus cruciando. Hinc eſt* **quod vobis præcipimus, et mandamus ſub pœnis quas potuiſtis incurrere et poteſtis, quatenus viceſima die inſtantis Natalis Domini, quam vobis peremptorie Pariſiis aſſignamus, compareatis coram nobis, ſicut debebatis et debetis, et ſicut tantorum facinorum et exceſſuum qualitas exigit et requirit, ſuper dictis omnibus, quorum cognitio ad nos pertinet, et prædiƈta tangentibus, et quæ poſſunt ſequi ex eis et omnibus aliis, quæ contra vos proponenda duximus, reſponſuri, jure parituri, et quod juſtum fuerit audituri, et etiam recepturi.** *Significantes vobis tenore præſentium, quod ſive dictis die & loco compareatis, ſive non,* **nos nihilominus procedemus prout debemus, veſtra non obſtante abſentia.** *Datur.* Pariſiis, *&c.*

* Henry de Knyghton de Event. Angl. l. 3. c 6. col. 2497 & c. 7. col. 2500, 2501. Walſingham Hiſt. Angl. p. 25. Mat Weſtm. p. 392.

* *Iſtud mandatum quia* Rex Angliæ *minimè eſt proſecutus, ad diem præfatum non comparendo,* Rex Francorum *in propria perſona pro tribunali ſedens, ſententiam protulit judicans in defeƈtu:* **morque univerſali Patrum arbitrio, ab omnibus terris in regno** Francorum **præhabitis, extoris abjudicatur et exhæredatur.** *Deinde præcepit Rex Conſtabulario* Franciæ, *ut in manu armata proficiſcens, Ducatum* Aquitaniæ *Regis* Francorum *nomine occuparet, caperetque vel expelleret quoſcunque pro Regem* Angliæ *illius cuſtodiæ deputatos.* Hereupon the King of *France* invading *Aquitain,* refuſing all terms of Peace, or receding from them; *Rex* Angliæ *convocato* Londoniis *Parliamento, cui* Johannes *Rex* Scotorum *interfuit,* **de conſilio Prælatorum et Procerum conſenſum,** *terram ſub dolo ablatam recuperandam gladio decrevit.* The Parliament giving him a large Subſidie towards this War, the King by their advice renounced his homage to the King of *France*; and ſending the Archbiſhop of *Dublin,* the Biſhop of *Durham* with others Embaſſadors to the Kings of *Germany* and *Arragon* with large preſents and gifts, he entred into a firm league with them againſt the *French, ancillante, imo principante ſumma C. M. lib. de ſterlingis.*

a Flores Hiſt. pars 2. Anno 1294 p. 392. Polychronicon l. 7 c. 39. H de Knyghton de Event. Angl. l. 3. c. 2. col. 2471. Walſingham Hiſt. Angl. An. 1296 p. 29.

The King notwithſtanding this Subſidie wanting monies, ſearched all the Monaſteries and Churches throughout *England,* where any monies were depoſited by Religious perſons or others, and forcibly carried it away to ſupply his occaſions, by the advice of his Treaſurer *William de Marchia* Biſhop of *Bath* and *Wells,* thus related by [a] *Mat. Weſtminſter. Illo quoque tempore, videlicet Dominica ſecunda menſis* Julii, **factum eſt ſcrutinium execrabile, et ſacrilegium horrendum in Eccleſia Dei, per univerſum regnum** Angliæ, **quale non fuit, nec fuiſſe creditur multis temporibus retroactis.** *Fecit Rex omnia regni Monaſteria perſcrutari, & pecuniam inventam* Londoniis *apportari.* **Quod quidem ſcrutinium,** *ut credimus,* **non emanabit a conſcientia Domini Regis; ſed author potius hujus facti fuit Magiſter** Gulielmus de Marchia, *tunc temporis Domini Regis Theſaurarius,* **qui in hoc facto non** Bathonienſis Epiſcopus

copus dici debuit, ſed tyrannus, non defendens Eccleſiam ſed offendens. *Ille ſquidem facit cujus authoritate fit.* Et quia ſic Templum Domini violavit, careat ſibi ab anathemate Sancti Pauli, *dicentis*; * Si quis Templum Domini violaverit, diſperdet illum Deus; (meant only of the † ſacred Temples of Chriſtians bodies, defiled by fornication or adultery, of which ſin unmarried Prieſts and Monks were then moſt guilty; not of Monaſteries or Churches, as this Monk with others miſtake, and miſapply it.) [a] *Henry de Knyghton* ſtories; Edwardus *quorundam fretus conſilio, omnem pecuniam & omne depoſitum in Eccleſiis Cathedralibus, Domibus Religioſis, & aliis per totam Angliam gazofilaciis Clericorum & Laicorum Fratrum Prædicatorum & Minorum, cæterorumque ordinum omnium, quinto ſcilicet die* Julii *hora tercia, per miniſtros ſuos præordinatos quaſi ex improviſo cepit, & in ærarium ſuum* Londoniæ *reponere fecit, multamq; pecuniam conſecutus eſt, quam nunquam poſtea reſtituit. Illis tamen qui ei tenebantur in debito vel' ommuniter cum Clero vel populo auxilium promittebant ei, hujuſmodi pecuniam acceptam in ſolutionem alterius juſſit allocari, ſeu reſtitui.* [b] *Polydor Virgil* thus more particularly relates the ſtory; *Erat per hæc bella continua jam vacuatum ærarium regium, quod malum* Gulielmus Marchianus *quæſtor unus, omnium alieno detrimento ſanandum ſtatuit. Is enim noverat* cum in Cœnobiis, tum in Templis pecunias eſſe depoſitas, quas ſi haberet tolli, non utique ſcelus, ſed operæ pretium facturus ducebat, ſi pecunia promeretur ſuas ad uſum populi, perinde quaſi omnia eſſent communia, quo ſic pecuniam militi ſuppeditaret, præſentemque curaret (inopiam.) Itaque præfecti militum, quibus ille ſacrilegii patrandi negotium dederat, diſpoſitis paſſim per regnum militibus, uno tempore quicquid pecuniarum in locis ſacris recondítum fuerat, omnibus veſtigiis indagatum ad Edwardum afferunt, gemente paſſim populo (or rather Clero) quod Princeps non putaret manum abſtinendam a pecuniis, quibus ſacræ ædes reficiendæ eſſent. *Rex autem pecunia egens rem diſſimulavit.* [c] *Francis Godwin* in his Catalogue of Biſhops ſtories, *That he had ſeen amongſt the Records of our Church of* Wells, *the Copies of divers Letters unto the Pope and Cardinals, from the King, from the Nobility, and divers of the Clergy of this Realm, commending* William de Marchia *ſo farre forth for his holineſſe, teſtified (as they write) by many miracles, as they intreated very earneſtly for his canonization. I marvel much at it, for* Matthew *of* Weſtminſter *and* Polydor Virgil *complain much of him,* as the author of an hainous Sacrilege, in cauſing the King to ſpoyle all the Churches and Monaſteries of England, of ſuch plate and monies as lay hoarded up in them, for the payment of his Souldiers. *It was* Edward the 1. *a Prince that wanted neither wit to deviſe, nor courage to execute ſuch an exploit,* and to lay the fault upon another at laſt. *Yet likely enough it is, that ſuch a fault ſtamped on him (how undeſervedly ſoever)* might barre him out of the Popes Kalendar, *who otherwiſe was not wont to be overdainty in affording that kinde of honour,* where Fees might be readily paid in for it.

The King not ſufficiently ſupplyed with monies by this prey, or forced Loan, [d] *In vigilia S.* Matthæi *Apoſtoli, coadunatis Clero & populo apud* Weſtm. poſtulat Rex a tota Eccleſia, per totum regnum Angliæ locata, medietatem omnium bonorum, tam temporalium quam ſpiritualium. Quo audito, et in ſæculis inaudito, Pontifices et Prælati conturbati ſunt et conterriti, et præ anguſtia ſpiritus gementes, Regemque offendere, et ei contradicere non audentes, ſed votis regiis annuentes, et prædictam medietatem omnium bonorum ſuorum, uno anno provenientium, conceſſerunt. *Quam quidem medietatem, ſi prius prudentius et melius cogitaſſent. ſede Apoſtolica inconſulta,* Regi concedere non præſumerent ullo modo; (writes *Mat. Weſtminſter.*) *Indictis igitur hujus ſolutionis certis terminis & præfixis, ad propria ſunt reverſi. Nec mora, ſoluta prima portione juxta taxationem Decimæ prætaxatæ, præcepit ſecularium militum bona taxari, & ſibi decimari. Mercatoribus & Civibus commorantibus in civitatibus muratis, & vikulis nundinariis,* ſenarium denarium ex omnibus quæ poſſiderant, ejus neceſſitatibus inferit perſolvendum. *Dicitur etiam, quod Magiſter* Gulielmus de Monteforti, *Decanus Eccleſiæ Sancti* Pauli London. *ſanus & incolumis ad Curiam veniens, ut Regis animum mitigaret, aut ſaltem tale jugum importabilis ſervitutis, ſicut bonus Eccleſiæ filius levigaret, & appropians ante Regem, ut ſermonem conceptum, pro quo venerat, exponeret, repentè labiis obmutescens, viribus corporis deſtitutus, coram Rege corruens ſpiritum exhalavit. Hoc vero Rege conniventibus oculis prætereunte, & in petitione ſua inſtantis perdurante, adhuc abſconditum erat quantum perſolveret quiſquis Regi, hinc diverſis diverſa fabulantes,*

* 1 Cor. 3. 17.

† 1 Cor. 6. 13. to 20.

a De Event. Angl. l. 3. c. 7. col. 2500, 2501.

b Angl. Hiſt. l. 17. p. 332.

c Page 300.

d Mat. Weſtm. An. 1294. p. 393, 394. Mat. Parker Antiqu. Eccleſ. Brit. p. 209.

An. 22 E. 1.

lantes, ac in dies mutuo **ſic udam acerbam maſticantibus:** *Congregatis tandem in refectorio Monachorum* Weſtm. *ſurgens unus Miles,* Johannes de Havering *dictus, in medio eorum dicebat*; Viri venerabiles, poſtulatio Regis hæc eſt; *ſcilicet,* **Eccleſiaſticorum veſtrorum prohibentuum medietas annualis. Cui ſi contradixerit quis, aſſurgat in medio cetu, ut agnita perſona ejus, aſcribatur tanquam regiæ pacis reus.** *Quibus auditis,* **conturbati ſinguli Prælati cupitis protinus paruerunt.** [e] *Henry de Knyghton* thus relates the proceedings in this affair. *Eodem anno circa feſtum Aſcentionis Domini, Rex omnes lanas terræ* Angliæ, **tam Clericorum quam Laicorum ſeiſivit, et ſic ſeiſitas ſervavit quouſque Mercatores data maxima pecuniæ ſumma, eas quaſi de novo redimerent.** *Eodem etiam anno,* **vocavit Rex per literas ſuas Archiepiſcopos, Epiſcopos, Decanos Eccleſiarum Cathedralium, et Archidiaconos in propriis perſonis, Clerumque univerſumque Diœceſis per duos Procuratores, ut in feſto Sancti** Matthæi **Apoſtoli coram eo comparerent** Londoniæ. *Quibus exiſtentibus ait Rex*; Domini cariſſimi, jam ſatis conſtat, ut audiſtis, de famoſa iſta guerra quæ inter Regem *Francorum* & inter nos initium ſumpſit, non noſtra culpa ut novit Deus, ſed abſque ullo dolo vel fraude caſualiter ſumpſit initium, & uſque præſens ſumptuoſiſſimè continuatur. Verum ne ex injuſto bello redargui poſſemus vel reprehendi, optulimus ei primò pacem, & pacis formam uterque noſtrum amplexatus eſt; Quam cum ex parte noſtra, ut convenit, ſervare parati eſſemus, ipſe eam renuit & contempſit, & quantò magis pacem quærimus, tantò magis ab ea eramus ſeperati: Videntes autem nos finaliter ſic illudi, hanc guerram incepimus, & ſi neceſſe fuerit pro juſtitia noſtra conſequenda uſque ad mortem continuandam. Verum quia terræ noſtræ *Anglicanæ* non ſum niſi quaſi unus malus cuſtos, & non ipſa terra noſtra, **ſed tota Anglicana Eccleſia jam in arto ponitur et movetur injuſte,** nec continuare poſſumus quod incepimus niſi de eadem terra noſtra nobis auxilium tribuatur, **iccirco orationes veſtras in præſenti expetimus, et veſtrum auxilium implorantes.** Et juſtè debetis Domini cariſſimi & præcipuè iſta oratione impartiri auxilium, quoniam videtis Comites, & Barones & Milites noſtros, quod non ſolum bona, ſed verum etiam corpora ſua pro nobis exponunt & pro terra noſtra, non ad ſanguinis effuſionem, imò frequentius ad mortem. **Et vos igitur qui corpora veſtra exponere non poteſtis, juſtum eſt et rationi conſonum ut de bonis veſtris ſubveniatis.** *Adjecitque ſubſequentia, ut placeret illis,* **ſcibit enim eos eſſe motos pro immunitate Eccleſiæ violatæ**; *& ait:* Quia recenter duo facta ſunt in quibus admiramini; placare vobis volumus, & in hac parte reſpondere: **Præcepimus, quod omnes lanæ veſtræ arreſtarentur, et hoc non ſine cauſa fecimus, quia noſtræ voluntatis fuit, ut de bonis terræ ipſius terra conſervaretur illæſa.** *Aliud eſt*: Datum fuit nobis intelligi, quod moneta terræ noſtræ corrupta fuit & falſata, unde præcepimus, quod ſtatutum monetæ in ſuo robore teneretur, nichil mali ſuſpicantes; ſed in facto contigit ſicut & accidit inter Apoſtolos *Jeſu Chriſti*: Inter enim 12. erat unus malus qui *Chriſtum* tradidit; ſimiliter & in hoc facto fines mandati noſtri * quidam egreſſi ſunt & deceperunt nos; unde parati ſumus emendas facere pro libito veſtræ voluntatis. *Cumque loquendi finem faceret, reſpondit* Oliverus Lincolnienſis *Epiſcopus*; Domine, iſtud negotium conſilium requirit; detur nobis dies ad conſulendum cum fratribus noſtris, & ex conſilio reſpondendum. *Datuſque eſt dies tertius. Interim verò conſulentes, diverſi diverſa cenſerunt. Vacabat enim* Cantuarienſis *Eccleſia, & membra ſine capite diſperſa ſunt.* Eboracenſis *verò* Johannis Romanus, *Regis timore perterritus,* **eo quod Regi in magna ſumma tenebatur,** (upon his † premiſed cenſure and Judgement in Parliament, for excommunicating the Biſhop of *Durham*, &c.) *quaſi diſſimulando deſtituit.* Dunelmenſis Antonius de Bek *nondum reverſus fuerat de* Alemannia. *In unum tandem concordabant omnes,* **ut offerrent Regi duas Decimas in uno anno ſolvendas.** *Quod audiens* **Rex, indignatus eſt, et per ſuos ſatellites comminatus eſt, ſe** * **extra protectionem ſuam Clerum velle ponere, niſi medietatem omnium bonorum concederent, et votis ejus annuerent in hac parte; ſtatimque quaſi ſtipula cozda eorum diſſipata ſunt. Quidam enim Regi placere volentes feſtinanter, alii vero timore perterriti ſubſequentia conceſſerunt. Et quia immunitas Eccleſiæ,** *ut dictum eſt,* **læſa fuit et violata,** [f] **petiit a Rege quoſdam Articulos, Rege jubente.** *Juſſit enim Rex poſtquam votis ipſius paruerunt, ut & ipſi ab eo peterent remedia quæ vellent:* **et petierunt inprimis, ut ſtatutum de mamumortus, quod in præjudicium ſanctæ matris Eccleſiæ fuit æditum, deleretur.** *Cui quidem articulo Rex,*

Quod

e De Event. Angl. l 3. c. 7. col. 2501, 2502. See Polydor Virgil. Angl. Hiſt. l. 17. p. 332.

* Intimating that this was the act of the Biſhop of Bath and Wells his Treaſurer, who exceeded his commands.

† Here p. 564, 566.

* The cauſe why he granted them, and they received the enſuing Protections.

f See Polydor Virgil. Angl. Hiſt. l. 17. p. 332.

Quod idem Statutum de conſilio Magnatum ſuorum fuerat editum et ordinatum, et abſque eorum conſilium non erat revocandum. *Caeteris autem articulis quod proposuerant* (not ſpecified in our Hiſtories) *respondit de facili*; ita quod fruſtrati et delusi reverſi sunt ad propria, obligati tamen ad medietatem conceſſam. *Eodem etiam anno habuit Rex à Communitate regni decimum denarium, & à civitatibus sextum denarium.* * *Polydor Virgil*, relates the ſtory almoſt in the ſame words with *Knyghton*, concluding it with this obſervation. *Dum* Edouardus ita et Sacerdotum opibus ſuas eriget, Walli *deficiunt*, Anglos *paſſim perſequuntur, locaque alii sunt capiant, multis interfectis ſine ullo diſcrimine ſexus aut etatis. Miſit Rex* Edmundum *fratrem cum non mediocri Militum numero, qui ut in* Walliam *pervenit, proelio temerè cum hoſtibus commiſſo, profligatus eſt*, nimirum pecunia ſacrilegio quæſita exitio fuit exercitui, qua in primis illos conductus fuerat. So *Polydor*; who might have made the Popes ſacrilegious exactions of moneys for the *Holy Land*, and Wars of *Sicily*, the ſole or principal cauſe of the Chriſtians overthrowes in the *Holy land*, and of the Popes forces in *Sicily* and *Apulia*.

An. 22 E. 1.

* Hiſt. Angl. l. 17. p. 332.

The King after this Grant of the Clergy appointed Collectors in every Dioceſſe to collect theſe Diſmes at the ſeveral times of payment, by theſe Patents.

Pat. 22 E 1. m. 8. Pro Rege de medietate Eccleſiarum colligen.

REX *dilecto ſibi in Chriſto Priori* Roſſenſi *ſalutem. Cum Prælati & totus Clerus de regno noſtro* medietatem beneficiorum et bonorum ſuorum, de quibus Decima ultima in Subſidium Terræ conceſſa, fuit data nobis in Subſidium noſtrum de anno præſenti, juxta taxacionem ultimo inde factam liberaliter conceſſerint et gratanter, *beneficiis Eccleſiaſticis* perſonarum plura benencia Eccleſiaſtica non habencium *per eandem taxacionem, valorem decem Marcarum annuarum non excedentibus, duntaxat exceptis; Ita quod prima tercia pars ejuſdem medietatis in feſto* Omnium Sanctorum *prox. futuro; & ſecunda tercia pars ejuſdem medietatis in* Quindena Paſchæ *proximo ſequenti*; *& ultima tercia pars ejuſdem medietatis in* Quindena Nativitatis *Sancti* Johannis Baptiſtæ *prox. ſequenti nobis perſolvatur: Nos de veſtra fidelitate & diligentia confidentes*, aſſignavimus vos ad dictam medietatem ſecundum taxacionem illam in Epiſcopatu Roff. colligendam et aomandam, et in tuto loco reponendam et ſalvo cuſtodiendam, *donec aliud à nobis inde habueritis in mandatis; Et ideo vobis mandamus rogantes, quatinus eandem medietatem in forma prædicta colligatis, adunatis, & eam in tuto loco reponatis, & cuſtodiatis; Ita quod eam promptam & paratam habeatis juxta æquales portiones dictis terminis nobis ſolvendam & liberandam, cum ſuper hoc à nobis fueritis requiſiti. Et hoc ſicut noſtrum & veſtrum honorem diligitis nullatenus omittatis.* Conceſſerunt enim nobis dicti Prælati, quod Clerum ſuarum Dioceſium auctoritate ſua, quam vobis per literas ſuas patentes præſtabunt, ad ſolutionem dictæ medietatis, ut præmittitur, faciendam compellere valeatis. *In cujus, &c. T. R. apud* Weſtm. 30 *die* Sept.

Conſimiles litteræ diriguntur per ſingulos Epiſcopatus perſonis ſubſcriptis.

Nomina Collectorum in Epiſcopatibus ſubſcriptis; *Heref.* Decano & Cap *Heref. Landaven.* Abbati de *Margan. Aſſaven.* Abbati de *Aberconewey, Bangoren.* Epiſcopo & Cap. *Bangor. Meneven* Priori *Lanton* prime, Priori de *Kaermerdyn*; *Linc.* Abbati de *Oſeneye*, Priori Sanctæ *Katerinæ* extra *Linc. Norwyc.* Priori de Sancto Edmundo, Priori de *Wymundeham*; *Elyen.* Priori *Elyen*, Priori de *Bernewell*; *Coventr.* & *Litchf.* Abbati de *Burton* ſuper *Trentam*, Priori de *Kenylworth*; *Dunolm.* Priori *Dunolm. Karl.* Priori de *Whetenhale*; *Ciceſtr.* Dec. & Cap. *Ciceſtr. Wygorn.* Abbati de *Glouc. Eborum.* Priori de *Thurgarton*, Abbati de *Seleby*, Abbati beatæ *Mariæ* de *Eborum*, Abbati de *Furnays. London.* Priori Sanctæ *Trinitatis London*, Abbati Sancti *Johannis Celeceſtr. Exon.* Decano *Exon.* Collectori Capituli *Exon.* Abbati de *Tavyſtok* Collectori in Com. *Corunb.* Priori Sancti *Nicholai Exon. Bath.* & *Wellen.* Abbati *Glaſton. Cantuar.* Abbati de *Faverſham*; *Sarum.* Abbati *Radyng.* Abbati de *Shireburn*; *Wynton.* Abbati de *Certeſeye*, Abbati de *Hyda Wynton.*

In recompence of which Grant, the King granted theſe enſuing protections to them both by Sea and Land, for their perſons, ſervants, lands, rents, poſſeſſions goods and chattels.

An. 22 *E.* 1.

Ibid. Forma protectionis pro Prælatis & Clero.

REX Capitan. Marinariorum & eiſdem Marinariis, *Vic. & omnibus Ballivis & fidelibus ſuis ad quos, &c. ſalutem. Cum Prælati & totus Clerus de regno noſtro* medietatem beneficiorum et bonorum ſuorum de quibus Decima ultimo in ſubſidium Terræ Sanctæ conceſſa fuit data, nobis in ſubſidium noſtrum de anno præſenti juxta taxationem ultimo inde factam liberaliter conceſſerint et gratanter, Nos eorundem Prælatorum et Cleri quieti et tranquillitati ex hac cauſa libencius prohidere volentes; ſuſcepimus in protectionem et deffenſionem noſtram ſpecialem prælatos Prælatos, et ſingulos de Clero prædicto, homines, terras, res, redditus, et omnes poſſeſſiones eorundem. Et *ideo vobis mandamus, quod ipſos Prælatos & ſingulos de Clero prædicto, homines, terras, res, redditus, & omnes poſſeſſiones ipſorum in ballivis veſtris* manuteneatis, protegatis, et defendatis, *non inferentes eis vel inferri permittentes injuriam, moleſtiam, dampnum aut gravamen. Et ſi quid eis forufactum fuerit, id eis ſine dilacione faciatis emendari. In cujus, &c. per prædictum annum duraturas.* Volumus autem ſet firmiter inhibemus, ne de bladis, ſeu aliis bonis et catallis prædictorum Prælatorum et Cleri, vel alicujus ex ipſis ubicunque conſiſtant, ad opus noſtrum aut aliorum quorumcunque, ſine licencia et voluntate eorundem Prælatorum et Cleri, vel alicujus ex ipſis cujus bona fuerint, aliquid interim capiatis ſeu capi faciatis, quominus de eiſdem bladis, bonis, et catallis ſuis libere diſponere et ordinare, ac commodum ſuum facere poterunt, prout ſibi melius viderint expedire. *Teſte Rege apud* Weſtm. 27 *die* Sept.

After this general, he granted this ſpecial protection in the ſame form to the Abbots, Abbeſſes, Priors and Prioreſſes of the *Ciſtercians*, *Auguſtines*, *Benedictines*, and Order of *Cluny* in *England*, thus entred on record.

Ibidem.

REX Capitan. *Marinariorum, &c.* ut ſupra; *Cum dilectus nobis in Chriſto Abbas de* Miravall. *Ordinis* Ciſtercien. *ſicut cæteri Abbates ejuſdem Ordinis de regno noſtro medietatem beneficiorum, &c. Nos, &c. ut ſupra de verbo ad verbum uſque in finem. Teſte ut ſupra.*

Conſimiles literas de verbo ad verbum habent ſubſcripti qui ſunt de eodem ordine.

Pro Ciſtercienſibus.

Abbas de *Regali loco* juxta *Oxoniam*, Abbas de *Stratteford*, Abbas de *Sibeton*, Abbas de *Boxle*, Abbas loci Sancti *Edwardi* de *Letteleye*, Abbas de *Holmcoltram* & *Caldre* in *Coupland*, Abbas de *bello loco Regis*, Abbas de *Buldewas*, Abbas de *Vallis Dei*, Abbas de *Baſingwerk*, Abbas de *Bella Landa* & *Strata Florida*, Abbas de *Dore*, Abbas de *Revesby*, Abbas de *Stanlowe*, Abbas de *Rughford*, Abbas de *Fontibus*, Abbas de *Cumba*, Abbas de *Gerndon*, Abbas de *Flexle*, Abbas de *Cuberſhale*, Abbas de *Kirkeſtall* dup. Abbas de *Parco Lude*, Abbas de *Salleye*, Abbas de *Rivall.* Abbas de *Wouburn.* Abbas de *Jorevall*, Abbas de *Waverle*, Abbas de *Stenle*, Abbas de *Forde*, Abbas de *Dunkeſwell*, Abbas de *Hayles*, Abbas de *Valle Regali*, Abbas de *Melſa*, Abbas de *Cumbermere*, Abbas de *Tame*, Abbas de *Fileteye*, Abbas de *Kingeſwode*, Abbas de *Hayles*, Abbas de *Saltreya*, Abbas de *Rupe*, Prioriſſa de *Appelton*, Abbas de *Bitleſden*, Abbas de *Bynedone*, Abbas de *Newenham*, Prioriſſa de *Cotam* Monialium, Abbas de *Wardon*, Prioriſſa de *Swyne*, Abbas de *Ponte Roberti*, Abbas de la *Quarrere*, Abbas de *Swyneſheved.* Abbas de *Regali loco*, Abbas de *Curavall.* Abbas *Rivall*, Abbas de *Boclond*, Abbas de *Bukfaſt*, Prioriſſa de *Lekeburn*, Abbas de *Aredideneham*, Abbatiſſa de *Morham*, Abbas de *Sabrin*, Abbas de *Crokeſden*, Abbas de *Gerwedon*, Abbas de *Graciis.*

Ibidem.

REX Capitan. *Marinariorum, &c.* ut ſupra. *Cum dilectus nobis in Chriſto Abbas de* Neuhus *ordinis* Præmonſtraten. *ſicut cæteri Religioſi ejuſdem ordinis de* regno noſtro medietatem, *&c.* ut ſupra uſque in finem. *Teſte ut ſupra.*

Conſimiles literas de verbo ad verbum habent Abbates ſubſcripti, qui ſunt de eodem ordine.

Pro Præmonſtratenſibus.

Abbas de *Barlinges*, Ab. de *Lavendene*, Ab. de *Torre*, Ab. de *Croxton* & *Neubo*, Ab. de *Alnewyk*, Ab. de *Bogeham*, Ab. de *Bello Capite*, Ab. de *Dureford*, Ab. de *Teychefeld*, Ab. de *Wellebeck*, Ab. Sanctæ *Radegundis* juxta *Doveriam* & de *Langedon*;

An. 22 *E.* I.

don:; Item idem Ab. Sanctæ *Radegundis* habet aliam ſeperatam, Abbates de *Thupholm* & *Haghenebi*, Ab. de *Weſtdereham*, Ab. de *Wenlyng*. Ab. de *Langeleye*, Ab. de *Leyſton*, Ab. de *Langedene*; Prior de *Tonebrigg*. Prior de *Kenyleworth*, Prior de *Novo loco* juxta *Gildeford*, Prior Chriſti Eccleſiæ de *Thwynham*, Ab. de ſancta *Agatha*, Ab. de *Coverham*. Frater *Nicholaus Salies*, Abbatis de *Bello portu* ordinis *Præmonſtraten*. Procurator generalis, Frater *Willielmus Sampſon* Abbatis de *Blanca Landa* ordinis ejuſdem Procurator in *Anglia* generalis, Ab. de *Cokerſond*.

Pro Canonicis de ordine Sancti Auguſtini.

REX *Capitan. Marinariorum & eiſdem marinariis, &c. Cum dilectus nobis in Chriſto Prior de* Wartre *ordinis Sancti* Auguſtini, *ſicut & cæteri Religioſi ejuſdem ordinis, &c.* ut ſupra uſque in finem. *Teſte ut ſupra.*

Prior de *Cikefford*, Prior de *Muchelham*, Ab. de *Leſenes*, Prior de *Bridelington*, Prior de *Merketon*, Prior de *Belkeford*, Prior ſanctæ *Trinitatis London*, Prior de *Wabrun*, Prior de *Giſeburn*, Ab. de *Hertiland*, Magiſter Domus ſancti *Marcii* de *Bylleswik* juxta *Briſtoll*, Prior de *Taunton*, Prior de *Burnceſtr*. Prior Eccleſiæ Sancti *Gregorii Canterb*. Prior de *Flicham*, Prioriſſa de *Garinges*, Ab. de *Cyrenceſt*. Ab. de Sancta *Oſitha*, Ab. de *Leyceſtr*. Prior Eccleſiæ ſanctæ *Mar. de Suthwerk*, Prior de *Wirkeſup*, Prior de *Stodleye*, Prior de *Warmeſleye*, Ab. de *Haghemon*, Prior de *Wyrmegeye*, Ab. de *Ronceſtr*. Prior ſancti *Mechaelis* de *Bromwore*, Prior ſancti *Thomæ Mart*. juxta *Staff*. Ab. de *Crek*, Ab. de *Greſeleye*, Prior Eccleſiæ Chriſti de *Thwynham*, Prior de *Caldewelle*, Prior de ſancto *Oſwaldo*, Prior ſancti *Petri* de *Gippewico*, Prior de *Novoburgo*; Frater *Walterus Bryket*, Prioris de *Bello loco* in *Norm*. ordinis ſancti *Auguſtini* Procurator in *Angl*. generalis, Magiſter *Ricardus* de *Werpele*, Dom. Cuſtos domorum Scolarium de *Merton*, Prior ſanctæ *Fredeſwide Exon*. Prior de *Bernewelle*, Prior de *Buttele*, Prior ſancti *Leonardi* de *Briſete*, Prior de *Hagh*, Abbas de *Keyneſham*, Prior de la *Launde*, Prior de *Repindon*. Prior de *Wroxton*, Prior de *Dunſtaple*, Prior de *Kirkeham*, Prior de *Dunmowe*, Abbas de *Nuttele*, Prior de *Newenham*, Prior ſancti *Bartholomæi* de *Smithfeld*. *London*.

Pro Monachis de ordine Sancti Benedicti.

REX *Capitan. Marinariorum & eiſdem Marinariis, &c. Cum dilectus nobis in Chriſto Abbas de* Hyda *extra* Winton. *ordinis Sancti* Benedicti, *ſicut cæteri, &c. ejusdem ordinis, &c.* ut ſupra de verbo ad verbum uſque in finem. *T. ut ſupra.*

Conſimiles literas habent ſubſcripti de verbo ad verbum qui ſunt de eodem ordine.

Abbas de *Thorneye*, Ab. de Burgo ſancti *Petri*, Abbatiſſa *Shaftoniæ*, Prior Eccleſiæ *Chriſti Cantuar*. Abbas de *Malmesbir*. Prior ſancti *Swithuni Winton*. Abbas de de *Certeſeye*, Prior ſanctæ *Trinitatis Ebor*. Prior de *Tikeford* juxta *Neuport Paignel*, Prior *Dunolm*. Prior de *Kirkeby* Monachorum, Abbas de *Waledon*, Abbas de *Haghemon*. Abbas *Salop*, Prior de *Ely*, Abbas beatæ *Mariæ Ebor*. Prior de *Newenton*, Abbas de *Middelton*, Prior ſancti *Nicholai* de *Exon*. Prior de *Spalding*, Abbas de *Bello*, Prior de *Ware*, Prior de *Wyleweton*, Abbas de *Perſſhore* dupp. Prior de la *Sele*, Prior de *Aundenero*, Prior de *Appelderecumbe*, Prior de *Hynkeleye*, Prior de *Careſbrok*. Frater *Johannes* de *Apris* ordinis ſancti *Benedicti* Procurator Abbatis de *Lira* in *Anglia* generalis, Prior de *Wauneſwotton*, Prior de *Sporleye*, Prior de *Warham*, Prior de *Folkeſtan*, Prior de *Wellys*, Abbas ſancti *Benedicti de Hulmo*, Prior de *Coges*, Prior de *Warmynton*, Prior ſanctæ *Mar. Wygorn*. Prior de *Spettesbury*, Prior de *Emedewell*, Prior de *Toft*, Prior de *Frumpton*, Prior de *Eſton*. Priores ſanctæ *Crucis* de *Inſula Vecta*, Prior de *Cretingges*, Prior de *Hermodeſworth*, Prior Sanctæ *Mar. Lude*, Prior de *Ecclesfeld*, Prior de *Wedon Pinkeny*, Prior de *Neiove* & *Novo Mercato*, Prior Sanctæ *Fidis* de *Horſham*, Prior de *Otriton*, Prior de *Wenge*, Prior de *Wylminton*, Prior de *Lodres*, Prior de *Modbury*, Prior de *Iplepenne*, Abbas de *Muchelneye*, Prior de *Trulegh*, Prior ſancti *Jacobi de Exon*. Prior de *Eſtleye*, Prior de *Totton*, Abbatiſſa de *Berking*, Abbas ſancti *Auguſtini* Briſtoll. Prior de *Cowyk*, Prior de *Monte Sancti Michaelis* in *Cornub*. Prior de *Wylminton* tripl. Prior de *Tywardraeth*, Prior de *Leveſham*, Prior de *Lenton*, Prior de *Berdon*, Abbas de *Whyteby*, Abbas de *Fiſcamps*, Prior de *Stokes*, Prior de *Okeburne*, Prior de *Stymenton*, Prior de ſancto *Valerico*, Prior de *Routon*, Prior de *Swaneſeye*, Prior de *Hatfeld Regis*, Prior de *Hameley*, Prior de *Tuttebury*, Prior de *Neoto*, Prior de *Roff*. Prior de *Shireburne*,

Prior

An. 22 *E.* 1. Prior de ſancto *Walerico*, Prior de *Stinenton*, Abbas de *Croyland*, Prior de *Anebury*, Prior ſancti *Swithuni Winton*, Prior de *Arundell*, Prior de *Wedone Edyth*. Prior de ſancto *Germano*, Abbas beatæ *Mariæ Eborum*, Prior Eccleſiæ ſanctæ *Trinitatis* de *Norwico*.

Pro Monachis Cluniacen. REX *Capitan. Marinar. & ciſdem Marinariis, Vicecomitibus & omnibus Ballivis & fidelibus ſuis ad quos, &c. ſalutem. Cum dilectus nobis in Chriſto Prior de* Horkeleye *ordinis* Cluniacen. *ſicut cæteri Religioſi ejuſdem ordinis, &c. Nos ejuſdem Prioris quieti, &c.* ut ſupra, *per annum prædictum duraturas, &c.* ut ſupra uſque finem cum clauſulis prædictis. *Teſte Rege apud* Weſtm. 28 *die* Sept.

Conſimiles literas de verbo ad verbum habent ſubſcripti qui ſunt de eodem ordine, per idem tempus duraturas.

Prior de *Hagham*, Prior de *Pritwell*, Prior de *Horton*, Prior de *Neuton* Longevile, Prior de *Wengeford*, Prior de *Clifford*, Prior de *Lenton*, Prior de *Mendham*, Prior de *Bermundeſeye*, Prior de *Bromholme* dupp. Prior de *Caſtleacre*, Prior de *Lewes*, Prior de *Farleye*, Prior de *Monte acuto*, Prior de *Norhampton* dupp. Prior de *Wenlock*, Prior de *Carſwell*, Prior de *Normannesbergh*, Prior ſanctæ *Elenæ* de *Inſula Vectis*, Prior de *Thetford*, Prior de *Pontefracto*, Prior de *Aldermaneſhave*, Prior de *Staneſgate*.

Conſimiles literas de protectione ut ſupra habent Decani, Archidiaconi, Canonici Eccleſiarum Cathedralium, Rectores Eccleſiarum, Vicarii, & cæteri viri Eccleſiaſtici, quorum nomina inferius continentur, per prædictum tempus duraturas, &c. (Whereof you may obſerve many Pluraliſts, againſt the Canons and Conſtitutions of ſundry Councils, and ſundry aliens.)

Hugo de *Aquablanca*, Decanus Eccleſiæ ſancti *Ethelberti Hereford.*
Porcius de *Cors* & *Johannes* de *Ponte*, Canonici ejuſdem Eccleſiæ.
Jacobus de *Boſel*, Perſona Eccleſiæ de *Hopmaloiſel.*
Martinus de *Cambariaco*, Perſona Eccleſiæ de *Streton.*
Frater *Edmundus*, Magiſter Hoſpitalis ſancti *Antonii Hereford*; iſti omnes habuerunt unam protectionem.
Thomas de *Kanc.* Perſona Eccleſiæ de *Kirketon.*
Magiſter *Thomas* de *Skerning*, Perſona Eccleſiæ de *Maplecham.*
Magiſter *Robertus* de *Swathorp*, Perſona Eccleſiæ de *Appleton* in *Ridale.*
Thomas, Perſona Eccleſiæ de *Barton* in *Ridale.*
Magiſter *Petrus* de *Inſula*, Archid. *Exon.*
Willielmus, Perſona Eccleſiæ de *Suchenham.*
Robertus de *Sirylington*, Perſona Eccleſiæ de *Glatton.*
Magiſter *Petrus* de *Anebury*, Perſona Eccleſiarum de *Godeſhull*, & de *Newton* in Inſula *Vectæ.*
Johannes de *Cumbe*, Perſona Eccleſiæ de *parva Shobiry.*
Walterus de *Wotton*, Perſona Eccleſiæ de *Merſhten.*
Thomas de *Fauconer*, Perſona Eccleſiæ de *Hadeſco.*
Johannes de *Staneweye*, Perſona Eccleſiæ de *Rippill.*
Decanus & *Capitulum* Eccleſiæ beatæ *Mariæ Linc.*
Magiſter *Philippus* de *Sancto Auſcolo*, Archidiaconus *Wynton.*
Johannes de *Sutton*, Perſona Eccleſiæ de *Aylmerton.*
Godefredus de *Acre*, Perſona Eccleſiarum de *Tylnye* & *Roſteſhale.*
Gocelinus de *Kirnington*, Archidiaconus de *Stowe.*
Magiſter *Robertus* de *Cave*, Perſona Eccleſiæ de *Kirkeby Suggeſton.*
Adam, Perſona Eccleſiæ de *Rungeton.*
Richardus, Vicarius Eccleſiæ de *Abereton.*
Martinus de *Toryton*, Perſona Eccleſiæ de *Rewe.*
Magiſter *Walterus* de *Bathon.* Perſona Eccleſiæ de *Bracleſham.*
Thomas de *Langeton*, Perſona Eccleſiæ de *Whyterothyng.*
Richardus Berard, Perſona Eccleſiæ de *Wothull.*
Johannes de *Gayſford*, Perſona Eccleſiæ de *Wokyndon* ad *turrim.*
Magiſter *Nicholaus*, Perſona Eccleſiæ de *Wyleby.*

Magiſter

An. 22 E. 1.

Magiſter *Johannes* de *Tikeham*, Perſona Eccleſiæ de *Weſton*.
Frater *Johannes* de *Averiis*, Procurator Abbatis de *Alneto*, ordinis *Ciſtercienſis* in *Anglia* generalis.
Frater *Vigor*, Abbatis de *Fiſcampo*, ordinis ſancti *Benedicti* Procurator in *Anglia* generalis.
Frater *Laurentius*, Prior de *Morten*, ordinis ſancti *Benedicti* Procurator in *Anglia* generalis.
Willielmus de *Askeby*, Perſona Eccleſiæ de *Walton*.
Magiſter *Willielmus* de *Pykering*, Canonicus, Archidiaconus *Nottingh.*
Magiſter *Robertus* de *Pykering*, Canonicus Eccleſiæ beatæ *Petri Ebor.*
Magiſter *Robertus* de la *Forde*, Canonicus Eccleſiæ ſancti *Johannis Beverlaci.*
Hugo de *Ronwell*, Perſona Eccleſiæ de *Leydon.*
Frater *Willielmus* de *Gravele*, Procurator Abbatis de *Lyra*, ordinis ſancti *Benedicti* in *Anglia* generalis.
Magiſter *Rogerus* de *Sevenok*, Perſona Eccleſiæ de *Sevenok*,
Nicholaus, Vicarius Eccleſiæ de *Wytham Breeuſe*,
Willielmus Herbert, & *Michael* de *Ingbrok*, Abbatiſſæ de *Gynes*, ordinis ſancti *Benedicti*, Procuratores in *Anglia* generales.
Frater *Willielmus*, Procurator Abbatis de *Saviniaco* ordinis *Ciſtercienſis* in *Anglia* generalis.
Magiſter *Robertus* de *Kynelingworth*, Perſona Eccleſiarum de *Lidinton* & *Kyneling-worth.*
Frater *Galfridus* de *Aqua*, Procurator Abbatis ſancti *Petri* de *Caſtellano* de *Conchis*, ordinis ſancti *Benedicti* in *Anglia* generalis.
Frater *Willielmus* de *Gravelee*, Procurator Abbatis de *Lyra*, ordinis ſancti *Benedicti* in *Anglia* generalis.
Magiſter *Willielmus* de *Berges*, Archidiac. *Berk.*
Magiſter *Arnoldus Lupi* de *Tillie*, Perſona Eccleſiæ de *Sotherek*,
Willielmus de la *Dune*, Perſona Eccleſiæ de *Reſham.*
Magiſter *Thomas* de *Burne*, Perſona Eccleſiæ beatæ *Mariæ* de *Longaſtratton*,
Robertus de *Langeton*, Perſona Eccleſiæ de *Coterſtok*,
Gilbertus de *Robur*, Perſona Eccleſiæ de *Carleton.*
Magiſter *Thomas* de *Suthwerk*, Perſona Eccleſiæ de *Weſtyderleye.*
Hugo de *Renbury*, Perſona Eccleſiæ de *Heliwelle.*
Decanus & Capitulum *Capellæ* ſanctæ *Mariæ Magdalenæ* de *Bruges.*
Magiſter *Richardus* de *Graveſend*, Archidiaconus *London.*
Magiſter *Johannes* de *Manhale* & *Johannes* de *Goſholm*, Perſonæ Eccleſiæ de *Linerton.*
Prior de *Lenton*, Ordinis *Cluniacenſis.*
Magiſter *Robertus* de *Ciſterne*, Perſona Eccleſiarum de *Baketon* & *Hadlegh.*
Hervicus Perſona Eccleſiæ de *Huggeſchale.*
Petrus de *Haverhull*, Perſona Eccleſiæ de *Knyghteton Mayne.*
Magiſter *Johannes* de *Grenſtede*, Perſona Eccleſiæ de *Bledelowe.*
Egidius de *Andenard*, Canonicus Eccleſiæ ſanctæ *Trinitatis Ciceſtr.*
Frater *Johannes* de *Rokele*, Magiſter Hoſpitalis de *Farleye* & *Lotegarſhale.*
Magiſter Hoſpitalis ſancti *Antonii Hereford.*
Richardus, Perſona Eccleſiæ de *Pentelowe.*
Willielmus de *Bello*, Perſona Eccleſiæ de *Kynggeſſnode.*
Johannes de *Kirkeby*, Perſona Eccleſiarum de *Northmymmes* & *Chyſelbergh.*
Thomas de ſancto *Lando*, Perſona medietatis Eccleſiæ de *Claypol.*
Magiſter *Henricus* de *Wodeford*, Perſona Eccleſiæ de *Dunkerton.*
Frater *Willielmus* le *Clerk*, Procurator Abbatis le *Mar.* de *Greſtono* in *Anglia* generalis.
Johannes de *Sheffend*, Perſona Eccleſiarum de *Fuldon* & *Thorneton.*
Johannes de *Salleby*, Perſona Eccleſiæ de *Sutton* juxta *Markeby.*
Walterus Sauvage, Perſona Eccleſiæ de *Searthon.*
Frater *Walterus*, de *Ipre*; Procurator Abbatis de *Dunes* ordinis *Ceſterc.* in *Anglia* generalis.
Magiſter *Richardus* de *Sottenwell*, Canonicus Eccleſiæ beatæ *Mariæ Sarum.*
Johannes de *Oſovill*, Perſona Eccleſiæ de *Sumerſham.*

Magiſter

An. 22 *E.* 1. Magiſter *Edmundus de London*, Canonicus liberæ Capellæ Regis beatæ *Mariæ de Haſtyngie.*

Johannes de Sheffend, Perſona Eccleſiarum de *Fuldon* & *Thornton.*

Johannes de Hukyng, Perſona Eccleſiæ de *Moriſton.*

Thomas de Capella, Perſona Eccleſiæ de *Blechesden.*

Johannes Maunſel, Perſona Eccleſiæ de *Bryuton.*

Rogerus de Forcee, Perſona Eccleſiæ de *Burfeld.*

Robertus de Scardeburgh, Perſona Eccleſiæ de *Conyngton.*

Magiſter *Henricus de Northwode*, Perſona Eccleſiæ de *Wurſtwell.*

Magiſter *Walterus de Stapelton*, Perſona Eccleſiæ de *Axeton Giffard.*

Richardus de Marnham, Perſona Eccleſiæ de *Crumwell.*

Gilbertus de Routhbur. Perſona Eccleſiæ de *Steyndrop.*

Thomas de Terring, Perſona Eccleſiæ de *Stanhowe.*

Magiſter *Regin. de Braundon*, Perſona Eccleſiæ de *Orpinton.*

Willielmus de Waleynes, Perſona Eccleſiarum de *Grimeſton* & *Gleye.*

Alex. Perſona Eccleſiæ de *Stapelford* Abbatis.

Hugo de Valle, Perſona Eccleſiæ de *Eddeworth.*

Magiſter *Johannes de Brideport*, Perſona Eccleſiæ de *Brideport.*

Walterus de Porteſmouth, Perſona Eccleſiæ de *Norton.*

Magiſter *Richardus de Ballo*, Perſona Eccleſiæ de *Sutton* in *Coleſfeld.*

Radulphus Perſona Eccleſiæ de *Saham* Monachorum, Capellanus Regis.

Oliverus de Byſete, Perſona Eccleſiarum de *Wakefeld* & *Trunch.*

Henricus de Inſula, Perſona Eccleſiæ de *Weſtharpetre.*

Willielmus de Rodſtru, Perſona medietatis Eccleſiæ de *Cruk.*

Bogo de Clare, Canonicus Eccleſiæ Sanctæ *Trinitatis Ciceſtr.* Perſona Eccleſiæ de *Forthyngbrugg.*

Radulphus de Sanford, Perſona Eccleſiæ de *Aulton*, Capellanus Regis.

Frater *Thomas de Monte probato*, Abbatis beatæ *Mariæ* ſuper *Dynam*, ordinis ſancti *Benedicti* in *Anglia* generalis.

Oliverus de Wyſete, Perſona Eccleſiarum de *Wakefend* & *Truncbe.*

Magiſter *Willielmus de Sancta Elena*, Canonicus Eccleſiæ ſancti *Petri Exon.*

Frater *Willielmus Oliver*, Abbatis de *Sagio*, ordinis ſancti *Benedicti* Procurator in *Anglia* generalis. Duppl.

Magiſter *Petrus de Aſtkern*, Perſona Eccleſiæ de *Haddeſtok.*

Willielmus de Rollesby, Perſona Eccleſiarum de *Suth Reppes*, *North Reppes*, & *Trymingham.*

Frater *Radulphus de Muſcerus*, Procurator Abbatis *Albemarl.* ordinis ſancti *Benedicti* in *Anglia* generalis.

Henricus de Gildeford, Perſona Eccleſiarum de *Cumpton*, *Gynelton*, & *Brodwod.*

Henricus de Ditteſhal, Perſona Eccleſiæ de *Adelington.*

Gerardus de Vyſpeins, Archidiaconus *Rychemund.*

Frater *Hugo de Lugdon*, Procurator Abbatis de *Inſula Dei* ordinis *Præmonſtrat.* in *Anglia* generalis.

Willielmus de Tawelle, Perſona Eccleſiæ *Omnium Sanctorum* de *Ryſton.*

Alex. de *Valeynes*, Perſona Eccleſiæ de *Dudelyngton.*

Magiſter *Rogerus de Martivall*, Archidiac. *Huntingd.*

Magiſter *Petrus de Sancto Mario*, Archidiac. *Surr.*

Magiſter *Thomas de Bodſham*, Archidiac. *Totton.*

Thomas de Abyndon, Perſona Eccleſiæ de *Spettebury.*

Magiſter *Willielmus de Berges*, Archidiac. *Berk.*

Frater *Radulphus de Muſcerus*, Procurator Abbatis *Albemarl.* ordinis ſancti *Benedicti* in *Anglia* generalis.

Simon de Barneby, Perſona Eccleſiæ de *Queldrik.*

Magiſter *Guydo de Tylebrok*, Perſona Eccleſiæ de *Stratham.*

Galfridus de Hegham, Perſona Eccleſiæ de *Canndel Epiſcopi.*

Willielmus de Modburne, Perſona Eccleſiæ de *Sutton Curtenay.*

Magiſter *Johannes de Pavely*, Perſona Eccleſiæ de *Pavely Piry.*

Magiſter *Richardus de Clifford*, Canonicus Eccleſiæ beatæ *Mariæ Sarum*, & Perſona Eccleſiarum de *Stokenham*, *Berghton*, *Hoghton*, & *Eynesbury.*

Magiſter

Magiſter *Adam* de *Weſt*, Perſona Eccleſiæ de *Ideſhale*.
Magiſter *Stephanus* de *Heppeworth*, Perſona Eccleſiæ de *Hardingham*.
Adam de *Bekles*, Perſona Eccleſiæ de *Swafeld*.
Magiſter *Johannes* de *Morle*, Perſona Eccleſiæ de *Wyſnyſton*.
Willielmus de *Coulinge*, Perſona Eccleſiæ de *Carleton*.
Magiſter *Gregorius* de *Ponteſracto*, Perſona Eccleſiæ de *Wynebodeſham*.
Magiſter *Robertus* de *Cyſterne*, Perſona Eccleſiarum de *Baketon* & *Hadelegh*.
Magiſter *Henricus Huſe*, Perſona Eccleſiarum de *Aſkebury* & *Bampton*.
Thomas de *Morton*, Perſona Eccleſiæ de *Hauſted*.
Magiſter *Henricus Huſe*, Perſona Eccleſiarum de *Kyngesbury*, *Bodecleye*, *Mudeford*, & *Limpton*.
Petrus de *Guldeford*, Præpoſitus Eccleſiæ de *Wengham*, & Perſona Eccleſiæ de *Burne*.
Frater *Willielmus* de *Lollynton*, Procurator Abbatis de *Bona Requie* ordinis *Ciſtercienſis* in *Anglia* generalis.
Johannes de *Blamvill*, Perſona Eccleſiæ de *Brundale*, & Perſona medietatis Eccleſiæ de *Neuton Floteman*.
Willielmus Burnel, Archidiaconus de *Taunton*.
Robertus de *Sefeld*, Perſona Eccleſiarum de *Brampton* & *Shathenefeld*.
Thomas de *Inſula*, Perſona Eccleſiæ de *Eſthaurethe*.
Willielmus Perſona Eccleſiæ de *Aſton* in *Morthyng*.
Magiſter *Hugo* de *Colingham*, Canonicus Eccleſiarum beatæ *Mariæ Lincoln*. & beati *Pauli London*.
Johannes de *Newent*, Perſona Eccleſiæ de *Gratcleye*.
Willielmus Perſona Eccleſiæ de *Braylesford*.
Magiſter *Galfridus* de *Inſula*, Perſona Eccleſiarum de *Chut*, *Wyntreburne*, & *Swalewecliye*.
Johannes de *Stokton*, Perſona Eccleſiæ de *Stok* juxta *Undele*.
Magiſter *Richardus* de *Sancta Frideſwida* Archid. *Buk*. Canonicus Eccleſiæ beatæ *Mariæ Linc*. & Perſona Eccleſiæ de *Evedenne*.
Hamo Vicarius Eccleſiæ de *Gillingham*.
Willielmus de *Strete*, Perſona Eccleſiæ de *Ken*.
Hamo de *Warenna*, Perſona Eccleſiæ de *Blachynton*, & duarum partium Eccleſiæ de *Aldeburgh*.
Magiſter *Johannes* de *Apperleye*, Vicarius Eccleſiæ de *Selkeſton*.
Rogerus Wele, Perſona Eccleſiæ de *Throuleye*.
Willielmus de *Rodeſton*, Perſona tertiæ partis Eccleſiæ de *Crok*.
Gilbertus Luvel, Perſona Eccleſiæ de *Tychemerſshe*.
Johannes le Gros, Perſona Eccleſiæ de *Parva Benetlegh*.
Johannes de *Langeton*, Theſaurarius Eccleſiæ Sancti *Andreæ Wellen*. Clericus Regis.
Idem *Johannes* Perſona Eccleſiæ de *Loddeſwell*.
Johannes de *Godelegh*, Perſona Eccleſiæ de *Foxeyerde*.
Idem *Johannes* Perſona Eccleſiæ de *Loneputte*.
Frater *Mathæus* de la *Lunde*, Abbatis Sancti *Victoris* in *Caleto* ordinis Sancti *Benedicti* Procurator in *Anglia* generalis.
Frater *Ganerius* Abbatis de *Inſula Dei*, ordinis *Præmonſtrat*. Procurator in *Anglia* generalis.
Magiſter *Stephanus*, Perſona Eccleſiæ de *Walſokene*.
Thomas Inge, Perſona Eccleſiæ de *Goringes*.
Robertus de *Clyderowe*, Perſona Eccleſiæ de *Northbury*.
Idem *Robertus* Perſona Eccleſiæ de *Scoveryng*.
Magiſter *Thomas* de *Upton*, Perſona Eccleſiæ de *Adeſham*.
Richardus de *Hertford*, Perſona Eccleſiæ de *Aldrington*.
Johannes de *Baterford*, Perſona Eccleſiæ de *Reyre*.
Stephanus de *Malo lacu* Archid. *Clyveland*, & Perſona Eccleſiarum de *Boynton* & *Lich*.
Fulco de *Grauncurt*, Perſona Eccleſiæ de *Ketelberge*.
Frater *Hugo* de *Greyvill*, Abbatis de *Gymynges* in *Norm*. ordinis Sancti *Benedicti* Procurator in *Anglia* generalis.
Paganus de *Grauncourt*, Perſona Eccleſiæ de *Keptleſtone*.

An. 22 E. 1. *Hugo* de *Notingham*, Persona Ecclesiæ de *Ivychurche.*
Magister *Regin.* de *Branndon*, Persona Ecclesiæ de *Litlebury.*
Fulco de *Grauncurt*, Persona Ecclesiæ de *Radwynter.*
Johannes de *Askeby*, Vicarius Ecclesiæ de *Magna Lymberg.*
Willielmus de *Birlay*, Persona Ecclesiæ de *Kyngesneuton.*
Idem *Willielmus* Persona Ecclesiæ de *Warsope*, & Capellæ de *Handesworth.*
Magister *Radulphus* de *Ivyngho*, Persona Ecclesiæ de *Ivyngho.*
* A great Pluralist. **Bogo* de *Clare*, Canonicus Ecclesiæ beati *Petri Ebor.* Persona Ecclesiarum de *Pykehab, Ceterinton, Homingburgh, Acastr.* & med. Ecclesiæ de *Donecastr.*
Johannes de *Cusancia*, Persona Ecclesiæ de *Reyleye.*
Rogerus de *Lee*, Persona Ecclesiæ de *Knolton.*
Magister Hospitalis Sancti *Johannis Bapt.* extra portam Orientalem *Oxon.*

Protectiones Rectorum.

Pat. 22 E. 1. m. 6. dorso. Nomina Rectorum qui habent Protectionem Regis, ratione medietatis beneficiorum suorum Domino Regi concessæ.

REX *Capitaneo Marinariorum, & eisdem Marinariis, Vicecomitibus, & omnibus Ballivis & fidelibus*, &c. *ad quos*, &c. *salutem. Cum dilectus nobis* Edmundus *de* Ihweng. *Persona Ecclesiæ de* Dyghton, *sicut cæteri de Clero regni nostri medietatem beneficiorum*, &c. *Nos ejusdem* Edmundi *quieti & tranquillitati*, &c. *suscepimus in protectionem*, &c. *Non inferentes*, &c. *In cujus*, &c. *patentes per prædictum annum duraturas. Nolumus autem*, &c. *ut supra ex alia parte rotuli, ubi consimiles Protectiones plenè irrotulantur. Teste* Rege *apud* Westm. 18 *die* Octobr.

Consimiles Protectiones habent subscripti de verbo ad verbum, mutatis nominibus tantum, sub eodem sigillo per prædictum tempus duraturas.

Robertus Persona Ecclesiæ de *Morburn.*
Frater *Thomas Dickne*, Prioris de *Domo Dei* de *Monte Carmeli* in *Pictavia*, Procurator in *Anglia* generalis.
Rogerus de *Sumerton*, Persona Ecclesiæ de *Mutford.*
Gilbertus de *Abernun*, Persona Ecclesiæ de *Aldebury.*
Henricus de *Colevill*, Persona Ecclesiæ de *Lollesworth.*
Simon Persona Ecclesiæ de *Alesby.*
Magister *Willielmus* de *Knapeton*, Persona Ecclesiæ de *Beghenham.*
Magister *Richardus* de *Ottringham*, Persona Ecclesiæ de *Magna Sheleford.*
Rector Domus de *Assherugge.*
Richardus de *Skegeton*, Persona Ecclesiæ de *Gyngeston.*
Reginaldus Persona Ecclesiæ Sancti *Petri* de *Dokesworth.*
Radulphus de *Albiniaco*, Persona Ecclesiæ de *Brendebroghton.*
Magister *Willielmus* de *Bridfrete*, Persona Ecclesiæ de *Mockinge.*
Magister *Johannes* de *Sancto Claro*, Persona Ecclesiæ de *Fulham.*
Richardus de *Kesten*, Persona Ecclesiæ de *Malteby.*
Adam de *Glouc.* Persona Ecclesiæ de *Farindon.*
Henr. de *Stratton*, Persona Ecclesiæ de *Cronkerne.*
Robertus de *Ludham*, Persona Ecclesiarum de *Osmodeston* & *Knapeton.*
Robertus de *Middleton*, Persona Ecclesiarum de *Ufford* & *Litteworth.*
Frater *Petrus* Magister Hospitalis beatæ *Mariæ* de *Ospringge.*
Robertus de *Ros*, Persona Ecclesiæ de *Hadham.*
Nicholaus de *Sparkesford*, Persona Ecclesiæ de *Wynrton.*
Magister *Thomas de Lichefeld*, Persona Ecclesiarum de *Blunteshm* & *Herfordingebury.*
Magister *Johannes* de *Wolcote*, Persona Ecclesiarum de *Berdewell* & *Wolcote.*
Walterus de *Eton*, Persona Ecclesiæ de *Dachet.*
Rodulphus de *Largo Campo*, Persona Ecclesiæ de *Everdon.*
Henricus de *Uphavene*, Persona Ecclesiæ de *Caumpeden.*
Galfridus de *Malestun*, Persona Ecclesiæ de *Cherleton.*
Galwinus de *Thweng*, Persona Ecclesiæ de *Lytham.*
Philippus Luvel, Persona Ecclesiæ de *Wycwicheshm.*
Hamo Pecche, Persona Ecclesiarum de *Brodebrok*, *Ridiswell*, *Chanteleg*, *Erswell*, *Thedeham*, *Weston*, & *Stinterlegh.*
Lodewycus de *Bello Monte*, Thesaurarius Ecclesiæ beatæ *Mariæ Ebor.*

Magister

An. 22 *E.* 1.

Magiſter *Johannes* de *Luca* Canonicus Eccleſiæ beati *Pauli London.*
Hamo de *Gatele*, Perſona Eccleſiarum de *Eſt Tudenham* & *Freton.*
Magiſter *Robertus* de *Fyleby*, Perſona Eccleſiæ de *Middelton*, juxta *Bannebury.*
Willielmus de *Hamelton*, Archidiaconus *Ebor.*
Magiſter *Alanus* de *Breton*, Perſona Eccleſiæ de *Preſtecote.*
Ricardus de *Keſton.* Perſona Eccleſiæ ſancti *Petri* de *Weſtlenne.*
Jacobus de *Mohun*, Perſona Eccleſiæ de *Brumton.*
Willielmus de ſancto *Michaele*, Perſona Eccleſiæ de *Teccleſcumbe.*
Walterus de *Chiltham*, Perſona Eccleſiarum de *Wheniton*, & beatæ *Mariæ* de *Aſeneye.*
Willielmus de *Suttun*, Perſona Capellæ de *Sutton* in *Holderneſſe.*
Philippus de *Brannceſtre*, Perſona Eccleſiæ de *Boketone.*
Magiſter *Rogerus* de *Sevenok*, Theſaurarius Eccleſiæ ſancti *Ethelberti Hereford.*
Willielmus de *Hanyton*, Perſona Eccleſiarum de *Yakeſlee* & *Weldes.*
Magiſter *Johannes* de ſancto *Walerico*, Perſona Eccleſiæ de *Blitham.*
Walterus de *Langeton*, Magiſter Hoſpitalis ſancti *Leonardi Eborum*, dupl.
Bogo de *Clare*, Perſonarum Eccleſiarum de *Polſtede*, *Saham*, *Dunmowe*, *Leverinton*, & medietatis Eccleſiæ de *Walepol.*
Magiſter *Johannes* de *Flemeng*, Perſona Eccleſiarum de *Houghton* & *Peveſeye.*
Magiſter Hoſpitalis ſancti *Johannis Baptiſtæ* de *Ponte Walteri.*
Johannes de *Bernak*, Perſona Eccleſiæ de *Toft.*
Laur. de *Bolſted*, Perſona Eccleſiæ de *Whitefeld.*
Henr. de *Rolling*, Perſona Eccleſiæ de *Wighmerſh.*
Johannes de *Bigod*, Perſona Eccleſiarum de *Cotyngham* & *Framyngham.*
Robertus de *Scorteford*, Perſona Eccleſiæ de *Horle.*
Robertus de *Drayton*, Perſona * Eccleſiarum de *Cadindon*, *Keneſworth*, *Pelham Furneys*, *Pelham Arſa*, *Aldebury*, *Tillingham*, & *Rothyngeythorp.* * A notable Pluraliſt.
Nicholaus de *Bulingbrok* Perſona Eccleſiæ de *Germethorp.*
Johannes de *Staford*, Perſona Eccleſiarum de *Defnam*, *Coleby*, & ſanctæ *Trinitatis* de *Warham.*
Richardus de *Ludham*, Perſona Eccleſiæ de *Pampeſworthi.*
Decanus & Capitulum Eccleſiæ ſancti *Pauli London.*
Audoenus de *Monte Gomeri*, Perſona Eccleſiæ de *Burwarton.*
Reginaldus, Perſona Eccleſiæ de parva *Maſſingham.*
Rogerus de *Multon*, Perſona Eccleſiarum de *Chedeſeye* & *Sproxton.*
Radulphus le *Mareſchal*, Perſona Eccleſiæ de *Eſton.*
Stephanus de *Lughteburgh*, Perſona Eccleſiæ de *Markeſhale.*
Hugo de *Normanton*, Perſona Eccleſiæ de *Fleteburgh.*
Magiſter *Thomas* de *Sutton*, Archidiaconus *Norhampt.*
Magiſter *Adam* de *Agmodeſham*, Perſona Eccleſiarum de *Burton* ſuper *Trentam*, & ſancti *Thomæ* de *Wincheſe.*
Willielmus, Perſona Eccleſiæ de parva *Granteſdene.*
Magiſter *Adam* de *Walton*, Præcentor Eccleſiæ ſancti *Cedde* Lich. Perſona eciam de *Aldoueſtr.*
Idem *Adam*, Præcentor Eccleſiæ prædictæ, & Perſona Eccleſiarum de *Gyſelingham*, *Rughham*, & beatæ *Mariæ* de *Feltewell.*
Rogerus de *Bykerwyk*, Perſona Eccleſiæ de *Byskele.*
Willielmus de *Mortuomari*, Perſona Eccleſiæ de *Uherſt.*
Nicholaus, Perſona Eccleſiæ de *Trumpeton.*
Philippus de *Wyleby*, Decanus Eccleſiæ beatæ *Mariæ Linc.*
Hugo de *Eyton*, Perſona Eccleſiæ de *Lymynton.*
Walterus de *Ditton*, Perſona Eccleſiæ de magna *Waldingfeld.*
Magiſter *Gocelinus*, Archidiaconus *Stowye.*
Thomas de *Norhampt.* Perſona Eccleſiæ de *Wyleby.*
Radulphus de *Banham*, Perſona Eccleſiæ de *Hakeford* juxta *Wyndham.*
Hugo de *Friſeby*, Vicarius Eccleſiæ de *Welde.*
Magiſter *Johannes* de *Beſtan*, Perſona Eccleſiæ de *Clyve.*
Magiſter *Johannes* de *Weyngham*, Perſona Eccleſiarum de *Shaldeford*, *Cheſtehunte*, *Storteford*, & *Eſſindon.*

An. 22 *E.* 1. Magiſter *Henr. Sampſon*, Perſona Eccleſiarum de *Walſham*, *Erpingham*, *Flete*, *Soham* Comitis, *Eſton.* & *Creton.* (No ſmall Pluraliſt.)
Magiſter *Thomas* de *Bradeſtrete*, Perſona Eccleſiæ de *Tollesburg.*
Magiſter *Robertus* de *Cornerde*, Perſona Eccleſiarum de *Putteham*, & *Wenynton.*
Johannes de *Staford*, Perſona Eccleſiarum de *Dorſinton*, *Coleby*, & ſanctæ *Trinitatis* de *Warham.*
Magiſter *Thomas* de *Bredſtrete*, Perſona Eccleſiæ de *Tillesbury.*
Magiſter *Johannes* de *Shelveſton*, Perſona Eccleſiæ de *Stebenhethe*
Henr. de *Stratton*, Perſona Eccleſiæ de *Stoker* juxta *Gildeford.*
Idem *Henr.* Perſona Eccleſiæ de *Cotingham.*
Nicholaus de *Tykehill*, Perſona Eccleſiæ de *Kelum.*
Johannes de *Chyſhell*, Perſona Eccleſiarum de *Branketre*, & *Brightlyngeſeye.*
Willielmus de *Hereford*, Perſona Eccleſiæ de *Rondes.*
Johannes de *Bernewell*, Perſona Eccleſiæ de *Suthorn.*
Rogerus de *Merlawe*, Perſona Eccleſiæ de *Hartwell.*
Richadus de *Overton*, Perſona Eccleſiæ de *Seham.*
Magiſter *Johannes* de *Hengham*, Perſona Eccleſiæ de *Overton* ſubtus *Ardern.*
Johannes de *Cave*, Perſona Eccleſiæ de *Northburgh.*
Magiſter *Willielmus* de *Moreburn.* Perſona Eccleſiarum de *Topeffeld*, parva *Trillowe* & *Ferffeld.*
Johannes de *Langeton*, Perſona Eccleſiæ de *Reycolnre.*
Reginaldus, Perſona Eccleſiæ de *Berton.*
Magiſter *Johannes* de *Cadomo*, Canonicus liberarum Capellarum Regis *Wolvernehampton* & *Pencriz*, & Perſona Eccleſiæ de *Monte Gomeri.*
Gilbertus de *Boſco*, Perſona Eccleſiæ de *Longeleye.*
Adam Potyn, Perſona Eccleſiæ de *Tiche ſeye.*
Richardus de *Ruſteſhale*, Perſona Eccleſiæ de *Hop Say.*
Magiſter *Andr.* Perſona Eccleſiæ de *Gerſyndon.*
Magiſter *Willielmus* de *Meynill*, Perſona Eccleſiæ de *Normanton.*
Prioriſſa de *Aumbresbur.* ordinis *Fontis Ebraldi.*
Magiſter *Baldewynus* de *Inſula*, Perſona Eccleſiarum de *Gatecumbe*, & *Bernyngeham.*
Edmundus de *Everle*, Perſona Eccleſiæ de *Mulbiry*, & medietatis Eccleſiæ de *Tyreſwell.*
Johannes de *Affordeby*, Perſona Eccleſiæ de *Caſtre.*
Magiſter *Reymundus* de *Ferar.* Canonicus Eccleſiæ beatæ *Mariæ Sarum.*
Henricus de *Clerbeck*, Perſona Eccleſiæ Sancti *Johannis* de *Garbodeſham.*
Willielmus de *Regate*, Perſona Eccleſiæ ſanctæ *Trinitatis* de *Caſtre* in *Fleg.*
Robertus de *Mar*, Perſona Eccleſiæ de *Barleburgh.*
Walterus de *Pecchum*, Perſona Eccleſiæ de *Terring.*
Johannes de *Witham*, Decanus Eccleſiæ beatæ *Mariæ Salop.* & Perſona Eccleſiarum de *Stokes* & *Cauſton.*
Willielmus de Thorny, Perſona Eccleſiæ de *Horton.*
Edmundus de *Maydeneſtan*, Perſona Eccleſiarum de *Abbrebury*, & *Waltham* Epiſcopi.
Willielmus de *Middelton*, Perſona Eccleſiarum de *Wridlington* & *Runton.*
Magiſter *Johannes le Flemeng*, Perſona Eccleſiarum de *Leghton Buſard*, *Braunford*, *Pakſton*, *Horemed*, & *Elkeſtle.*
Johannes Rugham, Perſona Eccleſiæ de *Leſtone.*
Willielmus de *Middelton*, Perſona Eccleſiæ de *Bohum.*
Henricus de *Lenne*, Perſona Eccleſiarum de *Ryſton* & *Aſſheby.*
Walterus de *Clavill*, Perſona Eccleſiæ de *Aldithele.*
Johannes de *Lyndeſeye*, Vicarius Eccleſiæ de *Wyham.*
Magiſter *Simon* de la *Neylonde*, Perſona Eccleſiæ de *magna Horkeſleye.*
Magiſter *Johannes* de *Coleceſtr.* Perſona Eccleſiæ de *Tenderinge.*
Magiſter *Willielmus* de *Chyryton*, Perſona Eccleſiæ de *Navesby.*
Magiſter *Willielmus* de *Wendone*, Perſona Eccleſiæ beatæ *Mariæ* de *Hampton*, juxta *Arundel.*
Magiſter *Richardus* de *Pyryte*, Perſona Eccleſiæ de *Chynnore.*

Magiſter

An. 22. *E*1.

Magiſter *Johannes* de *Verney*, Perſona Eccleſiæ de *Ulstokeſhethere*.
Magiſter *Willielmus*, Perſona Eccleſiæ de *parva Tillebur*.
Johannes de *London*. Perſona Eccleſiarum de *Horton* & *Bladen*.
Magiſter *Robertus* de *Penart*, Perſona Eccleſiæ de *Kingeſton*.
Willielmus le *Parker*, Perſona Eccleſiæ de *Eccles*.
Robertus de *Northleck*, Perſona Eccleſiæ de *Iweleye*.
Johannes de *Scakleby*, Perſona Eccleſiæ de *Sutton*.
Magiſter *Gerardus* de *Staundon*, Perſona Eccleſiarum de *Styvenach* & *Mordon*.
Magiſter *Radulphus* de *Luffenham*, Perſona Eccleſiæ de *Maldon*.
Magiſter **Johannes Clarel*, Canonicus Eccleſiæ beatæ *Mariæ* de *Suthwell*, Perſona Capelli Caſtri de *Tikehell*, & Eccleſiarum de *Penyngeſton*, *Hareword*, *Babbeword*, *Wheteley*, *Eſtmarkhin*, *Northwell*, *Walesby*, *Houton*, *Edingeleye*, *Briggeford*, *Ludham*, *Henningeford*, *Staneford*, & *Ouſton*. *An execrable Pluraliſt.
Galfridus de *Kyngeſton*, Perſona Eccleſiarum de *Danhame Elm*, & Capellæ de *Enemeth*.
Magiſter *Richardus* *Linebald*, Perſona Eccleſiarum de *Shottelee* & *Bronteſwell*.
Magiſter *Johannes* de *Lacy*, de *Marchia*, Perſona Eccleſiæ de *Lathebury*.
Edmundus Bardolf, Perſona Eccleſiæ de *Fincham*.
Magiſter *Robertus* de *Lech*, Perſona Eccleſiarum de *Marteley* & *Chetel*.
Johannes de *Overton*, Perſona Eccleſiæ de *Tunſtede*.
Magiſter *Robertus* de *Dounham*, Perſona Eccleſiæ de *Cotes*.
Hugo de *Singham*, Perſona Eccleſia de *Grauſete*.
Magiſter *Willielmus* de *Notingham*, Perſona Eccleſiæ de *Epperworth*.
Magiſter *Johannes* de *Thresk*, Perſona Eccleſiæ de *Tickeſwell*.
Godefridus de *Linc*. Perſona Eccleſiæ *Haldeſworthe*.
Magiſter *Thomas Port*, Perſona Eccleſiæ de *Hamme* juxta *Sandwycun*.
Hugo de *Creſſingham*, Canonicus Eccleſiæ ſancti *Pauli* *London*. & *Perſona Eccleſiarum de *Enderby*, *Kingſclere*, *Hatfeld*, *Chalk*, *Berles*, *Baruton*, *Dodington*, *Creſſingham*, & *Reymerſton*. *An inſatiable Pluraliſt.
Frater *Laurentius* de *Meremuſter*, procurator Prior de *Morteyn* ordinis ſancti *Benedicti* in *Anglia* generalis.
Magiſter *Radulphus* de *Balook*. Archidiac. *Midd*. Perſona Eccleſiæ *Weſthamyngfeld*.
Oliverus de *Redham*, Perſona Eccleſiarum de *Stratton* & *Redham*.
Willielmus de *Anemere*, Perſona Eccleſiarum de *Rollesby* & *Anemere*.
Magiſter *Alanus* de *Eſingwold*, Perſona medietatis Eccleſiæ de *Whitingham*.
Magiſter *Robertus* de *Bekingham*, Perſona Eccleſiæ de *Hoghton*.
Gilbertus de *Thorneton*, Perſona Eccleſiæ de *Middelton*.
Hugo de *Clopton*, Perſona Eccleſiæ de *Fobbinge*.
Henricus de *Cherbek*, Perſona Eccleſiæ ſancti *Johannis Baptiſtæ* de *Carboldeſham*.
Rogerus de *Saxton*, Perſona Eccleſiæ de *Aberford*.
Magiſter *Rogerus* de *Fodringeye*, Perſona tertiæ partis Eccleſiæ de *Derleye*.
Magiſter *Willielmus* de *Chiriton*, Perſona Eccleſiæ de *Wotton* juxta *Brakeleye*.
Magiſter *Domus* de *Burton*, ſancti *Lazari*.
Magiſter *Egidius Fillol*, Perſona Eccleſiarum de *Ardelye*, *Rybinghale*, *magna Ocle*, & *parva Ocle*.
Adam de *Rowell*, Vicarius Eccleſiæ de *Braye*.
Rogerus de *Brayleffood*, Perſona Eccleſiæ de *Dreuefeld*.
Magiſter *Thomas* de *Wiferton*, Perſona Eccleſiæ de *Staneford*.
Henr. de *Havokals*, Perſona Eccleſiæ de *Bolegrave*.
Rogerus de *Braylesford*, Perſona Eccleſiæ de *Dranefeld*.
Magiſter *Richardus* de *Boylond*, Perſona Eccleſiarum ſancti *Martini* de *Shoteſham*, *Saklingthorp*, & *Thumbrige*.
Thomas, Perſona Eccleſia de *Sunderesſhe*.
Radulphus de *Mare*, Perſona Eccleſiæ de *Cudington*.
Magiſter *Karolus* de *Bellomonte*, Canonicus Eccleſiarum beati *Petri Eborum*, ſancti *Andr. Wellen*. & beati *Johannis Beverlaci*.
Johannes de *Grey*, Vicarius Eccleſiæ de nova *Shorham*.
Willielmus *Langele*, Perſona Capellæ de *Thweyt*.
Magiſter *Johannes* de *Ibeſtak*, perſona Eccleſiæ de *Niwerherche* in *Inſula Vecta*.

Robertus

An. 22. *E.* 1. *Robertus de Basinge*, Persona Ecclesiæ de *Broghton*.
Willielmus de Carleton, Persona Ecclesia de *Northwell*.
Gilbertus de Robur. Persona Ecclesiæ de *Cristilton*.
Petrus de Cestr. Præpositus Ecclesiæ beati *Johannis Beverlacen*.
Idem *Petrus* Persona Ecclesiæ de *Rudeby*.
Idem *Petrus* Persona Ecclesiæ de *Whalleye*.
Neapoles, Canonicus Ecclesiarum beati *Petri Eborum*, & beatæ *Mariæ Linc*.
Magister *Jacobus Sinebaldi*, Persona Ecclesiæ de *Kemesyng*.
Galfridus de Causton, persona Ecclesiæ de *Bernardeston*.
Oliverus de Sutton, Persona Ecclesiarum de *Edelesbur*. & *Churhull*.
Willielmus de Umfravill Persona Ecclesiæ de *Benton*.
Johannes de Wydihull, Persona Ecclesiarum de *Warlingeham*, & *Fitelton*.
Magister *Willielmus de Coneygrave*, Persona Ecclesiæ de *Faston*.
Albericus de Roseriis, Persona Ecclesiæ de *Preston*.
Galfridus de Spondon, Vicarius Ecclesiæ de *Ledes*.
Antelmus de Monteyller, Persona Ecclesiæ de *Estmerseye*.
Magister *Willielmus de Hotot*, Persona Ecclesiæ de *Knyveton*.
Johannes de Cressy, Persona Ecclesiæ de *Langeford*.
Magister *Richardus de Plymstok*, Canonicus Ecclesiæ beatæ *Mariæ Linc*. & Persona Ecclesiæ de *Blockesworth*, & medietatis Ecclesiæ de *Chale*.
Robertus de Segre, Persona Ecclesiæ de *Merscham*.
Magister *Willielmus de Monteforti*, nuper Decanus sancti *Pauli* London. defunctus.
Gilbertus Wollanynton, Persona Ecclesiæ de *Honesspill*.
Willielmus de Bateford, Persona Ecclesiarum de *Boclond* & *Pokeham*.
* An unconscionable Pluralist. *Richardus de Hengham*, Persona * Ecclesiarum de *Waleton*, *Prez*, *Bradeleye*, *Sharshull*, *Yerdleye*, *Boseham*, *Stone*, *Wetheringesete*, *Sculthorp*, *Hydingham*, *Shutlindon*, *Middleton*, *Fairford*, & *Eccleselyve*.
Decanus & Capitulum Ecclesiæ beati *Andreæ Wellensis*.
Rogerus Dorly, Persona Ecclesiarum de *Misserton* in le *Clay*, *Bolton-Percy*, & *Plunton*.
Galfridus, Persona Ecclesiæ de *Thorp* juxta *Neuwerk*.
Magister *Willielmus Burnel*, Persona Ecclesiæ de *Dounton*.
Thomas, Persona Ecclesiæ de *Ghyen*.
Magister *Robertus de Picheford*, Canonicus Eccles sanctæ *Editha* de *Tamworth*, & Persona Ecclesiarum de *Hoginton* & *Picheford*.
Robertus de Cumberwell, Persona Ecclesiæ de *Tylorton*.
Magister *Robertus Tancard*, Persona Ecclesiæ de *Wythybrok*.
Magister *Johannes de Cravene*, Persona Ecclesiæ de *Woytewell*.
Magister *Thomas de Cherleton*, Persona Ecclesiæ de *Puclecherche*.
Henricus de Hales, Persona Ecclesiæ de *Thurstinton*.
Rogerus Berhast, Persona Ecclesiæ de *Ribbeworth*.
Nicholaus de Seyvill, Canonicus Ecclesiarum beatæ *Mariæ Sarum*, & sancti *Ethilberti Hereford*.
Magister *Richardus de Specote*, Persona Ecclesiæ de *Parkham*.
Thomas de Bilesden, Persona Ecclesiæ de *Haversegh*.
Oliverius, Persona Ecclesiæ de *Elteste*.
Johannes de Knovill, Persona Ecclesiarum de *Halregate*, *Cylchestr*. & *Mildehale*.
Magister *Radulphus de Mirtivall*, Persona Ecclesiæ de *Ambresdon*.
Thomas de Langeton, Persona Ecclesiæ de *Kingesleye*.
Magister *Philippus de Staunton*, Canonicus Ecclesiæ sancti *Andreæ Wellensis*.
Magister *Johannes de Ebroicis*, Archid. *Glouc*. & Persona Ecclesiæ de *Kemeseye*.
Simon de Butterleye, Persona Ecclesiarum de *Butterleye* & *Russhebury*.
Willielmus de Saleby, Persona Ecclesiæ de *Thornebur*.
Magister *Petrus de Periton*, Persona Ecclesiæ sancti *Petri majoris Wygorn*.
Richardus de Bereford, Persona Ecclesiæ de *Shenlee*.
Decanus & Capitulum Ecclesiæ beati *Petri Ebor*.
Magister *Thomas de Corbrigg*, Canonicus Ecclesiæ beati *Petri Ebor*.
Magister *Johannes de Ebroicis*, Canonicus Ecclesiarum sanctæ *Mariæ Suthwell*, & sancti *Wilfridi Rypon*.
Galfridus de Parco, Persona Ecclesiæ de *Beyton*.

Johannes

An. 22 *E.* I.

Johannes de *Ceſtr.* Perſona Eccleſiæ de *Tyntehull.*
Magiſter *Nicholaus* de *Wodeford*, Perſona Eccleſiarum de *Flatbury* & *Weſtbury.*
Richardus, Perſona Eccleſiæ de *Norton* in *Hales.*
Magiſter Hoſpitalis ſancti *Johannes Evangeliſtæ* de *Bruges.*
Galfridus de *Hoghton*, Perſona Eccleſiarum de *Peychirche* & *Ingham.*
Willielmus Pykerell, Perſona Eccleſiæ de *Thornbur.*
Robertus de *Ceſteneclade*, Perſona Eccleſiarum de *Elkeſhale*, *Stratton*, & *Cumpton.*
Magiſter *Robertus* de *Leyceſtr.* Perſona Eccleſiæ de *Kynele.*
Walterus de *Lonthorp*, Perſona Eccleſiæ de *Lonthorp.*
Thomas de *Dune*, Perſona Eccleſiæ de *Heaunton.*
Magiſter *Elias* de *Muskham*, Perſona medietatis Eccleſiæ de *Weſiburgh.*
Petrus de *Ceſtr.* Canonicus Eccleſiarum ſancti *Cedde* & *Lichefeld*, & ſancti *Ethelberti Hereford.* & Perſona Eccleſiarum de *Arkeſeye*, *Eſington*, & *Slayteburn*; & habet inde quinque paria. (*Anſwerable to his Pluralities.*)
Willielmus de *Petryngton*, Perſona Eccleſiæ de *Sightleſthorn.*
Petrus de *Rudeby*, Perſona Eccleſiæ de *Northburton.*
Jacobus de *Taunkerleye*, Perſona Eccleſiæ de *Walesby.*
Magiſter *Gilbertus* de *Segrave*, Perſona Eccleſiarum de *Staunton* & *Ayleſton.*
Thomas de *Nevill*, Perſona Eccleſiæ de *Keygeworth.*
Robertus de *Haydok*, Perſona Eccleſiæ de *Stanediſſh.*
Henricus de *Eyford*, Perſona Eccleſiæ de *Dychford Frayn.*
Magiſter *Thomas Cantok*, Perſona Eccleſiarum de *Herdwyk* & *Dubricii* juxta *Kilpek.*
Robertus de *Halghton*, Perſona Eccleſiæ de *North Clebury.*
Richardus de *Hecham*, Perſona Eccleſiæ de *Fornham omnium Sanctorum.*
Thomas filius *Alani*, Perſona Eccleſiæ ſancti *Michaelis* ſuper *Wyr.*
Nicholaus de *Mardeſel*, Perſona medietatis Eccleſiæ de *Mardefeld.*
Johannes de *Chamberleyne*, Perſona Eccleſiæ de *Landbech.*
Magiſter *Galfridus* de *Norwyco*, Perſona Eccleſiæ de *Uveresbury.*
Thomas de *Oſgotby*, Perſona Eccleſiæ de *Geyrgrave.*
Magiſter *Jacobus* de *Helles*, Perſona Eccleſiæ de *Wippenham.*
Magiſter *Walterus* filius *Warini*, Perſona Eccleſiæ de *Tradynton.*
Galfridus de *Muntſorel*, Perſona Eccleſiarum *Aſton* & *Burhache.*
Hugo de *Dudevannerton*, Perſona Eccleſiæ de *Quatte.*
Decanus & Capitulum Eccleſiæ ſancti *Ethelberti Hereford.*
Magiſter *Willielmus* de *Kingeſcote*, Perſona Eccleſiæ de *Weſtbury.*
Walterus de *Redmerlegh*, Perſona Eccleſiæ de *Lugwardyn.*
Thomas de ſancto *Omero*, Perſona Eccleſiæ de *Stok Edithe.*
Magiſter *Robertus* de *Pokelynton*, Perſona Eccleſiæ de *Rybbelceſtr.*
Andreas de *Genna*, Canonicus Eccleſiæ ſancti *Petri* de *Wolurenhampton.*
Brancaleo de *Lavannia*, Perſona Eccleſiæ de *Tyriton.*
Willielmus de *Seggevill*, Perſona Eccleſiæ de *Thwyford.*
Magiſter *Henr.* de *Sumerſete*, Cancellarius Eccleſiæ beatæ *Petri Exon.*
Simon. Perſona Eccleſiæ de *Bageworth.*
Magiſter *Walterus* de *Heſelſhawe*, Archidiaconus *Wellenſis.*
Johannes de *Hyneton.* Perſona Eccleſiæ de *Pauleſholte.*
Adam de *Wellen.* Perſona Eccleſiæ de *Wullaton.*
Willielmus de *Percy*, Canonicus Eccleſiæ ſancti *Petri Eborum*, & Perſona Eccleſiarum de *Catton*, *Semere*, *Naffreton*, *Holm*, *Calverton*, *Brightwell*, *Langeford*, & *Burne.* * A deteſtable Pluraliſt.
Magiſter Hoſpitalis ſancti *Thomæ Martyris* de *Suthwerk.*
Robertus de *Hegham*, Perſona Eccleſiæ de *Keſtan.*
Richardus Tuchet, Perſona Eccleſiæ de medio *Wychio.*
Willielmus de *Patyndon*, Perſona Eccleſiæ de *Patyndon.*
Philippus le Vavaſur, Perſona Eccleſiæ de *Thedelthorp.*
Johannes de la *Wade*, Canonicus Eccleſiæ beati *Petri* de *Wulverunchampton.*
Robertus de *London*, Perſona Eccleſiæ de *Wykewarre.*
Magiſter Hoſpitalis ſancti *Egidii* de *Norwico.*
Richardus de la *Haye*, Perſona Eccleſiæ de *Brathenham.*

Johannes

An. 22 E. 1. *Johannes Abel*, Vicarius Eccleſiæ de *Neuburn*.
Magiſter *Ricardus* de *Havering*, Perſona Eccleſiæ de *Wemme*, & alta *Clara*.
Reginaldus de *Legh*, Perſona Eccleſiarum de *Legh* & *Muckleſton*.
Magiſter *Johannes* de ſancto *Leophardo*, Perſona Eccleſiæ de *Suthho*.
Gilbertus de *Fulmere*, Perſona Eccleſiæ de *Bydenham*.
Magiſter *Tho.* de *Stok*, Perſona Eccleſiæ de *Cam*.
Willielmus de *Neuton*, Perſona Eccleſiæ de *Stokeporte*.
Rogerus de *Aſphale*, Perſona Eccleſiæ de *Henneye*.
Idem *Rogerus*, Perſona Eccleſiæ de *Stanham Antegayne*.
Adam de *Blida*, Perſona Eccleſiæ de *Herthull*.
Willielmus de *Bevercote*, Perſona medietatis Eccleſiæ de *Seggebrok*.
Henr. de *Hemenhalſe*, Perſona Eccleſiæ de *Tettebury*.
Thomas de *Avenyng*, Perſona Eccleſiæ de *Beverſtan*.
Willielmus de *Danby*, Perſona Eccleſiæ de *Humberſton*.
Magiſter *Radulphus* de *Fodringeye*, Perſona Eccleſiæ de *Wylberton*.
Magiſter *Johannes* de *Wodſtok*, Perſona Eccleſiæ de *Necham*.
Radulphus, Perſona medietatis Eccleſiæ de *Mynſterton*.
Thomas de *Brertlowe*, Perſona Eccleſiæ de *Nordham*.
Magiſter *Thomas* de *Suwerk*, Perſona Eccleſiæ de *Steyngrone*.
Radulphus de *Swanton*, Perſona Eccleſiarum de *Marcleſham*, *Neuburn*, beatæ *Mariæ* de *Saxlingham*.
Simon de *Deen*, Perſona Eccleſiæ de *Hackethorn*.
Hamo de *Alta Ripa*, Perſona Eccleſiæ de *Burton* in *Kendal*.
Thomas de *Bek*, Perſona Eccleſiæ de *Caſtelford*.
Walterus de la *Hyde*, Perſona Eccleſiæ de *Brughton*.

As the King granted theſe Protections to the premiſed Abbots and Clergymen who aided him with their contributions againſt the *French*: ſo out of his Eccleſiaſtical Supremacy he deſired the aſſiſtance of their devout prayers unto God for a bleſſing upon him and his military forces, in defence of his inheritance againſt their armed power, as appears by theſe Writs under his Privy Seal iſſued to his Biſhops, and other religious perſons, which I found in a Bundle of Writs of Privy Seal and Letters, lately reſcued from the rubbiſh in the *White Tower Chappel*.

Rundela Brevium de Privato Sigillo, &c. An. 21 E. 1. in Turre London.

† *Nota.*

* See here, p. 583, 584.

Nota.

EPiſcopo (*tali*) *ſalutem*. Humani *generis inimico Regem* Francorum *& ſuos contra nos & noſtros ad diſcordiam excitante*, ad pacem, quam cum ipſo Rege et ſuis optabimus ſemper habere, operam adhibuimus inſtantem, *quæ per nos & noſtros fuit ſæpè ac ſæpius procurata, & demum quos poſt tractatus varios habitos utrobique publicè credebamus habere propitios*, † latenter inbenimus inimicos. *Pluries enim pradicto Regi & ſuis omnia quæ pacis erant, optulimus in ſpiritu lenitatis*, et cum in ſpe firma obtinendi propoſitum fuiſſemus, ipſi ad occupandam terram noſtram Vaſcon. nequiter inbiantes, poſt voluntarium et iniquum * proceſſum contra Nos in Curia ipſius Regis (*ut dicitur*) habitum, nos ipſa Terra exhæredare pro ſuis viribus moluntur. *Quapropter pro hæreditate & hæreditariis Juribus noſtris, quæ Progenitores noſtri propriè propria poſſederunt*, defendendis pariter et tenendis, *verſus partes illas, omnibus prætermiſſis proponimus (Deo duce) in brevi dirigere greſſus noſtros; ne ipſis (quod abſit) negligentiis, poſſemus à vobis & aliis fidelibus noſtris inſtabiliter reprehendi.* Cumque in homine non ſit auxilium, ſed infirmitas et defectus, et propter hoc oporteat imbecillitatem noſtram divinæ manus ſuſtentari præſidiis, pias affectiones veſtras affectuoſe requirimus et rogamus, quatinus Corda veſtra ſurſum habentes ad Dominum, devotis apud eum Supplicationibus inſiſtatis; necnon Parochianos veſtros religioſos, et alios, Clerum et Populum crebris et ſollicitis exhortationibus ad orandum pro nobis inducere ſtudeatis, ut Regis Regum dextera potenter adiuti, ita poſſumus aſſumptum negotium proſequi, et juſtitiam noſtram defendere, (*pro qua corpus noſtrum exponere non timemus*) quod Deo cedat ad gloriam, nobis et vobis ad triumphum et laudem, et proſperum ſtatum dictæ terræ, necnon ad totius Regni noſtri commodum et honorem.

Ibidem. *Priori Provinciali Ordinis* Fratrum Prædicatorum *in* Anglia, *necnon univerſis & ſingulis*

ſingulis Prioribus omnium & ſingularum Domorum Ordinis veſtri, in veſtra Provincia conſtitutis, ad orandum pro nobis crebris et ſollicitis exhortationibus injungatis, ut Regi Regum, &c. Ut ſupra. An. 22 E. 1.

Eodem modo ponatur in litera dirigenda Miniſtro Generali *Ordinis* Fratrum Minorum *in* Anglia.

And here I deem it very ſeaſonable, and worthy ſpecial obſervation, (in reſpect of our preſent publick Negotiations, Treaties with *France* and other Forreign States for Peace) from this clauſe in the Kings precedent Writs; [*Demum quos poſt Tractatus varios habitos utrobique publicos credebamus habere propicios, latenter inveniamus inimicos, &c.*] to render you this further account of the King of *France* his fraudulent, yea treacherous proceedings with King *Edward* in theſe his Treaties with him for a firm amicable peace between them, out of our Hiſtories and Records, to make us more vigilant, cautious in our Tranſactions with them & others; thus related by † *Thomas Walſingham. Anno gratiæ* 1295. *qui eſt annus regni* Edwardus 1. *viceſimus ſecundus*, Edwardus *frater Regis* Angliæ *per Reginas* Franciæ, Johannam *Regis conſortem*, & Mariam *ejuſdem novercam*, *ut cum eiſdem pacis tractatum reſumat celeriter revocatur. Denique mediantibus Reginis*, poſt plurima interloquia, in forma ſubſcripta extitit concordatum; Ut propter honorem Regis *Francorum*, cui per miniſtros cuſtodiæ *Waſconiæ* deputatos, ut videbatur nonnullis, in pluribus erat derogatum, *ſex caſtra*, videlicet, *Sanctonas, Talemund, Tourn, Pomerel, Penne* & *Mountflaunkon*, voluntati Regis *Franciæ* dederentur. In omnibus verò Civitatibus & Caſtris totius Ducatus, exceptis *Burdegalia, Baiona*, & *Regula*, unus ſerviens nomine Regis *Franciæ* poneretur. De miniſtris quoque Regis *Angliæ* in *Waſconia* poſitis, aliiſque per totam terram pro libitu Regis *Francorum* obſides ponerentur. Quibus p[a]ctis Rex *Franciæ* citationem in aula *Pariſienſi* publicatam faceret revocari. Caſtra verò omnia, amotis ſervientibns in Civitatibus poſitis & Caſtris, obſideſque, ad petitionem duarum Reginarum vel unius earum reſtitueret ſine mora. Rexque *Angliæ* (conceſſo ſibi ſalvo conductu) *Ambianis* veniret, ut ibi habito mutuo Regum colloquio, pax & amicitia in poſterum firmaretur: *Super hiis confectis ſcriptis, unam per Reginas ſignatum* Edmundo *traditur, aliud ſignatum ab* Edmundo, *commendatur Reginis.* Quæ data fide in manu Edmundi promiſerunt pacta in ſcriptis inita nullatenus violanda. *Certificatus ſuper hiis Rex* Angliæ, *per germanum ſuum literam unam patentem directam omnibus miniſtris ſuis in* Waſconia, *continentem mandatum*, ut in omnibus Regis *Francorum* obtemperent voluntati; *tranſmiſit germano ſuo, per eum (cum ſibi videretur) ulterius in* Waſconiam *tranſmittendam. Recepta litera*, Edmundus veritus eam tranſmittere antequã ſibi conſtaret, an Rex ipſe acceptaret quæ facta fuerant per Reginas, *petivit ab eis*, ut per dictum Regis propium ſuper præmiſſis certior redderetur. *Denique præſentibus* Edmundo *germano Regis* Angliæ, & *uxore ſua* Blankia, *Regina* Navarræ, *matre Reginæ* Franciæ, *necnon Duce* Burgundiæ, & Hugone de Veer *filio Comitis* Oxonienſis, & *Clerico quodam* Johanne de Lacy, Rex ipſe promiſſa Reginarum ac pacta per eas concordata, in fidelitate Regia ſe impleturum ſpoſpondit. *Moxque Miles quidam nomine* Galfridus de Langleyâ, *de familia* Edmundi *fratris Regis* Angliæ, cum literis Regis Francorum revocantibus Conſtabularium Regis Franciæ, qui cum exercitu profectus fuerat ut Waſconiam expugnaret, miſſus eſt ad eum. *Rex autem* Angliæ, Cantuariæ *ſolennitatem* Paſchalem *tenuit, ibidem ut* Ambianis *proficiſceretur, expectabat de conductu.* Johannes *etiam de* Lacy *Clericus prædictus, in* Waſconiam *tranſmiſſus eſt, cum litera miniſtris Regis* Angliæ *directa, ſecundum formam prædictam.* Johannes *verò de* S. Johanne (*miles diſcretus & armis ſtrenuus, & in rebus bellicis exercitatus, quem Rex* Angliæ Waſconiæ *præfecerat, qui Civitates & Caſtra per totum Ducatum munierat armis & victualibus, & viris ſtrenuis ad bellandum*) auditis pactis initis, omnia quæ ad munitiones Caſtrorum et Urbium pertinerat, vendidit, diſcedenſque per Pariſius verſus Angliam iter ſuum direxit. *Et ecce procurante pacis æmulo*, mutatum eſt cor Regis Franciæ, conductuſque Regi Angliæ denegatur, et litera Conſtabularii revocatoria, per poſteriorem literam irritatur. *Et quia per Conſtabularium* Waſconiam *in manu potenti intrantem*, Cuſtodibus et miniſtris juxta tenorem literæ ſibi appertatæ ſe ſubdentibus, in manu Regis Francorum accipitur terra tota. Miniſtri omnes Regis Angliæ, terræque Cuſtodes, obſides et captivi Pariſius deducuntur. *Poſt dies tantum aliquot* Edmundus *Reginas rogavit*, ut juxta promiſſa ſua et pactiones initas, *Regem*

† Hiſt. Angliæ, p. 24, 25.

Nota.

An. 22 E. I. *Nota.* *Regem* Franciæ *interpellarent*, ſuper conductu Regis Angliæ concedendo, Citatione revocanda, terra reſtituenda, et obſidibus liberandis. Rex vero Francorum, per quoſdam milites ad *Edmundum* miſſos, inficiatur ſe quicquam de talibus promiſſis ſcire. *Denique perpendens* Edmundus *ſe*, fratremque ſuum Regem Angliæ delusos, reverſus in Angliam Regem et Conſilium ſuum ad plenum informat et certificat de re geſta. *Igitur Rex* Angliæ convocato Londoniis Parliamento, cui Johannes Rex Scotorum interfuit, de conſilio Prælatorum ac Procerum cenſentium, Terram ſub dolo ablatam recuperandam gladio, *ad Regem* Franciæ *miſit nuncios*, Hugonem de Manceſtria *de Ordine Prædicatorum*, & Willielmum de Ginesborn *de Ordine Minorum, Doctores Theologiæ, viros providos & diſcretos, mandans eis per eoſdem*; quod cum pacta inter progenitores eorum habita et ipſos, necnon et ſecretos tractatus quas mediante germano ſuo cum eo habuit, violaſſet, non videbatur ſibi quod ipſum Regem Angliæ, Ducemq; Aquitaniæ hominem ſuum reputabat, nec ipſe homagio ſuo aſtringi ulterius intendebat. The form of which recunciation of his homage, I found in the *White Tower* in a particular Roll writ in the reign of King *Edw.* the 3. (together with the renunciation of the Homage made by the Earl of *Flanders* about the ſame time to the King of *France*, upon his confederacy with the King of *England* againſt the *French*) with this Title. **Forma qua Avus Domini noſtri Regis reddidit homagium* Franciæ *Regis, ante noviſſimam.*

* In Turre London.

NOz Meſſages derront au Roy de *Franc.* Noſtre Seigneur le Roy *Dengleterre*, Seigneur *Dirland*, & Ducs *Dacquitan*, vous fiſt Homage ſur condicion, ceſt aſſavoir, ſolonc le fourme de la pees faite entre voz Anceſtres et les Soens, la quelle vos ne li auez tenuz. Et dautre part puis les conteks & proces qi ount eſte entre voz gentez et les Soens a peſſer, ſecrez tretez ount eſte entre vous & li par Monſ. *Edmond* ſon frere, ſi combien vous doit ſovener: en la queux traitez eſtoient certein Covenantz les queuz ne li ſount gardez en nul point, tout ſoit quil vous ad fait obeiſance entre le fourme de ceo traitez. Et puis ſil ſi vous ad fait deux foiz quere per lavantdit ſon frere, et le tierz foiz per aſcuns de Piers de *France*, e puis autrez grantz Seignurs de veſtre Roialme, qe ſa terre de ſa Duchee *Daquit.* lui fuiſt rendue, et ſa gent, que ſont en voſtre arreſt delivre, des quels riens ne li abez faitz, per ount il li ſemble, qe vous ne li tenez pas pur veſtre home, ne il nentent eſtre.

But that which is moſt obſervable, during theſe very Treaties of Peace, the *French* King by his private ſollicitations, letters and promiſes, procured *John Bayliol* King of *Scots*, with all the Prelates, Nobles and Commonalty of *Scotland*, (againſt their late * premiſed ſolemn Oaths and Homages under their reſpective hands and ſeals made to King *Edward*) to enter into a moſt perfidious clandeſtine league, and an offenſive and defenſive warre with him againſt their Soveraign Lord, yea to invade and waſte *England* with fire and ſword, ſo ſoon as King *Edward* ſhould ſend forces into *Gaſcoign* to recover his antient right therein, and to make no Peace nor Truce with him, without his concurrent aſſent; thus related at large in *French* in two Parchment Rolls, I found in the *White Tower*, only briefly mentioned in ſundry other Records and Inſtruments, conteining that and other ſucceeding Treaties of Peace with the *French* Kings, with the exceptions taken by King *Edward* the 1. and his Succeſſors againſt the legality of the premiſed citation and arreſt.

* Here, p. 528, 529, 530.

* See here, pag. 538, 539, 540.

* *Tranſcriptum Confœderationis inter* Franciæ *Regem &* Johannem de Balleolo *quondam Regem* Scotiæ, *in* Gallico.

PHelip. par la grace de Dieu Roy de *France*, a tous ceux que ceſtes lettres verront, ſaluz. Entre les autres choſes, par les queles eſt procure lenhauncement des regnants & des Royaumes, & eſt aquis delitablete de Pees & de poſible quiete, & eſt purveu a bon & benure eſtate des Subgits, celes choſes par atentif regard eſt veu eſtre ſoveraine, qe unite de ferme charete & liens de loiale amiſce ſoient noriz entre Rois & Roialmes. E enſi Roys & Princes doyvent affec damiable charite cheſcuna autre come beneſon demande, nomement pur l'amour de Droiture a defendre toetz, & a daunter les defaſettementz des maners & impugnations de Enemis, qe

qe lun ſe deigne voluntres a lautre en bontez, a ne faille mi e en adverſetez qe ſoneaux la douteur de pees deſire amegne, & par tant ſoient tortinouſes forces des gentz qe ne vollent pees deſtorbe par remedie de covenable *Deffens*, en qe beaute les denonz fuitz de pees, tant come plus ſont en equite devant peuſſent ſervir plus devoutement a feſour de pees. Dount le noble Prince *Johan* Rei *Deſcoce*, noſtre eſpecial ami peuſſant, queytement les avantdites profitablitees ad envees eſpecialment a nous les honerables Peres *Wil.* de S. *Andreu* & *Matheu* de *Dunkeldin* Eveſqes, & *Johan de Soules*, & *Ingeram de Umfraville*, chivalers, ſes Meſſages & ſes Procuratours a eſpecialment faitez, pur faire profitables alliances & liens damiſce, ſicome eſt plus pleinement contenuez en aſcunes lettres procuratories de ce faitez, ſealeez du ſeal meiſme celi Roy: Les tenours des queles de mot en autre ſont iſſi deſſouz eſcritez. Nous accordantz a les loyales deſirs meſme celi Roy en ceſte partie de bon volunte, qe affinite de bien manere dalliance, & le contrac de ferme amiſce de tant ſoit greivour, & dirre plus eſtabliment qil ſerra afferme par fort lien, faite covenance & accorde ſeuſt entre nous de la volunte & laſſent noſtre treſchier frere & feal, *Charles* Conte de *Valeyſe* & de *Aungeo*, & ſes Procurators avanditz, & *J.* leiſne fitz noſtre frere avandite, a qn. Roy en noun de ſon ſuitz avanditz avons promis pur nous & pur noz ſucceſſours de faire doner ov la dite fille en marriage 25000 *l.* de *Tornois* petiz en deniers courantz. Et meiſme celi Roi ſerra tenus de doner & aſſigner ov la dite fille en dowaire 1500 liverees daunele rent Deſterlingz, des quant il lui aſſevera 1000 liveres de annele rente Deſterlings en terres ov juriſdictions, & toutes maneres des de Juſtices nient appurtenantz a la Corone, en les lieux deſouz eſcritez: Ceſt aſſavoir, De *Bailloil*, de *Dampetre*, de *Helicourt*, de *Horneie* en Royaume de *France*, & de *Lanark*, de *Kadu*, de *Maldiſle*, de *Cuynghame*, de *Hadynton* ov la *Caſtel de Donde* en Royalme *Deſcoce*, ov e les appurtenances de meſme les lieux. Iſſint qe ſi les Rentes des meiſmes les lieux paſſent la ſume de 1000 *li.* per an, ce que ſetra ſurplus outre meiſme la ſumme remeigne a lavandit Roy *Deſcoce*. Et ſi rien defaille de tele ſumme, le Roy ſoit tenuz de la fourner entierment en autres rentes en Royalme *Deſcoce*, ou ſi nous mieuz vodroms, il lui aſſignera celes 1000 li. & les autres 500 liures, & reſceiure en bourſe en certeyns lieux, d'an en an, a deux termes a lui aſſeura bien de cel Dowaire, a ver & receiure apres le marriage fait, & apres la mort le dit fuitz, tant qele vivera. Et ſi le fuitz & la fille avanditz, apres la marriage fait, vodereint par aventure partir du dit Roy, il averont Franchement le Dowair avantdit, vivant meiſme celui Roi. Et ſi en temps avenir le dit Roi ſe vodroit autre foiz marrier, il devera requere & avoir ſur ce noſtre conſeil. Et meſme celui Roi par manere de Droiturel Prince, qui par ardante volunte de Droiture, qui par enterme amour qil ad a nous & as gentz de noſtre Royalme triſtement portant les greſs, torts, & outrages, treſpas, enemiſces, & felons aſſautz, par les quieux le Roy *Dengleterre* contre ſa hance, par la quele il nous ad liez & ad offendis cea en arreres, ſafforce continuelment d'offendre nous, noz loyaux, & noz ſubgiz, aſſiben per terre come par meer en mout des maneres. Et pur ce qil allie nous e noz Succeſſours a lui & a les ſoens plus fermement par amour d'une part & d'autre, ordenant par bone volunte dayder a la defence de torts, & de impugnations, & de tieux maneres daſſautez, il ad done poer a ſes ditz Procuratours, & eux en noun de meiſme celui Roi *Deſcoce*, a tout ſoun poer dorrount conſeil & covenable ayde e nous & a noz Succeſſours en ceſte preſente guerre, que nous avoms contre le dit Roi *Dengleterre*, ſes fautours & ſes alſiez, auxibien le Roi *Dalemaine*, come tous ſes autres valitours; & ſi guerre ſoit meve en *Engleterre*, qil nous aiderount apertement ov tout lur poer, auxibien par terre come par meer. *Nota.* Et qe les torcenouſes afforcements le dit Roy *Dengleterre* plus profitablement ſoient deffenduz, & qe meiſme celuy Roy ſoit deſtreint de ſoi retre e de ſes malveiſes empriſes par tant qil ſerra occupez par aillours; Le dit Roi *Deſcoce* ſaforcera de mover et continuer gnerre a meiſme celui Roi *Dengleterre* a les propres Coſtages et deſpens a tot ſoun poer, et des gentz de ſoun Roialme, toutes les foiz qe boiſoigne ſerra nous purſuiantz et maintenantz la guerre commence. *Nota.* Eſtre ce promiſtrent les avanditz Procuratous en noun de le avandint Roi *Deſcoce*, qil fra tant qe auxi bien Prelatz, ſi avant come il purront, come Countes, & Barons, & autres Nobles, & univerſetez Comunaltez des Villes du Roiaume *Deſcoce*, ſe averont envers nous & noz Succeſſours en la dite Guerre, en ſemblable manere ſicome deſus eſt dit, et ſerront en ſemblable manere guerre par toutes lur forces au dit Roi *Dengleterre*

An. 22 E. 1

An. 22 E. 1. ſteome eſt avantdit, et auribien Prelatz, come Countes et Barons, et autres Nobles et univerſitez et Communantez notables du dit Roialme *Deſcoce*, nous envoierent ſur ce lur lettres obertez ſealees de lour ſeal a plus toſt. Et covenance fuiſt entre nous & les Procuratours avanditz, qil amene & aventure qe lui Roi *Dengleterre* par ſoun poer aſſemble aſſaille par lui ou par autre de Roialme *Deſcoce*, apres la guerre commencee, a requeſte par le dit Roi *Deſcoce*, ou par enchaiſon de ceſte affinite ou alliance faite entre nous, nous lui ferroms ayde, donant a meiſme celui Roi affaire par aillours, iſſint qe de la dite guerre commencee lui covendra recrere & ſei doner par aillours, ou nous lui envoiroms covenable ayde a noz coſtages, tant qil viegne en *Eſcoce*. Iſſint totes voies qe nous ſoioms ſur ce garniz de par meiſme celui Roi *Deſcoce* en covenable temps. Et ſi levant nomez Roi *Dengleterre* iſſiroit par aventure perſonalment la terre *Dengleterre*, ou la voideroit de notable noumbre de gentz de pie ou des gentz a chival armez durant la guerre entre nous & lui, promiſtrent les avantditz Procuratours, qe nomement en ceſte cas le dit Roi *Deſcoce* entra ob tout ſoun poer la terre *Dengleterre*, ſi avant et parſound come il purra enfeiſant guerre, bataille champeſtre, aſſegeant, gaſtant et deſtruant le Roi *Dengleterre*, et ſa terre en totes les maneres, qil purra, a ces coſtages, ſi come eſt avantdit. *Nota.* Eſtre ce fait & covenaunce eſt expreſſement entre nous & les Procuratours avanditz, qe nous de la guerre que lavantdit Roi *Deſcoce* & ſes ſucceſſours ferront pur nous, puis quil la veront faite a noſtre requeſte encontre le dit Roi *Dengleterre*, ou ſil ayt fait la dite guerre par achaiſon de l'affinite ou de l'aliance fait ov le Roi *Dengleterre* entre lui & aſcunes deſacheſons avantdites, ne de noſtre guerre avantdite, ne purroms faire pees ne treube, ſil ne ſoient enclos en la pees ou en la treube qe nous ferroms de toutes les dites guerres, ne eux noun le pluſt, ne purront faire pees ne treube de toutes les dites guerres ſantz nous. Pur toutes les queles choſes de ſus eſcrites & cheſcun de elles tenir, performer & garder, nous obligeoms au dit Roi *Deſcoce*, & a ſes ſucceſſours, nous, noz heires, & noz ſucceſſours, & touz noz biens & les leur moebles & noun moebles, ou qil ſoient, preſent & avenir. Et les trois, covenantz & toutes les choſes ſus eſcritz le dite Roi *Deſcoce* eſt tenu de ratifier & aprover & renoveler en ſon noun; & ſur ce nous envoier ſes lettres overtez ſealeez de ſoun ſeal a plus toſt qil purra. Et les tenours des les lettres Procuratories avantdites ſont yceles.

A Treſexcellent Prince, ſon Seignour & amy (ſe li pleſt) Sire *Phelip* par la grace de Dieu noble Roy de *France*, *Johan* par la meiſme grace Roy *Deſcoce*, ſaluz en noſtre Seignour. Sache voſtre Roiale hauteſſe, qe nous feiſoms & ordeinoms par ceſtes preſentes lettres, nos foialx & loialx les honourables Peeres *William de S. Andreu*, & *Mahu de Dunkeldyn* Eveſqes, & *Johan de Soules*, & *Ingeram de Umframvill* Chivalers, nos Attornes, Procuratours & Meſſages eſpecials a treter ad vous le vous pleſt, ſur Eſpuſailles & Mariage a faire entre treſnoble Damoiſelle voſtre Nyece ou Couſyn, & *Eaward* noſtre fuiz eſne & heir: Donantz a eux generall franc & plenier poer, & mandement eſpecial de faire & perfaire les Eſpouſailles & le Mariage avantditz, ſi avant come la nature de tien manere de contract ſueffre; Eſpouſailles & Mariage eſtre faitz & parfaitz entre abſentz, par Procuratours a ce eſpeciaument aſſignez, & a totes les autres choſes & cheſcunes de eles faire, qui a les ditz contractz ou covenances apertienent, ou porront en nule manere apartenir, & ſanz les queux les ditz contractz ou covenances ne porront covenablement eſtre eſpleitez. Eantz ferme & eſtable quantque nos ditz Procuratours & Meſſages touz, ou treis, ou deux de eux feront en les choſes avantdites, ou en aucunes de eles. En teſmoignance de quen choſe nous avoms fait mettre noſtre ſeal a ceſtes preſentes lettres. Don a *Eſtrivelyn* le 3 Non. *Juyl.* lan de noſtre Seignour 1295. & de noſtre regne tiers.

A Touz ceux qi ceſtes lettres verront, *Johan* par la grace de Dieu Roi *Deſcoce*, ſaluz en noſtre Seignour. Sache voſtre univerſite qe nous feiſoms & ordenoms par ceſtes preſentes lettres, noz foiaux & loiaux les honourables Peeres *William de S. Andreu*, & *Mahu de Dunkeldyn* Eveſqes, & *Johan de Soules*, & *Ingeram de Umframvill* Chivalers, noz Attornes, Procuratours, & Meſſages eſpeciales de tretir, ordener, faire & perfaire totes & cheſcunes beuſoignes touchantz en quecunque

cunque manere nous, *Edward* noſtre eſné fuiz & heir noſtre Roiaume & les gentz de noſtre Roiaume, ou qe ce ſoit en Roiaume de *France*, ov quicunque perſones, Clerks ou Lays, de quele condition ou eſtate quil ſoient, donantz a eux touz, treis, ou deux de eux, generall frank & plenier poer de obliger & noſtre fuiz avantdit, noſtre Roiaume, & les gentz de noſtre Roiaume; & de jurer en lalme de nous, de noſtre fuiz, & de gentz de noſtre Roiaume; & de faire & perfaire totes les choſes, & cheſcune de eles, qe a les avantditz tretiz & ordenances & beuſoignes ſerront neceſſaires ou covenables, & a faire & parfaire totes autres choſes, qe nous, noſtre fuiz & les gentz de noſtre Roiaume peuſſoms faire ſi nous fuſſeioms preſentz. Eautz ferme & eſtable, quantque par les ditz quatre, treis, ou deux de eux ſerra fait ou procure en les choſes avantdites, ou aucune de eles. En teſmoignance de quen choſe nous auoms fait mettre noſtre ſeal a ceſtes preſentz lettres. Don a *Eſtrivelyn* le 3 Non. de *Juyl.* 1295. & de noſtre regne tiers. En teſmoignance de totes les choſes avantdites, nous auoms fait mettre noſtre ſeal a ceſtes preſentes lettres. Faites a *Paris* le 23. jour de moys d'*October*, l'an de noſtre Seignour 1295. *An.* 22 *E.* 1.

A Touz ceux qi ceſtes preſentes lettres verront, *Charles* fuiz au Roi de *France*, Conte de *Valeyſe*, de *Alenſon*, de *Chartres*, & de *Aungeo*, ſaluz en noſtre Seignor. Sache voſtre univerſite, qe come trete, covenante & acorde ſoit entre le treſexcellent Prince, noſtre treſchier Seignour & frere, Sire *Philip* par la grace de Dieu noble Roy de *France*, & les honourables Peeres Sires *William de S. Andren*, & *Mahiu de Dunkeſdyn* Eveſqes, & *Johan de Soules*, & *Ingeram de Umframvill* Chivalers, les Meſſages & Procuratours le haut Prince Sire *Johan* par la grace de Dieu noble Roi *Deſcoce*, a ce eſpeciaument faitz, en le noun meſme cely Roi de marriage faire entre leſne fuiz meſne cely Roi *Deſcoce* qi par expreſſe covenance faite ſurra ſon heir du Roialme *Deſcoce*, & de ſes autres terres, & noſtre eſnee fille, Nicce noſtre Seignour le Roi de *France* avantdit; a quen Roi en noun de meſne celi ſon fuiz deynent eſtre donez en mariage oue la dite fille 25000 liveres de Turnois petitz. Ele dit Roi *Deſcoce* eſt tenuz a doner & aſſigner a ſa dite fille en Dowair 1500 liveres dannuele rente deſterlings, des queux il li aſſevera 1000 liveres deſterlings ou terres ov juriſdictions & ov totes maneres de Juſtices qui napertenent mye a la Roiale Corone, en les lieux deſouz eſcriptz: Ceſtaſſavoir de *Baillol*, de *Dampetr.* de *Helicourt*, de *Hernoy* en Roiaume de *France*; de *Lanark*, de *Cadio*, de *Milldiſley*, de *Enyngham*, & de *Hadyngtone*, & en le Chaſtel de *Donde* en Roiaume *Deſcoce*, oue les apurtenances de meſmes les lieux. Iſſint qi meiſmes les lieux en les queux le Dower ſeit eſtre aſſigne ſicome eſt avantdit paſſent la ſomme des dites 1000 liveres par an, & qi ſerra ſourplus, outre tele ſomme, remeigne au Roi *Deſcoce*. E ſi rien faille de cele ſomme, meiſme cely Roi ſoit tenuz de la parfourmir entierment de ſes autres rentes, & il li aſſignera de reſceure les autres 500 liveres deſterlings en burſe; ou ſi levantdit noſtre Seignour le Roy de *France* mieuz voudra, il li aſſignera de receiure auſibien les dites 1000 liveres come les autres 500 liveres en burſe en certeins & ſuffizantz lieux, dan en au a deux termes, e li aſſeura bien de cell Dower auer & receiure, apres le mariage fait, & apres la mort le dit fuiz ſi longement come ele viura. E fait & expreſſement covenance eſt en le treitis del mariage avantdit, ſi par anienture le fuiz & la fille avantditz apres le mariage fait voudreient departir du dit Roy *Deſcoce*, il averont Franchement le Dower avantdit en la vie de meſme celi Roy. **Nous les tretitz et les covenances avantdites eantz ferm et eſtables ſelonc les maneres et les covenances deſus eſcritez, ces looms, voloms et approuoms expreſſement,** promettantz que nous paieroms les dites 25000 liveres de Turnois entierement au dit Roy *Deſcoce* en noun de ſon dit fuiz, ou a meſme cely ſon fuiz, ou a mandement de eux, ou de lun de eux, ſitoſt come noſtre dite fille ſerra venue al age qe ele puiſſe eſtre marriee, & le dit Dowair li ſoit aſſigne, ſicome eſt avantdit. E a ce nous obligeoms eſpeciaument nous, noz heirs, & noz ſucceſſours, terres, & touz noz biens, & de noz heirs, & de noz ſucceſſours, moebles & noun moebles, preſentz & avenir. En teſmoignance de quen choſe, nous auoms fait mettre noſtre ſeal a ceſtes preſentz lettres. Don a *Paris* le 23. jour d'*October*, l'an de noſtre Seignour 1295.

This

An. 22. *E* 1. This League and Alliance then made and concluded between the perfidious, treacherous *Scots* and *French* against the *English* contrary to their premised Oaths and Obligations, was vigorously put in execution the two next ensuing years, and very punctually observed by them in succeeding ages, the true reason whereof is thus rendered by *Matthew Parker* Archbishop of *Canterbury*, discoursing of the Treacheries and perfidiousnesse of the *French*, and their inhumane cruelties, under pretext of Treaties of peace. * *Ac ne* Scotia quidem in perjuriis, crudelitate et perfidia dissimilis censetur Galliæ. Ad quæ dicta, *si stellæ atque sidera ex† Astrologorum sententia regionibus dominantur*, fato quodam dedita videri possit. *Subest enim ut Astrologi censent* versutissimo atque inconstantissimo sideri Scorpioni. Cujus mores in singulis pœne Scotis (& Gallis) exprimuntur. Sunt enim crudeles, elati, intemperantiæ et libidini dediti, falsi atque vafri, pacis, inducriarum fœderumque fractores; *natura autem tam fera & indomita, ut etsi in bellis sæpe victi succubuerunt*, et subjectionem (Anglis) jurejurando promiserunt; redintegrare tamen contra fidem datam prælia, et mortis atque martis discrimina subire, quam exteri cujuscunque dominationem perferre maluit. *Itaque cum Astrologi* Martem Scorpionis *esse dominum, eoque præesse autumnent*, Scotiam *crebris vastationibus, incendiis, stragibusque cruentis ex illa* Martis & Scorpionis *conjunctione perpetuo subesse statuunt.* Hæc itaque sceleratissimorum similitudo morum Gallos atque Scotos semper inbicem conciliavit. Tanta enim utriusque gentis perfidia, * feritas et immanitas in vindictis prodita est, quanta non modo inter Christianos, sed ne inter barbaros a Scriptoribus ullis traditur. Of which our Histories, and the ensuing years will render you a further account.

* Antiq. Eccles. rit. p. 294, 295, 296, † Johan. Rupetissa, in libro quem nominabat, Ostensor futurorum * See Sim. Dunelm Hist. l. 3. c 5. & de Gest. Regum Anglorum, col. 201, 260. Hist. Richardi Prioris Hagustaldensis de Gestis Regis Steph. col. 316 318 Ethelredus Abbas de Bello Standardii, col. 341. Chron. Johan Bromton, col. 1025, 1090, 1091.

John Duke of *Brabant* (the Kings dear friend and kinsman) dying this year, the King by his Ecclesiastical Soveraign authority, issued these ensuing Writs to all his Bishops, and sundry Abbots and Priors, to make Prayers, and chaunt Masses for him, according to the Superstition of that age.

Bundela Brevium de Privato Sigillo, &c. An. 22 E. 1. in Turre London.

REX, &c. *Custodi Spiritualitatis Archiepiscopatus* Cantuar. *sede vacante, salutem. Conditor omnium Dominus, qui pro suo beneplacito cunctis mortalibus vivere dat & mori, prolongans & abbrevians, sicut vult, vitæ terminos seculares, charissimum amicum & affinem nostrum* Johannem *quondam Ducem* Brabantiæ *de presenti Seculo (quod non sine multa mentis amaritudine nunciamus) prout sibi placuerit, evocavit. Cum itaque opus sanctum ac salubre, juxta* Scripturæ divinæ sententiam, censeatur, pro defunctis, *ut à peccatorum solvantur nexibus* ejusdem, paternam charitatem vestram pijs affectibus requirimus et rogamus, *quatinus ejusdem Ducis exequias solempniter celebrantes, ipsius animam in Ecclesia* Cantuar. *cum Missarum decantationibus, & aliis divinis obsequiis Deo vivo specialiter commendetis; eamque in cæteris Ecclesijs ac locis religiosis per totam Diocesim* Cantuar. *Ditioni vestræ subditis, faciatis devotius commendari: Ut ex hoc præmium apud Deum*, et a nobis condigna vobis provenitat actio gratiarum. *Teste Rege apud* Wrotham, 8 *die* Maii.

Consimiles Litteræ diriguntur singulis Episcopis, Abbatibus & Prioribus exemptis, mutatis mutandis, per totam Angliam *constitutis, & Magistro Ordinis de* Semplingham *qui inferius in ista Cedula continentur.*

Domino *Linc.* Episcopo, Domino *Elien.* Episcopo, Domino *Norwicen.* Episcopo, Dom. *Roffen.* Episcopo, Dom. *London.* Episcopo, vel ejus locum tenenti, ipso agente in partibus transmarinis, Dom *Winton.* Episcopo, Dom. *Cicestr.* Episcopo, Dom. *Exon.* Episcopo, Dom. *Sarum* Episcopo, Dom. *Covent.* & *Lychef.* Episcopo, Dom. *Heref.* Episcopo, Dom. *Menevен.* Episcopo, Dom. *Bangoren.* Episcopo, Dom. *Assaven.* Episcopo, Custodi Spiritualitatis Episcopatus *Landaven.* Dom. *Wygorn.* Episcopo, Dom. *Bathon.* & *Wellen.* Episcopo, Dom. Archiep. *Eborum Angl.* Primati, Dom. *Dunolm.* Episcopo, Dom. *Karl.* Episcopo. Abbati Sancti *Augustini Cant.* Abbati de Sancto *Albano*, Abbati de Sancto *Edmundo*, Abbati de *Evesham*, Abbati de *Waltham*, Abbati de *Westm.* Magistro Ordinis de *Semplingham*, Abbati de *Valle Regali*, Abbati de *Fontibus*, Abbati de *Jerenall.* Abbati de *Novo Monasterio*, Abbati de *Holcoltran.* Abbati de *Rivall.* Abbati de *Furneys*, Abbati de *Bella Landa*, Abbati de *Kirkestede*, Abbati de *Reuesby*, Abbati de *Vallo Dei*, Abbati de *Gerendon.*

Abbati

Abbati de *Wouburn.* Abbati de *Pipwell*, Abbati de *Rughford*, Abbati de *Bello loco*, Abbati de *Boxleye*; Priori & Conventui de *Pontefracto*, Priori de *Lenton*, Priori de *Wenlock*, Priori de *Bermundeseye.* *An.* 22 *E.* 1.

Oliver Biſhop of *Lincoln*, and Mr. *Thomas Sutton* his Nephew, gathering a great multitude together, and intrenching, beſieging the Church of *Thame*, ſtopping all paſſages, and prohibiting any victuals to be carried to it, to force *Richard Saint-John* the Rector thereof to deſert it by ſiege and famine. The King upon complaint thereof, by his Eccleſiaſtical Soveraignty, iſſued a Writ *de Vi Laica amovenda* to the Sheriff of *Oxford*, who being negligent in the execution thereof; he thereupon iſſued this ſecond memorable Writ to *Maſculmus de Harley*, his Eſcheator on this ſide *Trent*, and *Robert Giffard*, to raiſe the ſiege, remove the force, levell the Trenches, apprehend the Malefactors, and inquire of the Sheriffs neglect in executing the former Writ, and all the premiſed circumſtances. After which he took the Prebendary into his hands and protection, to prevent diſturbances of the peace, till the right thereof was determined in his Court, between *Thomas Sutton* and the Biſhop of *Lincoln*, and *Edward* ſon of *John de Seint-John*, and ſequeſtring the profits thereof pending the ſuit, & reſtoring them by his Writs, when the controverſie in Law was ended.

REX, *&c. dilectis & fidelibus ſuis* Maſculmo de Harley, *Eſcaetori ſuo citra* Trentam, *&* Roberto de Giffard *ſalutem. Quia, ex querela* Edwardi *filii* Johannis de Sancto Johanne, *qui ſe gerit pro Rectore Eccleſiæ de* Thame, *accepimus, quod Venerabilis pater* O. *Epiſcopus* Lincoln. *&* *Magiſter* Thomas de Sutton *Nepos ejuſdem Epiſcopi, aggregata ſibi multitudine armatorum, vias noſtras Regias in Villa de* Thame *circumquaque ad Eccleſiam prædictam ducentes, foſſatis, haiis, & aliis impedimentis obſtruxerunt, & Eccleſiam illam obſederunt, & adhuc obſident; inhibentes,* ne qui prædicto Edwardo, Clericis ſeu Miniſtris ejuſdem Eccleſiæ in eadem exiſtentibus victualia vendant vel ferant, et ipſis ſibi victualia ferentibus victualia illa abſtulerunt et auferunt, ut ſic per hujuſmodi obſidionem et factum dicto Edwardo, Clericis et Miniſtris prædictis in eadem Eccleſia fame faciant interire, in noſtri contemptum, et læſionem pacis noſtræ manifeſtam. *Nos (ſi ita ſit) ſuper hoc* congruum et feſtinum remedium adhiberi volentes; *Aſſignavimus vos ad videndum Eccleſiam obſidionem & impedimenta predicta,* et ad obſidionem illam, et omnem vim Laicam et armatam, ſi quæ ſe teneat in eadem Eccleſia amovendam, impedimenta illa, ſi quæ inventa fuerint delenda, et bayas et foſſata prædicta equanda, prout prius eſſe conſueverunt; et etiam ad omnes illos quos hujuſmodi obſidionem et impedimenta feciſſe inveneritis attachiandos: Ita quod ſint coram Nobis a die Paſchæ in Tres Septimanas ubicunque tunc fuerimus in Anglia, ad reſpondendum nobis de contemptu et tranſgreſſione prædictis. *Et inſuper ad inquirendum per Sacramentum proborum & legalium hominum de Com.* Oxon. *per quos, &c. qualiter Vic. noſter ejuſdem Com. mandatum noſtrum, ei per breve noſtrum nuper factum, De vi laica ab eadem Eccleſia amovenda, fuit executus, & quo modo: & ſi ullam vim laicam ibidem tunc invenerit, vel non, & de omnibus aliis circumſtantiis præmiſſa contingentibus, ſecundum quod vobis injunximus ore tenus. Et ideo vobis mandamus, quod ad certum diem quam ad hoc providerdis, ad Eccleſiam predictam ſine dilatione perſonaliter accedentes, premiſſa faciatis in forma predicta. Et de eo quod inde feceritis nobis diſtincte & aperte quamtocius conſtare faciatis, remittentes nobis hoc breve. Mandavimus enim Vic. noſtro Com. predicti quod vobis ad premiſſa facienda intendat & reſpondeat, prout ei ſcire facietis ex parte noſtra. Et quod ad certum diem quem ei ſcire facietis ex parte noſtra, venire faciat coram vobis tot & tales probos & legal. homines de Balliva ſua, per quos rei veritas in premiſſis melius ſciri poterit & inquiri. In cujus, &c. Teſte Rege apud* Stebenheth, 3. *die* Februarii. Pat. 22 E. 1. m. 25. dorſo. Pro Edwardo de S. Johanne de obſidione Eccleſiæ de Thame vivenda & inquirenda, &c.

CUm prætextu contencionum & diſcordiarum aliquandiu habitarum inter venerabilem patrem *O. Linc.* Epiſcopum, & magiſtrum *Thomam de Sutton* Archidiac. *Norht.* ex parte una, & dilectum Clericum noſtrum *Edwardum* filium *Johannis de Sancto Johanne* ex altera, ſuper Præbenda de *Thame*, mala diverſa perpetrata fuerint ibidem contra pacem Regis; per quod ne mala peſora prioribus inconſulte ſuccederent ſi durarent, hujuſmodi periculis Rex obviare volens, mandavit Vic. *Oxon.* quod Cl. 22. E. 1. m. 3. Quod Vicecomes Oxon. ſe non intromittat de Præbenda de Thame.

Præ-

An. 22 *E.* I. Præbendam illam cum domibus, terris, fructibus, et omnibus aliis tam spiritualibus quam temporalibus ad eandem pertinentibus sine dilacione caperet in manum Regis, et ea salvo et absque destructione seu distractione custodiri faceret; Ita quod neutra partium prædictarum ad eam manum apponeret, donec Rex aliud inde præciperet. Ac jam contentiones et discordiæ hujusmodi inter partes prædictas coram Rege in Curia Regis penitus sint levatæ, mandatum est eidem Vicecomiti, quod de Præbenda prædicta, vel ejus pertinenciis quibuscumque ulteriùs se non intromittat, & omnes exitus per ipsum Vicecomitem perceptos à tempore captionis ejusdem in manu Regis, præfato *Thomæ* integraliter liberet sine mora. Teste Rege apud *Westm.* primo die *Octobris*.

What Knights fees and compositions for them the Bishops of *London* and *Chichester* then owed to and made with the King for their Knights service in *Wales*, these Records in discharge of their Executors will inform us.

Clauſ. 22 E. 1. m. 11. Pro executoribus Teſtamenti J. quondam London Epiſcopi. QUIA *bonæ memoriæ* J. *nuper* Londonienſis *Epiſcopus anno Regni Regis quinto, ſolvit per præceptum Regis* Orlandino de Podio, *& ſociis ſuis Mercatoribus* Lucanen ducentas marcas, per quas finem fecit cum Rege pro ſervicio ſex feodorum Militum, quod Regi recognovit in exercitu Regis Walliæ, anno prædicto, *de quibus quidem ducentis marcis ipſum Epiſcopum Rex quietavit, ſicut per inſpectionem literarum Regis patencium quas Rex prædicto Epiſcopo inde fieri fecit Regi conſtat; Mandatum eſt Theſſ. & Baronibus de Scaccario, quod executores teſtamenti præfati Epiſcopi de prædictis ducentis marcis quas ab eis per ſummonicionem Scaccarii prædicti Theſſ. & Barones exigunt, ut dicitur, quietos eſſe faciant. Teſte Rege apud* Baldock, 18 *die* Februarii.

Ibid. m. 12. Pro executoribus teſtamenti S. Ciceſtrenſis Epiſcopi. QUIA *bonæ memoriæ* S. *nuper* Ciceſtr. *Epiſcopus defunctus, ſolvit Regi anno regni Regis decimo per manus* Baruncinini Gualteri *Mercatoris de* Luk. centum marcas, per quas idem Epiſcopus finem fecit cum Rege pro ſervitio duorum feodorum Militum ac dimidii, quod Regi recognovit in exercitu Regis Walliæ *anno prædicto, ſicut per literas Regis patentes quas eidem Epiſcopo inde Rex fieri fecit, & quæ ex inſpectu Regi conſtat: mandatum eſt Theſſ. & Baronibus de Scaccario, quod executores Teſtamenti præfati Epiſcopi de prædictis Centum marcis, quas ab eis exigi faciunt per ſummoniciones Scaccarii Regis prædicti pro ſervicio prædictorum duorum feodorum Militum & dimidii de tempore prædicto, quietos eſſe faciant. Teſte Rege apud* Chetham 17 *die* Dec.

This year the King to haſten his ſupplies of monies iſſued theſe Writs to the Collectors of the Clergies Subſidies.

Clauſ. 22 E 1. m. 6. dorſo. REX *dilectis ſibi in Chriſto, Priori & Conventui Sancti* Katerinæ *extra* Lincoln. *Collectoribus Subſidii nobis conceſſi per Clerum in Dioceſi* Lincoln. *ſalutem. Quia nuper tempore conceſſionis nobis factæ de ſubſidio prædicto extitit ordinatum, quod propter evidentem et urgentem neceſſitatem, tercia pars ſubſidii prædicti nobis ſolveretur citra feſtum* Omnium Sanctorum *prox. futurum, vobis mandamus firmiter injungentes in fide & dilectione quibus nobis tenemini, quod prædictam terciam partem cum omni celeritate qua poteritis, omni dilatione poſtpoſita, nullaque excuſatione pretenſa, levari, & ad Scaccarium noſtrum ſub ſalvo & ſecuro conductu tranſmitti faciatis; Ita quod eum modis omnibus habeamus citra feſtum prædictum; Et hoc ſicut honorem noſtrum & Regni noſtri diligitis, & vos indempnes ſervare volueritis, nullatenus omittatis. Cuſtum autem quem ad hoc poſueritis vobis prout juſtum fuerit allocari faciemus. Teſte Rege apud* Weſtm. 21 *die* Octobris.

Eodem modo mandatum eſt Abbati & Conventui de Oſeneye *Collectori, in eadem Dioceſi.*

Eodem modo de verbo ad verbum mandatum eſt ſubſcriptis; Priori & Conventui de Wymundham, *& Priori & Conventui Sancti* Edmundi, *Collectoribus in Dioc.* Norwyc. and to the others forementioned.

The King this year out of his Sovereign Eccleſiaſtical authority, licenſed *Dioniſia de*

de *Monte Canisia* by his * Letters patents, *quod de Manerio suo de* Waterbeche *cum pertinenciis religiosos fossare*, vel ibidem fundare possit domum religionis de quocunque voluerit ordine, *pro anima nostri & animarum antecessorum nostrorum & suorum*, &c. Nos dedimus ei licentiam, quod ipsa tot fossores habeat. Claræ illuc a partibus transmarinis venire facere, et ipsas, &c. quot ad divinum obsequium ibidem celebrandum fore viderit opportunas. *Ita quod sorores illæ quas ipsa* Dionisia *inde fossaverit* ibidem pacifice morari et Domino famulari possint, &c. *Teste Rege apud* Walsingham 3. *die* Marcii, *Anno regni nostri* 22. *An.* 22 E. 1. * Par. 22 E. 1. m. 23. See Monasticon Anglic. pag. 1. p. 547.

What Clerks convicted of murder and felony before the Kings Justices, and demanded by their Ordinaries, were acquitted this year upon their delusory purgations before them, and thereupon restored to their goods and chattels; this Writ will in part inform us.

CUM *Willielmus de Wabrunne, Thomas de Bayfeld, Thomas* filius *Thomæ de Wabrunne*, & *Bartholomæus de Salle* Clerici, in Curia Regis coram dilectis & fidelibus Regis *Elia de Hanvill* & sociis suis Justic. Regis nuper ad Gaolam Regis *Norwyci* deliberandam assignatis, de morte *Willielmi* fil. *Roberti le Sunr.* de *Wabrunne* rectati, & ad requisitionem Venerabilis Patris *R. Norwycensis* Episcopi per eosdem Justic. eidem Episcopo tanquam culpabiles de morte prædicta, juxta privilegium Clericale, prout moris est, liberati, innocentiam suam super eodem crimine sibi impositio legitime purgaverint, prout idem Episcopus per literas suas patentes Regi significavit. Et per inquisitionem quam per Vic. *Norff.* & Coronatores Regis ejusdem Comitatus postmodum, Rex fieri fecit, Rex acceperit, quod prædicti *Willielmus, Thomas, Thomas*, & *Bartholomæus* sunt bonæ famæ & conversationis, & nunquam extiterunt publici aut notorii malefactores. Mandatum est eidem Vic. quod eisdem *Willielmo, Thomæ, Thomæ*, & *Bartholomæo*, terras & tenementa, bona & catalla sua ea occasione per ipsum in manum Regis capta, nisi fugam fecerint occasione transgressionis prædictæ, sine dilatione restituat de gratia nostra speciali. Teste Rege apud *Westm.* 25 die *Octobris*. Clauſ. 22 E. 1 m. 2. intus. Pro Will. de Wabrunn, Tho. de Bayfeld, Thomæ filio Thomæ de Wabrunn, & Bartho. de Salle Clericis purgatis.

The Sheriffs of *London* amercing *Clement de Hesion*, and prosecuting him in the Hustings in *London*, for suing in Court Christian for a Contract, which an executrix for lands devised to be sold, and the money distributed for the Testators soul, after a *Consultation* to proceed in Court Christian; the King upon complaint, issued this Writ for his relief therein, according to Law, and the Custom of the City.

REX dilecto & fideli suo *Gilberto de Thorneton* salutem. Ex querela *Clementis de Hesion* accepimus, quod cum *Thomas Absolon* & *Matil.* uxor ejus Executrix Testamenti *Willielmi Allyn*, quoddam Messuagium cum pertinentiis in *London* quod fuit ejusdem *Willielmi*, & quod idem *Willielmus* in Testamento suo legaverat vendendum; Ita quod denarii inde provenientes pro anima sua pauperibus distribuerentur, *prafato* Clementi *vendidissent pro Triginta & duabus Marcis, de quibus sex Marcas* præmanibus receperunt, & *breve nostrum* de Prohibitione postmodum præfato Clementi, *pro eo*, quod ipsos super conventione inde inter eos innita, et per ipsos Thomam et Matildam non observata, implacitabit in Curia Christianitatis, detulissent, ne placitum illud ibidem ulterius sequeretur. Ac idem *Clemens* attendens cognitionem placiti illius ad forum Ecclesiasticum pertinere, petita super hoc et optenta consultatione vestra, scilicet, quod licite & semper posset in Causa illa procedere in Curia Christianitatis; placitum illud in Curia illa juxta consultationem prædictam prosecutus fuisset; Custos & Vicecomites *London.* nullo respectu habito ad consultationem prædictam, præfatum *Clementem* ea occasione attachiaverunt, ad respondendum inde coram eis, & ipsum graviter amerciarunt, & pro amerciamento illo eis reddendo distrinxerunt, et adhuc distringunt minus juste, in ipsius *Clementis* dampnum non modicum & gravamen; Et quia præfatum *Clementem* in hac parte nolumus prægravari, assignavimus vos ad recordum & processum inde coram Custod. & Vicecomitibus in Hustengo nostro *London.* habitum, si judicium inde redditum sit, examinandum. Et si quid minus ritè attemptatum fuerit in hac parte corrigendum, & partibus illis quod justum fuerit secundum legem Pat. 32 E. 1. m. 9. dorso. Pro Clemente de Hesion, attach. post Prohibitionem.

An. 22 E. 1.

& conſuetudinem Civitatis prædictæ faciendum. Et ideo vobis mandamus, quod ad certum diem quem ad hoc provideritis uſque Sanctum *Martinum* magnum *London.* accedentes, recordum illud & proceſſum in præſentia prædictorum Cuſtodis & Vicecomitum, ſi judicium inde redditum ſit, diligenter examineris, & defectum ſi quis fuerit in eiſdem coerigi, & partibus inde fieri faciatis ſecundum conſuetudinem Civitatis prædictæ celeris Juſticiæ complementum. Mandavimus enim præfatis Cuſtodi & Vicecomitibus, quod ad certum diem quem eis ſcire faciatis, recordum illud & proceſſum, cum omnibus ea tangentibus apud Sanctum *Martinum* magnum *London.* coram vobis habeant, & partes prædictas ibidem venire faciant, ad faciendum & recipiendum quod Curia noſtra conſideraverit in præmiſſis. In cujus, &c. Teſte Rege apud *Weſtm.* 16 die *Octobris.*

The Archbiſhop of *York* Excommunicating the Prior and Subprior of *Trinity* in *York* exempt from his Juriſdiction, ſequeſtring their goods, whereby they ſhould live and pay their *Diſmes*, and procuring a Writ of *Capias Excommunicatum* againſt them, the Prior thereupon exhibited this Petition to the King for releif againſt theſe and other injuries therein expreſſed.

Brevia Regis de privato Sigillo, An. 22. E. 1. in Turre London.

A Noſtre Seignior le Rei ſupplie le Priour de la *Trinitie* de *Everewyk*, que come il ſoit exempt de tote Juriſdiction ordeneyre par eſpeciale Privilege de la Court de *Rome*, qui il ad de ceo; ly Erceveſque de *Everwyk* le vit Priour et ſoen Suppriour de jour en jour eſcomeneye, e ſes Biens ſequeſtre, dequoy il deit vivre, e dequoy il deit ſoen Diſme paer. Derichef il doune ſes lettres a ceus, encountre qui le dit Priour plede devanut voz Juſtices Erranz a *Everwyk*, qe le dit Priour eſt ēs comenge, e enſy ly tolt reſpounſe. Derichef il ad purchaſe, Brief de Caption contre le dit Priour et ſoen Suppriour. E de dit Suppriour prie remedies come il ſeit exempt e eit appele. Derichef come le dit Priour eit Bref de droit purchace du Patronage del Egliſe de *Barton* en *Rydale* contre Sire *Henry de Grey*, e le dit *Henry* eit reſpondu, quil ad le Maner e la vile de *Barton* oue les appurtenances du doun le Roy *Henry* pere noſtre Seignour le Roy, qui ore eſt, e que le doun devauntdit poet returnir a noſtre Seignour le Roy, e pur ceo ad ia en deus delays, ne ne voet reſpoundre; dunt le Priour prie Remedie. Derichef de ſa *Franchiſe* reaver que lui ad eſte detinue puis le guere Dareine, de quoy le Priour ad pur luy le Domeſday, e les Chartres de Confermement des Roys *Dengleterre*, e eſpecialment la Chartre le Roy *Henry* pere noſtre Seignour le Roy qui ore eſt, Prie le dit Priour remedie. Derichef noſtre Seignour le Roy tient treys acres e demy de terre gaignable, que devoyent eſtre tenuz du dit Priour, dunt le Priour prie remedie; a que la verite ſeit enquiſe.

The Priory of *Preſtol* in *Angleſey* becoming voyd, the King upon the Subpriors and Convents petition for a licenſe to elect a new Prior, out of his eſpecial grace to ſave their labor and expences granted a Commiſſion to his Juſtice of *Northwales*, to give his royal aſſent to the Prior elect, to receive his Fealty, and reſtore his temporalties in the Kings name and right, upon ſecurity firſt given under their common Seal, that this his ſpecial favour (frequently indulged to thoſe in *Ireland*) ſhould not be drawn into example to his prejudice in future times.

Pat. 22. E. 1. m. 21. intus. Commiſſio facta per Regem. Juſtic. Norwall. de Electione Prioratus de Præſtol. in Angleſeia approbanda & finaliter expedienda nomine Regis.

REX dilecto & fideli ſuo *Roberto de Staundon* Juſtic. ſuo *Northwallie*, ſalutem. Cum dilecti nobis in Chriſto Supprior & Conventus Eccleſiæ de *Præſtol* in *Angleſeia* nobis per literas ſuas patentes ſignificaverunt, quod Eccleſia ſua prædicta per ceſſionem fratris *J.* nuper Prioris ejuſdem loci, Paſtoris eſt ſolatio deſtituta, ſupplicantes nobis, prout moris eſt, quod licentiam ſibi alium eligendi in Priorem et paſtorem eiſdem concedere dignaremur; ac nos precibus eorundem Suppriors & Conventus in hac parte favorabiliter inclinati, licentiam illam eis duximus concedendam, mandantis ipſis, quod talem ſibi eligant in Priorem & paſtorem, qui Deo devotus, regimini Eccleſiæ ſuæ neceſſarius, nobiſque & Regno noſtro utilis & fidelis exiſtat. Nos eorundem Suppriors et Conventus laboribus et expenſis in hac parte parcere volentes, iſta vice conceſſimus eis de gratia noſtra ſpeciali, et vobis dedimus poteſtatem, quod facta electione prædicta de futuro Priore ſicut dictum eſt, Electioni, cum Electus hujuſmodi per Canonicos dictæ domus vobis fuerit præſentatus, aſſenſum

ſum regium vice noſtra præbeatis, ſignificantes loci Dioceſano, quod id quod ſuum eſt in hac parte exequatur. Volumus etiam & vobis damus poteſtatem, quod ſi contingat electionem hujuſmodi per loci Dioceſanum canonicè confirmari; tunc accepta ab eodem Electo fidelitate, in caſu iſto nobis debita, temporalia ejuſdem Prioratus eidem Electo, prout moris eſt, liberetis vice noſtra; receptis prius ab ipſo Electo literis ſuis patentibus ſigillo ſuo, nec non et ſigillo Capituli ſui ſignatis, quod hæc noſtra gratia quam eidem Electo ad præſens ex mera liberalitate noſtra conceſſimus, Nobis vel hæredibus noſtris non cedet in præjudicium vel exhæredationem, ſeu trahetur in conſequentiam temporibus futuris: In cujus, *&c.* Teſte Rege apud *Cant.* 18 die *Aprilis.* *An.* 22 *E.* 1.

Per ipſum Regem, nunciante fratre *Waltero de Wyterburn.*

Anno 1294. upon the death of the aforeſaid *Johannes de Samford Archiepiſcopus Dublinen.* the King committed the temporalties of the Archbiſhoprick by this Patent.

REX omnibus ad quos *&c.* ſalutem. Sciatis quod commiſimus dilecto Clerico noſtro Magiſtro *Ric. de Abbyndon* Archiepiſcopat. *Dublin.* cum pertin. vacantem & in manu noſtra exiſtentem, cuſtodiendam quamdiu nobis placuerit: ita quod de exitibus inde provenientibus nobis reſpondeat ad Scaccarium noſtrum *Dublin.* In cujus *&c.* Teſte Rege apud *Weſtm.* xx. die *Octobr.* Pat. 22. E. 1. memb. 4. De cuſtodia Archiepiſcopatus Dublin. ſede vacante commiſſa.

He likewiſe iſſued this Licenſe to elect a new Biſhop of *Dere* in *Ireland.*

MAgiſter *Chriſtoforus de Ardach* & *Athurius*, Canonici Eccleſiæ *Deren.* nunciantes Regi mortem *Florentii* quondam Epiſcopi ejuſdem loci, habent literas Regis de licencia eligendi. In cujus *&c.* Teſte Rege apud *Weſtm.* xxv. die *Octobr.* Pat. 22. E. 1. mem 4. de licencia Eligendi.

The Biſhop of *Lyſmore* in *Ireland* ſequeſtring the fruits of *Michael de Boyton* his Prebendary in that Church, conferred on him by the King during its vacancy, and depriving him thereof; the King, as ſupreme Ordinary and Patron, upon his complaint thereof commanded the Biſhop to certifie him the cauſe of this his ſequeſtration and deprivation, by this Writ, that ſo he might judge of their legality.

EDwardus &c. Venerabili in Chriſto Patri *R.* eadem gratia *Lyſmoren.* Epiſcopo, ſalutem. Quia accepimus, quod vos & Officiales veſtri fructus Prædendæ dilecti Clerici noſtri *Michaelis de Boyton*, quam habet in Eccleſia veſtra prædicta de dono noſtro, ratione ultimæ vacationis ejuſdem Epiſcopatus in manu noſtra exiſtentis, ex cauſis minus rationabilibus ſequeſtrari feciſtis, et ad privationem ipſius Clerici noſtri nitimini (ut dicitur) minus juſte; in ipſius Clerici diſpendium non modicum & gravamen. Volentes igitur ſuper modo & cauſa ſequeſtri prædicti, ac etiam privationis prædictæ, ſi quæ fuerit, plenius certiorari, Vobis mandamus; quod nos ſuper modo & cauſa prædictis, citra Quindenam Paſchæ proximo futuræ, diſtinctè & apertè reddatis certiores; Remittentes nobis hoc Breve. Teſte meipſo apud *Weſtm.* vii. die *Febr.* Anno Regni noſtri viceſimo ſecundo. Brevia Regis 22. E. 1. de privato Sigillo, &c. in Turre Lond.

Whereupon the Biſhop made and ſent this humble certificate to the King of the cauſe of his deprivation.

DOmino ſuo Excellentiſſimo *E.* Dei gratia illuſtri Regi *Angliæ* R. eadem miſeratione Eccleſiæ *Lyſmor.* Miniſter humilis, Salutem cum reverentia & honore. Veſtræ Regiæ dignitati devotè & reverenter ſignificamus, nos Magiſtrum *Michaelem de Boyton*, quondam Canonicum Eccleſiæ noſtræ, ſæpius monitum et legitime citatum ad præſentiam noſtram, quod diſpenſationem ſuper pluralitate Beneficiorum obtentorum, ſi quam haberet, nobis exhiberet; quod facere minime curavit; Nec non quia dignitatem quam in Eccleſia noſtra ex collatione noſtra habuit, per literas ſuas nobis directas reſignavit, cui annexa extitit Prædenda; quare, mediante juſtitia, dictam Præbendam ex prædictis cauſis pronunciavimus vacantem, et eam alii duximus conferendam: A quibus pronunciatione & collatione per ſuos procuratores ad Sedem *Caſſalen.* Metropoliticam exſtitit appellatum; quæ noſtram pronunciatio-

An. 22 E. 1. nem & Collationem rite factas confirmavit. Valeat & vigeat vestra reverenda Excellentia per tempora longæva. Dat. *Lyſmor.* xvii. Kal. *Maii*, Anno Dom. 1294.

By which Certificate it is apparent, that a * plurality of Benefices and Prebendaries in that age, without a ſpecial diſpenſation, was a good cauſe of deprivation.

* See here, pag 233. 262, 308, 310, 330, 331.

Anno 1294. the *Roman* See (through the Cardinals ſchiſms and diviſions) continuing voyd about three years and three moneths after the deceaſe of Pope *Nicholas* the 4th. the Cardinals at laſt, *in die decollationis Sancti* Johannis *Baptiſtæ*, elected *Petrum de Murrone* an Hermit, and Monk of the Order of Saint *Benedict*, whom they named *Cœleſtine* the fifth. [a] *Poſt mortem* Nicholai 4. *Cardinales* Peruſium profecti *ſunt, ut eò liberius ſucceſſorem eligere & denunciare poſſint: verum inteſtinis diſſidiis res eo deducta eſt, ut toto triennio, atque tribus inde menſibus nihil determinarent; Et quamvis* Carolus 2. Neapolitanus *Rex ex* Narbonenſe Gallia *adveniret, atque ad curandam, & electionem maturandam eos diligenter ſæpeque adhortaretur, nihil tamen retulit niſi ſuperbiam & ſupercilioſum reſponſum; imprimis à* Benedicto Cajetano, *qui id interpretabatur, quaſi* vim ipſis allaturus videretur, quorum ſuffragia debebant eſſe libera: *Tandem* Caroli Neapolitani *Regi & Latini Cardinalis favore*, Cœleſtinus *Pontifex declarabatur*, (quaſi per indignationem et riſum, as *Stella* and others write) *poſt vocationem diutinam:* Vir ſimplex eremo paratior quam throno: hic vir ſimplex, rectus et timens Deum, virtutibus coruſcabat (as *Mat. Weſtminſter* ſtories,) *De vitæ auſteritate jam Pontifex effectus, nihil remiſit.* Equum vel mulum, vel currum aſcendere non præſumpſit, ſed aſinum, Chriſti exemplo, *& bono exemplo illius qui aſello inequitans Chriſti paupertatem æmulari conaretur. Vicelius* gives this character of him, *Nihil niſi religioſus erat, & adeo probus, ut potuerat dici* ipſa probitas. Ob eam probitatem videbatur non eſſe idoneus ad obeundum magiſtratum: (Honeſty making men altogether unfit for the Papal Chair of *Rome*) ſed ultro perfert abdicationem, ut locus eſſet veſtræ maleficæ. *In primo conſiſtorio* ſtatim Romanam Eccleſiam ſtricte ſtatuit reformare; verum tamen uſque adeo nihil effecit, ut etiam omnium indignationem et odium incurreret, qui jam pridem di ciplinæ jugum et vincula ruperint; ipſumque fatuum et veſtrum ſenem vocitabant: [b] *Matthew Weſtminſter* ſtories; *Cum de aſino deſcendiſſet, & Eccleſiam ingreſſus eſſet, clamavit quidam contractus, ut ipſum deſuper aſinum, ſuper quem Papa ſederet, imponerent intuitu charitatis. Et qui præſentes erant increpabant eum, ut taceret, ipſe verò multò magis, amore filii* David, *qui ſuper pullum aſinæ* Hieruſalem *valvas ſanctificando intraverat, quatenus ipſum ſuper dorſum aſini levarent.* Res mira, *impoſitus contractus illico recepit ſanitatem, & conſolidans baſibus & plantis*, exiluit qui claudus fuerat, laudans Deum in ſervi ſui meritis Cœleſtini, a quo *Magiſter* [c] Robertus de Winchelſey Cantuarienſis *electus confirmatus eſt*, et in Archiepiſcopũ conſecratus. Yet this miracle could not induce this humble Popes proud ſucceſſours, or his Cardinals, nor yet this Archbiſhop of *Canterbury* or his ſucceſſours to ride upon an Aſs like this Pope or our meek Saviour; but on Kings or Princes ſhoulders, or the richeſt Chariots, the beſt and choiceſt Steeds they could procure. Pope *Cœleſtine* during his ſhort continuance in the Papacy, out of zeal to the Holy Lands releif, granted our King *Edward* the 1. a *Diſme* for ſeven years from all the Clergy of *England*, as [d] *Henry de Knyghton* informs us, with the impediments that hindred the King from that undertaking he much deſired. *Cum Rex tot & tantas controverſias in diverſis plagis regni & dominii ſui pacificaſſet, deduxit in memoriam de paſſagio in terram ſanctam contra inimicos* Jheſu Chriſti, quod ante a Papa et multis aliis Catholicis propoſitum fuerat, *& multum de illo in corde tractavit. Set guerra in* Gaſconia *&* Wallia *multum exhauſerant & devaſtaverant theſauros ſuos*; unde Papa Cœleſtinus videns cruciosam voluntatem in tantum poſitum in ſancto propoſito ſalubris itineris, ad votum cruciatæ implendæ, dedit ei Decimam de tota Eccleſia Angliæ per 7 annos: et Papa Bonefacius, *qui recenter venit poſt* Cœleſtinum, dedit il'i Decimam trium annorum; *& interim Rex* Edwardus *de dicto itinere impeditus eſt*, by his Wars with the *French*, *Welſhmen*, and *Scots*; which waſted all theſe *Diſmes*. [e] Cœleſtinus *unam ordinationem in menſe* Septembris *faciens*, creavit 12 Cardinales, inter quos duæ eremitæ erant, in order to reform the *Roman* Court and Church. But the Cardinals weary of this preciſe, humble, reforming, conſcientious *Pope*, perſwaded him to reſign his Papacy, as unfit and unable to manage it without the

Churches

a Mat. Weſtm. Anno 1294. Th. Walſing. Hiſt. Angl. pag 25, 26. Chronica Willielmi Thorn. c 2002, 2003. Vincentii continuator, l. 31. Chriſtianus Maſſæus in Chronico Colmar. l. 5. Platina, Volaterranus, Hermannus Schedel, Onuphrius, Criſpinus, Balæus, Opmerus, Faſciculus Temporum, Laert. Cherubinus in Cœleſtino 5. & Bonifacio 8. Aventinus Annal. Boiorum, l 7. Erfordenſis, Centur. Magdeburg. 13. col. 1013, 1014. Albertus Crantzius Metropol l. 8. c 44. Abbas Urſpergenſis, Paraleipomen. pag. 242, 243. Philip Mornay Hiſtor. Papatus pag. 420, 421.

b An. 1294. pag. 393.

c Mat. Weſtm. ibid Antiqu. Eccleſiæ Brit. and Godwin the life of Winchelſey.

d De Eventibus Angliæ, lib. 3 cap. 2. col. 2468

e Th. Walſing. Hiſt. Angl. pag. 25, 26. Platina, Stella, Onuphrius, Balæus, Volaterranus, Opmerus, and others in Cœleſtino 5.

Churches ruine, and his own deſtruction. *Intellexit iſta Rex* Carolus, *vocavit ad* *An.* 22 *E.*1.
ſe Pontificem, & quam maximè potuit obſecrabat, ne dignitatem cælitus datam abiiceret. *At ille*; Faciam *(inquit)* quod Deus voluerit. Hereupon *Benedictus Cajetanus* his grand Counſellor aſpiring after the Papacy; *omnibus modis ipſum hortatus eſt, ut ſe Pontificatu abdicaret,* ne Eccleſia ob ipſius inſcitiam periclitaret, non ſine propriæ ſalutis diſpendio, *& tandem actu rem perfecit, ut exiſtimaretur divinitus, ſeſe admoneri, ut locum alteri cuipiam magis idoneo concederet.* *Cajetanus *quendam ſubornaverat qui facto foramine ſuo cubiculo, per canalem multis noctibus ipſum adhortaretur ac ſi eſſet angelus quiſpiam*; Cœleſtine, Cœleſtine, cede; negotium enim ſupra vires eſt; *Itemque*, Si Cœleſtinus vult fieri ſalvus, Pontificium munus omninò deponat. *Homo ſimplex, et tantorum ſcelerum ignarus, ſe cœlitus per Angelum admoneri credidit, itaque poſtquam ſedisſet menſibus* 5. *diebus* 7. *Pontificatu ſe abdicavit. Prius tamen omnium Cardinalium conſenſu conſtitutionem fecit,* Licere Pontifici abdicare ſe Magiſtratu. *Quam quidem Conſtitutionem* Bonifacius 8. *ejus ſucceſſor poſtea revocavit*, as ſome, or *confirmavit* as others ſtory. [h] *W. Thorn*, a Monk of *Canterbury* ſtories, *Volens* Benedictus, *qui poſtea* Bonefacius *ad Pontificatum aſpirare, Dominum* Cœleſtinum *tunc Papam cum quibuſdam Cardinalibus ſuis fautoribus, eum quaſi cotidie decipiebat: & quia vir ſimplex fuit,* inter fratres ſuos Cardinales quaſi in opprobrium factus eſt, pluresque literæ albæ ſigillo ſuo ipſo inconſcio ſigillatæ ſine ſcriptura inventæ fuerunt, ad enervationem ſtatus ſuæ conceptæ et fabricatæ. *Unde idem Papa majus periculum declinando, conſiderans ipſum eſſe inſufficientem ad onus illud*, tum ratione inſcitiæ, tum quia ſenex et impotens corpore, et quia in illo ſtatu ſine periculo ſui ſtare non poſſit, die Sanctæ Luciæ Virginis reſignavit Papatui, oneri et honori. *Et cum* [i] Maria, optimam partem eligens, *in medio fratrum ſe objiciens, biretum & pallium exuens, abrenunciando honori & oneri, favori & diſcrimini*, propter mundanarum rerum curas, recuſabat diutius præſulatum regere Romanorum, aſſerens ſeipſum minus idoneum in tanto opere proſequendo. *Profectò*, Filii hujus ſæculi prudentiores filiis lucis in generatione ſua ſunt. *Veruntamen adjuravit eos in nomine Sanctæ ac individuæ Trinitatis*, ut ſine omni diſſentionis intercapedine, eligerent virum induſtrium & utilem, qui ad honorem Dei & proprium ſalutem, hoc onus ſuſciperet gubernandum. *Requiſituſque à fratribus de aſſenſu, & de judicio alicujus dignæ perſonæ, quoniam virum juſtum & ſanctum ipſum habuerunt*; *nominavit quendam nomine* Benedictum, *virum ſolertiſſimum præ cæteris, in Curia* Romana *ſæpius converſatum. Erat enim iſte* Benedictus Gaietanus, *primò Procurator, deinde Advocatus, poſtea Notarius, conſequenter Diaconus Cardinalis tituli Sancti* Nicholai *in Carcere* Tulliano. *Tunc fratres, viſo quod rectè judicaſſet, exaltatum* Benedictum *in feſto Sancti* Hillarii, *in ſeniorum Cathedra locaverunt, nomine* Benedicti *de bono mutato in melius*, Bonefacius *eſt vocatus.* How unſuitable, yea contradictory his actions were to both his good names, he immediately diſcovered; which occaſioned this Diſtich to be made of, and applied to him;

[k] *Audi, tace, lege*, benè dic, benè fac, Benedicte,
Aut hac perverte, male dic, male fac, Maledicte.

No ſooner was he crowned Pope, but *ſtatim* Cœleſtinum *anteceſſorem ſuum redeuntem ad eremum, ſagaciſſimis canibus diu quæſitum, ex itinere & latebris quibus ſe abdiderat, retraxit, arctiſſimoq; carcere in* Fumonis *arce includit, ne populus, ſe contempto, & qui ad ſeditiones intenti eſſent, hunc aliquando Ducem ſequerentur, & de Romanæ Eccleſia ſalute poſtmodum actum eſſet. Quam ob cauſam* Stella *ipſum vocat,* Ingratiſſimum hominum. [l] *Quis* Bonifacium *iſtum*, teterrimum monſtrum, ac hominum cunctorum impuriſſimum non appellet? *cum ſimplicem virum ſuis artibus deluſum, è Pontificatu non ſolum dejecerit, ſed & illum tanquam facinoroſum aliquem perpetuo carceri mancipatum, ante tempus præ animi dolore, mori coegerit?* *Unde* [m] Cœleſtinus, *eo quod enim* ad cedendum Papatui ſubdole induxiſſet, et arctiſſimè cuſtodiæ tradidit uſque ad mortem, *de eo prophetavit in hunc modum, ut fertur*; Aſcendiſti ut Vulpes, regnabis ut Leo; morieris ut Canis: Et ita ſane contigit. Bonefacius *ſtatim poſt ſuam creationem Epiſcopum* Oſtien. *ſuper quibuſdam in præſentia Cardinalium arguens durissimè, pallii uſu privavit, & nihilominus ab eodem ante reſtitutionem pallii coronatur*; as [n] *Thomas Walſingham* obſerves, *Opera ejus verè ſunt papalia,*

* Platina, Balæus, Onuphrius, Crantzius, Creſpin, Morney, & others, See [a]

h Chronica, col. 2003.

i Mat. Weſtm. p. 394.

k Cent Magd. 13. col. 1014. & others foreſited.

l Balæus de Romano Pontif. Actis, l. 6. p. 354.

m Walſingh. Hiſt. Angl. p. 26. Stella, & Cent. Magd. 13 col. 1018.

n Hiſtor Angl. p. 26.

An. 22 E. 1. in Cent. Magd. 13. col. 1014. *papalia, ut multis seculis vix quispiam illa sede fuerit eo dignior.* Quo enim quisque est sceleratior, eo magis ad eam occupandam idoneus; as [n] *Johannes Wigandus*, *Andreas Corvinus*, and *Thomas Holthiter* affirm; by comparing these two Popes manners and actions: the first being the humblest, honestest man then living, and so altogether unfit: the other, the most crafty, ambitious, proud, wicked of all mortals; therefore most fit and worthy to succeed St. *Peter* in the Papal Chair at *Rome*, of whom more in due place.

An. 23 E. 1. *Anno* 23 E. 1. Among several Bundels of Writs in the White Tower Chappel, I finde no fewer then 10. Attachments and Suits upon Prohibitions, at the Kings and parties prosecutions, against Ecclesiastical persons and others, for holding, prosecuting Pleas of Chattels, Debts, Trespasses, Advowsons and Lay-fees, belonging to the King and his Courts, to the hurt of his Crown, Dignity, and contempt of his Royal Authority: On most of which there are dilatory Retorns made and endorsed.

Bundelæ Brevium Regis, Anno 23 E. 1. in Turre London.

EDwardus, *&c. Vic.* Ebor. *salutem. Si* Ricardus de Eston *fecerit, &c. pone, &c. Magistrum* Robertum de Lacy, *quod sit coram Justiciariis nostris apud* Westm. *à die* Paschæ *in unum mensem, ostensurus*, **quare tenuit placitum in Curia Christianitatis de Catallis et Debitis, quæ non sunt de Testamento vel Patrimonio, contra Prohibitionem nostram**, *&c. Pone etiam per vadium & salvos plegios* Reynerum de Knolle, *quod tunc sit ibi ostensurus*, **quare secutus est idem placitum in eadem Curia, contra Prohibitionem nostram**, *&c. Teste meipso apud* Aberconewey 25 *die* Marcii, *Anno regni nostri* 23.

EDwardus, *&c. Vic.* London. *&c. quod venire faciatis coram Justic. nostris, &c.* 12. *liberos & legales homines de parochia Sanctæ* Mariæ *de* Aldermanbury, *&c. qui nec* Adam Payn *qui sequitur pro nobis, nec* Simonem de la Leylond, & Hermannum le Summiner, *aliqua affinitate attingunt; recognit. super Sacramentum suum, si prædict. Magistr.* Simon *pendente placito in Curia nostra coram Justic. nostris apud* Westm. *&c.* **tenuit placitum in Curia Christianitatis de una marca, quæ non est de Testamento vel Patrimonio, quam prædictus** Hermannus *à prædicto* Ada **exigebat, contra Prohibitionem nostram, ulterius tenuit idem placitum in eadem Curia Christianitatis**, *&c. Teste* J. de Metingham *apud* Westm. 12 *die* Februarii, *Anno regni nostri* 23. To which there is a Pannel annexed.

EDwardus, *&c. Vic.* Devon. *&c. quod non omittas propter libertatem Civitatis* Exon. *quin pone, &c.* Rogerum Russel *de* Exon. *quod sit coram Justiciariis nostris, &c. ad respondend.* Vincentio de Oxton *de placito*, **quare secutus est placitum in Curia Christianitatis de Catallis et Debitis, quæ non sunt de, &c. contra Prohibitionem nostram**, *&c. Teste* J. de Metingham *apud* Westm. 12 *die* Novemb. *Anno regni nostri* 23.

EDwardus, *&c. Vic.* Oxon. *&c. Præcipimus tibi, quod non omittas propter libertatem Villæ* Oxon. *quin pone per vadium & salvos plegios Magistrum* Johannem de Jovere *de* Hybern, Johannem Sewy *de* Oxon. *seniorem*, Johannem *fil. ejus*, & Aliciam *quæ fuit uxor* Johannis Lynn, *quod sint coram Justic. vestris apud* Westm. *à die S.* Trinitatis *in* 15. *dies*, **ad respondend. tam Nobis, quam** Nicholao le Sonner *de* Oxon. *de placito*, **quare pendente placito in Curia nostra coram Justic. nostris apud** Westm. **de eo quod prædict. Magistr.** Johannis **tenuit placitum in Curia Christianitatis de Catallis et Debitis, quæ non sunt de Testamento vel Patrimonio, contra Prohibitionem nostram: Et de placito, quare prædict.** J. Sewy, J. & A. **secuti sunt placitum illud in Curia Christianitatis contra Prohibitionem nostram, &c. Idem Magister** Johannes **nichilominus placitum illud in eadem Curia Christianitatis tenuit, et prædicti** J. Sewy, J. & Alic. **prædict. placitum in eadem Curia Christianitatis secuti sunt, quousque sententia in ipsum** Nicholaum le Sonner **promulgata per totum Episcopatum** Lincoln. **ipsum excommunicari fecerunt; et postea breve nostrum de ipso** Nicholao **sic excommunicato tanquam claves Ecclesiæ contemnente capiendo, jam tibi porrexerunt, ut dicitur, per quod quidem breve nostrum ipsum** Nicholaum le Sonner **cepisti, et in prisona nostra** Oxon. **detines quo minus**

minus placitum illud in Curia noſtra coram Juſticiariis noſtris apud Weſtm. ſequi poſſet, in coronæ & dignitatis noſtræ læſionem manifeſtam, Curiæ noſtræ contemptum, prædicti Nicholai le Sonner diſpendium non modicum et gravamen, *ut dicitur. Et ipſum* Nicholaum le Sonner *pacem noſtram inde habere permittas, quouſque prædict. placitum inde inter eos in prafata Curia noſtra coram Juſtic. noſtris apud* Weſtm. *motum plenariè terminetur: Et inde tu ipſe mand. Juſtic. noſtris apud* Weſtm. *à die Sancti* Hilarii *in* 15. *dies, quod præceperis Ballivis prædicta libertatis quod præceptum noſtrum prius inde tibi directum exequirentur, qui nichil inde fecerunt. Et habeas tibi nomina pleg. & hoc breve. Teſte* J. de Metingham *apud* Weſtm. 7 *die* Febr. *Anno regni noſtri* 23. *An.* 23 *E.* 1.

I finde the like Writ almoſt *verbatim*, concerning the ſame parties and caſe, dated 7 *die* Febr. *Anno regni noſtri* 23. On both which the Sheriff retorned, *Magiſter* Johannes de Jovere *non eſt inventus in Balliva mea, nec aliquid habet in eadem per quod poteſt attachiari.*

EDwardus, *&c. Vic.* Roteland, *&c. Si* Thomas Alewynne, *&c. Pone, &c. Magiſtr.* Thomam de Keverlee *quod ſit, &c.* quare tenuit placitum in Curia Chriſtianitatis de catallis et debitis, ꝛc. *Pone eciam* Johannem de Riſeberghe *Perſonam Eccleſia de* Tynewell, *&c.* quare ſecutus eſt idem placitum, ꝛc. contra Prohibitionem noſtram. *T. meipſo apud* Lammays, 3. *die* Maii, *An. r. n.* 23. Ibidem.

EDwardus, *&c. Vic.* Stafford, *&c. Pone, &c.* Johannem Lukyn, *&c. oſtenſurus,* quare cum placita de catallis et debitis in regno noſtro quæ non ſunt de Teſtamento vel Patrimonio, ad Nos et Coronam noſtram et dignitatem et non ad alium pertineant in regno noſtro, ꝛc. ſecutus eſt placitum in Curia Chriſtianitatis de catallis et debitis Thomæ de Stubbelegh *Capellani*, quæ non ſunt de Teſtamento vel Patrimonio, in læſionem Coronæ et dignitatis noſtræ, et contra prohibitionem noſtram, ꝛc. *T. meipſo apud* Lammays, 4. *die* Maii, *An. r. n.* 23.

EDwardus, *&c. Vic.* Ebor. *&c. Si* Willielmus Walkord, *&c. Pone, &c. Magiſtr.* Stephanum *Decanum Chriſtianitatis* Ebor. *&c.* quare tenuit placitum de catallis et debitis quæ non ſunt de Teſtamento vel Patrimonio, contra Prohibitionem noſtram. *Pone eciam, &c.* Willielmum de Sadiſter, *&c.* quare ſecutus eſt idem placitum in eadem Curia, ꝛc. *T. meipſo apud* Lammays, 5. *die* Maii, *An. r. n.* 23.

EDwardus, *&c. Vic.* Lincoln. *&c. Si* Rogerus *fil.* Guidonis *fecerit, &c. Pone, &c. Magiſtr.* Henricum de Naſſington *quod ſit, &c. quare* tenuit Placitum de catallis et debitis quæ non ſunt, ꝛc. contra Prohibitionem noſtram; Pone eciam, ꝛc. Willielmum de Hundelby *quod, &c.* quare ſecutus eſt idem placitum, ꝛc. *Teſte meipſo apud* Aberconewey, 26. *die* Febr. *An. r. n.* 23.

EDwardus, *&c. Vic.* Hereford. *&c. Pone, &c.* Richardum *Epiſcopum* Hereford. *quod ſit coram Juſtic. noſtris apud* Weſtm. *&c. quod ibi habeat Magiſtrum* Richardum *Archidiaconum* Hereford. *Clericum ſuum, ad reſpond. Priori de* Bathon. *de placito* quare tenuit placitum in Curia Chriſtianitatis de Advocatione duarum partium Capellæ de Tokynton contra Prohibitionem noſtram, *ut dicitur; Et ad oſtendendum, quare non habuit prædict. Magiſtr.* Richardum *Clericum ſuum coram Juſticiariis noſtris apud* Weſtm. *à die Sancti* Hillarii *in* 15. *dies, ſicut ei mandatum fuit, &c. Teſte* J. de Metingham *apud* Weſtm. 3. *die* Febr. *Anno regni noſtri* 23. Brevia Regis in Turre London, Anno 23 E. 1.

EDwardus, *&c. Vic.* Derby, *&c. Si* Johannes de Caumpernin, *&c. Pone, &c. Magiſtr.* Willielmum de Sweperſton *quod ſit, &c. oſtenſurus,* quare cum placita de Tranſgreſſionibus *contra pacem noſtram factis in regno noſtro,* ad Nos, ꝛc. et non ad alium pertineant in eadem regno noſtro, *Idem W. tenuit* placitum in Curia Chriſtianitatis de huſuſmodi Tranſgreſſionibus, in Coronæ et dignitatis noſtræ læſionem, et contra prohibitionem noſtram, ꝛc. *T. meipſo apud* Lammays, 18. *die* April. *An. r. n.* 23. Ibidem.

Pope

An. 23 *E.* 1. * Page 623.

Pope *Boniface* the 8. was no sooner setled in his Pontifical throne (as before related) but in the very first year of his Papacy, he sent his *Italian* Merchants and Usurers into *England*, to return all monies from thence to the *Roman* Court, which he, his Legates, or other Agents should extort from thence or *Ireland*, by whom he sent this Bull to the King to grant them his safe conduct, favour and assistance upon all occasions, the original whereof I found in the *White Tower Chappel.*

BONIFACIUS *Episcopus, Servus servorum* Dei, *Charissimo in Christo filio* Edwardo *Regi* Angliæ *illustri salutem, & Apostolicam benedictionem. Cum dilectos filios* Johannem Aldobrandinum, Nicholaum Cæcaleonem, Giacum. & Villanum Lurcheti *de Societate* Clarennum *de* Pistorio, **Cameræ nostræ Mercatores, pro quibusdam** Romanæ **Ecclesiæ negotiis ad partes** Angliæ **transmittamus**; *Magnificentiam Regiam rogandam duximus attentius & hortandam*, **quatenus ipsos pro nostra et Apostolicæ sedis reverentia benigne recipiens, et honeste pertractans**, *eis & eorum cuilibet in terris quibus exerces dominium, de Securo conductu facias provideri. Et nichilominus in agendis ipsorum cum ab eis vel eorum aliquo fueris requisitus*, **assistas eisdem favoribus Regiis et præsidiis oppportunis. Ita quod ex hoc Excellentiæ Regiæ devotionis promptitudinem dignius commendationum titulis attollamus.** *Datum* Anagniæ 8 *Idus* Julii, *Pontificatus vestri anno primo.*

Immediately after, he sent two *Cardinal Legats à latere*, first to the King of *France*, and from him to the King of *England*, then engaged in Wars against each other, under a specious pretext of mediating a Truce, and making a firm peace between them; but in verity to usurp a Papal Jurisdiction over them and their Realms, and prey upon them both, as the sequel evidenced. These Legates being not specially sent for by King *Edward*, according to the * *antient privilege of the Realm*; thereupon, before they presumed to set foot in *England*, they sent a special Messenger and Letters to the King, to acquaint him with the effect of their mission, and crave his Royal license, safe conduct and protection for themselves, their followers and goods, the form whereof they sent inclosed in a Cedule to the King: who although he seemed very well pleased with the end of their Legation and coming to him to settle peace, yet he refused to grant them any safe conduct to come into *England*, till they first informed him, what safe conduct the King of *France* had granted them under his Seal; as these Records assure us.

* See Tom. 1. p. 402, 403, 454, 455.

Clauf. 23 E. 1. m. 10. dorso. De adventu Cardinalis in Angliam.

Venerabili in Christo Patri Domino Albanensi *Episcopo*, Edwardus *eadem gratia, &c. salutem & sinceram in Domino Charitatem. Intelleximus per literas vestras quas dilectus Clericus noster Magister* Arnoldus Lupi *de* Tilb. *ex parte vestra nobis misit, qualiter vos ad partes nostras veniend. pro negociis quæ inter Regem* Franciæ *& Nos agitantur, hiis diebus effis personaliter deputati. Paternitati vestræ de eo quod id feeistis ita celeriter nobis scire grates, non modicas referentes: sciregue vos volumus*, quod de hoc efficimur valde læti, præsenciaque vestra ad nos erit grata admodum et accepta. Adventum enim alicujus amici nostri de Curia adventu vestro habere nequibimus chariorem. *Teste Rege apud* Lammays *in* Anglesey 28 *die* Aprilis.

Ibid. m. 9. dorso. De adventu Cardinalium in Angliam.

Venerabilibus Patribus in Christo Domino B. Albanen. *&* S. Penestren. *Dei gratia Episcopis, Sacrosanctæ* Romanæ *Ecclesiæ* Cardinalibus, *amicis suis karissimis*; Edwardus *eadem gratia, &c. salutem, & sincera dilectionis affectum. Quandam Cedulam continentem* formam cujusdam literæ de Conductu quam per nos faciendam nobis exhibuit *dilectus Clericus noster* Johannes de Berewyk *vidimus, ac etiam intelleximus diligenter.* Vane, licet fuerimus et adhuc simus parati et prompti vestris beneplacitis nostrum animum inclinare; *Paternitatem vestram scire volumus*, quod cum de prælocutis sufferentia vel respectu, ac insuper de tenore literæ conductus quam a Rege Franciæ habueritis sigillo ipsius Regis signatæ plene nobis constiterit, consimilem literam fieri faciemus. *Dat. &c.*

Hereupon they sent another Letter to the King for a safe Conduct, to which he returned this Answer.

Ve-

An. 23. E. 1.

Claus. ibid. m. 7. dorso. De Litera Conductus faciendo.

VEnerabilibus in Chriſto Patribus, Dominis B. & S. *Dei gratia* Albanen. & Penestr. Epiſcopis, ſacroſancta Romanæ *Eccleſia Cardinalibus*, amicis ſuis Kariſſimis; Edwardus *eadem gratia Rex* Angliæ, *Dominus* Hiberniæ, & *Dux* Aquitaniæ ſalutem, & ſinceræ dilectionis affectum. *De eo quod ad nos venire proponitis in nuncium Sanctiſſimi Patris in Chriſto Domini Summi Pontificis*, ut nobis per veſtras literas nunciatis; *Scire vos volumus*, quod adventus veſter et ſingulorum qui ex parte ſua ad nos venient placens erit; literas autem veſtras de Salvo conducto pro vobis, familia, bonis, et Nunciis veſtris, ac aliis qui neceſſarii vobis fuerint, quas vobis fieri petiiſtis; (Ita quod ſub protectione noſtra et tutela per terram et per mare ſecure tranſire poſſitis,) vobis in forma petita mittimus per veſtros nuncios præſentium portitores. *Dat. apud* Thlegbython 7. die *Junii.*

Soon after, as [a] *Matthew Weſtminſter* and [b] *Thomas Walſingham* inform us, *Octavo poſt feſtum Apoſtolorum* Petri & Pauli *miſſi ſunt* duo Cardinales a latere Domini Papæ, Albinenſis, & Prænestinus, *primò ad Regem* Franciæ, *deinde ad Regem* Angliæ, ut Regna Franciæ et Angliæ inter ſe inteſtinis odiis adhuc tumeſcentia; pacificando ſederent. *Quos in regno* Angliæ *applicatos*, accepit plebs debito cum honore, *Circa feſtum* Pentecoſtes *venientes* Londonias, *ibidem* et mandato Regis (*adhuc in* Wallia *exiſtentis*) *ejus præſtolebantur adventum; qui fuit citra feſtum Sancti* Petri ad vincula. *Accita* per Regem apud Weſtmonaſterium, Primatum et Optimatum ſuorum caterva, *in Nonis* Auguſti. *Quibus congregatis, primò coram Rege*, conſedentibus hinc inde, *Cardinalibus & Epiſcopis*, Dominus Edmundus *frater Regis*, & *Magiſter* Johannes de Lacy *motivæ cauſæ exordium exitialis guerræ, & commotionem incivilitatis emeptum nautis* Angliæ *inconcuſſum, vivâ voce promiſerunt. Item*, qualiter Rex Angliæ *de* * *prædebito* Francorum *homagio exoneravit ſeipſum. Super his autem, Cardinalis coram Rege nunciunt ſuum proſequentes, & pacem ſuadentes*, petentibus Cardinalibus formam pacis, *fuit reſponſum à Rege*, hoc minime fieri poſſe Rege *Teutonicorum* beneplacito inconſulto, propter fœdus inter eos initum et juramento firmatum, againſt the *French.*) *Rurſum petierunt ſperandæ pacis treugas*, nec eas obtinuerunt. *Tertio, ut tempore medio, mauus nautarum procelloſa ſileret.* Neque ſuper hoc effectum aliquod ſunt conſecuti: *Quoniam ipſis pro pace laborantibus, ecce intempeſta noctis ſilentio, Piratica gens* Francorum Dovoriæ *dans aſſultum, quandam domum religioſorum, partem magnam Oppidi, & quamplures domos litori vicinas* * *facibus ſuccenderunt. Inter alia flagitia, quendam Monachum nomine* Thomam *perimerunt. Decapitatis his qui aſcenderant, præ timore contrabellantis populi in hortis ſe abſconderunt & in antris, pancis è multis exceptis ſuas naves clandeſtinè ingreſſis. Qui terga verſantes, in patria ſua adeptos ſe fuiſſe claves Caſtri* Dovoriæ, *falſiloqui ventilarunt. Tandem Cardinales rogaverunt Regem, ut Regis* Romanorum *conſenſum petendo induciias impetraret. Rege autem* ob reverentiam Curiæ Romanæ, petitioni eorum annuente, *circa nativitatem Virginis gloriosæ* Cardinales imperfecto negotio, pro quo venerunt, ad Galliam remearunt, præhauſta pecunia multa nimis, et a viris religioſis, duplam pecuniam extorſerunt. (The main deſign they aimed at.) *His ergo divulgatis in regno* Francorum, *mox indurati corde, quorum pedes proni fuerunt ad effundendum ſanguinem plebem convocant, claſſem parant, & ut regnum* Angliæ *arriperent conſiliati ſunt: ſed opere ſunt fruſtrati.*

[a] Anno 1295. p. 397. 398.
[b] Hiſtor. Angl. p. 28.

* Here, p. 602.

* Walſingham Hiſt. Angliæ, p. 38.

Nota.

* *Henry de Knyghton* thus more fully records their Negotiation, together with the Popes elegant Epiſtle to the King, which they brought with them, earneſtly perſwading him to a peace and Truce with the *French*, and the Kings and his *Counſils* anſwers to it and the Cardinals *propoſals.*

* Henr. de Knyghton, de Event. Angl. l. 3. c. 7. col. 2504, 2505, 2506.

Eodem anno circa feſtum Pentecoſtes *venerunt in* Angliam *duo Cardinales, miſſi à latere* Papæ ad Regem Angliæ, *cum Epiſtolis Papalibus in has verba conceptis.*

Bonifacius Servus ſervorum Dei, cariſſimo in Chriſto filio *Edwardo* Regi *Angliæ* ſalutem, & Apoſtolicam benedictionem. Movet animam, mentemque ſollicitat, fili chariſſime, ſincera & affectuoſa dilectio, quam ab olim dum cura nobis officii minoris incumberet ad perſonam Regiam tuumque regnum inclitum geſſimus, & continuatis benivolis ſtudiis gerere non ceſſamus, ut Celſitudinem Regiam, cujus exaltationem & gloriam ſummis deſideriis affectamus, à Deo inducamus ſollicitè, per quem in conſpectu Regis altiſſimi, per *quem Reges regnant, & Principes dominantur*, de bono ſemper in melius reddaris acceptior, occurras gratior, carior habearis, ac

An. 23 *E.* I. in regno mundi, carior nominiſque titulis copioſum proveniat incrementum. Sanè ab ipſis noſtræ promotionis auſpiciis, ad generalem ſtatum fidelium mentis aciem extendentes, & conſiderantes gravem, immo graviſſimam & ideo contrariam votis noſtris, inter te & chariſſimum filium noſtrum *Philippum* Regem *Franciæ* illuſtrem proxima tibi conſanguinitate conjunctum, procurante pacis æmulo incentore malorum, diſcordiam ſuſcitatam, firma et ſtabili diſpoſitione decrevimus, ut ſuper hujuſmodi negotio cordi noſtro potiſſimo, ſolemnes nuncios ad præſentiam Regiam et literas mitteremus. Sed propter noſtrum de Civitate *Neapolitana* diſceſſum, ubi tunc *Romana* curia præſidebat, noſtrumque acceſſum ad urbem quem viarum periculoſa diſcrimina non modicum retardarunt, ac etiam ad noſtra inibi celebrata conſecrationis ſolempnia impediti, nequivimus citius nuntios prædictos & literas deſtinare. Revera fili nequaquam ſumus immemores, quin potius tenaci memoria retinemus, *quod nos hactenus dum eſſemus in minori officio conſtituti, ſinceris affectibus dilexiſti, plenis favoribus proſecutus.* Idemque dum ſolerter attendimus quantis et quam grandibus prædicta diſcordia noſcitur onuſta diſpendiis, quot et quanta pericula ſecum trahit, quam dampnoſa fidelibus redditur, quam graviter turbat et impedit negotium Terræ ſanctæ, quantumque præterea Deo diſplicere dinoſcitur, anxiamur ut pater, ſauciamur ut mater, in animo turbamur amarius ut amatoz, nec poſſumus quietis refoveri dulcedine, donec præfatum negotium optatum et celerem exitum juxta cozdis noſtri deſiderium ſoztiatur. Cumque venerabiles fratres noſtros *Beraldum Albinenſem*, & *Simonem Prænestinum* Epiſcopos, ſedis Apoſtolicæ Nuncios, exhibitores præſentium, viros utique profundi conſilii, literarum ſcientia præditos, ac diverſarum virtutum titulis inſignitos, necnon pacis angelos, licet eozum inviti careamus præſentia, deſtinamus; Excellentiam Regiam rogamus, hortamur, & obſecramus in *Domino Jeſu Chriſto*, quatinus ad dictam et Apoſtolicæ ſedis reverentiam memoratos Epiſcopos, magnas utique columnas Eccleſiæ, tuique honozis et famæ ferbidos amatozes, tanquam filius benedictionis et gratiæ reſpiciens, honeſteque proſequens, et honozificentia condigna pertractans, attente audias, diligenter intelligas, et efficaciter ſtudeas adimplere, quæ ipſi et eozum quilibet cozam te ſuper eodem negotio duxerint proponenda. Sic te in his debere ac prompte habiturus ut ſperamus et cupimus, ut difficultatis et repulſæ cujuſlibet moza profugata, Regiæ devotionis ſinceritas erinde clarius illuceſcat, tuæque famæ præconium, quam bis amplum et diffuſum in ſæculo, propenſius augeatur, ac ſedis Apoſtolicæ gratiam quæ circa filios devotos exuberat, habundantius merearis. *Dat.* Laterani 10 *Kal.* Martii, *Pontificatus noſtri anno primo.*

Cumque in adventu Cardinalium nondum reverſus eſſet Rex à Wallia *poſt guerram quam ibi finierat*, præcepit Rex, ut honozifice tractarentur, Londoniiſq; mozam facerent uſque ad vincula *Sancti* Petri, ipſius Regis adventum præſtolantes. *Ad quem diem ipſe Rex, pacificata* Wallia, et omnes Magnates tam Cleri quam populi ſpecialiter ad hoc vocati comparentes, ipſos Cardinales honozifice cum gaudio ſuſciperunt. *Cumque facto ſilentio uterque Cardinalis pacis ſermonem faceret, & multa viciſſim de bono pacis introducerent, in fine tandem concludentes, ipſum Regem pacis zelatorem & catholicum rogaverunt*; ut tanquam Princeps piiſſimus & pacis filius dignaretur animum ad pacis bonum inclinare. *Reſponſum eſt eis ex parte Regis.* Quod deliberato conſilio ad interrogata & rogata reſponderet die tertia. *Erat enim thema unius Cardinalis*; Da pacem Domine in diebus noſtris. *Alterius verò*; Adaperiat Dominus cor veſtrum in lege ſua, & in præceptis ſuis, & faciat pacem. *Adveniente die tertio, & congregato Concilio, frater* Willielmus de Hotham *pradicavit in Latino ſicut Cardinales fecerant, aſſumpto themate hoc*, Audiam quid loquatur in me Dominus, quoniam loquetur pacem in plebem ſuam. *Reducens in parte ſic*, Quod Rex noſter tanquam veræ obedientiæ filius, pacis zelatoz, paratus erat audire Apoſtolica mandata, tanquam etiam cælitus emiſſa. *Finitoque ſermone brevi, ſtatimque ex præcepto Regis recitabatur in* * Gallico *totus proceſſus ſupraſcriptus, quomodo inter Reges ipſos guerra orta eſt, & uſque ad eundem diem continuata; ut ipſi qui mediatores pacis exiſterent & promotores videre poſſent & dinoſcerent, quis Regum juſtitiam haberet in cauſa, vel injuſtè cauſam confoveret. In fine vero totius longa recitationis ſupraſcriptæ, ſurrexit* Antonius de Bek *Epiſcopus* Dunelmenſis, *& ex parte Regis reſpondit ſic in Gallico.* Vos Domini Cardinales rogaſtis & requiſiſtis Dominum noſtrum

* The relation of the cauſe of the warr, with the propoſals & demands of the Cardinals, with the Kings & Councils anſwers to them in ſeveral Articles, are at large recorded in French in a Parchment Roll I found in the Tower, which being much torn and decayed, I thought fit to omit.

ſtrum Regem pro plena pace concedenda, vel bonis ſaltem treugis diutius amplectandis; & licent unuſquiſque Chriſtianus & Fide catholicus pacem velle debebit, & eam amplecti ratione bonorum quæ ex ea ſequuntur, & propter ejus contraria & immenſa mala quæ ex guerra proveniunt, & ex ſeditione naſcuntur, tamen fidelitatem & promiſſa tenere debent homines univerſi, *unde ipſe Dominus Rex vobis reſpondet ſic*; Quod talis confœderatio inter Regem *Alemannia* & ipſum jam nunc inita eſt, & per Sacramentum confirmata, quod neuter eorum abſque altero cum Rege *Francia* pacem faceret, vel treugas concedat quoquo modo: cujus rei cauſa ipſo non requiſito vel diſſentiente, nec pacem facere poteſt, nec treugas concedere vult. *Quo ceſſante loqui, confeſtim Cardinales ipſum Regem rogaverunt*, ut ex clementia Regia annuere dignaretur, nuncios ſuper hoc Regi *Alemannia* deſtinare; *Et datus eſt dies craſtinus ad reſpondendum. Craſtino autem die convenirent iterum univerſi, idem* Dunelmenſis *Epiſcopus in* Gallico *ſic ait*; Domini chariſſimi requiſiſtis heſterna die Dominum noſtrum Regem de duobus, *ſcilicet*, quod ex gratia ſua mera dignaretur nuncios mittere ad Regem *Alemannia*, ut ejus animum alliciat ad pacem annuendam & plenè confirmandam; *De alio, ſcilicet*, quod treugas concederet uſque ad certum tempus, infra quod de plena pace tractare poſſet, vel ipſas ſaltem treugas ulterius prorogare. *Ad primum articulum reſpondet vobis Dominus noſter Rex ſic*, Quod ratione et reverentia Romanæ Eccleſiæ, quæ totius orbis caput eſt, et magiſtra, et occaſione perſonarum veſtrarum, qui illius Eccleſiæ eſtis membra, habitaque conſideratione veſtri laboris et longi itineris, liberaliter concedit vobis Rex nuncios ſuos ſuper hoc ibidem deſtinare. *Ad aliud ſic*; Satis vobis conſtat & omni populo, quod exercitus Regis *Francia* & gens ſua tota jam parati exiſtant ut ſibi & ſuis inferant mala quæ poſſunt, ſicut hucuſque fecerunt in terra & in mari; unde Regi non eſſet ſecurum ſuis præcipere ne ſe defenderent, niſi ex parte altera eſſet inhibitum, ne ulterius perſequerentur. *Propter quod vobis reſpondet*, Quamcitò conſtiterit ei Regem *Francia* ex parte ſua inhibuiſſe vel inhibere velle, ſtatim & ipſe ſuis hoc illud idem præcipiendo mandabit, ſed ante non. *Factaque tali reſponſo*, et accepta licentia, reverſi ſunt Cardinales in Franciam, unde prius venerant, ſet non vacui, † immo burſas vacuantes. Ex unoquoque Cathedrali Capitulo vel Collegiato per totam Angliam nomine procurationis et expenſarum ſex marcos argenti habuerunt; et hoc ex conceſſione papali, præter alia multa, ut aſſolet cupiditati Romanorum Cardinalium, ſicut penſare ſcitis multiplicius. Et ubi religioſorum pauperum, vel ſanctarum monialium propter exilitatem non ſufficerent per ſe, adjungebantur eis circumjacentes Eccleſiæ parochiales ad ſolutionem peragendam, ita quod papale privilegium non emaneret vacuum, nec deficeret obolus in ſumma. Such was their infamous rapine and extortion. *An.* 23 *E.* 1.

† *Nota.*

Hereupon the Dean of *Pauls*, and Biſhop of *London's* Official exacting Procurations from the Dean and Prebends of St. *Martins le Grand* in *London*, for theſe two Legates ſent into *England* to the King by the Pope about the Peace with *France*, endeavouring to compell them to pay the ſame by Eccleſiaſtical cenſures, againſt their priviledges, and the Kings prerogative, (being his Free Chappel, exempt from all Epiſcopal Juriſdiction and Procurations) the King thereupon iſſued this Prohibition to them to inhibit their proceedings, as derogatory to his Crown and Royal Dignity.

REX *dilectis ſibi Magiſtro* Radulpho de Bandak *Decano Eccleſiæ Sancti* Pauli London. *&* Johanni de Sancto Claro *Officiali Epiſcopi* London. *ſalutem.* Cum libera Capella noſtra *Sancti* Martini *Magni* London. ſicut et cæteræ liberæ Capellæ noſtræ ab omni juriſdictione ordinaria, necnon et ab omnibus exactionibus, contributionibus, et procurationibus quibuſcunque, ſint exemptæ, liberæ penitus et immunes, vos (*ſicut accepimus*) a dilectis nobis in Chriſto Decano et Capitulo prædictæ Capellæ noſtræ procurationes, ad opus venerabilium Patrum B. Albanenſis, & S. Peneſtr. Epiſcoporum, Sanctæ Romanæ Eccleſiæ Cardinalium ad nos nuper a Sede Apoſtolica tranſmiſſorum, exigitis, et ipſos, ad procurationem eandem ſolvendam graviter compellitis, in noſtri et ipſius liberæ Capellæ noſtræ præjudicium manifeſtum. *Nos igitur attendentes* per hoc, nobis et noſtræ Regiæ dignitati poſſe de facili derogari, niſi citius in hac parte apponamus Chaſ. 23 E. 1. m. 7. intus. Pro Decano & Capitulo liberæ Capellæ S. Martini Mag. London.

An. 23 E. 1. ponamus remedium oppoꝛtunum; Vobis mandamus ſtrictè inhibentes, ne à prædictis Decano et Capitulo hujuſmodi procurationes vel alias exactiones, in noſtri et dictæ Capellæ noſtræ præjudicium aliqualiter exigere præſumatis, per quod oporteat nos manum ad hoc apponere gravioꝛem. *Teſte Rege apud* Weſtm. 25 *die* Auguſti. By which it is apparent, That the Kings Free Chappels were exempt from all Procurations, even to the Popes own Nuncioes and Legates *à latere* ſent by him into *England*, which priviledge the King was very vigilant to maintain.

Theſe avaritious Cardinals to fill their purſes yet fuller, not contented with procurations from the Clergy of *England*, ſent their Agent and Chaplain into *Ireland*, with the Kings Letters of Safeconduct and aſſiſtance, to collect Procurations from the *Iriſh* Clergy, (though they went not thither) as this Record atteſts.

Pat. 23 E. 1. m. 2. Pro Albanenſi & Peneſtrenſi Cardinalibus de procuracionibus.

REX *dilectis & fidelibus ſuis Juſtic. ſuo* Hibern. *Cancellar. Theſ. de Scaccario ſuo* Dubl. *Juſtic. Vicecomitibus & omnibus Ballivis & Miniſtris ſuis de terra* Hibern. *ad quos præſentes literæ pervenerint, ſalutem. Cum venerabilis pater* Beraldus Albanenſis, & Simon Peneſtrinus *Epiſcopi*, Sacroſanctæ Romanæ Eccleſiæ Cardinales, *Magiſtrum* Johannem de Bonichy de Senis Capellanum eoꝛundem, ad partes Hibern. pꝛo pꝛocurationibus eoꝛundem Cardinalium jam tranſmittant; *Vobis mandamus*, quod pꝛædicto Magiſtro Johanni cum ad partes illas venerit ex parte Cardinalium eoꝛundem, occaſione pꝛædicta, conſilium et auxilium impendatis in hac parte, quociens ab ipſo Capellano ex parte dictoꝛum Cardinalium fueritis requiſiti. *In cujus rei teſtimonium, &c. duraturas quamdiu nobis placuerit. Teſte Rege apud* Weſtm. 26. *die* Aug.

How importunate the Cardinals (to colour their rapines) were with the King to procure a Truce and Ceſſation of arms, appears by 3. Writs I found in a Bundle in the *White Tower* Chappel, An. 23 E. 1. then ingroſſed & filed; one of them directed to the Kings Lieutenant, and other Officers in *Gaſcoigne* and foraign parts; the other general to all men; the third, to the Wardens of the Ports, and all other his Officers and Miniſters to whom they ſhould come; wherein he declared, that by theſe two Cardinals importunate zeal, to ſettle a firm Peace between him and the King of *France* and their Subjects, (toward which a preſent truce, and ceſſation of all acts of hoſtility between them both by Sea and Land would much conduce) he had condeſcended out of honour to the Cardinals, and reverence and obedience to his Mother the Church of *Rome*, to ſuch a Truce and Ceſſation of all acts of hoſtility between them, till the Feaſt of *All Saints* next, and obliged himſelf, his goods and chattels to the Cardinals to perform it; ſo as the *French* King would oblige himſelf in like manner for himſelf and his Subjects; which he (it ſeems) refuſing, theſe Writs were thereupon cut and cancelled with a penknife, but not taken off the file: which I ſhall here preſent you withall, to declare King *Edwards* readineſſe to peace, and avoid wars with the *French* King.

Brevia Regis, de privato ſigil. An. 23. & 24. E. 1. Iſtæ literæ cultello ſcinduntur.

EDwardus Dei gratia Rex *Angliæ*, Dominus *Hiberniæ*, & Dux *Aquitaniæ*; dilectis & fidelibus ſuis, *Johanni de Britannia* nepoti ſuo Capitaneo, & *Johanni de Sancto Johanne* Seneſcallis ſuis in Ducatu *Britanniæ*, & omnibus aliis miniſtris & fidelibus ſuis in eodem Ducatu ad quos præſentes litteræ pervenerint, ſalutem. Venientes ad præſenciam noſtram venerabiles Patres, Domini *B. Albanenſis*, & *S. Peneſtrinus* Epiſcopi ſacroſanctæ *Romanæ* Eccleſiæ Cardinales, pro ſedanda diſſenſione ſeu guerra inter illuſtrem Principem *Franc.* Regem & nos exorta, per ſanctiſſimum Patrem Dominum *Bonefacium* divina pꝛoviꝺentia ſummum Pontificem deſtinati, ex parte ipſius ſummi Pꝛæſulis et ſua apud nos, tanquam pacis et concoꝛdiæ fideles et ſervidi zelatoꝛes, inſtanter et ſollicite inſtiterunt, ut reformacioni pacis noſtrum vellemus animum inclinare. Et quia ut dixerunt, treugarum initio pacis hujuſmodi poſſet eſſe plurimum inſtructiva, ſupplicaverunt, ut ſuper treugis ineundis noſtrum pꝛæſtare vellemus aſſenſum; Inſtancia nichilominus magna petentes, ut conſentire vellemus, quod donec plenus tractatus cum hiis quos res tangit, ſuper dictis treugis ineundis poſſet haberi, tam per terram quam per mare binc inde inter gentes pꝛædicti *Franciæ* Regis et noſtras, ac inter ipſius Regis *Franciæ* et noſtros omnino a quibuſcumque

buſcumque pꝛoceſſibus bellicis et invaſionibus hoſtilibus ceſſaretur. Nos autem devote parere *Romanæ* Eccleſiæ matri noſtræ, necnon et dictos Cardinales honoꝛare valentes, ob ipſius *Romanæ* Eccleſiæ reverenciam et Cardinalium ipſoꝛum honoꝛem eoꝛum peticionibus quantum poſſumus annuentes, in ipſoꝛum Cardinalium pꝛæſencia aſſenſimus, et conſenſimus, ſi dictus Rex *Francie* velit idem concedere, & concedat quod uſque ad inſtans feſtum Omnium Sanctorum tam per terram quàm per mare, inter pꝛæfati *Francie* Regis gentes & noſtras, & inter ſuos & noſtros valitores quoſcumque, à quibuſcumque bellicis actibus & hoſtilibus aggreſſionibus hinc inde ceſſetur omnino. Pꝛomittentes eiſdem Cardinalibus, et nos ac bona noſtra obligantes, quod ita faciemus per gentes noſtras inviolabiliter obſervari. Quare vobis omnibus & ſingulis diſtrictè pꝛæcipimus & mandamus, quod à die receptionis pꝛæſentium & litterarum Cardinalium pꝛædictorum uſque ad dictum feſtum inclusivè, tam per terram quàm per mare à quibuſcumque bellicis actibus & hoſtilibus aggreſſionibus, inſultibus & offenſis quibuſlibet contra ipſum Regem *Francie*, vel gentes ſuas, & valitores ſuos aliqualiter faciendis ceſſetis omnino, & gentes noſtras veſtro commiſſas regimini, necnon & quoſcumque valitores noſtros, omni fraude & quacumque ſimulacione deductis ceſſare penitus faciatis, ſicut dampnum noſtrum volueritis evitare. In cujus rei teſtimonium has literas noſtras fieri fecimus patentes. Dat apud *Weſtm.* xiv. die *Aug.* anno Regni noſtri viceſimo tercio. *An.* 23 E. 1.

REX univerſis pꝛæſentes literas inſpecturis, ſalutem. Venientes ad noſtram pꝛæſenciam venerabiles Patres, Domini *B. Albanenſis*, & S. *Peneſtrinus* Epiſcopi ſacroſanctæ *Romanæ* Eccleſiæ Cardinales, pro ſedanda diſſenſione, (*&c.* verbatim *as in the former.*) A quibuſcumque bellicis actibus & hoſtilibus invaſionibus hinc inde ceſſetur omnino; eiſdem Cardinalibus auctoꝛitate pꝛæſentium committentes, quod ſi dictus Rex *Francie* velit idem facere et effectu complere pꝛoſequente, iidem Cardinales vice et auctoꝛitate noſtra gentes noſtras ubicumque tam per terram quam per mare in *Anglia* et *Vaſconia*, et in poteſtate noſtra alili conſtitutas, omnino ceſſare faciant a pꝛæmiſſis; Ac mandantes nichilominus omnibus gentibus in terris noſtris pradictis, ut in pꝛæmiſſis pꝛædictis Cardinalibus ſicut nobis pareant et intendant. Pꝛomittimus eiſdem, et nos ac bona noſtra auctoꝛitate pꝛæſentium obligamus, ſi dictus Rex *Francie* idem et eodem modo fecerit, quod ſi poſtquam pꝛælatis Cardinalibus gentibus noſtris mandatum fuerit, et mandatum hujuſmodi pervenerit ad eaſdem, ut ab hoſtilibus aggreſſionibus abſtinerent, ut ſuperius eſt expreſſum, aliqua dampna per mare ſive per terram gentibus dicti Regis *Francie* vel valitoribus ſuis, per gentes ſeu valitores noſtros in perſonis vel rebus dari ſeu inferri contigerit, nos de dampnis hujuſmodi plenam emendam fieri faciemus. In cujus, *&c.* Dat. apud *Weſtm.* xiv. die *Aug.* Anno regni Regis xxiij. Ibidem. This Writ is likewiſe enrolled Pat. 2, 3. E. 1. m. 19. in the margin, whereof there is this note, iſta litera non fuit reſtituta. De poteſtate commiſſa Cardinalibus tractandi de Treugis.

EDwardus Dei Gratia Rex *Angliæ*, Dominus *Hiberniæ*, & Dux *Aquitaniæ*, Capitaneis marinariorum *Angliæ*, *Walliæ* & *Hiberniæ*; & Cuſtodibus Portuum, & aliis Ballivis, Miniſtris & fidelibus ſuis ad quos pꝛæſentes literæ pervenerint, ſalutem. Venientes ad pꝛæſenciam noſtram venerabiles Patres, Domini *B. Albanenſis* & *S. Peneſtrinus*, Epiſcopi ſacroſanctæ *Romanæ* Eccleſiæ Cardinales, pꝛo ſedanda diſſenſione, &c. (*as before.*) Promittentes eiſdem Cardinalibus, & nos ac bona noſtra obligantes, quod ita faciemus per gentes noſtras inviolabiliter obſervari. Quare vobis omnibus & ſingulis diſtrictè pꝛæcipimus & mandamus, quatinus à die receptionis pꝛæſencium & literarum Cardinalium pꝛædictorum, uſque ad diem feſtum inclusivè, tam per terram quàm per mare, à quibuſcumque bellicis actibus, & hoſtilibus aggreſſionibus, inſultibus & offenſis quibuſlibet, contra ipſum Regem *Francie*, vel gentes ſuas & valitores ſuos aliqualiter faciendis ceſſetis omninò, & gentes noſtras veſtro commiſſas regimini; necnon & quoſcumque valitores noſtros, omni fraude & quacumque ſimulatione ſeductis, ceſſare penitus faciatis, ſicut dampnum noſtrum volueritis evitare. In cujus rei teſtimonium has literas noſtras fieri fecimus patentes. Teſte meipſo, apud *Weſtm.* xiv. die *Auguſt.* Anno Regni noſtri viceſimo tercio. Ibidem. Hæ literæ cultello ſcinduntur.

I finde likewiſe this Letter of the Kings in the *Clauſe-Roll* of the ſame date, ſent to Pope *Boniface*, to the like effect.

Sanctiſſimo

An. 23 *E.* 1.

Clauſ. 23. E. 1. m. 7. dorſo. De treugis ineundis inter Regem Franciæ & Regem Angliæ.

SAnctiſſimo Patri in Chriſto Domino, Domino *Bonefacio* Divina providentia ſacroſanctæ *Romanæ* ac univerſalis Eccleſiæ **ſummo Pontifici**, *Edwardus* ejuſdem Gratia, Rex, *&c.* Devota pedum oſcula beatorum. Venientes ad noſtram præſentiam, Venerabiles Patres, Domini *B. Albanen.* & *S. Peneſtr.* Epiſcopi, ſacroſanctæ *Romanæ* Eccleſiæ Cardinales; pro ſedanda diſſenſione, ſeu guerra inter illuſtrem Principem, *Franciæ* Regem & nos exorta, per veſtræ Sanctitatis ſollicitudinem ad regna *Franciæ* & *Angliæ* deſtinati, ex parte veſtra & ſua apud nos, tanquam pacis & concordiæ Zelatores, inſtanter & ſollicitè inſtiterunt, ut reformationi pacis noſtrum vellemus animum inclinare. Et quia ut dixerunt, treugarum initio pacis hujuſmodi poſſet eſſe plurimum inductiva; ſupplicaverunt, ut ſuper treugis ineundis noſtrum præſtare vellemus aſſenſum; inſtantia nichilominus magna petentes, ut conſentire vellemus, quod donec plenus tractatus cum hiis quos res tangit ſuper dictis treugis ineundis poſſet haberi, tam per terram quàm per mare hinc inde inter gentes præfati *Franciæ* Regis & noſtras, ac inter ipſius *Franc.* Regis quoſcunque valitores & noſtros omnino à quibuſcunque proceſſibus bellicis & invaſionibus hoſtilibus ceſſaretur. Nos autem **devote parere *Romanæ* Eccleſiæ matri noſtræ, necnon et dictos Cardinales honorare, ob ipſius Eccleſiæ *Romanæ* et veſtri reverentiam, et Cardinalium eorundem honorem,** ipſorum petitionibus quantum **poſſumus annuentes**, in ipſorum Cardinalium præſentia conceſſimus, ſi præfatus Rex *Franciæ* idem velit concedere & concedat, ut juxta ipſorum petitionum Cardinalium uſque ad feſtum *Omnium Sanctorum* proximò venturum, tam per terram quàm per mare, inter gentes prædicti Regis & noſtras, ac inter ipſius Regis *Franciæ* quoſcunque valitores & noſtros, à quibuſcunque bellicis actibus, & hoſtilibus invaſionibus hinc inde ceſſetur omninò: eiſdem Cardinalibus authoritate literarum noſtrarum committentes; quod ſi dictus Rex *Franciæ* velit idem facere, & effectu compleat proſequente, iidem Cardinales vice & authoritate noſtra, gentes noſtras ubicunque tam per terram quàm per mare in *Angliæ*, *Vaſconiæ*, & in poteſtate noſtra alibi conſtitutas, omninò ceſſare faciant à præmiſſis. **Promittentes eiſdem, et nos, ac bona noſtra per noſtras literas obligantes**, ſi dictus Rex *Franciæ* idem & eodem modo fecerit; quod ſi poſtquam à præfatis Cardinalibus gentibus noſtris **mandatum fuerit**, & mandatum hujuſmodi pervenerit ad eaſdem, ut ab hoſtilibus aggreſſionibus abſtineant, ut ſuperius eſt expreſſum, aliqua damna per mare ſive per terram gentibus dicti Regis *Franciæ*, vel valitoribus ſuis per gentes, ſeu valitores noſtros in perſonis vel rebus dari vel inferri contigerit, nos de dampnis hujuſmodi plenam emendam fieri faciemus, prout in noſtris literis ſuper hoc confectis plenius continetur. In quibus, ſanctiſſime Pater & Domine, noſtri honoris integritas magnam pati videtur reputatione plurium læſionem, quamquam nobis non videatur, quod iſta vel alia quæ pro Sanctitatis veſtræ ſuaſionibus reverentia & honore fecimus, nobis ad **malum vel dedecus debeant imputari**. Conſervet vos Altiſſimus. Dat. apud *Weſtm.* 14. die *Aug.* Anno Regni noſtri 23.

He likewiſe iſſued and ſent theſe further Letters to the Earl of *Lancaſter*, his Lieutenant in *Aquitaine*, and to the King of *Romans* concerning this Truce, and requiring them to treat with the Cardinals concerning it.

Rot. Vaſcon. An. 23 uſque 31 E. 1. m. 16. dorſo.

REX kariſſimo fratri & fideli ſuo *Edmundo* Comiti *Lanc.* tenenti locum noſtrum in Ducatu noſtro *Aquit.* ſalutem. Veniens ad præſentiam noſtram venerabilis pater Dominus *B.* Epiſcopus *Albanenſis*, **Sanctæ Romanæ Eccleſiæ Cardinalis**, amicus noſter kariſſimus, pro ſedanda diſſenſione ſeu guerra inter illuſtrem Principem *Franc.* Regem, & nos dudum exorta, **per Dominum Summum Pontificem deſtinatus**, ex parte ipſius & ſua apud nos tanquam pacis & concordiæ zelator fervidus & fidelis ſollicitè inſtitit & inſtanter, ut reformacioni pacis noſtrum vellemus animum inclinare. Et quia, ut dixit, treugarum initio pacis hujuſmodi poſſet eſſe plurimum inductiva, rogavit, ut ſuper treugis ineundis noſtrum præſtare vellemus aſſenſum, cum ſollicitudinis intentæ ſtudio multiplicatis inſtantiis, nichilominus ſupplicando, ut donec plenus tractatus cum illis quos res tangit ſuper dictis treugis ineundis poſſet haberi, tàm per terram quàm per mare hinc inde inter gentes præfati *Franc.* Regis & noſtras, ac inter ipſius *Franc.* Regis quoſcumque valitores & noſtros, omnino à quibuſcumque proceſſibus bellicis & invaſionibus hoſtilibus

hoſtilibus ceſſaretur; exponens diſpendia, pericula & dampna quibus propter guerram prædictam mundus ſubjacet hîs diebus, potiſſimè propter vos & alias gentes noſtras in *Vaſconia* exiſtentes, ac gentes Regis *Franc.* ex adverſo. **Dane licet ob prædictæ Romanæ Eccleſiæ reverentiam, et dicti Cardinalis honorem, ipſius petitionibus quantum poſſumus annuentes, propter præmiſſas cauſas et alias occupationes noſtras in ipſius Cardinalis præſentia conceſſerimus,** ſi præfatus Rex *Franc.* idem velit concedere & concedat, ut uſque ad feſtum Nativitatis Domini proximo venturum, tàm per terram quàm per mare inter gentes præfati Regis *Franc.* & noſtras, ac inter ipſius Regis *Franc.* quoſcumque valitores & noſtros, à quibuſcumque bellicis actibus & hoſtilibus invaſionibus hinc inde ceſſaretur omnino, ac eidem Cardinali & Epiſcopo *Peneſtr.* Collegæ ſuo commiſerimus, **ſi Rex *Franc.* velit idem facere et effectu compleat proſequente, ut iidem Cardinales vice et auctoritate noſtra gentes noſtras ubicumque tam per terram quam per mare in *Anglia*, *Vaſconia*, et alibi in poteſtate noſtra conſtitutas, omnino ceſſare faciant a præmiſſis**; ac etiam vobis ac omnibus gentibus & ſubditis noſtris mandaverimus, **ut prædictis Cardinalibus in præmiſſis pareatis et intendatis, prout in aliis noſtris patentibus literis dicto Epiſcopo *Albanenſi* traditis plenius continetur: Nolumus tamen ad tractatum ipſarum treugarum procedere irrequiſito conſilio Nobilium et aliorum fidelium noſtrorum prædicti Ducatus noſtri *Aquit.* qui nobis hactenus conſtanter et fideliter adhæſerunt.** Quare vobis mandamus, quatinus vocatis Comite *Lincoln.* *Amaneno de Lebreto*, & aliquibus aliis de regno *Angliæ* & terra *Vaſconiæ* Nobilibus vobiſcum in illis partibus conſtitutis, & aliquibus Civibus de *Baion.* & aliorum locorum parcium earundem habitatoribus, quos ad hoc videritis evocandos, habitiſque cum eis ſuper negotio hujuſmodi deliberatione plenaria conſilio & tractatu **cum dictis Cardinalibus, vel cum præfato Domino Epiſcopo *Albanenſi* ſolo, ſi alium ibidem venire non contingat, ac etiam cum dilectis et fidelibus noſtris Comite *Sabaudiæ* conſanguineo noſtro, *Ottone de Grandiſſono*, & *Waltero de Langeton* Theſaurario noſtro,** cum duobus ipſorum quibus ſuper hiis per literas noſtras commiſimus poteſtatem, ſi eos ad partes illas contigerit declinare, **tractetis, et in eodem negotio deliberato conſilio ordinetis, prout ipſius negotii qualitas exigit, et honori noſtro et commodo videbitis convenire:** Si verò ad partes illas non venerint certis de cauſis forſitan impediti, tunc aliquos de prædictis Nobilibus & Civibus, ſi pro eis ſufficiens haberi poſſit conductus, informatos plenius de tractatu quem inter vos ſuper hoc haberi contigerit, ad ipſorum præſentiam, die & loco de quibus vobis conſtare facient, tranſmittatis ad tractandum cum eis ſuper præmiſſis, **juxta quod de conſilio eorum veſtro et aliorum proceſſerit,** prout ſuperius eſt expreſſum. Et ſi per illos de *Vaſconia* conductus veniendi ad locum pro dicta treuga tractanda & incunda deputandum haberi non poſſit, deliberationem ſuper negotio prædicto quam inter vos & alios, quos conſulendos duxeritis ordinatam, per literas patentes veſtro & eorundem conſulendorum ſigillis pendentibus ſigillatas, & poſtmodum ſub veſtro ſecreto ſigillo incluſas, prædictis Comiti *Sabaudiæ* & ſuis conſociis tranſmittatis. Dat. apud *Rokesburgh*, 14 die *Maii*. *An.* 23 *E.* 1.

SEreniſſimo Principi Domino *A.* Dei gratia Regi *Romanorum* ſemper Auguſto, amico ſuo kariſſimo, *Edwardus* eadem gratia, *&c.* ſalutem optatis ſucceſſibus affluentem. Venerabilis pater ſpecialis amicus noſter Dominus *B. Albanenſis* Epiſcopus, noviter ad præſentiam noſtram accedens, apud nos devota precum inſtantia & ſupplicationibus intimis inſtitit, nobiſque ex parte Domini Summi Pontificis atque ſua inſtantiſſimè ſupplicavit, *ut reformationi treugarum & pacis noſtrum vellemus animum inclinare, cum ſollicitudinis attentæ ſtudio nos rogando, ut ante omnia aliqualem ſufferentiam à bellicis actibus, donec plenus tractatus cum hiis quos res tangit ſuper præmiſſis poſſet haberi, ſibi concedere dignaremur*, **ob honorem ſedis Apoſtolicæ atque ſuum**: enarrans immenſa diſpendia, diverſaque pericula, ac irreparabilia dampna quibus propter guerram quæ inter vos, nos, & *Francorum* Regem nunc vertitur, mundus ſubjacet univerſus, potiſſimè hiis diebus propter gentes noſtras in *Vaſconia* exiſtentes, actus exercentes armorum, & gentes dicti Regis *Franc.* ex adverſo. Nos autem prædictum iminens periculum advertentes, & de conceſſa dicto Cardinali & Epiſcopo *Peneſtr.* Collegæ ſuo, in hujuſmodi negotio per Dominum Summum Pontificem deputato ſufferencia in aliquorum ex veſtris gentibus præſentia, ſicut Rot. Vaſcon. An. 23 uſque 31 E. 1. m. 16. dorſo.

Serenitatem

An. 23 E. 1. Serenitatem veſtram latere non credimus, recolentes, **ob reverentiam** dictæ ſedis **Apoſtolicæ, cujus favor vobis et nobis in hujuſmodi negotio poſſet eſſe (prout noſtis) plurimum fructuoſus, ejuſdem Cardinalis precibus annuentes conceſſimus, ut præfati Cardinales prædictam ſufferentiam nomine noſtro poſſint facere et firmare, uſque ad proxi. futurum feſtum Nativitatis Dominicæ duraturam.** Dantes nichilominus dilectis & fidelibus noſtris *A.* Comiti *Sabaudiæ* conſanguineo noſtro kariſſimo, *Ottoni de Grandiſſono* Militi, & *Waltero de Langeton* Theſaur. noſtro, vel duobus eorum poteſtatem tractandi & firmandi, ſimul cum veſtris nunciis ad hoc à veſtra ſublimitate mittendis, treugas inter vos & veſtros & noſtros valitores ex parte una, & dictum *Franc.* Regem cum ſuis valitoribus ex adverſa, **ſub forma et conditionibus quibus excellentia veſtra voluerit aſſentire:** Ad prædictam ſiquidem ſufferenciam concedendam ex eo facilius prædicti *Albanenſis* Epiſcopi votis & precibus devotis exiſtimamus annuendum, quod vos in quibuſdam partibus regni veſtri circa magna & ardua intelleximus occupatos: Noſque in partibus *Scotiæ* propter *Scottorum* rebellionem ſumus armorum exercitio intendentes. Hinc eſt quod ad ejuſdem Epiſcopi *Albanenſis* affectuoſas preces ab ipſo ſuper hoc nobis fuſas, Celſitudinem veſtram requirimus & rogamus, **quatinus ad diem et locum quos prædicti Cardinales magnificentiæ veſtræ duxerint intimandos,** veſtros nuncios deſtinetis cum quibus noſtri conveniant, & unanimiter tractent & procedant in negotio ſupradicto. Super hiis autem Celſitudo veſtra voluntatem ſuam & ſtatum utinam ſemper ad vota proſperum, nobis non differat intimare. Dat. apud *Rokſburgh* in *Scotia*, 16 die *Maii*.

Rot. Vaſcon. An. 33 uſque 34 E. 1. m. 16. finis.

UNiverſis Chriſti fidelibus ad quos, &c. *Edwardus* Dei gratia, &c. ſalutem. Noverit univerſitas veſtra, **quod nos ob reverentiam ſedis Apoſtolicæ, et ad inſtantem requiſitionem venerabilis patris Domini** *B. Albanenſis* **Epiſcopi, Sanctæ Romanæ Eccleſiæ Cardinalis, amici noſtri,** damus & concedimus per præſentes dilectis & fidelibus noſtris *A.* Comiti *Sabaudiæ* conſanguineo noſtro kariſſimo, *Ottoni de Grandiſſono*, & *Waltero de Langeton* Theſaur. noſtro, ſeu duobus ipſorum abſente tertio, plenam & liberam poteſtatem ac ſpeciale mandatum tractandi nomine noſtro de treugis inter Regem *Franc.* & valitores ſuos ex parte una, & Regem *Romanorum* & valitores ſuos, & nos & valitores noſtros ex parte altera, ſuper guerris, diſſenſionibus & diſcordiis quibuſcumque inter Dominum Regem *Franc.* & valitores ſuos, & ipſum Regem *Romanorum*, & nos ac valitores noſtros exortis, & etiam eaſdem treugas ineundi & firmandi, ac omnia alia & ſingula faciendi quæ ad præmiſſorum expeditionem fuerint oportuna. Ratum habituri & firmum quicquid per prædictos Comitem, *Ottonem* & Theſaur. ſeu duos ipſorum, ſicut præmittitur, tractatum, ordinatum, initum, firmatum & factum fuerit in præmiſſis. Et ad hæc omnia fideliter obſervanda, obligamus nos & omnia bona noſtra, præſentia & futura. In cujus, &c. Datum apud *Rokesburgh*, 12 die *Maii*. Iſta litera triplicata fuit.

Conſimilem poteſtatem habent prædicti Comes, *Otto* & *Walterus*, per alias literas patentes ejuſdem tenoris, eo tantum mutato, quod in illis literis Rex *Franc.* & valitores ſui poſtponebantur, & Rex *Romanorum* & Rex *Angl.* & valitores eorum præponebantur. Dat. ut ſupra. Et erant triplicatæ.

That this Pope and his two Cardinals had ſome other deſignes upon the King, Kingdom and Church of *England*, then to ſettle Peace, and gain Procurations, even to deprive the King of the Rights of his Crown, by inducing him to condeſcend to the Popes and Cardinals appropriating of Prebendaries and Churches in *England* to their Churches in *Rome*, and diſpoſe of Benefices and Promotions belonging to his Preſentation, Crown, dignity, (which although he, his Counſil, Judges, Parliament had * formerly oppoſed, yet was he now earneſtly preſſed by this Pope and his Cardinals to aſſent unto) will moſt clearly appear by the Kings Letters and Anſwers to them, implying his willingneſs to grant their requeſts, ſo as any expedient could be deviſed to ſave the diſinheriſon and hurt of the Rights of his Crown, Royal dignity and Prerogative, which might enſue thereupon by his condeſcention.

* See here, p. 289, 416, to 419.

Sanctiſſimo

An. 23 E. 1.

Clauſ. 23 E. 1. m. 7. dorſo. De appropriatione duarum Prebendarum in Ebor. & Lincoln Eccleſiis Eccleſiæ Sancti Petri de Urbe faciendâ.

Sanctiſſimo Patri in Chriſto & Domino, Domino Bonifacio *divina providentia Sacroſanctæ* Romanæ *ac Univerſalis Eccleſiæ* **Summo Pontifici**, Edwardus *Rex* Angliæ, &c. *Ea quæ venerabilis pater in Chriſto Dominus* B. *Dei gratia Epiſcopus* Albanen. **ſuper quodam negotio duarum Prebendarum** in Ebor. & Lincoln. **Eccleſiis conſiſtentium, quarum quidem Prebendarum appropriationem Eccleſiæ Sancti** Petri **de Urbe, et Hoſpitali Sancti Spiritus faciendam,** *venerabilis pater Dominus* M. *Sanctæ* Mariæ *in* Porticu *Diaconus Cardinalis* **proſequitur, et proſecutus eſt temporibus retroactis, ex parte dominationis veſtræ latius nobis curavit exponere, intellexim us diligenter.** *Sanè Sanctiſſime Pater* **ob veſtram reverendam inſtantiam ad dicti Domini Cardinalis optentu, necnon et contemplatione** *prædicti Domini* M. *Cardinalis amici noſtri chariſſimi ab antiquo,* **prædictum negotium quantum cum Deo et abſque exhæredatione noſtra, et Coronæ regni noſtri læſione fieri poterit deſiderantes fœliciter expediri, ſi aliqua via ſana et competens quæ nec in exhæredationem neque læſionem Coronæ regni noſtri, ſicut prædicitur; nec alias redundet in præjudicium noſtræ Regiæ dignitatis adinveniri valeat per quam idem negotium deduci poſſit commode ad effectum, illam exim us paratí admittere, et veſtris ac prædicti Domini Cardinalis condeſcendere in hac parte beneplacitis atque votis.** *Conſervet vos Altiſſimus*, &c. *Teſte Rege apud* Weſtm. 12 *die* Auguſti.

Ibidem.

Venerabili in Chriſto Patri Domino M. *Sanctæ* Mariæ *in* Porticu *Diacono Cardinali, amico ſuo chariſſimo,* Edwardus *Dei gratia* &c. *ſalutem & ſinceræ dilectionis affectum. Ea quæ venerabilis pater in Chriſto Dominus* B. *Dei gratia Epiſcopus* Albanen. **ſuper quodam negotio,** &c. (*ut ſupra*, to the Pope, *uſque ibi*) **fieri debeant proſequemini et proſecuti eſtis temporibus retroactis, ex parte Domini Summi Pontificis latius nobis expoſuit, intellexim us diligenter.** *Sanè reverende Pater* **ob ipſius Domini Summi Pontificis reverendam inſtantiam, ac dicti Domini Cardinal. obtentu, necnon et veſtri conſideratione prædictum negotium quantum cum Deo, abſque exhæredatione noſtra,** &c. (*ut ſupra, uſque ibi*) **exim us paratí admittere, et præfati Domini Summi Pontificis, et veſtris condeſcendere in hac parte beneplacitis atque votis.** *Dat. ut ſupra.*

The Prebendary of * *Naſſinton*, belonging to the Church of *Lincoln*, was one of thoſe mentioned in theſe Letters to be appropriated to a Church in *Rome*, concerning which (when firſt ſet on foot *Anno* 1288.) I found this memorable Letter by way of *caution*, then writ by one of the Kings Counſil to *Edmund* Earl of *Cornwall* the Kings Lieutenant, and the reſt of his fellow Counſellors and Friends, ſtrenuouſly to oppoſe this Innovation, as a direct diſinheriting of the King and Kingdom, repugnant to the antient Rights and Cuſtoms thereof, admitted by Popes themſelves in all ages, which I ſhall here inſert.

* See here, p. 389, 416, 417, 418.

Bundela Brev. de Privato ſigillo An. 16 E. 1. in Turre London.

Sociis & amicis ſuis, ſalutem, & bonum amorem. **Dignitas Regia et Coronæ** Angliæ, **ac conſuetudo regni inſtant ſemper, ut obſervetur in eis quod eſt ab antiquo uſitatum, et a Summis Pontificibus conceſſum perpetuo, ac a tempore quo non exiſtat memoria (eo quod ſola** Anglia **utitur conſuetudine et non jure ſcripto) approbatum. Ne igitur in Prebenda de** Naſſinton **in Eccleſia** Lincoln. **quæ eſt de Corona et Patronatu Domini Regis, exhæredatio Regis et Regni intervenîat manifeſta, expedit quod Nuncii Curiæ** Romanæ, **ex hac cauſa venientes, effectum nequaquam ſortiantur in præmiſſis, contra Coronam et conſuetudinem prædictam; et mandetur Diocæſano per breve Domini Regis firmiter et expreſſe, ne prætextu literarum Domini Papæ ſeu quorumcunque Judicum Eccleſiaſticorum aliquid faciat, quod Regi aut Coronæ in Baronia ſua eſſe poterit præjudiciale ſeu damnoſum; ac aliis quorum intereſt in hac parte. Vos igitur qui legem, conſuetudinem, et ea quæ Coronam et officium contingunt, melius me noſtis, facietis quod honori Regio decet, et quod eſt hactenus in caſu conſimili conſuetum. Et iſta præmunitio pro ſtatu officii et veſtro procedit, Deus novit.** *Bene valeat*, &c. Which advice was * *accordingly executed.*

* Here p. 416.

An 23 E. 1. Yet such was the insolency of this New Pope and his Legates, after several precedent Prohibitions, resolutions of the King, Counsil, Parliament, and Letters from the King to Pope *Nicholas* and his Cardinals against it, as now to revive and importunately prosecute this dangerous project afresh, in hope to accomplish it, under a pretext of friendship and setling Peace; which the King modestly declined by his Epistles to them.

These Cardinals likewise solicited the King to exempt some of the Cardinals Nephews who had Benefices in *England*, from paying the moity of their Goods towards the maintenance of his Wars, to which all the rest of the Clergy were liable, as this Letter of the King imports.

Clauf. 23 E. 1. m. 7 dorso. Pro Nepotibus Episcopi Tusculan.

VEnerabili in Christo Patri Domino J. *Dei gratia Episcopo* Tusculan. *amico suo charissimo*, Edwardus, &c. *salutem & sincera devotionis affectum. Ea quæ venerabilis pater in Christo Dominus* B. *Episcopus* Albanen. **super negotio Nepotum vestrorum, medietatem videlicet bonorum Ecclesiasticorum quæ in regno nostro Angliæ possident contingente, ex parte vestra plenius nobis exposuit, intelleximus diligenter.** *Sanè reverende Pater* **considerationè vestri ac ob dicti Cardinalis instantiam, sic de ipso negotio deliberato consilio disponere intendimus, et in ipso etiam taliter nos habere, quod rationabiliter se contentam debebit vestra paternitas reputare.** *Dat. ut supra.*

He likewise writ these Letters to the Earl of *Savoy*, and *Otho de Grandison*, to obey these Cardinals commands.

Ibidem. Pro B. Albanen. & S. Penestren. Cardinalibus.

REX dilecto consanguineo & fideli suo Amadio *Comiti* Sabaudiæ, *salutem cum dilectione sincera. Cum venerabiles patres Domini* B. Albanen. *&* S. Penestren. *Episcopi, Sacrosanctæ* Romanæ *Ecclesiæ Cardinales,* **quædam habeant negotia pertractare,** *ad quæ vestra præsentia fore poterit opportuna, volumus & rogamus, quatinus ad diem & locum quos iidem Cardinales vobis duxerint intimandos, modis omnibus accedatis,* **facturi quod vobis injunctum fuerit per eosdem.** *Et hoc nullatenus omittatis. Teste Rege apud* Westm. 14 *die* Augusti.

Ibidem.

REX dilecto & fideli suo Othoni de Grandissono, *salutem. Cum venerabiles patres Domini* B. Albanen. *&* S. Penestren. *Episcopi,* &c. *ut supra.* **Volumus et mandamus,** *quatinus ad diem & locum quos iidem Cardinales vobis duxerint intimandos, modis omnibus accedatis,* **facturi quod vobis injunctum fuerit per eosdem.** *Et hoc nullatenus omittatis. Teste ut supra.*

The Popes Legates under pretext of setling a Truce, having extorted great sums of money from the Clergy and Religious persons, to transport it securely beyond the Seas procured divers Foreign Merchants to passe over with them out of *England* into Foreign parts with monies, under colour of being Members of their Train and Attendants; to prevent which fraud and exportation of monies, the King issued this Writ to the Constable of *Dover* Castle and others.

Pat. 23 E. 1. m. 10. De Mercatoribus transfretare volentibus cum Cardinalibus.

REX dilectis & fidelibus suis Stephano de Peneceſtr. *Constabulario Castri sui* Dovor. Roberto de Besinges, *&* Johanni le Blund, *Civibus suis* London. *salutem. Quia datum est nobis intelligi,* **quod Mercatores extranei et alii homines diversi parant se ad transeundum in Comitiva Cardinalium ad partes transmarinas, sine licentia nostra, licet de ipsorum familia non existant,** *volentes hujusmodi cautelæ cautius obviari, assignavimus vos ad videndum & ordinandum,* **quod nullus Mercator extraneus seu alius quicumque in Comitiva ipsorum Cardinalium transeat ad partes transmarinas, seu aliqua pecunia deferatur ibidem, nisi Mercatores et homines illi fuerint de familia Cardinalium prædictorum, et ipsos et pecuniam illam advocaverint juxta formam literarum nostrarum de Conductu eisdem Cardinalibus confectarum, quarum transcriptum vobis fecimus liberari.** *Et ideo vobis mandamus, quod præmissa ita discretè & circumspectè faciatis, quod circumspectio & discretio vestra in hac parte meritò debeant commendari. In cujus,* &c. *Teste Rege apud* Westm. 16 *die* Augusti.

Et

Et mandatum eſt per literam clauſam præfato Stephano, *quod ad præmiſſa faciendum una cum præfatis* Roberto & Johanne *intendat. Teſte ut ſupra.* An. 23. E. 1.

The King ſtill wanting moneyes, procured one of the Cardinals to obtain from the Pope a grant to himſelf and this Cardinal of the Firſtfruits of all vacant Benefices within the Province of *Canterbury* for 3. years ſpace, to be equally ſhared between them; as is evident by this his gratulatory Letter to the Cardinal for his aſſiſtance and favour in this, and other his affairs in the Court of *Rome*.

Venerabili in Chriſto Patri & amico ſuo Chariſſimo, Domino J. *Dei Gratia Sanctæ* Mariæ *in via lata Diacono Cardinali*; Edwardus *eadem Gratia, &c. ſalutem, & ſincera dilectionis affectum: Super voluntate ſincera quam erga nos habetis & tuis temporibus habuiſtis, & etiam ſuper diligentia ſollicita circa negotia noſtra ſingula ſemper hactenus adhibita,* necnon ſuper impetratione per vos facta a Sum. Pontif. de primis fructibus Eccleſiarum vacantium in Provincia Cantuar. Nobis et Nobis datis ad triennium et conceſſis, Paternitati veſtræ referimus magnas grates: *pro certo tenentes,* quod de Nobis in hoc Nobis talem ſocium inveniatis, Domino concedente, quod inde reputabitis et vos contentos; ſiquid autem pro vobis voluerit nos facturos, id nobis ſignificetis cum fiducia optinendi. *Dat. apud* Aberconweye, *6. die* Aprilis. Ibidem, m. 10.

He likewiſe ſent two other Letters to two Cardinals to promote his affairs in the Court of *Rome*.

Venerabili in Chriſto Patri Domino M. *Dei gratia* Portuenſi, &c. *& ſancto* Ruffino *Epiſcopo, amico ſuo Chariſſimo,* Edwardus *eadem gratia, &c. ſalutem & ſincere dilectionis affectum. Inſpectis literis veſtris per dilectum Clericum noſtrum Magiſtrum* Dalemund *nobis miſſis, detegentibus immenſum dolorem & compaſſionem quos vos ſuper turbatione & diſcordia inter Regem* Franciæ *& nos nuper motis, caritatis veſtræ viſceribus pio concepiſtis affectu, quantum ergà nos in præteritum concepiſtis affectionem perpendimus manifeſtè, ſuper quo gratias vobis referimus ſpeciales; pro certò tenentes, quod ad pacem & concordiam ſemper bonam voluntatem habuimus & habemus, & dulces exhortationes veſtras cauſa ad bonam pacem, noſtro honore & Regni noſtri ſtatu ſalvo, erimus favorabilis inclinati. Quocirca Paternitati veſtræ chariſſimæ ſupplicamus, quatinus negotia noſtra habere* dignemini recommendata, quantum cum Deo poteritis; *in quod hactenus magis ardua non habuimus, ſeu majora,* et magis in eiſdem vestro egentes auxilio, quod ſemper nobis utile reperimus in agendis; ſuper quibus ſtatu et negotiis noſtris credere velitis *caro Clerico noſtro Magiſtro* Bertrando *del* Got, *Domini Papæ* Capellano, *&* præfato Radulpho, *vel alteri eorundem. Dat. apud* Aberconeway 6 *die* Aprilis, *Anno gratiæ,* M. CC. *Nonag. quinto, Regni vero noſtri viceſimo tertio.* Cl. 23. E. 1. m. 10. Pro Rege de Likeris directis Cardinalibus.

Venerabili &c. & amico ſuo chariſſimo, Domino Jacobo *Dei gratia Sanctæ* Mariæ *in via lata Diacono Card.* Edwardus *eadem gratia, &c. ſalutem. Paternitati veſtræ volumus eſſe notum, quod dilectus Clericus noſter, Magiſter* Radulphus Dalemaunt *nobis plenius intimavit, quod vos ſimiles literas quales nobis tranſmiſit, venerabilis pater Dominus* Albanenſis *Epiſcopus nobis per ipſum miſſetis, ſi eaſdem debitè expectaſſet; ſuper quo vobis ut illi per quem non ſtetit quo minus nobis hujuſmodi literas mandaſſetis, tantas grates referimus quantas vobis ſciremus, ſi ad nos per ipſum hujuſmodi veſtræ literæ pervenìſſent; vos intimè requirentes,* quatinus ſuper ſtatu noſtro, et negotiorum noſtrorum charis Clericis noſtris, *Magiſtris* Bertrando *del* Got, *domini Papæ* Capellano, *&* præſcripto Radulpho *velitis credere, vel alteri eorundem. Dat. ut ſupra.* Ibidem.

King *Edward* to prevent all intelligence, and exportation of monies into *France*, to enrich his Enemies during his wars with the *French*, ſeiſed the Lands, Tenements, goods and chattels of all Religious Houſes in *England* belonging to *Frenchmen*, or to thoſe in *France*, eſpecially in the *Iſle of Wight*, and committed the cuſtody of them and of that *Iſland* with the Caſtle therein to *Richard de Affeton* by theſe two Commiſſions, which I found in the *White Tower* under the Great Seal, yet affixed to them.

An. 23 E. 1.

In Turre London.

EDwardus *Dei gratia Rex* Angliæ, *&c. Omnibus Ballivis & fidelibus ſuis ad quos præſentes literæ pervenerint, ſalutem.* Quia nolumus quod Terræ et Tenementa, ſeu Bona et Catalla Religioſorum de terra et poteſtate Regis Franciæ quæ ſunt in regno noſtro, occaſione guerræ inter nos et Regem Franciæ jam ſuborţæ, diſtrahantur per aliquos ſeu baſſentur; nec etiam volumus, quod exitus de terris illis et tenementis prȝovenientes, ſeu etiam aliqua bona vel catalla eorum extra regnum noſtrum ad inimicos noſtros ditandos in partibus tranſmarinis, ducantur; *Aſſignavimus dilectum & fidelem noſtrum* Ricardum de Affetone, ad capiendum in manu noſtram omnes Prȝioratus et alias Domus prædictorum Religioſorum, cum omnibus terris, tenementis, et bonis et catallis ſuis in Inſula de Wygh; et ad ea, una cum Prȝiore vel alio Superiore ſingularum domorum, *ſalvo cuſtodiendo.* Ita quod de exitibus inde prȝovenientibus nobis reſpondeant ad Scaccarium noſtrum, durante guerra prædicta. *Salva eiſdem Religioſis rationabili ſuſtentatione ſua de exitibus & bonis prædictis, ſicut idem* Richardus *inde duxerit ordinandum. Et ideo vobis mandamus, quod præfato* Ricardo *in præmiſſis & omnibus quæ ad præmiſſa pertinent, intendentes ſitis & reſpondentes; prout vobis ſcire faciet ex parte noſtra. In cujus, &c. Teſte venerabili patre* W. Bathon. & Wellen. *Epiſcopo, Theſaurario noſtro apud* Weſtm. *ſecundo die* Auguſti, *Anno regni noſtri* 22.

Ibidem.

EDwardus, &c *Epiſcopis, Abbatibus, Prioribus, Comitibus, Baronibus, Militibus, liberè tenentibus, & omnibus aliis de* Inſula Vecta, *ſalutem. Sciatis, quod commiſimus dilecto & fideli noſtro* Ricardo de Affeton *Inſulam prædictam cum Caſtro ibidem cuſtodienda, una cum* Humfrido de Doneſterre *Conſtabulario noſtro Caſtri prædicti, quamdiu nobis placuerit. Et ideo vobis mandamus, quod præfato* Ricardo *in omnibus quæ ad cuſtodiam illam pertinent, intendentes ſitis & reſpondentes, conſulentes & auxiliantes, prout idem* Ricardus *vobis ſcire faciet ex parte noſtra; & quociens ab eodem ſuper hoc fueritis requiſiti;* Ita quod prȝo defectu veſtro nobis vel regno noſtro dampnum vel periculum aliquod non imminear vel contingat. *In cujus, &c. Teſte (ut ſupra) 26. die* Novembris, *anno regni noſtri viceſſimo tertio.*

The King and his Counſil likewiſe made theſe enſuing Ordinances for removing all Priors aliens of *France*, with thoſe related to them, 20 miles from the Sea ſide, and Navigable Rivers, and ſeiſing their perſons, goods, livings, temporalties, to prevent intelligence during the wars; to which this paſſage of * *Matthew Weſtminſter* relates; *Monachi alienigenæ à prepriis excluduntur domiciliis, ſingulis per hebdomadum ad victum* 18. *denariis deputatis.*

* Flores Hiſt. An. 1295. p. 398.

Forma ordinata de Religioſis alienigenis.

Fines 23 E. 1 & Brevia Regis, An. 23 & 24 E. 1. In Turre London. Cedul. 2.

ORdene eſt par le Rey et ſon Conſeil, qe les Religious eſtraunges du pouer le Rey de *Fraunce* e de ſes aliez, ou qe ſeient de leur affinite, ou a eus par obedience, e quenque manere remuz, qui ſount a 13. liwes ou meins pres de la mer, ou ewe qe port navie ou veſſel a la mer, qe il ſeyent remuez, e mis en leur meſons, ou en leur maners demeine, ſi len les trove, a 20. liwes loinz de la mer, ou de ewe que navie ou veſſel porte a la mer, ou en autres meſons de meiſmes lordre, e de de meimes la launge qe autant ſeient loigteins de la mer, ou de ewe que porte navie ou veſſel a la mer, ſicome dit eſt. E en cheſcune meſon ou tieux moygnes demorrunt, le chef gardein qui eſt aſſigne en le Counte mette un pro d' home, perſon ou vicaire, ou autre Clerk ſuffiſaunt a la garde de cheſcune meſoun, é des moyngnes que y demorrunt, e cely gardein preingne ſes reſnables eſtouers du chef gardein des iſſues des meſons que ſount en ſa garde. E cheſcun gardein face ſa garde en la forme qe ſiwt. Ce eſt aſavoir, qe ceus gardeyns mettent *Engleys*, e nul autre, pur les moygnes ſervir Clers ne leys en Egliſe ne de hors, e tieux pur queus les gardeins voudrunt reſpoundre. E ceus qe iſſi ſervent ſeient ſuſtenuz entre eaus de la commune que les moygnes pernent.

E que les gairdeins ſeient chargez de leur garde au peryl qe y apent.

E que il ſeyent en teles meſouns demorrunt ſauntz Clerks garcon, e ſauntz cheval, fors qe en la manere qe eſt deſus dit.

E qe

An. 23 *E.* 1.

E qe nul eſtraunge ne prive ſeculer, eit repeirer a parler a eus, mes qe en la preſence de gardein.

E qe il ne enveient Lettres ne Meſſages, nene reſcepvent de nuly, ſil ne ſeit en la preſence de leur gardeins, e que il ſachent que y eſt contenu.

E eient ſuſtenance des biens de leur meſouns dount il ſount venuz, ceo eſt aſavoir, cheſcun de eus 18. deners la ſemeine par les meins des chiefs gardeins, iſſi qe il vivent ſolonc la Rywle del ordre.

E qe il ne aillent nule part hors du clos de la meſoun ou il demorront. E eient de lours meſons dont il ſont venuz veſture e changure ſolom ceo que il ſon purrent paſſer, ceſt aſavoir cheſcun de eaus dis ſouz par an par les meins des chefs gardeins.

E eſt ordenez, qe puis qe len ſavera le noumbre des moyngnes qui ſerront iſſi remuez, ſeient enuiez hors cuſtages e a munture de lour meſons, oue lour litz, e oue hures pur leur ſervise as lius ordenez. E lour ſient certeyn jour aſſigne de aler a luis qui ler ſerront ordenez ſolom ceo qe les lieus ſerront pres ou loigneins, outre que jour ſi nul ſeit troue alaunr ou wakeraunt par pais, en quel habut qe il ſeit troue, ſeit pris e areſte deſi qe le Roy eit dit ſa volente.

En cheſcun Counte ou en pluſors ſolom ce qe il avera meſons de tiens moygnes, ſeit aſſigne par le Treſorer un gardein ou pluſors, ſolom ceo qe la garde eſt graunde ou petite, e veignent al Eſcheker pur fere le ſerment, e recevour lur commiſſions.

E celi chef gardein face inventaire endentee, dont lune partie demorge vers le Treſorer e lautre vers le gardein, de tuttes maneres des biens qe ſerront trouez en la baillie qe il avera par tut.

Veſſele, come des autres biens moebles, en queus mains qe il ſeint devenuz ou tranſlatez puis le jour de ceſt ordenement: Enſi ne pur quant qe ſi troue ſent qe les moyngnes en les lieus demorraunt, eient aliene, ouſte, ou muſce oz, argent, ou autre treſoz puis la paſque ont un an, ou ſi dettes ſeient oze dewes de queu tens qe le contract ſeit fet, ſet auſſi enquis, ſeiſi e pris en la meyn le Wey, e ſaubement garde de ſi qe le Wey eit autre choſe ordene ou comende.

E de ceo qe len troueue, qe eſt a loigne e ne purt eſtre troue, le face le gardein aſaver a Treſorer, e qe le gardein qui ſerra aſſi aſſigne reſpoigne al Eſcheker pleinement de tuttes maners des iſſues de tuttes les terres, rentes, auſſi bien des Egliſes, penſions, e autres profitz dont les ditz meyngnes ſont ore aparmennes ſeiſiz de temporaute.

E pur mieuz ſaver la value des terres, rentes, egliſes, e de tuttes autres maneres des iſſues, le Treſorer face aſſigner lele gentz e certeins autres qe ceaus qe enſerront gardeins a eſtendre les, e taxer. E fet a ſavoir qe ſour la Counte des ditz gardeins al Eſcheqer, leur ſerront allowes les cuſtages des moyngnes de ſoutz ditz.

E enſement eſt ordene, qe les certeines liuereiſonns qe ſoleyent eſtre rendues de tieux meſons par eſcritz, ſeient leaument rendues, iſſi qe celuy qe ad pris liuereiſon de monygne pregne auſſi come moyngne prent par la ſemeine, e ſelom le plus e le meins a lour afferaunt.

Enſement, les penſiouns e les Robes qe ſount dewes par eſcrits, ſoient rendues ſelum ceo qe les eſcriz purportent a ceus qe en ount eſte ſeiſi.

E enſement eit ordene, qe la ou tieux religious aliens ount commun ſeal de Chapitre, ou autre ſeal de autorite, ſeit le ſeal mis en la garde des moyngnes es biens ou il ſerront demorront, enſemblement oue les chartres, fins, e munements de leur meſouns deſouz le ſeal le chef gardein de lour meſuuns, oueſque les ſeaus de deus prodeſhomes e leaus demeiſme le viſne. De reliques, libreire, veſtementz, e de tuttes maneres de autres aournementz qe ſerrent trouez en tieux maneres de meſons remeinent en ſauve garde par aſſeurement de moyngnes de meiſme les meſons, e en meiſmes les meſons par teſmoignance e vewe de deus prodeſhomes de meiſme le viſne par Cirographe endentee entre les gardeins e les moignes, ſauve les deſtementz, e aournementz des Egliſes neceſſaires pur la ſerviſe de meiſmes les Egliſes. E en meſon de Religion ou il y ad Egliſe conventuele ou parochiele ſervie par moyngne, ſeit le ſerviſe ſuſtenu en cheſcun de tieux lieux par un preſtre Engleys, honeſt e ſuffiſaunt, la ou il ny ad nul moyngne Engleys.

E ſil y ait moigne ou moignes Engleis dumorgent en pees, e facent le ſerviſe e perignent

An. 23 *E.*1. preignent pur leur ſuſtenaunce cheſcun pur luy taunt aome un des autres aliens remuez, ſicome il eſt deſoutz dit. E la ou plus preſtres ſeculers ſoleint eſtre boſoygnablement come par aumeſne eſtablie, ſeit lameſne ſuſtenue ſolom ceo qe ele fu aurcienement ordene e eſtablie, e jeſque en ca uſee.

Des aumeſnes enſement ancienement ordenes e eſtablies, e jeſqe a ore uſees, come en puture ou veſtir de pouvres en le lien meiſmes, ſolom ceo qe homme purra reſnablement leaument et certeinement par bon apriſe ſavoir, ſeient ſuſtennes al honur de Deiu.

Enſement eſt ordene de ſeculiers perſones des Egliſes qui ſont du pour Le Rey de *Franse*, ou de ce alliez e ſoient reſidentz en *Engleterre*, ſil ſeient pres de mer ou ewe menaunte navie ou veſſel a la mer, et treſze liewes ſicome deſus eſt dit, **Maunde ſeit as Eveskes des leus, qil les facent remuer e mettre en leus plus lunteignes, ou il purrunt demorer ſauns ſuſpecion,** e eient eus perſones la garde e les iſſues de leur benefices par les meins de lour procuratours qui ſeient Engleys, e a ceo par eaus aſſignez.

E ſi teux perſones ne ſeint en *Engleterre* demoraunt, maunde ſeit a leur Eveskes, qil facent prendre bone garde des teles Egliſes, **e des iſſues pleinement e entrement reſpoignent al Eſchequer duraunt la guerre.** Iſſi totteſneys qe les dites Egliſes ſeient duement ſervies.

I pretermit the Writs, *de Terris alienigenarum laicorum capiendis in manum Regis*, and paſs to thoſe *de Secularibus perſonis alienigenis ab agris amovendis, & beneficiis un reſidencium euſtodiend.*

Fines 23 E. 1. memb. 2. REX venerabili in Chriſto patri *R.* eadem gratia **Cantuar.** Archiepiſcopo, totius *Angliæ* Primati, ſalutem. Cum ob aliquas certas cauſas ſit per nos & noſtrum Conſilium ordinatum, quod perſonæ ſeculares alienigenæ, ſive Canonici fuerint, ſeu **Rectores Eccleſiarum, aut alias beneficiati in regno noſtro** in quibuſcumque **Eccleſiis Cathedralibus ſeu Collegiatis**, quocumque nomine cenſeantur, de poteſtate Regis *Franciæ*, & alibi adhærentium exiſtentes, vel qui ſint de affinitate & amicicia illorum, aut eis alio modo qualicumque aſtricti, ad treſdecim milliaria vel infra, prope mare, vel aquas navigium quodcumque ducentes ad mare morantes, per **Dioceſanos ſuos transferantur ad loca remotioza**, in quibus abſque ſuſpicione aliqua poterunt commozari. Et quod cæteræ hujuſmodi perſonæ morantes in prædicto regno vel treſdecim milliaria à mari, vel aquis navigium ut permittit ducentibus in locis in quibus ſic fuerint pacificè commorentur; ita vid. quod tam perſonæ illæ quam perſonæ prædictæ quas ſic transferri contigerit, ſuſtentacionem habeant de bonis beneficiorum ſuorum, ſcilicet quilibet eorum decem & octo denarios qualibet ſeptimana, & pro veſtitu & calciatura quadraginta ſolidos annuatim, per manus procuratorum ſuorum, qui *Anglici* fuerint ad hoc per Dioceſanos ſuos proprios deputandi. **Et ſi hujuſmodi Canonici et Rectores ſeu beneficiati in regno noſtro non fuerint reſidentes,** quod **Dioceſani** ſui **bonam curam habeant de beneficiis et Eccleſiis** ſuis prædictis, **et** eiſdem **honeſte faciant deſerviri, et de fructibus et proventibus** tam illozum non reſidencium, quam aliozum reſidentium; (ſalva dumtaxat eiſdem reſidentibus inde ſuſtentacione ſua in forma parte prædicta) **plene et integre ad Scaccarium noſtrum reſpondeant**, guerra noſtra durante, niſi aliud ſuper hoc duxerimus ordinandum. **Paternitatem veſtram rogamus mandantes, ac vobis in fide et dilectione quibus nobis tenemini, firmiter injungentes, quatinus omnia et ſingula ſuprascripta in Dioceſi veſtra quoad perſonas Eccleſiaſticas antedictas exequamini, et cum diligencia facatis in ſuperius annotata.** Et hoc ſicut nos & commodum Regni noſtri diligitis, nullatenus omittatis. Teſte Rege apud *Odymere*, 5 die *Novembris*.

Conſimiles literæ dirigunturEbor. Archiepiſcopo, *Angl.* Primati, & Epiſcpis ſubſcriptis, videlicet;

A. Dunelm, *&c.* and all the other Biſhops in *England* and *Wales*, there named.

Pope *Cœleſtine* 5. the year before conferring, by his Papal Proviſion, the Church of *Monketon* on *James*, Nephew of *Francis* Cardinal of S. *Lucy* in *Rome*, afterwards confirmed by Pope *Boniface* 8. belonging to the Kings preſentation in right of his Crown, by the vacancy of the Archbiſhoprick of *Canterbury*, the Pope and Cardinals importuned

runed the King to admit of this Papal provision to him; who thereupon advising with his Prelates, Counsellors, Nobles and great men assembled together at *Berwick* about it, after due examination of the business, upon consideration of many precidents and reasons agreed and resolved, that this Papal provision and usurpation would evidently tend to the apparent prejudice, and enormous exheredation of him, his heirs and Crown, which he being obliged by his Oath to maintain inviolable in all things, could no wayes condescend to this their request, desiring them to excuse him for not granting it, as appears by this memorable Letter of the Kings then sent to several Cardinals underwritten, I found in the *White Tower*. *An.* 23 *E.* 1.

TAli Cardinali, *&c.* Litteras vestras pro Magistro *Jacobo* Nepote venerabilis in Christo Patris, Domini *Francisci Neapoleonis*, sanctæ *Luciæ* in *silice* Diaconi Cardinalis specialis amici nostri, super negotio collationis Ecclesiæ de *Monketon Cantuariensis* Diocæsis, per felicis recordationis *Cœlestinum* Papam quintum in *Romana* Curia sibi factæ, ac confirmationis per sanctissimum patrem Dominum *Bonifacium* summum Pontificem super hoc subsequentis, nobis per latorem præsentium præsentatas affectione plena recepimus, & earum tenorem intelleximus diligenter. Sanè quia in ipsarum literarum receptione circa expeditionem guerræ nostræ *Scotiæ* eramus plurimùm occupati, nec tunc etiam nobis aderat præsencia peritorum, responsum, (prout casus illius qualitas exigebat) super hoc dandum, usque ad prædictæ guerræ sedacionem & regressum nostrum apud *Berewycum* super *Twedam* oportuit nos differre; ubi cum Prælatis et quibusdam aliis Consiliariis nostris, necnon Magnatibus et Proceribus Regni nostri ibidem specialiter congregatis, habito super hoc consilio et tractatu, examinatoque prædicto negocio plenius et discusso; fuit nobis per ipsos consultum, et pluribus rationibus ac exemplis evidenter ostensum, quod in grave præjudicium et manifestum nostri et hæredum nostrorum exhæredationem ac enervem Coronæ nostræ regiæ (cujus Jura illæsa in omnibus observare vinculo Juramenti astringimur) læsionem manifestius redundaret, si effectum hujusmodi collacio sortiretur. Porro scire vos volumus, quod si viam aliquam potuissemus accommodam invenisse, per quam absque præjudicio Juris nostri Regii, quo nos et antecessores nostri Reges *Angliæ* semper hactenus usi sumus, et Coronæ nostræ prædictæ læsione, et juramenti per nos præstiti violacione, et quæ nos incurrere vestræ fidelitatis integritas nobis, ut credimus, nullatenus suaderet, collacionem hujusmodi possemus æquanimiter tolerare, vestri consideracione ac aliorum Cardinalium pro præfato *Jacobo* specialiter intercedentium interventu, annuissemus in hoc favorabiliter votis vestris; unde, cum ex racionibus et causis præmissis ad præsens fieri nequeat quod rogatis, Paternitatem vestram attente requirimus et rogamus quatinus tam super hoc quam super dilacione responsionis hujusmodi providentia vestra nos habeat excusatos. Intendimus autem vestri & Cardinalium prædictorum intuitu præfato Magistro *Jacobo* loco & tempore opportunis, si nostræ memoriæ tunc occurrat, de alio competente beneficio providere, *&c.* Brevia Regis de Privato Sigillo, in Turre London. Anno 23 & 24 E. 1.

Nota.

Dorso. Domino *Francisco Neapoleonis*, sanctæ *Luciæ in silice* Diacono Cardinali, nepoti vestro, dirigatur ei.
Domino *G. Sabinensi* Episcopo.
Domino *M. Portuensi*, & sanctæ *Ruffinæ* Episcopo.
Domino *B. Albanensi* Episcopo, sub breviori forma.
Domino *N.* sancti *Adriani* Diacono Cardinali.
Domino *B.* sanctorum *Cosmæ* & *Damiani* Diacono Cardinali.

The King, upon complaint of the Abbot of *Westminster* against the Justices, for imposing a fine upon him for the escape of Clerks convict, delivered to him to make their purgation, issued his Writ to the Treasurer, to inform and certifie him the truth of the case, who made this Certificate to him.

EXcellentissimo Principi, Domino suo reverendo, *E.* Dei gratia Regi *Angliæ* illustri, Domino *Hiberniæ*, & Duci *Aquitaniæ*, suus Clericus *Bathonien sis* & *Wellensis* Episcopus Thesaurarius suus, salutem & fidele semper servicium. Mandatum vestrum recepi in hæc verba. Edwardus *Dei gratia Rex* Angliæ, *Dominus* Hiberniæ, Brevia Regis de Privato Sigillo, in Turre London.

An. 23 *E.* 1 bernia, & *Dux* Aquitaniæ; *venerabili in Christo patri*, W. *eadem gratia* Bathoniensi & Wellensi *Episcopo, Thesaurario suo, salutem. Dicitur quod cum dudum infra libertatem dilecti vobis in Christo Abbatis* Westmonasterii *de* Westmonasterio, Johannes de Eborûm, Johannes Ballard, Rogerus de parva Frome, Robertus le Clerk, & Eustachius de Royston, *Clerici, quibusdam criminibus irretiti, capti fuissent, & subsequenter gaolæ ejusdem libertatis mancipati; ac postmodum personaliter constituti coram dilecto & fideli nostro* Radulpho de Sandwico, *& sociis suis Justiciariis nostris ad eandem gaolam deliberandam assignatis, requisitisque per Archidiaconum* Westmonasterii, ut ei tanquam Ordinario loci dictos Clericos liberarent, secundum ecclesiasticam libertatem, *iidem Justiciarii eò quod literas patentes super hoc de warranto dictus Archidiaconus non habebat,* præfatos Clericos ad prisinam custodiam simpliciter judicarunt. *Quibus gentibus aliquantulum in eadem, gaolam illam* temere contrangentes, ab eadem clanculo evaserunt. *Deinde, sicut accepimus, coram dilecto Clerico nostro* Johanne de Berewyk, *& sociis suis Justiciariis nostris ultimò itinerantibus in Com.* Midd. *in quo eadem libertas consistit, extitit per quosdam ipsius Abbatis æmulos præsentatum, quod idem* Radulphus, *& socii sui memorati, dictos Clericos eidem Archidiacono, prout moris est, liberarunt, juxta libertatem Ecclesiasticam conservandos, ipso Abbate contrarium asserente;* unde dictus Abbas ad quingentas libras, videlicet pro evasione cujuslibet ipsorum Clericorum ad centum libras, quæ ab eodem per summonitionem Scaccarii nostri erigantur ad opus nostrum, amerciatus fuerat, *sicut fertur: Nos igitur certis de causis scire volentes veritatem totius negocii supradicti, mandavimus præfato* Radulpho *quod Recordum & processum inde habitum, sicut præmittitur, coram vobis, sub sigillo suo, sine dilatione vobis mittat. Cumque recordum & processum hujusmodi receperitis, tunc illis, unà cum recordo & processu præsentacionis prædictæ inspectis & diligenter examinatis, quatenus videritis opportunum certitudinem inquiratis solicite præmissorum, & inquisitam nobis per literas vestras nuncietis, ut super his plenius nostri vobis beneplacitum demandemus. Et interim eidem Abbati ab exactione prædicta pacem habere faciatis.* Dat. sub privato sigillo nostro apud *Aberconewey*, 29. die *Marcii*, Anno Regni nostri vicesimo tercio. Quocirca excellentiæ vestræ significo, quod inspectis & examinatis recordo & processu deliberationis gaolæ prædictæ michi missis per prædictum *Radulphum*, vos inde plenariè certiorar. non possum, sine recordo & processu præsentationis inde factæ coram Justiciariis vestris in Itinere suo prædicto, eo quod Rotuli sui adhuc in custodia eorundem existunt, unde recordum & processum deliberationis prædictæ vobis mitto sub sigillo meo, ut vos ulterius inde fieri jubeatis quod vestræ excellentiæ videbitur faciendum. Valeat excellentia vestra per tempora diuturna.

The King sending special Messengers to the Pope about his publick affairs in the Court of *Rome*, sent these Letters of Credence to several Cardinals by name, together with other Letters to the Pope and them, desiring their favours upon his account to expedite their affairs, and to grant them licenses to receive and retain Pluralities of Benefices, notwithstanding the manifold Constitutions against them, and those newly promulged in our forecited *English Councils.*

Claus. 23 E. 1. m. 10 dorso. VEnerabili in Christo Patri & Domino *M.* Sanctæ *Mariæ* in *Porticu* Diacono Cardinali, *Edwardus*, &c. salutem. Literas vestras nobis per dilectum Clericum nostrum Magistrum *Radulphum Dalemaunt* delatas, intelleximus, & quam bonæ voluntatis & affectus sinceri erga nos existatis, plene perpendimus per easdem, super quo vobis quantum possumus gratiarum referimus actiones. Paternitatem vestram corditer deprecantes, quatinus claris Clericis nostris Magistris *Bertrando del Got* **Domini Papæ Capellano**, & præscripto *Radulpho* **super statu nostro, nostrorum negotiorum** velitis fidem credulam adhibere. Dat. apud *Lammas* in *Anglesey* 23 die *Aprilis*, Anno regni nostri 23.

Consimiles literæ diriguntur Cardinalibus subscriptis;

Domino *Petro* Sancti *Eustachii* Diacono Cardinali.
Domino *Petro* titulo Sancti *Marcii* Presbytero Cardinali.
Domino *Gerardo Sabinen.* Episcopo.
Domino *Beraldo* Episcopo *Albanensi.*

Domino

Domino *Johanni* titulo Sancti *Vitalis* Presbytero Cardinali, & Sanctæ *Romanæ* Eccleſiæ Vicecancellar. *An.* 23 *E.* I.

Domino *Petro* Archiepiſcopo *Montis Regal.*

Magiſtro *Matheo* de *Neapoli* Domini Papæ, &c. mutata *amicitia* pro *paternitate*, &c.

Memorandum, quod prædicti Magiſtri *Bertrandus del Got*, & *Radulphus Dalcmaunt* à Rege apud *Aberconewey* **licentiati, verſus Curiam Romanam diverterunt**, ſecum deferentes literas iſtas uſque *Ceſtr.* ad Cancellar. **ſigillandas**; quas ſigillatas receperunt per manus Domini Magiſtri *Radulphi*, una cum uno pari literarum ſcriptarum in *Gallico*, & Regi *Siciliæ* per Regem *Angliæ* per eoſdem tranſmiſſarum. Cujus literæ tranſcriptum irrotulatum eſt in Garderoba Regis, & non hic. His Letters to the Pope were theſe following.

SAnctiſſimo in Chriſto Patri Domino *B.* divina providentia Sacroſanctæ *Romanæ* & Univerſalis Eccleſiæ Summo Pontifici, *Edwardus* ejuſdem gratia, &c. devota pedum oſcula beatorum. **De benignitatis Apoſtolicæ habundantia plenam fiduciam obtinentes**, eidem inter devotos noſtros illos recommendando præferimus, **quos ex cauſa multiplici favore proſequimur pleniori.** Hinc eſt quod *Bonifacium de Saluciis* conſanguineum noſtrum chariſſimum latorem præſentium, **ſub ſpe gratiæ Apoſtolicæ impetrandæ ad veſtræ Sanctitatis præſentiam accedentem almæ paternitati veſtræ plenis affectibus commendamus**; **intentis precibus ſuppli**cantes, quatinus negotium prædictum ad exauditionis gratiam, ſi placet, taliter admittere dignemini **noſtri intuitu et favore**, quod hanc noſtram inſtantiam in his quæ juſtè depoſtulat ſibi ſentiat fructuoſam. Dat. apud *Lammas* in *Angleſ.* 23 die *Aprilis*, Anno Domini 1295. regni vero noſtri 23. Clauſ. 23 E. 1. m. 1. dorſo. Pro Bonifacio de Saluciis.

Per ipſum Regem.

VEnerabili in Chriſto Patri Domino *M.* Dei gratia Sanctæ *Mariæ* in *Portica* Diacono Cardinali, *Edwardus* eadem gratia Rex *Angliæ*, &c. ſalutem cum dilectione ſincera. *Bonifacium de Saluciis* Clericum, conſanguineum noſtrum chariſſimum, ad Curiam *Romanam* accedentem, quem ex cauſa multiplici favore proſequimur ſpeciali, Paternitati veſtræ affectione pleniſſima commendamus, **ex corde rogantes**, quatinus eidem in his quæ in Curia prædicta de gratia Apoſtolica, ſub mediationis noſtræ fiducia imploranda duxerit & laudabiliter proſequenda, **favoris veſtri præſidium impertiri dignemini** hujus intuitu precis noſtræ, pro quo vobis uberius ad gratias alligemur. Dat. ut ſupra prox. Ibidem.

Conſimiles literæ diriguntur *G. Sabinen. B. Albanen. M. Portuen.* & Sanctæ *Ruffinæ* Epiſcopis, Dominis *A.* Sanctæ *Mariæ* in via lata, *Petro* Sancti *Euſtachii* Diacon. Cardinal. de verbo ad verbum, mutatis tamen mutandis. Dat. ut ſupra: Who all expected particular rewards (as well as Letters) for their favours, from the King and his Clerks.

DOmino Papæ, (*ut ſupra per Regem.*) Inter domeſticos & familiares noſtros nobis devotione deditos illos, **in antipicendis honoribus et commodis præterimus, et non immerito proſequimur favore Regio pleniori, quos mores et virtutum merita recommendant**; quique nobis jure ſanguinis ſunt aſtricti. Hinc eſt quod carum conſanguineum noſtrum *P. de Sabaudia* Clericum, Sanctitati veſtræ ſpecialiter commendamus, affectuoſis precibus ſupplicantes, **quatenus cum ejuſdem patruo ardenter inſideat votis noſtris, cum ipſo noſtri conſideratione gratioſe dignemini diſpenſare, ut præter beneficia Eccleſiaſtica quæ obtinet in præſenti, alia beneficia ſi ſibi canonice offerantur, recipere poſſit uſque ad æſtimationem Mille Librarum juxta taxationem *Norwicen.* et cum obtentis licite retinere.** Conſervet, &c. Dat. apud *Lammas* in *Angleſ.* 23 die *Aprilis*, Anno regni noſtri 23. Ibidem. Pro Petro de Sabaudia.

Per ipſum Regem.

Whence we may obſerve; 1. The inſatiable covetouſneſs of this Pluraliſt and Foreigner, to accumulate more Benefices to thoſe he had before, to the value of 1000 *l.* a year; and his pains in travelling to *Rome* to purchaſe a Diſpenſation for

An. 23 *E.* 1. that end, inſtead of feeding the ſouls before committed to his cure. xiv. The Popes readineſs to diſpenſe with ſuch execrable Pluralities for money and favour, contrary to the manifold Canons, Conſtitutions, Decrees made againſt this inveterate miſchief.

Clauſ. 23 E. 1. m. 10. dorſo. VEnerabili in Chriſto Patri, &c. Domino *G.* Dei gratia *Sabinen.* Epiſcopo, *Edwardus* eadem gratia Rex *Angliæ*, &c. ſalutem cum dilectione ſincera. Inter domeſticos, &c. (*ut ſupra, uſque aſtricti.*) Cum igitur Domino Summo Pontifici pro charo conſanguineo noſtro *P. de Sabaudia* Clerico, cujus promotionem ardenti deſiderio affectamus, noſtras dirigamus literas rogativas, ut cum eodem noſtri conſideratione, &c. (*ut ſupra, uſque retinere.*) Paternitatem veſtram affectuoſè requirimus & rogamus, quatinus ad dictum negotium erga dictum Dominum Summum Pontificem ſœliciter promovendum, **ſic efficaciter velitis interponere partes veſtras, quod proinde veſtris beneplacitis et honoribus, veſtrorumque commodis in his quæ Regiæ poteſtatis exiſtunt, gratanti animo futuris temporibus fortius aſtringamur.** Dat. apud *Lammas* in *Angleſ.* 23 die *Aprilis*, Anno regni noſtri 23.

Conſimiles literæ diriguntur de verbo ad verbum, mutatis tamen mutandis, Domino *B. Albanenſi* Epiſcopo, & *J.* Sanctæ *Mariæ* in via lata Diacono Cardinali. Teſte ut prox. ſupra.

The Popes and Cardinals Diſpenſations granted to theſe covetous ambitious Pluraliſts, upon the Kings Letters to them on their behalfs, was a principal cauſe of their encroachments upon the Kings Crown, Rights and Prerogative by their Proviſions, and promoting their Nephews, Kinred to many Deaneries, Prebendaries, Benefices, Penſions in *England*, almoſt to the ruine of our Church, Religion, and great prejudice of the Realm.

The King likewiſe ſent theſe Letters to the Pope and ſeveral Cardinals, on behalf of the Biſhop elect of *Leodium*, whoſe election (it ſeems) was queſtioned in the Court of *Rome*.

Clauſ. 23 E. 1. m. 10. dorſo. Pro W. Præpoſito Lovanien. SAnctiſſimo in Chriſto Patri Domino *B.* &c. (*ut ſupra.*) Regiam condecet Majeſtatem illos favore proſequi gratioſè quos literarum ſcientia, **et alia clara virtutum merita laudabiliter recommendant.** Hinc eſt quod pro venerabili viro *W.* Præpoſito *Lovanien.* **in Epiſcopum *Leodien.*** Electo, quem morum probitas & literalis ſcientiæ eminentiæ condecorant, Sanctitati veſtræ humiliter ſupplicamus, **quatinus eidem Electo in negotio electionis ejuſdem ſic vos noſtrorum interventu præcaminum exhibere dignemini gratioſos, favorabiles et benignos**, quod noſtra ſibi ſentiat rogamina fructuoſa. Conſervet vos Altiſſimus, &c. Teſte Rege apud *Lammas* in *Angleſ.* 28 die *Aprilis.*

Ibidem. VEnerabili in Chriſto Patri Domino *M.* Dei gratia Sanctæ *Mariæ* in *Portica* Diacono Cardinali, ſalutem & ſinceræ dilectionis affectum. Venerabilem virum *W.* Præpoſitum *Lovanien.* **in Epiſcopum *Leodien.*** Electum, quem literarum ſcientia & alia clara virtutum merita recommendant, Paternitati veſtræ pleno recommendamus affectu; inſtantius ſupplicantes, quatinus ſic ſibi noſtræ recommendationis hujuſmodi preces proſint quod eas ſentiat in effectu. Dat. ut ſupra.

Conſimiles literæ de verbo ad verbum diriguntur Dominis *G. Sabinen.* Epiſcopo, *P. Albanen.* Epiſcopo, *M. Portuen.* & Sanctæ *Ruffinæ* Epiſcopo, Domino *J.* Sanctæ *Mariæ* in via lata Diacono Cardinali, Domino *P.* Sancti *Euſtachii* Diacono Cardinali, &c. ut ſupra. Dat. ut ſupra.

The King iſſued this Writ to all Collectors of the Subſidie granted him by the Clergy, not to levy it of any Clergyman whoſe Benefice exceeded not the value of Ten Marks, unleſs he had more Livings then one, according to their grant.

Clauſ. 23 E. 1. m. 7 dorſo De beneficiis decem Marc. non taxandis. REX Collectoribus ſubſidii nobis à Clero in Dioceſi *London.* conceſſi, ſalutem. Cum in conceſſione ſubſidii prædicti conceſſerimus Clero prædicto, **quod de Beneficiis quæ valorem decem Marcarum annuarum attingerent, et valorem illam**

illam non excederent, ſubſidium illud nullatenus lebaretur, nec nobis ſolberetur, dum tamen hujuſmodi beneficia optinentes plura beneficia Eccleſiaſtica non haberent. Nos dictam conceſſionem noſtram obſervari volentes; Vobis mandamus, quod ab illis qui hujuſmodi beneficia valorem decem marcarum non excedentia, licet ſummam illam attingant, optinent in Diocœſi prædicta, dum tamen alibi non fuerint beneficiati, nihil ratione Subſidii prædicti exigatis, nec aliquid inde levatis contra formam conceſſionis prædictæ: Et hoc pro aliquo brevi de Scaccario vobis inde directo nullatenus omittatis. Teſte Rege apud *Weſtmonaſterium* 23. die *Auguſti*. *An.* 23 *E.* 1.

Eodem modo mandatum eſt univerſis Collectoribus ejuſdem Subſidii per *Angliam*, &c. conſtitutis, &c.

David Martyn, Biſhop elect of St. *Davids*, being queſtioned before the Pope concerning his election, the King ſent him this Royal Teſtimonial of his life, converſation, parentage, and loyalty of him and his anceſtors, entreating his favour on his behalf.

SAnctiſſimo Patri in Chriſto *B.* Divina Providentia Sacroſanctæ *Romanæ* ac univerſalis Eccleſiæ Summo Pontifici, *Edwardus*, &c. devota pedum oſcula beatorum. Ne perſonam vel ſtatum dilecti nobis in Chriſto Magiſtri *David Martini Menevenſis* Electi pro negotio Electionis ſuæ apud Sedem Apoſtolicam conſtituti penes dominationem veſtram obtenebraverit alicujus ſiniſtra ſuggeſtio, ad ſerenationem veſtræ Conſcientiæ in hac parte veſtræ cupimus innoteſcere Sanctitati, quod prædictus Electus, qui de nobili proſapia duxit originem, ſemper fuit ut veraciter datum eſt nobis intelligi, bonæ converſationis & vitæ, cujus progenitores hucuſque progenitoribus noſtris & nobis laudabiliter ſervierunt, & erga nos fideliter ſe geſſerunt. Nos igitur præfatum Electum favore benivolo proſequentes, veſtræ Clementiæ ſupplicamus inſtanter, quatenus eundem Electum in negotiis ſuis hujuſmodi noſtri contemplatione rogatus habere dignemini favorabiliter commendatum. Conſervet vos Dominus ad regimen Eccleſiæ ſuæ Sanctæ per tempora proſpera & longæva. Dat. apud *Wiſtm.* 16 die *Auguſti*. Cl. 23 E. 1. m. 7 dorſo. Pro Electo Menevenſi.

The King likewiſe ſent this Letter to Pope *Boniface*, on behalf of the Nunnes of St. *Clare* in *England*.

SAnctiſſimo in Chriſto patri, Domino *B.* Divina providencia ſacroſanctæ *Romanæ* ac univerſalis Eccleſiæ ſummo Pontifici; *Edwardus* eadem gratia Rex *Angl.* devota pedum oſcula beatorum. In Regno noſtro novella ſuccreſcit Religio, videlicet ordo Sororum ſanctæ *Claræ*, unde noſter inducitur & excitatur affectus, ut ordinem ipſum in quo virtutum domino piæ vitæ ſtudio conſpicimus deſerviri, favore benivolo proſequamur. Hinc eſt quod Sanctitati veſtræ humiliter ſupplicamus, quatinus divinæ pietatis intuitu, noſtrorumque precaminum interventu; ſic in hiis quæ ſtatus prædictarum Sororum quietem & conſolacionem reſpiciunt, necnon & Ordinis munimentum, vos eis in ſuis peticionibus exhibere dignemini gracioſos, favorabiles & benignos, quòd noſtra ſibi ſenciant rogamina fructuoſa. Conſervet vos Altiſſimus Eccleſiæ ſuæ ſanctæ per tempora longiora. Dat. apud *Abercenwey*, 14 die *Martii*, Anno Domini M. CC. nonogeſimo quarto.

Per literam de privato Sigillo. Cl. 23. E. 1. m. 10. dorſo. De recommendatione pro ſororibus ordinis ſanctæ Claræ.

The Biſhop of *Landaff*, being promoted thereunto by the Archbiſhop of *Canterbury* by * vertue of the Popes proviſion, to which the King condeſcended at laſt, he received his Fealty, and thereupon iſſued thoſe Writs to reſtore his Temporalties, which the Earl of *Gloceſter* detained from him notwithſtanding the Kings Writs.

* See here, p. 575, 576, 577. Pat. 23 E. 1. m. 15. De Temporalibus Epiſcopatus Landaven. reſtitutis.

REX dilecto Clerico ſuo *Malcolmo de Harley*, Eſcaet. ſuo citra *Trentam* ſalutem. Cum venerabilis pater *R. Cant.* Archiepiſcopus, totius *Angliæ* Primas, Cathedrali Eccleſiæ *Landavenſi* de venerabili viro Magiſtro *Johanne de Monemuth* prædicto providerit, et ipſum in ejuſdem loci præfecerit Epiſcopum et paſtorem, ſicut per literas ejuſdem Archiepiſcopi patentes Regi conſtat. Nos hujuſmodi proviſionem et præfectionem

An. 23 *E.* 1. ſectionem acceptans, cepit fidelitatem ipſius Magiſtri *Johannis*, & temporalia Epiſcopatus prædict, prout moris eſt, reſtituit eidem. Et ideo mandatum eſt præfato *Malculmo*, quod eidem Magiſtro *Johanni* Temporalia Epiſcopatus prædicti liberet, ſicut prædictum eſt. Teſte Rege apud *Aberconewey* 4. die *April.*

Rex Militibus, &c. de Epiſcopatu *Landaven.* &c. In cujus rei, &c. Teſte ut ſupra.

Clauſ 23 E 1. m. 6 dorſo. & Pat 23 E. 1. m 15. De Temporalibus Epiſcopatus Landaven. reſtituend.

REX dilecto & fideli ſuo *Gilberto de Clare* Com. *Glouc.* & *Hertf.* ſalutem. Cum nuper verſus vos erigeremus et vendicaremus Advocationem et Cuſtodiam Epiſcopatus *Landavenſis* cum pertinentiis, una cum Collationibus præbendarum et dignitatum Epiſcopatus prædicti tempore vacationis ejuſdem; Ac vos poſtmodum id quod ad vos pertinuit de advocatione et cuſtodia, & collationibus prædictis nobis reddideritis per veſtras patentes Literas, ut jus noſtrum. Nos qui poſtmodum vobis ac chariſſimæ filiæ noſtræ *Johannæ* Conſorti veſtræ conceſſimus cuſtodiam Epiſcopatus prædicti, necnon omnium terrarum & tenement. ad Epiſcopatum illum in dominio & feodo veſtro exiſtentium. Habendam vobis & eidem filiæ noſtræ ad totam vitam veſtram tempore vacationis prædictæ, ſalva nobis fidelitate Electi, quem in ejuſdem loci Epiſcopum contigeret confirmari, prout in literis noſtris patentibus vobis et dictæ Conſorti veſtræ inde confectis plenius continetur. Cumque venerabilis Pater *R. Cantuar.* Archiepiſcopus prædictæ Eccleſiæ *Landavenſi* de venerabili viro Magiſtro *Johanne de Monemuth* authoritate Apoſtolica præbiderit, et ipſum in ejuſdem loci præfecerit Epiſcopum et Paſtorem, ſicut per literas patentes ejuſdem Archiepiſcopi nobis indè directas, nobis conſtat; per quod recepimus fidelitatem ipſius Magiſtri, et Temporalia Epiſcopatus prædict. in manu noſtra exiſtentia, prout moris eſt, reſtituimus eidem; & vobis mandavimus, quod Temporalia Epiſcopatus prædicti in manu veſtra, infra dominium & feodum veſtrum ex conceſſione noſtra exiſtentia, ſicut prædictum eſt, eidem Magiſtro *Johanni* ſine dilatione liberaretis, quod ad mandatum noſtrum hactenus facere diſtuliſtis, ſicut idem Electus nobis ſuggeſſit, de quo non modicum miramur, præſertim cum poſtquam fidelitatem ſuam ceperimus, & Temporalia illius Epiſcopatus ſibi reſtituerimus, ut eſt dictum, nichil in Temporalibus prædictis rationæ conceſſionis noſtræ prædictæ, ultra mandatum noſtrum prædictum quod inde recepiſtis, vendicare poſſitis quomodolibet, vel habere. Vobis iterato mandamus firmiter injungentes, quod Temporalia Epiſcopatus prædicti in manu veſtra ex conceſſione noſtra in forma prædicta exiſtentia, præfato Magiſtro *Johanni*, prout alias vobis mandavimus, ſine ulteriori dilatione reſtituatis. Taliter vos habentes in hac parte, ne in defectum veſtri manum ad hoc aliter apponere debeamus. Teſte Rege apud *Weſtm.* 24 die *Auguſti.*

Ibidem.

Cum Electus *Landavenſis* Domino Regi ſæpius ſupplicaverat, quod ſeiſinam terrarum & tenementorum quæ ſunt temporalitate Epiſcopatus prædicti ſibi reddere faceret, et quo fidelitatem ſuam ceperat. Et Dominus Rex ſuper hoc * *Gilberto de Clare* Comiti *Glouc.* & *Hertford.* cui & *Johannæ* uxori ſuæ filiæ ipſius Domini Regis Cuſtodiam prædicti Epiſcopatus tempore vacationis ejuſdem conceſſit ad terminum vitæ eorundem Comitis & *Johannæ*, tam viva voce injunxerant, quàm per literas ſuas eidem poſtea mandaverat, quod ſeiſinam prædictarum terrarum & tenementorum cum pertin. eidem Electo redderet, tandem coram ipſo Domino Rege in Conſilio ſuo apud *Weſtm.* in Craſtino decollationis Sancti *Johannis Baptiſtæ.* Anno Regni ipſius Domini Regis viceſimo tertio, præfatus Comes audito ſcripto ſuo, per quod præfato Domino Regi id quod habuit in advocatione & Cuſtodia prædicti Epiſcopatus tempore vacationis ejuſdem reddidit jus ſuum, & etiam audito tenore ſcripti, per quod idem Dominus Rex poſtea de gratia ſua ſpeciali conceſſit prædictis Comiti & *Johannæ*, advocationem & Cuſtodiam prædicti Epiſcopatus ad totam vitam utriuſque ipſorum Comitis & *Johannæ.* Habend. & tenend. de ipſo Rege & hæred. ſuis; ita quod poſt deceſſum eorundem Comitis & *Johannæ* imperpetuum, & ſalva ipſo Domino Regi & hæredibus ſuis in ſingulis vacationibus prædicti Epiſcopatus fidelitate ipſius quem in Epiſcopum ejuſdem loci contigerit confirmari, prout in prædicto ſcripto ipſius Regis eiſdem Comiti & *Johannæ* inde confecta plenius continetur, conceſſit, quod ſeiſinam terrarum & ten. quæ ſunt Temporalitatis prædicti

* See here, p 412, 413, 414, 415.

prædicti Epiſcopatus, & quæ in cuſtodia ſua tuerunt per concellionem Domini Regis, prædictam plenariè & integrè prædicto Electo redder, et habere faciat ad mandatum ipſius Domini Regis. *An.* 23 E. 1.

The King having retained the Temporalties of the Archbiſhoprick of *Canterbury* in his hand about two years or more after his Conſecration at *Rome*, taking all the profits, and preſenting to all the livings and benefices that belonged thereto, at laſt iſſued this Writ for their reſtitution.

REX dilectis & fidelibus ſuis, *Radulpho de Berners* & *David le Grant*, ſalutem. Cum Dominus *Cæl.* ſummus Pontifex electionem nuper celebratam in Eccleſia Chriſti *Cant.* de Magiſtro *Roberto de Winchelſeye*, Archidiacono *Eſſex.* in Archiepiſcopum Eccleſiæ prædictæ, cui prius regium aſſenſum adhibuimus et favorem confirmaverit, ſicut per litteras bullatas ejuſdem ſummi Pontificis nobis inde directas nobis conſtat; nos confirmacionem illam acceptantes, recepimus fidelitatem ipſius Electi, et temporalia Archiepiſcopatus prædicti, prout moris eſt, reſtituimus eidem. Et ideo vobis mandamus, *&c.* Teſte Rege apud *Aberconewey*, 4 die *Febr.* *Per literas de privato Sigillo.* Pat. 23. E. 1. memb. 16 De temporalibus Cantuar. reſtituendis.

Et mandatum eſt Militibus, *&c.* In cujus, *&c.* T. ut ſupra. *Per literas de privato Sigillo.*

The King this year granted this ſpecial licenſe and ſafe conduct to ſome Freers Minors to paſs beyond the ſeas to their general Chapter at Aſſizes.

REX omnibus amicis & fidelibus ſuis ad quos, *&c.* ſalutem. Cum dilectus nobis in Chriſto & fidelis noſter frater *Willielmus de Geynesburgh* de ordine Minorum, una cum fratre *Johanne de Wilton*, ejuſdem Ordinis ſocio ſuo, ad generale Capitulum ſuum apud Aſſiſium proxime congregandum, ſit de noſtra licencia proſecturus; vos rogamus, quatinus præfato fratri *Willielmo*, una cum ſocio ſuo prædicto, familia & rebus ſuis in eundo per partes veſtras ad Capitulum ſuum prædictum, ibidem morando & inde redeundo, non inferatis, vel quantum in vobis eſt, inferri permittatis injuriam, moleſtiam, dampnum, impedimentum aliquod ſeu gravamen, ſed potius eidem fratri *Willielmo*, cum ſic per partes veſtras tranſitum fecerit, ſalvum & ſecurum conductum habere faciatis, quociens ab ipſo ſuper hoc ex parte noſtra fueritis requiſiti. In cujus, *&c.* uſque ad feſtum ſanctæ *Michaelis* proximo futuro duraturas. Teſte Rege apud *Aberconewey*, primo die *Marcii.* *Per literam de privato Sigillo.* Par. 23. E. 1. memb. 16. De conduct. pro fratre Willielmo de Geinsburgh.

The Dean of the Iſle of *Gerneſey* complaining that *Henry de Cobham*, Guardian of the Iſle, did hinder him from exerciſing ſome things belonging to his Juriſdiction, the King thereupon iſſued this Writ on his behalf, ſo as he acted nothing to the prejudice of his Regal dignity.

REX eidem Cuſtodi, ſalutem. Quia accepimus quod Decanus Inſulæ noſtræ de *Gerereye* prædictæ, ſuper aliquibus quæ ſpectant ad juriſdictionem ſuam in eadem inſula per vos hactenus extitit impeditus, quominus eam exercere potuit vel debeat: nolentes eidem Decano injuriari in hac parte, vobis mandamus, quod ipſum Decanum juriſdictione ſua pacifice uti permittatis, prout ea uti debet, et hactenus uti conſuevit. Ita tamen quod nichil exerceat in præjudicium noſtræ Regiæ dignitatis. Moſque ſuper cauſa impedimenti prædicti per vos eidem Decano ſic illati in proximo Parliamento noſtro ſub ſigillo veſtro diſtincte et aperte reddatis certiores. Teſte Rege, 26 *Aug.* Anno prædicto. Cl. 23. E. 1. m. 6. Cedul. 1.

The King alſo granted this Preſentation to St. *Martins* Church in *Gereſey* this year, by reaſon of the Temporalties of an Abbey then in his hands.

G *Alfridus de Cartereto* Clericus habet literas Regis de præſentacione ad Eccleſiam Sancti *Martini* veteris in Inſula *Gereſeye* vacantem, & ad donationem Regis ſpectantem, ratione terrarum & ten. Abbatis de *Ciriſeo* in Inſula de *Gereſio* & *Gernef.* in Pat. 23. E. 1. memb. 15. De præſentacione.

An. 23 *E.* 1. in manu Regis exiſtencium, & diriguntur literæ Regis Epiſcopo *Conſtancien.* vel ejus vices gerenti in Inſulis prædictis. Teſte Rege apud *Lammas*, 16 die *Aprilis*.

* Pat. 23. E. 1. memb. 13.

John de Saundford Archbiſhop of *Dublin* deceaſing this year, thereupon; * *Frater* Adam de Balſham *Canonicus Eccleſiæ ſanctæ* Trinitatis Dublin. & Thomas de Snyteresby *Canonicus ſancti* Patricii Dublin. *nunciantes Regi mortem bonæ memoriæ* J. *nuper Archiepiſcopi* Dublin. *habent literas Regis* de licentia eligendi; *& diriguntur literæ Priori & Conventui ſanctæ* Trinitatis, *& Decano & Capitulo ſancti* Patricii Dublin, *&c. Teſte Rege apud* Thlegh. *in* Keynmer, 20 die *Decembris*.

Per literas de privato Sigillo.

Hereupon the Prior and Convent of St. *Trinity* and Dean and Chapter of St. *Patrick* in *Dublin*, proceeding to elect an Archbiſhop before they received the Kings licenſe, though iſſued to them, the King thereupon enforced them to take a new licenſe, and make a new election; as this Writ and *Memorandum* aſſures us.

Pat. 23. E. 1. mem. 13. De aſſenſu adhibito electioni.

REX dilectis ſibi in Chriſto, Priori & Conventui ſanctæ *Trinitatis*, & Decano & Capitulo ſancti *Patricii Dublin.* ſalutem. Accedentes ad nos frater *Richardus de Staunford* Canonicus ſanctæ *Trinitatis Dublinen.* & Magiſter *Henricus de Rathennn* Canonicus ſancti *Patricii Dublin.* cum literis patentibus Capitulorum veſtrorum, nobis ex parte veſtra humiliter ſupplicarunt; quod cum Eccleſia *Dublin.* per mortem bonæ memoriæ *J.* nuper Archiepiſcopi, juſdem loci paſtoris ſit ſolacio deſtituta, alium vobis eligendi in Archiepiſcopum et paſtorem licenciam concederet dignaremur. Nos igitur precibus veſtris in hac parte favorabiliter inclinati, licenciam illam vobis duximus concedendam; Mandantes, *&c.* In cujus, *&c.* Teſte Rege apud *Aberconwey*, 24 die *Marcii*.

Memorandum, *quod priùs habuerunt licenciam eligendi ad ſupplicationem fratris* Ade *de* Balſham *Canonici ſanctæ* Trinitatis, *&* Th. de Snyterby, *Canonici ſancti* Patricii Dublin. *qui ad Regem acceſſerunt*; *et quia in adventu* Magiſtri Th. de Chadworth *electi ſui ad Regem*, *compertum fuit*, *quod* Canonici *proceſſerunt ad electionem priuſquam habuerunt literam Regis de licencia eligendi*, *remiſſi ſunt ad partes ſuas cum iſta nova litera licentiæ ad iterato eligendum*; *& pro habenda iſta litera detulerunt ſupranominati in litera ad Cancellarium*, *breve Regis de privato Sigillo*, *quod reſidet in filaciis.*

After this, the Prior and Covent of St. *Trinity*, and Chapter of St. *Patrick* unanimouſly elected *Thomas de Chaddeſworth* Dean of St. *Patrick* for their Archbiſhop, as this their common Certificate thereof to the King, and petition for his Royal aſſent thereto under their ſeals atteſts.

Bundelæ Petic. & Certif. in Turre London. Anno 23. E. 1.

EXcellentiſſimo Domino ac Principi, victorioſiſſimo Domino ſuo (ſi placet) Domino, *Edwardo* Dei gratia *Anglorum* illuſtri, *&c.* ſui (ſi placet) ſemper ubique humiles & devoti, frater *Johannes de Oxon.* Prior S. *Trinitatis Dublin.* & ejuſdem loci Conventus humilis, & Capitulum Eccleſiæ S. *Patricii* ejuſdem civitatis, ſalutem, & robore accingi fortitudinis & virtutis. Eccleſia noſtra dudum per mortem fælicis recordationis *Johannis de Saundford* quondam Archiepiſcopi *Dublinenſis*, Paſtoris ſolatio deſtituta, optentaque a Regia veſtra Celſitudine (ſicut moris et conſuetudinis eſt approbatæ) licentia nobis eligendi, Patrem & Paſtorem, nos die ad eligendum præfixa, poſt debitas ſolemnitates adhibitas, in Capitulo noſtro S. *Trinitatis* convenimus, ibique divina inſpirante gratia, unanimi aſſenſu voluntate et concordia omnium Canonicorum tunc præſentium, Regiæ veſtræ Majeſtati (ut tenemur) merito complacentes, *Thomam de Cheddeworth*, Eccleſiæ S. *Patricii* Decanum, virum utique meritis præclarum, prudenti probitate circumſpectum, vitæ, morum honeſtate, ac convenienti literarum ſcientia affluentem, Regno veſtro neceſſarium et peritum, nobis elegimus in Patrem et Paſtorem. Quapropter veſtræ Regiæ Celſitudini humiliter ſupplicamus, quatinus electioni noſtræ memoratæ aſſenſum Regium, prout moris eſt, ſi placet, præbere dignemini. Faventes inſuper electo noſtro præfato benignius in his quæ ſibi ſunt ſuæ neceſſaria ad conſummationem ſuæ promotionis videbuntur, ſicut ipſe et ſui veſtræ Celſitudini luculentius explicabunt. Dominus

vos

vos conſerver, *&c.* Dat. in Capitulo S. *Trinitatis* prædictæ, 4. Kal. *Maii.* Anno Domini 1295. *An.* 23 *E.* 1.

Hereupon the King gave his Royal aſſent thereto, which he certified to the Pope by this Writ.

SAnctiſſimo in Chriſto patri, Domino *B.* Divina providencia ſacroſanctæ *Romanæ* ac univerſalis Eccleſiæ ſummo Pontifici, *Edwardus* ejuſdem gratia Rex *Angliæ*, Dominus *Hibern.* & Dux *Aquitan.* cum omni reverencia et honore devota pedum oscula beatorum, ſciat veſtra paternitas reverenda, quod electioni nuper celebratæ in Eccleſia Conventuali ſanctæ *Trinitatis Dublin.* de diſcreto viro, Magiſtro *Thoma de Cheddeworth*, Decano Eccleſiæ ſancti *Patricii* ejuſdem civitatis in Archiep. *Dublin.* regium aſſenſum adhibuimus et favorem, et hoc Sanctitati veſtræ, &c. Pat. 23. E. 1. memb. 19. De licencia eligendi.

Upon the death of the Biſhop of *Derey* in *Ireland*, the King iſſued this Writ for a new Election, confirmation and reſtitution of Temporalties to him who ſhould be elected and confirmed by his Chief Juſtice there in his name, by his Royal authority.

REX dilecto & fideli ſuo *Willielmo de Oddingeſeles* Juſtic. ſuo *Hibern.* vel ejus locum tenenti, ſalutem. Cum dilecti nobis in Chriſto, *Petrus* Decanus Eccleſiæ *Deren.* & ejuſdem loci Capitulum nobis nuper per literas ſuas patentes ſupplicaverint, quod cum Eccleſia ſua prædicta per mortem bonæ memoriæ *Florencii* quondam Epiſcopi ejuſdem loci, paſtoris ſolacio eſſet deſtituta, licenciam alium eligendi ſibi in Epiſcopum et paſtorem eis concedere dignaremur: Ac nos precibus ipſorum Decani & Capituli in hac parte favorabiliter inclinati, licenciam illam eis duxerimus concedendam, mandantes ipſis quod talem, *&c.* & ipſi poſtmodum religioſum virum fratrem *Henricum de Ardach* Monachum *Ciſtercienſis* ordinis in poſtuland. elegerint in Epiſcopum ſuum & paſtorem, per literas ſuas patentes nobis ſupplicantes, ut eidem electioni regium aſſenſum præbere dignaremur; Nos licet literas illas in quibuſdam ſenſimus defectivas, eiſdem nichilominus Decano et Capitulo, ac etiam Electo caritatis intuitu gratiam facere, et laboribus et expenſis ipſorum in hac parte parcere volentes, conceſſimus eis iſta vice de gratia noſtra ſpeciali, et vobis dedimus poteſtatem, quod, *&c.* temporalia Epiſcopatus prædicti eidem Electo, prout moris eſt, liberetis, *&c.* acceptis tamen prius literis, *&c.* In cujus, *&c.* Teſte Rege apud *Aberconewey*, tercio die *Marcii*. Pat. 23. E. 1. memb. 16. Pro Deren. de temporalibus reſtituendis.

Per literam de privato Sigillo.

This year *Oliver* Biſhop of *Lincolne* made two certificates to the King of a Lay force held in Churches within his Dioceſſe, which hindred him from exerciſing his Spiritual function on them, deſiring the King to remove them by his Writs, *De vi Laica removenda.*

EXcellentiſſimo *Domino ſuo* Edwardo *Dei gratia Illuſtri Regi* Angliæ, *Domino* Hiberniæ, *& Duci* Aquitaniæ; Oliverus *ejuſdem permiſſione* Lincoln. *Epiſcopus, ſalutem in eo per quem Reges regnant, et regnorum omnium gubernacula ſuſtentantur. Cum nonnulli viri Laici Eccleſias de* Scamelesby *& de* Melton *noſtræ Dioceſ. temerè ſint ingreſſi*, quas vi et armis occupatas nequiter detinent, quo minus Officium noſtrum ſpirituale exercere valeamus in eis; Excellentiam veſtram attentius exoramus, quatinus hujuſmodi vim laicam et temerariam, ob reverentiam Sacroſanctæ Eccleſiæ, facere velitis penitus amoveri. *Valeat Regia Excellentia veſtra in Chriſto Jeſu per tempora diuturna. Dat. apud* Ware, *ſexto Idus* Octobris *Anno M. CC. Nonag. quinto.* Ex Bundela Petic. & Certif. de Anno 23 E. 1. in Turre London.

The like Petition was made by him to remove a Lay-force out of the Pariſh Church *de* Magna Cotes *in dicta Dioc. Dat. apud* Huggefeld *juxta* Cantuar. *quinto Non.* Octobr. *Anno ut ſupra.* Whereupon Writs *De vi Laica removenda*, were accordingly iſſued.

The ſame Biſhop likewiſe made this Certificate of a Clerk convict demanded by him,

An. 23 *E.* 1. him, and afterwards canonically purged before his *Official*, desiring restitution of his lands, goods, and chattels seised into the Kings hands, in this form, then used in such cases.

In eadem Bundela.

Excellentissimo Domino suo Domino Edwardo, *Dei gratia Illustri Regi* Angliæ, &c. Oliverus, *&c.* Lincoln. *Episcopus, Dominationis vestræ Celsitudini patefacimus per præsentes, quod* Johannes de Croyndon *Rector Ecclesiæ de* Thorle London. *Dioc. super eo, quod domum* Willielmi Bridde *de* Horle causa peccandi cum uxore ejusdem *vi intravit, ipsamque uxorem cum bonis & catallis dicti* Willielmi *usque ad Civitatem* London. *abduxit, à quibusdam notatus; & ideo captus & infra Diocæsin nostram incarceratus, ac nobis per Dominos,* Henricum Grappinell. & Willielmum de Lamburne, *Excellentiæ vestræ Justiciarios* secundum libertatem Ecclesiasticam liberatus, in foro Ecclesiastico secundum Canonicas sanctiones uno modo vel alio liberè judicandus: *Demum, post plures Proclamationes in omnibus locis huic negotio opportunis solempniter & pupplicè promulgatas,* cum nullus esset qui per viam Accusationis vel alio modo tantum facinus contra ipsum in forma debita prosequi attemptaret, coram certo Commissario super hoc canonice se purgavit; *propter quod dictus Commissarius noster* Officii sui *debitum exequens in hac parte,* eundem Johannem ab infamia Criminis hujusmodi absolvit, et restituit integraliter famæ suæ. *Quocirca Excellentiæ vestræ attentius supplicamus, quatinus Ballivis vestris, qui Terras, Possessiones, & Bona dicti* Johannis *occasione præmissa detinent occupata, dare dignemini in mandatis,* quod hujusmodi Terras, Possessiones et Bona sibi restituant indilate, ac ipsum in se aut suis nullam dicta de causâ inferentes molestiam seu grabamen. *Valeat Regia Excellentia vestra in Christo* Jesu *per tempora diuturna. Dat. apud* Watford, 7. *Kal.* Octobris, *Anno Dom.* 1295.

The like Certificate was made by the Prior of *Christ-Church Canterbury*, Gardian of the Spiritualties of the Archbishoprick during the vacancy, of the purgation of *William de Homersham* Clerk, attainted for stealing two Oxen and a Cow, desiring restitution of their goods and chattels seised.

The Bishop of *Norwich* likewise made this Certificate of a *major Excommunication* denounced by him against a parson of a Church within his Dioceſse, procuring a *Capias Excommunicatum* thereon.

In eadem Bundela.

Excellentissimo Principi ac Domino, Domino Edwardo *Dei gratia Regi* Angliæ *Illustri, Domino* Hiberniæ, *& Duci* Aquitaniæ, R. *ejusdem permissione* Norwicen. *Ecclesiæ Minister, salutem in eo* per quem Reges regnant, et Principes dominantur. *Cum* Withelmus de Berdewell *Rector Ecclesiæ de* Merton *nostræ Diocæs. auctoritate nostra Ordinaria,* propter suam contumaciam multiplicatam pariter et offensam manifestam, majoris Excommunicationis sententia fit innodatus, *& in eadem per Quinquaginta dies & amplius perseveraverit, & adhuc perseverare non formidat, (animo indurato)* Clabes sanctæ matris Ecclesiæ pertinaciter contempnendo, et gregem Dominicum nequiter contaminando; ac Ecclesia Dei nil habeat ultra quod faciat in hac parte. Celsitudinem vestram Regiam rogamus attente, quatinus dictum Excommunicatum per potestatem brachii secularis compescere dignemini, ut quem Dei timor a malo non revocat, potestatis severitas secularis cohibeat a peccato. *Vigeat & valeat Excellentia vestra per tempora semper prospera & longæva. Dat. apud* Eccles 15 *Kal.* Octob. *Anno ut supra.*

There are several other like Certificates of Purgations, Lay-fortes, and Excommunications that year almost in the self-same form.

In the same Bundle there are these Certificates of Monks turning Apostates and forsaking their orders, desiring Writs of *Apostata capiendo* from the King to apprehend and punish them.

Excellentissimo Principi Domino E. *Dei gratia, &c. suus in omnibus, Frater* Henricus *Prior Provincial. & servus Fratrum Ordinis beatæ* Mariæ *de* Monte Carmeli in Anglia, *salutem in eo qui dat salutem, &c. Cum* Radulphus de Snytterell *nuper frater noster in ordine nostro professus,* spreto habitu Ordinis ejusdem de patria in habitu

habitu ſeculari diſcurrat inſtinctu Diabolico et vagetur, in animæ ſuæ periculum, et ordinis noſtri prædicti ſcandalum manifeſtum; Veſtram Regiam Excellentiam humiliter requirimus et rogamus, *quatenus Vic.* Norff. & Suff. *Ballivis, & aliis Miniſtris veſtris ejuſdem Com. per literas veſtras* jubere velitis, *ut ipſum* Radulphum, *cum in Ballivis ſuis inveniri contigerit,* ſine dilatione arreſtari, et nobis liberari fac. juxta Ordinis noſtri diſciplinam et regulam, prout ſaluti animæ ſuæ dem Radulphi convenit, caſtigandum. *Benè & diu valeat Excellentia veſtra Regia per tempora longiora. Dat.* Londini *Vigil. Sancti* Laur. *Anno Domini* 1295. *An.* 23 *E.* 1.

Conſimilis Petitio Regi præſentatur ab J. *Abbate Sancti* Auguſtini de Briſtol. ad arreſtandum fratrem Johannem Gourda Canonicum dicti Ordinis, in ſeculari habitu Vagabundum, ubicunque inveniatur. *Dat. apud* Briſtoll. *die Sancti* Laurentii, *Anno Dom.* 1295.

By all which Certificates and Petitions to the King (whereof there are ſeveral Bundles in the Tower under Archbiſhops, Biſhops, Ordinaries, Abbots, and others ſeals, as likewiſe of Archbiſhops, Biſhops, Abbots, Priors, Abbeſſes deaths, deſiring his licenſes to elect new ones, and his Royal aſſent to thoſe they certified they had elected by his licenſe and authority, during the reigns of K. *H.* the 3. & *Edw.* the 1.) it is apparent, That the King was Supreme Governor within his Dominions over all Eccleſiaſtical perſons, cauſes, to whom Biſhops, Ordinaries, Abbots, Deans, Chapters, Officials, Covents, and Clergymen of all ſorts had recourſe upon all occaſions, to redreſſe, correct thoſe grievances, abuſes, exorbitances in the Church by his Soveraign Royal authority, which they by their Eccleſiaſtical ſwords, cenſures, juriſdictions could not reform, which were altogether invalid and ineffectual when contemned by any refractory perſons, as frequently they were.

* *Matthew Weſtminſter,* Anno 1295. ſtories, That after the execution of *Thomas Turbervil,* (that Archtraytor to his King and Country) *in vigilia S.* Andreæ, Rex *accerſito Clero, Magnatibus & populo apud* Weſtmonaſterium, *de ſubſtantiis ſuis, ad tuitionem regni petiit iterum ſibi Subſidium exhiberi: Et conceſſa eſt ei undecima pars, à quibus anno præterito decima ſolvebatur: de quibus autem ſexta, nunc verò ſeptima eſt collata* (by the Temporalty.) *Porro Archiepiſcopus* Cantuarienſis, *inaudita ſibi conferendi cum Suffraganeis ſuis ſuper hac re licentia,* unanimi aſſenſu offerebat Regi decimam Eccleſiaſticorum bonorum. *Quæ etiam oblata,* ſed minime admiſſa, redierunt iterum Epiſcopi ſuper his tractaturi. *Cernens igitur Rex eorum conſtantiam, miſit ad eos quinquagenarium magnum, videlicet Juſticiarium de* Banco, *& eos qui ſub eo fuerunt, qui dixerunt;* Epiſcopi, hæc dicit Rex, oblatum veſtrum neque accepto, neque acceptabo, ſed feſtinanter deſcendite voluntatem ejus ſupplendo, ſaltem quartam partem vel terciam concedendo. Helias *autem noſter,* Archiepiſcopus, *cum Clero de loco ſuo non deſcendit, nec recalcitrabant boves ad dextram vel ad ſiniſtram, arcam fœderis ſuſtentantes. Interim miſit Rex alium quinquagenarium, ſc. Cancellariæ ſuæ, & eos qui ſub ipſo erant; petierunt & hi, quæ prædeſtinati poſcebant:* At in omnibus non eſt Clerus motus a propoſito ſuo, ſed quoniam præconceſſerunt decimam, iterum obtulerunt. *Videns ergo Rex ſuam petitionem vices Cleri excedere, nolens eos contriſtare, in craſtino Conceptionis beatæ* Mariæ, eorum gratum acceptabit oblatum. *Quod accipiens Clerus pro omine, ad tabernacula ſua ſeceſſit* Iſrael. * Flores Hiſt. p. 400.

The ſame year, as he relates, † *die Sancti* Gregorii *Papæ, Cardinalis* Albinenſis *præſul, cum quibuſdam nunciis de* Cambray *regreſſus, apud* Dartmue *ventorum pulſu celeriter eſt evectus. Die Dominica in* Ramis Palmarum *Cardinali apud* Novum Templum London *hoſpitante, lite mota inter ſuos & Templariorum ſcurras, occiſus eſt Nepos Cardinalis, ultro ſe immiſcens. Ipſe verò iram deferens, uſque* Scotiam *properavit Regi* Angliæ *Concilium de* Cambray, *quod vel quale fuerit oſtenſurus:* Or as * *Henry de Knyghton* ſtories, *ut de promiſſis treugis reſponſum acciperet. Et interim Nuncii miſſi Regi* Alemanniæ *reverſi ſunt, nunciantes, quod nec pacem voluit, nec ullum amorem. Sicque reverſus Cardinalis; & tamen reliquit apud* Berewicum octo *perſonas de ſuis interfectas à* Scotis, *qui ad quærendum fenum & paleas die quadam cum aliis proceſſiſſent, & incautè procederent, à* Scotis *circumſpectis ſunt & interfecti.* Iterumque expenſas accepit idem Cardinalis, videlicet ſecundum † Mat. Weſt. Anno 1295. p. 402.

* Henry de Knyghton de Event. Angliæ l. 3. c. 8. col. 2507.

An. 23 E. 1. tationem Wyntonienſem et Lincolnienſem, de unaquaque marca 3 d. (the main cauſe for which he returned) although *Eodem anno* Clericus decimum, Cives ſextum, populus 12. denarium Regi contulerant.

* Tho. Stubbs Actus Pontif. Eborac. col. 1718.

† De Event. Angl. l. 3. c. 7. col. 2507.

* *Quinto Idus* Martii 1295. *regni verò* Edwardi I. 23. Johannes Romanus *Archiepiſcopus* Ebor. *obiit in manerio ſuo apud* Burton; of whom † *Henry de Knyghton* hath left us this true character; Johannes Romanus *Archiepiſcopus* Eboracenſis *a* Johanne Romano *quondam* Eboracenſi *Theſaurario & quadam pediſſequa procreatus & benè* Romanus, quia a Romano patre cupiditatem Romanam extraxit. *Et cum magnus eſſet Theologus & homo valdè literatus, non tamen multæ litera,* ſed avaritia maxima eum fecit quaſi inſanire. Sitibit enim pecuniam et ſubſtantiam; unde juſto Dei judicio contigit, ut qui ſubditorum bona, et maxime ab inteſtatis ſtriret, ſubita quaſi morte præventus, nullum vel modicum ex Teſtamento ſuo proprio conſecutus eſt emolumentum. *Executores enim ſui ſe intromittere noluerunt; ita quod non proprio, ſed potius alieno fiebant expenſa funerum, & in Eccleſia ſua cum honore ſimplici repoſitus eſt,* non enim panis vel obolus pro anima ipſius dabatur. By which paſſage it ſeems to me; 1. That this Archbiſhop *John de Roman* (a baſtard, begotten of a covetous *Roman*) was the firſt Archbiſhop, who out of *Roman* covetouſneſſe (in imitation of the* Popes of *Rome*) uſurped a power to diſpoſe of the goods of perſons dying inteſtate within his Dioceſſe, which he ſecretly thirſted after, under pretext to diſtribute them to pious uſes for the good of their ſouls; 2ly. That for this his avaritious practiſe and innovation, he was by Gods juſt judgement ſtricken with ſudden death, yea although he made his Teſtament, yet his Executors refuſing to adminiſter, he was buried diſhonourably, there being not one loaf or farthing diſtributed for his ſoul, to pious uſes or the poor: He adds, Viſitationem hic Eccleſiæ Dunelmenſis, *quam prædeceſſor ſuus* jure et juriſdictione Eboracenſis Eccleſiæ vendicaverat, accepta, *ut dicebatur*, pecunia dormire ſuſtinuit. Obedientiam, quam primo pompoſe de Dunelmenſi petiit, appellatione interpoſita ſegniter proſecutus eſt. *Huic* ſucceſſit* Henricus de Newerk, *ejuſdem Eccleſiæ Decanus, electus à fratribus Anno Domini* 1296. Qui propter guerram inter Reges Romam adire non valens, miſſis ad Curiam Romanam procuratoribus ſuis (no doubt with a good ſum of money) impetravit gratiam et licentiam conſecrandi a Papa Bonifacio 8. in Eccleſia Eboracenſi: per Bullam confirmatus eſt, etiam ex diſpenſatione Papæ in Eccleſia ſua Eboracenſi conſecratus eſt per Antonium Dunelmenſem *Epiſcopum*.

* See here, p. 216. Tom. 2. p. 664, 671, 672, 681, 682, 691, 921, 922.

* See Thomas Stubbs, Actus Pontif. Ebor. col. 1718. Godwins Catal. of Biſhops, p. 450.

An. 24 E. 1. Bundelæ Brevium, An 24 E. 1. in Turre London.

An. 24 E. 1. In the Bundles of Writs of this year I found in the *White Tower* Chapel, there are no leſſe then 21. Writs of Attachment iſſued out againſt ſeveral perſons, for holding and proſecuting ſuits in Court Chriſtian of Lay-fees], Chattels and Debts, which concerned not Teſtament or Matrimony, Treſpaſſes, Advowſons, belonging to the Kings Courts, againſt the Kings Prohibitions, Crown, Dignity, brought at the Kings or injured parties ſuits; whereof I ſhall render you this brief account: *viz.* Richardus de Righleſthorn, *Vic.* Ebor. *verſus* Tho. de S. Botulpho. *T.* J. de Metingham *apud* Weſtm. 26. *die* Jan. An. *r. n.* 24. Johannes de Everwys *Vic.* Norht. *verſus* Gilbertum de Kneden (*quare tenuit placitum de Laico feodo, &c.*) & Thomam de Lynberewe, *quare ſecutus eſt, &c. T. & c.* 13 *die* Febr. Robertus de Rothewell, *Vic.* Linc. *verſus Magiſtr.* Nicholaum de Whytcherche, *Magiſtr.* Walterum de Wotton, & *Magiſtr.* Henr. de Benyngworthe, & *Magiſtr.* Robertum de Harington, *Magiſt.* Johan. de Haryngton, Radulphum de Rothewelle *Capellanum*, Sayerum le Perſoneſſeriant, & Thomam *Vicarium Eccleſia de* Cokewald, *T. &c.* 13 *die* Februarii. Thomas de Cave, *Vic.* Ebor. *verſus Magiſt.* Robertum de Laſcy, *Magiſtr.* Robertum de Salgthorp, & *Magiſt.* Robertum de Lannion, & Thomam Fiſhe, Ivellan de Lyndeſeye, & Adam de Retford *Capellanum*, *T. &c.* 23 die *Febr.* and an *Alias* againſt the ſame perſons. *Teſte* 16 *die* Maii. Rogerus de Colevill, *Vic.* Suff. *verſus Magiſt.* Willielmum de Gardenne (*quare tenuit placitum* de medietate advocationis Eccleſiæ *de* Carleton Colevill) & Willielmum de Brembre *Capellanum*, *quare ſecutus eſt idem placitum. T. &c.* 10 Julii. Henricus Underwode *Cuſtodibus Spiritualitatis Archiepiſcopatus* Ebor. *verſus* Thomam de Corbriggs *Clericum*, *&c.* 29 Junii. Henricus Gurnet, *Vic.* Eſſex, *verſus* Herveium de Gelham *perſonam Eccleſiæ de* Wyche, *T. &c.* 29 Junii. Hugo Bardolfe *Vic.* London. *verſus*

Magiſt.

Magiſt. Willielmum de Sarden, & *Magiſtr* Henr. de Naſſinton, *quare tenuerunt placitum de* advocatione quartæ partis Eccleſiæ *de* Tilneye, *&c. T.* 8 *die* Julii. Robtus de Rothewell, *Vic.* Linc. *quod capias* Radulphum de Rothewell *Capellanum*, & Sayerum *de* Pleueſſeman, *&c. T.* 3 *die* Julii. Robertus Rothewell O. *Epiſcopo* Linc. *quod venire faciat, &c. Magiſt.* Nicholaum de Whitchurche, *Magiſt.* Walterum de Wotton, & *Magiſtr.* Henr. de Heringworth *Clericos ſuos, &c. T.* 4 *die* Julii. Adam de Welle *Vic.* Linc. *verſ.* Willielmum *Vicarium Eccleſiæ de* Farleſthorp, *quare tenuit*, & Hugonem *Perſonam Eccleſiæ de* Wyleghby, quare ſecutus eſt placitum, &c. de catallis et debitis, quæ non ſunt de Teſtamento vel Matrimonio in Curia Chriſtianitatis, contra prohibitionem noſtram. *T. &c.* 25 *die* Auguſti: with another writ of the ſame date between theſe parties. Simon *fil.* Walteri, *Vic.* Linc. *verſ.* Robertum *Vicarium Eccleſiæ de* Thorp *juxta* Weynflet, *T.* 26 *die* Auguſti. Edwardus *Rex, Vic.* Northumbr, *verſus* Willielmum *fil.* Matil. & Johannem *fil.* Matil. *de* Staunton. *oſtenſuri quare*, cum placita de catallis et debitis in regno noſtro, quæ non ſunt, &c. ad coronam et dignitatem noſtram ſpecialiter pertineant, &c. ſecuti ſunt placitum in Curia Chriſtianitatis de catallis et debitis, &c. quæ non ſunt de Teſtamento vel Matrimonio, in læſionem Coronæ et dignitatis noſtræ, et contra prohibitionem noſtram, *T. meipſo, &c.* 16 *die* Sept. Edwardus *Rex verſus* Willielmum de Bygneham *pro conſimili placito*, *T. meipſo* 12 *die* Decembr. Adam de Camerhus, Rogerus de Unchanks, & Nicholaus de *parva* Rykyll, *Vic.* Northumbr. *verſus* Willielmum de Stanhop, *quare tenuit*; & Agnetam *fil.* Henr. de *parva* Rykill, & Johannam *ſororem ejuſdem* Agn. *quare ſecutæ ſunt placitum, &c. T.* 28 *die* Sept. Humfridus de Kael, *Vic.* Somerſet, *verſ. Magiſt.* Hugonem de Pencriz, *quare tenuit* placitum in Curia Chriſtianitatis de laico feodo prædicti Humfridi *in villa de* Monte acuto: & Johannem *de* Monte acuto, & Chriſtianam *uxorem ejus*, Roſiam Dunbare, Johannam Dunbare, & *Magiſtr.* Thomam de Tymtelville quare ſecuti ſunt idem placitum contra prohibitionem noſtram, *Teſte &c.* 5 *die* Decembr. Edwardus *Rex*, & Willielmus *Vic.* Lond. *verſus* Henr. de Naſſyngton; *oſtenſurus quare cum placita Tranſgr. &c.* ad nos et coronam et dignitatem noſtram ſpecialiter pertineant, &c. tenuit placitum in Curia Chriſtianitatis de hujuſmodi tranſgreſſionibus, in læſionem Coronæ et dignitatis noſtræ, et contra prohibitionem noſtram, &c. *Teſte, &c.* 17 *die* Decembr. *Anno regni noſtri viceſimo quarto.* To which I ſhall adde theſe two Writs more at large,

An. 24 *E.* 1.

EDwardus *Dei gratia Rex* Angliæ, *&c. Vic.* Kanc. *ſalutem. Præcipimus tibi, quod diſtringas* Petrum de Goldeford *per omnes terras & catalla ſua in Balliva tua, ita quod nec ipſe nec aliquis per ipſum ad ea manus apponat, donec aliud à nobis inde habueris præceptum, & quod de exitibus eorundem nobis reſpondeas. Et quod habeas corpus ejus coram Juſticiariis noſtris apud* Weſtm. *in Octabis Sancti* Martini, ad reſpondendum tam nobis, quam Alano de Helles Clerico, *de placito, quare pendente placito in Curia noſtra coram Juſticiariis noſtris apud* Weſtm. *de eo quod idem* Petrus *ſecutus fuit* placitum in Curia Chriſtianitatis de exitibus manentii de Hothelt, qui non ſunt de Teſtamento vel Matrimonio, contra Prohibitionem noſtram; *placitum illud in prædicta Curia Chriſtianitatis* nichilominus in tantum proſecutus eſt verſus prædictum Alanum, quod ſententia in ipſum Alanum ea occaſione ad ſectam ejuſdem Petri promulgata, ipſum excommunicari fecit, et poſtea breve noſtrum de ipſo Alano ſic excommunicato, *tanquam Claves Eccleſiæ contemnente*, capiendo jam tibi pozrexit, *ut dicitur*, in Coronæ et dignitatis noſtræ læſionem, et Curiæ noſtræ contemptum manifeſtum, et ipſius Alani diſpendium non modicum et gravamen, prout ex grabi quærela ipſius Alani accepimus, *Et ad reddendum judicium ſuum de pluribus defaltis. Præcipimus etiam ſicut aliàs tibi præcipimus, quod ſi tibi conſtare poſſit quod prædictus* Alanus *occaſione prædicta, & non alia excommunicatus ſit, tunc ab ipſo* Alano *capiendo per aliquod breve noſtrum quod tibi inde venit* penitus deſiſtas. *Et habeas ibi hoc breve. Teſte* W. de Bereford *apud* Weſtm. 6 *die* Julii, *Anno regni noſtri* 24.

There iſſued out a former VVrit againſt this *Peter de Goldeford*, at the ſuit of this *Alanus de Helles*, reciting his Excommunication, &c. And then adding, Et quia tanta contemptum et malitiam ſi commiſſa fuerint tranſire nolumus

An. 24 E. 1. impunita, (omitted in this latter VVrit.) *Teste* J. de Metingham *apud* VVestm. 6. *die* Julii, *Anno regni nostri* 24.

Brevia Regis de anno 34 E. 1. in Turre London.

EDwardus *Dei gratia Rex* Angliæ, *Dominus* Hiberniæ, & *Dux* Aquitaniæ, *Custod. Spiritualitatis Episcopatus* Coventrensis & Lychefeldensis, *salutem; Mandamus vobis quod venire faciatis coram Justic. nostris, apud* VVestm. *à die Sanctæ* Trinitatis *in* 15. *dies* Johannem de Brodon. *Personam Ecclesiæ de* Lyvington. *Clericum vestrum*, ad respondendum nobis de placito, quare cum placita de catallis et debitis in regno nostro quæ non sunt de Testamento vel Matrimonio, ad coronam et dignitatem nostram specialiter pertineant. *Idem* Johannes *sicut ex relatu plurium accepimus*, tenuit placitum in Curia Christianitatis de catallis et debitis Priozis de Erbury, quæ non sunt de Testamento vel Matrimonio, in læsionem Coronæ et Dignitatis nostræ, et contra prohibitionem nostram, *ut dicitur: Et unde Vicecomes noster* VVar. *mandavit Justic. nostris apud* VVestm. *à die Sancti* Hillar. *in* 15. *dies, quod prædictus* Johannes *Clericus est, & non habet Laicum feodum in balliva sua per quod potest attachiari. Et habeatis ibi hoc Breve. Teste* J. de Metingham *apud* VVestm. *duodecimo die* Febr. *Anno regni nostri vicesimo quarto.*

On which Writ, the Custos of the Spiritualties endorsed this return;

Dorso, *Distrixi* Johannem de Brodon. *Personam Ecclesiæ de* Lenintone *per sequestracionem bonorum suorum Ecclesiasticorum, & per cytacionem, quod sit coram Justiciar. de Banco Domini Regis ad diem in hoc brevi contentum, ad faciendum id quod in eodem brevi plenius continetur.*

Thus did the Ecclesiastical Courts continually encroach upon the Kings Courts, Crown, Dignity, and Subjects Liberties, notwithstanding the manifold Complaints, Writs, Attachments issued out against them by the Kings Justices and Chancellors, to the Subjects insufferable vexation. Besides these VVrits, in a fragment of Plea Rolls in the *White Tower* Chappel, *Anno* 24 E. 1. I finde these Suits and Attachments upon Prohibitions both at the suit of the parties, and of the King, for holding Pleas and prosecuting Suits in *Court Christian* for Chattels and Debts, not of Testament or Matrimony. The first of them concerned the Vicechancellor and University of *Oxford*, who pleaded the Kings Charter of Priviledges granted to them, by way of Justification, as Chancellor only, not as Ordinary.

Placita Anno 24 E. 1. in Turre Lond. Oxon.

Magister Rogerus de Mortivall, & *Magister* Robertus de Kydelawe *attachiati fuerunt ad respondendum* Stephano del Larder, & Thomæ le Mareschall *de placito*, quare tenuerunt placitum in Curia Christianitatis de catallis et debitis, quæ non sunt de Testamento vel Patrimonio, contra Prohibitionem, &c. *Et unde queruntur, quod cum quidam* Stephanus Aget *traxisset ipsos in placitum in Curia Christianitatis coram præfatis Magistro* Rogero & Roberto *apud* Oxoniam, *de quodam ego preci quinque marcarum*, qui non fuit de Testamento vel Patrimonio, &c. *Et idem* Stephanus & Thomas *die Lunæ proxima post festum Nativitatis beatæ* Mariæ, *anno Regis nunc vicesimo secundo apud* Oxoniam, *in præsentia* Rogeri le Clerk & *aliorum*, postrierunt eis Regiam Prohibitionem, ne prædictum placitum ulterius tenerent, &c. *prædicti Magister* Rogerus & Robertus spreta Prohibitione illa, nichilominus tenuerunt prædictum placitum in prædicta Curia Christianitatis, &c. *Unde dicunt quod deteriorati sunt*, et dampnum habent ad valentiam viginti librarum, *& inde producunt sectam*, &c.

Et Magister Rogerus & Robertus *veniunt & defendunt vim & injuriam quando*, &c. *Et dicunt, quod prædicti* Stephanus & Thomas *injustè queruntur ipsos* Rogerum & Robertum *contra Prohibitionem*, &c. *in hac parte processisse; quia dicunt*, quod prædictus Rogerus prædictis die et anno fuit Cancellarius Universitatis Oxoniæ, cujus quidem Universitatis Scholaribus Dominus Rex nunc de gratia speciali concessit, quod de omnibus actionibus personalibus Burgenses, et omnes Laicos coram Cancellario ejusdem Universitatis possint implacitare, &c. Et quod per Prohibitionem Domini Regis non impediantur, &c. *Et dicunt, quod quia prædictus* Stephanus tunc Scholaris Universitatis prædictæ, *quæstus fuit de prædictis*

Stephano

Stephano de Larder & Thoma le Mareſcall **de prædicto equo**, &c. *coram ipſo Magiſtro* Rogero **tunc Cancellario**, &c. **tenuerunt ipſi prædictum placitum prout eis bene licuit**, &c. **de qua libertate tenendi hujuſmodi placita**, &c. **proferunt literas Domini Regis in hæc verba.** * *Edwardus* Dei gratia, *&c.* Omnibus ad quos præſentes literæ pervenerint, ſalutem. Sciatis quod de gratia noſtra ſpeciali conceſſimus **Scholaribus Univerſitatis** *Oxon.* quod de omnibus actionibus perſonalibus **poſſint convenire** Burgenſes, & alios Laicos municipii *Oxon.* coram Cancellario ejuſdem Univerſitatis, **et quod per Prohibitionem noſtram ſuper hoc nequaquam impediantur.** In cujus rei teſtimonium has literas noſtras fieri fecimus patentes pro noſtræ libito voluntatis duraturas. Teſte meipſo apud *Weſtm.* 30 die *Octobris*, anno regni noſtri tercio, *&c.* *Et prædicti* Stephanus & Thomas *dicunt, quod ipſi ratione prædictæ libertatis prædictis Scholaribus conceſſæ non fuerunt coram prædicto Cancellario ad inveniendum ad ſectam* —— *prædicto* Stephano Ager *cum fuit Scholaris Univerſitatis prædictæ* —— *tenentur, nec habitus*, &c. *Et hoc parati ſunt verificare per patriam*, &c. *Et prædict.* Rogerus & Robertus *dicunt, quod prædictus* Stephanus *prædictis die & anno fuit Scholaris Univerſitatis prædictæ, & Scholarem ſe probavit* ——: *Et de hoc ponit ſe ſuper patriam. Et* Stephanus de Larder & Thomas *ſimiliter. Ideo præceptum eſt*, &c. *An.* 24 E. 1.

* See here p. 162.

WIllielmus de Eſthorp *qui ſequitur pro Domino Rege, optulit ſe* 4° *die verſus* Thomam *Vicarium Eccleſiæ Sancti* Laurencii *de Suburbio* Eborum, *de placito*, **quare cum placita de catallis et debitis in regno Regis, quæ non ſunt de Teſtamento vel Patrimonio, ad Regem et Coronam et dignitatem Regis, et non ad alium pertineant in eodem regno**, *prædictus* Thomas, *ſicut ex relatu plurium accepit Dominus Rex*, **tenuit placitum in Curia Chriſtianitatis de catallis et debitis** Roberti le Graunt **Capellani Magiſtri Hoſpitalis S.** Nicholai Ebor. **in læſionem Coronæ et dignitatis Regis, et contra Prohibitionem Regis**, &c. *Et ipſe non venit, & præceptum fuit Vicecomiti*, &c. *Et Vicecomes nichil inde fecit, ſed mandavit, quod prædictus* Thomas *Clericus eſt, & non habet laicum feodum*, &c. *Ideo mandatum eſt Archiepiſcopo* Ebor. *quod venire faciat eum à die S.* Martini *in quindecim dies, &c.* Ibidem. Ebor.

HEnricus de Brae *per attornatum ſuum optulit ſe* 4 *die verſus Magiſtrum* Willielmum de Tremegate, & D. *Vicarium de* Miniſtre, *de placito, quare ipſe ſimul cum* Alano de la Hae **ſecuti ſunt placitum in Curia Chriſtianitatis de catallis et debitis, quæ non ſunt de Teſtamento vel Patrimonio, contra Prohibitionem Regis.** *Et ipſi non venerunt, & præceptum fuit Vicecomiti, quod attachiaret eos. Et Vicecomes nichil inde fecit, ſed mandavit quod Clerici ſunt nec habent laicum feodum in Balliva ſua*, &c. *Ideo mandatum eſt Epiſcopo* Exoniæ, *quod venire faciat prædictos* Willielmum & D. *hic à die Sancti* Hilarii *in* 15. *dies. Et Vicecomes mandavit*, &c. Ibid. Cornub.

The Abbot of St. *Agatha* proſecuted this year at the Kings ſuit, for proſecuting a Plea in Court Chriſtian for Chartels and Debts, which concerned not Teſtament or Marriage, had this Writ and licenſe to make an Attorney.

EDwardus *Dei gratia Rex* Angliæ, *&c. dilecto & fideli ſuo* Johanni de Lithegreynes, *ſalutem. Sciatis quod dedimus vobis poteſtatem recipiendi Attornatos Abbatis de Sancta* Agatha, *quos coram vobis loco ſuo attornare voluerit, ad lucrandum vel perdendum in loquela quæ eſt coram Juſticiariis noſtris apud* Weſtm. **per breve noſtrum inter nos et prædictum Abbatem, de eo quod idem Abbas ſecutus eſt placitum in Curia Chriſtianitatis de Catallis et Debitis Magiſtri** Galfridi de Langeton **Perſonæ Eccleſiæ de** Langeton, **quæ non ſunt de Teſtamento vel Patrimonio, contra Prohibitionem noſtram.** *Et ideo vobis mandamus, quod cum Attornatos illos receperitis, de nominibus eorundem Attornatorum nobis ſub ſigillo veſtro diſtinctè & apertè conſtare faciatis. Remittentes vobis hoc breve. Teſte meipſo apud* Rokesburgh 12 *die* Maii, *Anno regni noſtri* 24. Brevia Regis de Priv. ſigillo An. 23 & 24 E. 1. in Turre London.

Anno 1295. as [a] *Mat. Weſtminſter* ſtories, Scoti *rupto pacis vinculo quod cum ligio Domino ſuo Rege* Angliæ *popigerant, cum Rege* Franciæ *fœdus aliud inierunt, quod quidem in* * *autentico ſcripto utriuſque partis inde confecto, legentibus clarius illuceſcit*; & a Flores Hiſt. p. 398, 399. * See here p. 602, 603, 604.

An. 24 E. 1. *& conspiratione facta, insurrexerunt in Regem eorum, spreta ejus simplicitate, & superbiri ate contempta. Circumducentesque eum in interiora loca* Scotiæ, *illuc eundem in quodam Castro abruptis circumsepto montibus incluserunt, assignantes milites qui regulum custodirent. Post hæc eligerunt sibi more* Francorum, *pares* 12. **quatuor Episcopos**, (the ring-leaders in this Rebellion and perjury) *quatuor Comites, & quatuor Proceres, ad quorum ordinationem cuncta regni negotia sancirentur. Hæc autem totum factum est in ignominiam Regis* Angliæ, *quia quodammodo reclamantibus* Scotis, *& nonnullis occultè murmurantibus*, Johannes de Baliol *per Regem* Angliæ Scotorum *Rex fuerat ordinatus.* [b] *Henry de Knyghton*, and [c] *Thomas Walsingham* thus relate their Rebellion and confederacy with the *French*, against the King of *England*. *Scoti homines inquieti, leves & instabiles contra Regem* Angliæ *rebellare cœperunt, debentes excutere jugum servitutis debita; Inprimis suo Regi simplici suggesserunt, occasione expensarum alleviandarum, ut omnes* Anglicos *suos, quos sumptuosissimè in Curia sua retinuerat, a Curia sua removeret. Et quidem hoc ne seditio eorum per* Anglicos *in primo suo fomite pandaretur. Interim dum Rex* Edwardus *ad Regem* Scotorum *literas dirigeret, ut in guerram suam contra Regem* Franciæ *robur exercitus in parte mitteretur, excusatoria impotentiæ & responsio brevis datur. Multiplicantur iterum preces & præcepta, & non tantum ad Regem, immo & ad Magnates terræ, & semper responsiones frivolæ quærebantur, eo quod conjurationes eorum valida nondum complerentur ad votum.* Which *Thomas Walsingham* thus amplifies.

b De Event. Angl. l. 3. c. 2. col. 2471, 2472.

c Hist. Angl. p 28, 29. Ypodigma Neustr. p. 81, 82.

Anno 1296. (23 E. 1.) [d] Johannes *Rex* Scotiæ **homagii et fidelitatis suæ immemor**, *destinatis ad Regem* Francorum *nunciis*, Willielmo Sancti Andræ & Willielmo Dunelmensi **Episcopis**, (two firebrands of Rebellion, treachery, perjury, against their Oathes and Allegiance to King *Edward*) Johanne de Soules, & Ingelrame de Umfravile *Militibus*, **clam contra Regem** Angliæ fœdus iniit, *petens in affirmationem negotii matrimonium contrahi inter filium suum* Edwardum & *nobilem puellam* Johannam *filiam* Caroli *germana Regis* Francorum, *sponsandos*, **se velle regnum** Angliæ **totis viribus impugnare, et a Werra cum Rege** Franciæ **impedire**, *sicut in* *scriptis inter utrosque Reges confectis plenius continetur.* Scoti *verò per idem tempus primò tenuerunt Parliamentum apud* Scone, *& ordinaverunt ac elegerunt sibi duodecim Pares ad modum* Francorum, **quatuor videlicet Episcopos**, *quatuor Comites, & quatuor Barones, quorum consilio Rex regnum suum gubernare debebat, fecerunt etiam sibi sigillum commune*; **per quos etiam ut in hanc consentiret proditionem fuit inductus.** *Nempe horum consilio*, **et præcipue Abbatis de** Menros. *Deinde mandant certos nuncios cum literis procuratoriis sigillatis cum sigillo Regis, & totius Communitatis* Scotorum *ad Regem* Franciæ Philippum. *Cum ad Parliamentum venisset regni* Angliæ, *clam recessit tanquam fugitivus, ad magnum dedecus personæ suæ. Ob quam causam Rex* Angliæ *jussit omnia bona sua mobilia & immobilia quæ habebat in* Anglia *confiscari, qui eo tempore multas villas & prædia pinguia in* Anglia *possidebat. Rex* Angliæ *per idem tempus à Rege* Scotiæ (**ignorans eorum proditionem**) *cum auxilium pro Werra sua instanter petiisset, & sibi semper responderetur in dubiis, suspectum habens negotium, rogavit, ut ob securitatem usque ad finem Werræ suæ, Castra tria, videlicet* Berwici, Edinburgi & Rokesburgæ *traderentur in manu sua quæ post Werram restitueret, si eos sibi comperisset fideles. Quod cum* Scoti *facere renuissent*, **Rex de proditione eorum certior**, (by the premised Letters he intercepted) *cum exercitu versus* Scotiam *progressus, disposuit eam vi subjicere, nisi ab his quæ referebantur, & quæ jam in opere ostendebantur se possent legitimè excusare.*

d Tho. Walsingham Hist. Angl. p. 28, 29. Ypod Neustr. p. 80, 81, 82.

* See here p. 538, to 542, 602. to 606. & Henry de Knyghton de Event. Angl. l 3 c. 2. col. 2472, to 2477.

e Walsingham Hist. Angl. p 30, 31, 32, &c. Ypod. Neustr. p. 80, 81, 82. Mat. Westm. p. 403, 404, 405, &c See Henry de Knyghton, Fabian, Caxton, Polydor Virgil, Grafton, Holinshed, Stow, Daniel, Speed, Baker, in E. 1.

In pursuit whereof, *Anno* 1297. (24 E. 1.) [e] *Rex* Angliæ *immenso coadunato exercitu, venit ad* Novum Castrum *super* Tynam, *ad quem locum* Johannem *Regem* Scotorum *citari fecerat edicto publico*, **ut de his quæ sibi debeant objici responderet**; *quo ad diem præfixum nec per se comparente, nec per nuncium se excusante*; *Rex de suorum consilio decrevit ulterius procedendum. Interim Miles quidem* Robertus de Roos, *Dominus Castri de* Werk, **non obstante fidelitate quam Regi** Angliæ **jurâverat, ad** Scotos **transfugit.** *Quo audito, Rex mox ad illud Castrum properat, & apud prædictum Castrum Paschalem solennitatem peregit. Quo tempore septem Comites* Scotiæ, *videlicet, de* Bouvan, *de* Menteth, *de* Stradeherne, *de* Lewenes, *de* Roos, *de* Athel, *de* Mar, *& Johannes filius* Johannis Comyn *de* Badenau, *collecto exercitu valido in valle* Anandiæ, *feria secunda Paschæ* Angliam *ingressi, vastabant omnia cæde & incendio, non parcentes ætati vel sexui. Circa ingressum mensis* Aprilis *venerunt ad*

Regem

Regem Edwardum *Gardianus & lector fratrum Minorum de* Rokesburg. *deferentes literas* Johannis *Regis* Scotiæ, (* forecited, and printed in *Walsingham*) *tenorem hujusmodi continentes.* Magnifico Principi, *&c.* Nos dictas injurias, contemptus, gravamina ac dampna, necnon & hostiles impugnationes ulterius sustinere non valentes, nec in fidelitate & homagio vestro, licet per violentam impressionem impressam extortis, *&c.* **fidelitatem et homagium tam a nobis quam ab aliis quibuscunque regni nostri incolis fidelibus nostris, ratione terrarum quas in vestro regno tenebant, et etiam ratione menagii seu retentionis vestræ, nomine nostro et nomine eorundem omnium et singulorum vobis reddimus per præsentes.** *Rex* Angliæ *audita præsenti litera,* **resignationi homagii sui admisit,** *&* *Cancellario præcepit,* **hanc literam * registrare ad perpetuam memoriam.** *Interim Comites* Scotiæ *nominati superius, profecti sunt in* Angliam, *& vastantes omnia cæde & incendio usque ad Prioratum* Hagustaldensem. *Mane verò facto Prioratum cum tota villa incendio destruxerunt: Progressi deinde ad domum Monialium de* Ramesay, *domibusque quibusdam (salva Ecclesia) combustis, cum ingenti præda in* Scotiam *revertuntur.* After which King *Edward* and his forces routing the *Scots* Army, slaying ten thousand of them at *Dunbar*, taking *Berwick*, with the Castles of *Dunbar*, *Rokesburgh*, *Mayden*, and other Towns and Castles from them, wherein many of their Earls, Nobles, chief Commanders were taken prisoners, and recruiting his Army with many fresh forces from *Wales* and *Ireland*, (at large related in our Historians) thereupon, *Videns* Johannes *Rex, quia non haberet potestatem resistendi, missis ad Regem* Angliæ *nunciis, pacem & misericordiam imploravit. Cui Rex benignè annuens, remandavit, ut ad Castrum de* Brithin *cum Magnatibus terræ suæ veniret, cum his quos Rex illuc mitteret nuncios, infra dies quindecim tractaturus. Misitque illuc Rex* Anthonium Dunelmensem *Episcopum, cum plena potestate regia: ad quem venerunt infra præscriptum tempus Rex* Scotorum *Magnatesque sui. Qui post multos variosque tractatus,* **nude et pure subjicerunt se et regnum** Scotiæ **regiæ voluntati,** * *absque conditione quacunque, & concesserunt frangere sunum commune sigillum, quod contra* Edwardum *fecerant. Pro qua submissione observanda,* Johannes *Rex* Scotiæ *filium suum obsidem tradidit, literasque confecit continentes in* Gallico *hunc tenorem.*

An. 24 E. 1.

* Here p. 541, 542.

* Which was done accordingly, See Here p 541, 542.

* Henry de Knyghton de Event. Angl. l. 3. c. 3. col. 2481.

[a] *Johannes* Dei gratia Rex *Scotiæ,* omnibus præsentes literas visuris vel audituris, salutem. **Quia nos per malum consilium falsumque, simplicitatemque nostram graviter offendimus et provocavimus Dominum nostrum** Edwardum **Dei gratia Regem** Angliæ, **Dominum** Hiberniæ, **Ducem** Aquitaniæ, *videlicet,* **in eo, quod existentes et manentes in fide sua, et suo homagio, alligavimus nos Regi** Franciæ, **qui tunc hostis ejus erat et adhuc est; Matrimonium procurantes fieri cum filia Domini** Caroli **fratris ejus, et ut Dominum nostrum gravaremus, Regemque** Franciæ **juvaremus cum omni potestate nostra per Merciam modisque aliis. Deinde per nostrum perversum consilium antedictum diffidavimus Dominum nostrum Regem** Angliæ, **et posuimus nos extra fidem et homagium suum, et misimus gentes nostras in terram suam** Angliæ, **ad incendia facienda et prædas abducendas, homicidia et alia dampna plurima perpetranda; et terram** Scotiæ **quæ est de feodo suo, contra eum muniendo, ponentes et stabilientes gentes armatas in Villis, Castris, et alibi, ad defendendum terram contra eum de feodo suo; pro quibus transgressionibus, Dominus noster Rex** Angliæ **antedictus, ingressus terram** Scotiæ **in fortitudine sua, eam conquisivit et cepit, non obstante omni eo quod facere potuimus contra eum, sicut potest de jure facere tanquam Dominus de feodo suo, quia nos et homagium nostrum reddidimus, et fecimus rebellionem antedictam. Nos igitur existentes in plena potentia nostra et libera voluntate, reddidimus et terram** Scotiæ **et gentem totam cum homagiis.** In cujus rei testimonium fecimus fieri has literas patentes. Datum apud *Brithin* decimo die *Julii,* regni nostri anno quarto. **Consignata litera factoque sigillo communi regni** Scotiæ, *processit Rex ut videret montana* Scotiæ, *præcedente eum semper per unam dietam Episcopo* Dunelmensi. *Cumque transisset* Moraviam, *& pervenisset usque* Eilgni, *omnia videns esse parata, converso itinere revertitur* Berewicum.

[a] Walsingham Ibid. Henry de Knyghton de Event. Angl. l. 3. c. 3. col. 2481.

[*] *In redeundo autem Rex* Edwardus *transivit per Abbatiam de* Scone, *ubi sublato lapide quo Reges* Scotorum *tempore coronationis solebant uti pro throno, usque* Westmonasterium *transtulit illum,* **jubens inde fieri celebrantium cathedram Sacerdotum.** *Eo tempore, Rex apud* Berewicum *convocato Parliamento* **omnium Magnatum**

[*] Walsingham Hist. Angl. p. 33.

An. 24 *E.* I

tum Scotiæ fidelitates recepit et homagia, qui ad rei geſtæ memoriam perpetuam, confecerunt ſuper hoc literas patentes eorum ſigillis munitas, *continentes in* Gallico *hunc tenorem.*

* Tho. Walſingham, Ibid

* Omnibus præſentes literas viſuris vel audituris, *Johannes Comyn* de *Badenauz*, *&c.* qui ad fidem & voluntatem illuſtriſſimi Principis ac chariſſimi Domini noſtri *Edwardi* Dei gratia Regis *Angliæ*, Dominus *Hiberniæ*, ac Ducis *Aquitaniæ*, venimus, promittimus pro nobis et hæredibus noſtris, ſub pœna corporum noſtrorum, et Caſtellorum ac omnium quæ habere poſſumus, quod nos ſervietimus ei bene et fideliter contra omnes gentes, quæ vivere et mori poſſunt, omnibus vicibus quibus requiremur vel præmoniemur per antedictum Dominum noſtrum Regem Angliæ vel hæredes ſuos. Et quod non ſciemus damnum eorum, quin illud impediemus omnibus viribus noſtris, et eos præmoniemus. Et ad iſta tenenda et ſervanda, obligamus nos et hæredes noſtros, et omnia bona noſtra. Inſuper et juramus, tactis Sacroſanctis Evangeliis, et poſtea nos omnes, et quilibet noſtrum per ſe fecit homagium dicto Domino noſtro Regi Angliæ *in hac verba*, Ego veſter homo ligius efficior de vita & membris, ac terreno honore, contra omnes homines qui poſſunt vivere & mori. *Et idem Dominus noſter Rex recepit hoc homagium ſub his verbis.* Nos illud recipimus pro terris quibus eſtis ſeiſiti, ſalvo jure noſtro, & alterius, & exceptis terris quas *Johannes de Balliolo* quondam Rex *Scotiæ* nobis contulit, poſtquam nos ei regnum *Scotiæ* liberavimus, ſi fortè aliquas terras dedit. Inſuper nos omnes et ſinguli noſtrum per ſe fecimus fidelitatem Domino noſtro Regi prædicto *in his verbis.* Ero fidelis & legalis, fidemque & legalitatem ſervabo *Edwardo* Regi *Angliæ* & hæredibus ſuis, de vita & membris & terreno honore, contra omnes qui poſſunt vivere & mori; & nunquam pro aliquo portabo arma, nec ero in conſilio vel auxilio contra eum, vel hæredes ſuos in aliquo caſu qui poſſit contingere; ſed fideliter recognoſcam, & fideliter faciam ſervitia, quæ pertinent ad tenementum, quod de eo tenere clamito: Sic me Deus adjuvet, & omnes Sancti ejus. In harum rerum teſtimonium factæ ſunt iſtæ literæ patentes, & ſigillis noſtris ſignatæ. Dat. apud *Berwicum*, Anno regni Regis *Anglia Edwardi* Domini noſtri viceſimo quinto.

The Records of theſe their reſpective ſubmiſſions, abjurations of their Leagues and Covenants with the *French* King, and Letters patents of their new Fealties and Homages made to King *Edward*, both in *Scotland* and in the Parliament at *Berwick*, are extant upon record in the *Tower* of *London*, *in Rotulis Scotiæ*, An. 23 and 24 *E.* I. but more largely and particularly recorded in four large Parchment Rolls thereof, fairly written by *Andreas* (a ſworn Notary,) by the Kings ſpecial command, who was preſent at all thoſe Tranſactions as a witneſs thereunto, with ſundry perſons of note, which Rolls delivered by him to *Adam de Oſgoteby*, then Maſter of the Rolls of the Chancery, *July* 25. Anno 24. *E* I. to be carefully kept, are yet remaining in the *Tower*; I ſhall preſent you with the beginning and chief parts of the Rolls at large, and a Breviat only of the remainder of them.

Rot. Scotiæ, An. 24 E. I. De juramentis homagii & fidelitatis Edwardo Regi Angliæ nominatim præſtitis, per unamquamque individuam perſonam regni Scotiæ.

* A good evidence, argument againſt Oral and Popiſh Traditions.

IN nomine Domini Amen. *Quoniam pium eſſe creditur, meritorium, ac honeſtum veritati teſtimonium perhibere, licet illud facere ratione officii rogatus,* corporalis teneat vinculo juramenti, & *quia plerique præterita memoriter retenta futura facere nos inſtruunt & informant; idcirco*, ad perpetuam rei memoriam, *ſuper quædam quæ in mei infraſcripti Notarii & teſtium ſubſcriptorum ad hoc vocatorum*, ſpecialiter et rogatorum fiebant præſencia, rogatus cum ea qua potero diligencia propono ſcribere quæ ſunt veritatis, ut ſic futuris temporibus, cum neceſſe fuerit, et ſciri voluerit quorundam factum Regni Scotiæ tangencium, veritas in hac parte per præſens Inſtrumentum publicum ſubſcriptum hujuſmodi ſcire volentes veritatem *recurſum habere poterint opportunum*, *ſuper contentiſque in eodem aliqualem præteritorum informacionem circa ea quæ* * *per* humanam labilitatem, necnon et temporis lapſum a memoria receſſerunt, in ſcripturam redacta, per ipſius inſpectionem inſtrumenti memoriæ reducantur. *Sanè ſuborta dudum inter excellentem Principem*, *Dominum* Edwardum *Dei gratia Regem* Angliæ *illuſtrem*; & Johannem *eadem gratia Regem* Scotorum, *ac utriuſque regni nobiles & incolas*, *ſeminante pacis æmulo contencione & diſcordiæ materia*, *ac in tantum procurante ſuperbiæ Principe ſuſcitata*; *quod provocatis ad guerram*

contra

contra dictum Dominum Edwardum *Regem*, *ſuoſque tam nobiles quàm regnicolas dicto* An. 24 E. I.
Scotorum *Rege cum nobilibus ſuis & regni ſui incolis*, redditoque *Regi* Angliæ *prædicti*
Regis Scociæ homagio per ipſius patentes literas ſub ſigillo pendente conſignatas;
demum poſt depræ daciones varias, villarum, maneriorum, & Eccleſiarum combuſtio-
nes, *terrarum vaſtaciones & depopulaciones*, populique Chriſtiani diverſis ſupplicii ge-
neribus interſectiones, *per exercitum gentis* Scotorum, *nulli parcendo ſexui vel ætati,*
loci in regno Angliæ *quampluribus perpetratas inhumaniter, prædicti regni* Scociæ *nobiles,*
una cum Rege prædicto, Eccleſiarum Prælatis, et totius regni incolis, civitatum et
villarum communitatibus *ad memoriam redeuntes*, et de perpetratis contra dominum
ſuum, Dominum Regem Angliæ prædictum et ſuos, ut præmittitur facinoribus quo-
dammodo condolentes, et eidem (ut videbatur) reconciliari volentes, ad ipſius fidem
et voluntatem, non vi nec metu coacti, *ut dicebant*, ſed ſpontanei venerunt, ſeque eidem
ut Domino ſuo, Domino Regi Angliæ prædicto reddiderunt, et ipſius gratiæ ac volun-
tati alte et baſſe ſe ſubmiſerunt, locis tamen et diebus diverſis, fidelitatem et ho-
magium ſibi fecerunt, ſuper fidelitatibus ſuis et homagiis ſic factis, ſuas patentes li-
teras ſuis ſingillis pendentibus conſignatas fecerunt, prout infra patet, et præſentis
inſtrumenti, ſive proceſſus ſubſcripti inſpectione ſuper his ſeriatim ſicut agebantur
confecto, intuentibus conſtare poterit evidenter.

IN nomine Domini Amen. *Anno à nativitate ejuſdem*, *Milleſimo ducenteſimo*
nonageſimo ſexto, *Indictione nona*, *menſis* Maii *die decimotercio*; *Præſentibus vene-*
rabili in Chriſto patre, *Domino* Antonio *permiſſione divina Epiſcopo* Dunolm. *ac nobili-*
bus viris, *Dom.* Johanne Waren, Rogero Northfolch, Umfredo Herford, W. de
Warewyk, Patricio de Dunbar & Marchia, & Gilberto de Anegos *Comitibus*, *te-*
ſtibus vocatis & rogatis, *cum aliis tum Baronibus & Militibus*, *quàm Clericis & lai-*
cis in multitudine copioſa; *præſente etiam me Notario ſubſcripto*; *nobilis vir*, *Dominus*
Jacobus, *dictus Seneſcallus* Scociæ, *Miles*; *non vi nec metu coactus*, *ut dicebat*, ſed
ſpontanea ſua et libera voluntate, venit ad fidem et voluntatem Domini Regis
Angliæ memorati, et confœderationes, contractus, conventiones, et pacta quocunque
nomine cenſeantur, ſi quæ ipſius nomine vel conſenſu cum prædicto Rege Francorum
vel ſibi adhærentibus contra dictum dominum ſuum, Dominum Regem Angliæ un-
quam initæ extitiſſent, quantum in ipſo fuit, et ipſum contingebant vel contin-
gere poterant quovismodo, pro ſe et ſuis perpetuo annullavit, et invalida et nulla Pecia prima.
fore pronuntiavit, ſponteque pure et abſolute; *quatinus de facto proceſſerant*, *eiſdem*
cum omni commodo quod exinde ſibi vel ſuis poterit aliqualiter provenire, expreſſe re-
nunciavit organo vocis ſuæ, & tactis ſacroſanctis et oſculatis Dei Evangeliis, *dicto*
domino ſuo, *Dom. Regi* Angl. fidelitatem fecit *in ſubſcripta forma*, & *ſuper fidelitate ſua*
ſic facta, *ſuas patentes literas ſub nomine ſuo conceptas*, *conficiens*, *veri ſui ſigilli impreſ-*
ſione pendente conſignavit; *quarum literarum in omnibus & per omnia tenor eſt talis.*

A touz ceaus qui ceſtes lettres verront ou orront *James* Seneſchal *Deſcoce*, ſaluz.
Pur ceo qe nous ſumes venutz à la foi e a la volunte du treſnoble Prince noſtre chier
ſeigneur ſire *Edward*, par la grace Dieu Roi *Dengleterre*, Seigneur *Dirland*, e Ducs
Daquitaigne, nous promettoms pur nous, e pur nos heirs, ſur peine de cors e davoir,
e ſur quantque nous peuſſoms encoure, qe nous ſerroms en ſa eide, e li ſerviroms
bien e leaument contre totes gentz, qui purront vivre & morir, totes les foiz qe
nous ſerroms requis ou garniz de par noſtre Seigneur le Roi *Dengleterre* avantdit,
ou de par ſes heirs; e qe nous leur dammage ne ſcauoms qe nous nel deſtorbeoms
a tot noſtre poer, e le leur faceoms aſſavoir, e a ceſtes choſes tenir e garder obligeoms
nous & nos heirs, e tous nos biens, e outre ceo avoms jurez ſur ſeintes Evangelies.
En teſmoigance de que choſe nous avoms fait faire ceſtes lettres ouertes ſeales de
noſtre ſeal. Donees a *Roksburgh* le trezime jour de *May*; lan du regne noſtre
Seigneur le Roy *Dengleterre* avantdit vintiſme quart.

Anno Dom. & Indictionis prænotatis, 15 *die* Maii, *apud* Rokesburg, *venit Dominus*
Johannes, *quondam Seneſchallus prædicti Domini* Jacobi Germanus *miles*, & Thomas
de Somervyll, *Chivaler*. *Die decimo apud* Edenburgh, *venit* Willielmus de Douglas *mi-* Pecia ſecunda.
les, & Walterus Logan. *Julii die* 12. Robertus Muſchaunce. *Die Julii* 17. Jo-
hannes de Calantyr *miles*, Willielmus *dictus* de Colnehath, Johannes de Lambre- Pecia tertia.
ton; Willielmus de Rathenen; *Dominus* Willielmus de Gardino, *miles*; 13 *Die*
Julii, Maliſius *Comes de* Struthern; Walterus de Corry *miles*, *Dom.* Michael de Pecia quarta

An. 23 E.1. Weves *miles.* 22 *Die Julii*, *apud ſanctum* Johannem *de* Perth, Robertus de Cambron, *Dominus de* Baſingrenach *miles*, Johannes de Haya *miles*, Hugo de Urre. *Ibidem* 25 *die Junii*, Johannes de Moncrof *chivaler*, Robertus Cambron *de* Balnely *chivaler*, Alexander de Abrenethy *miles*. *Apud* Cluniacis 27 *die Junii*, Gilbertus de Glenkerny *miles*, *Dom.* Erchebaldo de Levingſton *miles*, Euſtachius de Bikerton, *Rector Eccleſia de* Hutremokedy, Johannes de Strivelyn *miles*. *Apud* Lorſare 4 *Julii*, Petrus de Campanya, *Rector Eccleſia de* Kynkel; Willielmus Fraunceys *miles*. 5 *Julii*, *Magiſter* VVillielmus de Kygorn, *Rector Eccleſia de* Lyſtona. 6 *Julii*, Hugo de Moravia, Hugo de Arroy, Andreas de Bretoine *chivaler*. 6 *Julii apud* Aberbrothock, *Frater* Henr. *Abb. de* Aberbrothock, & *Conventus ejuſdem loci*. 7 *Julii apud* Fernel, VVillielmus Fraſer *fil. quondam* Alex. Fraſer. 8 *Julii apud* Monros, VVillielmus Byſet *miles*; made the ſame Abjurations and Oathes as the firſt forecited under their hands and ſeals, before ſundry Commiſſioners and witneſſes, ſpecified in the Record at large.

Pecia quinta

Pecia ſexta.

Pecia ſeptima.

Pecia octava.

Eodem die (viz. *menſis* Julii *die ſeptimo*) *hora veſperarum. Anno Domini & Indictione, & menſe ultimo præſcriptis, in præſencia mei infraſcripti Notarii conſtituti, & teſtium ſubſcriptorum ad hæc vocatorum ſpecialiter & rogatorum, egregius Princeps Dominus* Johannes *Dei gratia Rex* Scociæ, *in pleno ſui & libera Regia poteſtate exiſtens, palàm, publicè, ſponte, & expreſſè cognovit organo vocis ſuæ*, quod ſeductus tam temeritate præpria quam quorundam conſilio perverſorum, per quoſdam ſuos procuratores et nuncios tranſmiſſos in Franciam, *cum Domino* Philippo *Rege* Francorum *& quibuſdam aliis regni* Franciæ, contra ſerenisſimum Principem Dominum ſuum Dominum Edwardum, eadem gratia Illuſtrem Regem Angliæ, quaſdam confederationes, convenciones, contractus et illicitas pactiones ſuo, Edwardi filii ſui, et incolarum regni ſui nomine de facto contraxit, contra homagium ſuum et fidelitatis ſuæ debitum, quæ præ regno ſuo Scociæ dicto Regi Angliæ præfato fecit: quodque confederationes, contractus, et pactiones prædictas nomine ſuo, Edwardi filii ſui et incolarum regni ſui nomine initas, pofſet ratas habuit, eaſque approbabit, et per ſuas patentes literas confirmabit. De malefactis cujuſmodi behementer condolere et ex corde pœnitere ſe dixit, aſſerenſque ſe bene dicto Domino ſuo Regi Angliæ reconciliari, et deinceps in omnibus adhærere, ſpretis et præ nullis habitis confederationibus, conventionibus et pactionibus ſupradictis, eaſdem confederaciones, convenciones, tractatus et pacta, et quicquid ex eis fuit quomodolibet ſubſecutum, vel extunc ſubſequi poterat ullo modo, quatenus de facto præceſſerant, revocabit, caſſabit, irritabit, et annullabit, revocatas, caſſas, irritas, et nullas publice nunciabit, ac ſponte, pure, expreſſe et abſolute renunciavit eiſdem. Renunciavit inſuper ſpecialiter et expreſſe omni commodo quod exinde ſibi, aut filio ſuo prædicto, vel regni ſui incolis poſſet aliqualiter provenire. *Acta in Cimiterio de* Stroukatherach *coram venerabili in Chriſto patre Domino* Antonio *permiſſione divina* Dunolm. *Epiſcopo, præſentibus venerabilibus viris, Domino* Umfredo *Comite* Hereford, *Domino* Johanne Comyn *Comite de* Bouchan, *Domino* Hugone le Diſpenſer, *& Domino* Johanne Comyn *de* Badenach *ſeniore, Militibus, teſtibus ad hoc vocatis ſpecialiter & rogatis. Anno Domini & Indictione ſupradictis, menſis* Julii *die decimo, egregius Princeps Dominus* Johannes *Dei gratia Rex* Scociæ *ſupradictus ad benivolenciam Magnifici Principis Domini* Edwardi *eadem gracia Regis* Angliæ *Illuſtris, non vi nec metu coactus, ut dicebat, ſed ſponte advenus rediens, in præſencia mei Notarii & teſtium ſubſcriptorum ad hoc vocatorum ſpecialiter & rogatorum*, ſemetipſum, regnumque ſuum Scotiæ, et totum Jus quod in eo habuit, vel ad illud, populumque ſuum regni ſui prædicti, et omnia bona ſua prædicti Domini Regis Angliæ voluntati ſponte, pure et abſolute ſubmiſit, vita et membris, abſque corporis incarceratione tantummodo ſibi ſalvis: ac demum *regnum ſuum prædictum, cum homagiis et aliis ſuis juribus et pertinenciis univerſis, ſuamque Regiam dignitatem honorembe Regium, necnon omnes terras et poſſeſſiones ſuas, cum omnibus bonis ſuis mobilibus, immobilibus, ac ſe moventibus prædicto Domino ſuo Domino Regi Angliæ, gratanti animo et ſpontanea voluntate, pure et abſolute reddidit: præmiſſaque et eorum ſingula organo vocis ſuæ patenter expreſſa, et prædicta regnum ſuum, et alia ſuperius annotata in manu venerabilis patris Domini* Antonii, *permiſſione divina* Dunolm. *Epiſcopi*, vice et nomine dicti Domini Regis Angliæ recipientis

* See Henry de Knyghton, de Eventibus Angliæ, l. 3. c 3. col. 2481, 2842. Here, p. 647.

* See, p. 647.

Reddicio Scociæ.

recipientis eadem, una cum ſigillo ſuo Regio, quod paulo ante in quadam burſa ſuo ſecreto ſigillo ſignificabit, tradidit et dimiſit; *michique Notario infraſcripto*, præcepit pariter et injunxit in virtute præſtiti juramenti, quod præmiſſa omnia et eorum ſingula publicarem in forma prædicta, indeque facerem publicum inſtrumentum ad perpetuam rei memoriam, fidemque et teſtimonium præmiſſorum. *Acta in Caſtro* Brechinenſi, *anno, indictione, menſe & die proximo prænotatis, præſentibus venerabili in Chriſto patre* Domino Antonio *permiſſione divina* Dunolm. *Epiſcopo, ac Nobilibus viris Domino* Johanne Comyn *de* Badenagh *ſeniore, & Domino* Briano *filio* Alani *Militibus, ac Magiſtro* Alex. Kenedy *Clerico, prædicti Regis* Scotiæ *tunc Cancellar. teſtibus ad hoc vocatis ſpecialiter & rogatis.* *An.* 24. *E*1.

Eodem die (7 Julii) *apud* Monros *coram Sereniſſimo Principe, Domino* Edwardo *Rege* Angliæ, *&c. Nobilis vir Dominus* Johannes Comyn *Comes de* Boughan, Dovenaldus *Comes de* Mar, Alexander de Balliolo *Miles*, Johannes Comyn *de* Badenagh *ſenior. Miles*, *Dominus* Herbertus de Makeſwelle *Miles*, *Dominus* Johannes de Tosketon *dictus* Mareſcallus *Miles*, *Dominus* Johannes de Moravia *Miles*, *Dominus* Alexander Kenedy *Canonicus* Glaſguenſis, *Dominus* Nicholaus de Haya *Miles*, *Dominus* Johannes Seinoler *de* Hurmaneſton, Andreas de Chartres, Willielmus de Silkeſworth, Alex. de Erth, *Dominus* Hugo Rydel *Miles*, Johannes Comyn *de* Straesburgh, Johannes *dictus le* Botilier, *Dominus* Nicholaus de Rotherford, Radulphus de Eglinton *Milites*, Thomas de Wynceſtria, Johannes de Elſingiſton, Johannes le Botillier *Chivaler*, Fergundus *dictus* Mareſcallus, Nicholaus de Rothirford *Chivaler*, & Godefridus de Ardroſſan. 12 *Julii. Dominus* Willielmus de Balliolo *Rector Eccleſiæ de* Kirkpatrik, Walterus de Scherwinglawe. 15 *Julii. Dominos* Normannus de Lechelyn, Alexander de Lambreton, Johannes de Glennesk, Johannes de Strivelyn *de* Moravia, Patricius de Eggilumvyn, Johannes de Garmagh, Willielmus de Cluniaco, & Thomas *dictus* le Uſſer, *prædicti regni* Scociæ *Milites*; Alexander de Stratton, Gilbertus de Mar, *Dominus* Willielmus Comyn *Præpoſitus Sancti* Andreæ, Gilbertus de la Haya, Johannes de Cambo, Johannes *fil.* Johannis de Kynros *Milites*, Jacobus de Malevill, Galfridus de Venaly. 17 *Julii.* Robertus de Elmeleya, Duncanus de Ferndragh, Patricius de Berkeleya, Hugo de la Haye, Reginaldus le Cheen, Johannes *fil.* Herberti de Makewelle, & Willielmus de Monte Alto *Milites*; *Dominus* Hervyus de Crambath *Decanus* Dunkeldenſis, Johannes *fil.* Ranulphi de Petſcotyn, Robertus de Walghop, Robertus le Fauconer, Willielmus de Ivays. 19 *Julii. Burgenſes & Communitas* Villæ de *Abirden. Venerabilit pater Dominus* Henricus *Epiſcopus* Abirden. *Dominus* Johannes Flemingum, & *Dominus* Willielmus de Moravia *Milites*, *Dominus* Walterus *dictus* Blackwatre *Decanus Eccleſiæ* Aburden. *Dominus* Johannes de Malevill *Miles*, 22 *Julii* apud *Bamfe*, *Dom.* Thomas de Torthorald *Miles*. 26 *Julii* apud *Elgyn* in *Moravia*. Robertus *permiſſione divina Epiſcopus* Glaſguenſis, *Nobiles vir Dominus* Alex. *Comes de* Meneteth, *Dominos* Thomas de Soules, Johannes Wycharde, Gervaſius de Rate, Alex. de Ergayel, Alex. Comyn, & Nicolaus de Soules *Milites*, *Burgenſes de* Elgyn *in* Moravia, *& ipſius Civitatis Communitas, necnon & quidam* Alanus de Morref. 28 *die Julii. Dominus* Johannes de Sancto Michaele, *Dominus* Robertus de Normanville, *Dominus* Dovenaldus *fil.* Can, & *Dominus* Adam Gurdon *Milites*, Willielmus *dictus* Wiſman, Johannes de Monteforti, Alex. de Hateley, Jac. *filius* Godefridi de Ros *ſenior*. Reginaldus de Sancto Michaele *Clericus*, Jacobus *fil.* Godefridi de Ros *junior*. Robertus de Trembleye, Audomerus Comyn, Willielmus de Laſteles, Gilbertus de Southeyk. 29 *Julii*, Henr. *dictus* Cor, Johannes Wychard *del* Miernes, Andr. *fil.* Godefridi de Ros, Alex. de Hougeſton, VVillielmus de Tactenel, VVillielmus de Rothenayk, Rogerus *dictus* Pater noſter. 1 *Auguſti.* Johannes Treſour, *Burgenſes villæ Sancti* Johannis de Perth. 2 *Aug.* Ranulphus de Kelorum, Thomas de Colly. 3 *Auguſt. apud Kynkardyn.* Richardus de Neutobyry. 4 *Aug.* Radulphus de *Kinnard*. 5 *Aug. apud Aberbrothoks.* Marcus de Clapham, on the ſeveral daies and in the places foreſpecified, made the ſelf-ſame renunciations, and took the ſame Oath of Fealty to King *Edward*, atteſted by the ſaid Notary, by ſeveral witneſſes, and their own deeds under their reſpective Seals, as *John* Seneſchal of *Scotland* did before them, all particularly recorded at large in this Roll in their Order, which thus proceeds.

Pecia nona.

Pecia decima.

Pecia 11.

Pecia 13.

Pecia 14.

Pecia 15.

Pecia 16.

Pecia 17.

Pecia 18.

Pecia 19.

Pecia 20.

An. 24 E. 1. Parliamentum in Octabis Aſſumptionis.

Poſthac verò, indicto prefati Domini Regis Angliæ *Illuſtris Parliamento, conſencientibus utriuſque regni Nobilibus & Prelatis, in* Octab. Aſſumptionis *beatæ* Mariæ *Virginis Ann. Domini & Indictione prænotatis apud* Berwyk *ſuper* Twed, *congregatiſque ibidem prædicti regni* Scotiæ, *tam Epiſcopis, Abbatibus & Prioribus, cum aliis Eccleſiarum Prælatis, quàm Nobilibus viris, Comitibus,* Baronibus, *& aliis Militibus & Proceribus dicti regni, cum Communitatibus Civitatum & Villarum, viceſimo octavo die* Auguſti, *Anno Domini à Nativitate Milleſimo, Ducenteſimo, Nonageſimo ſexto, & Indictione nona, Præſentibus Nobilibus viris Domino* Johanne VVarenniæ, *Domino* Rogero de Northfolch. *Domino* VVillielmo de VVarrewyke, Patricio de Dunbar & Marchia, *& Domino* Gilberto de Anegos *Comitibus*, Domino Johanne de Haſtinges, *Domino* Johanne VVake, *Domino* Hugo le Deſpenſer, *Domino* Briano *fil.* Alani, *Dominis* Petro Corbet, Radulpho *fil.* VVillielmi, Johanne Marmeduci, VValtero de Huntrecumbe, *&* Roberto de Hilton *Baronibus, cum Domino* Rogero Brabanſon *Milite, & Magiſtro* Johanne de Cadomo *publico auctoritate Papa* Notario, *teſtibus ad ſubſcripta vocatis ſpecialiter & rogatis, cum aliis, tam Militibus & Clericis quam Laicis in multitudine copioſa, & me Notario ſubſcripto, venerunt in pleno dicti Domini Regis* Angliæ *Parliamento memorato, non vi nec metu coacti, ſed ſpontanea & libera ſua voluntate ſupradicti Nobiles & Prælati dicti regni* Scotiæ, *necnon & Milites, Proceres & regnicolæ, qui præfato Domino Regi* Angliæ *fidelitatem fecerant (ut præmittitur) diebus & locis ſuprafcriptis, una cum omnibus & ſingulis inferiùs nominatis, et fidelitatem eandem prædicto Domo Regi* Angliæ *prius factam, ut prædicitur, cum revocatione, caſſacione, irritacione et annullacione confederacionum, contractuum, conventionum et pactorum quorumcumque nomine cenſeantur, ſi quæ unquam ſuo nomine vel conſenſu clam vel palam cum Domino* Philippo *Rege* Francorum, *contra dictum Dominum Regem* Angliæ *initæ fuerant qualitercumque, ſive per ipſorum, vel Domino* Johannis de Balliolo *quondam Regis* Scotorum *procuratores vel nuncios generales vel ſpeciales in* Franciam *deſtinatos, et renunciationes eiſdem factas, ut ſuprafcribitur, innovarunt, omologarunt, laudarunt et etiam approbarunt, et de communi omnium Prælatorum et Nobilium dicti regni* Scotiæ, *et aliorum Procerum, regnicolarum et communitatum Villarum totius regni* Scotiæ *conſenſu unanimi et voluntate, præfato Domino Regi* Angliæ *fidelitatem iterato et homagium pro omnibus terris ſuis infra dictum regnum* Scotiæ *exiſtentibus fecerunt, et tactis ſacroſanctis et oſculatis Dei Evangeliis in forma ſubſcripta, fidelitatem ſuam firmarunt corporalis vinculo juramenti, et ſuper fidelitatibus ſuis et homagiis ſic factis, ſicut infra patet, iterum ſuas patentes literas fecerunt ſuis ſigillis pendentibus conſignatas. Quarum literarum incipiendo primo ad Prælatos, Epiſcopos, Abbates et Priores, ſubſequenter vero ad Nobles, Comites, Barones et alios Milites, et ſic ultimo deſcendendo ad Communitates Villarum et alios Incolas regni Scotiæ memorati, ſeriatim in omnibus et per omnia tales ſunt tenores.*

Pecia 21. De Fidelitate & Homagio iterato ex communi conſenſu regnicolarum Scotiæ factis Regi Angl.

* See Henr. de Knighton, de Event. Angl. l. 3. c. 3. col. 2482.

† Here, p. 648, 649.

* A touz ceaus qui ceſtes lettres verront ou orront, *Robertus* Eveſque de *Glaſcu, Henry* Eveſque de *Abirden, Thomas* Eveſque de *Candida Caſa*, ſaluz. Pur ceo qe nous ſumes venuz a la foi, e a la volunte du treſnoble Prince noſtre chier Seignor fitz *Edward* par la grace Dieu Roy *Dangleterre*, Seignor *Dirland*, e Ducs Daquitaigne, nous promettoms pur nous e pur nos ſucceſſours, ſur peine de corse davoir, &c. (*verbatim*, as in that before of † *James* Seneſchal of *Scotland*) E a ceſtes choſes tenir e guarder nous oblegioms nous è nos ſucceſſours, e touz nos biens e outre ceo auoms jurez ſur Seints Evangeliſts, &c. En teſmoignance des queus choſes, nous auoms fait fair Ceſtres lettres ouertes de nos Seals. Dones a *Berwyk* ſur *Twede* le vinteutiſme jour *Dauguſt*, l'an du regne noſtre Seigneur Roy *Dengleterre* avauntdit vintiſme-quart.

A touz ceaus qui ceſtes lettres verront ou orront, Johan *Abbe de* Douzquer *e le Covent de meſme le leu*, Wautier *Abbe de* Paſſelay *e le Covent de meſme la lu*, Aliſaundre *Abbe de* Tungeland *e le Covent de meſme la lu*, Wautier *Abbe de* Dundreyvan *e le Covent de meſme le lu*, Adam *Abbe de* Seinte Croice *de* Edeneburgh *e le Covent de meſme le Lu*, Patrik *Abbe de* Cambuskenel *e le Covene de meſme le lu*, Gilbert *Abbe de* Kylros *e le Covent de meſme le lu*, William *Abbe de Seint* Edward *de* Balmurinagh *e le*

Covent

Covent de meſme le lu, Rauf *Abbe de* Dunfermelyn *e le Covent de meſme le lu*, Andreu *Abbe de* Coupre *e le Covent de meſme le lu*, Thomas *Albe de* Scone *e le Covent de meſme le lu*, Dungald *Abbe de* Seint Boyſe *e le Covent de meſme la lu*, Robert *Abbe de* Holmcoltram *e le Covent de meſme le lu*, Johan *Abbe de* Neubottle *e le Covent de meſme le lu*, Thomas *Abbe de* Limdors *e le Covent de meſme le lu*, Bernard *Abbe de* Kylwynin *e le Covent de meſme le lu*, Brice *Abbe de* Dere *e le Covent de meſme le lu*, Brice *Abbe de* Seint Columb *e le Covent de meſme le lu, ut ſupra.* *An. 24 E. 1.*

A touz, &c. Johan *Abbe de* Jeddeworth *e le Covent de meſme le lu*, William *Abbe de* Dryeburgh *e le Covent de meſme le lu*, Patrik *Abbe de* Menros *e le Covent de meſme le lu*, Richard *Abbe de* Kelſhou *e le Covent de meſme le lu*; *ſaluz.*

A touz, &c. Henry *Abbe de* Abirbrothok *e le Covent de meſme le lu*, William *Priour de* Canonby *e le Covent de meſme le lu*, Adam *Priour del* Idle *de* Seint Colmoth *e le Covent de meſme le lu*, Pieres *Priour de* Ercattan *e le Covent de meſme le lu*, Henry *Priour de* Coldingham *e le Covent de meſme le lu*, Richard *Priour de* Dureme *e le Covent de meſme la lu*, Morice *Priour de* Whiterne *e le Covent de meſme le lu*, Johan *Priour de* Seint Andreu *e le Covent de meſme le lu*, Eve *Prioreſſe de* Hadington *e le Covent de meſme le lu*, Alice *Prioriſſe de* Manuel *e le Covent de meſme le lieu*, Ade *Prioreſſe de* Seint Boythau *e le Covent de meſme le lu*; *ſaluz*, &c.

A touz, &c. Malys *Counte de* Strathern, Johan Comyn *Counte de* Bouchan, Johan Comyn *de* Badenagh, Dovenald *Counte de* Mar, Aliſaundre *Counte de* Meneteth, James *Seneſchal* Deſcoce, Maucolum *Counte de* Levenaus, William *Counte de* Southerland, Johan de Strivelyn *de* Morref, William de Morref, *Seignor de* Bothevill, Aliſaundre Comyn, Brian *fiz* Aleyn, Renaud le Cheen, William de la Haye, Nicol Cambel, Phelippe de la Leye, Johan de Calentyr, Andreu le Monttour, Aliſaundre Freſel, Phelippe de Lindeſeye, Johan de Cantelou, *e* Aliſaundre de Lindeſeye *chivalers*; *ſaluz*, &c. Pecia 22.

A touz, &c. Robert *Priour de* Roſtynnot *du Comte de* Forfare, *e le Covent le meſme le lu.*

A touz, &c. Patrik *Counte de la* Marche *e de* Dunbar, Gilbert de Humfranvyll *Counte de* Anegos, Robert de Brus *le veil*, *e* Robert de Brus *le* Jeouene *Counte de* Carryk, *ſaluz*, &c.

A touz, &c. Johan de Perth *Burgoys e Aldreman de la vile de* Seint Johan de Perth, Johan *fiz* Richard de Perth, Dunkan del Celer, Richard de Neville *de* Perth, Rauf Tundeman, William Alight, Johan Treſour, William *fiz* Johan de Perth, Bernard le Mercer, Johan Serle de Perth, Dovenald Bryd, Robert Fouk, Phelipp Tuket, Waryn de Whiteby, Wadyn de Perth, Thomas With, *e* Symon le Glover *Burgoys e tote la Communaute de la vile de* Seint Iohan de Perth, *ſaluz*, &c.

A touz, &c. Richard Brice de Stryvelyn *Burgoys e Aldreman de meſme le Burk*, Laurence de Dunblan, William Servatour, Reynaud de Malevill, Richard Preſtre, Robert le Taillour, Morice le Rous, Gilbert Teketer, Adam *le fiz* Richard, Rauf le Wright, William le Lardyner, *e* Iohan de Dryelawe, *Burgois e tote la Communaute del avantdit Burk*; *ſaluz*, &c. Pecia 23.

A touz, &c. Wautier le Orfeure *de* Roksburgh, *Burgois e Aldreman de meſme le Burk*, Richard le Forblour, Richard Vigrons, Michel le Seeler, William le Boſevill, Adam de Myndrum, Adam Knout, Geffrey de Berewyk, Adam de Eurewyk, Adam Corbrand, Auſtyn le Mercer, *e* Johan Knout *de* Roksburk, *e tote la comune de meſme le Burk*; William de Dederyk *Burgoys e Aldreman del Burk de* Edenburk, James de Edneburgh, Wautier fiz Martin, Wautier le Arblaſter, Henry le Scoter, Johan Hoger, William le Taillour, Waltier de Rypon, Waldef de la Rethe, William de Leiceſtre, Richard fiz Wautier *de* Edneburk, *e* Johan Wyggemere *de* Edneburk, *e tote la comune de meſme le Burk*; *ſaluz*, &c.

A touz, &c. Johan Dameſone *Aldreman e Burgois de* Jeddeworth, *en le Counte de* Roksburk, Symon de Rennyngton, Huwe de Lindeſeye, Robert le Mareſchal, Robert Fremanſone, Rauf le Spicer, Stevene le Mareſchal, Thomas le Tayllur, Symon le Tayllur, Richard le Clerk, Ewy le Clerk *de* Jeddeworth, *e* Huwe de Watton *Burgoys*, *e tote la Comunaute de* Jeddeworth; *ſaluz*, &c.

A touz, &c. Aliſaundre le Barker *Provoſt del Burk de* Hadington, *en le Counte de* Edneburk, Johan le Scot, William le fiz Geffrey, Adam le fiz Fernyn, Adam de Skrogges, David de Penkatlond, William Bicheler, Johan Derok, William le Barker

An. 24 *E.* 1. ker, Duncan le Rous, Henry de Ayton, *e* Johan Grokeſchank, *e tote la comune de meſme le Burk*; *ſaluz, &c.*

A touz, &c. William de la Chaumbre *Baillyf & Burgoys de* Pebbles, Johan *Vicaire del Egliſe de* Pebbles, Adam de Hord, David le fiz Andreu, Nicol de Northamcheton, Renaud Hardegreyes, Johan le fiz Wauter Gretheved, Henry Raneſmaugh, Symon le Frere Wautier, Symon le fiz Geffrai, Pieres le fiz Geffrey, *e* Rogier Blynd *Burgoys, e tote la Comunante de* Pebbles; *ſaluz, &c.*

A touz, &c. Johan Rabuk, *e* Johan de Mar, *Baillifs del Burk de* Linleſcu, Andreu le Serjaunt, William Othehull, Johan le Porter, Matheu de Kynglas, Henry del Wro, Phelipp de Abrenithy, Gilbert de Hildeclyve, William le fiz Ernand, Michel le Lardiner, *e* Nicol le Serjaunt *Burgois, e tote la comune de meſme le Burk*; Adam Gold, *Baillif del Burk de* Monros, Wautier de Roſſy, Johan de Thornton, Johan fiz Aleyn, Huwe le fiz Mancolum, Thomas Cuſſok, Phelipp de Logyn, Johan Trot, Henry de Hakely, Wautier le Mercer, Johan fiz Adam, & William Serjaunt *Burgoys, e tote la comune de* Monros *avantdit*; *ſaluz, &c.*

Pecia 24. *A touz, &c.* Aliſaundre le Sauſer, *e* Geffrey Caland, *Baillifs e Burgoys de la vile de* Ennerkechyn, *en le Counte de* Fyf, Adam le Mareſchal, William Dod, Pieres de Petravy, Johan del Ile, William le fiz Eve, Andreu de Strivelyn, William le fiz Johan, Rauf le fiz Norman, Johan Bertram, *e* William de Rydale *Burgoys, e tote la Comunante de meſme la vile*; *ſaluz, &c.*

A touz, &c. Henry de Mundevill, Thomas de Colevill, Andreu de Chartres, David le Mareſchal, Humfrey du Gardyn, Mariot de Button, Patrik de Botyl, Dovenald fiz Can, Wautier de Twynham, William de la Chaumbre, Johan de Geneleſton, Wautier fiz Richard *de* Twynham, Stevene de Kilpatrik, Wautier Durant, Matheu de Legh, Thomas de Kirtonnel, Thomas de Bardonan, Robert de Muffet, Rogier de Fauſſyde, Duncan de Coningesburgh, Gilmighel Mac Eth, Matrach ap Molegan, Johan Murchok *del Counte de* Dunfres, Johan le Mareſchal *de* Tosketon, Thomas de Torthorald, Fergus Mac Dowil, Roland Mac Gaghan, Thomas Maculagh, William Polmalot, Andreu de Cogan, Johan de Meynreth, William de Champaigne, Dongal Mac Dowyl *del Counte de* Wyggeton, Alice de Ormeſton, Mariot de Golyn, William de Fenton, Aliſaundre de Boukhill, Johan de Vaus *del Counte de* Edneburg, Thomas de Somervill, Wautier Logan, Dervorgoyl *qe fu femme* Robert Carnot, Steven de Roberton, Margarete de Colbanſton, Iſabele de Colbanſton, Richard Leſcot *de* Murchoxton, Steven le Wafrer, Andreu de Levingeſton, Wautier le fiz Roger de Odeſton, Hamund de Trouper, William de Morref *de* Romſirgard, Rauf Maulenter, William de Douglas, Aliſaundre de Strivelin *del Counte de* Lannark, Huwe Grey, Johan de Seint Cler *de* Hirdmaneſton, *e* William le Broun *de* Laweder *del Counte de* Berewyk, Roger de Almere, Michel de Witton, *e* Adam de Wytton *del Counte de* Selkirk, Johan de Montfort, William de Rammeſeye, William de Bailliol, Johan le Botiler *de* Gramund, Aliſaundre de Stratton, James de Stratton, Henry de Brade, William de Grenlawe, Johan de Laſtaliryk, Thomas le Noble, Patrik le Noble, Elice de la Longemore, Huwe Rydel, Andreu de Cragelton, William de Ros, William le Flemyng *de* Seton, Wautier de Longeton, Huwe de Morref, Rauf de Langton, William de Drilowe, Huwe de Penicok, Nicol de Knyghton, Edward de Whitewelle, William Byſet, William de Cramund *Clerk*, Aleyn de Lyberton *del Counte de* Edneburk, William Freſer, Thomas de la Chaundel, William de Malevill *del Counte de* Pebbles, Robert de Normanvill, Johan de Strivelyn *de* Cars, Gilbert Malherbe, *e* William le Servetour *del Counte de* Strivelyn, Johan le Botiler, Nicol de la Haye, Robert Cambroun *de* Balnygrenagh, Johan de Moncref, Roger de Methfenner, *e* Maucolum de Glendughred *del Counte de* Perth, Thomas de la Tour, Richard de Warwyk, Gilcriſt More, Huwe de Kelſhowe, Godefrai de Ardroſſan, Fergus Foſtreſone, *Meſtre* Gilbert de Templeton, William Kerre, Robert de Ros, Johan de Parys, Dovenald fiz Gilbert, Patrik de Comenagh, Thomas de Gelghagi, *Meſtre* Neel Cambel, Adam le Taillour *de* Coningham, Ingram de Umfrauvill *del Counte de* Arc, Johan de Glennyſk, Morgund de Glennesk, Patrik de Oggehull, Randulf de Keloure, Adam de Inrepeffre, Johan de Kynros, Rauf de Dunde, William de Anand, William de Gurlay *de* Bagally, Aliſaundre de Lambreton, Johan Haunſard, Robert de Betuyn, Eve de Anegos, *e* David de Breghyn *del Counte de* Forfare, *e* Johan Bruyn *del Counte de* Linliſcu,

Johan

Iohan de Ormeſton, Robert de Wodeford, Iohan Lock, VVilliam de Boſevill, Iohan Normaunt, Andreu de la Garderobe, Adam de Maxpoffel, VVilliam de Heſſewell, Huwe Eyre, Symon de Creſſevill, Robert de Hodolm, Iohan de Grymeſſawe, Aliſaundre de Baillol, e Thomas de Chartres *del Counte de* Roksburk; *ſaluz, &c.* *An.* 23 *E.* 1.

A touz, &c. Adam de Hep, Johan de Harden, Richard de Cheſchelm, Wautier Burghton, Robert Grundy *de* Neuton, Robert Waigh *de* Hep, Thomas de Roule, William de Farningdon, Roger de Midelburgh, Johan Fraunceys *de* Longa Neuton, Reynard de Dolfinſton, William de Rucaſtel, Johan le fiz Johan *de* Aneſleye, Johan le Mareſchal, Aymer de Rotherford, Robert de la Graunge, Aleyn Gurney, Phelip Steward, Adam de Chathon, Nicol. Fanſy, William Scot, Marie de Synton, William de Chartres, Richard le Furbour, Johan de Lilleſclyf, Symon de Holden, Guy de Denum, Johan de Echereſton, Ingram de Toſtes, William le Bradeleye, Richard de Flex, William de Toſtes, Henry le Chapeleyn, Johan de Heton, Johan de Scoubeſclegh, William de Yetham, Johan de Malkarteſton, Wautier Merpym, Wauter de Holcote, Johan le Mareſchal, Adam de Rukelton, William de Prendrelath, Gilbert Moffin, Gilbert fiz Beatrice, Robert de Edenham, Johan le Seneſchal *de* Jeddeworth, Johan Knout, Adam de Rykelden, Aliſaundre Servys, Robert de Huntelegh, William de Prendrelath, Wautier le Clerk *de* Roksburk, Adam la Perſone *de* Souldon, Phelipp de Briden, Henry de Hommes, Robert de Toſtes, Adam le Taillour *de* Cheſſeworth, Freskums de Laundeles, Rogier Corbet, Johan Benoghtyn, Johan Comyn *de* Skiresburgh, William de Fauſſyde, Robert de Hanewyk, Patrik de Blenkanſon, Thomas de Joneſton, Gilcriſt fiz Patrik, Thomas de Cokeburn, William Oſcherebure, Robert de Malevile, e Bernard *de* Handen *del Counte de* Rokesburgk, Andreu de Bretton, Johan de Makſwelle, Syvan le Mare, Huwe de Foderingeye, Maucolum de Rosky, Maucolum fiz Maucolum, Johan de Lanyn, Gilemore Maclyn, Johan de Kyntowar, Wautier de Kyntowhar, Maucolum de Kynbuk, Patrik de Glendoghrad, Thomas de Kyngarth, Meſtre Matheu de Monros *Clerk*, Iſaac de Kelwiny, Lorn de Ardebethey, Thomas Tutte *de* Strathern, *la Prioriſſe de ſeint* Leonard *juxte la vile de Seint* Johan de Perth, Rogier de Miggel, Gilbert de Thoruk, Kilſchyn Gilcriſt, Huwe de Balmenagh, Malys de Molieſard, Ego de Strathath, Robert de Strathern, Monagh fiz Alpyn, Morice de Tyrcy, Conan de Bethweder, Margarete le Engleys, Haldan de Emeſter, William de Morref *de* Tulybardy, Maucolum de Strathern *Clerk del Counte de* Perth, *ſaluz*, &c. Pecia 25.

A touz, &c. Johan de Swyneburn, Reynaud de Craunford *del Counte de* Are, Gilbert de Glynkerney *del Counte de* Elgyn, Gilbert de Lakenheved *del Counte de* Lanark, Chriſtine de Mar *que fu la femme* Duncan de Mar *del Counte de* Ilderneſſe, Maucolum de Ergad *frere fire* Aliſaundre de Ergad, Duncan Cambell *del* Illes, e Gilbert de Mar *del Counte de* Fyf; *ſaluz*, &c.

A touz, &c. Anneys Prioreſſe *de Sonth* Berewyk *e le Covent de meſme le lu*; *ſaluz*, &c.

A touz, &c. Iſabele Knout *del Counte de* Rokesburk, Johan de Montgomery, Reynaud Mor *de* Cragge, David de Waugh *del Counte de* Lanark, Margerie Comyn, *dame de* Gurdon *del Counte de* Berewyk, Wautier de Caran *del Counte de* Fyf, Duncan *fiz le Counte de* Mar *del counte de* Perth, Johan Haughenros *del Counte de* Elgyn, Henry Hogger *del Counte de* Rokesburk, Eve *qe fu la femme* Maucolum de Fernyndraugh *del Counte de* Abirden; *ſaluz*, &c.

A touz, &c. Matheu le Naper *de* Aghelek, Aliſaundre de Sanſer *de* Innerkethyn *del Counte de* Forfare, Johan del Hage *del Counte de* Berewyk, Rauf de Chaumpayne *del Counte de* Wygeton, William Prat, Adam de Gibeloteſton *del Counte de* Fyf, Robert de Oghtergeven *del Counte de* Perth, VVilliam de Malevill *del Counte de* Rokeſburk, Johan de Hirdmaneſton *del Counte de* Berewyk, VVilliam le Taillour *de* Balſhamvelle *del Counte de* Forfare, Aliſaundre de Dalmahoy *del Counte de* Edenburk, e Johan de Cragyn *del Counte de* Linleſcu; *ſaluz*, &c.

A touz, &c. Wautier Byſet, Wautier de Benavelyn, William de Gurleye, Adam de Garmagh, Wautier de Balernagh, Johan de Haneworth, Phelipp le Mareſchal, Richard del Idle, Robert de Muſcampe, Aylmer de Handen, Barthelmeu *Meſtre de la meſon de Seint* Germeyn, William le Harpur *de la* Lauwe, Pyeres de Lyſours, Simon de la Scalerik, Robert de Pylemor, VVilliam Schelle, Thomas de Boys, Thomas de Carkon,

An. 24 *E.* 1. Carkon, Iohan de Crak, Iohan Leſquier *de* VVhyhop, Andreu de Haldanſton, Richard de Holaſton, Phelipp VValran, Aliſaundre Bertholmeu, Robert de Hedleye, Johan de Cambok, Bernard Friſel, VVilliam de Faſington, Matheu de Hauthornden, Iohan Fraunceys *de* Beneſton, Iohan Pygaz *de* Lynton, Adam de Fouwelden *de* Horton, William de Cornhal, William Avenel, Henry de Ormeſton, William Fryſel, Aleyn de Wynton, Thomas de Stratton, Nicol de Preſton, Cristy de Carnant, William de Preſton, Adam de Lynton, Rogier Gourlay, Adam de Lynton, William de Sideſerſt, Robert de Weepunty, Pieres de Horton, William fiz Geffray *de* Boulton, Patrik de Hirdmanneſton, Adam le Clerk *de* Colginton, Ive de Elebotle, Michel de Hale, *Frere* Iohan *meſtre del Hoſpital de Seint* Trinitie *de* Huweſton, James de Neuton, Hue fiz Geffrey *de* Elbotle, Wautier de Northberewyk, Geffrey de Chaldecote, Adam de Reynfru, Henry de Kidelowe, Wautier de VVerderburn, William de Pokeby, Robert de Langemore, et Eymer de Handen *del Counte de* Edeneburk; *ſalutz*, &c.

A touz, &c. Phelipp de Fyndon *del Counte de* Kyncardyn, *e* William de Meyſterton *del Counte de* Fyf; *ſalutz*, &c.

A touz, &c. ——— Penicok, Aleyn de Lyberton, David de Lyberton, VVautier de Loghdon, Randolf de Loghdon, Huwe Rydel, Gunnyd Brun, Gilbert de Dunmanyn, Edward de Couton, Iohan de Agdokeſton, Richard de Erth, William de Kynemuth, Henry de Lyſours, *e* William de Drilawe *tenantz le Roi du counte de* Edneburk, Elys *le porter de* Rugan, *e* Roger *le fiz* Richard de Cadrogh, *tenantz le Roi du counte de* Lanark, Richard Foſſart de Ieddeworth, *e* Reyner de Clonas Lumbard, *tenantz le Roi du counte de* Roksburk, William Onthehull, Thomas de Karibe, Henry del Wro, Michel le Lardiner, Nicol Serjant *de* Linleſcu, Phelipp de Abernyd, Gilbert de Hildeclyve, Will. de Kenenmuth, William le fiz Arnaud, Andreu de Croſton, Adam de Whiteburn, Gilcriſt de Whiteburn, Iordan del Orchard, Will. Bretun, *e* Iohan de Kelput, *tenantz le Roi de counte de* Linleſcu. Rauf Doghlyn *de Hadington*, Rob. de Eghlyn, Alice *qe fu la femme* Aleyn de Ormeſton, William Peſshun *de* Tynygham *tenantz le Roi du counte de* Edneburk. Henry de Haliburton, Huwe *le fiz* Moyſes de Spot, William de Abernithy, Pieres de Prendelguſt, Alice *qe fu la femme* Phelipp de Haliburton, *e* Margerie *qe fu la femme* Thomas Bangſleve, *tenantz le Roi du counte de* Berewyk. Patrik de Malevill, William Perel, Rogier le Mareſchal, William de Malevill, VVilliam de Crelinger, VVautier Lillok, Thomas Lillok, Rogier de Mohant, Rauf del Pont *de* Pebbles, Huwe Oftheleigger, VVilliam de Hopkeliogh, Johan le Naper, Adam le Feure *de* Erceldoune, VVilliam Porneys, *tenantz le Roi du Counte de* Pebbles, Iohan de Drilowe, Robert de Normanvill, Iohan de Lambreton *tenantz le Roi du Counte de* Strivelyn. Maucolum de Glindoghred, Iohan de Botirgaſt, Robert Cambroun *de* Balnely, Henry de Freſſeleye, Teobaud Pittor, VVilliam de Kilmoneth, Robert de Oſtergaven, Thomas Cambel, Aliſaundre de Argeyl, Maucolum fiz Inneyre, Patrik de Rothenayk, Rauf de Gilgirgeſton, Iohan Ewinſone, Mac Gilcriſt, Rauf de Kynnard, Gilbert de la Haye, & Iohan de Malere *tenantz le Roi du Counte de* Perth: *e* Eve *la Prioreſſe de* Hadington *tenantz le Roi du Counte de* Edneburgh. Nicol de Tripponeye, VVilliam de Scheles, VVilliam *tenant de* Creſton, Iohan le Porter *de* Linleſcu. Serle de Dundas, Michel Lardiner, Nicol le Serjaunt *tenantz le Roi du Counte de* Linleſcu, Iohan de Crauford, Thomas de VVinceſtre, Aleyn VValeys, Robert Boyt, Adam fiz Grimbaud, Nicol de Slaves, *e* Patrik le Archer *tenantz le Roi du Counte de* Are; *ſalutz*, *&c.*

A touz, &c. Thomas le Huſher *del Counte de* Anegos, VVautier Comyn *del Counte de* Pebbles, VVautier de Greyden, Gilbert de Eſtnesbyt, Adam fiz Nicol, Adem Belle, Thomas le Muller, Edward fiz Richard le Preſtre, Laurence de Morref, Patrik de Byly, *e* Aleyn Belle *del Counte de* Berewyk, VVilliam de Baudreſton *del Counte de* Linleſcu, Enime de Ailmer *del Counte de* Selkirk, Maucolum de Kynſpinedy, Richard *Perſone del Egliſe de* Torry *del Counte de* Fyf, *Meſtre* VVilliam de Rochesford *Perſone del Egliſe de* Lilleſclyve, Richard de VVytton *Perſone del Egliſe de* Hawyk, VVilliam de Blakelawe, Iohan de Lynton, Gilbert Haunches, VVilliam de Janun *del Counte de* Rokburk, Robert de Chartres, Aliſaundre de Keth, *Perſone del Egliſe de* Hodolme *del Counte de* Dunfres, Adam *Perſone del Egliſe de* Laſtaltigg *del Counte de* Edneburk, William *Vicaire del Egliſe de* VVyſton, VVilliam le Taillur, VVautier le Fleming, Kynlay de Twydyn *del Counte de* Lanark, *Frere* Iohan de Sautre, *Meſtre de la Chivalerie del Temple en* Eſcoce, *Frere* Aliſaundre de Welles

Fecia 17.

Gardeyn

Gardeyn del Hoſpital de Seint Johan *de* Jeruſalem *en* Eſcoce; *ſaluz, &c.* *An.* 24 E. 1.

A touz, &c. Duncan fiz Avelyn *Chivaler*, Henry de Vypunt *Chivaler*, Umfra de Kilwhowe *Chivaler*, William le Fleming, Aleyn le fiz Avelyn, Morice de Arncappel, Johan Makelmothan, Duncan le fiz Nelges, *e* Johan le Naper *del Counte de* Dunbretan, Johan de Joneſton *Chivaler*, *e* Johan le Blunt *de* Eskeby, *del Counte de* Dunfrys; Hectur Askeloc, *e* Arthur de Galbrath *del Counte de* Wygeton, Wautier Sproul *del Counte de* Dunbretan, Roger de Burghdon *de* Blakeder, Rauf de Egerhop, Adam Bernak *de* Hilton, Gregoire de Seint Cler, Edith de Goldingham, Anneys de Molleſworth, Rogier le Hauper *de* Homer, Rauf de Hauden *Perſone del Egliſe de* Whiteſum, William Caſſurlong, Robert Mantalent, Henry de Ellom, Nicol del Deſpenſe, *e* Robert Cogan *del Counte de* Berewyk, Donald le fiz Ancol *del Counte de* Dunbretan, Johan de Haukerſton, William le Fraunceys, Johan de Elfinſton, Wautier de Congelton *del Counte de* Edneburk, Gilbert de Kilbride, Aliſaundre de Strivelyn *del Counte de* Lanark, Henry del Orchard, Matheu de Gurle, Johan de Graham, Henry le Ferour *de* Granernen, Conſtance de Kyphop, Rauf Eghlyn, William le Mareſchal, Henry Ker, Wautier de Berkelegh, Michel Hippereyſon, Aleyn le Litteſtre, Henry del Lardere, Robert del Fanſyde, Johan de Wytelowe, William *Perſone del Egliſe de* Barwe, Johan de Hankerſton, Richard Stiward *de* Craneſton, *del Counte de* Edneburk, Gilbert de Dromund *del Counte de* Dunbretan, Henry de Graham, Johan de la Leye, Johan de Seton, Pieres de Graham, Beatrice de Karlel, Adam de Hodolm, Euſtace de Boyvill, Ive le Meſſager, Richard de Seton, *e* James de Torthorald *del Counte de* Dunfres, Nicol de Biddeby, Johan Oter, William le fiz le Styward, Robert de Spotteſwode *del Counte de* Berewyk; *ſaluz, &c.*

A touz, &c. Michel de Wymer, Henry de Haliburton, Anegos Makerath, Dugaldus Gregyns, Wautier de Ruſſy, Nicol Makwheſshapp, Maucolum fiz Nicol, Pieres de Cokeburn, Andreu le Jugger, Nicol de Veupount *de* Tyndaz; *ſaluz, &c.*

A touz, &c. Duncan de Fernyndrogh *Chivaler*, Norman de Leſſelyn *Chivaler*, Johan Lyppe *del Counte de* Abirden, Thomas de Morham *puſnee de Counte de* Strivelyn, Johan Wyght *del Counte de* Linark, William Breton *del Counte de* Linleſcu, William de Abercromby *del Counte de* Fyf, Huwe de Urre *del Counte de* Dunfres, Roger de Crauford *del Counte de* Are, Thomas le Ewer, *e* Johan le Skene *del Counte de* Edneburk; *ſaluz, &c.*

A touz, &c. Johan de Stowe *Perſone del Egliſe de* Glemkerny *del Counte de* Kincardyn *en* Miernes, Jone de Laundeles, Symon Fraunceys, Robert du Val de Esk, Richard le fiz Geffrai *de* Ekford, *del Counte de* Rokburk, David *Vicaire del Egliſe de* Foghon, Johan *Vicaire de* Langeton, *del Counte de* Berewyk, Andreu de Garviagh, Richard de Leghindy, Elizabeth de Roſſeneth *del Counte de* Abirden, Robert de Graunt *del Counte de* Fyf, Henry le fiz Arnand, William Gocelyn *del Counte de* Selkyrk, Johan de Dunbretan *Perſone del Egliſe de* Nig *del Counte de* Roſſe; *ſaluz, &c.* Pecia 24.

A touz, &c. Fynlawe de Huſton *Chivaler*, William le Flemyng *Chivaler*, Huwe Kenedy *Chivaler*, Huwe de Dalmeſton *Chivaler*, Johan le Seneſchal *Chivaler*, Aleyn le Glasfreth, William de Shawe, William de Conyngburgh, Henry de Manſpeth, Robert de la Chaumbre, Aleyn le fiz Nicol, Marie de Glengevel, Aliſaundre de Kircomtolagh, Gilbert de Kilbride, Richard de Creling, Thomas de Raulfeſton, Wautier Spreul, Herbert de Glodeſtan, William Dongulſone, Johan de Irskyn, Johan del Glan, William Fyn, Adam le Taillur, William de la Chaumbre, Johan Pride, Gyles del Eſtwode, Ughtred Seman, Laurence de Petyn, Henry de Arthurſhull, Robert de Kent, Patrik de Selvenland, Aliſaundre Akeman, William Crokta *de* Kilbride, Geffrai de Home, *e* Henry fiz Phelipp *del Counte de* Lanark; *ſaluz, &c.*

A touz, &c. Adam de Bakepol *del Counte de* Rokburk, Johan de Hedlam *Southchantour del Egliſe de* Ros, Thomas de Jarum *Provendrer de meſme Legliſe, del Counte de* Ros; William *Vicaire del Egliſe de* Carnok, *del Counte de* Miernes, Richard de Furdal, Dongal Cambel, Edmund de la Haye, Marjorie de Graham, Johan Lanmanſone, Laurence de Flisk, Arthur Cambel, David de Blare, Duncan Cambel, Robert Gerland, Thomas de la Haye, Eugene fiz Loghlave *del Counte de* Perth,

An. 24 E.1. Wautier Leſcot, David Eyr *de* Stichehull, Thomas de Fulcon *Vicaire del Egliſe de* Irnnewyk *del Counte de* Pebbles, Rokburk & Edneburk, William de Redepeth *del Counte de* Berewyk, Wautier le Engleys *del Counte de* Lanark, Thomas de Hayton *Vicaire del Egliſe de* Camboſneythan, *del Counte de* Lanark, *e* Aleyn *Abbe de* Alnewyk *del Counte de* Berewyk ; *ſaluz, &c*

A touz, &c. Johan de Rammeſeye, Adam de Rammeſeye, Johan *fiz* Nece de Rammeſeye, William de Rammeſeye, William de Kyndellogh, William de Laghmanoveny, William de Letton, Gilbert de Kymmok, Ive de Bringſholles, Richard de Laſceles, William de Laskresk, Robert Gernald, Gregoire de Juredonet, Robert de Waghop, Thomas Kayter, Robert de Ortok, Henry de Ayneſcrothere, Pieres Chaumpaigne, William de Petkery, Johan de Cambhou, Bartholmew de Kyldunham, Johan de Abercromby, Adam de Lumbyny, Patrik de Dundemer, William de Freſſeleye, Symon de Orrok, Pieres de Pettarne, Brice *fiz* Johan, Elys de Orky, Richard de Balmakemore, William de Kuere, Henry Grey, Ele de Fyf, Huwe de la Haye, Lambard *Vicaire de* Caral, Henry de Mominel, Johan de Hadyrton, Johan Freſel, David Arnot, Andreu Balmalkyn, Richard de Skadaghy, Adam Clouny, Iſabele Stot, Wauter de Logy, Thomas de Balkasky, Johan de Randolfeſton, Adam de Peticlank, William de la Haye de Drumranagh, David de la Garderobe, Ele de Ardros, David de Hadington, Robert de Dundaf, Wautier *Vicaire de* Forgrant, William Dobervill, *e* Johan le Waleys *fiz* Thomas le Waleys *del counte de* Fif, *ſaluz*, &c.

A touz, &c. Dovenald Makachelſhou, Nicol *le fiz* Adam de Dunbretan, Gilbert de Iurelauran, Dovenald Gasbrath *de* Kildbride, Duncan Mac Gilcriſt *de* Levenaghes, Dovenal *le fiz* Michel More de Levenaghs, Duncan Alpynſone de Aughrulus, Patrik Flemeng *del counte de* Dunbretan, Iwyn de Garghill, Duncan Maggadelf *de* Cambroun, Malcolin de Bongheannian, Gilbert de Buthernok, Duncan Bard, Brice Fynlaweſone de Nerbolg, Thomas *le fiz* Waucolum *de* Garthgeveron, Robert Crochet, Richard de Peſſun *de Strivelyn*, Robert de Irland, Thomas de Montgomery, Gille Roſan *le* Rous, *e* Ende *le fiz* Morice, *del counte de* Strivelyn, *e* Gilbert Haanethe, Fergus Askolo, Gilbert de Hannethe, & Thomas de Kitehilt *del counte de* Wigeton, *e* Gilbert Wiſchard, Jone de la Haye, Angos de Neutober, Robert de Kenros, Ricard de Neutebere, Johan de Strathern *del counte de* Forfare, *e* William *le fiz* Aleyn le Clerk *de* Louweder, Robert del Hoſpital, Rauf Phelipp de Berewyk, Thomas de Selkyrk, Alice de Dunbar, *e* Robert de Kynbriggeham *del counte de* Berewyk, *e* Robert de Cribbes, Johan de Bykerton, Michel Scot, Phelip de Carribber, Iohan Cragy, Saer de Dundas, Gerveys de Loughill, Henry de Dalmehay, Richard Ernaud, Huwe de Durſdere, Aliſaundre de Purdevyn, Freskin de Douglas, Marjorie del Fairhalugh, *e* Patrik *le fiz* Johan le Mareſchal *del counte de* Linleſcu, *ſaluz*. &c.

Pecia 29.

A touz, &c. Aliſaundre Foſſard de Tynningham, David de Timerham, Richard le Barker de Tyningham, Gilbert *fiz* Henry de Tyningham, William de Leſſewade, Wautier Scot, Robert del Brunhus, William le Keu, Gilbert le Meſſager, Michel le Meſſager, Adam de Cartiz, *e* Robert del Brunhus, Elys de Obrinkel *e* Thomas VValghope, *tenantz le Eveſque de Seint* Andreu *del counte de* Edneburk, *e* Symon de Liſton *tenant le Eveſque de Seint* Andreu *del counte de* Linliſcu, Johan Laſceles, *Meſtre* Richard le Keu, Eude de Kynnemuth, Henry de Tarneth, Marc de Clapham, Andreu Freſer, Lambe *fiz* Auſtyn de Niſbreim, *e* Maucolum de Kynſpinedy, *tenantz Leveſque avantdit, del counte de* Fyf, Johan de Morhall *tenant le Eveſque avantdit del counte de* Perth, *e* William le Ken *del* Knoll, *tenant le Eveſque avantdit del counte de* Lanark, *ſaluz*, &c.

A touz, &c. Gilbert *fiz* Roland, Johan de Knoudolyan, Gilbert Maklurk, *Meſtre* Neel Cambel, Johan *fiz* Neel de Carryk, Duncan de Carleton, Patrik Beg, Johan le Clerk, Aleyn de Wynton, Adam le VValeys, Reynaud de Kilmernon, Arthur de Donon, William de Kachkerk, Robert le Harpur, Johan de Langemor, Nicol le Waleys, Pieres de Burgh, Wautier de Ros, William *fiz* Gervays, Gilbert le Conynburk, Renaud del More, Roger de Crauford, Huwe Oftheblare, Renaud de Crauford, Robert de Boyvill, William *fiz* Lorence, Aleyn le Flemyng, William Bule, Ailmer le Hunter, Thomas Galſagy, Adam de Hom, Rauf de Eglynton, Roger de Rath, Aliſaundre de la Butlerie, Thomas de Cregeyn, Neel *fiz* Robert de

de Dullop, Robert de Pitton, Adam de la More, Aleyn le Barbur, Gilmor *fiz* Edward, Rauf Faireye, William de Craunford, Wautier de Lynne, Thomas de Wynton, James de Ros, Johan *Vicaire del Egliſe de* Garvan, Murchauch de Montgomery, Duncan *fiz* Gilmor, Edward, Renaud More, Nichol de Achitheleg, Aleyn de Keres, Symon de Spaldyng, *perſone del Egliſe de* Ogheltre, Maucolum Lockare *del counte de* Arc, *e* Richard Wert, Thomas de Muſcamp, Aliſaundre de Paunton, Marie de Glangenel, Iohan de Maxewell, Phelipp le Engleys, *e* Symon del Schawe *del counte de* Lanark, Nicol de Corry, Iohan de Dordof, Rauf de Eryngton, Symon de la Chaumbre, Robert de Dunbretan, Robert Freyſer, William de Hellebek, Henry de Gillonby, Giles *perſone del Egliſe de* Eggleſſeyan, Robert de Perrefax, Iohan de Kirkpatrik, Thomas de Moffet *del counte de* Dunfres, *ſaluz*, &c. *An.* 24 *E.* 1.

A touz, &c. Adam de Barton, Aliſaundre de Boudington, *chapeleyn*, Iohan le Harpur, Iohan de Eccles, Robert de Askeby, Roger de Weſtlomineſton *del counte de* Berewyk, Patrik de Polewe *del counte de* Fyf, Geffrai *le fiz* Wautier, Aliſaundre *le fiz* Henry de Caverton, Roger del Grene, *del counte de* Rokburk, Thomas Walgh *del counte de* Pebbles, Robert de Elmelegh *del counte de* Abirden, *Meſtre* Henry de Strivelyn *del counte de* Strivelyn, Maucolum Mac Cuffok, Barthelmeu de Eggleſham *chapeleyn*, *Gardein de novel leu de* Seneware, VVilliam le Taillur, Patrik *fiz* Matheu de Parton *del counte de* Dunfres, Mabille de Cungilton, Martin del Chaundeil *del counte de* Edneburk, Patrik de Aghlek, Patrik de Morington, Pieres Kenyn, VVilliam del Gernerig, Fergus de Bard *del counte de* Lanark, *ſaluz*, *&c.*

A touz, &c. Matheu de Grenlawe *fiz* VVilliam de Grenlawe, Nicol Campyon, VVilliam *Vicaire del Egliſe de la* Trinite *de* Berewyk, VVautier de Fenton, Henry de Swynton, Iohan del Park *chivaler*, Iohan *fiz* VVautier de Kymbrogam, Thomas de Creghton, Richard Norreys, Aleyn de Elfineſton, Adam de Badby de Lambreton, Henry de Prendregaſt, Wautier le Moigne, *Meſtre* Duncan de Carrik, Ade de Fraſer *Prioreſſe de* Eccles, Nicol de Paxton, Adam de Lumineſden, Rogier Elyſſone, Thomas de Nesbyt, Iohan de Southlynton, Iohan le Engleys, Aleyn Dunwythye, Iohan *le fiz* David, Adam Spollard, VVauter de la Chaumbre, Adam Belle, Iohan de Hilton, Iohan de Boneke, Adam Mounland, Roger de Lumineſden, Iohan Dammeſone de Overayton, VVilliam Pourays, Iohan Grithman, VVilliam Raveſſone, VVilliam de Billingham, Oliver de Ryſton, Adam Swyn de Ryſton, Adam Sel de Ryſton, Thomas Florieſone, Adam de Lamberton, Adam Collan, VVautier Piereſſone, Nicol Lamb, Iohan Adamſone, Coleman VVyrok, Huwe de Britherſtanes, Robert de Blakeburn, Johan Ayr de Ayton, Richard Belle, Wautier de Lamberton, Richard de Kyngeſſyde, Aleyn de Pylmor, Adam Corbet, Marjorie de Danſier, Rauf Brun, Eliz *fiz* Robert de Novel Chaſtel, Robert de Biddeſden, Jone de Nesbyt, Huwe Giffard, Aleyn *fiz* Maucolum, Thomas de Bonequil, William Lange, Rauf Oftrebrun, Adam Sammok de Trebrun, Thomas de Pylmor, Henry de Naythanthern, William *le fiz* William de Trebrun, William le Feure, Pieres de Litteſtere, Wautier Joneſſone, Nicol Corour, Roger de Harkars, James Giffard, Johan de Cheſolm, William de Eyton, Johan de Kynburn, Robert Ruſſel, Patrik Aliceſone, Adam Frere, Geffray Iſabelſone, Eliz. Britun, Symon Malcomeſſone, William Godeſlyme, Symon Coupere, Johan de Kynbrigham, Aleyn Sammokſone, Johan le Waleys de Overton, Aleyn de Herteſhede, William le Clerk de Witton, William de Lamberton, William de Boſeville, Richard de Coldingham, Robert de Rammeſeye, Robert Grimbald, Stevene *le fiz* Johan Greve de Hayton, Adam de Kirkby, Loel de Liolleſton, William *le fiz* Renaud de Eyton, William le Mareſchal de Morthington, Thomas de Harkars, William de Blythe *Perſone de* Chirneſyde, William de Swynton *Vicaire del Egliſe de* Swynton, Huwe *Vicaire del Egliſe de* Aldcambhouſe, Robert de Stichehull, Nicol Perre de Bonekel, Bernard de Lynton *Perſone de Egliſe de* Mordington, Huwe *le fiz* Adam de Hilton, Margarete *la Tielle* Nicol de Rotherford, Saer *le fiz* Thomas Freyſel, Johan de Lodham, Randolf de Creyes, Johan Gourley, Elyz del Molyn, William de Chatton *Vicaire del Egliſe de* Ederham, Thomas de Dercheſtre *del Counte de* Berewyk, *ſaluz*, &c. Pecia 30.

A touz, &c. Robert de Haſtinges, Adam Pendenam, Johan Flemyng, Erchebaud de Morref, William de Appeſton, Johan de Hatal, Johan de Meldon, William Wymondeſſone, Laurence Freſel, Johan Hope, Malcolm Erchebaudeſſone, Thomas Buntyng, Osbern de Chartre, William Baret, Thomas de Ledyard, Aliſaundre Du-

An. 24 *E.* I. dyn, Lorence atte Bure, Nicol Kerre, Andreu le Seeler, Stevene de Glenwhym, Thomas le Louerd, Bernard de Mohaut, Aliſaundre de Droghkil, Jacob Freman, Johan Gilberdeſſone, Adam Luvely, William le Wache, Criſtine Lockard, Gilbert Darel, Johan Eyr de Meſſeſnon, Robert de Theepeland, Stevene de Steveneſton, William de Erth, William Friſith, Anable de Cambos, *del counte de* Pebbles, Robert de Betun, Johan de Arrat, William de Mouncref, Richard Muſcher, Thomas de Rammeſeye, David de Enredeffre *del counte de* Anegos, *ſaluz*, &c.

A touz, &c. Johan de Garmagh *del counte de* Aberden, Aleyn *fiz* Thomas de Fulton, Nicol de Fulton, Urtius le Harpur *del counte de* Lanark, Johan Skene, Patrik de Skene, Johan Lyp, *del counte de* Aberden, Thomas le Ewer *del counte de* Edneburk, Johan *fiz* Randolf de Fodice *del counte de* Fyf, Wautier Byſet *del counte de* Aberden, Thomas Punedayn, Patrik Gilcriſteſſone, Johan Manuel, Adam Gurdon, Johan de Bondington *Clerk del Counte de* Strivelyn, William de Cluny *Chaunter de* Breghyn *del counte de* Forfare, Patrik de Blauntire *del counte de* Strivelyn, Henry de Strivelyn *Perſone del Egliſe de* Upſetelington, Symon de Licharodeſwode, Peronal de Veupont, Adam de Kirketon *del counte de* Berewyk, Criſtiane del Greneheved *del counte de* Selkirk, Johan de Pedgrogeny *del counte de* Perth, Geffrei le Baxtere, de Loſſithe, Laurence de Lekathy, Adam *fiz* David *del counte de* Forfare, Johan Legun de Rothegle *del counte de* Lanerk, Johan Broun *del counte de* Berewyk, Thomas de Boghan, Robert Foreman *del counte de* Edneburk, Robert de Chatton, Huwe de Hextildeſpeth *del counte de* Rokburk, William Gardeyn *del counte de* Forfare, William *fiz* Andreu de Duglas *del counte de* Linliſcu, *frere* Adam *Miniſtre del order de la* Trinite *de* Berewyk, Patrik Leſcot, Criſtiane atte Gothe de Berewyk *del counte de* Berewyk, *frere* Thomas *Abbe de* Inchanfran, *ſaluz*, &c.

Pecia 31. *A touz*, &c. Wautier *Vicaire del Egliſe de* Lichardeſwode, Robert de Douns, *Frere* William *Meſtre de la meſon de Seint* Auſtyn *de* Seggeden, William Otbehill, Johan le Letham *del Counte de* Berewyk, Gilbert *Perſone del Egliſe de* Kildehavena *del Counte de* Perth, Pieres de Dewere, Huwe de Gurlegh, Patrik de Gurlegh *Perſone del Egliſe de* Loghorward, Huwe *Vicaire del Egliſe de* Craneſton, Margarete de Penicok, Eleyne de Dudingeſton, Adam de Lynton *le* Ioenene, Johan Cheen *del Counte de* Edneburk, Johan *Vicaire del Egliſe de* Edenham, Huwe Body *del Counte de* Rokburk, Morice Unthank, William le Clerk *del Counte de* Lanark, Henry *Vicaire del Egliſe de* Laurineton, Robert de Tyndale *Perſone del Egliſe de* Graunt-Dalton *del Counte de* Dumfres, William del Skegges, Patrik del Gyle, William fiz Richard *del Counte de* Pebbles, *e* Adam *Prior de* Cardoyl *del Counte de* Are, Nicol de la Deſpenſe *del Counte de* Berewyk, *Frere* Thomas *Meſtre de la meſon de la* Trinite *de* Soltre *del Counte de* Edneburk, Alleyn *Perſone del Egliſe de* Roule, Iohan fiz Randolf *del Counte de* Rokburk, Iohan de Lilleſclyve *del Counte de* Pebbles, Huwe de Dunom *Perſone del Egliſe de* Lyberton *del Counte de* Lanark, William *Vicaire del Egliſe de* Laneta Gardeyn *de la Prioriſie de* Northberewyk, Iſabele *qe fu la femme* David le Taillour *del Counte de* Forfare, Wautier Cammays *Clerk del counte de* Rokburk, William Parker *Perſone de* Kilmon, Richard *Vicaire del Egliſe de* Selkirk *del Counte de* Perth, Iohan de Horreden *del Counte de* Lanark, Eleyne Papele *del Counte de* Berewyk, Anneys del Crag, William du Gardyn *del Counte de* Edneburk, Wautier de Bat, Emme Spendelone *del Counte de* Lanark, *e* Iohan le Foreſter *del Counte de* Berewyk; *ſaluz*, &c.

A touz, &c. Wautier Curry, Henry Crak, Iohan de Normanvill *del Counte de* Dumfres, Laurence de Scorton, Iohan le Mareſchal, Thomas le Mareſchal, Symon *Perſone del Egliſe de* Middeby, Adam de Gurle, Roger de Rainaldeſton, Iohan fiz William de Faſtfurlang, Thomas de Haunches, Iohan de Annecombe, Randulf de Derum, Robert de Merleye *Perſone del Egliſe de* Weſterker, Wantier Aumbler, Aleyn *Perſona del Egliſe de* Roule, Thomas de Killewode, Thomas de Ston, Aliſaundre de Hirmaneſton, Huwe de Shotton, Aliſaundre de Cauerton, Henry de Scorton, Adam de Roule, Richard de Porth *de* Rokburk, Richard Cambays, William de Birhop, Iohan Bayard de Hoten, Aliſaundre de Maxton *del Counte de* Rokburk, Gode de Wynton, Robert fiz Adam de Dreiton, Thomas le Mareſchal *de* Croſtorfyn, Johan de Daventre, Johan de Lambreton, Pieres le Clerk, Iſabele *qe fu la femme* Thomas Stiward, Aleyn de Suthſtanes, Thomas de Dewere, Huwe Ayer *de* Caluden, Johan de Hanewort *del Counte de* Edneburk; *ſaluz*, &c.

A touz, &c. Wautier Oghterloveny, Adam de Valoyns, Henry de Dundemor, VVilliam

William de Lamberton, Matheu de Balran, Randulf de Ronays, Wautier de Baker- *An.* 24 *E.* 1.
ton, William Fraunceys, Johan de Cuere, Richard de Malevill, Morthak de Caityk, Huwe de Loghore, William de Valoynes, Johan de Morref, Johan de la Haye, Johan de Kuere, David le Wymes, Richard Cuyot, William de Laſceles, Nicol de Soules, Andreu Freſel, Johan Manipeny, Patrik de Pedglaſſy, David de Meskedrum, *del Counte de* Fyfe, *e* Maucolum le Engleys *del Counte de* Perth, Ace de Kynros, Aliſaundre de Abernithy, Aliſaundre del Ile, Gilaſcop fiz Rouland *del Counte de* Perth, Margarete de Rameſeye, Thomas de Harecarres *del Counte de* Berewyk, Johan de Lindeſeye, Thomas de Soules *del Counte de* Rokburk, Wautier Comyn *del Counte de* Pebbles, Gilbert Maccoignathe *del Counte de* Dumfres, William Macvlagh *del Counte de* Wygeton, Maucolum *Counte de* Levenaux, David de Berkele, Edmund *de* Haſtinges *del Counte de* Fyf, Robert Cambron *de* Balnely, David de Breghyn, *e* Aliſaundre de Lamberton *del Counte de* Forfare, Johan Wyſcard, Aliſaundre de Allerdaſh, Humfrey de Middelton, Robert le Fauconer, Michel le Flemyng, Robert de Trembleye, Johan de Thormon *del Counte de* Kincardyn *en* Miernes, William de Melkedrom, James de Mar, *e* James de Malevill *del Counte de* Abirden, Eymer Comyn *del Counte* de Bauf, William de Rotheneth, William Wiſman *del Counte de* Elgyn, Johan Prat, Gilbert de Glymcarny, Rouland fiz Aleyn, Mac Rotherik *del Counte de* Innernys, *e* Gervays Rath *del Counte de* Innerauryn; *ſaluz, &c.*

A touz, &c. Richard de Boyvile *del Counte de* Are, William de Kyngorn *Perſone* Pecia 32.
del Egliſe de Kyltierne *del Counte de* Intherneſſe, Johan de Araz, Patrik de Bardonan, Morice *Mac* Salny *del Counte de* Dumfres, Andreu del Ker *del Counte de* Strivelyn, Laurence de Wedale, Nicol le Chapeleyn *Gardien de la meſon dien de* Rokburk, Adam de Soſtlawe *del Counte de* Rokburk, Aylmer de Soſtlawe *Perſone del Egliſe de* Kyrmighel *del Counte* Lanark, Gregoire de Malevile, Henry de Smitheton, Robert de Walughton *del Counte de* Edneburk, Margrete *qe fu la femme* Pieres de Lundy *del Counte de* Fyf, Nicol de Pynkerton *del Counte de* Hadington, Johan de Hayton *del Counte de* Dumfres, Thomas de Hynkerſtan, Johan Prendegeſt *de* Over-Eyton, Rauf le Meſſager, Aleyn de Langeton, Robert de Dunbar, Stevene Eyr *de* Eyton, Jone *qe fu la femme* Randulf Wiſcard, *et* Robert de Howeden *del Counte de* Berewyk; *ſaluz; &c.*

A touz, &c. Humfrey de Boys *Chivaler*, Rogier de Kirkpatrik *Chivaler*, Huwe Maulerer, Gilbert de Joneſton, Huwe de Orre, Cuthbert Makelmwyn, Gilbert Makenaght, Johan de Bundeby, Fergus le Mareſchal, Rouland le Mareſchal, Morice de Eſtubbille, Gilbert de Sutheyk, Gilbert de Carlel, Wautier *le fiz* Wautier de Guineſton, Thomas de Coleville, Adam Colven, Thomas de Sutheyk, Michel de Candelneſſe, Duncan fiz Andreu, Dongal fiz Gothrik, Aleyn de Roſſa, Robert de Druſquem, William de Heriz *del Counte de* Dumfres, *e* Johan Bard, Nicol Bard, William fiz Roger *de* Strathaveiryn, Adam de Ardwykeſton, Huwe Croket *de* Kameslank, Fergus del Shawe *del Counte de* Lanark; *ſaluz, &c.*

A touz, &c. Michel de Mohaut *Chivaler*, Ewyn fiz Duncan, William de Mongale, Johan Manuel, Anegoz de Aghenros, Robert de Redebegh, Johan de Lunetot; Robert fiz Rauf *Perſone del Egliſe de Seint* Cuthbert *de* Ewyteſdale, Nicol de Camp *Vicaire del Egliſe de* Grenlawe, Johan de Coneneth *Perſone del Egliſe de* Alnecrom, *Meſtre* Walram *Perſone del Egliſe de* Yetham, Robert de Dene *Perſone del Egliſe de* Wilton, Huwe Urry, Thomas Dabergaldyn, Renaud de Cranford, Johan fiz Johan *de* Langemor *del Counte de* Are, Pieres de Montfort, Henry Galighly *de* Aberden, Johan de Greyly *Chivaler*, Wautier Byſet, Maucolum de Ouvere *del Counte de* Abirden, William de Knokyntynnon, William fiz Stevene *de* Arde *del Counte de* Innerneſſe, Henry de Preſton, Gilbert le Meſſager, Michel le Meſſager, Edward *Vicaire del Egliſe de* Weddale, Pieres de Graham, Richard *Perſone del Egliſe de* Ratheu *del Counte de* Edneburk, Thomas de Blauerne, Aleyn le Ferur *de* Kellawe, William Witherhird, Johan le Greive, Nicol de Lychardeſwode *Chapeleyn gardeyn del Hoſpital de* Lychardeſwode *del Counte de* Berewyk, Alewynus de Kalentyn *del Counte de* Strivelyn, William Brun *de* Gamelſcheles, Aliſaundre *fiz* William Eſtrevill, William *Vicaire del Egliſe de* Dunmayn, Nicol *Vicaire del Egliſe de* Leſſeward, Michel de Enderkelyn, Marjorie de Sydeſerf, Marjorie de Ricardſton, Robert de Faudon *del Counte de* Edneburgh, Andreu de Ra *Chivaler del Counte de* Innernay, Maucolum *frere* Aliſaundre de Ergayl, Andreu de Rammeſeye *del Counte de* Ergayl, Stevene le Ryche,

Iohan

An. 2 . 1. Johan de Kynemore *del Counte de* Strivelyn, Thomas de Balmehard *del Counte de* Lin-lisco, David Muschet *del Counte de* Anegos, Robert de Raveneſgraf, Thomas de Foughelton, Johan le Mareſchal *del Counte de* Lanark, Thurbrand de Logan, Johan de Kederneſſe *del Counte de* Dumfres, Wautier de Merlegh, Johan Corbet, Aliſaundre Furbur, Henry del Ferye, *Meſtre* Edmund de Ledham *del Counte de* Rokburk, & Johan *le fiz* Adam de Eſtnettbyt, *ſaluz, &c.*

A touz, &c. *Sire* Herbert de Makſwell, *Sire* Richard Freſer *del Counte de* Dumfres, Dougal Gotherykeſſone, Michel *Mac* Ulagh *del Counte de* Wygeton, *Meſtre* William de Kynghorn *Perſone de* Lyſton *del Counte de* Linliſcu, *Sire* William de Mohant, *Sire* Wautier de Sherwynclawe, James de Lindeſeye, *Sire* Aliſaundre de Lindeſeye *del Counte de* Rokburk, *Sire* Johan de Seint Michel, William de Malevill, *Seignor de* Retrevyn *del Counte de* Rokburk, Aleyn de Morref *del Counte de* Foreys, *Sire* Dovenal Cambel *del Counte de* Dunbretan, Laurence de Cramound *del Counte de* Forfare, *Sire* Michel de Wymes *del Counte de* Fyf, Aleyn de Colilawe, VVautier de Lindeſeye *del Counte de* Berewyk, *Sire* VVautier de Lindeſeye, *Sire* VVilliam de Rothenan, *Sire* Archebaud de Levingeſton, Iohan de Montfort, *Sire* VVilliam de Rameſeye, Aliſaundre de Seton Vallet, VVilliam de Pylmor, Patrik de Halton, VVilliam de Gourley *del Counte de* Edneburk, Roger de Mortimer, Iohan Curryk, VVilliam de Cluny, Henry de la Deſpenſe, Iohan de Contegarny, Thomas de Carton, Adam de Stywardeſton *del Counte de* Perth, *Sire* Nicol de Graham *del Counte de* Linleſcu, *e* Iohan de Baddeby *del Counte de* Pebbles, *ſaluz, &c.*

Pecia 33. *A touz,* &c. Johan Pollok, Johan de Derlingtod *Perſone del Egliſe de* Dunlopy, James de Viccie *Perſone del Egliſe de* Edenyn, *Meſtre* Nicol de Merton *Perſone del Egliſe de* Kynatches, *Meſtre* Johan Ercedyakne Breghinenſ. *del counte de* Forfare, Robert de Montfort *del counte de* Kyncardyn *en* Miernes, Andreu *Perſone del Egliſe de* Filorth, VVautier *Meſtre del Heſpital de* Kyncardyn *ſur Neel*, *Meſtre* VVilliam de Dunde *Perſone del Egliſe de* Alnith, Ferghar *Chanoigne de* Abirden *del counte de* Abirden, Johan de Aberkerth, VVilliam de Kirkuthbright. *Meſtre del Heſpital de* Turryth *del counte de* Bauf, Anegos *de* Rothenek, VVautier Herok *Dean de* Morref, Auſſyn *Vicaire del Egliſe de* Bakehetyn, *Meſtre* Henry de Bauf *Chancelr de* Morref *del counte de* Elgyn, Marie *la Reyne de* Man, *Meſtre* Hervy *Dean de* Dunkeldy, Duncan de Rammeſeye *Perſone del Egliſe de* Loghore, Nicol de la Haye *Perſone del Egliſe de* Crol, Thomas de Preſton *Chanoigne del Egliſe de* Dunkeld, *Meſtre* VVilliam Tyllyoll *Chanoigne de meſme le Egliſe*, VVauter de Kergill, Henry de Lematon *Perſone del Egliſe de* Douns, Adam Bernard de Hilton *del counte de* Petth, Johan Rymour, Agneys de Twyſel, Anneys la Gynnere, Rauf *Meſtre del Hoſpital de* Laweder, Dovenal *Vicaire de* Dunkeld, Rauf de Hoveden, *Perſone del Egliſe de* VVhitonſue, David *Perſone del Egliſe de* Hilton, Thomas *Perſone del Egliſe de* Hoton, Thomas de Hunſingoure *Perſone del Egliſe de* Adnamſtoke, Adam Lamb *Perſone del Egliſe de* Houliſworth, Connel *Perſone del Egliſe de* Camboflano, Johan de Baddeby *del counte de* Berewyk, Morice Lovel *Perſone del Egliſe de* Petyt Cares, Johan de Conneth *Perſone del Egliſe de* Alnecrom, Phelip Brugu *del counte de* Roksburk, James de Crak *del counte de* Selkirk, Michel de Dunde *Perſone del Egliſe de Snibbehirk*, *frere* Thomas *Meſtre de la meſon de la Seinte* Croice *de* Pebbles, *Meſtre* Richard de Bouldon *Perſone del Egliſe de* Edalſton, Thomas Lillok *del counte de* Pebbles, Thomas de Daliell, Huwe de Chaſtel Bernard *Perſone del Egliſe de* Colbanſton, *Meſtre* VVilliam de Lamberton *Chaunceler del Egliſe de* Glaſcu, David de Morref *Perſone del Egliſe de* Bothevill, Renaud *Vicaire del Egliſe de* Daliel, Johan Silveſtre *Perſone de* Dolinſton, Aleyn *Vicaire de* Glaſcu, *Meſtre* Peres de Tillol *Perſone de* Cultre, Robert de Lamberton *Vicaire de* VValleſton *del counte de* Lanark, VVautier *Perſone del Egliſe de* Morton, *e Meſtre de* Caldeſtrem, Pieres de Jarum *Perſone de* Killos, Johan *Vicaire de* Urres, VVauter de Dernynton *Perſone de* Parton, *Meſtre* VVilliam de Goſeford *Perſone de* Chaſtelnulke, Robert de Carſan *Perſone de la moyte del Egliſe de* Kirkaudres *del counte de* Dunfres, *ſaluz.*

A touz, &c. Johan de Lindeſeye, Robert de Coningham, Thomas Petykrer, Johan Stevenſton, Adam de Modernal, Osbern de Clivelond, Johan de Cotetord, Aleyn fiz Roger *de* Glafrith, VVilliam fiz Nicol *de* Stragryf, Pieres de Canwedry, VVautier fiz Gilbert de Hameldon, Peres de Pollok, Henry de VVancwyk, Johan de VVinceſtre, David de Creſſewell, VVilliam Cutte de Strathawen, Johan Brun de Kilbride,

Kilbride, Wautier de Strathawan, Henry de Winceſtre, Stevene de Cormanough, Richard le Engleys, Robert de Burgh, David fiz Canan *de Carduf*, VVilliam le Porter, Henry de Foulton, Huwe de Bigge, Aliſaundre de Belgaven, Robert Cruk de Fingaldeſton, Johan Hunter *de la Foreſte de* Paſſelay, Baldewyn de Edmerſton, David Sibbald *de* Anganſouthe, Johan de Aneſleye *de* Crucfut, VVilliam fiz Peres *de* Strathafayn, Adam de Dowan, Robert de Cribbes, Symon de la Souche, VVilliam de Coughran, Peres fiz Gerard *de* Stragrif, Huwe le Hunter *de* Stragrif, Richard le Hunter *de* Stragrif, Aliſaundre de Foward, Thomas le Breneſter *de la Foreſte de* Paſſeley, Robert le Machun *de* Strathafan, Phelipp de Perthay, Symon de la More *de* Thangarſton, Thomas le VVhright *de la* Blakehalle, Symon de Ayneſton, Adam fiz Matheu *de* Rugon, Nical de Benancy, Erchebaud de Harpenfeld, Gilbert fiz Gregoire *de* Crontotheryk, Gotheric fiz Matheu *de* Cronrotheryk, VVilliam Knighteſſone *de* Egleſham, Johan del Cragge, Johan Petyt *del* Miernes, *Frere* William *Priour de* Blauntyr, William de Maghan, Patrik de Maghan, Edmund de Colbenſton, Iſabele de Calrewode, Aliſaundre Scot *de* Perthayk, Rouland de Cromkam, Richard Lauſone *de* Bykre, Gilbert de Leppeme, Huwe de Grenhok, Thomas de Clenel, Rogier le Orfeure *de* Berewyk, Adam de Donan, Richard de Horſleye, VVilliam Hardy, VVilliam de Elgerik, Gille Homedy, Rogier de Merleye, Patrik de Comenok, Patrik fiz Johan *de* Boys, Patrik fiz Johan Neiwen, William fiz Gode *de Seint* Fey, Aleyn de Cadiou, Roger de Glafford, Chriſtiane Semlaund *de* Cadiou *del Counte de* Lanark; *ſaluz, &c.* *An.* 24 *E.* 1.

A touz, &c. Rauf de Laſceles, Adam de Gloggeſton, Huwe de Neuton, Auſtyn de Morref, Adam de Gybeloteſton, Aline de Veepount, Adam de Kirketon, Richard de Paſſenandeſhull *del Counte de* Edneburk, Henry *Perſone del Egliſe de* Monimel *del Counte de* Fyf, Druwet de Kylbrid *del Counte de* Are, William de Sulby *del Counte de* Lanark, Alianore *Prioreſſe de* Lencludan *del Counte de* Dumfres, Maucolum Wyet *del Counte de* Anegos, Aliſaundre de Harcars *del Counte de* Fyf, Aleyn Fraunceys, Pecia 34. Henry Braceor *de* Ieddeworth *del Counte de* Rokeburk, William *Perſone del Egliſe de* Aldham *del Counte de* Edneburk, Phelipp de Lynton *del Counte de* Berewyk, David de Breton *Chivaler del counte de* Forfare, Euſtace de Byketon *del Counte de* Fyf, Aliſaundre *Perſone del Egliſe de* Logy *del Counte de* Forfare, Morice de Ughterardogh *del Counte de* Ughterardoure, Iohan de Sharperton *de* Edneburk, Aliſaundre de la Garderobe *del Counte avantdit*, Aliſaundre de Creighton *de meſme le Counte*, Patrik fiz Iohan Mevyn *del Counte de* Lanark, Saer de Dundas, *e* Gervays de Langhild *del Counte de* Linliſcu; *ſaluz, &c.*

A touz, &c. Adam *Perſone Egliſe del Chaſtel de* Rokeburk, Thomas le Peſtour *de* Rokeburk, Thomas Dirland, Maut de Mounceans *del Counte de* Rokburk, *Meſtre* Nicol de Balmyl *Perſone de* Kaleder Comitis, Johan de Lany *del Counte de* Edneburk, Marjorie *Prioreſſe de* Haliſtan *del Counte de* Berewyk, VVilliam le Parker *Perſone de* Killum, Anable *qe fu la femme* Patrik de Gratham, Muriele de Inchebeoky *del Counte de* Perth, Eliz de Spot *del Counte de* Edneburk, Thomas de Barton, Johan de Craunford *del Counte de* Are, Euſemme *qe fu la femme* William de Horndene, William de Weſton, Johan de Mundevill *Perſone de* Moſſet, William de Strivelyn, Nicol de Swafham *Perſone de graunt* Dalton, William de Buskeby *del Counte de* Wiggeton, Andreu fiz Godefrey *de* Ros *del Counte de* Are, Johan de Seton *del Counte de* Dumfres, Margarete *qe fu la femme* William de Abernythyn, Adam fiz Henry *de* Totherigg *del Counte de* Berewyk, Johan de Seint Michel *del Counte de* Rokeburk, Johan de Hayton *Gardein del Hoſpitall S.* Leonard *in Torreus*, Rogier de Jarum *del Counte de* Lanark, William de Hamſtede *del Counte de* Elgyn, Wautier de Lagenheved *del Counte de* Abirden, William Tornall *Gardein del Hoſpitall de Seint* Cuthbert *de* Balnecryf *del Counte de* Edneburk; *ſaluz, &c.* Pecia 34.

A touz, &c. Richard Freſer *Chivaler del counte de* Strivelyn, *Meſtre* Wautier de Keringeon *Perſone del Egliſe de* Dunnoter *del Counte de* Kyncardyn *en* Miernes, *e* William de Rouley *del Counte de* Rokeburk; *ſaluz, &c.*

A touz, &c. *Frere* Huwe *Miniſtre del ordre de la* Trinite *de* Abirden *del Counte de* Abirden, Marie *qe fu la femme* Huwe de Erth *del Counte de* Strivelyn, Reſe de Chilham *del Counte de* Rokesburgh, *e* Gilbert de Hauguydeſchawe *de meme le Counte*; *ſaluz, &c.*

A touz, &c. Duncan Bretnagh, *e* Richard de Kynnard *del Counte de* Fyf; *ſaluz, &c.* Pecia 35.

A touz

An. 24 *E.* 1. *A touz*, &c. Robert de Paxton, Henry le fiz Thomas *de* Prendegeſt *del Counte de* Berewyk, Rogier de Foderingeye *Vicaire del Egliſe de* Kylmor *del Counte de* Ree, William le fiz William *de* Federd *del Counte de* Elgyn *en* Morref, *e* Anneys *qeſu la femme* Henry Lovel *del Counte de* Rokburk, *ſaluz, &c.*

A touz, &c. Richard de Horſleye *del Counte de* Lanark, *ſaluz, &c.*

All theſe Abbots, Abbeſſes, Priors, Parſons, Freers, Earls, Lords, Knights, Citizens, Burgeſſes, Communalties, and Commoners of *Scotland*, in the Parliament held at *Berwick* by their joynt and ſeveral Deeds under their reſpective Seals, dated at *Berwick* the 20. day of *Auguſt* in the reign of King *Edward* the 1. (entred at large in this memorable Record) made the ſelf-ſame renunciation of their ſolemn League and Covenant with the *French* King, and took the ſelf-ſame Oath of Fealty and Allegiance to the King of *England*, as * thoſe premiſed: whoſe names I have here inſerted at large, to gratifie thoſe of the *Scotiſh* Nation who delight in Heraldry, or their own pedegrees; as alſo to evidence their moſt execrable perjury, treachery, diſloyalty to King *Edward*, in revolting from, and confederating with, adhering to the *French* Kings, rebelling againſt him and his poſterity Kings of *England*, ſoon after theſe their moſt ſolemn doubled, yea trebled Abjurations, Oaths, Homages, Leagues, Covenants, ratified with their reſpective publike and private Deeds and Seals to the contrary, recorded in theſe Rolls to all poſterity; which thus conclude.

Et ego Andræas *quondam* Gulielmi de Tang *Clericus* Eborum *Dioc.* Sacroſanctæ Sedis Apoſtolicæ publica auctoritate Notarius, qui præmiſſis omnibus et ſingulis una cum ſuprascriptis teſtibus, diebus et locis prænotatis quibus facta fuerant, ut præmittitur interfui, eaque omnia et ſingula ſic fieri vidi et audivi, *ab excellenti Principe Domino* Edwardo *Dei gratia Rege* Angliæ *Illuſtri, & Domino* Johanne *eadem gratia quondam Rege* Scotorum, *necnon & venerabilibus in Chriſto Patribus Dominis*, Antonio *permiſſione divina* Dunolm. & Waltero *eadem permiſſione* Coventr. & & Lichef. *Epiſcopis*, nomine tamen et vice ipſius Domini Regis Angliæ, præſtiti juramenti virtute rogatus, *præmiſſa omnia et ſingula ſicut agebantur in iſtis triginta quinq; Cartarum peciis ſimul ſatis, manu propria ſcripſi*, una cum tenoribus literarum ſuper fidelitatibus et homagiis tam Epiſcoporum, Abbatium, Priorum, Monialium, et aliorum omnium Eccleſiarum, Prælatorum, quam Nobilium virorum, Comitum, Baronum, Militum, Communitatum, Villarum, et aliorum Procerum et regnicolarum prædicti regni Scotiæ ad fidem et voluntatem præfati Domini Regis Angliæ venientium, ut præmittitur, et fidelitatem et homagium ſibi faciencium confectarum, et ſigillorum ſuorum impreſſionibus pendentibus conſignatarum, de verbo ad verbum, nichil addens vel minuens quod ſenſum mutaret, vel corrumperet intellectum, et in hanc publicam formam redegi ad perpetuam præmiſſorum memoriam, et cum Domino Roberto de Osbaldewyk *Capellano*, & Thoma de Welleburn *Clerico prædictarum literarum tenores diligenter examinavi, & correctiones ſupradictas, & verba quæ per diligentem præſentis inſtrumenti* cum prædictis originalibus literis examinacionem inveni per oblivionem omiſſa, *manu propria feci, correxi, ſcripſi & interlineavi. Et quia præſens inſtrumentum* poſt diligentem ipſius cum prothocoll. et literis originalibus ſuper jam dictis fidelitatibus et homagiis factis, ut prædicitur, examinationem et correctionem, inveni in omnibus et per omnia concordare, tam in ſuturis peciorum prædictarum, quam ſine ſignum meum apposui conſuetum in præmiſſorum omnium et ſingulorum fidem, et teſtimonium veritatis.

After which I finde this ſpecial *Memorandum* recorded in the dorſe of the Clauſe Roll of An. 34 E. 1.

* Clauſ 34 E. 1. dorſ 9 Pro Rege. * *Memorandum, quod viceſimo die* Julii *quoddam Inſtrumentum publicum ſuper* fidelitatibus et homagiis, tam Epiſcoporum, Abbatum, Priorum, Monialium, et aliarum Procerum et regnicolarum regni Scociæ, *una cum* Johanne de Balliolo *nuper eorum Rege guerram movencium contra Regem* Angliæ Dominum ſuum ſuperiorem, *& poſt varias depradaciones, combuſtiones, vaſtaciones & interfectiones per exercitum ſuum in regno* Angliæ *pluribus locis perpetratas, ad fidem & voluntatem prædicti Regis* Angliæ *venientium*, et fidelitatem et homagium ſibi faciencium, *per* Andræam *quondam* Gulielmi de Tang *Clericum* Eborum *Dyoceſis*, *Sacroſanctæ ſedis Apoſtolicæ*

ſtolicæ auctoritate publicum Notarium confectum, & ipſius Notarii manu propria ſcriptum liberatum fuit Adæ de Oſgoteby, tunc Cuſtodi Rotulorum ipſius Domini Regis apud Weſtm. cuſtodiendum: Yet intirely preſerved in the Tower of *London*. *An.* 24 *E.* 1.

* *His ita geſtis, ordinavit Rex in Parliamento ſuo apud* Berwyk *Cuſtodem* Scotiæ, Johan. de Warennia, Surriæ & Southſexiæ *Comitem, novum Theſaurarium*, Hugonem de Creſſingham, *novum Sigillum, & novum Cancellarium*, Walt. de Agnodesham, *novum Juſtitiarium* Willielm. de Olmesby, *cui mandavit Rex, ut omnes tenentes de Rege terras aliquas vocaret*, et eorum homagia fidelitatesq; reciperet, *& cæteri omnes tenentes alibidè*, fidelitatem jurarent, et hæc per ſcripta ſingulorum recognoſcentes ſe ſuo dominio extunc eſſe ſubjectos, in perpetuam conqueſti memoriam; Johannem *verò* Scotiæ *quondam Regem miſit* Londonias *ad Turrim, aſſignata ſibi decente familia, liberumque conceſſit exitum ad viginti miliaria circa urbem.* Johannem *vero* Comin *de* Badeham *& aliorum de* Lowan, *cæteroſque terræ illius Magnates, tranſtulit in* Angliam *uſque* Trentam, *ſub pœna capitis reditum in* Scotiam *interdicens, quouſque terra ſua cum Rege* Franciæ *fineretur*.

* Henry de Knyghton, de Eventib Angl. l. 3 c. 3. col. 2483 & Tho. Walſingham, Hiſt. Angl. p. 33. Ypodigma Neuſtriæ, p. 82.

I ſhall cloze up the precedent Relation of the execrable perjuries, perfidiouſneſs and rebellion of the *Scots* againſt King *Edward*, with this character *John Bailiol* their own King and Countreyman gave of them ſoon after the reſignation of his Crown; which I found recorded in a ſpecial Inſtrument in Parchment in the White Tower, thus atteſted by a publike Notary *in perpetuam rei memoriam*, not unworthy conſideration.

IN Nomine Domini Amen. Anno à Nativitate ejuſdem Milleſimo ducenteſimo nonageſimo octavo, Indictione undecima, prima die Menſis *Aprilis*, in Camera Hoſpitii venerabilis Patris *A.* Epiſcopi *Dunelmenſis* extra *London*. ipſe, de ſtatu & conditione Regni *Scotiæ* & Inhabitantium idem Regnum, coram Nobili viro Domino *Johanne de Balliolo* verba faciens, ... Idem *Johannes* motu proprio, in præſentia mei Notarii & Teſtium ſubſcriptorum, inter alia quædam verba dixit & protulit ſermone Gallico, hunc habentia intellectum; *Videlicet*, quod dum ipſe dictum regnum Scotiæ ut Rex et Dominus ipſius regni tenebat atque regebat, * tantam inbenit in hominibus ejuſdem regni malitiam, fraudem, prædictionem, et dolum, propter eorum malignitatem, nequitiam, doloſitates, et alia nonnulla execrabilia et deteſtabilia facta ipſorum, qui eum tunc Principem eorum potionari, ſicut veraciter intellexerat, machinabantur, intentionis ſuæ non eſt prædictum regnum Scotiæ ingredi vel intrare aliquo tempore in futurum; ſeu de ipſo Regno aut pertinentiis ſuis per ſe vel per alium, aut alios intromittere ullo modo. Nec etiam dictis et aliis multis de cauſis aliquid habere commune cum Scotis. Adjiciens idem Dominus *J.* quod aliàs rogaverat præfatum Dominum Epiſcopum *Dunelmenſem*, ut magnifico Principi & Domino ſuo, Domino *Edwardo* Regi *Angliæ* illuſtri, hanc ſuam eſſe intentionem, voluntatem, et firmum propoſitum explicaret, et adhuc ſibi cum inſtantia ſupplicat, quatenus præmiſſa eidem Domino Regi ex parte ſua dignetur et velit exponere ac plenius aperire. Actum Anno, Indictione, die et loco prædictis, præſentibus memorato Domino Epiſcopo *Dunelmenſi*, & Nobili viro *Radulpho de Sandwyco*, Conſtabulario Turris *London*, & nonnullis aliis exiſtentibus tunc ibidem.

In Turre London An

* See here, p. 606.

Et Ego *Johannes Erturi* de *Cadomo*, Apoſtolicæ ſedis authoritate Notarius Publicus, hiis omnibus interfui, propria manu ſcripſi, & mei ſigni annotatione, in hanc publicam formam redegi.

After the *Scotiſh* Biſhops, Abbots and Clergy-men had made their premiſed Abjurations of their League with *France*, and Oaths of fealty and Allegiance to the King under their hands and ſeals, he was pleaſed out of his Royal grace to iſſue forth Writs, to reſtore to them all their lands, tenements and profits he had formerly ſeiſed in *Scotland*, for their perjury and rebellion againſt him.

Rot Scotiæ de annis 14, 25, 26 E. 1. n. 26. Pro Abbatibus. Prioribus. & aliis perſonis eccleſiaſticis de terris ſuis ſibi liberandis.

REX Vic. de *Edrburgh*, ſalutem. Quia dilecti nobis in Chriſto, Prior Sanctæ *Andreæ* ad pacem noſtram exiſtens, nobis fidelitatis præſtitit juramentum, tibi præcipimus, quod omnes terras et tenementa ipſius Prioris in manu noſtra in bal-

An. 24 E. 1. liva tua exiſtencia, una cum bladis in terris et tenementis illis exiſtentibus eidem Prioꝛi ſine dilacione reddi et deliberari facias de gratia noſtra ſpeciali. Teſte Rege apud *Berewyk ſuper Twedam*, ſecundo die *Septembris*.

Conſimiles literas habent ſubſcripti Vicecomitibus ſubſcriptis; videlicet, Prior Sancti *Andreæ*, Vic. de *Clakmanan*; Prior de *Wytherne*, Vic. de *Wyggeton*; Prior de *Kard*, Vic. de *Are*; Prioriſſa de Sancta *Boyhanna*, Vic. de *Berewyk*; Prioriſſa Sancti *Leonardi* juxta villam Sancti *Johannis*, Vicecomitibus *Perth*, *Edenburgh*, *Hadinggeton*, *Fyf*, Prioriſſa de *Manewell*, Vic. de *Berewyk*, *Edenburgh*, *Linliſkeu*, *Are*; Prioriſſa de *Northberewyk*, Vic. de *Fyf*, *Hadinggeton*, *Edenburgh*, *Berewyk*, *Rokesburgh*; Prioriſſa de *Eccles*, Vic. de *Berewyk*; Prioriſſa de *Lencludan*, Vic. de *Dumfres*, Prioriſſa de *Hadyngton*, Vic. de *Berewyk*, *Fif*, *Hadyngton*; Abbas de Inſula Sanctæ *Columbæ*, Vic. de *Fif*, *Rokesburgh*, *Perth*, *Edenburgh*; Abbas de Sancta Cruce, Vic. de *Strivelin*, *Dumfres*, *Edenburgh*, *Berewyk*; Abbas de *Coupre*, Vic. *Forfare*, *Perth*; Abbas de *Neubotle*, Vic. de *Edenburgh*, *Berewyk*; Abbas de *Dryburgh*, Vic. de *Fif*, *Berewyk*, *Rokesburgh*, *Edenburgh*; Abbas de *Skaniskivel*, Vic. de *Strivelyn*, *Edenburgh*, *Fif*, *Perth*; *Dungallus* Abbas de ſacro *Nemore*, Vic. de *Dumfres*; Abbas de *Jeddeworth*, Vic. de *Berewyk*; Abbas de *Kilwynnin*, Vic. de *Are*; Abbas de *Keldſton*, Vic. de *Berewyk*; Abbas de *Neubotle*, Vic. de *Strivelyn*; Abbas de *Lundos*, Vic. de *Berewyk*; Abbas de *Meuros*, Vic. de *Berewyk*, *Are*, *Jeddeworth*, *Pebbles*, *Edenburgh*, *Rokesburgh*, *Northumb.* & *Cumberl.* Abbas de *Skamskynel*, Vic. de *Berewyk*; Abbas de *Donquere*, Vic. *Karli.* Abbas de *Dundernan*, Vic. de *Berewyk*, *Cumbr.* Abbas de *Scone*, Vic. *Innernys*, *Forfare*, *Perth*, *Edenburgh*, *Aberden*, *Strivelyn*; Abbas de *Dunferleyn*, Vic. de *Forfare*, *Perth*, *Clacmalan*, *Pebles*, *Edenburgh*, *Rokesburgh*, *Berewyk*, *Fif*; Abbas de *Jeddeworth*, Vic. de *Rokesburgh*.

The like Writs iſſued for all other Eccleſiaſtical Parſons and Vicars in *Scotland*, who ſwore fealty to the King, particularly named in this Roll of *Scotland*, and in the forementioned Roll of their Abjurations of their League with *France* and Fealty to the King of *England* as their ſovereign Lord.

The King likewiſe granted this Writ for a Cardinals Chaplain reſiding in *Rome*, who had a Prebendary in *Scotland*, to reſtore his Tithes, though he made no ſuch abjuration or Oath.

Rot Scotiæ, Anno 24 E. 1. m 11. De Oberto de Caſtro veteri de Lombardia Canonico Dunkeldenſi.

REX Vic. de *Edenburgh* ſalutem. Quia teſtificatum eſt coram nobis per dilectum Clericum noſtrum *Johannem de Cadomo*, quod *Obertus de Caſtro veteri de Lombardia*, Canonicus Eccleſiæ *Dunkeldenſis*, **eſt de familia Venerabilis patris Domini** *G. de Parma* Epiſcopi *Sabinenſis*, **Sanctæ** Romanæ **Eccleſiæ Cardinalis et in Curia** Romana **in Comitiva ejuſdem Cardinalis moꝛam fecit**; Tibi præcipimus, **quod Decimas Villæ de** Lanyn, **ad Canonicatum ejuſdem** Osberti ſpectantes **in manu noſtra in Balliva tua exiſtentes, præfato** Osberto **vel ejus certo Attoꝛnato ſine dilatione reddi facias et deliberari, dummodo ad Canonicatum** eundem eas **tibi conſtiterit pertinere.** Teſte Rege apud Berewyk ſuper Twedam, 13 die *Decembris*.

The King to oblige the perfidious Biſhops of *Scotland* more firmly to him, granted them and their ſucceſſors this priviledge to make their wills, as freely as the Archbiſhops and Biſhops in *England* might do, which before they could not.

Pat 24 E. 1. m. 3. Cedula, Pro Epiſcopis regni Scotiæ, quod poſſint condere Teſtamenta.

REX omnibus ad quos, &c. ſalutem. **Eccleſiarum Pꝛælatos Dei Miniſtros majoꝛis libertatis pꝛivilegio eo libencius honoꝛamus, quo per hoc apud Deum, qui ſe in ſuis honoꝛari fatetur, ampliꝛem graciam pꝛomereri ſperamus. Ob ipſius itaque Dei omnipotentis reverenciam, et tocius Eccleſiæ** Scoticanæ **honorem, concedimus per pꝛæſentes, quod omnes Epiſcopi Regni** Scotiæ et eoꝛum ſucceſſoꝛes, **de bonis ſuis libere poſſint de cætero ſua condere Teſtamenta, et eandem quoad hoc habeant libertatem quam Archiepiſcopi et Epiſcopi regni** Angliæ **habent, et hactenus habuerunt.** In cujus &c. Teſte Rege apud *Dunelmum* quinto die *Octobris*.

The

The King by his Eccleſiaſtical right, as Soveraign Lord of *Scotland*, authorized his Warden thereof by this Patent (with the advice of his Chancellor and Treaſurer of *Scotland*) in his name and authority to preſent to all Eccleſiaſtical benefices and livings in *Scotland*, that then were or afterwards ſhould be in his gift to the value of 40 Marks, any fitting perſons then in his ſervice in *Scotland*, ſo as they were *Engliſhmen*, and reſident there. *An.* 24 *E.* 1.

REX omnibus ad quos, &c. ſalutem. Sciatis quod de circumſpectione & induſtria dilecti & fidelis noſtri *Briani* fil. *Alani*, Cuſtodis noſtri regni & terræ *Scotiæ* ..... pleniùs confidentes, ſibi plenam conceſſimus et commiſimus poteſtatem, quod ipſe de dilectorum Clericorum noſtrorum *Walteri* de *Agnodeſham* Canc. & *Hugonis* de *Creſſingham*, Theſ. dictorum Regni & terræ **præſentare poſſit ad Eccleſias et alia quæcunque beneficia ad collationem ſeu donationem noſtram ſpectantia quæ vacant ad præſens, et quæ in prædictis regno et terra in poſterum vacare contigerit uſque ad valorem quadraginta Marcarum, perſonas idoneas in ſerbitio noſtro videlicet exiſtentes ibidem, ſeu perſonas alias, prædicti** Briani **et ipſorum Cancellarii et Theſ. diſcretionis Arbitrio, dummodo Anglici fuerint, et in regno commorentur eodem: ſeu etiam Eccleſias et beneficia hujuſmodi perſonis conferre in forma prædicta, donec aliud ſuper hoc duxerimus ordinandum.** In cujus, &c. Teſte *Edwardo* filio Rgegis *apud* Tunbrigg. 28 *die* Auguſti. Rot. Scotiæ, An. 24, 25 E. 1. Quod Brianus filius Alani præſentare poſſit ad Eccleſias in regno Scotiæ.

The like * *Patent* was made, and power granted to *John de Warren* Earl of *Surrey*, Gardian of *Scotland* the ſame year, *Teſte Rege apud* Morpeth 1. *die* Octobris, To whom he alſo iſſued this Writ, to preferr *Gilbert de Grymmesby* to the next vacant benefice in his gift, of the value of 20 marks or pounds, that ſhould fall void in *Scotland*, for bringing the Banner of St. *John* of *Beverley* to the King into *Scotland*, and there continuing with it during the wars; He and his † *predeceſſors* attributing much of their *good ſucceſſe* in their Warrs againſt the *Scots* to this Saint and his enſigne. * Pat. 24 E. 1. m. 4. intus.

† See here, p. 495, 496.

REX dilecto & fideli ſuo *Johanni de Warrenna* Comiti *Surr.* Cuſtodi ſuo Regni & terræ *Scotiæ* ſalutem; Cum nos ob **reverentiam Sancti *Johannis de Beverlaco* Glorioſi Confeſſoris Chriſti, conceſſerimus dilecto Clerico noſtro *Gilberto de Grymmesby*, qui vexillum ejuſdem Sancti ad nos uſque partes** Scotiæ **detulit, et ibidem de præcepto noſtro cum vexillo illo durante guerra noſtræ** Scotiæ **moram fecit, quandam Eccleſiam viginti marcarum vel libratarum valorem annuum attingentem, ad noſtram donationem ſpectantem, et in regno** Scotiæ **præſ. vacaturam, vobis mandamus, quod præfato *Gilberto* de hujuſmodi Eccleſia in prædicto regno *Scotiæ* prohiberi faciatis quampriumum ad id optulerit ſe facultas.** Teſte Rege apud *Kirkham* 13 die *Octobris*. Pat. 24 E. 1. m. 2. intus. Pro Gilberto de Grymmeſby de Eccleſia in regno Scotiæ ſibi providenda.

The King likewiſe, for the honour of Saint *Cuthbert* of *Durham*, whoſe Enſign was carried before him in his Wars againſt the *Scots*, granted them an Annuity of 40 *l.* a year out of his Exchequer at *Berewyk*, till he ſhould ſettle on them a Benefice of that value in *Scotland*, upon condition to perform the Almes, and diſcharge the ſuperſtitious uſes therein mentioned.

REX omnibus ad quos, *&c.* ſalutem. Ut Creatori noſtro in beneficiis gratificemur acceptis, Sanctos ſuos quos ipſius honorat dignatio, & in quibus eum honorare jubemur, promptis devotionis humanæ nos decet ſtudiis honorare, & inter alios **præcipue beatum *Cuthbertum* glorioſum Chriſti confeſſorem eo dignius venerari, quo pater æternus qui in Sanctis ſuis vere mirabilis ipſum majorum ſplendore miraculorum illuſtrans, manifeſte monſtravit quantum ſibi honoris et reverentiæ debeantur.** Volentes igitur ut æternum in Eccleſia *Dunelmenſi* in qua ipſius Sancti corpus venerabile requieſcit memoriale remaneat, per quod futuris temporibus noſtri recordatio vigeat in eadem: ad laudem Dei, & ejuſdem glorioſi Confeſſoris ſui *Cuthberti*, conceſſimus pro nobis & hæred. noſtris, dilectis nobis in Chriſto Priori & Conventui dictæ Eccleſiæ *Dunelmenſis* quadraginta libras ſingulis annis ad Scaccarium noſtrum *Berewyci* ſuper *Twedam* duobus terminis percipiendas; unam videlicet medietatem ad feſtum Sancti *Martini* hyemalis, & alteram medietatem ad feſtum *Pentecoſtes*, Pat. 24. E. 1. memb. 4. Pat 30. E. 1. 7 Martii, The King appropriated the Church of Hemmyngburg to the Prior and Mouks of Durham, for theſe uſes.

An. 24 *E.* I. *coſtes*, quouſque per nos vel hæredes noſtros eiſdem Priori & Conventui vel eorum ſucceſſoribus de competenti Eccleſiaſtico beneficio, ex quo quadraginta libras annuatim, deductis ſumptibus & expenſis, percipere & habere valeant imperpetuum in Regno *Scociæ* ſit proviſum. Quam quidem conceſſionem facimus conditionibus quæ ſequuntur; videlicet, quod præfati Prior & Conventus, & eorum ſucceſſores qualiter duarum feſtivitatum Sancti *Cuthberti*, ſcilicet in principali feſtivitate, & in feſto tranſlationis ejuſdem, diſtribuant tribus millibus pauperum, cuilibet videlicet unum denarium; & habeat idem Conventus in qualibet ipſarum feſtivitatum quinquaginta ſolidos pro pitancia ſua; & quod prædicti Prior & Conventus, & eorum ſucceſſores inveniant dictis feſtivitatibus duos magnos cereos, quemlibet de viginti libris ceræ, juxta magnum altare ante feretrum dicti Sancti decenter poſitos, et ardentes, (*to lighten their blind and dark ſuperſtitious devotions*) quamdiu Miſſa vel aliud obſequium in eiſdem feſtivitatibus celebrabitur ſeu decantabitur in Eccleſia ſuprædicta. Necnon inveniant duos minores cereos formæ ſeu ſtaturæ decentis et ponderis congruentiæ ante vexillum ipſius Sancti, prout decencius fieri poterit, collocatos, et ardentes ſingulis Dominicis et Apoſtolorum, et in præcipuis feſtivitatibus, quamdiu Miſſæ in prædicto altari, et matutinæ vel aliæ horæ Canonicæ in prædicta Eccleſia cantabuntur. Etinſuper inveniant unum Sacerdotem Miſſalem de prædicto ſancto in Eccleſia memorata, in loco qui dicitur *la Galileye*, diebus ſingulis celebrantem; et duos alios cereos ibidem ardentes quamdiu ipſam Miſſam contigerit celebrari imperpetuum. Cui quidem Sacerdoti libros, indumenta, ſacerdotalia, ornamenta altaris, et alia ad celebrandum neceſſaria miniſtrare nichilominus perpetuo teneantur. In cujus, *&c.* Teſte Rege apud *Berewyk ſuper Twedam*, ſextodecimo die *Septembr.*

He likewiſe iſſued this Writ to the Sheriff of *Dumfres*, to ſummon the Biſhop of *Sodor* to repair to him to *Berwyke*, there to do his fealty and ſervice due unto him as his Lord.

Pat. 24 E. 1. m. 4. intus. De venire fac. ad Regem uſque Berewyck Marcum Epiſcopum Sodoren.

MAndatum eſt *Roberto de Foveby* Ballivo Regis de *Dunfres*, quod venire faciat ad Regem uſque Berewyck venerabilem Patrem *Marcum* Epiſcopum Sodorenſem, ad faciendum ibidem Regi tanquam Domino ſuo quod facere debebit. Teſte Rege apud *Berewyk* ſuper *Twedam*, 22 die *Auguſti*.

The Biſhop of *Glaſcow* in *Scotland* tortiouſly caſting a Miniſter there out of his Living, *John Comyn* preſented this Petition to the King, to reſtore him to it, by his letters to the Gardian of *Scotland*, without going to *Rome* to the Pope for relief.

In Pundela Brevium & Petic. in Turre Lond. An. 24. E. 1.

AL treshonourable Prince e noble, e a ſon treſcher Signur lige Sire *Edward* par la grace Dieu, noble Roy *Dengleterre*, le ſe ou, ſi luy pleit, *Johan Comyn*, Kaunk il ſet e poet de honur e de reverence com a ſeon Seignur lige. Chire Sire ſi vus pleſt, io vus pri eſpecialment ke vus deyngnet mander voſtre Lettre au Gardeyn de *Eſcoce* pur mettre Meſtre *Robert Mounfycitien* portur de ceſte lettre en la Egliſe de *Graunt Dalton*, de la quele Sire *Robert Evesk* de *Glaſcou*, luy ad ouſte atort e a ſaunz forme de dreit ſi com tut le pays ſiet bien; ne io ne puis ſuffrer qe il voyt a *Rome* pur purchacer encountre le Evesque, pur ceo qe il prent garde de mon corps. Et pur ceo Sire, ſi vus pleſt, vus pri voſtre eſpeciale grace pur luy, ke vus facet maunder voſtre lettre au Gardeyn de *Eſcoce*, ke dreiture luy ſeit fet, et de ceo vus duyſſe io aver prie a *Londres* kaunt vus y fuſtes, ſi les graunz beſoygnes miſſent eſte ke io avey a fere. Sire ke Deu vus doint bone vie e lunge, e vus ſauve e gard de mal a tuz jours. *Which the King accordingly ordered.*

Robert Winchelſey Archbiſhop of *Canterbury* was no ſooner inſtalled in his See, but he revived the former Controverſie he began by his predeceſſors, with the Abbot and Covent of S. *Auguſtines*, concerning their new acquired appropriate Churches exemptions from his Archiepiſcopal Juriſdiction, and the Abbots and Covents obedience to his See; which occaſioned long ſuits for divers years, and ſundry Appeals to the Court of *Rome* by the Abbots and Monks, thus related by *William Thorn.*

Anno

Anno Dom. 1295. *Dominus* Robertus de Wincheleſe *Archiepiſcopus* Cantuar. *ſ-* *An.* 24 E. 1.
prædicto Johanni *immediate ſuccedens*, *de* Eccleſiis de novo adquiſitis, obedientiam petiit ab Abbate; *unde idem Abbas metuens ſibi & Monaſterio ſuo ex hujuſmodi petitionibus Epiſcoporum poſſe præjudicium generari in futurum, ac commendabilius, quod facula præviſa minus lædunt*; ſubſcriptas rationes petitioni Archiepiſcopi obſtantes, *ad memoriam futurorum in ſcriptura qua ſequitur, provide redegit.*

* Chron. W. Thorn. col. 1964, &c.

Licet in veſtra Diœceſi appropriatas nobis Eccleſias a ſede Apoſtolica teneamus, obedientiam tamen vel alia jura Epiſcopalia vobis inde ſolvere non tenemur, nec nos illis juribus convenit defraudari. Super quibus ſummus Pontifex qui bene potuit ſcienter ſic voluit, et in literis appropriationis expreſſit, quod Vicarii noſtri in illis Eccleſiis per Ordinarium inſtituti, omnia jura Epiſcopalia vobis inde ſolvere teneantur. Unde ſecundum prædicti Domini ſummi Pontificis intentionem expreſſam, & tenorem Commiſſionis ejuſdem juxta modum prædictum uſi continuò ſuper his pacificè ſic fuerit retrò tantis temporibus à veſtris temporibus obſervatum, humiliter petimus, quatinus vos velitis, ſi placet, modò fore de obſervantia prædicta contenti, & ſic in futurum teneri, à noſtris moleſtiis benevolè deſiſtentes.

Anno quo ſupra fuit penſio decem librarum Domino Beraldo Albanenſi Epiſcopo Cardinali conceſſa ad terminum ſuæ vitæ pro ſuis beneficiis nobis multipliciter impenſis, (in this Controverſie with this Archbiſhop and his predeceſſor.)

Anno Dom. 1297. *citra feſtum Purificationis beatæ* Mariæ *idem* Archiepiſcopus ſuam Diœceſim viſitare inchoavit. *Et Dominus* Thomas *Abbas ad manerium de* Wingham *ad illum perſonaliter accеſſit*; *ſupplicavitque eidem*, quod ſi quæ in viſitatione inveniret quæ ad ſtatum dicti Monaſterii in aliquo eidem offenderet, *illa eidem* Abbati ob reverentiam Romanæ ſedis notificare dignaretur. *Quod idem Archiepiſcopus libenti animo concedebat. Unde licet ex habundanti aliquando per Priorem, aliquando per alios, & aliquando per ipſum Abbatem idem Archiepiſcopus ſæpius requiſitus fuiſſet*, ut munimenta & alia privilegia hujus Monaſterii vellet inſpicere, *ille tamen hæc videre vel audire omnimodo recuſavit*; & eundem Abbatem et conventum notorie exemptos evocavit. *Et quàm cito hujuſmodi* citatio *ad notitiam Abbatis perveniſſet*, *miſit ad eum rogans*, quod placeret eidem hujuſmodi citationem revocare, et ſine figura judicii videre privilegia et munimenta ſua. *Qui reſpondit*, quod noluit aliquo modo revocare citationem ſuam; *ſed dixit*, *quod cito poſt veniret ad* Cantuariam, *& tunc poſſet Abbas habere colloquium cum ipſo de eodem. Et licet dictus Archiepiſcopus conceſſiſſet Abbati & firmiter promiſiſſet*, ſe eadem privilegia & munimenta inſpicere voluiſſe, *diſtulit tamen per multum tempus ſub diſſimulatione ea videre*; *& tandem aſſeruit*, ſe nolle ea videre niſi judicialiter. *Et cum Dominus Abbas allegaſſet*, ſe et Monaſterium ſuum in tantum eſſe privilegiatum, quod non tenebantur nec debebant coram dicto Archiepiſcopo judicialiter comparere vel reſpondere, idem Archiepiſcopus fecit eos citari peremptorie, ut certo die ubicunque tunc in Diœceſi vel provincia Cantuariæ coram ipſo ſufficienter comparerent, titulum ſeu jus ſpeciale, ſi quæ haberent, per quæ poſſent ipſas Eccleſias et Hoſpitalem ſancti Laurentii ſic tenere; non obſtante Compoſitione *dudum inter Archiepiſcopum* Cantuarienſem *prædeceſſorem ſuum ex parte una, & dictos religioſos ex altera*, *& per Capitulum* Cantuarienſe *approbata*, *& per* ſedem Apoſtolicam confirmata *ſuper quibuſdam de prædictis Eccleſiis cum Capellis ſuis, prout in compoſitione ſuper hac confecta, & Sigillis partium conſignata, plenius continetur. Aſſerens etiam minus veraciter*, ſe in ſua Viſitatione inveniſſe dictos religioſos Decimas et penſiones annuas in diverſis Eccleſiis ſuæ Diœceſis contra jus commune percipere, *ipſos citavit reſponſuros*, quo jure ita ſic percipiebant; *licet in veritate nullas unquam penſiones præterquam in Eccleſiis ſui patronatus vel Decimas percepiſſent.* Inſuper citavit eundem Abbatem, ut oſtenderet quare ſibi obedientiam facere non deberet? *Propter quæ omnia idem Abbas & Conventus ſentiens ſe per prædictum Archiepiſcopum indebitè prægravari*, ad Sedem Apoſtolicam appellarunt; ſed idem Archiepiſcopus hujuſmodi *Appellationi* non deferens, ipſos fecit iterum citari coram ſe, ubicunque eſſet in Civitate, Diœceſi, vel provincia Cantuar. ſuper Eccleſias de Tanderdene, Lenham, *de* Sellyng, *de* Præſtou, *de* Littleborne, *de* Sheldwich, *& Sancti* Pauli Cant. *nec non & ſuper* Hoſpitale Laurentii, *&* ſuper Decimis et Penſionibus prædictis, jus ſpeciale, ſi quod haberent præciſe et peremptorie propoſituri et oſtenſuri. *Subticuit tamen proceſſum inſertum ſuper prænominatis Eccleſiis in compoſitione contentis, faciendo tamen mentionem de Eccleſia de* Sheldwich, *quæ eſt Capella Eccleſiæ de* Faverſham, *non obſtante* ibidem col. 1966, 1967.

An. 24 *E.* 1. *ſtante quod in dicta Compoſitione continetur.* Pro quibus iterum ad prædictam Sedem eſt appellatum. Quibus appellationibus non obſtantibus, dictus Archiepiſcopus fecit eos citari peremptorie ad alium brevem diem, *quod comparerent coram co ubicunque*, &c. *ſuper Eccleſiis prænominatis præcisè & peremptoriè oſtenſuri, ut ſupra*; & propter contumacias ut dicebat legitime fulminaturus; *non tamen ultra proceſſit contra nos, ſuper Eccleſia de* Scheldwich, *nec de Decimis & penſionibus ſupra dictis. Et quia idem Abbas judicialiter non comparuit, Archiepiſcopus reputavit dictos Religioſos contumaces*; & pronuntiavit dictas Eccleſias præter Scheldwich eſſe vacantes, mandendo et faciendo eos moneri *per Magiſtrum* Martinum *Commiſſarium ſuum* Cant. *ut infra quinque ſeptimanas proximò ſequentes, perſonas idoneas ſibi tanquam Diocæſano præſentarent ad Eccleſias prænominatas; à qua quidem pronuntiatione & mandato* fuit iterum per procuratorem Abbatis in præſentia dicti Archiepiſcopi ad Sedem Apoſtolicam legitime appellatum.

Thus did the Pope and Court of *Rome* by theſe Suits and Appeals between the Abbot and Archbiſhop not onely exhauſt their wealth, but enlarge and exerciſe their Juriſdiction over both of them from year to year; as appears by this Bull of Pope *Boniface* to the Archbiſhop upon the Petition of *Thomas Cuſe*, to provide an Eccleſiaſtical Beneſice for him with or without Cure, belonging to the Abbot and Covent of Saint *Auguſtines Canterbury*; notwithſtanding all former Bulls of exemption or priviledges indulged to them: by pretext wherof the Archbiſhop this year iſſued his Mandate to denounce a ſentence of Excommunication againſt them in caſe of diſobedience, worthy conſideration, thus regiſtred to poſterity by *William Thorn*.

Chronica, col. 1968.

* A Copy of this Bull I found in the White Tower Chappel, torn and imperfect.

Anno Dom. 1298. Bonifacius *Papa miſit literas executorias* Roberto *Archiepiſcopo in hac verba*: * *Bonifacius* Epiſcopus, ſervus ſervorum Dei, venerabili fratri *R.* Archiepiſcopo *Cantuarienſi*, ſalutem & Apoſtolicam benedictionem. Conſtitutus in præſentia noſtra dilectus filius *Thomas* dictus *Cuſe* de *Maydſtone*, pauper Præsbiter tuæ Diocœſis, nobis humiliter ſupplicavit, ut cum ipſe, ſicut aſſerit, *nullum ſit Eccleſiaſticum beneficium aſſecutus*, providere ſibi de benignitate Apoſtolica mandaremus; *Quia igitur illi*, &c. *Fraternitati tuæ* per Apoſtolica ſcripta mandamus, quatinus, &c. de aliquo beneficio Eccleſiaſtico ſecundum probitatis ſuæ merita competenti, cum cura vel ſine cura conſueto ab olim Clericis ſecularibus aſſignari, ſpectante ad collationem vel præſentationem dilectorum filiorum Abbatis et Conventus Monaſterii ſancti *Auguſtini* extra muros *Cant.* ordinis ſancti *Benedicti*, communiter vel diviſim, ſi quod in Civitate vel Diocœſi *Cant.* vacat ad præſens, vel quamprimum ad id optulit ſe facultas, per te, vel per alium, ſeu alios providere procures, inducens eum in corporalem poſſeſſionem ejuſdem beneficii, et defendens inductum, &c. non obſtante, ſi nos vel *Romani* Pontifices prædeceſſores noſtri de beneficiis ad prædictorum Abbatis et Conventus collationem vel præſentationem ſpectantibus, ſub ea forma in qua pro pauperibus Clericis beneficiendis interdum Sedes Apoſtolica ſcribere conſuevit, ſeu quavis alia ſcripſimus aut mandavimus, quodcunque fuerint, providere; dummodo non niſi unus ex eis pro quibus in eadem forma pauperum per nos ſcriptum forſitan extitit, quibus omnibus nullum volumus per hoc præjudicium generari, beneficium ratione hujus pauperum proviſionis expectet; vel ſi eiſdem Abbati & Conventui, aut perſonis ipſius Eccleſiæ a Sede Apoſtolica ſit indultum, quod ad receptionem et proviſionem alicujus minime teneantur, quodque ad id compelli, aut quod interdici, ſuſpendi vel excommunicari non poſſint; vel quod alius nequeat de beneficiis ad eorundem Abbatis et Conventus præſentationem vel collationem ſpectantibus, alicui providere per literas Apoſtolicas, non facientes plenam et expreſſam de indulto hujuſmodi mentionem, qualibet alia præfatæ Sedis indulgentia generali vel ſpeciali cujuſcunque tenoris exiſtat, per quam effectus præſentium impediri valeat vel differri. Contradictores per cenſuram Eccleſiaſticam appellatione poſtpoſita compeſcendo, *&c.* Mandatum noſtrum in hac parte taliter impleturus, quod in eo impendiſſe laudaris miſericordiam pauperi, & obedientiam mandatori.

Pretextu hujus mandati ſcripſit Archiepiſcopus Abbati in hac verba: Robertus permiſſione Divina *Cantuarienſis* Archiepiſcopus, *&c.* Executor in negotio proviſorio *Thomæ* dicti *Cuſe* de *Maydeſton* Præsbyteri à Sede Apoſtolica deputatis, Religioſis viris Abbati & Conventui ſancti *Auguſtini Cantuarienſis*, ſalutem in omnium Salvatore. Sanctiſſimi patris noſtri Domini *Bonifacii* Papæ octavi literas nos noveritis recepiſſe; quas vobis inſpiciendas tranſmittimus, et eorum poſtitori ſub pœna Excommunicationis majoris, quam ernunc in rebelles proferimus in his ſcriptis illico re-

tradendas.

tradendas. Quia igitur diligenti inquiſitione præmiſſa, juxta mandatum hujuſmodi Apoſtolicum nobis in hac parte directum, invenimus dictum *Thomam* liberum eſſe & legitimum, vitæque laudabilis, ac converſationis honeſtæ, nec quicquam ſibi obſtare, quo minus ſibi valeat de beneficio Eccleſiaſtico congruè provideri; Volentes mandatum hujuſmodi reverenter exequi, ut tenemur, auctoritate Apoſtolica nobis in hac parte commiſſa, præfato *Thomæ Cuſe* providimus de beneficio Eccleſiaſtico competenti cum cura vel ſine cura, cujus redditus ſeu proventus æſtimationem in dictis literis Apoſtolicis contentam non excedunt, ſi quod ad veſtram præſentationem ſeu collationem communiter vel diviſim ſpectans, vacat ad præſens in Civitate vel Diœceſi noſtra; illudque eidem *Thomæ* contulimus, ac eum de ipſo per noſtrum birretum præſentialiter inveſtimus, alioquin beneficium prorimo inibi vacaturum collationi noſtræ reſervamus, eidem *Thomæ* per nos ſeu illum, vel illos cui vel quibus in hac parte vices noſtras committendas duxerimus conferendum. Quocirca Apoſtolica auctoritate qua fungimur in hac parte vos monemus, vobiſque auctoritate præſentium inhibemus, ne ad præſentationem, collationem, ſeu ordinationem hujuſmodi beneficii per vos, *aut per alium vel alios aliquatenus procedatis, ſeu procedi conſentiatis*, nec quicquam in noſtræ provisionis, inveſtituræ, ac reſervationis hujuſmodi præjudicium per vos aut per alium attemptetis vel attemptari conſentiatis. Alioquin in præſentantem et conferentem ac aliquem aliam ſeu alios provisionem, et collationem, inveſtituram, reſervationem, et inhibitionem præfatas quomodolibet perturbantes, ſeu perturbari procurantes, etnunc in his ſcriptis Excommunicationis ſententiam promulgamus: decernentes nihilominus irritum et inane, ſi ſecus de beneficio hujuſmodi per quemcunque quavis auctoritate contigerit quomodolibet attemptari. *Vobis etiam mandantes, quod ſi quod tale beneficium ad præſens vacet vel quàm citò vacaverit in futurum*, nos de ejuſdem vacatione certificare curetis plenius ſine moza. *An.* 24 E. 1.

Qua litera Abbati oblata & ibidem perlecta, idem Abbas privilegia contra hujuſmodi provisores ſibi et Monaſterio ſuo indulta *incontinenti recitari fecit. Quibus perlectis & auditis, cum idem Capellanus expreſſè videns* dictam impetrationem ſuam non valere pro privilegiis antedictis, *jus ſuum quod habuit ſuper impetratione provisionis prædictæ in manibus Domini Abbatis totaliter reſignavit per publicum inſtrumentum*; which I pretermit, referring the ſubſequent conteſts between the Archbiſhop and Abbot to ſucceeding years, wherein they were tranſacted.

The goods of the Villains of the Biſhop of *London* and other Biſhops being Taxed to the Undiſme granted by the Clergy to the King, againſt his gracious grant to them; he iſſued this Writ to the Taxers and Collectors for their diſcharge.

REX Taxatoribus & Collectoribus Undecimæ in Com. *Eſſex*. ſalutem. Cum in conceſſione Undecimæ à Clero regni noſtri nuper nobis facta, conceſſerimus Archiepiſcopis et Epiſcopis ejuſdem regni de gratia noſtra ſpeciali, quod bona Villanorum ſuorum occaſione Undecimæ prædictæ nullatenus taxarentur, nec undecima illa de bonis Villanorum prædictorum ad opus noſtrum levaretur; Vobis mandamus, quod taxacioni, collectioni & levacioni faciendis de bonis Villanorum venerabilis patris *R. London* Epiſcopi in Com. prædicto ratione undecimæ prædictæ ſupersedeatis. T. R. apud Sanctum *Albanum* 30 die *Decembr.* Clauſ. 24 E. 1. dorſo, m. 11. Pro R. London. Epiſcopo de Undecima.

MEMORANDUM, quod Archiepiſcopus *Cantuar.* Archiepiſcopus *Eborum*, *W. Elienſ. O. Linc.* & *R. London.* Epiſcopi habent literas Regis de pardonacione undecimæ pro villanis ſuis. Ibid. m. 11. dorſo. Pro quibuſdam Epiſcopis de pardon. 11x.

The King granted theſe ſpecial licenſes for the Biſhop of *Wincheſter* and two *Italians* his ſervants; and likewiſe to one of the Legates Chaplaines to croſſe the Seas to the Court of *Rome*, without any hindrance by the Keeper of *Dover* port.

REX Cuſtodi Portus ſui *Dovorr.* ſalutem. Quia conceſſimus venerabili patri *J. Wynton.* Epiſcopo ad Curiam Romanam de noſtra licentia profecturus, quod Magiſtrum *Albertum de Bononia* Notarium publicum, & *Jakeninum de Barber de Bononia* Valettum ſuum ſecum ducere poſſit ad Curiam ſupradictam; Vobis mandamus Cl. 24 E. 1. m. 11. dorſo. Pro Wynton. Epiſcopo.

Au. 24 *E.* 1. mandamus, quod prædictos *Albertum* & *Jakeminum* per portum prædictum in comitiva dicti Epiſcopi ad partes prædictas tranſire permittatis. Teſte Rege apud *Sanctum Albanum*, primo die *Januarii*.

Ibidem m 8 dorſo De Vitali de Preciato Capellano de licentia tranſeund ad partes tranſmarinas.

REX dilecto & fideli ſuo *Stephano de Penecestr*: Conſtabul. Caſtri ſui *Doverr.* ſalutem. Quia *Vitalis de Preciato* venerabilis patris Domini —— *Albanenſis* Epiſcopi Sacroſanctæ *Romanæ* Eccleſiæ Cardinalis ut dicitur Capellanus, poſt receſſum ipſius Cardinalis, apud *Eborum* infirmus morabatur; Vobis mandamus, quod eundem *Vitalem* cum *Runcinis* rebus, & *Herneſiis* ſuis propriis ad partes tranſmarinas tranſire liberè permittatis. **Dum tamen vobis conſtat per literas dicti Cardinal. ſeu alio modo ſufficienti, quod de prœpria familia idem *Vitalis* ſit Epiſcopi ſuprædicti.** Teſte Rege apud *Rokesburgh*, tercio die *Junii*.

Per Breve de Privato Sigillo.

The King iſſued this ſpecial Writ this year for electing an Abbeſſe for the Abbey of *Wilton*, notwithſtanding the want of form in preſenting their Certificate.

Pat. 24 E. 1. m. 14 De licencia eligendi.

REX dilectis ſibi in Chriſto —— Prioriſſæ & Coventui de *Wylton* ſalutem. Accedentes ad nos *Henricus de Tydelneſhude*, & *Walterus Hervy* Clerici Domus veſtræ, cum literis patentibus Capituli veſtri, nobis ex parte veſtra humiliter ſupplicarunt, quod cum Eccleſia veſtra prædicta per mortem *Julianæ* nuper Abbatiſſæ, ejuſdem loci ſit paſtoris ſolacio deſtituta, vobis aliam eligendi in Abbatiſſam licenciam concedere dignaremur. Nos igitur, licet dictæ literæ nobis per aliquas de commonialibus veſtris, **ſecundum conſuetudinem in regno noſtro in hujuſmodi caſu hactenus obſervatam debuerint præſentari**, veſtris tamen precibus, ob devocionem quam erga Sanctam *Editham*, cujus corpus in dicta Eccleſia requieſcit, gerimus & habemus in hac parte favorabiliter inclinati. Vobis concedimus, &c. In cujus, &c. Teſte Rege apud *Forfare*, 7. die *Julii*.

Ibid. De aſſenſu præfatæ electioni adhibenda per Edwardum filium Regis.

REX *Edwardo* filio ſuo kariſſimo, ſalutem. Ad ſupplicationem Prioriſſæ & Conventus Monaſterii de *Wilton*. vacantis per mortem *Julianæ* nuper ejuſdem Monaſterii Abbatiſſæ, optentu devocionis quam erga Sanctam *Editham*, &c. **conceſſimus eiſdem licenciam hac vice ſibi eligendi**, &c. Et nichilominus ob honorem ipſius Sanctæ, & ut parcetur laboribus eorundem, damus vobis tenore præſentium poteſtatem ut, &c. **aſſenſum eidem electioni nomine noſtro faciatis**, &c. In cujus, &c. Teſte ut ſupra.

* See here, p. 571.

What great * lovers of Veniſon our pretended mortified Abbots and Monks then were, and how much given to the fleſh, inſtead of mortifying it, and to feaſting, inſtead of faſting, theſe Petitions of the Abbot of *Weſtminſter* to the King in the midſt of his Wars in *Scotland*, for the arrears of his 8. Bucks a year out of *Windſor* Foreſt, to be carried and offered at the High Altar at *Weſtminſter* at the Kings coſts, and of the Prior and Covent of *Carliſle*, for the Tith of all Veniſon taken in the Foreſt of *Englewod*, and theſe Writs iſſued thereupon, will inform us.

Clauſ. 24 E. 1. memb. 6. Pro Abbate Weſtmonaſterii, de Damis.

REX dilecto & fideli ſuo *Galfrido de Pycheford* Conſtabulario Caſtri ſui de *Windeſor.* ſalutem. Cum celebris memoriæ Dominus *H.* quondam Rex *Angliæ* pater noſter per Cartam ſuam, quam confirmavimus, **dederit et conceſſerit Deo et Eccleſiæ Sancti *Petri*, et Abbati *Weſtmonaſterii* et ſucceſſoribus ſuis imperpetuum, octo Damos ſingulis annis capiendos in foreſta noſtra de Windeſore, ad teſtum ipſius patris noſtri et hæredum ſuorum per manus Conſtabularii Caſtri prædictæ qui pro tempore fuerit, deferendos per eundem Conſtabularium uſque Weſtmonaſterium, *in vigilia Sancti* Petri ad vincula, *ita quod hii qui dictam venationem illuc deferent, ſingulis annis faciant* duas meneias ante magnum Altare Sancti *Petri Weſtmonaſterii*, ac quatuordecim Dami *eidem Abbati de annis regni noſtri viceſimo primo, viceſimo ſecundo, & viceſimo tercio aretro ſint, ut idem Abbas aſſerit: Vobis mandamus*, quod eidem Abbati id quod ei aretro eſt de Damis prædictis de tempore prædicto, una cum octo Damis de anno præſenti habere faciatis, juxta conceſſionem præ-**

dicti

dicti patris noſtri, et confirmationem noſtram prædictam. Et cuſtum quod ad hoc poſueritis cum illud ſciverimus, vobis in compoto veſtro ad Scaccarium noſtrum allocari faciemus. Teſte Rege apud Villam Sancti *Johannis* de *Perth*, 34 die *Jun.* *An.* 24 E. 1.

REX dilecto & fideli ſuo *Willielmo de Veſcy* Juſticiar. Foreſtæ ſuæ citra *Trentam*, vel ejus locum tenenti, ſalutem. Mandamus vobis, quod in Foreſta noſtra de *Englewod.* habere faciatis dilectis nobis in Chriſto Priori & Conventui de *Karliolo* **Decimam venationis captæ et capiendæ in foreſta noſtra prædicta, de anno præſenti**, prout ipſi eam habere debent, et **ipſi et prædeceſſores ſui decimam venationis ibidem ſingulis annis hucuſque percipere et habere conſueverunt.** T. R. apud *Berewyk* ſuper *Twedam*, 10 die *Septembr.* Cl. 24 E. 4. m. 4 Pro Priore & Conventu de Karl. de venacione in Foreſta de Englewode.

Walter de Langeton being by the Kings licenſe elected Biſhop of *Coventry* and *Lichfield*, and his election confirmed by the King; he thereupon iſſued this *dedimus poteſtatem* to *John de Metingham* to receive his fealty.

REX dilecto & fideli ſuo *Johanni de Metyngham* ſalutem. Cum nos **electioni** nuper **factæ** in Cathedrali Eccleſia *Lychefeld* de venerabili viro *Waltero de Langeton* in *Coventr.* & *Lychef.* Epiſcopum **Regium aſſenſum adhibuerimus et fa**vorem, & mandaverimus venerabili patri *R. Cantuar.* Archiepiſcopo tocius *Angl.* Primati, ut quod ſuum eſt in hac parte exequatur: Nos eidem Electo pro noſtris & regni noſtri negociis ad partes tranſmarinas profecturo volentes **gratiam facere ſpecialem, dedimus vobis poteſtatem recipiendi vice noſtra fidelitatem ipſius** Electi, poſtquam per literas patentes præfati Archiepiſcopi vobis conſtiterit ipſum fuiſſe canonicè confirmatum; Et ideo vobis mandamus, quod **capta fidelitate ipſius Electi in forma prædicta, Cancellario noſtro inde ſub ſigillo veſtro diſtincte et aperte conſtare faciatis literas præfati Archiepiſcopi antedictas una cum veſtris eidem Cancellario tranſmittendo.** In cujus, &c. Teſte Rege apud *Rokesburg.* 14. die *Maii.* After which confirmation by the Archbiſhop, and fealty received, he iſſued a Writ to reſtore his Temporalties; *Teſte Rege apud* Stryvelyn, 16. *die* Junii. Pat. 24 E. 1. m. 15, & 10, & 19. De poteſtate data Johan de Metingham recipiendi fidelitatem W. Coventr. & Lych. Electi.

Oliver Biſhop of *Lincolne* and his ſervants being aſſaulted, abuſed, beaten and ſhot at by ſome of their Tenants and others in a riotous manner, as he was going to preach Gods Word, and exerciſe his Epiſcopal function in the Church of *Gosberchurch*, the King thereupon out of his Soveraign care to preſerve and defend the Churches Liberties; iſſued this Commiſſion to inquire of, hear and puniſh theſe riotors and offenders according to the Law and Cuſtom of the Realm, upon the Biſhops complaint thereof.

REX dilectis & fidelibus ſuis *Elyæ de Berkingham*, *Petro Malore*, & *Willielmo Inge* ſalutem. Ex parte Venerabilis Patris *O. Lincoln.* Epiſcopi nobis eſt oſtenſ. quod cum ipſe greſſus ſuos verſus Eccleſiam de *Gosberchurch* nuper direxiſſet, ut **Parochianis ejuſdem Eccleſiæ et aliis cauſa devotionis ad Eccleſiam illam confluentibus verbum Dei ad ædificationem animarum prædicaret**; (A rare act in Biſhops in that age) **et alia quæ ad Officium ſuum ſpirituale pertinebant exerceret ibidem**, *Ranulphus de Rye* contra debitum homagii & fidelitatis ſuæ quæ præfato Epiſcopo pro terra quam de eo tenet, fecit ut dicitur, & *Laurentius de Hoddeſack* aggregata ſibi malefactorum & pacis noſtræ perturbatorum multitudine, **in ipſum Epiſcopum apud *Gosberchurch* vi et armis inſultum fecerunt, et ei ſagittaverunt, et quoſdam de hominibus ſuis ſagittando percuſſerunt, et alia enormia ei intulerunt, ad grave libertatis Eccleſiaſticæ læſionem, et ipſius Epiſcopi diſpendium non modicum, et contra pacem noſtram; Nos igitur qui libertates et jura Eccleſiaſtica manuteneri et tueri volumus, ut tenemur, tranſgreſſionem hujuſmodi relinquere nolentes impunitam**; Aſſignavimus vos ad inquirendum per Sacramentum proborum ac legalium hominum de Com. *Linc.* per quos veritas rei melius ſciri poterit ſuper præmiſſis plenius veritatem, & ad tranſgreſſionem illam audiendam & terminandam, & juſtitiam inde faciendam, ſecundum legem & Cl. 24 E. 1. m. 23. De tranſg facta Linc. Epiſcopo audiend. & terminand.

An. 24. *E* 1. conſuetudinem regni noſtri. Et ideo vobis mandamus, quod ad certos, &c. præmiſſa faciatis, &c. Mandavimus enim, &c. quod ad certos, &c. venire fac præfatos *Ranulphum* & *Laurentium*, & tot & tales probos & legales homines de Balliva ſua, per quos, &c. In cujus, &c. Teſte Rege apud *Weſtm.* decimo die *Decembris.*

The ſame Biſhop of *Lincoln* having by the Kings command ſequeſtred the Eccleſiaſtical goods of *Roger de Inſula* a Clerk, late keeper of the Kings Wardrobe, for debts due by him to the King at his death, the King upon his Executors giving ſecurity to his Treaſurer to ſatisfie thoſe Debts, iſſued this Writ to the Biſhop to diſcharge the Sequeſtration, and deliver the goods to his Executor to perform his Teſtament.

Cl. 24 E. 1. m. 8. intus. Pro Executoribus Teſtamenti Rogeri de Inſula, de ſequeſtro relaxando.

REX venerabili in Chriſto Patri *O*, eadem gratia Epiſcopo *Linc.* ſalutem. Quia *Johannes de Huſtwait* Executor Teſtamenti *Rogeri de Inſula* Clerici, nuper Cuſtodis magnæ Garderobæ noſtræ defuncti, & Coexecutores ejuſdem *Johannis* Teſtamenti prædicti ſufficientem invenerunt ſecuritatem coram dilecto Clerico noſtro *Waltero de Langeton* Theſ. noſtro de debitis ſi quæ præfatus *Rogerus* nobis debuit die quo obiit, de tempore quo fuit Cuſtos Garderobæ prædictæ nobis ad Scaccarium noſtrum reddendis, ſicut ex teſtimonio ejuſdem Theſ. noſtri accepimus. Vobis mandamus, **quod ſequeſtrum quod de bonis Eccleſiaſticis ipſius *Rogeri* in Dioc. veſtra pro debitis prædictis fieri feciſtis relaxantes, Executores de bonis illis plenam et liberam adminiſtrationem habere permittatis, ad executionem teſtamenti prædicti inde faciendam.** Et hoc non omittatis. T. R. apud *Hadyngton*, 4. die *Maii.*

The Cuſtos of the Temporalties of the Archbiſhoprick of *York*, ſeiſing the Manor of *Thorp* into the Kings hands, by reaſon of the vacancy, againſt a former ſettlement thereof by *Walter de Grey* Archbiſhop, on the Dean and Chapter of *York*, to maintain an Obiit and Chaplain to ſay Maſſe; the King iſſued this Writ to reſtore it, wherein the ſettlement is recited.

Cl. 24 E. 1. m 5. Pro Decano & Capitulo Eborum, de Manerio de Thorp, & Haya de Langewath.

REX *Johanni de Lithegreynes* Cuſtodi Archiepiſcopatus *Eborum* ſede vacante, ſalutem. Quia accepimus per inquiſitionem quam per vos nuper fieri fecimus, quod *Walterus de Gray* quondam Archiepiſcopus *Eborum* perquiſivit manerium de *Thorp* Sancti *Andreæ* juxta *Ebor.* ſibi & hæred. vel aſſignatis ſuis imperpetuum de diverſis feoffatoribus, & poſtea proceſſu temporis idem Archiepiſcopus per ordinationem inter ipſum & Decanum & Capitulum beati *Petri Eborum* factam, conceſſit & dedit idem manerium cum pertin. eiſdem Decano ſub hac forma, ſcilicet, *quod iidem Decanus & Capitulum ſalverent ſingulis annis quandiu manerium illud tenerent Theſaurario ejuſdem Eccleſiæ viginti marcas, pro obitu ipſius Archiepiſcopi in eadem Eccleſia ſingulis annis ſemel per annum de ſua depoſitione imperpetuum faciendo, & pro ſuſtentacione unius Capellani in capella infra maurium de* Thorp, *pro anima Domini J. quondam Regis* Angliæ, *& pro anima ipſius Archiepiſcopi, & animabus omnium fidelium defunctorum imperpetuum celebraturi. Ita videlicet, quod iidem Decanus & Capitulum poſt deceſſum ipſius Archiepiſcopi traderent & admitterent ad firmam cuilibet Archiepiſcopo* Eborum *ſibi ſuccedenti, Manerium prædictum pro firma prædicta ſingulis annis reddenda; Tenendam ad terminum vitæ tantùm ipſorum Archiepiſcoporum, & quid in qualibet vacatione poſt mortem cujuſlibet Archiepiſcopi eiſdem Decano & Capitulo manerium prædictum reverteretur, & in ſeiſina illorum remaneret, quandiu ſedes* Eborum *vacaret, pro prædicta firma ſingulis annis modo prædicto reddenda*; Et quod Dominus *H.* quondam Rex *Angliæ* pater noſter poſtea prædictas conceſſionem, donacionem & ordinacionem per cartam ſuam confirmavit, Et quod prædicti Decanus & Capiculum perquiſiverunt hayam de *Langewath*, cum pertin. de Priore & Coventu de *Wartre*, & poſtmodum dimiſerunt illud *Willielmo de Wykeman*, quondam Archiepiſcopo *Eborum* ad terminum vitæ Archiepiſcopi * **pro uno Damo tempore pinguedinis, et una Dama tempore ferineſonæ** eiſdem Decano & Capitulo per annum reddendis; Ita quod poſt mortem ipſius Archiepiſc. prædicta haya cum pertin. prædicts Decano & Capitulo

* They loved ſat veniſſon very much, as well as Abbots and Monks, See p. 672, 673.

pitulo integrè reverteretur; Et quod iidem Decanus & Capitulum poſt conſecracionem *Johannis* ultimi Archiepiſcopi *Eborum* dimiſerunt, ei ad terminum vitæ ipſius Archiepiſcopi prædictum Manerium de *Thorp*, una cum prædicta haya, per prædicta ſervicia reddenda & facienda; Ita quod poſt mortem ipſius Archiepiſcopi prædictum manerium & haya prædicta cum pertin. eiſdem Decano & Capitulo integrè reverterentur. Et quod nos confirmavimus eiſdem Decano & Capitulo per Cartam noſtram conceſſionem & donacionem quas prædicti Prior & Conventus eis de prædicta haya fecerunt; Et quod prædicti Decanus & Capitulum à tempore conceſſionis & donacionis prædictorum manerii & hayæ extiterunt ſemper hucuſque in qualibet vacacione in ſeiſina habendi cuſtodiam tam prædicti manerii quàm prædictæ hayæ cum pertin. ſuis, per prædictas viginti marcas Theſaurario *Eborum* annuatim ſolvendas; Vobis mandamus, **quod de prædictis manerio et haya quæ ratione præſentis vacationis Archiepiſcopatus in manu noſtra exiſtentis nuper cepiſtis in manum noſtram, ut dicitur, ſi ea occaſione et non alia in manu noſtra exiſtent ulterius non intromittatis.** Teſte Rege apud *Iverkeyrach* 31 die *Jul.* *Ann.* 24 *E.* 1.

Henry de Newarke Dean of *Yorke* being elected Archbiſhop thereof by the Kings licenſe, and his election approved by the King He (according to the encroachment and uſage of that age) certified this his election to the Pope, deſiring his favour to confirm him Archbiſhop, by this Patent.

SAnctiſſimo in Chriſto Patri & Domino, Domino *B.* divina providentia Sacroſanctæ *Romanæ* ac Univerſalis Eccleſiæ Summo Pontifici; *Edwardus*, &c. cum reverentia & honore devota pedum oſcula beatorum. Noverit veſtra paternitas reverenda, **quod Electioni nuper celebratæ in Eccleſia Cathedrali** Ebor. **diſcreto viro Magiſtro** *H. de Newarke* **Decano ejuſdem Eccleſiæ in Archiepiſcopum loci illius Regium aſſenſum adhibuimus et favorem.** Et hoc Sanctitati veſtræ ſignificamus per præſentes, **ut quod veſtrum eſt in hac parte exequi dignemini cum favore.** In cujus, &c. Teſte Rege apud *Edenburgh* 5 die *Junii*. Pat. 24 E. 1. m. 14. intus. De aſſenſu electioni adhibita.

The King by this Patent authorized his Conſtable of *Kermerdyn* in *Wales* in his name and right for that turn, to preſent two Clerks to two ſeveral livings in *Wales*, one of them by reaſon of the Temporalties of the Biſhoprick of St. *Davids*, late in his hands.

REX Dilecto Clerico ſuo *Waltero de Pederton* Conſtab. Caſtri ſui de *Kermerdyn*, ſalutem; Ut Præbendam apud *Aberwyly*, quæ vocatur *Blaynlederal* vacantem, & ad donationem noſtram ſpectantem ratione Epiſcopatus Menevenſis **nuper vacantis et in manu noſtra exiſtentis**, ſi valorem quadraginta ſolidorum per annum, & ad Eccleſiam de *Penbehyr* ſimiliter vacantem, & ad donationem noſtram ſpectantem mero jure, ſi valorem decem marcarum annuatim non excedant, **duobus Clericis idoneis juxta veſtram diſcretionem conferre, ſeu noſtro nomine præſentare valeatis hac vice, vobis plenam et liberam concedimus facultatem.** In cujus, &c. Teſte Rege apud *Sanctum Edmundum*, 21 die *Novembris*. Pat. 24 E. 1. m. 1. intus. Pro Waltero de Pederton, quod poſſit conferre Præbendam de Aberwyly & Eccleſiam de Penbehyr.

Pope *Boniface* by his uſurped Papal power, Bull, appropriating the Church of *Wermyngton* to the Abbey of *Peterburgh*, whereof they had the Patronage; the King out of his ſpecial grace, authorized them accordingly to appropriate it by his Soveraign authority, and to hold it appropriate to them and their ſucceſſors againſt him and his heirs, notwithſtanding the Statute of *Mortmain*, by this Patent.

REX omnibus ad quos, &c. ſalutem. Sciatis, **quod cum ſanctiſſimus Pater Dominus Bonifacius Summus Pontifex per ſuas Patentes literas Bullatas conceſſerit dilectis nobis in Chriſto Abbati et Conventui de Burgo Sancti** *Petri* Eccleſiam de *Wermyngton Lincoln.* Dioc. quæ eſt de ipſorum patronatu, **ſibi et ſucceſſoribus ſuis imperpetuum in uſus proprios poſſidendam**, prout in eiſdem literis plenius continetur, volentes eidem Abbati & Conventui gratiam in hac parte facere ſpecialem, **conceſſimus eis pro nobis et hæredibus noſtris, quantum in nobis eſt, quod ipſi Eccleſiam prædictam cum pertin. appropriare, et eam appropriatam** tenere Pat. 24 E. 1. m. 2. Pro Abbate & Conventu de Burgo S. Petri de Eccleſia de Wermyngton eis in proprios uſus approprianda.

An. 24 *E.* 1. tenere et habere possint sibi et successoribus suis in propriios usus, sine occasione vel impedimento nostri vel hæredum nostrorum imperpetuum; Statuto nostro de terras et tenem. ad manum mortuam non ponendis edito non obstante. In cujus, &c. Teste Rege apud *Benteley*, 26 die *Octobris*.

* Here, p. 631. In *Clauſ.* 24 *E.* 1. *m.* 6. *dorſo*, the Kings * premiſed Letters to the Cardinals, concerning the Popes proviſion to the Church of *Monketon*, is enrolled with this other to the ſame effect, but ſhorter, to Cardinal *Beraldus Albanenſis*, which I found likewiſe in another Record by it ſelf in the *White Tower*.

Clauſ 24 E. 1. m. 6. dorſo. REX venerabili in Chriſto patri, Domino *Beraldo*, Dei gratia Epiſcopo *Alban.* amico ſuo chariſſimo, *&c.* ſalutem & ſinceræ dilectionis affectum; literas veſtras pro Magiſtro *Jacobo*, nepote venerabilis in Chriſto patris Dom. *Franciſci Neapoleonis* Sanctæ *Luciæ in ſilice* Diaconi Card. ſpecialis amici noſtri, ſuper negocio collationis Eccleſiæ de *Munketon Cantuar.* Dioc. per fælicis recordationis *Cæleſtinum* Papam quintum in *Romana* Curia ſibi factæ, et confirmationis per ſanctiſſimum Patrem Dominum *Bonifacium* ſummum Pontificem ſuper hoc ſubſecutæ, nobis per latorem præſentium præſentatas, affectione plena recepimus, et earum tenorem intelleximus diligenter. Sane quia in grave præjudicium, et manifeſtum noſtri et hæredum noſtrorum exhæredationem, ac enormem Coronæ noſtræ Regiæ (cujus jura illæſa in omnibus obſervare vinculo juramenti aſtringimur) læſionem evidentius redundaret, ſi effectum in præfato caſu dicta collatio ſortiretur, prout per Conſiliarios noſtros ac Magnates et Proceres Regni noſtri pluribus rationibus et exemplis evidentibus conſultum nobis extitit, contemplatione collationem eandem non poſſumus nec debeamus æquanimiter tolerare. Verum veſtri conſideratione, ac aliorum Cardinalium pro præfato *Jacobo* ſpecialiter intercedentium, et oſtenſum intendimus eidem *Jacobo*, loco et tempore opportunis, ſi noſtræ memoriæ tunc occurrat, de alio competenti beneficio providere. Dat. apud *Alnewick*, 25 die *Septembris*.

In a bundle of ſeveral original Letters in the *White Tower* from *Adulphus* the Emperour, *Rodolphus* Earl of *Flanders*, the Biſhop of *Leige* and others to King *Edward* the firſt, *Anno* 24 of his reign, I found this Epiſtle to him from a *Roman* Cardinal, for his favor and aſſiſtance concerning another Proviſion granted by Pope *Boniface* to one *John* a *Roman*, of a Canonry or Prebendary then vacant, or which ſhould firſt fall void, in the Church of *Lincoln*.

Bundela Epiſtolarum, &c. An. 24 E. 1. SEreniſſimo Principi, amico chariſſimo, Domino *Edwardo*, Dei gratia Regi *Angliæ* illuſtri; *Matthæus* miſeratione Divina, S. *Mariæ in portica* Diaconus Cardinalis, ſalutem in eo per quem Reges regnant. Cum ſanctiſſimus Pater et Dominus noſter, Dominus B. divina providentia Summus Pontifex, chariſſimo conſanguineo noſtro *Johanni* nato Nobilis viri, Conſanguinei & amici noſtri Kariſſimi Domini *Landulphi de Columpna*, de Canonicatu Lincolnienſis Eccleſiæ ac Præbendæ, dignitate, ſeu perſonatu, quam vel quem duxerit acceptandum, ſi in ipſa Eccleſia vacant ad præſens, gratioſe duxerit providendum: Alioquin præbendam dignitatem ſeu perſonatum proximo in eadem Eccleſia vacaturos conferendos eidem Johanni cum vacaverint duxerit reſervandos, prout in literis Apoſtolicis ſuper hoc confectis plenius continetur, licet ad hoc tanti ſufficiat authoritas mandatoris, quia tamen eundem *Johannem* ſpecialis dilectionis affectu proſequimur & favore, adjicimus efficaciter preces noſtras. Serenitatem Regiam affectuoſe rogantes, quatinus eundem Johannem, ob reverentiam præfati Domini noſtri, ac obtentu noſtrorum precaminum recommendatum habentes, penes venerabilem in Chriſto Patrem Dominum *O.* Dei gratia Epiſcopum, ac Decanum & Capitulum *Lincolnien.* vobis efficaciter interponere preces veſtras, quod ipſum Johannem, vel Procuratorem ſuum ejus nomine, ad pacificam poſſeſſionem Canonicatus dictæ Eccleſiæ, necnon ad Præbendam, dignitatem, ſeu perſonatum hujuſmodi, ſi vacant ad præſens, vel quamprimum ad id optulerit ſe facultas, juxta literarum Apoſtolicarum tenorem benigne recipiant in Canonicum, et in fratrem, et ſincera caritate pertractent; preces noſtras hujuſmodi taliter in hac parte (ſi placet) ad exauditionis veſtræ (gratiam) admiſſuri, quod dictus *Johannes* eas ſibi ſentiat in favoris augmentum, noſque

Serenitati

Serenitati Regiæ amplius aſtringamur cum dignis actionibus gratiarum. Datum *Romæ* apud S. *Petrum*, &c. *An.* 24 *E.* I.

There was another Epiſtle to the ſame effect to the King, from *Matheus miſeratione divina Portuenſis Eccleſiæ Diaconus Cardinalis, Datum* Romæ *die* 5. *Maii*. But theſe Proviſions entrenching on the Rights and Prerogatives of his Crown, and priviledges of the Church of *England*, the King gave the like anſwers to them, as in the premiſed caſes of the Prebendaries of *Naſſington* and *Monketon*.

The King to pleaſe the Cardinals whoſe unjuſt ſuits he had denied, and to effect his affairs the better in the *Roman* Court, where all things were procured by bribes and penſions to Cardinals and other Officers, granted theſe Penſions this year to theſe *Roman* Harpies.

REX omnibus ad quos, &c. ſalutem. **Obſequia fructuoſa** quæ venerabilis pater *B.* titulo Sanctorum *Coſma* & *Damiani* Diaconus Cardinalis, **ſicut ſperamus, exhibebit futuris temporibus attendentes, quinquaginta Marcas Sterlingorum eidem annuam concedimus Penſionem, percipiendam quamdiu vixerit, ad Scaccarium noſtrum**; unam videlicet medietatem ad Scaccarium noſtrum Sancti *Michaelis*, & aliam medietatem ad Scaccarium noſtrum *Paſch.* In cujus, &c. Teſte Rege apud *Rokes*. 14 die *Maii*. Pat. 24 E. 1. m. 15. intus. Pro D B. tit. S. Coſmæ & Damiani, Diacono Cardinali.

REX omnibus ad quos, &c. ſalutem. **Grata obſequia** quæ venerabilis Pater Dominus *Beraldus* Epiſcopus *Albanenſis*, Sanctæ *Romanæ* Eccleſiæ Cardinalis **nobis olim in minori conſtitutus** officio laudabiliter impendit diligentius attendentes, **fructuoſaque ſubſidia quæ nobis imposterum ab ipſo ſperamus firmiter exhiberi perſpicacius advertentes**; **concedimus eidem ducentarum Sarcarum Sterlingorum annuam Penſionem ad Scaccarium noſtrum quamdiu vixerit percipiendam**; unam videlicet medietatem ad Scaccarium noſtrum *Paſch.* & aliam medietatem ad Scaccarium noſtrum Sancti *Michaelis*, primo termino ſolutionis incipiente ad Scaccarium noſtrum *Paſch.* prox. jam tranſactum. In cujus, &c. Teſte ut ſupra. Ibid. Pro Baraldo Epiſcopo Albanen. S. R. E. Cardinali, de annua penſione.

He likewiſe granted Protections to others, at the Cardinals requeſt, who no doubt had gratuities for procuring them, as theſe Records inform us.

FRater *Alguein* Prior ſive Cuſtos Eccleſiæ *Omnium Sanctorum* de *Writel London*. Dioc. **ad inſtantiam venerabilis Patris Domini *B. Albanenſis* Epiſcopi Sacroſanctæ *Romanæ* Eccleſiæ Cardinalis, amici Regis chariſſimi, habet literas Regis de protectione ſimplices ſine Clauſ. per biennium duraturas.** Teſte Rege apud *Berewyke* ſuper *Tweedam*, 27 die *Aprilis*. Pat. 24 E. 1. m. 16. intus. De Protectione.

MAgiſter *Henr.* perſona Eccleſiæ de *Sherham*, **ad inſtantiam venerabilis patris Domini *B. Albanen.* Epiſcopi, Sacroſanctæ *Romanæ* Eccleſiæ Cardinalis, amici Regis chariſſimi, habet litteras Regis de protectione ſimplices ſine clauſ. per biennium duraturas.** Teſte ut ſupra. Ibidem.

Theſe Cardinals Grand deſign upon their return into *England*, being to collect and return what monies they could thence extort for new Procurations, as *Legates à latere*, from all the Clergy and religious Houſes in *England* and *Ireland*, procured this ſafe Conduct and Protection from the King for their *Italian* Merchants, Uſurers, and Collectors to come into *England*, to collect their Procurations and other monies throughout *England* and *Ireland*, and tranſport the ſame into *France*; together with a command to Sheriffs and other Officers to aſſiſt them therein, and if any were excommunicated by the Cardinals for refuſing to pay Procurations, to compell them thereunto by diſtreſſes or impriſonment; which the King to obtain their favour granted, as this Record informs us.

REX

An. 24 *E.* 1.

Pat. 24 E. 1. m. 23. intus.

REX Vicecomitibus & omnibus Ballivis & fidelibus ſuis ad quos, &c. ſalutem. Sciatis quod ob reverentiam ſedis Apoſtolicæ et conſiderationem Patrum *B. Albanen.* & *S. Peneſtr.* Epiſcoporum Sacroſanctæ *Romanæ* Eccleſiæ Cardinalium amicorum noſtrorum ſpecialium, ſuſcepimus in ſalvum et ſecurum conductum noſtrum *Johannem Aldibrandini*, & *Gyani Lynchetti*, Mercatores Cameræ Domini Papæ et ipſorum Cardinalium de Societate *Clarentum* de *Pyſtorio*, pro negotiis ſedis prædictæ, et ipſorum Cardinalium per ipſos ad partes Angliæ deſtinatos, in eundo per totum regnum noſtrum, pecuniam eiſdem Cardinalibus de procurationibus ſuis in eodem Regno debitam colligendo, ibidem morando, et inde cum pecunia ſic collecta ad partes *Francia* redeundo; Ita tamen, quod ſub coloze buiuſmodi nullam pecuniam propriam vel alienam, præterquam de procurationibus dictorum Cardinalium extra regnum noſtrum ducant, vel deferant quoquomodo. Et ideo vobis mandamus, quod eiſdem Mercatoribus in eundo per totum regnum noſtrum pecuniam præfatis Cardinalibus de procurationibus ſuis in eodem regno debitam colligendo, ibidem morando, et inde cum pecunia ſic collecta ad partes *Franciæ* redeundo, ſicut prædictum eſt, non inferatis, vel quantum in vobis eſt inferri permittatis, injuriam, moleſtiam, dampnum, impedimentum aliquod ſeu gravamen, ſet potius illos quos in ſolutione procurationum prædictarum Contradictores invenire contigerit et rebelles, poſtquam ea occaſione excommunicati fuerint ad ſolutionem procurationum earundum eiſdem Mercatoribus vel eorum alteri faciend. modo debito compellatis, quociens neceſſe fuerit, et a Mercatoribus prædictis, vel eorum altera ſuper hoc fueritis requiſiti. In cujus, &c. uſque ad feſtum Nativitatis Sancti *Johannis Baptiſtæ* prox. futur. duratur. Teſte Rege apud Sanctum *Edmundum*, 16 die *Novembris*. Which Protection the next year was renewed to them for a longer time, as *Pat.* 25 E. 1. m. 2. aſſures us, where it is inrolled. The like Patent iſſued to his Chief Juſtice and all other Officers, perſons in *Ireland*, to aſſiſt their Chaplain *John Bonichi de Senis* (ſent a *ſecond time into *Ireland*, to collect their Procurations from the Clergy there, with power to excommunicate thoſe who refuſed to pay them) and enforce excommunicate perſons to pay the ſame.

* See here, p. 639.

Pat. 24 E. 1. m. 4. intus. De Procurationibus Cardinalibus debitis in partibus Hyberniæ exigendis & levandis.

REX dilectis & fidelibus ſuis Juſticiario ſuo *Hyberniæ* Cancellar. Theſaur. Vicecomitibus, & omnibus aliis Ballivis & fidelibus ſuis de terra *Hybernia* ad quos, &c. ſalutem. Cum venerabiles patres Domini *B. Albanenſis* et *S. Peneſtr.* Epiſcopi, Sacroſanctæ *Romanæ* Eccleſiæ Cardinales amici noſtri chariſſimi, ad nos et Regem *Franciæ* per Dominum Summum Pontificem Nuncii deſtinati, Magiſtrum *Johannem Bonichi de Senis* Capellanum eorundem mittant ad dictas partes *Hiberniæ* ad procurationes eis in partibus illis debitas exigendas. Vobis mandamus, quod eidem Magiſtro *Johanni* cum ab ipſo requiſiti fueritis, ſalvum et ſecurum conductum præſtantes in levandis ſeu exigendis dictis procurationibus, et contradictoribus ſeu rebellibus, ut Juſtitia ſuaſerit compeſcendis, impendatis eidem ſaborem, conſilium et juvamen, Excommunicatos etiam ob eandem cauſam poſtquam in ipſa excommunicatione ſtatuto tempore contumaciter perſtiterint, et de hoc vobis legitime conſtiterit ad debitam inde ſatisfactionem modo debito compellatis hac vice de noſtra gratia. In cujus, &c. uſque ad feſtum *Paſch.* prox. futur. dur. Teſte Rege apud Berewick ſuper *Twed*, 30 die *Auguſti*.

Thus did theſe Cardinals under pretext of making a Truce between *England* and *France*, twice prey upon the *Engliſh* and *Iriſh* Churches, Clergy, and tranſport their Treaſure into *France* to enrich themſelves and our *French* Enemies.

The King this year ſending forces into *France* to recover his right to *Vaſcoigne*, and after that Commiſſioners to *Cambray* to the Cardinals, to treat and conclude a League between him and the *French* King; by his Soveraign Eccleſiaſtical authority, iſſued theſe pious Writs to his Archbiſhops, Biſhops, Abbots and Priors, to make devout and hearty prayers to God in all their Churches and Dioceſſe, for his bleſſing upon his forces to recover and defend his right, and alſo on that Treaty, to put ſuch a period to the Wars, and ſettle ſuch a Truce as might redound to the praiſe of God, his own honor, and the profit of his Realm.

REX

An. 24 E. 1.

REX Venerabili in Chriſto patri *R.* eadem gratia *Cantuar.* Archiep ſcopo, totius *Anglia* Primati ſalutem. Evidentem cauſæ noſtræ juſtitiam, quam vos latere non credimus, fervente ſtudio hactenus profecuti, & adhuc ſummo opere proſequentes, pro recuperatione & defenſione terræ noſtræ *Vaſcon.* tanquam Coronæ Regiæ, et honoꝛi Regni noſtri *Angliæ* hæreditario jure annexæ, de qua Rex *Franciæ* nos injuſtè exhæredare conatur, ad partes ipſius Ducatus gentes noſtras nuper cum potentia, quàm tunc commode potuimus, & nunc demum *Edmundum* fratrem noſtrum cum honorabili comitiva Nobilium dicti Regni duximus deſtinand. Sane cum in homine non ſit auxilium, ſed e cœlo, ac pꝛopter hoc opoꝛteat impotentiam noſtram divinæ manus pꝛæſidiis ſuſtentari, Paternitatem veſtram requirimus et rogamus, quatenus non ſolum noſtram ſed veſtram juſtitiam intuentes, et coꝛda veſtra ſurſum habentes ad Dominum, apud eum, ut hæc et alia quæ negotio expedire cognoveritis antedicto pꝛocedant ſalubꝛiter, et in manibus noſtris pꝛoſpere diriganꝛur, devotis ſupplicationibus inſiſtatis. Cumque ob reverentiam ſedis Apoſtolicæ, et ad venerabilium Patrum *B. Albanen.* et *S. Peneſtrin.* Epiſcopoꝛum, Sanctæ *Romanæ* Eccleſiæ Cardinalium requiſitionem inſtantem, ad tractandum de Treugis et Pace cum Rege pꝛædicto ſuper guerris, diſſenſionibus, et diſcoꝛdiis quibuſcumq; inter ipſum et nos eoꝛtis et motis, ſolennes Nuncios noſtros ad partes miſerimus tranſmarinas ad pꝛæſentiam Cardinalium pꝛædictoꝛum, piam affectionem veſtram exciter quæſumus debitum caritatis, ad divinam miſericoꝛdiam veſtris interceſſionibus implogand. ut pꝛæſentis tempoꝛis tempeſtuoſo pꝛocellarum turbine quieſcente, uberioꝛa tempoꝛa ſub tranquilliꝛis auræ ſerenitate ſuccedant, quodque ad feliciter hæc et alia peragenda, quæ cepimus, dextera Regis Regum potenter adjuti, ea ad laudem ipſius et honoꝛem noſtrum, ac commodum regni noſtri ad optatum effectum deducere valeamus. Pꝛæmiſſa vero omnibus viris ſubditis in veſtra Dioc. conſtituris, ſpecialibus oꝛationibus facienda, per vos injungi petimus et mandari. Teſte Rege apud Sanctum *Albanum*, primo die *Januarii*.

Cl. 24 E. 1. dorſo 10. See the 1d Part of my Signal Loyalty and Devotion of Gods true Saints & Pious Chriſtians towards their Kings, p. 42, 43.

Conſimiles literæ diriguntur, *J. Eborum* Archiepiſcopo *Angl.* Primati, & Epiſcopis ſubſcriptis, videlicet,

J. Epiſcopo *Roff. R.* Epiſcopo *London. O.* Epiſcopo *Lincoln. R.* Epiſcopo *Norwicen. W.* Epiſcopo *Elyen. G.* Epiſcopo *Cyceſtr. J.* Epiſcopo *Wynton, Tho. Exon.* Epiſcopo, *N.* Epiſcopo *Sarum, W. Bathon.* & *Wellen.* Epiſcopo, *G. Wygorn.* Epiſcopo, *R. Hereford.* Epiſcopo, *A.* Epiſcopo *Bangor. .... Aſſaven.* Epiſcopo, *J.* Electo *Landaven. J. Karleolen.* Epiſcopo, *A.* Epiſcopo *Dunolmen.* Cuſtodi Spiritualitatis *Coventr.* & *Lych.* ſede vacante, Electo *Moneven.* vel ejus vices gerenti, ipſo agente in partibus tranſmarinis. (A pattern worthy imitation by Proteſtant Kings, Prelates, in times of Warr, and Treaties of Peace.)

REX dilecto ſibi in Chriſto Abbati Sancti *Auguſtini Cantuar.* ſalutem. Evidentem cauſæ noſtræ juſticiam, &c. ut ſupra, uſque ibi præſidiis ſuſtentari. Et tunc dicitur, Vos requirimus & rogamus quatinus, &c. ut ſupra. Præmiſſa vero omnibus veſtris ſubditis ſpecialibus oꝛationibus facienda, per vos injungi petimus et mandari. T. R. apud *Crucem Roeſ.* 7. die *Januar.*

Conſimiles literæ diriguntur Abbatibus ſubſcriptis, videlicet;

Abbati de Sancto *Albano*, Abbati de *Waltham*, Abbati de Sancto *Edmundo*, Abbati de *Eveſham, Exempti*; Abbati de *Furneys*, Abbati de *Sallcy*, Abbati de *Novo Monaſterio*, Abbati de *Jerovall*, Abbati de *Fontibus*, Abbati de *Bella Landa*, Abbati de *Malſa, Ciſterc. Ordinis*: Abbati de *Nenhom*, Abbati de *Croxton*, Abbati de *Alnewyk*. Abbati de *Egleſton*, Abbati de S. *Agatha, Præmonſtrat. Ordinis*. Magiſtro Ordinis de *Sempingham*, Fratri *Willielmo de Hothum* Priori Provinciali de Ordine Fratrum Prædicatorum in *Anglia*, Miniſtro Ordinis Fratrum Minorum in *Anglia*, &c. quod ipſi in ſingulis Domibus ſuis ſpecialibus orationibus, &c.

Clauſ. 24 E. 1. m. 10. dorſo.

He likewiſe by his Eccleſiaſtical prerogative ſent theſe Writs to his Archbiſhops, Biſhops, Abbots, and others, to make Prayers, ſing Maſſes, and doe other works of piety for the Soul of his Brother *Edmond*, and after that of *Margaret* Queen of *France*, then lately deceaſed, according to the ſuperſtition of that age.

REX

An. 24 *E.* 1.

Clauſ 24 E. 1. m. 8. dorſo. De orationibus & ſuffragiis pro anima Edmundi fratris Regis.

REX Venerabili in Chriſto Patri *R.* eadem gratia *Cantuar.* Archiepiſcopo totius *Angliæ* Primati ſalutem. Altiſſimus creator omnium ad hoc humanam naturam ad ſui ſimilitudinem & ymaginem creavit, ex anima & corpore conſtitutam, & in hoc mundo miſerabili collocavit, ut finito pro ſuæ voluntatis arbitrio hujus vitæ velut cujuſdam peregrinationis curſu, ipſum compoſitum in ſua principia reſolvatur, & ad terram de qua eſt corpore redeunte, ad Dominum à quo datus eſt Spiritus revertatur. Quam quidem peregrinacionem nemo poteſt ſine multarum coinquinacionum contagione peragere, ſicut nec pedes itinerancium iter ſuum abſque pulveris adhæſione tranſire; quare ſummè indigent à præſenti ſeculo tranſeuntes vivorum ſuffragiis adjuvari: Cum itaque vir illuſtris *Edmundus* unicus frater noſter cariſſimus, qui noſtris & regni noſtri negociis ſemper promptus, devotus extitit & fidelis, et in quo virtutum & gratiarum dona multiplicia prælucebant, ab hac luce prout ipſi plaſmatori placuit ſit ſubtractus, ex qua ſubtractione reputamus nos & ipſum regnum plurimum deſolatos, quod vobis non ſine gravi cordis amaritudine nunciamus, **Paternitatem veſtram affectuoſis precibus attente requirimus et rogamus, quatinus ipſius fratris noſtri exequias cum devotione ſollempniter celebrantes, ejus animam cum decantacione miſſarum et aliis devotarum orationum ſuffragiis ipſi Deo altiſsimo commendetis. Illud idem ab univerſis et ſingulis Religioſis, et aliis perſonis Eccleſiaſticis ſubditis veſtris per totam veſtram Diocefim fieri ſpecialiter injungendo.** Teſte Rege apud *Aberden.* 15 die *Julii.*

Conſimiles literæ diriguntur ſingulis Epiſcopis per *Angliam.* T. ut ſupra.

Conſimiles literæ diriguntur Abbatibus ſubſcr.ptis, uſque ibi paternitatem, &c.

Abbati de Sancto *Edmundo*, &c. as in the other Page.

Ibid. m. 10. dorſo. De orando pro anima Margaretæ quondam Reginæ Francia.

REX Venerabili in Chriſto Patri *R.* eadem gratia *Cantuar.* Archiepiſcopo, totius *Angliæ* Primati, ſalutem. Cum claræ memoriæ *Margareta* quondam Regina *Franciæ* amita noſtra jam viam univerſæ carnis, prout conditori omnium placuit, ſit ingreſſa, **cujus animæ piis orationibus devotorum corum Deo cordis et intimo cupimus ſubveniri; Paternitatem veſtram ſincera mente requirimus et rogamus, quatinus animam præfatæ Reginæ in Miſſarum celebrationibus et aliarum orationum ſuffragiis aliiſque pietatis operibus ſpecialiter commendetis, ipſam a Religioſis et aliis ſubditis veſtris per veſtram Dioc. conſtitutis ſimiliter adjuvari per hujuſmodi ſuffragia facientes.** Teſte Rege apud *Thetford*, 22 die *Januarii.*

Conſimiles literæ diriguntur *J.* Archiepiſcopo *Angliæ* Primati, & Epiſcopis ſubſcriptis, videlicet;

J. Roffen. R. London. O. Lincoln. R. Norwycen. W. Elien. G. Ciceſtr. I. Wynton. Th. Exon. N. Sarum, W. Bathon. & Wellen. G. Wigorn. R. Hereford. A. Bangoren. ..... Aſſaven. Electo *Landaven.* vel ejus vices gerenti, *I. Karleolen. A. Dunolm.* Cuſtodi Spiritualitatis *Coventr. & Lych.* Electo *Menevin.* vel ejus vices gerenti.

* See here, pag. 641.

The King by his Letters patents appointed ſpecial Collectors in all Biſhopricks of the *Diſmes* given to him by the Clergy * the year before, according to their grant made to him.

Pat. 24. E. 1. memb. 22. De decima à Prælatis & Clero Domino Regi conceſſa in ſingulis Epiſcopatibus Angliæ colligenda.

REX dilecto ſibi in Chriſto Priori *Roffenſi*, ſalutem. Cum Prælati & totus Clerus de regno noſtro **decimam beneficiorum et bonorum ſuorum, de quibus decima ultimo in ſubſidium terræ ſanctæ conceſſa fuit, data nobis in ſubſidium noſtrum de anno præſenti, juxta taxacionem ultimo inde factam liberaliter conceſſerint et gratanter**, beneficiis Eccleſiaſticis perſonarum plura beneficia Eccleſiaſtica non habencium per eandem taxacionem valorem ſex marcarum annuarum non excedentibus dumtaxat exceptis; ita quod una medietas ejuſdem decimæ primo die *Marcii* proximo futura; & altera medietas in feſto ſanctæ *Trinitatis* proximo ſequenti nobis perſolvantur. Nos de veſtra fidelitate & diligencia confidentes, **aſſignavimus vos ad dictam decimam ſecundum taxacionem illam in Epiſcopatu *Roff.* colligendam, adunandam, et in tuto loco reponendam, et ſalvo cuſtodiendam, donec aliud a nobis**

inde

inde habueritis in mandatis. Et ideo vobis mandamus; rogantes quatinus eandem decimam in forma prædicta colligatis, adunetis, & eam in tuto loco reponatis & cuſtodiatis; ita quod eam promptam & paratam habeatis, juxta æquales portiones dictis terminis nobis ſolvendam & liberandam, cum ſuper hoc à nobis fueritis requiſiti. Et hoc ſicut noſtrum & veſtrum honorem diligitis nullatenus omittatis. Conceſſerunt eciam nobis dicti Prælati, quod Clerum ſtiarum diocœſium auctoritate ſua, quam vobis per literas ſuas patentes præſtabunt, ad ſolucionem dictæ decimæ, ut præmittitur faciendam compellere valeatis. In cujus, *&c.* Teſte Rege apud *Weſtm.* 11 die *Decembr.* *An.* 24 *E.* 1.

Eodem modo aſſignantur ſubſcripti in Epiſcoparibus ſubſcriptis, *viz.* *Elyen*, Prior *Elyen*, Prior de *Bernewell*, &c.

After which Subſidy granted, ſundry of the Biſhops, Abbots, Abbeſſes, Priors, Deans, Archdeacons, Parſons and Vicars of *England*, to ſecure their perſons and goods from ſeiſure, renewed the former * Protections granted them *Anno* 22 *E.* 1. thinking thereby to preſerve their lands, perſons goods from ſeiſure, though they denyed to grant the King any future Subſidie or ſupplies. A catalogue of which Protections, and thoſe religious perſons & Clergy-men who ſued for them I ſhall here preſent you with out of the Records of 24 *E.* 1. which will inform you of what Order every Monaſtery and Priory therein ſpecified were, and to what Monaſteries any of them appertained as Cells. * See here, p. 588 to 600.

REX Capitan. marinariorum & eiſdem marinariis, Vicecom. & Ballivis & fidelibus ſuis ad quos, *&c.* ſalutem. Cum Prælati et totus Clerus de regno noſtro decimam beneficiorum et bonorum ſuorum, de quibus decima ultimo in ſubſidium Terræ ſanctæ conceſſa fuit data nobis in ſubſidium noſtrum de anno præſenti juxta taxacionem ultimo inde factam liberaliter conceſſerint et gratanter; nos eorumdem Prælatorum et Cleri quieti et tranquilitati ex hac cauſa libencius providere volentes, ſuſcepimus in protectionem et defenſionem noſtram ſpecialem præfatos Prælatos et ſingulos de Clero prædicto, *&c.* Teſte Rege apud *Weſtm.* 11 die *Decembr.* Par. 24. E. 1. m. 21 & 22. De protectione pro Prælatis & toto Clero regni

Et poſtmodum factæ fuerunt literæ conſimiles in omnibus, hoc excepto, quod nomina *Prælatorum* in eiſdem fuerunt ſpecificata, & hujuſmodi literas habuerunt ſubſcripti, *viz.*

G. Wygorn. Epiſcopus, *J. Karliolen.* Epiſcopus, *J. Wynton.* Epiſcopus, *R. Hereford.* Epiſcopus, *O. Lync.* Epiſcopus, *R. Northwycen.* Epiſcopus, *R. London.* Epiſcopus, *Th. Roffen.* Epiſcopus, *R. Cantuar.* Archiepiſcopus *Angliæ* Primas, *J. Ebor.* Archiepiſcopus *Angliæ* Primas.

Conſimiles literas habent ſubſcripti de verbo ad verbum, *viz.*

Abbas de ſancto *Edmundo*, Abbas *Weſtmonaſterii*, Abbas de *Waltham*, Abbas de ſancto *Albano*, Prior de *Elſham*.

Conſimiles literas de protectione habet Magiſter ordinis de *Sempringham* pro ſe & Prioribus ſuis ejuſdem ordinis. Teſte Rege apud *Weſtm.* 11 die *Decembr.*

Conſimiles literas de verbo ad verbum habent ſubſcripti, qui ſunt de eodem Ordine, viz. *Ciſterc.*

Abbas de *Bellalanda*, Abbas de *Gerovall*, Abbas de *Stratford*, Abbas de *Dukeſwell*, Abbas de *Valle Regali*, Abbas de *Stanlowe*, Abbas de *Rupe*, Abbas de *Holmcoltran*, Abbas de *Cumbermere*, Abbas de *Furneys*, Abbas de *Rufford*, Abbas de *Ryevall*, Abbas *Novi Monaſterii*, Abbas de *Swyneſheved*, Abbas de *Ford*, Abbas de *Melſa*, Abbas de *Bildewas*, Abbas de *Wardon*, Abbas de *Newenham*. Ciſtercienſes.

Ordinis ſancti *Benedicti*. Abbas de *Perſhore*, Prior *Dunelm.* Prior de *Bretton Monachorum*, Abbas de *Waledene*, Abbas de *Heneſhaw*, Prior de *Ely*, Abbas *Salop.* Abbas de Burgo ſancti *Petri*, Abbas beati *Mar. Ebor.* Prior Eccleſiæ *Chriſti Cant.* Abbatiſſa de *Godeſtowe*, Prior ſanctæ *Bege*, Abbatiſſa de *Berkyng*, Abbas de *Shireburn*, Prior ſanctæ *Fidis*, Prior de *Spaldyngg*, Abbas de *Abyndon*, Abbas de *Horrefeld Regis*, Abbas de *Croyland*, Abbas de *Bynham*, Abbas de *Thorneye*, Prior de *Shareſhitke*, Prior de *Belvero*, Prioriſſa de *Corun*, Prior de *Poteſfracto*, Abbas B. *Mariæ Ebor.* Prior de *Wederhall*. Benedictini.

Sancti *Auguſtini*. Prior ſancti *Oſwaldi*, Prior ſancti *Gregorii Cantuar.* Abbas de *Haghemon*, Auguſtini.

An. 24 E. 1. *Haghemon*, Prior de *Wartre*, Prior de *Weſtacre*, Abbas de *Grymesby*, Prior de *Gyſburn*, Abbas de *Oſeney*, Prior beatæ *Mareæ Karl.* Prior de *Brydlyngton*, Prior de *Donenlawe*, Abbas ſancti *Jacobi extra Norht.* Prior ſancti *Barthol.* de *Smethefeld London*, Prior de *Merton*, Prior de magna *Malingham*, Prior de *Flutham*, Prior de *Bernewell*, Prior de *Tremenhalle*, Prior de *Petreſton*, Abbas de *Crulond*, Prior de *Kirkeham*, Prior de *Newenham*, Prior de *Huntirdon*, Prior de *Thurgerton*, Prior de *Beſton*, Prior de *Lauretoſt*, Abbas de *Crek*, Prior de *Waburn*, Abbas de *Thorneton*, Prior de *Shelford*, Prior de *Swyneſheved*, Prior de *Brinton*, Abbas de *Brunne*, Prior de *Novo loco* juxta *Staundford*, Prior de *Boulton* in *Cravene*, Prior de *Hextildeſham.*

Præmonſtratenſes. *Præmonſtratenſes.* Abbas de *bello Capite*, Abbas de *Heppe*, Abbas de *Coverham*, Abbas de *Tupholm*, Abbas de *Begeham*, Abbas de *Croxton*; Abbas de *Weſtderham*, Abbas de *Neubo*, Abbas ſanctæ *Agathæ*, Abbas de *Newehus*, Abbas de *Egleſton.*

De protectione pro Alienigenis. Prior de *Okeburn*, quæ eſt Cella Abbaciæ de *Becco Herlewycini*, in poteſtate Regis *Franciæ* exiſtentis. Prior de *Prittelwell*, quæ eſt Cella Abbaciæ *Cluniacen.* Prior de *Frompton*, quæ eſt Cella Abbaciæ de *Cudamo.* Prior de *Nowne* & *Novo mercato*, quæ ſunt Cellæ Abbaciæ ſancti *Ebrulphi.* Prior de *Ware*, quæ eſt Cella Abbaciæ ſancti *Ebrulphi.* Prior de *Breſete*, quæ eſt Cella Prioratus *Nobiliaci* in *Lymoches.* Prior de *Eſtle*, quæ eſt Cella Abbaciæ ſancti *Taurini Ebroycen.* Prior de *Hetton*, quæ eſt Cella Abbaciæ *Cluniacen.* Prior de *Godeclif*, quæ eſt Cella Abbaciæ de *Becco Harlewyni.* Prior de *Theford*, quæ eſt Cella Abbaciæ *Cluniacen.* Prior de *Stenyngton*, quæ eſt Cella Abbaciæ de *Becco Harlewyni.* Prior de *Carinton*, quæ eſt Cella Abbaciæ de *monte Sancti Michaelis* in periculo maris. Prior de *Stanegate*, quæ eſt Cella Abbaciæ *Cluniacen.* Prior de *Lodres*, quæ eſt Cella Abbaciæ de *Monte Burgi.* Prior de *Newton Lungevyle*, quæ eſt Cella Abbaciæ *Cluniacen.* Prior de *Wenelok*, quæ eſt Cella Abbaciæ *Cluniacen.* Prior de ſancto *Neoto*, quæ eſt Cella Abbaciæ de *Becco Harlewyni.* Prior de *Merſeye*, quæ eſt Cella Abbaciæ ſancti *Audeni Rothomagi.* Frater *Robertus de la Vall*, Procurator Abbatis ſancti *Nicholai Andegaviæ* in *Anglia.* Frater *Galfridus de Aqua*, Ballivus Abbatis de *Conchis* in *Anglia.* Frater *Johannes de Alneto*, Ballivus Abbatis de *Alneto* in *Anglia.* Frater *Willielmus de Saviniaco*, Ballivus Abbatis de *Saviniaco* in *Anglia. Willielmus Oliver*, procurator Abbatis de *Sagio* in *Anglia.* Magiſter Domus ſancti *Marci* de *Billeſwyk.* Prior ſancti *Trinitatis Norwyci.* Prior de *Lewes. Petrus* Prior *de la Sele*, quæ eſt Cella Abbaciæ de ſancto *Florencio* de *Salinuro.* Prior de *Lenton*, quæ eſt Cella Abbaciæ *Cluniacen.* Prior de *Caſtelacre* Ordinis *Cluniacenſis.* Prioriſſa de *Wallandewelles.* Prior ſanctæ *Trinitatis Ebor.* quæ eſt Cella *majoris Monaſterii* in poteſtate Regis *Franciæ* exiſtentis. Frater *Richardus* Procurator ſanctæ *Andreæ Northampton*, quæ eſt Cella Prioratus *Caritaten.* ordinis *Cluniacen.* Frater *Vigor*, Ballivus Abbatis de *Fyſcampo* in *Anglia.* Prior de *Wylminton*, quæ eſt Cella Abbaciæ beatæ *Mariæ* de *Greſtono.* Prior de *Ravenſdale.* Prior de *Camaringham.* Prior de *Lenton.* Prior de *Paunfeld* & *Welle.* Prior de *Hagh.* Frater *Dionyſius* Prior de *Arundel.* Frater *Hugo* Cuſtos Eccleſiæ de *Uppechirche.* Prior de *Patrikeburn.* Prior de *Triwle.* Frater *Walterus* de *Dunes*, Cuſtos Eccleſiæ de *Eſtchirche* in *Shepeye. Agatha*, Prioriſſa de *Leominiſtre.* Frater *Petrus* de *Folkeſton. Nicholaus* Prior de *Toſtes.* Prior de *Lancaſtr.* Prior de *Weſton. Galfridus* de *Totteneys.* Frater *Johannes*, Prior de *Kirkeby* Monachorum. Prior de *Wyleford.* Prior de *Tuttebur.*

Pat. 24. E. 1. m. 22. dorſo. Protectiones pro perſonis Eccleſiaſticis. Conſimiles Protectiones de verbo ad verbum habent ſubſcripti, *&c.* (*many of them Pluraliſts, notwithſtanding all Canons againſt Pluralities.*)

Walterus Curzun, Perſona Eccleſiæ de *Buggecaſterton. Willielmus* de *Byrlaco*, Perſona Eccleſiæ de *Kyngeſmenton.* Magiſter *Richardus* de *Hertford*, Archidiac. *Hereford. Walterus* de *Rudmurleye*, Canonicus Eccleſiæ ſancti *Ethelberti Hereford.* & Perſona Eccleſiæ de *Lugwardyn*; & Magiſter *Willielmus* de *Kyngeſcote*, Canonicus Eccleſiæ prædictæ ſancti *Ethelberti Hereford.* & Perſona Eccleſiæ de *Weſtbury. Willielmus* de *Byrlaco*, Perſona Eccleſiarum de *Warſop* & *Handeſworth. Henricus* de *Lenn*, Perſona Eccleſia de *Ryſton* & *Aſſheby. Nicholaus* de *Spronton*, Perſona Eccleſiarum ſancti *Jacobi Lond.* & Beatæ *Mariæ de la Rye*, & Præbendarius Præbendæ de *Werthings* in Eccleſia de *Haſtyngges. Richardus* de *Maruham*, Perſona Eccleſiæ de *Lameleye. Willielmus* de *Cornub.* Perſona Eccleſiæ de *Tonceſtre.* Magiſter *Petrus* de *Inſula*, Arch. *Wellen. Johannes* de *Aqua Blanca*, Decanus Eccleſiæ ſancti *Ethelberti Hereford. Robertus* de *Lond.* Perſona Eccleſiæ de *Wykware.* Magiſter *Willielmus* de *Grenefeld*, Canonicus Eccleſiarum Beati *Petri Ebor.* & Sancti *Wilfridi* de *Rypon*, & Perſona

Perſona Eccleſiæ de *Stretſted* ſuper *Avenam*. Magiſter *Johannes* de Sancto *Leofardo*, Perſona Eccleſiæ de *Egremunt*. *Johannes* de *Langeton*, Theſ. Eccleſiæ *Wellenſis*, & Perſona Eccleſiæ de *Lodeſwello*. *Johannes* de *Godelegh*, Perſona Eccleſiarum de *Lovepute* & *Boclond*. Magiſter *Henr. Sampſon*, Perſona Eccleſiarum de *Fyſkerton*, *Haryngby*, & *Ingeſworth*. *Willielmus* de *Dale*, Perſona Eccleſiæ de *Dale* juxta *Sandwyk*. Magiſter *Hugo Sampſon*, Perſona Eccleſiarum de *Byrkyn* & *Landeford*. Magiſter *Henricus Sampſon*, Perſona Eccleſiarum de *Eſton*, *Creton*, *Flete*, *Walſham*, *Erpyngham*, & *Saham Comitis*. Magiſter *Johannes* de *Crancumbe*, Perſona Eccleſiarum de *Gouſle*, *Mapelton*, *Burton*, *Wyverthorp*, *Grendale*, *Byrton*, & *Aymyniſtr*. Magiſter *Rogerus* de *Aſpale*, Perſona Eccleſiæ de *Stanham antegeyne*. Magiſter *Rogerus* de *Aſpale*, Perſona Eccleſiæ de *Henneye*. Magiſter *Petrus* de *Ambur*, Canonicus Eccleſiæ *Wellen*. & Perſona Eccleſiarum de *Godeſhull* & *Newton* in Inſula *Vecta*. Magiſter *Jacobus* de *Moun*, Perſona Eccleſiæ de *Brompton*. *Johannes* de *Scalleby*, Perſona Eccleſiæ de *Mumby*. Magiſter *Robertus* de *Redeſwelle*, Archid. *Ceſtr*. & *Richardus* de *Rouleſham*, Perſona Eccleſiæ de *Grepenhale*. *Henricus* de *Stratton*, Perſona Eccleſiæ de *Coryngham*. *Hugo* de *Eyton*, Perſona Eccleſiæ de *Lymynton*. *Johannes* de *Godeſlegh*, Perſona Eccleſiæ de *Foxhyrd*. *Henricus* de *Upavene*, Perſona Eccleſiæ de *Caunpeden*. *Henricus* de *Stratton*, Perſona Eccleſiæ de *Stokes*. *Brancaleo* de *Lavanne*, Canonicus Eccleſiæ Sanctæ *Ceddæ Lich*. & Perſona Eccleſiæ de *Tyryngton*. *Guydo* de *Shenedone*, Perſona Eccleſiæ de *Weſton*. *Walterus* de *Wermyngton*, Perſona Eccleſiæ de *Middleton*. *Richardus* Perſona Eccleſiæ de *Kyngeſton* Magiſter *Johannes* de *Boghes*, Perſona Eccleſiæ de *Kyrkelenyngton*. Magiſter *Petrus* de *Fylnel*, Perſona Eccleſiæ de *Methynges*. Magiſter *Walterus* de *Wotton*, Archid. *Huntyndon*. *Hugo* de *Normanton*, Perſona Eccleſiæ de *Fleſburgh*. Magiſter *Gocelinus* Archid. de *Stowe*. *Willielmus* Perſona Eccleſiæ de *Boklaund*. Magiſter *Henricus* de *Newerk*, Decanus Eccleſiæ beati *Petri Ebor*. *Robertus* de *Langeton*, Perſona Eccleſiæ de *Cotherſtok*. *Radulphus* de *Breghton*, Perſona Eccleſiæ de *Wytteleford*. *Adam* de *Novo Caſtro*, Perſona Eccleſiæ de *Kirkelaund*. *Johannes* Perſona Eccleſiæ de *Tunſted*. Magiſter *Richardus* de *Tynton*, Perſona Eccleſiæ de *Stylton*. *Godefridus* Perſona Eccleſiæ de *Digneſwell*. *Laurentius* de *Sancto Michaele*, Perſona Eccleſiæ de *Dogmaresfeld*. Magiſter *Johannes* de *Sancto Leofardo*, Canonicus Eccleſiæ Sanctæ *Trinitatis Ciceſtr*. *Willielmus* de *Askeby*, Perſona Eccleſiæ de *Ilkeleye*, & medietatis Eccleſiæ de *Weſtwalton*. *Johannes* de *Sheffend*, Perſona Eccleſiæ de *Fuldon*. *Willielmus* de *Clere*, Perſona Eccleſiæ de *Brafferton*. *Willielmus* de *Clare*, Perſona Eccleſiarum de *Brafferton*, & de *Beauver*. Magiſter *Reymundus* de *Feraria*, Canonicus Eccleſiæ beatæ *Mariæ Sarum*. *Egidius* dei *Andenard*, Canonicus Eccleſiæ Sancti *Wilfridi Ripon*. *Johannes* de *Stoclon*, Perſona Eccleſiæ de *Stokes* juxta *Undelee*. *Willielmus* de *Stoclon*, Perſona Eccleſiarum de *Whethamſted*, *Lafford*, & *Omnium Sanctorum Derbeye*. *Nicholaus* Perſona Eccleſiæ de *Wynchelſeld*. *Regerus* Perſona Eccleſiæ de *Weluwes*. *Galfridus* de *Whethamſtede*, Perſona Eccleſiæ de *Hunneſdon*. *Simon* de *Grelleye*, Perſona Eccleſiæ de *Godmerſham*. Magiſter *Johannes* de *Well*, Canonicus Eccleſiæ beatæ *Mariæ* de *Sutwell*, & Perſona Eccleſiæ de *Kaldebek*. Magiſter *Johannes* de *Pyreleſdon*, Perſona Eccleſiæ de *Stradeſel*. *Ivo* Perſona Eccleſiæ de *Wadehou*. *Edmundus* de *Neubur*, Perſona Eccleſiæ de *Shetham*. *Willielmus* de *Bevereote*, Perſona medietatis Eccleſiæ de *Seggebrok*. Magiſter *Laurentius* Perſona Eccleſiæ de *Ardleſthorp*. *Johannes* de *Shefeld*, Perſona Eccleſiæ de *Thornton* in *Craven*. *Alanus* Perſona Eccleſiæ de *Oleteye*. Magiſter *Radulphus* de *Ebor*. Canc. Eccleſiæ beatæ *Mariæ Sarum*. Magiſter *Stephanus* Perſona Eccleſiæ de *Walſoke*. Magiſter *Robertus* de *Grymesby*, Perſona Eccleſiæ de *Belesby*. *Gilbertus* de *Wallaington*, Perſona Eccleſiæ de *Homſvill*. *Thomas* de *Perers*, Perſona Eccleſiæ de *Kirkeby* in *Aſhfeld*. *Thomas* Perſona Eccleſiæ de *Gedelyng*. *Nicholaus* de *Ros*, Perſona Eccleſiarum de *Effinton* & *Stokeraubeney*. *Johannes* de *Wycham*, Perſona Eccleſiæ de *Tyringham*. *Alanus* Vicarius Eccleſiæ de *Dunſton*. *Thomas* Perſona Eccleſiæ de *Weſtraſen*. *Willielmus* de *Caples*, Perſona Eccleſiæ de *Layſeby*. Magiſter *Simon* de *Luda*, Perſona Eccleſiæ de *Alesby*. *Rogerus* de *Alto Monaſterio*, Perſona Eccleſiæ de *Doneford*. Magiſter *Willielmus* de *Pikering*, Archidiaconus *Notingh*. *Radulphus* de *Pykering*, & *Robertus* de la *Forde*, Canonici Eccleſiæ beati *Petri Ebor*. *Richardus* de *Jakeſle*, Perſona Eccleſiæ de *Croyby*. *Willielmus* de *Oxwyk*. *Walterus* de *Langeton*, Magiſter Hoſpitalis Sancti *Leonardi Ebor*. Magiſter *Willielmus Burnel*, Præpoſitus Eccleſiæ Sancti *Andreæ* de *Well*. Canonicus Eccleſiarum B. *Mariæ Sarum*, & B. *Petri*

An. 24 E. 1.

An. 24 E. 1. *Ebor.* & Perſona Eccleſiæ de *Dounton.* Magiſter *Johannes de Suaynton,* Perſona Eccleſiæ de *Rodeſtayn.* Magiſter *Adam de Coupeland,* Perſona Eccleſiarum de *Kyrkeby* in *Clyveland* & *Foxholees.* *Willielmus* de *Hamelton,* Perſona Eccleſiæ de *Sabrihesworth.* *Willielmus* de Sancto *Oſwaldo,* magiſter Hoſpitalis Regis de *Neuton.* Magiſter Hoſpitalis beatæ *Mariæ* de *Woſtgate* de *Novo Caſtro* ſuper *Tynam.* Magiſter *Johannes* de *Cadamo,* Canonicus Eccleſiæ ſancti *Petri Ebor.* Magiſter *Arnaldus Lupi* de *Tilio,* Perſona Eccleſiarum de *Suthcrek* & *Marſham.* *Johannes* de *Langeton,* Perſona Eccleſiæ de burgo ſubtus *Staynmore.* *Radulphus* de *Stanford,* Perſona Eccleſiarum de *Bulton, Wotton,* & *Stepel Mordon.* *Petrus* de *Taunton,* Perſona Eccleſiæ de *Kirkeby Ravenſwath.* *Robertus Herun,* Perſona Eccleſiæ de *Forde.* *Gilbertus* de *Ardern,* Perſona Eccleſiarum de *Hanewell* & *Aldeford.* *Rogerus* de *Aſherugg,* Perſona Eccleſiæ de *Kynges Ripton.* *Robertus* de *Benhale,* Perſona Eccleſiarum de *Riſhton, Bichhamwell,* & *Keleſhale.* *Gilbertus de Meſa,* Perſona Eccleſiæ de *Northcave.* Magiſter *Thomas de Eſthalle,* Perſona Eccleſiæ de *Atherfeld.*

But theſe Protections, being expired or forfeited ſoon after by their double denyal of a Subſidy to the King, in obedience to Pope *Boniface* his Bull, for which they were put out of the Kings protection, ſtood them in no ſtead at all.

Upon complaint of the Biſhop of *Ely* that his Tenants of divers Manors belonging to his Biſhoprick were diſtrained both in *Thetford* and *Norwich* for toll of their goods, from which they were exempted by his and his progenitors Charters; the King iſſued forth ſundry Writs to diſcharge them from the payment thereof, or to certifie the cauſes why they did it not: whereupon they made theſe returns and Certificates into the Chancery, which I found in the White Tower Chappel.

Brevia Regis, Anno 24 E 1. in Turre London.

Edwardus Dei gratia Rex *Angliæ,* Dominus *Hiberniæ,* & Dux *Aquitaniæ,* Ballivis *Johannis de Warenna* Comitis *Surry* de *Thetford* ſalutem. Ex parte venerabilis patris *W. Elyenſis* Epiſcopi nobis eſt oſtenſum, quod cum ipſe & homines ſui per cartas progenitorum noſtrorum Regum *Angliæ* quieti ſint & eſſe debeant, & ipſe & prædeceſſores ſui Epiſcopi ejuſdem loci ac eorum homines à tempore confectionis cartarum illarum ſemper hactenus quieti extiterint à præſtatione Theolonii per totum regnum noſtrum, vos ab hominibus ejuſdem Epiſcopi de *Brigham, Feltewelle, Brandone* & *Northwolde* Theolonium exigitis, & ipſos ad Theolonium de bonis & mercimoniis ſuis præſtandum in villa veſtra prædicta diſtringitis, in enervationem libertatis prædictæ, minus juſtè, propter quod pluries mandavimus quod ſi ita eſt, tunc ab exactione quam facitis præfatis hominibus de Theolonio prædicto deſiſtentes ipſos inde pacem habere permitteretis, & diſtrictionem ſi quam eis ea occaſione fieri feceritis penitus relaxaretis eiſdem, Vos mandata noſtra prædicta parvipendentes, nichil hactenus inde facere curaſtis, de quo miramur. **Et quia præfatum Epiſcopum vel homines ſuos prædictos indebite prægravari nolumus in hac parte;** Vobis mandamus, ſicut pluries mandavimus, quod ab exactione prædicta deſiſtentes homines prædictos à præſtatione Theolonii prædicti quietos eſſe permittatis juxta tenorem prædictorum mandatorum noſtrorum vobis inde directorum, vel cauſam nobis ſignificetis, quare dictis mandatis noſtris parere noluiſtis vel non potuiſtis. Teſte meipſo apud Sanctum *Albanum* 28 die *Decembris,* Anno regni noſtri viceſimo quarto.

Dorſo. *Cancellario Domini Regis per Ballivum* Thetford;

Ad mandatum veſtrum vobis ſignificamus, quod de propriis bonis Epiſcopis *Elyenſis,* & de mercimoniis emptis vel emendis in Villa de *Thetford* Theolonium non exigimus, ſet de hominibus ejuſdem Epiſcopi manentibus in *Brandon, Brigham, Feltewell* & *Northwolde* Theolonium exigimus ea ratione, quia Dominus Comes de *Warenna* & anteceſſores ſui de tempore à quo non extat memoria fuerunt ſeiſiti & adhuc ſunt de Theolonio prædicto de hominibus & de tenentibus ejuſdem Epiſcopi *Elyenſis,* de omnibus mercimoniis emptis vel venditis in Villa prædicta.

Edwardus Dei gratia Rex *Angliæ,* Dominus *Hyberniæ,* & Dux *Aquitaniæ,* Ballivis ſuis de *Norwico* ſalutem. Ex parte venerabilis patris *W.* Epiſcopi *Elyenſis*

An. 24 *E.* 1.

ſis nobis eſt oſtenſum, quod cum ipſe & homines ſui per cartas progenitorum noſtrorum Regum *Angliæ* quieti eſſe debeant, & idem Epiſcopus & prædeceſſores ſui Epiſcopi *Elyenſes* et eorum homines ſemper hactenus quieti eſſe conſueverint à præſtatione Theolonii per totum regnum noſtrum, ac pro eo, quod vos homines ejuſdem Epiſcopi de *Pulham*, cum bonis & mercandiſis ſuis ad villam noſtram de *Norwyco* venientes, ad Theolonium vobis ibidem præſtandum graviter diſtrinxiſtis, & multipliciter ea occaſione indebitè inquietaſtis, vobis pluries præceperimus, quod ab hujuſmodi diſtrictionibus eiſdem hominibus occaſione prædicta faciendis deſiſteretis, vel cauſam nobis ſignificaretis, quare mandatis noſtris in hac parte parere noluiſtis vel debuiſtis, Vos nichilominus mandata noſtra in hac parte parvipendentes, à diſtrictionibus & inquietacionibus hominibus prædictis occaſione prædicta faciendis deſiſtere, vel ſaltem quare hoc facere noluiſtis vel non debuiſtis nobis ſignificare hactenus non curaſtis, in noſtri & mandatorum noſtrorum contemptum manifeſtum, & prædicti Epiſcopi & hominum ſuorum prædictorum diſpendium non modicum & gravamen, & contra tenorem cartarum prædictarum. Et quia nolumus quod idem Epiſcopus aut homines ſui prædicti indebitè graventur in hac parte, vobis præcipimus ſicut pluries præcepimus, quod ab hujuſmodi diſtrictionibus et inquietacionibus prædictis hominibus occaſione prædicta de cætero faciendis penitus deſiſtentes, ipſos de Theolonio præſtando ſicut inde quieti eſſe debent, & idem Epiſcopus & prædeceſſores ſui & eorum homines ſemper hactenus quieti eſſe conſueverunt, quietos eſſe permittatis, vel vos ipſi ſitis coram nobis à die *Paſchæ* in 15 dies, ubicumque tunc fuerimus in *Angli-*, oſtenſuri quare mandatis noſtris tociens vobis inde directis parere concempſiſtis. Et habeatis ibi hoc Breve. Teſte meipſo apud *Walſingham*, 30. die *Januarii*, anno regni noſtri 24.

To which they made this memorable return and Certificate;

Non contempſimus, prout nec debemus, mandatis veſtris nobis directis in omnibus parere. Et vobis ſignificamus, quod eo tempore quo iſtud breve nobis liberatum fuit, liberatum fuit nobis aliud breve per quod cauſam alias vobis ſignificavimus, quare ab exactione Theolonii hominibus Domini Epiſcopi *Elyenſis* de manerio ſuo de *Pulham* de mercandiſis ipſorum hominum deſiſtere non potuimus; videlicet, Quia omnes homines præfati Domini Epiſcopi de manerio ſuo prædicto ſunt mercatores bladi, illud in Comitatibus *Norff.* & *Suff.* & alibi de Militibus, perſonis Eccleſiaſticis & aliis à præſtatione Theolonii non quietis per diverſa loca ementes, & blada ſic empta ter vel quater in ſeptimana in Civitate *Norwici* ducentes, & ea diverſis hominibus pro voluntate ſua ut mercatores vendentes; & cum Civitas veſtra prædicta nomine veſtro à tempore quo non extat memoria ſeiſita ſit de Theolonio ab hujuſmodi mercatoribus capiendo, tanquam pertinente ad firmam ejuſdem Civitatis, quæ quidem firma extenditur ad Cxv. *l.* & quæ de hujuſmodi Theolonio bladi maximè provenit, & Dominus *H.* Rex pater veſter toto tempore ſuo, & vos toto tempore veſtro, tam per Cuſtodes tempore quo dicta Civitas fuit in manu dicti Domini *H.* Regis patris veſtri & in manu veſtra, quàm tempore quo nos & anteceſſores noſtri inde per vos cuſtodiam habuimus nuper ſeiſiti fuiſtis, & adhuc exiſtitis, **Et quia Jura veſtra alicui in præjudicium veſtrum concedere non valemus, nos ſtatum veſtrum et progenitorum veſtrorum Regum *Angliæ* continuantes, prædictum Theolonium a præfatis mercatoribus de *Pulham* in forma prædicta capimus et exigimus,** Vobis ulterius ſignificantes, quod ſi dicti mercatores de *Pulham* de Theolonio bladi ſic empti quieti fuiſſent, **fere quarta pars totius firmæ prædictæ decideret, nec eſſet aliquis qui de firma prædicta vobis reſpondere poſſet.** So much did theſe exemptions procured by the Biſhops, prejudice the King and his Farmers.

This year there aroſe a great ſedition and combate between the Scholars and Townſmen in the Univerſity of *Oxford*, wherein many were ſlain on both ſides, and the goods of the Scholars plundered and carried away; upon complaint whereof to the King by the Scholars, he ſent his Juſtices thither to puniſh the Malefactors, and repair the Scholars damages: which * *Thomas Walſingham* thus relates.

* Hiſt. Ang. p. 34 24 E. 1

Hoc anno ſuborta eſt **diſcordia grandis** Oxoniæ **inter Clericos et Laicos** *propter quos garciones diverſarum patriarum, qui pro levi cauſa ad pugnandum ſunt accenſi. Nam dum quidam ratione patriæ unum juvare laborarent, quidam aliam nitantur manutenere & fovere, tranſlata eſt pugna ad fautores partium diverſarum. In tantumque*

An. 24 *E.* 1. *crevit seditio*, ut tam Clerici quam Laici evacuatis domibus ad pugnam accurrerent glomeratim. *Dum autem Clerici de suis hospitiis egressi fuissent, cognoscentes vespiliones* Laici nullos vel saltem paucos remansisse domi apud hospitia Clericorum, intrant habitacula, et bona diversimoda asportant, damnum Clericis irreparabile ingerentes. *In hac pugna peremptus est Dominus* Fulco de Neyrmuth *Rector* Ecclesiæ de Pycheleſtorn, et plures alii de utraque secta. Audita hujus facti querela, Dominus Rex jussit Justiciariis suos villam adire, pacem reformare, homicidas judicialiter condemnare. Qui venientes Oxonias, Burgenses compulerunt solvere pro damnis factis Clericis ducentas libras.

The Lands and livings of the Prior and Covent of *Farley*, and some other persons being seised on by the Kings precept as aliens, under the power or obedience of the King of *France*, and found by Inquisition or good testimony not to be so, the King issued these Writs to restore them; the first being a special Case, worthy observation.

Clauſ. 14 E. 1. m. 8. Pro Priore & Conventu de Farleye.

REX Thesaur. & Baronibus suis de Scaccario salutem. Quia compertum est per Inquisitionem quam per dilectum & fidelem nostrum *Petrum Malorre* fieri fecimus, quod Prior & Conventus de *Farleye* sunt *Anglici* & non alienigenæ de potestate Regis *Franciæ*, vel sibi adhærencium, & quod censum seu pensionem aliquam alicui de potestate Regis prædicti non solvant, nec alicui de potestate prædicta affinitate, vel aliquo alio modo sunt astricti, nisi in hoc, quod Abbas *Cluniac.* aliquando cum ipsum ad partes *Angliæ* venire contigerit, in prædicto Prioratu visitare consuevit, nichil nisi tantum expensas suas inde percipiendo, et quod idem Prior et Conventus de prædicto Abbate in hujusmodi visitationibus suam receperunt protestationem, sicut per prædictam Inquisicionem quam vobis sub pede sigilli nostri mittimus, plenè liquet; Vobis mandamus, quod inspecta inquisitione illa, Prioratum prædictum cum omnibus ad illum spectantibus, si prætextu mandati nostri de domibus et maneriis Religiosorum alienigenarum de potestate Regis prædicti et sibi adherencium existencium, vel qui eis obediencia, affinitate, vel aliquo alio modo astricti essent, in manum nostram capiendis, et non alia de causa captus sit in manum nostram, præfatis Priori & Conventui sine dilatione restitui faciatis; Tenend. sicut illum ante capcionem ejusdem in manum nostram tenuerunt. Teste Rege apud *Castelacre*, 25 die *Januarii*.

Ibid dorſ. m. 11. De quibusdam personis Ecclesiasticis quæ non sunt de potestate Regis Franc. ut dicitur, de beneficiis suis in pace habendis.

REX, &c. venerabili in Christo Patri *R.* eadem gratia *Norwyc.* Episcopo salutem. Licet nuper vobis mandaverimus, quod de beneficiis Ecclesiasticis personarum secularium alienigenarum, sive Canonici fuerint seu Rectores Ecclesiarum, aut alias beneficiati in Diœcesi vestra, in Ecclesia vestra Cathedrali seu aliis Collegiatis Ecclesiis quibuscumque quocumque nomine censerentur, de potestate Regis Franciæ et sibi adherencium, vel de affinitate aut amicitia eorundem existencium, curiam et custodiam gereretis. Quia tamen testificatum est coram nobis per dilectum & fidelem nostrum *Guidonem Ferre*, quod *Reymundus* Persona Ecclesiæ de *Norton* juxta *Fakham* vestræ Diocesis de potestate Regis *Franc.* vel sibi adherencium, seu de ipsorum affinitate aut amicitia non existit, set pro anima claræ memoriæ *Alianoræ* quondam Reginæ *Angliæ*, matris nostræ apud *Ambresbyr.* divina celebrat cum die; Vobis mandamus, quod ipsum *Reymundum* Ecclesiam suam prædictam habere & tenere pacificè permittatis, prout ante receptionem mandati nostri prædicti ipsam tenuit & possedit. Teste Rege apud Sanctum *Albanum* 27 die *Decembris*.

Consimiles literas habet *Johannes de Cusance* Persona Ecclesiæ, &c. quod præfatus *Johannes* de potestate Regis *Franc.* &c. (ut supra) non existat. Teste ut supra.

What licenses for elections of Abbesses and Abbots in *Ireland* the King granted this year, these Records attest.

Pat 14 E. 1. memb. 3. De licencia eligendi.

FRater *Willielmus* Canonicus sanctæ *Mariæ* de *Trum*, nuncians Regi resignacionem *Derborgyll* quondam Abbatissæ beatæ *Mariæ* de *Clonardia*, habet litteras Regis de licencia eligendi. Teste Rege apud *Thornagh*, secundo die *Novembr.*

REX

An. 24 *E.* 1. De aſſenſu adhibendo, per Iohan. Wogan Iuſtic. Hib.

REX dilecto & fideli ſuo *Johanni Wogan* Juſtic. ſuo *Hibern.* ſalutem. Cum dilectæ nobis in Chriſto, Prioriſſa & Conventus beatæ *Mariæ de Cleonardia* nobis per literas ſuas patentes ſignificaverint, quod Eccleſia ſua prædicta per reſignacionem *Derborgyll*, quondam Abbatiſſæ illius loci paſtorali eſt ſolacio deſtituta, ſupplicantes nos, prout moris eſt, quod licenciam ſibi aliam eligendi in Abbatiſſam eiſdem concedere dignaremur; ac nos precibus earumdem Prioriſſæ & Conventus in hac parte favorabiliter inclinati, licenciam illam eis duximus concedendam; Mandantes ipſis quod talem, *&c.* exiſtat. Nos earumdem Prioriſſæ & Conventus laboribus & expenſis in hac parte parcere volentes, iſta vice conceſſimus eis de gratia noſtra ſpeciali, & vobis dedimus poteſtatem, quod, *&c.* aſſenſum regium vice noſtra præbeatis, *&c.* receptis tamen prius, *&c.* Teſte Rege apud *Thornhagh*, 2 die *Novembr.*

Pat. 24 E. 1. De licencia eligendi.

FRater *Thomas* Canonicus Eccleſiæ ſanctæ *Mariæ* de *Kenlis*, nuncians Regi reſignacionem fratris *Malachiæ* quondam Abbatis loci illius, habet litteras Regis de licencia eligendi. Teſte Rege apud *Dunolm.* 5 die *Octobris.*

Ibidem, De temporalibus poſt electionem factam, per Iohan. Wogan, Iuſticiar. Hibern. reſtituendis.

ET idem frater *Thomas* habet literas Regis directas *Joh. Wogan* Juſtic. Regis *Hib.* quòd facta electione de futuro Abbate, ſi contingat electionem per loci Diœcæſanum canonicè confirmari, tunc accepta vice Regis fidelitate ab eodem Electo, hac vice eidem Electo temporalia Abbatiæ illius liberet, prout moris eſt; receptis prius literis patentibus ipſius Abbatis ſigillo ſuo, necnon et ſigillo Capituli ſui ſignatis, quod hæc gratia non cedet Regi in præjudicium vel exhæredationem, ſeu trahetur in conſequenciam temporibus futuris. In cujus, *&c.* Teſte ut ſupra.

The Biſhop of *Clonfert* in *Ireland* being tranſlated to the Archbiſhoprick of *Beneventum* in *Italy* by Pope *Boniface* the 8. the King thereupon iſſued this Writ to ſeiſe the Temporalties into his hands, the See becoming void in Law by this his Tranſlation.

Fines 24 E. 1. memb. 12. De Epiſcopatu Clonfertenſi capiendo in manum Regis.

REX dilecto & fideli ſuo *Waltero de la Haye* Eſc. ſuo *Hibern.* ſalutem. Quia Epiſcopatus *Clonfertenſis* per tranſlationem venerabilis patris *Johannis* nuper Epiſcopi illius loci ad Archiepiſcopatum *Beneventan.* vacavit ut accepimus, vobis mandamus quod Epiſcopatum prædictum cum pertin. ſine dilacione capiatis in manum noſtram, & illum ſalvò cuſtodiri faciatis, donec aliud inde præceperimus; ita quod de exitibus inde provenientibus nobis ad Scaccarium noſtrum *Dublin.* plenè poſſitis reſpondere. Teſte Rege apud *Berewyk* ſuper *Twedam*, 27 die *April.*

The Pope upon this his Tranſlation, by his Papal uſurpation and proviſion confirmed this Biſhoprick upon *Robert* a Monk of *Canterbury*, whereof he certified the King by his Bull: he aſſenting thereunto, received his Fealty, and iſſued this Writ to reſtore the Temporalties.

Pat. 24 E. 1. memb. 5. De temporalibus Epiſcopatus Clonfertenſis reſtituendis.

REX dilecto & fideli ſuo *Waltero de la Haye*, Eſcaetori ſuo in *Hibern.* ſalutem. Cum Dominus ſummus Pontifex venerabilem patrem *Robertum* nuper Monachum Eccleſiæ Chriſti *Cantuar.* in Epiſcopum Eccleſiæ *Clonfertenſis* vacantis, per tranſlationem venerabilis patris *Johannis* Archiepiſcopi *Beneventani* nuper Epiſcopi prædictæ Eccleſiæ *Clonfertenſis*, ad prædictam Eccleſiam *Beneventanam* præfecerit, ſicut per literas ipſius ſummi Pontificis bullatas nobis inde directas nobis conſtat; Nos præfectionem illam acceptantes, cepimus fidelitatem ipſius *Roberti*, & temporalia Epiſcopatus prædicti, prout moris eſt, reſtituimus eidem: Et ideo vobis mandamus, quod eidem *Roberto*, vel ejus certo attornato has literas deferenti temporalia Epiſcopatus prædicti ſine dilacione liberatis, ſicut prædictum eſt. Teſte Rege apud *Alnewyk*, 24 *Septembr.* Conſimiles literæ diriguntur *Johanni Wogan* Juſtic. *Hibern.*

Et mandatum eſt Militibus, *&c.* quod reſpondentes, *&c.* in forma prædicta. In cujus, *&c.* Teſte ut ſupra.

† Pat. 24 E. 1. memb 6. De licencia eligendi pro Canonicis Eccleſiæ Elphinenſi in Hib. Et de aſſenſu eidem electioni adhibendo per Ioh. Wogan, Iuſtic. Hibern.

†REX *Johanni Wogan* Juſtic. *Hibern.* ſalutem. Accedentes ad nos *Trinotius Othemelty*, & *Dionyſius* de *Roſcoman* Canonici Eccleſiæ *Elphynenſis*, nobis ex parte Decani & Capituli ejuſdem Eccleſiæ ſupplicarunt, quod cum Eccleſia ſua prædicta per mortem

An. 24 *E.* 1. mortem fratris *Gillasii* nuper Ep.scopi illius loci **pastoris sit solacio destituta**, aliunt **sibi eligendi in Episcopum et pastorem eis licenciam concedere dignaremur**: Nos licet præfati Canonici literas patentes sigillo Capituli Eccleſiæ prædictæ ſignatas, & vacationem Eccleſiæ illius teſtificantes **nobis non detulerunt, ut est moris**, petitioni eorum nichilominus **ob paupertatem dictæ Eccleſiæ annuentes, et eis gratiam facere volentes ſpecialem**, vobis dedimus poteſtatem, quod cum præfati *Trinotus* & *Dionyſius*, ſeu alius Canonicus dictæ Eccleſiæ ad vos acceſſerit ex parte prædictorum Decani & Capituli **cum literis patentibus ſigillo Capituli ſui ſignatis hujuſmodi licenciam petituri, eiſdem Decano et Capitulo licenciam illam noſtro nomine concedendi.** Ita quod cum Clericus ille in forma debita vobis poſtmodum fuerit præſentatus, electioni de ipſo factæ **aſſenſum Regium vice noſtra præbeatis**: ſignificantes, &c. In cujus, &c. Teſte Rege apud *Berewyk* ſuper *Twedam*, 10 die *Septembris*.

Pat. 24 E. 1. m. 8. De licentia eligendi

Willielmus Canonicus de Inſula *Melanfeld.* nuncians Regi ceſſionem fratris *Philippi* nuper Abbatis illius loci, habet literas Regis de licencia eligendi. Teſte Rege apud *Berewyk* ſuper *Twed.* 5. die *Septembris*.

Ibid. De aſſenſu præfatæ electioni adhibendo per Johannem Wogan. Juſtic. Hibern.

REX dilecto & fideli ſuo *Johanni Wogan* Juſtic. ſuo *Hibern.* ſalutem. Cum dilecti nobis in Chriſto Prior & Conventus de Inſula de *Melanfeld* nobis per literas ſuas patentes ſignificaverint, quod Eccleſia ſua prædicta per ceſſionem fratris *Philippi* nuper Abbatis ejuſdem loci, **paſtoris eſt ſolacio deſtituta**, ſupplicantes nobis, prout moris eſt, **quod licentiam ſibi alium eligendi in Abbatem et paſtorem eiſdem concedere dignaremur**: Ac nos precibus eorundem Prioris & Conventus in hac parte favorabiliter inclinati, **licentiam illam eis duxerimus concedendam.** Mandantes ipſis, quod talem, &c. Nos eorum Prioris & Conventus laboribus et expenſis in hac parte parcere volentes iſta vice, conceſſimus ei de gratia noſtra ſpeciali, & vobis dedimus poteſtatem quod, &c. **aſſenſum Regium vice noſtra præbeatis**, ſignificantes, &c. Receptis prius, &c. In cujus, &c. Teſte Rege apud *Berewicum* ſuper *Twedam*, 7. die *Septembris*.

The predeceſſors of the Abbot of *Saballo* in *Ireland* having alienated divers lands, tenements, and rents, to the prejudice of the Alms and Canons thereof; the King granted the Abbot and Covent this licenſe to re-purchaſe them, notwithſtanding the Statute of *Mortmain*:

Cl 24 E. 1. m. . Pro Abbate & Conventu de Saballo in Ulton. de terris alienatis ſibi requirendis.

REX dilecto & fideli ſuo *Johanni Wogan* Juſticiario ſuo *Hibern.* ſalutem. Supplicarunt nobis dilecti nobis in Chriſto Abbas & Conventus de *Saballo* in *Ultonia*, quod cum Abbates domus prædictæ tam *Hibernici* quam alii prædeceſſores prædicti Abbatis, diverſas terras & tenementa, ac redditus eidem Abbaciæ in puram & perpetuam elemoſinam, ad ſuſtentacionem Canonicorum ibidem Deo ſerviencium, à diverſis dudum collata **alienaverint**, in diminucionem elemoſinarum & diſperſionem Canonicorum Domus prædictæ, **eis ut terras illas et tenementa ſic aliena ſibi et ſucceſſoribus ſuis Canonicis domus prædictæ emere, et iterato adquirere ac recipere poſſint, non obſtante Statuto noſtro de terris et tenementis ad manum mortuam non ponendis edito, licenciam concedere dignaremur.** Nos igitur eorum precibus in hac parte favorabiliter annuentes, Vobis mandamus, quod ipſos Abbatem & Conventum omnes terras & tenementa ac redditus de quibus vobis legitimè conſtare poterit Eccleſiam ſuam prædictam aliquibus retroactis temporibus pacificè fuiſſe ſeiſitam, & per prædeceſſores prædicti Abbatis, ſive *Hibernicos*, ſive alios **a prædicta domo tranſlata vel alienata eſſe**, ut prædictum eſt, emere, **et iterato ſibi et ſucceſſoribus ſuis prædictis imperpetuum adquirere ac recipere permittatis, Statuto prædicto in aliquo non obſtante.** Teſte Rege apud *Morpath*, 30 die *Septembris*.

Pat. 24 E. 1. m. 19. Pro Magiſtr. Johanne de Cadomo de Archidiaconatu de Glyndelan.

The King likewiſe by his Soveraign Authority, conferred the Archdeaconry of *Glyndelan* on *John de Cadomo*, as this Writ informs us.

REX omnibus ad quos, &c. ſalutem. Sciatis, quod **dedimus et conceſſimus** dilecto Clerico noſtro Magiſtro *Johanni de Cadomo* **Archidiaconatum** *Glyndelan*

Arlan cum ſuis juribus et pertinentiis quibuſcumque, quem Magiſter *Ricardus de Grymdam* nuper defunctus habuit in Eccleſia Sancti *Patricii Dublin.* vacantem per mortem ejuſdem *Ricardi*, & ad noſtram donacionem ſpectantem, ratione Archiepiſcopatus *Dublin.* vacantis, & in manu noſtra exiſtentis. In cujus, &c. Teſte Rege apud Sanctum *Albanum* 4. die *Januarii*. *An* 24 *E.* 1.

Et mandatum eſt Cuſtodi Spiritualitatis Archiepiſcopatus *Dublin.* ſede vacante, quod, &c. in corporalem poſſeſſionem, &c. inducat. In cujus, &c. Teſte ut ſupra.

Et mandatum eſt Decano & Capitulo Eccleſiæ Sancti *Patricii Dublin*, quod, &c. ſtallum in choro, & locum in Capitulo, &c. aſſignent. In cujus, &c. Teſte ut ſupra.

This year there happened one of the higheſt and moſt memorable conteſts between the King, Prelates and Clergie of *England*, mentioned in our Hiſtories, being backed by Pope *Boniface* the 8. the whole ſeries whereof, continuing near two years ſpace, or more, I ſhall faithfully relate at large out of our Records and Chronicles. King *Edward* being reduced to great want of moneys to carry on his wars againſt the *French*, *Scots*, and other Enemies, iſſued out Writs to the Archbiſhops of *Canterbury*, *Yorke*, and their reſpective Suffragan Biſhops, Priors, Abbots and Clergy, ſummoning them to a Parliament and Convocation, to grant him a conſiderable Ayde to recover *Gaſcoigne*, fraudulently ſeiſed by the *French* King, who then intended likewiſe to invade *England*, and extirpate the *Engliſh* Nation, by Writs running in this form.

REX venerabili in Chriſto Patri *R.* eadem gratia *Cantuarien.* Archiepiſcopo, totius *Angliæ* Primati ſalutem. Sicut lex juſtiſſima provida circumſpectione ſacrorum Principum ſtabilita hortatur, **Ut quod omnes tangit ab omnibus approbetur**; ſic & inquit evidenter, **Ut communibus periculis per remedia præviſa communiter obvietur**; Sane ſatis noſtis & jam eſt, ut credimus, per univerſa mundi climata divulgatum, qualiter Rex *Franciæ*, de terra noſtra *Vaſconia* nos fraudulenter & cauteloſè decepit, eam nobis nequiter detinendo. Nunc vero prædictis fraude & nequitia non contentus, ad expugnationem regni noſtri, Claſſe maxima & Bellatorum copioſa multitudine congregatis, cum quibus Regnum noſtrum & Regni ejuſdem incolas hoſtiliter jam invaſit, linguam Anglicam, ſi **conceptæ iniquitatis propoſito deteſtabili poteſtas correſpondeat**, (quod Deus avertat) **omnino de terra delere proponit. Quia igitur præviſa jacula minus lædunt, et res veſtræ, ſicut cæterorum ejuſdem Regni communiter agitur in hac parte**; Vobis mandamus, in fide & dilectione quibus nobis tenemini firmiter injungentes, quod die Dominica proxima poſt feſtum Sancti *Martini* in hieme prox. futurum, apud *Weſtm.* perſonaliter interſitis. **Præmunientes Priorem et Capitulum Eccleſiæ veſtræ, Archidiaconos, totumque Clerum veſtræ Diocæſis, facientes quod idem Prior et Archidiaconi in propriis perſonis ſuis, et dictum Capitulum per unum, idemque Clerus per duos Procuratores idoneos, plenam et ſufficientem poteſtatem ab ipſis Capitulo et Clero habentes, una vobiſcum interſint modis omnibus tunc ibidem; ad tractandum, ordinandum, et faciendum nobiſcum, et cum cæteris Prælatis et Proceribus, et aliis incolis regni noſtri, qualiter ſit hujuſmodi periculis et excogitatis malitiis obviandum.** Teſte Rege apud *Wengeham*, 30 die *Septembris*. Clauſ. 24 E 1. m. 4. dorſo. De Parliamento tenendo. See my Brevia Parliamentaria Part 1. p. 6, 7, 8.

Where they granting him a preſent, and promiſing him a further ſupply of monies if no Truce were made in the mean time, the *French* refuſing a Truce, he iſſued theſe new Writs of Summons to the Prelates and Clergy, to make good their promiſe.

REX, *&c. R. &c. Cant.* Archiepiſcopo, *&c.* Veſtra Paternitas planè novit, **qualiter Nos et alii Prælati et Clerus Regni noſtri apud** Weſtm. **ultimo congregati, in conceſſione pecuniæ, reddituum et beneficiorum veſtrorum Eccleſiaſticorum pro defenſione Regni ejuſdem, uſque ad feſtum Sancti *Michaelis*** prox. futur. nobis facta, **et ſub ſpe ulteriorîs Subſidii in futuro vobis et aliis præſtandi admiſſa, bonum et ſufficiens nobis pro futuro tempore Subſidium ob eandem cauſam**, niſi interim inter Regem *Franciæ* & Nos Pacem reformari vel Treugas iniri contingeret, **dare promiſiſtis unanimiter, liberaliter et libenter**: cui quidem reformationi Pacis vel initioni Treugarum dictus Rex *Franciæ* hactenus non conſenſit. Quocirca vobis mandamus in fide & dilectione quibus nobis tenemini firmiter injungentes, quod in craſtino Animarum prox. futur. apud Sanctum *Edmundum* perſonaliter interſitis. **Præmunientes, &c. Priorem, &c. Archidiaconos, totum-** Ibidem, m. 7. dorſo. See the firſt Part of my Brief Regiſter of Parliamentary Writs, p. 7, 8.

An. 24 & 25 *Edw.* 1.

que Clerum vestræ Diocæsis, (as before) quod tunc sint ibidem, ad ordinandum de quantitate et modo Subsidii memorati. Teste Rege apud *Berewyk* super *Twede* 26 die *Augusti.*

In the mean time this Archbishop of *Canterbury* most perfidiously and trayterously procured an Antichristian Bull from Pope *Boniface* the 8. prohibiting all Archbishops, Bishops and Clergymen, to grant any *Tenths, or other Aydes to any King, Prince, or Potentate, or for them to demand or levy any from them*, without his previous consent, under pain of the greater Excommunication, &c. thus related by *H. de Knyghton* out of *Ranulphus Cestrensis* his *Polychron.* l. 7. c. 40. Rex fecit seisire omnia temporalia Clericorum, eximens eos protectione sua, pro eo, quod anno elapso nollent eum respicere de bonis suis contra Scotos. Nam Robertus Archiepiscopus de consensu Cleri procuraverat a Papa inhibitionem, ne quis Clericorum Regem respiceret de bonis Ecclesiæ. Unde et plures Prælatorum timore tacti quæsierant protectionem Regiam. After which he addes, * *Interea* Papa misit Bullas Papales inhibitorias, Quod nulla persona Ecclesiastica cujuscunque conditionis foret, daret seculari personæ, sive Regi, sive alteri personæ Decimam, Quintam-decimam, Vicesimam, nec quamcunque aliam contributionem, absque speciali licentia a Curia Romana in hac parte concessa: similiter nulla persona secularis majoris aut minoris conditionis caperet sub colore cujuscunque causæ de personis Ecclesiasticis majus vel minus, absque speciali licentia a Curia petita et optenta, et hoc sub pœna Excommunicationis majoris inde latæ et ipso facto incurrendæ, et capiens et tribuens, et hoc absque absolutione præter in mortis articulo, citra Curiam Romanam consequenda. Similiter, ne quis per vim aut extorsionem caperet quicquid depositum in Ecclesia ubilibet sub eadem pœna. *Eodem tempore cum audisset Papa non solum* Anglicanæ, *set etium universalis quasi Ecclesiæ afflictiones varias & oppressiones multas quasi per omnia mundi regna*, eo quod Reges et Principes affligebant eam; *Cogitavit sollicitè per quam posset viam aliquod remedium adhibere.* Unde consilio fratrum Constitutionem subscriptam ad universas mundi provincias bullatam misit, perpetuis temporibus observandam.

* Henry de Knyghton de Event Angl. lib. 3. cap. 4. & 5 p 2489, to 2494.

† See Mr. Fox his Acts and Mon Vol. 1. p. 458. Ex Chronica Rogeri Gisburnensis.

† Bonifacius, &c. *ad sempiternam rei memoriam, &c. & infra. Clericis Laicos infestos oppidò tradit antiquitas, Quod & præsentium experimenta temporum manifeste declarant, dum suis finibus non contenti, nituntur in vetitum, & ad illicita sua frœna relaxant, nec prudenter attendunt,* quomodo sit eis in Clericos Ecclesiasticas de personas et bona interdicta potestas; quinimo Ecclesiarum Prælatis Ecclesiasticisque personis regularibus et secularibus imponunt * onera gravia, ipsos talliant, et eis collecta imponunt, et ab ipsius subque proventuum vel bonorum dimidiam, decimam, seu vicesimam, vel quambis aliam portionem aut quotam exigunt et extorquent, eosque moliuntur multipariè subjicere servituti et suæ subdere ditioni. Et quod dolendo referimus, nonnulli Ecclesiarum Prælati, Ecclesiasticæque personæ trepidantes ubi trepidandum non est, transitoriam pacem quærentes, plus timentes Pacis latem temporalem offendere quam æternam, talium abusibus non tam temerarie quam improvide adquiescunt, sedis Apostolicæ auctoritate non optenta. Nos igitur talibus actibus obviare volentes, de fratrum nostrorum consilio † Apostolica authoritate statuimus, Quod quicunque Prælati Ecclesiasticæ de personæ, Religiosi vel Seculares, quorumcunque ordinum, conditionis sive status, collectas vel tallias, dimidiam, decimam, vicesimam seu centesimam suorum et Ecclesiarum suarum proventuum vel bonorum Laicis solverint, vel se soluturos concesserint, aut quambis aliam quantitatem, portionem, aut quicquam ipsorum proventuum vel bonorum, æstimationem vel valorem ipsorum, sub adjutorii, mutui, subventionis, subsidii vel doni nomine, seu quovis alio timore vel modo vel quæsito colore, absque authoritate sedis ejusdem. Necnon † Imperatores, Reges, seu Principes, Duces, seu Comites vel Barones, Proceres, Capitanei, Officiales, vel Rectores quocunque nomine censeantur, Civitatum, Castrorum, vel quorumcunque locorum constitutorum ubilibet, et quibus alius cujuscunque Provinciæ conditionis et status qui talia imposuerint et exegerint, vel receperint, aut apud ædes sacras deposita Ecclesiarum vel Ecclesiasticarum personarum ubilibet arrestaverint, seisierint seu occupare præsumpserint, vel arrestari, seisiri, vel occupari mandaverint, aut occupata, seisita, seu arrestata receperint, necnon omnes qui scienter in prædictis dederint consilium, auxilium vel favorem, publice, vel occulte, eo ipso Sententiam Excommunicationis

* Did not he & other Popes impose heavier burdens on them than any Kings or Princes, without their consents?

† Apostolica authoritas frustra obtenditur, ubi Apostolica scriptura contemnitur.

† *Nota.*

nis incurrant. Universitates quæ in his culpabiles fuerint, Ecclesiasticæ sup- *An.* 24 & 25
nimus interdicto. Prælatis et personis ecclesiasticis in virtute obedientiæ, et sub de- *Edw.* I.
positionis pœna districte mandantes, ut talibus absque expressa licentia dictæ sedis nullatenus adquiescant. Quodque prætextu cujuscunque obligationis, promissionis et concessionis factarum hactenus vel faciendarum in antea priusquam hujusmodi Constitutio, Prohibitio seu præceptum ad notitiam ipsorum pervenerit, nil solvant, nec supradicti seculares aliquid quoquo modo recipiant. Et si solverint, vel prædicti receperint, in sententiam Excommunicationis incidant ipso facto. A supradictis autem excommunicationis & interdicti sententiis nullus absolvi valeat, præterquam in mortis articulo, absque sedis Apostolicæ authoritate et licentia speciali; cum nostræ intentionis existat, tam horrendum secularium potestatum abusum nullatenus sub dissimulatione transire, non obstantibus quibuscunque privilegiis sub quibuscunque tenoribus, seu modo aut verborum conceptione concessis Imperatoribus, Regibus, et aliis supradictis, quæ contra præmissa in nullo volumus alicui vel aliquibus suffragari. Nulli igitur hominum liceat hanc paginam nostræ Constitutionis, Prohibitionis seu præcepti infringere, seu ausu temerario contreire. *Dat.* Romæ *ad Sanctum* Petrum 6. *Kal.* Martii, *Pontificatus nostri Anno secundo.* A right Antichristian, Antievangelical Decree, destructive to all Kings, Monarchs Soveraignty and Government, whereof the Archbishop of *Canterbury* and English Clergy who procured it, presently made this ill use, to oppose and defraud the King of their promised and expected ayde against his Enemies; thus related by the same Historian in these words.

Eodem anno in crastino Animarum *ejusdem anni tenuit Rex Parliamentum suum apud* Henry de
Sanctum Edmundum, *ubi ad rogatum ipsius concessus est* 12 *denarius à populo, & à* Knyghton ibi-
Civitatibus & Burgis octavus denarius. A Clero vero responsum est, quod nec ipsi dare dem, col. 2491
vel concedere, nec ipse quicquam accipere posset, nisi uterque eorum sententiam Ex- 2492.
communicationis incurreret in Bulla lata; quod tamen Regem velle non credebant, nec sibi expedire sciebant. *Unde advocati sunt ad aliud Parliamentum* Londonias *in crastino Sancti* Hilarii, *ut interim cum deliberatione consimili melius respondeant. Adveniente tandem die, & ibidem Clero congregato,* Cantuarien. *Archiepiscopus Magister* Robertus de Winchelse *communicato Consilio, his qui à facie ejus mittebantur, respondit in hac verba;* Satis vobis constat Domini mei, nec latere potest, quod sub omnipotenti Deo duos etiam Dominos habemus, spiritualem et temporalem; spiritualem vero Dominum Papam, et temporalem Dominum nostrum Regem; & quamvis utrique obedientiam debeamus, majorem tamen Spirituali quam Temporali. Verum ut placere possimus utrique, concedimus, & mittere volumus sumptibus nostris nuncios nostros speciales ad ipsum patrem spiritualem Dominum Papam, ut licentiam aliquid concedendi habere possimus, vel saltem responsum habeamus ab ipso quid facere debeamus. Credimus etiam Dominum nostrum Regem sicut et nos, ipsam Excommunicationis sententiam imbullatam, et timere, et effugere velle. Ad hoc ordinate et vobis Domini nostri charissimi personas certas qui talia Domino Regi ex parte nostra renuncient. Nos enim scientes indignationem ejus accensam, veremur talia nunciare omnino. Quod cum ipsi fecissent, mox furor Regis insævit, et exardens in iram, ipsum *Cantuariensem* Archiepiscopum cum toto Clero *Anglicano* extra suam protectionem et defensionem posuit; præceptique, ut
* omnes terræ etiam dotales totius Ecclesiæ *Anglicanæ* in manum ipsius seisirentur. * See here,
Et tamen, ut creditur, miraculosè contigit, quod eadem die qua Clerum extra protectio- 694, 695.
nem suam posuerat, confusi sunt milites sui in Vasconia a Francis, et turpiter victi, *ut infra patet.* Justiciarius etiam Regis in Banco ex parte Regis pro tribunali sedens, omnibus circumstantibus dixit publice; Vos Domini Attornati Archiepiscoporum, Abbatum et Priorum, exteratumque personarum omnium et Clero, nunciate Dominis vestris et dicite, quod de cætero in Curia Domini Regis nulla fiet eis justitia de quacunque re, etiamsi illata fuerit eis injuria atrocissima, justitia tamen de eis fiet omnibus conquerentibus et eam habere volentibus. *O mirabile & inauditum auribus horribile!* Communis justitia quæ omnibus patere deberet tam incolis quam alienigenis, *quo spiritu nescio,* Clero Christi denegatur; ancillaturque et servit ac subpeditatur ipsa mater Ecclesia, quæ solebat antiquitus filiis dominari, pedes super caput elevantur; et quæ solebat cunctis splendescere fomento miserationis, jam a misericordia deficitur, et obtenebratur umbraculo crudelitatis. *Electus autem*

An. 24 & 25 *Edw.* I. *tem* Eboracensis Henricus de Newerk, & Dunelmensis, Eliensis & Sarisburiensis *Episcopi, & quidam alii timentes iram Regis maximam, & conjecturantes grave periculum imminere,* ordinaverunt se deponere velle in æde sacra quintam partem bonorum Ecclesiasticorum illius anni ad tuitionem Ecclesiæ Anglicanæ et defensionem urgentissimæ necessitatis, ut sic iram Regis evaderent, et sententiam in Bulla non incurrerent. Quicquid tamen poncbat Clerus, tollebat fiscus. Et sic ordinantes et sub colore quintam partem concedentes, protectionem Regis consecuti sunt. Cantuariensis vero Archiepiscopus animum non mutans, nec concedere nec deponere quicquam voluit: elegitque potius iram Regis quam sententiam Excommunicationis incurrere, unde seisita sunt omnia bona sua, et vasa ejus aurea et argentea occupata sunt, et equi omnes; *recesserunt que ab eo familiares ejus, nec remansit quicquam unde pauper Christi aleretur.* Præceptumque est sub gravi forisfactura Regis, ne quis eum hospitio susciperet in Monasterio vel extra; *evacuatumque est illud Apostoli,* Suscipite invicem, sicut & Christus suscepit vos; *mansitque sic in domo cujusdam simplicis Rectoris cum solo sacerdote & uno clerico,* non habens ex toto Archiepiscopatu ubi caput reponeret. Constanter tamen egit in verbo Domini, publice mendicans; ubique protestans, omnes qui vel Regi vel personæ seculari præter voluntatem Domini Papæ quicquam concederent in canonem latæ sententiæ ex facto proculdubio incidisse, semper existens paratus ad moriendum pro Ecclesia Christi. Such was his obstinacy, and obedience to the Popes Antichristian Bull, against Christs and the Apostles commands, presidents to the contrary, and his own Oath and allegiance to the King. *Amici vero* Lincolniensis *Episcopi* Oliveri, *etiam ipso voluntatem vel petitionem Regis non ratificante, procuraverunt tamen, quod Vicecomes* Lincolniensis *levata quinta parte de bonis ipsius Episcopi, extunc* ei possessiones et terras restituerct. Omnia etiam Monasteria Episcopatus ipsius, et totius Provinciæ Cantuariensis seisita fuerunt in manu, et ex præcepto ipsius Custodes appositi, qui ipsis religiosis solummodo necessaria ministrarent, et reliqua converterent in fiscum. Unde Abbates et Priores necessitate compulsi, Curiam Regis adierunt, non peccata sed vena propria redimentes data quarta. Nulla tunc temporis fiebat Justitia Clero, et passi sunt Clerici injurias multas. Religiosi etiam in via regia equis suis spoliabantur, et nullam consecuti sunt justitiam, quousque redemptione facta eis daretur regia protectio. *In festo autem Sancti* Matthæi *Apostoli,* quibusdam convocatis optimatibus regni, absque Clero Rex tenuit Parliamentum suum apud Sarisberiam.

Mat Westm. An. 1296, 1297. pag. 405, 407, 408. *Matthew Westminster* a Monk of that Abbey, stories; *Rex apud* S. Edmundum *Primates ac magnates sui regni ad suum Parliamentum invitavit in festo Sancti* Martini; *à quibus nonum Tallagium postulavit, cui concessus est à civibus & burgensibus, octonarius denarius, à cæteris duodenarius est extortus,* Clerus quippe nihil tunc temporis illi obtulit vel concessit. *Quo commotus Rex, indixit ei tempus consultandi super meliori responso, suæ voluntati gratius acceptando.* Interim fecit Rex sigillari omnia Ecclesiasticorum horrea. *Quæ dum fierent,* mandavit Archiepiscopus Bullam Apostolicam, jubentem sub pœna Excommunicationis aliquam collectam ex Ecclesiasticis proventibus Regi vel cuivis alii Principi concedi, per cathedrales Ecclesias divulgari: (a high daring contempt against his Soveraigns prohibitions.) *Die Sancti* Hillarii *celebravit Archiepiscopus Concilium suum cum coepiscopis suis suffraganeis* Londin. *in Ecclesia Sancti* Pauli. *Quibus tractantibus per dies octo super postulatione regia,* non invenerunt iter rectum, nec modum exclusivæ sententiæ, *si aliqui vel quasi suo colore, vel aliquo titulo quippiam contulissent,* etiamsi plurimi Clerici, Aulici, Curialesque accessissent, qui postulatis consilium dederant et favorem. *Quæ omnia Regi per Episcopos aliosve nuncios, sunt relata.* Mox statim mutatus in crudelem, perversa Regali æqualitate in tyrannidem, licentiatis suis famulis, obviantium Clericorum religiosorum virorum, quasi modo hostili, equitaturas sibi arripere meliores; prohibitis insuper placitatoribus in lege sua peritis, coram Baronibus de Scaccario, seu ante quemvis alium Justiciarium secularem, pro personis Ecclesiasticis allegare, Ecclesiasticos Ministros censuit sua pace indignos. *Mandavit etiam singulis ordinatis,* sponte sibi offerre suorum proventuum quintam partem, aut invite cedere omnibus bonis suis. Huic mandato primitus obtemperaverunt quidam tonsorati, in Curia regali Præsati, in cura vero animarum Pilati manifesti, ut inducerent pari modo animos cæterorum. Quo facto, * seisita sunt protinus per manus Vicecomitum omnia bona Clericorum mobilia et immobilia, super laicum feodum inventa, atque fisco Regio

* See here, p 694, 695.

Regio titulata, cum ſuperabundanti moleſtia ſuis ablatis libertatibus, quas prædeceſſores Reges, Chriſtianitatis conſervatores, Eccleſiis contulerant, authores bonorum. *Et quod nequius eſt ferendum*, appropriebantur ipſorum facultates, emptoritus quantocius exponendæ, nec ſecuri audebant Clerici equitare, niſi in majori conventu, propter militum in Clericos violentiam, a Rege licentia data. Sed et omnia bona Archiepiſcopi mobilia et immobilia capta ſunt in manu Regis. *Igitur Clero, ſicut prædictum eſt, paſſo in corpore, paſſus eſt & Rex in animo.* Hinc dolor et metus omnium Prælatorum. Hi namque in perplexitate maxima conſtituti ſunt, ut ſi quicquam concederent, ſententiam excommunicationis incurrerent ipſo facto, et ſi non darent, non effugerent immiſericordes manus ipſorum prædonum. His malefacti adverſitatibus, pro ſeipſis anxii, pro grege ſibi commiſſo inconſolabiliter mœſtificati, tanquam non habente alimoniam, ingruente fame, neceſſario ſeculum repetere quæſierunt, protectionem Regis facultatibus ſuis, ratiocinio magno, redemptis. *Et ſtatim poſt redierunt quidam nuncii de* Vaſconia, *referentes, qualiter in quodam conflictu in* Anglos & Gallos *adveſperaſcente jam die, conſerto, dilabente turba* Vaſconensium, *ſoli equites* Anglici *reſiſtentes ab hoſtibus cingebantur. Inter quos primicerius exercitus,* Johannes de Sancto Johanne *captus, cum aliis commilitonibus circiter duodecim,* Pariſiis *eſt adductus, applaudentes de ipſo* Francigenis, *prout quondam* Philiſtinæ *de* Sampſone. *An.* 24 & 25 *Edw.* 1.

Anno Gratiæ 1297. *congregatis Archipræſule* Cantuar. *& quibuſdam aliis Coepiſcopis, Suffraganeis ſuis apud Sanctam* Paulum London. 26 *die* Martii, *iterum* pro ſtatu Eccleſiæ conſulturis, *inſurgentes protinus duo Cauſidici, & duo de ordine Prædicatorum fratres*, regalem et temporalem favorem aucupantes, conati ſunt argumentis probare, Clerum ipſo Regi in tempore belli, non obſtante prohibitione Apoſtolica, de ſuis facultatibus poſſe licite ſubvenire. Inſuper prohibito ſub pœna incarcerationis, ne quis contra ipſum Regem et eos, qui jam pridem ſuam protectionem quæſierant, Excommunicationis ſententiam promulgaret, provocatione facta pro ſe ad Romanam Curiam et pro ipſis. *Receſſerunt igitur omnes, oneratis ſuis conſcientiis per Archiepiſcopum, ſic dicentem,* Salvet ſuam animam unuſquiſque. Mat. Weſtm. p. 403, 409.

* *William Thorn*, a Monk of *Canterbury*, thus regiſters this Quarrel and the proceedings therein to poſterity. * Chron. Wil. Thorn, col. 1965.

Anno M. CC. xvj. recepit Robertus Archiepiſcopus mandatum Papale publicandi conſtitutionem Bonifacii Papæ octavi, de non dando aliquid Laicis. *Et eodem anno tenuit Dominus Rex Parliamentum apud* S. Edmundum, *convocato illuc toto Clero, & indicta Laicis duodecima omnium bonorum, & à Clero ſubſidium ſibi habundanter largiri.* Unde Archiepiſcopus cum Clero ſuper his conſilium habuit; *& deliberatione habita*, propter novam conſtitutionem ſuper editam, viam neſcierunt invenire per quam ſana conſcientia, Romana Eccleſia inconſulta, hoc facere poſſent, negotio incompleto de Subſidio præſtando, ſinguli ad propria redierunt. Et ecce mox Edictum exiit per totum regnum, ut omnia temporalia Archiepiſcoporum, Epiſcoporum, Abbatum et Religioſorum, vel quorumcunque Clericorum, ubique per Regnum Angliæ exiſtentia, in manus Regis caperentur. Et habito Ker Parliamento cum ſuis Baronibus (Clero excluſo) ſtatutum eſt, ut bona Clericorum ſententialiter abjudicarentur tanquam forisfacta. Unde multi propter timorem Statuti redemptionem fecerunt, et literas de protectione Regis receperunt. Et Monaſterium iſtud redemptionem fecit pro ducentis libris et CC. ſummis Bladi diverſi generis. Archiepiſcopus vero nec aliquid dare, nec protectionem regiam vellet adquirere; unde omnia temporalia ejus confiſcata ſunt, et (quod horrendum eſt) quicquid habebant Monachi ibidem infra portas Eccleſiæ ſuæ ſeiſita ſunt; *ita quod non haberent ad quod manus apponerent pro vita neceſſariis, niſi ſecundum quod vicini eorum religioſi & alii mittebant eis intuitu charitatis. Et hoc tam diu duravit*, donec Prior et Capitulum neceſſitate compulſi redemptionem fecerunt. Archiepiſcopus vero nec Regis protectionem nec ſua voluit redimere quoquo modo; ſed amota majori parte familiæ ſuæ cum uno Clerico vel duobus et ſimpliciſſima familia apud Chertam morabatur, *& fere ſingulis diebus Dominicis & feſtivis circuibat per loca, verbum Dei prædicando.* Which he did not before.

† *Tho. Walſingham* (a Monk of St. *Albans*) renders us this account thereof. † Hiſtor. Angl. An 1297, 1298. pag. 34, 35, 36. Ypodigma Neuſtriæ, p. 82, 83.

Clerus ob conſtitutionem Bonifacii hoc anno editam, quæ prohibet ſub pœna Excommunicationis, ne Talliæ vel Exactiones a Clero per ſeculares Principes quocunque modo exigantur vel eis ſolvantur de Rebus Eccleſiæ, Rege pro Guerra ſua petenti,

An. 24 & 25 *Edw.* 1.

petenti, subsidium denegavit. *Rex autem ut de meliori responso deliberarent negotium in Parliamentum tenendum* Londonijs *in crastino sancti* Hillarii *distulit. Parliamentum conctum est* Londonijs *post festum sancti* Hillarii; *in quo* Clero persistente in denegatione Subsidii, Rex ipsum a sua protectione exclusit. Pro qua tamen redimenda, multi per se, multi vero per mediatores, Regi bonorum suorum dederunt postea quantam partem. Rex Archiepiscopum rigidiorem comperiens, terras ejus omnes seisivit, et de bonis ejusdem debita in Rotulis Scaccarii inventa præcepit cum celeritate levari. Nam idem Archiepiscopus de consensu Cleri procuraverat a Papa Inhibitionem, ne quis Clericorum Regem respiceret de bonis Ecclesiæ. So that this Inhibition and Decree was procured from Pope *Boniface* by this Archbishop, with the consent of the *English* Clergy, for which they very justly deserved to be put out of the Kings protection, and to forfeit all their lands, goods and chattels to him, if not their lives

* Angl. Hist. l. 17. pag. 336, 337.

* *Polydore Virgil* (the last Collector of the Popes *Peter*-pence in *England*) thus informs us of the occasion and necessity of Pope *Boniface* his Decree, and the ill consequence it brought upon the *English* Clergy. *Per idem tempus* Bonifacius octavus Rom. *Pontifex animadvertens Principes Christianos avarè, & percrebro sine justa causa, nova quotidie Sacerdotiorum fructibus imponere vectigalia, atque sine fine arbitratu suo, decimam vigesimamve eorum partem tributi nomine imperare*, immunitati ordini sibi consulendum statuit; itaque habito Lugduni Concilio, interdixit ne posthac Principes Sacerdotibus imponerent, neve illi imposita conferrent injussu Romani Pontificis. *Id præscriptum extat in libro tertio libri sexti*, De immunitate Ecclesiarum, *capite tertio*; quod tametsi non erat iniquum, fuit tamen apud Anglos magnæ causa discordiæ. *Enimvero non multo post* Edoardus *in* Angliam *ex* Scotia *reversus, Concilium habuit* Buriæ, *ad Cœnobium divi* Edmundi; *quo in Concilio cum indigeret, primum populo, deinde Sacerdotibus tributum indicendum curavit. Populus qui negare non poterat, pecuniam impetratam se soluturum dixit:* Sacerdotes vero responderunt, id sibi facere per Pontificis Romani præscriptum minus licere. *Quo responso Rex iracundia permotus*, bona Sacerdotum passim publicari venireque jussit, qui indictum tributum pendere pernegassent. *Quod factum est*, et bene multi quibus præquicte nihil satis cordi erat, tantum incommodi diutius ferre nolentes, alii alio modo insuetam vexationem redimerent. Solus Robertus Cantuariensis Antistes forti animo post multas acceptas injurias, bonaque omnia amissa, Principis voluntati resistebat, *prædicabatque palam scitum illud Apostolicum*, Obedire oportet Deo magis quam hominibus. *At Rex nihil sanctissimi Pontificis aut constantia deterritus, aut salubribus monitis flexis, in dies magis cuncto generatim populo succensebat, & Sacerdotes* ut ingratos duriter premebat, *& reliquis qui gravate imperatam pecuniam solverent, uno vel altero modo nocebat. Quibus rebus* (by the Prelates and Clergies instigation, but yet upon another account of forein services demanded from them, illegal Purveyances, and seising their Wools without paying for them) *ita omnium animi incitati sunt, ut neque in agris neque in urbibus sileretur. Quid quod nec jam ullus locus tale regnum ferre posse videbatur.*

a Chron. part. 7. p. 142.
b Script. Brit. Cent. 4. c. 71. Append. pag. 358. & de vitis Pontif. lib. 6. in Bonifacio, 8.
c Antiq Eccles. Brit. p. 209 to 223.
d Acts & Monuments, vol. 1 London 1610. p. 320, 321.
e Chron. pag. 301, 302.
f Catalogue of Bishops, pag. 125, 126, 127.

I shall not recite the several Relations of [a] *Fabian*, [b] *John Eale* Bishop of *Osory*, [c] Archbishop *Parker*, [d] Mr. *John Fox*, [e] *Ralph Holinshed*, *Grafton*, *Speed*, *Daniel*, *Baker*, and others in the life of King *Edward* the First, or of [f] *Godwin*, to the like effect; but rather present you with such Records, Writs in the *Tower*, which evidence the Kings proceedings against those rebellious Prelates and Clergie, together with his Protections granted to them upon their submissions to, or ready complyance with his demanded Aids against the publick enemies of the Church and Realm of *England*, mentioned by the premised Historians.

The Writs the King then issued to all the Sheriffs of *England*, the Chief Justice of *Chester*, and *Northwales*, and his Officers in *Westwales*, to seise their lay-fees, goods and chattels, are thus recorded to posterity.

Claus 25 E. 1. m. 23. De Laicis feodis Clericorum capiendis in manum Regis.

REX Vic. *Lincoln.* salutem. Propter aliquas certas causas tibi præcipimus, quod omnia Laica feoda totius Cleri de Balliva tua, tam Archiepiscoporum, Episcoporum, et Religiosorum, quam aliorum quorumcunque cujuscunque status existant, una cum bonis et catallis in eisdem inventis, sine dilatione capias in manum nostram, et ea salvo custodiri facias; ita quod nec ipsi nec aliquis per ipsos manum

manum ad ea apponant, donec aliud inde præceperimus. Et hoc nullatenus omittas. Teſte Rege apud *Ely*, 12 die *Februarii*. *An.* 24 & 25 *Edw.* I.

Eodem modo mandatum eſt ſingulis Vicecomitibus per Angliam. Teſte Rege apud *Clarendon*. 28 die *Februarii*.

REX dilecto & fideli ſuo *Reginaldo de Grey* Juſtic. ſuo *Ceſtriæ* ſalutem. Propter aliquas certas cauſas vobis mandamus, quod omnia Laica feoda tocius Cleri de Balliva veſtra, &c. *ut ſupra. una cum bonis et catallis in eiſdem inventis ſine dilatione capiatis in manum noſtram, &c. ut ſupra. Et hoc nullatenus omittatis. Teſte Rege apud *Clarindon*. 27 die *Februari*. Cl 25 E. 1. m. 21. * Theſe Writs are all entred at large in the Record.

Conſimiles literæ diriguntur *Johanni de Havering* Juſtic. Regis *Nortwall*. & *Roberto Tibetot* Juſtic. Regis *Weſtwall*. vel ejus locum tenenti per diverſa. Teſte ut ſupra.

Conſimiles Literæ diriguntur *Waltero Hakebute*, Cuſtodi ſuo terrarum de *Glamorgan*, Clauſ. 25 E. 1. m. 12. intus. T. R. apud *Weſtm*. 22 die *Junii*.

The King conſidering that he, others, and the whole Realm might receive great damage, if the arable Layfees and Lands of the Clergy ſeiſed into his hands, ſhould not be ſown in the Spring, iſſued theſe Writs to the Sheriffs to ſow them.

REX Vic. *Eborum* ſalutem. Licet nuper tibi præceperimus, quod omnia Laica feoda Archiepiſcoporum, Epiſcoporum, et totius Cleri de balliva tua, una cum bonis et catallis in eiſdem inventis, in noſtram manum caperes, et ea ſalvo cuſtodires, quouſque aliud inde præcepiſſemus. Quia tamen aperiè perpendimus, quod ſi Terræ ſeminandæ non ſeminarentur hoc anno in iſta ſeiſona Quadrageſimali, poſſit nobis, Prælatis, Clero, et toti regno futuris annis damnum magnum evenire; Tibi præcipimus, quod terras prædictorum Prælatorum et Cleri in balliva tua, ſic in manum noſtram captas, et adhuc exiſtentes, de bonis illorum quorum terræ fuerunt, ſine dilatione aliqua facias ſeminari. Teſte Rege apud *Novum Sarum*, 7. die *Martii*. Cl. 25 E. 1. m. 21. De terris Clericorum ſeminandis.

After which, the King out of his ſpecial grace iſſued ſeveral Writs to reſtore the Lands, goods and chattels of ſome Clergymen and other perſons ſo ſeiſed, for ſeveral reaſons therein expreſſed.

REX Vic. *Surr*. ſalutem. Licet nuper tibi præciperimus, quod omnia Laica feoda, Archiepiſcoporum, Epiſcoporum, et totius Cleri de Balliva tua ſine dilatione caperes in manum noſtram, et ea ſalvo cuſtodires, quouſque aliud inde præcepiſſemus. Quia tamen dilectus Clericus noſter *Willielmus de Carleton* in obſequio noſtro per præceptum noſtrum in partibus *Brabanciæ* moratur: Tibi præcipimus, quod omnia Laica feoda ipſius *Willielmi*, unà cum bonis & catallis in eiſdem inventis quæ prætextu mandati noſtri prædicti cepiſtis in manum noſtram, Attornatis prædicti *Willielmi*, uſque ad *Paſcha* proximo futurum abſque diminutione aliqua deliberes indilatè. Teſte Rege apud *Clarendon* 28 die *Februarii*. Ibid. m. 21. Pro quibuſdam Clericis in obſequio Regis in Brabantia exiſtentibus.

REX Vic. *London*. ſalutem. Licet nuper vobis præcepimus, *&c.* (*as before.*) volentes tamen dilectis nobis in Chriſto Abbatiſſæ & ſororibus Ordinis Sanctæ *Clare*, extra *London*. gratiam facere ſpecialem, Vobis præcipimus, quod eiſdem Abbatiſſæ & ſororibus omnia Laicæ feoda ſuaquæ prætextu mandati noſtri prædicti cepiſtis in manum noſtram, una cum bonis & catallis in eiſdem inventis, abſque diminutione aliqua reſtituatis indilatè. Teſte Rege apud *Iſlington*, 7. die *Aprilis*. Ibid. m. 19. Pro Abbatiſſa Ordinis Sanctæ Claræ extra London.

REX Vic. *Sutht*. Licet nuper tibi præciperimus, quod Laica feoda Archiepiſcoporum, &c. (*ut ſupra.*) Quia tamen intelleximus, quod tu prætextu mandati noſtri hujuſmodi quædam Laica feoda in *Eſtdune* ad communam *Sarum* pertinentia, et in uſus pauperum deputata, quæ una cum Laicis feodis ad eandem Communam in *Wilton*, *Durynton*, *Putton*, *Farle*, *Offecote*, *Sarum*, *Fiſherton*, *Knighteton*, & *la Hurſt*, in Com. *Wyltes* pertinentia, camera Dominæ nuncupantur, & quæ ſecundum verum valorem niſi ad undecim libras quatuor ſolid. & octo denar. non taxantur Ibid. m. 20. Pro Communario Eccleſiæ Sarum.

An. 24 & 25 *Edw.* I. taxantur, cepiſti in manum noſtram. Tibi præcipimus, quod ſi ita eſt, tunc prædicta Laica feoda, una cum bonis & catallis in eiſdem inventis, *Radulpho de Stevenhach* ejuſdem Eccleſiæ Communario, ſine diminutione aliqua reſtituas indilatè. Teſte Rege apud *Brummore* 12 die *Marcii*.

Cl. 25 E. 1. m. 21. Pro Willielmo Imalacen. Epiſcopo.

REX Vic. *Bedford.* ſalutem. Præcipimus tibi, quod ſi tibi conſtiterit, venerabilem patrem *Willielmum Imelacen.* Epiſcopum Eccleſiaſticum Beneficium, aut terras vel tenementa, alicui Spirituali annexa in balliva tua habere, tunc terras & tenementa ſua, una cum omnibus bonis & catallis in eiſdem inventis, quæ prætextu mandati noſtri nuper tibi directi, **De Laicis Feodis Archiepiſcopozum, Epiſcopozum, et totius Cleri, de balliva tua, una cum bonis et catallis in eiſdem inventis, in manum noſtram capiendi**, cepiſti in manum noſtram, **eidem Epiſcopo ſine diminutione aliqua deliberes indilate.** Teſte Rege apud *Clarendon.* 6. die *Marcii*.

Ibid. m. 22. Pro Priore Hoſpital. S. Johannis Ieruſal. in Angl.

REX Vicecomiti *Weſtmerland*, ſalutem. Licet tibi nuper præceperimus, **quod Laica feoda Archiepiſcopozum Epiſcopozum, et totius Cleri in Balliba tua, una cum bonis et catallis in eiſdem inventis, in manum noſtram** caperes, &c. Quia tamen dilectos nobis in Chriſto, Priorem & fratres Hoſpitalis Sancti *Johannis Jeruſalem.* in *Anglia*, per literas noſtras patentes dur. uſque ad Feſtum Omnium Sanctorum proximò futurum, ſuſcepimus in protectionem] & defenſionem noſtram ſpecialem, omnibus & ſingulis inhibentes, ne de equis vel aliis averiis ſuis, carectis vel cariagio, ſeu bladis lardario, aut aliis bonis vel rebus ſuis quibuſcunque ubicunque conſiſtant, ad opus noſtrum, aut aliorum quorumcunque ſine licentia & voluntate ipſorum Prioris & fratrum, aliquid interim capiant, ſeu capi faciant, quo minus, de eiſdem equis, & aliis averiis ſuis, carectis, cariagio, Blad. Lardario, & aliis bonis & rebus ſuis liberè diſponere & ordinare, ac commodum ſuum facere poſſint, prout ſibi melius viderint expedire. Tibi præcipimus, **quod Laica feoda ipſozum Pziozis et Fratrum in balliba tua, in manum noſtram pzætextu mandati noſtri pzædicti, una cum bonis et catallis in eiſdem inventis, eiſdem Pziozi et fratribus ſine diminutione aliqua reſtituens, nichil de Equis vel aliis Averiis, carectis, cariagio, blad. lardario. aut aliis bonis ſeu rebus ſuis pzædictis capias, ſeu capi facias, contra tenozem pzotectionis noſtræ pzædictæ.** Teſte Rege apud *Ambresbur.* 25. die *Febr.*

Conſimiles literas habent idem Prior & Fratres ſingulis Vic. per *Angliam.* Teſte ut ſupra.

Ibidem. Pro Magiſtro Militiæ Templi in Anglia.

REX Vic. *Bedford.* & *Bucks.* ſalutem, Licet tibi nuper præcepimus, **quod Laica Feoda Archiepiſcopozum, &c.** (ut ſupra uſque ibi.) Quia tamen dilectos nobis in Chriſto Magiſtrum *Militiæ Templi* in *Angl.* per literas, *ut, &c.* ſuſcepimus **in pzotectionem, &c.** *ut ſupra.* Teſte Rege apud *Odiham*, 22. die *Febr.* Per Breve de Privato Sigillo.

Conſimiles literæ diriguntur ſingulis Vic. per *Angliam.* Teſte ut ſupra.

The Kings Writs of *Prohibition* directed to the Archbiſhops, Biſhops, and Clergy in Convocation, with his Letters of Procuration for appealing againſt and preventing their antimonarchical proceedings, were iſſued in this form.

* Ex Rot. Patentium 25 E. 1. pars, m. 9. intus. See Spelmanni Concil. Tom. 2 p. 427, 428. Defenſio Regis ne Prælati aliquid ordinent in præjudicium Regis.

Edward par la grace de Dieu Roy *Dengleterre*, &c. As honorables Peers en Deiu, Erceveſques, Eveſqs, as autres Prelaz, e a toux ceus de la Clergie qui a ceſte demy quareſme prochein avenir ſerront a *Londres* aſſemblez, ſaluz. **Nous defendons a bous touz e a cheſcun de bous ſur quant qe bos nous peuffez foꝛfaire, qe bous ne nul de vous nulz choſes ne oꝛdeignez, ne faciez, n'aſſentez a nul oꝛdeignment a la dite aſſemblee qe peuſſent tourner a pꝛejudice ou a grevance de nous, ou de nul de nos Miniſtres, ou de ceuz qui ſont a noſtre pées, e a noſtre foy, et en noſtre pꝛotection, ou de nos adherantz, ou a nul de euz.** Donee a *Sturminſtre*, le xx. jour de *Marz*.

Edward

An. 24 & 25 *Edw.* I.

De defendendo nomine Regis Prælatos aliquod ordinare in præjudicium Regis.

EDward par la grace de Dieu, &c. a Monſ. *Hughe de Deſpenſer* ſaluz. Sachiez qe nous vous abons done pleyn poer per ceſtes nos lettres ouertes a defendze en noſtre noſme, as honozables Pères in Dieu, Erceveſque, Eveſque, e autrez Pzelaz, e a touz ceux de la Clergie de noſtre Roiaume qui ſerront aſſemblez a *Londres* a ceſte demy quareſme, qe eus ne facent, ne ozdeignent, ne aſſentent a nul ozdeignement en tel aſſemble que puſſent tourner en pzejudice ou en grevance de nous ou de nous miniſtres, ou de ceux qui ſont de noſtre pees, e a noſtre foi, e ſouz noſtre pzoteccion, ou de nos adherdantz, au de null de eux, ſi come plus pleinement eſt contenu en nous lettres ouertez, les queles nous enueons as pzelatz avanditz. E pur ce vous mandoms, que lavantdit jour a la dit aſſemble de Pzelatz, obeque ceux de noſtre Counſail qe bous ibodzes appeller, en boſtre pzopze perſone faciez le defens en la fourme de ſouzdite. Recevantz vers bous les dites lettres que ſont eſcrites a Pzelatz e ceſtes auent. Donees a *Sturminiſtir* le xxi. jour de *Marz*.

Pat. 25 E. 1. m. 10. intus. De provocatione et appellatione faciend. a Cantuar. Archiepiſcopo & Suffraganeis ſuis, ad D. Papam, ex parte Domini Regis.

EDward par le Grace de Dieu Roy *D'angleterre*, Seigneur *Dirlande*, & Ducs *Daquitain*, as honorables Peeres en Dieu, *Robert* par la meſme Grace Erceveſque de *Canterbir*. & a ſes Suffragans, e a toux autres Prælatz de noſtre Royaume, qui ſerront a ceſte mye quareſme aſſemblez a *Londre* ſaluz. Pur ceo qe par aucunes evidentes reiſons et pzeſumpcions, et pur aucunes boluntez qe nous aboms veues de bous deſrenables, ſemble a nous que per bous ou par aucuns de vous purroient eſtre ozdinez paravienture a la dite aſſemblée, aucunes choſes a pzæjude de nous e de noſtre Roiaume de fiet, come ce ne peuſſez ne de deuez faire de dzoit. Nous pur eſchieure qe ce ne peuſſe a grevance de nous eſtre fait, feiſoms et eſtabliſſoms noſtre certein pzocureur, Iter de Engoleſme noſtre Clerk, a faire pzovocation ou appellation de vous ou de cheſcun de bous a la Pape, et a pzopoſer tores et cheſcunes choſes et reiſons, pur nous et pur les noz qui ſont de noſtre foy, e a noſtre fées, et ſouz noſtre pzotection, et pur touz nos adherdantz ſicome nous triens ſi nous feuſſiens illueqes pzeſent en pzopze perſone. E aboms ferme e eſtable, et averoms quanque ſerra fait par noſtre dit pzocureur ou purra eſtre fait en les choſes avantdites. E ce ſignefioms a bous, et a cheſcun de bous, et a touz autres a queux ceſtes choſes apartinent au purront aparteinir per ces pzeſentes lettres ſeales de noſtre Seal. Done a *Wymburn menſtre* le vintime jour die *Marz*.

Ex Rot. Pat. 25 E. part. 2. m. 5. pro Rege, de procuratore conſtituto ad innovandam appellationem coram ſuffraganeis Eccleſiæ Cantuar.

REX omnibus ad quos, *&c.* Salutem. Sciatis quod nos facimus, conſtituimus & ordinamus dilectum Clericum noſtrum *Johannem de Borhun* exhibitorem præſentium procuratorem noſtrum, ad notificand. ſuffraganeis Eccleſiæ *Cantuar.* quibus viderit expedire, vel eorum officialibus, provocationes & appellationes pzo Nobis, Conſiliar. Juſticiar. Clericis et Miniſtris, ac ſautozibus noſtris, et etiam nobis adherentibus, et ad ſacroſanctam Sedem Apoſtolicam interpoſitas; primò coram venerabili Patre *R. Cantuar.* Archiepiſcopo & ſuffraganeis prædictis, & cæteris Prælatis provinciæ *Cantuar.* nuper in media Quadrageſima *London.* congregatis per dilectum Clericum noſtrum *Iterium de Ingoliſma*, & poſtmodum in feſto Sancti *Egidii* prox. præterito in Eccleſia *Cantuar.* coram dicto Archiepiſcopo per *Hugonem de Fernemuth* Clericum noſtrum, & ad innovand. eaſdem provocationes & appellationes coram eiſdem ſuffragan. vel eorum officialibus & ſingulis eorundem; necnon ad provocandum & appelland. ad dictam Sedem Apoſtolicam nomine noſtro, et omnium nobis adherentium, ab eiſdem ſuffragan. vel eozum offic. et eozum quolibet, ſi dicto *Johanni* expediens vidcatur. Et ad faciend. omnia & ſingula quæ in præmiſſis fuerint opportuna, Ratum habituri & gratum quicquid per dictum *Johannem* notificatum, innovatum, appellatum vel factum fuerit in præmiſſis & ſingulis præmiſſorum. Et hoc omnibus quorum intereſt ſignificamus per has literas quas patentes fieri fecimus, *In teſtimonium* præmiſſorum. T. *Edward.* filio Regis, apud Sanctum *Paulum London.* 12 die *Septembr.* *Per Conſilium.*

Eodem modo conſtituitur *Marcus* de *Kanc.* procur. *&c.* ad notificand. coram Suffraganeis prædictis appellationes, *&c.* Teſte ut ſupra.

The Archbiſhops, Biſhops and Clergy proceeding obſtinately in their Council to

An. 24 & 25 *Edw.* 1. execute Pope *Boniface* his Bull, the King thereupon issued this further Writ of Procuration and Appeal against their proceedings.

Pat. 25 E. 1. pars 2. m. 6. Pro Rege de procuratore constituto ad innovandum appellationes coram Cant. Archiep. vel aliis quibuscunque.

REX venerabili in Christo patri *R.* eadem gratia *Cantuar.* Archiepiscopo, & ejusdem suffraganeis ac omnibus aliis Prælatis, & aliis quibuscunque Clericis & Laicis in Regno *Anglia* constitutis ad quos, *&c.* salutem. **Meminimus quod nuper vobis dictis Archiepiscopo, Episcopis et Prælatis *London.* congregatis, quia aliquibus evidentibus rationibus, præsumptionibus et voluntatibus quas de vobis Archiepiscopo diffrationabiles videramus, videbatur nobis quod per vos possent in congregatione illa in nostri et totius regni nostri præjudicium per vos indebite aliqua ordinari; Nos volentes hujusmodi periculum evitare, per dilectum Clericum nostrum *Iterium* de *Ingol.* procuratorem nostrum ad hoc literatorie constitutum ad Sedem Apostolicam certas provocationes et appellationes Ministrorum nostrorum, et omnium nobis adhærentium nomine, fecimus interponi; Ne vos dicte Archiepiscope vel suffraganei vestri, vel quivis alius Prælatus, vel aliter quispiam superiorum vestra, vel cujusvis vice, nomine, authoritate vel mandato contra nos aut regnum nostrum, aut ejus incolas, aut adhærentes nobis attemptaretis aliquid vel conjunctim aut divisim faceretis aliqualiter attemptari.** Verum quia ex relatione fide dignorum accepimus jam de novo, **quod vos dicte Archiepiscope dictis appellationibus non obstantibus,** (*such was their obedience to the Pope before the King.*) **ex virtute cujusdam Constitutionis Sedis Apostolicæ, et ex aliis causis quæ in necessitate in qua Regnum *Anglia* positum est his diebus, locum sibi vendicare non possunt, sumpto colore aliqua proponitis promulgari, vel facere declarari summe præjudicialia nobis, Consiliariis, Ministris, et cæteris incolis Regni nostri, et etiam toto Regno nostro. Nos volentes nobis et dicto Regno et omnibus incolis contra prædicta præjudicia prohibere, dilectum Clericum nostrum, *Hugonem de Feremuth* procuratorem nostrum facimus, constituimus et ordinamus per præsentes literas ad innovand. appellationes et provocationes prædictas, et ad faciend. alias denno coram quibus, et in locis et super causis quibus viderit expedire; ratum et gratum habituri quicquid per eundem *Hug.* innovatum et appellatum fuerit in præmissis; et hoc omnibus quorum interest seu interesse potest per præsentes literas significamus.** In cujus, *&c.* Teste *Edw.* fil. Regis, tenente locum Regis, in *Anglia* apud *Tunbrigg*, 31 die *Augusti.*

Consimiles literæ factæ fuerunt sub nomine *Thomæ de Boyvill*, quas idem *Thomas* portavit usque *London.* Teste ut supra.

The King likewise issued these memorable Prohibitions to the Archbishop of *Canterbury*, and all other Bishops of *England*, not to excommunicate or trouble any of his Officers or Ministers, for seising their or otheir Clergymens corn and goods, for the necessary defence of the Realm and Church of *England*, against his enemies of *France*, by his command, in case of inevitable necessity, under pain of forfeiting all they could forfeit to him, for the reasons therein expressed.

Clauſ. 25 E. 1. m. 8. Prohibitio Regis contra excommunicationes.

REX venerabili in Christo patri *R.* eadem gratia *Cantuarienſ* Archiepiscopo, totius *Anglia* Primati, salutem. **Cum nos inevitabili necessitate cogente pro regni et hæreditarii juris nostri per Regem *Francia* et alios inimicos nostros invasi, et hostiliter impugnati, defensione, et Ecclesiæ *Anglicana* et personarum tam Ecclesiasticarum quam aliarum ejusdem regni præsidio, de bladis et aliis bonis earundem personarum capi fecerimus, ad capiendum seu capi faciendum pro salvatione nostra et sua dictique regni adhuc eadem necessitas nos compellat; De quibus bladis et bonis volumus et firmiter proponimus satisfactionem, ut res exegerit facere congruam et condignam. Et jam intellexerimus, quod vos contra Ministros nostros bladorum et bonorum prædictorum de mandato nostro captores, intenditis quandam Excommunicationis sententiam fulminare, vel ipsos Excommunicatos facere nunciari. Quod si sic fieret in gravem et enormem dignitatis et coronæ nostræ regiæ læsionem, ac populi scandalum manifestius redundaret, et nichilominus ex hoc ejusdem Ecclesiæ destructio, et totius regni subversio verisimiliter sequi posset. Vobis prohibemus sub debito fidelitatis et juramenti quibus nobis tenemini, actorisfactura omnium quæ de nobis tenetis firmiter injungentes,**

Ne

Ne in Miniſtros noſtros Clericos aut Laicos aliquam Excommunicationis ſententiam promulgetis, ſeu etiam publicetis, aut promulgari ſeu publicari aliquatenus occaſione huiuſmodi captionis factatis vel eiſdem Miniſtris gravamen aliquod inferatis maxime cum parati ſimus ſatisfacere, ut eſt dictum. Teſte Rege apud *Winch.* 19 die *Auguſti.* *An.* 25 *E.* 1.

Conſimiles literæ diriguntur ſingulis Epiſcopis *Angliæ.* Teſte ut ſupra.

Moreover the King iſſued theſe enſuing Writs to Commiſſioners and Sheriffs in all Counties, for the apprehending and impriſoning all perſons whatſoever who ſhould excommunicate any of the Kings Miniſters, or others of the Laity or Clergy adhering to him, by vertue, or in purſuance of Pope *Boniface* his premiſed Bull.

EDward, *&c. a Monſ.* Adam de Welles, *e au Viſcunte de* Nicole, *ſaluz.* Nous apercevantz qe troveurs de novelles, par les queux deſcord purreit ſurdre entre Nous nos Prelatz, nos Contes, nos Barons, e nos autres grantz gentz ſa forcent a la ſubverſion de noſtre Royaume e a la deſturbaunce de noſtre pees nient meyns qe ceux qui ſuſtorcent daſſaller nous e noſtre Royaume par mortele enemiſte e par force darmes, Ne voillantz ten manc de malice paſſere ſaunz eſtre refrenne, Aſſignoms vous pur enquere et ſerchier en totes les maneres qe vous pruſſez plus diligeaument, queux meſeſeours e deſturbeours de noſtre pees conteront novelles e deſtraxions en la fourme avantedite, ou qi deſturberont ou vouderont ou procuront deſturber l'execution de nos maundementz, ou qui dirront ſentences de eſcumenge, ou feront monitions, ou les ſentences donecs un monitions faitz prevement ou apertement prononcieront, ou voudront puplier contre nos miniſtres, e nos ſugges, ou contre queux autres qil ſcient aerdauntz a nos, e a noſtre foi qi feront execution de nos maundementz pur le profiſt de noſtre Royaume, ou contre perſonea de Seynte Egliſe qui ſe mettent en noſtre protection pur ſauver e defendre eur, e lur Egliſes ou qui feront rien, ou voudront faire par art un par engyn, par quei la peſiblete de la pees e du Royaume ſeit deſturbee, e l'execution de nos maundementz, qui nos eoms commandez par le pru du Royaume, e de tot noſtre people ſot arerie un empeſche en nule manere: E pur ceo vous maundoms qe tour ceux de quel eſtat ou condition qil ſoient qui des choſes avantdites un daucune de eles troeſſez copables preignez, e en noſtre priſon ſaubement gardez taunt qe vous eneez autre maundement de nous. *E voloms qe ſi vous ambedeux ny penſſez entendre,* adonk lautre de vous qui ſerra plus pres des parties un nules des choſes avauntdites auendront face reddement e ſanz delay l'execution de ceſtes beſoignes en la fourme avantdite. Pat. 25 E. 1. m. 12. intus. De promulgantibus ſententias Excommunicationis in Miniſtros Regis, capiend. & impriſonand.

Eſtat a remembrer qe les Chivalers en les Viſcuntes de ſons eſtritz, ſont aſſignez en autres fourmes de ſus eſcrites en les Contez de ſouz eſcritz, ceſt aſavoir.

Aleyn Plokenet e le Viſconte de *Sumerſ.* e de *Dorſ.* en memes les Counteez.
Bueges de Knovill e le Viſconte de *Salopſhire* e de *Stafford* en memes les Countez.
Johan Tregor e le Viſconte de *Hereford.* en meme la Countee.
Thomas de Berkelee e les Viſcontees de *Glouc.* & de *Wyreceſter.* en memes les Counteez.
John de Segne e le Viſconte de *Warr.* e de *Leyc.* en memes les Counteez.
Robert Fizpain e le Viſconte de *Wiltſhire* en meme la Countee.
Rauf Pipard e le Viſconte de *Bedeford* e de *Bucks* en memes les Counteez.
Johan Lovel e le Viſconte de *Oxenford* e de *Berks* en memes les Counteez.
Thomas de Furnival e le Viſconte de *Derb.* en meme la Countee.
Johan le Brecun e le Viſconte de *Middleſex* en meme la Countee.
Robert de Tateſhale e le Viſconte de *Norfork* & de *Suff.* en memes les Counteez.
Johan Engayne e le Viſconte de *North.* e de *Roteland* en memes les Counteez.
Henry Tregor e le Viſconte de *Surr.* e de *Suſſex* en memes les Counteez.
Robert fiz Roger e le Viſconte de *Eſſex* e de *Hertf.* en memes les Counteez.
Reynald de Argentein e le Viſconte de *Cantebrig.* e de *Huntindon* en memes les Counteez.
William de Leyburn e le Viſconte de *Kent* en meme la Countee.
Henry Tieys e le Viſconte de *Suthf.* en meme la Countee.

An. 25 E. 1. *Geffrey de Cammill* e les Viſcontes de *Cornwayill* e de *Deveneſhire* en memes les Counteez.

Johan de Lancaſtr. e le Viſconte de *Lancaſtr.* en meme la Countee.

Reynaud de Grey en la Countee de *Ceſtr.* oue les quatre *Cantredz.*

Johan de Havering en *Northwales.*

William de Erehuſe, e *Wauter de Pederton* en *Weſtwales.*

He likewiſe gave them theſe enſuing Inſtructions and Commiſſions to execute, recorded in the ſame Roll.

E fet a remembrer qe les avauntdiz Chivalers e Viſcountes frount les choſes ſus eſcrites ſolome les Articles qe ſenſiwent.

Ordene eſt qe les Banerets e les Viſcountes qui ſont a ceo aſſignez en les Countrez preignent plegges de gentz lays tiels qe ſeient ſuffiſauntz pur les ſommes reconues: & qe les Clerks qui plegges lays ne poent trober laillent en le poer le Viſcounte de lur chateus taunc com le graunt qil fromt amontera ſekes ataunt qil eent paiez.

& ſett la choſe demandee e priſe en ceſte fourme pur la defenſe de eus memes e de lur Egliſes, e pur le commun profiſt de Reaume, e pur la protection auer ceſt aſſaber de cheſcun Prelat ou perſone de Egliſe ou Clerke beneficie a amountaunce du double delepde, que cheſcun fiſt darrein an Roy pur taunt qe la buſoigne eſt ore dallez greigmire qe avonk ne fu.

E facent les Banerets e les Viſcountes enrouller les ſommes reconues e cheſcung noun, e les nouns des plegges ou de la ſeurte qe ſerra priſe iſſint qe ſel Roul ſett livere al Eſchekier pur les deniers fere lever.

E facent les Banerets e les Viſcountes a cheſcun Clerk qi avera reconu en la fourme avantdite, bille ſeale de lur ſeaus au Chaunceler pur la protexion le Roy aver e pur les autres briefs qui lour covenaront.

Hereupon theſe Commiſſioners and Sheriffs purſuing their authority and inſtructions, firſt ſeiſed and impriſoned all ſuch Prieſts, Vicars and Chaplains who publiſhed Pope *Boniface* his Bull of Excommunication againſt the King or his Officers, and ſuch Clergymen who complyed with them, till they made their peace with the King, and were releaſed by his ſpecial Writs; as this Writ to the Sheriff of *Cornwall* for their manucaption informs us.

Clauſ. 25 E. 1. m. 18 De Clericis liberandis à priſona per manucaptionem.

REX Vicecomiti *Cornubiæ*, ſalutem. Præcepimus tibi, quod ſi dilectus noſter in Chriſto *Willielmus de Bodrigan* Archidiac. *Cornub.* velit manucapere coram te & habendo Magiſtrum *Clementem de Rupe*, Magiſtrum *Radulphum de Trevedenek*, *Willielmum* Vicar. Eccleſiæ de Sancta *Senara*, Magiſtrum *Marſilium*, *Johem* Vicar. Sancti *Pauli*, *Reginald* Vicar. de Sancta *Crewenna*, *David* Capellanum Eccleſiæ Sanctæ *Brianæ*, *Radulphum* Capellanum Eccleſiæ Sancti *Winiuri*, *Richardum* Vicar. Eccleſiæ de *Lannantha*, *Johannem le Petit* Perſonam Eccleſiæ Sancti *Melani*, *Richardum* Vicar. de *Morwinſtowe*, *Petrum* Capellanum de *Kylkampton*, *Robertum* Vicar. Eccleſiæ de *Stratton*, *Sampſonem* Vicar. Eccleſiæ de *Pockewill*, *Philippum* Vicar. Eccleſiæ de *Launcelles*, *Robertum* Capellanum de *Marwinchurche*, *Richardum* Capellanum de *Wyke*, *Willielmum* Capellanum de *Jacobſtowe*, *Thomam* Capellanum de *Wyteſton*, *Richardum* Capellanum de *Tameiton*, *Paganum* Capellanum de *Boyton*, Magiſtrum *Richardum* de *Toliſord*, *Simonem* Capellanum de *Egleſros*, *Nicolaum* Vicar. Eccleſiæ de Sancto *Anſtolo*, *Johannem* Vicar. Eccleſiæ de Sancto *Claro*, *Philippum* Vicar. Eccleſiæ de Sancto *Wynnoco*, *Gilbertum* Vicar. Eccleſiæ de *Dynloo*, *Reginald* Capellan. de *Lanreython*, *Willielmum Glyſe* Capellanum de *Antone*, *Johannem* Capellanum de *Eſſe*, *Johannem Olivere* Capellanum de Sancta *Dominica*, *Vincentium* Capellanum de *Suthylle*, *Richardum* Vicar. Eccleſiæ de Sancto *David*, & *Willielmum* Vicar. Eccleſiæ de Sancto *Genſio*, **captos et detentos in priſona noſtra de** *Launceneton* **pro publicatione cujuſdam Literæ Papalis, ut dicitur, coram nobis ad voluntatem noſtram pro emendis de tranſgreſſionibus, ſi quas contra nos fecerint; in hac parte, nobis ſcienter.** [illegible] ipſos Rectores, Vicarios, Presbyteros & Clericos **a priſona prædicta ſi ea occaſione et non alia detineantur in eadem, ſine dilatione facias liberari per manucaptionem prædictum.** Et hoc pro alio brevi noſtro de manucaptione ab ipſos prius

prius pro facto illo capienda **tibi directo nullatenus omittatis**. Teſte Rege apud *Plympton* 17 die *Aprilis*. An. 25 E. 1

The Biſhops, Clergy, Abbots, Priors, and Religious perſons terrified with the Kings reſolute proceedings againſt them, in putting them out of his Royal Protection, ſeizing their temporal Lands, Goods, Chattels, and impriſoning the perſons of thoſe who publiſhed or executed the Popes Bull to regain the Kings favour, protection, and reſtitution of their Lands, Goods, Chattels, not only condeſcended to grant him a Subſidie for defence of himſelf, and of the Church and Realm of *England*, double to that they had formerly granted, but likewiſe every one of them entred into particular Recogniſances with ſureties for the due payment thereof at certain dayes, before the Kings Commiſſioners and Sheriffs in every County authorized to receive them; who certified them under their reſpective Seals into the Chancery; two Bundles of which original Recogniſances and Certificates, with the Seals annexed to them, I lately found in the White Tower; whereupon they had particular Protections granted them under the Great Seal, to ſecure them from all future violence and wrongs, and Writs to reſtore their Temporalties, Goods, Chattels to them. Theſe Certificates for the moſt part run in theſe formes.

Au noble Peere deſcret Chaunceler noſtre Seignur le Roy, ou a ſon Leutenant le ſeon Gilberd de Knovill *Viſcounte de* Devon, *ſi luy pleſt, ſaluz; e quant quil poet e ſet de reverence, e donnr; ſachez ſire qe le Abbe de Saint* Dogmael *per ſes Procuraturs* Roberd de la Pitte, *e* Willame de Culecumbe *vint a moy le primer jour de* Aueril, *e ad graunte a noſtre Seignur le Roy* **le double del eyde qe il fiſt dereinement, pur la deffenſe de luy memes e de ſes Egliſes, e pur le commun profit du Royeaume, e pur le protection aveyr, e de ceo ma il trobee meinpernour. Et teſtmontaunce de quen choſe jeo mis ennoy ceſte ma lettre patente e cloſe.**

Pundelr Recognitionum An. 25 E. 1. in Turre London

A Sire Johan de Langeton *Chaunceler noſtre Seignur le Roy*, Johan le Megrave, *e le Viſcounte de* Warrewyc *e* Leyrc. *ſaluz. Sachez nus ouer recia Meſtre* Robert de Craft *Perſone de* Bedeworth, *e de* Eylmerthorp, **a la protection** *noſtre Seignur le Roy. Entemoygne de quele choſe nus vos enviomus iſte Bille enſele de noſtre Seil.*

Williame de Plymton *Perſona de* Weſtbedeford *devant Sire* Aleyn de Plogenet, *e le Viſcounte de* Somerſet, *ad fet fin de* viij s. *ke eſt a double de ſa Dyme ſolome ſa reconuſance*, **pur la protection le Roy aver, et pur le defenſe de lui e ſa Egliſe, et pur le common prn du Reaume.** *Plegg. de la fin* Thomas de Kynghammere *e* Adam Vincen *layz. Entemonaunce de ceſte choſe le avant diſt Sire* Aleyn *ad mis ſun ſeel a ceſte Bylle.*

Venerande diſcretionis viro Domino J. de Langeton *Domini Regis Cancellario*, Adam de Welle, & R. le Vener *Vic.* Linc. **ad recognitiones Clerr in Com.** Linc. **recipiendas deputati, ſalutem. Sciatis quod** Willielmus de Brumpton **unem fecit cum Domino Rege pro protectione habenda, et laico feodo rehabendo. Et hoc vobis ſignificamus.**

A Sire Johan de Langeton *Chaunceler noſtre Seignour le Roy*, Henry de Thiſtelden *Viſcounte de* Oxenford, *ſaluz. Cum naggeres ke* Willame *Vikere del Egliſe de* Wytteneye *vint devaunt moy a* Oxenford **a la foy noſtre Seignour le Roy, e ſa fyn fiſt pur diſeſet ſouz e quatre deners, ke eſt au double de la Dyme de ſa Chiarte a ce ke il dit. Jeo a memes ceiy** William **ceſte bile ay done pur la protection noſtre Seignour le Roy auer ſelee de moun ſeal.** *Done a* Oxenford *le* 12 *jour de* Mars, *le an du regne le Roy* Edward *Vintyme quint.*

The ſeveral fines and ſums, not mentioned in ſundry of the Certificates, are expreſſed in diſtinct Tables at the end of the Bundles of Certificates, in this form.

Henricus de Gudeford *dat Domino Regi* **pro protectione habenda x l.**

Philippus de Willugby *recognovit ſe ſatisfacturum Regi pro terris & tenement. ſuis, & catallis in eis inventis*, **et habeat protectionem pro ſe et hominibus ſuis.**

Hug. *Perſone de* Kyngeſton *pres de* Genelle *devant Sire* Aleyn de Plogenet, *e le Viſcont de* Somerſ. *ad fet fin de* viij s. *ke eſt a double*, &c.

An. 25 E. 1. In the ſame Bundle of Writs I found theſe Certificates made by Sheriffs and others, of the Names of ſeveral Parſons, Vicars, Abbots, Priors and Clergymen, who had entred into Recogniſances and Obligations to the King with Lay-pledges or ſureties, if they had no Lay-fee of their own, to pay him ſeveral fines and ſums of money towards his Wars, to procure his Writs of Protection for their Perſons, Goods and Lands, and to have their Lands and Goods (ſeiſed by the King) reſtored to them.

Bundela Brev. An 25 E 1. in Turre London.

Dorſ. *Thomas de Etokks* recogn. & oblig. ſe Regi pro *Rogero Wele* Perſona Eccleſiæ de *Thourlegh, Exon.* Dioc. 9 *s.*

Devon. *Johannes le Deneys* recogn. & oblig. ſe Regi pro *Richardo Gundewyn* Perſona Eccleſiæ de *Bradeford, Exon.* Dioc. 16 *s.*

Devon. *Adam le Jeu* Perſona Eccleſiæ de *Leveneſton, Exon.* Dioc. recogn. Regi 9 *s.* per pleg. *Richardi de Brankeſcumbe.*

Devon. *Richardus de Brankeſcumbe* & *Henry le Noreys* recogn. & oblig. ſe Regi pro *Rogero de Cherleton* Canonico Eccleſiæ *Sanctæ Crucis* de *Cridyton, Exon.* Dioc. 15 *s.*

Devon. *Petrus de Chalons* recogn. & oblig. ſe Regi pro *Reginaldo de Campo Arnulphi* Perſona Eccleſiæ de *Ilfrydecumbe, Exon.* Dioc. 8 mar. 3 *s.*

Devon. *Johannes de Bickebiry* de *Londeſende* recogn. & oblig. ſe Regi pro *Drogone* Vicar. Eccleſiæ S. *Bruaredi, Exon.* Dioc. dimid. mar.

Hamelinus Perſona Eccleſiæ de *Withiel, Exon.* Dioc. habens laicum feodum recogn. Regi 18 *s.*

Willielmus de Leiceſtr. Perſona Eccleſiæ de *Hereford, Exon.* Dioc. recogn. Regi dimid. mar.

Richardus de Porteland Vicar. Eccleſiæ de S. *David, Exon.* Dioc. habens laicum feodum recogn. Regi dimid. mar.

Devon. *Andr.* Vicar. Eccleſiæ de *Alfynton Beſiles, Exon.* Dioc. recogn. Regi 15 *s.* per pleg. *Johannis de Lulleſham.*

Wyltes. *Philippus de Cumpton* recogn. & oblig. ſe Regi pro *Johanne* Perſona Eccleſiæ de *Manyngford Drewoſa, Sarum* Dioc. 24 *s.*

Devon. *Walterus* Perſona Eccleſiæ de *Sydeham Albemarlie, Exon.* Dioc. recogn. Regi 9 *s.* per pleg. *Ranulphi de Aſſheleye.*

Devon. *Ranulphus de Middleton* Vicar. Eccleſiæ de *Middleton,* recogn. Regi dimid. mar. per pleg. *Walteri de la Forde.*

Devon. *Richardus* Perſona Eccleſiæ de *Tame* Sancti *Petri, Exon.* Dioc. recogn. Regi 8 *s.* per pleg. *Ranulphi de Aſheleye.*

Devon. *Johannes de Bradeſtone* recogn. & oblig. ſe Regi pro *Willielmo* Perſona Eccleſiæ de *Parva Hameſton,* 9 *s.*

Prior S. *Jacobi* de *Briſtoll,* per *Robertum Lunecok* Clericum Attorn. ſuum recogn. Regi 11 mar.

Sumerſ. *Richardus de S. Claro* Perſona Eccleſiæ de *Aſſhe Britel, Bath.* & *Wel.* Dioc. recogn. Regi habens laicum feodum 40 *s.*

Sumerſ. *Willielmus de Lucumbe* Perſona Eccleſiæ de *Nettelcumbe, Bath.* & *Wel.* Dioc. habens laicum feodum recogn. Regi 30 *s.*

Cornub. Magiſter *Robertus de la Roche* recogn. & oblig. ſe Regi pro Magiſtro *Philippo de Cornub.* Perſona Eccleſiæ de S. *Juſto, Exon.* Dioc. 18 *s.*

Cornub. *Reginaldus de Moyſek* recogn. & oblig. ſe Regi pro *Radulpho* Perſona Eccleſiæ de S. *Manguano, Exon.* Dioc. 18 *s.*

Johannis de Penkenell recogn. & oblig. ſe Regi pro *Radulpho de Pridias* Perſona Eccleſiæ de S. *Winyero, Exon.* Dioc. 24 *s.*

Johannes Halveknyght Perſona Eccleſiæ S. *Jacobi* juxta Caſtrum *Winton.* habens laicum feodum recogn. Regi 2 mar.

Devon. *Robertus de Bremeſrigg* de *Beauford* recogn. & oblig. ſe Regi pro *Henrico* Perſona Eccleſiæ de *Beauford, Exon.* Dioc. 16 *s.*

Richardus de Brankeſcumbe recogn. & oblig. ſe Regi pro *Simone de Relegh* Perſona Eccleſiæ de *Warkelegh, Exon.* Dioc. dimid. mar.

Devon. *Walterus de Legh* Perſona Eccleſiæ de *Jacobeſtowe, Exon.* Dioc. recogn. Regi 13 *s.* per pleg. *Walteri de la Forde.*

Wiltes.

An. 25 E. 1.

Wiltes. *Robertus de Blakeford* recogn. & oblig. pro *Willielmo de Lomone* Perſona Eccleſiæ de *Somerford Mandut*, *Sarum*, Dioc. 40 *s.*

Devon. *Willielmus de Molis* Perſona Eccleſiæ de *Mikesburn. Exon.* Dioc. recogn. Regi 16 *s.* pee pleg. *Radulphi de Bageſton.*

Petrus Perſona Eccleſiæ de *Sele Monachorum*, *Exon.* Dioc. recogn. Regi 18 *s.* per pleg. *Thomæ de Stoteſcumbe.*

Nicholaus Perſona Eccleſiæ de *Clonenbergh. Exon.* Dioc. recogn. Regi dimid. marc. per pleg. *Thomæ de Stoteſcumbe.*

Devon. *Nicholaus* Perſona Eccleſiæ de *Kelly*, *Exon.* Dioc. recogn. Regi 8 *s.* per pleg. *Walteri de la Ford.*

Cornub. *Rogerus de Treglothenon* recogn. & oblig. ſe Regi pro *Willielmo* Vicar. Eccleſiæ S. *Geneſii*, *Exon.* Dioc. dimid. marc.

Magiſter *Hamelynus de Wythyel* recogn. & oblig. ſe Regi pro *Gilberto* Vicar. Eccleſiæ de *Dulo*, *Exon.* Dioc. dimid. marc.

Devon. *William Luvel* porcionar. Eccleſiæ de *Ermynton. Exon.* Dioc. recogn. Regi 24 *s.* per pleg. *Johannis de Kyllebury.*

Cornub. *Robertus de S. David* Clericus recogn. & oblig. ſe Regi pro *Roberto* Vicar. Eccleſiæ de *Stretton*, *Exon.* Dioc. dimid. marc.

Buks. *Johannes de Bondon* recogn. & oblig. ſe Regi pro Magiſtro *Rogero de Bondon* Perſona Eccleſiæ de *Undel. Line.* Dioc. C. *s.*

Oxon. *Philippus de Turedon* recogn. & oblig. ſe Regi pro *Roberto de Everdon.* Perſona Eccleſiæ de *Ludeton*, *Sarum* Dioc. 42 *s.*

Devon. *Guydo le Bret*, recogn. & oblig. ſe Regi pro Magiſtro *Thoma de Letthelak* Perſona Eccleſiæ de *Wympel. Exon.* Dioc. 1. m.

Hertf. *Rogerus de Norton* Perſona Eccleſiæ de *Brantefd.* habens Laicum feodum recogn. Regi 28 *s.* per pleg.

Devon. *Galfridus Splot* Perſona Eccleſiæ de *Mewey*, *Exon.* Dioc. recogn. Regi 20 *s.* per pleg. *Laur. Splot.*

Cornub. Magiſter *Willielmus de Wymundham* Perſona Eccleſiæ de *Barton* Linc. *Diſham*, & portionar. Eccleſiæ S. *Teth* in *Cornub. Exon.* Dioc. per *Willielmum le Lou* Attorn ſuum recogn. Regi, 5 *l.* 6 *s.* 8 *d.*

Eborum. *Aymo de Quarto* Præpoſitus *Beverlacen.* & *Hugelinus de Wychio* recogn. & oblig. ſe Regi, pro *Willielmo de Billeme* Perſona Eccleſiæ de *Hambiry*, *Lichf.* & *Coventr.* Dioc. 10 mar.

Devon. *Galfrydus de Byrthorp* & *Henricus de Lappefade* recogn. & oblig. ſe Regi pro Magiſtro *Roberto de Cumbe* Perſona Eccleſiarum de *Morton*, *Exon. Winterſlowe Sarum*, & *Aldesfelde*, *Winton.* Dioc, 6 *l.*

Devon. *Willielmus de Ranuell.* recogn. & oblig. ſe Regi pro *Thoma de Cantebr.* Perſona Eccleſiæ de *Luton*, *Exon.* Dioc. 40 *s.*

Devon. *Adam de Murtho* recogn. & oblig. ſe Regi pro *Willielmo* fil. *Bogonis* Perſona Eccleſiæ de *Hautebray*, *Exon.* Dioc. 12 *s.*

Somerſet. Idem *Adam* recogn. & oblig. ſe Regi pro *Waltero* Perſona Eccleſiæ de *Porlak*, *Bath.* & *Well.* Dioc. 33 *s.* 4 *d.*

Devon. *Willielmus de Lutcumbe* recogn. & oblig. ſe Regi pro *Waltero* Perſona Eccleſiæ de *Godeley*, *Exon.* Dioc. 10 *s.*

Prædictus *Willielmus de Lutcumbe* recogn. & oblig. ſe pro *Radulpho Doe* Perſona Eccleſiæ de *Stok Ryvers*, *Exon.* Dioc. 10 *s.*

Cornub. *Johannes de Penran* recogn. & oblig. ſe Regi pro *Ricardo* Perſona Eccleſiæ de S. *Pynnock*, *Exon.* Dioc. dimid. marc.

Cornub. *Willielmus de Glymon* recogn. & obtulit ſe Regi pro *Johanne de Wolnedon.* Vicar. Eccleſiæ de *S. Unelo*, *Exon.* Dioc. dimid. marc.

Robertus de la Roche, recogn. & oblig. ſe Regi pro Vicar. S. *Idy*, *Exon.* Dioc. dimid. marc.

Cornub. *Willielmus de Trewynt*, recogn. & oblig. ſe Regi pro Magiſtro *Adam. Hayn*, Perſona Eccleſiæ de *Mahaymet*, *Exon.* Dioc. 8 *s.*

Cornub. *Ricardus de Pudeford* recogn. & oblig. ſe Regi pro *Ricardo* Vicar. Eccleſiæ de S. *Auſtolo*, *Exon.* Dioc. dimid. mar.

Alanus de Kernyk recogn. & oblig. ſe Regi pro *Alano Blyon* Perſona Eccleſiæ de *Ludewent*, *Evon.* Dioc. 2. m.

Devon.

An. 25 *E.* 1. Devon. *Willielmus Gode* recogn. & oblig. ſe Regi pro *Rogero Blojon* Perſona Eccleſiæ de *Monok Okhampton, Exon.* Dioc. 19 *s.*

Ricardus Ruſſell recogn. & oblig. ſe Regi pro *Benedicto de Plymſtok* Perſona Eccleſiæ de S. *Melano, Exon.* Dioc. 16 *s.*

Devon. *Ranulphus de Aſſheleye* recog. & oblig. ſe Regi pro *Roberto* Perſona Eccleſiæ de *Saunford Peverel, Exon.* Dioc. 11 *s.*

Oxon. *Willielmus de Minelceſtr.* Vicar. Eccleſiæ de *Sutton, Exon.* Dioc. recogn. Regi 18 *s.* per pleg. *Philippi de Everdon.*

Devon. *Johannes de Boyvill* recogn. et oblig. ſe Regi pro *Martino* Perſona Eccleſiæ de *Pearcumbe, Exon.* Dioc. 18 *s.*

Sutht. *Willielmus de Glouceſtr.* Perſona Eccleſiæ de *Berton Sacy, Winton.* Dioc. recogn. Regi, 6. m. et dimid.

Salop. *Thom. de Peſhale* Perſona Eccleſiæ de *Frompton, Wygorn.* Dioc. habens Laicum feodum recognovit Regi, 2. marc.

Devon. *Ricardus Burdet* Vicar. Eccleſiæ de *Eke Bukelond,* habens Laicum feodum dimid. marc.

Johannes Vicar. Eccleſiæ de *Halberton, Exon.* Dioc. recogn. Regi, dimid. marc.

Cornub. *David* Vicar. Eccleſiæ de *Leſcarret, Exon.* Dioc. recogn. Regi, dimid. marc. per pleg. *Benedicti Reyneward.*

Henr. le Deneys Perſona Eccleſiæ de *Lyſnewyth, Exon.* Dioc. recogn. Regi 18 *s.* per pleg. prædicti *Benedicti.*

Devon. *Johannes* Vicar. Eccleſiæ de *Tanton Epiſcopi, Exon.* Dioc. habens Laicum feodum, recogn. Regi, dimid. marc.

Hugo de Ryſton. Vicar. Eccleſiæ de *Bolre Wynton.* Dioc. per *William Toly* Attorn. ſuum recogn. Regi, 2 mar.

Magiſter *Gilbertus de Arderne* Perſona Eccleſiæ de *Aldeford, Coventr. & Lychf.* Dioc. recogn. Regi 30 *s.*

Surr. Magiſter *Johannes de Glouceſtr.* Perſona Eccleſiæ de *Chikewell. London.* Dioc. recog. Regi 6. mar. per pleg. *Hugonis de Jernemuth.*

Prior de la *Miniſtr.* in *Cornub.* recog. Regi 24 *s.*

Cornub. *Rogerus de Brightwell* Perſona Eccleſiæ de *Laudkynnok, Exon.* Dioc. recogn. Regi 20 *s.* per pleg. *Philippi le Wenche* de *Leſtwythiell.*

Devon. *Hugo Lengleys* Perſona Eccleſiæ de *Taleton, Exon.* Dioc. recogn. Regi 33 *s.* 4 *d.* per pleg. *Simon le Ken. Exon.* Dioc.

Cornub. *Reginaldus* Portionar. in Eccleſiæ S. *Endelient, Exon.* Dioc. habens laicum feodum, recog. Regi 17 *s.*

Devon. *Edwardus Lengleys* Vicar. Eccleſiæ de *Bovy Tracy, Exon.* Dioc. recogn. Regi, dimid. marc. per pleg. *Jacobi de Mohun.*

Prior de Hoſpital S. *Johannis de Welles* recogn. 46 *s.* 4 *d.*

Johannes Vicar. Eccleſiæ de *S. Claro, Exon.* Dioc. recogn. Regi dimid. marc. per pleg. *Rogeri de Polleskogh.*

Oxon. *Willielmus de la More,* recogn. & oblig. ſe Regi pro *Johanne de Wamberg,* Vicar. Eccleſiæ de *Cudalyngton Linc.* Dioc. dimid. Marc.

Cornub. *Johannes* fil. *Roberti* recogn. & oblig. ſe pro Magiſtro *Marſilo* Perſona Eccleſiæ *S. Trinitatis, Exon.* Dioc. 2. marc.

Devon. *Henr. de Raleigh* recogn. & oblig. ſe Regi pro *Henrico* Vicar. Eccleſiæ de *Celyton Nonants.*

Exp. *Willielmus* Parſona Eccleſiæ de *Thellebrigg. Exon.* Dioc. quæ taxatur ad 30 *s.* tantum, ut jurabit, recogn. Regi pro protectione habenda per pleg. *Johannis de Thellebrig.* de Com. *Devon.* 6 *s.* 8 *d.*

Exp. *Johannes de Chyn* Vicar. Eccleſiæ de *Motbury, Exon.* Dioc. quæ taxatur, ad 40 *s.* tantum, ut juravit, recognoſcit Regi pro protectione 6 *s.* 8 *d.* per pleg. *Willielmi de Edmerſton* de Com. Devon.

Exp. *Thom. de* ——— Vicar. Eccleſiæ de *Carampton, Bathon: & Wellen:* Dioc. habens Laicum feodum recogn. Regi pro protectione habenda, 20 *s.*

Exp. *Rogerus de Abbernonn* Perſona Eccleſiæ de *Thornebury, Exon.* Dioc. & Eccleſiæ de *Haſelbergh, Sarum* Dioc. habens laicum feodum recogn. Regi pro protectione habenda, 40 *s.*

Exp.

Exp. *Benedictus de Lincoln.* Perſona Eccleſiæ de *Kirkeby, Lincoln.* Dioc. habens laicum feodum recog. Regi pro protectione habenda, 5 marc. *An.* 25 *E.* 1.

Exp. *Egidius de Bittidon* Perſona Eccleſiæ de *Henton Bluet, Bathon.* et *Wellen.* Dioc. recogn. pro protectione 10 *s.*

Exp. *Willielmus de Wymeton* Perſona Eccleſiæ de *Bokelond. Exon.* Dioc. recogn. Regi pro protectione habenda, 13 *s.* 4 *d.* per pleg. *Ada de la Forde* de Com. Devon.

Exp. *David de Eſtakepele* Perſona Eccleſiæ de *Aukford, Exon.* Dioc. recogn. Regi pro protectione habenda 2 marc. per pleg. *Johannis de Eveſham* de Com. Devon.

Exp. *Thom. de Eveſham,* Vicar. Eccleſiæ de *Talmeton. Exon.* Dioc. quæ taxatur ad 40 *s.* tantum, &c. recogn. Regi pro protectione habenda dimid. marc. per pleg. Magiſtri *Roberti de la Pytte* de Com. Devon.

Exp. *Rogerus* Vicar. Eccleſiæ de *Ermyngton, Exon.* Dioc. recogn. Regi pro protectione habenda, dimid. mar. per pleg. dicti Magiſtri *Roberti.*

Walterus Perſona Eccleſiæ de *Bradeſtone, Exon.* Dioc. habens laicum feodum recogn. Regi, 10 *s.*

Exp. *Martinus* perſona Eccleſiæ de *Blake Ameton, Exon.* Dioc. habens Laicum feodum, recog. Regi 28 *s.*

Exp. *Walterus de Neweton* Perſona Eccleſiæ de *Bradeſton* et *Henr. de Lobbewyll.* recognoſcunt & obligant ſe Regi, pro *Willielmo Trenchard* Vicar. Eccleſiæ de *Stowe Devon.* beatæ *Mariæ Exon.* Dioc. dimid. mar.

Exp. *Philippus de Everdon.* Perſona Eccleſiæ de *Broughton, Linc.* Dioc. recogn. Regi pro protectione habenda, 10 *l.*

Exp. *Johannes Dru* Perſona Eccleſiæ de *Shyperford magna, Sarum* Dioc. recogn. Regi 32 *s.* per pleg. *Johannis de Candeme* de Com. *Suthton.*

Exp. *Ricardus* Perſona Eccleſiæ de *Maneton Exon.* Dioc. habens laicum feodum recogn. Regi, 20 *s.*

Exp. *Johannes de Everdon* Perſona Eccleſiæ de *Stoke Baſſet, Linc.* Dioc. recogn. Regi pro protectione C *s.*

Philippus de Everdon prædictus recogn. & oblig. ſe Regi pro *Roberto de Everdon* Perſona Eccleſiæ de *Bertun Benedych.* 5 marcæ

Exp. *Thom. de Donne* Perſona Eccleſiæ de *Heaunton Punchardoun, Exon.* Dioc. recogn. Regi pro protectione, 42 *s.* per pleg. *Walteri de Tarpeleye* de Com. Devon.

Exp. *Willielmus de Strete* Perſona Eccleſiæ de *Ken, Exon.* Dioc. habens laicum feodum, recog. Regi 62 *s.*

Exp. *Henry* Perſona Eccleſiæ de *Rydmore, Exon.* Dioc. recogn. Regi 13 *s.* 4 *d.* per pleg. *Johannis de Stokton* de Com. Devon.

Magiſter *Robertus de la More* Perſona Eccleſiæ de *Withampton, Sarum* Dioc. habens laicum feodum recogn. Regi 15 *s.*

Exp. *Jacobus Frauncеys* Perſona Eccleſiæ de *Whitechurch, Exon.* Dioc. recogn. 30 *s.* per pleg. *Willielmi de Neweton* de Com. Devon.

Philippus Perſona Eccleſiæ de *Caddeleye, Exon.* Dioc. quæ taxatur ad 40. *s.* recogn. Regi dimid. marc.

Exp. *Godefridus* Perſona Eccleſiæ de *Chauleye, Exon.* Dioc. habens laicum feodum recogn. Regi 40. *s.*

Exp. *Stephanus de Molis* Perſona Eccleſiæ de *Northill. Exon.* Dioc. habens laicum feodum recogn. Regi 2. marc.

Exp. *Johannes* Perſona de *Meſdon, Exon.* Dioc. recogn. Regi *xviij. s.* per pleg. *Walteri de Tarpeleye* de Com. *Devon.*

Exp. *Willielmus de Stokes* Perſona Eccleſiæ de *Exford, Bath. & Wellen.* Dioc. habens feodum laicum feodum recogn. Regi 30. *s.*

Exp. *Robertus Fromund* Perſona Eccleſiæ S. *Thomæ, Sar.* Dioc. & Præbendar. in Eccleſia S. *Mariæ Magdalenæ* de *Chylmelegh, Exon.* Dioc. per *Johan. de Exon.* Clericum, & *Johannem de Dentworth* Attorn. ſuos recogn. Regi pro protectione habend. 40 *s.*

Exp. *Walterus de Ferar.* Perſona Eccleſiæ de *Byr. Exon.* Dioc. recogn. Regi 38 *s.* 4 *d.* per pleg. *Reginald. de Ferar.* de Com. *Devon.*

Exp. *Robertus* Perſona Eccleſiæ de *Cliſt S. Laurentii, Exon.* Dioc. habens feodum recogn. Regi 15 *s.*

An. 25 *E.* 1. Exp. *Henr. de Budeton* de Com. *Devon.* recogn. & oblig. ſe Regi pro *Richardo de Seccana* Perſona Eccleſiæ de *Tiſſebiry*, *Sarum* Dioc. 30 *s.*

Exp. *Robertus de Stokeye* de Com. *Devon.* recogn. & oblig. ſe Regi pro *Thoma de S. Albano* Perſona Eccleſiæ de *Holne*, *Exon.* Dioc. 2 marc.

Somerſ. Abbas de *Bokelond* recogn. & oblig. ſe Regi pro Abbate de *Neth* pro laico feodo ſuo ſpiritual. annexo in Dioc. *Bathon.* & *Wellen.* quod taxatur ad 11 *l.* 13 *s.* 4 *d.*

Wiltes. Exp. Frater *Thomas* Prior de *Farleye* per Magiſtrum *Robertum* de —— Attornatum ſuum recogn. Regi pro protectione habenda 20 *l.*

Devon. *Johannes de Kyllebiry* recogn. & oblig. ſe Regi pro *Laurentio* V.car. Eccleſiæ de *Auleſcumbe*, *Exon.* Dioc. dimid. marc.

Devon. *Willielmus de Hornford* recogn. & oblig. ſe Regi pro *Luca* Vicar. Eccleſiæ de *Brixham*, *Exon.* Dioc. 2 marc.

Hereford. *Willielmus de S. Johanne* Canonicus prædictæ Eccleſiæ S. *Ethelberti*, & Perſona Eccleſiæ de *Wylandesbyry*, *Linc.* Dioc. per prædictum *Adam de la Berewe* recogn. Regi 5 marc.

Thomas de la Dane Perſona de *Hampton*, *Heref.* Dioc. per prædictum *Adam* Attorn. ſuum recogn. Regi 22 *s.*

Devon. *Hamelinus* Perſona Eccleſiæ de *Halghwell*, *Exon.* Dioc. recogn. Regi pro protectione habend. 18 *s.*

Exp. *Robertus de Hendrez* Perſona Eccleſiæ de *Lanreithon*, *Exon.* Dioc. habens laicum feodum recogn. Regi 2 marc.

Rogerus de Mortho & *Richardus de Sparkwyll* de Com. *Devon.* recogn. & oblig. ſe Regi pro *Willielmo de Tracy* Perſona Eccleſiæ de *Mortho*, *Exon.* Dioc. 2 marc.

Hugelinus de Wichio recogn. & oblig. ſe Regi pro Abbate S. *Andr. Veſſellens* in *Lumbardia*, Perſona Eccleſiæ S. *Andreæ* de *Ceſtreton*, *Elyen.* Dioc. 11 *l.*

Suſſex. Magiſter *Robertus de Lewes*, Perſona Eccleſiæ de *Wywelle*, *Linc.* Dioc. habens laicum feodum recogn. Regi pro protectione habend. 21 *s.*

Devon. *Warinus de Penilles* Perſona Eccleſiæ de *Weſtlegh*, *Exon.* Dioc. recogn. pro protect. 21 *s.*

Devon. *Richardus Neel* Perſona Eccleſiæ de *Aſſheſteigim*, *Exon.* Dioc. recogn. Regi 40 *s.*

Cornub. Magiſter *Thom.* Perſona Eccleſiæ S. *Rinnoms* majoris *Lukerrierd*, *Exon.* Dioc. recogn. Regi 17 *s.*

Cornub. *Robertus de Stokheye* & *Warinus de Alneto* recogn. & oblig. ſe Regi pro Magiſtro *Willielmo de S. Elena* Canonico *Exon.* dimid. marc.

Devon. *Richardus de Brangeſcombe* recogn. & oblig. ſe pro *Nicholao de Feu* Perſona Eccleſiæ de *Whyteton*, *Exon.* Dioc. 10 *s.*

Devon. *Robertus* Perſona Eccleſiæ de *Lappeford*, *Exon.* Dioc. habens laicum feodum recogn. Regi 25 *s.*

Devon. *Johannes de Biry* recogn. & oblig. ſe Regi pro *Henrico* Vicar. Eccleſiæ de *Celrigg*, *Exon.* Dioc. dimid. marc.

Devon. *Stephanus de Cokington* Perſona Eccleſiæ de *Humeſhaghe*, *Exon.* Dioc. recogn. Regi pro protectione 10 *s.*

Devon. *Henr. le Moreys* recogn. & oblig. ſe Regi pro *Tho. le Bret* Perſona Eccleſiæ de *Hywiſſhe*, *Exon.* Dioc. 1. marc.

Devon. *Robertus Giffard* recogn. & oblig. ſe Regi pro *Willielmo Dunnyng* Perſona Eccleſiæ de *Bideford*, *Exon.* Dioc. 55 *s.* 4 *d.*

Devon. *Willielmus de Halton* Perſona Eccleſiæ de *Shewyk*, *Exon.* Dioc. recogn. Regi 24 *s.*

Devon. *Robertus Giffard* recogn. & oblig. ſe Regi pro *Willielmo de Bramton* Perſona Eccleſiæ de *Alnerdſcote*, *Exon.* Dioc. 18 *s.*

Bundelæ Brevium in Turre London. An. 25 E. 1.

In two bundles of Writs of Privy-ſeals and Certificates, *Anno* 25 *E.* 1. I found *Nomina Religioſorum de partibus Tranſmarinis infraſcripti.* Qui fecerunt finem, et invenerunt ſecuritatem ad Dom. Regem apud Weſtm. *ſecundum formam ordinationis, & illis debet fieri Protectio in forma proviſa*, writ in this form.

Suſſex. Ballivis de *Fiſcampo* invenit, *&c.* *Suſſex.* Prior de *Wilminton*, Exp. invenit, *&c.*

nit, &c. *Which follows after every of the Names in one of the Copies.* *Dorſ.* Frater *Martinus* Prior de *Frompton*, Exp. invenit, *&c.* *Oxon. Northt. Lincoln.* Frater *Johannes* procur. Abbatis de *Almeto.* *Linc. Norf. Eſſex. Nott.* Frater *Willielmus* procur. Abbatis de *Seminacco.* *Suſſex.* Frater *Willielmus* procur. Abbatis de *Sees* in *Anglia.* *Dorſ.* Prior de *Lodres*, Exp. *Buck.* & *Linc.* Frater *Robertus* procurator Abbatis S. *Nich. Andeg.* *Devon.* Prior de *Otrington* Exp. *Ebor.* Frater *Hugo de Molendinis*, Cuſtos Molendinarum *Richemund. Kanc.* Frater *Petrus* Prior de *Trivle.* *Kanc.* Frater *Petrus* Prior de *Folkeſtan.* *Kanc.* Frater *Walterus* Prior de *Patukeburn.* *Kanc.* Frater *Walterus de Dunes*, Cuſtos Eccleſiæ de *Eſtclinthe* in *Shepeie.* *Kanc.* Frater *Hugo* Cuſtos Eccleſiæ de *Upechurch.* *Salop.* Frater *Henricus* Prior de *Winlik.* *Suſſex.* Frater *Johannes* Prior de *Lewes.* *Norf.* Prior *Sanctæ Fidis* de *Herford.* *Wilts.* Frater *Theobaldus* Prior de *Okeburn.* *Berk.* Frater *Willielmus* Prior de *Eſtiventon.* *Suthſ.* Frater *Johannes* Prior de *Anlcourt.* *Linc.* Frater *Petrus* Prior de *Burghwell.* *Ebor.* Frater *Johannes* Prior de Sanctæ *Trin. Ebor.* *Norf.* Frater *Vincentius* Prior de *Theford* Monachorum. *Kanc.* Frater *Jacobus* Prior de *Horton.* *Kanc.* Frater *Johannes* Prior de *Leveſham.* *Ebor.* Prior de *Alverton Mauleverer.* *Norf.* Prior de *Sporle* invenit, *&c.* *Nott.* Frater *Walterus* Prior de *Blyda.* *Rutland.* Frater *Johannes* Prior de *Wiſtow.* *Heref.* Frater *Radulphus* Prior de *Ware.* *Hereford.* Frater *Johannes* Prior de *Clifford.* *Middl.* Frater *Willielmus* Prior de *Ermondeſworth.* *Glouceſt.* Frater *Willielmus de Bekeford*, Attorn. Prioris de *Bekeford*, Exp. *Buk.* Frater *Willielmus*, Cuſtos domus de *Tykeſord.* *Oxon.* Frater *Matthæus* Prior de *Coges.* *Eſſex.* Frater *Alexander* Prior de *Staveſgate.* *Suff.* *Robertus* procurator Prioris de *Breſete.* *Heref.* &c. Frater *Galfridus* procurator Abbatis de *Ceunchu.* *Heref.* Frater *Willielmus de la Gravele*, procurator Abbatis de *Lyra.* *Cantebr.* Frater *Johannes* Prior de *Swanſeye.* *Somerſ.* Frater *Galfridus* Prior de *Montacuto.* *Nott.* Frater *Willielmus* Prior de *Leuton.* *Stafford.* Frater *Reginaldus* Prior de *Lappeleye.* *Northt.* & *Berk.* Frater *Johannes* Prior de *Nugon* & de *Novo Mercato*, Exp. *Wigorn.* Frater *Guido* Prior de *Aſtle.* *Suthr.* Frater *Willielmus* Prior de *Hamele Anglicus.* *Cornub.* Frater *Philippus* de *Tuadred.* *Eſſex.* Frater *Petrus* Prior de *Pritewell.* *Glouc.* Frater *Osbertus* Prior de *Goldclive*, Exp. *Warr.* Frater *Johannes* Prior de *Kirkeby* Monachorum. *Glouc.* Frater *Simon* Prior de *Newent*, Exp. *Oxon.* Frater *Radulphus* Prior de *Miniſtro Lovel.* *Suſſex.* Frater *Petrus* Prior de *la Sele.* *Eſſex.* Frater *Gilbertus* Prior de *Mereſeye.* *Norhtt.* & *Suff.* Frater *Willielmus* Prior de *Creting* & *Everdon.* *Suff.* Frater *Jacobus* Prior de *Wanesord.* *North.* Frater *Richardus* procur. Prioris S. *Andr. Northt.* *Hunt.* Frater *Johannes* Prior de S. *Neoto.* *Buk.* Frater *Richardus* Prior de *Newinton Longuile.* *Suſſex.* Frater *Laurentius*, procurator Prioris de *Morteyn* & *Wideham.* *Ebor.* Prior de *Burſtalle.* *Suſſex.* Frater *Dionyſius* Prior de *Arundell.* *Suſſex.* *Agatha* Prioriſſa de *Leminiſtr.* *Wilt.* Frater *Warena* Cuſtos de *Cherlton.* *Warr.* Frater *Thoma* procurator Prioris de *Wolurecheſton.* *Norf.* Frater *Petrus* Prior de *Paunfeld* & de *Wells.* *Linc.* Frater *Walterus* Prior de *Wyleford.* *Devon.* Frater *Robertus* Prior de *Mobur.* *Staff.* Frater *Willielmus* procurator Prioris de *Tuttebur.* *Wilts.* Frater *Johannes* Prior de *Oppehavene.* *Wilts.* Frater *Willielmus* Prior de *Avebir.* *Cant.* Frater *Rouland* Prior de *Linton.* *Derb.* Frater *Petrus*, Prior de S. *Jac. de Derby* de *Aldeuna.* *Linc.* Frater *Nicholaus* Prior de *Ravenſdale.* *Linc.* Frater *Johannes* Prior de *Hagh.* *Suthr.* Frater *Nicholaus* Prior de *Anedvelle.* *Wilts.* Frater *Matth.* Prior de *Clatford.* *Linc.* Frater *Galfridus* Prior de *Wengham.* *Linc.* Frater *Willielmus* Prior de *Camerynghan.* *Glouc.* *Robertus* Prior de *Brumſend* & *Middleton.* *Somerſ.* *Nicholaus* Prior de *Stock Corthy.* *Devon.* *Bartholomæus* Prior de *Carrwelle.* *Suthr.* *Hugo* Prior de *Heyling.* *Suthr.* Frater *Johannes* Prior de *Caribrok.* *Suthr.* Frater *Johannes* procurator Abbatis de *Lyra* *Suthr.* Frater *Galfridus* Prior S. ..... in Inſula *Vecta.* *Suthr.* Frater *Stephanus* Prior de *Appelire*, Exp. *Suthr.* *Henricus* Prior S. *Elenæ*, Exp. *Devon.* Frater *Galfridus* Prior de *Totenays.* *Suff.* *Johannes* Prior de *Mendham.* *Bedf.* Frater *Johannes* Magiſter Domus de *Farleye* & *Luttegreſhall.* *Linc.* Frater *Henricus* Prior de *Hagham.* *Cornub.* Frater *Galfridus* Prior de *Monte S. Michaelis.* *Linc.* Frater *Petrus* Prior de *Covenham.* *Hereford.* Frater *Galfridus* procurator Abbatis de *Tirona*, qui eſt Prior de *Tutele.* *Devon.* Frater *Paſcaſius* Prior de *Barnaſtapolia*, Exp. *Devon.* Frater *Petrus* Prior S. *Jacobi* juxta *Exon.* Exp. *Norf.* Frater *Nicholaus* Prior de *Toftes*, Exp. *Suſſ.* Frater *Henricus* Prior de *Stok.* *Heref.* Frater

An. 25 E. I.

An. 25 *E.* 1. ter *Petrus de Boſco* Prior de *Monemuta. Warr.* Frater *Johannes de Brocia* Prior de *Wotton. Leyc.* Frater *Herneus* Prior de *Hynkele. Lancaſtr.* Frater *Johannes* Prior *Lancaſtr. Devon.* Frater *Adam* Prior de *Cowyk*, Exp. *Linc.* Frater *Theobaldus* Prior de *Mynting. Northt.* Frater *Hugo* Prior de *Weden. Pinkeney*, Exp. *Ebor.* Prior de *Echeffeud*, Exp. *Eſſex.* Prior de S. *Walerico.*

The Protections granted them by the King for theſe fines, were of two ſorts; one for the Clergy of the Province of *York*, directed to the Sea Officers, Mariners, Bayliffs and others, which I found in a Bundle of Writs and Privy Seals in the White Tower, with this direction to the Chancellor to iſſue them.

Bundela Brev. An. 25 E. 1. in Turre London.

EDwardus *Dei gratia Rex* Angliæ, *Dominus* Hiberniæ, *& Dux* Aquitaniæ, *dilecto & fideli ſuo* Johanni de Langeton *Cancellario ſuo, ſalutem. Placet nobis,* ut Clerus tam Ebor. quam Karl. Dioceſium quam aliunde volens quintam partem Beneficiorum et bonorum ſuorum ad Regni et Eccleſiæ defenſionem ponere, Protectionem noſtram in forma quam miſiſtis Johanni de Benſtede Clerico noſtro conſequatur. *Quam quidem formam vobis ſigillo noſtro privato remittimus conſignatam. Dat. ſub privato ſigillo noſtro apud* Dyneſle 16 *die* Februarii, *Anno regni noſtri* 25.

Ibidem.

EDwardus, *&c. Capitaneo Marinariorum, & eiſdem Marinariis, ac omnibus Ballivis & fidelibus ſuis, ad quos præſentes litera pervenerint, ſalutem.* Cum Prælati et Clerus Ebor. & Karliolen. Civitatum et Dioceſium prudenter intuentes inevitabilis neceſſitatis angustias, quibus Eccleſiæ ſuæ et totum regnum Angliæ occulata fide exponuntur et ſubjacent his diebus, uſque ad quintam partem Beneficiorum et bonorum ſuorum iſtius anni, juxta taxationem nuper factam de Beneficiis Eccleſiaſticis de quibus decima, ultimo in ſubſidium Terræ Sanctæ conceſſa, data fuit, ordinaverint et conſtituerint ſe ponere ad defenſionem ſuam et Eccleſiarum ſuarum, et ad reſiſtendum machinationibus et invaſionibus hoſtium, qui alias applicantes in dictum regnum, Dei timore poſtpoſito, Eccleſias combuſſerunt, * vaſa ſacra et alia ornamenta divino dedicata cultui rapuerunt, perſonas Eccleſiaſticas etiam decrepitas in eiſdem inhumaniter truncaverunt, quique repatriatis prioribus et nobis et incognitis eidem regno nabium et armorum adventis generibus, ad invadendum regnum illud ſe fortius ſolito præparaverunt. Nos ipſorum circumſpectam providentiam commendantes, ſuſcepimus in protectionem et defenſionem noſtram ſpecialem prædictos Prælatos et Clerum, et ſingulos eorundem, homines, terras, res, redditus, et omnes poſſeſſiones ſuas: Et ideo vobis mandamus, quod prædictos Prælatos et Clerum, et ſingulis eorum homines, terras, res, redditus, et omnes poſſeſſiones ſuas manuteneatis, protegatis et defendatis, non inferentes eis, vel inferri permittentes injuriam, moleſtiam, dampnum aut gravamen. *Et ſi quid eis forisfactum fuerit,* id eis ſine dilatione emendari faciatis. *In cujus, &c. uſque ad feſtum* Omnium Sanctorum *futur. prox. duratur. Nolumus autem ſed firmiter inhibemus,* ne de bladis ſeu aliis bonis et catallis prædictorum Prælatorum et Cleri, ſeu alicujus eorum ubicunque conſiſtant, ad opus noſtrum aut aliorum quorumcunque ſine licentia et voluntate eorundem Prælatorum et Cleri aliquid interim capiatis, ſeu capi faciatis, quo minus de eiſdem bonis et catallis ſuis libere diſponere et ordinare, ac commodum ſuum facere poſſint, prout ſibi melius viderit expedire. *Teſte meipſo apud* Walſyngham *6 die* Februarii, *Anno regni noſtri viceſimo quinto.* Which Writ of Protection was paſſed under the Great Seal 18 *Februarii*, and recorded in *Rot. Pat. An.* 25 E. 1. *m.* 14. *intus.*

* Vid. Henr. de Knyghton de Event. Angl. l. 3. c. 10. col. 2520, 2521.

Conſimilis litera fiet cuilibet de Clero ſi Rex conſentiat iſti forma.

The other ſort of the Kings Protections were granted to particular Abbots, Abbeſſes, Covents, Priors, Deans, Chapters, Archdeacons, Prebends, Freers, Parſons, Vicars, Chaplains of Churches and Chappelries throughout the Province of *Canterbury*, thus recorded to poſterity in the Patent and Clauſe Rolls of 25 E. 1.

REX

An. 25 E. 1.

Pat. 25 E. 1. m. 15. dorſo, & bundela brevium de privato Sigillo, &c. An. 25 E 1. in Turre London.

REX omnibus Ballivis & fidelibus ſuis, *&c.* ſalutem. Sciatis quod ſuſcepimus **in protectionem et defenſionem noſtram ſpecialem** dilectum nobis in Abbatem de *Hida Winton.* homines, terras, res, redditus, & omnes poſſeſſiones ſuas. Et ideo vobis mandamus, quod ipſum Abbatem, homines, terras, res, redditus, & omnes poſſeſſiones ſuas, **manuteneatis, protegatis, & defendetis**; non inferentes eis vel inferri permittentes injuriam, moleſtiam, dampnum, aut gravamen. Et ſi quid eis forisfactum fuerit, id eis ſine dilacione faciatis emendari. In cujus rei teſtimoniam has literas noſtras fieri fecimus patentes, duraturas uſque ad feſtum omnium *Sanctorum* proximo futurum. **Volumus autem** ſet firmiter **inhibemus, ne de bladis ſeu aliis bonis et catallis ipſius Abbatis, ubicunque conſiſtant, ad opus noſtrum ſeu aliorum quorumcunque, ſine licentia et voluntate ejuſdem Abbatis, aliquid interim capiatis, ſeu capi faciatis, quo minus de eiſdem bladis, bonis et catallis ſuis libere diſponere et ordinare, ac commodum facere poſſit prout ſibi melius viderit expedire.** Teſte Rege apud *Odyham* 22 die *Febr.*

Conſimiles literas de protectione habent ſubſcripti, **qui finem fecerunt coram Domino Cancellario pro hujuſmodi Protectionibus habendis**; *viz.* * Richardus de Overton *Clericus*, *Magiſter* Philippus de Cornub. *Prior Sancti* Swythini Winton. *& tripl. Abbatiſſa Sanctæ* Mariæ Winton. *& tripl.* Emericus Rabotel, Petrus de Sancto Mario *Archid.* Surr. Petrus Callandi, Gilbertus de Chalfunt, Robertus Bertrandi *Perſona Eccleſiæ de* Clandon *Abbatis*, Gilbertus de Ardene *Perſona Eccleſiæ de* Havewelle, Gerricus de Fago *Procurator generalis* Theobaldi de Baro *Prebendarii Prebendæ de* Bannebury, *& Perſona Eccleſiæ de* Pageham, Edwardus *Perſona Eccleſiæ de* Croyton, *dupl.* Gerricus de Fago *generalis Procurator* Petri *Perſona Eccleſiæ de* Hambur. *juxta* Wycham, Willielmus de Torni *Clericus*, *Magiſter* Adam de Botyndon *Perſona Eccleſiarum de* Penne, Bodiford & Cobinton, *& tercia partis Eccleſiæ de* Botydon, *tripl. Magiſter* Thomas de Logor *Canonicus Eccleſiæ Sancti* Andreæ Wellen. *Magiſter* Rogerus la Force *Perſona Eccleſiæ de* Berfeld, Willielmus de Ippele *Perſona Eccleſiæ de* Fouleſton, *Magiſter* Andr. la Force *Perſona Eccleſiæ de* Bocland, Johannes de Hineton *Perſona Eccleſiæ de* Pauleſholt, *Prior de* Burnceſtr. Walterus de Dene *Perſona Eccleſiæ* Omnium Sanctorum *de* Weſtden, *Prior de* Motesfunte, *dupl. Abbatiſſa de* Wherewell, *dupl.* Willielmus de Sadington *Perſona Eccleſiæ de* Saxeby, Johannes de Lanfare *Perſona Eccleſiæ de* Sanecaumpe, *Magiſter* Jacobus de Cobeham, *& Magiſter* Thomas *frater ejus Clerici*, *dupl. Prior Hoſpitalis Sancti* Johannis de Creckelade, Nicholaus de Ely *Perſona Eccleſiæ de* Cranleye, Willielmus Abell *Perſona Eccleſiæ de* Linleye, Henricus de Bluntesdon, *dupl. Magiſter* Petrus Doncet *Perſona Eccleſiæ de* Aveninges, *dupl. Abbatiſſa* Shafton, *dupl.* Johannes de Scardeburgh *Perſona Eccleſiæ de* Syſtan, *& Sancti* Michaelis *de* Stanton, *dupl.* Nicholaus de Luvetot, Thomas de Newton *Perſona Eccleſiæ de* Knoll, Johannes de Cumbe *Clericus*, *Prior Eccleſiæ Chriſti de* Twynham, *Magiſter* Willielmus de Crundwell *Clericus*, Johannes de Upton *Perſona Eccleſiæ de* Fifehide, *Magiſter* Johannes de Keuleye *Perſona Eccleſiæ de* Sokyndon, Galfridus de Bromham *Clericus*, Galfridus de Wretton *Perſona Eccleſiæ de* Henxhull *&* Codham, Rogerus de Shulton, Robertus de Hareden *Perſona Eccleſiæ de* Aldington, Radulphus de Stanford, *dupl.* Rogerus de Sutton *Perſona Eccleſiæ de* Heyden, *dupl.* Robertus de Askeby, *dupl. Magiſter* Willielmus de Chirmton, Henricus de Tidelſyde *Perſona Eccleſiæ de* Northnewendon, Willielmus de Bettles *Perſona Eccleſiarum de* Barſham *&* Dichingham, *Prioriſſa de* Nunneton, *Prioriſſa de* Nunne Eton, Bartholomæus de Sutton *Perſona Eccleſiæ de* Sutton, *Prior Domus Mulierum Leproſarum de* Maydenbradelegh, Hugo de Clepton *Clericus*, Galfridus de Hegham *Perſona Eccleſiæ de* Canndel *Epiſcopi*, Johannes Bacun, *Prior de* Brummore, Hug. de Spineto *Perſona Eccleſiæ de* Thurtleſton, Willielmus Abel *Perſona Eccleſiæ de* Lindleye, Maur. Lunel *Perſona Eccleſiæ de* Aluinsford, Humfridus de Lye *Perſona Eccleſiæ de* Laneford, Henr. Beaufiz *Perſona Eccleſiæ de* Aſſhe, *Magiſter* Reyner de Wychio *Canonicus Eccleſiæ Sancti* Cedde Lych. Guido de Wychio *Perſona Eccleſiæ de* Ele, Henr. de Ponte *Clericus*, Willielmus de Hamelton, *dupl.* Willielmus de Holt *Perſona Eccleſiæ de* Allekanynges, Richardus de Kyneburle, Johannes de Spaldington *Perſona Eccleſiæ de* Thorpedmor, Robertus de Benhale *Clericus*, *Prior de* Brionton, *Magiſter* Hugo Trypacy *Clericus*, Stephanus Provet *Clericus*, *Abbas de* Tychefeld *dupl. Magiſter*

* By this Catalogue we may diſcern not only the Names of the Abbots, Abbeſſes, Priors, Archdeacons, Prebends, Parſons, Vicars, &c. in that year, and that many of them were *Italians*, but likewiſe which were then Prebendaries, Parochial Churches, Parſonages and Chappelries, which continue ſo, or have ſince been altered; one end for which I have here ſpecified them.

An. 25 E. 1. *giſter* Robertus Searlet *Perſona Eccleſia de* Elme, *Magiſter* Robertus de Strode *Canonicus Eccleſia beata* Mariæ Sarum, Antonius de Bradeneye *Clericus*, Stephanus de la Priſe *Perſona Eccleſia de* Boyton, *Prior de la* Grave, *tripl.* Radulphus de Ebor. *Cancellar. Eccleſia beata* Mariæ Sarum, Willielmus Baynard *Perſona Eccleſia de* Irſtede, Matthæus de Hamme *Perſona Eccleſia de* Staunton *Sancti* Quintini, *Prioriſſa de* Ambresbury, *dupl.* Johannes de Bradenham *Perſona Eccleſiarum de* Fennum, Sutton, & Kenburnleye, *dupl.* Stephanus Malore *Perſona Eccleſia de* Draghton, *Magiſter* Willielmus de Chirinton, *Abbas de* Hida Winton, *dupl.* Richardus Malore *Perſona Eccleſia de* Lindwode, Richardus de Eyleſton *Perſona Eccleſia de* Barkeſton, Willielmus le Deneys *Canonicus Eccleſia beata* Mariæ Sarum, Henr. de Colingburne *Perſona Eccleſia de* Telre, Richardus de Winton *Perſona Eccleſia de* Penyton, Willielmus de Middleton *Perſona Eccleſia de* Bradelegh *juxta* Grymesbye, Johannes de Winton *Perſona Eccleſia de* Enham, *dupl.* Willielmus de Welmton *Canonicus Eccleſia ſancti* Andreæ Wellen. *Magiſter* Willielmus de Appirlee, *Perſona Eccleſia de* Eſt-Brightwell, *Magiſter Hoſpital ſancti* Nicholai Sarum, Richardus de Preſton *Perſona Eccleſia de* Longa Brydie, *Abbatiſſa de* Romeſeye *dupp.* Johannes de Newent *Perſona Eccleſia de* Gracele, *Præpoſitus Domus ſancti* Edmundi Sarum, Johannes de Romeſeye *Perſona Eccleſiarum de* Edinton & Icluneſtok, Johannes de Sperſholt *Clericus*, *Abbatiſſa de* Wilton, *Magiſter* Radulphus de Odyham *Perſona Eccleſia de* Bradeford Penere, Willielmus de Wermeinſtr. *Perſona Eccleſia de* Tidolneſhide, Robertus de Benhale *Clericus*, Robertus de Leiceſtr. *Perſona Eccleſia ſancti* Oſwaldi & *Vicar. Eccleſia beata* Mariæ Sarum, Johannes de Witham *Capellanus*, Rogerus de Eſſex *Perſona Eccleſia de* Wulfreton, *Prior de* Poghelee, Robertus de Aldington *Vicar. Eccleſia de* Sturminiſtr. Mareſchal. *Abbas de* Muchelnye, *Abbas* Glaſton *trip.* *Magiſter* Willielmus de Perham *Perſona Eccleſia de* Romeſeye, Robertus *Perſona Eccleſiarum* de Aſſheton Somervill & Burghton, Robertus Burton *Perſona Eccleſiarum de* Horſenton & Derham, *Cuſtos Domus Scolarium* Sarum. *duppl.* *Prior de* Longa Leta, *Magiſter* Robertus de Strode *Canonicus Eccleſia beata* Mariæ Sarum, Petrus de Sancto Martino *Perſona Eccleſia de* Ulbeton, Gilbertus de Wellanynton, *Magiſter* Willielmus de la Wyle *Arch.* Dorſ. *Prior de* Standelford, Petrus Maundevil *Perſona Eccleſia de* Chelesbury, Robertus de la Wyle *Perſona Eccleſia de* Brideton, Petrus Bolymer *Perſona Eccleſia de* Norrig. *Frater* Willielmus Lyencurt *Procurator Prioriſſa de* Claro Rivo *Ordinis* fontis Ebrardi, *Magiſter* Willielmus de Shireburn *Vicar. Eccleſia beata* Mariæ Sarum, Walterus Bakun *Perſona Eccleſia de* Eudegate, Laur. de Clifford *Perſona Eccleſiarum de* Wynterburn & Thoresby *dupp.* *Prior ſancti* Dioniſii *dupp.* Radulphus de Vaſto Parco *Perſona Eccleſiarum de* Wydindon & Bekynton, Willielmus *fil.* Roberti de Stokes *Perſona Eccleſia de* Buddeſdon, Ricardus le Engleys *Perſona Eccleſia de* Farnham, Willielmus de Motesfonte *Perſona Capella de* Whelpelegh. Hubertus de ſancto Quintino *Perſona Eccleſia de* Belle, Johannes de Shypton *Vicar. Eccleſia beata* Mariæ Sarum, *Abbas de* Corne, Willielmus Attewyle *Perſona Eccleſia de* Staplebrig. Ricardus de la Wyle *Perſona Eccleſia de* Haukecbirche, Nicholaus Attewyle *Perſona Eccleſia de* Childefrome, Willielmus Gaſcelyn *Perſona Eccleſia de* Hiuepiddele, *Magiſter* Willielmus de Wederhale *dupp.* *Abbatiſſa de* Lacock *dupp.* Willielmus de Boclond *Canonicus libera Capella de* Tettenhale, *Prior de* Southwok, Hugo de Goldeſton *Perſona Eccleſia de* Geſtlingthorp, *Frater* Willielmus de Lyencurt *Prior de la* Grave, *generalis Procurator Abbatiſſæ* Fontis Ebraudi *in* Angl. *duppl.* Ricardus Brian *Perſona Eccleſia de* Weſt Grymſtede, Willielmus de Burton *Perſona Capella de* Whadden, Richardus de Wilton *Perſona Eccleſia de* Cumpton-Chamberleyn, *Abbas de* Middelton, Richardus le Engleys *Perſona Eccleſia de* Farnham, Robertus de Leiceſtr. *Perſona Eccleſiarum de* Tarente Vylers & Pencrith, Petrus de Baiona *Perſona Eccleſia de* Shapwyke, Robertus de Micheldeure *firmarius Eccleſia de* Ebbelesburnwak, *Prior de* Staffordale, Nicholaus de Baſſingburn *dupp.* *Prior de* Monaſterio Ederoſo, Willielmus de Molis *Perſona Eccleſia de* Maperton, Robertus de Burbach *Perſona Eccleſia de* Weſtdoene, *Prioriſſa de* Hington, *Prior* Bathon. Johannes de Hyneton *Perſona Capella de* Stanebrigg. Robertus de Cliderhowe, Iterius de Engoliſma *Canonicus Eccleſia ſancti* Patricii Dublin. Hibern. Baldewynus de Caundell *Vicar. Eccleſia de* Horton, Stephanus de Aſſhebur. *Perſona Eccleſia de* Wyly, Andr. de Lincolnia, Richardus de Roteland *Perſona Eccleſia de* Preſtchut, Richardus de Sotwell *Canonicus Eccleſia beata* Mariæ Sarum

Sarum, *Abbas de* Atheluignie, Galfridus *Magiſtr. Hoſpital. ſancti* Johannis de Brigewater, *Magiſter* Robertus de ſancto Quintino *Capellanus*, *Frater* Benedictus *electus de* Abbotesbur. Richardus Fromund *Perſona Eccleſiæ de* Thornfagun, Johannes de Exonia *Clericus*, *Abbatiſſa* de Godeſtowe, Johannes de la Ryvere *Perſona Capella de* Allerleye, Thom. de ſancto Johanne *Perſona Eccleſiarum de* Brienſton & Chanto, *Epiſcopus* Sarum, *Magiſter* Michael de Wodeford *Perſona Eccleſiæ de* Longa Cheſelburn. *An.* 25 *E.* 1.

* Willielmus de Staunton, *Vicar. Eccleſiæ de* Stepel Lauynton, *Teſte Rege apud* Clarendon 6. *die* Martii. *Prioriſſa de* Weſtwode, Osbertus de Baggeſton *Canonicus* Sarum, *Portionar. Eccleſiæ* Sanctæ Tectæ, & *perſona Eccleſiæ de* Burnington, Henricus de Kemeſeye *Cuſtos Domus* Sanctæ Mariæ de Suthampton, & *Perſona Eccleſiæ de* Dumner, V.Villielmus de Cotenham *Vicar. Eccleſiæ de* Creppery, Stephanus de Rommesbur. *Clericus*, Willielmus de Taunton *Perſona Eccleſiæ de* Badekynton, Walterus de Chelteham *Perſona Eccleſiarum de* Dineneye & Whytinton, Tho. de Anna *Perſona Eccleſiæ de* Sulthorn, Johannes de Keyneſham *Perſona Eccleſiæ de* Abbodeſdon, Willielmus de Braybrok *Perſona Eccleſiæ beatæ* Mariæ Sarum, Michael de Godeſhull *Perſona Eccleſiæ de* Sutton Walerand, Galfridus de Pymperley *Perſona Eccleſiæ beatæ* Mariæ de Orthiſton, Nicholaus de Engleys *Perſona Eccleſiarum de* Staunton Abbatiſſæ & de Sideling; Walterus *de ſancto* Auſtolo *Perſona Eccleſiæ de Patyngham*, Johannes de Drax *Perſona Eccleſiæ de* Neweton, Thomas de Ripton *Canonicus Eccleſiæ beatæ* Mariæ Sarum, & *Perſona Eccleſiæ beatæ* Mariæ de Dunheued, *Magiſter* Willielmus de Kerchehull, Aymo de Quarto *Prepoſitus* Lanſon *generalis Procurator* Johannis Judicis *Domini Papæ Notarii*, *Canonici Eccleſiæ beatæ* Mariæ Lincoln. *Prior de* Merton. *dupp. Abbas de* Oſeneye *dupp.* Robertus de Brok *Perſona Eccleſiæ de* Clopham, Godefridus *Epiſcopus* Wygorn. *dupp.* Nicholaus *fil.* Lamberti *Canonicus Eccleſiæ beatæ* Mariæ *de* Nova Sarum; Ricardus de Horton *Vicarius de* Mulleford, Reymundus de Threſcum *Perſona Eccleſiæ de* Chiſemark, Johannes de Trenenedit *Perſona Eccleſiæ de ſancti* Chederi, *Prior de* Badeneſtok *dupp. Prior ſanctæ* Frydeſwyde Oxon. Ricardus de Oſgodby *Perſona Eccleſiæ de* Graynesby, Barthus de Mere *Perſona Eccleſiæ de* Graynesby, Barthus de Mere *Perſona Eccleſiæ de* Fintel Giffard, Hugo de Wenlok *Magiſter Capellæ de la* Hidehall de Clivedon, *Prioriſſa de* Stadlegh *dupp. Prioriſſa de* Garinges; Willielmus de Haddon *Perſona Eccleſiæ de* Melebury *in* Bubbe, Robertus de la Baire *Vicarius Eccleſiæ de* Elyngg. Henricus de Haddon *Perſona Eccleſiæ de* Lydehuch, *Magiſter* Radulphus de Odiham *Perſona Eccleſiæ de* Bradeford Peverel, Thomas de Verdun *Perſona Eccleſiarum de* Farnham & Milham; *Prior Hoſpital. ſancti* Bartholomæi de Neubury, *dupp.* (*Rex præcepit gratioſe quia pauper eſt*) Bogo de Knouill *Perſona Eccleſiæ de* Dene, *Prioriſſa de* Bromhale, (*præcepit Rex gratis quia pauper eſt*) Euſtachius de Henton *Perſona Eccleſiæ de* Inerne Curteneye, Radulphus de Torny *Perſona Eccleſiæ de* Heringeſwell; *Abbas & Conventus de* Bello loco Regis *dupp*, *poſtmodum habuit aliam*, Regin. *Perſona Eccleſiæ de* Wynterburn *Abbatis*, *Prioriſſa de* Rueffarre, Ricardus le Blund *Perſona Eccleſiæ de* Tappelawe, Johannes Mignot *Perſona Eccleſiæ de* Thirnyng, Robertus de Cotehegh. *Perſona Eccleſiæ de* Werdeford, Petrus Poleyn *Perſona Eccleſiæ de* Guſſith, Petrus de Averille *Perſona Eccleſiæ de* Kyngtetonemayn, Galfridus *Perſona Eccleſiæ de* Maynemartell. Rogerus *Perſona Eccleſiæ de* Staunton, Nicholaus *Vicar. Eccleſiæ de* Suthſtok, Willielmus *Perſona Eccleſiæ de* *Sweyneswyk, Johannes *Perſona Eccleſiæ de* Langrygg. Willielmus de Batesford *Perſona Eccleſiæ de* Lakeſtone, *Prior de* Dunſteine, Nicholaus *Perſona Eccleſiæ de* Priſton, Jordanus *Vicar. Eccleſiæ de* Weſton. *juxta* Bathon, Willielmus de la Dunne *per billam de Scaccario tripl.* Malculmus de Harleye, Simon *Perſona Eccleſiæ de* Wimburn Minſtre, *Magiſter* Henr. de la Hyde *Perſona Eccleſiæ de* Melebury, *Magiſter* Willielmus de Wentling *Perſona Eccleſiæ de* Burghelere, Walterus de Falleye, *Perſona Eccleſiæ de* Wolurington *dupp. Vicarius de ſancto* Lucio, *Vicar. Eccleſiæ de* Areton *dupp. Abbas & Conventus de* Dunkeſwelle *dupp.* Henr. de Moy *Perſona Eccleſiæ de* Blankford forum *dupp.* Willielmus de Puntington *Perſona Eccleſiæ de* Hardington, Thomas de Norrigg *Perſona Eccleſiæ de* Wyntreburn. Thomaſton. Willielmus *Perſona Eccleſiæ de* Langetrichell. *per teſtim.* Alani de Plogenet, *Frater* Johannes de Byrne *Prior Cellæ beatæ* Mariæ Magdalenæ *extra* Lincoln. Ricardus *Vicarius de* Nethrewollo, Thom. de Corf *Perſona Eccleſiæ ſancti* Petri Shafton, Robertus de Rympton *Perſona Eccleſiæ de* Longa Blaneford,

* Pat. 25 E. 3. m. 13. dorſo. Protectiones.

* The Pariſh where I was born.

An. 25 E. 1. Blaneford, *Abbas de* Forde *dupp.* Franciſcus de Stockley *Perſona Eccleſia* Neuton *ſancti* Landi, Stephanus *Perſona Eccleſia de* Coſtone, Jordanus de Inſula *Perſona Eccleſia de* Wrington, *Prior de* Fakenhamdam, Philippus de Vaſto prato *Perſona Eccleſia de* Weſtdenehhs, Robertus de S. Nicholao *Perſona Eccleſia de* Eſtkoker, *Magiſter* Robertus de Craft *Perſona Eccleſiarum de* Bedeworth & Eylmelthorp, Brianus de Compton *Perſona Eccleſia de* Twynerton, Nicholaus *Perſona Eccleſia de* Walecote, Alanus *Perſona Eccleſia de* Hampton *juxta* Bathon. Alexander *Perſona Eccleſia de* Paddeworth, Henr. *Perſona Eccleſia de* Waſinges, Thoma *Perſona Eccleſia de* Silhamſtede Banaſtr: Willielmus de Eſtaniaco *Archi.* Lincoln. & *Perſona Eccleſia de* Grenſted, *dupp. Abbas de* Torre, Gerardus de Wyppeyns *Canonicus Eccleſiæ ſancti* Cedde Lychefeld, & *Perſona Eccleſiarum de* Creyſtock & Wadynton. Gulielmus de Peiletree *Clericus Procurator Magiſtri* Lodowici de Bello monte *Theſaurarii Eccleſia beata* Mariæ Sarum, & *Canonici* Wellen. *in* Angliæ *generali, habet protectionem pro ipſo Procurat. & bonis prædicti* Lodowici *in forma communi. Magiſter* Johannes de Ibeſtok *Perſona Eccleſia de* Newechirche, Nicholaus Bynet *Prior de* Warham, Thom. de Capella *Perſona Eccleſiar. de* Blechedon. & Sevenak, Tho. de Frollesbur. *Perſona Eccleſia de* Willehale, Hugelinus de Lavanna *Canonicus Eccleſia beata* Mariæ Sarum, *Abbas de* Dorkceſtre, Ricardus *Vicar. Eccleſia de* Domerham, Willielmus de Preſton. *Vicar. Eccleſia ſancta* Mariæ de Cettre, *Abbas de* Quarroria, Johannes *Vicar. Eccleſia de* Goteſdon, *Prior de* Noketon Park, Willielmus le Goy *Perſona Eccleſia de* Horblanton, Henr. de Eſſhe *Canonicus Eccleſia beatæ* Mariæ Sarum, Ricardi Pay *Perſona Eccleſia de* Bledon *dupp. Abbas de* Wynedon. *dupp.* Clemens de Stanford *Perſona Eccleſia de* Freſhwater, Walterus de Tycheſeud *Perſona Eccleſia de* Colingeburn Comitis *dupp. Prior de* Repindon *dupp.* Walterus de Winton *Perſona Capella de* Staundon, Willielmus *Perſona Eccleſia ſancta* Crucis Sutht. *Magiſtr.* Henr. de Wodeſtok *Perſona Eccleſia de* Bottelegh, Johannes de Inſula *Perſona Eccleſia de* Diretone, Willielmus Cotterel *Perſona Capella ſancti* Johannis Baptiſtæ de Senitlyng, Rogerus *Perſona Eccleſia ſancti* Mich. de Suthr. *Supprior & Conventus de* Monte Acuto, Brunus de Monte Revelli *Perſona Eccleſia de* Sheperton, *Prioriſſa de* Winteneye, Petrus de Bruges *Perſona Eccleſia de* Lanpeter *in* Wall. & *ſancta* Brigide de Nytherwent, Willielmus *Perſona Eccleſia ſancta* Hebbæ Oxon. Radulphus de Oxon. *Perſona Eccleſia de* ——— Nicholaus de Bundeſden *Perſona Eccleſia de* Chakyndon, Willielmus *Vicar. Eccleſia ſancti* Petri in le Eſt, Oxon. Ricardus de Lyons *Perſona Eccleſia de* Beckelnok, Henr. de Preſelond, *Perſona Eccleſia de* Wynesfeld, Regin. *Perſona Eccleſia de* Annæ Abbatis, Johannes *Perſona Eccleſia de* Scure Prewes, Willielmus de Babeton *Perſona Eccleſia de* Selton, Bernardus *Perſona Eccleſia ſancta* Crucis in Cornub. Stephanus *Perſona Eccleſia de* Godmanſton, Robertus de Littlebur. *Clericus*, Ricardus de Herrigge *Perſona Eccleſia de* Suthmorton, Willielmus de Berewyk *Perſona Eccleſia de* Calvedon Harang. Robertus de Berewyk *Vicar. Eccleſia de* Henton. Johannes de Sheffeld, *Abbatiſſa de* Canonlegh, Robertus Smaleman *Perſona Eccleſia de* Yatebur. *Abbas de* Nyweham, Nich. *Vicar. Eccleſia de* Rondes, Johannes de Wynelesford *Perſona Eccleſia de* Suthperet, Rogerus *Prior ſancti* Nicholai Exon. Robertus de Norwico *Perſona Eccleſia de Kynefare*, Coventr. & Lychf. *Dioc.* VVillielmus de VVoelewyk *Perſona Eccleſia de* Chyriton, Robertus de Donam *Perſona Eccleſia de* Anyngton, Jordanus *Perſona Eccleſia de* Alresford, Johannes *Vicar. Eccleſia de* Sutton, Johannes *Vicar. Eccleſia de* Berthon. *juxta* Kenewertheſton, Hugo de Eyton *Perſona Eccleſia de* Lymyngton, Michael de Bernewell *Perſona Eccleſia de* Kingeſton Bagepuz Sarum *Dioc.* Ricardus del Eſpine *Perſona Eccleſia de* Sevenhampton, VVillielmus Man *Perſona Eccleſia de* Cruket Malheby, Johannes de Legh *Perſona Eccleſia de* Suthlegh, Walterus *Perſona Eccleſia de* Soneberge, Robertus de Pydele *Perſona Eccleſia de* Farweye, Willielmus de Conry *Perſona Eccleſia de* North Peret, Ernaldus de Monry *Perſona Eccleſia de* Meriet, Ricus Tuk *Perſona Eccleſia de* Merthuke, Willielmus *Perſona Eccleſia de* Knyghtheton, Nicholaus Moynn *Perſona Eccleſia de* Amme Moynn, Hervicus *Perſona Eccleſia de Manſton*, Willielmus le Bruton *Perſona medietatis Eccleſiæ de* Atford Skelling, Matthias *Perſona medietatis Eccleſia de* Childeatford, Robertus de Derneford *Vicar. Eccleſiæ de* Northperton, *Abbas de* Boclaunde, Ricardus de Wyggehall *Perſona medietat. Eccleſiæ de* Childeacford, Johannes Iraunke *Perſona Eccleſiæ de* Bernolby, *Abbas de* Buffeſtr.

REX

An. 25 E. 1. Pat. 25 E. 1. m. 12.

REX Capitaneo Marinariorum, & eiſdem Marinariis, Vicecomitibus, & omnibus Ballivis & fidelibus ſuis, ad quos, &c. ſalutem. Cum per breve noſtrum de Scaccario reſtitui fecerimus dilecto nobis in Chriſto Priori de *Okeburne* Prioratum prædictum, cum omnibus Terris & Tenementis, Bonis & Catallis, ad Prioratum illum ſpectantibus, tenend. ad voluntatem noſtram; Ita quod nobis inde reddat per annum, quamdiu Prioratum prædictum ſic tenuerit, quandam certam pecuniæ ſummam, ad Scaccarium prædictum, juxta ordinationem in eodem Scaccario inde factam; Nos quieti & tranquillitati ejuſdem Prioris ex hac cauſa providere volentes, ſuſcepimus in Protectionem et Defenſionem noſtram prædictum Priorem, homines, terras, res, redditus, et omnes poſſeſſiones Prioratus prædicti; Et ideo vobis mandamus, quod ipſum Priorem, homines, terras, res, redditus, et omnes poſſeſſiones Prioratus prædicti in Ballivis veſtris manuteneatis, protegatis, et defendatis; non inferentes eis vel inferri permittentes injuriam, moleſtiam, damnum aut gravamen: Et ſi quis forisfactum fuerit, id eis ſine dilatione faciatis emendari. In cujus, &c. dur. uſque ad feſtum ſancti *Michaelis* prox. futur. niſi aliud interim duxerimus ordinand. Nolumus autem, ſet firmiter inhibemus, ne de bladis ſeu aliis bonis et catallis ad prædictum Prioratum ſpectantibus, ubicunque in *Anglia* conſiſtant, ad opus noſtrum aut aliorum quorumcunque, ſine licentia et voluntate prædicti Prioris, aliquid interim capiatis, ſeu capi faciatis, quo minus de eiſdem bladis, bonis et catallis libere diſponere et ordinare, ac commodum ſuum facere poſſit, prout ſibi melius viderit expedire. Teſte Rege apud *Shafton*iam 23 die *Martii*. Per billam de Scacario. Et habuit inde ſex parta.

Conſimiles literas habent ſubſcripti, videlicet; *Frater* Willielmus *Prior de* Hermodeſwort *dupp. Prior de* Barneſtaple, *Frater* Johannes *Prior de* Andeure, *Prior de* Wylmyngton, *Prior de* Frumton *dupp. Prior de* Otriton, *Prior de* Totteneys, *Prior de* Cowyk, *Prior ſancti* Jacobi *juxta* Exon, *Prior de* Eſtnienton *dupp. Prior de* Lodres, *Frater* Nicholaus *Prior de* Toſtes, *Prior de* Upaven, *Prior de* Birſtal, *Prior de* Weſton, *Prior de* Eccleſeld, *Prior de* Blida, *Prior de ſancta* Cruce *in Inſula* Vecta, *Prior de ſancta* Elena, *Prior de* Apeltretumbe, *Prior de* Caresbrok, *Prior de* Brumeſſeld, *Prior de* Anebur. *Prior de* Mobury, *Prior de* Tuardreyd, *Prior de* Clifford, *Prior de ſancto* Neoto. *Teſte Rege apud* Plympton 19 *die* Aprilis. Simon *Prior de* Newent, Osbertus *Prior de* Goldeclive *& dupp.* Willielmus *Attorn. Prioris de* Bekeford, *Frater* Radulphus *Prior de* Ware. *Teſte Rege apud* Weſtm. 26 *die* Junii. *Frater* Matthæus *Prior de* Coges. *Teſte ut ſupra. Frater* Johannes *procurator Abbatis de* Alneto, *Frater* Robertus *procurator Abbatis ſancti* Nicholai Andegavis, *Prior de* Newton Longevill, *Frater* Willielmus *procurator Abbatis de* Sees *in* Anglia, *Frater* Hugo *Prior de* Wedon, *Prior de* Noiona *&* novo Mercato, *Frater* Petrus *Prior de* Pritwell, *Frater* Jacobus *Prior de* Norton *qui eſt cella Abbacia* Cluniacen. *Teſte Rege apud* Weſtm. 24 *die* Julii. *Magiſter de* Specote *Perſona Eccleſia de* Parkham. *Teſte Rege apud* Clyft Epiſcopi 4 *die* Aprilis. Thomas Exon *Epiſc. dupp. Decanus & Capitulum Eccleſia ſancti* Petri Exon. *Magiſter* Willielmus Bloxon *Perſona Eccleſia de* Punteſtok, Paganus *de* Exon. *Perſona Eccleſia de* Dunesford, *Magiſter* Johannes le Petit *Perſona Eccleſia ſancti* Melani, Richardus de Mayeſmor *Perſona Eccleſiarum de* Sutton, Montis acuti, & Sparkeford, *Magiſter* Henricus de Sumerſete *Perſona Eccleſia de* Cury Rivel, Nicholaus *Perſona Eccleſia de* Thurnerton, *Prioriſſa de* Polſſo, Johannes *Perſona Eccleſia de* Cheriton Pagan, Johannes *Perſona Eccleſia* Stodeleye, Walterus de Mellond *præcentor Eccleſia ſancta* Crucis *de* Cridinton, Johannes de Arderne *Perſona Eccleſia de* Stawell, Robertus de Wichio *Perſona Eccleſiarum de* Alvethechirche & Tyderinton, *& Canonici Sancta Trinitatis de* Weſtbur. *Prior de* Plympton, Johannes Tolliro *Perſona Eccleſia de* Tarente Gundevyle, Clemens de la Roche *Perſona Eccleſia de la* Roche, Walterus *Perſona Eccleſia de* Combe Templer. Thomas le Brett *Perſona Eccleſia de* Pegghill, *Abbatiſſa de* Tarenta, Walterus de Cantilupo *Perſona Eccleſia de* Suyteford, Wigorn. *Dioc.* Philippus de Shillingeford *Perſona Eccleſia de* Legh, Thomas *Perſona Eccleſia de* Spectabur, Philippus de Exon. *Archid. de* Berneſtapel, Johannes *Vicar. Eccleſia de* Jenele, Alexander de Muneſtock *Perſona Eccleſia de* Farligh, Philippus *Perſona Eccleſiarum de* Kaentleſbyar. *&* Sancto Tudio, Alexander *Vicar. Eccleſia de* Welington, *Abbas de* Cumber-

An. 25 E. 1. mere, Walterus *Perſona Eccleſia de* Joyford, *Magiſter* Walterus de Stapelton *Perſona Eccleſia de* Aneton Giffard, *Abbas de* Taviſtok, Hugo *Perſona Eccleſia de* Kingeſton *juxta* Genele, Robertus de Lodres *Cuſtos Heremitagii de* Lencombe, Philippus de Sancto Albino *Perſona Eccleſia de* Alrington, *Prior de* Plympton, Johannes de Groſewolde *Perſona Eccleſia de* Parva Derſete, Covent. & Lichf. *Dioc.* Simon de Wybbebur *Perſona Eccleſia de* Chaghford, *Magiſter* Johannes *Perſona Eccleſia de* Puderham, Alanus de Bancumbe *Perſona Eccleſia de* Wemmeworthy, Johannes Tracy *Perſona Eccleſia* Sanctæ Mabene, Willielmus de Chaumberleyn *Prabendarius in Eccleſia* Sanctæ Crucis, Galfridus *Perſona Eccleſia de* Fyneton, *Magiſter* Hamo Perleben *Perſona Eccleſia de* Wyk Sanctæ Mariæ, Willielmus Malet *Perſona Eccleſia de* Aure, Galfridus de Malleſton *Perſona Eccleſia de* Cherleton, *Magiſter* Clemens de Rupe *Perſona Eccleſiarum de* Rupe & *de* Sancto Mewano, David de Sulghene *Prabendar. in Eccleſia* Sanctæ Beriane, *Magiſter* Johannes Wele *Perſona Eccleſia de* Wodeleye, *Magiſter* David *Perſona Eccleſia de* Sbirewell, Henr. *Perſona Eccleſia de* Chilterne Dommor, *Prior de* Launceneton, Johannes de Middleton *Perſona Eccleſia de* Weſton, & *Vicar. Eccleſia de* Otry beatæ Mariæ, Henr. de la Linde *Perſona Eccleſia de* Cheſcumbe, Thomas de Eveſham *Perſona Capella de* Blakelond, Willielmus de Flore *Perſona Eccleſia de* Blake Toriton, *Abbas de* Hertilonde, *Magiſter* Willielmus de Ditton *Perſona Eccleſia de* Tanſtok, Johannes *Perſona Eccleſia de* Farendon, Robertus *Perſona Eccleſia de* Tetteburne, *Abbas de* Clive, Thomas de Stapelton *Perſona Eccleſia de* Suttecumbe, Willielmus *Vicar. Eccleſia beata* Mariæ Majoris Exon. *Prior de* Erytheleſtok, Walterus *Perſona Eccleſia de* Torrebryon, *Magiſter* Radulphus de Bikebir. *Perſona Eccleſia de* Bikebir. Johannes *Vicar. Eccleſia,* Hugo de Exton *Perſona Eccleſia de* Dune Sanctæ Mariæ, Thomas *Perſona Eccleſia de* Bretton, Richardus *Perſona Eccleſia de* Spertegrave, Willielmus Bonde *Perſona Eccleſia de* Pultimore, Johannes de Glaſneya *Perſona Eccleſia de* Cliftwyk, Willielmus de Lamnton *Perſona Eccleſia de* Sancta Ewa, Willielmus de Plumpton *Perſona Eccleſia de* Weſtludeford, Nicholaus Strange *Perſona Eccleſia de* Clyft Fumyeum, Willielmus *Perſona Eccleſia de* Giddeſham, Robertus Gove *Perſona Eccleſia de* Aſſherſton, Robertus *Perſona Eccleſia de* Cumbe Coffyn, Henricus de Pynkeny *Perſona Eccleſia de* Duppeford, Johannes de Exton *Perſona Eccleſia de* Affeton, Hugo *Perſona Eccleſia de* Neweton, Willielmus de Dobenham *Vicar. Eccleſia de* Weſthanney, Nicholaus le Chaumberleyn *Perſona Eccleſia de* Morceſtre Epiſcopi, Rogerus de Cruke *Perſona Eccleſia de* Benanger, Rogerus de Minilaunde *Perſona Eccleſia de* Brodewode, Willielmus de Treyner *Vicar. Eccleſia de* Laneſky, Johannes de Clendon *Perſona Eccleſia de* Neweton, Johannes de Eſcone *Perſona Eccleſia de* Colemere, Johannes le Bygod *Perſona Eccleſiarum de* Framlingham, Erſham, Akele, Teberton & Dyke, Elias *Perſona Eccleſia de* Camelegh, *Abbas de* Malmesbur. Iſaac le Rous *Vicar. Eccleſia de* Porteſeye Sanctæ Mariæ, *Magiſter* Willielmus de Greneſeyld *Perſona Eccleſia de* Gillingham, Jacobus de Cumbe *Perſona Eccleſia* Sancti Stephani Exon. Edward *Perſona Eccleſiæ de* Tarente Kaynes, Galfridus *Vicar. Eccleſiæ de* Cadebyry, Adam *Vicar.. Eccleſiæ de* Portbyry, *Prior de* Daventre, *Abbas* Sancti Auguſtini Briſtoll, Richardus de Erwas *Perſona Eccleſia de* Morchard Erwes, Willielmus *Perſona Eccleſiæ de* Dunſhydiok, Willielmus *Perſona Eccleſiæ de* Wulfardeſworthy, Adam *Perſona Eccleſia de* Lockesbere, Richardus Cotel *Perſona Eccleſia de* Corſcumbe, Nicholaus *Abbas de* Kayneſham, Robertus de Bello Campo *Perſona Eccleſia de* Stoke, Thomas *Perſona Eccleſiæ de* Upperon Pyn. Petrus *Perſona Eccleſia de* Eſtwoggewill, Richardus *Perſona Eccleſia de* Luketon, Johannes de Pulle *Perſona Eccleſia de* Dounteſeye, Adam *Perſona Eccleſia de* Beompton, *Abbas de* Eyneſham, Thomas de Bradeford *Perſona Eccleſia de* Dertington, Johannes de Trillawe *Clericus,* Willielmus *Perſona Eccleſia de* Filelegh, Philippus *Perſona Eccleſia de* Hamme, Johannes *Perſona Eccleſia de* Boclande, *Prior* S. Barth. Glouc. *Abbas de* Cirenceſtr. *dupl.* Willielmus Neel *Perſona Eccleſia de* Eſthereyguy, Nicholaus de Berewyk *Perſona Eccleſiæ de* Coldaſhton, Adam de Waſford *Perſona Eccleſiæ de* Waſford, Elias *Vicar. Eccleſiæ de* Criſteneſtowe, Willielmus de Cerdeſtok *Canonicus Eccleſia beatæ* Mariæ Sarum. *Prioriſſa domus beatæ* Mariæ Magdalenæ Briſtoll, *Magiſter* Willielmus de Ewel *Canonicus Eccleſiæ* Sancti Pauli London, Willielmus *Vicar. Eccleſia de* Cerdeſtok, Thomas *Perſona Eccleſia de* Suth Melton, Richardus *Perſona Eccleſia de* Eſt Wolrington, Petrus *Vicar. Eccleſia de* Yetemenſtr.

Adam

Adam le Blund *Perſona Eccleſia de* Egleſheyl, Johannes *Vicar. Eccleſiæ de* Bukerell, *An.* 25 *E.* 1.
Andr. de Staunton *Perſona Eccleſia de* Staunton, *Abbas de* Sancto Dogmaele,
Macthæus *Vicar. Eccleſia de* Pahembyry, Maur. de Cammull *Perſona Eccleſia de*
Nymetracy, Radulphus *Perſona Eccleſia de* Polham, Odo *Perſona Eccleſia de* Alinton,
Willielmus de Ripton *Perſona Eccleſia de* Bemell, Hugo *Perſona Eccleſia de* Wrythlyngton, Robertus *Vicar. Eccleſia de* Kinggeſteyton, Johannes *Perſona Eccleſia de*
Lillington, Henr. de Shinhok *Perſona Eccleſia de* Portemuth, Johannes de Harecumbe *Perſona Eccleſia de* Cliſthydon, Willielmus de la Perce *Perſona Eccleſia de*
Winterburn, *Prior de* Pilton, Johannes *Perſona Eccleſia de* Nimeth Sanct: Georgii,
Magiſter Richardus *Perſona Eccleſia de* Eſſe, Willielmus de Cherleton *Succentor*
Eccleſia Wellen. & *Perſona Eccleſia de* Cherleton Makerell, *Magiſter* Johannes le
Waleys, Walterus fil. Thom. Stephanus de Welington, Richardus de Sanford,
Simon de Stockelegh, Adam de Sydemuth, Richardus Duſchaunt, Johannes de
Anſtygh, Richardus de Penbrok, Johannes de Eveſham, Edmundus Duſchaunt,
Johannes Sydemuth, Richardus de Brankyſcumbe, Johannes de Lokinton, Robertus Pees, Johannes Fraunceys, Gervaſius de Poghehull, & Walterus le Taylur,
Vicarii Eccleſia Sanctæ Crucis *de* Cridinton, Willielmus de Oxton *Perſona Eccleſia*
de Creucumbe, Hugo *Perſona Eccleſia de* Toddebere, Walterus *Perſona Eccleſia de*
Nithermelecumbe, Andr. *Perſona Eccleſia de* Morleghe, Walterus de Bridewell
Perſona Eccleſia de Whiteſton, Thomas de Cherlton *Perſona Eccleſia de* Pokelechirche, Thomas de Henton *Perſona Eccleſia de* Chireton, *Magiſter* Rogerus de
Ottery *Perſona Eccleſia de* Iſtlington, Johannes *Perſona Eccleſia de* Cumbe *in* Tynhyde, Johannes de Clopham *Perſona Eccleſia de* Clopham, Richardus Sydeners *de*
Aliaceſters *Perſona Eccleſia de* Waterſtok, Johannes de Chicklede, Willielmus *Perſona Eccleſia de* Fromenogbechirche, Johannes de Criſtemaleford *Perſona Eccleſia de*
Crudewell, Richardus de Felmyngham *Perſona Eccleſia de* Hengham, Stephanus
Vicar. Eccleſia de Mucheldener, *Priorissa de* Cornworth, *Magiſter* Willielmus de
Eton *Perſona Eccleſia de* Chilton, *Capitalanus* Wellen. Hugo de Welewick *Perſona*
Eccleſia de Hampton, Ricardus *Perſona Eccleſia de* Bonechirche, Ricardus *Perſona*
Eccleſia ſancti Laurentii de Wa. *Prior de ſancto* Germano, Petrus de Donneſtonde
Perſona Eccleſia de Launſant, Robertus *Vicar. Eccleſia de* Lakynton, Radulphus
de Ferrar *Perſona Eccleſia de* Thurleſton, Johannes *Perſona Eccleſia de* Orchard
juxta Tantone, Hugo de Egredon *Perſona Eccleſia de* Winterburn Weſt, *Perſona*
Eccleſia de Cubberleye, Robertus *Perſona Eccleſia de* Offewell, Galfridus Polland
Clericus, Johannes *Vicarius Eccleſia de* Redborn. Willielmus *Perſona Eccleſia de*
Cumbe ſancti Nicholai, Willielmus *Vicar. Eccleſia de* Ingleſcumbe, Nicholaus de
Terre *Perſona Eccleſia de* Stok in Tynhide, Stephanus *Perſona Eccleſia de* Blakebergh,
Walterus de Turiton *Vicar. Eccleſia de* Dene, Willielmus Poleyn *Perſona Eccleſia*
de Et Aneſty, Petr. de Boyvill, *Perſona Capellæ de* Tengbruere, Thom. de Bockote
Capellanus Capellæ de Heanton Punchardun, Willielmus de Bolton *Capellanus*, Willielmus de Broghton *Vicar. Eccleſia de* Lamerton, Henr. de Langeton *Perſona Eccleſia de* Stoke Magdalene, Jemminanus de Wadelond *Perſona Eccleſia de* Aſhebur.
Johannes *Vicar. Eccleſia de* Lambton, Johannes *Vicar Eccleſia de* Hobbogheton,
Magiſter Johannes de Drayton, Robertus *Perſona Eccleſia de* Hunycherch, Willielmus *Vicar. Eccleſiæ de* Okhampton.

Magiſter Richardus *Perſona Eccleſia de* Whytſton & *Theſ. Eccleſiæ ſanctæ* Crucis Pat. 25 E. 1.
de Credinton; *Teſte Rege apud* Birtlaſt, 8 *die* April. Robertus de Cadamo *Perſona* memb. 10.
Eccleſiæ omnium Sanctorum *de* Kirkeby, Galfridus de Farnham *Vicar. Eccleſia de*
Stokynehamme, *Magiſter* Albertinus de Lavenia *Canonicus Eccleſiæ beatæ* Mariæ
Sarum, Robertus *Perſona Eccleſia de* Radeſtok, Radulphus de Botiller *Perſona*
Eccleſia de Henyton *ſancti* Georgii, Johannes *Perſona Capellæ de* Curilond, Willielmus de Brampton *Perſona Eccleſia de* parva Bytham, Adam *Perſona Eccleſiæ de*
Chepſtapele, Walterus de Scontorre *Capellanus*, Thomas *Perſona Eccleſia de* Beverſtone, Matthæus *Perſona Eccleſia de* Weſtwalverington, Robertus de Cotingham *Perſona Capella* Caſtri Regis Salop. Michael de la Stane *Perſona Eccleſia de* Regeneford, Johannes de ſancto Amando *Perſona Eccleſia de* Northcadbury, Galfridus *Perſona Capella de* Eſtham, Thomas *Perſona Eccleſiæ de* Wondeſtr. Richardus de Alba Marlia *Perſona Eccleſiæ de* Northlegh, Willielmus de Aylefton
Perſona Eccleſia de Walkhampton, *Magiſter* Blaſius de Anaghina *Canon. Eccleſiæ*

An. 25 E. 1. *B.* Mariæ Sarum, Richardus de la Grane *Prior de* Horſleye, Richardus *Subdecanus* Wellen. Godefridus de Lands *Perſona Eccleſia de* Haldeworthi, Alanus de Aſton *Perſona Eccleſia de* Bereford, Richardus de Poreſtok *Perſona Eccleſia de* Acford Aufri, Willielmus *Perſona Eccleſiæ de* Cornwode, Thomas de Eveſham *Perſona Eccleſia de* Yalinton, Rogerus de Abernou *Perſona Eccleſiæ de* Thornbur. Egidius de Byteden *Perſona Eccleſiæ de* Henton, *Magiſter* Johannes Dren *Perſona Eccleſiæ de* Shifford, Johannes *Perſona Eccleſia de* Pole, Willielmus Trenchard *Vicar. Eccleſiæ de* Stowe *beatæ* Mariæ, Thomas de Gorgis *Præcentor* Wellen. Walterus de Nyweton *Perſona Eccleſiæ de* Bradeſtone, Benedictus de Lincoln. *Perſona Eccleſiæ de* Kirkeby, Thomas *Perſona Eccleſiæ Sancti* Pancratii *juxta* Lyn, Johannes de Coleſhull *Perſona Eccleſiæ de* Northbovy, Walterus de Ferar. *Perſona Eccleſiæ de* Byry, Willielmus *Perſona Eccleſiæ de* Ekenesford, Jacob Faunceys *Perſona Eccleſiæ de* Whitchirche, Willielmus *Perſona Eccleſiæ de* Thelebrigg, Henricus Tylly *Perſona Eccleſiæ de* magna Lillington, Thomas *Vicar. Eccleſia* Carampton, Stephanus de Molis *Perſona Eccleſiæ de* Northfull, David de Stakepole *Perſona Eccleſiæ* Okeford, Rogerus *Vicar. Eccleſiæ de* Ermyngton, Willielmus *Perſona Eccleſiæ de* Laurihoern, Rogerus de Abernoun *Perſona Eccleſiæ de* Halesbergh, Willielmus de Nymeton *Perſona Eccleſiæ de* Boklonde, Johannes de Wonyngwill *Perſona Eccleſiæ de* Chirchſtowe, Johannes de Chien *Vicar. Eccleſiæ de* Modbyry, VVillielmus de Whiteley *Capellanus*, Willielmus de Shireburne *Perſona Eccleſiæ de* Tollepudele, Michael *Vicar. Eccleſiæ S.* Egidii *de* Redyng, Richardus *Perſona Eccleſiæ de* Maneton, Philippus de Everdon, Robertus de Everdon *Perſona Eccleſiæ de* Derton, Adam de Chaumpeans *Perſona Eccleſiæ de* Bovelegh, *Magiſter* Thomas de Salesbury *Perſona Eccleſiæ de* Merwenecherche, *Magiſter* Johannes de Everdon *Perſona Eccleſiæ de* Stoke Baſſet, VVillielmus *fil.* Johannis *Perſona Eccleſiæ de* Stoke *juxta* Mare, Herbertus de Ferrar *Perſona Eccleſiæ de* Neuton Freres, VVillielmus de Stoke *Perſona Eccleſiæ de* Exford, Martinus *Perſona Eccleſia de* Blakeaneton, VVillielmus *Perſona medietatis Eccleſiæ de* Bacwell, *Prior de* Bodune, Rogerus *Vicar. Eccleſiæ de* Pyrniton, *Prior de* Bodeleye, Laurentius *Vicar. Eccleſiæ de* Auleſcumbe, *Magiſter* Robertus de la More *Perſona Eccleſiæ de* VVychehampton, Hugo de Caldewell *Perſona Eccleſiæ de* VVytelye, Robertus Fromund *Perſona Eccleſiæ de S.* Thomæ *de* New Sarum, Guydo *Perſona Eccleſiæ de* VVeſton *juxta mare*, Thomas *Perſona Eccleſiæ de* Heauton, Thomas de Berewe *Perſona Eccleſiæ de* Arleye, Johannes *Perſona Eccleſiæ de* Meſdon, Johannes de VVycham *Perſona Eccleſiæ de* Stoke, *Prior de* Harlegh, Hillarius *Perſona Eccleſiæ de* Nanſuit *juxta* Ponton, Philippus *Perſona Eccleſiæ de* Cadelegh, *Abbas de* Neth, Lucas *Vicar. Eccleſiæ de* Brixham, Johannes de Ubeton *Perſona Eccleſiæ de* Kydermeſtr. Richardus *Portionar. Eccleſiæ S.* Eudelyeute, Philippus de Colbelegh *Canonicus Eccleſiæ de* Criditon, Philippus de Micheldeure *Perſona Eccleſiæ de* Froyle, Th. de Froymere *Perſona Eccleſiæ de* Haggeleye, *Magiſter* VVillielmus de la Gare *Præbendar. in Eccleſia de* Nonyngton, Gabriel de Camamille *Præbendar. de* Grimeſton, *Magiſter* Richardus de Hertford *Archid.* Hereford, Nigellus de Kingeſton *Vicar. Eccleſiæ de* Chirchehamme, Johannes *Vicar. Eccleſiæ* VVeſtbury, *Magiſter* Rogerus de Holf *Perſona Eccleſiæ de* Kirkeby, Johannes *Perſona Eccleſiæ de* Nethre Crompton, *Magiſter de* ſancto Omero, *Præbendar. in Eccleſia de* Syene, Henricus de Colecote *Perſona Capellæ de* Rym, VVillielmus de VVyntereſhulle *Perſona Eccleſiæ de* Compton Poundelarge, Richardus de Derteford *Perſona Eccleſiæ de* Shokebroke, Laurentius *fil.* VVarini *Perſona Eccleſiæ de* Alwyngton, Robertus *Vicar. Eccleſiæ de* Forde, Richardus de Kingeſnode *Perſona Eccleſia de* Colewelle, Rogerus de Stapelbrigge *Perſona Eccleſiæ de* Stok Abbatis, Gilbertus Foliot *Perſona de* Hetfeild, VVillielmus *Vicar. Eccleſiæ de* Cherdeſtok, VValterus de Eveham *Vicar. Eccleſiæ de* Caniggs Epiſcopi, Walterus *Perſona Eccleſia de* Ake *in* Tamidene, *Prior de* Calewyck, *Magiſter* VVillielmus de Kingeſcote *Perſona Eccleſiæ de* VVeſtbyry *ſuper* Severne, Johannes de Punz *Præbendar. Eccleſiæ de* VVelinton, & *Magiſter* Rogerus de Cantuar. *Archi.* Salop. Thomas de Kirkeby *Perſona Eccleſiæ de* Stocton, *Decanus & Capitulum* Hereford, *Prior de* Berlich, Henricus *Perſona Eccleſiæ de* Shepton, Johannes de Punz *Præbendar. Eccleſiæ de* VVelinton, *Magiſter* Rogerus de Cantuar. *Archid.* Salop. Richardus de Burington *Perſona Eccleſia de* Were, Richardus de Dune *Perſona Eccleſiæ de* Putteford, Radulphus Blakebury *Capellanus*,

Saerus

An. 25 *E.* 1.

Sterus *Capellanus de* Kynkesbury, Regin. *fil.* Gilberti de Letcheworth *de ſancto* Albano *Capellanus*, *Magiſter* Rogerus de Sevenak *Theſ. de* Hereford, *Magiſter* Ricardus de Swynefeld *Præbend. Eccleſiæ de* Bromyard, David de Alberhale *Perſona Eccleſia de* Landmabo, Johannes de Effincton *Perſona Eccleſiæ de* Mordeford, *Magiſter* Gilbertus de Wyneſeld *Canc.* Hereford. Willielmus de Strete *Perſona Eccleſiæ de* Ken, Rogerus *Vicar. Eccleſiæ de* Eltbrente, Laur. de Grimeſton. *Perſona Eccleſiæ de* Chirchelalleford, *Magiſter* Robertus de Glouc. *Canonicus Eccleſiæ ſancti* Ethelberti Hereford. *Magiſter* Willielmus de Sancto Johanne *Canonicus Præbend. ſancti* Ethelberti, *Præbendar.* de Wythinton. Tho. de la Dane *Perſona Eccleſiæ de* Hampton, Ricardus de Cettano *Perſona Eccleſiæ de* Tyſſebury, Henr. de Moneketon *Porcionar. Eccleſiæ ſanctæ* Endeliente, *Magiſter* Walterus Giffard, Johannes de Hinkele *Vicar. Eccleſiæ de* Eton. Warinus de Pembles *Perſona Eccleſiæ de* Weſtleye, *Magiſter* Willielmus de ſancta Elena *Canonicus Eccleſiæ beati* Petri Exon. Regin. de Campo Ranulphi *Perſona Eccleſiæ de* Ilfridecumbe, Robertus de Lewes *Perſona Eccleſiæ de* Wywelle, Stephanus de Cokinton *Perſona Eccleſiæ de* Honyſhawe, Henr. de Lyneton *Perſona Eccleſiæ de* Rydymore, Thom. de ſancto Albano *Perſona Eccleſiæ de* Holne, Robertus de Hendre *Perſona Eccleſiæ de* Lanreithem, Ricardus Neel *Perſona Eccleſiæ de* Aſshereigny, Willielmus de Braunton *Perſona Eccleſiæ de* Alnerdeſcote, Willielmus de Halton *Perſona Eccleſiæ de* Shenyoke, Rogerus de Cherleton *Perſona Eccleſia ſanctæ* Crucis de Criditon, Thom. le Bret *Perſona Eccleſiæ de* Hywiſh, *Prior de* Sondwell. Walterus Tracy *Perſona Eccleſiæ de* Mortaho, Adam le Jen *Perſona Eccleſiæ de* Halghewylle, Walterus de Rodmarlegh *Præbend. de* Morton, Rogerus *Perſona Eccleſiæ de Candel Marcys*, Godefridus de Renham *Perſona Eccleſiæ de* Chalnele, Rogerus Wele *Perſona Eccleſiæ de* Schroulegh, Robertus de Umframvill *Perſona Eccleſiæ de* Lappeford, Willielmus Dunnynge *Perſona Eccleſiæ de* Bideford, Nicholaus Jen *Perſona Eccleſiæ de la* Whiteton. Robertus de Oldelond *Perſona Eccleſiæ de* Anton. Thom. de Benhanger *Cuſtos* Henr. *Perſona Eccleſiæ de* Tymbresberge, Philippus de Everdon. Robertus *Perſona Eccleſiæ de* Clift *ſancti* Laur. Robertus *Perſona Eccleſiæ de* Duelton, Thom. de Torny *Perſona Eccleſiæ de* Aulton Berner, Ricardus *Vicar. Eccleſiæ de* Monkely, *Magiſter* Thom. de Brerlawe *Perſona Eccleſiæ de* Norham, Thom. de Lutlinton *Canonicus Eccleſiæ de* Heghtredebir, *Magiſter* Jacobus de Bukingham *Canonicus ejuſdem Eccleſiæ*, *Magiſter* Simon de Miggeham *Decanus Eccleſiæ beatæ* Mariæ Sarum, Ricardus de Sancto Claro *Perſona Eccleſiæ de* Aſshe Britell, Robertus la Wayte *Perſona Eccleſiæ de* Chiltecombe, Robertus de Muchegros *Perſona terciæ partis Eccleſiæ* de Leye, Philippus Taleboth *Perſona Eccleſiæ de* Credenhull, Johannes de Wodeford *Perſona Eccleſiæ de* Fladebyr. Jacob *Perſona Eccleſiæ de* Hiſſeleye, Johannes de Saberton *Perſona Eccleſia de* Walleworth, *Magiſter* Rogerus de Boudon. *Perſona Eccleſiæ de* Undel. Drogo *Vicar. Eccleſiæ de ſancto* Brueredo, *Decanus & Capitulum Eccleſia beatæ* Mariæ Sarum, Ricardus de Portlonde *Vicar. Eccleſiæ de ſancto* David *in* Cornub. Johannes Burgoyn *Perſona Eccleſia de* Rolneſton. Ricardus *Perſona meditatis Eccleſiæ de ſancto* Gerendo, Thom. de Glen. *Perſona Eccleſiæ ſancti* Runoni majoris *in* Kerier, Ricardus de Staunford *Perſona Eccleſiæ de* Kayleſthorp, *Prioriſſa de* Feyrwell, Simon de Ralegh *Perſona Eccleſiæ de* Warkelegh, Michael de Clare *Perſona Eccleſia de* Hogefete, Johannes de Clare *Perſona Eccleſiæ de* Sumerton, Willielmus de Clare *Perſona Eccleſiæ de* Hincleſham, Johannes *Perſona Eccleſia de* Melebur. Oſmond, Willielmus de Middelwode *Vicar. Eccleſiæ ſancti* Geneſii, Johannes *Perſona Eccleſiæ de* Pennedemor. Johannes *Vicar. Eccleſiæ de* Axemuth. Radulphus *Perſona Eccleſiæ de ſancto* Manguano, Walterus de Stranſhale *Vicar. Eccleſiæ de Hidon*, Stephanus *Perſona Eccleſiæ de* Bingham, Robertus de Everdon *Perſona Eccleſiæ de* Ludeton, Andr. *Perſona Eccleſia de* Alfington Beſiles, Philippus de Cornub. *Perſona Eccleſia de ſancto* Juſto, Hamelinus *Perſona Eccleſiæ de* Withiel, Willielmus *Perſona Eccleſia de* Parva Hameſton, Petrus *Perſona Eccleſiæ de* Sele Monachorum, Radulphus de Prydias *Perſona Eccleſia de ſancto* Winyero; Henr. *Vicar. Eccleſia de ſancta* Nevellina, Henr. *Vicar. Eccleſia de* Calragge, Nicholaus *Perſona Eccleſia de* Calvenebergh, Rogerus Gervays *Perſona Eccleſia de* Wykham, Peter *Perſona Eccleſia beatæ* Mariæ de Wyltone, Ricardus Gundewyne *Perſona Eccleſiæ de* Bradeford, *Abbas ſancti* Andreæ Werſellin *in* Lumbardia *Perſona Eccleſia de* Ceſtencen, *Magiſter* Robertus de Cumbe *Perſona Eccleſiarum de* Morton, Winterſlare & Aldesfled, Gilbertus *Perſona Eccleſiæ de* Balbecur.

An. 25 E. 1. becur. Thom. de Letthelade *Perſona Eccleſia de* Wympell, Waudricus *Perſona Eccleſia de ſancto* Landoco, Willielmus de Lomeno *Perſona Eccleſia de* Sumerford Mandut, *Abbas de* Teukesbur. *Perſona Eccleſiarum ſancta* Crowenne, *& ſancta* Wenna *in Com.* Cornub. &c. Willus de Wylleme *Perſona Eccleſia de* Hambury, Andr. *Vicar. Eccleſia de* Cerde, Rogerus de Norton *Perſona Eccleſia de Brantefeld*, Willielmus *Perſona Eccleſia de* Sydenham Albemarlie, * *Prior de* Plympton, Johannes *Perſona Eccleſia de* Layneſton, *Magiſter* Henr. de Roghedene *Perſona Eccleſia de* Eſton, *Magiſter* Michael de Haleſton *Perſona Eccleſia de* Wordi Mortmer, Egidius *Perſona Eccleſia de* Bromedene, Walterus *Vicar. Eccleſia de* Hayling, Willielmus Lovel *Portionar. Eccleſia de* Ermynton, Henr. de Lyskeret *Perſona Eccleſia ſancta* Fidis de Sparkford, Walterus de Mercet *Perſona Eccleſia de* Wydecumbe, Adam *Perſona Eccleſia de* Andevere, *Magiſter* Jacobus de Florentia *Perſona Eccleſia de* Brightesſton, *Magiſter* Willielmus de Wymundeſham *Perſona Eccleſia de* Dydeſham, Ricardus *Perſona Eccleſia de* Tanye ſancti Petri, Willielmus Lude *Vicar. Eccleſia ſancti* Petri atte Whytebrede *de* Wynton, Hugo de parva Rydeward *Capellanus*, Ranulphus *Perſona Eccleſia de* Middelton Abbatis, Willielmus de Leucumbe *Perſona Eccleſia de* Nettelcumbe, *Prior ſancti* Jacobi Briſtol. Radulphus *Perſona Eccleſia de* Chisſhalle, Radulphus de la March *Perſona Eccleſia de* Hatch, Ricardus *Vicar. Eccleſia de* Portſmuth, Willielmus de Froyle *Perſona Eccleſia ſancti* Petri de Calebrokeſtrete, Robertus de Chyrewyle *Perſona Eccleſia ſancti* Johannis de Mons, Robertus *Perſona Eccleſia de* Minſtede, Hugo *Vicar. Eccleſia de* Imbeſhete, Simon *Perſona Eccleſia ſancti* Martini de Partheminſtret Wynton, Willielmus de Leyceſtr. *Perſona Eccleſia de* Hereford, *Prior de* Plympton, Thom. *Perſona Eccleſia de* Teynton Dreu, Thom. de Badnunton *Perſona Eccleſia ſancti* Andreæ de Perſhore, *Magiſter* Galfridus de Norwyco *Perſona Eccleſia de* Overebury, Hugo *Decanus* Eccleſiæ de Weſtbur. *Magiſter* Ricardus de Vienna *Perſona Eccleſia de* Olveſton, Petr. *Vicar. Eccleſia de* Cumbe Epiſcopi, Willielmus de Legh *Perſona Eccleſia de* Jacobeſtowe, Nicholaus de Kelly *Perſona Eccleſia de* Kelly, *Magiſt.* Johannes le Flemmeng *Perſona Eccleſiarum de* Peneſtye & Hoghton, Gilbertus *Vicar. Eccleſia de* Dulo, *Prior Hoſpital. Sancti* Johannir deLychefeld. Henricus *Perſona Eccleſia de* Beauford, Johannes de Chen *Perſona Eccleſia ſanctæ* Mariæ, Willielmus de Molis *Perſona Eccleſia de Tykesburne*, Johannes de Halfeknyght *Perſona Eccleſia ſancti* Jacobi *juxta Caſtrum* Wynton, Willielmus de Straunſhale *Perſona Eccleſia de* Wyddeworth, Ricardus *Vicar.* Eccleſ. *de* Bury Pomeray, Rogerus *Vicar. Eccleſia de* Manyngfeld Breweſe, Rogerus de Aſſherugge, *Perſona Eccleſia de* Kingesripton, *Magiſter* Willielmus de Wymundeham *Perſona Eccleſia de* Barton, *Magiſter* Thom. de Cantebrigg. *Perſona Eccleſia de* Leſton, Rogerus de Clare *Perſona Eccleſia de* Deverell, Rogerus *Vicar. Eccleſia ſancti* Bartholomæi, Nicholaus *Perſona Eccleſia de* Aſſelowe, Johannes *Perſona Eccleſia de* Henle, *Abbas de* Alenecestr, Johannes *Perſona Eccleſia de* Ekynton, Walterus de Iweleye *Clericus*, *Magiſter* Adamus Heym *Perſona Eccleſia de* Meuxet, Martinus *Perſona Eccleſia de* Pearcumbe, Johannes de Wolnedon *Vicar. Eccleſia ſancti* Uvelis, Gervaſius de Horton *Perſona Eccleſia de* Ruweberewe, Johannes de Odynſeles *Perſona Eccleſia de* Longhichinton, Willielmus *Vicar. Eccleſia de* Sumbr. Willielmus *Perſona Eccleſia de* Newenton Robertus *Perſona Eccleſia de* Flarel. Walterus *Perſona Eccleſiæ de* Northpidele, *Magiſter* Robertus de Codinton *Clericus*, Rogerus *Vicar. Eccleſia de* Chelureſcote, *Prior de* Kenelworth, *Prior de* Coventre, Johannes *Vicar. Eccleſiæ de* Offechirche, Willielmus *Vicar. Eccleſia de* Bykenhull, Edmundus de Langele *Perſona Eccleſia de* Wolſhamcote, Radulphus *Perſona Eccleſia de* Lodbrik, Ricardus *Perſona Eccleſia ſancti* Pynnoci, Robertus *Perſona Eccleſia de* Monek Okhampton, Walterus *Perſona Eccleſia de* Godelegh, Willielmus *fil.* Bogonis *Perſona Eccleſia de* Hautebray, Ricardus *Vicar. Eccleſia de* Sancto Ido, Radulphus Do *Perſona Eccleſia de* Stokrivers, Alanus de Bloion, *Perſona Eccleſia de Ludewent*, Johannes Rogonis *Perſona Eccleſia de* Porlok, Willielmus de Yevelceſtr. *Vicar. Eccleſia de* Sutton, Benedictus de Plymſtok *Perſona Eccleſiæ de ſancto* Melano, Robertus *Vicar. Eccleſia de* Stetton, Gilbertus de Faryndon *Clericus*, Laur. *Vicar. Eccleſia de* Sperſholte, Rogerus *Perſona Eccleſia ſancti* Stephani, Willielmus de Chinham *Perſona Eccleſia de* Stonham, Johannes de Rople *Perſona Eccleſia de* Wurthy Regis, Willielmus de Turon *Perſona Eccleſia de* Nyweton, Ranulph. *Vicarius Eccleſia de* Habbelenche, Henr.

* ibid. m. 9.

Henr. *Perſona Eccleſiæ de* Sheldeſleye, Hugo *Perſona Eccleſiæ de* Adbrighton, Radulphus *Perſona Eccleſiæ de* Stockton, Robertus de Aure *Capellanus*, Robertus *Perſona Eccleſiæ de* Iweleye, *Magiſter* Johannes le Sage *Perſona Eccleſiæ de* Stanleye, *Magiſter* Henr. de Neuton *Perſona Eccleſiæ de* Wymfred, Walterus *Vicar. Eccleſiæ* de Berkeley, Wilielmus de Staywell *Perſona Eccleſiæ de* Torinton, Henr. de la Hull *de* Lydenye *Capellanus*, *Magiſter* Radulphus de Leiceſter *Perſona Eccleſiæ de* Suthham, Johannes *Vicar. Eccleſiæ de* Lackeſley, Henr. *Perſona Eccleſiæ de* Ilmedon, Robertus de Marſton Botiller *Capellanus*, Thom. Tankard *Clericus de* Wair, Ricardus *Perſona Eccleſiæ de* Alceſtr. *Magiſter* Ricardus de Staneford *Clericus*, Johannes de Bervil *Vicar. Eccleſiæ de* Wolfricheſten, *Prior de* Stodleye, Willielmus de Haullee *Perſona Eccleſiæ de* Morton Bagod, Willielmus *Vicar. Eccleſiæ de* Edington, Willielmus de la Plaunche *Perſona Eccleſiæ de* Witchirche, Richardus de Clare *Perſona Eccleſiarum de* Ebrighton & Camelerton, Oliverus *Perſona Eccleſiæ de ſancti* Hug. de Cornmb. Johannes de Staneweye *Perſona Eccleſiæ de* Rippel, Ricardus de Swanemere *Perſona Eccleſiæ de* Grecham, David *Perſona Eccleſiæ ſancti* Michaelis *de* Penkenel, Gilbertus du Boys *Perſona Eccleſiæ de* Kirkelongeleye, Willielmus *Perſona Eccleſiæ de* Ilkeſdon, *Magiſtr.* Thom. de Stok *Perſona Eccleſiarum de* Kemeſeye & Stanediſſe, Radulphus de Salue *de* Wherewell *Capellanus*, Relenius *Perſona Eccleſiæ de* Wodecote, Henr. *Perſona Eccleſiæ de* Ludefulne, Johannes de Froyle *Perſona Eccleſiæ de ſancti* Johannis de la Forde de Winton, Johannes de Haveryuge *Perſona Eccleſiæ de* Creſham & *de la* Leye, Willielmus *Vicar. Eccleſiæ de* Witteneye. Th. de Peſhale *Perſona Eccleſiæ de* Frompton, Willielmus de Glouc. *Perſona Eccleſiæ de* Berton Sacy, *Magiſter* Johannes de Radeberg. *Perſona Eccleſiæ de* Hertlebyry, Walterus *Perſona Eccleſiæ ſancti* Martini Wygorn. Euſtach. *Vicar. Eccleſiæ de* Taveinton, Elias de Uske *Vicar. Eccleſiæ de* Hereford, Ricardus de Credeleye *Vicar. Eccleſiæ de* Hereford, Johannes de Bolyngop *Capellanus*, Gilbertus *Perſona Eccleſiæ de* Bruge Selers, Willielmus de Alleſlay *Perſona Eccleſiæ de* Stoke Lacy, Philippus ap Howell *Perſona Eccleſiarum de* Mockeys & Thlambyſter, Hugo Donerons *Perſona Eccleſiæ de* Kynardeſleye, Johannes le Werur & Johannes le Mareſchall. *Capellani*, Wilhelmus de Folevile *Perſona Eccleſiæ de* Malmeſhull. Lacy, *Magiſter* Stephanus de Monte Gomeri *Perſona Eccleſiæ de* Donure, Walterus *Capellanus Eccleſiæ de* Mordeford, Walterus *Capellanus de* Byford, Walterus Plumet, *Vicar. Eccleſiæ de* Maddeley, Johannes de la Punde *Vicar. Eccleſiæ ſancti* Ethelberti Hereford, Ricardus de Wys, *Vicar. Eccleſiæ de* Urfelane, Randulphus de Eveſham, Hugo le Carpenter, & Willielmus Mallet *Vicarii Eccleſiæ ſancti* Ethelberti Hereford. Thom *Vicar. Eccleſiæ de* Homme Lacy, Hugo de Ryſebury *Perſona Eccleſiæ de* vetri Radenore, Hugo de Breweſt *Perſona Eccleſiæ de* Penebagg, Galfridus de Balcote *Perſona Eccleſiæ de* Kingeſlowe, *Prior de* Kilpet, Bartholomæus *Perſona Eccleſiæ de* parva Martley, Jacobus de Solers *Perſona Eccleſiæ de* Hope Solers, Hugo *Vicar. Eccleſiæ de* Upton, Henr. de Brom *Perſona Eccleſiæ de* Norton, Galfridus Shyllyng *Vicar. Eccleſiæ de* Ladne, Rogerus de Hales *Perſona Eccleſiæ de* Norton, Johannes *Vicar. Eccleſiæ de* Halberton. Radulphus *Perſona Eccleſiæ de ſancto* Juſto *in* Penewith, David *Vicar. Eccleſiæ de* Laskaret, Henr. le Deneys *de* Liſnewith, Willielmus de Mortuo Mari *Prebendar. Prebenda de* Gorew — Petrus de Langone *Prebendar. Prebenda de* Præſton, Robertus de Hemyngton *Perſona mediet. Eccleſiæ de* malo Parco, Normannus de Brannford *Vicar. Eccleſiæ de* Hardeke, Wiſlielmus *fil.* Roges *Præpoſitus de* Glaſenye, Thom. de la Lude, Ricardus *Perſona Eccleſiæ de* Anaſtacy Winton, Johannes *Perſona Eccleſiæ de* Barneſtaple, Hugo de Leminiſter *Perſona Eccleſiæ de* Southtanton, *Abbas de* Baſingwerk, Robertus le Waleys *Perſona Eccleſiæ de* Clenchewarton, Robertus Burdet *Vicar. Eccleſiæ de* Ekebukelond, Willielmus de Brickhull *Perſona Eccleſiæ de* Monte alto, Robertus de Pulford *Perſona Eccleſiæ de* Codinton, Philippus Gerard *Perſona Eccleſiæ de* Bebington, *Prior de* Birkehened, Stephanus *Perſona Eccleſiæ de* Tilſton, Ricardus de Blecheſegh *Perſona Eccleſiæ de* Northwrthin, *Magiſter* Gilbertus de Arderne *Perſona Eccleſiæ de* Aldeford, Johannes *Vicar. Eccleſiæ de* Tanton Epiſcopi, Rogerus Ingolt *Perſona Eccleſiæ de* Haworthin, *Decanus & Capitulum Eccleſiæ ſancti* Johannis Ceſtr. *Abbas* Ceſtr. *Prior de* Norton, Benedictus *Porcionarius Eccleſiæ de* Northope, Willielmus Duyn *Perſona mediatatis Eccleſiæ de* Malo Paſſu, Robertus *fil.* Bernardi *Perſona Eccleſiæ de* Lotlamſtede, Petrus de Primyngton *Clericus*, *Abbas* *An.* 25 *E.* 1.

An. 25 E. 1. *bas de* Valle Regali, David *Perſona Eccleſiæ de* Kilkenny, Thomas *Vicar. Eccleſia de* Lerky.

Pat. 25 E. 1. m. 15. De Protectionibus.

REX omnibus Ballivis & fidelibus ſuis ad quos, &c. ſalutem. Sciatis quod ſuſcepimus in protectionem & defenſionem noſtram ſpecialem dilectum Clericum noſtrum *Iterium de Ingoliſma* Archidiaconum *Bathon.* homines, terras, res, redditus, & omnes poſſeſſiones ſuas. Et ideo vobis, &c. *ut ſupra.* Teſte Rege apud *Langeley* 18 die *Febr.*

Conſimiles literas de protectione habent ſubſcripti; *viz.* Johannes de Metingham, *Teſte ut ſupra*; Lambertus de Trickingham, *Magiſter* Johannes de Laſcy, *& triplicatur*; Radulphus de Staunford *Capellanus*, *dupl.* Johannes de Drokenesfeld, *dupl.* Henr. de Lenn, Robertus de Walmesford, Thomas de Hoyvill *Clericus*, Robertus de Scardeburgh *dupl.* Richardus de Roff, Willielmus de Burneton *dupl. Magiſter* Edm. de London, *Magiſter* Thomas de Sodinton, *Magiſter* Adam de Aumodeſham, Henr. de Gudeford *Clericus*, Elias de Bekingham, *Magiſter* Thomas de Hale *Clericus*, Humfridus de Waleden, Adam de Waldinfeld, Johannes de Certeſey *Clericus*, *Magiſter* Petrus Aimerici *Perſona Eccleſia de* Pecham, *Magiſter* Guido de Tillebrok *Clericus*, Johannes *Epiſcopus* Winton. *dupl*, Philippus de Willughby *dupl.* Willielmus de Burn *Clericus*, Richardus le Hoſtage de Loutheburgh, Galfridus de Norwico *Clericus*, Egidius de Barenton, *Magiſter* Thomas de Erlee, Richardus de Merton *Clericus*, Audoenus de Monte Gomeri, Johannes Skyp de London, Robertus de Bardelby, Henr. de Thurſton *dupl.* Henr. de Lycheſeld, *Magiſter* Thomas de Abberbir, Nicholaus Tutwyn de Lonſeby, David le Graunt, Henr. de Stanton, *Magiſter* Thomas de Lichefeld, W. Bathon. *& Wellen. Epiſcopus*, Willielmus de la Dune, Nicholaus de Bolingbrok, Willielmus de Felſtede, Nicholaus de Miſterton *Clericus*, Johannes de Berewyk, Adam de Oſgodby, Willielmus de Langele, Henr. de Dunolm. *Prior de* Wymundham, Radulphus de Alegate, *Magiſter* Robertus de Sancto Albano, Nicholaus de Miſterton, Robertus de Middelton *dupl.* Richardus de Keſton *dupl.* Hugo de Hengham *dupl.* Andr. de Kenebolton, Johannes de Staford, Robertus de Aete *Clericus*, Henr. de Shenholt, Thomas de Lavenham, Walterus de Leyceſtr. Rogerus de Leyceſtr. *Clericus*, *Magiſter* Simon *Perſona Eccleſia de* Heyfordwaryn, Henr. de Hales, Walterus de Felſtede *Clericus*, Willielmus de Byrlay, Willielmus de Tronbrugg *Clericus*, Hugo de Nottingham *Clericus*, *& dupl. Magiſter* Henr. de Bray *Clericus*, *Magiſter* Petrus de Dene, Simon. de Wovecote *Clericus*, Hugo de Roubury *Clericus*, W. Elien. *Epiſcopus*, Johannes de Kirkeby *Perſona Eccleſia de* Northmimmes, Robertus de Mar, Robertus de Cornherth, Johannes de Wengham *Præcentor Eccleſia* Sancti Pauli London, *Magiſter* Johannes de Sancto Claro, Willielmus de Perſoure, Henr. de Rolling, Henr. de Fodringeye, Johannes de Reda, Edmundus de Hoo, *Magiſter* Richardus de Graveſend *Archid.* London, Walterus de Norwyco, *Magiſter* Reginaldus de Braundon, Radulphus de Rimnale, Petrus de Lyndeſeie, Richardus Bernard de Hunnewyk, & Johannes fil. Johannis de Arderne. *Et idem* Reginaldus *habet aliam protectionem pro nomine ſuo ſolum*; Bartholomæus de Florentino, *Magiſter* Jacobus Smeband, *Prioriſſa de* Haliwell, Willielmus de Cannill, *Magiſter* Radulphus de Ivingho, Gilbertus de Roubyri, Walterus de Wengham, Johannes Baldock, *Magiſter* Thomas de Abberbury, Willielmus de Norwico, Thomas de Baſing *Clericus*, Robertus de Herierd, Galfridus de Farham, Simon de Farham, *Prioriſſa* Sanctæ Elenæ London, Rogerus de Skyrmyng *Clericus*, Johannes de Silveſton, *Magiſter* Walterus de Dounbrigg, Egidius de Andenardo, *Magiſter* Andr. de Farentino, *Magiſter* Willielmus de Eſſex *Clericus*, *Magiſter* Thomas de Skirminge *Clericus*, Henr. de Batthorp *Clericus*, Nicholaus le Romeyn *Clericus*, Nicholaus de Hatfeld *Clericus*, Johannes Chaynel, Nicholaus de Burton, Nicholaus de Sparkford *Clericus*, Johannes de Lovetot *Clericus*, *Magiſter* Edm. de London *Perſona Eccleſia de* Witcifford; *Idem* Edm. *Canonicus liberæ Capellæ Regis beatæ* Mariæ *in Caſtro Regis* Haſtings, Richardus de Bereford *Clericus*.

What Writs of Protection and reſtitution were granted by the King to other Parſons, Vicars, Abbots, Abbeſſes, Priors, Freers, Biſhops, Eccleſiaſtical or Religious perſons, and to what Sheriffs they were directed, thoſe who pleaſe may peruſe in *Clauſ.* 25 E. 1. m. 22, to 26. where they are recorded.

Sundry

Sundry Clergymen, not being able or willing to purchaſe particular Protections from the King, upon the Archbiſhops and Biſhops ſupplications, (after their ſubmiſſion and reconciliation to the King) had this general Protection iſſued to the Sheriffs of *London*, and other Sheriffs on their behalf. *An.* 25 E. I.

REX *Vicecomitibus* London. *ſalutem. Licet aliqui de Clero qui ſunt infra Ballivam veſtram* Protectionem noſtram forſan non habuerunt tempore retroacto, eo inſtantiam tamen et rogatum *venerabilium patrum* R. *Archiepiſcopi* Cantuar. *& aliorum Epiſcoporum & Prælatorum regni noſtri*, nobis pro eodem Clero ſupplicantium, volentes Clerum eundem ab omni moleſtia et inquietatione indebita protegi et defendi: *Vobis mandamus*, quod omnes et ſingulos de Clero prædicto, homines, terras, res, redditus, et omnes poſſeſſiones eorundem in Ballivâ veſtra deinceps manuteneatis, protegatis et defendatis: non permittentes quantum in vobis eſt, quod prælato Clero aut eorum alicui in perſonis et rebus inferatur injuria, dampnum, moleſtia vel gravamen, non obſtante quod aliqui de Clero prædicto Protectionem noſtram non habuerunt, ſicut prædictum eſt. *Teſte Rege apud Sanctum* Paulum London. 26 *die* Julii. Clauſ. 25 E. I. m. 9. dorſo. Pro Clero protectionem Regis non habente.

The Archbiſhop of *Canterbury* (who procured Pope *Boniface* his premiſed Bull, and was moſt peremptory, ſtout in the proſecution of it, for which all his Temporalties, Goods, Chattels were ſeiſed) being forced to hide his head, and reduced to great extremities, was likewiſe reſtored to the Kings favour and protection at laſt, through the earneſt prayer and mediation of his Suffragan Biſhops on his behalf, upon hopes of his future loyaltie; whereupon the King out of his ſpecial grace iſſued theſe Writs to reſtore his Temporalties, with all his Oxen, Goods and Chattels formerly ſeiſed, in the ſtate they now were.

REX *Vic.* Kanc. *ſalutem.* Licet tibi nuper præceperimus, quod omnia laica feoda Archiepiſcoporum, Epiſcoporum, et totius Cleri de Ballivâ tua, una cum bonis et catallis in eiſdem inventis, ſine dilatione caperes in manum noſtram, et ea ſalvo cuſtodires donec aliud inde præcepiſſemus. Volentes tamen ad inſtantem requiſitionem Prælatorum Cantuarienſis Provinciæ, venerabili patri R. Cantuar. Archiepiſcopo, totius Angliæ Primati, gratiam facere ſpecialem. *Tibi præcipimus*, quod eidem Archiepiſcopo omnia laica feoda ſua, una cum bobus, carucis, et omnibus aliis bonis et catallis ſuis in eiſdem exiſtentibus, occaſione mandati noſtri prædicti in manum noſtram capiſti, in eo ſtatu quo nunc ſunt reſtitui facias indilate. *Teſte Rege apud* Weſtm. 11 *die* Julii. Clauſ. 25 E. I. m. 12. Pro Cantuar. Archiepiſc. de laicis feodis reſtituendis.

Conſimiles littræ dirigunter Vic. Surr. Suſſex. Midd. & Eſſex.

From this premiſed Bull of Pope *Boniface*, prohibiting Clergymen to give or pay any Taxes to Kings for their Kingdoms neceſſary defence againſt publick enemies, without his ſpecial licenſe, under the penalties therein expreſſed, and the premiſed conteſts ariſing thereupon between K. *Edward*, his Prelates and Clergy, our Kings, Nobles, and all others may now obſerve. 1. That this Popes Conſtitution made in *Cathedra*, by the advice and aſſiſtance of his Brethren, was not only *erronious* and *antimonarchical*, but *antichriſtian* and *diabolical*, diametrically contrary to *Chriſts*, St. *Peters* and St. *Pauls* expreſſe precepts and preſidents, recorded in the Goſpel for all Prelates, Chriſtians conſcientiouſly to obey, practiſe, imitate upon all emergent occaſions, *Mat.* 17. 25, 26, 27. c. 22. 16, to 22. *Mar.* 12. 13, to 18. *Luk.* 20. 22, to 27. *Rom.* 13. 5, 6, 7. 1 *Pet.* 2. 11, 13, 15, 16. *Tit.* 3. 1. 2ly. That our Archbiſhops, Biſhops, Clergies procuring of, and ſubmiſſion thereunto, was not only an high contempt againſt *Chriſts* and his Apoſtles precepts, preſidents, as *Chriſtians*, but a moſt ſeditious, trayterous, rebellious practice, againſt their duties, Oathes, Allegiance as *Subjects*, of very dangerous preſident to all Lay-Subjects in like caſes. 3ly. That King *Edwards* heroical oppoſition againſt this Papal Decree, and his ſtrenuous ſevere proceedings againſt his Archbiſhops, Biſhops, Clergy, in putting them out of his Protection, and ſeiſing all their Lands, Goods, Chattels for this offence, whereby he cruſhed this Cockatrice in the ſhell, was not only an act of great courage, juſtice, but alſo of policy and prudence, without which he could

An. 25 E. 1. never have preserved his Royal dignity, Jurisdiction, Crown, against the Popes and Prelates Usurpations on them, nor his Person, Kingdoms, Dominions against his Foreign Enemies invasions. 4ly. That this his turning his Bishops, Clergy out of the Parliament-house, holding a Parliament, and making Laws with his Temporal Lords and Commons without them, is not only justified to be lawfull by our [a] *Law-books*, but likewise by two of our learnedest late Bishops, [b] *Jewell* of *Salisbury*, and [c] *Bilson* of *Wincheſter*, in their authorized Books in defence of the Doctrine of the Church of *England* against Papists and Jesuits; where they assert, **That the King and Temporal Lords and Commons in Parliament, may lawfully make Laws, Statutes, even in matters of Religion, not only by the more part of voyces, although the Archbishops and Bishops were never so earnestly bent against it; and that Statutes so passing in Parliament only by the voyces of the Lords Temporal, without the agreement and consent of the Lords Spiritual, have nevertheless been always confirmed, ratified by the Royal assent of the Prince**; but likewise when they were excluded the Parliament, as in the Statutes of King Edward the 1. *In a Parliament held at* St. Edmondsbury, (*and after that at* Sarum) **the Archbishops and Bishops were quite shut forth, yet the Parliament held on, and good and wholsome Laws were there enacted, the departing, or absence, or malice of the Spiritual Lords notwithstanding. May not the Kings Highness** (addes *Bilson*) **serve Christ in making Laws for Christ, without your** (Popes and Bishops) **liking? Claim you that interest or prerogative, that without you nothing shall be done, by the Laws of God, or by the Charters of the Realm? By the Laws of the Land you have no such privilege. Parliaments have been kept by the King and his Barons, the Clergy wholly excluded, and yet their Acts and Statutes good. And when the Bishops were present, their voyces from the Conquest till this day were never Negative, but Acts passed without and against their votes and protestations**; witnesse 20 H. 3. c. 9. 3 R. 2. c. 2. 7 R. 2. c. 11. 11 R. 2. c. 3. Rot. Parl. nu. 9, 10, 11. 21 R. 2. Rot. Parl. nu. 9, 10. 6 H. 6. Rot. Parl. nu. 27. and other Acts. 5ly. That there is no other means for Kings to support their Crowns against Popes, Prelates, Clergymens Usurpations, but by resolute, rigorous proceedings against them, till they reduce them to due subjection, obedience, and force them to renounce their Antimonarchical Decrees and Innovations against their Prerogatives, as King *Edward* here did, and then received them into his special protection.

And here it is very observable, That as our King *Edward* thus strenuously opposed Pope *Boniface* his Antimonarchical Constitution, against demanding or imposing Subsidies on the Clergy without his previous consent, in *England*, so King * *Philip* the 4th. (though his mortal enemy) encouraged by his heroick previous example, did the like in *France*, publishing this special memorable *Remonstrance* against it; and thereupon extorted a Dispensation from this Pope, for the Prelates and Clergy of his Realm to assist him with Subsidies and their Armes in his Wars against King *Edward* and the *Flemins*, which I shall here insert out of the Charters of *France*, published by *Pierre de Pithou*, and others.

a Keilways Reports, f. 184. Cromptons Jurisdiction of Courts, f 19. Cooks 4 Inst. p. 25

b Defence of the Apology of the Church of England, part 6. ch. 1. divis 1.

c The true difference between Christian Subjection, & Unchristian Rebellion, part 3. p. 540, to 543. See my Antipathy, &c. part 2. p. 458, to 565.

* See Fox Acts & Monuments vol. 1. p. 447, to 458.

* Responsiones nomine *Philippi* Regis ad Bullam *Bonifacii* P. P. 8. Datam *Anagnia* 11 die *Octobris*, Pontificatus sui anno secundo.

* Pierre de Pithou Preuves les Libertez de l'Eglise Gallicane, chap 39. sect. 8. pa. 497, to 1499 m. Treasor des Chartres Registre, c. 19. p 12.

ANtequam essent Clerici, Rex Francix *habebat custodiam regni sui, & poterat statuta facere, quibus ab inimicorum insidiis & nocumentis sibi & regno praecaveret, & per quæ inimicis subtraheret omnino subsidia, quibus ipsum & regnum possent gravius impugnare. Hac de causa Dominus Rex qui nunc est,* **equos, arma, pecunias et similia generali edicto prohibuit extrahi de regno suo,** *ne forsitan talia per malignorum fraudulentiam ad manus inimicorum in Domini Regis & regni prajudicium devenirent; nec hoc simpliciter prohibuit, sed adjecit, hæc* non debere fieri absque ejus licentia speciali: *super hoc habens rectam intentionem, quod quando sibi constaret pro certo, quod talia sic ab ipso prohibita essent bona Clericorum, & quod extrahi de regno, sibi & regno non obessent, nec inimicis prodessent, nulli sic petenti, & promissa probanti, licentiam denegaret.* **Et videtur satis mirabile, quod carissimus filius Papæ** (our King *Edward* the 1. then in hostility with King *Philip*) **non solum Clericorum bona,**

bona, ſed etiam perſonas detinet violenter, (for ſubmitting to this Conſtitution of his) nec propter hoc Dominus Papa ipſum denuntiat ſententiam Excommunicationis incurriſſe. Sancta mater Eccleſia, ſponſa Chriſti, non ſolum eſt ex Clericis, ſed etiam ex Laicis; *imò ſacra teſtante Scriptura,* [a] ſicut eſt unus Dominus, una fides, unum baptiſma, *ſic à primo uſque ad ultimum ex omnibus Chriſti fidelibus,* [b] una eſt Eccleſia ipſi Chriſto cœleſti ſponſo, annulo fidei deſponſata, *quam ipſe à ſervitute peccati, à jugo veteris legis, ac dominio hoſtis antiqui per mortem ſuam miſericorditer liberavit,* qua libertate gaudere voluit omnes illos, tam Laicos quam Clericos, [c] quibus dedit poteſtatem filios Dei fieri, iis videlicet qui credunt in nomen ejus, *& ſuſceperunt Chriſtiana fidei ſacramenta.* [d] Numquid ſolum pro Clericis Chriſtus mortuus eſt, et reſurrexit? abſit. [d] Numquid eſt perſonarum acceptio apud Dominum, ut ſolum Clerici in hoc mundo gratiam, et in futuro gloriam conſequantur? abſit. Sed per indifferentiam [e] omni credenti operanti bonum, per fidem et dilectionem æternæ retributionis præmium repromiſit. *Et quia Clerici in Eccleſia, ut patet per prædicta, ſunt & merito & munere potiores,* non debent, nec poſſunt, niſi forſitan per abuſum, ſibi appropriare, quaſi alios excludendo, Eccleſiaſticam libertatem, loquendo de libertate [f] qua Chriſtus nos ſua gratia liberavit. *Multa verò ſunt libertates ſingulares, non univerſalis Eccleſiæ, ſponſæ Chriſti, ſed ſolum ejus miniſtrorum, quæ cultui divino ad ædificationem populi ſunt, & eſſe debent* * *ſpiritualium deputati.* Quæ quidem libertates per ſtatuta Romanorum Pontificum, de benignitate vel ſaltem permiſſione Principum ſecularium, ſunt conceſſæ; quæ quidem libertates ſic conceſſæ vel permiſſæ, ipſis Regibus ſuorum regnorum gubernationem ac defenſionem auferre non poſſunt; nec ea quæ dictæ gubernationi et defenſioni neceſſaria, ſeu expedientia, * et deliberato bonorum ac prudentium conſilio judicantur, dicente Domino Pontificibus Templi; [g] Reddite ergo quæ ſunt Cæſaris Cæſari, & quæ ſunt Dei Deo. *Et quia turpis eſt pars quæ non ſuo congruit univerſo, & membrum inutile & paralyticum, quod corpori ſuo ſubſidium ferre recuſat,* quicunque ſive Clerici, ſive Laici, ſive Nobiles, ſive ignobiles, qui capiti ſuo vel corpori, hoc eſt Domino Regi et regno, imo etiam ſibimet, auxilium ferre reculant, ſemetipſos partes incongruas et membra inutilia, et quaſi paralytica eſſe demonſtrant: Unde ſi a talibus pro rata ſua ſubventionum auxilia requiruntur, non exactiones, vel extortiones, vel gravamina dici debent; ſed potius capiti, et corpori, et membris, debita ſubſidia; ſed et pro defenſoribus et pugilibus ipſorum, quibus non licet, vel qui non poſſunt pugnare per ſeipſos, ſtipendia præparata: [h] Nemo ſiquidem tenetur pro aliis propriis ſtipendiis militare. *Et quòd ſi inimicorum rabies invaleſceret contra regnum,* conſtat quod bona Clericorum penitus diſſiparentur; quare, multo plus aliis, indigent ab hoſtili impugnatione defendi. Ideoque in naturalis juris injuriam eſſe videtur, prohibere cuicunque ſervo, vel libero, vel Clerico, vel Laico, nobili vel ignobili, clypeum defenſionis objicere contra hoſtilem gladium, aut ſtipendia ſolvere defenſori. [i] Nonne merito Deus tales tradidit in reprobum ſenſum qui jus naturale et antiquum nituntur ſubvertere, pro ſuæ libito voluntatis? Et quis ſapiens et intelligens hæc, non incidit in vehementem ſtuporem, audiens Vicarium Jeſu Chriſti prohibentem tributum dari Cæſari, et ſub anathemate fulminantem, ne Clerici contra injuſtæ perſecutionis incurſus, Domino Regi et regno, imo ſibimetipſis, pro rata ſua manum porrigant adjutricem? Dare vero hiſtrionibus, et amicis carnalibus, et neglectis pauperibus, expenſas facere ſuperfluas in robis, equitaturis, comitatibus, commeſſationibus, et aliis pompis ſæcularibus, permittitur eiſdem, imo conceditur, ad pernicioſæ imitationis exemplum. Hoc enim natura et ratio, jus divinum et humanum pariter deteſtantur, ad illicita frœna laxare, et licita, imo neceſſaria, cohibere. Quis enim ſanæ mentis judicaret licitum et honeſtum ſub anathemate cohibere, ne Clerici, ex devotione Principum incraſſati, impinguati et dilatati, pro modulo ſuo eiſdem Principibus aſſiſtant, contra ingruentes injuſtorum perſecutionum adverſitates, quocunq; coloræ excogitato, doni vel mutui, vel ſubventionis pro ſeipſis, pro Rege et regno pugnantibus, et reſiſtentibus inimicis vi armorum, alimenta præbendo vel ſtipendia perſolvendo? Non enim prudenter attendunt qui talia perhibent, vel renuunt, quod hoc nihil aliud eſt quam inimicos juvare, et crimen læſæ Majeſtatis incurrere, et quaſi velle prodere ipſum Reipublicæ defenſorem; ad quod crimen puniendum

Nota.

a Ephes. 4. 4, 5, 6.
b Ephes. 4. 11, 12. c. 5. 23, 30 28. Hebr. 12. 22, 23.
c Joan. 1. 12.
Mar. 16. 26, 27.
d Rom. 2. 11. Act. 10. 34, 35.
e Rom. 3. 22, 26, 30.
* *ſpecialium.*
* *et.*
g Mat. 22. 21 Rom. 13. 7.
h 1 Cor. 9. 9.
i Rom. 9. 28.

An. 25 E. 1. intendimus plus ſolito, volente Deo oculos aperire. *Deum ſiquidem fide & devotione colimus, & Eccleſiam Catholicam & Miniſtros ejus multipliciter veneramur in terris, ſicut & omnes patres noſtri*; ſed hominum minas, minus rationabiles et injuſtas, minime reformidamus; *nam coram Deo, favente ejus clementia, ſemper juſtitia invenietur in nobis. Nonne Rex* Angliæ, *quondam homo noſter ligius,* *vocatus ad judicium coram nobis, *cum omni ſolemnitate quâ decuit, ad imperium Domini ſui venire contempſit? Quare neceſsè habuimus terras quas à nobis tenebat ad* manum noſtram trahere, *judicio & juſtitia mediante; cujus occaſione dictus Rex* Angliæ *homagio & fidelitate quibus nobis tenebatur, ratione terrarum quas a nobis tenebat in feudum, renunciavit expreſsè, & poſtea contra nos inſurgens crudeliter, prædictas terras ſibi eſt niſus adquirere, non tam vi armorum, quam dolo, via juſtitia, & rationis, & conſuetudinis approbata penitus pretermiſſa. Quis Rex, quiſve Princeps terras feodales ſic à vaſſallo ſuo dimiſſas, & tum multipliciter forifactas, ad ſe non traheret, & non defenderet, tanquam ſuas? Nec ſuper hoc debetur ab aliquo increpari, ſed potius de contrario reprehendi. Et Regi* Theutoniæ *quid potuit vel debuit plus offerri, quod eſſet rationis aut pacis, quàm quod quatuor viri eligerentur idonei, duo pro nobis, & duo pro ipſo, qui de limitibus Regni & Imperii cognoſcerent & tractarent, & quicquid ſuper hoc ordinarent ambo Reges in perpetuum obſervarent. Et ſi prædicti quatuor diſcordarent, ipſi poſſent eligere quintum, qui eorum diſcordiam revocaret: Et ſi dictus Rex* Theutoniæ *de Comitatu* Burgundiæ *conqueratur, ſua querimonia nulla ratione fulcitur. Nam notorium eſt omnibus, quod poſt guerram apertam & diffidationem ſuperbam, à dicto Rege nobis factam, dictum Comitatum nobis duximus acquirendum. Nam in diffidatione ſua contra nos graviora facere minabatur, & jam forſitan feciſſet, ſi adhuc ſibi ſe optuliſſet facultas.* Nonne ſanctæ matri Eccleſiæ nos et anteceſſores noſtri, multa grata ſervitia ab antiquo, et immenſa beneficia contulimus, quibus Miniſtri ejuſdem multo pinguius et glorioſius, quam in aliis regnis temporalibus exaltantur? Super quo velit Deus, quod ingratitudinis vitium non incurrant; non enim debent debitas ſubventiones negare, ſed ultro quicquid habent offerre; præſertim cum videant manifeſte, quod prædicti Reges injuſte, et ſine cauſa rationabili, nos impugnant. Quare modo non luiſſemus ab Eccleſia amplioribus injuriis provocandi, ſed potius ab ea, tanquam a pia matre, fovendi et placandi, et a malis imminentibus efficaciter conſolandi.

* See here p. 583, 584, 585.

Moreover the Archbiſhop of *Rhemes* with the Suffragans and Abbots of his Province (of a different temper from our Engliſh Prelates) made this ſupplication to Pope *Boniface* againſt this his new Conſtitution.

* Pierre de Pithou, ibid. p. 1499. Au treaſor Regiſtre B. 28. fol. 235.

Sanctiſſimo Patri ac Domino ſuo, Domino Bonifacio, *divina providentia Sacroſanctæ* Romanæ *ac Univerſalis Eccleſiæ Summo* Pontifici, *devoti ejus filii, miſeratione divina* Petrus Remenſis *Archiepiſcopus, & Epiſcopi* Remenſis *Eccleſiæ Suffragantes, & Abbates, cum humili ſui recommendatione, devota pedum oſcula beatorum. In hac terreſtri patria Eccleſiam militantem conſtituens providentia Conditoris, tam ex alto providit ſic commoda ſubſtitutione Vicarii gubernandam, qui, ne ipſam tempeſtuoſæ hujus ſæculi fluctuationes confunderent, in turbatione ſibi conſilium impenderet, in tribulatione ſolatium, & in adverſitate ſuccurſum, ut ſic hujuſmodi ſolatii præſidio fulta Vicarii, triumphanti Eccleſia, quæ eſt Chriſti, ad ſalutem humani generis, eò devotius, quò tranquillius, deſerviret. Ad ipſius quippe Vicariatus apicem, diebus noſtris, quod læti referimus, divinæ gratia proviſionis aſſumpti, qualiter ad ſalubre regimen, ſtatum proſperum, & exaltationem felicem ipſius Eccleſiæ, deſideriis ſummis aſpirantes, paternam curam, ſtudium efficax, & indefeſſæ ſollicitudinis operam duxeritis impendendam, univerſalis jam notio publicat, & ipſa rei experientia manifeſtat. Ex hujus ſiquidem deſiderii fervente affectu, quem ad felicem ſtatum univerſalis Eccleſiæ pa-*

* Here, p. 684.

terno more ſolliciti geritis, Beatitudinem veſtram nobiter *conſtitutionem edidiſſe cognoſcimus, per cujus beneficium Eccleſiarum periculis remediare, ſalubriter obviare diſpenditis, et Eccleſiaſticæ libertati voluit utiliter providere. Verum quia excellentiſsimus Princeps, Dominus noſter Rex, ac Principes, Barones, et Domini Temporales, cæterique regnicolæ Franciæ, occaſione ipſius Conſtitutionis, quam oneroſam, gravem, et præjudicialem nimis aſſerunt juri ſuo, cum omnes, tum ſingulos incolas dicti regni, ad defenſionem Regni et Patriæ, omni privilegio, excuſatione et exceptione ceſſantibus, vocare prætendunt, præſertim feodatarios et fideles

les Regis ejuſdem, noſque et alios Prælatos de Regno, quorum quidam per homagium, et fere omnes juramento ſumus fidelitatis adſtricti eidem Domino noſtro Regi, ad jus et honorem ipſius et Regni ſervandum, abſque cujus neceſſario defenſionis præſidio vivere tute non poſſumus, nec defendi a noſtrorum, quorum non deeſt copia, perſecutione continua æmulorum: dura turbatione commoti, per majores in unum conſilio inito, quoad remedium utile benivolentia paterna provideat, irreparabilis cauſæ præjudicium, quod non ſine multa cordium amaritudine recitamus, erroquere diſponunt; ſicque Gallicana Eccleſia, quæ retroactis temporibus in pacis pulchritudine, et libertatis plenitudine conquievit; diverſis jam exponitur fluctuationibus tempeſtatum, fremunt ſcandala, excreſcunt angustiæ, et finalis ruinæ pericula ſunt in promptu. *Ad Apoſtolicæ ſanctitatis providentiam circumſpectam propterea duximus fiducialiter recurrendum, quanta poſſumus devota & unanimi inſtantia ſupplicantes*, ut opportune et ſalubriter provideri dignetur, per quod ſedat ſcandala, et cum præfato Domino Rege, ſuiſque Principibus, et cæteris Temporalibus Dominis dicti Regni, eadem Gallicana ſervet Eccleſia pacis et caritatis ſolitæ unionem, ac ſub alarum ſuarum velamine, et protectionis opportunæ ſuffragio ſuo, noſtris temporibus, uni ſemper impendat creatori devote debitum famulatum. Et ecce venerabiles patres Epiſcopos ad Sanctitatis veſtræ præſentiam propter hoc ſpeciale deſtinamus, qui frequentia ſcandala et imminentia, immo inſtantia in jamnis, hujuſmodi diſcriminoſa pericula, ſenſibus veſtris perfectius explicabunt oraculo vivæ vocis.

An. 25 *E.* 1.

Pope *Boniface*, upon reception and conſideration of the premiſed Declaration and Supplication, ſent this enſuing explanatory Bull to King *Philip*, by which he declared, that his Bull extended not to voluntary grants of aydes by the Clergy, &c. that the Kings of *France* (and by conſequence the King of *England*, and all other Kings, Princes) might in caſes of neceſſity of the State, conſtrain Eccleſiaſtical perſons who were their Subjects, to contribute for the defence of their Realm without ſending to the Pope for his precedent conſent thereto.

* Pierre de Pithou, ibid. n. 10. p. 1500.

*BOnifacius *Epiſcopus Servus ſervorum Dei, chariſſimo in Chriſto filio*, Philippo *Regi* Franciæ *Illuſtri, ad perpetuam rei memoriam*. Etſi de ſtatu regni cujuſlibet, in quo Catholicæ fidei cultus viget, paternæ ſollicitudinis ſtudio cogitemus, ad ſtatum tamen Chriſtianiſſimi Regni Franciæ, in quo ſemper anteactis temporibus erga Romanam Patrem Eccleſiam viguit devotionis integritas, reverentiæ plenitudo reſplenduit, ſerbuit obedientiæ promptitudo, tanto ſolertius aciem conſiderationis extendimus, et circa illud cogitationis noſtræ verſatur inſtantia, quanto ipſum uberiori fabore proſequimur et ſincerius gerimus in viſceribus charitatis. Dudum ſiquidem Paſtoralis officii debitum exequentes in favorem Eccleſiæ et Eccleſiaſticæ libertatis auctoritate Apoſtolica duximus *ſtatuendum, ne Prælati et personæ Eccleſiaſticæ, cujuſcunque dignitatis, ſtatus, aut conditionis exiſtant ſub adjutorii, mutui, vel doni nomine, Imperatoribus, Regibus, Principibus, aut Præſidentibus cæteris præſtent, abſque Apoſtolicæ ſedis auctoritate ſubſidia, quocunque nomine cenſeantur: nebe Imperatores, Reges, ſeu Principes, aut aliter Præſidentes ea imponere, exigere, vel recipere ab eiſdem Prælatis, et perſonis Eccleſiaſticis audeant, certis pœnis adjectis nichilominus in hac parte. *Verum nonnulli noſtræ intentionis ignari, ſuæque prudentiæ inimitentes*, hujuſmodi Conſtitutionem noſtram non rationabili, aut æquitati conſonæ, ſed voluntariæ interpretationi ſubjicere moliuntur: *non attendentes*, quod ad eum qui condidit, interpretatio noſcitur pertinere. Nos igitur huic morbo congruam intendentes adhibere medelam, & *ut cujuſlibet ambiguitatis ſcrupulus in hac parte tollatur, & veritatis puritas elucescat, auctoritate præſentium declaramus*, quod Conſtitutio ipſa, vel ejus prohibitio ad denaria vel mutua, ſeu quæbis alia voluntaria Prælatorum vel perſonarum Eccleſiaſticarum ejuſdem Regni, cujuſcunque ſtatus, ordinis, vel conditionis exiſtant, omni prorſus coactione aut exactione ceſſante, ſe aliquatenus non extendat, *licet ad id forſitan tua, vel ſucceſſorum tuorum, qui pro tempore fuerint, aut tuorum vel eorundem Officialium, ſeu Ducum, Comitum, Baronum, Nobilium, vel aliorum Dominorum Temporalium de Regno prædicto requiſitio curialis & amica præcedat*. Quodque feudalia, cenſualia, ſive jura qualibet in rerum Eccleſiaſticarum datione retenta, vel

*Here, p 684, 685.

alia

An. 25 *E.* 1. alia ſervitia conſueta tibi, tuiſque ſucceſſoribus, Ducibus, Comitibus, Baronibus, Nobilibus, et aliis temporalibus Dominis ſupradictis, tam de jure quam de conſuetudine a perſonis Eccleſiaſticis debita, præfata Conſtitutio non includat, vel aliquatenus comprehendat. Et quod Perſonæ Eccleſiaſticæ pro Eccleſiarum ſuarum utilitatibus compoſitionis aut tranſactionis titulo, vel alio quobis modo, ſeu pro libertatibus acquirendis tecum, et cum tuis ſucceſſoribus, Ducibus, Comitibus, Baronibus, Nobilibus, et aliis temporalibus Dominis præfatis, prout conſcientiis eorum videbitur, et ante conſtitutionem eandem poterant, libere valeant convenire, nec illas per ipſius Conſtitutionis bigorem in iis contingat aliquatenus impediri. *Quodq; Conſtitutio eadem Clericos clericaliter non viventes, ſed ſe mercationibus & mercimoniis, præſertim inhoneſtis & vilibus, vel ſævis immiſcentes actibus non defendat. Adjicimus inſuper hujuſmodi declarationi noſtræ*, Quod ſi tibi et ſucceſſoribus tuis pro univerſali vel particulari ejuſdem Regni defenſione, periculoſa neceſſitas immineret, ad hujuſmodi neceſſitatis caſum ſe nequaquam extendat Conſtitutio memorata; quin potius tu et ſucceſſores tui poſſitis a Prælatis et perſonis Eccleſiaſticis dicti Regni petere ac recipere pro hujuſmodi defenſione ſubſidium vel contributionem, illudque vel illam Prælati et perſonæ prædicti tibi et ſucceſſoribus tuis, * inconſulto etiam Romano Pontifice, teneantur et valeant ſub quotæ nomine, aut alias etiam impertiri; non obſtantibus Conſtitutione prædicta, ſeu quovis exemptionis, aut alio quolibet privilegio, ſub quacunque verborum forma confecto a Sede Apoſtolica impetrato. Quodque neceſſitatis declaratio ſupradicta tuæ et ſucceſſorum tuorum conſcientiis, dummodo ſucceſſores ipſi viceſimum ætatis annum exegerint, relinquatur. Super quo tuam et ſucceſſorum prædictorum conſcientias onerari, ac tibi et eiſdem ſucceſſoribus innoteſcere volumus, quod quicquid recipi ultra ipſius defenſionis caſum contigerit, tu et iidem ſucceſſores in veſtrarum recipietis periculum animarum, ſuper quo niſi tu et dicti ſucceſſores vobis ſalubriter provideritis; attendere poteritis, in quo periculo vos contigerit remanere. *Si vero defenſionis prædictæ tempore hujuſmodi ætatis annum præfati non exegerint Succeſſores*, declaratio neceſſitatis ejuſdem Prælatorum, Clericorum et Laicorum, qui de ipſorum ſucceſſorum ſtricto Concilio, ſeu majoris partis ipſorum fuerint, conſcientiis relinquatur. *Quorum ſimiliter conſcientias onerari volumus, eisque plenius aperiri*, quod ſi quid ultra caſum defenſionis reciperetur ejuſdem, in diſpendium ſalutis Conſiliariorum reciperetur ipſorum, illudque reſtituere teneantur. *Quodque præterea intentionis noſtræ non extitit, nec exiſtit per conſtitutionem prædictam ſeu declarationem præſentem*, jura, libertates, franchiſias ſeu conſuetudines quæ tibi et regno, Ducibus, Comitibus, Baronibus, Nobilibus et quibuſvis aliis Temporalibus Dominis, editionis præfatæ Conſtitutionis tempori, ac etiam ante illud competere noſcebantur, tollere, diminuere, vel quovis modo mutare, aut eis in aliquo derogare, ſeu novas ſervitutes vel ſubmiſſiones imponere. Sed jura, libertates, franchiſias et conſuetudines ſupradicta, tibi et aliis prælibatis illæſa et integra conſervare. Nulli ergo omnino hominum liceat hanc paginam noſtræ declarationis infringere, vel ei auſu temerario contraire. *Si quis autem hoc attemperare præſumpſerit*, indignationem omnipotentis Dei, et beatorum Petri et Pauli Apoſtolorum ejus ſe noverit incurſurum. *Datum apud* Urbem veterem 11 *Kal.* Aug. *Pontificatus noſtri anno tertio.*

* *Nota.*

Moreover the Pope ſent this Bull to the Archbiſhops of *Rhoan*, *Auxerre*, and the Abbot of Saint *Denys* in *France*, that they might conſtrain (and therefore our *Engliſh* Archbiſhops, Biſhops, Abbots, by like reaſon) the Clergy and religious perſons under their Juriſdictions, to yield aids and Subſidies to the Kings of *France*, to defend or reſcue them or their ſonnes from their enemies, eſpecially if taken priſoners by them, notwithſtanding his Conſtitution, without any licenſe from him or his ſucceſſors, which our K. *Edward* did without any ſuch Bull, licenſe or declaration.

* Pierre de Pithou Preuves des Libertez de l'Egliſes Gallicans, ch. 39. ſect. 11. pag. 1503.

* Bonifacius *Epiſcopus, ſervus ſervorum Dei, venerabilibus fratribus, Archiepiſcopo* Rothomagenſi, *& Epiſcopo* Antiſſiodorenſi, *dilecto filio Abbati Monaſterii ſancti* Dionyſii Pariſienſis *Diœceſis, ſalutem & Apoſtolicam benedictionem. Ab olim ante noſtra promotionis primordia generoſam & inclitam Domum* Franciæ, *filios devotionis, & fidei Chriſtique athletas, & Chriſtianitatis pugiles producentem, ſincera & intima charitate dileximus, ac diligere non ceſſamus, ad ſui honoris & exaltationis incrementa felicia ferventibus ſtudiis intendentes.* Sane volentes hactenus, prout debitum noſtri requirit

quirit officii, Eccleſiarum et Eccleſiaſticæ libertatis ſtatui prouidere, ut ad diuini nu- *An.* 25 E. 1.
minis gloriam quietis ſtabilis commodis perfruantur, Conſtitutionem quandam edi-
dimus; per quam prælatis & perſonis Eccleſiaſticis, cujuſcunque dignitatis, ſtatus, aut
conditionis exiſtant, ſub adjutorii, mutui, vel doni nomine Imperatoribus, Regibus,
Principibus aut Præſidentibus cæteris præſtent, abſque Apoſtolicæ Sedis authoritate,
ſubſidia, quocunque nomine cenſeantur; neve Imperatores, Reges, ſeu Principes,
aut aliter Præſidentes ea imponere, exigere, ac recipere audeant, certis pœnis appo-
ſitis, inhibetur. *Verum quia nonnulli ſequentes animi ſui motus, & volentes plus ſapere*
quam ſit opus, conſtitutionem prædictam multifariè multiſque modis exponere ac interpre-
tari conantur: Nos qui proceſſus noſtros per callem juſtitiæ, tramitem æquitatis, & cer-
titudinis ſemitam dirigi, captioſis verborum oraculis omninò poſtpoſitis, affectauimus,
ut omne in hoc tollatur ambiguum, omneque dubium ſubducatur, ac noſtræ intentionis pro-
poſitum clarius eluceſcat, per noſtras literas duximus declarandum, Quod ſi chariſſi-
mus in Chriſto filius noſter Philippus Franciæ Rex illuſtris, vel ejus filius aut filii,
Rege ipſo vivente, ſeu dicti Regi ſucceſſores, ſive ipſorum filius aut filii, ſucceſſo-
ribus ipſis viventibus, ab eorum (quod abſit) hoſtibus caperentur, Prælati et per-
ſonæ Eccleſiaſticæ ſuprædicti pro dictorum Regis et filiorum ipſius, ac ſucceſſorum,
ſuorumque natorum redemptione ſeu recuperatione, non obſtante conſtitutione
prædicta, præſtare ſubſidia teneantur. *Quocirca diſcretioni veſtræ per Apoſtolica*
ſcripta mandamus, quatinus vos, vel duo, aut unus veſtrum per vos, vel alium, ſeu
alios Prælatos, et perſonas Eccleſiaſticas ſuprædictas ad hujuſmodi Subſidium eiſ-
dem Regi et ejus ſucceſſoribus exhibendum authoritate noſtra, ſpiritualiter et tem-
poraliter, prout utilius expedire videritis, appellatione poſtpoſita, compellatis;
invocato ad hoc, *ſi opus fuerit*, auxilio brachii ſæcularis, * non obſtantibus ſi eis aut * *Nota.*
quibuſvis aliis exemptis, et non exemptis per ſpecialia privilegia, ſeu literas ſub
quavis forma ſeu tenore verborum confecta, a Sede Apoſtolica ſit indultum, quod
ad hujuſmodi ſubſidia præſtanda minime teneantur, quodque ad id compelli, ſeu quod
interdici, ſuſpendi vel excommunicari non poſſint, per literas dictæ Sedis non facien-
tes plenam et expreſſam de indulto hujuſmodi mentionem, et quælibet alia præfatæ
Sedis indulgentia generali vel ſpeciali, cujuſcunque tenoris vel expreſſionis fore-
ſtat, per quam præſentibus non expreſſam, vel totaliter non inſertam, effectus ea-
rum impediri poſſit quomodolibet vel differri, et de qua in noſtris literis plenam et
expreſſam, ac de verbo ad verbum oporteat fieri mentionem. *Datum apud* Urbem vete-
rem, 6 *Idus* Auguſti; *Pontificatus noſtri anno tertio.*

What further oppoſitions this *French* King, his Nobles and ſubjects made againſt this proud Popes Bull and uſurpations, I ſhall relate in its due ſeries of time.

Whiles our King *Edward* was buſied in proceeding againſt his undutifull Prelates and Clergy, to reduce them to obedience, by putting them out of his Protection, ſeiſing their Temporalties, goods, chattels, and impriſoning the perſons of thoſe who publiſhed the Popes *Bull*, or excommunicated his Officers for executing his Writs iſſued againſt them, the Archbiſhop of *Canterbury*, with ſome other Prelates and Clergymen, by their clandeſtine inſtigations and diſobedient refractory examples, ſtirred up ſundry of the Nobility and Commons of the Realm againſt the King, by reaſon of divers extorſions, which the Clergies denyal of a timely ayd to ſupply his want of Monies to carry on his Wars, enforced him to exerciſe, againſt the Laws of the Realm, and the liberties and properties of his Subjects, thus related by * our Hiſtorians; *Hoc anno* aurit Rex tributum de lanis, accipiens de quolibet Sacco quadraginta ſolidos, cum prius ultra marcam dimidiam non daretur. *Illo quoque tempore voce præconaria proclamatum fuit per* Angliam, *ut poſſeſſores lanarum exponerent eas venditioni infra menſem in civitatibus aſſignatis, alioqui*, tanquam forisfactura cederent ipſi Regi. *Quæ quidem in die S.* Georgii *quaſi modo prælocuto callidè congregata*, pro forisfactura Regis in Flandriam ſunt tranſvectæ, (or as *Henry de Knyghton* expreſſeth it) *Miniſtri Regis omnes ſaccos lanæ quinarium numerum excedentes*, datis tal-
lis, ad opus Regis acceperunt. Et ab unoquoque ſacco quinarium numerum non
excedente, ab eis nomine malæ toltis 40 ſ. extorſerunt. Et multæ oppreſſiones
fiebant in hunc modum in populo. Rex quoque habuit de quolibet Comitatu duo
millia quarteria frumenti, et totidem de avenis, et carnes ſalſas ſimiliter, ad gra-
vem oppreſſionem populi, *videlicet*, porcinas, bovinas, vaccinas, multorum ſal-
las, nulla ſolutione cuiquam inde facta. His et aliis extorſionibus turbati Comi-

* Th. de Walſingham Hiſt. Angl. p. 35. Ypodigma, pag. 83. 84. Mat. Weſtm. Flores Hiſtor. p. 409, &c. Henry de Knyghton de Event. Angl. l. 3. c. 15 col. 2491, 2493. & Polydor Virgil, Hygden, Fabian, Caxton, Holinſhed, Stow, Speed, Daniel, Baker in An 24 & 25 Ed. 1.

tes

An. 25 *E.*1. tes et Barones Angliæ, Parliamentum ſuum per ſe in *Foreſta* de VVyre, quæ eſt in Marchia, ſtatuerunt. *In craſtino Tranſlationis beati* Thomæ *Martyris, citatis Comitibus & Baronibus regni* Londini, *mandante Rege ſuo* Conſtabulario *& ſuo* Mareſcallo, *Comitibus* Northfolciæ *&* Hereford*iæ, admoneri populi coram ipſis apud S.* Paulum, *adbreviare quæ equitaturas quiſque poſſet invenire ipſi Regi proceſſuro ad bellum. Reſponderunt, ſupplicando*, quatenus imperaret alicui alteri de domo ſua illud officium, eò quod non citati, imò rogati diverterant ad eundem. *Et diſplicuit ſermo iſte in oculis Regis, aſſignatis interim duobus aliis militibus in hujuſmodi officio exequendo.* The VVrits then iſſued for that purpoſe as well to Archbiſhops, Biſhops, Abbots and other Eccleſiaſtical perſons, as to Earls and Lay-men, who held Lands *in Capite* or *Grand Serjeanty*, or had 20*l.* lands or rents by the year, are thus recorded.

Cl. 25 E. 1. m. 14. dorſo. Cedula.

REX Vic. *Ebor.* ſalutem. Quia pro ſalvatione & communi utilitate Regni noſtri paſſagium noſtrum ad partes tranſmarinas jam duximus ſtatuendum, tibi præcipimus in fide quâ nobis teneris firmiter injungentes, quod ſummoneri facias Archiepiſcopos, Epiſcopos, Abbates, Priores, et alias perſonas Eccleſiaſticas, & etiam viduas & alias mulieres de Balliva tua, qui de nobis tenent in Capite, per ſervitium Militare, vel per Serjeantiam, vel de Wardis in manu noſtra exiſtentibus, quod habeant ad nos *London.* die Dominica prox. poſt Octab. ſancti *Johannis Baptiſtæ* prox. futurum, totum ſervitium ſuum nobis debitum, equis & armis benè munitum, & paratum ad transfretandum cum corpore noſtro ad partes prædictas, ad Dei, noſtri, et ipſorum honorem, pro ſalvatione et utilitate ſupradictis. Et ita te habeas in hoc mandato noſtro celeriter exequendo, ne ſi contingat (quod abſit) transfretationem noſtram per defectum tuum impediri, ad te graviter capere debeamus. Teſte Rege apud *Lodres*, 15 die *Maii.*

Conſimiles literæ diriguntur ſingulis Vicecomitibus *Angliæ.* Item *Reginaldo de Grey.*

Ibidem.

REX dilecto Conſanguineo & fideli ſuo *Edmundo* Comiti *Cornub.* ſalutem. Cum pro dampnis & periculis, quæ nobis & toti regno noſtro, per inſidias inimicorum noſtrorum evenire poſſent cautiùs præcavendis, nuper præceperimus ſingulis Vicecom. ejuſdem regni, quod ſcire facerent omnibus illis de Ballivis ſuis infra libertates & extra, qui habent viginti libratas terræ et redditus per annum, & illis ſimiliter qui plus habent, videlicet tam illis qui non tenent de nobis in Capite, quàm illis qui tenent, ut de Equis & armis ſibi providerent, et ſe præpararent indilate; ita quod ſic eſſent prompti & parati ad veniendum ad nos, et eundum cum propria perſona noſtra, pro ſalvatione ipſorum et totius regni noſtri prædicti, quandocunque pro ipſis mandaremus: ac nos paſſagium noſtrum ad partes tranſmarinas, pro ſalvatione hujuſmodi, jam duxerimus ſtatuend. Vos affectuosè requirimus & rogamus, quatinus attendentes, quod vos oportet & condecet, circa ſalvationem & communem utilitatem dicti Regni, manus apponere adjutrices; ſitis ad nos *London.* die Dominica prox. poſt *Octabas* ſancti *Johannis Baptiſtæ* prox. futur. cum equis et armis, parati transfretare cum corpore noſtro ad partes prædictas, ad Dei, noſtri, et veſtri honorem, pro ſalvatione & utilitate ſupradictis, ita quod vobis exinde ad perpetuas gratiarum actiones teneamur. Teſte ut ſupra.

Conſimiles literæ diriguntur *Rogero le Bygod* Comiti *Norff.* & Mareſcallo *Angliæ*, *Humfrido de Bohun* Com. *Hereford.* & *Eſſex.* &c.

Sub eadem forma ſcribitur venerabili Patri *A. Dunelm.* Epiſcopo, cum iſta requiſitione, quod ſit *London*, &c. ut ſupra; cum hominibus, equis et armis munitis decentiori et potentiori modo quo poterit, paratus transfretare, *&c. ut ſupra.* Teſte ut ſupra.

Ibidem.

REX venerabili in Chriſto patri *O.* eadem gratia *Lincoln.* Epiſcopo, ſalutem. Quia paſſagium noſtrum ad partes tranſmarinas, ad Dei, noſtri & veſtri honorem, pro ſalvatione & communi utilitate regni noſtri, jam duximus ſtatuendum; vobis mandamus, quod totum Servitium, quod nobis debetis, habeatis ad nos *London.* die Dominica proxima poſt Octabas ſancti *Johannis Baptiſtæ* proximo futur. equis et armis bene munitum; et paratum ad transfretandum cum corpore noſtro ad partes prædictas, pro ſalvatione & utilitate ſupradictis: Et hoc, ſicut noſtri & veſtri

& veſtri, & totius Regni noſtri honorem et ſalvationem diligitis nullo modo omitta- *An.* 25 E. 1.
tis. Teſte ut ſupra.

Conſimiles literæ diriguntur Epiſcopis ſubſcriptis, viz. *G. Wygorn. W. Elien. W. Bathon. & Wellen. R. Norwyc. N. Sarum, G. Ciceſtr. R. London. R. Hereford. Th. Exon. L. Aſſaven. J. Winton.* Epiſcopo, vel ejus vices gerenti, ipſo agente in partibus tranſmarinis; *W. Coventr. & Lychf.* Epiſcopo, vel ejus vices gerenti, ipſo agente in partibus tranſmarinis.

Moreover, the King to prevent all Letters, Meſſages from the Clergy or others to or from *Rome*, or his Enemies, and to ſtop all perſons from avoyding his Service by running beyond the Seas, iſſued theſe Writs to his Officers in all the Cinque Ports, Port Towns or Creeks in *England*, *Scotland* and *Wales*, not to permit any perſons to paſs out of *England* without his ſpecial licenſe, and to arreſt all ſuch who had any Letters till further order, and ſend all their Letters to him where ever he ſhould then be in *England*.

REX Baronibus & Ballivis Portus ſui *Dovorr.* ſalutem. Quia certis de cauſis, **nolumus quod aliquis quicunque fuerit, Clericus vel Laicus, aliquo modo exeat regnum noſtrum ſine licentia noſtra ſpeciali,** Vobis præcipimus in fide qua nobis tenemini firmiter injungentes, quod per portum villæ prædictæ neminem ſine **hujuſmodi noſtra licentia mare tranſire aliqualiter permittatis.** Et ſi aliquis forſitan, qui mare tranſire voluerit, **ibidem cum literis repertus fuerit, tunc ipſum, cujuſcunque conditionis exiſtat, ſine dilatione arreſtari, literaſque ſic inventas ad nos ubicunque fuerimus in *Anglia* mitti celeriter faciatis, ipſum cum quo literæ illæ inventæ fuerint, nichilominus ſalvo cuſtodiendo, quouſquam inſpectionem literarum illarum habuerimus, et a nobis inde habueritis in mandatis.** Ita tamen quod illi qui literas noſtras de licentia transfretandi ad partes tranſmarinas deferent, juxtà tenorem literarum illarum abſque impedimento valeant transfretare. **Iſtud mandatum noſtrum, ſicut vos et veſtra diligitis exequamini diligenter.** Teſte Rege apud *Caſtleacre*, 31 die *Januar.* Claus. 25 E 1. m. 25. Quod nullus exeat Regnum ſine licentia Regis.

Eodem modo de verbo ad verbum ſcribitur Majori & Ballivis Portus de *Sandwico*, Baron. & Ballivis de *Romenhale*, Baron. & Ballivis de *Heth*, Baron. & Ballivis de *Wynchelſee*, Baron. & Ballivis de la Rye, Baron. & Ballivis de *Haſtings*, Baron. & Ballivis de *Faverſham*, Majori & Ballivis *Sutht.* Majori & Ballivis de *Porteſmue*, Ballivis de *Shorham*, Ballivis de *Donwico*, Ballivis de Gippeſwyco, Ballivis de *Sheford*, Ballivis de *Pevenſhe*, Majori & Ballivis *Briſtoll.* Ballivis de *Herewich*, Ballivis de *Orefond*, Ballivis de *Goſeford*, Ballivis de *Maldon*, Ballivis de la *Pole*, Ballivis de *Inſula Vecta*, Ballivis de *Hardelawe*, Ballivis de *Flynt*, Ballivis de *Holmcoltram*, Ballivis de ſancta *Bega*, Ballivis de *Wyrkington*, Ballivis de *Ravenglas*, Ballivis de *Falemue*, Ballivis *Montis ſancti Michaelis* in periculo maris, Ballivis de *Monſebole*, Ballivis ſancti *Karantaci*, Ballivis de *Oldeſtowe*, Ballivis de *Cloueby*, Ballivis de Shippedenemere, Ballivis de *Welles* & *Holketham*, Ballivis de *Brunham*, Ballivis de *Thornham*, Ballivis de *Lenn*, Ballivis de ſancto *Botolpho*, Ballivis de Salteneye, Ballivis de *Salſleteby*, Ballivis de *Waynflet*, Majori & Ballivis de *Grimesby*, Ballivis de *Kingeſton* ſuper *Hull*, Ballivis de *Ravenſere*, Ballivis de *Scardeburgh*, Ballivis de *Bamburgh*, Ballivis de *Tynemuth*, Majori & Ballivis de *Novo Caſtro* ſuper *Tynam*, Ballivis de Whyteby, Ballivis de *Lancaſtr.* Ballivis de *Cokermue*, Ballivis de *Lynrepole*, Ballivis de *Fordeſham*, Ballivis Prioris ſanctæ *Elenæ* de *Inſula Vecta*, Ballivis de *Newport* in *Inſula Vecta*, Ballivis de *Towemouth*, Ballivis de *Ilfardecumbe*, Ballivis de *Cumbemartyn*, Ballivis de *Dunſterre*, Ballivis de *Strugoyl*, Ballivis de *Uske*, Ballivis de *Goer*, Majori & Ballivis de *Lyn*, Ballivis de *Landſtephan*, Ballivis de *Taltham*, Ballivis de *Haverford*, Ballivis de *Penbrok*, Ballivis de *Sencher*, Ballivis de *Cameys*, Ballivis de *Calgaran*, Ballivis de *Kermerdyn*, Ballivis de *Kardigan*, Ballivis de *Angleſeye*, Ballivis de *Rochelam*, Majori & Ballivis *Ceſtr.* Ballivis de *Aberconweye*, Ballivis de *Lampader*, Ballivis de *Sweyneſeye*, Ballivis de *Karnarvan*, Ballivis de *Kedewelly*, Ballivis de *Muleford*, Ballivis de *Oterimouth*, Ballivis de *Exemue*, cum Portubus *Lulcham* & *Kyen*, & *Toppeſham*, Ballivis de *Sidemouth*, Ballivis de *Teignemue*, Ballivis de *Dertemue*, cum Portu *Totonye*, Ballivis de *Portemue*, Ballivis

An. 25 *E.* 1. livis de *Yalumme* ſub *Nyweton Ferers*, Ballivis de *Plymmue*, cum Portu de *Sutton*, Ballivis Portus de *Lo*, Ballivis de *Faw*).

Eodem modo ſcribitur *Reginaldo de Grey* Juſtic. in fide, *&c.* quod per aliquem Portum ſive Locum in Balliva, ubi naves vel batelli poterunt applicare, neminem ſine hujuſmodi licentia tranſire permittat, *&c.* ut ſupra.

Eodem modo ſcribitur *Johanni de Havering*, Juſtic. *Norwall.*

Eodem modo ſcribitur *Stephano de Penteceſtr.* Cuſtodi quinque Portuum.

Et ſcribitur *Johanni de Warenna* Comiti *Surr.* Cuſtodi Regni & Terræ *Scotiæ*, quod per aliquem Portum vel locum infra Regnum *Scotiæ* prædictum, ubi Naves vel Batelli, &c. ſi aliquis, &c. in aliquo Portuum vel Locorum prædictorum cum literis, &c. cum iſta Clauſ. **Iſtud autem mandatum noſtrum, ſicut nos et honorem noſtrum ac commodum regni noſtri diligitis exequamini diligenter.**

a Henry de Knyghton, de Event. Angl. col. 2493. & Polydor Virgil. Angl. Hiſt. l. 17. p. 338. Mat. Weſtm. p. 409, 410.

[a] *In feſto S.* Matthæi *quibuſdam convocatis Optimatibus regni abſque Clero*, Rex tenuit Parliamentum ſuum apud Salysbyriam, *ubi rogavit quoſdam Magnatum, ut in* Vaſconiam *transfretarent : Et ceperunt ſinguli ſe excuſare. Indignatuſque Rex comminabatur quibuſdam eorum*, vel quod irent, vel quod terras eorum daret aliis ire volentibus. *Et in hoc verbo ſcandalizati ſunt multi, & ſciſma cœpit oriri inter eos. Comes etiam* Mareſchallus *& Comes* Herfordiæ *excuſaverunt ſe dicentes*, Quod officia ſua quæ ſibi jure Hæreditario competebant libenter facerent eundo cum ipſo Rege. *Iteraque prece rogavit Rex Comitem* Mareſchallum *ut iret, & ait*; Libenter tecum vadam, O Rex præcedendo faciem tuam in acie prima, ſicut mihi competit jure hæreditario. *Et Rex*, etiam ſine me ibis cum aliis. *At ille*, Non teneor, nec eſt meæ voluntatis, O Rex, ſine te iter arripere. *Et iratus Rex prorupit in hæc verba, ut dicitur :* Per Deum, ô Comes, aut ibis aut pendebis. *Et ille*, Per idem juramentum, ô Rex, nec ibo nec pendebo. *Et licentia non accepta receſſit*; diſſolutumque eſt Concilium pro illo die. *Confeſtim verò duo Comites iſti* Herfordiæ *&* Mareſchallus *aſſociatis ſibi multis Magnatibus, & plus quam* 30 *Banerettis electis creverunt in populum multum, numeratique ſunt in equis armatis mille quingenti viri expediti ad bellum. Et cœpit eos timere Rex, diſſimulavit tamen. Illi profecti in terras ſuas*, noluerunt Miniſtros Regis permittere, nec lanas, nec cozia, nec extraordinarium quicquam capere, aut aliquid exigere ab invitis, quinimo interdixerunt eis terras ſuas ſub pœna capitis et membrorum, et ſic reſiſtebant Regi et ſuis.

About the ſame time the King of *France* invading *Flanders* with a puiſſant army to conquer it, to divert the King of *England* from aſſiſting the Earl of *Flanders* his confederate, ſtirred up the perfidious *Scots*, (immediately after their * new premiſed Abjurations of all Confederacies with the *French*) to rebel and warr againſt him, by the inſtigation of *William Walleys* his inſtrument. [b] *Eodem anno menſe* Maio, cœperunt Scoti (*inſtigante eos* Willielmo Walleys, *qui ut fertur latro publicus fuerat*) rebellare. *Juſticiarius* Scotiæ, Willielmus de Ormesby, *præceptum Regis exequens*, multos qui Regi Angliæ homagium et fidelitatem facere recuſabant, exilio condemnabit. *Qui præfatum* Willielmum Walleys *ſibi in Principem eligentes, aſſociato ſibi* Willielmo Douglas *qui in reddendo caſtrum* Berwici *ſe Regi dederat, in magnam turmam creverunt. Comite autem* Surriæ *& Theſaurario in* Anglia *exiſtentibus.* Willielmum de Ormesby *Juſticiarium apud* Scone *opprimere cogitabant, ſed ille licet præmunitus, ſuis omnibus pæne relictis ad ſpolia hoſtium, eorum vix evaſit inſidias*, Willielmus Waleyes *cum ſuis palam debacchando in* Anglicos, quoſcunq; inbenire potuit trucidavit. De quibus viros religioſos Anglicos a domitus ſuis quibus profeſſi erant violenter extrabentes, ex iis ſpectaculum facientes, et fœminas quas ſpecialiter reſervabant ad hoc, ligatis ad dorſum manibus vel pedibus, ne fortitan natando evaderent, et ipſis pontibus, coegit ſaltare, vel præcipitari faciebat in flubium, eorum ſubmerſionem in ludibrium convertendo, in interitu eorum et ſubverſione lætantes. *Hæc ideo ſcribere curavi ferocitatem improbæ gentis referare, quæ in iniquis taliter ſuper omnes alias Nationes terræ, quaſi naturaliter contra* Anglicos *poſita eſt*, writes *Henry de Knyghton*, who more largely relates their cruelties, perjuries, treacheries, rebellions, then any other of our Hiſtorians, to whom I refer you ; only I ſhall inſert one obſervable freſh preſident of *Robert de Bruys* a *Scotiſh* Earl his deſperate perjury, treachery and cruelty out of him, ſoon after the breaking forth of this new *Scotiſh* rebellion and warre againſt King *Edward*. [c] *Interim dum talia gerentur* Carliolenſis *Epiſcopus*,

* Here, p. 649, 650, 652, &c.

b Tho. Walſingham, Hiſt. Angl. p. 35, 36. Ypodigma, p. 87. Henr. de Knyghton de Eventib. Angl. l. 3. c. 9, 10. col. 2514, to 2518.

c Henry de Knyghton de Event. Angliæ, l. 1. c. 9. col. 2514.

Epiſcopus, & cæteri viri qui cum eo erant in præſidio Civitatis ejuſdem & Caſtri, timentes de infælicitate & inconſtantia Domini Roberti de Bruys *junioris, Comitis de* Karyk, *miſerunt vocantes eum ut certo die veniret tractaturus cum eis de negotiis Regis*, ſi tamen in fide Regis ipſius perſeverando maneret. *Qui mandatis reſiſtere non audens, venit ad ipſum diem cum omni populo* Galwalliæ, et ſuper ſacra myſteria jurabit, et ſuper gladium ſancti Thomæ juramentum præſtitit, quod Regi noſtro et ſuis contra Scotos et omnes inimicos ſuos fideliter aſſiſteret in conſiliis et auxiliis, damnaque ſua impediret in quanto ſe poſſet ſua facultas extendere, ſactoque juramento reverſus eſt in locum ſuum. *Et congregato populo ut colorem fingeret preceſſit in terras* Willielmi Douglas, *& partem earum combuſſit igni, & uxorem ejus & parvulos ſecum addnxit in* vallem Anandiæ. *Citò tamen poſt dum à conſpiratione* Scotorum *reverteretur ad propria, convocatis militibus patris ſui de terra* vallis Anandiæ *(nam pater ipſius in auſtralibus partibus* Angliæ *moram faciebat) hujus fraudis neſcias, & dixit eis.* Chariſſimi mei, ſcitis, & verum eſt, quod nuper apud Carliolum juramentum præſtiti, de quo ſcitis et auditiſis, ſultum quidem et vi erreptum, nam timore ducens hoc feci corpore ſed non mente, unde contritor et pœnitens valde, ſpero tamen me beneficium abſolutionis conſecutum in brevi. *Verum quia carnem ſuam nemo unquam odio habuit, nec ego habeo*, oportet ut vadam ad populum meum et nationi meæ adjungar, et qua procreatus ſum; *rogo autem vos* ut illud facientes placeat vobis venire mecum, eritiſque mihi conſiliarii et amici chariſſimi. *Cumque differrent reſponſionem in craſtinum, eadem nocte latenter receſſerunt*, potius eligentes damna quæcunque magna ad tempus ſuſtinere, quam fidelitatem Regi Edwardo. factam cum nota infamiæ infringere. *Ipſe vero aſpirans ad regnum, ſicut publicè dicebatur*, adjunctus eſt ad populum perverſum, et cum Epiſcopo Glaſguenſi et Seneſchallo Scotiæ, qui totius mali fabricatores extiterant, conſæderatus eſt. Extunc vero generatio illa perfida et infidelis Scoti, omnes Anglicos quos invenire poterant trucidabant, *inter quos tres* Anglici *viri in villa S.* Andreæ, *qui cum à facie* Willielmi Waleys *& ſuorum fugiſſent in lapidem illum, qui dicitur* petra *vel* acus *Sancti* Andreæ, *credentes ſe poſſe lapidis immunitate muniri*, cum ſancta mater Eccleſia privilegium perdidiſſet, a Scotis inſecuti ſunt, et in eodem lapide interfecti. * He inſtanceth in ſundry other preſidents of their treachery and cruelty; whereof this towards *Hugo de Creſſingham, Rector Eccleſiæ de* Ruddeby, *& capitalis Juſticiarius in Aſſiſis* Eborac. is memorable. Qui cum eſſet præbendarius in multis Eccleſiis et multarum haberet curam animarum, nunquam tamen arma ſpiritualia induit, ſed galeam et loricam in quibus (in bello) corruit, et qui gladio linguæ ſuæ (as a Judge, not Evangeliſt) multos olim extriberat in judiciis multis, gladio tandem perverſorum occiſus eſt. Quem exoriantem, Scoti diviſerunt inter ipſos pellem ipſius per modicas partes, non quidem ad reliquias, ſed in contumelias; *erat enim pulcher & craſſus nimis, vocaverunt que eum non* Theſaurarium *ſed* Traiturarium *Regis, & verius quam credebant; multos enim ſeduxit in die hac, ſed & ipſe ſeductus eſt, qui levis et lubricus, elatus ſuperbia & avaritiæ deditus. Rex commotione audita, militiam totam ultra* Trentam *fluvium aſſignavit Comiti de* Warenna, *præcipiens, ut* Scotorum *audaciam celerius opprimeret, et auctores mali debita juſtitia caſtigaret, ſcripſit etiam* Johanni Comyn *de* Badenau, *& Comiti de* Bowan, *ut memores fidelitatis ſuæ reverterentur in* Scotiam *& populi ſui ſuſcitatum jam tumultum ſedarent. Qui juxta mandatum acceptum in* Scotiam *revertentes, quæ pacis erant ſeguiter exequuntur. Comes de* Warenna *in Provincia* Eboraci *coadunans exercitum, nepotem ſuum* Henricus de Percy *cum militia Communitatis* Carleoli *præmiſit in* Scotiam: *Qui uſque ad villam de* Are *profectus*, Galwidienſes *ad pacem Regis admittere diſponebat. Audito autem quod* Scotorum *exercitus erat* Irwine, *illuc profectus, vidit ultra quendam lacum* Scotorum *exercitum conſedentem*, in quo Capitanei erant Epiſcopus Glaſcuenſis (againſt his former redoubled Oaths under hand and ſeal to the King) Andreas de Morina *Seneſcallus* Scotiæ, *&* Willielmus Waleys; *Miles autem quidam ſtrenuus nomine* Richardus de Lunde, *qui Regi* Angliæ *nunquam homagium fecerat, relictis* Scotis, *factus transfuga, ſe ſtatim* Anglicis *ſociavit. Reliqui pacem petentes, dediderunt ſe ſalvis eis vita & membris, catallis & terris, ita ut omnia uſque in hanc diem eſſent ſimpliciter condonata. Quam pacem promiſſis obſidibus, & ſcripto confecto, admiſit* Henricus, *ſi tamen hoc Regi placeret. Qui ſuper hoc conſultus, ne accepto impediretur itinere in* Flandriam, *annuit poſtulatis. Adveniente Cemi-*

An. 25 E. 1

d Henry de Knyghton de Event. Angl l. 3. c. 10. col. 2519.

An 25 *E.* 1. *te* Warenniæ *cum* Scoti *tergiversando de die in diem transferrent obsides reddere, &* Willielmus Waleys *interim populum adunaret, arbitrantes se* Anglici *proditos, dum* Scotos *invadere disponunt, Episcopus* Glasguensis, *&* Willielmus Douglas, *ne proditionis notam incurrerent, se in sui excusationem protinus reddiderunt; de quibus Episcopus in castro de* Rokesburgia, Willielmus *verò in castro* Berewici *mancipantur.*

e Henry de Knyghton de Event. Angliæ. l. 3. c. 9. col. 2510. Tho. Walsingham, Hist. Angl. p. 36. Mat Parker, Antiqu Eccles Brit. p. 212, 213.

f Here, p. 731.

The King being engaged and peremptorily resolved to go in person into *Flanders* to ayde the Earl against the *French*, thought it expedient before his departure out of *England* to endeavor to reconcile all domestick differences then between him his Prelates, Clergy, Nobles and Commons; for which purpose [e] Parliamentum factum est Londonis in festo Sancti Petri ad vincula, ubi in primis Rex recepit Archiepiscopum in gratiam suam (the prime author of the Clergies, Nobles, Commons oppositions and insurrections against him) omnibus qui ejus erant restitutis eidem usque ad ultimam quadrantem (by the [f] premised Writ) *Deinde præcepit Magnatibus qui tunc aderant,* ut fidelitatem filio suo facerent, ipsumque regni hæredem et suum futurum recognoscerent Dominum. Rex vero de exactionibus in regno factis, per necessitates guerrarum diversarum se erga populum excusavit. *Comes vero* Marescallus *&* Herefordensis *se subtrahentes, cum veniretur ut sua officia transeundo in* Flandriam *exercerent, se super hoc per Nuncios excusabant.* [g] *Eodem tempore* admisso Archiep. Cantuariensi in gratiam Regis atque reddita sibi Baronia sua, *Rex omni rancore deposito ipsum cum suis in specialitatem recepit pristinam & majorem adjunxit. Et confidens a bonitate ejus & constantia, curam & custodiam* Edwardi *filii sui & totius terræ* Angliæ, (as *Knyghton* stories) *adjuncto sibi* D. Regin. de Gray *commisit. Pridie Idus* Julii *ante magnam aulam Regiam* Westmon. *elevatus Rex super gradum ligneum cum filio suo & Archiepiscopo, necnon Comite* Warwic. *ut populum accedens deliniret, coram eo astante populo,* erumpentibus lachrymis veniam de commissis humiliter postulabit: Dicens, se minus bene et tranquille quem Regem deceret ipsos rexisse, portiunculas facultatum suarum quas sibi dederant, seu quas ministri ejus ipso inscio exportarent, adeo acceptasse, ut injuriosos hostium conatus, sitientium sanguinem Anglicanum, sumpta Reipublicæ particula, massa quantius possidenda, potentius expugnaret: *Et addens,* Ecce expositurus me ipsum discrimini propter vos, peto, si rediero, suscipiatis me velut in præsentia habetis, et *ablata omnia reddam vobis. Quod si non rediero, in Regem vestrum meum filium coronetis. *Hac autem, Archipræsule resolutè in lachrymas,* pollicente se fideliter observare, totus populus fidelitatem extensis manibus stipulantur. *Henry de Knyghton* adds, *Rogavitque populum accepta licentia,* ut omnia condonarentur ei, et orarent pro eo: et orabant quidam publice, *alii vero sic, alii vero occulte,* pauci vero bene. *Absentibus interim sponte præfatis Comitibus* usquequo eorum petitio pro allebatione patriæ audiretur. *Dixerunt quidam,* non fuit proficuum Regi in *Flandriam* transfretare, neque ipsos sibi * illic servitia, ab antecessoribus suis insueta præbere; *præsertim ipsis* Scotis *jamdudum more* Wallensium *adhuc se præsente, recidivatis ad pugnam. Postularunt etiam, allegata primitus communitatis exinanitione,* ne de cætero per Angliam tallagia usurparet. *Rursum,* ut libertates contentas in Magna Charta ac de Foresta, in usu extunc efficatius haberentur, et voluntarias super his inductas exactiones, de cætero quasi in irritum revocaret: super quibus non protinus erauditi cum indignatione recesserunt dicti Comites et Barones. *Quo viso, Rex instinctu charitatis confovendæ, suasque victoria acquirenda,* articulos in prædictis Chartis contentos innovari insuper et observari mandabit, exigendo pro hac concessione ab incolis octavum denarium sibi dari. *Qui mos concessus est ei a plebe, in sua tunc Camera circumstante. *Petiit etiam à Clero subsidium, qui respondit,* se velle Summo Pontifici literas supplicatorias dirigere pro conferendi licentia obtinenda. *Igitur datis inducis inter Regem & Comites,* ut uniformes fierent, *& non præsentantibus se prefatis Comitibus conspectui Regio, cernens ipse mora sua amicis suis in transmarinis partibus, ejus adventum expectantibus periculum imminere non modicum. Comitibus prafatis se subtrahentibus,* cum votis Regis non parerent ab eorum officiis absoluti sunt, deditque Rex eorum officia aliis quibusdam qui ministrarent ei. Thoma de Berkeley *Constabulario,* & Galfrido de Monibolza *Marescallo factis, versus mare Rex in* Flandriam *profecturus iter suum dirigit, atque juxta* Wynchelseiam *ubi portum eligerat, consedit, milites viroſque bellatores de diversis*

* See p. 734, 735.

* illuc.

* Mat Westm. p. 410.

g Mat. Westm. An. 1297 pag. 409, 410 Walsing Hist. Angl. p. 36. Ypodigma Neustriæ, p. 84.

diverſis partibus ad ſe confluentes, per dies aliquot expectando : The premiſed Earles being highly offended that they were thus diſplaced ; the King to encreaſe his forces and friends, [h] *de diſcretorum conſilio* Radulphum de Moynhermer *militem, quem filia ſua* Johanna *Comitiſſa* Gloverniæ, *clàm maritum accepit in gravem patris offenſam, de caſtro* Briſtolliæ *fecit educi, & uxori ſuæ reddi, reſtituens eis omnes terras ad Comitatum* Gloverniæ *ſpectantes*, ſervitium quinquaginta Militum in Flandria imponens eiſdem. *Liberavit etiam de carcere Comites de* Aſcales & de Menteth, & Johannem de Comyn, *cum quibuſdam aliis Militibus de* Scotia *qui in Caſtro de* Dunbar, *capti fuerunt, ut ſecum in* Flandria *militarent*, who ſerving him a perfidious *Scotiſh* trick, [i] *Cum enim Rex* Angliæ *ad propria reverſurus veniſſet ad villam quæ* Arde-burgia *dicitur*, Scoti *fere omnes quos ſecum in* Flandriam *duxerat in expeditionem, ab ipſo Rege diſcedentes*, Pariſius *abierunt*, revolting from him to the *French*. Before his departure into *Flanders*, *Rege moram adhuc faciente apud* Wynchelſeyam, *venerunt ei Nuncii ex parte Comitum ſui regni petitiones hujuſmodi in ſcriptis proponentes*, (printed both in *French* and *Latin* in [k] *Henry de Knyghton*, and in *Latin* only in [l] *Thomas Walſingham*) *& rogaverunt eum ut ſubſcriptos Articulos* pro ſe, et pro populo emendare juberet ; *adjiciens, quod ſi Chartam Libertatum confirmare vellet & articulos corrigere*, parati erant omnes eum ſequi et in vitam et in mortem.

An. 25. *E.* 1

h Tho. Walſingham, Hiſt. Angl. p. 37.

i Walſingham Hiſt. Angl. p. 36, 37, 42.

k De Eventibus Angliæ, l. 3. c. 9. col. 2511, 2512. cap. 11. col. 2523.

l Hiſtor. Angl. p. 37, 38, 42. Ypodig. Neuſtriæ, p. 84, 85, 86.

Hæc ſunt nocumenta quæ Archiepiſcopi, Epiſcopi, Abbates et Priores, Comites et Barones, et tota terræ Communitas monſtrant Domino noſtro Regi, & *humiliter rogant eum*, ut ea ad honorem ſuum et *ſalvationem* populi ſui velit corrigere et emendare. *Inprimis*, videtur toti Communitati terræ, quod præmonitio facta eis per breve Domini Regis non erat ſufficiens, quia non exprimebatur certus locus, quo debebant ire, quia ſecundum locum oportebat facere proviſionem, et premuniam habere. Et ſive deberent ſervitium facere, ſive non ; quia dictum eſt communiter, quod Dominus noſter vult transfretare in *Flandriam*, videtur toti communitati, quod ibi non debent aliquod ſervitium facere, quia nec ipſe, nec prædeceſſores ſui ſeu progenitores unquam fecerunt ſervitium in terra illa. Et quamvis ita eſſet, quod deberent ibi ſervitium facere, ut alibi, tamen non habent facultatem faciendi, quia nimis afflicti ſunt per diverſa Tallagia, auxilia, priſas, *videlicet*, de frumentis, avenis, braſſio, lanis, coriis, bobus, vaccis, carnibus, ſalſis, ſine ſolutione alicujus denarii, de quibus ſe debuerant ſuſtentaſſe. Propter hoc dicunt, quod auxilium non poſſunt facere propter paupertatem in qua ſunt, propter Tallagia et priſas antedictas, quia vix habent unde ſe ſuſtentent ; et multi ſunt qui nullam ſuſtentationem habent, nec terras ſuas colere poſſunt. Propter hoc tota terræ communitas ſentit ſe valde gravatam, quia non tractantur ſecundum leges et conſuetudines terræ, ſecundum quas tractari antecеſſores ſui ſolebant habere, ſed voluntarie exeluduntur. Sentiunt etiam ſe multi gravatos ſuper hoc, quod ſolebant tractari ſecundum articulos contentos in Magna Charta, cujus articuli omnes ſunt omiſſi, in majus damnum populo univerſo. Propter quod rogant Dominum Regem, quod velit iſta corrigere ad honorem ſuum et populi ſui ſalvationem. Propter hæc communitas terræ ſentit ſe nimis gravatam de aſſiſa Foreſtæ, quæ non eſt cuſtodita ſicut conſuevit, nec Charta Foreſtæ obſervata, ſed fiunt attachiamenta pro libitu extra aſſiſam, aliter quam fieri conſuevit. Præterea tota communitas ſentit ſe gravatam de vectigali lanarum, quod nimis eſt oneroſum, *videlicet* de quolibet ſacco quadraginta ſolidos, et de lana fracta de quolibet ſacco ſeptem marcas : lana enim Angliæ aſcendit fere ad valorem medietatis totius terræ. Quia vero communitas optat honorem et ſalutem Domino noſtro Regi ſicut tenetur velle, non videtur eis quod ſit ad bonum Regis quod tranſeat in Flandriam, niſi plus eſſet aſſecuratus de Flandrenſibus pro ſe et pro gente ſua, et ſimul cum hoc propter terram Scotiæ, quæ rebellare incepit ipſo exiſtente in terra, et æſtimanti quod pejus facient cum certificati fuerint, quod Rex mare tranſierit. Nec ſolum pro terra Scotiæ, ſed etiam pro terris aliis quæ non ſunt adhuc modo debito ſtabilitæ.

Has petitiones cum Rex apud Odemar *juxta* Wynchelſyam *recepiſſet, reſpondit*, ſe talibus ſine ſuo conſilio non poſſe reſpondere, cujus pars aliqua jam tranſit in *Flandriam*, pars verò aliqua *Londoniis* eſſet relicta. *Rogavit autem per eoſdem nuncios præfatos Comites*, quod ſi ſecum tranſire nollent, ſaltem ipſi vel regno ſuo in ſua abſentia non nocerent ; *ſperabat enim (Deo favente) reverti, & regnum ſuum modo debito*

An. 25. *E.* 1. *bito ſtabilire. Et remiſſi ſunt nuncii levi data licentia.* Hereupon the King to pacifie and give ſome preſent ſatisfaction to his diſcontented Nobles and their adherents, ordered his Councel before his paſſage into *Flanders*, to iſſue forth Commiſſions into all Counties, to inquire of their grievances, and whatever things had been forcibly taken from the Laity or Clergy by his Officers throughout the Realm after the War commenced between him and the *French*, either to guard the ſeas or for any other purpoſe, and to hear and determine the matters of fact, redreſs their grievances, give reparation to the perſons injured, and puniſh the parties offending, as this enſuing Record I met with in the *White Tower*, atteſts.

Bundele brevium de Privato ſigillo, in Turre London. An. 25 E. 1. & Pat. 26. E 1. m. 21. With varies ſomething from the Writ of Privy ſeal. * comence.

COme le Roi avant ſon paſſage vers *Flandre* euſt volunte e deſir de faire redreſcer e amender les grevances faites a ſon poeple, en noun de lui, e ſur ceo envoiaſt ſes lettres par tutez les Contes *Dengleterre*. puꝛ ceſte choſe mettre en effect: ordine eſt par lui e par ſon Conſeil, qe en cheſcun Conte ſoient aſsignez quatre; ceſt aſavoir deus Chevalers, des queux le un ſerra mis par lui, e lautre ſerra pꝛis du Conte, un Clerk, e un home de Religion, qe ſeient bons et leaux, e bien aviſes, puꝛ enquirre de tous maneres de grevances; come des choſes pꝛiſes hoꝛs de ſeint Egliſe, des pꝛiſes de Leynes, Peaus, Quirs, Bles, Beſtes, Charz, Peiſſons, e de totes autres maneres des choſes par mi le Royalme, des Clers et des Lays, puis la Guerre * comotie entre le Roi de France e lui, fuſt ce puꝛ garde de la Mer ou en autre maneꝛe. *E enquirront meiſmes ceaus par qui*, e as queuz, e de quoi, e de combien, e de value, e coment, e en quen maniere ices pꝛiſes e grevances furent faites au pueple. *E ceus aſſignes eient pleinpouer*, de enquerre oir et terminer, auſi bien par office, come a ſuite de partie. E quant la verite de ces choſes ſerra ateinte, le quel que ceo ſeit par garant ou ſans garrant, ce qe ſerra pꝛis ſans garrant ſeit retoꝛne a ceaux, qe e damage ont receu, ſi le tortz feſantz eient de quoi, e outre ceo puni puꝛ le treſpas. *E ſi il neient de quoi, ceaus as queus les garantz e les commiſſions ſont venus, come Viſcontes, Clerks aſſignez, Bailliffs, et autres tiels maneres de Miniſtres reſpoignent pur lour ſouereins qe averont fait tels priſes. E qe de ce qe ſerra trove pris par garant*, le Roi ſerra certifiez, e enfra tant qe il ſe tendꝛont a pairz par reſon.

Dorſo ejuſdem. Fiant Commiſſiones ad exequendum iſtud negotium infraſcriptis perſonis; Domino *Johanni de Inſula*. Domino *Adam de Crokeſday*, Epiſcopo *Norwich*. *Herefordenſi* Epiſcopo; *Ceſtriæ* Epiſcopo, in Comitatibus *Lincoln. Roteland. Northt. Norff. Suff. Glouc. Wygorn. Hereford. Salop. Stafford.* Adjungatur ſibi Dominus *Robertus de Knitele*, *Johannes de Snetterton.*

Domino *Willelmo de Den*, Domino *Willielmo de Sancto Quintino*, Electo *Ebor.* Epiſcopo *Coventr.* Epiſcopo *London. Elienſi* Epiſcopo, Epiſcopo *Hereford.* in Comitatibus *Eſſex. Hertford. Cantebrig. Huntingdon. Ebor. Lancaſtr. Nottingham. Middleſex*: adjungatur dicto Domino *W.* Dom. *Rogerus Brian*, *Petrus Bocard*, Dom. *J. de Bankewell*, loco Militis.

Domino *Johanni Bankewell* in loco Militis, Dom. *Johanni de Burn*; Epiſcopo *Lincoln.* Epiſcopo *Coventr.* Epiſcopo *Winton.* Epiſcopo *Sarum*; in Com. *Kanc. Suſſex. Surr. Southton. & Wiltes*, *Bokyngham*, *Bedford. Oxon. Leyceſtr. Warwic.* adjungatur dicto *J de Bankewell*, Dom. *Sauvage*, Dom. *Johanni de Wylby*, *Ciceſtr.* Epiſcopo, Epiſc. *Winton. Exon. Sarum.* Domino *Johanni Randulph*, Epiſcopo *Sarum*, Epiſcopo *Bathon.* Epiſcopo *Exon.* in Com. *Berks. Somerſet. Dorſet. Devon. Cornub.* adjungatur Dom. *Richardus de Coleſhull*, Dom. *J. Randulf.*

* Pat. 26. E. 1. m. 21. The Patent Roll thus varies from the Writ of Privy ſeal.

* Prædicti Milites aſſignentur ad pꝛæmiſſa facienda, una cum Clericis & Religioſis quos Epiſcopi ſingular. Dioc. duxerint deputandos: Et ſuper hoc ex parte Regis ſcribitur eiſdem Epiſcopis.

In purſuance whereof theſe Commiſſions were iſſued under the Great Seal, in French *and* Latin, *in this form.*

Pat. 26 E. 1. m. 21. De inquirendo ſuper gravaminibus populo regni factis in ſingulis comitatibus Angliæ.

REX dilectis & fidelibus ſuis, *Willielmo Inge* & *Johanni de Cokefeld*, ſalutem. Cum nuper ante transfretationem in *Flandriam*, habuerimus voluntatem et deſiderium, gravamina populo Regni noſtri, nomine noſtro facta, facere emendare, & ſuper hoc miſerimus litteras noſtras patentes per comitatus ſingulos dicti Regni; nos hujuſmodi negocium effectui debito mancipari volentes, aſſignavimus vos in Comitatibus *Lincoln. Roteland. Norht. Norff.* & *Suff.* una cum Clericis et Religioſis, quos locorum Diœceſani ad hoc durerint deputandos, ad inquirendum per ſacra-

ſacramentum proborum & leg. hominum de Comitatibus prædictis, per quos rei veritas melius ſciri poterit, ſuper hujuſmodi gravaminibus, veluti de rebus captis in Eccleſiis, necnon de lanis, pellibus, coriis, bladis, animalibus, carnibus, piſcibus, et omnibus aliis rebus in Eccleſiis et extra ſimiliter captis et aſportatis per Com. prædictos, tam de Clericis quam de Laicis, ſive pro cuſtodia maris, vel alio modo quocunque, poſt guerram inter nos et Regem *Franc.* inchoatam, et ad ea omnia et ſingula audienda et terminanda, tam ex officio vobis per præſentes commiſſo, quam ad ſectam cujuſlibet conqueri ſe volentes, et ad faciendum ulterius in præmiſſis, jurta ſormam Ordinacionis per nos et conſilium noſtrum inde factæ, * quam ſigillo noſtro vobis mittimus conſignatam, et prout de jure et ſecundum legem et conſuetudinem Regni noſtri fuerit faciendum. Et ideo vobis mandamus, quod ad certos dies et loca quos ad hoc provideritis in forma prædicta, &c. Salvis nobis amerciamentis & aliis ad nos inde ſpectantibus. Mandavimus enim Vic. noſtris Com. prædictorum, quod ad certos dies & loca quos eis ſcire facietis, venire faciant coram vobis, tot & tales probos & leg. homines de ballivis ſuis per quos rei veritas in præmiſſis melius ſciri poterit & inquiri, et ſimiliter locorum Diœceſanis, quod hujuſmodi Clericos et Religioſos cum vos vel alter veſtrum eis ſcire feceritis vel fecerit, una vobiſcum deputent ad præmiſſa. In cujus, *&c.* Teſte Rege apud *Weſtm.* 4 die *Aprilis.* *An.* 25 E. 1.

* The Privy Seal before, p. 734.

Eodem modo aſſignantur ſubſcripti in ſingulis Comitatibus ſubſcriptis, videlicet, *Willielmus de Den & Rogerus Bryan*, in Comitatibus *Eſſex. Hertf. Cantebr. Huntind. Midd. Johannes Randulf & Richardus de Coleſhull*, in Comitatibus *Berk. Somerſ. Dorſ. Devon. Cornub. Willielmus de ſancto Quintino & Petrus Betard*, in Comitibus *Ebor. Lanc. Notingh. Derb. Johannes le Sauvage & Johannes de Banquell*, in Comitatibus *Kanc. Suſſex. Surr. Sutht. Wyltes. Adam de Crokedayk & Robertus de Knyttele*, in Comitatibus *Glouc. Wygorn. Hereſ. Salop. Staff. Johannes de Burnz & Johannes de Wyleby*, in Comitatibus *Bokingh. Bedf. Oxon. Leyc. Warr.*

REX dilecto & fideli ſuo *Richardo de Walſingham*, ſalutem. Sciatis quod cum nuper ante transfretationem noſtram in *Flandriam*, &c. *ut ſupra.* In cujus, *&c.* T. R. apud *Kypere*, 17 die *Junii.*

Per Breve de Privato ſigillo.

Pat. 25 E. 1. m. 12. De inquirendo ſuper gravaminibus populo regni factis.

Soon after, * 12 *Cal.* Septembr. *Rex* Angliæ *naves ingreſſus (paratis* 500 *navibus) indiſſoluto claſſe ſulcato mare, ſexto die ſequenti applicuit in* Flandria. *Itaque Rege* Angliæ *in* Flandria *commorante, locum ejus in* Anglia *tenuit filius ſuus* Edwardus; *cui quia minoris ætatis erat, pater rectores conſiliariosque deputaverat* Richardum *Epiſcopum* Londinenſem, & Willielmum *Comitem* Warwicenſem, *necnon & Milites* Reginaldum de Gray, Johannem Giffardi, Alanum Plokenet, *viros emerita militiæ providos & diſcretos. Per idem tempus*, (the ſame day the King ſet ſail towards *Flanders*) *Comites* Herefordiæ & Mareſchalli, *cum ſuis complicibus, acceſſerunt ad Scaccarium Domini Regis apud* Weſtmonaſterium, *Theſaurario & Baronibus de Scaccario inhibuerunt*, **ne levari facerent octavum denarium a populo qui Regi conceſſus fuerat apud Sanctum Edmundum**, *dicentes*, **de conſcientia ſuorum non emanaſſe, ſine quorum aſſenſu Tallagium non debet exigi vel imponi.** *Induxerunt etiam Cives* Londoniarum, **ut pro recuperandis ſuis libertatibus ſecum ſtarent.** *Comitibus itaque & Baronibus pariter conglobatis & confœderatis*, **necnon majoritate populi eis inclinante**, *factus eſt timor ſuper habitatores patriæ, & imminente periculo*; (by reaſon of the revived *Scots* Rebellion, who entred and waſted *England* with fire and ſword, againſt their † premiſed Oathes, Charters, Truces ſo frequently and lately made to the King; whoſe ſucceſſes in that Rebellion by reaſon of our domeſtick diſcords, are at large related by *Henry de Knyghton.*) * *Cum à gente* Scotorum *perfida talia agerentur, Conſiliarii Regis noſtri* Edwardi, *qui cum* Edwardo *filio Regis erant, magnum videntes periculum non tantum Regi in remotis agenti, ſed etiam toti terræ* Anglicanæ *imminere, inſtiterunt apud filium Regis qui* Londoniæ *morabatur infra muros Civitatis, ut Comites prædictos* Mareſchallum & Hereſordenſem, **qui a patre ſuo in parte deciderant, rogaret et interpellaret ad pacis unitatem et amorem** *Miſſis igitur literis ſuis, rogavit eos*, **ut ad Parliamentum ſuum** (*eo quod ſui patris tenebat locum in* Anglia) *venirent* Londonias 10 *die* Octobris *celebrandum.*

* Th. Walſingham Hiſt. Angliæ, p. 39. Mat. Weſtm. p. 410. Henr. de Knyghton de Event. Angl. l. 3. col. 2512, 2522, 2523, 2524.

† Here p. 510, to 520. 650, to 664.

* Henry de Knyghton de Event. Angl. l. 3. c. 9, to 14.

Qui

An. 25 E. 1. *Qui novi præceptoris & futuri Principis rogatum amplectentes, venerunt ad eundem diem, non tamen nudi, immò cum quingentis equis armatis & multitudine magna peditum electorum*; **quia communem profectum et utilitatem amplectebantur, communes diligebant eos fortiter.** *Portas tamen Civitatis noluerunt ingredi, niſi primò concederetur eis, quod in omnibus portis Civitatis ponerentur plures cuſtodes eorum, ne fortè abſque armis ingreſſi, veluti oves ovili clauderentur*; *quo conceſſo, ingreſſi ſunt.* The Prince likewiſe by advice of his Counſil, iſſued Writs of Summons in the Kings Name to all the Sheriffs of *England*, to elect two Knights in every County to come to this Parliament, to receive a New Confirmation of the Great Charter of their Liberties, and Charter of the Foreſt; and that the levying of the Eighth part of their Goods formerly granted, ſhould not turn to their prejudice or diſinheriſon. Which Writs being very memorable, (the Originals whereof, together with their endorſed Retorns I lately diſcovered in the White Tower Chappel) I ſhall here inſert as a raritie, and an addition to the *Second Part of my Brief Regiſter and Survey of Parliamentary Writs*, p. 35, 36. being pertinent to my preſent purpoſe.

Bundela Brev. in Turre London. & Clauſ. 25 E. 1. m. 6. dorſo.

Bed. & Buk. EDwardus *Dei gratia Rex* Angliæ, *Dominus* Hiberniæ, *& Dux* Aquitaniæ; *Vic.* Bed. *&* Buks. *ſalutem.* **Quia in relevationem omnium Incolarum et populi regni noſtri pro octava omnium bonorum ſingulorum laicorum per totum idem regnum, pro urgentiſſima nunc dicti regni contra** Gallicos **neceſſitate levanda, conceſſimus pro nobis et hæredibus noſtris confirmare et firmiter teneri facere, Magnam Chartam de Libertatibus** Angliæ **et Chartam** de Libertatibus Foreſtæ, **et concedere omnibus et ſingulis ejuſdem regni literas noſtras patentes, quod dictæ octavæ levatio non cedet eiſdem in præjudicium, ſervitutem, exhæredationem, uſum vel conſuetudinem in futurum.** *Tibi præcipimus firmiter injungentes, quod ſine dilatione aliqua quatuor de probioribus & legalioribus Militibus Comitatuum tuorum, videlicet de quolibet Comitatu duos eligi, & eos plenam poteſtatem pro ipſis & tota Communitate dictorum Comitatuum habentes, ad* Edwardum *filium noſtrum chariſſimum tenentem in* Angl. *locum noſtrum venire facias: Ita quod ſint* London. *ad eundem filium noſtrum modis omnibus in Octabis Sancti* Michaelis *prox. futur. ad ultimum*, **Chartas ſuper confirmatione noſtra Chartarum prædictarum, et literas noſtras ſuper dicta conceſſione pro ipſa Communitate in forma prædicta recepturi,** *& facturi ulterius quod per dictum filium & conſilium noſtrum ibidem fuerit ordinatum. Et hoc nullo modo omittatis. Et habeas ibi hoc breve. Teſte* Edwardo *filio noſtro apud* Sanctum Paulum London. 15 *die* Sept. *Anno regni noſtri* 25.

Dorſo. Johannes de Pabenham *&* Edmundus Gacelyn *Milites*, **electi ſunt per Communitatem Com.** Bed. *ad faciendum & recipiendum id quod breve iſtud exigit.* Johannes de Pabenham *Miles, manucap. per* Edm. de Wedone *Militem*, Robertum de Crenequer *Militem*, Johannem de Pabenham *juniorem*, Walterum de la Haye. Edmundus Gacelyn *Miles, manucap. per* Robertum de Crenequer *Militem*, Edm. de Wedon *Militem*, Richardum le Harecourt *de* Sutbmelne, Willielmum le Bretun.

Almaricus de Nodariis *&* Robertus Barry *Milites*, **electi ſunt per Communitatem Com.** Buk. *in forma predicta.* Almaricus de Nodariis *Miles, manucap. per* Willielmum Bonetun *de* Lathebury, Robertum de Stokes *de eadem*, Johannem de Lovente *de* Neuport, Rogerum fil. Johannis de Shyrington. Robertus Barry *Miles, manucap. per* Hugonem Samſon, Robertum le Brett, Rogerum fil. Johannis, Richardum le Clerk *de* Neuport.

Cantebr. & Huntindon. *Conſimile breve dirigitur Vic.* Cantebr. *&* Huntindon. *Dorſo. Comitatus* Cantebr. *electi ſunt* Robertus de Hoo, *manucap. per* Henr. le Meſſer, Walter. le Hunte. Philippus fil. Herviz, *manucap. per* Walterum Rok, Willielmum Hinde.

Comitatus Huntind. *electi ſunt* Willielmus de Pappewortbe, *manucap. per* Willielmum Lovet *de* Graſcham, Willielmum Antony *de eadem.* Willielmus Engayne *de* Werſle, *manucap. per* Simon. le Provoſt *de* Werſle, Johannem Waryn *de eadem.*

Cornub. *Conſimile breve dirigitur Vic.* Cornubiæ. *Dorſo.* Reginaldus de Beyville **unus Militum electorum pro toto Com.** *invenit manucaptores eſſendi ad diem in brevi, videlicet*

videlicet Robertum Gyffard *Militem*, & Rogerum de Treglothenon. Johannes de Lambron *alius Miles*, *invenit manucaptores*, *videlicet* Paganum de Tregaran, & Richardum *de eadem*, *ad veniendum ad diem in brevi.* *An.* 25 *E.* I.

Conſimile breve dirigitur Vic. Cumbr. *Dorſo.* Willielmus de Beyvill, *manucap. eſt per* Alexandrum *Præpoſitum de* Thoresby, & Richardum fil. Henr. Robertus de Wytering, *manucap. eſt per* Nicholaum de Wytering, & Adam *Paſtore de eadem.* **Iſti prædicti Milites aſſignati fuerunt ante adventum iſtius brevis ad cuſtodiam Marchiæ Scotiæ, una cum aliis Com. ubi magna eſt neceſſitas commorari.** *Cumbr.*

Conſimile breve dirigitur Vic. Devon. *Dorſo.* *Nomina Militum ſecundum tenorem hujus brevis electorum*, Henr. de Ralegh, Hugo le Prouz. (without Manucaptors.) *Devon.*

Conſimile breve dirigitur Vic. Ebor. *Dorſo brevis.* *Nomina Militum* **electorum per Communitatem Comitatus** Ebor. *qui plenam poteſtatem habent pro Communitate prædicta ad faciendum ea quæ breve iſtud exigit, videlicet, Dominus* Robertus de Percy, *Dominus* Robertus de Balliolo: *Qui quidem manucapiuntur per* Robertum de Thorneton, Willielmum Stedeman, Willielmum fil. Willielmi *de* Sutton, & Richardum fil. Willielmi *de eadem.* *Ebor.*

Conſimile breve Vic. Eſſex. & Hertford. *Dorſo brevis.* *Nomina Militum* **electorum in Comitatibus** Eſſex. & Hertford. *ſecundum tenorem iſtius brevis, patet inferius*; Eſſex. Johannes Fillol, *manucap. per* Henr. le Mareſchal, Johannem de Langeford. Henr. Grapinell, *manucap. per* Alexandrum de Creppynge, Willielmum de Naptone.

Hertford. Rogerus Bryan, *manucap. per* Michaelem de Ware, Johannem de Rykelinge. Johannes de Nevyle, *manucap. per* Petrum de Poleye, Radulphum de Honeſdone. *Eſſex.* & *Hertford.*

Conſimile breve dirigitur Vic. Glouc. *Dorſo brevis.* *Nomina Militum de Com.* Glouc. **electorum** *de eſſendo ad diem & locum in brevi contento, prout in brevi præcipitur*; Johannes de Seynt Lo *Miles*, Richardus de Croupes *Miles.* *Manucaptores prædicti* Johannis *de habendo corpus ejus, prout in brevi præcipitur*, Willielmus le Waleys *de* Clifton, Adam le Paſſer *de eadem*, Willielmus Meſſer *de eadem*, Henr. Honypin *de eadem.* *Manucaptores prædicti* Richardi de Croupes *de habendo corpus ejus, prout in brevi præcipitur*, Thomas le Ridere *de* Wytinton, Henr. le Ridere *de eadem*, Hugo le Weſterne *de eadem*, Willielmus le Weſterne *de eadem.* *Glouc.*

Conſimile breve dirigitur Vic. Hereford. *Dorſo brevis.* *Milites electi* Rogerus de Bradeley, Thomas de Chabenore. *Manucaptores* Rogeri de Bradeley; Rogerus le Schipward, Willielmus Abbot. *Manucaptores* Thomæ de Chabenore; Gilbertus Boter, Nicholaus de Dunnewode. *Hereford.*

Conſimile breve dirigitur Vic. Kanc. *Dorſo brevis.* *Iſti ſunt Milites electi*; *ſcilicet*, Lucas de la Gare, Richardus de Stoland. *Kanc.*

Conſimile breve dirigitur Vic. Lanc. *Dorſo brevis.* *Eligi feci* **per aſſenſum totius Com.** Henr. de Kigheleye, & Henr. le Botiler, *qui plenam poteſtatem habent prout in brevi continetur.* *Pleg. prædicti* Henr. de Kigheleye *ven.* Rogerus de Boulton, & Adam de Stodlehurſt. *Pleg.* Henr. le Botiler *ven.* Willielmus fil. Simonis *de* Caterhale, Willielmus Gormond *de eadem.* *Lanc.*

Conſimile breve dirigitur Vic. Lincoln. *Dorſo brevis.* *Accepto brevi iſto ſine dilatione eligi feci* Simonem *fil.* Radulphi de Ormesby, & Richardum de Huwell, *duos de probioribus & legalioribus Militibus de Com.* Lincoln. **et aſſenſu prædicti Com.** *plenam poteſtatem pro ipſis & tota Communitate ejuſdem Com. habentes, quos per manucaptionem ſubſcriptam ad* Edwardum *filium Domini Regis kariſſimum, ad diem & locum in brevi iſto contentos, venire facio ad recipiendum & faciendum quod hoc idem breve plenius requirit.* *Manucap. prædicti* Simonis fil. Radulphi; Walterus de *Lincoln.*

An. 25 E. 1. Wynceby, Johannes *frater ejus de* Wynceby, Radulphus Bleck *de* Ketelesby, Gilbertus atte Grene *de eadem. Manucap. predicti* Richardi de Hawell; Johannes de Hertheby *de* Evedon, Willielmus de la Mule *de* Lafford, Willielmus le Ken *de* Claypol, Willielmus le Monner *de eadem.*

Midd. *Conſimile breve dirigitur Vic.* Midd. *Dorſo. Nomina duorum Militum* electorum **per Communitatem Com.** Midd. *ad eſſendum coram vobis ad diem in brevi, prout precipitur in eodem brevi. Manucaptores* Richardi de Wyndeſore *Militis*; Rogerus le Jour, Elias le Bayllyf. *Manucaptores* Richardi le Rous *Militis*; Thomas atte Fryth, Johannes atte Hegge.

Norff. & Suff. *Conſimile breve dirigitur Vic.* Norff. & Suff. *Dorſo. Nomina Militum de Com.* Norff. Fulco Banyard, *cujus manucap.* Willielmus de Totington, Adam Nonote. Willielmus Roſcelyn, *cujus manucap.* Johannes de Jernemuth, Willielmus de Thurton.

Nomina Militum de Com. Suff. Nicholaus de Weyland, *cujus manucap.* Willielmus Frank *de* Weſterfeld, Osbertus Frank *de eadem.* Johannes de Biſtele, *cujus manucap.* Alex. fil. Gilberti *de* Freſtenden, Adam de Fynel *de* Stovene.

Norht. *Conſimile breve dirigitur Vic* Norht. *Dorſo. Nomina duorum Militum* electorum, Thomas Wale *de* Eydon, Willielmus Butevyleyn *de* Corisbrok. *Manucap.* Thomæ Wale; Thomas fil. Margeriæ *de* Eydon, Henr. Aleyn *de eadem. Manucap.* Willielmi Butevyleyn; Robertus Butevyleyn, Robertus de Watford *de* Oreton.

Northumbr. *Conſimile breve dirigitur Vic.* Northumbr. *Dorſo. Feci eligere* **pro tota Communitate Com.** Northumbr. *Dominos* Rogerum Manduyt, & Nicholaum de Punchardonne: *unde manucaptores* Rogeri Manduyt; Richardus *Prapoſitus de* Eſſete, Willielmus de Hoton *de eadem*, Adam Swaller, Rogerus Molendinarius *de eadem. Manucaptores* Nicholai de Punchardonne; Willielmus Brune *de* Felton, Nicholaus Manfetur *de eadem*, Willielmus Spâre, Adam de Donygton. *Iſtud breve michi venit die Sabbati in Vigil. Sancti* Michaelis *poſt nonam.* (They then uſually endorſing the time they received ſuch Writs, to evidence that they delayed not their ſpeedy execution.)

Nott. & Derb. *Conſimile breve dirigitur Vic.* Nott. & Derb. *In Dorſo.* Willielmus de Staunton, & Willielmus de Colewyk, *Milites de Comitatu* Nottingh. *electi, plenam poteſtatem pro ſe & Communitate Comitatus* Nottingh. *habentes, manucapti ſunt eſſendi coram vobis ad diem in hoc brevi contentum, ſecundum tenorem brevis predicti. Et predictus* Willielmus de Staunton *manucapitur per* Willielmum *Prapoſitum de* Grove, & Robertum *Clericum de eadem. Et predictus* Willielmus de Colewyk *manucapitur per* Philippum *fratrem ejus de* Colewyk, & Johannem le Provoſt *de eadem.*

Robertus Dethek, & Thomas Foleiaumbe, *Milites de Comitatu* Derb. *electi, in forma predicta manucapti ſunt. Et predictus* Robertus *manucapitur per* Johannem *en le* Hurne *de* Luitchirche, & Rogerum Breſt *de eadem. Et predictus* Thomas *manucapitur per* Godefridum de Bradeburne, & Simonem Colle *de eadem.*

Oxon. & Berks. *Conſimile breve dirigitur Vic.* Oxon. & Berks. *In Dorſo.* Henr. de Bruyli, & Johannes de Prewes *Milites*, **electi ſunt in pleno Com.** Oxon. *de veniendo ad diem & locum in brevi contentos pro Com. predicto. Et predictus* Henr. *manucaptus eſt per* Rogerum Brouneſone, Robertum Nicole, Robertum de Strowelle, & Robertum atte Cherchehеye; *exitus terrarum ſuarum* 10 l. *Et predictus Dominus* Johannes *manucaptus eſt per* Richardum Heylfryg, Richardum Cok, Robertum Galiaue, Galfridum ad Fontem; *exitus terrarum ſuarum* 10 l.

Bartholomæus de Erle, & Richardus de Wyndeſore *Milites*, **electi ſunt pro tota Com.** Berk. *Et predictus* Bartholomæus *manucaptus eſt per* Rogerum Elys, Rogerum Robyn, Adam Donnyngs, Stephanum Fabrum; *exitus terrarum ſuarum* 100 s. *Et* Richardus de Wyndeſore *diſtrictus eſt per catalla ad valenc.* 10 l. *de veniendo ad diem & locum in brevi contentos.*

Roteland. *Conſimile breve dirigitur Vic.* Roteland. *Dorſo.* Willielmus Murdak, & Adam de Jernemuth, **electi ſunt per aſſenſum totius Comitatus**, *eſſendo coram Domino* Edwardo

Edwardo *filio Domini Regis apud* London. *ad diem in hoc brevi nominatum, recepturi & ulterius facturi ea quæ continentur in brevi, & ſuper hoc invenerunt plegios. Plegii* Willielmi Murdak; Gervaſius fil. Davy, Thomas de Bloſton. *Plegii* Adæ de Jernemuta; Thomas Starlig, Simon de Northburg. *An.* 25 *E.* 1.

Conſimile breve dirigitur Vic. Somerſ. & Dorſ. *Dorſo. In plenis Com.* Somerſ. & Dorſ. **per totam Communitatem eorundem Com.** *eligere feci quatuor de probioribus & legalioribus Militibus, videlicet, de utroque Com. duos, qui plenam poteſtatem habent pro ſe & tota Communitate dictorum Com. Qui quidem Milites manucapti ſunt veniendi ad diem in brevi iſto contentum; videlicet, de Com.* Somerſ. Johannes de Sancto Laudo, *manucaptus eſt per* Oliverum Harepin, & Richardum Gildas. Thomas de Welleslegh, *manucaptus eſt per* Walterum de Welleslegh, & Gilbertum le Clerk. Somerſ. & Dorſ.

De Com. Dorſ. Philippus Maubanks, *manucaptus eſt per* Johannem le Large *de* Perret, & Johannem Clopet *de eadem.* Henr. Tovere, *manucaptus eſt per* Rogerum Boye *de* Pudele, & Henr. Saverey *de eadem.*

Conſimile breve dirigitur Vic. Suſſex. & Surr. *Dorſo. Venire feci coram me Milites & liberos tenentes de Com.* Suſſex. *apud* Lewes, **qui in abſentia Archiepiſcopi** Cantuar. **et aliorum tam Epiſcoporum, Comitum, Baronum, Militum, quam aliorum criſtentium in obſequio Domini Regis in partibus tranſmarinis et alibi, electionem de Militibus facere noluerunt, &c.** (An obſervable Retorn.) Suſſex. & Surr.

Venire etiam feci coram me apud Suwerk *Milites & liberè tenentes de Com.* Surr. *qui elegerunt* Willielmum Ambeſus, *qui manucaptus eſt per* Willielmum le Carter, & Willielmum le Peſtur *de* Kerſaulton, *veniendi, &c. Et elegerunt* Johannem de Aubernun *alium Militem,* **qui ſtat in obſequio Domini Regis in Com.** Sutht. **per præceptum Domini Regis, &c. Et *ipſi alium loco ſui eligere noluerunt, &c.** *Nota.* * *Nota.*

Conſimile breve dirigitur Vic. Sutht. *Dorſo. Milites electi* Hugo de Eſcoce, Johannes de Turvill. *Manucap.* Hugonis; Richardus de Bukeſgate, Robertus de Helyoun. *Manucap.* Johannis; Willielmus Faber *de* Botteleye, Rogerus le Rede. Sutht.

Conſimile breve dirigitur Vic. Warr. & Leyc. Dorſo. *Nomina duorum Militum de Com.* Warr. *electorum, ſecundum tenorem iſtius brevis, videlicet,* Ricardus de Whitakre *manucapt. per* Walterum *fil.* Nicholai de Whitakere, & Robertum *fil.* Jordani *de eadem.* Robertus de Verdon *Miles manucap. per* Thomam de Clifton *in* Dreycote, & Johannem de Draycote *Clericum.* Warrw. & Leyc.

Nomina duorum Militum de Com. Leyc. *eodem modo electorum, videlicet,* Thomas de Meynel *Miles, manucap. per* Robertum Balle & Robertum Fraunceys de Hemynton, Willielmus Burdet de Louſeby *Miles, manucap. per* Willielmum Hoſewyf de Louſeby & Rogerum le Chamberlyng. *de eadem.*

Conſimile breve dirigitur Vic. Wygorn. Dorſo. *Eligere feci duos Milites de Balliva mea, videlicet,* W. de Seneſchal, & Willielmum le Fokerham, *qui plenam poteſtatem habent ſecundam formam hujus brevis.* Wygorn.

By which returns it is evident; 1. That moſt of the Knights elected found 2, or 4. Manucaptors a peece to appear and attend at the day and place appointed for the Parliament, whoſe names were particularly endorſed on the Writs. 2ly. That one of them was diſtreined by his goods to appear. 3ly. That the Knights elected who were imployed to defend the Realm againſt the Enemeis before their elections, and could not deſert that ſervice, found no Manucaptors to appear and attend in Parliament. 4ly. That thoſe of *Suſſex* refuſed to elect any Knights for the reaſons mentioned in the return; and that thoſe of *Surrey* who elected a Knight imployed in the defence of the Sea coaſts againſt the *French*, would not alter their election, nor elect another in his place, though he could not then attend in Parliament.

The Earls, Nobles, and Knights thus elected meeting at *London* in this Parl. * *tandem poſt conſilia multa & tractatus varios, mediante venerabili patre* Cantuarienſi *Archiepiſcopo, Magiſtro ſcilicet* Roberto de Winchelſe (the chief author of that diſcord

* Henry de Knyghton de Event. Angl. l. 3. c. 11. col. 2523, 2524. Walſingham, Hiſt. Anglix, p. 40, 41.

An. 25 E. 1. cord and ſedition) *cujus memoria in benedictum ſit*, (addes *Knyghton*) non fuit alia forma ad quam conſentire voluerunt, quam quod ipſe Dominus Rex Magnam Cartam cum quibuſdam adjectis articulis, et Charta de Foreſta concederet et confirmaret: et quod auxilium nullum ſeu vexationem a Clero vel a populo peteret vel exigeret in poſterum abſque Magnatum voluntate et aſſenſu. Et quod omnem rancorem remitteret eis et omnibus ſibi aſſociatis. *Ordinatumque hujuſmodi ſcriptum in hæc verba conceptum.*

Primò, Quod Dominus Rex Chartam Magnam cum cæteris articulis adjectis, et Chartam de Foreſta annuat et confirmat, et quod nullum auxilium vel vexationem exigat a Clero vel populo, abſque eorum conſilio et aſſenſu, et quod omnem offenſam Comitibus et eorum confœderatis dimittat. *Articuli adjecti ad* Magnam Chartam *ſunt iſti.*

Nullum Tallagium vel Auxilium per Nos vel hæredes noſtros, de cætero in regno noſtro imponatur ſeu levetur ſine voluntate et aſſenſu communi Archiepiſcoporum, Epiſcoporum, Abbatum, et aliorum Prælatorum, Comitum, Baronum, Militum, Burgenſium, et aliorum liberorum hominum in regno noſtro.

Nullus Miniſter noſter, vel hæredum noſtrorum in regno noſtro capiat blada, lanas, coria, aut aliqua alia bona cujuſcunque, ſine voluntate et aſſenſu illius cujus fuerint.

† Nomine vel occaſione Maletoltæ: So *Knyghton.*

Nihil capiatur de cætero nomine † Tecigalis de Sacco lanæ.

Volumus etiam et concedimus pro Nobis et hæredibus noſtris, quod omnes Clerici et Laici de regno noſtro habeant omnes leges, libertates, et liberas conſuetudines ſuas, ita libere et integre, ſicut eas conſueverunt aliquo tempore melius pleniuſq; habere. Et ſi contra illas vel quemcumque articulum in præſenti Charta contentum ſtatuta fuerint ædita per nos vel anteceſſores noſtros, vel conſuetudines introductæ; volumus et concedimus, quod hujuſmodi ſtatuta vacua ſint et nulla imperpetuum.

Remiſimus etiam Humfredo de Bohun, *Comiti* Hereſordiæ & Eſſexiæ, *Conſtabulario* Angliæ, Rogero Bigot *Comiti* Northfolchiæ, *Mareſchallo* Angliæ, *& aliis Comitibus, Baronibus, Militibus, Armigeris*, Johanni de Ferrariis, *& omnibus aliis de eorum ſocietate, confœderatione & concordia exiſtentibus, necnon omnibus viginti libratas terrarum tenentibus in regno noſtro, ſive de nobis, ſive de alio quocunque in capite, qui ad tranſfretandum nobiſcum in* Flandriam *certo die notato vocati fuerunt, & non venerunt*, rancorem noſtrum et malam voluntatem quam ex cauſis prædictis erga eos habuimus, et tranſgreſſiones ſi quas nobis vel noſtris fecerint uſque ad præſentis Chartæ confectionem. Et ad majorem ſecuritatem hujus rei, volumus et concedimus pro nobis et hæredibus noſtris, quod omnes Archiepiſcopi et Epiſcopi Angliæ in perpetuum in ſuis Cathedralibus Eccleſiis, habita præſenti Charta et lecta, excommunicent publice et in ſingulis Parochialibus Eccleſiis ſuarum Dioceſium excommunicari faciant, ſeu excommunicatos denunciare bis in anno, qui contra tenorem præſentis Chartæ hinc et effectum in quocunque articulo ſcienter fecerint, aut fieri procuraverint quobiſmodo. *In cujus rei teſtimonium præſenti Cartæ* * *Sigillum noſtrum eſt appenſum*, una cum ſigillis Archiepiſcoporum, Epiſcoporum, Comitum, Baronum et aliorum, qui ſponte juraverunt, quod tenorem præſentis Chartæ, quatenus in eis eſt, in omnibus et ſingulis Articulis obſervabunt, et ad ejus obſervationem conſilium ſuum et auxilium fidele præſtabunt imperpetuum.

* Henry de Knyghton de Eventibus Angliæ, col. 2523, 2524.

[a] *Ipſe etiam* Edwardus *Regis filius per literas ſuas patentes, remiſit prædictis Comitibus & univerſis ſuis ſequacibus omnem malam voluntatem. Et promiſit in eiſdem literis quod patrem ſuum induceret modis omnibus ad illud idem faciendum. Omnes etiam Conſiliarii Regis qui ibidem aderant per ſcriptum ſuum ſuper hoc ſpecialiter confectum, illud idem promiſerunt. Et lætati ſunt univerſi in die hac veritatis & pacis. Erant enim ibi ex parte Regis Archiepiſcopus* Cantuarienſis, *&* Henricus *electus* Eboracenſis, *Epiſcopi etiam* Londonienſis, Elienſis, Bathonienſis, Coventrenſis. *Comites etiam* Cornubiæ, Warennæ, Warwici *&* Oxoniæ. *Barones etiam* Johannes Gifford, Henricus de Percy, Reginaldus de Grey, *cum multis aliis Clericis & Laicis.* Hii omnes et ſinguli tactis ſacroſanctis Dei Evangeliis juraverunt ad majorem rei ſecuritatem; quod prædictos Comites cum ſequacibus omnibus contra Dominum Regem ſervare deberent illæſos & indempnes. *Convenit etiam, ut in craſtino Sancti* Nicholai *Epiſcopi*

a Henry de Knyghton de Eventibus Angliæ, l. 3. c. 11, 12. col. 521.

Epiſcopi certum ſuper hoc acciperent reſponſum ab ipſo Rege, ſub hac conditione adjecta; ut ſi Rex prædicta ſcripta conſignata remitteret & ratificaret omnia, extunc ad mandatum Regis, vel ad Regem in *Flandriam*, vel contra hoſtes ſuos in *Scotiam* iidem Comites proficiſcerentur ad votum. *Miſſis igitur nunciis ad ipſum Dominum Regem ſcripſerunt ei Secretarii ſui*, ut ſi honorem ſuum, ſtatum et regnum ſalvare et retinere proponeret, prædicta omnia remitteret conſignata. *Qui* ([b] *cedendum malitiæ temporis ſentiens*) *quidem in arto poſitus, cum jam haſitaſſet per triduum*, nobiſsime tamen ut corda ſuorum retineret, votis eorum annuit in præmiſsis, et omnia concesſit et per ordinem confirmavit: Which had he done chearfully at firſt before his paſſage to *Flanders*, in all probability he had either prevented or ſpeedily ſuppreſſed the *Scots* rebellion, and come off with farre greater honor to himſelf, and more affection of his Prelates, Nobles, People, then now; Pro hac autem Confirmatione Cartarum prædictarum, *cum ſuis adjunctis prædictis*, dederunt Magnates terræ cum communi populo novum denarium; Archiepiſcopus Cantuarienſis cum ſuo Clero decimum denarium; Eboracenſis electus cum ſuo Clero, qui propinquiores periculo extiterunt, quintum denarium in ſubſidium guerræ Regis in regno Scotiæ (without the Popes precedent licenſe, which they formerly inſiſted on) *Lanas etiam religioſorum, & aliorum de populo prius acceperat Rex, cum proteſtationi tamen, quod alloearentur in eodem quinto, nono & decimo.*

[b] See Matth. Weſtm. p. 410. Walſingham Hiſt. Angl. p. 41. Ypodigma, p. 85.

An. 25 *E.* 1.

This confirmation of the Great Charter printed in our *Statutes at large*, and Sir *Edward Cooks* *2. *Inſtitutes*, I ſhall here preſent you with out of the *Statute Roll* in the Tower, different in ſome things from our printed *Statutes*.

* Pag. 525, &c.

Rotulus 1. Statutorum in Turre London m. 37, 38.

EDwardus Dei gratia Rex *Anglia*, &c. Inſpeximus *Magnam Chartam* Domini *Henrici* patris noſtri, de Libertatibus *Anglia* in hæc verba. *Henricus*, &c. Nos autem donationes et conceſsiones prædictas ratas habentes et gratas, eas pro nobis et hæredibus noſtris concedimus et confirmamus, eaſque tenore præſentium innovamus; Volentes & concedentes pro nobis & hæredibus noſtris, quod Charta prædicta in omnibus et ſingulis ſuis Articulis imperpetuum firmiter et inviolabiliter obſervetur, etiamſi aliqui articuli in eadem carta contenti hucuſque forſitan non fuerunt obſervati. In cujus rei teſtimonium, has literas noſtras fieri fecimus patentes. Teſte *Edwardo* filio noſtro apud *Weſtm.* 12 die *Octobris*, Anno regni noſtri viceſimo quarto.

EDward par le grace de Dieu Roy *Dengleterre*, Seigneur *Dirland*, & Ducs *Aquitaine*, a toutz ceus, qui ceſtes preſentes lettres verront ou orront, ſaluz. Sachiez nous al honeur de Dieu & de Seinte Egliſe, et au profit de tut noſtre Roiaume, aver grante pur nous e pur nos heirs, qe le *Grand Chartre* des Franchiſes, et la *Chartre de Foreſt*, les queles furent faites per *comun aſſent de tut le Roiaume* en tens le Roy *Henry* noſtre pere, ſeient tenuz en touts lour points, ſanz nul blemiſement. E voloms qe meſmes *celes Chartres* de ſuth noſtre *Seal ſeient* envoiez a nos Juſtices, auſibien de la *Foreſt* come as autres, e a touts les *Viſcontes* des *Contes*, et a toutz nos autres miniſtres, & a toutz nos Citees par my la terre, enſemblement ove nos briefs, en les queux ſerra contenu, qil facent les avantdites Chartres puplier, e qil facent dire au poeple, qe nous les auoms grauntées de tenu les en touts leur poinz; E a nos *Juſtices*, *Viſcontes*, *Maires*, e autres Miniſtres, qi la ley de la terre, de ſouth nous & per nous ount a guier, meſmes les *Chartres* en toutz leur poinz en plez devant eus, e en Jugements les facent alower: ceſtaſſavoir la grand Chartre des Fraunchiſes come ley comun, e la Chartre des Foreſt ſolom laſſiſe de la Foreſt, al amendement de noſtre poeple. Et volons, qe ſi nulls judgements ſoient done deſormes encountre les points des *Chartres* tenent plees devant eux, *ſeient defaitez, et par nient tenus.* Et voloms qe meſmes ceſtes Chartres deſous noſtre ſeale ſoient envoies as Egliſes Cathedrals par my noſtre Roialme, et la demoergent, et ſoient deux foits per an lieus devant le poeple. Et que Archevesques et Ebeſques doignent ſentences du grant excommengement contre touts iceur, que countre les abantdits Chartres bendzount en fait, ou en eyde, ou en counſeil, ou en nul point enfraindzant, ou countre bendzont. Et ſi meſmes les Prelates, Ebeſques ou nul de eur ſoient negligentes en la denunciation ſuiſoit faire, per les Archevesques de *Canterbirie* et Deverwike, que pur temps ſerront, ſicome covient, ſoient

An. 25 E. 1. ſoient repris et deſtreintz a meſme cel denuntiation faire en la forme avantdit. Et pur ceo qe aſcuns gents de noſtre Realme ſoii doubtent, que les *eides* & les *miſes*, queux il nous ount fait avant ces heures pur nous guerres et auter beſoignes de lour grant & lour bon volunte, en quel manere qe faits ſoient, puiſſent turner en ſervage a eux et a lour heirs, pour ceo qe ils ſerront autre foits troves en rolle, et auxint priſes, que ount eſte faits parmy le Roialme per nos miniſtres en noſtre noum; Nous avons grantes pur nous & pur nous heirs, qe mes tielx *eides*, *miſes*, ne priſes, ne trerons a cuſtome pur nul choſe qe ſoit fait, ou qe per rolle, ou in autre maner poet eſtre trove.

(Immediately after which, *m.* 38. followes this enrollment of the *Kings Charter*, or *Statute*, uſually ſtiled in our Statute Books, *Statutum de Tallagio non concedendo*, wherein all the Articles ſpecified in the printed Statute are compriſed and ratified by the King according to the Lords and Commons Petition, there being no enrollment of them or that Statute in 34 E. 1. but only in this year of 25 E. 1. in any Roll, Record or Hiſtory I have yet met with.)

Et auxint avoms graunt pur nous et pur nous heirs, as Archevesques, Evesques, Abbes, Priors, et as autres gents de seinte Esglise, as Countes, Barons, et a tout la Comminaltie de la terre, qe mes per nul beſoigne tiels maners des aides, miſes, ne priſes de noſtre Roialme, ne prendroms forſque per commun assent de tout le Roialme, et a common profit de meisme le Roiaume, saves les auntient aides, et priſes dues et accuſtumes. Et pur ceo que touts le pluis de la Comminaltie du Roialme ſe ſontent durement grevez de la maletolte des leins, ceſtaſſavoir de cheſcun ſacke de leyn quarrant ſoulz, et nous ont pries, que nous les vouſiſſons releſſer: Nous a lour prier les auons pleinment releſſe. Et avons graunt qe tele ne autre mes ne prendrons ſans lour commun aſſent, et lour bon volunte; Saube a nous et a nous heires la Cuſtume des leynes, Peaux, et Cuirs avant grauntes per la Cominalte de Roiaume avantdit. En teſmoignance des queux choſes nous avoms fait faire ceſtes nos lettres overts. Teſmoigne *Edward* noſtre fitz a *Londres* le x. jour *Octobre*, l'an de noſtre regne 25.

E fet a remembrer qe meiſme ceſti chartre ſuth meiſmes les paroles de mot en met fuit ſele en * Flaundres deſuth le grant ſeal le Roy, *ceſtaſſaver a* Gaunt *le quint jour de* Novembre, *l'an del regne l'avantdit noſtre Seigneur le Roy vintiſme quint, e envee en* Engleterre.

* See Mat. Weſtm. p. 410 Walſingham, Hiſt. Angl. p. 41.

After which followes this Charter of Pardon, diſtinct from the former, (though conjoyned with them in the premiſed Petition of the Lords and Commons, and in the printed Statutes *De Tallagio non concedendo*) ſomewhat different from that which is printed in * Sir *Edward Cooke*, and our Statute Books.

* 2 Inſtit. p. 535.

Rot. Statutorum, in Turre Lond. m. 38.

EDward par la grace, &c. Sachies qe come de par nos amez & feaux *Humfrey* de *Bohun* Conte de *Hereford* & de *Eſſex*, & Coneſtable *Dengleterre*, & *Roger Bygod* Conte de *Norff.* & Mareſchall. *Dengleterre*, nous ſeit fet entendaunt, qil ſe douterent qe nous euſſiens conceu vers eux rancour & indignation pur aucunes deſobeſances qil avoient fetes, ne ad geres, a ceo qe hom diſoit en ce qil ne vindrent pas a nous a noſtre comandement, & a ce qe hom diſoit qil avoient aucuns de nos Comandementz deſturbez & targez, et aucunes aliances & aſſemblees des gentz darmes faitez countre noſtre volunte & deffenſe; Nous regardantz qe des choſes avantditz null maſſait neſt per eus ſui uncore, coment qe paroles eent eſte dite, a la requeſte et priere eſpeciale de *Edward* noſtre chier ſuiz & noſtre *Lieutenant* en *Engleterre*, et des honourables peres *Willame* Eveſqe de *Ely*, *Willame* Eveſqe de *Ba* & de *Welles*, *Richard* Eveſqe de *Londre*, *Wauter* Eveſqe de *Coventr.* & de *Lichef.* & *Henry Elit* de *Everwyke*, et des nos ames & feaux *Edmond* Conte de *Cornwaill*, *Johan de Garenne* Conte de *Surreye* & de *Suſſex*, *Willame* de *Beauchamp* Conte de *Warrewyke*, & des autres de noſtre *Conſeil* demorantz en *Engleterre*, pres de lavantdit noſtre ſuiz, releiſſoms & pardonoms pleinement as ditz *Contez*, & a *Johan de Ferrers*, & a toutz leur menengs, & toutz leur aliez, tote manere de Rancour & de Indignation, qui nous avoms conceu vers eus, ſi nule enſoit per les encheſons avant

dites

dites, ou nule de eles. Iſſint qe nul des dits Contes, ne *Johan de Ferrers*, ne null de leur meuenges, ne de leur aliez avant ditz, ne ſoient chalengez, encheiſonez, ne grevez par nous ne par nos heirs en null temps, pur nule des choſes avantdites. E auſi perdonoms & releiſſoms a toutz autres de noſtre Roiaume, qui furent ſomors ou priez de paſſer oveſq; nous, & ne paſſerent, totes maneres de rancour & de indignation, ſi nule euſſiens conceu vers eus per cele encheſon. En teſmoignance des queux choſes nous avoms fait faire ceſtes nos lettres overtes. Donees a *Gaunt* le quint jour de *Novembr.* L'an de noſtre Regne vintiſme quint. *An.* 25 E. 1.

Theſe Charters being thus granted and confirmed by the King, were accordingly ſent to the Sheriffs of every County to proclaim, with Writs commanding that all perſons ſhould firmly and inviolably obſerve them, in this form.

* *REX Vicecomiti* Buckhamiæ *ſalutem. Quia in relevationem omnium Incolarum & populi regni noſtri pro Nona nobis à Laicis de Regno noſtro in ſubſidium defenſionis ejuſdem regni conceſſa,* conceſsimus et confirmabimus pro Nobis et hæredibus noſtris, Magnam Chartam de libertatibus Angliæ, et ſimiliter Cartam de Libertatibus Foreſtæ, eaſque innovabimus; Volentes et concedentes, quod Cartæ illæ in omnibus et ſingulis articulis ſuis firmiter et inviolabiliter obſerventur: Tibi præcipimus, quod Cartas prædictas per totam Ballibam tuam, in locis ubi expedire videris, ſine dilacione publicari, et eas in omnibus et ſingulis ſuis articulis, quantum in te eſt obſervari facias firmiter, et teneri. *T. &c.*

* Clauſ. 25 E. 1. m. 2. dorſo. De publicando Magnam Cartam, &c.

Soon after the Archbiſhops and Biſhops meeting together, in purſuance of this Act, compoſed and publiſhed this publike Excommunication againſt the infringers of the *Great Charter*, and Charter of the *Foreſt*; to which at its next publication that year, (exceeding their Commiſſion) they ſuperadded ſome new clauſes, againſt the Diſtreiners of any goods within the Granges or poſſeſſions of Clergymen, without the owners free conſent; as this antient Manuſcript in Sir *Robert Cottons* Library of the Archbiſhops Letters to the Biſhop of *London* and his other Suffragans, and theirs to their inferiour Officers atteſt.

RICHARDUS *permiſſione divina* London. *Epiſcopus, dilectis in Chriſto filiis Decano & Capitulo Eccleſiæ noſtræ ſancti* Pauli London. *ſalutem, gratiam & benedictionem. Literas reverendi Patris Domini* R. *Dei gratia* Cantuar. *Archiepiſcopi, totius* Angliæ *Primatis recepimus, formam quæ ſequitur continentes:* Robertus *permiſſione divina* Cantuarienſis *Archiepiſcopus, totius* Angliæ *Primas, venerabili fratri Domino* R. *Dei gratia Epiſcopo* London. *ſalutem & fraternam in Domino caritatem. Frequenter exigit repentina neceſſitas, & congrua futurorum cautela, ut & præordinata pro periculis evitandis remedia, ſed forſan negligenter omiſſa vivacius iterentur, & nova ſuperaddatur in hujuſmodi executione medela, in hiis præcipuè quæ ſanctorum patrum jamdudum ſanxit authoritas, et quæ non poſſunt a nobis Epiſcopis, qui eorum ſtatuta ſervare tenemur, abſque periculo noſtræ profeſſionis omitti. Nuper ſiquidem* in quadam Convocatione *Prælatorum & Cleri* London. *celebrata poſt feſtum ſancti* Hillarii *anno domini* 1296. per nos et Coepiſcopos noſtros communi extitit ordinatione conditum, et eis per nos in virtute obedientiæ ad quorundem eorum excitationem injunctum, ut in Cathedralibus Eccleſiis et cæteris locis inſignibus per Epiſcopos ipſos; in aliis vero Eccleſiis ſingularum Dioceſarum per alios viros idoneos ad Dioceſanorum mandatum denuntiarentur publice et in genere, majoris Excommunicationis ſententia innodari, omnes qui Eccleſiaſtica bona ſine grata permiſſione Dominorum eorundem vel Ballivorum ſuorum diriperent, vel a domibus aut aliis locis Eccleſiarum per violentiam amoverent. *Sed ut ex poſt facto didicimus, & graviter exinde dolemus*, executiones hujuſmodi non abſque multorum periculo, et eorum præcipue qui ad id ex obedientiæ debito tenebantur, ab aliquibus Coepiſcopis noſtris in toto, ab aliis autem in parte hactenus ſunt omiſſæ; (Becauſe theſe Conſtitutions, Excommunications were then made, enjoyned only by the Popes & his own uſurped Archiepiſcopal authority without the King & Parliament,) per quod quamplures maleboli quandoq; ſumpſerunt, et impoſterum forſitan ſument majorem audaciam taliter delinquendi. In ultima etiam innovatione Magnarum Chartarum de libertatibus et foreſtæ antiquitus conceſſarum per Principem nuper facta, Dominus Rex hæc innovans ordinabit, et ſtatuit; quod eædem Chartæ

Ex veteri exemplari in Bibl. Cotton. MS. ſub effigie Cleopatræ E. 1. Speimanni Concil. Tom. 2. p. 428, to 432.

An. 25 E. 1. Chartæ ad Cathedrales Eccleſias, per totum regnum Angliæ mitterentur et remanerent ibidem, quodque legerentur coram populo bis in anno; et quod Archiepiſcopi et Epiſcopi regni Angliæ ferrent majoris Excommunicationis ſententias in omnes illos qui contra dictas Chartas venirent facto, auxilio, vel conſilio, aut in quocunque puncto infringerent Chartas ipſas; quodque eidem Epiſcopi eaſdem ſententias publicarent vel facerent publicari in ſuis Cathedralibus Eccleſiis bis in anno; et quod Epiſcopi ſuper faciendo publicatione hujuſmodi negligentes, per Cantuarienſem et Eboracenſem Archiepiſcopos, qui pro tempore fuerint, reprehenderentur; et ad denunciationes hujuſmodi faciendas per eoſdem Archiepiſcopos arcterentur. Nos etiam et noſtri Coepiſcopi tunc præſentes, ac nobis aſſiſtentes in Pontificalibus apud Weſtmonaſterium; etiam de aſſenſu Conſilii Domini Regis tunc in partibus tranſmarinis agentis, dictam excommunicationis ſententiam ſolempniter tulimus et publicavimus in vulgari. *Ut igitur tam ſalubriter ordinata, & pro tàm grandi communi utilitate proviſa, per diſſimulationem non tranſeant ſine fructu*; jam in ultima congregatione Prælatorum et Cleri poſt feſtum Nativitatis S. Johannis Baptiſtæ apud Novum Templum London. per nos noſtroſque Coepiſcopos et Prælatos, ac Clerum noſtræ Cantuar. Provinciæ, proviſum extitit et condictum, ut dictæ Excommunicationum ſententiæ contra violatores Chartarum bis in anno, ut ſupra, *videlicet in Feſtis* Omnium Sanctorum, & Dominicæ *in* Ramis Palmarum, in Cathedralibus Eccleſiis per Epiſcopos, ſi fieri poſſit; alioquin eorum auctoritate per alios ſolempniter publicentur: (*by virtue of that Statute and the Kings command alone, not of their own Epiſcopal or Synodal authority.)

* See Cooks 2 Inſtit p. 527.

Quia inſuper Dominus Rex *in innovatione prædicta Prælatis & toti Communitati Regni promiſerat*, quod pro nullo negotio quicquam nomine ipſius Domini Regis de bonis alicujus caperetur, ſine totius Regni Communi aſſenſu. *Et ſi contingat (quod abſit) aliquos malefactores de Domibus, Grangiis, aut aliis locis Eccleſiaſticis bona Eccleſiaſticarum perſonarum auferre, abducere, vel aliqualiter aſportare ſine grata permiſſione Dominorum bonorum hujuſmodi, vel ballivorum ſuorum (quod ut præmittitur* de voluntate Domini Regis *nullo modo procedere præſumatur) difficile erit & ſæpe damnoſum perſonis ſic ſpoliatis, aut læſis ad ſuos Epiſcopos ſemper habere recurſum*, tam nobis noſtriſque Coepiſcopis et Prælatis et Clero prædictis videbatur expediens, et per eos in eadem Congregatione conſenſum extitit et condictum; ut ſingulis inferioribus Prælatis, Rectoribus, etiam Vicariis Parochialium Eccleſiarum detur per ſuos Dioceſanos expreſſa poteſtas denunciandi publice et ſolemniter maleſectores hujuſmodi, qui per tacti evidentiam notoriæ et manifeſte maleficium hujuſmodi perpetrare præſument, una cum eorum complicibus dicta Excommunicationis ſententia innodatos. Quocirca fraternitati veſtræ in virtute obedientiæ firmiter injungendo mandamus, quatinus dictam ſententiam contra occupatores bonorum Eccleſiaſticorum, prout in prima dictarum Congregationum, ut ſupra ordinatum extiterat in ſingulis Eccleſiis veſtræ Dioceſis, juxta ordinationem eandem.

Memoratam vero ſententiam contra infringentes articulos dictarum Chartarum, per nos et noſtros Coepiſcopos, ut ſupra, conſenſu Regio intervenient prolatam, ſecundum formam in præfata ultima congregatione proviſam, *dictis diebus & locis, ſcilicet, bis in anno, feſtivitatibus ſuperſcriptis*, faciatur in forma, quæ ſuperius tangitur publicari, et in Anglico ſeriatim in omnibus, ac patenter exponi; pulſatis Campanis, et Candelis accenſis, ut propter ſolempnitatem hujuſmodi (quam laici magis quam effectum hujuſmodi ſententiarum attendunt) amplius timeatur. Detur etiam per vos, ſicut in dicta ordinatione ultima concorditer extitit ordinatum inferioribus Prælatis et Rectoribus, ac Vicariis, ac etiam Capellanis parochialibus plena et expreſſa poteſtas denunciandi publice et nominatim cum dicta ſolemnitate maleſactores prædictos; ſcilicet occupatores et invaſores bonorum Eccleſiaſticorum, ſi qui in hujuſmodi Prælatorum locis aut Rectorum Vicariorum parochiis in futurum bona hujuſmodi invaſerint, occupaverint, aut amoverint, ſeu ſic invadi occupari, aut amoveri fecerint, in notoria evidentia ipſius maleficii, majoris Excommunicationis ſententia innodatos. (Wherin they exceeded the authority, command given them by the King, and this Act.) *Proviſo tamen quod non niſi in facto notorio & evidenti, ac etiam ſub teſtimonio ſufficienti, per eoſdem Rectores, Vicarios, & Præſbyteros taliter procedatur; ut inſuper, cumulatio ad ſupradictam cautelis, amplius arcta-*

ter

tur ac reprimatur perverſorum iniquitas, in hujuſmodi malefactorum nominatim, ut præ- *An.* 25 *E.* 1.
tangitur, denunciatorum præſentia, ceſſetur ubilibet a celebratione Miſſarum: Et ſic excommunicati per ſingulos dies Dominicos et Feſtivos denuntientur ſolempniter; ſubtracta etiam eis, per inhibitionem ſuper hoc faciendam, Communione fidelium, quouſque ſic ablata reſtituant, et exinde idonea ſatisfactione præmiſſa, ab eadem ſententia congrue fuerint abſoluti. *Et cum de hujuſmodi maleficio perpetrato vobis per aliquem ſubditorum veſtrorum denunciatum extiterit, vel ad vos exinde publica fama pervenerit*, plenam cum celeritate juſtitiam fieri faciatis, malefactores hujuſmodi ac etiam fautores et complices eorundem, necnon ſcienter communicantes eiſdem, poſtquam id competenter inhibitum fuerit, per cohercionem Canonicam diligenter et acriter puniendo.

Simulem etiam Excommunicationis ſententiam in omnes illos, qui manus in Clericos temere violentas injecerint, (though not mentioned nor intended in the Act or Charter) faciatis in ſolempnitate eadem publicari. Si vero in tantum aliquorum ſe extendit iniquitas, prout forſan evenire poſſe timetur, quod Prælati, ſeu Eccleſiarum Rectores aut Vicarii, ſive Præsbyteri vel alii Eccleſiaſtici viri quicunque occaſione præmiſſorum vel alicujus eorum per laicalem potentiam capiantur, ſeu detineantur in Carcere aut in cuſtodia quoquo modo; Vobis injungimus in virtute obedientiæ, prout etiam in dicta ultima congregatione per Prælatos et Clerum ordinatum extiterat, ut loca, in quibus ſic capti detinebuntur, et * quatuor Eccleſias proximo vicinas, quatinus ſub diſtrictu veſtro extiterint, interdicto Eccleſiaſtico protinus ſupponatis; et ſic interdicta remaneant, quamdiu taliter capti detinentur ibidem. Et nihilominus captores ac detentores hujuſmodi, et authoritatem ſuper hoc præbentes eiſdem, ſingulis diebus Dominicis et Feſtivis poſt ſcelus hujuſmodi perpetratum, in omnibus Eccleſiis veſtræ Diocœſis inter Miſſarum ſolemnia coram Clero et populo, pulſatis Campanis, et Candelis accenſis, ut magis timeatur ſolempnitas, denuncientur ſolempniter, majoris Excommunicationis ſententia innodati. Et ut hoc ad notitiam ſingulorum perveniat, in Anglico exponatur, donec ſic Excommunicati congrua ſatisfactione præmiſſa, in forma Eccleſiæ, ab eadem ſententia per competentem Judicem fuerint abſoluti.

* Note this injuſtice and uſurpation.

Quia inſuper Proceſſiones ſolemnes, & orationum ſuffragia, quæ pro ſtatu Terræ ſanctæ, et pace et etiam tranquillitate et proſperitate Eccleſiæ, Regis et regni dudum ſalubriter ordinavimus ac mandavimus (by virtue of the * Kings premiſed Mandate) per Diœceſes ſingulas faciendas, negligenter in multis, et non abſque multorum periculo hactenus, ut audivimus, ſunt omiſſa, *de quibus (ſi fierent) fructus maximos meritò ſperaretur.* Ac etiam † Dominus Rex nuper in ultima congregatione prædicta per nuncios ſuos rogaverit, ut pro eo et ſuis in expeditione præſenti, quam contra hoſtes ipſius et regni nuper aſſumpſit, orationes et ſuffragia hujuſmodi fieri, necnon Scotos et eorum complices, qui Eccleſias regni Angliæ et loca Eccleſiaſtica violenter invadere, comburere, ac bonis Eccleſiaſticis auſu ſacrilego ſpoliare, pacemque Regni et Eccleſiæ patenter infringere ac perturbare præſumpſerant et præſumunt, ut dicitur, Excommunicatos publice per noſtram denunciari provinciam faceremus; *Vobis, ut ſupra, mandamus & injungimus*, quatinus dictas proceſſiones et orationum ſuffragia tam pro ſtatu Terræ ſanctæ, et pace Regni et Eccleſiæ Anglicanæ, quam etiam pro Domino Rege et ſibi adhærentibus in ſua expeditione præſenti ſpecialiter; necnon denuntiationes Excommunicationum prædictas per totam veſtram Diœceſin ſingulis diebus et locis, quibus id expedire videritis ſolempniter per vos, quatinus ad vos attinet, et ulterius per alios fieri faciatis: hæc omnia tam vigilanter et ſollicite proſequentes, ut ex hoc ſtatus Eccleſiæ reformetur in melius, et veſtrorum augeatur cumulus meritorum; *Vos etiam temporibus opportunis per totam veſtram Diœceſin faciatis inquiri, an præmiſſa per veſtros ſubditos, quatenus ad vos pertinet, fuerint, ut ſuperius tangitur, obſervata? Et vos ſuper hiis tam de facto veſtro, quam ſubditorum veſtrorum, certificetis idoneè, ſaltem ſemel in anno, per veſtras literas patentes, harum ſeriem continentes. Datum apud* Odeford 6 *Idus* Julii, *Anno Dom.* 1298. *Conſecrationis noſtræ quarto.*

* Here, p. 679.

† Clauſ. 27. E. 1. m. 7. dorſo.

Sententias igitur contra invaſores et occupatores bonorum Eccleſiaſticorum, necnon contra infringentes articulos dictarum Chartarum, tam in genere, quam in ſpecie, ſecundum formam quæ ſupra traditur, diebus ad hoc ſtatutis, cum ſolempnitate præmiſſa, in Præbendis et Eccleſiis veſtræ juriſdictioni ſubjectis, ac etiam con-

An. 25 *E.* 1. tra injicientes manus violentas in Clericum, lingua omnibus intelligibili faciatis, tam per vos, quam per vestros subditos publicari. *Hæc autem & alia, quæ in hoc exprimuntur mandato, vobis & cæteris plenam & liberam potestatem committimus exequendi. In nostra vero Ecclesia S.* Pauli, *nos ipsi, comite sanitate, ac impedimento cessante, exequemur præmissa, diebus, ut supra fit mentio præstitutis. Processiones insuper, & orationum suffragia, ut in præsenti continetur mandato, in Ecclesia nostra prædicta cum devotione, more solito, fieri faciatis.* Sententiam etiam Excommunicationis, quam Scoti et eorum complices, ob causas in hoc mandato expressas, quas in promulgatione hujusmodi sententiæ volumus patefieri, incurrisse noscuntur, quam toties fieri poterit, in locis in quibus expedire videritis, faciatis solemniter publicari. *Nos postea super præmissis omnibus opportuno tempore certificantes, per literas vestras patentes harum seriem continentes.* Datum apud *Orseth* 8 Calend. *Augusti*, Anno Dom. supradicto.

* Henry de Knyghton de Eventibus Angliæ, l. 3. c. 12. col. 2524. 2525. Th. Walsingham Histor. Angl. p. 42.

* *Tunc Rex* Edwardus (immediately after his ratification of the Great Charter and premised Acts at *Gaunt*) *per literas suas speciales regavit eosdem Comites & cæteros Magnates qui remanserint in* Anglia, *ut sicut suum & totius* Angliæ *honorem diligerent; cum festinatione parati procederent in* Scotiam *cum Comite de* Warenna *quem suo loco præfecerat, ut* Scotorum *audaciam castigarent & reprimerent, præfixitque iis terminum, scilicet in Octavo sancti* Hillarii *apud* Eborum, *ut interim pararentur, & convenirent ibidem extunc in suos hostes processuri. Misit etiam Rex literas suas ad Magnates* Scotiæ, ut si in fide et fidelitate sua manerent, sicut in recessu suo se remanere promiserunt, *ad Parliamentum suum apud* Eboracum *quod per Comites suos in Crastino sancti* Hilarii *celebrandum statuerat, absque omni cavillatione venirent, aliquin extunc velut hostes publici teneantur. Ad quem quidem diem convenerunt nostri Comites; illi scilicet, Comes de* Warenna, *qui locum Regis tenens, personam illius præsentabat in hoc, Comes* Glouceſtriæ *cum Comitissa uxore sua filia Regis, Comes* Herefordensis, *Comes de* Arundel *& Guydo filius Comitis de* Warwyk, Johannes de Segrave, *& Magnates plures. Communicatoque consilio voluerunt*, ut constaret communi populo de confirmatione Magnæ Chartæ et Chartæ de Foresta. *Comites* Herefordiæ *& Mareschalli, quia confirmatio Cartarum fuit facta in terra aliena*, petiverunt ad majorem securitatem eas iterum confirmari: *Respondentes autem pro Rege Episcopus* Dunelmensis *ac Comites*, Johannes Surryæ, Willielmus Warwici, Radulphus Gloverniæ, *quod obtenta victoria*, Rex eas post suum reditum confirmaret. *Unde lecta* Magna Charta *cum suis articulis insertis, quos enumeravimus supra*, de præcepto eorum, Karliolensis Episcopus pontificialibus indutus, Excommunicationis sententiam in omnes ejus violatores fulminavit. *Cumque non venirent* Scoti *neque mitterent, statuerunt, ut in Octabis sequentibus apud* Novum Castrum *super* Tynam, *omnis muniretur populus expeditus ad pugnam; & sic continuò procederetur in hostes;* Whom they soon after encountring at *Fowkirk*, slew above * *sixty thousand* of these perjured treacherous and rebellious *Scots* in that Battel, reduced their Kingdom once more to the Kings obedience, who soon after reconfirmed the great Charter and Charter of the *Forest*, with new additions; of which more in its Chronological order.

* Tho. Walsingham Hist. Angl. p. 43.

From these last recited Histories, Records and Parliamentary proceedings, concerning the violations and confirmations of the great Charter and Articles thereto annexed, we may observe. First, that the Archbishops, Bishops and Clergy who originally occasioned, excited, fomented all the premised insurrections and seditions against the King, were the greatest losers, sufferers of all others by them; whence * *Thomas Walsingham* thus concludes his History of this year, *Transit annus iste* Clero Angliæ importabilis, quia de protectione Regia est exclusus, et per Regem nichilominus depravatus. 2ly. That Parliaments and Convocations refusals or delays to grant our Kings competent necessary speedy ayds of monies and provisions to defend their rights, Crowns, Kingdoms against invading enemies, do usually enforce them to exercise forcible illegal courses, rapines, purveyances, seisures of their monies, goods, chattels, to the great oppression, discontent and grievance of their subjects. 3ly. That our Kings violations of the great Charters, laws, liberties and properties of their subjects, and abuses of their prerogative or regal power, to supply their necessities in cases of extremity, do commonly occasion great insurrections, seditions against them, alienate their Nobles, Clergies, Commons hearts and affections from them, deprive them of their military assistance,

* Hist. Angl. pag. 41.

armes,

armes, when they moſt need them, to their great detriment, danger, diſappointment, and give great advantage and encouragement to their forein enemies. 4ly. That inſurrections and commotions on ſuch occaſions frequently end in the Kings diſhonour, loſs, being ſeldom cordially and finally allayed, but by the Kings publick acknowledgements, recantations of ſuch exorbitances, and paſſing new Charters, Oaths, Acts, Excommunications & other ſecurities to their ſubjects, for their greater ſecurity againſt ſubſequent grievances, exorbitances, oppreſſions of like nature; as all our ſucceſſive Grand Charters, with their ſeveral confirmations, additional Articles, reiterated ſentences of Excommunication againſt the infringers of them, and new Oaths for their defence, accompanied with Acts of general Pardon, indemnity and oblivion to their greateſt opponents, in this Kings, his predeceſſors and ſucceſſors reigns abundantly evidence. Which ſhould caution Kings, their Counſellors and State-Officers carefully to avoid all ſuch impolitick oppreſſing extravagancies, and to remember that ſacred Maxim of the wiſeſt of Kings, * *It is an abomination for Kings to commit wickedneſs, for the throne is eſtabliſhed by righteouſneſs.* 5ly. That Kings may juſtly diſplace their greateſt Eccleſiaſtical, Military and Civil Officers, Prelates, Peers, when they contemptuouſly oppoſe, or neglect their duties to them, and put them out of their Royal protection. 6ly. That our Archbiſhops and Biſhops have no legal authority to denounce any publick Excommunication againſt the Kings ſubjects for any miſdemeanors or offences, but when and in ſuch caſes only as they are ſpecially required, authoriſed by the King, Lords, and Acts of Parliament to do it; whoſe preſcribed bounds they have been alwayes prone to exceed, to enlarge their own Juriſdiction. 7ly. That the premiſed Charter of Pardon to *Humfrey de Bohun* and others, and the Statute *de Tallagio non concedendo*, were made, granted in the 25 year of King *Edward* the 1. not in the 34 of his reign, as all our printed Statute-books, and † Sir *Edward Cook* very groſly miſtake: which the premiſed Hiſtorians, the Statute-Roll in the *Tower*, the dates of paſſing them in *England*, of confirming them at *Gaunt* and *York*, the Subſidy granted by the Nobles, Commons, and Clergy for their confirmation, the Excommunications denounced againſt the infringers of them, (all in the 25 year of *Edw.* 1.) with the deaths of *Humfrey de Bohun* Earl of *Hereford* and *Eſſex*, *Gulielmus de Bello campo* Earl of *Warwick*, and *Guilielmus de Luda* Biſhop of *Ely*, Anno 1298. 26 E. 1. (as * *Matthew Weſtminſter* and others ſtory) mentioned in this Charter, Statute, as parties named, concerned in, or Witneſſes to them, infallibly evidence beyond contradiction. Which I deſire our Students of the Law, and publiſhers of Statute-books, when reprinted, to take notice of, to rectifie their former miſtakes.

An. 24 & 25 *Edw.* 1.

* Prov. 16 12. & 25. 1.

* See here, pag. 88.

† 2 Inſtit. pag. 585.

* Anno 1298. pag. 412. Godwins Catalogue of Biſhops, p. 213.

During the Wars abrode, and ſeditions at home, the Popes forementioned Legates, though at firſt denied, yet at laſt obtained Procurations and Commiſſions from the Kings of *England*, *France*, and their Confederates, to treat and conclude a Truce between them, with a ſubmiſſion to Pope *Boniface* as a private perſon and arbitrator only, voluntarily choſen by them, not as Pope by his Papal authority, to hear their differences, and ſettle a Truce and firm Peace between them; thus related by our Hiſtorians. [a] *Fuit Rex* Edwardus *apud* Gandavum, *ad quem venerunt in feſto Sanctorum* Innocentium *Magiſter Ordinis Pradicatorum, & Magiſter generalis Fratrum Minorum ſub eadem forma, qua ante Regem* Franciæ, **ex parte Domini Papæ rogaverunt, ſupplicantes, quatenus Nuncios ſolemnes ad Curiam Romanam, conceſſa eis plena poteſtate tractandi, ordinandi et perficiendi omnia quæ pacis reformationem tangerent deſtinarent; et ipſe Apoſtolicus non tanquam Judex,** (which neither party would admit him then to be) **ſed ut bonus pacis mediator in nullius præjudicium ſatageret ad pacem et tranquillitatem regnorum, Regum amicitiam in ſtatum priſtinum reformare.** *Et quia hoc abſque treugis fieri non poſſe* **judicavit Dominus Papa, ideo per hos Nuncios biennales inducias, quas per Cardinales imploraverat, indixit de novo ſub pœna Excommunicationis et Interdicti terrarum ſuarum.** Whereupon, *Rex* Angliæ *perpendens ſe in* Flandria *periculoſè commorantem, illucque per informationem Comitis* Flandriæ *minus prudenter attractam, regnumque proprium inteſtina ſeditione turbatum*, **ſtudiamque ſuam a Rege** Romanorum, **per Papam ſibi minus benevolum regnum** Teutoniæ **turbantem, fruſtratam,** [b] *Papa enim* Bonifacius *ſcripſit Principibus* Alemanniæ, **ut Regem** Romanorum Adulphum, *cujus occurſum in* Flandria *Rex* Anglorum *ſperaverat, ut ſimul cum*

a Walſingham Hiſt. Angl. p. 41 See Henr. de Knyghton de Event. Angl. l. 3. c. 11. col. 2525, 2526. Mat. Weſtm. p. 411, 412.

b Walſingham Hiſt. Angl. p. 39.

An. 24 & 25 E. 1.

Comite Flandriæ *oppressores invasoresque suos* Gallicos *propulsaret*, **commoto bello inquietarent, et ab invasione** Gallicorum **modis omnibus impedirent**, such was his Papal treachery] **consensit in Treugas invictas.** *Convenitque inter eos, ut captivi, interim taxata eorum redemptione liberarentur hinc inde, ea conditione, ut si pax non fieret, redirent ad suas custodias, vel redemptionem solverent jam taxatam.* Trans. **mittunt igitur Reges utrique solemnes Nuncios cum plena potestate ad Curiam Romanam, ut per mediationem Apostolici, non tanquam judicis sed amicabilis compositoris discussis negotiis, pax inter Reges et concordia reformetur.** (In which reference the Pope was stiled only [c] *Benet Cajetan* as a private person, not Pope *Boniface*, to the end *he might not exercise any Papal authority over these Kings persons or Realms in this affair.*) [d] *Acceptis tandem induciis & concessis inter Reges utriusque terra & sibi confœderatos ab Epiphania Domini per biennium.*

[c] Pierre de Pithou Preuves les Libertez de l'Eglise Gallicane, chap. 7. sect 12. p. 233.

[d] Mat. Westm. Anno 1297. p. 411.

The Procurations, Commissions, submissions of the Kings of *England*, *France*, and their Adherents, together with the Truce, Pope *Boniface* his arbitrements and awards then made between them, (not extant in any Histories) I shall here present you with, out of Records I lately found in the White Tower Chappel, and other Rolls.

On the first of *January*, *An.* 24. E. 1. the King issued these two Commissions to the *Popes Legates*, and his own Commissioners, authorizing them to treat and make a *Truce* between him and the King of *France* and their subjects.

Pat. 24 E. 1. m. 18 intus. De potestate quam habent Cardinales ad dandam Treugas Regi Franciæ.

UNiversis Christi fidelibus ad quos præsentes literæ pervenerint; *Edwardus*, &c. salutem. Noverit universitas vestra, **quod nos damus et concedimus** per præsentes venerabilibus in Christo patribus Dominis *B. Albanensi*, & *S. Penestrin.* Episcopis, Sanctæ *Romanæ* Ecclesiæ Cardinalibus, **plenam potestatem** dandi nomine **nostro Regi** Franciæ **et bolatoribus suis super guerris, dissentionibus et discordiis quibuscunque inter eundem Regem et nos ubicumque locorum exortis et motis, Treugas secundum formam in quam consentient Nuncii nostri, vel major pars illorum, quos ad præsentiam prædictorum Cardinalium apud** *Cameracum* **duximus transmittendos.** In cujus, &c. Teste Rege apud Sanctum *Albanum* primo die *Januarii*.

Bundela Brev. & Literarum An. 24 E. 1. in Turre London. & Pat. 24 E. 1. m. 18. intus. De potestate data ad tractandum de Treugis inter Reges Angliæ & Franciæ.

UNiversis Christi fidelibus ad quos præsentes literæ pervenerint; *Edwardus* Dei gratia Rex *Angliæ*, Dominus *Hiberniæ*, & Dux *Aquitaniæ*, salutem. Noverit universitas vestra, **quod ob reverentiam sedis Apostolicæ, et ad instantiam, requisitionem venerabilium in Christo patrum** *B. Albanensis*, & *S. Penestrini* **Episcoporum, Sanctæ Romanæ Ecclesiæ Cardinalium,** mittimus apud *Cameracum* ad præsentiam Cardinalium eorundem, venerabiles in Christo patres *J. Winton.* & *W. Elien.* Episcopos, & nobiles viros *W. de Valencia* Comitem *Penbrok*, avunculum nostrum, *J.* Ducem *Brabantiæ* & *Lotheringiæ*, *A.* Comitem *Sabaudiæ*, *H.* Comitem *Barry*, *Florencium* Comitem *Holland.* & *Seland.* *Ottonem de Grandisono*, *Hugonem le Despenser*, *Amanenum del Bret*, *Thomam de Berkelee*, & *Hugonem de Veer* Milites, fideles nostros, necnon & discretos viros Magistros *H.* Decanum *Eborum*, *R.* Archidiaconum *Cestriæ*, *Iterium* Archidiaconum *Bathoniæ*, *Walterum de Langeton* & *W. de Grenfeld* Canonicos *Eboracenses*, & *J. de Silveston* Canonicum *London.* & *Johannem de Sancto Claro.* Dantes eis & majori parti illorum qui præsentes fuerint, plenam potestatem & speciale mandatum ad tractandum nomine nostro de treugis inter Regem *Franciæ* & nos, super guerris, dissensionibus & discordiis quibuscumque inter eundem Regem & nos ubicumque locorum exortis & motis, & etiam ad easdem treugas ineundas & firmandas; ac ad omnia alia & singula facienda, quæ ad præmissorum expeditionem fuerint oportuna. Ratum habituri & firmum quicquid per prædictos Nuncios nostros, seu majorem partem illorum qui præsentes fuerint, sicut præmittitur, tractatum, ordinatum, initum, firmatum & factum fuerit in præmissis. In cujus rei testimonium has literas nostras fieri fecimus patentes. Dat. apud *Sanctum Albanum* primo die *Januarii*, Anno regni nostri vicesimo quarto.

* Here p 679.

At which time he likewise issued * *Writs* to Bishops and Abbots, to make devout Prayers to God for his blessing on this Treaty.

In another parchment Roll I found in the White Tower, these following Letters, Procurations and Submissions to the Pope are recorded all together.

Sanctissimo

Anno 24 E. 1. in Turre London in uno Rotulo de Procurationibus ifta.

SAnctiſſimo in Chriſto patri Domino *B.* divina providentia Sanctæ *Romanæ* ac Univerſalis Eccleſiæ Summo Pontifici; *Edwardus* eadem gratia Rex *Angliæ*, *&c.* devota pedum oſcula beatorum. Conſideratione ſollicita nunc & aliàs attendentes, quod nil melius diſſidentium filiorum corda ſedabit, quàm paterni providentia ſtudii vigilans aſſiduè circa illos, **juxta preces et exhortationes veſtras nobis nuper directas, ſuper diſcordiis atque guerris inter Regem** *Francie* **et nos dudum ortis**, magnificæ veſtræ circumſpectionis induſtria mediante, **ſedandis**, venerabiles in Chriſto patres *W.* Archiepiſcopum *Dublin.* *A.* Epiſcopum *Dunolm.* & nobiles viros *A.* Comitem *Sabaudiæ* conſanguineum noſtrum, *Ottonem de Grandiſono*, & *Hugonem de Veer* Milites, exhibitores præſentium, **pacis et concordiæ zelatores** ſuper prædicto negotio Procuratores ad veſtram præſentiam duximus deſtinandos. Quibus una cum venerabili patre *J. Wintonienſi* Epiſcopo, **plenam ſuper præmiſſis commiſimus poteſtatem.** Sanctitati veſtræ devotis precibus ſupplicantes, quatinus eoſdem Nuncios noſtros benignè de clementia ſolita admittentes, eò ſollicitudine promptiori circa commiſſa ſibi negotia, coram veſtra beatitudine proſequenda, **opportunum et ſalubre remedium dignemini adhibere**, quò maturiorem expeditionem exigunt & requirunt. Conſervet vos Altiſſimus ad regimen Eccleſiæ ſuæ per tempora proſpera & longæva. Datum apud *Gandavum* 18 die *Februarii*, Anno Domini 1297. Triplicatur.

In eodem Rotulo.

VEnerabili in Chriſto patri *G.* Dei gratia Epiſcopo *Sabien.* amico ſuo chariſſimo, *Edwardus* eadem gratia, *&c.* ſalutem & ſinceræ dilectionis affectum. Inſidet cordi noſtro, ſicut hactenus inſidebat, **quod negotium diſcordiarum atque guerrarum quæ ſunt inter Regem** *Francie* **et nos, coram Sanctiſſimo patre Domino** *B.* **nunc Summo Pontifice tractetur, et** (ſi fieri poterit) **reformetur.** Cum itaque idem Dominus Summus Pontifex per literas ſuas rogaret, ut ſolemnes Nuncios, pacis amatores, voluntaris noſtræ conſcios ac diligentius informatos, plenam à nobis habentes mandatum ſuper diſcordiis & guerris prædictis ipſo mediante ſedandis, ad ipſius præſentiam mittere curaremus. Nos ipſius deſiderium ſuper hiis adimplere volentes, venerabiles in Chriſto patres *W.* Archiepiſcopum *Dublin.* *A.* Epiſcopum *Dunolm.* & nobiles viros *Amadeum* Comitem *Sabaudiæ* conſanguineum noſtrum, *Ottonem de Grandiſono*, & *Hugonem de Veer* Milites, exhibitores præſentium ſuper prædicto negotio plenè inſtructos, ad ſedem Apoſtolicam duximus deſtinandos. Quibus una cum venerabili patre *J. Winton.* Epiſcopo, **plenam ſuper præmiſſis commiſimus poteſtatem.** Paternitatem veſtram inſtantius deprecantes, quatinus prædictos Nuncios gratioſis habentes affectibus commendatos, velitis eiſdem vel illis, qui præſentes fuerint, in hiis quæ nobis ex parte noſtra oraculo vivæ vocis exponent, fidem credulam adhibere. Sic eos, ſi placet, in commiſſis ſibi negotiis efficaciter dirigentes, quod eiſdem eò proſperioris & celerioris expeditionis effectus adveniat, quò circa promotionem eorum diligentiam appoſueritis potiorem." Dat. apud *Gandavum* 18 die *Febr.*

Item eodem modo Domino *M. Portuen.* & *Sanctæ Ruffinæ* Epiſcopo.

Item *J.* Epiſcopo *Tuſculan.*

Item venerabili in Chriſto patri Domino *J.* Titulo Sanctorum *Marcellini* & *Petri* Presbytero Cardinali, amico ſuo chariſſimo.

Item Domino *P.* Titulo S. *Crucis* in *Jeroſol.* Presbytero Cardinali.

Item Domino *S.* Titulo *Sanctæ Balbinæ* Presbytero Cardinali.

Item Domino *Thomæ* Titulo *Sanctæ Cecilie* Presbytero Cardinali.

Item Domino *R.* Titulo *Sanctæ Potentianæ* Presbytero Cardinali.

Item Domino *N.* Titulo S. *Laurentii* in *Damaſo* Presbytero Cardinali.

Item Domino *F.* Titulo *Sancti Marci* Presbytero Cardinali.

Item Domino *J.* Titulo *Sancti Clementis* Presbytero Cardinali.

Item Domino *M. Sanctæ Mariæ* in *Porticu* Diacono Cardinali.

Item Domino *N. Sancti Adriani* Diacono Cardinali.

Item Domino *L. Sancti Angeli* Diacono Cardinali.

Item Domino *G. Sancti Nicholai* in Carcere *Tulliano* Diacono Cardinali.

Item Domino *B.* Sanctorum *Coſmæ* & *Damiani* Diacono Cardinali.

Item Domino *P. Sanctæ Mariæ novæ* Diacono Cardinali.

Item

An. 24 & 25 *Edw.* I.

Item Domino *J. Sancti Georgii* ad *velum aureum* Diacono Cardinali.
Item Domino *F. Sanctæ Mariæ* in *Cosmodyn.* Diacono Cardinali. Per 18 paria literarum. Dat. ut supra. Et omnes Clausæ.

Ibidem. Potestas generalis data de tractando de pace coram Papa.

SAnctissimo in Christo patri Domino *B.* divina providentia Sanctæ *Romanæ* ac Universalis Ecclesiæ Summo Pontifici; *Edwardus* eadem gratia Rex *Anglia*, &c. devota pedum oscula beatorum, **Voze devotissimi filii in votis hactenus gessimus, et adhuc gerimus circa beneplacita sedis Apostolicæ prosequendo paratos nos promptitudine animi et effectu operis exhibere.** Sperantes itaque per vestræ Sanctitatis industriam super discordiis inter Regem *Francia* & nos dudum exortis salubriter provideri, venerabiles in Christo patres *Willielmum* Archiepiscopum *Dublinensem*, *Antonium Dunelmensem* Episcopum, & nobiles viros *Amadeum* Comitem *Sabaudiæ* consanguineum nostrum, *Ottonem de Grandisono*, & *Hugonem de Veer* Milites, pacis & status nostri pacifici zelatores, voluntatis nostræ conscios ac diligentius informatos, ad vestram præsentiam duximus destinandos. Quibus una cum venerabili patre *Johanne Wintonienſi* Episcopo, aut quinto ipsorum sex uno absente, vel quatuor eorundem duobus absentibus, (quorum quatuor duo sint Laici) plenam damus tenore præsentium potestatem & speciale mandatum super omnibus discordiis, guerris, litibus, controversiis, causis, quæstionibus, damnis & injuriis, petitionibus & actionibus realibus, personalibus & mixtis, quæ fuerunt, & sunt, vel esse possent inter dictum Regem *Francia* & nos occasione quacunque, tractandi, paciscendi, componendi, transigendi, concordandi & conveniendi in personam vestram compromittendi pro nobis & hæredibus nostris; Nos & hæredes nostros vestræ arbitrationi, ordinationi, dicto seu laudo submittendi, sub formis seu modis, de quibus & quotienscunque viderint expedire; necnon omnia & singula quæ per ipsos sex, quinque vel quatuor ipsorum, prout suprascriptum est, nostro & hæredum nostrorum nomine, super præmissis & singulis præmissorum pacta, composita, transacta, concordata fuerint seu conventa, compromissum, submissionem vestram arbitrationem, ordinationem, dictum seu laudum prædicta firmandi, roborandi, omologandi & vallandi, per juramentum super hiis & aliis hujusmodi negotium tangentibus, quandocunque & quotienscunque viderint expedire, in animam nostram præstandi, ac omnia & singula faciendi, quæ sunt pacis & concordiæ, & ad plenam pacem & concordiam valeant pertinere, & quæ nos faceremus vel facere possemus si præsentes essemus, etiamsi mandatum exigant speciale. Volentes omnia & singula necessaria vel utilia ad faciendum & complendum præmissa & quodlibet præmissorum pro specialiter expressis & enumeratis haberi. Promittentes nihilominus nos ratum habituros & firmum quicquid per prædictos sex, quinque vel quatuor eorundem, in forma expressa superius, tractatum, pactum, compositum, transactum, concordatum, conventum, firmatum, roboratum, omologatum, vallatum, & factum fuerit in præmissis: **Super quibus per nostras literas approbandis, tenendis, servandis et complendis, nos et hæredes nostros, et bona nostra omnia obligamus.** Et hæc sanctæ Paternitati vestræ significamus, & omnibus quorum interest, vel interesse potest, aut poterit in futurum, per nostras patentes literas sigilli nostri munimine consignatas. Dat. apud *Gandavum* 18 die *Febr.* Anno Domini 1297. Quadruplicatur.

Ibidem. De potestate substituendi super generali submissione.

SAnctissimo in Christo patri Domino *B.* &c. *Edwardus*, &c. devota pedum oscula beatorum. Licet venerabilibus in Christo patribus *Willielmo* Archiepiscopo *Dublin.* *Antonio Dunolm.* *Johanni Winton.* Episcopis, & nobilibus viris *Amadeo* Comiti *Sabaudiæ* consanguineo nostro, *Ottoni de Grandisono*, & *Hugoni de Veer* Militibus, omnibus simul, & quinque ipsorum, uno absente, vel quatuor eorundem, duobus absentibus, (quorum quatuor duo sint Laici) plenam dederimus potestatem & speciale mandatum super omnibus discordiis, guerris, litibus, controversiis, causis, quæstionibus, damnis & injuriis quæ fuerunt, & sunt, vel esse possent inter Regem *Francia* & nos, occasione quacunque, tractandi, pacificandi, conveniendi, in personam vestram pro nobis & hæredibus nostris compromittendi, nos & hæredes nostros vestræ ordinationi, arbitrationi, dicto seu laudo submittendi, necnon omnia & singula quæ per ipsos sex, aut quinque ipsorum uno absente, vel quatuor eorundem duobus absentibus, (sicut prædicitur) nostro & hæredum nostrorum

ſtrorum nomine, ſuper præmiſſis & ſingulis præmiſſorum, pacta, compoſita, tranſacta, conventa per vos ordinata, arbitrata, dicta fuerint ſeu laudata, firmandi, roborandi, omologandi, & vallandi per juramentum ſuper hiis & aliis hujuſmodi negotium tangentibus, in animam noſtram præſtandi, prout in aliis literis noſtris inde confectis plenius continetur. Ne tamen propter dictorum Comitis & *Ottonis* abſentiam præmiſſa impediri contingat, ſeu etiam retardari, eiſdem Comiti & *Ottoni* & utrique ipſorum plenam damus tenore præſentium poteſtatem, alium ſeu alios loco ſui ſubſtituendi, quando & quotienſcunque ipſos vel eorum alterum abeſſe contigerit; & ſubſtitutum vel ſubſtitutos eoſdem revocandi, prout viderint expedire. Volentes quod ſubſtitutus vel ſubſtituti ab eis vel eorum altero poſſit ſeu poſſint omnia & ſingula facere in præmiſſis, quæ ipſi Comes & *Otto* facerent ſeu facere poſſent, ſi perſonaliter intereſſent. In cujus, &c. Dat. ut ſupra, 20 die *Febr.* Anno Domini 1297. Duplicatur. *An.* 25 E. 1.

SAnctiſſimo, *&c. Edwardus*, &c. Devota pedum oſcula beatorum. Confidentia ſpecialis quam de veſtræ circumſpectionis induſtriæ & bonitate perſonæ habuimus hactenus & habemus, propenſius nos inducit, ut nos et hæredes noſtros, noſtrum et ipſorum hæredum honorem veſtræ Sanctitatis providentiæ committamus. Eapropter (ſanctiſſime Pater) veſtræ ordinationi, arbitrationi, dicto ſeu laudo ſuper omnibus diſcordiis, guerris, litibus, controverſiis, cauſis, quæſtionibus, damnis & injuriis, petitionibus, & actionibus, realibus, perſonalibus & mixtis, quæ fuerunt & ſunt, vel eſſe poſſent inter Regem *Franciæ* & nos occaſione quacunque, purè & abſolutè, de alto & baſſo, nos pro nobis & hæredibus noſtris ſubmittimus per præſentes: promittentes pro nobis et eiſdem hæredibus nos inviolabiliter ſervaturos quicquid per Sanctitatem veſtram ſuper præmiſſis omnibus et ſingulis, et aliis hujuſmodi negotium tangentibus, ordinatum, arbitratum, dictum fuerit ſeu laudatum. Ita tamen quod honor noſter, fides, et Juramenta, quibus noſtris ſumus Conſœderatis aſtricti, per veſtræ beatitudinis excellentem providentiam ſuper hiis conſervetur. Committimus inſuper nobilibus viris, *Amadeo* Comiti *Sabaudiæ* Conſanguineo noſtro, & *Ottoni de Grandiſono*, Nunciis noſtris, poteſtatem & ſpeciale mandatum roborandi & vallandi per juramentum in animam noſtram præſtandum, ſubmiſſionem, ordinationem, arbitrationem, dictum ſeu laudum prædicta, & faciendi omnia & ſingula quæ ipſis Comiti & *Ottoni* ſuper præmiſſis neceſſaria vel utilia videbuntur. In manibus igitur Dei, de quo ſemper confidimus, & in veſtris, qui locum ejus tenetis in terris, Cauſam noſtram ponimus antedictam. In cujus, *&c.* Datum ut ſupra 18 die *Febr.* &c. Ibidem. Submiſſio ſpecialis.

SAnctiſſimo, *&c. Edwardus*, *&c.* Licet veſtræ Ordinationi, arbitrationi, dicto ſeu laudo, ſuper omnibus diſcordiis, guerris, litibus, controverſiis, cauſis, quæſtionibus, damnis & injuriis, petitionibus, & actionibus, realibus, perſonalibus & mixtis, quæ fuerunt & ſunt, vel eſſe poſſint inter Regem *Franciæ* & nos, occaſione quacunque, purè & abſolutè, de alto & baſſo, nos pro nobis & hæredibus noſtris ſubmiſerimus, committendo nobilibus viris *Amadeo* Comiti *Sabaudiæ* conſanguineo, & *Ottoni de Grandiſono* Nunciis noſtris, poteſtatem & ſpeciale mandatum roborandi & vallandi per juramentum in animam noſtram præſtandum, ſubmiſſionem, ordinationem, arbitrationem, dictum ſeu laudum prædicta, & faciendi alia quæ ſibi utilia videbuntur, prout in aliis literis noſtris inde confectis plenius continetur. Ne tamen propter dictorum Comitis & *Ottonis* abſentiam præmiſſa impediri contigerit ſeu etiam retardari, eiſdem Comiti & *Ottoni* & utrique ipſorum plenam damus tenore præſentium poteſtatem, alium ſeu alios loco ſui ſubſtituendi, quando vel quotiens ipſos vel eorum alterum abeſſe contigerit, & ſubſtitutum vel ſubſtitutos revocandi prout viderint expedire. Volentes quod ſubſtitutus vel ſubſtituti ab eis vel altero eorum poſſit ſeu poſſint omnia & ſingula facere in præmiſſis, quæ ipſi Comes & *Otto* facerent ſeu facere poſſent, ſi perſonaliter intereſſent. Dat. apud *Gandavum* 20 die *Febr.* Anno Domini 1297. Ibidem. De poteſtate ſubſtituendi ſuper ſubmiſſione ſpeciali.

He likewiſe writ this Letter to the King of *Almaign* his confederate, to give him notice of the Treaty about a Truce appointed before the Legates at *Cambray*, deſiring him to ſend his Commiſſioners thither with full power to treat and conclude an honourable and beneficial Truce and Peace for both of them.

Au

An. 25 *E.* 1. In Bundela Literarum & Brevium An. 24 E. 1. in Turre Lond.

AU Roy *Dalemayn*, *Edward*, &c. ſaluz. Sachez Sire, qe a la requeſte des Eveſques *Dalban.* & de *Peneſtr.* Cardinaux & Meſſages du See l'Apoſtoille envenoms a *Cambrey* noſtre Uncle de *Valence*, Prelatz & autres grantz gentz de noſtre Royaume. Iſſint quil yſerront, ſe Dieu pleſt, a troys ſemaynes apres ceſt noel pur troiter devant les ditz Cardinaux de pees & de true par entre vous & nous dune part, & le Roy de *France* dautre, **aquen treti le dit Roy eſt aſſentuz en-dzoit ſoi**, a ce qe les ditz Cardinaux nous ont mande par leur lettres, & par leur meſſages; & ſicome il le vous ont fait a ſavoir auſſint, a ce qe nous entendoms, **Et pur ce qe nous nenſeſoms riens ſauiz vous**, Vous prioms qe vous (enveons) voz Meſſages oue plein poer iſſint qil yſoient au jour avantdit, pur treiter enſemblement oue les noz des buſoignes ſuſdites ſelonc ce qe entre eux verront, qe ſoit du profit & al honour de vous & de nous auſint. E vous feiſoms a ſavoir qe meiſme ceſte choſe vous auoms ſeneſiez par unes autres lettres, les queles nous baillames as meſſages des dits Cardinaux quant il eſtoient a nous par porter a lour Seignourages; Iſſint quil les vous forſſant venir au plus toſt quil peuſſent.

In *Rotulo Alemannie* in the *Tower*, I finde another Commiſſion and Procuration of King *Edward*, iſſued to the Biſhop of *Coventry* and *Litchfield* and others to treat and conclude a Truce or Peace.

Rot. Aleman. 25 E. 1. m. 14. intus. Poteſtas commiſſa Nunciis ad tractand. de pace, &c.

UNiverſis Chriſti fidelibus ad quos preſentes Literæ pervenerint. *Edwardus* Dei gratiâ, &c. ſalutem. Noverit univerſitas veſtra quod nos ob reverentiam Sedis Apoſtolicæ, et ad inſtantem requiſitionem Venerabilium patrum Dominorum *P. Albanen.* & *S. Peneſtren.* Dei gratiâ Epiſcoporum Sanctæ Romanæ Eccleſiæ Cardinalium noſtrorum ſpecialium amicorum, damus et concedimus per præſentes dilectis & fidelibus noſtris Venerabili Patri *Waltero Coventr.* & *Lychef.* Epiſcpo Theſaur. noſtro, *Amadæo* Comiti *Sabaud.* Conſanguineo noſtro chariſſimo, *Ottoni de Grandiſſono* Militi, & *Johanni de Berwico* Canonico *Eborum*, ſeu tribus aut duobus ipſorum, ſi unus vel duo ex ipſis fuerint abſentes, plenam & liberam poteſtatem ac ſpeciale mandatum, tractandi nomine noſtro de ſufferentia, de treugis, et de pace inter Regem *Romanorum* & nos & Valitores noſtros ex parte una, & Regem *Francorum* & Valitores ſuos ex altera, ſuper guerris, diſſenſionibus et diſcordiis quibuſcunque inter dictum Regem Romanorum et nos et valitores noſtros, et ipſum Regem Franc. et valitores ſuos exortis, & etiam eaſdem ſufferentiam, treugas & pacem ordinandi, ineundi & firmandi, & omnia alia & ſingula faciendi, quæ ad præmiſſorum expeditionem fuerint opportuna. Ratum habituri & firmum quicquid per prædictos Epiſcopum, Comitem, Militem & Canonicum, vel tres aut duos eorum, ſicut prædictum eſt, tractatum, ordinatum, initum, firmatum & factum fuerit in præmiſſis. Et ad hæc omnia fideliter obſervanda, obligamus nos & omnia bona noſtra præſentia & futura. In cujus, &c. Dat. apud *Walſingham*, 6. die *Febr.* Anno regni Regis 25. ——— Et erunt inde tres literæ. Conſimilem poteſtatem habent iidem nuncii in qua Rex *Francia* cum valitoribus præcedit, &c.

I alſo diſcovered among the refuſe Records in the *White Tower* Chappel, theſe Inſtruments of the Kings and his Confederates ſubmiſſions to the award of Pope *Boniface*, as a private perſon and arbitrator only, not as a Pope or Judge, then written and atteſted by publike Notaries.

An Inſtrument whereby Edward *the Firſt, and* Philip *King of* France *ſtand bound to the Pope for ending all Controverſies, in one hundred Thouſand Markes.*

Anno 24 E 1. in Turre London.

IN *Nomine Dei Amen.* Conſtituta coram Sanctiſſimo Patre ac Domino, Domino *Bonifacio* divina providentia Papa octavo. Tales nuncii Procuratores Magnifici Principis *E.* Regis *Angliæ* illuſtris, & habentes poteſtatem ſuper infraſcripta compromittendi pro eodem Domino & Rege ſub modis & formis, de quibus expedire viderint, prout in patentibus procuratoriis literis ipſius Domini Regis cera & ſigillo

figillo munitis infraſcripti tenoris plenius continetur, compromiſerunt nomine Procuratorio præfati Domini Regis, altè & baſſè, abſolutè & liberè, in quantum poterant ex virtute ac forma mandati ſeu procuratorii prædicti, quod habebant ab eodem Domino Rege in ſanctiſſimum Patrem & Dominum, Dominum *Bonifacium* divina providentia Papam octavum, ut in Dominum Benedictum Gaytanum pzibatam perſonam, tanquam in Arbitrem, Arbitratozem, Laudatozem, Diffinitozem, arbitralem ſententiatozem, et amicabilem compoſitozem, Pzæceptozem, Ozdinatozem, diſpoſitozem et pzonunciatozem ſuper reſozmanda pacifica concozdia inter ipſum Dominum Regem ex parte una, et excellentem Principem Dominum *Philippum* Regem *Franc.* illuſtrem ex altera, ſuper hiis quæ ad pacem pertinent, et ſuper omnibus et ſingulis Diſcozdiis, Guerris, Litibus, Controverſiis, Cauſis, Quæſtionibus, Dampnis et Injuriis, Penſionibus, Actionibus realibus, perſonalibus atque mixtis, quæ fuerunt, et ſunt, vel eſſe poſſunt inter ipſos Dominos Reges occaſione quacunque, Ut ipſe Dominus Papa tanquam Dominus Benedictus Gaytanus pzibata perſona, alte et baſſe, abſolute et libere, cum cognitione vel ſine cognitione cauſæ ſive cauſarum, ac de plano ac ſummarie ſine ſtrepitu et figura judicii, poſſit infra inſtans feſtum beati *Michaelis* inter dictos Dominos Reges, ſemel et pluries quociens ipſe placuerit, et videbitur expedire, ſuper omnibus pzæmiſſis et ſingulis Arbitrari, laudare, diffinire, Arbitraliter ſententiare, pzæcipere, ozdinare, diſponere, ac pzonunciare, addere, minuere, cozrigere, interpzetari, et declarare in ſcriptis vel ſine ſcriptis, diebus feriatis et non feriatis, partibus pzæſentibus vel abſentibus, vocatis vel non vocatis, et una parte pzæſente et altera abſente; Juris ozdine in tota vel in parte aliqua ſervato vel non ſervato. Ita tamen quod de dicto Rege *Angliæ* et Domino *A.* Rege *Romanorum* illuſtri, *Flandriæ*, *Barri*, & *Hollandiæ* Comitibus, Duce *Brabantiæ*; & Nobilibus de Comitatu *Burgundiæ*, dicto Regi *Angliæ* Confederatis, Comite *Sabaudiæ*, & aliis vaſſallis & ſubditis ipſius Regis *Angliæ*; ſine quibus dictus Rex *Angliæ* & ipſi nuntii, prout iidem nuntii aſſerebant, pacem facere non intendunt, Pax cum prædicto Domino Rege *Franciæ* infra dictum terminum reformetur. Promittentes iidem Procuratores & Nuntii nomine quo ſupra, pro dicto Domino Rege *Angl.* *Michaeli* Notario infraſcripto nomine illius vel illorum, cujus vel quorum intereſt vel intererit, ſolemniter ſtipulante ſub pœna Centum millia marcarum argenti, et obligatione omnium et ſingulozum bonozum ipſius Regis Angliæ, rata et firma ſemper habere et tenere, attendere, adimplere, et inviolabiliter obſervare, ac in nullo per ſe vel alium, ſeu alios contra facere vel venire; Et quod ipſe Dominus Rex *Angliæ* rata & firma ſemper habebit atque tenebit, attendet & adimplebit, & inviolabiliter obſervabit, omnia et ſingula quæ ipſe Dominus Papa, tanquam pzibata perſona per ſuum arbitrium, laudum, arbitratum, mandatum arbitrale, ſententiam arbitralem, ozdinationem, diffinitionem, diſpoſitionem, compoſitionem, et pzonuntiationem arbitranda, laudanda, ſententianda, modo quo ſupza diffinienda, mandanda, ozdinanda, componenda et diſponenda, ac etiam addenda, munienda, cozrigenda, interpzetanda et declaranda, quæcunque infra terminum ſupradictum duxerit in præmiſſis & quolibet præmiſſorum; & in nullo contra ea vel eorum aliquod per ſe vel alium ſeu alios facient, ſive veniet ullo unquam tempore quovis ingenio ſive cauſa, & pœna ſoluta vel non ſoluta, arbitrium, laudam, arbitratum, mandatum hujuſmodi, ſententia, ordinatio diffinitio, diſpoſitio, compoſitio, pronuntiatio, additio & diminutio, correctio, interpretatio, & declaratio ferenda & facienda per ipſum Dominum Papam modo quo ſupra, & omnia & ſingula ſupradicta rata ſemper maneant atque firma. Dum tamen de prædictis Confœderatis, vaſſallis & ſubditis Regis *Angliæ* pax fiat ut dictum eſt infra terminum ſupradictum. Hoc acto expreſſè, quod poteſtas ex hujuſmodi compromiſſo nec in vita ipſius nec in morte in perſonam aliam transferatur; Tenor autem prædictarum literarum, &c. *You have ſeen before.* *An.* 25 *E.* 1.

Le tranſcript du compromis fait ens le Pape Boniface *par le Procureur le Counte de* Montbeliard, *& Sire* Johan de Chaloun, *& des x. autres Nobles de* Burgoigne *alliez laiel noſtre Seigneur le Roy, ſur gnerres & diſſenſions meves entre le dit Roy* Dengleterre *& eaux d'une part, & le Roy de* France *& ſes alliez d'autre.*

EN noun de noſtre Seigneur Amen, l'an de noſtre Seigneur Mil deux Centz quatre vins & disvyt, Endicion unſime le quart an du Pontificat ſire *Boniface* Pape Bundela Brevium in Turre London, An. 25 E. 1.

An. 25. *E.* 1. Pape vytime, le treſiſme jour du moys de *Juyn* eſtablis devant le treſaint Pere et Seigneur Sire *Boniface* par la purveaunce de Dieu Pape vytime avantdit, lui noble homme Sire *Gautier Mont faucon* Chivalier Meſſage & Procureur des nobles homme Sire *Gautier Mont faucon* Chivalier, meſſage & procureur des nobles hommes Seigneurs *Renand de Montbeliard* de *Metrouu*, *Johan* de *Vyenne*, Seigneur de *Myrabell* en la *Montayne*, *Eſtemore* de *Metrouu* Seigneur de *Ville Neeve*, *Johan* de *Metrouu* Seigneur de *Flagz*, *Pierre de Joyngnill* Seigneur de *Mornay*, *Gautier de Comerci* Seigneur de *Chaſtel villeyn*, *Hymbert* Seigneur de *Clerevaux*, *Gerard* Seigneur *Dorgul Odes* Seigneur de *Montferrant*, *Williame* Seigneur de *Cortondray* Chivaliers, *Eſtevenes* Seigneur de *Metron*, & *Johan* Seigneur de *Juyl* Damoiſeles de la Deociſe du *Boſanſon*, tant en propre noun pur ſoy come en noun de procureur deſavantdiz noblez hommes des queux il eſtoit procureur, ſicome il eſt dit et ſicome il apparuſt pluis plenerement par ſa procuracie. La tenour de la quel e eſt deſuz eſcripte ſouzmis et ſuppoſe ſoy et les autres avantdiz dez queux il eſtoit Procureur haut et bas, purement et ſymblement tancome il appurtenrit ou pooit appurtenir en quicunque manere, a lui ou as autres avantdiz, **a la bolunte, a lozdeinement, arbitrement, diſpoſicion, diffinicion, arbitrage, et lés de devantdite Seigneur Appoſtoill come de pzive perſonne et Seigneur** *Benedyt Gaytan*, ſur totes guerres et cheſcunes de les diſſencions, deſcortz et contentz, qe furent, qe ſount, ou qui purront eſtre entre les hautz Princes Seigneurs *Phelip* par la grace Dieu treſnoble Roy de *France* d'une part, et le treſnoble Seigneur *Edward* Roy *Dengleterre*, et le meiſmet *Gautier*, et les autres avantdiz des queux il eſteit procureur d'autre part, et ſur la pees et la concorde reformer d'une part & d'autre, et ſur les choſes qe a peer appurtinent, **qui lui meiſme ſire Appoſtoill come pzive perſonne et ſire** *Benezt Gaytan* **haut et bas, ſymplement et purement, ou conisance ou ſanz conisance, de cauſe ou des cauſes, et de plein et bzefment, et ſanz noyſe et fourmr de Juggement**, puiſſe entre les ditez parties une foiz, ou pluſours foiz, et tant de foiz come p lui plerra ou lui ſemblera qui bon ſoit, **ſur totes avantdites choſes et cheſcunes de eles ozdeiner, arbitrer, diſpoſer, diffinir, arbitrement, ſentencer, commander et loyer, et pzonuncier, abiſer, amenuſer, amender, interpzeter et declarer en eſcript**, et ſanz eſcript **en jours pledables ou noun pledables pzeſenz les parties ou abſenz, appellez ou non appellez, et l'une partie pzeſent et l'autre abſent, gardée, lozdze de dzoit ou noun gardée.** Et promiſt lui dit ſire *Gautier* par ſoy en lieu et en noun de ceux qui ſount deſuz nomez, ſur peyne et obligementz de touz les biens de lui, **et de ceux des queux il eſt pzocureur, avoir ferms, et eſtables tous jours tenir, et a perfaire accomplir et garder ſanz enfreinte et noun fere ne venir encontre en aſcune choſe par ſoy ne par autre ou autres**, et qui les avantdiz des quex il eſtoi procureur aront tous jours ferm et eſtable, et tendront, perfront, acompliront, et garderont ſanz enfreinte, **totes les choſes et chaſcune de eles les queles lui meiſme ſirer Appoſtoill par ſoun mandement, arbitrement, loos, arbitrage, ſentence, ozdinacion, diffinicion, diſpoſicion, compoſicion et pzonunciation, arbitrer, et loera ſentencera, diffinera, mandera, ozdeinera, compoſera et diſpoſera, et abiſcera, amenuſera, amendza, interpzetra, et declarra totes les foiz qil boudza, et avantdites choſes, ou aſcune de elles par ſoy ne par autre ou autres nefra ne bendza nul temps par nul engin ne pur nulle cauſe, et qui pace la peygne ou noun paſſe l'arbitrement, loement, larbitrage, mandement, meiſme la ſentence, ozdeinement, diffinition, diſpoſicion, compoſicion, et pzonunciacion, abiſcement, amenuſement, amendement, interpzetacion, et declaracion a dire et a faire par le meiſme Appoſtoille en la manere qui deſus eſt diſt, et totes les choſes et chaſcune de elles de ſuſdites et deſus eſcriptes ſoient tous jours ferms et eſtables.** E a volu promis expreſſement aſſentuz lui avantdit procureur tant en lieu & en noun de lui come des tous les autres avantdiz, qui tant lougement dure la ſubmiſſion avantdite come longement durra le temps et le terme des trewes priſes entre les Seigneurs Roys avantdiz de leur volunte. Le quel temps ſicome il diſt eſt de un an aconter de la feſte de la *Typhayne* proſcheinement avenir, juſqes a loutre feſte de la *Typhayne* proſcheinement ſuant; Et qui endementiers lui meiſme Appoſtoill ſi lui pleſt et luy ſemble qui bon ſoit, puiſſe de lors la meiſme ſubmiſſion et le temps et le terme de dire larbitrement, ou larbitrage & mandement de totes les autres choſes, et des dites treues enſemble et nonn autrement une foiz et pluſours foiz a la volunte aloigner; Et ſu expreſſement fait qe le poer de meiſme

le

le ſubmiſſion ne en la vie ne en la mort de lyne ſoit tranſlate en autre perſoine. Sauve tote foiz, et reſervee per le dit Sire *Gautier* en totes les avantdites choſes, et chaſcune de elles le droit, et le honeur del Empire de *Romains*. Le tenour de la avantdite procuracie eſt ycelle. *An.* 25 *E.* 1.

Procuratorium factum per confederatos Regis Angliæ *de* Burgundia, *ad compromittendum in Papam* Bonifacium.

NOus *Renaud* Counte de *Monbeliard*, *Johan de Chalon* Seigneur *Darly*, *Johan de Morbeliard* Seignour de *Monfaucon*, *Symond de Monbeliard* Signeur de *Montron*, *Johan de Vyenne* Seigneur de *Mirebel en la Montayne*, *Eſtevene de Montron* Seigneur de *Ville nove*, *Johan de Motondray* Seigneur de *Flagy*, *Pierre de Fomguill* Signeur de *Marnay*, *Wauter de Comerci* Siegneur de *Chaſtel-vilain*, *Henriet* Seigneur de *Clerevaux*, *Gerard* Seigneur *Darguell*, *Ode* Seigneur de *Montferand*, *William* Seigneur de *Corcondray*, Chivaliers; *Eſtevene* Seigneur de *Montany* et *Johan* Seigneur de *Juyl*, Eſquiers de leveſqe de *Boſanſon*, faiſoms ſavoir a tous qui ceſt publique Inſtrument verront, qui nous feſoms, eſtablioms et ordeinoms jointement et ſeveralment noſtre ame noble homme Seigneur *Gauter de Montfaucon* Chivalier de le avantdit Eveſche de *Beſanſon*, portour de ceſte preſente lettres, verray et loyal procureur, ambaſſor, menour des boſoignes et meſſage eſpecial en totes noz boſoignes et cauſes menees, et amover tant pur nous come encoutre nous countre quicunqes perſoines, et de leſgliſe, Chapitles, Colleges, Univerſitez et Communitez, et eſpecialment encoutre le treſnoble et treſhaut Prince, *Phelpp* Roy de *France* et ſes procureurs, Ambaſſours, menours des boſoignes et meſſages eſpecials devant le Seint *Pere* en Dieu noſtre ſeigneur Sire *Boniface* de la ſainte Eſgliſe de *Rome*, et de la univerſele Eſgliſe ſouverein Eveſqe, et devant les Cardinaux du ſe dapoſtoile, delegarz et ſouz-delegatz de leſgliſe de *Rome*, et devant tous autres Juges de legliſe, et ſeculers ordinaires arbitres, arbitrors amiables, Compoſours, et devant treſtouz autres de quicunqe noun qils ſoient nomez: et dorions jointement et ſeveraument plein et general, et franc poer, et eſpecial mandement de empetrer et contredire, de demander par nous, et de nous deffendre, de excepter et propoſer, de declarrer et de plee comencer, et de jurer en noz alme, de calumpnie et de verite dire, et de faire tout autre manere de ſerement qui puiſt eſtre requis en toutes cauſes, et de poſer et de reſpondre as poſicions, et de mener et mettre avant teſmoings et Inſtrumentz, et de dire contre les teſtimoings, et de reprover, caſſer anyntir les Inſtrumentz de la partie contraire, et de oyer ſentences interloquitoires et diffinitives, et de appeler delors et de chaſcun gref, et de purſuire les appeaux et de eaux renoveler, et de empetrer ſy meſter eſt le benefice de noſtre abſolucion, et de compromettre et le compromis afforcer par ſerement ou par peine, de faire Compoſicion, tranſhaction, appeſement de pees et de concorde, et de traiter de meiſme la pees et concorde, oveſqe les Procureurs, Meſſages Ambaſſatours de devantdit Roy de *France*, devoint le dit Seigneur ſoverein Eveſqe, et devant chaſcun autre deſuz nome, et le meiſme pees et concorde faire et reformer, et terminer en due fin, et de faire contract, lettres ou Inſtrumens ſur chaſcune fourme, et de faire en noſtre noun promeſſe et ſtipulacion, et de nous ſouz mettre et obliger, et chaſcun de nous ſur ceſtes choſes ſur chaſcune juriſdiction eſpirituante et temporalte, et de faire en noſtre noun pur nous totes maneres de ſupplicacions a la ſainctete de meiſme lapoſtoille, et de elles purſure, et de debatre et contreſter ſi aſcunes ſoient faites noun duement contre nous ou aſcun de nous, et de elles reprover, et de ſubſtituer et eſtablir un ou deux procureurs en lieu de ſoy, qui eit ou eient ſemblable poer auxibien come ſi yci enfuſt faite eſpeciale mencion, et de eaux repeler totes foiz qil lui plerra, et lui ſembera qui bon ſoit durant tote voiele preſent procuracion en ſa fource et ſeveralment de faire totes les choſes, et chaſcune de elles les queles ſerront affaire entour les avantdites choſes et chaſcune de elles. Et ont promis chaſcun de eux pur le tout par ſolempne ſtipulacion, qui en fu faite a moy notayre deſouz eſcript come perſonie publique, et en lieu, et en noun, et a loeps des treſtouz ceur des queur il apperti nt ou purra appertient ou purra apertenir a'nour perdurablement ferm et eſtable, tout quant qe par le dit noſtre procureur ſoun ſubſtitut ou ſubſtituz ſerra fait, dit ou purchace es avantdites choſes, et en chaſ- Ibidem.

An. 25 *E.* 1. cune de elles: Et paier la choſe juggee ove ſes covenables clauſes: et pur ceus totes les avantdites choſes, et chaſcune de elles demerent fermes et eſtables, nous avoms prie et fait eſcrire ceſt preſent publik inſtrument par la main *Bartholomei de Gy*, Clerk de *Beſanſon*, publiqe Notaire par lautorite de lapoſtoil et ſeigne de ſon ſignal acuſtume. Et ce ſachent per la tenour de ceſt preſent Inſtrument toux ceux as queux il apertient ou purra apertener. Ce fu fait en champs ou furmage de *Morre* ſus *Beſanſon* le 20 jour du moys *Daveril* lan del Incarnation de noſtre Signeur mil CC. quatre vintz, et dyſhuit, lan quart du Pontificat du dit noſtre ſeigneur *Boniface* Pape vytime, Endicion unſime, preſens ſages hommes, Sire *Johan de Vercelles* Profeſſor en le eſcripte, *Pierre de Turnoais* Clerc de *Beſanſon*, *Hugh de Blaqeraux* Clerc, Sire *Johan de Ville*, Chivaliers de la Deociſe de *Beſanzon*, *Hugh de Blaqeraux* Clerc, Sire *Johan de Ville*, Chivaliers de la Deociſe de *Beſanzon*, teſmoignes a ce appellez: Et jeo *Bartolomy de Gy* Clerc de *Beſanzon*, publique Notaire par auctorite de lapoſtoille appele et prie per les avantditz Chivalires et Eſquiers ſn preſent a lordinacion eſtabliſſement et promeſſe avantdites, et fitz la ſtipulacion ſicome il eſt deſus dit, et ay de ma mayn eſcript ceſt publiqe Inſtrument, et publie et ſignee de mon ſigne eſcouſtume. Ceſt compromis ou ſubmiſſion fu fait a *Rome* a Saint *Pere* en paleys du Pape en ſa chambre et en ſa preſence. Preſens les reverons peres, ſeigneurs par la grace Dieu *G. de Sabin.* et *M. de Portz*, et de ſeint *Ruffine* Eveſqes Cardinaux, et Lerceveſqe *Idrotyn*, *Franceys* Eveſqe de *Spolet*, et *Guill.* Eveſqe *Glandetenſe*, teſtmoings a ce appellez et priez: E jeo *Nycolas Nonel de Vik*, publiqe Notoyre par *lauctorite* de *lappoſtoile* fu preſent, en les avandites choſes, et totes ces choſes ſicome il eſt deſuz diſt par le mandement du devantdiſt Seigneur Apoſtoille, et priez par le devantdit Seigneur *Gautier* eſcriptes et publiees, et ſignes de mon ſigne eſcuſtume.

* Tho. Walſingham, Hiſt. Angl. p 39, 41. Mat. Weſtm. 1297. p. 411. Henry de Knyghton de Event. Angl. l. 3. c. 12. col. 2525, 2526.

Soon after theſe Procurations and Submiſſions * *Per mediationem* Willielmi de Hothum *Archiepiſcopi* Dublinenſis *ex parte* Anglorum, *& Ducis* Britanniæ *ex parte* Gallicorum, *inter Reges acceptæ ſunt induciæ, & ultra datos terminos ſæpius renovatæ. Tandem acceptis inducis, & conceſſis inter Reges utriuſque terra & ſibi confœderatos, ab* Epiphania Domini *per biennium.*

The *Truce* then concluded and ſealed by King *Edwards* Commiſſioners, and after by himſelf, is thus recorded in a bundle of Writs of Privy-ſeal and Letters, I found in the *White Tower.*

Pundela Brevium de Privato ſigillo in Turre London. An. 25 & 26 Edw. 1.

A *Touz ceux qui ceſtes preſentes lettres verront*, *nous* Guilliame *Erceveſqe de* Dyvelyn, Antoyn *Eveſqe de* Dureme, Amez *Conte* Savoie, Aymer de Valence, & Otoez de Grauntzon, *ſalutz.* *Nous feiſoms ſavoir a touz, qe come nous euſſiens plein poer & eſpecial mandement de treſnoble Prince, noſtre treſchier Seigneur* Edward *par la grace de Dieu Roy* Dengleterre, *Seignour* Dirland *& Ducs* Daquitain, qe nous peuſſiens eſloigner la ſuffrance ou labſtinence prſe et eve entre li, ſes aidantz, et alliez dune part, et le Roy de Fraunce, *ſes aidantz et ſes allies dautre, ſur la guerre meve entre eux; ſicome il eſt conteuu es lettres pendantz du dit noſtre Seignour le Roy; des queles la fourme ſenſuit. Edwardus* Dei gratia Rex *Angliæ*, &c. univerſis præſentes literas inſpecturis, Salutem. Notum facimus, quod de experta fidelitate & circumſpecta induſtria dilectorum & fidelium noſtrorum, *W. Dublinenſis* Archiepiſcopi, *A. Dunolmenſis* Epiſcopi, *Amadei* Comitis *Sebaudiæ*, *Audomari de Valentia*, & *Ottonis de Grandiſono*, certis indiciis confidentes, prorogandi ſuſtentiam ſeu abſtinentiam inter nos ex parte una, et Regem *Franciæ* ex altera, ac noſtros et ipſius fautores, confederatos, valitores initas, ſuper guerra inita hinc et inde, uſque ad quod tempus voluerint, prout ſibi videbitur expedire; ipſis, vel quatuor, aut tribus ex eis ſi omnes non concurrerint in hac parte, plenam tenore præſentium committimus poteſtatem: Volentes ratum & firmum habere, quicquid per ipſos aut quatuor, vel tres ex ipſis (ut præmittitur) actum ſeu factum pro nobis & nomine noſtro fuerit in præmiſſis. Dat. apud *Gandavum* 23 die *Novembris*, Anno Domini 1297. *Nous plusoure treiteiz euz par plusours foiz oveſqe les gentz du dit Roy de* France, *Ceſtaſſavoir*, Guilliame *Eveſque de* Amyens, Pieres *Eveſque* Dautourr, Johan *Conte de* Bretaigne, Guydo Chaſtillon *Conte de* Seint Pool *Botiller de* Fraunce, *e* Rauf de Clermont *Sire de* Nele *et Coneſtable de* France, *Chivaliers envoiez eſpecialment*

ciaument a ce de par le devantdit Roy de France, *en noun de devantdit noſtre Seignour le Roy, et par la vertu du dit poer et mandement avoms accorde et accordoms de commun aſſentement de nous et de devantditz gentz le Roy de* France, *qe les ſuffrance ou labſtince de Guerre qui eſtoient priſez entre eux. Ceſtavoir de la Duchee* Daquitaine *juſques a la* Tiphani, *et quant a la Conte de* Flaundres, *et as autres terres, juſques as Octaves de la feſt ſeint* Andreu *proſchein, ſoient eſloignez et continuees juſques a* Quareſme *prouant prochein avenir; Ceſt aſſavoir de Royaumes a Reyaumes, de terres a terres, de gent a gent, per mer et per terre, en tien manere, que tonz Marchandz et tote manere de gent ſoient du Royaume de* France *ou daillours du poer le Roy de* France, *ou de ſes aidantz, de ſes allies, ou de ſes hommes, ſoient du Roiaume* Dengleterre, *de la Conte de* Flandres, *ou daillours du poer le Roy* Dengleterre, *de ſes aidantx, de ſes alliez, ou de ſes hommes, porront aler, venir, marchander, eſtre et demorer ſauvement et ſeurement, per mer et per terre, eux et totes leur choſes de Roiaumes a Roiaumes, de terres a terres, la dite ſuffrance durante. E tendiont les devantditz Roys, leur aidantz, allies, et hommes, ce quil tienent et tenoient au jour qe la dite ſuffrance fent priſe: e promettoms en bone foy qe nous feroms et procureroms, qe noſtre ſire le Roy graeya et ratifiera leſloignement de la ſuffrance deſuſdite, et dorra poer a aucune perſone, ou a pluſours de jure en ſalive de deus les Octaves de la ſeint prochein avenir, de garder et tenir la dite ſuffrance ou abſtinence en la manere, quil eſt deſuedit. E ſu accorde de commun aſſentement, qe deux Chivalers ſerront priz, un de par noſtre ſeignour le Roy, pur li, pur ſes allies, pur ſes aidantz, e pur ſes hommes; et un autre de part le Roy de* France, *pur li, pur ſes allies, pur ces aidantz, e pur ſes hommes, qui averont poer de faire amender et adreſſer, ſil y adrien meſſ ait ne mes priz dune part ne dautre, puis qe la dite ſuffrance ou abſtinence fu priſe; primerement, juſques elle ſoit faillie. Les nouns des allies noſtre ſeignour le Roy ſont tieux,* * *Le Roi* Dalemaigne, *le Conte de* Flandres, *le Conte de* Sauvoie, *le Conte de Bar, le Duc de* Brabant, *le Conte de* Hollande, *le Conte de* Montbeliard, Johan de Chalon, *Seignour* Darley, Johan de Burgoigne, Johan *Seignour de* Montfaucon, Gautier *ſon frere, le Seigneur de* Noef Chaſtel, *le Seigneur* Doiſelier, *le Seigneur de* Faucomby, *le Seigneur de* Jour, *le Seigneur de* Cokendary, Simon de Montbeliard *Seigneur de* Moutron, Eſtiephne Doiſelier *Seigneur de* Vile noeve, *& pluſours autres de* Burgoigne, Dalemaigne, *de* Brabant, *de* Hollande, *de* Gaſcoigne, Daragon, *et daillenrs, des queux nous ne ſavoms les nouns a preſent. En teſmoign des choſes deſuſdites, nous avoms fait mettre nos Seaux a ſes preſentes lettre. Don a* Grolingues Abbaie *pres de* Curtray *en* Flandres, *le vint et treſeiſme jour du mois de* Novembre, *lan de grace M. CC. quatre vintz et diſeſept.* Which the King thus ratified under his Great Seal.

An. 25 E 1.

* Theſe I likewiſe found in another particular Roll.

EDward *par la grace de Dieu. Roy* Dengleterre, *Seigneur* Dirland, *et Ducs* Daquitaine *a tonz ceux qe ceſtes lettres patentes verront, ſaluz. Nous feſons a ſavoir, ke nous de la guerre meve entre le Roy de* France, *e ſes allies, de une part; et nous e nos allies dautre, taunt pur la Duchee* Daquitaine, *ke de la Countee de* Flandres, *e daucunes autres lieux, avoms pris de commune aſſentement Seoffrance de guerre; Ceo eſt a ſavoir de Reaume a Reaume, de terre a terre, de gent a gent, per mier et per terre, en tien maxere, ke tonz Merchantz e totes manere de gentes puiſſent aler, venir, demorer, e marchander ſauvement e ſeurement, de un Reaume a autre, la Seoffrance durante. E tendrons vous e nous allies e le dit Roy e li ſeon tuit ceo, qe nous e il tenoms au jour de la confection de ces lettres, durante la dite Seoffrance. E durra ceſte Seoffrance, quant a Duchee* Daquitaingne *jeoſqe a la* Tiphanie *procheinement avenir. E quant as autres terres jeoſqes, as Utaves de la prochein feſte ſeint* Andreu *tant ſolement.* La quele Seoffrance nous dune part, e li dit Roy dautre, denom fere savoer a nos feaur allies e ſougiuz en la terre Daquitaigne, e es autres lomtaignes terres de deinz le dimenche devant la feſt de la tuiz Seintz procheine. *E en la terre de* Flandres *dedenz ceo prochein* Samady. *E eſt a ſavoir, ke le Roy* Dalemaigne *peuſt la dite Seoffrance rumpre, ſi li plet. En tiele manere totes noies, ke le durra* 15 *jours apres ceo, ke le dit Roy* Dalemaigne *laſcera fet ſa poer a le Eveſqe de* Tornay, *ou a ſon Officiall a* Tornay. *Les nos aliez ſont tiels; le Roy* Dalemaigne, *le Counte de* Flandres, *&c.* (*as before.*) *e daillours, de quells nous ne ſavoms les nouns en preſent. La quele Seoffrance noſtre ame e feal,* Wautier de Beaucheamt *Chevaler e Seneſchal de noſtre* Hoſtiel, *au quel nous avom ſur ceo done plein poer de* jurer en noſtre alme, *ad jure pur nous e en noſtre nom a garder loan-*

Ibidem.

ment

An. 25 & 26 Edw. I.

ment bone foy e enterinement, en la maner, e en la fourme devantdite. *E eſt a ſavoir, ke ſi aukuns damages eſtoent fets devant la dite ſeoffrance, nous ſumus tenuz de les fere amender, en bone foi e covenablement. En teſmoigne de quele choſe, nous avons fet mettre noſtre Seal a ces preſentes lettres. Donees a fines ſeint* Banoum *ſus le jour de la feſte Seint* Denis, *en lan de grace M. CC. Quatrevinz, e Dis e ſet.*

Soon after this Truce concluded between the Kings of *England* and *France* and all their confederates, the King ſent this Letter to his Son and Counſel in *England* ſtrictly to obſerve it, for the reaſon therein coteined, which I found in the White Tower Chappel.

Bundela Brevium & Literarum in Turre London, An. 25 E. 1.

EDward *par la grace de Dieu Roy Dengleterre*, &c. *a* Edward *noſtre cher fuiz, tenant noſtre leu en* Engleterre *et ſon Conſail, ſaluz. Sachez qe al honeur de Dieu, pur le comun profit de la Chreſtiente, e pur eſcheure les mans perils e damages, que de jour en jour aveignent e porront avenir de la guere, e en eſperante davoir pees covenable avoms de la guere meuve entre nous & nos alliez de une part, & le Roy de* France *e les ſoens dautre, grante e fet ſoffrance ſolonc la fourme qe nous vous enveons encloſe de ſuz nos noſtre ſeal. E pur ceo vous mandoms e fermement enjoignoms*, qe vous avantdite ſoffrance gardez e facez garder en touz poynz, par tout noſtre Royaume en noſtre poer, par terre e par mer, e fermement comander, qe rien encontre ne ſoit fet. *E nomement le plus pur ceo, qe ſi rien eſtoit fet encontre la dite ſofferance, nous ſerrioums tenuz (ſicome diſt eſt) de faire lamender, e oveske ceo la dite ſofferance garder. Don deſouz noſtre privie Seale a* Gant *le* 15. *jour de* Octobr. *l'an de noſtre Regne vintiſme quintiſme.*

Pope *Boniface* the eighth, to ſettle a firm Peace between the two Kings and their Confederates, upon hearing their ſolemn Nuncioes ſent to his Court at *Rome*, (who diligently related and debated the buſineſſe and differences before him) made this Award and Decree between them: The beginning of which is recited in † *Henry de Knyghton*; who then ſubjoynes, *Copiam ſequentium de hac materia diligens lector inquirat, nam ego ſollicitus inveſtigator nequivi pro tempore invenire*, The intire Award, not extant in any Hiſtory, I found in the Rubbiſh in the *White Tower* exemplified in a Parchment Roll atteſted by a publike Notary, which I ſhall here preſent you with, as a rarity: wherein you may diſcern this Popes Antichriſtian fraud, practiſe, in uſurping to himſelf, as aprivate perſon and arbitrator choſen by theſe Kings, a Papal power to excommunicate their Royal perſons, interdict their Realms, and award the poſſeſſion of *Aquitaine* to be delivered into his own hands and power.

† De Event. Angliæ, l. 3. c. 12. col. 2526 2527.

PRONUNTIATIO BONIFACII.

In Turre London An. 25 E. 1. This award is mentioned & in part recited in ſundry other Records I found in the White Tower; but intirely compriſed only in this.

IN Nomine Domini Amen. *Anno Domini Milleſimo ducenteſimo nonageſimo octavo, Indictione undecima, Pontificatus Domini* Bonifacii *Papa octavi anno quarto, Die viceſimo menſis Junii, ſanctiſſimus Pater & Dominus Dominus* Bonifacius *divina providentia Papa octavus arbitrium, laudum, diffinitionem arbitralem ſententiam, amicabilem compoſitionem, mandatum, ordinationem, & alia infraſcripta recitavit, legi fecit, dedit, & protulit in hunc modum.* Dudum inter chariſſimos in Chriſto filios, *Philippum Francorum* ex una parte, & *Edwardum Angliæ* Reges illuſtres ex altera, (ſuggerente inimico humani generis pacis æmulo) ſuper diverſis articulis materia diſcordiæ ac diſſentionis exorta, tandem iidem Reges per ſpeciales nuncios & procuratores ipſorum, ad hoc ab eis mandatum habentes, in nos *Bonifacium* divina providentiæ Papam octabum, tanquam in privatam perſonam, et Dominum *Benedictum Gaitan.* tenquam arbitrum, arbitratorem, laudatorem, diffinitorem, arbitralem, ſummatorem, amicabilem compoſitorem, præceptorem, ordinatorem, diſpoſitorem et pronunciatorem ſuper reformanda pace et concordia inter ipſos Reges, ac ſuper aliis quæ ad pacem pertinent, et ſuper omnibus et ſingulis diſcordiis, guerris, litibus, controverſiis, cauſis, rationibus, damnis et injuriis, petitionibus et actionibus realibus, perſonalibus, atque mixtis, quæ fuerant et erant ſeu vertebantur, et eſſe vel verti poſſent inter ipſos Reges, occaſione quacunque de alto et baſſo, abſolute ac libere compromittere curaverunt, prout in Compromiſſorum Inſtrumentis publicis inde confectis plenius continetur. Nos igitur *Bonifacius* Papa

prædictus

prædictus, qui finem imponere litibus affectamus, ſed præcipuè inter Reges prædictos, quorum quietem indeſinenter appetimus, & tanto ferventius fælices cupimus vigere ſucceſſus, quanto pleniori eos affectione proſequimur, & puriori complectimur charitate, hujuſmodi Compromiſſis receptis, & nobiſcum deliberatione præhabita diligenti, vocatis quoque Nunciis & Procuratoribus ſupradictis ad arbitrium, laudum, mandatum, & arbitralem ſententiam audienda, eiſque coram nobis ad hoc ſpecialiter conſtitutis ad laudem omnipotentis Dei qui eſt pacis Actor & ſalutis amator, & glorioſæ Virginis matris ejus, ſicut Arbiter, Arbitrator, Laudator, & amicabilis Compoſitor, ac ſicut * pribata perſona, et *Benedictus Gaitanus*, ex virtute ac forma Compromiſſorum prædictorum, et omni modo et jure quo melius poſſumus viam arbitratoris, laudatoris, et amicabilis Compoſitoris, dicimus, arbitramur, laudamus, diffinimus, ſententiamus, mandamus, ordinamus, diſponimus et pronunciamus hac vice, quod inter eoſdem Reges fiat et ſit perpetua et ſtabilis pax; et quod Treugæ vel ſufferentiæ voluntariæ, dudum inde initæ ac firmatæ inter eos, eo modo et forma, ac omnibus et illis perſonis et terris ſub illis pœnis, conditionibus, et temporibus ſub quibus indictæ, initæ, ac firmatæ fuerunt inviolabiliter obſerventur. Ad hanc autem Pacem confirmandam, roborandam atque ſervandam infra tempus quod duxerimus moderandam, præfatus Rex *Anglia Margaretam* ſororem prædicti Regis *Franciæ* recipere ac ducere, cum dotalitio Quindecim millium librarum *Turron.* aſſignando per ipſum Regem *Angliæ* in locis competentibus, de quibus inter partes fuerit concordatum, vel ubi partes ipſæ non concordarent per nos arbitratum fuerit, in uxorem. Et idem Rex *Franciæ* eandem Sororem ſuam eidem Regi *Angliæ* in uxorem dare ac tradere cum diſpenſatione Sedis Apoſtolicæ teneatur. Quodque *Iſabella* filia prælibati Regis *Franciæ*, quæ infra annum ſeptempnem dicitur conſtituta, ſuo tempore *Edwardo* prædicti Regis *Angliæ* filio, qui jam 13 ætatis ſuæ annum exegit, cum ſimili diſpenſatione matrimonialiter, cum dotalitio decem & octo Millium librarum *Turron.* ſimiliter aſſignando per eundem Regem *Anglia* pro dicto filio ſuo in competentibus locis, de quibus concordaverunt ipſæ partes, vel de quibus nos duxerimus arbitrand. ſi ſuper hoc inter eos non proveniret concordia, copuletur. Idque firmetur atque valletur exnunc modis inferius annotatis, videlicet: quod idem Rex *Anglia* pro filio ſuo, idemque filius pro ſe (qui ad hoc ſufficientem habet ætatem) contrahant Sponſalia prædicta eorundem Regis et filii juramentis firmanda; et Rex *Francia* nomina filiæ ſuæ prædictæ contrahat hujuſmodi ſponſalia pro eadem, Quæ ut valida fuerit & firma, volumus, dicimus, & arbitramur, quod Rex *Franciæ* promittat per juramentum pro ipſo in animam ſuam præſtandum, ſe tradere dictam filiam ſuam prædicto *Edwardo* nuptui tempore quo extiterit concordatum inter ipſos, vel per nos arbitratum fuerit vel laudatum. Pro quibus attendis firmiter & fideliter adimplendis, dicimus, laudamus, & arbitramur, quod pœna de qua inter partes fuerit concordatum, vel ubi partes ipſæ non concordarent per nos arbitrand. et tranda firmetur, et ab utraque parte præmiſſa balletur, ſolvenda parti parenti a parte non parente, per quam pœnam negotium iſtud in tuto ponatur; & partes ad ejus finalem executionem efficacius inducantur: Cujus pœnæ promiſſionem et obligationem efficaciter valere volumus et decernimus ac tenere; Non obſtantibus juribus quæ pro libertate matrimoniorum pœnas inhibent, quæ ex certa ſcientia pro tanto bono tollimus in hac cauſa; Addentes nihilominus, quod Reges prædicti aliquos de Baronibus ſuis notabiliores per juramenta faciant obligare ad deſponſalia prædicta et matrimonia procuranda, et ad tollenda impedimenta pro viribus, quæ poſſent circa hoc vel contra hoc inveniri. Quia vero Sponſalia prædicta tanto amplius deſideramus habere felicem effectum & efficacem eventum, quanto per hæc probabiliter credimus pacem prædictam firmius & fidelius obſervari, pro tanto pacis bono decernimus authoritate Apoſtolica, quod terra Regis illius, cui culpa vel malitia ſteterit quominus contrahantur prædicta Sponſalia, et matrimonium conſummetur, Eccleſiaſtico ſubjaceat Interdicto, niſi ſuper requiſitus prædict. ejus effectu correxerit infra menſem. Item, dicimus, laudamus, arbitramur ſeu etiam diffinimus, quod de omnibus bonis mobilibus vel ſe moventibus ablatis, vel aliàs malè ſubtractis, & de omnibus dampnis datis hinc indè ante tempus motæ vel ortæ guerræ præſentis, primò de omnibus quæ exſtant & conſumpta non ſunt, præſertim de Navibus & aliis quibuſcunque bonis

per

An. 25 E. 1.

* *Nota.*

An. 25 *E.* 1. per *Anglicos & Vascones* & eorum Complices ante guerram occupatis, in mari vel in terra, Rex *Angliæ* omnia quæ de prædictis exstant bona fide, sine lite & absque figura judicii, omni fraude cessante, ad requisitionem Regis *Franciæ* vel Nuncii sui statim faciat ad plenum restitui. Et Rex *Franciæ* similiter, si qua talia ante dictam guerram capta vel ablata apud ipsum vel in sua potestate existentia reperta fuerint, similiter ad plenum restitui faciat, à præfato Rege *Angliæ* vel ejus Nuncio requisitus. De ablatis vero non extantibus sed deperditis & consumptis, laudamus, arbitramur & etiam diffinimus, quod Rex *Angliæ* ad requisitionem Regis *Franciæ* vel ejus Nuncii satisfieri faciat, & ad faciendum etiam teneatur sine lite ac figura judicii, & omni fraude cessante. Et Rex *Franciæ* similiter, si qua per gentes suas ablata deperdita consumpta inventa fuerunt, ad requisitionem Regis *Angliæ* vel Nuncii sui faciat satisfieri, **taxatione nobis circa prædictorum æstimationem contra utramque partem, ubi per concordiam partium negotium super prædictis sopitum non esset plenarie, reservata. Item dicimus, laudamus, arbitramur seu etiam diffinimus, quod** idem Rex Angliæ **de omnibus terris, vassallis et bonis quæ ipse nunc habet in regno** Franciæ, **seu tenebat ante motam guerram præsentem, habeat illam quantitatem et illam partem terrarum, vassallorum et bonorum eorundem quam sibi ex virtute compromissorum prædictorum laudaverimus et mandaverimus assignari, vel inter ipsos Reges fuerit concordatum, et sub illis fidelitate, homagio, modis, et conditionibus habeat, sub quibus ipse ac pater suus habuisse hactenus et tenuisse noscuntur, modis et temperamentis per nos adhibendis in abusu, si quis ex parte gentis Regis** Franciæ **hactenus commissus inventus fuerit in excertio reforti; modis etiam et temperamentis per nos adhibendis in abusu partis alterius, si quis videlicet ex parte Regis** Angliæ **vel suorum hactenus commissus contra jus reforti fuerit inventus, ne talia imposterum committantur. Conditionibus et modis et securitatibus per nos imponendis et adhibendis in terris, vassallis et bonis et aliis, quæ per nostram pronunciationem seu concordiam partium præfatus Rex** Angliæ **habiturus est de prædictis, ne amodo idem** Angliæ **Rex vel successores ejus contra Regem** Franciæ **vel successores ipsius valeant rebellare. Dicimus etiam, laudamus ac arbitramur, seu etiam diffinimus, quod ex nunc omnes terræ, vassalli et bona prædicta, et alia tam quæ tenet Rex** Franciæ **de his quæ tenebat Rex** Angliæ **ante guerram præsentem, quam quæ tenet Rex** Angliæ **in regno** Franciæ, **bona fide ac sine omni fraude, absolute ac libere * in manibus ac posse nostris ponantur et assignentur, tenenda a nobis nomine Regis** Franciæ **quæ ex parte sua, et nomine Regis** Angliæ **quæ ex parte ejusdem nobis fuerint assignata.** *Ita tamen quod per hoc in possessione vel proprietate nihil novi juris accrescat alterutri partium, vel antiqui decrescat.* **Super quorum assignatione, si qua fuerit exorta dubitatio vel ambiguitas inter partes, illam nostræ declarationi et arbitrio reservamus.** *Quod si forsan dicti Reges de ipsis terris & bonis adinvicem concordaverint, volumus, laudamus & arbitramur ex nunc id in quo concordaverint perpetuò ac inviolabiliter observari. Alioquin nos ex compromissi prædicti virtute apponemus ad illud remedium, quod Dominus ministrabit, & ex tradita nobis potestate licebit. Si vero casu aliquo contingente, hoc facere non possemus, volumus, dicimus & arbitramur, quod utrique parti pristina jura sua salva remaneant & illæsa. Porrò per hujusmodi assignationem faciendam* **nobis de terris, vassallis et bonis prædictis nullum ipsis Regibus vel eorum alteri, quoad possessionem vel proprietatem seu detentionem vel aliter præjudicium generetur.** *Omnia autem & singula supradicta per nos arbitrata, laudata, diffinita, & arbitraliter sententiata & pronunciata dicimus, arbitramur &*

* *Nota.*

præcipimus, sub pœnis in compromissis contentis, et aliis de quibus * nobis videbitur; **arbitrio nostro nihilominus firmo manente a partibus inviolabiliter observari. Et insuper reservabamus nobis liberum arbitrium et plenariam potestatem, prout ex forma compromissorum prædictorum nobis competit, super omnibus et singulis quæ inter eosdem Reges ex compromissis prædictis arbitranda, laudanda, componenda, diffinienda et pronuncianda restant, et hic arbitrata, laudata, diffinita et pronunciata non sunt, arbitrandi, laudandi, diffiniendi, arbitraliter sententiandi, præcipiendi, ordinandi, disponendi atque pronunciandi, necnon et tam in omnibus et singulis arbitratis, laudatis, diffinitis, et pronunciatis in præsenti arbitrio atque laudo, quam in his quæ arbitranda, laudanda, arbitraliter sententiande, diffinienda et pronunciandæ, ut præmittitur restant, addendi, minuendi, corrigendi,**

gendi, interpretandi et declarandi ſemel et pluries, et quoties nobis placuerit et videbitur expedire. *Caterum ut dextera Domini, quæ miram facit in ſuorum operum executione virtutem, efficacius & perfectius huic negotio proſſeretur,* terminum peremptorium exnunc ipſis Regibus aſſignamus, ut ſuper omnibus in præſenti arbitrio nobis ſuper dicto negotio reſervatis, et ad ea pertinentibus illis die ac loco compareant coram nobis, de quibus eis ad ſo per noſtras duxerimus literas nunciand. cum quibus ſuper hiis pro ipſorum quiete, ac proſpero ſtatu mundi, et pro utilitate negotii Terræ Sanctæ prædidere ſalubriter, dante Domino, valeamus. *Acta, lata & pronunciata fuerunt arbitrium, laudum, arbitralis ſententia, mandatum, diffinitio, ordinatio, diſpoſitio, ac omnia ſupradicta per eundem Dominum Papam, ut ſuperius enarrantur, Anno, Indictione, Menſe, ac die prædictis,* Romæ *apud* S. Petrum, *in Palatio Papali, in Conſiſtorio publico facto, in ſala majori; præſenti ibidem gentium multitudine copioſa, & præſentibus reverendis patribus Domino Dei gratia* Gerardo Sabinen. *fratre* Matthæo Portuen. *ac* S. Ruffinæ, *ac* Johanne Tuſculan. *Epiſcopis*, Johanne *Titulo Sanctorum* Marcellini & Petri, Nicholao *Titulo* S. Laurentii *in* Damaſſo, *fratre* Jacobo *Titulo* S. Clementis, Thom. *Titulo* S. Ceciliæ, *ac* Roberto *Titulo* S. Potentianæ, *Presbyteris*; Matthæo S. Mariæ *in* Portu, Neapolione S. Adriani, Guillielmo S. Nicholai *in* Carcere Tullian. Franciſco S. Mariæ *in* Coſmodin. Petro S. Mariæ *novæ, ac* Jacobo S. Georgii *ad velum aureum, Diaconis Sanctæ* Romanæ *Eccleſiæ Cardinalibus*; *ac venerabilibus viris Dominis* Johanne Judicis, Matthæo Carazalo, Guidone de Anagnia, & Adenulpho de Supino, *Domino Papæ Notariis*; *ac nobilibus viris Dominis* Urſo Herculdo de filiis Urſi de Urbe, Barth. de Campna *regni* Siciliæ, Logotheca & Jacobo de Piſis *familiar. ipſius Domini Papæ teſtibus, ac Domino* Deodato de Urbe *ipſius Domini Papæ Capellano, qui arbitrium, laudum, arbitralem ſententiam, mandatum, diffinitionem, ordinationem, & omnia ſupradicta de mandato prædicti Domini Papæ ibidem publicè legit, & voce quaſi præconia recitavit. Et ego* Nicholaus *dictus* Novellus de Uvo, *Apoſtolica & Imperiali authoritate Notarius, prædictis interfui, & ea omnia, ut ſupra legitur,* de mandato prædicti Domini Papæ ſcripſi et publicavi, et meo ſigno conſueto ſignavi. *An.* 25 *E.* 1.

This Award and Decree I find briefly mentioned in ſundry other Records in the White Tower; as likewiſe in [a] *Mat. Weſtminſter*, and [b] *Thomas Walſingham*, who relate: *Anno* 1297. *in vigilia quoque Apoſtolorum* Petri & Pauli, Romæ *Papa* Bonifacius ſubmiſſionibus Regum receptis, *pacem & concordiam per Dominum Papam* Bonifacium *inter Regem* Angliæ & Franciæ *ordinavit, ita ut Rex* Angliæ *ſororem, & filius ejus filiam Regis* Francorum *ducerent, certis pro utriſque dotibus deſignatis*; et quod Ducatus Aquitaniæ in manus Domini Papæ redderetur; *& quod Rex* Angliæ *naves ſuperſtites cum navibus de illis quæ rapta fuerant reſtituerit.* Sed ſuper his duobus articulis intercedit magna dilatio, Rege Francorum partem quam in Waſconia occupaverat tradere renuente; by reaſon whereof, *pax non fuerat totaliter ſolidata. Dominica ſecunda Quadrageſimæ, citatis Magnatibus regni apud* Weſtmonaſterium, *fecit Rex* Edwardus *recitari* formam pacis bullatam per Papam Bonifacium, tanquam arbitrium inter Regem Angliæ et Franciæ ordinatum, et alias Bullas ſtatum ſuum tangentes: Cui aſſenſum præbuit plebs omnis et Clerus.

a Flores Hiſt. p. 411, 412.
b Hiſt. Angl. p. 43.

What *Proteſtations Philip* King of *France* made againſt the latter clauſes of this Popes award, when preſented to him by his Legates, before it was read, to prevent all Uſurpations upon his Supremacy in the Temporal Government and Rights of his Crown, I find thus reported by [c] *John de Serres, Grimſton* out of him, and [d] *Peter de Pithou. Pope* Boniface *inclined to the peace of Chriſtendome (as the Lord* Haillan *writes) more puft up with glory and vanity, then good zeal to the peace of Chriſtian Princes, he commanded* Philip *by his Nuncioes,* to reſtore to the Engliſh and Flemins what they demanded; *and for not obeying,* he cites him to appear at Rome upon pain of Excommunication. Philip *a wiſe and valiant Prince, although he were diſcontented with this courſe, yet he ſent an honourable Embaſſage to* Rome *by the Archbiſhop of* Rhemes, *and the Earl of* St. Paul, *to lay open his right before the Deputies of the King of* England *and Earl of* Flanders, *who were then at* Rome *to complain as being wronged. All parties being heard,* Boniface *decrees, that* Philip *as the fountain and cauſe of all the miſeries and inconveniences that had happened, ſhould yield to King* Edward *and Earl*

c General Hiſtory of France, in Philip 4. p. 150.
d Preuves des Libertez de l'Egliſe Gallicane, ch. 7. nu. 12. p. 232.

An. 25 & 26 *E.* 1. Guy *all they demanded both in* Guienne *and* Flanders, *charging the Archbiſhop of* Rhemes *to ſignifie this Bull to the King*, **under pain of Excommunication for not obeying.** *This was the firſt blow given by* Boniface *againſt* Philip; *who after theſe great threats, prepares for deeds, not ſuffering himſelf to be daunted with words*; and as [e] *Peter de Pithou* ſtories, he entred this ſolemn Proteſtation before the reading of the Popes award by his two Cardinals, to preſerve his Prerogative; who thus atteſted it by a publick Inſtrument under both their Seals.

e Les Libertez de l'Egliſe Gallicane, ch. 7. ſect. 12. p. 232.

UNiverſis præſentes literas inſpecturis, miſeratione divina B. Albanenſis, & S. Peneſtrinenſis *Epiſcopi, ſalutem in Domino. Notum facimus, quod cum Nos expoſuiſſerimus oraculo vivæ vocis excellenti Principi Domino* Philippo Francorum *Regi illuſtri, trengas per Sanctiſſimum Patrem & Dominum noſtrum, Dominum* Bonifacium *Papam* 8. *literis ſuis patentibus jam dudum indictas, uſque ad Nativitatem beati* Johannis Baptiſtæ *proximò jam elapſum, ipſi Regi ac* Romanorum & Angliæ *Regibus illuſtribus, ſuper guerris inſtigante Diabolo ſuſcitatis inter* Francorum & Angliæ *Reges prædictos, ſeu quemlibet eorundem ex una parte, & prædictum* Franciæ *Regem ex altera, quas trengas publicare & dictas literas præſentare* Francorum & Angliæ *Regibus ipſis aiſtuleramus ex cauſa, necnon ad prorogationem dictarum trengarum ante tempus earum finitum literis ſuis patentibus per dictum Dominum noſtrum factum, à dicto feſto beatæ* Johannis Baptiſtæ *proximo præterito, uſque ad biennium percompletum, atque uſque ad dictum tempus trengas de novo indictas*: **ſententias inſuper Excommunicationis in contravenientes latas per ipſum Papam,** *prout in dictis literis continetur. Cumque dictas literas præſentaremus dicto Regi* Franciæ *legendas,* **idem Rex** inconti**nenti, antequam dictæ literæ legerentur, nomine ſuo et ſe præſente fecit expirni, et mandavit in noſtra præſentia proteſtationes hujuſmodi,** *& alia quæ ſequuntur: videlicet,* **Regimen temporalitatis regni ſui ad ipſum Regem ſolum, et neminem** *Nota.* **alium pertinere, ſeque in eo neminem ſuperiorem recognoſcere, nec habere, nec ſe intendere ſupponere vel ſubjicere modo quocunque viventi alicui ſuper rebus pertinentibus ad temporale regimen regni, ſed potius intendere jura ſua juſtitiare, regnum ſuum defendere continue, juſque regni per omnia proſequi cum ſubditis ſuis, amicis et valitoribus, prout hæc Dominus miniſtrabit**; *maximè cum dictarum trengarum indictionis virtus, vel indictæ intentio, ipſum Regem aliquatenus non impediat in præmiſſis vel aliquo eorundem, ut dicebat, nec aliquem obicem contrarietatis opponat. Sed dicti Regis regnique ſui turbatores & æmulos arctius reprimat, illorum compeſcat audaciam, auſus frœnet,* **ac Excommunicationis ſententiam,** *ſi contra trengarum tenorem ipſarum venire præſumpſerint,* **ipſo Rege, dictoque** * See Here p. 725, 726. **regno ſuo, remanentibus non ligatis,** *juxta* *declarationem per ipſum Dominum Papam literis ſuis patentibus ipſi Regi directis.* **A quibus declaratione et proteſtationibus verbo vel facto, nunc vel in futurum idem Rex non intendit recedere.** *Quatinus autem ipſius Regis tangit animam, & ad ſpiritualitatem attinet, idem Rex prædeceſſorum ſuorum ſequens veſtigia,* **paratus eſt monitionibus et præceptis ſedis Apoſtolicæ devote ac humiliter obedire, in quantum tenetur et debet, et tanquam verus et devotus filius ſedis ipſius, et ſanctæ matris Eccleſiæ reverentiam obſervare.** *Quibus præmiſſis nos* **ad publicationem dictarum trengarum,** *& earum prorogationis, ac ſententiarum proceſſimus, dictaſque literas Apoſtolicas & earum tenorem legi, et ſtriatim expirni fecimus Regi prædicto. In quorum teſtimonium ſigilla noſtra præſentibus duximus apponenda. Datum* Credulii Bellovacenſis *Diœceſis*, 13 *Kal.* Maii, *Anno* 1297. *Pontificatus prædicti Domini* Bonifacii *Papæ* 8. *anno tertio. Sigillatum duobus ſigillis duorum Cardinalium.*

By reaſon of this Proteſtation, and the differences between the Kings concerning the two laſt Articles in the Popes award, he prorogued and enlarged the time of the Truce between them, by this New Decree, which I found in the White Tower, exemplified under the hand of a publick Notary in forme enſuing.

In Turre London. An. 25 & 26 E. 1. IN Nomine Domini Amen. *Anno à Nativitate ejuſdem* 1299. *Indictione* 8. *die* Lunæ *ultimo die menſis* Novembris, *Pontificatus Domini* Bonifacii *Papæ* 8. *anno quinto, apud* Alvertone Eboracen. *Diœceſis, conſtitutis in præſentia mei Notarii & teſtium*

tiſſimus ſubſcriptorum ad hac vocatorum ſpecialiter ac etiam rogatorum, venerabilibus viris Dominis Opizone *Archidiacono* Mediolanen. & Johanne de Conthorecio, *fratre reverendi patris Domini* R. *Epiſcopi* Vicentinen. *in Capella manerii loci ejuſdem, coram excellentiſſimo Principe Domino* E. *Dei gratia* Angliæ *Rege illuſtri, iidem Domini* O. & J. *quandam literam Apoſtolicam Domini Papæ præſcripti, cum filo de ſerico pendenti ſolito more bullatam, eidem Domino Regi, ſub tenore qui ſequitur, præſentarunt.* *Bonifacius* Epiſcopus ſervus ſervorum Dei, ad futuram rei memoriam. Dudum inter chariſſimos in Chriſto filios noſtros *Philippum Franciæ* ex parte una, & *Edwardum Angliæ* ex altera, Reges illuſtres, ſuper diverſis articulis materia diſſentionis exorta, iidem Reges per ſpeciales ipſorum Procuratores & Nuncios ad nos propterea deſtinatos, & ab eis ſuper hiis ſpecialem poteſtatem habentes, in nos, **tanquam in privatam perſonam,** & Dominum *Benedictum Gaytanum*, tanquam in arbitrum, arbitratorem, laudatorem, diffinitorem, arbitralem ſententiatorem, & amicabilem compoſitorem, præceptorem, ordinatorem, diſpoſitorem, & pronunciatorem ſuper reformanda pace & concordia inter ipſos Reges, & ſuper hiis quæ ad pacem pertinent, ac ſuper omnibus & ſingulis diſcordiis, guerris, litibus, controverſiis, cauſis, quæſtionibus, dampnis & injuriis, petitionibus, & actionibus realibus & perſonalibus atque mixtis, quæ fuerant, erant, vel eſſe poterant inter eoſdem Reges, occaſione quacunque, altè ac baſſè, abſolutè ac liberè ſub certa forma compromittere curaverunt: Volentes, promittentes, & expreſſè conſentientes, tamdiu compromiſſa hujuſmodi perdurare, quamdiu Treugarum voluntariè initarum antea inter dictos Reges tempus & terminus perduraret. Quod quidem eſſe dixerunt unius anni à feſto *Epiphaniæ* proximo præterito, (tunc proximo futuro) uſque ad aliud feſtum *Epiphaniæ* nunc futurum proximo numerandi; & quod nos interim, ſi placeret nobis ac videremus expediens, poſſemus in antea hujuſmodi compromiſſorum, ac ferendi arbitrii ſeu arbitragii, & aliorum in compromiſſis hujuſmodi contentorum, necnon & prædictarum Treugarum tempus & terminum, ſimul & non aliter, ſemel & pluries, **ad noſtrum beneplacitum prorogare.** Nos vero prædictis compromiſſis receptis, quandam ordinationem ſuper hujuſmodi negotio, prout tunc conditio temporis & negotii ſtatus & qualitas ſuadebant, duximus faciendam, nonnullis in eodem negotio ſub futura ordinatione remanentibus attamen in ſuſpenſo, prout in pronunciatione prædictæ ordinationis plenius continetur. Nunc autem attendentes, quod faciente pacis actore, à quo cuncta bona procedunt, ea quæ per nos ordinata noſcuntur, proſpera ſucceſſione vireſcunt, & deſiderantes admodum inter cætera, quæ votiva ſenſibus noſtris occurrunt, ut in præfato negotio ex noſtris ſtudiis divini auxilii ſuffragatione fulcitis, fœlix & deſideratus ſubſequatur effectus; ac propterea præcavere volentes, ne tempus ipſius perficiendi negotii patiatur excurſum, præfatas Treugas, prout initæ vel indictæ fuerunt, & inter omnes eaſdemque perſonas inter quas & quoad quas indictæ vel initæ fuiſſe noſcuntur, & prædicta compromiſſa, & in poſterum ferendum arbitrium ſeu arbitragium, totumque negotium prout ex futura noſtra ordinatione ac deciſione dependent, à prædicto nunc proximo futuro *Epiphaniæ* feſto uſque ad aliud feſtum, ex nunc ſecundò venturum, ex hujuſmodi poteſtate nobis tradita prorogamus. Quam quidem prorogationem & omnem ejus effectum præcipimus, ſub pœnis in compromiſſis adjectis, inviolabiliter à partibus obſervari; ordinatis, arbitratis, præceptis, diffinitis, laudatis & ſententiatis per nos hactenus in memorato negotio in ſua nihilominus remanentibus firmitate. Nulli ergo omnium hominum liceat hanc paginam noſtræ prorogationis & præcepti infringere, vel ei auſu temerario contraire. Si quis autem hoc attemptare præſumpſerit, indignationem omnipotentis Dei, & beatorum *Petri* & *Pauli* Apoſtolorum ejus, ſe noverit incurſurum. Dat. *Anagniæ* 12 Kal. *Auguſti*, Pontificatus noſtri anno quinto. *Tandem per ipſius Domini Regis* Angliæ *Conſilium ſuper ipſa Apoſtolica litera deliberatione habita aliquali, ipſe Dominus Rex in Camera ſua loci prædicti, anno, indictione, & die præſcriptis, præſentatoribus ſupraſcriptis, tàm per ſe quàm per Dominum* Antonium Dunelmenſem *Epiſcopum, ejus verba nomine proferentem, reſpondit;* **Quod ipſe Dominus Rex Angliæ mandatis Apoſtolicis eſt paratus in hiis et aliis obedire; necnon et quod ipſe formam ſubmiſſionis factæ per ſe, et per ipſius Nuncios ad ſedem Apoſtolicam deſtinatos, ejus nomine, in Sanctiſſimum Patrem præſcriptum,** * **velut in Dominum** Benedictum Gaytanum, **tanquam in privatam perſonam, ſuper guerris et diſcordiis habitis inter ipſum** *Nota.

An. 25 & 26 E. 1.

An. 25 E. 1. Dominum Regem Angliæ, et Dominum Philippum Regem Franciæ', hucuſque firmiter et fideliter obſervabit, et quod eam juxta vim formam et effectum ejuſdem vult penitus obſervare; ec inſupet Treugis in litera Apoſtolica contentis adquieſcere prænotata; dum tamen id idem velit facere Rex Franciæ ſuprædictus. *Act. Anno, Indictione, Menſe, Die, Pontificatu, & locis præſcriptis; Præſentibus Domino* Dunelmen. *Epiſcopo ſupraſcripto, ac Nobilibus viris Dominis* Willielmo de Beuſe, Roberto de Tatehale, & Rogero de Mortuo mari, *Baronibus Regis* Angliæ, *ac Domino* Johanne de Beneſtede *ipſius Domini Regis Secretario, Clerico, Teſtibus ad hoc vocatis ſpecialiter & rogatis.*

Et Ego Johannes *dictus* Boughs *de* London. *Domini Papæ authoritate Notarius publicus, Præſentationi literarum Apoſtolicarum præſcriptarum, necnon & reſponſionibus interfui ſupraſcriptis; & ſcripſi omnia prænotata, ac etiam publicavi, meque ſigno conſueto ſignavi rogatus.*

Whiles this Pope for his own premiſed ends was making theſe Truces and a Peace between theſe two Kings and their Confederates, he was very active in raiſing rebellions and wars againſt the Emperor *Adolphus* in *Germany*, to depoſe him, and ſet up another in his ſtead; which *Matthew Weſtminſter* and others thus ſtory.

a Mat. Weſt. An. 1298. p. 411, 412.

[a] *Eodem etiam Anno* Adolphus *Rex* Alemanniæ, *vacuus amicis fiduciam in ſe habentibus, & præcipuè, quod nequius eſt dicendum,* Regis Angliæ pactum prævaricans, (by Pope *Boniface* his requeſt and inſtigation) *orta diſſenſionis materia inter ſe &* Albertum *filium* Rodolphi *Ducis* Auſtriæ, (whom this perfidious antimonarchical Pope ſtirred up to rebell and war againſt him) *belloque indicto juxta* Moguntiam, *corruit ſauciatus, & regnavit idem* Albertus *pro eo.* [b] *Abbas Uſpergenſis* writes; Moguntiæ *convenerunt Electores &* Adolphum *deſtituunt imperio. Nam centum millia marcarum argenti, vel, ut alii volunt,* 75. *millia pendo argenti acceperat* Adolphus *à Rege* Angliæ, *ut ſibi eſſet auxilio cum Principibus* Germaniæ *contra Regem* Galliarum: *Cum verò* Adolphus *hanc pecuniam non divideret inter Principes, ſed ſibi retineret, & comitatum hinc emeret, nec militem conſcribere poterit, nec ferre* Anglo *auxilium:* thereupon, *Albertus* falling out with him, *ut qui fidem non ſervaret Regi* Angliæ, confederated with the Archbiſhop of *Mentz* and other *German* Biſhops; who deprived *Adolphus* of the Empire, elected *Albertus* in his ſtead at *Mentz*, ſwore obedience to him, and raiſing great forces againſt *Adolphus* ſlew him in battel. Some Authors write, *Victor* Albertus *illum appellat*, Hinc (*inquiens*) dimittis Imperium; *reſpondit* Adulphus; Hoc ſitum eſt in Dei manu: for which anſwer he was ſlain by *Albertus* command, and the lives of all of his party ſaved, being only taken Priſoners: After which victory, he was crowned Emperor at *Aquiſgrane* by *Gerhardus* Archbiſhop of *Mentz*.

b Rerum Memorab. Paraleip. p. 341, 342, 343. Alberti Crantzii Saxoniæ. l. 8. c. 35, 36. Cent. Magd. 3. col. 1052, 1053. 1351, 1352. Cuſpinianus & Grimſton in the life of Adolphus, Th. Walſingham, Hiſt. Angl. p. 41, 43.

And as this turbulent Pope perſecuted this Chriſtian Emperor in *Germany*, ſo at the ſame time he degraded and perſecuted with armed ſouldiers ſome of his own Cardinals at *Rome*, as [c] *Walſingham*, [d] *Matthew Weſtminſter*, and [e] *others* thus relate. *Per hoc tempus Cardinales de* Columpna, per Papam Bonefacium depoſiti, *ad urbem ſe conterunt* Nepeſinam; contra quos damnatos tanquam ſciſmaticos et excommunicatos Papa viros bellatores in Italia cruce ſignabit; as if they were Turks or Saracens. *Illis etiam diebus,* Dominus Papa fidei et orationum quæ erant beati Petri oblitus, aſſumens quæ non erant ejus, tam aurum videlicet de viduis et orphanis, quam argentum, non viduis et orphanis, ſed militibus bellicoſis illis erogare curabit contra ſciſma quorundam Cardinalium, eos denique degradando, et contra Regem Siciliæ guerram movendo. Sed dicti Regis exercitus de galeatis turmis Domini Papæ multa millia necaverunt: Who thereupon to recruit his Treaſure, Forces, cheated, robbed the *Franciſcan* Freers of no leſſe than forty thouſand Florens of gold; and ſold the confirmations, tranſlations, and his proviſions of *Engliſh*, *Scotiſh*, and *Iriſh* Archbiſhopricks, Biſhopricks, to thoſe who would give moſt money for them: nulling the elections of thoſe who were duly choſen to them, if they came not up to his Simoniacal rates demanded for them, or to reſigne them into his hands to diſpoſe of at his pleaſure.

c Hiſt. Angl. p. 35.
d Flores Hiſt. An. 1299. p. 413, 414.
e See Platina, Onuphrius, Volaterranus, Creſpin, Balæus, Centuriæ Magd. 13. & others in Gregorio 8.

The Abbot of *Weſtminſter* procured this *Superſedeas* from the King to the Taxers of the 12. part of goods granted him by the Laity that year, in ſundry *Manners* lately

lately given to the Abbot and Covent to maintain an *Anniverſary* and Acts of Charity for his late Queen *Alienor*, not long before deceaſed. *An.* 25 *E.* 1.

REX Taxatoribus & Collectoribus Duodecimæ in Com. *Warr.* ſalutem. Muſa nolumus, quod bona et catalla dilectorum nobis in Chriſto Abbatis & Conventus *Weſtm*, in Maneriis ſuis de *Kirelle* & *Grafton* in Com. prædicto, quæ eis nuper dedimus et conceſſimus pro anniverſario celebris memoriæ *Alianoræ*, quondam Reginæ *Angliæ* Conſortis noſtræ, ſingulis annis celebrandis, et quibuſdam aliis Eleemoſinis, ſingulis ebdomadis pro anima ejuſdem Conſortis noſtræ faciendis, ratione Duodecimæ nobis à Laicis regni noſtri conceſſæ, per vos taxentur, nec aliquid inde ea occaſione levetur ad opus noſtrum; Vobis mandamus, quod taxationi de bonis et catallis prædictorum Abbatis et Conventus, in prædictis Maneriis exiſtentibus, ratione Duodecimæ prædictæ faciend. penitus ſupersedeatis. Teſte Rege apud *Ely* 7. die *Febr.* Clauſ. 25 E. 1. m. 22. Pro Abbate Weſt.

Conſimiles literas habent iidem Abbas & Conventus in Comitatibus ſubſcriptis, viz.

In Com. *Bucks.* de bonis & catallis ſuis in Maneriis de *Denham* & *Turneſton*.
In Com. *Eſſex* de bonis ſuis in Manerio de *Bridebrok*.
In Com. *Midd.* de bonis & catall. in Manerio ſuo de *Hodeford*.
In Com. *Kanc.* de bonis & catal. ſuis in Maneriis ſuis de *Weſterham* & *Edelmebrig*.

The ſame Abbot being fined 500 Marks by ſome of the Kings Juſtices for the eſcape of 5. Felons out of his Priſon, and 300 Marks for the eſcape of 3. other Malefactors by other Juſtices ſoon after, procured theſe enſuing pardons of and *Superſedeas* to levy thoſe legal fines; to the great encouragement of Malefactors, and the prejudice of publick Juſtice.

REX Theſ. & Baronibus ſuis de Scaccario ſalutem. Sciatis, quod pardonavimus dilecto nobis in Chriſto Abbati & Conventui *Weſtm*, illas quingentas libras, ad quas amerciatus fuit coram dilectis & fidelibus noſtris *Johanne de Berewyk* & ſociis ſuis Juſticiariis noſtris ultimo Itinerantibus in Comitatu *Middleſex*, pro quinque evaſionibus; videlicet, Centum libras pro evaſione *Johannis de Eborum*; Centum libras pro evaſione *Johannis Ballard*; Centum libras pro evaſione *Rogeri de parva Frome*; Centum libras pro evaſione *Roberti le Clerk*; et Centum libras pro evaſione *Euſtachii de Royſton*, Clericorum conbictorum, qui a cuſtodia ipſius Abbatis evaſerunt; quæ quidem Quingentæ libræ à præfato Abbate per Summonitionem Scaccarii prædicti exiguntur. Et ideo vobis mandamus, quod prædictum Abbatem de prædictis quingentis libris quietum eſſe faciatis. Teſte Rege apud *Weſtm.* 23 die *Julii*. Ibid. m. 10. Pro Abbate Weſtm.

Per ipſum Regem nunc. *J. de Beneſtede.*

REX Theſ. & Baronibus ſuis de Scaccario, ſalutem. Sciatis, quod de gratia noſtra ſpeciali pardonabimus dilecto nobis in Chriſto Abbati *Weſtm.* Treſcentas libras; *viz.* Centum libras, ad quas coram *Radulpho de Hengham* & ſociis ſuis nuper Juſticiariis noſtris ad placita noſtra tenenda aſſignatis, pro evaſione cujuſdam Clerici; et Ducentas libras, ad quas ſimiliter coram *Gilberto de Thornton* & ſociis ſuis nuper Juſtic. noſtris ad Placita noſtra prædicta tenenda aſſignatis, pro evaſione cujuſdam alterius Clerici ſcienter facta amerciatus fuit; Quæ quidem treſcentæ libræ ab ipſo Abbate per ſum. Scaccarii prædicti exiguntur. Et ideo vobis mandamus, quod ipſum Abbatem de prædictis treſcentis libris quietum eſſe faciatis. Teſte Rege apud *Odymere*, 12 die *Aug.* Ibid. m. 8. Pro Abbate Weſtm.

The King alſo iſſued this Writ to the Barons and Treaſurers of the Exchequer, with the form of levying the *third* or *fifth* part of the Clergies goods then granted him, and to appoint Collectors to tax and levy it.

REX Theſ. & Baronibus ſuis de Scaccario ſalutem. Mittimus vobis formam de tertia vel quinta parte bonorum Prælatorum, Clericorum, et perſonarum Eccleſiaſticarum quorumcunque de Regno noſtro in ſubſidium inſtantis expeditionis noſtræ Clauſ. 25 E. 1. m. 7. De 5. parte bonorum Clericorum levanda.

An. 25 E. 1. noſtræ ad opus noſtrum levand. præſentibus intercluſam : Mandantes, quatenus certas perſonas de quibus confiditis, ad dictam tertiam vel quintam partem taxandam et levandam, juxta formam prædictam per literas de eodem Scaccario aſſignetis. Teſte Rege apud *Wynchelſe*, 20 die *Aug.*

John de Berkeway a Clerk accuſed of Theft and Robbery, being demanded by his Ordinary, and purging himſelf before him, and found by Inquiſition to be no notorious Malefactor; the King iſſued a Writ to the Sheriffs of *London* to reſtore his Lands, goods and tenements they had ſeiſed: who returned, that they ought not to do it, becauſe he had put himſelf upon his tryal (ſaving his Clerkſhip) and was found guilty by the Jury; which the King deeming erronious, iſſued this ſecond Writ for their *reſtitution*, out of his ſpecial grace.

Clauſ. 25 E. 1. m. 4. & 9. Pro Johanne de Berkwey Clerico.

REX Vicecomitibus *London.* ſalutem. Cum *Johannes de Berkeweye* Clericus nuper coram dilectis & fidelibus noſtris, *Radulpho de Sandwico*, & *Johanne de Bretun* Juſtic. noſtris ad Gaolam noſtram de *Newgate* deliberandam aſſignatis, ſuper crimine furti et roberiæ rectatus, & poſtmodum venerabili Patri *R. London* Epiſcopo, loci Dioceſano, juxta privilegium Clericale (prout moris eſt) liberatus, innocentiam ſuam ſuper crimine prædicto, coram eodem Epiſcopo legitime purgaverit; ſicut idem Epiſcopus per literas ſuas patentes nobis ſignificavit; & per inquiſitionem, quam per vos & Coronatores noſtros *London.* poſtmodum fieri fecimus, *quod prædictus* Johannes *nunquam extitit publicus aut notorius malefactor*; per quod aliàs vobis præcepimus, quod eidem *Johanni* Terras & Tenementa, Bona & Catalla ſua, per vos occaſione prædicta capta in manum noſtram ſine dilatione reſtituere-tis, vel cauſam nobis ſignificaretis, *quare mandatum noſtrum aliàs vobis inde directum exequi nolniſtis, vel non debuiſtis*; ac vos nobis retornaveritis, quod Terras et Tenementa prædicta eidem *Johanni* non reſtituiſtis, nec reſtituere debuiſtis; eo quod idem *Johannes* per Inquiſitionem patriæ, in quam de bono et malo ſe poſuit coram prædictis Juſticiariis, de crimine prædicto, ſalvo privilegio Clericali, inde inventus fuit culpabilis, quam quidem cauſam erroneam reputamus. Vobis iterato præcipimus firmiter injungentes, quod præfato *Johanni* Terras & Tenementa ſua prædicta in Balliva veſtra, ſi ea occaſione & non alia capta ſint in manum noſtram, ſine dilatione reſtituatis, de gratia noſtra ſpeciali. Teſte *Edwardo* filio Regis apud Sanctum *Paulum London.* 27. *Sept.*

King *Edward* for the Advancement of Learning, confirmed a Houſe in *Oxford* deviſed to the Poor Scholars of the Univerſity of *Oxford*, to them and their ſucceſſors, notwithſtanding the Statute of *Mortmain*, by this Patent.

Pat. 25 E. m. 2. De licentia ingred. pro pauperibus Scholaribus Univerſitas. Oxon.

REX omnibus ad quos, &c. ſalutem. Licet de communi Conſilio Regni noſtri ſtatuerimus, *Quod non liceat viris religioſis ſeu aliis ingredi feodum alicujus, ita quod ad manum mortuam ponetur, ſine licentia noſtra & Capitalis Domini, de quo res illa immediatè tenetur*, Volentes tamen pauperibus Scolaribus Univerſitatis *Oxon.* gratiam facere ſpecialem, dedimus eis licentiam quantum in nobis eſt, quod ipſi unum Meſ. cum pertin. in *Oxon.* quod *Reginaldus le Bedel* defunctus, in (illud) Teſtamento ſuo eis legabit, et quod iidem Scholares ratione legationis prædictæ retinere poſſint ſibi et ſucceſſoribus ſuis imperpetuum, juxta legationem prædictam. Nolentes quod prædicti Scholares vel eorum ſucceſſores ratione Statuti prædicti per nos vel hæredes noſtros inde occaſionentur in aliquo ſeu graventur; Salvis nobis & Capitalibus Dominis feodi illius Servitiis inde debitis & conſuetis, & ſalvo ſimiliter jure cujuſlibet. Teſte Rege apud *Weſtm.* 29 die *Junii.*

Per Inquiſ. retorn. de conſ.

The King this year granted the like Safe-conduct *verbatim* to the Merchants of the Popes Chamber to collect and tranſport into *France* the Procurations of the Popes Legates, as he had done the * *year before.*

* See here, p. 678.

* REX

An. 25 E. 1.

REX Vicecomitibus, *&c.* In cujus rei, &c. uſque ad feſtum Sancti *Michaelis* proximo futurum duratur. Teſte Rege apud *Weſtmonaſterium* viceſimo ſexto die *Junii.*

Pat. 25 E. 1. m. 2. intus. De ſalvo Conductu pro Mercator. Cameræ Dom. Papæ.

† *Henry de Newerke* being elected Archbiſhop of *York*, and his election approved by the King, his *Proctors* ſent to *Rome* (no doubt at a dear rate) procured the Popes confirmation of his election, together with a Licenſe to be conſecrated in his own Church at *York* by the Biſhop of *Durham*; the King upon receit of the Popes Bull, iſſued this Writ for the reſtitution of his Temporalties.

† Tho. Stubs, Actus Pontif. Ebor. col. 1718. Godwins Catal. of Bps. p. 470.

REX dilecto & fideli ſuo *Johanni de Lythegr.* Eſcaetori ſuo ultra *Trentam*, ſalutem. Cum Dominus Summus Pontifex diſcretum virum Magiſtrum *Henricum de Newerk* Decanum Eccleſiæ *Eborum* in Archiepiſcopum loci illius præfecerit & Paſtorem, ſicut per literas ipſius Summi Pontificis bullatas, nobis inde directas plenius nobis conſtat. Nos præfectionem illam acceptantes cepimus fidelitatem ipſius *Henrici*, & Temporalia Archiepiſcopatus prædicti, prout moris eſt, reſtituimus eidem. Et ideo vobis mandamus, quod eidem *Henrico* Temporalia Archiepiſcopatus prædicti cum pertinentiis ſine dilatione liberetis in forma prædicta. Teſte Rege apud *Weſtm.* 22 die *Junii.*

Pat. 25 E 1. m. 2. intus. De temporalibus Archiepiſcopatus Ebor. reſtitutis.

Eodem modo mandatum eſt *Malc. de Harl.* Eſc. citra *Trentam.*

Et mandatum eſt Militibus, liberis hominibus, & omnibus aliis tenentibus de Archiepiſcopatu *Eborum*, quod eidem *Henrico* tanquam Archiepiſcopo & Domino ſuo in omnibus quæ ad Archiepiſcopatum prædictum pertinent, intendentes ſint & reſpondentes ſicut prædictum eſt. In cujus, &c. Teſte ut ſupra.

Two Prebendaries in the Church of *Sarum* poſſeſſed by Foreigners becomming voyd this year, the firſt by the death, the other by the promotion of the Prebend to a Foreign Biſhoprick, the King conferred them on his own Chaplains, by reaſon of the Temporalties of the Biſhoprick then in his hand, refuſing to admit any *Italians* to them, notwithſtanding the Popes proviſions, or Cardinals Letters on their behalf, to preſerve the rights of his Crown.

REX omnibus ad quos, &c. ſalutem. Sciatis quod dedimus & conceſſimus dilecto Capellano noſtro *Radulpho de Stamford*, Præbendam illam, quam Magiſter *Petrus de S. Maria* nuper habuit in Eccleſia *Sarum*, vacantem per mortem ejuſdem *Petri*, & ad noſtram donationem ſpectantem, ratione Epiſcopatus *Sarum* vacantis, et in manu noſtra exiſtentis, habendam cum ſuis juribus & pertinentiis quibuſcunque. In cujus, &c. Teſte Rege apud *Weſtm.* 20 die *Junii.*

Pat. 25 E. 3. m. 4 Pro Radulpho de Stanford.

Et mandatum eſt Decano & Capitulo Eccleſiæ Cathedral. *Sarum*, quod eidem *Radulpho* ſtallum in Choro, & locum in Capitulo, ratione Præbendæ prædictæ (prout moris eſt) aſſignent. In cujus, &c. Teſte ut ſupra.

Conſimiles literas habet *Johannes de Drokenesford* Cuſtos Garderobæ Regis de Præbenda illa quam *Monaldiſcus de Camerino* nuper habuit in Eccleſia prædicta, vacante per Promotionem ejuſdem *Monaldiſci* in Epiſcopum de *Foſſingbr.* in *Marchia Anconitana*, & in manu Regis exiſtentis, habend. cum ſuis Juribus & pertin. quibuſcunque. In cujus, &c. Teſte ut ſupra.

Ibid Pro Johanne de Drokenesford de Præbenda in Eccleſia Sarum.

By which preſident it is evident; that the Tranſlation of a Prebend in *England* to a Biſhoprick in *Italy* or any other forraign Realm, by the Pope or a forreign Prince, made his prebendary *ipſo facto* viod in Law, ſo as the King or Patron might preſent another to it.

The King this year granted this protection and licenſe to collect Almes for 5. years, to the Proctors of the Houſe of St. *Robert*, for the redemption of Priſoners in the Holy Land.

Ibid. De Protectione pro Procuratoribus domus S. Roberti de Knaresburgh.

REX omnibus Ballivis & fidelibus ſuis, ad quos, &c. ſalutem. Sciatis, quod ſuſcepimus in protect. & defenſionem noſtram dilectos nobis in Chriſto fratres *Johannem Sperry*, *Robertum de Bonevill*, *Robertum de Calventon*, & *Willielmum de*

An. 25 *E.* 1. *de Ebor.* procuratores Domus ſancti *Roberti de Knaresburgh*, ordinis Sanctæ *Trinitatis*, & redemptionis *Terræ ſanctæ*, homines, terras, res, redditus, & omnes poſſeſſiones ſuas. Et ideo vobis mandamus, quod prædictos fratres *Johannam*, *Robertum*, & *Willielmum*, Homines, terras, res, redditus, & omnes poſſeſſiones ſuas manuteneatis, *&c.* non inferentes eis, *&c.* Et ſi quid eis forisfactum fuerit, id eis ſine dilatione faciatis emendari. Rogamus etiam vos, quod cum prædicti fratres, vel eorum nuncii ad vos venerint, eleemoſinas a vobis ad redemptionem captivorum petituri, ipſos benignè recipiatis & recipi faciatis in Eccleſiis, villis & foris veſtris, & eis de bonis veſtris ad hoc, caritatis intuitu & precum noſtrarum interventu, largiri velitis. Ita quod à retributore bonorum omnium mercedem condignam, & a nobis grates reportare debeatis ſpeciales. In cujus, *&c.* per quinquennium duratur. Teſte Rege apud *Weſtm.* 18 die *Junii*. R. præcepit apud *Beautrone* duppl.

William de Kyngſton being elected Abbot of the Monaſtery of *Abbotesbury* by the Kings licenſe, who aſſented to his Election, the Biſhop of *Saliſbury* as Ordinary nulled his election, and by his own proviſion preferred *Benedict de Lodres* a Monk thereof to be Abbot, without any new Election, deſiring the King to give his Royal aſſent to this his proviſion, and reſtore his Temporalties: which the King for this time did, out of his ſpecial grace, provided that this his condeſcenſion ſhould not turn to the prejudice of him or his heirs, or be drawn into conſequence for the future.

Clauſ. 25. E. 1. m. 12. De Temporalibus reſtituend.

REX dilecto ſuo *Malculmo de Harlegh* Eſcaetori ſuo citrà *Trentam*, Salutem. Cum venerabilis pater *N. Sarum* Epiſcopus electionem nuper factam in Eccleſia Conventuali de *Abbodesbury* de fratre *Willielmo de Kyngeſton* Priore ejuſdem Monaſterii in Abbatem loci illius, cui prius Regium aſſenſum adhibuimus et favorem, taſſaverit, & eidem Eccleſiæ de fratre *Benedicto de Lodres* Monacho ejuſdem domus providerit, ipſumque *Benedictum* in Abbatem loci illius præfecerit, ac per ſuas patentes literas nos rogaverit, ut proviſioni ſuæ in hac parte Regium præberemus aſſenſum, quod noſtrum eſſet ulterius exequendo. Nos proviſioni hujuſmodi Regium præbentes aſſenſum, hac vice de noſtra gratia ſpeciali cepimus fidelitatem ipſius *Benedicti*, & Temporalia Abbatiæ prædictæ, prout moris eſt, reſtituimus eidem. Ita tamen quod hæc noſtra gratia nobis vel hæredibus noſtris in præjudicium non cedat, nec futuris temporibus in conſequentiam trahatur. Et ideo vobis mandamus, quod eidem fratri *Benedicto* temporalia Abbatiæ prædictæ liberetis, ſicut prædictum eſt. Teſte Rege apud *Clarindon*, ſecundo die *Martii*.

The King having promiſed the Cardinal-Biſhop of *Sabine* at his inſtance, to preſent *Nivianus* (an *Italian*) his Chamberlain, to a Benefice in *Lincolnſhire* then in his gift by the death of an *Italian* the Popes Chaplain, he forgetting his promiſe, preſented his own Clerk thereto; but being reminded thereof, to make good his promiſe, he revoked his firſt preſentation, and preſented *Nivianus* to it, by this Patent,

Pat. 25 E. 1. m. 16. De præſentatione pro magiſtro Antonio de Niviano.

REX venerabili in Chriſto patri *O.* eadem gratia Epiſcopo *Lincoln.* Salutem. Nuper non recolentes, quod ad inſtantiam patris Domini *G.* Epiſcopi *Sabin.* amici noſtri cariſſimi, conceſſimus præſentare Magiſtrum *Antonium de Niviano* ipſius Epiſcopi Camerarium, ad Eccleſiam de *Febureſham*, veſtræ Dioc. vacantem per mortem Magiſtri *Campani de Novaria*, Domini Papæ Capellani, & ad noſtram donationem ſpectantem, *Johannem de Borham* Clericum noſtrum, paternitati veſtræ poſtmodum præſentavimus ad eandem; Verum quia quæ de labiis noſtris proceſſerant, irrita facere non debemus, præſentationem de eodem *Johanne* factam, ad eandem Eccleſiam totaliter revocantes, prædictum *Antonium* prædictæ veſtræ paternitati ad prædictam Eccleſiam præſentamus; rogantes quatinus ipſum *Antonium* ad ipſam Eccleſiam admittatis, & Perſonam in eadem inſtituatis. In cujus, *&c.* Teſte Rege apud Sanctum *Albanum*, 17 die *Febr.*

Thus the King, by the mediation of Popes and Cardinals, during their treating of a Truce between him and the King of *France*, was engaged to preſent their *Italian* Chaplains

Chaplains to his vacant Benefices in *England* one after another, to the injury of his own Chaplains, and great prejudice of the peoples ſouls, which they never regarded nor intended. *An.* 25 *E.* 1.

Walter Langeton the Kings Treaſurer, Dean of his free Chappel of *Bruges* being by his licenſe and aſſent elected Biſhop of *Coventry* and *Lichfield*, the King out of ſpecial grace, before his Conſecration licenſed him to hold his Deanry *in Commendam* with his Biſhoprick for five years ſpace, by his gift and prerogative, after his Conſecration, if he ſhould procure a diſpenſation from the Pope, by this Patent.

REX omnibus ad quos, *&c.* Salutem. Sciatis, quod conceſſimus pro nobis et hæredibus noſtris venerabili patri *W. Coventr.* et *Lichefeld* Electo Theſaurario noſtro, ut ipſe Decanatum liberæ Capellæ noſtræ de *Bruges*, quem ex mera donatione noſtra noſcitur obtinere, et qui per ejuſdem Electi conſecrationem eſt vacaturus, et ad noſtram donationem libere ſpectaturus, habeat, et poſt dictam Conſecrationem retineat per quinquennium de dono noſtro et noſtra gratia ſpeciali, et fructus inde percipiat, prout hactenus percipere conſuevit, ſi idem Electus diſpenſationem ab Apoſtolica Sede obtineat, eundem Decanatum poſt dictam Conſecrationem habendi, et, ut dictum eſt, retinendi: Ita tamen, quod per hoc nobis vel hæredibus noſtris impoſterum nullum præjudicium generetur. In cujus, *&c.* Teſte Rege apud Sanctum *Edmundum*, 28 die *Novembr.* Pat. 25 E. 1. m. 16. Pro W. Coventr. & Lichf. Epiſcopo de Decanatu liberæ Capellæ de Bruges.

Pope *Boniface* having confirmed the Election of * *David Martyn* to the Biſhoprick of Saint *David* in *Wales*, and ſignifying it to the King by his Letters, the King accepting thereof, he thereupon received his Fealty, and iſſued this Writ to reſtore the Temporalties.

* Godwin hath only his bare name. Catalogue of Biſhops, p. 410.

REX dilecto ſibi *Roberto Dymmok*, Salutem. Cum Dominus ſummus Pontifex diſcretum virum *David Martyn*, Clericum Eccleſiæ *Menevn.* in Epiſcopum ejuſdem Eccleſiæ præfecerit et Paſtorem, ſicut per literas bullatas ejuſdem ſummi Pontificis nobis inde directas nobis conſtat; nos præfectionem illam de ſpeciali gratia acceptantes, cepimus fidelitatem ipſius Epiſcopi, & Temporalia Epiſcopatus prædicti, prout moris eſt, reſtituimus eidem; Et ideo vobis mandamus, quod eidem Epiſcopo Temporalia Epiſcopatus prædicti liberetis, ſicut prædictum eſt. Teſte Rege apud Sanctum *Edmundum*, 24 die *Jan.* Pat. 25 E. 1. m. 20. De Temporalibus reſtituis.

Et mandatum eſt Militibus, liberis hominibus, & omnibus aliis tenentibus de Epiſcopatu prædicto, quod eidem *David* tanquam Epiſcopo & Domino ſuo in omnibus, quæ ad Epiſcopatum prædictum pertinent, intendentes ſint & reſpondentes, ſicut prædictum eſt. In cujus, *&c.* Teſte ut ſupra.

The Abbeſs of the Monaſtery of *Font-Everard* having by her Letters patents inſtituted a Prioreſs of *Ambresbury*, by the Kings command, to reform and correct the abuſes, diſorders of the Nunnes and Freers in that Monaſtery, deſiring the King to confirm her therein, to reſtore the Temporalties to her, and to command them to receive and obey her as their Prioreſs; the King thereupon iſſued this Patent to her for that purpoſe.

REX omnibus ad quos, *&c.* Salutem. Inſpeximus literas patentes Abbatiſſæ Fontis *Ebroldi* nobis miſſas, in hæc verba. *A tres excellent e tres honorable Prince mon Seigneur* Edward *par la grace de Dieu Roy de* Engleterre, *Seigneur* Dirlande, *et Duc* Daquitaine, *ſon treſches Seigneur e pere, ſuer* Margarite *par la ſuffrance de Dieu homble Abbaeſſe de* Fontenrand, *ſaluz e eſpeciaus oreyſons au ſaent eſperit; Tres reau Seigneur e Pere nos vos feyſſoms Savoer, qe ou veſtre volante, et de veſtre commandement nous envoyeons Prioreſſe a* Ambresbury, *ſuer* Johenne *de* Gonnes, *nonaen de voſtre maeſſon de* Fontenrand, *fame ſage et viguereuſe, pour y eſter guardienne a Prioureſſe, de la quelle nous avons tres graunt confidence, qe par luy ſerra guouvernee la Meſon de* Ambr. *ou layde de Dieu, e de vous, e leſtat de la Religion garde e defender erpirituelment e tempozelment. Si vous prions e ſupplyons tres reau pere tant Cheremt come nous poons, quil vous pleſe ali fere render noſtre eſtat, en la avantdite Meſon, e mander e commander au Convent de nonaens, e aus freres que il la recepvent* Pat. 25 E. 1. part. 1. m. 11. intus. Pro Prioriſſa de Ambresbur.

An. 25 E 1. come Prioresse e obeissent en toutes choses comme a nous, si per de dela estions en nostre presence en telle maniere, quelle puysse user de nostre droit plenement e corriger, e reformer tout ceou qui aura mester de correction e reformation, e qe per ceou les dites nonaens e freres en puissent render lor ames a nostre seignour, come Religion soit nulle saunz obedience e sanz correction, e destruit par disobedience. E que nos memes qui somes lour chief, e de toute la Religion, en puyssons rendre devant Dieu le pere des ames, sofissente reson au jour de jugement, tant vous plese a seretres reau seignour e pere de ceou, *que par ces biens, e tuz autres nus puyssez venir a la joye de paradis, la quelle deux vous ottroit per se douce pitie, si come nous le desirrous. Adieu soiez vouz tresche seignour e pere qi soit garde de vous. Donn le Dimenche que lan chanta en saenti yglyse,* Cantate Domino laudem; *lan de grace Mil, deus Cenz, quatre vinz, e quatorze.* Nos autem præcibus ipsius Abbatissæ benignum præbentes assensum, mandamus & firmiter præcipimus, quod nullus prædictam Priorissam in præmissis impediat aliquatenus vel perturbet. Et volumus quantum in nobis est, quod eadem Prioriss gaudeat & utatur præmissis, juxta tenorem litterarum Abbatissæ prædictæ. In cujus, *&c.* Teste Rege apud *Clarendon*, 6 die *Marcii*.

* Mat. Westm. An. 1297. p. 411. See Godwins Catalogue, pag. 280.

After the death of *Nicholas de Longespey*, * *Simon Gaunt editus Londini, vir in arte Theologiæ peritus*, being elected Bishop of *Sarum* this year, thereupon;

Pat. 25 E. 1. pars 2. m. 10. De assensu adhibito Electioni.

REX Electioni nuper celebratæ in Ecclesia Cathedrali *Sarum*, de discreto viro, Magistro *Simone de Gandavo*, Canonico ejusdem Ecclesiæ, in Episcopum illius loci, **Regium assensum adhibuit et favorem.** Et hoc significatum est venerabili patri *R. Cantuar.* Archiepiscopo, totius *Angliæ* Primati; ut quod suum est in hac parte exequatur. In cujus, *&c.* Teste Rege apud Sanctum *Paulum London.* 31 die *Julii.*

The Archbishop confirming his Election soon after, the King issued this Writ to restore his Temporalties.

Ibid m. 9. de Temporalibus restitutis.

REX dilecto sibi *Adæ de Stoke*, Custodi suo Episcopatus *Sarum*, salutem. Cum venerabilis pater *R. Cantuar.* Archiepiscopus Electionem nuper celebratam in Ecclesia *Sarum*, de discreto viro, Magistro *Simone de Gandavo*, Canonico ejusdem Ecclesiæ, in Episcopum illius loci, **cui prius Regium assensum adhibuimus et favorem, confirmaverit**, sicut per literas patentes ipsius Archiepiscopi, nobis inde directas, nobis constat. **Nos confirmationem illam acceptantes**, cepimus fidelitatem ipsius **Electi**, & temporalia Episcopatus prædicti, prout moris est, restituimus eidem; Et ideo vobis mandamus, quod eidem **Electo** temporalia Episcopatus prædicti sine dilatione liberetis in forma prædicta. Teste Rege apud *Cumbwell*, 7 die *Aug.*

Et mandatum est Militibus, liberis hominibus, & omnibus aliis tenentibus de Episcopatu prædicto, **quod eidem Magistro *Simoni*, tanquam Episcopo et Domino suo, in omnibus quæ ad Episcopatum prædictum pertinent, intendentes sint et respondentes**, sicut prædictum est. Teste ut supra.

The Abbye of *Mira valle* being run into decay and great debts, the King out of charity and piety issued this Royal Protection to the **Abbot and Monastery** for their relief, and the better defraying of their debts.

Pat. 25 E. 1. m 9. Pro Abbatia de Mira valle, ordinis Cisterc.

REX omnibus ad quos, *&c.* Salutem. Non multum merentur ad disparia judicari, nova construere, ac benè constructa omnino diruta consequenter reficere, & in statum antiquum reponere prosperum & fœlicem. Sanè projicientibus nobis nostræ considerationis intuitu multiplices **possessiones** & amplas, necnon ad divitiarum habundantiam multiformem, quibus Abbatia de *Mira valle*, ordinis *Cisterc. Covent. & Lychf.* Dioc. tempore fundationis suæ insignita extitit & dotata, ac ad honores multimodos & elemosinarum largitiones, ac alia opera pietatis, quæ ex ipsa Abbatia olim consueverant pervenire; necnon ad depauperationem non modicam depressionemque flebilem, & statum miserabilem, quibus extitit dudum depressa, & adhuc deprimitur in immensum. Nos super statu illo & calamitate ac miseria

miſeria Abbatiæ prædictæ, pietate moti, illam cum terris, redditibus, & omnibus poſſeſſionibus, ac rebus ad eandem Abbatiam pertinentibus cepimus in protectionem & defenſionem noſtram ſpecialem; & Abbatiam illam cum omnibus pertinentiis ad requiſitionem dilectorum nobis in Chriſto Abbatis & Conventus ejuſdem Abbatiæ, dilecto & fideli noſtro *Petro de Leiceſtr.* quamdiu nobis placuerit, commiſimus cuſtodiend. Ita quod omnes exitus, redditus et proventus terrarum et poſſeſſionum Abbatiæ prædictæ, ſalva rationabili ſuſtentatione prædictorum Abbatis et Conventus et hominum ſuorum, ad eronerationem debitorum ſuorum, et relevationem aliorum defectuum ejuſdem Abbatiæ, reſerventur, et eiſdem eronerationi et relevationi per viſum aliquorum de diſcretioribus illius Abbatiæ per adjutorium et conſilium prædicti *Petri*, prout melius fieri poterit, applicentur. Nec volumus quod aliquis Vic. Ballivus, ſeu Miniſter noſter, aut alius quicunque in Abbatia prædicta, aut Grangiis ad illam ſpectantibus, quamdiu in cuſtodia præfati *Petri* fuerit, hoſpitetur, ſine ejuſdem *Petri* licentia ſpeciali. In cujus, *&c.* Teſte Rege apud *Cidune*, 14 die *Aug.* *An.* 25 *E.* 1.

The Abbot of *Bynedon* being impriſoned, and his goods and chattels violently taken away to a great value by a multitude of riotous perſons, the King, as ſupreme Defender of the Church and Clergy, upon the Abbots complaint thereof, iſſued this Commiſſion to puniſh the Treſpas according to Law.

REX dilectis & fidelibus ſuis *Petro Malore* & *Philippo Manbannk*, Salutem. Ex querela dilecti nobis in Chriſto Abbatis de *Bynedon* accepimus, quod *Johannes de novo Burgo*, *Thom. de novo Burgo*, *Willielmus Burdet*, *Henricus le Glyde*, *Hugo Fillel*, *Robertus de Warener*, *Robertus le Machin*, *Johannes Gayman*, *Johannes de Boxton*, *Johannes Weryng*, *Poleter*, *Andreas Cok*, *Willielmus Brunn*, *Johannes le Narewe*, *Nicholaus* fil. *Nicholai de Caretter*, *Stephanus Medido*, *Richardus Herveys*, *Johannes Lodemor*, & *Henricus le Conestable*, nuper cum ingenti multitudine maleficorum et pacis noſtræ perturbatorum vi & armis uſque ad Abbatiam de *Bynedon* accedentes, præfatum Abbatem ceperunt et impriſonaverunt, et bona et catalla ſua ibidem, et apud *Wynſtrod Newburgh* inventa, ad valentiam mille librarum ceperunt, aſportaverunt et conſumpſerunt, et alia enormia, *&c.* ad grave dampnum ipſius Abbatis, et contra pacem noſtram. Nos tam enormes tranſgreſſiones, ſi præfato Abbati taliter illatæ fuerint, tranſire nolentes impunitas, Aſſign. vos juſtic. noſtros ad inquirend. per ſacramentum, *&c.* de Com. *Dorſ.* per quos, *&c.* veritatem præmiſſorum, & ad tranſgreſſiones audiend. & terminand. ſecund. legem, *&c.* Et ideo vobis mandamus, quod ad certos, *&c.* Inquiſ. illam faciatis, & tranſgreſſiones prædictas aud. & terminetis in forma prædicta. Salvis nobis, *&c.* Mandavimus enim Vic. noſtro Com. prædicti, quod ad certos, *&c.* venire fac. *&c.* tot & tales, *&c.* per quos, *&c.* In cujus, *&c.* Teſte Rege apud *Weſtm.* 20 die *Julii*. Per ipſum Reg. nun. *J. de Benſted.* Pat. 25 E. 1. m. 11. dorſo pro Abbate de Bynedon, de Tranſ. aud.

King *Edward* writ this complemental Letter to Pope *Boniface* this year, wherein he very earneſtly entreated his favour in the behalf of the Biſhop elect of *Metz* in *Germany*, being his Kinſman, whoſe Election was drawn in queſtion before him, with whom friendſhip and bribes were more prevalent then virtue, piety, right, merit or the inſtruction and ſalvation of peoples ſouls.

SAnctiſſimo in Chriſto patri *B.* Divina providentia ſacroſanctæ *Romanæ* ac Univerſalis Eccleſiæ ſummo Pontifici, devotus ſuus filius *Edwardus* Dei gratia Rex *Angliæ*, Dominus *Hyberniæ*, & Dux *Acquitanniæ*, cum omni reverentia & honore devota pedum oſcula beatorum. Cum juxta ſacræ Scripturæ irrefragabilem veritatem ab exordio ſui caſus, malignus ſpiritus & pervigil humani generis inimicus invidiæ ſtimulis agitatus, non ceſſat circueundo decipere, & decipiendo ovem gregis Domini devorare, ne divina diſpoſitio de humano genere totaliter fruſtraretur ex ſua proviſiva bonitate miſericorditer eſt proviſum, ut ſicut Angeli Angelis, ita præſint homines hominibus in curæ regimine paſtoralis, & in hoc providit divina Clementia profectui utrorumque. Nam per ſuperiorum providentiam inferiores conſervantur in merito, et per Curæ diligentiam ſuperiores proficiunt Clauſ. 25 E. 1. m. 2. dorſo. Literæ Regis deprecatoriæ, directæ Papæ & Cardinalibus pro Theobaldo de Barr.

An. 25 *E.* 1. ciunt in gratia et virtutis augmento. Hinc eſt, Pater ſanctiſſime, quod cum *Theobaldus de Barro* Canonicus *Remenſis*, vir bonæ opinionis & famæ, de illuſtri proſapia genitus, moribus & ſcientia decoratus, electus fuerit in Epiſcopatum *Metenſem* per partem Capituli ipſius Eccleſiæ, & *Fredericus* Epiſcopus *Aurelianenſis* per aliam partem dicti Capituli fuerit poſtulatus in Epiſcopum dictæ Eccleſiæ *Metenſis*, eidemque *Theobaldo* nimus multipliciter obligati ratione affinitatis, quæ eſt inter nos & nobilem virum, *Henricum* Comitem *Barrenſem* fratrem ſuum, virum dilectæ primogenitæ filiæ noſtræ. Qui Comes & ejus ſubditi Comitatus, ex promotione dicti fratris ſui & aſſumptione in Epiſcopum *Meten.* poterit conſequi maximum commodum & honorem; cujus Comitis honorem & commodum, ratione præmiſſa, noſtrum proprium meritò reputamus. Idemque *Theobaldus* tam ratione ſui quam generis ſit eidem Eccleſiæ utilis et neceſſarius, ut ſperamus, Paternitatem veſtram attentè requirimus ſupplicando, ut in præmiſſo Electionis negotio, amore noſtri et precum noſtrarum interventu, ſitis, ſi placet, dicto *Theobaldo* in jure ſuo favorabilis, propitius et promotor. Et licet promotio ipſius ſit & cedat, ut prædictum eſt, ad honorem & commodum dicti Comitis, & per conſequens nos exinde dici poſſumus majorem habere poteſtatem cum dicti Comitis ex hoc augeatur, noſcat veſtra paternitas reverenda quantò magis per hæc vel alia amici noſtri promoverentur, & honore præditi forent, nos propter hoc, per Dei gratiam, non ſumus neque erimus minus parati mandatis veſtris tanquam filius bono patri, pro viribus obedire, nec tedeat veſtram magnificentiam pro eo, quia tam affectuoſe vos rogamus ſuper negotio memorato, ſpes enim, et fides, et dilectio quam in vobis habemus, ad hoc merito nos inducunt. Vivat & valeat veſtra Paternitas per tempora longiora. Teſte Rege apud *Shireburne*, 28 die *Marcii*.

Pope *Boniface* preferring *Thomas de dono Dei*, (now *de dono Bonifacii*) to the Biſhoprick of *Roſſe* in *Scotland*, the King accepting thereof and receiving his Fealty, iſſued this Writ to his Guardian of *Scotland*, to reſtore the Temporalties thereof to him.

Pat. 25 E. 1. pars 2. m. 1. intus.

REX dilecto & fideli ſuo *Johanni de Warenna* Comiti *Surr.* Cuſtodi ſuo Regni & terræ *Scotiæ*, Salutem. Cum Dominus ſummus Pontifex diſcretum virum Magiſtrum *Thomam de Dono Dei* Canonicum Eccleſiæ *Roſſenſis*, in Epiſcopum illius loci præfecerit et paſtorem, ſicut per literas ipſius ſummi Pontificis bullatas nobis inde directas plenius nobis conſtat, nos præfectionem illam acceptantes, recepimus fidelitatem ipſius *Thomæ*, et Temporalia Epiſcopatus prædicti, prout mos eſt, reſtituimus eidem. Et ideo vobis mandamus, quod eidem *Thomæ* temporalia Epiſcopatus prædicti cum pertin. ſine dilatione liberari faciatis in forma prædicta. Teſte Rege apud Sanctum *Paulum*, 31 die *Julii*.

Et mandatum eſt Militibus, *&c.* Teſte ut ſupra.

a Walſingham ibid. p. 39.

[a] *Eodem tempore, idem Papa fratri* Willielmo de Hothum *Priori provinciali Fratrum Prædicatorum* Angliæ, Archiepiſcopatum contulit Dublinenſem (by his Papal proviſion,) indulgens eidem, ut a quocunque Epiſcopo catholico, et ubicunque decreverit, valeat conſecrari. *Qui cum Rege profectus in* Flandriam, *ibidem à Domino* Dunelmenſi *munus Conſecrationis accepit*; of whom [b] *John Bale* renders us this Character, with the means and end of his promotion by this Pope, *Guilielmus Hothum* (whom *Mat. Weſtminſter* ſtiles *Ottonianus*) *miſſus tandem ab* Edwardo *Rege legatus ad* Bonifacium *octavum* Rom. *Pontificem*, Chriſtiani orbis peſtem, perniciem, et omnium malarum artium miniſtrum, *Anno Dom.* 1298. fit, auro currente, Dublinenſis Archiepiſcopus, et citeriorjs Hyberniæ Primas, ut et ejus tyrannidis atque inſatiabilis crumenæ in ea regione pervigilans quæſtor adeſſet. *Sed* Roma *reditus, apud* Dijonem *in* Burgundia *humanis rebus valedixit, eodem anno quo creatus eſſet* Dublinenſis *Pontifex, ejus cadavere* Londonium *uſque deportato*. It appears by the Kings Patent for the reſtitution of *Hothum*'s Temporalties, that *Thomas de Chaddeſworth* Dean of Saint *Patrick*, was by the Kings licenſe unanimouſly elected Archbiſhop of *Dublin*, and had the Kings Royal aſſent thereto; but Pope *Boniface* the 8. by his uſurped Papal authority and proviſion conferred it upon *Hothum* for money; whoſe preferment to it the King approving for his activity in procuring a Truce with

b Script. Brit. Cent. cap. 5. p. 356. Cent. Magdebur. 23. cap. 10. col. 1141. Matth. Weſtm. Anno 1198. p. 412.

France,

France, (wherein * he imployed him as a Commiſſioner) received his Fealty, and iſſued theſe enſuing Writs both for the reſtitution of his Temporalties, the preemption of all the Kings Ploughs, Cattle, ſtock upon the Temporalties of the Biſhoprick, except the Corn, if he pleaſed to buy them; and for enjoying all Liberties and Juriſdictions granted by him or his Royal anceſtors by their Charters to any Archbiſhops of that See, without diſturbance, in as ample manner as any Archbiſhops had formerly enjoyed them, as theſe Records atteſt. *An.* 25 E. 1. * See here p. 747, 752, 756.

REX dilectis ſibi in Chriſto Canonicis liberæ Capellæ ſuæ de *Pencric*, ſalutem. **Cum Dominus Summus Pontifex electionem nuper factam in *Dublin.* Eccleſiæ**, ordinis Sancti *Auguſtini*, de Magiſtro *Thoma de Chaddeworth* Decano Eccleſiæ Sancti *Patricii Dublin.* **in ipſius Eccleſiæ Archiepiſcopum caſſaverit, et prohibitione ejuſdem Eccleſiæ ſedi Apoſtolicæ reſervata, dilectum nobis in Chriſto** fratrem *Willielmum de Hothum*, Priorem Provincialem ordinis Prædicatorum in *Anglia*, **in Archiepiſcopum loci prædicti præfecerit et Paſtorem**; ſicut per literas ejuſdem **Summi Pontificis** bullatas, nobis inde directas, plenius nobis conſtat. **Nos præfectionem illam acceptantes, cepimus fidelitatem ipſius fratris *Willielmi*, et Temporalia Archiepiſcopatus prædicti**, prout moris eſt, **reſtituimus eidem.** Et ideo vobis mandamus, quod eidem fratri *Willielmo* tanquam Archiepiſcopo & Domino veſtro in omnibus quæ ad Archiepiſcopatum prædictum pertinent, intendentes ſitis & reſpondentes, ſicut prædictum eſt. In cujus, &c. Teſte Rege apud *Bures* Sanctæ *Mariæ* 8 die *Decembr.* Pat. 25 E. 1. pars 1. m. 22. De Temporalibus Archiepiſcopatus Dublin. reſtituend.

REX dilecto Clerico ſuo Magiſtro *Richardo de Abyndon* cuſtodi ſuo Archiepiſcopatus *Dublin.* ſalutem. **Cum Dominus Summus Pontifex electionem nuper factam in *Dublin.*** &c. (*ut ſupra, uſque ibi*) Et ideo vobis mandamus, quod eidem fratri *Willielmo* Temporalia Archiepiſcopatus prædicti cum pertinentiis, reſtituatis in forma prædicta. In cujus, &c. Teſte Rege apud Sanctum *Edmundum* 23 die *Novembr.* Ibid. m. 24.

Et mandatum eſt Militibus, liberis hominibus, ac omnibus aliis tenentibus de Archiepiſcopatu prædicto, quod eidem fratri *Willielmo* tanquam Archiepiſcopo & Domino ſuo in omnibus quæ ad Archiepiſcopatum prædictum pertinent, intendentes ſint & reſpondentes, ſicut prædictum eſt. In cujus, &c. Teſte ut ſupra.

REX dilecto Clerico ſuo Magiſtro *Richardo de Abyndon*, nuper cuſtodi ſuo Archiepiſcopatus *Dublin.* ſalutem. Quia volumus quod dilectus nobis in Chriſto frater *Willielmus de Hothum* **electus Archiepiſcopatus prædicti, emptiones carucarum, affrorum, boum, et aliorum bonorum noſtrorum, infra eundem Archiepiſcopatum in cuſtodia noſtra exiſtentium cæteris præferatur**: Vobis mandamus, quod retentis ad opus noſtrum bladis dicti Archiepiſcopatus nunc in Grangiis exiſtentibus, quæ in *Vaſcon.* mittere **diſpoſuimus, præfato Electo cætera bona noſtra per vos ibidem vendenda, ſi ea emere voluerit, præ aliis dimittatis per rationabile pretium, prout ad opus noſtrum viderilis expedire.** Ita quod de denariis inde provenientibus **nobis reſpondere poſſitis ad Scaccarium noſtrum *Dublin.*** Teſte Rege apud la *Neylaunde*, 5 die *Decembr.* Clauſ. 25 E. 1. m. 25. Pro fratre Willielmo de Hothum Electo Dublin.

REX Juſticiariis, Eſcaetoribus, Vicecomitibus, Miniſtris, & omnibus Ballivis & fidelibus ſuis de terra *Hibern.* ad quos, &c. ſalutem. Volentes dilecto nobis in Chriſto fratri *Willielmo de Hothum* Electo *Dublin.* **gratiam facere ſpecialem**, conceſſimus ei, **quod toto tempore vitæ ſuæ eaſdem habeat libertates et quietantias, quas habere debet, et quas Archiepiſcopi *Dublin.* prædeceſſores ſui per Chartas progenitorum noſtrorum Regum *Angliæ* et noſtras habere conſueverint, eiſque utatur et gaudeat, prout iidem prædeceſſores ſui libertatibus et quietantiis illas per prædictas Chartas totis temporibus ſuis uſi fuerunt rationabiliter et gaviſi. Et quod idem Electus omnem Juriſdictionem ordinariam habeat, quam habere debet, in Archiepiſcopatu prædicto; et ea per ſe et ſubditos ſuos ſine impedimento noſtri vel hæredum noſtrorum, aut quorumcunque Ballivorum noſtrorum plene et libere et rationabiliter utatur, ſicut prædeceſſores ſui prædicti Juriſdictione hujuſmodi plenius et liberius uti conſueverunt temporibus retroactis.** Et ideo vobis mandamus, Pat. 25 E. 1. m. 22. Pro Willielmo de Hothum electo Dublin. de libertatibus & quietantiis in terra Hibern.

An. 25 E. 1. mandamus, quod prædictum Clericum, contra hanc conceſſionem noſtram non vexetis, vel ab aliquibus, quantum in vobis eſt, vexari permittatis. In cujus, &c. Teſte Rege apud *Bures* 9 die *Decembr.* Et dupl.

The King this year by this Patent granted his Chief Juſtice in *Ireland*, or his Lieutenant, power in his name and right to give his Royal aſſent to an Election, and receive Fealty of an Abbot, ſo as not to prejudice his Prerogative for the future, by this ſpecial grace.

Pat. 25 E. 1. m. 8. intus. De poteſtate data Juſtic. Hibern. electioni aſſenſum adhibendi.

REX Juſtic. ſuo *Hibernie*, vel ejus locum tenenti, ſalutem. Cum dilecti nobis Prior & Conventus de *Weyne* nobis per literas ſuas patentes ſignificaverint, quod Eccleſia ſua prædicta per **depoſitionem** fratris *Thome* quondam Abbatis illius loci, Paſtoris eſt ſolatio deſtituta, ſupplicantes nobis, prout moris eſt, **quod licentiam ſibi alium eligendi in Abbatem et Paſtorem eiſdem concedere dignaremur.** Ac nos precibus eorundem Prioris & Conventus in hac parte favorabiliter inclinati, licentiam illam eis duxerimus concedendam; Mandantes ipſis, quod talem ſibi eligant in Abbatem & Paſtorem, qui Deo devotus, regimini Eccleſiæ ſuæ neceſſarius, **nobiſque et terræ noſtræ** *Hibernie* **utilis et fidelis exiſtat.** Nos eorundem Prioris & Conventus laboribus & expenſis in hac parte parcere volentes, iſta vice, conceſſimus eis **de gratia noſtra ſpeciali**, & vobis dedimus poteſtatem, quod facta electione prædicta de futuro Abbate, ſicut prædictum eſt, **eidem electioni cum Electus hujuſmodi per Canonicos dictæ domus vobis fuerit præſentatus, aſſenſum Regium vice noſtra præbeatis:** Significantes loci Dioceſano, quod id quod ſuum eſt in hac parte exequatur. Volumus etiam & vobis damus poteſtatem, quod ſi contingat Electionem hujuſmodi per loci Dioceſanum canonicè confirmari, & vobis per literas ejuſdem Dioceſani inde conſtiterit, **tunc accepta ab eodem Electo fidelitate, in caſu iſto nobis debita**, Temporalia ejuſdem Abbatiæ eidem Electo, prout moris eſt, liberetis, **vice noſtra; receptis prius ab ipſo Electo literis ſuis patentibus ſigillo ſuo, necnon et ſigillo Capituli ſui ſignatis, quod hæc gratia noſtra quam eidem Electo ad præſens ex mera liberalitate noſtra conceſſimus, nobis vel hæredibus noſtris non cedet in præjudicium vel exhæredationem, ſeu trahetur in conſequentiam temporibus futuris.** In cujus, &c. Teſte Rege apud *Plympton* 25 die *Aprilis*.

Henry Biſhop of *Dere* in *Ireland* deceaſing, the King this year granted his licenſe to elect, and Royal aſſent to the election of *Goffredus* elected Biſhop thereof, and iſſued this Commiſſion to the Chief Juſtice there to receive his Fealty in his ſtead, and reſtore his Temporalties.

Pat. 25 E. 1. m. 1, & 2. De aſſenſu adhibito electioni, & de temporalibus poſt aſſenſum adhibitum reſtituendis Hibern.

REX **electioni nuper factæ** in Eccleſia *Deren.* de diſcreto viro Magiſtro *Goffredo Maglathlym*, Canonico ejuſdem Eccleſiæ, in Epiſcopum loci illius, **Regium aſſenſum adhibuit et favorem.** Et dirig. literæ venerabili patri *N.* Archiepiſcopo *Ardmath. Hibernie* Primati, ut quod ſuum eſt in hac parte exequatur. Teſte Rege apud *Weſtm.* 26 die *Junii*.

REX dilecto & fideli ſuo *Johanni Wogan* Juſtic. ſuo *Hibern.* ſalutem. Cum nos **electioni nuper factæ** in Eccleſia *Deren.* de diſcreto viro Magiſtro *Goffredo Maglathlym*, Canonico ejuſdem Eccleſiæ, **in Epiſcopum loci illius, Regium aſſenſum adhibuerimus et favorem**; & mandaverimus *N.* Archiepiſcopo *Ardmath. Hibern.* Primati, ut quod ſuum eſt in hac parte exequatur: Volentes eidem Electo, **ut laboribus et expenſis ſuis parcatur, gratiam in hac parte facere ſpecialem:** Vobis mandamus, quod ſi contingat electionem hujuſmodi per loci Metropolitanum canonicè confirmari, **tunc accepta vice noſtra ab eodem Electo fidelitate nobis in hac parte debita**, Temporalia Epiſcopatus ejuſdem ſibi liberari faciatis; **receptis tamen prius ab eodem Electo literis patentibus ſigillo ſuo, necnon et ſigillo Capituli ſui ſignatis, quod hæc gratia noſtra quam ei conceſſimus ad præſens, nobis vel hæredibus noſtris non cedat in præjudicium vel exhæredationem, ſeu trahatur in conſequentiam temporibus futuris.** In cujus, &c. Teſte ut ſupra.

The

The Chief Juſtice of *Ireland* refuſing to reſtore the Temporalties to *Malachy* Biſhop elect of *Elphin*, whoſe election the King and Archbiſhop of *Tuam* had confirmed, for certain cauſes which he certified into *England* to Prince *Edward* the Kings Lieutenant, and the Kings Counſil: they examining and finding the cauſes certified to be inſufficient, and receiving his Fealty, iſſued this ſecond Writ to him to deliver the Temporalties accordingly. *An.* 25. *E.* 1

REX dilecto & fideli ſuo *Johanni de Wogan* Juſtic. ſuo *Hiberniæ* ſalutem. Receptis & viſis Recordo & Proceſſu, quæ nobis ſuper negotio **reſtitutionis Temporalium faciendæ**, dilecto nobis in Chriſto fratri *Malachiæ* Clerico *Elphin.* miſiſtis, **ac rationibus ipſius negotii, propter quas dicta Temporalia ſibi reſtituere hactenus diſtuliſtis** coram *Edwardo* filio noſtro, locum noſtrum in *Angliæ* tenente, & Conſilio noſtro, **examinatis et plenius intellectis, eædem cauſæ et rationes inſufficientes reputatæ fuerunt**: Et ideo, cum venerabilis pater Archiepiſcopus *Tuamen.* electionem factam de præfato *Malachia* in Epiſcopum *Elphinen.* **cui prius Regium aſſenſum adhibuimus et favorem, confirmaverit**, ſicut per literas patentes ejuſdem Archiepiſcopi nobis inde directas, quas penes nos retinemus plenius nobis conſtat, **cepimus fidelitatem ipſius Electi, et Temporalia Epiſcopatus prædicti**, prout moris eſt, **reſtituimus eidem.** Vobis mandantes, quod eidem Electo Temporalia Epiſcopatus prædicti, ſine dilatione liberari faciatis, **juxta tenorem aliorum mandatorum noſtrorum, vobis ſuper hoc directorum**, Teſte *Edwardo* fil. Regis apud Sanctum *Paulum London*, 7. die *Sept.* Clauſ. 25 E 1. m. 6. Hibern. De Temporalibus reſtitutis.

By which it is apparent, that the Kings Chief Juſtice in *Ireland*, and the King and his Counſil in *England* had then a legal power to examin and determine the legality of Biſhops elections, with all cauſes about, and objections againſt the reſtitution of their Temporalties, after their elections confirmed.

Upon a *Certiorari* iſſued in the 1. year of King *Edward* the 2. to remove the Record of a Judgement given in *Ireland* in the caſe of the Biſhop of *Doune*, An. 25 E. 1. I finde this memorable Judgement given againſt the Biſhops encroachments upon the Kings prerogative Royal in two particulars, expreſſed at large in the record and Certificate thereupon made to the King.

EDwardus Dei gratia Rex *Angliæ*, Dominus *Hiberniæ*, & Dux *Aquitaniæ*, dilecto & fideli ſuo *Johanni Wogan* Juſticiario ſuo *Hiberniæ* ſalutem. Quia quibuſdam certis de cauſis certiorari volumus ſuper Recordo & Proceſſu loquelæ quæ fuit coram vobis tempore Domini *E.* quondam Regis *Angliæ* patris noſtri inter ipſum Patrem noſtrum, & *Nicholaum* tunc Epiſcopum de *Dune*, per Breve ejuſdem Patris noſtri de *Quo Warranto*, idem Epiſcopus clamavit habere in Maneriis & terris ſuis in *Ulton.* omnia Placita Coronæ exceptis quatuor Placitis, videlicet *de Theſauro invento, Raptu, Combuſtione* & *Hamſokene*; Vobis mandamus, quod ſi Judicium inde redditum ſit, tunc Recordum & Proceſſum loquelæ prædictæ, cum omnibus ea tangentibus nobis ſub ſigillo veſtro diſtinctè & aperte ſine dilatione mittatis, & hoc Breve. Teſte meipſo apud *Cantuar.* 4. die *Januarii*, Anno Regni noſtri primo. Hibern. An. 25 E. 1. Brevia Regis in Turre London, Anno 1 E. 2

Dorſ. Liberat. fuit Juſtic. *Hibern.* apud *Dublin.* 12 die *Febr.* anno ut infra.

Com. Placita apud *Dublin.* coram *Johanne Wogan* Juſtic. *Hibern.* a die *Paſchæ* in 15 dies Anno Regni Regis *Edwardi* viceſimo quinto.

Dublin. *ſſ.* *EPiſcopus* Doun. *præſens allocutus ſuper eo*, quod ipſe ſimul cum Archiepiſcopo Ardmaccano quaſdam **Ordinationes ſeu Proviſiones conſtituerunt in Dioc. ſuis; in quibus implicite continetur, quod Clerici in Anglia oriundi non reciperentur in Monaſteriis infra eorum Dioc. &c. in præjudicium Coronæ D. Regis, &c.** *Epiſcopus venit*, et **deadbocat hujuſmodi Conſtitutiones, &c.** *Et bene concedit, quod Abbas de* Saballo *& ejus Conventus & omnes alii Abbates, Priores & Conventus ſuæ Dioc. poſſint recipere Clericos in* Anglia *orinndos, quos recipere voluerint ſuo periculo*, ſalba ſibi viſitatione ſua conſueta, &c. *Et manucepit hic*, quod

An. 25 E. 1. quod ſtatim præfatas Conſtitutiones, ſi quæ fuerint, et mandata quæ exierant, per le et ſuos de hujuſmodi Conſtitutionibus omnino revocabit, &c.

Item Epiſcopus allocutus ſuper eo, quod ipſe appropriat ſibi Placita Coronæ Domini Regis, et capit redemptionem de felonibus pro morte hominis Anglici et aliis Feloniis, &c. venit; *Et dicit*, quod ipſe placitat omnia Placita Coronæ præterquam quatuor Placita. excepta in Lagen. *&c. et invenit Eccleſiam ſuam ſeiſitam, &c.* Et omnes Prædeceſſores ſui Epiſcopi Dun. hujuſmodi Placita tenere et habere conſueverunt. *Et hoc offert verificare, ſicut Curia conſideraverit. Clamat etiam habere redemptionem de Feloniis pro morte hominis* Anglici *& aliis Feloniis de quibus ipſe cognitionem habere poteſt. Et dicit*, quod ipſe et omnes Prædeceſſores ſui, a tempore quo non exiſtat memoria hujuſmodi redemptionem capere conſueverunt. *Et hoc offert verificare, &c. Et quæſitus, quis Prædeceſſorum ſuorum cepit hujuſmodi Redemptionem, & à quo?* Dicit, *quod quidam* Randulphus *quendam Epiſcopus Dun. tertius Prædeceſſor ſuus cepit Redemptionem de quodam* Thoma Balyagh *& de* Johanne Balyagh, *pro morte* Roberti Tyrel, &c. *Et quæſitus, ſi hujuſmodi redemptio unquam fuit in Curia Domini Regis ſibi aut alicui prædeceſſorum ſuorum allocata? vel etiam ſi pax quam conceſſerunt feloni fuit in Curia Domini Regis acceptata? ad hoc nichil dicit, nec poteſt oſtendere: ſed dicit, quod ipſe fuit allocutus coram Juſticiar. in itinere, Quo War. clam. habere Placita de Corona, &c. Et allegavit, quod à tempore quo non exiſtat memoria: et hoc idem verificatum fuit ibidem per veredictum Patriæ, &c. Et ſuper hoc venit* Elyas de Berkeley *una cum* Johanne de Ponte, *qui ſequitur pro Domino Rege; Et dicit, quod tempore* Roberti de Ufford *quondam Capitalis Juſticiarii hic, fuit ipſe* Elias *conſtitutus Coronator & Cuſtos Placitorum Coronæ in* Croceis Ulton. *& iſte tunc fecit Inquiſitiones & Viſum de interfectis, & illa præſentavit* Nicholao Taſt *tunc Juſtic. &c. et hunc ſtatum habuit Dominus Rex ibi per ſex annos, quouſque* Nicholaus de Clere *tunc Theſ. &c. ipſum ammovit; & poſtea prædictus Epiſcopus, & etiam Prior Domus Sancti* Patricii *de* Dun. occupaverunt hujuſmodi placita Coronæ, et capiunt Redemptiones, &c. *Et quod ita eſt parati ſunt verificare pro Domino Rege, ſicut Curia conſideraverit.*

Et Epiſcopus dicit, quod ipſe et omnes prædeceſſores ſui Epiſcopi Dun. a tempore quo non extat memoria ſemper conſueverunt habere hujuſmodi Placita et capere Redemptionem, *ſicut prædictum eſt; Et hoc paratus eſt verificare, &c. Et quæſitum eſt à prædicto Epiſcopo, ſi habeat Coronatorem? Dicit, quod non; ſed Seneſchallus ſuus inquirit et facit viſ. &c. Et quæſitus, ſi Sen. ſuus ſit juratus Domino Regi? Dicit, quod non. Poſtea prædictus Epiſcopus pro ſe & ſucceſſoribus ſuis* remiſit et quietum clam. Domino Regi et Hæredibus ſuis omnia Placita Coronæ in Croceis ſua imperpetuum. *Et poſtbac, &c.* tranſgreſſio quam fecit Domino Regi de Placitis hujuſmodi tenend. ſine Warr. de gratia Curiæ eidem perdonatur. *Et quoad Redemptiones capiendas de Felonibus, &c. pro Feloniis, &c. quia prædictus Epiſcopus docere non poteſt, quod pardonatio ſecta pacis de felonia unquam fuit ipſi Epiſcopo vel alicui prædeceſſorum ſuorum, vel alicui Feloni in Curia Domini Regis allocata, &c.* prædictus Epiſcopus abjudicatur de hujuſmodi Redemptionibus capiendis imperpetuum. Et ſit in miſericordia qui falſo clam. &c. Et miſericordia pardon. per ipſum Juſtic. &c.

In the Bundles of Writs Anno 25 E. 1. I found in the *White Tower* Chappel, there are no leſſe than 16. Original Writs and Attachments with their returns indorſed, againſt Biſhops Officials, Clerks, and others at the Kings, and parties ſuits, for holding and proſecuting pleas in Court Chriſtian for Chattels and Debts not of Teſtament or Matrimony, and Treſpaſſes belonging only to the King and his Courts, againſt his Prohibitions, to the hurt of his Crown, Dignity, and Contempt of his Writs, Courts, and Regal Authority, in this very year, when they were all put out of the Parliament, and Kings protection, for procuring and obeying Pope *Boniface* his antimonarchical Bull, and denying aydes to the King for his and the kingdomes defence; a Breviat whereof I ſhall here inſert.

Brevia Regis An. 25 E. 1. in Turre London.

EDwardus *Dei gratia Rex* Angliæ, *&c. Vic.* Stafford, *&c. Pone per vadium, &c.* Rogerum de Horneby *Vicarium Eccleſiæ de* Alſtaneſeld, *quod ſit coram Juſticiariis noſtris apud* Weſtm. *à die S.* Michaelis *in* 15 *dies, oſtenſurus, quare*, cum placito

cita de catallis et debitis in regno noſtro, quæ non ſunt de Teſtamento vel Patrimonio, ad Coronam et dignitatem noſtram et non ad alium pertineant in eodem regno, idem Rogerus ſecutus eſt placitum in Curia Chriſtianitatis de catallis et debitis Abbatis de Cumbermare, quæ non ſunt de Teſtamento vel Patrimonio, in læſionem Coronæ et dignitatis noſtræ, et contra prohibitionem noſtram. *Et habeatis ibi nomina plegiorum, & hoc breve. Teſte meipſo apud* Cantuar. 6 *die* Junii, *anno regni noſtri viceſimo quinto.* *An.* 25 E. 1.

EDwardus, *&c. Vicecomiti* Northt. *Pone, &c.* Nicholaum *Perſonam Eccleſiæ de* Whytechurch, *quod ſit apud* Weſtm. *à die Sancti* Michaelis *in* 15. *dies, oſtenſurus quare, &c.* tenuit placitum, &c. de catallis et debitis Johannis Aſtordeby perſona Eccleſiæ de Caſtre, *&c.* quæ non ſunt, &c. *Et quod Magiſter* Johannes de Haryngton *oſtendat*, quare ſecutus eſt idem placitum, &c. *Teſte Rege apud* Weſtm. 12 *die* Julii, *anno regni noſtri* 25.

EDwardus, *&c. Vicecomiti* Northt. *Pone, &c. Magiſtrum* Henricum *perſonam Eccleſiæ de* Raveneſthorp, *quod, &c.* quare tenuit placitum, &c. de catallis et debitis Richardi de Milton *Capellani, &c.* quæ non ſunt, &c. *Et Pone* Willielmum le Sumenur *de* Milton, *quare*, ſecutus eſt idem placitum in eadem Curia. *Teſte ut ſupra* 12 *die* Julii. *anno regni noſtri* 25.

EDwardus, *&c. Vicecomiti* Oxon. *&c. Pone, &c. Magiſtrum* Nicholaum de Whytecherche, *quare* ſecutus eſt placitum, &c. de catallis et debitis Johannis de Affordeby, *&c.* quæ non ſunt de Teſtamento vel Patrimonio, &c. 12 *die* Julii.

EDwardus, &c. *Vic.* Oxon. *Si* Thomas de Sowy, *&c. pone, &c.* Radulphum de Mercer, *quare* ſecutus eſt (conſimile) placitum, &c. *Teſte* Edwardo *fil. noſtro, &c.* 18 *die* Septembr.

EDwardus, &c. *Vic.* Devon. *&c. Si* Robertus de Hoperewode, *&c. pone, &c.* Thomam *Epiſcopum* Exon. *& Magiſtr.* Walterum de Stapledon, *quod ſint, &c.* quare tenuerunt, &c. *Et* Willielmum de Teyngton *Clericum*, Jordanum de Brittoſtowe *Clericum*, & Robertum Belechere, *quare* proſecuti ſunt (conſimile) placitum in Curia Chriſtianitatis, de catallis, &c. contra Prohibitionem noſtram. *Teſte meipſo apud S.* Edmundum 24 *die* Jan.

EDwardus, *&c. Vic.* Leiceſtr. *Si* Richardus de Coleſhull, *&c. Pone* Henricum *Vicarium Eccleſia beatæ* Mariæ *de Caſtro* Leiceſtriæ, quare tenuit, &c. *Et* Robertum *Vicarium Eccleſiæ S.* Margaretæ Leiceſtriæ quare ſecutus eſt (conſimile) placitum, contra Prohibitionem noſtram. *Teſte meipſo* 19 *die* Aug.

EDwardus, *&c. Vic.* Hereford. *Si* Iſabella *quæ fuit uxor* Richardi de Harsfeld, *&c. Pone, &c. Magiſtr.* Rogerum de Cantuar. quare tenuit placitum in Curia Chriſtianitatis de catallis, &c. quæ non ſunt, &c. contra prohibitionem noſtram. *Et pone, &c. Magiſtr.* William de Caple, Johannem de Pounde, & Rogerum de Glouceſtr. quare ſecuti ſunt idem placitum, &c. *Teſte meipſo apud* Wymburne, 20. *die* Marcii.

EDwardus, *&c. Vic.* Lincoln. *&c. Pone, &c.* Oliverum *Epiſcopum* Linc. *&c. quod ibi habeat* Robertum *Vicarium Eccleſia de* Thorp *Clericum ſuum, ad reſpondend.* Simoni *fil.* Walteri *quare, &c.* ſecutus eſt placitum in Curia Chriſtianitatis, de catallis et debitis quæ non ſunt de Teſtamento vel Patrimonio, contra prohibitionem noſtram, &c. *Teſte* J. *de* Metingham *apud* Weſtm. 16 *die* Febr.

EDwardus, *&c. Vic.* Ebor. *&c. Pone, &c. Cuſtodem Spiritualitatis Archiepiſcopatus* Ebor. *quod ſit, &c. Et ibi habeas Magiſtrum* Robertum de Lacy, *Magiſtr.* Robertum de Stanthorp, *& Magiſtr.* Robertum de Lara, *Clericos ſuos, ad reſpondend. nobis de placito, &c.* quare tenuerunt placitum in Curia Chriſtianitatis de bonis et catallis Elye de Treſſefield, quæ non ſunt de Teſtamento vel Patrimonio; *& quare prædictus* Robertus de Lara ſecutus fuit idem placitum, &c. *Et ad oſtendendum quare non habuit coram Juſtic. noſtris apud* Weſtm. *&c. prædictos* Robertum, *et* Radulphus *Clericos ſuos ſicut ei mandatum fuit, &c. Teſte* J. *de* Metingham *apud* Weſtm. 29 *die* Novemb. *An. r. n.* 25.

An. 25 E. 1.

EDwardus, *&c. Vic.* Ebor. *Pone, &c. Magiſtrum* Petrum de Cleſtr. *quare cum placita, &c. idem* Petrus tenuit placitum in Curia Chriſtianitatis, ꝛc. de catallis et debitis Wilhelmi de Celnoſe *Capellani*, in læſionem Coronæ et dignitatis noſtræ, ꝛc. contra prohibitionem; *& pone, &c.* William Bracy *Capellanum*, quare ſecutus eſt idem placitum. *Teſte meipſo, &c.* 29 *die* Januarii. *a. r. n.* 25.

EDwardus, *&c.* Vic. *Ebor. Summon. per bonos ſuum* Richardum de Waſſland, & Richardum de Brettevill, *ad ſequend. verſus* Hugonem de Walcote, *ſimul cum* Johanne de Whyceſtr. & Roberto de Inſula & Cicilia *uxor ejus, quare idem* Hugo ſecutus eſt placitum, in Curia Chriſtianitatis, ꝛc. de catallis et debitis ipſorum quæ non ſunt de Teſtamento vel Matrimonio. *Teſte* J. *de* Metingham, 21 *die* Novemb.

EDwardus, *&c. Vic.* Northumbr. *Pone, &c.* Agnetem *fil.* Henrici *de parva* Ryhl, & Julianam *ſororem ejus*, &c. quare ſecutæ ſunt (conſimile) placitum, ꝛc. contra prohibitionem noſtram. *Teſte* J. *de* Metingham 18 *die* Febr.

EDwardus, *&c. Vic.* Ebor. *&c. Pone, &c.* Agnetem *fil.* Henrici *de parva* Rychil & Julianam *ſororem ejuſdem* A. *&c. ad reſpondend.* Adæ de Camfrio, Rogero Unchang. & Nicholao, *&c.* quare ſecuti ſunt (tale) placitum, ꝛc. *Teſte* J. *de* Metingham 18. *die* Febr.

EDwardus, *&c. Vic.* Ebor. *&c. Si* Simon Broun, & Thomam *filium ejus*, Petrus le Carver, Thomas le Carver, Sampſon le Bercher, Stephanus Tod, *fecerint, &c. Pone, &c. Magiſtrum* Hugonem de Meyngthorp, *quod ſit, &c. oſtenſurus, quare* cum placita de Tranſgreſſionibus contra pacem noſtram factis in regno noſtro, ad Nos et Coronem et dignitatem noſtram, et non ad alium pertineant in eodem regno, idem Hugo tenuit placitum in Curia Chriſtianitatis de hujuſmodi Tranſgreſſionibus in Coronæ et dignitatis noſtræ læſionem, et contra Prohibitionem noſtram. *Pone etiam, &c.* Radulphum *Abbatem de* Jerovall, *&c.* quare ſecutus eſt idem placitum in eadem Curia contra Prohibitionem noſtram, ꝛc. *Teſte* Edwardo *fil. noſtro apud* Weſtm. 17 *die* Octobris, *an. r. n.* 25.

EDwardus *&c. Vic.* Bucks, *&c. Si* Petrus *fil.* Michaelis, *&c. Pone, &c. Magiſtrum* Richardum de Sancta Frideſwida, *Magiſtr.* Henr. de Inſula, Galfridum *Vicarium de* Newport, & Robertum *Vicarium de* Wylyene, *&c. oſtenſuri, quare cum* placita de Tranſgreſſionibus, ꝛc. ad Nos et Coronam et dignitatem noſtram et non ad alium pertineant in eodem regno, iidem R. H. G. & R. ſecuti ſunt placitum in Curia Chriſtianitatis ſuper hujuſmodi tranſgreſſionibus, in læſionem Coronæ et dignitatis noſtræ, et contra Prohibitionem noſtram, ꝛc. *Teſte meipſo apud* Ely, 12 *die* Febr. *anno regni noſtri* 25.

Placita, &c. An. 25 E. 1. in Turre Lond. Rot. 30, 61, 81, & 88. dorſo.

In the Plea-Rolls of *Eaſter* Term, *Anno* 25 E. 1. *Magiſter* Henricus de Naſſington *attach. fuit ad reſpondendum* Radulpho de Honylane & Emmæ de Honylane *de placito, quare ipſe ſimul cum* Roberto *Archiepiſcopo* Cantuarien. tenuit placitum in Curia Chriſtianitatis, de catallis et debitis, quæ non ſunt de Teſtamento vel Matrimonio contra prohibitionem, *&c. Et unde iidem* Radulphus & Emma *per Attornatum ſuum queruntur, quod cum* Rogerus de Arderue, Robertus *filius* Thomæ le Lyndraper, Allicia & Juliana *ſoroves ejuſdem* Roberti *traxiſſent ipſos* Radulphum & Emmam *in placitum in Curia Chriſtianitatis, coram præfatis* Archiepiſcopo et Magiſtro Henrico, de triginta marcis, quæ non ſunt de Teſtamento vel Matrimonio, &c. *& ipſi die* Mercurii *proxima ante* Paſch. floridam, *anno regni Domini Regis nunc viceſimo quarto, in Eccleſia Beatæ* Mariæ de Arcubus London. *in præſentia* Richardi de Hotham, Steph. de Hereford prohibuiſſent eidem Magiſtro Henrico Regiam prohibitionem, ne prædictum placitum teneret in Curia Chriſtianitatis, *&c.* Idem Magiſter Henricus *minus, &c.* ſpreta prohibitione illa, nihilominus tenuit placitum illud in eadem Curia, et fecit ipſos ſuſpendi ab ingreſſu Eccleſiæ, et poſtea excommunicari, in contemptum Domini Regis, *&c.* Unde dicunt quod deteriorati ſunt, et dampnum habent ad valentiam 40 marcarum: Et inde prodeunt ſectam, *&c.* Et ſimiliter iidem *Richardus* et alii idem placitum in eadem Curia Chriſtianitatis ſecuti ſunt verſus eos, quouſque ſententia in ipſos Radulphum et Emmam ad ſectam ipſorum Rogeri et aliorum promulgata, ipſos excommunicare fecerunt. Et

poſtea

poſtea Breve Regium de ipſis Radulpho et Emma ſic Excommunicatis, tanquam claves Eccleſiæ contemnentibus capiendis; eiſdem Vic. poſterit (ut dicitur) in Coronæ et dignitatis Regis læſionem, Curiæ Regis contemptum, et ipſorum Radulphi et Emmæ diſpendium non modicum et gravamen, prout ex gravi querela ipſorum Radulphi et Emmæ accepit Dominus Rex. Et quia tanta contemptum et malitia (ſi commiſſa fuerunt) tranſire nolumus impunita; præceptum fuit Vicecomiti Kanc. quod ſi prædicti Radulphus & Emma, *&c.* tunc attach. prædictos Archiepiſcopum et alios, quod eſſent hic ad præfatum terminum Sancti Martini, ad reſpondendum tam nobis quam prædictis Radulpho et Emmæ de prædictis tranſgreſſione et contemptu, *&c.* *An.* 25 & 26 *Edw.* 1.

Magiſter Johannes de Harington *attachiatus fuit ad reſpondendum* Roberto de Rothewell *de placito*, quare ipſe ſimul cum Radulpho de Rothewell Capellano, Thoma Vicario Eccleſiæ de Cokewell, et Saero le Perſonſeriamut ſecutus fuit placitum in Curia Chriſtianitatis de catallis et debitis, quæ non ſunt de Teſtamento vel Matrimonio, contra prohibitionem, *&c.* *Et unde queritur, quod cum idem Magiſter* Johannes *coram Magiſtro* Nicholao de Wytchirch, *Magiſtro* Waltero de Wetton, *& Magiſtro* Henrico de Weingworth, *Comiſſar. Official. Archidiaconi* Lincoln. in Curia Chriſtianitatis traxiſſet ipſum in placitum, exigendo ab eo triginta ſolidos, qui non ſunt de Teſtamento vel Matrimonio: ac idem Robertus die *Sabbati* proxima poſt feſtum Sanctæ Trinitatis, anno regni Regis nunc viceſimo tertio apud Northr. in Eccleſia *omnium* Sanctorum, in præſentia Simonis Scot et Gilberti de Hedon, detuliſſet ei Regiam prohibitionem, ne placitum illud ulterius in eadem Curia ſequeretur. Idem Magiſter Johannes, ſpreta Regia prohibitione prædicta, nihilominus in eadem Curia ſequebatur placitum illud in tantum, quod idem Robertus ſuſpenſus fuit ab ingreſſu Eccleſiæ, et poſtea Excommunicatus, ad ſectam ipſius Magiſtri Johannis. Unde dicit quod deterioratus eſt, et dampnum habet ad valentiam quadraginta ſolidorum. Et inde producit ſectam, *&c.* Placita de An. 25 E. 1. m 37.

Nicholaus Trentheſſeil *per Attorn. ſuum optulit ſe* 4 *die verſus* Jacobum de Begeham, *Magiſtrum* Willielmum de Abyndon, Simonem de Mugham, & Thomam de Drycote, de placito, quare cum placita de Tranſgreſſionibus contra pacem Regis factis in regno Regis, ad Regem et coronam, et dignitatem ſuam, et non ad alium pertineant in eodem regno, prædictus Jacobus tenuit placitum in Curia Chriſtianitatis de hujuſmodi tranſgreſſionibus in læſionem Coronæ et dignitatis Regis, ad grave dampnum ipſius Nicholai contra prohibitionem. *Et ipſi non ven.* &c. *Præceptum fuit Vic. quod caperet eos*, &c. *& Vic. nichil inde fecit, ſed mandat, quod non ſunt inventi. Ideo ipſi in miſericordia. Et præceptum eſt Vic. quod caperet eos*, &c. *& ſalvo cuſtodiat*, &c. *Ita quod habeat corpora eorum hic in Craſtino* Animarum, *&c.* Plac. de Banco Tr. 25 E. 1.

In the Bundles of Writs in the *White Tower*, *An* 26 *E.* 1. I met with theſe ten Original Writs yet extant, for holding and proſecuting ſuits in Courts Chriſtian, belonging to the Kings Courts: Edwardus, *&c. Vic.* Ebor. *Si* Jacobus de Frivill, *&c. pone*, &c. *Magiſtrum* Johan. de Naſſington, *quod ſit coram Juſticiariis noſtris*, &c. *oſtenſurus* quare tenuit placitum in Curia Chriſtianitatis de catallis et debitis quæ non ſunt de Teſtamento vel Matrimonio contra prohibitionem noſtram; et Walterum de Norton, quare ſecutus eſt idem placitum. *Teſte meipſo apud Sanctum* Albanum, 24 *die* Aprilis, *anno Regni noſtri* 26. *Vic.* Derby. *Si* Radulphus Cotirel, *&c. pone* Johan. *Decanum Eccleſiæ ſancti* Cedde Lychefeld, Johannem *Vicarium Eccleſiæ de* Banquille, & Rogerum *Vicarium Eccleſiæ de* Tydeſwelle; *quare ſecuti ſunt conſimile placitum. Teſte*, &c. 3 *die* Novemb. *Vic.* Ebor. *Si* Vincentius Verdemel & Willielmus *frater ejus*, &c. *Pone, &c. Magiſt.* Robertum de Pykerings, *Magiſtr.* Willielmum de Wirkeſhale, & Johannem Pykering: quare tenuerunt. *Et* Simonem *Perſonam Eccleſia de* Queldrik, Adam Verdevel & Robertum *filium ejus*, & Walterum de Norton *Clericum*; *quare ſecuti ſunt conſ. placitum. T.* &c. 12 *die* Octobr. *Vic.* Rotel. *Pone, &c.* Henricum *Archiepiſcopum* Ebor. *quod habeat, &c. & Magiſtr.* Robertum de Caudlesby *Clericum ſuum ad reſpondend.* Willielmo Pytings & Matildæ *uxori ejus*; quare tenuit conſim. placitum contra prohibitionem noſtram. *Teſte* J. de Metingham *apud* Ebor. 16 *die* Novemb. *Venerabili patri* O. Linc. *Epiſcopo, quod venire fac. &c.* Nicholaum de Wytechurche *Clericum veſtrum*, *ad reſpondend.* Willielmo de Ward & Agathæ *uxori ejus*; quare tenuit conſim. placitum contra *An.* 26 *E.* 1.

An. 26 E. 1. pꝛohibitionem noſtram. *Teſte* J. de Metingh. *apud* Ebor. 8 *die* Novembr. *anno Regni noſtri* 26. *Juſticiariis noſtris de Banco, quod* Willielmus Pytings *de* Retford & Matilda *uxor ejus, attornaverunt loco ſuo* Richardum de Drayton, *in placito inter ipſos & Magiſtr.* Robertum de Caudlesby, *&c.* quod tenuit tale placitum in Curia Chriſtianitatis contra pꝛohibitionem noſtram. *T.* &c. *die* Junii, *an. Regni noſtri* 26. *Vic.* Hereford. *&c. Pone Magiſtr.* Rogerum de Cantuar. & Nicholaum *Perſonam Eccleſiæ de* Byford, *quod ſint,* &c. *oſtenſuri,* quare cum placita de Catallis et Debitis quæ non ſunt de Teſtamento vel Matrimonio, ad Cꝛonam et dignitatem noſtram ſpecialiter pertineant, idem Rogerus et Nicholaus tenuerunt placitum in Curia Chꝛiſtianitatis, de Catallis et Debitis Johannis de Cave *Perſona Capellæ de* Humber, quæ non ſunt de Teſtamento vel Matrimonio, in læſionem Cꝛonæ et dignitatis noſtræ, et contra pꝛohibitionem noſtram. *Et pone,* &c. Nicholaum *Priorem de* Borghnagh, quare ſecutus eſt idem placitum. *Teſte meipſo apud* Wyghton, 1 *die* Junii, *an. Regni noſtri* 26. *Conſimile Breve Vic.* Bedeford. *&c. verſus* Richardum de Harecourt & *Magiſtrum* Rogerum de Cateworth, quare ſecuti ſunt conſim. placitum, *&c.* de Bonis et Catallis; Johan. de ſancto Walerico *Perſona Eccleſiæ de* Blanham, *&c.* quæ non ſunt, &c. *Teſte meipſo apud* Thetford, 24 *die* Junii, *a. R. n.* 25.

Ibidem. EDwardus, &c. Vic. *Roteland.* ſalutem. Si *Hugo Hemcok de Keten.* fecerit te ſecurum, *&c.* pone, *&c. Rogerum de Ronvill* Perſonam Eccleſiæ de *Mertimſthorp*, quod ſit, *&c.* oſtenſur. cum placita de tranſgreſſionibus contra pacem noſtram factis in Regno noſtro, ad nos, et cꝛonam et dignitatem noſtram ſpecialiter pertineant, *&c.* idem *Rogerus* ſecutus eſt placitum in Curia Chriſtianitatis de hujuſmodi tranſgreſſionibus, in læſionem Cꝛonæ et dignitatis noſtræ, et contra pꝛohibitionem noſtram, *&c.* Teſte meipſo apud *Weſtm.* 18 die *Februarii*, Anno Regni noſtri 25.

In the Clauſe-Roll of this year there is this Prohibition likewiſe entred, directed to the Archbiſhop of *Canterburie*'s Official.

Clauſ. 26 E. 1. m. 13. Pꝛohibitio ne placitum teneatur in Curia Chriſtianitatis. REX Officiali Archiepiſcopi *Cantuariæ* & ejus Commiſſar. ſalutem. Cum *Nicholaus Cole* Capellanus nuper implacitaverit Magiſtrum *Johannem Wele* Perſonam Eccleſiæ *Wodele* coram vobis in Curia Chꝛiſtianitatis de catallis et debitis quæ non ſunt de Teſtamento vel Matrimonio: ac pꝛo eo quod cognitio placitoꝛum hujuſmodi ad nos, et Cꝛonam et dignitatem noſtram et non ad alium pertinent in Regno noſtro, vobis per Bꝛeve noſtrum pꝛohibuerimus ne placitum illud in Curia Chꝛiſtianitatis teneretis, vos aſſerentes Breve noſtrum prædictum de aſſenſu ipſius *Johannis* fuiſſe impetratum, ipſum *Johannem*, ea occaſione trahitis in placitis coꝛam vobis in Curia Chꝛiſtianitatis, ſicut ex relatu plurium acccepimus. Et quia nobis manifeſte pꝛæjudicaretur, ſi quis ſuper his quæ in Curia noſtra pꝛo jure ipſo ſalvando recte impetrata, et Judicibus Eccleſiaſticis, ne quicquam in noſtri pꝛæjudicium in Curia Chꝛiſtianitatis attemptent pꝛoꝛecta fuerint, traharetur in placitum in Curia Chꝛiſtianitatis, vobis pꝛohibemus, ne placitum illud teneatis in Curia Chꝛiſtianitatis. Teſte *Edwardo* filio Regis apud *Fulham*, 26 die *Februarii*.

aMat. Weſtm. p. 422. King *Edward* returning into *England* out of *Flanders*, [a] *Anno* 1298. *Dominica ſecunda Quadrageſimæ citatis Magnatibus apud* Weſtmonaſter. petierunt Comites, Barones et Pꝛælati, ut Magnam Chartam de Libertatibus et illam de Foꝛeſta, una cum deſoꝛeſtatione jam facta ratificaret, et pꝛo rato et grato haberet; (they alwayes diſtruſting his future, by reaſon of his former violations of them, and thinking them never too frequently ratified.) Qui confirmatis duobus pꝛimis pꝛædictis Chartis, *ſuper deforeſtatione roboranda obtaravit aurem, elongavit ſe diluculo ab eis, tanquam ſe fingens longius ire. Ipſi autem ſeſe æſtimantes quaſi derelictos contemptui, ad loca propria cum indignatione maxima redierunt.*

bMat. Weſtm. An. 1299. p. 413. Walſingham Hiſtor. Angl. Anno 1300. p. 43, 44. Henr. de Knyghton de Event. Angl. l. 3. c. 9. col. 2493. c. 12. col. 2527, 2528. Soon after, [b] *Anno* 1299. Margareta *ſoror* Philippi *Regis* Francorum, (who by the premiſed Articles of Peace between *England* and *France* made by Pope *Boniface*, was to be married to King *Edward*) *applicuit apud* Doveriam *in feſto Nativitatis beatæ* Mariæ, *quàm poſt biduum Rex* Angliæ, authoꝛitate Summi Pontificis, *apud* Cantuariam *ſibi matrimonialiter copulavit:* Which *Walſingham* thus relates; *Rex*

Angliæ

Angliæ *ſperans ſe per matrimonium inter ipſum & ſororem Regis* Franciæ *contrahendum, pace diuturna gratulari, ac ſi foret jam omnia jura ſua ultramarina, cum nova nupta ſorore Regis* Franciæ *dimidia conſecuturus, interno gaudio æſtuabat, diſceſſitque in* Cantiam *cum Optimatibus ſuos, adventum ibidem Domina præſtolaturus. In nullo tamen, ut probavit ex poſt rei exitu, per hoc matrimonium promovit regnum ſuum. Poſt paucos dies redierunt Legati Regis* Angliæ, *adducentes ſororem Regis* Franciæ *nomine* Margaretam, *quam conduxit Dux* Burgundiæ, *cum non modica multitudine* Gallicorum, &c. *Igitur die* 4. *poſt Nativitatem Virginis gloriosæ, agente* Cantuarienſi *Pontifice, in Eccleſia metropolitana* Angliæ *inter Regem &* Margaretam *prædictam ſolemnitas matrimonii celebratur.* *An.* 26 *E.* 1.

[d] *Sub hoc etiam anno,* **Fratres qui dicuntur Pinozes,** *ſeu quod latius publicatur, & nequius comprobatur, totius Eccleſiæ exploratores,* **ad illicita legis ſuæ aſpirantes, obtulerunt Summo Pontifici quadraginta millia de florenis aureis, et pecuniam multam minus, pro terris, prædiis, redditibuſque licite obtinendis.** *Quibus Dominus Papa*; Ubi eſt *(inquit)* illa veſtra pecunia? *Et illi dixerunt,* In manibus Mercatorum. *Et datis Fratribus inducciis trium dierum reſponſionis habendæ, abſolutis Mercatoribus à depoſiti cuſtodia,* **præcepit Dominus Papa ſub interminatione anathematis pecuniam ipſam ejus neceſſitatibus cuſtodiri.** *Reſponditque Fratribus,* Regulam Sancti *Franciſci* canonizatum, ſe nolle ſenſu aliquo violare, nec fratres ab eo aliquando declinare, ſed ſecundum eam degere ſemper debere. *Sicque factum eſt,* **quod injuſtius acquiſierunt, æquiſſime dimiſerunt.** A memorable Papal pious fraud and plunder. d Mat. Weſtm. p. 414, 415. Walſingham Hiſt. Angl. p. 64.

This year, [e] *obiit Dominus* Henricus de Newerk *Archiepiſcopus* Ebor. *& Dominus* Oliverius *Præſul* Lincolniæ, *vir probatæ vitæ, die Sancti* Brici, *ſpiritum inter verba orationis efflavit.* e Mat. Weſtm. p. 415.

King *Edward* marching this year againſt the perfidious and rebellious *Scots* as far as *Berwick* with his Army, out of his Eccleſiaſtical Sovereignty and piety, ſent this Letter and Mandate from thence to the Archbiſhop, for Prayers to be made for him, and his Armies good ſucceſſe, throughout his Province. [f] *Quia magnificavit Dominus miſericordiam ſuam facere nobiſcum, dignum eſt, O Pater, ut innumeris beneficiis ſuis dignis reſpondeamus operibus*; Neque enim in gladio noſtro poſſidemus terram, & brachium noſtrum non ſalvavit nos, ſed dextera ejus, & brachium Sanctum ejus; *quam complacuit ille in nobis, ut huc uſque conſervavit nos, & inimicos noſtras compeſcuit.* **Juſtum proinde eſt, ut qui omnia ſubjecit pedibus noſtris, ſubjiciamus illi et nos animas noſtras; et ut hi quos nobis ſubdidit, ejus ſubdantur legibus. Non enim legniter elaborare debemus punire ſacrilegos,** *rebelles comprimere, eripere pauperem de manu fortiorum ejus: ſed &* **mea ſolicitudinis eſt, pacem firmam in regno noſtro conſolidare, &** *inimicos noſtros expugnare. Quapropter* **orate pro me et regno noſtro, populo quoque noſtro, ut iter atque actus noſtros dirigat Altiſſimus, ut ſit ad laudem nominis ſui, et regni noſtri promotionem. Divulgata hæc Epiſtola per Eccleſias omnis populus ſponte et cum gaudio, pro Rege fecit orationes.** f Tho. Walſingham, Hiſt. Angl. p. 45. See Here, p. 745, 746.

The King upon complaint of the Biſhop of *Lincolne* of a Lay force kept in the Church of *Iſtele*, whereby he was diſturbed to execute his Epiſcopal office, iſſued a Writ to the Sheriff to remove it; who thereupon removed the Clerks of the Archdeacon of *Oxford* ſerving in it, upon which the King at their requeſt iſſued this Writ to reſtore them, and to remove a new Lay force they kept therein after their reſtitution.

REX Vicecomiti *Oxon.* ſalutem. Licet ad requiſitionem venerabilis Patris *O. Lincolnienſi* Epiſcopi tibi per breve noſtrum nuper præceperimus, quod omnem vim laicam quæ ſe tenuit in Eccleſia de *Iſtele*, **ad perturbandum ipſum Epiſcopum, quo minus ipſe officium ſuum ſpirituale exercere potuit, ſine dilatione faceres ammoveri;** Ac tu tenorem brevis ejuſdem excedens, Clericos *Amadei de Sabaudia* conſanguinei noſtri Archidiac. *Oxon.* in eadem Eccleſia deſervientes, authoritate brevis ejuſdem, **ab eadem Eccleſia,** ut accepimus, **feceris amoveri**; per quod aliàs tibi præcipimus, quod ſi ita eſſet tunc eoſdem Clericos dictæ Eccleſia deſervientes quos prætextu ejuſdem mandati ammoveri feciſti ab eadem ſine dilatione **ad ſtatum priſtinum reponeres,** & omnem vim laicam ab eadem Eccleſiæ indilatè faceres amoveri. Tibi nichilominus præcipimus, quod totam vim Laicam quæ ſe tenet Clauſ 26 E 1. Cedul. m. 12. dorſo.

in

An. 26 *E.* 1. in eadem Eccleſia, ad perturbandum ipſum Epiſcopum quo minus officium ſuum ſpirituale in ipſa Eccleſia exercere valeat, et non aliam, ab ipſa Eccleſia amoveri facias ſine moza, ſecundum tenorem primi brevis noſtri quod in hac parte recepiſti. Teſte Rege apud Sanctum *Albanum*, 25. die *Aprilis*.

The Biſhop of *Exeter* endeavouring to divide the Church of *Axeminſter* in his Diocesſe, belonging to two Prebendaries in the Cathedral of *Yorke*, judicially recovered by the Prebends in the Kings Court and to ſever it from the Prebendaries, to the prejudice of the Kings Crown, dignity, and diſinheriſon; the King thereupon iſſued this Prohibition to him, not to attempt any thing, or to proceed therein.

Clauſ. 26. E 1. m. dorſo. Pro Magiſtro Johanne de Crancumb & Willielmo de Hamelton.

REX, &c. venerabili in Chriſto patri *T.* eadem gratia Epiſcopo *Exon.* ſalutem. Licet dilecti Clerici noſtri Magiſter *Johannes de Crancumb* & *Willielmus de Hamelton* Canonici Eccleſiæ *Eborum*, & Præbendarii de *Grendale* & de *Warthill* Eccleſiam de *Axeminſter* veſtræ Dioceſis cum ſuis pertinentiis in Curia noſtra dudum recuperaverint tanquam prædictis præbendis ſuis annexam, & ipſam cum dictis pertin. ut membrum earundem Præbendarum ſuarum integraliter teneant pacificè & quietè; vos, ſicut datum eſt nobis inteligi, de prædicta Eccleſia nitimini facere ſectionem, et eam a Juribus et libertatibus quibus gaudent præfatæ præbendæ dividere, ſtatumque ipſius mutare. Quod ſi fieret, in noſtri præjudicium et exhæredationem cederet manifeſte. Nos igitur hujuſmodi diſpendiis obviare volentes, vobis mandamus firmiter inhibentes, ne aliquid in hac parte, quod in enervationem Juris noſtri Regii, et diminutionem dignitatis et Coronæ noſtræ cedere valeat attemptantes, ſeu facientes aliqualiter attemptari, ad præmiſſa procedere, ſeu quicquam nobi ſtatuere ſuper illis aut etiam ordinare nullatenus præſumatis, ne ſi aliter attemptetur remedium aliquod quod conveniens fuerit ſuper hoc apponere compellamur. Teſte, &c.

Hereupon the Archdeacon of *Exon* (moſt likely by the Biſhops encouragement and direction) upon falſe ſurmiſes excommunicated *John de Crancumb* and *William de Hamilton* to whoſe Prebendaries the Church of *Axeminſter* was annexed, who had received it in the Kings Court, and interdicted the Church and their prebendaries, whiles they were imployed by the King in his ſervice, to his and their notable prejudice, diſhonor, grievance and contempt: whereof the King being deeply ſenſible, iſſued this memorable Writ to the Sheriff of *Devon*, to ſummon the Archdeacon to appear before him to anſwer this high contempt and injury both to himſelf and his Clerkes.

Clauſ. 26 E 1. m 7. dorſo. De ponendo Magiſtrum de S. Laurentio per vad. & ſalvos plegios.

REX Vicecomiti *Devon.* ſalutem. Ex fidedignorum relatu didicimus, quod licet dilecti & ſecretarii Clerici noſtri Magiſter *Johannes de Crancumb* & *Willielmus de Hamelton* Eccleſiam de *Axeminſter*, cum ſuis pertin. præbendis quas habent in Eccleſia *Eborum* annexam, quam ut membrum earundem Præbendarum recuperaverunt in Curia noſtra hucuſque tenuerint pacifice et quiete, Magiſter tamen *Bartholomæus* de Sancto *Laurentio* Archidiaconus *Exon.* ratione ipſius Eccleſiæ adverſus eos occaſionem querens pro libito, et confingens, et perſonarum et temporis qualitatem non penſans, nec ad ſtatum bonoris Regii animum habens benibolum, in eoſdem Clericos noſtros noſtris inſiſtentes obſequiis, et circa ea aſſidue intendentes, excommunicationis ſententiam authoritate propria non ſine grabi injuria promulgavit: et ut eadem injuria poſſet grabior reputari, dictam facit ſententiam publicari, et eos excommunicatos publice nunciari, ac prædictam Eccleſiam ex præfatis eorum Præbendis, ſicut præmittitur dependentem, Eccleſiaſtico ſuppoſuit interdicto, in ipſorum Clericorum noſtrorum non modicum præjudicium et grabamen, et noſtram offenſam *notabiliter et contemptum, quod tanto moleſtius ferimus quanto majorem in noſtris ex talibus proceſſibus offenſam incurrimus, quantoque ſpecialius ipſorum injuriæ nos contingunt. Cum igitur non ſit veriſimile nec credamus illam culpam ex parte ipſorum proceſſiſſe, cujus prætextu contra eos talia debuerat attemptaſſe, nec tollerare nos convenit tantum exceſſum tantumque eorundem Clericorum noſtrorum opprobrium cujus fieri nequibimus expertes. Tibi præcipimus, quod ponas per vadium et ſalvos plegios præfatum Bartholomæum quod ſit coram

* notabilem.

coram nobis a die ſancti *Michaelis* in 15. dies, ubicunque tunc fuerimus in *Anglia*, ad reſpondendum nobis de memoratis exceſſibus, gravaminibus, et injuriis ſic præfatis Clericis noſtris per ipſum illatis, et etiam de contemptu. Et habeas ibi nomina plegiorum et hoc breve. Teſte Rege apud *Lowedor* 10. die *Julii*. *An.* 26 E. 1.

The Archbiſhop of *Yorke* (like the Biſhop of *Exetor*) dividing the prebendary of *Maſſam* into 3. parts, without the Kings conſent, Pope *Nicholas* the 4th. conferring it by his proviſion on *John de Columpna*, a *Roman* Cardinals Nephew, which was afterwards confirmed by Pope *Boniface* the 8. being in the Kings donation, during the vacancy of the Archbiſhoprick, to the prejudice of the rights of his Crown and royal prerogative, he having conferred it intirely on *John de Drokensford* his Chaplain, whom the Pope and his Delegates endeavoured to deprive and eject after two years poſſeſſion, at the ſuit of the proviſor; the King thereupon iſſued this memorable Prohibition to the Popes delegates, prohibiting them to proceed or attempt any thing therein without his adviſe.

Clauſ. 26 E 1. m. 4. dorſo. Inhibitio Regis, ne quid attemptetur de Præbenda de Maſſam.

REX Archiepiſcopo *Turon.* ſeu ejus Commiſſario cuicunque ſalutem. Cum nuper vacante *Eborum* Eccleſia per mortem bonæ memoriæ *J.* quondam Archiepiſcopi ejuſdem Eccleſiæ, & in manu noſtra exiſtente, Præbendam de Maſſam quam dudum *Bego de Clare* defunctus, in ipſa Eccleſia obtinebat, quamque poſt obitum ipſius per dictum Archiepiſcopum dum vixit, in tres portiones dibiſam noſtro irrequiſito aſſenſu inbenimus, dilecto Clerico noſtro Johanni de Drokensford integraliter, cum ſuis Juribus et pertinentiis univerſis contulimus, juxta quod ad nos pleno jure ſpectabat ipſumque in corporalem poſſeſſionem, ipſius Præbendæ per Capitulum dictæ Eccleſiæ induci fecimus, ut eſt moris. Cum itaque prædictus Clericus noſter ſic in dictæ Præbendæ poſſeſſione inductus gauviſus ſit ipſa pacificè & quietè jam per duos annos continuos præcedentes *Johannes de Columpna* natus *Landulphi de Columpna*, ſuggerens ſubſequenter ſanctiſſimo Patri in Chriſto Domino *B.* Papæ octavo præfatam præbendam ſibi debitam et vacantem ex proviſione ſaltis recordationis Domini *N.* Papæ 4. tacito de jure Regis vel veri ſuppreſſione ab ipſo Domino *B.* ad vos et quoſdam alios Collegas veſtros literas Apoſtolicas, *ſicut dicitur*, impetrabit, ut ipſum vel ejus Procuratorem in poſſeſſionem memoratæ Præbendæ, per vos vel alium aut alios inducatis et defendatis inductum; Quod ſi procederet, in exheredationem Juris noſtri Regii et exheredationem noſtram cederet manifeſte. Nos igitur diminutionem Coronæ et dignitatis noſtræ Regiæ non valentes, ſicuti nec debemus, æquanimiter tolerare: Vobis mandamus firmiter inhibentes, ne quicquam quod in exheredationem noſtram, ſeu præjudicium Juris Regii cedere valeat in hac parte aliquatenus attemptatis, ſeu faciatis aliqualiter attemptari, et ad executionem hujuſmodi negotii nobis inconſultis, per vos vel per alium aut alias nullatenus procedatis, ne ſi ſecus feceritis, aliud circa hoc remedium nos oporteat adhibere. Teſte Rege apud *Beverlacum* 3. die *Junii*.

The King to prevent like Papal proviſions of Prebendaries or Benefices in his gift, granted the next Prebendaries or benefices in his donation that ſhould fall void in *England* or *Ireland*, of the value of 100 Marks by the year or more, to two of his own Chaplains, who were firſt to be preferred before all others; by vertue of this Memorial entred on record.

Clauſ. 26 E 1. m. 4. dorſo.

FAit a remembrer, qe le Lundy le tierz jour de *Novembre*, le Roy granta a *Dureme* en le an de ſon Regne viint et ſime, qe Meſtre *Johan Lovel* averoit de ſon donn, la primere provende de la value de Cent, ou de ſis vint Mars per an, ou de plus, ſek a quatre vintz ou cent Mars qe veidra en *Engleterre* ou en *Irlaunde* de la doneiſon le Roy, apres ce qe ſir *Johan de Cendale* ſeit purveu le une Eglis ou de veſtre provendre de cent Mars par mi le grant qe le Roy ly avoit avant fet. E chmanda le Roy qe ceſte remembrance ſeit regiſtre en ſa Garderobe, e qe ceſte ſoen grant ſeit tenu e garde, e qe nule tele provende ſeit donée de par ly pur prier ne per procurement de nuly, tant qe le vantoit meſtre *Johan* ſeit purveu de un provende en la manere deſus dite.

Per ipſum Regem coram Conſilio.

The

An. 26 *E.* 1. The King preſenting *Robert de Leyſet* his Clerk, to the Church of St. *Peter le Port* in the Iſle of *Gerneſey* by reaſon of the Temporalties of a Monaſtery in his hands, the Biſhop of *Conſtans* refuſed to admit his Clerk, upon a pretence it was devolved to him by Lapſe after 6. Moneths vacancy; when as by his Royal prerogative no Lapſe at all incurred againſt him or the Clerks preſented by him: whereupon the King to maintain his prerogative, ſent this memorable Writ to him, not to collate to that Church at this time, and to admit his Clerk thereto upon the former preſentation, notwithſtanding this pretext, under pain of forfeiting all he had within his Dominions.

Clauſ. 26 E 1. m. 3. dorſo. Pro Magiſtro Roberto de Leiſſet

REX Venerabili in Chriſto Patri Epiſcopo *Conſtantien.* ſalutem. Dilecto Clerico noſtro Magiſtro *Roberto de Leiſet*, accepimus nunciante, quod licet ipſum ad Eccleſiam ſancti *Petri de Portu* in Inſula de *Gerneſey* vacantem & ad noſtram donationem, ratione terrarum & tenementorum Abbatis *Majoris Monaſteriis* exiſtentium, in manu noſtra ſpectantem. Vobis nuper præſentaverimus jure noſtro, vos tamen eundem Clericum noſtrum ad dictam Eccleſiam taliter præſentatum admittere recuſantes, collationem ipſius aſſentis, ad vos ſoze per lapſum tempozis debolutam. Cum itaque * nobis in talibus tempus non currat, nec noſtris etiam pzæſentatis juxta pzærogatibam noſtræ dignitatis, cujus jura manutenere, et pzo poſſe facere ſerbari illæſa bolumus ut tenemur, bobis ſub fozisfactura eozum quæ ſub noſtro habetis dominio inhibemus, ne quicquam quod in noſtri pzæjudicium cedere baleat in hac parte aliqualiter attemptantes, pzæfatam Eccleſiam pzopter lapſum tempozis iſta vice conferre nullatenus pzæſumatis, ſet potius antedictum pzæſentatum noſtrum ad ipſum nunc ſaltem abſque ulteriozis difficultatis diſpendio admittatis, juxta pziarum noſtrarum continentiam literarum bobis ſuper hoc ſpecialiter directarum. Dat. apud *Gedworth* 22. die *Octobris*.

Per Conſil. nunc. *J. de Cadomo.*

* See here, p. 331. & Tom. p. 481, 482, 563. Pat. 27 E 3. pars 1. m. 18. Bracton, l. 5. c. 5. ſect. 7. Cookes 2 Inſtit. p. 361.

The King preſenting his Clerk to the Church of *Wymbledon*, by reaſon of the Temporalties of the Archbiſhoprick of *Canterbury* then in his hands, and his Clerk not then admitted to it, becauſe the Church was litigious, it being at laſt declared to be voyd in Court Chriſtian; the King above 3. years after, to preſerve the rights of his Crown (againſt which no lapſe incurred by the Churches litigiouſneſs) ſent this Writ to the Archbiſhop of *Canterbury* to admit and inſtitute his Clerk thereto upon his firſt preſentation, which he now renewed by his Writ of Privy Seal.

Patent 26 E. 1. m. 12. intus. De præſentatione pro Waltero Reginaldi.

REX Venerabili in Chriſto Patri *R.* eadem gratia Archiepiſcopo *Cantuar.* totius *Angliæ* Primati, ſalutem. Cum nos dudum dilectum Clericum noſtrum *Walterum Reginaldi* ad Eccleſiam de *Wymbeldon* vacantem, & ad noſtram donationem ratione Archiepiſcopatus *Cantuar.* vacantis, & in manu noſtra exiſtentis, ſpectantem præſentaſſemus. Ac ex eò, quod litigioſa tunc tempozis apparebat, pzæſentatio noſtra debitum ſoztita non fuiſſet effectum. Et nunc demum in Curia Chriſtianitatis Eccleſiam ipſam tempore dicti præſentationis noſtræ dicto Clerico noſtro factæ, bacaſſe et adbuc etiam bacare ſufficienter, ſicut accepimus, pzonunciatum exiſtat: Nolentes jus noſtrum Regium in hac parte aliqualiter deperire, neque pzæfatum Clericum noſtrum commodo ejuſdem pzæſentationis noſtræ carere, ipſam præſentationem in perſonam ipſius Clerici noſtri duximus innovandam, & ipſum ex habundanti ad prædictam Eccleſiam de *Wymbeldon*, ratione Juris nobis pzius quæſiti, Paternitati veſtræ charitatis intuitu pzæſentamus: Rogantes quatenus memoratum Clericum noſtrum ad prædictam Eccleſiam ſine difficultate qualibet admittatis, & perſonam inſtituatis in eadem. In cujus, &c. Teſte Rege apud *Dunelmum* 16 die *Junii*.

Per breve de Privato Sigillo.

The Biſhoprick of *Ely* becomming voyd by the death of *William Luda*, the Chapter obtaining a Licenſe from the King to elect a new Biſhop, were divided in their choiſe: the minor part elected *John* their Prior, but the better part *John de Langeton* the Kings Chancellor; the King to preferr his Chancellor, refuſed to give his royal aſſent to the Priors election, for ſome defects in the form of their Certificate thereof, and becauſe their Common Seal was not affixed to it, though firſt tendred

tendred to him by the majority of the Covent, and confirmed the election of his Chancellor by the minority, whoſe certificate was more formal, though it wanted their common Seal, as this Writ to the Archbiſhop to do his duty therein, atteſts. *An.* 26 *E.* 1.

REX venerabili in Chriſto patri *R.* eadem gratia *Cantuar.* Archiepiſcopo, totius *Angliæ* Primati, ſalutem. Licet ex parte quorundam Monachorum Capituli Eccleſiæ *Elienſis*, & etiam per eorum literas fuiſſemus nuperimè, ut Electioni ſicut decebatur factæ per ipſos de fratre *Johanne* Priore ſuo in Eccleſiæ ipſius Epiſcopum noſtrum præberemus aſſenſum; nos tamen pro eo quod dictæ literæ fuerant defectoſiæ, et ſub indebita forma conceptæ, necnon, et quia non erant ſigillo communi dicti Capituli roboratæ, non potuimus, ſicut nec debuimus, illa vice Electioni hujuſmodi aſſentire; verum cum ſubſequenter ex parte quorundam aliorum Monachorum dicti Capituli, qui ſe minorem partem ejuſdem Capituli aſſerebant, & per literas eorundem ſimiliter rogati eſſemus, quatinus Electioni de venerabili viro, *Johanne de Langeton* Canc. noſtro, in dicti loci Epiſcopum celebratæ curaremus aſſenſum Regium impartiri; ac ipſæ literæ per quas eramus taliter requiſiti, ſub debita forma et apta confectæ fuerunt; ita quod nullus in eis inveniebatur defectus, cujus prætextu eidem Electioni noſtrum denegare deberemus aſſenſum, niſi forſan ex eo quod non erant ſigillo communi præfati Capituli communitæ, (*the grand defect in the Priors certificate*) quod ſicut accepimus, prædictarum partium diſſenſione impedimentum præſtante ad hoc non potuit obtineri. Nos attenta conſideratione penſantes, præfatum Cancellarium noſtrum fore regimini Eccleſiæ memoratæ idoneum, ac nobis et Regno noſtro ſemper fuiſſe et adhuc eſſe multipliciter utilem et fidelem, Electioni de ipſo in prælibatæ Eccleſiæ *Elyenſis* Antiſtitem celebratæ præbuimus noſtrum aſſenſum Regium et favorem; et hoc vobis tenore præſentium ſignificamus, ut quod veſtrum eſt exequamini ulterius in hac parte. In cujus, *&c.* Teſte Rege apud *Liſton Temple*, 19 die *Julii*. Clauſ. 26 E. 1. m. 10. intus. De aſſenſu adhibito electioni factæ de Johanne de Langeton Cancellar. Regis.

The Abbots of the *Ciſtercian* and *Præmonſtratenſian* Orders in forein parts, at their general Chapters, impoſing Subſidies, aydes and contributions on thoſe Monaſteries and Monks of their Order in *England* then under them, and cauſing much money, wools, merchandiſes to be tranſported to them without the Kings aſſent or licenſe, under that pretence, to the great impoveriſhment, oppreſſion of his ſubjects, againſt his prerogative, and the Lawes of the Realm, the King thereupon iſſued theſe memorable Writs to all the Sheriffs of *England* to inquire of theſe abuſes, and return the Inquiſitions to him, that ſo he might puniſh thoſe who were guilty of them.

REX Vic. *Devon.* ſalutem. Præcepimus tibi, quod per ſacramentum proborum & legalium hominum de Balliva tua, per quos rei veritas melius ſciri poterit, diligenter inquiras, qui Abbates, Monachi aut Fratres *Ciſtercienſes*, *Clarevallenſis* et *Præmonſtratenſis* Ordinum de Balliva tua, apportum ſeu pecuniam aliquam in ſubſidium Abbatum Ordinum prædictorum, ſeu ſub colore ſubſidii eiſdem Abbatibus vel ſuis miniſtris faciendi apud *Ciſtercium*, *Clarevall.* ſeu *Præmoſtracen.* ad generale ſuum Capitulum, ſeu alias vel alio modo apportarunt vel tranſmiſerunt, ſeu apportari vel tranſmitti fecerunt, vel lanas aut alias merchandiſas in manibus mercatorum ſeu aliorum ſub quocunque colore poſuerunt, ut ad manus prædictorum Abbatum, ſeu ulus Monaſteriorum ſuorum devenirent, vel illic ſe perſonaliter traſtulerunt: Et quantum apporti et pecuniæ, lanarum et merchanditarum, ad partes illas apportatum fuerit vel tranſmiſſum, et per quos, et ex quorum miſſione, et à quo tempore, et per quos portus, et quæ loca, et de omnibus aliis circumſtanciis per quas ſuper præmiſſis plenius certiorari poterimus, inquiri facias ſimiliter veritatem. Et inquiſicionem inde diſtincte et aperte factam, nobis ſub ſigillo tuo et ſigillis eorum per quos facta fuerit, ſine dilacione mittas et hoc breve. Teſte Rege apud *Brade*, 20 die *Aug.* Clauſ. 26 E. 1. membran. 6. dorſo. De inquirendo qui Abbates pecuniam aliquam apportarunt ſeu tranſmiſerunt uſque Ciſtercium.

Conſimiles literæ dirigunturſingulis Vicecomitibus per *Angliam*.

Per breve de Privato ſigillo, de Credencia. Per J. de Berewyk.

The Prioreſs and Nunnes of *Martiginaco* alienating ſeveral Manors given them by King *Stephen* in Frankalmoyn for the maintenance of Divine ſervice there, to

An. 26 *E.* 1. the Prior of *Farleye* and others, the King thereupon iſſued this Writ to his Eſchea-
tor, to ſeiſe the lands into his hands to his own uſe.

Clauſ. 26. E. 1. Memb. 2. De quibuſdam maneriis Monial. de Martiginaco capiendis in manum Regis.

REX dilecto & fideli ſuo *Waltero de Glouceſtr.* Eſcaet. ſuo ultra *Trentam*, ſalutem. Quia pro certo intelleximus, quod Maneria de *Slaghteneford*, *Alynton*, *Bronce*, *Welleby*, *Navenby*, & quædam aliæ terræ & tenement. quæ bonæ memoriæ *Stephanus*, & alii progenitores noſtri quondam Reges *Angliæ*, per cartas ſuas dederant monialibus de *Martiginaco* habend. ſibi & ſucceſſoribus ſuis monialibus ibidem Deo ſervituris, in liberam & perpetuam elemoſinam, pro cultu Divino ibidem imperpetuum celebrando, per quoſdam Priores de *Martiginaco* & moniales ejuſdem loci, in manibus Prioris de *Farleye* & aliorum diverſorum hominum, ſine licencia noſtra et progenitorum noſtrorum prædictorum ſunt in defraudacionem elemoſinæ huiuſmodi in feodum alienata, in noſtri præjudicium, et contra voluntatem progenitorum noſtrorum et noſtram, ac formam feoffamentorum præfatis monialibus inde confectorum; quod nolumus, ſicut nec debemus aliqualiter ſuſtinere; vobis mandamus, quod maneria prædicta, et omnes alias terras et tenem. cum pertin. quæ vobis conſtare poterit prædictis monialibus per præfatos progenitores noſtros in liberam et perpetuam elemoſinam collata fuiſſe, et poſtmodum per prædictos Moniales et Priores ejuſdem præfato Priori de *Farleye*, aut aliquibus aliis in balliva veſtra ſic in feodo alienata, ſine dilacione capiatis in manum noſtram, et ea ſalvo cuſtodiri faciatis donec aliud inde præceperimus. Ita quod de exitibus inde provenientibus nobis ad Scaccarium noſtrum reſpondere poſſitis. Teſte Rege apud *Ceſtr.* juxta *Dunolm.* 26 die *Octobr.* *Per Conſilium.*

How the King then diſpoſed of the Veniſon in the Parks of Biſhopricks in his hands, during the vacancy, for his own uſe and larder, theſe Writs may inform us.

Clauſ. 26 E. 1. m. 6. Pro Rege de damis capiendis.

REX dilectis & fidelibus ſuis *Willielmo de Sutton* & *Johanni de Goodeleye*, Cuſtodibus Epiſcopatus *Elien.* ſede vacante, ſalutem. Mandamus vobis, quod in parcis Epiſcopatus prædicti centum damos in inſtanti ſeiſona pinguedinis capi, ſaliri, ſiccari, et eos ſalitos et ſiccatos in doleis poni, et ſalvo cuſtodiri faciatis, donec aliud a nobis inde habueritis in mandatis. Et cuſtum quod ad hoc poſueritis, vobis in compoto veſtro ad Scaccarium noſtrum allocari faciemus. Teſte Rege apud *Temple Lyſton*, 18 die *Julii*.

Cl. 26 E. 1. m. 4. De venacione uſque Ebor. cariand.

MAndatum eſt *Willielmo de Sutton* & *Johanni de Godele* Cuſtod. Epiſcopatus *Elyenſ.* ſede vacante, quod omnem venacionem quam per ipſos capi mandavit Rex in parcis et boſcis Epiſcopatus prædicti ad opus Regis, ſine dilacione qualibet cariari faciant uſque *Ebor.* ibidem in lardario Regis liberandam. Et cuſtum quod ad hoc poſuerint cum Rex illud ſciverit, illud in compoto ſuo de exitibus Epiſcopatus ejuſdem ad Scaccarium ſuum allocari faciet. Teſte Rege apud *Stayuenegg*, 24 die *Septembris*. *Per ipſum Regem, nunciante* W. Cov. & Lich. *Epiſcopo.*

How well the carnal Abbot and Convent of Saint *Maries* in *York* loved Veniſon, appears by this grant of the Tithes of all the Kings Veniſon in *Yorkſhire*, made to them at their requeſt by King *Richard* the firſt, and their conſtant claim thereof afterwards, expreſſed in this Writ.

Cl. 26 E. 1. m. 1. Pro Abbate & Conventu beatæ Mariæ Ebor.

REX dilecto & fideli ſuo *Roberto de Clifford* Juſtic. foreſtæ ſuæ citra *Trentam*. Cum dilecti nobis in Chriſto Abbas & Conventus beatæ *Mariæ Ebor.* per cartam celebris memoriæ Domini *R.* quondam Regis *Angliæ* prædeceſſoris noſtri, habere debeant decimam venationis noſtræ captæ infra Com. *Ebor.* et iidem Abbas et Conventus, et prædeceſſores ſui ſemper hactenus a tempore confectionis Cartæ prædictæ huiuſmodi decimam habere conſueverint, ſicut dicunt; vobis mandamus, quod eiſdem Abbati et Conventui decimam venationis captæ, et impoſterum capiendæ in foreſta noſtra de *Galtres* in Com. prædicto habere faciatis, prout ipſi eam habere debent, et ipſi et prædeceſſores ſui prædicti eam ſemper hucuſque a tempore prædicto habere conſueverunt. Teſte Rege apud *Beverlacum* 3 die *Junii*.

The

The Archbiſhop of *Canterbury* being reſtored to the Kings favour, and his Temporalties by * former Writs, the King this year out of his ſpecial grace allowed him all the profits he received thereof during his ſequeſtration, towards the ſatisfaction of the debt he owed the King, by this Writ. *An.* 26 *E.* 1. * Here p. 721.

REX Theſ. & Baronibus ſuis de Scaccario, ſalutem. Cum nuper ob aliquas certas cauſas tempozalia Archiepiſcopatus *Cantuar.* capi fecerimus in manum noſtram, et exitus aliqui de tempozalibus eiſdem per miniſtros noſtros tunc ad ipſozum tempozal. cuſtodiam deputatos ad opus noſtrum ſint levati, ut accepimus: Nos venerabili patri *R. Cantuarienſi* Archiepiſcopo volentes in hac parte gratiam facere ſpecialem, vobis mandamus, quod vocatis coram vobis ad Scaccarium prædictum Miniſtris prædictis, & audito compoto eorumdem de tempore quo dicta temporalia ſic in manibus noſtris erant, præfato Archiepiſcopo tantum quantum vobis evidenter conſtiterit ad opus noſtrum levatum fuiſſe, deductis tempozalibus tempoze ſupzadicto in debitis quæ nobis debet, ad Scaccarium prædictum allocetis. Teſte Rege apud Sanctum *Albanum*, 26 die *Aprilis*. Cl. 26 E. 1. Memb. 10. Pro R. Cantuarienſi Archiepiſcopo.

What Knights-fees the Biſhops of *Hereford* and *Worceſter* acknowledged they held of the King, what *Eſcuage* and Knights-ſervice the firſt of them performed to him in his Wars againſt the *Welſh*, and what Fines the other made to the King for the ſame, and by what Certificates of the Marſhal, or his Rolls, they were diſcharged when ſued for them in the Exchequer, theſe Writs will inform us.

REX Theſ. & Baronibus ſuis de Scaccario, ſalutem. Quia accepimus per inquiſicionem quam per Vic. noſtrum *Hereford.* nuper fieri fecimus, quod bonæ memoriæ *Th.* nuper *Hereford.* Epiſcopus defunctus fecit nobis ſervicium ſuum per præceptum noſtrum in exercitu noſtro *Walliæ*, anno Regni noſtri decimo, apud *Benelt*, pzo quinque feodis militum, viz. per *Johannem Tregoz* & *Johannem Danyel* Milites, pro duobus feodis Militum, & *Thomam de la Mare*, *Nicholaum le Seculer*, *Johannem de Hurteſleye*, *Rogerum de Hurteſleye*, *Johannem de Walford*, & *Robertum de Venur* Armigeros, pzo tribus feodis Militum, videlicet, per unumquemque prædictorum tam Militum quam Armigerorum, cum uno equo cooperto; & quod prædicti *Johannes*, *Johannes*, *Nicholaus*, *Johannes*, *Rogerus*, *Johannes*, & *Robertus* ſervicium prædictum per * quadzaginta dies plenarie continuarunt; quod quidem ſervicium idem Epiſcopus in eodem exercitu nobis recognovit, ſicut per † inſpectionem rotulozum Mareſcalciæ noſtræ de eodem exercitu nobis conſtat; vobis mandamus, quod *Richardum* nunc *Herefordenſem* Epiſcopum de demanda quam ei fieri facitis per ſummonicionem Scaccarii prædicti, pro ſcutagio ad opus noſtrum de quinque feodis prædictis, de tempoze pzædicto pacem habere, et ipſum inde quietum eſſe faciatis. Teſte Rege apud *Chenelingham*, primo die *Julii*. Cl. 26 E. 1. m. 6. Pro Ricardo Hereford. Epiſcopo.

* See Littleton, ſect. 95, 96. Cooks 1. inſtit. ibid. Fitzh. Natura Brev. 83. C.

† Littleton, ſect. 102. Regiſtr. f. 88. Fitzh. Natura Brev. f. 83. F, G. Clauſ. 33 E. 1. m. 4.

REX Theſ. & Baronibus ſuis de Scaccario, ſalutem. Quia venerabilis pater *G. Wygornenſis* Epiſcopus finem fecit nobiſcum in exercitu noſtro *Walliæ*, anno regni noſtri decimo, pzo ſervicio trium feodozum Militum quod tunc nobis recognovit, ſicut per inſpectionem rotulozum Mareſcalciæ noſtræ de eodem exercitu nobis conſtat; vobis mandamus, quod ipſum Epiſcopum de ſcutagio quod ab eo exigi facitis per ſummonicionem Scaccarii noſtri prædicti, pzo tribus feodis pzædictis de exercitu pzædicto quietum eſſe faciatis. Teſte, *&c.* apud *Weſtm.* 21 die *Februarii*. Clauſ. 26 E. 1. m. 15. Pro G. Wygorn. Epiſcop.

* See Clauſ. 7. Johan. Reg. m. 18, 19. Cl. 16 Johan. m. 24. Fines 1. H. 3. d. 2, 11, 12, 15. Cl. 2. H. 3. dorſ. 11. Fines, 3. E 2. m. 13, 17, 19. Fines, 9. E. 2, m. 9. 19.

Theſe Records, and ſundry others of this kind in this and other * Rolls, will well explain *Littleton* and our other Law Books in this point.

The Parſon of the Church of *Preſton* complaining by his Petition to the King, that ſome of the Kings tenants his Pariſhioners refuſed to pay their *Tithes of Hay due to his Church*, to his and his Churches prejudice; the King thereupon, by his Eccleſiaſtical Prerogative, iſſued this Writ of Privy Seal to his Bailiff to compel them to pay all Tithes due and accuſtomed to the Church.

An. 26 E. 1.

Bundela Brevium & Petitionum in Turre London. An. 26 E. 1.

A Noſtre Seigneur le Roi, Monſtre *William de Blie* Suthdean de *Everwike*, a la quele Suthdeane la Egliſe de *Preſton* en *Holdernesſe* eſt apportenant; Qe par la ou avant ces heures ſefeit ſa petition a noſtre Seigneur le Roy de avoir la Dime ſeyn des hommes noſtre Seigneur le Roi, Parochiens de meſme cele Egliſe. Et noſtre Seigneur le Roy granta, que les hommes avauntdits donaſſent lous Dimes deuwes a lour Egliſe de *Preſton* parochiele. Et ſus ceo manda ces Brefs a *Thomas de Weſton* jadis ſon Bailliſſe de *Holdernesſe*, qui rien ne fit en ſon tens. Prie le avaundit Suthdean, qe noſtre Seigneur le Roi pleſe comander, qe plenere execution en ſeit fete del graunt avaumdit. Who thereupon iſſued this Writ.

EDwardus, &c. dilecto ſibi *Thomæ de Weſton* Ballivo ſuo de *Holdernesſe* ſalutem. Ex querela Magiſtri *Willielmi de Blith* Perſonæ Eccleſiæ de *Preſton* accepimus, quod quidam homines veſtri de *Preſton*, et Parochiani Eccleſiæ prædictæ Decimam fœni ſui dictæ Eccleſiæ ſuæ de jure debitam, eidem Eccleſiæ dare renuunt minus juſte, in læſionem juris Eccleſiaſtici, et ipſarum Eccleſiæ et Rectoris jacturam non modicam et gravamen. Et quia prædictis Eccleſiæ ſeu Rectori injuriari nolumus in hac parte; Vobis mandamus, quod, ſi ita eſt, tunc dictos homines noſtros Decimam fœni ſui, Parochiali Eccleſiæ ſuæ de jure debitam, ſolvere, et eam perſonæ dictæ Eccleſiæ habere faciatis. Teſte meipſo apud *Lowedor* 9. die *Julii*. Anno regni noſtri 26.

The King by his Prerogative having granted a licenſe to the Biſhop of *Coventr.* & *Lichfeld* to hold the Hoſpital of St. *Leonards* in *Yorke* in *Commenda* with his Biſhoprick during his life, out of his free gift and ſpecial grace, confirmed it by this Patent, ſo as this diſpenſation ſhould not prove prejudicial to him or his heirs.

Pat. 26 E. 1. m. 20. Pro W. Coventr. & Lichf. Epiſcopo de Hoſpitali S. Leonardi Eborum.

REX omnibus ad quos, &c. ſalutem. Cum viceſimo die *Novemb.* anno Regni noſtri viceſimo quinto conceſſiſſemus pro nobis & hæred. noſtris venerabili patri tunc *Coventr.* & *Litchf.* electo, nunc locorum eorundem Epiſcopo, ut ipſe hoſpitale noſtrum Sancti *Leonardi Eborum*, quod ex mera donacione noſtra noſcebatur optinere, et quod per ejuſdem Electi conſecrationem erat vacaturum et ad noſtram donationem libere ſpectaturum haberet, et poſt dictam conſecracionem retinere de dono noſtro et noſtra gratia ſpeciali, quamdiu ditam duceret in humanis, et fructus inde perciperet, prout antea percipere conſueverat, ſi idem Electus diſpenſacionem ab Apoſtolica ſede optineret prædictum Hoſpitale poſt dictam conſecrationem habendi, et ut dictum eſt retinendi; Ita tamen quod per hoc nobis vel hær. noſtris im poſterum nullum præjudicium generaretur. Nos ne ex diſpenſacione hujuſmodi nobis vel hæredibus noſtris poſſet aliquod præjudicium generari; Volentes quod idem Epiſcopus cuſtodiam Hoſpitalis prædicti ex mera collacione noſtra optineat, dedimus & conceſſimus pro nobis & hæredibus noſtris præfato Epiſcopo Hoſpitale prædictum cuſtodiendum ad totam vitam ipſius Epiſcopi cum ſuis juribus & pertinenciis quibuſcumque. In cujus rei, &c. Teſte, &c. apud *Weſtm.* 8 die *Aprilis*.

From which Patent it is obſervable: 1. That by an Eccleſiaſtical perſons promotion to a Biſhoprick, his Wardenſhip of an Hoſpital as well as his * benefices, prebendaries, and other Eccleſiaſtical dignities, became void in Law in that age. 2ly. That the King by his ſpecial diſpenſation and grace might prevent their avoydance and licenſe him to retain them. 3ly. That this licenſe or *Commenda retinere*, muſt precede his conſecration as a Biſhop, elſe it came over-late.

* 5 E 3. 9, 11, 12, 4, 7 a. 37. Dyer, f. 159 a Hobards Reports, p. 141, to 159.

The Pope by his Bull confirming the election of the Abbot of *Fiſcamp* this year, which the King approved, iſſued this Writ to reſtore his Temporalties.

Pat. 26 E 1. m. 20. De temporalibus reſtitutis.

REX dilecto Clerico ſuo *Malculmo de Harleye* Eſcaetori ſuo citra *Trentam* ſalutem. Cum ſacroſanctæ *Romanæ* Eccleſiæ Summus Pontifex electionem in Eccleſia Conventuali de *Fiſcamp* nuper factam de fratre *Thoma de ſancto Benedicto* Monacho ejuſdem domus in Abbatem loci prædicti confirmaverit, et ipſum *Thomam* dicto Monaſterio præfecerit in Abbatem, ſicut per literas bullatas ſedis Apoſtolicæ

ſtolicæ nobis conſtat. Nos confirmacionem et præfectionem prædictas acceptantes cepimus fidelitatem ipſius Abbatis, & Temporalia domus prædictæ infra regnum noſtrum, prout moris eſt, reſtituimus eidem. Et ideo vobis mandamus, quod temporalia Abbaciæ prædictæ infra ballivam veſtram per mortem fratris *Willielmi de Piccot* nuper Abbatis ejuſdem loci prædeceſſoris prædicti *Thomæ* in manum noſtram capta, eidem *Thomæ* tanquam Abbati Abbaciæ prædictæ ſine dilacione liberetis. In cujus, &c. Teſte Rege apud *Fulham* 16 die *Aprilis*. *An.* 26 E. 1.

Et mandatum eſt Militibus, &c. Teſte ut ſupra.

The King iſſued this Writ for the ſpeedy collecting and paying the money granted by the Clergy of the Province of *York*, to reſiſt the *Scots* who invaded *England*, to the Archbiſhop elect thereof.

REX venerabili in Chriſto patri *H.* eadem gratia *Ebor.* electo, ſalutem. Quia de pecunia ad expenſas Comitum, Baronum, et aliorum de regno noſtro, qui in inſtantem expeditionem noſtram contra Scotos inimicos et rebelles noſtros regnum noſtrum hoſtiliter invadentes, et mala quamplurima ineſſanter perpetrantes, ad dictum regnum defendend. et ipſorum *Scotorum* maliciam reprimend. ſunt proſecturi, oportebit celeriter provideri. Vos affectuosè requirimus & rogamus, quatinus conſiderantes pericula quibus dictum regnum et maxime partes boreales per dictorum *Scotorum* invaſionem et nequiciam ſubjacent his diebus, totam pecuniam provenientem de Subſidio quod a Clero veſtræ provinciæ in defenſionem dicti regni dicitur nunc concedi, cum omni celeritate quam fieri poterit, levari, et eam Waltero de Agmodeſham Clerico per præfatos Magnates ad denar. pro defenſione dicti regni contra inimicos noſtros prædictos expendendos deputato, faciatis ſine dilatione qualibet liberari; Ita quod dictæ expeditionis noſtræ negocium pro defectu pecuniæ nullatenus retardetur. Teſte Rege apud *Weſtm.* 8: die *Decembris*. Clauſ. 26 E. 1. m. 17. De pecunia a Clero Provinciæ Eborum Regi contra Scotos conceſſa Waltero de Agmodeſham liberanda.

The Monks of *Battle Abbey* by antient Charters having the Cuſtody of the Abby and Lands during the vacancy upon their Abbots death; the King iſſued this Writ to reſtore them to their Cuſtody.

REX dilecto Clerico ſuo *Malculmo de Harleye* Eſcaetori ſuo citra *Trentam* ſalutem. Quia per cartas prædeceſſorum noſtrorum Regum *Angliæ* conceſſum eſt Monachis de *Bello*, quod cedentibus vel decedentibus Abbatibus ejuſdem loci ipſi Monachi habeant cuſtodiam Abbaciæ ſuæ et omnium terrarum et tenementorum ad ipſam pertinencium, et liberam adminiſtracionem de rebus et poſſeſſionibus ad eandem Abbatiam pertinentibus. Mandamus vobis, quod ipſos Monachos cuſtodiam Abbaciæ ſuæ in hac vacacione ſua, & omnium terrarum & ten. ejuſdem Abbatiæ & liberam adminiſtracionem de omnibus rebus & poſſeſſionibus ad ipſam pertinentibus habere permittatis, ſicut prædictum eſt, nec de cuſtodia prædicta vel aliquibus ad ipſam pertinentibus vos intromittatis contra conceſſionem prædictam. Et ſi quæ inde poſt captionem dictæ Domus in manum noſtram per vos percepta fuerint, ea eis ſine dilatione reſtituatis. Teſte, &c. apud *Weſt.* 28 die *Novembr.* Ibid. m. 22. Pro Monachis de Bello.

The King ſent this Letter to the Archbiſhop to excuſe the attendance of one of his Clerks in Chancery at his Viſitation.

REX venerabili in Chriſto Patri *R.* eadem gratia *Cantuar.* Archiepiſcopo, tocius *Angliæ* Primati ſalutem. Cum ſicut accepimus citari feceritis dilectum Clericum noſtrum *Thomam de Capella* Rectorem Eccleſiæ de *Sevenok*, ut in certo termino compareat perſonaliter coram vobis, ac idem Clericus noſter noſtris in Cancellaria noſtra intendat obſequiis, propter quod in eodem termino juxta veſtræ citacionis edictum non abſque noſtri & populi regni noſtri incommodo ſe non poteſt veſtro conſpectui præſentare. Paternitatem veſtram requirimus & rogamus, quatinus ipſius Clerici noſtri abſenciam in præfixo ſibi termino excuſatam habentes; velitis eundem in his quæ ipſum coram vobis contingat prætextu viſitacionis prædictæ favore proſequi gracioſo. Teſte Rege apud *Karliolum*, 12 die *Septemb.* Ibidem m. 6. dorſo. Pro Thoma de Capella.

The

An. 26 E. 1. The King iſſuing a Writ to the Biſhop of *Worceſter* to certifie him, whether *Simon le Chaumberleyn* was a Monk profeſt in *Little Malvern* Priory, returned this Certificate, that he was not there profeſt.

Pat. 26 E 1. m. 1. Quod Simon le Chamberleyn in Prioratu de Parva Malvern habitum Monachalem non ſuſcepit.

* See Cookes 1 Inſtit. f. 74. a. Fitzh. Trial 33, 44, 45, 78, 88, 88, 89, 101.

REX omnibus ad quos, &c. ſalutem. Cum nuper quibuſdam certis de cauſis certiorari volentes, utrum *Simon le Chaumberleyn* qui in Prioratu de *parva Malvern* habitum Monachalem ſuſcepit, ut dicitur, in Monachum profeſſus fuiſſet, necne, mandaverimus venerabili patri *G. Wygorn.* Epiſcopo, quod inde nos redderet certiores, Nos literas ejuſdē Epiſcopi de*certificatione illa patentes recepimus in hæc verba. *A noble Prince & ſon treſlige Seigneur Mon ſire* Edward *par la grace de Dieu Roy* Dengleterre, *Seigneur* Dirland, *& Ducs* Daquitain, *le ſoen* Godefrey *par meſme la grace Eveſque de* Wyrceſt. *ſaluz.* et due obeiſaunce a touts ſes comandements, *ove la grace* Jheſu Chriſt *en totes vos eovres: Le maundement de voſtre Seigneurie real deſouth veſtre ſeal prive, a due reverence recev de vous certifier del eſtate Sire* Simond le Chaumberleyn *de ce qe habit de moigne acuntens, a la* petite Malverne *en noſtre Eveſche porta, ententiſement nus enavoms penſee, e certeinement de lung dreit & uſage avoms trone & uſee, qe le Priur del avauntdite* petite Malverne *eſt come noſtre Miniſtre en meſme le lieu, pur ceo qe ſaunz election de moygnes nomer, de cele meſon ou de autre mettre le pooms a noſtre voler, dount le avauntdit Priur ne nul autre ſaunz nous en duwe forme en lavandit* petite Malverne, *a nul moigne de lieuz le habit dontr ne poet, ne qe plus eſt receivre a profeſſion, la quele plus moigne fet qe habit. E a veſtre treſhonurable hauteſce par noſtre lettre ouerte aſeale de noſtre ſeal, certeinement mandems,* qe unkes a nous, ne a nul autre en noſtre noun ne fiſt le avauntdit *Simond* profeſſion. Al honur de Dieu & prou de tut ceſte Reaume Dieu longes en bon eſtat vous teigne en cors e en alme. *Donee a* Alnechirch *le mardi prochein devaunt la feſte Seint* Matheu, *l'an de grace M. CC. nonaunte & utyme.* In cujus, &c. Teſte Rege apud *Dunolm.* 3 die *Novembris.*

Per breve de Privato Sigillo.

To what Churches and Benefices the King by his Prerogative preſented Clerks both in the Iſles of *Gereſey*, *Gerneſey*, and in *Scotland* this year, theſe Records will inform us.

Pat. 26 E. 1. m. 27. De Præſentatione.

MAgiſter *Robertus de Leyſſet* habet literas Regis de Præſentatione ad Eccleſiam Sancti *Petri de Portu* in Inſula de *Gern.* vacantem, **et ad donationem Regis ſpectantem, ratione terrarum et tenement. Abbatis Majoris Monaſterii** *Turon.* **in manu Regis exiſtentium.** Et diriguntur literæ *R. Conſtanc.* Epiſc. (in *Normannia*) Teſte, &c. apud *Langele* 20 die *Decembris.*

Ibid. m. 26.

WIllielmus *de Spiſſa* Capellanus habet literas Regis de Præſentatione ad Eccleſiam Sancti *Sampſonis* de *Gerneſeye* vacantem, **et ad donationem Regis ſpectantem, ratione terrarum et tenement. Abbatis Majoris Monaſterii in Inſula prædicta in manu Regis exiſtentium.** Et diriguntur literæ *R. Conſtanc.* Epiſcopo. In cujus, &c. Teſte, &c. apud *Langele* 10 die *Februarii.*

Per Conſilium.

Ibidem.

NIcholaus *de Cumbrevill* habet literas Regis de Præſentatione ad Eccleſiam Sanctæ *Trinitatis* de *Gereſeye* vacantem, **et ad donationem Regis ſpectantem, ratione terrarum et tenement. Abbatis beatæ** *Mariæ de Voto* **in Inſula prædicta in manu Regis exiſtentium.** Et diriguntur literæ eidem Epiſcopo. Teſte ut ſupra.

Per Conſilium.

Ibidem.

MAgiſter *Willielmus de Marchia* Clericus habet literas Regis de Præſentatione ad Eccleſiam beatæ *Mariæ* de *Moſteraro* de *Gereſeye* vacantem, **et ad donationem Regis ſpectantem, ratione terrarum et tenement. Abbatis Sancti** *Salvatoris* **Wicecomitis in Inſula prædicta in manu Regis exiſtentium.** Et diriguntur literæ eidem Epiſcopo. In cujus, &c. Teſte ut ſupra.

Nicholaus

An. 26 *E.* 1.

Nicholaus Haſtang habet literas Regis de Præſentatione ad Eccleſiam de *Are* vacantem, **et ad donationem Regis ſpectantem.** Et diriguntur literæ *R. Glaſguen.* Epiſcopo (in *Scotia.*) Teſte Rege apud *Ebor.* 28 die *Maii.* Pat. 26 E. 1. m. 15. Scotia. De Præſentatione.

Robertus de Beverlaco habet literas Regis de Præſentatione ad Eccleſiam de *Carnemoel* vacantem, **et ad donationem Regis ſpectantem.** Et diriguntur literæ Epiſcopo *Candida Caſa.* Teſte Rege apud *Northalerton* 12 die *Junii.* Ibid. m. 13.

Per breve de Privato Sigillo.

Robertus de Cotingham habet literas Regis de Præſentatione ad Eccleſiam de *Bothevill* vacantem, **et ad donationem Regis ſpectantem.** Et diriguntur literæ *R. Glaſguen.* Epiſcopo. Teſte Rege apud *Brade* 11 die *Julii.* Ibid. m. 12.

Per breve de Privato Sigillo. Dupl.

Johannes de Winton. Clericus habet literas Regis de Præſentatione ad Eccleſiam de *Suibbon* vacantem, **et ad donationem Regis ſpectantem.** Et diriguntur literæ *Glaſguen.* Epiſcopo. Teſte Rege apud *Strivelyn* 26 die *Julii.* Ibidem.

Per breve de Privato Sigillo. Dupl.

Alfridus de Stokes habet literas Regis de Præſentatione ad Eccleſiam de *Douglas* vacantem, **et ad donationem Regis ſpectantem.** Et diriguntur literæ *Glaſguen.* Epiſcopo. Teſte ut ſupra. Ibidem.

Walterus de Bedewynde habet literas Regis de Præſentatione ad Eccleſiam de *Kilpatrik* ſuper *Cludam* vacantem, **et ad donationem Regis ſpectantem.** Et diriguntur literæ *Glaſguen.* Epiſcopo. Teſte Rege apud *Strivelin* primo die *Aug.* Ibidem.

Per breve de Privato Sigillo.

Johannes Bouſh de *London.* habet literas Regis de Præſentatione ad Eccleſiam de *Kinkelle* vacantem, **et ad donationem Regis ſpectantem.** Et diriguntur literæ *Aberden.* Epiſcopo. Teſte Rege apud *Abercorn.* 15 die *Auguſti.* Ibidem.

Per breve de Privato Sigillo. Dupl.

Johannes de Croſſeby habet literas Regis de Præſentatione ad Eccleſiam Sanctæ *Mariæ* de Foreſta in *Selkirke* vacantem, **et ad donationem Regis ſpectantem.** Et diriguntur literæ *Glaſguen.* Epiſcopo. Teſte Rege apud *Karl.* 9 die *Sept.* Ibidem.

Per breve de Privato Sigillo. Dupl.

Thomas de Chelreye habet literas Regis de Præſentatione ad Eccleſiam de *Parva Yetham* vacantem, **et ad donationem Regis ſpectantem.** Et diriguntur literæ *Glaſguen.* Epiſcopo. Teſte Rege apud *Karl.* 11 die *Sept.* Ibid. m. 8.

Per breve de Privato Sigillo.

Magiſter Willielmus le Rus habet literas de Præſentatione ad Eccleſiam de *Ughtremokedy* vacantem, **et ad donationem Regis ſpectantem.** Et diriguntur literæ Cuſtodi Spiritualitatis Epiſcopatus Sancti *Andreæ* in *Scotia.* Teſte Rege apud *Karl.* 15 die *Sept.* Ibid. m. 4.

Per breve de Privato Sigillo.

Robertus de Askeby Clericus habet literas Regis de Præſentatione ad Eccleſiam de *Eglifmaleſhon* vacantem, **et ad donationem Regis ſpectantem.** Et diriguntur literæ *Glaſguen.* Epiſcopo. Teſte Rege apud *Gedeworth* 16 die *Octobr.* Ibid. m. 3.

Per breve de Privato Sigillo. Dupl.

Walterus de Winton. habet literas Regis de Præſentatione ad Eccleſiam de *Tyvyngham*, Sancti *Andreæ* Diocæſis, vacantem, **et ad donationem Regis, ratione Epiſcopatus prædicti vacantis, et in manu Regis exiſtentis, ſpectantem.** Et diriguntur literæ Cuſtodi Spiritualitatis Epiſcopatus Sancti *Andreæ*, ſede vacante. In cujus, &c. Teſte Rege apud *Gedeworth* 17 die *Octobr.* Ibidem.

Per breve de Privato Sigillo.

Thomas

An. 26 *E.* 1.

Ibid. m. 1. THomas *de Querle* habet literas Regis de Præſentatione ad Eccleſiam de *Ratben.* Sancti *Andreæ* Diocæſis, vacantem, **et ad donationem Regis ſpectantem.** Et diriguntur literæ Cuſtodi Spiritualitatis Epiſcopatus prædicti. Teſte Rege apud *Karliolum* 20 die *Sept.*

Upon the deaths of the Archbiſhop of *Dublin*, and Biſhop of *Ely*, the King committed their Temporalties by theſe Writs.

Fines An. 26 E. 1. m. 4. De Temporalibus Archiepiſcopatus Dublin. capiendis in manum Regis. REX Theſaur. & Baronibus ſuis de Scaccario *Dublin.* ſalutem. Quia bonæ memoriæ *W.* nuper *Dublin.* Archiepiſcopus diem clauſit extremum, ut accepimus, vobis mandamus, quod omnia Temporalia Archiepiſcopatus prædicti cum pertin. in *Hibern.* **ſine dilatione capi faciatis in manum noſtram,** & alicui diſcreto & fideli noſtro de quo confiditis & pro quo reſpondere volueritis committatis nomine noſtro cuſtodienda; **Ita quod de exitibus inde proventientibus nobis plene reſpondere poſſit ad Scaccarium noſtrum** *Dublin.* Teſte Rege apud *Stanmegg.* 24 die *Septembris.*

Ibid. m. 14. De Epiſcopatu Elien. commiſſo. REX commiſit dilectis & fidelibus ſuis *Willielmo de Sutton* & *Johanni de Godele* Epiſcopatum *Elienſem* cum pertin. vacantem per mortem *W.* nuper *Elienſis* Epiſcopi, & in manu Regis exiſtentem, cuſtodiendum quamdiu Regi placuerit: **Ita quod de exitibus inde proventientibus Regi reſpondeant ad Scaccarium Regis.** In cujus, &c. Teſte Rege apud *Retherbethe* 29 die *Marcii.*

Et mandatum eſt Militibus, &c. Teſte ut ſupra.

An. 27 *E.* 1. *Anno* 27 *E.* 1. I found no fewer then nineteen ſeveral Writs and actions at the Kings and grieved parties proſecutions in the bundles of Writs, in the *White Tower* Chappel, and no leſs then four more in the Plea-Rolls of *Termin. Paſchæ*, *an.* 27. for holding and proſecuting pleas in Courts Chriſtian, for goods, chattels, treſpaſſes, lay-fees, and advowſons againſt the Kings Prohibitions, Crown and dignity; as this Catalogue of them will inform you.

Edwardus *Dei gratia Rex* Angliæ, *&c. Vic.* Bedford. *&c. Pone*, *&c.* Richardum de Harecourt, *& Magiſtr.* Rogerum de Catteworth; *quod ſint*, &c. *oſtenſuri quare cum placita de catallis & debitis in Regno noſtro quæ non ſunt de Teſtamento vel Matrimonio*, **ad Coronam et dignitatem noſtram ſpecialiter pertineant**, &c. *ſecuti ſunt placitum in Curia Chriſtianitatis de catallis & debitis Magiſtri* Johannis de Sancto Walerico *Perſonam de* Blanham, *quæ non ſunt de Teſtamento vel Matrimonio*, **in læſionem Coronæ et dignitatis noſtræ, et contra prohibitionem noſtram**, &c. *Teſte meipſo apud* Thetford, 24 *die* Januarii, *anno regni noſtri* 27. Edwardus, *&c. Vic.* Dorſet. *&c. Pone Magiſtr.* Petrum de Grumut, *& Magiſtr.* Johannem de Tarent; *quod ſint*, &c. *oſtenſuri, quare eum placita*, &c. *(ut ſupra) tenuerunt placitum in Curia Chriſtianitatis, de catallis quæ non ſunt*, &c. **contra prohibitionem noſtram**; *&* Nicholaum *Perſonam de* Weſtchamberge, *&c.* **quare ſecutus eſt idem placitum**, &c. *T.* &c. 17 *die* Octobr. *an. r. n.* 27. Edwardus, *&c. Rex* Angliæ, *&c. Vic.* Bucks. *&c. præcipimus tibi, quod* capias *Magiſtr.* Michael de Cornub. *&c. & ſalvo cuſtodias ad reſpondend. Abbati de* Birleſden, *Fratri* Hugoni de Garhall, *& Fratri* Roberto de Rethe, *de placito*; **quare cum placita de tranſgreſſionibus contra pacem noſtram factis in regno noſtro ad coronam et dignitatem noſtram ſpecialiter pertineant, et non ad alium in regno noſtro**; *idem* Nich. *ſimul cum Magiſtro* Richardo de Sancto Fredeſwyda **ſecutus eſt placitum in Curia Chriſtianitatis de huiuſmodi tranſgreſſionibus, in læſionem coronæ et dignitatis noſtræ, et contra prohibitionem noſtram**, &c. *Teſte* J. de Metingham, *apud* Ebor. 27 *die* Jan. *an. r. n.* 27. Edwardus, *&c. Vic.* Roteland. *&c. Si* Hugo de Hennecok, *&c. pone* Rogerum de Romul *Perſonam Eccleſiæ de* Mertimeſthorp, *quare ſecutus eſt conſimile placitum. Teſte meipſo apud* Weſtm. 18 *die* Febr. Edwardus, *&c. Vic.* London. *quod ponatis*, *&c.* Petrum de Weſton; *quare ſecutus eſt (conſimile) placitum*, &c. *Teſte* J. de Metingham *apud* Ebor. 9 *die* Mail. Edwardus, *&c. Vic.* Buks. *Si* Eliz. *quæ fuit uxor* Willielmi de Say *&c. pone* Robertum *Archiepiſcopum* Cantuar. quod ſit coram Juſtic. noſtris, &c. quare tenuit placitum

citum in Curia Chriſtianitatis de hujuſmodi tranſgreſſionibus, in læſionem coronæ et dignitatis noſtræ, et grave damnum ipſius *Elizabeth.* et contra prohibitionem noſtram. *Teſte meipſo apud* Stebenheth, 12 *die* Maii, *an. r. n.* 27. Edwardus, *&c. Vic.* Leyceſtr. *pone* Galfridem *Abbatem de Sancto* Edrulpho, quod ſit, *&c.* oſtenſurus, quare cum placita de advocationibus Eccleſiarum in Regno noſtro ad nos et coronam noſtram ac dignitatem, et non ad alium ſpecialiter pertineant in eodem Regno, idem Abbas, *&c.* ſecutus eſt placitum in Curia Chriſtianitatis de advocatione quinque partis Eccleſiæ de *Ibbeſtoke*, in læſionem coronæ et dignitatis noſtræ, et contra prohibitionem noſtram, *&c. T. meipſo apud* Kenyton, 6 *die* Auguſt. *an. regni noſtri* 27. Edwardus, *&c. Vic.* Bedeford. *Si Prior ſancti* Andreæ de Northampton, *&c. pone* Radulphum *Perſonam Eccleſiæ de* Wraſtingworth, *quod ſit*, &c. quare ſecutus eſt placitum in Curia Chriſtianitatis, de Advocatione quartæ partis Eccleſiæ de *Potton*, contra prohibitionem noſtram. *T. meipſo*, &c. 24 *die* Octobris. Edwardus, *&c. Vic.* Kanc. *Si* Robertus atte Brue, *&c. pone* Hugonem de Froſham & Richardum de Haleghton *Capellanum*, &c. *quare ſecuti ſunt placitum in Curia Chriſtianitatis* de laico feodo *ipſius* Roberti, *&c. contra prohibitionem*, *T.* &c. *apud* Kenynton, *&c. Vic.* Linc. *Si* Haywyſia de Credks, *&c. pone Magiſtr.* Nicholaum de Whitchurche, *quare tenuit placitum in Curia Chriſtianitatis*, de catallis et debitis quæ non ſunt de Teſtamento vel Patrimonio, &c. & Thomam *Vicarium Eccleſiæ de* Multon, quare ſecutus eſt idem placitum, &c. contra prohibitionem noſtram. *Teſte meipſo*, &c. 28 *die* Januarii. *Conſimile breve Vic.* Northr. *inter* Johannem le Butiller *de* Caſtro *querent. Et Magiſtr.* Hen. de Naſſyngton *defend. T.* J. de Metingham, 8 *die* Febr. *Conſimile Vic.* Linc. *Si* Henricus de Umfravil & Iſabella *uxor ejus*, &c. *pone Magiſtrum* Henricum de la Douno *Subdecanum Eccleſiæ beatæ* Mariæ Linc. quare tenuit *(tale)* placitum, &c. *T. meipſo*, &c. 6 *die* Marcii. *Vic.* Huntindon. *Si* Rogerus de Kellaio, *&c. pone* Johan. Ravely, *&c. quare ſecutus eſt (conſimile) placitum. Teſte*, &c. 9 *die* Maii. *Vic.* London. *Si* Willielmus de Brokesburne, *&c. pone* Henricum de Naſſyngton, *&c.* quare tenuit, &c. & Matil. de Hadham, *quare ſecuta eſt (conſimile) placitum. T. &c.* 2 *die* Auguſt. *Vic.* Buks. *Si* Elias de Hertford, *&c. pone* Robertum Archiepiſcopum Cantuar. *Magiſtr.* Willielmum de Gloucestr. *Magiſtr.* Willielmum de Chaddeleſhunte, & *Magiſtr.* Richardum de Morceſtr. *quod ſint*, &c. quare tenuerunt, & Johannem de la Dune, *quare ſecutus eſt (conſim.) placitum. T.* &c. 14 *die* Auguſti. *Vic.* Glouc. *quod non omittat propter libertatem Burgi* Briſtol, *quin capiat Magiſtr.* Thomam de Sancto Leonardo, *&c. ad reſpondend.* Philippo Paulet *de* Briſtol; quare ſecutus eſt *(conſim.)* placitum. *Teſte* J. de Metingh. 10 *die* Octobr. with another of the ſame date. *Vic.* Oxon. *Si* Andreas de Parye, *&c. pone* Nicholaum de Cateby & Johannam *uxorem ejus*, quare tenuit *(conſim.)* placitum de catallis et debitis quæ non ſunt, &c. contra prohibitionem noſtram. *Teſte meipſo apud* Weſtm. 15 *die* Octobr. *Anno regni noſtri* 17. *An.* 27 *E* 1.

Placita apud *Ebor.* coram *Johanne de Metingham*, & ſociis ſuis Juſtic. Domini Regis de Banco de Termino Paſchæ, anno regni Regis *Edwardi* filii Regis *H.* viceſimo ſeptimo. An. 27 E. 1.

Bedf. ELias de Aylesbury, *qui ſequitur pro Domino Rege, optulit ſe*, &c. *verſus* Radulphum de Huche *Perſonam Eccleſiæ de* Weitlyngwathe *de placito*, quare, cum placita de catallis et debitis in regno Regis quæ non ſunt de Teſtamento vel Patrimonio, ad coronam et dignitatem Regiam ſpecialiter pertineant, idem Radulphus, ſicut ex relatu plurium accepit Rex, ſecutus eſt placitum in Curia Chriſtianitatis de catallis et debitis Magiſtri Johannis de Sudyngton Perſonæ Eccleſiæ de *Penton*, quæ non ſunt de Teſtamento vel Patrimonio, contra prohibitionem, &c. et ipſe non venit, et fuit attachiatus per Thomam filium Thomæ de Holm, et Richardum de la Sale, de eadem. *Ideo ipſi in miſericordia*, &c.

Willielmus Pyking & Matil. *uxor ejus per Attornatum*, &c. *verſus* Henricum *Archiepiſcopum* Ebor. *de placito quod haberet ad hunc diem*, *Magiſtrum* Robertum de Caudlesby *Clericum ſuum*, *ad reſpondendum eiſdem* Willielmo & Matil. de placito, quare tenuit placitum in Curia Chriſtianitatis de catallis et debitis quæ non ſunt de Teſtamento vel Patrimonio, contra prohibitionem Regis, &c. et ipſe non venit, et præceptum fuit Vicecomiti quod attachiaret eum, et Vicecomes nichil inde fecit, ſed Rot. 22. Notingham.

An. 27 E. 1. mandavit quod Breve adeo tarde venit, &c. Ideo, ſicut prius præceptum eſt Vicecomiti quod attachiaret Archiepiſcopum, *quod ſit hic in Octabis ſancti* Michaelis, *&c. Et hic habeat*, &c.

Ibidem, Rot. 39. Eborum. *Magiſter* Robertus de Pikeringg, & Johannes de Pikering, Simon *Perſona Eccleſia de* Quieldrik, Adam Verdemel, Robertus *filius ejus*, & Walterus de Norton *Clericus*, attachiati fuerunt *ad reſpondendum* Vincentio Verdenel & Willielmo *fratri ejus de placito, quare prædicti Magiſter* Robertus & Johannes *ſimul cum Magiſtro* Willielmo de Wirkeſale tenuerunt placitum in Curia Chriſtianitatis de catallis et debitis quæ non ſunt de teſtamento vel matrimonio. *Et de placito, quare iidem* Simon, Adam, Robertus & Walterus ſecuti ſunt idem placitum in eadem Curia contra Prohibitionem, &c. *viz. de decem marcis de laicis catallis ipſorum* Vincencii & Willielmi, *& ipſi prædictis die & anno in Eccleſia prædicta in præſentia* Johannis de Naſſington, Rogeri de Heſelarton, & Philippi de Wyton *porrexiſſent prædictis Magiſtro* Roberti & Johanni Regiam prohibitionem, ne placitum illud ulterius tenerent: Et ſimiliter prædictis Simoni, Adæ, Roberto & Waltero, ne idem placitum ulterius in eadem Curia ſequerentur. *Iidem Magiſtri* Robertus & Johannes *ſimiliter* ſpreta prædicta prohibitione eis porrecta, nichilominus tenuerunt placitum illud in eadem Curia Chriſtianitatis, et ſimiliter idem Simon et alii ſecuti fuerunt idem placitum in eadem Curia, quouſque prædicti Vincentius & Willielmus fuerunt ab ingreſſu Eccleſiæ ſuſpenſi, et poſtea excommunicati, in contemptum Domini Regis, et contra prohibitionem, &c. *Et unde dicunt*, quod deteriorati ſunt et dampnum habent ad valenciam viginti librarum. *Et inde producunt ſectam, &c.*

Ibid. Rot. 24. Galfridus le Campium *per Attornatum ſuum optulit ſe quarto die verſus* Willielmum de Wellewyk, *de placito*, quare ſecutus eſt placitum in Curia Chriſtianitatis de catallis et debitis quæ non ſunt de teſtamento vel matrimonio, contra prohibitionem, &c. *Et ipſe non venit; et præceptum fuit Vicecomiti ſicut aliàs, quod non omittat propter libertatem* Beverlacy quin attachiet eum, &c.

Although the Biſhops, their Courts Chriſtian and Clergie did thus uſurp upon the Kings Crown, Dignity, Courts and Subjects liberties, by holding, proſecuting theſe manifold ſuites of which they had no Juriſdiction; yet they were very carefull to remove all Layforces out of Churches by the Kings Writs, which might hinder the exerciſe of their own Eccleſiaſtical Juriſdiction in them; as is evident by this memorable Writ this year *De vi Laica amovenda*, in the *White Tower*, to omit others.

Bundela Brevium in Turre London, An. 27 E. 1. EDwardus *Dei gratia Rex* Angliæ, *&c. Vic.* Oxon. *ſalutem. Præcipimus tibi ſicut aliàs tibi præcepimus, quod ponas per vadium & ſalvos plegios* Johannem de Burey, Gilbertum de Bukenhall *Capellanum*, Johannem de la March *Capellanum*, (with 8. others named in the writ) *quod ſint coram Juſticiariis noſtris apud* Ebor. *in Octab. Sanctæ Trinitatis, ad reſpondend.* tam Nobis, quam Ithael Skerwent *Perſona Eccleſiæ de* Bukenhull, *de placito, quare cum ad requiſitionem venerabilis Patris* O. Lincoln. *Epiſcopi pluries præcepimus, quod omnem vim Laicam quæ ſe tenet in Eccleſia de* Bukenhull, quo minus idem Epiſcopus officium ſuum ſpirituale ibidem exercere poſſit, ſine dilatione amoveres ab eadem; *& tu virtute illarum brevium noſtrorum ad eandem Eccleſiam pro vi prædicta amovenda pluries acceſſeris; prædicti* Johannes, Gilbertus, Johannes, Walterus, *&c. qui ſe vi laica in eadem Eccleſia tenuerunt in adventu tuo ibidem ſe alibi tranſtulerunt, & confeſtim poſt receſſum tuam ab ea, aggregatis ſibi aliis malefactoribus ſe in eam vi armata iteratò intruſerunt, & bona & catalla prædicti* Ithaci *ad prædict. Eccleſiam ſpectantia diſtraxerunt & conſumpſerunt, & alia enormia intulerunt, & in eadem Eccleſia adhuc ſe tenent, priſtinam maliciam ſuam continuantes, & ipſum* Ithaelem *indebite fatigantes*, in noſtri contemptum manifeſtum, et mandatorum noſtrorum illuſionem, *et ipſius* Ithaelis *dampnum, gravamen & jacturam, & contra pacem noſtram. Et inſuper prædict. Epiſcopus* officium ſuum ſpirituale ibidem exercere non permittunt. Nos igitur libertatem Eccleſiaſticam illæſam conſervare, *& maliciæ prædictorum malefactorum in hac parte* celeri Juris remedio obviare: *Tibi præcipimus, quod in propria perſona tua accedas ad Eccleſiam prædictam, et omnem vim laicam quam ibidem inveneris abſque mora amoveas ab eadem, juxta tenorem mandati noſtri prius inde directi. Et habeas ibi nomina plegiorum, et hoc breve. Teſte* J. de Metingham *apud* Ebor. 3. *die* Februarii, *Anno regni noſtri viceſimo ſeptimo.* On which the Sheriff endorſed this return as to the

Lay

Lay force; *Accessi in propria persona mea ad Ecclesiam de* Bukenhull *quampluries, & nullam laicum vim in eadem inveni nullo tempore quo ibidem fui cum toto vicineto illo, ad vim laicam ab eodem removendam.* An. 27 E. 1.

The Pope this year sending the Bishop of *Vicense* as his Legate and Nuncio into *France*, to compleat and execute his *premised award between the Kings of *France* and *England*, and hear and determine the differences between them concerning it, which they could not accord of themselves; thereupon Prince *Edward* and his Father issued these Patents of Procuration under their Seals this year, appointing and authorizing new Proctors to compleat, perform, and ratifie the Popes former award as a private person only, touching the Princes espousals with the Lady *Isabella*, and to deliver the Kings Lands in *France* into the Popes and his Legates hands, to settle a firm peace, and end all differences concerning the provisions therein expressed; thus recorded in the *Almain* Roll in the Tower. * Here, p. 758, 759.

UNiversis præsentes Literas inspecturis. *Edwardus* illustris Regis *Anglia* filius salutem in Domino. Cum sanctissimus in Christo Pater Dominus *B.* Divina Providentia Sanctæ *Romanæ* ac Universalis Ecclesiæ Summus Pontifex, in quem tanquam in privatam personam, et Dominum Benedictum Gaytanum, ex parte magnifici Principis Domini *Philippi* Regis *Francie* illustris, & prædicti Domini Patris nostri, super reformanda pace & concordia inter ipsum Regem *Francie* ex parte unâ, & eundem Dominum Patrem nostrum ex alterâ, ac super his quæ ad pacem pertinent, & super omnibus & singulis discordiis, guerris, litibus, controversiis, causis, quæstionibus, damnis & injuriis, petitionibus & actionibus realibus & personalibus atque mixtis, quæ fuerunt & sunt, vel esse possent inter prædictos Regem *Francie* & Dominum Patrem nostrum occasione quacunque, sub certis formis & modis nuper fuerint compromissum, tanquam privata persona, et Dominus *Benedictus Guitanus*, ut prædicitur; virtute compromissi hujusmodi dixerit, arbitratus fuerit, laudaverit, diffinierit arbitraliter, sententiaverit, mandaverit, ordinaverit, disposuerit & pronunciaverit, quod inter præfatos Regem *Francia* & Dominum Patrem nostrum perpetua & stabilis pax existat: Et ad confirmandam, roborandam & consetvandã pacem hujusmodi inter cætera quæ sub pronunciationis suæ serie continentur, *inter nos & *Isabellam* prænotati Regis *Francie* filiam sponsalia ordinaverit contrahenda sub certis modis, conditionibus atque pœnis; Volentes ordinationi Apostolicæ in hac parte, ac paterno assensui, ut tenemur, humiliter obedire, Nobilem virum *Henricum de Lacy* Comitem *Lincoln.* consanguineum nostrum præfati Domini Patris nostri ad hoc accedente consilio et assensu, nostrum fecimus, ordinamus, et constituimus verum & legitimum procuratorem & Nuncium specialem ad contrahendum pro nobis et nostro nomine sponsalia cum Isabella prædicta, ac in sponsalia Juramenta et pœnis certis firmandum, et ad jurandum pro nobis in animam nostram quodlibet genus liciti Juramenti, & ad omnia & singula faciendum quæ nos faceremus vel facere possemus si nostra adesset præsentia personalis, etiamsi mandatum exigant speciale. Ratum & firmum habentes & habituri quicquid per præfatum Comitem in præmissis & eorum singulis nomine nostro actum & gestum fuerit, seu etiam procuratum. Et hoc omnibus quorum interest vel interesse potest aut poterit in futurum significamus per nostras patentes Literas, præfati Domini Patris nostri, & nostrorum sigillatas sigillis. Dat. apud *Strebuheth*, 15 die *Maii*. Rot. Alemann. An. 27 E. 1. m. 11. intus. * Here, p. 759

NOus *Edward* par la grace de Dieu Roi *Dengleterre*, Seigneur *Dirland*, e Ducs *Duguitaine* faisons savoir a touz ceaus qui ces presentes lettres verront ou orront, qe come les honeurables Peeres *Guillames* jadis Erceveſque de *Divelyn*, & *Johan* Eſveſque de *Wyncestre*, & les nobles & hautes homes *Amez* Counte de *Sauvoye*, *Otbes* de *Grauntzonn*, *Hugue de Veere* Chevaliers, nos Messages & Procureurs aiantz de nous pleiner poer et especial mandement par nos lettres overtes saiellees de nostre saiel, de compromettre & compromys soient put nous et pur nos heyres, en la persone de treshalt[illegible] Pere sire *Boniface*, par la parvoiance de Dieu Papa l'octisme, come en vyde persone, & *Benoit Gaitan*, sur totes les guerres, descordz, plez, contencs, causes, questions, injures, peticions et demandes, roials & personeles, et mel-

Ibidem.

An. 27 *E.* 1. lees, qui furent et ſont, ou purront eſtre entre le Roi de *Fraunce* e Nous par quele que achaſon ſicome en nos lettres avantdites, et en l'inſtrument publick fait ſur meiſme le compromys per lui plenierement eſt contenu, le quiel compromys nous agreons, accceptons, ratefions, approvons, & tenons a bon. E ſur ceo le avantdit Pape par le vertue de meiſme le compromis, ait dit, loe, arbitre, & diffine, * *ge terres les terres, vaſſaux, & biens & autres choſes que nous teniens en Roiaume de* Fraunce *le jour ge meiſme le dit fu pronuncicz fuiſſent, deſlors en bone foi & ſaunz* nule fraude ſimplement et purement miſes, aſſignees en la mayn, et en le poer du dit Pape, et ge le Roi de *Fraunce* le feiſt auſint de ceo ge a li en appartient, et ge le dit Pape teniſt en noun du dit Roy les choſes qui de ſa partie, et ſon noun ſerroient aſſignees a meiſme le Pape, et auſint en noun de nous les choſes qui de queux nous le ſerroient aſſignees. *Eſourketot meiſme le Pape ait veulen, loe et arbitre deſlors, ge ſe parraentir le dit Rois de* France *& nous puiſſons de meiſmes* les terres et biens accozdez entre nous, ge ce en quei nous accozdziens ſeuſt perpetuement, et ſaunz enfreinte garde, ſi come le dite prounciation plus pleinement purporte. E apres ces choſes le devantdit Pape aiant a cuer la dite buſoigne, et deſirant le bon & la haſtif eſploit de la meiſme buſoigne, nous ait per ſes lettres bullees maunde, quil envoi pur ceſte buſoigne l'honourable Peere *R.* Eſveſque de *Vycenſe*, per nous enfourmer plus pleinment ſur les avantdites choſes, ſelonc la tenour du mandement quil le a fait de bouche, le quiel Eſveſque a ce ge noſtre ame Coſyn *Amez* Counte de *Sauvoy*, Monſire *Johan de Bar*, et noſtre ame Chevalier Monſ. *Othes de Grantzon* nous ont fait a ſavoir, eſt la venuz, & lia dez buſoignes parlez au counſail le Roi de *France* dune pert, eus ditz Counte *Johan* & *Othes* qui ſont de noſtre conſeil, les quieux y facent de par nous dautre. E ſur ce par eux touz de commun aſſentment apzes moltz de traitments ſoit accozd en la preſence de meſme leveſque, *ge le Roi de* Fraunce *& nous totes les choſes de ſuſdites ſelonc la fourme des compromys fais a'ne part & a'autre, & ſicome eles ſont contennes en la pronunciacion avantdite, commiſſion ou aiſſoſcion, quel quele ſoit fait ou a faire a perſone vive ou morte, per ſes lettres bullees mettons en la mayne, e en le poer de meiſme Leveſque* a receivze et a tenir en noun et la fourme de la pzonunciation, et en la maniere ge le meiſme Pape ad dit, loe, arbitre, et dirra, loera, arbitrerra, et diffinera, ou en autre maniere per ſes lettres bullees ad ozdene ou ozdenera. Nous pur honeur et pur reberence du dit Pape, et pur pæs et pur pzoſit de tout la Chziſtienete, et pur appzochier au voiage doutre mer, vueilliantz le bon accompliſſement de ceſte buſoigne tant com en nous eſt, donons plenir poer & eſpecial mandement per ces preſentes lettres a nos amez & foiaux Maiſtre *Girard de Vippenis* Ercediakne de *Richmund*, *Amaven* de la *Brit*, *Guillame de Leyburne*, *Poinz* Sire de *Chaſtillion*, *Guy Ferre* noſtre lieu tenant en *Gaſcoigne* Chevaliers, & a Maiſtre *Reymon Arnaud de la Rame* Clerk, & as cinque et as quatre, et as trois ſi plus ni puiſſent eſtre, *de metire & daſſigner de parole ou de droit et de fait, & de bone foi, & ſaunz fraude ſimplement & purement tant come en nous eſt, en la mayne en la poer du dit Eſveſque de* Vycence, totes les terres, Vaſſaux, biens, et autres choſes que nous teniens en Roiaume de Fraunce le jour ge la dite pzonunciacion fu faite, et receivze et atenir e noun et en la mayn du debantdit Pape come de pzive perſone, e *Benoit Gaytan*, ſelonc le tenour et la fourme de la meiſme pzonunciation, et en la maniere ge meiſme le Pape ad dit, loe, arbitre et diffine, et dirra, loera, arbitrera et diffinera, ou ad ozdene, ou ainſi com il pierra a ozdiner anſi come deſus eſt dit. E volons & promettons, ge nous aurons ferme et eſtable tout quantque par les avantditz *Ercediakne*, *Amanen*, *Guillame*, *Poinz*, *Guy* & *Remon*, ou per les cinqe, ou les quatre, ou les trois de eux en la fourme de ſuſdite ſerra fait en ceſte buſoigne. Sur la quele buſoigne appzover, tenir, gardir et accomplir, nous obligons nous et nos heires, et touz noz biens per ces pzeſentes lettres ſaielles de noſtre Seal, qe furent faites & donees a *Weſtmoſtiere* le vintiſme ſecund jour du mois *Daveril*, l'an de grace *Mil deux centz quatre vintz & dys & nuof*, & de noſtre Regne *vint et ſeptiſme*.

Ceſte lettre de ſuſeſcrite eſt dublee mot par mot ſaunz rien changiez, ſauve qe en la tierce ſouz meſmes les paroles eſcrite, y ad variance en taunt qe la ou il dit *e autre deux a perſone vive & mort, la dit il a quelque perſone quil ſoit, eſtoit remenant mot par mot* ſe contient come eſt contenu en les autre deus lettres.

John

John Bayliol late King of *Scots*, by large bribes, and clandeſtine ſolicitations of the King of *France* his confederate, procured Pope *Boniface* to commiſſion this Biſhop and Legate amongſt other things, to importune King *Edward* at his ſpecial inſtance and requeſt, to deliver his perſon into his hands and cuſtody; which the King condeſcended to, upon the conditions therein expreſſed, and the Popes engagement to him, that it ſhould not be any way prejudicial to him or his Realm; the manner and form whereof is thus recorded in a ſpecial Record made thereof, which I lately found in the White Tower Chappel. *An.* 27 *E.* 1.

La fourme coment Monſeur de *Bailloll* feut baillez a l'Eveſqe de *Vicence*, & coment il le reſceuſt. Placita Regis An 26 & 27o E. 1. in Turr London.

A *Touz ceux qui ces lettres verront ou orront*, Renaud *par la ſuffrance de Dieu Eveſqe de* Vicence, **meſſages noſtre Seignour l'Apoſtoille**, *ſaluz en Dieu pardurable. Nous feiſons ſavoir a voſtre univerſite, qe venant a* Whitſand *en Royaume de* France *a noſtre preſence Monſeur* Robert de Bourgherſh *Chivaler, Coneſtable de* Dovre, *& Procuratour de treſnoble Prince & Roy* Dengleterre, *eſtablizen ceſte fourme. Edward* par la grace de Dieu Roy *Dengleterre*, Seignour *Dirlande*, & Ducs *Doquitaine*, a touz ceux qui ceſtes preſentes verront ou orront, ſaluz. Sachez qe nous feſons, ordenoms & eſtabliſſons noſtre ame & feal *Robert de Bourgherſh* noſtre Coneſtable de *Dovre*, noſtre certein Procuratour, & li donoms plener poair par ces preſentes, de baillier & delivrer en noſtre noun a *Whiteſand Johan de Baillol*, au reverent Piere *Renant* par la grace de Dieu Eveſqe de *Vicence*, **meſſage l'Apoſtoille**, en la fourme que ſenſuit. **Ceſtaſſavoir, qe li dit Apoſtoille peuſſe dire et ordener tant ſoulement de la perſone le dit** *Johan*, **et des terres les queles meiſmes celi** *Johan* **ont jadis en** *Engleterre*, **ſicome il plerra, a la bone volunte du dit Apoſtoille en meſme la manere qe nous purriens dire ſe meiſme celui** *Johan* **demoraſt vers nous perſonalment en** *Engleterre*; **Saulve a nous et a nos Heirs Rois** *Dengleterre* **le Royaume** *Deſcoce*, **les hommes, les Inhabitantz, et totes les appourtenances de meiſme le Royaume.** En teſmoignance des queux choſes nous auoms fait faire ceſtes nos lettres ouertes. Donees a *Canterbir.* le quattezime jour de *Juygnet*, l'an de noſtre Regne vint & ſeptiſme. *Rehercea & leuſt les paroles deſouz eſcrites.* En noun de Dieu Amen. Come Sire *Johan de Baillol*, qui eſt ici preſentz par devent vous, reverent Piere Eveſqe de *Vicence*, **meſſage de noſtre Seignour l'Apoſtoille, pur multz de treſpais e Treiſons Inhumeinement demonſtrez, et faitz par li a treſgrant Prince ſon Souveraigne Seignour ſanz meyn, Sire** *Edward* **par la grace de Dieu Roy** *Dengleterre*, **encoutre ſon hommage, et le devoir de ſa feaute, purement par ſon gree, et ſanz condition ſouz meiſt du tot a la volunte du dit Roy le Royaume** *Deſcoce*, du quel il eſtoit jadis Rois, **et tout le droit quil avoit en cel, ou a cel, et au pueple de meiſme le Royaume, et a ce, touz ſes biens, ſaulve tout ſoulement a li vie et membre, et non empriſonement.** E qe puis il par ſon agreable corage, & par ſa franche volunte, purement & ſanz condition, ſe rendiſt a ſon Seigneur avantdit Roi *Dengleterre*, & le dit Royaume *Deſcoce*, one les hommes & ſes autres droitures & aportenances univerſeles, & ſa Royale dignite, & ſon Royale honeur; & outre ce toutes ſes terres, & totes ſes poſſeſſions, oue touz ſes moebles & non moebles, & ſoi movants, ſicome appiert par un Inſtrument publique fait de ce, a la requeſte du dit *Johan de Baillol*: je *Robert de Bourgherſh* Procureur du devantdit Roi *Dengleterre*, par commandement de li, & come Procureour, bail & aſſigne lavantdit *Johan* preſent, a vous Sire reverend Eveſqe de *Vicence*, **meſſage noſtre Seigneur l'Apoſtoille, pur la devotion, reverence, et honeur du treſceint Piere noſtre Seigneur l'Apoſtoille, et de la Seint Egliſe de** *Rome*, **es maneres et es conditions qe enſuivent.** Ceſt aſſavoir, **qe noſtre l'Apoſtoille peuſſe doe et ordeiner tant ſoulement de la perſone le meiſme** *Johan*, **et des terres les queles meiſmes celi** *Johan* **ont jadis en** *Engleterre*, **ſicomme a plerra a la bone volunte de noſtre Seignour l'Apoſtoille, en meſme la manere qe mon Seigneur li Rois** *Dengleterre* **poroit dire ſi meiſmes celi** *Johan* **demoraſt vers luy perſonelment en** *Engleterre*. **Saulve a mon Seigneur le Roi** *Dengleterre*, **et a ſes Heirs Rois** *Dengleterre* **le Royaume** *Deſcoce*, **les hommes, les Inhabitantz, et totes les aportenances de meſme le Royaume.** Ceſtaſſavoir & entendre, **qe noſtre**

An. 27 E. 1. noſtre Seigneur l'Apoſtoille ne peuſſe ordeiner ne dire un avantdit Royaume Deſcoce, des hommes, des enhabitentz, ne nos appertenances de meſme le Royaume, pur le devantdit *Johan de Baillol*, ne pur ſes Heirs, qui lont, ne qui purroient eſtre, ne pur nul de ſes appurtenances pluſquestunque cauſe de ce ſoit. Et nous avantdit Eveſque, le deſuſdit *Johan de Baillol* a nous bailie, avoms enſi reſceu en lieu et en nom de noſtre Seigneur l'Apoſtoille. En teſtmoign des queux choſes, nous avoms mis noſtre ſeal a ces preſentes lettres. Donees a *Whitſand* le Samady devant la feſt noſtre Dame la *Magdalene*, en quel jour nous reſceumes le devantdit *Johan de Baillol* en la manere deſuſdite, par le Procureur devantdit, l'an de noſtre Seigneur 1299. A ſtrong evidence of the Kings Soveraign right to the Realm of *Scotland*, which the Pope and his Legate both aſſented to.

a Walſingham Hiſt. Angl. p. 44. Mat. Weſtm. Anno 1299. p. 415.

a *Thomas Walſingham* and *Matthew Weſtminſter* render us this account of his delivery to this Popes Nuncioes. *In tranſlatione beati* Thomæ Martyris venerunt *Nuncii Papæ ad Regem* Cantuariam, *rogantes*, ut Johannem *quondam Regem* Scotiæ *ſua liberaret cuſtodia*; *ſpondentes*, quod Regem & regnum ab omni quod per hanc liberationem poſſet contingere periculo præſervarent. *Quorum petitioni Rex condeſcendens, reſpondit*; ſe ipſum Johannem *magnum ſeductorem cultum* et perjurium ad *Papam miſſurum*: (as falſe and perfidious as he.) *Ad quem Nuncii reſpunderunt*; & nos cum pro tali accipimus Summo Pontifici præſentandum. *Cumque dictus* Johannes *cum præfatis Nunciis venisſet* Doveriam, *& ciſtæ ſuæ in navem deferentur, quidam regales qui eos ad mare deduxerant, dixerunt, quod voluerunt videre, quæ continebantur in ciſtellis dicti* Johannis. *Quibus apertis, inventa eſt una corona regia regni* Scotorum *aurea, & multa vaſa aurea & argentea, & pecunia non parva ſumma; quæ univerſa* Angliæ *Regi ſunt allata. Rex illicò coronam auream offerri juſſit beato* Thomæ *Martyri* (as great a Traytor as this Scottiſh King) *& ſigillum commune* Scotiæ *quod repertum eſt ibidem inter cætera, juſſit ſibimet reſervari: pecuniam verò totam remiſit dicto* Johanni, *ad expenſas itineris inchoati. Nuncii verò plurimum commendantes Regis ſapientiam & regalem magnificentiam, tranſtulerunt eundem* Johannem *in terram* Ballioli, *quam habuit in regno* Franciæ, *& ibidem reliquerunt eum, ſub eorundem cuſtodia Prælatorum. Poſthæc & alii captivi à Regibus detenti, hinc inde ſecundum conditiones in Trengarum conceſſione poſitas, liberantur.*

The King having ratified the election of his Chancellor *John de Langeton* to the Biſhoprick of *Ely* the [a] year before, elected only by the minority of the Covent and Chapter, rejected their Prior choſen by the majority, whereupon there was an Appeal to *Rome* by the Chancellor, whom the King not only licenſed to repair to *Rome* in perſon to proſecute his undue election, but likewiſe writ Letters of credence to the Pope in his favor, wherein he highly extols his great ſervices, fidelity, and expreſſed his cordial deſire that he might ſpeedily effect his buſineſſe, and return to his preſence to advice him in the grand affairs between him and the King of *France*; as theſe Records aſſure us.

a Here p. 785. See Godwins Catalogue of Biſhops, p. 311, 312.

Pat. 27 E. 1. m. 36. intus. Proſalvo conductu.

REX omnibus amicis ſuis ad quos, &c. ſalutem. Cum dilectus & fidelis noſter *Johannes de Langeton* Cancellar. noſter pro negotiis noſtris et ſuis ad Curiam *Romanam* ſe divertat, amicitiam veſtram affectuoſe requirimus & rogamus, quatinus eundem Cancellar. noſtrum, cum ipſum per diſtrictus veſtri loca tranſitum facere contigerit, noſtri contemplatione recommendantum habentes, eidem aut familiæ ſuæ in eundo verſus Curiam prædictam, ibidem morando, et inde redeundo, in perſonis aut rebus ipſorum, non inferatis vel ab aliis, quantum in vobis eſt, inferri permittatis injurias, moleſtias, damna, aut impedimentum aliquod ſeu gravamen, ſed ipſum potius ſalvum & ſecurum conductum habere ſatisfacietis, cum ab eodem Cancellar. noſtro ſuper hoc ex parte noſtra fueritis requiſiti. In cujus, &c. per unum annum duratur. Teſte Rege apud *Weſtm.* 18 die *Febr.*

Clauſ. 27 E. 1. m. 17. Pro Johanne de Langeton de credentia.

SAnctiſſimo in Chriſto Patri Domino, Domino *B.* divina providentia Sacroſanctæ *Romanæ* & Univerſalis Eccleſiæ Summo Pontifici; *Edwardus* eadem gratia Rex *Angliæ*, Dominus *Hiberniæ*, & Dux *Aquitaniæ*, devota pedum oſcula beatorum. Dilectum Clericum noſtrum Magiſtrum *Petrum de Dene* latorem præſentium ad veſtræ dominationis præſentiam deſtinamus, Sanctitati veſtræ attentius ſupplicamus,

plicamus, quatinus eundem Clericum noſtrum benignè dignemini audire, ac ſibi fidem indubiam adhibere in hiis quæ ex parte noſtra vobis exponet atque requiret, **ſuper celeri et fœlici expeditione negotiorum dilecti Clerici et Cancellarii noſtri** *Johannis de Langeton Elyenſis* **Electi, quæ quidem multum inſident cordi noſtro: habentes ea, ſi placet, noſtri conſideratione gratioſis affectibus commendata, ac eo celerius et favorabilius maturantes eadem, quo idem Electus nec dum utilis verum etiam neceſſarius juxta latus noſtrum exiſteret hiis diebus, ad auxilium apponendum ut negotia quæ ſunt inter Regem** *Franc.* **et nos ad bonum proveniret effectum.** Conſervet vos Altiſſimus ad regimen Eccleſiæ ſuæ Sanctæ per tempora fœliciter longiora. Dat. apud *Weſtm.* 19 die *Febr.* Anno Domini 1298. *An.* 27 *E.* 1.

VEnerabili in Chriſto Patri Domino *F.* Dei gratia Sanctæ *Mariæ* in *Coſmodin.* Diacono Cardinali, amico ſuo kariſſimo; *Edwardus* eadem gratia, &c. ſalutem, & ſinceræ dilectionis affectum. Dilectum Clericum noſtrum Magiſtrum *Petrum de Dene* latorem præſentium ad ſedem Apoſtolicam deſtinantes, **Paternitatem veſtram affectuoſe requirimus et rogamus**, quatinus eundem Clericum noſtrum benignè dignemini exaudire, &c. *verbatim* as before; **ut negotia quæ ſunt inter Regem** *Franciæ* **et nos ad bonum perducerentur effectum.** Dat. apud *Weſtm.* 19 die *Febr.* Anno regni noſtri 27. Ibidem. Litera credentia pro eodem Johanne.

Yet notwithſtanding theſe Letters, his own preſence and bribes, he miſcarried in this ſuit; for the Pope by a quadruple Uſurpation on the Kings Prerogative and Royalties, tranſlated the Biſhop of *Norwich* to *Ely*, created the Prior elected Biſhop of *Norwich*, the Archdeacon of *Canterbury* Archbiſhop of *Dublin*, and beſtowed the Archdeaconry on the Chancellor to ſtop his mouth, by his own Proviſions, to gain quadruple rewards to himſelf, and Fees to his Officers, by this their ambitious conteſt for *Ely*; thus related by * *Mat. Weſtminſter. Poſt Magiſtrum* Gulielmum de Luda *Epiſcopum* Elienſem, **a majori parte Capituli** *electus eſt Prior ejuſdem loci, à reſiduis* Johannes de Langtona, *Cancellarius Domini Regis.* **Diu vero agitata cauſa coram Archiepiſcopo** Cantuarienſi, **et paulo minus pro Priore terminata, appellavit Cancellarius ad Apoſtolicam ſedem, perſonam propriam itineri exponendo.** *Et Prior licet multifariè impediretur à nonnullis, ipſe iter eſt aggreſſus, cauſam Eccleſiæ defenſurus.* **Quibus in præſentia Summi Pontificis, una cum Procuratoribus illius Collegii** Elienſis, **conſtitutis, atque utriuſque partis jure in manibus Papæ reſignato,** (a device then introduced in ſuch caſes, by the policy and delays of Popes, that they might diſpoſe of all litigious Elections by their own Papal Proviſions at their pleaſures) *ipſe favorabilis exiſtens Procuratoribus prædictis Collegii,* **annuit eis gratiam eligendi unum de Abbatibus exemptis illius ordinis,** *nominatis Abbatibus de* Weſtmonaſterio, *de S.* Edmundo, *de S.* Auguſtino, *& de S.* Albano. **Quibus abnegantibus tantum oblatum, motus Papa de improbitate ipſorum, tranſtulit Epiſcopum** Norwicenſem (Radulphum Walpoole) **in ſedem** Elienſem, **et Priorem** Elienſem **in ſedem** Norwicenſem. *Defunctoque tunc temporis fratre* Gulielmo Ottonino (Hothum) *Archiepiſcopo* Dublinenſi *in redeundo de Curia* Romana, **dedit Papa eundem Archiepiſcopatum** *Magiſtro* Ricardo de Feringes *Archidiacono* Cantuarienſi, *&* *Domino* Johanni de Langtono *Cancellario* Angliæ, **dedit Archidiaconatum prædictum**; by his uſurped Papal authority. * Flores Hiſt. An. 1198. p. 412. Godwins Catalogue of Biſhops p. 218.

The Chancellor not ſatisfied with this Archdeaconry, and his former Eccleſiaſtical preferments, procured Pope *Boniface* (to gratifie both the King and him, whom he had diſappointed and diſguſted in this buſineſſe of the election to *Ely*) to grant him a licenſe to hold all the Eccleſiaſtical Benefices and Promotions he had before, either with or without Cure, and likewiſe to receive two more Benefices with Cure, if he ſhould canonically procure them; which priviledge and indulgence of the Pope the King approving, ratified by this enſuing Patent, wherein he highly extols his Chancellors merits.

REX omnibus ad quos, *&c.* ſalutem. Cum ſanctiſſimus in Chriſto pater Dominus *Bonifacius* Papa 8. **noſtram in dilecto Clerico noſtro** *Johanne de Langeton* Cancellario noſtro **volens honorare perſonam, cum eo ſuper pluralitate beneficiorum ſuorum cum cura et ſine cura, quæ obtinet noſtri conſideratione duxerit diſpenſandum,** Pat. 27 E 1. m 17. intus. Pro Johanne de Langeton Cancellar. Regis.

An. 27 *E.* 1. ſandum, nihilominus ſibi ex dono gratiæ ampliozis indulgens, ut ſi de beneplacito noſtro pzoceſſerit, ac expedize viderimus, adhuc etiam duo alia beneficia Eccleſiaſtica curam habentia animarum, ſi ea dicto Cancellario noſtro Canonice offerantur, licite recipere, ac una cum pzædictis pziozibus beneficiis retinere valeat et habere, pzout in literis Apoſtolicis nobis ſpecialiter inde directis plenius continetur. Nos attendentes præfati *Johannis* Cancellarii noſtri fidele ſervitium quod nobis impendit, & obſequioſam fidem quem ad nos habet & habuit, necnon converſationem ejus laudabilem vitæque honeſtatem, & aliarum gratiarum & virtutum dona quibus eum Altiſſimus inſignivit: Et ex hiis eundem *Johannem* pzæfata gratia per pzæfatum ſummum Pontificem ſibi facta et longe majozi dignum eſſe cenſentes, omnibus et ſingulis quozum intereſt tenoze pzæſentium intimamus; quod de noſtro beneplacito pzocedit, ac nobis expedire videtur, gratumque habemus pariter et acceptum, ut idem *Johannes* pzædicta dua beneficia, ſi ſibi Canonice offerantur, licite recipere, et eadem una cum omnibus pzædictis pziozibus beneficiis retinere valeat et habere, juxta pzædictarum Apoſtolicarum continentiam literarum. In cujus, *&c.* Teſte Rege apud *Cantuar.* 9 die *Julii.*

By which diſpenſation of the Pope we may obſerve, 1. How little regard he had either of the peoples ſouls, Gods worſhip, ſervice, or of the Canons and Decrees of former Councils, Popes, Prelates, or his own made againſt Pluralities from time to time, which he diſpenſed with for money and favour, beyond all bounds of moderation to this great Officer of State, who neither could reſide upon, nor officiate in any of them: 2ly. This Chancellors unconſcionable avarice in procuring diſpenſations for ſuch a multiplicity of Benefices with Cure for filthy luchre, which he neither did, nor poſſibly could reſide on, nor diſcharge his paſtoral duty in them to Gods honour, or the edification or ſalvation of peoples ſouls, which he never minded, but only the augmentation of his own annual revenues: 3ly. That the Popes diſpenſations to hold pluralities of Benefices with Cure, in *England*, were held invalid in that age, without the Kings approbation and confirmation of them.

Pope *Nicholas* the 4th. having by his Proviſion conferred the Prebendary of *Maſſam*, belonging to the Kings donation by reaſon of the Temporalties of the Archbiſhoprick of *York*, in his hands, on *John de Columpna*, which Proviſion Pope *Boniface* the 8th confirmed, and at his ſolicitation iſſued two ſucceſſive Mandates to the Archbiſhop of *Canterbury*, and alſo to ſpecial Delegates to induct him into poſſeſſion thereof, and to admoniſh the King's Clerk after two years peaceable poſſeſſion, either peaceably to acquit the poſſeſſion thereof to this *Italian*, or elſe perſonally to appear before the Pope within a prefixed time; againſt his Crown and Royal dignity; the King thereupon to preſerve the rights and prerogative of his Crown againſt this Papal uſurpation, iſſued theſe two Prohibitions to the Archbiſhop of *Canterbury* and the Popes Delegates, and likewiſe ſent this enſuing Letter to the Pope, to revoke his Proviſion and Mandates to the diſinheriſon of his Crown and ancient right, which he neither would nor ought to ſuffer or connive at, and if he ſhould, yet his Nobles would by no means ſuffer it.

Clauſ. 27 E. 1. m. 16. dorſo. De Prebenda de Maſſam.

REX Archiepiſcopo *Cantuar.* ſalutem. Vacanti nuper *Eboracenſi* Eccleſia per mortem *J.* quondam Archiepiſcopi ejuſdem Eccleſiæ, & in manu noſtra exiſtente, Præbendam de *Maſſam* quam dudum *Bogo de Clare* defunctus in ipſa Eccleſia optinebat, quam poſt obitum ipſius per dictum Archiepiſcopum dum vixit, in plurimas portiones diviſam, noſtro irrequiſito aſſenſu invenimus, cuidam Clerico noſtro integraliter cum ſuis juribus & pertin. univerſis contulimus, juxta quod ad nos pleno jure noſtro Regio pertinebat, ipſum in cozpozalem poſſeſſionem ipſius Pzæbendæ per Capitulum dictæ Eccleſiæ induci fecimus, ut eſt mozis. Cum itaque dictus Clericus noſter ſic in dictæ Præbendæ poſſeſſionem inductus, gaviſus ſit ipſa pacificè & quietè jam per duos annos continuos præcedentes & amplius, *Johannes de Columpna*, natus *Landulphi de Columpna*, ſuggerens ſubſequenter ſanctiſſimo in Chriſto patri, Domino *B.* Papæ 8 pzæfatam Pzæbendam ſibi debitam et vacantem ex pzoviſione ſæliciſ recozdationis Domini *N.* Papæ 4. tacito de jure Regio per veri ſuppzeſſionem, ab

ab ipſo Domino *B.* ad quoſdam certos executores literas Apoſtolicas, ſicut dicitur, impetravit, ut ipſum vel ejus procuratorem in poſſeſſionem memoratæ Præbendæ per ſe vel alium, aut alios inducerent, et inductum defenderent. Quod ſi proceſſiſſet, in enervationem juris noſtri Regii et exhæredationem noſtram utique redundaſſet; Nos autem diminutionem Coronæ et dignitatis noſtræ Regiæ nolentes, ſicuti nec debemus æquanimiter tolerare, inhibuimus eiſdem, ne quicquam quod in exhæredationem noſtram, ſeu præjudicium juris noſtri Regii poſſet cedere in hac parte aliquatinus attemptarent, ſeu facerent aliqualiter attemptari, neque ad executionem hujuſmodi negotii procederent nobis inconſultis. Verum cum nunc demum ad vos literæ Apoſtolicæ emanaſſe dicantur, in quibus continetur, quod Clericum noſtrum, per quem prædicta Præbenda contra juſtitiam detineri aſſeritur occupata, et quemcunque alium ſeu alios ejuſdem Præbendæ detentorem ſeu detentores ex parte Domini Papæ moneatis per vos, vel per alium aut alios, ut infra certum tempus præfatam Præbendam præfato *Johanni de Columpna*, vel procuratori ſuo ejus nomine, in pace demittant, alioquin ipſos procuretis citari, ut infra certum tempus ſe Apoſtolico conſpectui repræſentent, tacito de jure noſtro regio, et collatione per nos prælibato Clerico noſtro, et facta poſſeſſione ac continuatione ipſius noſtræ collationis optentum, prout ſuperius eſt expreſſum. Vobis mandamus firmiter inhibentes, quatenus circa præmiſſa vel aliquod præmiſſorum in exhæredationem vel diminutionem Coronæ noſtræ in præjudicium collationis noſtræ prædictæ aliquid attemptantes, ſeu facientes aliqualiter attemptari ad executionem hujuſmodi negotii nullatenus procedatis. Vos ſcire volentes, quod in executionem noſtram et veſtram ſuper ipſo negotio ad ſedem Apoſtolicam nuncios ſpeciales intendimus in proximo deſtinare. Dat. apud *Weſtm.* 30 die *Marcii*. *An.* 27 E. 1.

REX Magiſtro *Galfrido* Cameræ Domini Papæ Clerico ſalutem. Licet nuper vobis mandavimus, noſtri fuiſſet propoſiti ſuper negotio Præbendæ de *Maſſam* in Eccleſia *Ebor.* quam *Johannes de Columpna* natus *Landulphi de Columpna*, ex provi-ſione Apoſtolica habere contendet, Domino Papæ literas noſtras ſpecialiter direxiſſe. Ita tamen de cauſa ſuper eodem negotio ad præſens ſibi ſcribere duximus omittendum, ſet vos ipſe proceſſum ejuſdem negotii et jus etiam quod nobis ad collationem prædictæ Præbendæ ratione dignitatis noſtræ Regiæ competebat, juxta quod illud in parte vobis patefecimus non eſt diu, dicto Domino Papæ in veſtri excuſationem poteritis plenius intimare, et hoc meliori modo quo poteritis, petimus et rogamus, executionem et proceſſus cujuſlibet per vos interim faciendam penitus ſuſpendentes, quoniam intentionis ipſius Domini Papæ eſſe non credimus, jura noſtra velle præripere nec eis in aliquo derogare, ſet illa potius illæſa ſervare, et ſi foret neceſſe gratioſis affectibus adaugere. Teſte Rege apud *Ebor.* 20 die *Decembris*. Clauſ. 27 E 1. m. 18. De Præbenda de Maſſam.

SAnctiſſimo in Chriſto Patri Domino *B.* Divina Providentia Sanctæ *Romanæ* ac univerſalis Eccleſiæ Summo Pontifici; *Edwardus* eadem gratia Rex *Angliæ*, Dominus *Hyberniæ*, & Dux *Aquitaniæ*, devota pedum oſcula beatorum. Hoc habet noſtra Conſideratio circa Sanctam *Romanam* Matrem Eccleſiam, ut ſolita circumſpectionis ſuæ puritas, cuncta quæ ſunt æquitatis et juſtitiæ circumſpicit, et ſingulorum jura non minus in aliis quam in ſe ipſa conſervat. Sane Sanctiſſime Pater ne quicquam turbationis ex eo quod *Johannes* natus nobilis viri *Landulphi de Columpna*, qui Præbendam de *Maſſam* in Eccleſia *Eboracenſi*, ex proviſione felicis recordationis Domini *Nicholai* Papæ 4. prædeceſſoris veſtri habere contendit, juxta mandati veſtri tenorem ipſam non fuerit aſſecutus poſſitis colligere, per quod proceſſus inceptos forſitan aggravetis. Cauſam obſtaculi, quæ talis eſt, beatitudini veſtræ decrevimus aperire, videlicet, quod prædictam Præbendam quam nuper vacante dicta *Eboracenſi* Eccleſia noſtri patronatus per mortem bonæ memoriæ *J.* quondam Archiepiſcopi ejuſdem Eccleſiæ vacantem, et in plurimas portiones diviſam, noſtra Regia irrequiſito aſſenſu invenimus, cuidam Clerico noſtro integraliter, cum ſuis Juribus et pertinentiis univerſis, prout ad nos ſpectabat contulimus pleno jure, quo quidem claræ memoriæ progenitores noſtri Reges *Angliæ* temporibus ſuis in caſu hujuſmodi utebantur, et nos etiam ſubſequenter libere uſi ſumus: exiſtente vero prædicto Clerico aliquandiu in ipſius Præbendæ poſſeſſione pacifica et quieta, præfatus *J. de Columpna* ſuggerens vobis (ſicut accepimus) prædictam Præbendam ratione proviſionis prædictæ ſibi debitam Clauſ. 27 E 1. m. 13. intus. De Præbenda de Maſſam.

An. 27 E. 1. ut vacantem tacito de jure noſtro Regio, collatione, et poſſeſſione præmiſſis, a vobis literas (ſicut dicitur) impetravit, per quas certis executoribus ut ipſum vel ejus procuratorem in poſſeſſionem ejuſdem Præbendæ per ſe vel per alium aut alios inducerent et inductum defenderent, dediſſe dicimini in mandatis. Et quia mandatum hujuſmodi et illius executio ſi procederet, in enervationem juris noſtri Regii, et exheredationem noſtram, et enormem læſionem dignitatis et Coronæ noſtræ cederet manifeſte, nec ſit intentionis veſtræ jure noſtro velle præripere aut eis in aliquo derogare, ſicut firmiter credimus, et tenemus. Sanctitati veſtræ devotiſſime ſupplicamus, quatinus præmiſſis benigna meditatione penſatis, ſuper revocatione præfatæ provisionis et ejus effectu, quoad præbendam de qua agitur, ut jus noſtrum ac prædictæ Collatio et poſſeſſio non lædantur, ſed potius conſerventur illæſa, dignemini, ſi placet, providentiæ opportunæ remedium adhibere. Profecto, etſi nos vellemus depeſcere in hoc facto, ſeu illud permittere ſub diſſimulatione tranſire,

* *Nota.* * Magnates tamen Proceres regni noſtri, qui ad defenſionem dignitatis et Coronæ noſtræ et homagii et fidelitatis vinculis ſunt aſtricti, Jus noſtrum taliter deperire minime ſuſtinerent. Conſervet vos Altiſſimus ad Regimen Eccleſiæ ſuæ ſanctæ per tempora proſpera & longæva. Dat. apud *Weſtm.*

* *William Hamelton* the Kings Chaplain, imployed frequently in his Service, being unanimouſly elected Dean of *Yorke* upon his predeceſſors advancement to the Archbiſhoprick, who refuſed to inſtall him Dean, by reaſon that the Pope by his Proviſion before its avoydance had conferred it on another. The King thereupon as Soveraign Patron of the Church and Religion within the Realme, writ theſe enſuing Letters to the Pope and a Cardinal, for a ſpeedy diſmiſſion of this buſineſſe long depending at *Rome*; to the great prejudice of the Church, Deanery, and Almes of the Poor, to the Archbiſhops own examination.

Cl. 27 E 1. m. 19. dorſo. Pro Willielmo de Hamelton de Decanatu Eborum.

SAnctiſſimo in Chriſto Patri Domino *B.* Divina Providentia Sanctæ *Romanæ* ac univerſalis Eccleſiæ Summo Pontifici: *Edwardus*, &c. Devota pedum oſcula Beatorum. Intuentes incommoda immò dampna quaſi irreparabilia quæ veriſimiliter Eccleſiæ *Eboracenſi* ex diutina Decani abſentia poterunt imminere, eo fiducialius aliqua quæ de hujuſmodi ſentimus negotio vobis pateſacere excitamur quo ad Eccleſias ſingulorum Regnorum præſervandas a nociis, Clementiam veſtram ſalubrius adhibere remedium arbitramur. Sanè prædicta nuper *Eboracenſis* Eccleſia per conſecrationem Venerabilis Patris *H.* in Archiepiſcopum ejuſdem Decani ſolacio deſtituta, Capitulum ipſius Eccleſiæ ad Electionem ſolemnem de futuro præficiendo Decano procedens, diſcretum virum *Willielmum de Hamelton* Archid. ejuſdem Eccleſiæ, dilectum utique Clericum noſtrum qui nobis valdè fideliter & multum utiliter longo tempore ſine intermiſſione ſervivit, elegit concorditer in Decanum. Cumque ipſius Electionis negotium prædicto Archiepiſcopo, ad quem illius confirmatio ſeu infirmatio pertinet, præſentatum fuiſſet, idem Archiepiſcopus prædictum Electum prætextu cujuſdam Proviſionis Apoſtolicæ Venerabili Patri Domino *T.* Sanctæ *Mariæ* in *Coſmedyn* Diacono Cardinali, de perſonatu vel dignitate cum in dicta vacaret Eccleſia dudum factæ, admittere diſtulit, et Electionem hujuſmodi confirmare; Volens prius ſuper ipſius Electionis negotio veſtram conſulere ſanctitatem. Mos igitur Curæ magnitudinem ac alia onera varia et diverſa præfato Decanatui incumbentia, nection et Elemoſinarum largitionem, quæ et antiqua ratione quarundam Eccleſiarum parochialium in quibus idem Decanatus conſiſtit, totaliter a noſtris olim progenitoribus collatarum per Decanos *Eboracenſes* jugiter in præfata Eccleſia habent fieri, quaſque in Regia dignitatis noſtræ præjudicium quod depereant, honeſte non poterimus tollerare, dominationi veſtræ medullitus innoteſcere cupientes, beatitudini veſtræ omni qua decet reverentia ſupplicamus, quatinus præmiſſis clementi meditatione penſatis, inſpectaque benigne ipſius qualitate negotii, et eorum quæ præmittuntur veritate diligentius intellecta, ne Eccleſia memoratu diſpendiis irreparabilibus exponatur ſuper prænotato Electionis negotio, Deo propitio remittendo ſi placet, dignemini opportunæ provid. ntiæ ſtudium impartiri. Conſervet vos altiſſimus ad regimen Eccleſiæ ſuæ ſanctæ per tempora longiora. Dat. apud *Lincoln.* 7 die Menſis *Januarii.*

Venerabili

An. 27 *E.* 1

VEnerabili in Chriſto Patri Domino *J.* Dei Gratia titulo ſanctorum *Marcellini & Petri*, Presbytero Cardinali, amico ſuo kariſſimo, *Edwardus*, &c. ſalutem & ſinceræ dilectionis affectum. Illam concepimus de benevolentia veſtra fiduciam ut in eo promptam ſe reddat & facilem quod & divinæ pietati placitum & nobis etiam ſit acceptum. Sane Eccleſia *Eboracenſis* per Conſecrationem venerabilis Patris, &c. (*ut ſupra*, uſque ibi admittere diſtulit,) deliberans ſedem Apoſtolicam ſuper ipſo negotio conſulendam. **Nos itaque conſiderantes incommoda, immo dampna quaſi irreparabilia quæ beriſſimiliter prædictæ Eccleſiæ *Eborum* et diutina Decani abſentia poterunt imminere, Domino Summo Pontifici per literas noſtras ſpecialiter ſupplicamus, ut Curæ magnitudine ac aliis oneribus variis et diverſis præfato Decanatui incumbentibus, necnon et eleemoſinarum largitione, &c. *ut ſupra*. quod depereant, honeſte non poterimus tollerare, ne ipſa Eccleſia occaſione præfatæ prohibitionis irreparabilibus diſpendiis exponatur, et Decanatus ejuſdem in ſuis Juribus et libertatibus collabatur, dignetur illius Dei intuitu miſereri, et præfatæ electionis negotium pie remittere ad examen Archiepiſcopi memorati**: Sperantes igitur idem negotium ope veſtra poſſe felicius promoveri, Paternitatem veſtram affectuoſe requirimus & rogamus, quatinus ad promotionem ipſius erga dictum Dominum Summum Pontificem, & alibi ubi neceſſe fuerit velitis ſi placet manus extendere favorabiliter adjutrices, ut ex hoc ad ea quæ vobis aut veſtris placita fuerint, ſive grata, reddamur meritò promptiores. Dat. ut ſupra.

Cl. 27 E. 1. m. 18. dorſo. Pro Williel-mo de Ha-melton.

The Pope ſummoning this *William de Hamelton* the Kings Secretary (to whom he had committed the cuſtody of his Great Seal and Chancellorſhip, during his Chancellors abſence about his election to *Ely*) to appear in perſon before him; the King thereupon writ this Letter to the Pope, to excuſe his not appearing upon his ſummons, becauſe he could not want his ſervice and attendance about his publike affairs.

SAnctiſſimo in Chriſto Patri Domino *B.* Divina Providentia Sacroſanctæ *Romanæ* ac univerſalis Eccleſiæ Summo Pontifici, *Edwardus*, &c. devota pedum oſcula beatorum. *Johanne de Langeton* Cancellario noſtro pro electionis negotio de ipſo factæ in Eccleſia *Elyen.* ad veſtram olim præſentiam accedente, ſigilli noſtri cuſtodiam, noſtræque officium Cancellariæ, diſcreto viro *Willielmo de Hamelton* Archidiacono *Eborum* Secretario noſtro, tunc commiſimus exequendam. Cumque ipſum *Willielmum* **coram vobis perſonaliter**, (ut accepimus) **feceritis** evocari, nulluſque alius in regno noſtro tam expertus in legibus & conſuetudinibus ipſius regni, **nobiſque et populo nobis ſubjecto tam utilis habeatur**, tamque aptus et habilis ad officium memoratum, ipſum *Willielmum* officium illud dimittere non permiſimus his diebus; credentes id Sanctitati veſtræ minimè diſplicere, utpote cum dominationē veſtram quam benevolam ſemper invenimus & benignam, **belle nos obſequio carere perſonæ adeo nobis neceſſariæ, nullatenus præſumamus. Quocirca beatitudinem veſtram requirimus et rogamus, quatinus ipſius *Willielmi* abſentiam ad præſens habere dignemini et cauſis præbitis excuſatam.** Conſervet Altiſſimus Sanctitatem veſtram incolumem ad ſuæ regimen Eccleſiæ per tempora longiora. Dat. *Cantuar.* 25 die *Maii*, Anno Domini 1299.

Cl. 27 E. 1. m. 13. Pro Willielmo de Hamelton.

The King upon information that there was Treaſure hid in or about the Church of St. *Martins* in the Fields; iſſued this Writ to this *William Hamelton* Archdeacon of *Yorke*, and others to ſearch for and ſeiſe it to the Kings uſe, and to the Sheriffs of *London* and *Middleſex* to aſſiſt them therein.

REX dilectis & fidelibus ſuis *Willielmo de Hamelton* Archidiacono *Eborum*, & *Johanni de Cobeham* ſalutem. Quia datum eſt nobis intelligi, quod **Theſaurus eſt in Eccleſia Sancti** Martini in Campis juxta Charring, **vel in locis contiguis et vicinis, nos de fidelitate veſtra deſtræque Circumſpectionis induſtria confidentes: Aſſignavimus vos ad Theſaurum illum effodiendum**, et ipſum modis et viis **omnibus quibus melius expedire videritis perquirendum**, ac ad opus noſtrum capiendum. Et ideo vobis mandamus firmiter injungentes, quòd ad præmiſſa facienda celeriter intendatis: Mandavimus enim Vicecomitibus noſtris *London.* & *Middleſex*

Pat. 27 E 1. m. 15. intus. & Pat. 28 E 1. m. 34. intus. De inquirendo de Theſauro Regis apud Charring.

An. 27 E. 1. *ſex*, quod ad ipſa facienda vobis vel alteri veſtrûm ſint intendentes, reſpondentes, conſulentes & auxiliantes, ac etiam facientes, quæ vos vel alter veſtrum ipſis ex parte noſtra injungenda duxeritis in præmiſſis. In cujus, &c. Teſte Rege apud *Kenynton* 12 die *Auguſti*.

The Kings Eſcheator ſeiſing the corn and other goods, in the Manors and Temporalties of the Biſhop of *Norwich*, by reaſon of his tranſlation to *Ely* by the Popes authority, the King iſſued this Writ for their reſtitution, upon the Biſhops complaint.

Clauſ. 27 E 1. m. 4. Pro Radulpho Eliens. Epiſcopo.

REX dilecto & fideli ſuo *Waltero de Glouc.* Eſcaet. ſuo citra *Trentam* ſalutem. Quia ex querela venerabilis Patris *R. Elyen.* Epiſcopi accepimus, quod vos blada in Grangiis, & alia bona infra Maneria Epiſcopatus *Norwicen.* exiſtentia, de quo temporalia dicti Epiſcopatus *Norwycen.* per tranſlationem ejuſdem Patris in Epiſcopum *Elyen.* in manum noſtram cepiſtis, occaſione vacationis ejuſdem Epiſcopatus *Norwycen.* et ea eidem Epiſcopo detinetis ex hac cauſa & non alia, de quo miramur; Vobis mandamus, quod ſi ita eſt, tunc blada & bona prædicta, ſic per vos in manum noſtram capta, & eidem Epiſcopo detenta, ſine dilatione reſtituatis ad commodum ſuum inde faciend. prout ſibi melius viderit expedire. Teſte Rege apud *Weſtm.* 14 die *Octobris*.

The Biſhop of *Norwich* having ſowed his Temporalties before his tranſlation to *Ely*, the new elect Biſhop of *Norwich*, acknowledged a recogniſance of 1000. Marks to the King for the Crop, and was likewiſe to ſatisfie the tranſlated Biſhop for his expenſes and coſts in plowing and ſowing them after his tranſlation.

Clauſ. ibid m. 7. Pro Rege.

Johannes Norwycen. Electus, recognovit pro ſe & Eccleſia ſua prædicta, ſe debere Domino Regi Mille marcas, ſolvendas ad voluntatem Domini Regis, pro omnibus bladis in terris Epiſcopatus *Norwycen.* tempore vacationis, per tranſlationem venerabilis patris *Radulphi* nuper Epiſcopi ejuſdem loci ad Epiſcopatum *Elyenſem*, ſeminatis. Ita quod idem Electus ſatisfaciat præfato *Radulpho* de miſis & expenſis per ipſum appoſitis in terris & ten. illis, poſt tranſlationem ſuam prædictam.

By which it is evident, that if a Biſhop ſow his Temporalties, and be tranſlated from it to another Biſhoprick before Harveſt, the King ſhall have the Crop.

The Abbot of *Weſtminſter* procured this Writ to the Conſtable of *Windſor* Caſtle for 16 Bucks for this and the former year, granted him by King *Henries* Charter, to pamper his and his Monks fleſh, in ſtead of mortifying it with faſting and prayer.

Clauſ. 27 E 1. m. 11. Pro Abbate Weſt.

REX *Johanni de London* Conſtabulario Caſtri ſui de *Wyndeſore* ſalutem. Cum celebris memoriæ Dom. *H.* &c. (*as here, p.* 571, 672.) Vobis mandamus, quod eidem Abbati octo damos de Anno regni noſtri viceſimo ſexto, & alios octo damos de anno præſenti habere faciatis, juxta conceſſionem prædicti patris noſtri & confirmationem prædictam. Et Cuſtum quod ad hoc poſueritis cum illud ſciverimus, vobis in compoto veſtro ad Scaccarium noſtrum allocari faciemus. Teſte Rege apud *Putworth* 29 die *Junii*.

The Barons of the Exchequer iſſuing proceſſe againſt the Prior of *Pontefract* for not making a fine to the King as other Priors aliens under the power of the King of *France* had done, for the mean profits of the Lands received; the King upon the Certificate of the Earl of *Lincoln*, that they were all Natives and not Aliens, iſſued this Writ of *Superſedeas*.

Clauſ. 27 E 1. m. 12. Pro Priore & Monachis de Pontefracto.

REX Theſ. & Baronibus ſuis de Scaccario ſalutem. Quia dilectus & fidelis noſter *Henry de Lacy* Comes *Linc.* qui in obſequium noſtrum per præceptum noſtrum profectus eſt ad partes tranſmarinas, nobis dedit intelligi, quod Prior de *Pontefracto* & omnes Monachi ejuſdem Domus ſunt indigenæ, & in regno noſtro originem traxerunt; & quod aliquis alienigena inter ipſos ſub habitu Regulari à multo tempore non fuit converſatus: Nos ſuper hoc certiorari volentes, ob cauſam

ſam illam & ad requiſitionem ipſius Comitis: Vobis mandamus, quod demandam quam per ſummon. Scaccarii noſtri prædicti fieri facitis præfatis Priori et Monachis de Centum et quater viginti libris, undecim ſolidis et tribus denariis, pro eo, quod non fecerunt finem nobiſcum ſicut alii religioſi in *Anglia*, de poteſtate Regis *Franciæ*, dudum fecerunt nobiſcum, ponatis in reſpectum, uſque ad reditum ipſius Comitis de partibus ſupradictis: Et diſtrictionem ſi quam eis ea occaſione fieri feceritis, interim ſine dilatione relaxari faciatis eiſdem. Teſte Rege apud *Devorium* 4. die *Junii*. Per ipſum Regem. *An.* 27 *E.* 1.

The King marching this year with an Army againſt the *Scots* who invaded *England*, out of his Eccleſiaſtical Soveraignty and piety, iſſued theſe Writs to the Provincials of the Freers Prædicants, and Minors to enjoyn all the Freers of their order in their reſpective Monaſteries in *England* to make devout prayers to God for his grace to and protection of him, his children and Realm, as he had done to the * Archbiſhop and Biſhops, to excommunicate them, and pray for him and his forces. * Here p. 745, 78.

REX religioſo viro in Chriſto ſibi dilecto Priori Provinciali Ordinis Fratrum Prædicatorum in *Anglia*, ſalutem. Qualiter pro tranquillitate & pace regni noſtri, ad proterviam & malitiam *Scotorum* reprimendam, qui regnum noſtrum hoſtiliter invaſerunt, hactenus ſumus noſipſi in periculis expoſiti, & jam ad partes prædictas cum comitiva nobilium dicti regni noſtri, ad præſens proponimus, (Deo dante) dirigere greſſus noſtros, non credimus vos latere. Et quia in homine non eſt auxilium ſine Deo; ac propter hoc oportet impotentiam noſtram divinæ manus præſidiis ſuſtentari; Vos affectuoſè requirimus & rogamus, quatinus confratribus veſtris ſingularum Domorum veſtrarum vobis ſubditarum dare velitis in mandatis, ut Deum et Dominum noſtrum protectorem pro nobis ſuppliciter exorent; Ita quod per ipſorum orationum devotarum ſuffragia, gratiam nobis adaugeat, noſque ac liberos noſtros, et regnum noſtrum ſua pietate ab omnibus adverſitatibus tueatur. Dat. apud *Langley* 22. die *Octob.* Cl. 27 E. 1. m. 7 De orando pro Rege.

Conſimiles literæ diriguntur pro Rege, generali Miniſtro fratrum Minorum in *Anglia*. Teſte ut ſupra.

The King to prevent the impoſition of Taxes by, and exportation of Moneys and Goods to the General Chapters of the *Ciſtercians* out of *England*, prohibited any of them but one only to repair thither, by this Writ.

REX univerſis & ſingulis Abbatibus *Ciſtercien.* ordinis *London.* congregatis, ſalutem. Quia certis de cauſis nolumus quos vos vel aliquis alias Abbas ſeu Monachus ordinis veſtri de regno noſtro cujuſcunque ſtatus ſeu conditionis exiſtat mare tranſeat iſta vice, ad ſuum Capitulum generale, excepto duntaxat Abbate de *Gerndon* cui licentiam dedimus tranſfretandi; vobis mandamus firmiter inhibentes, ne aliquis veſtrum regnum noſtrum exire præſumat, ſine noſtra licentia ſpeciali. Teſte Rege apud *Kenyton* 12 die *Auguſti*. Pat. 27 E. 1. m. 15. intus. Pro Abbate de Gerndon.

He likewiſe ſent this Letter of Credence by his Treaſurer to the Archbiſhop, Biſhops and Clergy of the Province of *Canterbury* aſſembled in Convocation, to demand an ayd of money againſt the *Scots*.

REX venerabilibus in Chriſto Patribus *R.* eadem gratia *Cantuar.* Archiepiſcopo, totius *Angliæ* Primati, & omnibus Epiſcopis & aliis Prælatis, Clericique abſentis Procuratoribus in inſtanti Congregatione apud *Novum Templum London.* conventuris, ſalutem. Aliqua nos tangentia venerabili patri *W. Coventr.* & *Lychf.* Epiſcopo vobis exponenda injunximus viva voce; Rogantes quatinus eidem Epiſcopo in his quæ vobis ex parte noſtra exponet, velitis fidem credulam adhibere. In cujus, &c. Teſte Rege apud *Langele* 31 die *Octobris*. Pat. 27 E. 1. m. 5. intus. Pro Rege decred. in Concilio Archiep. Cantuar.

Walter Langton Biſhop of *Coventry* and *Lichfield* being the Kings Treaſurer, addicting himſelf to ſecular imployments, inſtead of feeding his peoples ſouls, and diſcharging his Epiſcopal office, procured this Charter from the King, whereby he deprived

An. 27 *E.* 1. prived him of the Royalties, Forfeitures and Juriſdictions belonging to his Crown, to intayle them on him and his ſucceſſors for their honour and advantage.

Cart. 27 E. 1. m. 5. Pro W. Coventr. & Lichfield. Epiſcopu.

REX Archiepiſcopis, &c. ſalutem. Sciatis, quod cum venerabilis pater *Walterus de Langeton Coventr. & Lichf.* Epiſcopus, Theſaurarius noſter, ne dum ante, ſed poſt ſuſceptum curæ Paſtoralis officium, **noſtris jugiter inſiſtens obſequiis**, ad noſtram & regni noſtri utilitatem, laudabiliter ſe habuerit in eiſdem. Nos perſonam ſuam omni honore dignam cenſentes, **ac propter hoc Eccleſias ſuas regimini ſuo commiſſas in perſona ipſius honorare volentes**, conceſſimus pro nobis & hæredibus noſtris eidem Epiſcopo, quod ipſe & ſucceſſores ſui dictorum locorum Epiſcopi, imperpetuum habeant in omnibus terris ſuis Epiſcopatus prædicti, returnum omnium brevium noſtrorum, placita vetiti namii, & catalla felonum & fugitivorum, necnon fines & amerciamenta omnium hominum & tenentium ſuorum per præfatum Epiſcopum & ſucceſſores ſuos, ac Ballivos & Miniſtros ſuos, **ad opus eorundem Epiſcoporum levanda, ſine occaſione vel impedimento noſtri aut hæredum noſtrorum, Juſtic. Vic. Ballivorum ſeu Miniſtrorum noſtrorum quorumcunque.** Quare volumus & firmiter præcipimus pro nobis & hæredibus noſtris, quod prædictus Epiſcopus & ſucceſſores ſui imperpetuum habeant returnum omnium brevium noſtrorum, placita vetiti namii, catalla felonum & fugitivorum, necnon fines & amerciamenta omnium hominum & tenentium ſuorum per præfatum Epiſcopum & ſucceſſores ſuos prædictos, ac Ballivos & Miniſtros ſuos, ad opus eorundem Epiſcoporum levanda, ſine occaſione noſtri aut hæredum noſtrorum, Juſtic. Vicecomitum, Ballivorum, ſeu Miniſtrorum noſtrorum quorumcunque, ſicut prædictum eſt. Hiis teſtibus, venerabilis patribus *A. Dunelm. R. London.* & *J. Winton.* Epiſcopis; *Johanne de Warenna* Comite *Surr. Henr. de Lacy* Comite *Lincoln. Thoma* Comite *Lancaſtr. Aymero de Valentia, G.* Comite *Warr. Roberto* filio *Walteri, Hugone le Deſpenſer, Waltero de Bello Campo* Seneſcallo Hoſpitii noſtri, *Petro de Clavent*, & aliis. Dat. per manum noſtram apud *Weſtm.* 18 die *Aprilis.*

Per ipſum Regem. Et inde habuit treſdecim paria.

Moſt of ſuch Royalties and Priviledges granted to our Archbiſhops and Biſhops, were procured from our Kings whiles the Archbiſhops and Biſhops of thoſe Sees were their *Chancellors, Treaſurers*, or other grand Temporal Officers, to the great impairing of the Rights, Royalties, and Revenues of the Crown, as the Charter and Patent Rolls abundantly evidence.

The King likewiſe by his Eccleſiaſtical Prerogative, authorized this Biſhop to encloſe the Clauſe of the Cathedral Church of *Lichfield* with a Wall and Battlements, by this Patent, for the reaſons therein expreſſed.

Pat. 27 E. 1. m. 29. intus, Pro W. Cov. & Lich. Epiſc.

REX omnibus ad quos, &c. ſalutem. Sciatis, **quod ad honorem Dei et honeſtatem Eccleſiæ Cathedralis** *Lychfield*, **ac Sanctorum quorum corpora requieſcunt in eadem, necnon ad ſecuritatem et quietem Canonicorum et Miniſtrorum Eccleſiæ prædictæ, et ſuorum ibidem reſidentium, conceſſimus pro nobis et hæredibus noſtris** venerabili patri *Waltero de Langeton Coventr. & Lychfield.* Epiſcopo, quod ipſe procinctum domorum ſuarum & Canonicorum prædictorum infra Clauſum ejuſdem Eccleſiæ, **muro lapideo includere, et murum illum kernellare; Ac procinctum prædictum ſic incluſum cum muro kernellato tenere poſſit ſibi et ſucceſſoribus ſuis imperpetuum, ſine occaſione vel impedimento noſtri et hæredum noſtrorum, Juſtic. ſeu aliorum Miniſtrorum noſtrorum quorumcunque.** In cujus, &c. Teſte Rege apud *Weſtm.* 20 die *Aprilis.*

Per ipſum Regem.

* Chart. 27 E. 1. nu. 17. Pat. 6 H. 6. pars 1. m. 18 Monaſt. Angl. vol. 1. p. 902, 936, 937, &c.

* King *Edward* the 1. as he did by his Eccleſiaſtical Prerogative licenſe *Henry de Laſcey* Earl of *Lincoln* to remove and tranſlate the Abby of *Stanlaw* to *Whalley*, *propter grave periculum ex vicinitate maris, quod cum terram ipſorum ex una parte Monaſterii conſumpſit & devaſtavit, & ex alia in proximo eſt conſumpturum; & oſſa anteceſſorum ſuorum & aliorum ibidem humatorum, per aſſenſum Diocæſani Epiſcopi ſecum transferre, & apud* Whalley *honorificè recondenda*, in the 12. year of his reign; ſo

ſo this year he by his Royal Authority and Charter removed and tranſlated the Monaſtery of *Dernhale* of the *Ciſtercian* Order, to the Abby of *Valle Royal* which he had then newly founded and endowed, granting them very large Liberties, Priviledges, and Exemptions from all ſorts of Tolls and ſecular ſervices; and likewiſe ratifying the appropriations of ſeveral Churches made to it by Popes at his requeſt; by this clauſe. *Praterea cum Sanctiſſimi Patres in Chriſto Domini* Onorius *Papa quartus*, & Nicholaus *Papa quartus*, **Dei ducti ducatu, et ad noſtram inſtantiam**, *Eccleſias de* Kirkham *in Comitatu* Lancaſtriæ, & *Caſtri de* Peck *in Comitatu* Derbiæ, & Frodeſham & Weverham *in Comitatu* Ceſtriæ, *quarum advocationes prafatis Abbati & Monachis de* Valle Regali, & *eorum ſucceſſoribus per Chartas noſtras conceſſerimus*, **prædictis Abbati et Conventui et eorum ſucceſſoribus in proprios uſus conceſſerint**; (which the * King alone might have appropriated without theſe Popes, as well as ratifie their appropriations of them.) **Nos conceſſionem et appropriationem hujuſmodi ratas habentes et gratas, eiſdem pro nobis et hæredibus noſtris Regiam præbemus aſſenſum.** *Unde licet predicti Abbas & Conventus* **ante appropriationem eis**, *ut præmiſimus*, **factam, ſeu in Romana Curia impetratam**, *nullas perſonas ad ipſas Eccleſias de* Kirkham, *Caſtro de* Peck, & Frodeſham & Weverham *predictas præſentaverint*; **nichilominus tamen volumus et concedimus pro nobis et hæredibus noſtris, quod prædicti Abbas et Conventus et eorum ſucceſſores memoratas Eccleſias ſic appropriatas eiſdem imperpetuum habeant, teneant et poſſideant in pace omnimoda et quiete**; *ita quod nec nos nec hæredes noſtri aliquod jus vel clameum ſeu aliquam actionem per breve de Ultima Præſentatione, vel ſine brevi, ſeu per aliud breve quodcunque, aut etiam ratione ſtatuti noſtri nuper editi*, **de terris aut tenementis aliquibus ad manum mortuam non ponendis**, *verſus predictos Abbatem & Conventum vel eorum ſucceſſores habere poterimus vel movere, nec aliquod jus vel clameum in Advocationibus predictarum Eccleſiarum imperpetuum vendicare. Quare volumus*, &c. *Dat. per manum noſtram apud* Stevenheth 15 *die* Maii.

Per ipſum Regem.

An. 27 E. 1.

* 7 E. 3; Fitz. Quare Imped. 19. Cooks 5 Rep. f. 10. b.

The Popes Nuncio ſending Letters to the King to know his pleaſure, where his aſſociates returning from *Rome* ſhould finde and attend him, received this anſwer.

REX, &c. venerabili in Chriſto Patri *R.* eadem gratia Epiſcopo *Vincentino*, amico ſuo chariſſimo, ſalutem & ſinceræ dilectionis affectum. Literas veſtras per latorem præſentium nobis miſſas recepimus, earumque tenorem intelleximus diligenter: ſanè ſuper eo, **quod ubi et quando ſocios veſtros de** *Romana* **Curia redeuntes ad nos venire velimus petibiliis per nos effici certiores**; vobis ſignificamus, **quod** ad partes *Scotorum* dirigimus greſſus noſtros, ubi annuente Domino poterimus inveniri. Dat. apud *Eborum.* 17 die *Novemb.*

Claul. 27 E. 1. m. 7. Pro Rege.

Hugelinus Reyner a Merchant of *Sennes*, citing ſome of the Kings Subjects in *Ireland* (by authority of the Popes Letters) out of the Realm and Kings power, againſt the Cuſtom of *Ireland* and this Realm, to the hurt and prejudice of the Kings Royal authority, being impriſoned in *Ireland* for this offence, the King at the inſtance of this Popes Nuncio, out of his ſpecial grace was pleaſed to grant him a pardon under his ſeal of *Ireland*, and iſſue this Writ for his releaſe out of priſon, ſo as he ſhould anſwer any other that ſhould proſecute him for this offence.

REX dilecto & fideli ſuo *Johanni Wogan* Juſtic. ſuo *Hibern.* ſalutem. **Cum nos** ad inſtantiam venerabilis patris *Reginaldi* Epiſcopi *Vincentini*, **Apoſtolici ſedis Nuncii, pardonavimus** (quantum in nobis eſt) **de noſtra gratia ſpeciali**, *Hugelino Reyner* de ſocietate Mercatorum de *Sen.* **tranſgreſſionem quam nuper feciſſe dicebatur ſummoneri faciendo quoſdam homines de** *Hibernia* **extra regnum et poteſtatem noſtram, auctoritate literarum Apoſtolicarum, contra conſuetudinem in regno noſtro et prædicta terra** *Hibern.* **hactenus uſitatam, et in præjudicium et læſionem noſtræ Regiæ dignitatis**: Ita tamen quod idem *Hugelinus* **in Curia noſtra ſtet recto, ſi quis verſus eum loqui voluerit de tranſgreſſione prædicta**: Vobis mandamus, **quod ipſum** *Hugelinum* **a priſona in qua occaſione prædicta** (ut dicitur) **eſt detentus, ſine dilatione deliberari**; **et ibi literas noſtras patentes**

Claul. 27 E. 1. m. 10. Pro Hugelino Reyner.

An. 27 *E.* 1. tes de pardonatione prædicta ſub ſigillis quo utimur in *Hibern.* habere faciatis in forma prædicta. Teſte Rege apud *Cantuar.* 17 die *Julii.*

A clear evidence, that ſuch * Citations were then reputed very high offences againſt the Kings Crown and dignity, as well in *Ireland* as *England.*

* See here, Tom 2. p. 478, 479, 561, 628, 718.

The King having ſeiſed both the Temporalties and Goods of *William* Biſhop of *Imaleth* in *Ireland*, for the Debts he owed him whiles he was his Eſcheator, afterwards at the Biſhops requeſt committed them to the cuſtody of one of the Kings and Biſhops Clerks, towards the ſatisfaction of his Debts, as theſe Writs inform us.

Fines 27 E 1. m 4. De Epiſcopatu Imalacen. cuſtodiend.

REX dilecto & fideli ſuo *Johanni Wegan* Juſtic. ſuo *Hibern.* vel ejus locum tenenti, & Theſaur. & Baronibus ſuis de Scaccario *Dublin.* ſalutem. Cum pro debitis in quibus venerabilis pater *Willielmus Imalacen.* Epiſcopus nobis tenetur, & ad requiſitionem ipſius Epiſcopi, & de conſenſu ejuſdem vobis mandaverimus, quod Epiſcopatum prædictum cum omnibus pertinentiis et bonis in maneriis illius Epiſcopi exiſtentibus, ſine dilatione et diminutione aliqua caperetis in manum noſtram, et temporalia ejuſdem Epiſcopatus, et bona in eiſdem inventa ſalvo cuſtodiri faceretis, ad opus noſtrum: Ita quod de exitibus et bonis prædictis nobis reſpondere poſſetis ad mandatum noſtrum, et jam de aſſenſu et voluntate ipſius Epiſcopi velimus, quod Magiſter *Bartholomæus de Sutton* noſter & præfati Epiſcopi Clericus habeat cuſtodiam Epiſcopatus prædicti (cum pertinentiis) ac bonorum in dictis maneriis exiſtentium, quamdiu nobis placuerit; Ita quod nobis & præfato Epiſcopo inde reſpondeat ad Scaccarium noſtrum *Angl.* ad mandatum noſtrum: Vobis mandamus, quod Epiſcopatum prædictum cum pertinentiis & bonis in maneriis illis exiſtentibus prædicto *Bartholomæo* liberetis cuſtodiend. (ſicut prædictum eſt) una cum omnibus per vos inde perceptis ad opus noſtrum à tempore captionis prædicti Epiſcopatus in manum noſtram. Ita quod præfatus *Bartholomæus* inde nobis & præfato Epiſcopo valeat integrè reſpondere. In cujus, &c. Teſte Rege apud *Charcham* 10 die *Septembr.*

Fines 27 E 1. m. 19. Pro Imalacen. Epiſcopo.

REX *Johanni Wegan* Juſtic. ſuo *Hiberniæ*, vel ejus locum tenenti, & Theſ. & Baronibus ſuis de Scaccario *Dublin.* ſalutem. Quia venerabilis Pater *W. Imlacen.* Epiſcopus nobis in magnis et diverſis debitis de tempore quo fuerit Eſcaetor noſter in *Anglia*, et alibi in obſequio noſtro fuerat de præcepto noſtro ſpeciali, tenetur; quæ quidem debita per ſum. Scaccarii noſtri diverſimodè exiguntur, & ad quæ nobis reddenda, idem Epiſcopus exitus de Epiſcopatu ſuo prædicto provenientes nobis aſſignabit, quouſque ad opus noſtrum dicta debita inde leventur ab eodem; eo quod alibi non habet ultra ſuam ſuſtentationem neceſſariam, unde ea ſolvat. Vobis, ad rogatum ipſius Epiſcopi, & de conſenſu ejuſdem, mandamus, quod Epiſcopatum prædictum, cum omnibus ſuis pertinentiis et bonis in maneriis ejuſdem Epiſcopatus inventis ſine dilatione et diminutione aliqua capiatis in manum noſtram, et temporalia ejuſdem Epiſcopatus, et bona in eiſdem inventa ſalvo cuſtodiri faciatis ad opus noſtrum; ita quod de exitibus et bonis prædictis nobis reſpondere poſſitis ad mandatum noſtrum: Et hoc nullo modo omittatis. Teſte Rege apud *Weſtm.* 4. die *Aprilis.* Per ipſum Regem & totum Conſilium.

Ibidem.

REX *Johanni Wegan* Juſtic. ſuo *Hibern.* vel ejus locum tenenti, ſalutem. Quia venerabilis pater *W. Imlacen.* Epiſcopus nobis in magnis & diverſis debitis, &c. (ut ſupra, uſque ibi, unde ea ſolvat,) ac ex relatu ipſius Epiſcopi didicimus, quod quidam Magiſter *Johannes Cantok*, Cuſtodiam dicti Epiſcopatus, & adminiſtrationem exituum inde provenientium, ſub ipſo Epiſcopo habuit jam eſt diu; de quibus nobis in allocatione debitorum prædictorum, ſeu prædicto Epiſcopo, quaſi in nullo reſpondebat hucuſque, ſed exitus illos in uſus proprios convertebat; & nobis ac eidem Epiſcopo detinet minus juſtè; per quod dicta debita in noſtri & dicti Epiſcopi dampnum adhuc remanent non ſoluta; Vobis mandamus, quod præfato Magiſtro *Johanni* ſcire faciatis, quod ſit in propria perſona ſua ad Scaccarium noſtrum in *Anglia*, in *Quindena* Sancti *Johannis Baptiſtæ* proximo futura, cum rotulis, talliis, munimentis & aliis receptionem dictorum exituum contingentibus, paratus ad compotum ſuum nobis et dicto Epiſcopo de dictis exitibus reddendum, juxta legem

&

& conſuetudinem Scaccarii prædicti. Et habeatis ibi hoc breve. Teſte ut ſupra. *An.* 27 *E.* 1.

The King having iſſued out Writs of Proclamation to all the Sheriffs of *England* to ſummon all men at armes, perſons of Eſtates, and ſuch to whom he had given lands in thoſe parts, to repair to him to *Carliſle* upon his wages, againſt the rebellious *Scots* who invaded *England*, at *Pentecoſt*, being in the mean time neceſſitated to abide in the Southern parts of the Realm, by reaſon of a Meſſage from the Pope and a Treaty to be held with his *Nuncio* at *Muſtroil* in *France*, to ſettle all differences between the King of *France* and him, in purſuance of his former award, iſſued theſe Writs of Reſummons, (which I found in the *White Tower* Chappel) adjourning their appearance at *Karliſle* till the Gules of *Auguſt*.

Brevia Regis in Turre London, An. 27 E. 1.

EDward par la grace de Deiu Roi *Dengleterre*, Seigneur *Dirland*, & Ducs *D'aquitain*, a Viſconte de *Suthampton*, ſaluz. Come nous vous euſoms nadgueres per nos letres mande, qe vous feiſſez par my tote voſtre Ballie crier, garnir, e amoneſter totes les bones gentz d'armes qi ſont, auxi come de comun & ſuffiſantz et de value, qil veniſſent a nous a *Kardoil* a noz gages, iſſi qil feuſſent a nous illonques la veille de la *Penteçoſt* prochein a venir a plus tard, pur aler ſur noz enemiz *Deſcoce*, e par ceux as quiex nos avoms terres donees en celes parties, e uncore bioms a doner mettre en ſeiſine des dictes terres, & nous eioms procheinement Meſſages à envoier au meſſage le Apoſtoil, en qui le Roy de Fraunce e nous haut e bas, ſur grabes peines, nous ſomes ſuſmis de touz contecs, riotes e guerres mues entre nous dune part et dautre, et par les gentz le Roi de Fraunce en noun de ly e par ly, e par nos gentz qi le furent en meiſme la manere, par aſſent du meſſage du dit Apoſtoil qui il ad a ceo eſpecialment enboie ſoit jur pris *lendemein* d'*Aſſention* a *Muſtroil* par treter debant le dit meſſage des contecs, riotes e guerres abantdites a peſer, e per bone pes ſur ceo faire e a fermer ſolome la forme, e la ordenance, qe le dit Apoſtoil ſur ceo ad prononcie. Nous e eu tretiz e conſeil ovele Erceveſque de *Canterbir*, e ove altres Eveſques. Contes, Barons, e altres de noſtre conſeil, ſumes a cel jour aſſentz: E avoms certeine meſſage ordenez de renuour, par quoi il eſt avis a nous e a touz ceaux qi a noſtre conſeil feurent, qe nous ne nous pooms des parties del ſuth ou nous ſumes ore eſloigner, par aucuns desbats qe par abentera en cele boſoigne porrent ſurdre, ſur ques nos ditz meſſages aberont meſter de nous haſtinement aviſer e conſeiller de ce: nous par comun aſſent de noſtre conſeil avantdit avoms cel jour nous bioms eſtre a *Kardoil* ſanz plus delai a parfaire al eide de Dieu les choſes de ſuſdites. Nous vous commandoms e fermement enjoinoms, que vous facez par my tote voſtre Baillie crier, garnir, e amoneſter totes les bones gentz de armes en la forme ſuſdite qil veignent a nous illoeques a noz geges, e a noſtre ſond. E qil ſoient illoeques *Lendemein* de la Gul *Auſt* avantdit ſicome il aiment le honeur de nous e de la Corone *Dengleterre*, e la profiſt, e le ſauvement de tot le Roiaume, e de eux meiſmes. E ceſte choſes fetes aſſavoir par mi tote voſtre Baillie ſicome dit eſt e crier, e publier en Cites, en Burghs, e en villes merchaundes, e en touz autres Liues de meſme la Baillie ou vous verrez qe ben ſoit. Et tant ſonent come vous verres qil ſoit a faire. E de ceo qi vous en averez fait al avantdit terme nous certefiez e nous remettant al hure ceti breif. Donez a *Stebenheth* le ſeptime jour de *May*, l'an de noſtre regne vintz ſeptiſme.

Dorſo. Jeo ay fet crier, publier, garnir e amoneter permy ma Baillie toutes les bonez genz de armes que ſunt, auxi come de commun ſuffizauntz e de value, qe il vignent a noſtre Seigneur le Roy a *Kardoil* a ſes gages Lendemayn de la *Gule* de *Auſt*, ſolom ceo qe le bref demaunde.

The Sheriff of *Lincoln* endorſed this larger return on the Writ directed to him;

Par my ma Baillie ay faite crier, publier, e amoneſter in Citees, Burghs, Vyles marchaundes, e par tut ma dite Baillie, e taunt ſoient come jeo vy qil fuſt afaire, qe totes les bones gentz des armes qe ſunt, auſy come de Commune, e ſufficiauntz, e de value, qe il ſoient a vous a *Cardoyl* lendemeyne de la Gule *Auſt*, en la forme qe eſt contenue in ceſty bref, a demurrer a vos gages e a voſtre ſoude, e qe ceo ne leſſent, ſicome il ayment voſtre honur, e de la Coronc *Dengleterre*, e la profite, e la ſauvement de tut le Reaume, e de auxy meiſmes.

An. 27 *E.* I. The King having then diſcontented his Nobles and Commons, by delaying the Perambulations and ſetting out the bounds of the Foreſts as they deſired; to regain their affections and ready aſſiſtance againſt the *Scots*, ſent Writs to the Sheriffs of every County to proclaim to the Commonalty thereof in all Cities, Burroughs, Market Towns, and other convenient places, that he had appointed Commiſſioners to meet at *Northampton*, at the feaſt of St. *Michael* then next enſuing, without further delay to proceed in the perambulation.

Bundela Brevium in Turre London, An. 27 E. I. E*Dwardus* Dei gratia Rex *Angliæ*, Dominus *Hiberniæ*, & Dux *Aquitaniæ*, Vicecomiti *Hereford* ſalutem. Mittimus tibi quaſdam literas noſtras patentes directas Communitati Comitatus prædicti, per quas mandamus eidem Communitati, quod illi quos ordinavimus ad faciendam Perambulationem Foreſtæ, erunt apud *Northampton* in feſto Sancti *Michaelis* proximo futuro, cum plenaria poteſtate procedere ad Perambulationem illam faciendam abſque dilatione majori, prout in literis illis plenius continetur: Tibi præcipientes, quod aſſumpto tecum aliquo probo viro Religioſo de balliva tua, qui teſtificari poterit factum tuum; Literas Patentes in Civitatibus, Burgis, Villis Mercatoriis, et locis aliis infra Ballivam tuam, ubi melius videris expedire, omni dilatione poſtpoſita, legi et publice clamari, et univerſis et ſingulis de Balliva tua, prout melius fieri poterit, ſciri facias illarum literarum tenorem. Et cum id ſic feceris, nobis inde ſub ſigillo tuo & ſigillo viri prædicti diſtinctè & apertè conſtare facias indilatè. Et hoc nullatenus omittas. Teſte meipſo apud *Lewes* 25 die *Junii*, Anno regni noſtri 27.

On which Writ the Sheriff endorſed this return; *Dorſo*, Aſſumpto mecum *Radulpho de Foreſta* Priore Sancti *Guthlaei Hereford.* mandatum veſtrum executus ſum prout in hoc brevi plenius continetur.

The Return of the Sheriff of *Salop* and *Stafford*, is thus endorſed on his Writ, Aſſumpſi mecum *Philippum* Priorem de *Bombrugge* de Balliva mea, & in Civitatibus, Burgis, Villis mercatoribus, & locis aliis infra Ballivam meam, ubi melius viderim expedire, legi & publice clamari feci, & univerſis & ſingulis de Balliva mea (prout melius fieri poterit) ſcire tenorem literarum patentium mihi inde directarum.

And becauſe ſome people had then reported, that the King would not keep nor obſerve the *Great Charter* of *Liberties*, nor of the *Foreſt*, nor permit the perambulation to be made according to his promiſe, (by reaſon of his former violations of them, and delayes in doing it) he iſſued out this further Proclamation to all Sheriffs to diſprove theſe falſe reports, inform his people of the reaſons why he was enforced to delay it, and aſſure them that he would really obſerve theſe Charters, and make the perambulation at the time appointed at *Northampton*.

Bundela Brevium in Turre London, An. 27 E. I. E*Dward* par la grace de Deu Roy de *Engleterre*, Seigneur de *Irland*, & Ducs de *Aquitaigne*, a tote la Comunete del Counte de *Suthampton*, ſaluz. Nous avoms entendu qe akunes gentz vount diſanz, qe nous ne voloms gardir ne tenir la graunt Charter des Fraunchiſes Dengleterre, ne la Chartre de la Foreſt, ne ſoufrer qe la puralée ſe face ſolom ceo qe nous avoms avant promis a graunter, le quele choſe neſt pas verite, ainz avoms bone volunte et voloms qe eles ſeient tenues et gardées, e qe la puralée ſe face en la forme qe nous grauntomes nadgeres. La quele contenoit, qe ele ſe feiſt a plus toſt qe nous peuiſſoms apres les boſoygnes qe nous euſmes a fere au meſſage L'apoſtoille. Les queles ſount ja accordez & Jurez d'une part & de autre en bone manere, ladeumerce. E par ceo qe meiſme le meſſage deit venir en *Engleterre*, & eſtre a *Canterbir* le Samadi ou le Dimenche prochein apres le feſte Sinte *Swithyn* a pluis tard, par faire akunes choſes qe touchant teles boſoignes, les queles choſes ne ſe pount faire ſans noſtre preſence, & meſtier ſoit de aver pres de nous au dit jour akuns de ceus qi e la dite puralee ſont aſſignez, par querele ne ſe porroit faire ſi haſtinement ne auſint pur la ſeſon de *Auſt*, qe tantoſt ſur vendra il ne porreint entremettre, ne vous ni purrez entendre pur voz beſoignes qe ceo ne fuſt a grant damage dentre vous, a ceo qe nous ſemble ſi avoms ordine & voloms, qe ceus qi nous avoms aſſigne a la dite puralee fere ſoient a *Northampton* a feſte Seint *Michel* a pluis tard, ove plenier poer & tut preſtz de aler meyntenance avant a la dite puralee faire. E s'il aveigne qe nuls de ceus ſeient en akune maniere deſturbee quil ne puiſſent eſtre adounques la nous mettroms autres en lur lieu, enſint qe la boſoigne

boſcigne ne prendra pluis graunt delay qe jeſes a cel terme, kar nous boes celui jour certein pur aler abant en ceſte choſe ſanz delay. E abant ces heures le euſſoms nous fait ..... abunes gentz qe nous empeſſerent utrageuſement, et en noun dus maniere, Dount nous bous prioms qe bous ciens gentz ne criez ſur le contraire de ceſte choſes, kar ceus qui portent tiens nobelles, oube dient qe nous les feiſoms pur les choſes eſloigner, ſont les maliciouſes gentz qi deſirent amettre riote et debat entre nous et noſtre poeple, pur deſturber la pés et le bon de nous, et de bous, et de tut noſtre Reaume; kar ſaches qe noſtre volunte eſt, qe la puraillé ſe face de la debantdit terme ci ..... baſtinement com ele ſe purra faiſe ſanz nul delay. Donees a *Lewes* le 25 jour de *Jun.* l'an de noſtre Reigne vintiſme ſeptime. *An.* 27 E. 1

From whence we may obſerve; That it is a very difficult matter for Kings to pacifie or ſatisfie the minds of their diſcontented people, or induce them to believe their publike proclamations to them to keep and maintain their Great Charters and Liberties, when they have formerly violated, or delayed the real performance or execution of them from time to time, upon real or pretended emergences. In purſuance of this proclamation, * *in principio Quadrageſimæ Rex* Angliæ *Parliamentum tenuit* Londoniis; *ubi rogatus à Comitibus ſæpedictis*, ut Chartarum confirmationem renovaret, ſecundum quod in Scotia promiſerat; poſt aliquas dilationes inſtanciæ eorum adquievit, *hac additione*, ſalvo jure Coronæ noſtræ, *in fine adjecta. Quam cum audiſſent Comites*, cum diſpliſcentia ad propria diſceſſerunt. *Sed revocatio ipſis ad Quindenam Paſchæ*, ad botum eorum abſolute omnia ſunt conceſſa. Perambulatio Foreſtæ, conceſſa eſt per Angliam tribus Epiſcopis, totidem Comitibus, Baronibuſque eodem numero; *ut ipſi Deum habentes præ oculis executionem faceret, et ſi quæ emergerent dubia*, illa ſecundum Deum et juſtitiam declararent. * Tho. Walſingham. Hiſt. Angliæ, p. 44. Ypodigma Neuſtriæ, p. 87. Math. Weſtm. p. 425

In a Bundle of Petitions, Letters and Writs I found in the *White Tower*, there is this memorable Remonſtrance and Petition of the Biſhop of *Bangor*, concerning the contempts and oppoſitions made by the Kings Officers and others of that Eccleſiaſtical Juriſdiction which he and his Officials claimed, in the probate of Teſtaments, Mortuaries, Excommunications, and in ſome Temporal matters, for which he prayed remedie from the King, as Supreme Judge next under God in all Eccleſiaſtical as well as Temporal cauſes.

MOnſtrat Epiſcopus *Bangoren.* ſuo illuſtriſſimo Domino, Domino *Edwardo* Dei gratiæ Regi *Angliæ*, quod ipſe ſentit ſe et libertatem Eccleſiæ ſuæ gravatum in articulis ſubſcriptis. Bundela Brevium & Petitionum in Turre London. de annis 26 & 27 E. 1.

Primò, quod non creditur literis ſuis de Teſtamentis probatis coram ipſo ſeu Offic. ſuis.

Secundò, de Mortuariis et Veſtibus et Palefredis decedentium ab inteſtato tam Clericorum quam Laicorum, de quibus habere conſuevit temporibus retroactis. (without claiming the Adminiſtration or diſtribution of the Inteſtates goods to pious or other uſes; which is obſervable.)

Tertiò, de Excommunicatis capiendis; viz. quod excommunicati capientur de cætero, ſicut capi conſueverint temporibus Principum, maxime *Wallenſes.*

Quartò, quod quidam Miniſtri veſtri male obſervant Cartas Libertatum, quas veſtra magnifica benevolentia eidem Epiſcopo et Eccleſiæ ſuæ conceſſit.

Quintò, quod Vicecomes de *Caern.* prohibuit, quod homines veſtri venirent ad Mercatum ſuum apud *Bangor.* ad vendendum nec emendum mercaturas, ſicut facere conſueverint.

Et quia idem Epiſcopus eſt ſenex, & valetudinarius, nec habet ad alium refugium, niſi ad Deum, et ad bos, (not to the Pope) petit pro ſalute animæ veſtræ ſuper hiis et articulis aliis per veſtram benignam dominationem remedium adhiberi.

Petit etiam, quod homines ſui habeant communem Paſturam in terris veſtris ſicut habere conſuerunt temporibus Principum.

Item petit, quod Officiales ſui non impediantur facere correctiones in billis veſtris nobis apud *Conowey*, *Caern.* & *Bellum. Mariſcum* et aliis billis, ſicut hactenus fecerunt, et adhuc faciunt; licet aliqui Miniſtri veſtri minantur eiſdem.

What anſwer the King gave to theſe his Petitions, I finde not.

The King writing to the Sub-Prior and Covent of *Trinity* in *London* to admit one *Thomas Hanſted* into their Fraternity, which they could not do, becauſe one

An. 27 *E.* 1. claimed him as her husband, and they afterwards expelling him for defiling their house by adultery; he complaining of his removal to the King, they returned this Certificate of the cause of his expulsion.

Bundela Brevium & Petitionum, in Turre Lond. Anno 27 E 1.

MAgnifico Principi Domino *Edwardo* Dei gratia illustri Regi *Angliæ*, Domino *Hiberniæ*, & Duci *Aquitanniæ*, ejus fideles, humiles & devoti, Subprior & Conventus Sancti *Trinitatis London*, cum omni reverentia et honore, salutem in eo per quem Reges regnant. Literas Magnificentiæ vestræ per *Thomam de Hausted* dudum recepimus, **ut eundem *Thomam* in Confratrem nostrum, et Conversum Domus nostræ admitteremus**; quem in Domo nostro admisimus; volentes (ut moris est) ipsius probare mores & perseverentiam. Verum quia quædam mulier asserens ipsum *Thomam* **cum ea matrimonium contraxisse, ipsum petit in virum et benedicavit**, ipsum in Confratrem nostrum & Conversum **admittere non potuimus**: sed ob reverentiam precum Majestatis vestræ eundem *Thomam* in Domo nostrâ in omnibus necessariis exhibuimus, **quousque locum nostrum sacrum idem *Thomas* per adulterium polluisset.** In quo nocturno tempore **infra sepia Domus nostræ cum quadam fatua muliere in lecto suo nudus cum nuda exstitit deprehensus**: super quo crimine diu ante fuerat in domo nostra & extra inter vicinos nequiter diffamatus: **propter quod eundem *Thomam* a Domo nostra amovimus**: Et nihilominus ob reverentiam Magnificentiæ vestræ, ipsum extra Domum nostram existentem singulis diebus **in necessariis exhibuimus**, quousque intrudit se in Domum nostram, & quandam Cameram infra sepia Domus nostræ ingrederetur, volens in eadem per vim et contra voluntatem nostram morari et manere. Et tunc demum occasionibus antedictis suam sibi subtraximus liberationem. Postmodum autem literas Majestatis vestræ recipientes, ut de causa & modo subtractionis necessariorum ejusdem *Thomæ* in Domo nostra, vos redderemus certiores; Causas prædictas & modos Regiæ Dignitati vestræ significamus, humiliter supplicantes & devotè, quatenus dictas causas quæ veræ sunt, & notoriè in illis partibus *London.* ubi sita est Domus nostra, placeat Regiæ Excellentiæ vestræ nos in hac parte habere excusatos. Valeat Regia Magnificentia vestra per tempora longiora. Dat. *London.* in Capitulo nostro in Craltino Sancti *Jacobi* Apostoli, Anno Dom. 1299.

The Bishop of *Chichester* pretending, that the Prebendaries of the Kings Free Chappel of *Hastings* were under his Jurisdiction, and all the Prebends ought to be presented to and admitted by him, as they were to his predecessors, against the priviledge of all other the Kings Free Chappels; the King thereupon issued this Writ to the *Warden of the Cinque-ports* to inquire of and certifie the truth of the premises to him at the next Parliament to which he had adjourned the Bishop, and to cause all the Prebends then to attend, to defend his and their own priviledges.

Brevia Regis, &c. An. 26 & 27 B. 1.

EDwardus Dei gratia Rex *Angliæ*, Dominus *Hiberniæ*, & Dux *Aquitaniæ*, dilecto & fideli suo *Roberto de Burgharshe* Custodi *Quinque Portuum* suorum, salutem. **Cum libera Capella nostra de Hastings, una cum Prædendis annexis, sicut ceteræ liberæ Capellæ nostræ per** Angliam, **libera sit, et libera esse debeat, et ab omni jurisdictione ordinaria exempta penitus et immunis, et nos prædendas ejusdem Capellæ, cum vacaverint, conferre debeamus et hactenus consueverimus, sicut progenitores nostri quondam Reges Angliæ, a tempore quo Waronia de Hastinges** (ad quam advocationes Prædendarum illarum pertinent) **ad Coronam debenit, Prædendas illas in vacationibus suis conferre consueverunt**; ac ex parte venerabilis Patris *G. Ciceſtr.* Episcopi contrarium asserentis, nobis sit intimatum, **quod Prædendæ prædictæ jurisdictioni suæ immediate sunt subjectæ**; per quod præsentationes per nos faciendæ ad easdem in vacationibus suis eidem Episcopo fieri, & ipsi præsentati, ab Episcopo illo admitti, ac per ipsum institui debent in eisdem, sicut ipsi & Prædecessoribus suis Episcopis *Ciceſtr.* temporibus retroactis fieri consueverunt; Nos super præmissis plenius certiorari volentes; Vobis mandamus, quod in propria persona vestra ad dictam Capellam & Prædendas personaliter accedentes, super statu quem quondam *Comes Angi* tunc Patronus Capellæ prædictæ in hujusmodi collationibus tempore suo habuit; & quem statum Prædecessores nostri prædicti, & nos postmodum inde habuimus; & si præsentationes ad præfatum Episcopum & Prædecessores

Prædeceſſores ſuos fieri conſueverunt; tunc à quo tempore & qualiter, & quo modo, & de omnibus circumſtantiis tam ſtatum noſtrum quam ſtatum prædicti Epiſcopi tangentibus, diligenter inquiratis veritatem; & de eo, quod inde inveneritis, nos in propria perſona veſtra ad proximum **Parliamentum noſtrum**, ad quod prædictum Epiſcopum adjornavimus, **reddatis certiores**; ut nos inde tunc certiorati, tam nobis quàm præfato Epiſcopo fieri faciamus quod Juſtitia dictitaverit in hac parte. Et ſcire faciatis ſingulis Prædendariis Præbendarum prædictarum, **quod tunc ſint ibi, oſtenſuri ſi quid pro nobis et ſeipſis habeant vel dicere ſciant, per quod præbendas illas conferre, et ad eaſdem nullatenus præſentare debeamus**; & ulterius facturi & recepturi, quod de conſilio noſtro tunc ſuper hoc duxerimus ordinandum. Et habeatis ibi hoc breve. Teſte meipſo apud *Weſtm.* 13 die *Aprilis*, Anno regni noſtri viceſimo ſeptimo. Per Petitionem de Conſilio, *Burton.* *An.* 27 E. 1

John Wogan the Kings Chief Juſtice in *Ireland* giving Judgement for the King againſt the Biſhop of *Cork* for the Advowſons of 4. Churches, which the King ſued for in 4. ſeveral actions, the King iſſued 4. Writs to certifie the Records, Proceedings and Judgements into *England* this year, which he did accordingly, extant in a Bundle of Writs returned into the Chancery, I lately found in the *White Tower*; a tranſcript whereof I ſhall here preſent you with, to gratifie the Profeſſors of the Law both in *England* and *Ireland*.

EDwardus Dei gratia Rex *Angliæ*, Dominus *Hiberniæ*, &c. Dilecto & fideli ſuo *Johanni Wogan*. Juſticiario ſuo *Hiberniæ*, ſalutem. Quia quibuſdam certis de cauſis certiorari volumus ſuper Recordo & Proceſſu loquelæ, quæ fuit coram vobis per breve noſtrum de recto inter Nos petentes, & *Robertum* Epiſcopum de *Cork* Defend. de advocatione Eccleſiæ beati *Petri de Dungarvan*. in ſuburbio de *Cork*; Vobis mandamus, quod ſi judicium inde redditum ſit, tunc Recordum & proceſſum loquelæ prædictæ cum omnibus ea tangentibus nobis ſub ſigillo veſtro diſtinctè & apertè ſine dilatione mittatis, & hoc breve. Teſte meipſo apud *Eborum* 28. die *Maii* Anno Regni noſtri 26. *Burton.* Bundela Brevium, &c. in Turre Lond. An. 26 & 27 E. 1.

Conſimile breve aſſignatur eidem *Johanni Wogan* de Advocatione Eccleſiæ de *Kilmohannoks*, ſub eadem data.

Conſimile etiam de Advocatione Eccleſiæ de *Noghkonwal*.

Conſimile de Advocatione Eccleſiæ beatæ *Mariæ del Nard*, in ſuburbio de *Cork*.

Dorſ. Iſta quatuor Brevia pro Epiſcopo *Cork*, liberata fuerunt Juſtic. apud *Kilkenn.* die Mercurii proximo poſt feſtum Sancti *Egidii* Abbatis.

Placita apud Tylagh. *coram* Johanne Wogan *Capitali Juſticiario* Hiberniæ *in* Octabis *Sancti* Johannis Baptiſtæ, *Anno regni Regis* Edwardi 25.

Cork. ſſ. DOminus Rex petit verſus *Robertum* Epiſcopum *Cork*, Advocationem Eccleſiæ de *Kaylmohonock* per unum breve, &c. Et verſus eundem Epiſcopum Advocationem Eccleſiæ Sanctæ *Mariæ del Nard* in ſuburbio *Cork*, per aliud breve; Et verſus eundem Epiſcopum Advocationem Eccleſiæ de *Nochynval*. per tertium breve, &c. Et verſus eundem Epiſcopum Advocationem Eccleſiæ Sancti *Petri de Dungarvan* in ſuburbio *Cork*. per quartum breve, ut Jus ejus, &c. Et nullus modo ſequitur pro Rege; ſed Epiſcopus venit, & gratis reſpondet quo ad tres Eccleſias; Et dicit, Dominus Rex nunc, antequam Rex fuiſſet, in vita patris ſui conceſſit cuidam prædeceſſori ipſius Epiſcopi, **Jus Patronatus et etiam Advocationes Eccleſiarum illarum per Chartam ſuam**, quam profert in hæc verba; Edwardus *illuſtris Regis* Angliæ *Primogenitus, Archiepiſcopis, Epiſcopis, Abbatibus, Prioribus, Comitibus, Baronibus, Juſticiariis, Vicecomitibus, Præpoſitis, Miniſtris, ac omnibus Ballivis & fidelibus ſuis ad quos præſens ſcriptum pervenerit, ſalutem. Noveritis Nos pro ſalute Animæ noſtræ, & animarum Anteceſſorum noſtrorum, & ad relevationem & emendationem ſtatus Eccleſiæ* Corcag. *conceſſiſſe & quietam clamaſſe, pro nobis & hæredibus noſtris, ac præſenti Cartâ noſtrâ confirmaſſe Deo ac venerabili patri* Reginaldo *Dei gratia Epiſcopo Eccleſiæ memoratæ* **Jus Patronatus**, et **Advocationes Eccleſiarum beatæ** Mariæ del Nard, et Kilmahanoks, una cum **Jure Patronatus, ſeu advocatione Capellæ Sancti** Petri Cork in Hibernia; *quanquam*

An. 27 *E.* 1. *quam ſuper juribus & Advocationibus eiſdem Epiſcopo ſupradicto in Curia noſtra moveremus quæſtionem*, et eaſdem **Advocationes diſrationaremus contra ipſum**; *Habend. & tenend. de nobis & hæredibus noſtris eidem Epiſcopo & ſucceſſoribus ſuis in liberam, puram & perpetuam Eleemoſynam imperpetuum. Quare volumus & firmiter præcipimus pro nobis & haredibus noſtris, quod prædictus Epiſcopus & ſucceſſores ſui habeant & teneant de nobis & haredibus noſtris Jus Patronatus et Advocationes Eccleſiarum beatæ* Mariæ del Nard, *& de* Kylmohanoks; *unà cum Jure Patronatus ſeu Advocatione Capellæ Sancti* Petri Corcag. *in* Hibernia, *quamquam ſuper Juribus & Advocationibus eiſdem Epiſcopo ſupradicto in Curia noſtra moveremus quæſtionem*, et **eaſdem advocationes diſrationaremus contra ipſum.** *Habend. & tenend. de nobis & hæredibus noſtris eidem Epiſcopo & ſucceſſoribus ſuis in liberam, puram & perpetuam Eleemoſynam imperpetuum ſicut prædictum eſt. Hiis Teſtibus, &c. Dat. apud* Kenington *per manum noſtram viceſimo die* Maii, *Anno Regni Domini Regis patris noſtri quinquageſimo quarto.* — Undè petit judicium, ſi debeat eidem Domino Regi inde reſpondere? Et quia Juſticiarius hic plenius vult aviſiari ſuper Jure Regis, tàm quoad has tres Eccleſias, quàm quartam, quæ in hac Carta non continetur, datus eſt dies prædicto Epiſcopo coram, &c. à die Sancti *Michaelis* in 15 dies, ubicunque, &c. Et tunc veniat *Johannes de Ponte*, qui pro Domino Rege Brevia illa ſuſcitavit, &c. Poſtea ad diem illum apud *Dublin.* venit prædictus Epiſcopus. Et prædictus *Johannes* qui ſequitur pro Rege ſimiliter venit.

Et Dominus Rex per prædictum *Johannem* petit verſus prædictum Epiſcopum Advocationes Eccleſiarum prædictarum, ut Jus, &c. Et unde dicit, quod Dominus J. Rex, Avus Domini Regis nunc, fuit inde in ſeiſina ut de feodo & jure tempore pacis, &c. et ad Eccleſiam de *Kaylmohanok* præſentavit quendam *Galfridum* Clericum ſuum, & ad Eccleſiam beatæ *Mariæ del Nard* præſentavit quendam *Johannem* Clericum ſuum; & ad Eccleſiam de *Nochynwall* quendam *Robertum* Clericum ſuum; & ad Eccleſiam Sancti *Petri de Dungarvan* præſentavit ipſe quendam *Willielmum* Clericum ſuum, &c. qui ad præſentationem ſuam fuerunt admiſſi & inſtituti in eiſdem, &c. et ceperunt inde explet, ut in oblationibus & obventionibus & aliis ad valentiam, &c. Et, quod tale ſit jus ipſius Domini Regis, offert verificare pro Domino Rege ſicut Curia conſideraverit, &c.

Et Epiſcopus defendit Jus ipſius Domini Regis quando, &c. Et quoad Advocationes Eccleſiarum beatæ *Mariæ del Nard* & *Kylmohannok*, & Sancti *Petri de Cork* dicit, quod Dominus Rex nihil Juris clamare poteſt in Advocationibus illis. Dicit enim, quod Dominus Rex nunc, antequam fuit Rex in vita Patris ſui, dum fuit Dominus hujus terræ, per prædictam Cartam ſuam conceſſit & quietam clamavit prædicto prædeceſſori ſuo prædictas Advocationes, et petit Judicium.

Et quoad Eccleſiam de *Nochynvall.* defendit Jus ipſius Domini Regis; & ſeiſinam Domini Regis J. & totum, &c. Et ponit ſe in Juramentum patriæ loco magnæ Aſſiſæ Domini Regis; & petit Recognitionem fieri, utrum ipſe majus jus habeat in prædicta Advocatione, ut de Jure Eccleſiæ ſuæ Sanctæ *Mariæ de Cork*, aut Dominus Rex?

Et quoad miſam, &c. datus eſt eis dies coram, &c. in Octabis Sancti *Hillarii*, ubicunque, &c. Et tunc venerunt quatuor homines, &c. Et quoad prædictam Cartam prædictus *Iohannes* dicit pro Domino Rege, **quod prædicta Carta ei non debet nocere**, quia dicit, quod tempore confectionis prædictæ Cartæ, nichil Juris deſcendebat prædicto Domino Regi; ex quo Dominus *H.* Rex pater Domini Regis nunc tunc fuit **in plena vita**; & prædictus Dominus Rex nunc, **nichil habuit tunc in hac terra, niſi tantum ex dono patris ſui, &c.** Unde petit Judicium pro Domino Rege. — Dies datus eſt eis coram, &c. ad præfatum Terminum, &c.

Placita apud Dublin. *coram præfato Juſticiario, &c. in* Octabis *Sancti* Hillarii, *Anno ſupradicti Regis* Edwardi 26.

Cork. DOminus Rex per *Iohannem de Ponte* qui ſequitur pro eo, optulit ſe quarto die verſus *Robertum* Epiſcopum *Cork* de placito Advocationis Eccleſiæ de *Nothynnak* quam clamat ut jus, &c. Et ipſe non venit, & habuit diem in banco hic, ad hunc diem poſtquam comparuit in Curia hic, ſcilicet, die Sancti *Michaelis* in quindecim dies, & poſuit ſe inde in juramentum patriæ loco magnæ Aſſiſæ Domini

Domini Regis,&c. Judicium, prædicta Advocatio cap. in manum Domini Regis,&c. Et ipſe ſum. quod ſit coram Cap. Juſticiario, &c. à die *Paſch.* in unum menſem, ubicunque, &c. auditurus Judicium,&c. *An.* 27 E. 1.

Cork. Idem Dominus Rex per prædictum *Johannem* qui ſequitur pro eo, optulit ſe quarto die verſus prædictum Epiſcopum de Placito Advocationis Eccleſiæ de *Kailmohannoks* per unum breve; Et verſus prædictum Epiſcopum de placito Eccleſiæ Sanctæ *Mariæ del Nard* in ſuburbio *Cork* per aliud Breve; Et verſus prædictum Epiſcopum de placito Advocationis Eccleſiæ Sancti *Petri de Dungarvan* in ſuburbio *Cork* per tertium breve, quas clamat ut Jus, &c. Et ipſe non venit. Et habuit diem in Banco hic, ad hunc diem poſtquam comparuit in Curia hic, ſcilicet à die Sancti *Michaelis* in quindecim dies, & oppoſuit Domino Regi quondam chartam ſuam factam antequam fuit Rex, &c. Judicium; **prædictæ Advocationes capiantur in manus Domini Regis.** Et ipſe ſummon. quod ſit coram, &c. à die *Paſchæ* in unum menſem ubicunque, &c. auditurus judicium, &c.

Placita apud Dublin. *coram præfato Juſticiario, &c. à die* Paſch. *in unum menſem, anno Regni ſupradicti Regis* Edwardi 26.

Cork. DOminus Rex per *Johannem de Ponte*, qui ſequitur pro eo, optulit ſe quarto die verſus *Robertum* Epiſcopum *Cork*, de placito Advocationis Eccleſiæ de *Nochynvall.* quam clamat ut Jus, &c. Et ipſe non venit, & alias fecit defaultam poſtquam comparuit in Curia, &c. Et poſuit ſe in Juramentum patriæ loco magnæ Aſſiſæ, &c. ſcilicet in Octabis Sancti *Hillarii*, Ita quod tunc præceptum fuit Vicecomiti, **quod caperet prædictam Advocationem in manum Domini Regis.** Et quod ſummoneret eum, quod eſſet hic ad hunc diem, auditurus Judicium, &c. Et Vic. nichil inde fecit, nec breve miſit. Et ſuper hoc prædictus *Johannes* queritur pro Domino Rege, quod prædictum breve per malitiam, et in fraudem Domini Regis eſt ſubtractum. Et *Mauricius Ruſſell* Vic. &c. præſens, benè cognovit quod prædictum breve ſibi venit, ut ſatis tempeſtivè; ſed dicit, quod ipſe liberavit breve illud ſimul cum omnibus aliis brevibus, &c. cuidam *Roberto* filio *Henrici* Subvicecomiti ſuo, qui reſpondet ad brevia ad performand. &c. Qui quidem *Robertus* poſtea ſibi dixit, quod prædictum breve fuit amiſſum ſeu furatum. Et prædictus *Robertus* præſens totum hoc cognovit; **ideo ipſe committitur Gaolæ.** Et dictum eſt Vicecomiti, quod inquirat de culpabili, &c. et illum habeat coram, &c. à die Sancti *Johannis Baptiſtæ* in quindecim dies, ubicunque, &c. ad exonerationem ſuam, ſi ſibi viderit expedire. Et ſicut prius præceptum eſt Vicecomiti, quod capiat prædictam Advocationem in manum Domini Regis, &c. Et quod ſummoneat prædictum Epiſcopum, quod ſit coram, &c. ad præfatum terminum, ubicunque, &c. auditurus Judicium, &c. Poſtea prædictus *Mauritius* & *Willielmus de Caunton* manuceperunt prædictum *Robertum*, habend. corpus ejus coram, &c. ad præfatum Terminum, uterque eorum corpus pro corpore. Idem dies datus eſt prædicto Vicecomiti de audiendo Judicio ſuo, &c. Dicit etiam prædictus *Robertus* Subvicecomes, &c. quod ipſe & quidam *Geraldus* filius *Roberti Capit.* Serviens ſederunt ſimul, quando ipſi arraiaverunt brevia illa, & neſcit qualiter, nec per quem brevia illa ſubtracta fuerunt. Ideo venit prædictus *Geraldus*, &c. Poſtea à die Sancti *Johannis Baptiſtæ* in 15 dies apud *Boucananut* venerunt prædicti *Robertus* & *Geraldus*, videlicet primo die. Et *Geraldus* benè defendit, quod ipſe nunquam fuit in culpa amiſſionis ſeu ſubtractionis prædictorum brevium, &c. Et de hoc ponit ſe ſuper patriam. Juratores dicunt ſuper ſacramentum ſuum, quod prædictus *Geraldus* non eſt indè culpabilis, nec aliquid inde ſcivit. Ideo ipſe inde quietus. Et prædictus *Robertus*, in cujus cuſtodia prædicta brevia fuerunt amiſſa, **remittatur Gaolæ**, &c. Et de judicio Vicecomiti patet alibi.

Cork. Idem Dominus Rex per prædictum *Johannem de Ponte*, optulit ſe quarto die verſus prædictum Epiſcopum, de placito Advocationis Eccleſiæ de *Kilmohanoks* per unum breve. Et verſus prædictum Epiſcopum de Placito Advocationis Eccleſiæ Sanctæ *Mariæ del Nard* in ſuburbio *Corks* per alium breve. Et verſus prædictum Epiſcopum de Placito Advocationis Eccleſiæ Sancti *Petri de Dungarvan* in ſuburbio *Cork*, per tertium breve, quas clamat ut Jus, &c. Et ipſe non venit, & alias fecit defaltum, poſtquam comparuit in Curia, &c. ſcilicet in *Octabis* Sancti *Hill.*

&

An.27 E.1. & oppoſuit Domino Regi quandam Chartam ſuam factam antequam fuit Rex, &c. Ita quod tunc præceptum fuit Vicecomiti, quod caperet prædictas Advocationes in manum Domini Regis. . Et quod ſummoneret eum quod eſſet hic ad hunc diem auditurus judicium, &c. Et Vicecomes nihil inde fecit, nec breve miſit, nec poteſt dedicere ut prius, quin breve inde ſibi venit. Ideo ſicut prius præceptum eſt Vicecomiti, quod capiat prædictas Advocationes in manum Domini Regis, &c. Et ipſe Epiſcopus ſummoneatur, quod ſit coram, &c. à die Sancti *Johannis Baptiſtæ* in quindecim dies ubicunque, &c. auditurus judicium, &c. Et Vicecomes tunc ſit ibidem auditurus judicium, &c.

Placita apud Lymer. *coram præfato Juſtic.* &c. *à die Sancti* Johannis Baptiſtæ *in* 15 *dies anno ſupradicto, die continuato uſque in Craſtino Sanctæ* Mariæ Magdalenæ, *ut de die in diem,* &c.

Hibern. *Cork.* DOminus Rex per *Johannem de Ponte* qui ſequitur pro eo, optulit ſe quarto die verſus *Robertum* Epiſcopum *Cork.* de placito Advocationis Eccleſiæ de *Nothynval.* quam clamat eſſe jus, &c. Et ipſe non venit, & alias fecit default. poſtquam comparuit in Cur. &c. & poſuit ſe in Juramentum patriæ loco magnæ Aſſiſæ, &c. ſcilicet in Octabis Sancti *Hilarii.* Ita quod tunc præceptum fuit Vicecomiti, quod caperet prædictam Advocationem in manum Domini Regis; Et quod ſummoneret eum quod eſſet coram, &c. à die *Paſch.* in unum menſem, &c. Et Vicecomes tunc nichil inde fecit, nec breve miſit. Ita quod tunc præceptum fuit Vicecomiti, ſicut alias, quod caperet prædictam Advocationem in manum Domini Regis; Et quod ſummoneret eum quod eſſet coram, &c. à die Sancti *Johannis Baptiſtæ* in 15 dies ubicunque, &c. Ad quem diem Vicecomes mandavit quod ceperit prædictam Advocationem in manum Domini Regis. Et quod ſum. &c. Et dies tunc continuata fuit uſque hic ad hunc diem, ut de die in diem. Et Epiſcopus non venit, neque tunc neque modo. Et ideo conſideratum eſt, **quod Dominus Rex recuperet Advocationem prædictæ Eccleſiæ ſibi et hæredibus ſuis quiete de prædicto Epiſcopo et ſucceſſoribus ſuis imperpetuum.** Et Epiſcopus in **miſericordia.**

Dorſo. Adhuc ibidem de eodem coram eodem Juſtic. termino & anno ſupradictis.

Hibern. *Cork.* IDem Dominus Rex per prædictum *Johannem de Ponte,* &c. optulit ſe quarto die verſus prædictum Epiſcopum de placito Advocationis Eccleſiæ de *Kilmohanok* per unum breve. Et verſus prædictum Epiſcopum de placito Advocationis Eccleſiæ Sanctæ *Mariæ del Nard* in Suburbio *Cork,* per aliud breve. Et verſus prædictum Epiſcopum de placito Advocationis Eccleſiæ Sancti *Petri de Dungarvan.* in Suburbio *Cork.* per tertium breve, quas clamat ut jus, &c. Et ipſe non venit, & alias fecit default. poſtquam comparuit in Curia, &c. ſcilicet in Octabis Sancti *Hilarii.* Et oppoſuit Domino Regi quandam Chartam ſuam factam antequam fuit Rex, &c. Ita quod tunc præceptum fuit Vicecomiti, quod caperet prædictas Advocationes in manum Domini Regis, &c. Et quod ſum. eum quod eſſet coram, &c. à die *Paſch.* in unum menſem ubicunque, &c. Et Vic. tunc nichil inde fecit, nec breve miſit; Ita quod tunc præceptum fuit Vic. ſicut alias, quod caperet prædictas Advocationes in manum Domini Regis. Et quod ſum. eum quod eſſet coram, &c. à die Sancti *Johannis Baptiſtæ* in 15 dies ubicunque, &c. Ad quem diem Vicecomes mandavit, quod cepit prædictas Advocationes in manum Domini Regis. Et quod ſum. &c. Et dies tunc continuata fuit uſque hic ad hunc diem, ut de die in diem. Et Epiſcopus non venit, neque tunc neque modo. Et ideo conſideratum eſt, **quod Dominus Rex recuperet verſus eum prædictas Advocationes prædictarum Eccleſiarum per default. et Epiſcopus in miſericordia.**

This year Pope *Boniface* by two Freers ſent a meſſage to King *Edward* from the King of *Armenia,* concerning the miſerable ſtate of the *Holy Land,* and its relief, whereupon he returned this anſwer to the Pope.

Clauſ. 27 E.1. m. 14. dorſo. Pro Rege. SAnctiſſimo in Chriſto Patri Domino *B.* divina providentia Sacroſanctæ *Romanæ* & Univerſalis Eccleſiæ Summo Pontifici; *Edwardus* ejuſdem gratia, &c. cum reverentia & honore devota pedum oſcula beatorum. Ea quæ Religioſi viri *Jacobus*

de

dq Arul. & ejus ſocius ordinis Fratrum Prædicatorum latores præſentium ex parte illuſtris Regis *Armeniæ*, ad nos miſſi ſuper ſtatu miſerabili *Terræ Sanctæ* providè quidem ac circumſpectè nobis exponenda duxerunt, ſedulis auribus & intento corde audivimus & intelleximus diligenter, quibus reſponſum dedimus per ipſos Fratres Sanctitati veſtræ, ſi placet, referendum. (It being a meer pretence to collect the arrears of the 6. years Diſme, and exact new Diſmes from the Clergy.) *An.* 27 *E.* 1.

He likewiſe writ this Letter to a Cardinal, to promote the buſineſſe of *Arnaldus Lupy de Tilio* his Clerk, in the Court of *Rome*.

VEnerabili in Chriſto Patri Domino *M.* Dei gratia Sanctæ *Mariæ* in *Portica* Diacono Cardinali; *Edwardus* eadem gratia, &c. ſalutem cum dilectione ſincera. Placita & utilia obſequia nobis per Clericum noſtrum Magiſtrum *Arnaldum Lupy* de *Tilio* multipliciter impenſa condignè merentur, ut circa ea quæ ejus commodum reſpiciunt & honorem opem & operam impendamus. Cum igitur idem *Arnaldus* quædam negotia habeat in præſenti in *Romana* Curia promovenda, Paternitatem veſtram requirimus cum affectu, quatinus perſonam ejuſdem *Arnaldi* cum ad vos venerit commendatam habentes, velitis dicta negotia cum vobis inde conſtiterit, quatinus cum honeſtate fieri poterit promovere in tantum, ut rogatum noſtrum ſibi fructuoſum ſentiat in hac parte. Dat. apud *Weſtm.* 22 die *Aprilis*, Anno Domini 1299. Clauſ. 27 E. 1. m. 15. dorſo. Pro Magiſtro Arnaldo Lupi de Tilio.

How buſineſſes were then tranſacted by the Pope and Court of *Rome*, more by favour, friendſhip, rewards, and the Popes will, then the rules of juſtice, theſe Letters then writ from thence (which I found in the White Tower Chappel) will in part diſcover.

Sire puis ceſte cetee ſen fete. *Le Rei del puy noſtre Dame, le quel* l'Apoſtoile vous envoit poꝛ la deliveraunce Aumery de Muntfort *me porta une lettre de par mon frere, la quele lettre je vous envey; e por ceo Sire quant vous averes cy la* mandement l'Apoſtolle, *vous me manderes veſtre volente, e que vous vondres,* qe je die a l'Apoſtolle de ceſte buſoigne. Kar je ne diray nul mot de ceſte choſe tant qe je eie mandement de vous. Bundela Brev. de privato ſigillo in Turre London. An. 27 E. 1.

SAlutem. *Non ſine multis laboribus* (*prout dominationi veſtræ alias ſcripſiſſe meminimus*) ꝓcuratum eſt in Romana Curia, *quod vir venerabilis Decanus* Aricien. ꝓſentium exhibitoꝛ, Domini Papæ Capellanus, et familiaris Domini Mathæi, nullam (*ſicut credo*) cohercionem habens, renitens et compulſus a Domino Papa in Angliam mittitur, ad inducendum (*ſi fieri poterit*) ſereniſſimum Principem Dominum noſtrum Regem Angliæ ſuper liberatione Domini Amarrici de Montesfort concedenda; *qua liberatio, ſi caſu fortuito, cum colore aliquo, denegata fuerit,* non credo Dominum Papam ad ꝓſens in dicto negotio ulterius ꝓcedturum. *Provideat igitur veſtra diſcretio de condigna & celeri reſponſione* ad honoꝛem Domini Regis eidem Decano facienda. *Caterum memoratum Decanum,* qui invitus dictum recepit negotium, ob reverentiam ſedis Apoſtolicæ, et Domini Mathæi, *qui multum poteſt eſſe utilis in poſtulationis articulo reverendi patris* Bathonienſis *Epiſcopi, recommendatum habere velitis,* eundem (*ut expedit*) honoꝛabiliter recipiendo et tractando. *Sane ſi mihi fiat juſtitia de facto meo, credo reportare finem optatum.* Sed quia Dominus Papa plus inmittitur ꝓpꝛiæ voluntati quam rigoꝛi juſtitiæ, timendum eſt quem finem meum negotium ſoꝛtietur. *Bene & diu valeat*, &c. Ibidem.

The Popes Bulls and proceedings in the great Conteſts and coſtly Appeals between the Archbiſhop of *Canterbury*, and Abbot and Monks of St. *Auguſtines* this year, will moſt fully demonſtrate the Bribery and Injuſtice of this Pope, his Cardinals, Officers, together with the pride, ambition, violence, turbulency of the Archbiſhop, Abbot and Monks of *Canterbury* in that age; thus regiſtred to poſterity by a Monk of that Monaſtery.

* *Sequitur de proceſſu inter Archiepiſcopum & nos, ſcilicet,* de injuriis et vexationibus nobis illatis, *unde Abbas longa trahens ſuſpiria ait*; Heu, heu, *inquit*, quamdiu * Chron. Wil. Thorne, col. 1970, 1971, 1972.

An. 27 E. 1. quamdiu hiis opprobriis afficiemur! Quamdiu Eccleſia Sancti Doctoris *Anglorum* Apoſtoli *Auguſtini* prima mater moniarchalis *Anglorum*, **tot et tantas contumelias, injurias et vexationes Archiepiſcoporum permiſſa eſt ſuſtinere! Quamdiu illa quæ in natibis ſuis libera fuit, quomodo jam videtur ancillare!** Pro veritate, *inquit*, ad tales injurias evitandas, aut priſtina libertate Deo juvante gaudebit, aut communi legi ut cætera ſubjacebit. *Quid plura?* * **magna ſumma denariorum tam de diverſis dividendis per Conventum receptis et recipiendis, quam de forincecis omni qua potuit via ad opus hujuſmodi levandis, directi fuerunt ad Curiam Romanam, propter hujus negotii expeditionem,** *fratres* Willielmus de Remenal, & Robertus de Fekenhan, *Procuratores cum procuratorio eorundem. Qui quidem Procuratores* **tantum procurarunt,** (by their bribes) *quod iſtud negotium fuit ſpecialiter commiſſum Domino* Johanni *Monacho tituli Sanctorum* Marcellini & Petri *Presbytero Cardinali, ad audiendum.* **Inſuper conceſſa eſt prohibitio, per quam inhibitum fuit Archiepiſcopo, ne pendente lite in Curia Romana indictâ, aliquid contra dictos religioſos attemptaret. Pendente vero lite coram eodem Cardinali, impetratum fuit in gravibus expenſis ab Apoſtolico** Bonifacio 8. **nobum privilegium,** *in quo decernit omnia privilegia iſtius Monaſterii antiqua in ſuo robore permanere, reducendo Monaſterium ad ſtatum antiquum. De novo etiam exemit nos,* non obſtante **compoſitione quacunque, et alia multa concedit,** *ſicut ex inſpectione dicti Privilegii in ſequentibus latius apparebit.*

* Nota.

* Suggeſtio facta per Procuratores ad Summum Pontificem.

* Ibidem, col. 1971.

Supplicant Sanctitati veſtræ, veſtri humiles filii Abbas & Conventus Sancti Auguſtini Cant. *expoſitis veſtræ Sanctitati iſtis gravaminibus, & viſis per vos Privilegiis Monaſterii prædicti, quatenus Abbatem & Conventum & ipſum Monaſterium cum ſuis membris ad quietis, immunitatis, libertatis & exemptionis plenitudinem per veſtrum privilegium reducere, & non obſtante quacunque compoſitione perpetuo robore dignemini permanere, quatinus dictum Monaſterium veſtrum ne dum in ſuo ſtatu antiquo, verum ſanctiſſima voteſtatis veſtræ gratia taliter inſignitum conſervare, ac ſic in futurum ſuper eodem Monaſterio & ejus ſtatu diſponere, & præmiſſa gravamina proceſſus & ſententias contra ipſos præjudicialiter data revocari, vel potius nulla nunciari præcipere dignemini; & mandare quod libertas à tantis & tam ſanctis, & præcipuè a beato* Bonifacio *Papa, 4. patribus introducta, ad futuram veſtræ Sanctitatis memoriam, & ſanctiſſimæ ſedis cui præſidetis honorem, per vos Pater ſanctiſſime* Bonifacium *Papam 8. tanquam octava beatitudine percepta, futuris temporibus ſub ea ſtabilitate ac perpetua libertate permaneat, quod veſtræ placuerit ſanctitati. Hujuſmodi igitur precatu,* **immo potius muneribus, redemptus et inclinatus privilegium conceſſit ſubſcriptum.**

Nota.

Bonifacius Epiſcopus Servus ſervorum Dei, dilectis filiis Abbati & Conventui Monaſterii Sancti *Auguſtini Cant.* ad *Romanam* Eccleſiam nullo medio pertinentis, Ordinis Sancti *Benedicti*, ſalutem & Apoſtolicam benedictionem. Circumſpecta Sedis Apoſtolicæ providentia qualitates agendorum cum ſumma deliberatione diſcutiens, fidelium ſtatui libenter proſperitatis incrementa procurat, noxia ſubtrahit, & moleſtis viam præcludit eventibus, prout negotii qualitas exigit, perſonarum & locorum exquirit conditio, et inſtantia æquitatis expoſcit. Et idcircò, **quamvis univerſæ orbis Eccleſiæ Apoſtolicæ ſedi (quæ diſponente Domino ſuper illas principatum obtinet) ordinarie poteſtate ſubeſſe noſcantur, aliquas tamen interdum ſedes ipſa de ſuæ authoritatis plenitudine ſpecialius ſibi ſubdit, ſic eas a cujuſlibet juriſdictione prorſus eripiens, ut nullum ſibi niſi *Romanum* Pontificem ſuperiorem et Dominum recognoſcant, conſtituendo ipſas quodam ſingulari privilegio liberas penitus et exemptas, ut earum vitatis noxiis, votivis ſucceſſibus ex quietis plenitudine proſperentur.** Nos quidem ad Apoſtolicæ dignitatis apicem ſuperna diſpoſitione vocati, ex incumbente nobis paſtoralis officii debito circa omnium Eccleſiarum ſtatum ſolertem conſiderationem habentes, ad vos & Monaſterium veſtrum inſtantia propenſioris ſolicitudinis excitamur, & tantò libentius & favorabilius quietis veſtræ commoda, veſtrorumque incrementa profectuum promovemus, quanto per amplius beatorum Patrum *Benedicti* & *Auguſtini* recolendas memorias reveremur, quantoque benignius vos et Monaſterium prælibatum, de quorum fama laudabili & virtutum exercitio fragrantiam ſuavitatis accepimus, paternæ ſinceritatis affectibus amplexamur. Sanè petitio veſtra nobis exhibita continebat, *quod licet Monaſterium veſtrum à principio fundationis ipſius, à tempore cujus memoria non exiſtit,*

cum

cum omnibus membris ſuis exiſtentibus ubicunque fuerit exemptum per ſpecialia privilegia ſedis Apoſtolicæ à juriſdictione qualibet ordinaria, prout evidentius in ipſis privilegiis continetur; Vobis tamen poſtmodum, nunc hinc nunc inde vexationibus & anguſtiis fatigatis ſuper hujuſmodi exemptionibus & libertatibus contentis in ipſis, inter bonæ memoriæ *Ricardum* Archiepiſcopum *Cantuarienſem*, cum ſui conſenſu Capituli ex parte una, & quendam *Rogerum* tunc Abbatem cum conſenſu Conventus dicti Monaſterii ex altera, primo, & poſtmodum inter quondam *Simonem de Langedon* Archidiaconum *Cantuarienſem* cum conſenſu ſanctæ memoriæ beati *Edmundi* Archiepiſcopi *Cantuarienſis*, ſucceſſoris dicti *Richardi* & Capituli Eccleſiæ *Chriſti Cantuar.* & quondam *Robertum* Abbatem ipſius Monaſterii cum conſenſu dicti ſui Conventus, ac deindè inter præfatos *Edmundum* Archiepiſcopum & Archidiaconum ac eoſdem *Robertum* Abbatem & Conventum quædam compoſitiones initæ, factæ ſeu habitæ fuiſſe noſcuntur, quarum una ſcilicet cum eodem habita etiam fuit per ſedem Apoſtolicam ex certa ſcientia confirmata. Verum cum per hujuſmodi compoſitiones prædictis veſtris privilegiis & libertatibus non modicum derogetur, nobis humiliter ſupplicaſtis, ut providere vobis et ipſi Monaſterio ſuper hiis paterna ſollicitudine dignaremur, vos et illud ad quietis, immunitatis, libertatis et exemptionis plenitudinem reducendo. Nos igitur Monaſterium ipſum condignis efferre honoribus, & communire libertatibus cupientes, ut quo minus aliorum moleſtiis turbatum fuerit, eo amplius divina favente gratia proſperetur, veſtris ſupplicationibus inclinati, hujuſmodi privilegia, exemptiones & libertates eidem Monaſterio & vobis à prædicta ſede conceſſa in ſuo volumus & decernimus robore permanere, ac nichilominus ut in dictæ ſedis ſinu plenius quieſcatis, vos & Monaſterium ipſum cum omnibus membris ſuis et Eccleſiis, Capellis, Cenodochiis, Hoſpitalibus, Cantariis, necnon Caſtris, Villis, Maneriis, Domibus, Grangiis & Poſſeſſionibus, Terris, Redditibus, & quibuſcunque bonis ad vos & præfatum Monaſterium in præſentiarum ſpectantibus, ac hiis quæ ex largitione Principum, collatione fidelium, & aliis juſtis modis & titulis imposterum dante Domino poteſtis adipiſci, in quibuſcunque fuerunt Dioceſibus conſtituta, et omnibus perſonis veſtri ordinis et aliis ſubjectis vobis degentibus in eiſdem, **ab omni poteſtate, juriſdictione, ſubjectione, atque dominio tam benevolis fratris noſtri Archiepiſcopi, et dilectorum filiorum Capituli Cantuariæ qui nunc ſunt, et qui pro tempore fuerint, quam quorumlibet Archiepiſcoporum, Epiſcoporum, Capitulorum, Abbatum, et Prælatorum et officialium ſuorum et aliarum quarumcunque Eccleſiaſticarum perſonarum abſolvimus, eximimus, et perpetuo liberamus, de Apoſtolicæ plenitudine poteſtatis, ac ea omnia totaliter et immediate ſoli duntaxat Romano Pontifici et præfatæ Sedi decernimus ſubjacere. Ita quod nec iidem Archiepiſcopus** Cantuarienſis jure **Metropolitico** ſeu Diœceſano, aut **legationis vel tuitionis prætextu**, quas in **Provincia** Cant. habere ſe aſſerit, nec **Prior** et Capitulum **dictæ Eccleſiæ Chriſti occaſione hujuſmodi tuitionis, quam in dicta Provincia tempore vacantis Eccleſiæ** Cantuarienſis ſibi vendicare dicuntur; nec quibis alius **juriſdictionem quamlibet ordinariam in Diœceſi** ſeu **Provincia** Cant. **hujuſmodi tempore vacationis exercens, ne vos** idem **Archiepiſcopus, vel quibis** et eiſdem **Archiepiſcopis, Epiſcopis**, ſeu **Prælatis, Officialibus** ſeu **Miniſtris**, nec quæbiq; alia perſona **eccleſiaſtica in vos Abbatem et Conventum** et prædictum **Monaſterium**, aut quæbis **membra** vel loca ſeu bona, ad vos et **Monaſterium** ipſum ſpectantia, ſeu quæ ſpectabunt **in poſterum quocunque modo**, vel in veſtros et ejuſdem **Monaſterii ſubditos et perſonas præfatas**, cujuſcunque ſtatus vel conditionis exiſtunt, utpote omnino **libera et exempta**, et **præfatæ ſedi Apoſtolicæ duntaxat immediate ſubjecta, poſſint ullatenus et quacunque occaſione** vel cauſa juriſdictionem aliquam vel poteſtatem **ſibe dominium ſibi vendicare**, exactiones facere, collectas imponere, **obedientias vel procurationes exigere**, viſitationes vel correctiones facere, aut **Cenſuram eccleſiaſticam quomodolibet exercere ſine mandato** prædictæ **ſedis Apoſtolicæ ſpeciali. Nos enim Excommunicationum, Suſpenſionum et Interdicti Sententias**, quas **contra tenorem exceptionis promulgari**, et proceſſus quoſlibet quos contra præmiſſos fieri contigerit et haberi, ex nunc irritos decernimus et inanes, et nullius penitus exiſtere firmitatis.** Præterea Criſma, oleum ſanctum, conſecrationes altarium, ordinationes Monachorum & Clericorum, qui ad ſacros Ordines fuerint promovendi, à *Cantuarienſi* ſuſcipiatis Archiepiſcopo ſi gratiam & communionem præfatæ Sedis habuerit, & ea gratis & abſque pravitate aliqua vobis

An. 27 E. 1.

An. 27 E. 1. voluerit impertiri, alioquin quemcunque malueritis adeatis antistitem catholicum, qui nostra fretus authoritate quod postulatur indulgeat, nec id vobis audeat aliquatenus denegare; Non obstantibus prædictis et quibuscunque aliis Compositionibus, ordinationibus, constitutionibus, et consuetudinibus seu factis super hoc in contrarium quocunque modo vel tempore hactenus habitis, editis, vel optentis, aut quod in compositione nominata superius, quæ fuit per sedem Apostolicam ut prædicitur confirmata, inter alia continetur, Quod si qua partium prædictarum contra compositionem aliquid impetrasset vel impetraret impositerum, illud inane et irritum haberetur, & confirmatio ipsa firmum robur nichilominus optineret, aut appellationibus interjectis seu quibusdam processibus et specialiter causis nunc motis inter venerabilem fratrem nostrum *Robertum* Archiepiscopum *Cantuariensem* ex parte una, & vos ex altera, super Ecclesiis de *Leynham*, *Plumsted*, *Tenterdenne*, *Sekyng*, *Præston*, *Litleburne*, Sancti *Pauli Cant.* Hospitali Sancti *Laurentii*, ac *Cantaria* pro Magistri *Hamonis Doge* anima ordinata, seu super aliis quibuscunque Ecclesiis vobis à sede appropriatis eadem. Etiamsi causa pendeat super præmissis in quocunque foro, vel coram quocunque Judice, aut quibuscunque literis et indulgentiis apostolicis in quacunque forma verborum optentis, de quibus quorumque totis tenoribus debet in nostris literis fieri mentio specialis. Ad indicium autem hujus perceptæ a sede Apostolica libertatis volumus, ut præfatum Monasterium * unam marcam Sterlingorum nomine census, in festo resurrectionis Dominicæ persolvat nobis nostrisque successoribus annuatim; Nulli ergo omnino hominum liceat hanc paginam nostræ absolutionis, exemptionis, liberationis, irritationis, voluntatis & constitutionis infringere, vel ei ausu temerario contraire. Si quis autem hoc attemptare præsumpserit, indignationem omnipotentis Dei, & beatorum *Petri* & *Pauli* Apostolorum ejus se noverit incursurum. Dat. *Laterani* 4. Kal. *Marcii*, Pontificatus nostri anno 6.

* An high usurpation on the Kings prerogative, and temporalties of the Abbey.

* Chronica W. Thorn, col. 1974.

* *Anno Domini* 1300. *die Lunæ in vigilia sancti* Ealfegi *Archiepiscopi*, *ad Abbatem primò pervenit istud novum privilegium, cum bulla conservatoria ejusdem, cujus forma talis est.*

Bonifacius Episcopus Servus servorum Dei, dilectis filiis *Westmonasterii*, de *Waltham*, & de Sancto *Edmundo* Monasteriorum Abbatibus, *Londoniensis* & *Norwicensis* Diocæsis, salutem & Apostolicam benedictionem. Circumspecta sedis Apostolicæ *(ut supra.)* Quocirca discretioni vestræ per apostolica scripta mandamus, quatinus vos, vel duo aut unus vestrum, per vos, vel per alium seu alios, Abbatem, Conventum, Monasterium, personas, membra, Ecclesias, Capellas, Senodochia, Hospitalia, cantarias, castra, villas, maneria, domos, grangias, possessiones, terras, redditus & bona omnia supradicta contra hujusmodi absolutionis, exemptionis, liberationis, irritationis, & constitutionis nostræ tenorem non permittatis a quoquam indebite molestari. Molestatores hujusmodi auctoritate nostra appellatione postposita compescendo. Non obstantibus supradictis, seu si aliquibus a præfata sit sede indultum quod interdici, suspendi, vel excommunicari non possint per literas apostolicas non facientes plenam et expressam, ac de verbo ad verbum de indulto hujusmodi mentionem.

Auctoritate hujus privilegii & præcepto conservatorum ejusdem, resumpsit Dominus Abbas cum consensu Conventus sui omnem statum antiquum quoad jurisdictionem exercendam. Sub protestatione tamen, quod si forsan contingeret illum aliud facere, quàm procederet de Summi Pontificis voluntate, paratus esset cum hoc sibi constaret, resumpta revocare. Die Lunæ proximâ ante festum Apostolorum Philippi & Jacobi *anno supra dicto dicta Bulla conservatoria exhibita fuit Abbati* Westmonasterii *apud le* Neyte *juxta* Westmonasterium *per* Ricardum de Cant. *& alios*; *& die Lunæ sequenti Abbati de* Waltham *per fratrem* Willielmum Byholte *& alios. Qui quidem Abbates mandatum apostolicum reverenter admiserunt*; *eorumque processum & tenorem venerabilibus patribus Archiepiscopo* Cantuariensi *& Episcopis* Londoniensi & Roffensi *eorumque Archidiaconis, Capitulis, & Commissariis universis scripserunt*; *primò Archiepiscopo sub tali forma.*

* Chron. Wil. Thorne, col. 1975.

* Venerabili in Christo patri Domino *Roberto* Dei gratia, &c. Ejusdem permissione *Westmonasterii* & de *Waltham* Abbates, in hac parte executores & conservatores à sede Apostolica deputati, salutem, et mandatis necnon privilegiis Apostolicis cum ea qua decet reverentia obedire. Præsentato nuper nobis & exhibito Sanctissimi

Patris

Patres noſtri *Bonifacii* Papæ 8. privilegio exemptionis infra tacto ex parte Abbatis & Conventus Sancti *Auguſtini Cantuar.* literas conſervatorias recepimus in hæc verba. *Bonifacius* Epiſcopus, *&c.* Conſiderantes igitur, quod ſi privilegii & literarum prædictarum vobis & cæteris quibus convenit notificatio fiat debita, & notificatio manifeſta ſanctæ & Apoſtolicæ voluntatis, benigna liberalitas ipſorum beneficiorum S. *Auguſtini* in præſcriptis de novo impetratis, verum antiquis ipſorum privilegiis ex decreto Apoſtolico in ſuo robore duraturis, tàm perſonalis quælibet quàm realis contenta immunitas & libertas, vobiſque executionis vel conſervationis officium quod incumbit, liberius, plenius, ac quietius debitum conſequentur effectum; ea omnia & ſingula vobis Pater reverende notificamus, publicamus ad certitudinem præſentium & memoriam futurorum. Vobiſque nihilominus authoritate Apoſtolica, condigna tamen reverentia monemus & exhortamur in Domino, **ut in virtute obedientiæ qua dictæ ſanctæ Sedi tenemini, firmiter injungimus et mandamus, quatinus dictis Religioſis Sancti** *Auguſtini* **ſuiſque ſubjectis qualiſcunque conditionis exiſtant, quam quoad Monaſterium ipſum, membra, Eccleſias, Capellas, Hoſpitalia, Cantarias, Villas, Maneria, poſſeſſiones, redditus, et quæcunque alia bona ſua ubilibet in Diocæſi et Provincia veſtra** *Cantuar.* **conſtituta, quæ in præſenti optinent, vel auctore Domino in futurum adquirent; una cum degentibus in eiſdem quacunque conditione, compoſitione, ſtatuto, conſuetudine editis vel factis non obſtantibus in aliquo, libera exemptione gaudere ob indulgentis et ſanctæ Sedis reverentiam permittatis, nullum omnino verbo vel facto perpetrantes obſtaculum, quominus tam modernæ indulgentiæ quam privilegiorum et ſtatus antiquorum ipſius Monaſterii Clericorum et ſubditorum ſuorum prout per eandem reducuntur ad primævi roboris firmitatem.** Et quid in hac parte decreveris faciendum infra 8. dies, **in virtute ſanctæ obedientiæ nobis reſcribatis.** *An.* 27 E. 1.

Et ſimiliter ſcripſerunt Epiſcopis Londonienſi & Roffenſi, *& aliis prout viſum fuerat iiſdem expediendum. Præmiſſis vero literis Prælatis prædictis, omnes & ſinguli certificarunt. Primò Archiepiſcopus ſic.*

Religioſo viro & diſcreto Abbati de *Waltham*, executori ſeu conſervatori in hac parte à ſede Apoſtolica deputato, *Robertus* permiſſione divina, *&c.* ſalutem in omnium ſalvatore. Mandatum infraſcriptum 4 Non. *Maii* nuper recepimus ſub hac forma. *Venerabili in Chriſto patri*, &c. **Cui quidem mandato prout tenemur et de jure artamur parere intendimus, ſicut decet.** Valete. *Epiſcopus* Roffenſis *ſub hac forma.* Venerabilibus viris & diſcretis Dominis Dei gratia *Weſtmonaſterii* & de *Waltham* Monaſteriorum Abbatibus, executoribus vel conſervatoribus à ſede Apoſtolica deputatis in hac parte, frater *T.* ejuſdem permiſſione *Roffenſis* Epiſcopus, ſalutem, reverentiam & honorem. Literas veſtras recepimus, *&c.* **Huic ergo mandato paremus reverenter, quatinus poſſumus et de jure tenemur.**

Iſtis ſic habitis anno ſupradicto, die Lunæ *prima die* Junii, *Dominus* Thomas *Abbas hujus loci in Eccleſia ſua pro tribunali ſedens, aſſidentibus ei multis diſcretis viris, comparuerunt coram eo ex citatione Rectoris Sancti* Andreæ Cant. *qui recepit in mandatis hoc facere; omnes Rectores & Vicarii, & omnes curam animarum habentes.* **Et hi omnes et ſinguli recognoſcebant eundem Dominum Abbatem ordinarium ſuum et non alium, ſub Domino Papa. Et ipſo inſtanti ſponte Canonicam obedientiam in ſcriptis, et inſpectis Sacroſanctis Evangeliis eidem Abbati corporaliter fecerunt,** *in forma quæ talis eſt.*

Ego *N.* ero obediens ſanctæ *Romanæ* Sedi, & Domino Abbati Sancti *Auguſtini Cant.* qui pro tempore fuerit, & ejuſdem Domini Abbatis Officialibus & Miniſtris quos de conſilio fratrum ſuorum ad juriſdictionis ſuæ exemptæ exercitium aſſignabit, in Canonicis mandatis; Sic me Deus adjuvet & Sancta Dei Evangelia. *Quibus ſic actis, dictus Dominus Abbas ordinavit Decanatum ſub nomine de* Sturre, *aſſignans & nominans Eccleſias de* Sturre, *de* Fordewico, *de* Littleburne, Stodiwerſh, Preſton, Nordborn, Scholdon, Eſtlangedon, *Parva* Monyngham, *Sancti* Pauli, *Sancti* Andreæ, *Sancti* Johannis, *Sanctæ* Mildredæ, *beatæ* Mariæ de Caſtro, Omnium Sanctorum, *beatæ* Mariæ Magdalenæ, *ad dictum Decanatum debere ſpectare in futurum.* *Nota.*

Item ordinavit alium Decanatum, viz. de Eccleſiis de Meſtre, *Sanctorum* Petri, Johannis, *&* Laurentii, *de* Stonore, Chiſtelet, Swaleclive, *& de* Weſtbere, *mandans & præcipiens illum Decanatum vocari de cætero Decanatus de* Menſtre.

Item ordinavit alium Decanatum, viz. de Eccleſiis de Faverſham, *de* Middleton,

de

An. 27 E. 1. *de* Sellyng, *de* Scheldwich, *de* Kenyton, *de* Wynelesburgh, *de* Tenderdene, *de* Swanes, *de* Fretingden, *de* Brocklond, *de* Stone, *de* Borewaremersh, *de* Demecherche, *de* Kyngesdon, *&* *de* Lenham, *quam caput dicti Decanatus esse voluit & mandavit. Cum vero idem pater sic per Decanatus suam jurisdictionem divisisset, & in singulis eorundem Decanum præfecisset,* **ab omnibusque obedientiam receptisset, omnes et singulos sibi subjectos tam præsentes quam absentes monuit, et eis strictè injunxit, ut decenter in verbis, gestis, et omnibus aliis erga venerabilem patrem Archiepiscopum** Cantuariensem **se haberent, ac reverentiam sibi et suis facerent,** *nec ipsum Archiepiscopum vel suos in aliquo contemnerent, & quod in Ecclesiis & alibi se benè gererent, & hac eadem voluit de omnibus Parochianis subjectis suis; protestans pro se & Monasterio suo extunc se ita existere paratum in omnibus honoris dicti patris & suorum sient unquam prius ante exhibuerat. Demum ordinavit eis Commissarium per talem formam.*

Thomas permissione divina, *&c.* discreto viro fratri *Willielmo* Ecclesiæ nostræ elemosinario, salutem. In omnibus causis & negotiis ad jurisdictionem nostram pertinentibus, una cum consilio fratrum nostrorum exercendam in Civitate & Diœcesi *Cantuar.* vobis vices nostras committimus cum canonicæ cohercionis potestate. Institutionibus & destitutionibus personarum Ecclesiasticarum, ac visitatione Cleri & populi nobis specialiter reservatis. Proviso tamen, **quod jurisdictione moderate utamini, et excessum quemlibet evitetis.** *Eodem anno in Ecclesia de* Menstre *idem* Willielmus *pro tribunali sedens congregatis coram eo & congregatis ejusdem Decanatus, Rectoribus & Vicariis, necnon Clericis & Laicis in multitudine copiosa, Capitulum suum solempniter, pacificè & quietè, & sine contradictione aliqua ibi celebravit,* **faciendo omnia quæ jurisdictionis erant, specialiter et generaliter exercendo quæ in Constitutis et Capitulis consimilibus per regnum** Angliæ **ordinari, fieri et exerceri consueverunt.**

From which Relation, Bulls and Proceedings we may observe: 1. That the contests between the Archbishops, Abbots and Monks of *Canterbury*, about Exemptions, Priviledges and Jurisdiction, was a principal cause of advancing the Popes usurped Jurisdiction over them both, and over the Rights, Prerogatives of the Crown, and Church of *England*. 2ly. The insolency, injustice, corruption, and preposterousness of this *Boniface* and other Popes, in exempting the Abbots, Monks of *Canterbury*, and all their Lands, Hospitals, Churches, Impropriations, Priests, Tenants from all Archiepiscopal, Episcopal, and other Ecclesiastical Jurisdiction whatsoever, and subjecting them solely and immediately to the See of *Rome*; as likewise in subjecting the Archbishop of *Canterbury*, the Bishops of *London* and *Rochester*, to the imperious commands, censures of the Abbots of *Westminster*, *Waltham*, and St. *Edmunds*. 3ly. The pride and insolency of the Abbots, in erecting Deaneries, Officials, Ecclesiastical Consistories, and prescribing Oathes of Canonical obedience upon the Priests and Curates of the Churches belonging to their Monastery. 4ly. The strange injustice and contradiction of Popes Bulls, nulling, repealing each other by *Non-obstantes*, with all former Priviledges granted by themselves, and contracts, compositions, agreements made or ratified by others, through bribery and corruption: **Whence**

[a] Chron. col. 2002, 2003. [a] *Will. Thorne* records of this *ambodexter Boniface*; *Iste* Bonifacius **magnis thesauris ab ista Ecclesia** (Cantuar.) **exhaustis, eandem quam lucebe privilegiebat, per partem adversam amplioribus sibi impensis concessum privilegium irritavit, et quasi ad perpetuam enervationem hujus Monasterii, perpetualiter revocavit.** 5ly. The atheistical impiety and hypocrisie of Popes, in pretending such Bulls, Exemptions, proceedings to issue meerly from the Apostolical authority conferred on them by Christ, for the good of the Church, the conscientious discharge of their Pastoral duty, *&c.* when as they proceeded meerly from their own ambition, avarice, bribery, injustice, and tended to the Churches disorder, ruine, by engendring new controversies, schisms, unchristian animosities, suits, appeals between them; as this Historian thus further records.

[b] Chron. Wil. Thorne, col. 1977, 1978. [b] *In pacifica vero possessione resumpta jurisdictionis fuerunt ipsi Abbas & Conventus per duos menses & amplius nullo reclamante vel contradicente, quousque idem Archiepiscopus & Capitulum Ecclesiæ Christi* Cantuariæ, *& Archidiaconus opposuerunt se,* **appellantes unanimiter ad sedem Apostolicam, dicentes se enormiter esse gravatos de tali jurisdictione resumpta, per quam fuerat ab eisdem plebs revocata, nec**

ipsis

ipſis intendebat, ut ſolebat. *Et iſta lite ſic inter partes pendente, idem Archiepiſcopus* An. 27 E. 1.
conſtituit quatuor Commiſſarios, qui vice ſua rigide procederent contra Rectores et Vicarios, Clericos et etiam Laicos, qui in prædicta jurisdictione reſumpta ipſis Abbati et Conventui intendebant. *Et inſuper inhiberi fecit Archiepiſcopus per eoſdem* ſub pœna Excommunicationis, ne quis Parochianorum ipſis Rectoribus et Vicariis decimas aut proventus ſolvat, aut eis de juribus Parochialibus reſpondeat. *Item Eccleſiæ beatæ* Mariæ Magdalenæ, *beatæ* Mariæ *de* Caſtro, *& beatæ* Mildredæ *de Civitate* Cantuariæ, *& Eccleſiam de* Kenynton *de facie contulit etiam non vacantes. Item prafatus Archiepiſcopus fratres* Willielmum de Byholte, *&* W. de Elham *Monachos*, *Magiſtros* Willielmum de Roucebi, Johannem de Beckes *Notarium publicum*, *&* W. de Caſtro *Clericos & familiares ipſius Abbatis* excommunicavit, et excommunicari fecit, pro eo quod in ſubditos ipſius Abbatis juriſdictionem exercebant. *Item idem Archiepiſcopus prætendens Rectores & Vicarios Eccleſiarum Parochialium, quæ de patronatu noſtro exiſtebat* in excommunicationis ſententia, *quam in eos ut præmittitur tulerat*, ex eo quod nobis parebant et intendebant, per annum et amplius perſeveraſſe, *ipſos Rectores & Vicarios citari mandavit, & fecit quod coram eo comparerent, quicquid haberent pro ſe propoſituri pro termino peremptorie, & oſtenſuri* quare ipſos de Eccleſiis et Vicariis ipſorum non debet privare. *Commiſſarii ſupraſcripti imponebant Abbati quamplures abuſus & exceſſus privilegii conceſſi, & ſtatum & exemptionem ipſorum ſive privilegium ſiniſtra interpretatione coram Clero & populo ad hoc in Eccleſia Chriſti* Cantuariæ *ſpecialiter convocato interpretantes*, propter quæ populum et Clericos ſimplices Archiepiſcopo majus odium movere quam privilegiis Apoſtolicis informarunt. *Idem Archiepiſcopus facto publico ſermone in Eccleſia ſua*, excommunicavit omnes qui Eccleſiæ ſuæ juribus, libertatibus, vel poſſeſſionibus minuerant; quæ prius habuerat vel conſueverat obtinere. Item corpora quorundam qui a ſententia excommunicationis appellarunt defata deceſſerunt, quique in articulo mortis poſiti a Sacerdotibus eorum confeſſiones ipſorum audientibus abſolutionis beneficium fuerant conſecuti, humari in Sanctuaria fecit exhumari, et extra Cimiterium projici. Item una vice lxxx. homines Abbatis et Conventus, quia recuſabant expellere Monachos in Eccleſia de Chiſtelet exiſtentes, carceri Cantuariæ fecit mancipari. Propter quas injurias tam inormes et graves, ſuggeſtum fuit Domino Papæ, *Quod ſcriberet Regi pro defenſione hujus Monaſterii; Quod & factum eſt. Unde petitum fuit ab ipſo Rege, quod ratione dicti privilegii ſcriberet Archiepiſcopo, quod non moleſtaret ipſum Abbatem vel Eccleſiam ſuam in hominibus & rebus ſuis. Item ſupplicatum eſt Regi, quod provideret, ne homines dicti Abbatis per aliquam* Excommunicationem per ipſum Archiepiſcopum latam, quamvis pro ipſorum captione Regiæ Majeſtati ſcribatur, nullo modo capiantur. *Item quod vellet ſcribere Vicecomiti ſuo, quod ſi Archiepiſcopus per violentiam laica poteſtatis de facto vellet eoſdem expellere de Eccleſiis ſuis, hujuſmodi laica poteſtate, auctoritate regia*, dictum Monaſterium a quoquam offendi non permitteret, ſet defenderet eoſdem, prout eſt per Apoſtolicum rogatus. *Habita vero aliquali deliberatione, Rex in propria perſona reſpondit ſic*; Libenter ſcribemus Domino *Cantuarienſi* pro defenſione veſtra. *Ad ſecundam petitionem reſpondit*; Quod nullus caperetur poteſtate regia ad requiſitionem Archiepiſcopi. *Ad tertiam petitionem ſic reſpondit*; Quod non potuit credere, quod tam diſcretus Prælatus, ſicut eſt ipſe Archiepiſcopus, ipſos Abbatem & Conventum per vim & laicam poteſtatem auctoritate propria expelleret, & propterea non videbatur ſibi, quod ſuper hiis Vicecomiti eſſet ſcribendum. *Adjecit poſtea idem Rex, dicens Abbati in hunc modum*; Domine Abbas, requirimus, conſulimus, et præcipimus, quod viriliter defendatis bona veſtra et poſſeſſiones veſtras, et nos cum opus fuerit defendemus et vos juvabimus in hac parte.

Nota.

Nota.

Whereupon he iſſued this Writ to the Archbiſhop.

Clauſ. 27 E. 1. m. 13. Pro Abbate Sancti Auguſtini Cantuar. & Chronica Will. Thorne col. 1978, 1979.

REX Archiepiſcopo *Cantuar.* totius *Angliæ* Primati ſalutem. Regatu et monitione Sedis Apoſtolicæ excitamur, ut Monaſterium Sancti *Aug. Cantuar.* ad *Romanam* Eccleſiam nullo medio pertinens, ob reverentiam dictæ Sedis recommendatum habentes, illud ad cujuſcunque petitionem in rebus ſuis vel hominibus non offendamus in aliquo nec offendi, et quantum in nobis eſt ab aliis permittamus. Sanè

An. 27 *E.* 1. Sanè expoſuit coram nobis Religioſus vir Abbas dicti Monaſterii Sancti *Auguſtini* gravem querimoniam deponendo, quod vos Monaſterium ſuum prædictum quod ad Romanam Eccleſiam ut præmittitur nullo pertinet mediante, ipſum et Conventum ejuſdem loci et bona eorum indebite perſequentes ipſos, ſuper quibuſdam Eccleſiis parochialibus quas in propios uſus tenent, necnon et ſuper quodam Hoſpitali Sancti *Laurentii* extra Civitatem *Cantuar.* contra privilegiorum ſuorum tenorem, et appellationem ſuam legitimam ad dictam Sedem interpoſitam, per eoſdem moleſtatis multipliciter et gravatis, procedentes alias contra eos, non abſque Monaſterii ſui gravi præjudicio, et prædictæ Sedis cui noſcuntur immediate ſubeſſe injuria manifeſta. Nos ita in exequendis mandatis Apoſtolicis quæ nobis pro præfatis Abbate et Conventu ac eorum Monaſterio in hac parte ſpecialiter ſunt directa, volentes, ut decet debotam et promptam diligentiam adhibere; Paternitatem veſtram requirendam attentè duximus & rogandam, quatinus a prædictis grabaminibus et eorum quolibet penitus deſiſtentes, ſuper Juribus, poſſeſſionibus dictis Eccleſiis vel eorum fructibus aut pertinentiis, ſeu aliis bonis ſuis contra indulta præfatæ Sedis, non moleſtetis in aliquo ſeu turbetis, quinimo deciſionem ejuſdem Sedis in hujuſmodi negotio patienter, cum qua decet reverentia expectatis; Alioquin vos ſcire volumus, quod cum pium arbitremur et congruum indebitis eorum oppreſſionibus ſubvenire, quantum in nobis eſt oportunæ defenſionis remedio, per quod ipſorum Abbatis et Conventus bona tuta permaneant curabimus eis ſuccurrere, ac Regii fulcimento favoris, quatinus juſtitia permiſerit confovere. Teſte Rege apud *Weſtm.* 11 die *Aprilis.*

Excommunicatio Archiepiſcopo *Roberto* facta per Abbatem Sancti *Auguſtini.*

Chronica W. Thorn, col. 1979.

An. 28 *E.* 1. *Medio hujuſmodi tempore & anno ſupradicto, ſcilicet* 1300. *idem Abbas ſubdelegatus Magiſtri* Petri Roderici *ſuper præpoſitura de* Wyngham *per ſummum Pontificem* Bonifacium 8. *conſtitutus, cum rite in Eccleſia de* Kenyngton *proceſſiſſet contra eundem Archiepiſcopum* Cantuarienſem *& pro ſua contumacia & offenſa manifeſta*, primo ab ingreſſu Eccleſiæ, et ſubſequenter a divinis, et tandem ejus creſcente contumacia, juxta traditam ſibi formam auctoritate apoſtolica excommunicabit, et excommunicatum denunciabit, *pro eo, quod quendam Clericum nomine* Amadæum *ad dictam præpoſituram promovendam multipliciter impedivit*; unde idem Archiepiſcopus adverſus iſtud Monaſterium acrius inſurgebat, et non obſtantibus noſtris privilegiis, et præcipue novæ exemptionis, cuidam Roberto Paulym primam tonſuram habenti minus voluntarie Eccleſiam prædictam de Kenynton quæ plena fuit durit conferendam. *Qui vi armata & manu hoſtili cum magna multitudine armatorum, pridie Non.* Martii *anno ſupradicto*, fractis hoſtiis et feneſtris tam ipſius Eccleſiæ quam Rectoriæ, non ſine violenta manum injectione et ſanguinis effuſione Clericorum et Laicorum Abbatis inibi exiſtentium, in eandem Eccleſiam violenter ingrediens nequiter ſe intruſit. *Similiter Eccleſiam beatæ* Mariæ Magdalenæ *cuidam* Jacobo *Presbytero & Rectori*; *Eccleſiam beatæ* Mildredæ *cuidam* Willielmo; *prædictam Eccleſiam beatæ* Mariæ *juxta Caſtrum cuidam* Thomæ Pycard. *Qui quidem omnes hiis intruſores ad prædictas Eccleſias accedentes, manu potenti*, hoſtiis cum malleis ferreis cum ſuis complicibus fregerunt, Monachos, Clericos, et alios inibi exiſtentes nequiter expellentes, non ſine ſanguinis effuſione atrociter vulneraberunt. So little did this Archbiſhop regard either the Popes precedent Bulls, exemptions, Mandates, or his Delegates cenſures thus denounced againſt him, in oppoſition to his own Archiepiſcopal authority and juriſdiction, or the Canons of the Church againſt Layforce, and laying violent hands on Prieſts, which muſt all give place to his violence, will and pleaſure in defence of his Primacy and Metropolitical Soveraignty.

Nota.

Nota.

What ſtrange cenſures, tumults, perjuries, revolts from one prevailing party to another theſe differences between the Abbot, Monks and Archbiſhop occaſioned, *William Thorn* thus further relates.

* Chronica W. Thorn, col. 1979.

* *Anno Domini* 1301, *quidam Capellanus nomine* Petrus Mildeſtede *inſtitutus per Abbatem ad vicariam Eccleſia de* Faverſham, *qui quidem* Petrus *ob diverſa gravamina univerſis Rectoribus, Vicariis & ſubditis hujus Monaſterii per Archiepiſcopum & ſuos Commiſſarios* dampnabiliter illata, *ſua ſalutis immemor*, poſt Canonicam obedientiam

entiam pro vicaria sua ad sancta Dei Evangelia corporaliter praestitam, a praefata obedientia resiliens, et super hoc postmodum in praesentia dicti Abbatis judicialiter convictus et confessus, se sponte voluntati Abbatis et ordinationi submiserat; *Iterum tamen* post praestitum juramentum continuae residentiae personalis in ipsa Vicaria, cura sibi commissa delerta, in Ecclesiis adjacentibus divina celebrare, immo potius profanare praesumpserat, *trahendo Parochianos Ecclesia de* Faversham *electionibus & machinationibus quibus potuit ad Ecclesias convicinas ad Sacramenta & sacramentalia, in Abbatis & Ecclesiae suae de* Faversham *praejudicium non modicum & gravamen. Postmodum super hiis & aliis notoriis criminibus coram dicto Domino Abbate & ejus Commissario multotiens* ad judicium evocatus, *nec aliquo modo comparens,* a celebratione divinorum suspensus, et majoris Excommunicationis sententia, ut inferius per Commissarium dicti Abbatis liquide patebit, innodatus est. *Dominus vero Abbas suscitans curam ipsius Ecclesiae & Parochianorum suorum, fecit eis ministrari per suos Monachos & honestos Presbyteros, absentiam praedicti* Petri *adimplentes. Contigit verò quod quidam Parochianus ejusdem Ecclesiae decesserat jacens in feretro, quem dictus* Petrus *machinatus fuerat cum suis complicibus extra Parochiam de* Faversham *apud* Praeton *praejudicialiter humare; unde Monachi Sancti* Augustini *& alii Presbyteri assumptis secum Clericis & Laicis, domum ipsius defuncti cum* manuetudine debita, causa officii mortuorum peragendi adierunt, et invento corpore dicti defuncti in archa concluso, feretro suppolito, cum paratos se offerrent exequias pro defuncto debitas inibi celebrare, et illud corpus ad matricem Ecclesiam de Faversham facere deportari; *ecce* Thomas Everard *Major dictae villa & quasi tota communitas ibidem utriusque sexus cum gladiis, lanciis, fustibus, securibus, lapidibus, & aliis diversorum armorum generibus praefatis Monachis, Presbyteris, Clericis cum praedicto corpore in feretro pacifice inermibus versus Ecclesiam incedentibus insultum fecerunt, ipsumque funus rapere & a sepultura debita retrahere nisi fuerunt, necnon quosdam ex eis tam Monachos quam Clericos in Strata publica in Capitibus, brachiis & corporibus suis percusserunt, atrociter vulneraverunt, & lapidibus obruerunt,* non sine enormi sanguinis effusione. *Sed hiis malis non contenti, praedictus Major & maxima pars dicta communitatis machinati sunt instinctu diabolico, ad destruendum per incendium vel alio modo facinorosa praefatam Ecclesiam de* Faversham. *& domos Rectoriae ejusdem, & propter hoc domicelli & servientes de Monasterio destinati fuerunt ad dictorum maleficam malitiam reprimendam, & dictam Ecclesiam cum domibus Rectoriae defendendam; & incontinenti Major cum suis complicibus proclamaverunt vocibus & cornu communi totam ejusdem villa coortem utriusque sexus, & praefatis Monachis, domicellis Clericis & Laicis insultum fecerunt, & eos cum gladiis, arcubus, & aliis diversorum armorum generibus, in maxima multitudine tam ipsius villae quam patriae adjacentis hostiliter eos insequentes,* quosdam semivivos reliquerunt, quosdam nequiter vulneraverunt, alios incarceraverunt, et tanquam latrones Presbyteros et Laicos in compedibus et vinculis per longum tempus detinuerunt; *caeteros vero indumentis suis, pecuniarum summis & aliis bonis fraudulenter spoliatis, exanimes in stratis publicis reliquerunt Addentes insuper iniquitatem iniquitati, adhibito sibi* Petro de Mildestede *antedicto perjuro & excommunicato, totius facinoris authore principali cum complicibus suis, Ecclesiam antedictam, & domos sanctuarii ejusdem ausu sacrilego invadentes,* portus et hostia fregerunt, *& ingressi campanile ascenderunt, cordas campanarum amputarunt, trabes quibus penderunt gladiis inciderunt, ornamenta Ecclesia una cum indumentis sacerdotalibus & Diaconi ipsius Ecclesiae, ipso Diacono inibi verberato, malitiose asportarunt. Insuper verò inimicus noster non dormiens, sed super injuriis nostris manum extendens ad malum,* *Robertus *Archiepiscopus* Ecclesiam de Faversham cum coemiterio interdici mandabit. *Anno quo supra interrogatus fuit idem* Petrus de M. *in Hospitio suo apud* Faversham *a Magistro* Willielmo Rousby, *si vellet de catero obedire Domino Abbati & suis Commissariis juxta sacramentum suum? & dixit, Se velle obedire Archiepiscopo. Item interrogatus, Si quid pro se circa statum suum in Curia* Romana *impetraverat super eo, quod a bono obedientiae dicto Abbati praestita resiliendo* perjurium incurrerat, *aut contra canonicas sanctiones commissam sibi dictae Vicariae curam deserens* residentiam continue personalem juratam et promissam *prepararet omittendo? Dixit, quod de hiis omnibus non curabat.* (as most Nonresidents do.)

An. 28 E. 1.

Nota.

* By whose encouragement all the premised insolencies were acted by the said Mayor.

An. 28 E.1.

* Sequitur processus contra eum.

* Ibidem, col. 1981.

Cum dudum præfatus Vicarius non vi nec metu, sed sponte, una cum aliis Rectoribus & Vicariis, nobis Abbati Sancti Augustini *tanquam Ordinario suo fecisset & juraſſet ad sancta Dei Evangelia, tactis & inspectis sacrosanctis, occasione ipsius Vicariæ canonicam obedientiam, sub hac forma.* Ego *Petrus* ero obediens sanctæ *Romanæ* sedi & Domino Abbati Sancti *Augustini Cant.* ad eandem sedem nullo medio pertinenti qui pro tempore fuerit, & ejusdem Domini Abbatis officialibus & ministris quos de consilio fratrum suorum ad suæ jurisdictionis exemptæ exercitium assignabit, in Canonicis mandatis. Sic me Deus adjuvet.

Nuper verò idem Vicarius juramento obedientiæ penitus derelicto, Domino Archiepiscopo tanquam Ordinario suo pro eadem Vicaria corporale præstiterat obedientiæ sacramentum; *& in signum hujusmodi subjectionis unum denarium optulerat in magna altare Ecclesiæ Christi* Cantuariæ. *Pro quibus sic actis idem Abbas assignavit sibi diem peremptorium, videlicet proximum diem juridicum post festum* Exaltationis Sanctæ Crucis *in Ecclesia Sancti* Augustini Cant. *committens vices suas Commissario suo generali sub hac forma.*

Thomas permissione, &c. discreto viro fratri *Willielmo*, &c. in omnibus causis & negotiis, *ut supra in omnibus; præter quod hic non dicitur. Proviso, &c. Cujus authoritate mandati prædictus Commissarius citavit eum per Decanum de* Lenham, *cujus tenor talis est.* Commissarius venerabilis patris Domini *Th.* Dei gratia Abbatis Monasterii Sancti *Augustini Cant.* ad *Romanam* Ecclesiam nullo medio pertinentis in sua jurisdictione exempta de fratrum suorum consilio deputatus, Decano de *Lenham* salutem, in salutis authore. Cum *Petrus* Vicarius de *Faversham* proximum diem juridicum post festum *Exaltationis* proximo præteritum ex præfixione legitima coram Domino Abbate vel suo Commissario habuisset in Ecclesia Sancti *Augustini*, ad faciendum & recipiendum secundum formam præfactorum quod juris foret & rationis; Qui *Petrus* die & loco legitimè proclamatus & diu expectatus, nullo modo comparere curavit, pronunciavimus **contumacem**, & propter ejus contumaciam **ab ingressu Ecclesiæ suspendimus** justitia exigente. Idcirco vobis injungimus & mandamus, **quatinus ipsum sic suspensum in Ecclesia de Faversham denunciatis seu denunciari faciatis publice et solemniter**; ipsum nihilominus citetis peremptorie, quod compareat coram Domino Abbate vel ejus Commissario in Ecclesia Sancti *Augustini Cant.* proximo die juridico post commemorationem *Animarum* proximo futuram; facturum & recepturum quod juris fuerit & rationis. Quid autem super hiis feceritis nos die & loco per literas vestras patentes harum seriem continentes, certificetis.

Certificatorium.

Venerandæ discretionis viro Commissario venerabilis patris Dei gratia Abbatis Ecclesiæ Sancti Augustini Cant. *suus humilis & devotus Decanus de* Lenham *obedientiam, reverentiam & honorem. Mandatum vestrum suscepi in hæc verba, &c. Auctoritate cujus mandati præfatum Vicarium, quod compareat coram vobis dictis die & loco peremptoriè citavi, dicitur tamen vulgariter, quod est absens & vagabundus. Et sic mandatum vestrum secundum sui formam & effectum reverenter quatinus potui sum executus.*

Set cum pluries proclamatus & debitè expectatus per se vel per responsalem aliquem minime compareret, dictus Dominus Abbas ipsum reputavit contumacem, & de jurisperitorum consilio contra eum processit, & pronunciavit in scriptis & forma qua talis est.

In Dei nomine Amen. Nos *Thomas*, &c. Magistrum *Petrum* qui se gerit pro Vicario Ecclesiæ nostræ de *Faversham*, quem alias pro sua manifesta contumacia, **ab ingressu Ecclesiæ, et etiam a divinis, justitia exigente suspendimus et suspendi mandabimus, pro sua multiplicata contumacia excommunicabimus in his scriptis**; decernentes eum sic suspensum et excommunicatum in dicta Ecclesia de Faversham necnon in aliis Ecclesiis **Decanatus de** Lenham *fore publicè denunciandum diebus Dominicis & festivis,* **donec absolutionis beneficium meruit optinere.**

* Chronica W. Thorn, col. 1982, 1983.

* *Anno quo supra in Ecclesia Sancti* Augustini Cant. *in loco publico ubi jus reddi consuevit, prædictus Commissarius sedens pro tribunali fecit publicè præconizare præfatum* Petrum *ad eosdem diem & locum peremptoriè citatum, & diu expectatus nemo aliqualiter*

qualiter comparere, recitato toto proceſſu contra eum habito, ſententiam diffinitivam protulit in hunc modum. *An.* 28 *E.* 1.

De vultu tuo judicium meum prodeat, oculi tui videant æquitatem. Olim in præſentia venerabilis patris Domini *Thomæ* Dei gratia, &c. in Conventuali Eccleſia Monaſterii ejuſdem pro tribunali ſedentis conſtitutus perſonaliter propter hoc *Petrus* Vicarius Eccleſiæ ſuæ de *Faverſham*, confitendo expreſſè dictum Dominum Abbatem ſub Eccleſia *Romana* Ordinarium ſuum, non vi nec metu, ſed ſponte eidem Domino inſpectis Sacroſanctis, pro dicta Vicaria canonicam obedientiam in ſcriptis & forma, quæ talis. *Ero obediens, &c. ut ſupra.* Poſtea cum dictus Vicarius ſalutis ſuæ immemor, veſano ductus ſpiritu ab eadem obedientia reſiliens, in ſuæ ſalutis diſpendium nequiter receſſerat, & cum pluries ad judicium pro delictis vocaretur, ſemel & ſecundò contumaciter ſe abſentans, & in ſua malitia obſtinata cervice perſeverans, & incorrigibilis exiſtens, animo indurato & contumaciam contumacius accumulans, comparere vel reſpondere per ſe vel per alium non curaret; Nos venerabilis patris Domini Abbatis generalis Commiſſarius in Civitate & Diœceſi *Cantuariæ* deputatus, conſiderantes quod in emiſſo camo ludit cujus maxillas domantis frænum non reſtringit, et quod ſecundum Canones nil comparentibus præſentia prodeſſet, ſi abſentia contumacibus non obeſſet, ipſum Vicarium reputamus contumacem, & ſuper tot & tantis notoriis criminibus contra eum ad ejus punitionem procedentes, auctoritate nobis commiſſa, eundem Petrum tanquam excommunicatum incorrigibilem pronunciamus, et ab eadem Vicaria et Domibus. quatenus earundem poſſeſſioni de facto incumbit, amovendum eſſe decernimus per hanc noſtram ſententiam diffinitivam in hiis ſcriptis.

* *Anno Domini* 1302. *idem Archiepiſcopus* adversus hanc Eccleſiam adhuc inſtigatus, *mandavit Commiſſario ſuo, quod imponeret Presbyteros in Eccleſiis & Vicariis noſtris ad deſerviendum in eiſdem ipſius auctoritate ſub tali forma.* *An.* 29 E. 1. * Chron. Wil. Thorne, col. 1983, 1984, &c.

Robertus permiſſione divina, &c. Cum Eccleſia de Patronatu Abbatis & Conventus Sancti *Auguſtini* ac Vicariæ Eccleſiarum ipſis appropriatarum, per privationem noſtram & ceſſionem Rectorum & Vicariorum ipſorum noſcuntur vacare, & cura earundem Eccleſiarum ac Vicariarum ad nos immediatè pertineat ipſa vacatione durante, tibi committimus et mandamus, quatinus ipſas Eccleſias et vicarias facias per ſacerdotes idoneos deſerviri, ita quod debitis non fraudenter obſequiis nec cura earum aliquatenus negligatur: Salvo jure Archidiaconali in fructibus et obventionibus earundem, juxta conſuetudinem hactenus obſervatam.

Ob qualem injuriam tam manifeſtam *nona die menſis* Julii *in Eccleſia Sancti* Gregorii *coram Archiepiſcopo ibidem tunc exiſtente, Vicarius Eccleſiæ Sancti* Pauli, *Procurator Rectorum & Vicariorum, ſcilicet Sancti* Andreæ, Omnium Sanctorum, *Sancti* Johannis Fordewico, *de* Swaleclive, *de* Stonore, *de parva* Mongeham, *de* Eſtlangedon, *de* Wynelesberge, *de* Borewarmerſhe, *de* Brocklond, *de* Fritindenne, *de* Kingeſdon, *de* Weſtbere, *Eccleſiarum Rectores de* Littleburn, *de* Preſton, *de* Menſtre, *ſancti* Laurentii, *de* Nordburne, *de* Tenterdenne, *de* Lenham, *de* Middelton, *de* Cheldwich *Eccleſiarum Vicarii, habentes virtute mandati ſui procuratorii inter cætera poteſtatem agendi, defendendi, provocandi & appellandi*, et ibidem coram eodem Archiepiſcopo pro defenſione prædictorum appellavit et apoſtolos petiit cum effectu.

Mandabit inſuper Archiepiſcopus, hujuſmodi appellatione non obſtante, *Archidiacono ſuo, quod compelleret omnes parochianos Decanatus de* Weſtbere, quod non ſolverent Decimas et Obventiones dictarum Eccleſiarum, niſi Collectoribus per ipſum aſſignatis, *per talem formam.* Vacantibus olim Eccleſiis de *Weſtbere*, de *Swaleclive*, de *Chiſtelet*, de *Menſtre*, ſanctorum *Laurentii* et *Johannis* in *Thaneto*, et adhuc tanquam vacantibus in cuſtodia noſtri Archidiaconi exiſtentibus, perceptione fructuum & obventionum ipſa vacatione durante ad ipſum Archidiaconum, et non ad alium notoriè pertinente; Vobis mandamus quatinus moneatis canonicè, et efficaciter inducatis omnes et ſingulos parochianos dictarum eccleſiarum, et omnes tam ſeculares quam religioſos cujuſcunque conditionis aut ſtatus exiſtant, terras & bona in parochiis dictarum Eccleſiarum habentes, ut decimas tam bladi quam fœni in campis dimittant per collectores percipiendas, et minutas Decimas, et alia quæ ipſis Eccleſiis et Vicariis debentur fideliter perſolvant cuſtodibus vel collectoribus per nos deputatis, ſub pœna Excommunicationis majoris, quam in non parentes proferimus in hiis ſcriptis, Rege, Regina, et eorum liberis ab iſta ſententia duntaxat

An. 29 *E.* 1. at exceptis. *Undè propter istà & multa alia gravamina per Archiepiscopum, Archidiaconum, & eorum Commissarios, Officiales & Ministros,* directi fuerunt iterum ad Curiam Romanam *Fratres* Robertus de Fekenham, et *Adam de Rydenne* Procuratores, qui prædicta gravamina contra tenorem privilegii sui, dicto Monasterio, et subjectis ejusdem illata Domino Papæ in scriptis palam demonstrarunt. *Et nota, quod durante istà gravissimà tribulatione Abbates* supradicti privilegii concessi conservatores ministerium suum fideliter adimplentes, canonicam ultionem fulminanno dicto Archiepiscopo, Archidiacono, Commissariis, Officialibus et ministris eorundem, ne talia attemptarent sub interminatione prohibuerunt, *Protestantes palàm & publicè,* quod non intendunt officium suæ conservationis excedere, nec aliud seu ad aliud quam privilegium exigit ex parte Religiosorum Sancti Augustini vel subditorum suorum procedere in hac parte. *Undè ex parte Archiepiscopi ante portam sancti* Augustini *extitit* appellatum in forma quæ sequitur.

Licet *Westmonasterii* & de *Waltham* Monasteriorum Abbatibus, una cum Abbate Sancti *Edmundi*, *Londoniensis* et *Norwicensis* Dioceſis, ſuper exemptionibus religiosis viris Abbati et Conventui ſancti *Auguſtini* ut prætendunt innovatis, et eiſdem de novo conceſſis a Sede Apoſtolica, prout aſſeritur conſervatoribus depuratis, pro eo quod idem conſervatores poteſtatem & modum conſervationis hujuſmodi contra venerabilem patrem Archiepiſcopum Cantuarienſem patenter exceſſerant, nec non et ex aliis probabilibus conjecturis nomine patris ejuſdem, et pro eo adhærentibus, dudum ad ſedem Apoſtolicam extitit provocatum, ne per prædictos conſervatores vel religioſos viros ſancti *Auguſtini*, vel eorum nomine aliquid attemptetur, aut aliquid hujuſmodi fieri quoquo modo: dicti tamen Abbas et Conventus ſancti *Auguſtini*, præmiſſis nequaquam obſtantibus dictas exemptiones, ſi quæ ſint et vires earum contra juſtitiam excedentes, juriſdictionem ordinariam nedum in Eccleſiis quas dicunt ſibi appropriatis, et parochiis et parochianis earundem, ſed etiam in Eccleſiis in quibus jus patronatus habere ſe aſſerunt in earum parochiis parochianis ipſarum, cum tamen nulla juriſdictio ordinata vel delegata eis competere liqueat in hac parte, ſibi temere uſurpare, Officiales et Decanos rurales cæteroſque miniſtros ad exercitium juriſdictionis hujuſmodi præfeere, Rectores et Vicarios in Eccleſia ſui Patronatus inſtituere in Cantuarienſi Civitate et Dioceſi nobiter præſumpſerunt, ac juriſdictionem eandem de facto exercentes inhibuerunt ſeu inhiberi fecerunt, tam Clero quam populo dictarum eccleſiarum, ne Domino Archiepiſcopo ſeu ſuis officialibus in aliqua obediant vel intendant. Dictarum enim Eccleſiarum Rectores, Vicarios et Præſbyteros ad faciendum et jurandum eiſdem Abbati et Conventui tanquam ſuis Ordinariis obedientiam compulerunt et indies compellere moliuntur.

De Proceſſione Pentecoſtes ad iſtam Eccleſiam.

Solempnes inſuper proceſſiones quæ à Clero & populo dictarum Eccleſiarum fiunt à ceteris dictæ Cantuarienſis *Dioceſis ſingulis annis in ebdomada* Pentecoſtes *ad Eccleſiam Chriſti* Cant. *matricem, & in eà publicè fieri conſueverint ſic fieri nuper impedientes vel impediri perperam procurantes, ipſam proceſſionem ad ſuum Monaſterium in ultima Pentecoſte publicè fieri procurarunt,* ſubjectionem debitam et honorem conſuetam dicti Archiepiſcopi Eccleſiæ ſuæ nequiter ſubtrahendo et ipſius juriſdictionem minus prohibe perturbando.

Et nota, quod in illa proceſſione Pentecoſtes fuerunt Rectores, Vicarii & Sacerdotes Eccleſiarum ſubſcriptarum, videlicet de Weſtbere, *de* Swaleclyve, *de* Chiſteleth, *de* Menſtre, *ſanctorum* Laurentii, Johannis & Petri *in* Thaneto, Stone, Borewarmerſh, Demecherch, Swanes, Wyvelesberg, *de* Broklond, *de* Keninton, *de* Fritenden, *de* Lenham, *cum Capellis de* Rocton, *de* Middelton, *de* Faverſham, *de* Sheldwich, *de* Kingeſdon, *de* Plumſtede, *cum Capella de* Eſtwicham, *quarum quadam appropriata, cætera verò de patronatu, unà cum non modica parte populi earundem publicam proceſſionem & ſolempnem fecerunt cum oblationibus & ceteris devotionibus, ſecundum conſuetudinem obſervatam in Eccleſiis matricibus dicti regni.*

Subſidium receptum per Archiepiſcopum contra nos.

In tranſitu quoque dicti Patris per Civitatem Cantuarienſem *ob reverentiam & honorem ejus,* Campanæ pulſari debeant, *& ab antiquo ſolebant;* ſet Religioſi præ-

dicti

dicti reverentiam et honorem hujuſmodi ſubtrahi facientes, hoſtia ipſarum Ecclesiarum in illius tranſitu claudi fecerunt, et etiam inhiberi et impediri quominus taliter pulſaretur, in dicti patris injuriam et ſuæ Eccleſiæ præjudicium manifeſtum; *unde idem Dominus Archiepiſcopus ſentiens ſe & Eccleſiam ſuam ex hujuſmodi* novis præſumptionibus prægravari, ne ulterius ab eiſdem talis juriſdictio exerceatur, Sacroſanctam ſedem Apoſtolicam appellat in his ſcriptis. *Quid plura? Suffraganeos ſuos conſulnit, & ut* Auguſtinenſe *Cœnobium deprimere*, et Bullam de nova exemptione annullare devote ab eiſdem ſuffragium flagitavit. Qui omnes pro defenſione juris Eccleſiæ Metropolitanæ ſubſidium copioſe dederunt, *videlicet*, de qualibet marca taxæ ipſorum Epiſcoporum 4 d. præter Archidiaconum, Commiſſarios, Officiales, et alios ipſius Archiepiſcopi familiares; quorum quidam 40 l. et alii 40 marcas, et quidam majus, et quidam minus in omnem eventum largiti ſunt; iſtis habitis et receptis miſſi ſunt Procuratores Archiepiſcopi et Capituli ſui ad Curiam Romanam, ut averterent judicium et juſtitiam, Papam et totam Curiam pecunia corrumpentes: (as the Abbot and Monks had done before.) *An.* 29 *E.* 1.

Proceſſus coram Papa inter Archiepiſcopum & nos

* *Anno igitur Domini* 1303. volens Dominus Papa uno dierum partes inibi conſtitutas audire, *fecit eos vocari in privato Conſiſtorio* 15 *Kal.* Februarii. *Et fuerunt tunc pro parte Archiepiſcopi advocati Dominus* Fornya, & Robertus de Caſula, Romani, *& duo Monachi Eccleſia Chriſti procuratores, & duo* juris Civilis profeſſores Anglici. *Pro parte vero Abbatis fuerunt Domini* Jacobus de Caſulis, & Benenutus de Puſyo *advocati Curiæ* Romanæ, *& duo Monachi, ſcilicet* Robertus de Fekenham, & Adam de Rydenne *procuratores, & Magiſter* Johannes de Sancto Claro, Anglicus. *Conſtitutis igitur partibus in præſentia Domini Papa juſſit partem Archiepiſcopi proponere primò; Qua propoſuit, quod privilegium fuit impetratum per falſi ſuggeſtionem; & quod privilegia eorum antiqua fuerunt falſa; ſimiliter Abbas & Conventus exceſſerunt nimis per abuſum, juriſdictionem exercendo, capitula celebrando, Clerum etiam & populum ab obedientia & juriſdictione Archiepiſcopi nequiter ſubtrahendo. Objecit etiam, quod ipſi conſtituerunt Decanos rurales & etiam alios Officiales ad exercitium hujuſmodi juriſdictionis contra conſuetudines & libertates Archiepiſcopi & Eccleſiæ ſuæ antiquas. Pro parte vero Abbatis fuit propoſitum de gravaminibus ipſi & eorum ſubditis per Archiepiſcopum & ſuos Commiſſarios illatis,* eos videlicet ſuſpendendo, excommunicando, et demum eorum captionem apud regiam poteſtatem procurando, contra privilegium eiſdem a Domino Papa indultum. *Et propter iſta & multa alia gravamina ipſis Religioſis illata, petita fuit inſtanter dicti Archiepiſcopi vocatio perſonalis & ſuorum Commiſſariorum. Poſtquam verò fuerat, ut dictum eſt, pro utraque parte ſic propoſitum, dixit Dominus Papa*; Ego plantavi, *Apollo* rigavit. Ego, ſupple *Gregorius* Papa; Ego, ſedes iſta *Romana* plantavi illam Eccleſiam Sancti *Auguſtini*; *Apollo* rigavit, hoc eſt beatus *Auguſtinus* per Chriſti gratiam & ſuam prædicationem *Anglos* baptizavit; Deus incrementem dedit per beatum *Thomam* martyrem. *Et adjecit*, Utraque Eccleſia nobilis eſt; & ita benè novimus jura & libertates utriuſque Eccleſiæ ſicut illi Monachi qui ibi ſtant, erigens faciem ad Monachos procuratores ſuperius nominatos. Una inquit Eccleſia utitur jure communi, alia gaudet privilegio ſingulari. Et ideo in ſignum ſuſceptæ libertatis ab Eccleſia Romana in adventu Legati ad illam terram debet Abbas mittere unum Monachum obviam illi uſque ad medium maris, qui portabit secum Crucem, et ibi erigent eam, et incipient cantare, *Te Deum Laudamus*. Ipſe verò Monachus portabit Crucem erectam ante Legatum, dummodo fuerit in illa terra. Ad hoc quod vos dicitis, quod privilegium fuit impetratum per falſi ſuggeſtionem, & quod privilegia eorum antiqua ſunt falſa, non eſt verum. Nos dedimus ipſis illud privilegium. Præterea nos inſpeximus privilegium beati *Bonifacii quarti*, ſatis amplum pro ſuo tempore, et nos illud corroboravimus; et ſi adhuc eſſet dandum, adhuc eiſdem daremus; et ſi non eſſet eorum Monaſterium exemptum de novo erimeremus. *In fine dixit partibus*, quod ipſi ponerent in ſcriptis ea quæ voluerunt proponere & probare; & ſibi liberarent. *Sicque receſſerunt à Conſiſtorio. Acta fuerunt hæc coram Domino Papa & Cardinalibus in privato Conſiſtorio.* * Ibid. col. 1986.

Articuli

An. 29 E. 1.

Articuli liberati pro parte Abbatis & Conventus S. *Augustini*, sic se habent.

* Chron. Wil. Thorne, col. 1987, 1988, 1989, 1990.

* *Inprimis, Pater Sanctissime, exponitur quod prefatum Monasterium Sanctissimorum Patrum* Gregorii & Augustini *monitu & instantia, beatus* Ethelbertus *Rex* Angliæ, *quem dictus pater* Augustinus *cum sua gente ad fidem Christi convertit, in sepulturam sui & successorum suorum Regum* Angliæ *& Præsulum prefatæ Urbis* Cantuariæ *a fundamentis construxit, & bonis propriis ditavit, & ibidem congregationem Monachorum collocavit. Cui Monasterio dictus pater* Augustinus *primo prefecit auctoritate sedis Apostolicæ* Petrum *Abbatem confessorem per beatum* Gregorium *secum missum ad convertendum* Anglicos. *Quo* Petro *mortuo, Apostolica sedes prefecit* Johannem. *Item prædictum Monasterium, ut præmittitur, sic fundatum dictus* Anglorum *Apostolus & sanctissimæ sedis* Romanæ *Legatus* Augustinus, *authoritate beati Papæ* Gregorii, *& ex ore ejusdem, dominicum esse voluit,* **et Apostolicum ordinavit, ac terras et Ecclesias ad ipsum pertinentes ab omni ordinaria potestate potentatu, dominatu aut imperio eremit et privilegiavit,** *prout in ejusdem privilegio latius continetur. Item prædictum Monasterium sanctus pater Dominus* Bonifacius *Papa quartus, ad preces dicti Sancti* Ethelberti *Regis, & Sancti* Melliti *confessoris tunc* Londoniensis *Episcopi, Sancti Regis ad hoc Nuncii & Legati, in generali Concilio* Italiæ *perpetua libertate munivit & privilegiavit. Item prædictum Monasterium virtute dictorum privilegiorum & ipsorum cujuslibet pro tempore suo ab initio fundationis suæ,* **ita liberum fuit et exemptum ab omni ordinaria potestate, tam in capite quam in membris, et omnibus ad idem pertinentibus intus et extra, et notorie habitum pro exempto, et solum sanctissimæ Romanæ Sedi immediate subjectum, quod nullus præter Romanum Pontificem, vel cui ad hoc specialiter committeret, quicquam jurisdictionis vel potestatis in dictum Monasterium, Abbatem vel Monachos, et Clericos, homines vel tenentes de dominio, vel de subjectione ipsorum Abbatis et Conventus, nec in aliquos ipsi Monasterio tributa vel redditus quomodolibet exsoltentes nullatenus exerceret, verum Abbas cum suo Conventu omnem Jurisdictionem in omnibus Ecclesiis suis et Parochianis earum, tam in Clericis quam in Laicis, pacifice et plene exercuit et habuit, Clericos in Ecclesiis suis tam suis usibus appropriatis, quam aliis instituit et destituit. Causas etiam Patrimoniales audivit, et omnimodam Jurisdictionem exercuit sicut Episcopi in suis Diocæsibus exercere consueverunt.** *Et istum statum pacifice & notorie habuit istud Monasterium per* 300 *annos, & ultra; scilicet, usque ad tempus* Lucii *Papæ tertii, cujus tempore licet Archiepiscopus* Cantuariensis *ipsius Monasterii statum exemptionem & jurisdictionem inquietaret, dictus tamen Dominus* Lucius *mandavit per Bullam suam Archiepiscopo* Cantuariensi, *quod non intromitteret se de aliqua jurisdictione quantum ad Clericos vel homines spectantes ad jurisdictionem ipsius Abbatis. Item* **mandavit Abbati, quod jurisdictionem hujusmodi exerceret; et simili modo mandavit Clericis et Laicis dictæ Jurisdictionis, quod non obedirent Archiepiscopo** Cantuariensi **in aliquo, verum dicto Abbati,** *præsertim pendente inquietatione prædicta. Postea Dominus* Celestinus 3. *quoad prædicta jura & alia dictum Monasterium* **privilegialiter communivit.** *In quo statu dictum Monasterium usque ad tempus* Gregorii *Papæ* 9. *permansit & usum est suis libertatibus, ut supra. Iste* Gregorius *mandavit per scripta Apostolica & præcepit tunc Archiepiscopo,* **quod dictos Abbatem et Conventum aliqua non gravaret sententia, et quod ipsorum Ecclesias, Clericos vel homines interdicere vel Excommunicare non præsumeret, vel census sibi debitos solvi minime impediret.** *Item tempore ipsius Domini* Gregorii *propter nimias vexationes & gravamina, quæ sentivit ipsum Monasterium per potentiam Archiepiscoporum, intervenit compositio anno sui Pontificatus* 12. *qua adeo derogavit præmisso statui illius Monasterii & juri, quod extunc Archiepiscopus* Cantuariensis *& Archidiaconus ibidem inceperunt prætextu dictæ Compositionis habere institutionem & destitutionem in Ecclesiis ipsius Monasterii ad præsentationem Religiosorum, & in suos Clericos & homines jurisdictionem omnimodam exercere, reservatis tamen quibusdam prærogativis præteritæ jurisdictionis & exemptionis Abbati prædicto. Item istius Compositionis forma hinc inde fuit servata, usque ad tempus Domini* Roberti *nunc* Cantuariensis *Archiepiscopi, qui etiam contra Compositionem prædictam* **innumeris gravaminibus ipsum Monasterium solito plus verabit.** *Primo videlicet recusavit admittere quendam Clericum idoneum præsentatum*

ab

ab ipſis ad Eccleſiam eorum de Fritendenne, *ſet mandavit ipſis Religioſis per literas ſuas, quod preſentarent certam perſonam quem in literis ſuis nominavit; & adjecit, quod nullum alium vellet admittere illa vice. Item ſubſequenter petiit ab ipſo Abbate obedientiam, tam contra pratacta privilegia quam Compoſitionem premiſſam, quam debuit illis temporibus obſervare. Item fecit citari dictos Abbatem & Conventum ad terminum nimis brevem & ad locum incertum, nulla abbreviationis cauſa expreſſa, ita quod ipſi comparerent coram ipſo ubicunque eſſet in Civitate, Diocaſi vel Provincia* Cantuar. *propoſituri, oſtenſuri, necnon probaturi peremptoriè, quo jure vel titulo Eccleſias de* Middleton, *de* Littleburne, *de* Preſton, *de* Menſtre, *Sanctorum* Laurentii & Petri, *de* Chiſtelet, *de* Faverſham, *de* Schildwich, *de* Selling, *de* Tanterdenne, *de* Nordborne, *de* Lenham, *& Sancti* Pauli Cantuar. *in uſus proprios poſſiderent, necnon portiones & penſiones quas finxit eoſdem habere in certis locis, licet in veritate, nullas haberent ibidem, ac etiam ut dicto termino privilegia ſuper appropriatione Eccleſiarum noſtrarum & aliis libertatibus ipſius Monaſterii cum gravi periculo delationis exhibendorum pro termino peremptorio exhibituri, & ulterius de die in diem proceſſuri, ubicunque idem Archiepiſcopus ſe transferret. Item ad magis gravandum dictos Religioſos, excitavit adverſus eos plures adverſarios, citando in Eccleſiis in quarum Parochiis ipſi Religioſi penſiones vel portiones habebant, ac etiam in aliis ubi nichil perceperunt omnino, quod omnes quorum intereſſet coram ipſo Archiepiſcopo comparerent ſe ipſis Religioſis in hujuſmodi penſionibus efficaciter oppoſituri, ita quod à dicta pereceptione expelli poſſent in poſterum & excludi. Item licet eidem Archiepiſcopo oblatum fuiſſet multis vicibus ex parte Religioſorum, & ante eorum citationem & poſt, ſuper omnibus quorum occaſione fatigavit eoſdem, loco & tempore congruis, & ipſum in illis debite informare, ipſos tamen in hoc audire ſæpius recuſavit, nec detulit,* quamvis ſibi conſtaret de eorum appellationibus ſed Eccleſias ipſorum Religioſorum nullo juris ordine ſervato vacantes eſſe pronunciavit, *& mandavit eiſdem, quod ad ipſas Eccleſias tanquam ad vacantes infra* 40 *dierum ſpacium idoneos Clericos præſentarent; denunciando eiſdem Religioſis, quod alioquin Eccleſias conferret eaſdem. Item,* dum dictarum appellationem negotia apud hanc ſanctam Sedem de precepto veſtro, Pater Sanctiſſime, remanſerunt, inhibitum fuit eidem auctoritate veſtra, ne quicquam in dicti Monaſterii ſeu dictarum appellationum præjudicium attemptaret lite pendente; quibus tamen appellationibus vel inhibitioni Papali non detulit, nec etiam veſtræ Sanctitatis privilegiis, licet ſibi conſtaret ad plenum de ſingulis eorundem. *Item, cum dictum veſtrum privilegium eſſet eidem necnon Capitulo ſuo per conſervatores ſuper hoc deputatos oſtenſum, & in eorum præſentia lectum, idem conſervatores per ſuum Commiſſarium virum providum & diſcretum, facta tamen ſibi prius fide de privilegiis antiquis & de ſtatu antiquo quem habebat ante dictas Compoſitiones quantum ad inſtitutionem & deſtitutionem Clericorum in beneficiis, injunxerunt Abbati quod ipſe omnem ſtatum antiquum, tàm quoad exemptionem quàm juriſdictionem, plenè reſumeret, ac omnia & ſingula quæ fieri conſueverunt ante predictam Compoſitionem liberè exerceret; dictus verò Abbas ſciens ſtatum Eccleſiæ ſuæ antiquum fuiſſe ita plenum & liberum, ipſum reſumpſit ſecundum modum obſervatum antiquitus, & quatenus veſtro crolebat privilegio convenire. Poſtmodum idem Archiepiſcopus per Officialem ſuum & alios miſit* Cantuariam, *mandans quod Abbas & Conventus coram ipſis in Eccleſia Sancti* Pauli *exemptionem, & privilegia quibus vellent uti contra ipſum, coram ipſis Commiſſariis notoriè ſuſpectis, & dicti Monaſterii inimicis etiam tempore meſſium exhiberent. Qui Commiſſarii imponebant Religioſis quamplures abuſus & exceſſus privilegii conceſſi. Tamen ex parte Abbatis & Conventus facta fuit proteſtatio, quod non intendebant in aliquo excedere vel illo quoquo modo abuti; verum ſi quid dubii circa veſtrum privilegium emerſiſſet, vel in futurum emerget, veſtræ Sanctitatis declarationem humiliter expectaret, & petebatur quod hoc faceret pars adverſa cum effectu. Item,* dicti Commiſſarii præmiſſa omnia diſpendentes, Clericos et homines ipſius Monaſterii tributa et redditus ſolventes, necnon cæteros exemptos in locis ejuſdem degentes, excommunicaverunt et præceperunt ſub pœna excommunicationis, ne quis Parochianorum ſuorum de ſuarum Eccleſiarum proventibus vel juribus Parochialibus reſponderent. *Et ut plus viderentur inimici* veſtroque privilegio inobedientes, *de die in diem tàm contra perſonas exemptas quàm loca exempta proceſſerunt. Propter quod licet per conſervatores veſtri privilegii fuiſſent moniti, quod à talibus exceſſibus notoriis deſiſterent, & errata corrigerent,* ſub pœna excommunicationis latæ in eoſdem ſi ſecus agerent; eidem tamen

An. 29 E. 1.

Nota.

An. 29 *E.* 1. tamen injuriam injuriis accumulantes, ſtatum et exemptionem ipſius Monaſterii inquietarunt, veſtræ Sanctitatis privilegium ſiniſtra interpretatione coram Clero et populo exponentes. *Item dictus Archiepiſcopus facto publico ſermone ad populum in Eccleſia ſua,* excommunicavit omnes qui ſtatum ſuæ Eccleſiæ in juribus, libertatibus vel poſſeſſionibus minuerant quæ prius habuerat vel conſueverat optinere. *Item.* Clericos eorundem *per ejus Commiſſarium de facto non de jure* excommunicatos, non obſtante quod proceſſus et ſententia prædicta eſſent auctoritate veſtri privilegii nulla et irrita, etiam per conſervatores ex habundanti debite revocata, fecit manicipari cuſtodiæ carcerali, regia poteſtate mediante. *Iſtis articulis auditis Apoſtolica ſic traditis & liberatis, procuratores Abbatis receſſerunt.*

* Chron. Wil. Thorne, col. 1990, 1991.

* *Anno quo ſupra per ſpacium temporis, videlicet Idus* Martii, *vocata fuit pars Abbatis & Conventus per ſe in ſecretiori Thalamo coram Domino Papa,* qui dixit quaſi increpando; Non ſecundum voluntatem noſtram, ut intelleximus, fecerunt ipſi Abbas & Conventus in Eccleſiis juris patronatus eorum, qui inſtituerunt & deſtituerunt in eiſdem. *Reſponſum fuit;* Pater Sancte, Non: *ſed poſuerunt ibi perſonas idoneas, ut ipſis deſervirent quouſque aliud ſcirent de veſtra voluntate. Quantum ad pulſationem contra Archiepiſcopum, negatum fuit expreſſè quod unquam fuit prohibitum, quin pulſaretur contra eum. Tertio inquirebat de Eccleſiis appropriatis quid ſentirent. Ad illud fuit allegatum de præſcriptione & de ſtatu Monaſterii antiquo, ad quem reducti fuerunt per ſuum privilegium. Tunc dixit Dominus Papa;* Non ponatis vos in talibus, quia talia poſſunt eſſe privilegia quæ juriſdictionem populi ſimul cum appropriatione Eccleſiarum ſapiunt, & alia quæ non. *Ad illud quod objecit de exceſſu quoad inſtitutionem & deſtitutionem, reſponſum fuit; Pater Sancte, conſervatores privilegii veſtri viſo ſtatu Monaſterii antiquo injunxerunt Abbati, quod ipſe reſumeret omnem ſtatum antiquum quoad exercitium juriſdictionis; & ipſe hoc fecit ſub proteſtatione tali, Quod ſi contingeret illum aliud facere, quàm quod de veſtra procederet voluntate, paratus eſſet cum ſibi conſtaret reſumpta revocare. Hiis dictis, juſſi ſunt recedere. Et continuò vocata fuit pars Archiepiſcopi & din tractavit cum eis: Denuò vocata fuit pars Abbatis. Conſtitutis verò partibus coram Domino Papa, objecit pars Archiepiſcopi illa quæ ſuperius ſunt oſtenſa. Tunc dixit Dominus Papa, Tacetis; non curamus de talibus, quia totum negotium ad tria puncta reſtringimus, videlicet, ad* juriſdictionem, pulſationem, & proceſſionem; *& de iſtis volumus deliberare & ordinare, ſicut nobis videbitur expedire;* ſicque totum negotium ibi prima vice reſervabit; *deinde locutus eſt Procuratoribus Archiepiſcopi, dicens:* Nos audivimus de illo Cantuarienſi, quod male ſe habuit in Parliamento Lincolniæ, quia ipſe ſeminavit zizania inter Regem et Barones; et niſi fuiſſet ſapientia Regis, terram ſuam imperpetuum amiſiſſet; ipſe corruet et finaliter ipſe corruet, et * per Deum bene vindicabo Regem de eo. *Reſpondit Magiſter* Johannes de Ros *Procurator Archiepiſcopi;* Pater Sancte, niſi fuiſſet ſua conſtantia et prædicatio, multa majora ſcandala fuiſſent in illo regno exorta. *Papa reſpondit;* Tu mentiris, tu mentiris, bene ſcimus veritatem. *Tunc juſſa ſunt amba partes recedere.*

* Popes can ſwear, and take Gods name in vain, even in *Cathedra*, and yet not erre therein.

* *Nota.*

Poſt aliquot verò dies, * pecunia mediante Epiſcopali, *traditum fuit dictum negotium ad Notarium, ut expediretur. Perpendit autem pars Abbatis, quod nota non fuerat benè concepta pro parte ipſorum, & vehementer inſtabat, quod poſſet habere acceſſum ad Dominum Papam. Tandem intervenientibus amicis ingreſſi ſunt, ſupplicantes ſibi pro Dei miſericordia, quod ſibi placeret habere pietatem de Monaſterio ſuo; & reſpondit,* Eccleſia beati *Auguſtini* eſt antiquior in illo regno; & ideò magnum vituperium eſſet Curiæ *Romanæ*, ſi non eſſet exempta ex quo plura Monaſteria ſunt ibi exempta; nec decet quod ſit pejoris conditionis quàm aliæ Eccleſiæ, quæ fuit prima inter eas. Initiatio ibidem religionis Chriſtianæ, antiquitas loci, & veneratio beati *Auguſtini Anglorum* Apoſtoli monet nos ad fovendum jura illius Monaſterii in quantum poſſumus cum juſtitia. *Et hiis dictis receſſerunt. Inſuper firmiter promiſſum fuerat eiſdem per organum Domini Papa,* quod negotia benè expedirentur pro parte illorum; *tamen quia Curia fuit in motu verſus* Agnaniam, *dicebatur,* quod nihil expediretur quouſque illuc venirent. *Igitur venientibus Procuratoribus Abbatis poſt Paſcha* Agnaniam, *requirebant à referendario, quod negotia expedirentur ſecundum quod promiſſum eis fuerat. Qui reſpondit verbis diſſimulatoriis;* ſe ad plenum non ſcire de voluntate Domini; *unde prædicti Procuratores inſtiterunt,*

ut

ut faceret finem negotii. Tandem dictum fuit eis, quod irent ad Notarium, & inſpicerent quandam notam, quam Dominus præcepit fieri ut dicebatur. Inſpectâ verò nota, diſplicuit per omnia, eo quod ex toto fuit eis contraria. *Placuit tamen Procuratori Archiepiſcopi, qui inſtanter egit,* ut imbullaretur. *Venerunt igitur Procuratores Abbatis ad Referendarium, dicentes:* Pater, quid eſt quod intenditis facere? Si illa nota tranſeat, imperpetuum confuſi erimus nos et domus noſtra, nec auſi erimus redire ad propria. Magnum certe peccatum eſt, quod tantum a *Domo noſtra extraximus pecuniæ, nec quicquam conſecuti ſumus ampliorîs gratiæ. *Qui reſpondit,* Quid igitur vultis ut faciam vobis? Nonne ſufficere poteſt vobis, quod habeatis ſtatum aliorum exemptorum? *Reſponſum fuit,* Pater, ſufficit. *Et dixit,* Requiratis ergo ſtatum eorum, & Dominus faciet vobis bonam gratiam. *Unde requiſita fuit copia privilegii S.* Albani, *& ad Curiam ſub manu publica delata. Quibus exhibitis reſpondit Dominus Papa;* Quod non ſatis credidit Notariis *Anglicanis*, niſi hujuſmodi privilegia poſſent inveniri in Curia regiſtrata. *Demum Regiſtris inſpectis, compertum eſt Privilegium* Honorii *tertii Anno ejuſdem tertio, de verbo ad verbum: Et illud optimè faciebat pro ſtatu quem petebant. Interea* pendente negotio ſub diſſimulatione infecto, Procuratores Archiepiſcopi impetrarunt plures literas contra Rectores, Vicarios, et alios ſubditos ipſorum Abbatis et Conventus: *Quibus Procuratores Abbatis contradixerunt. Et cum multa eſſet pro hujuſmodi hinc inde controverſia, dixit Auditor contradictoriarum Procuratoribus Abbatis,* Concedo vobis terminum uſque ad publicum Conſiſtorium, ut poſſitis conſulere Dominum, ſi hæ literæ debeant tranſire, vel non.

In proximo igitur Conſiſtorio publico, ſcilicet die Sancti Adriani, *inter cætera propoſuit pars religioſorum coram Domino Papa & Cardinalibus, quod Procuratores Archiepiſcopi impetrarunt literas in audientia contra privilegium novum conceſſum. Inſuper, quod de novo citari fecerunt Procuratores Abbatis coram Domino* Johanne Monacho *Presbytero Cardinali ad procedendum ſuper illa Nota ſuperius memorata. Tunc reſpondit Dominus Papa,* Nos ob reverentiam beati *Auguſtini* dedimus eis illud privilegium, & ſtatum illius Monaſterii corroboravimus & renovavimus: veruntamen ipſi Monachi non ſunt contenti finibus ſuis; *& adjecit de Cauſa qua fuerat in dubio coram Cardinali, alloquens ipſum Cardinalem, dicens ſic,* Johannes fili, audis tu iſtam Cauſam? *Qui reſpondit,* Pater ſancte, Vocati fuerunt coram me, et propoſuerunt in Scriptis excipiendo quod vos reſervaſtis veſtræ audientiæ: & ſuper hoc petebant Procuratores prædicti inſtanter veſtram Sanctitatem conſuli, eo quod vos non agebatis in remotis. *Qui reſpondit,* Ego tibi præcipio ne amplius iſtam cauſam audias, nos enim illam nulli omnino hominum committimus nec committemus: ſed nos iſtud negotium cum omnibus ſequelis ſuis volumus terminare. *Et ſub iſto modo iſtam Cauſam ſibi ſecundò reſervavit. Conſiſtorio celebrato, venerunt Procuratores Abbatis nunciantes Auditori contradictoriarum, quæ dicta fuerant à Domino Papa; Qui reſpondit,* Volumus conſulere Dominum, *& quia Procuratores Archiepiſcopi valdè fuerant infeſti Auditori quod prædicta litera tranſirent, fecit Auditor partes citari. Quibus coram eo in judicio conſtitutis, poſt multas allegationes hinc inde factas, Dixit Auditor.* Quia nos non habemus cognoſcere de veritate precum, nos iſtas literas diſcernimus abſolvi, ſub iſta tamen conditione, Quod ſi illæ Eccleſiæ ſeu perſonæ, de quibus agitur in prædictis literis, pertinent ad illud Monaſterium pleno jure, vel ſunt membra ipſius Monaſterii, vel ſi ſint Eccleſiæ vel perſonæ de quibus omnibus cauſa pendet coram Papa, literæ non procedant contra Abbatem ſeu aliquas alias perſonas ipſi Monaſterio ſubjectas. *Non multum poſt Procurator Archiepiſcopi, habito ingreſſu ad Dominum Papam propoſuit coram eo,* Quod Procurator Abbatis impediebat literas communis juſtitiæ in audientiâ, quo minus tranſire poſſent: *& multos alios articulos propoſuit coram eo: Papa reſpondit,* Redigas in ſcriptis ea quæ probare volueris & trades nobis. Et ſi probaverimus quòd verum dixeris, nos acrius procedemus contra prædictos Religioſos: ſi autem probaverimus te falſum dixiſſe, promittimus Deo quod puniemus falſitatem tuam.

* *Igitur proximo Conſiſtorio liberavit Procurator Archiepiſcopi Articulos prædictos Domino Papæ, qui ſic incipiunt,* Gravamina noviter attemptata; *Dictus tamen Procurator non artavit ſe ad probandum Articulos in aliquo, nec per publica Inſtrumenta, ſeu quovis alio juris ordine; ſed in fine Articulorum quaſi concludendo dixit,* Pater ſancte, hæc omnia recepi literatoriè à Domino meo *Cantuarienſi* & Priore Capituli ejuſdem

* Chronica W. Thorn, col. 1992, 1993.

An.29 E.1. ejusdem. *Quando verò dicti articuli liberati fuerunt, petita fuit eorum copia instanter per Procuratorem Abbatis. Et incontinenti petita fuit per eosdem*, quod Dominus Papa vellet subsequenter audire partem, causam & articulos Abbatis. *Et respondit*, Satis est; *& adjecit*, Nos ob reverentiam beati *Augustini Anglorum* Apostoli statum illius Ecclesiæ renovavimus, corroboravimus, & multa addidimus. **Verùntamen Abbas et ipsi Monachi nimis sunt elati, et faciunt multos Excessus**; et **similiter Archiepiscopus aliquantulum est elatus, et utinam aliquantulum**, quia **nimis magnus Theologus est**; ipse est de *Ryparii*s, benè novimus eum. *Et dixit*, Consulimus quod utraque pars contenta finibus suis, & placeret nobis quod bona pax esset inter eos: quia si contingat nos tangere illas, utraque pars dolebit. *Et sic recesserunt à Consistorio illa vice. Quibus Articulis Archiepiscopi quamquam nobis omninò contrariis à Domino Papa conceptis, jussit Notam quæ alias fuerat* Anagniæ *concepta procedere. Quod videns Procurator Abbatis, institit viriliter quatinus habere posset copiam dictæ Notæ, dicens*, Se posse proponere & probare per rationes efficaces, quod illa Nota non posset transire. *Quod cum nunciatum fuisset Domino Papæ, jussit copiam liberari prædicto Procuratori. Tamen Procurator Archiepiscopi constanter egit*, quod prædicta Nota transiret. *Cui tamen responsum fuit*, quod Dominus intellexit quod pars Abbatis haberet plures rationes probabiles & efficaces quare prædicta nota transire non deberet; & idcirco voluit audire partes, & dictum negotium ampliori deliberatione tractare.

Et scito, quod illa Nota quæ dicitur fuisse concepta Anagniæ *erat hæc:* Habeant præsentationem Rectorum & Clericorum, tum, &c. quæ sequuntur in bulla declarationis. *Contra quam notam Procuratores Abbatis rationes produxerunt efficaces in forma quæ talis est*; Habeant Præsentationem, &c. *Hac dictio tantum absorberet jus Monasterii, quia de jure communi alia competunt patronis quàm præsentatio sola, quia Abbas & Conventus habent custodiam vacantium Ecclesiarum de Patronatu, & percipiunt medietatem fructuum ipsarum tempore vacationis, & etiam sequestrorum. Item retinent claves ipsarum Ecclesiarum vacantium. Item pulsantur Campanæ propter reverentiam Abbatis, quando transit per loca. Et hæc competunt, & competierunt ab eo tempore quo memoria non extat, & etiam per compositiones fuerant reservata expressè. Item Archiepiscopus habeat Spiritualia in eisdem, hoc excepto, quod propter privilegia & compositionem interdicere & suspendere non potest, sicut patet per Compositiones, quinque Ecclesias in Compositione nominatas, ut superius in eadem compositione patebat.* Nec aliàs quam eis ex præsenti declaratione. *Hoc est limitandum quoad Spiritualem jurisdictionem, quia temporalem habuerunt & habent in prædictis ab eo tempore quo non extat memoria.* Permittitur; *Ex hac concessione nihil permittitur, quod jurisdictionem sapiat. Præterea eadem jura habent in hoc genere appropriatarum Ecclesiarum quæ habent in illis quæ sunt de solo patronatu. Et id.ò oportet hoc mutari.* Et aliarum quarumcunque Ecclesiarum *Cantuar.* Civitatis & Diocæsis. *Si hoc ita generaliter ponatur, extenderetur ad Ecclesias pleno jure eisdem subjectas; & sic inducitur servitus super rem omnino exemptam.* Qualemcunque jurisdictionem habere noscuntur; *Quæ sunt ista? verendum est, ne ex hiis verbis detur materia inposterum litigiis.* In cæteris contentis in eo. *Impropria videntur hæc verba, quia de hiis quæ declarata sunt nichil de privilegiis continetur; & Exceptio non fit, nisi de eo de quo est regula.*

Petitiones Procuratoris Archiepiscopi subsequenter productæ, quæ tales sunt.

Abbas & Conventus Monasterii S. Augustini Cantuarienſis *asseruerunt coram vobis Quod licet Monasterium eorum à principio fundationis ipsius cum omnibus membris suis fuisset exemptum per sedem Apostolicam à jurisdictione qualibet ordinaria, eis tamen post modum exactionibus et angustiis fatigatis per nonnullos Archiepiscopos* Cantuarienſes *super exemptionibus eorundem, quædam Compositiones intervenerint inter partes, ex quibus dicti Abbas et Conventus dicentes plurimum derogari libertatibus eorundem, supplicarunt se reduci ad plenitudinem libertatis exemptionis. Unde vos decrevistis Privilegia, Libertates, et Exemptiones, ipsis à dicta Sede concessa, in suo robore permanere, ac nichilominus ipsos et dictum Monasterium cum omnibus membris suis ab omni potestate, jurisdictione, subjectione, et dominio Archiepiscopi et Capituli* Cantuariæ, *et omnium aliorum absolvistis, exemistis, et perpetuo liberastis, et decrevistis ea omnia totaliter et immediatè* Romano *Pontifici subjacere, ita quod nec Archiepiscopus nec quævis alia per-*

sona

ſona eccleſiaſtica in ipſos juriſdictionem aliquam ſibi poſſint vendicare: Chriſma autem, Oleum ſanctum, conſecrationes Altarium, ordinationes Monachorum et Clericorum à Cantuarienſi Archiepiſcopo ſuſciperent. Mandatique certis judicibus, ut non permitterent eos contra exemptionem hujuſmodi moleſtari. Poſtmodum Archiepiſcopus perpendens, quod prædicti Judices exceſſerant fines mandati, et quod dicti Abbas et Conventus uſurpabant ſibi juriſdictionem ordinariam, tam in Eccleſiis eis appropriatis et parochialibus earum, ſed etiam in Eccleſiis in quibus jus Patronatus tantum habebant et parochialibus ipſarum, ac impedibant ſolempnes Proceſſiones, quæ conſueverunt fieri a Clero et populo ipſarum Eccleſiarum ad Cantuarienſem Eccleſiam, procurando eam fieri ad dictum Monaſterium; et quod in tranſitu ipſius Archiepiſcopi per Civitatem Cantuariæ, ſibi ſubtrahebant pulſationem Campanarum, ad Sedem Apoſtolicam appellavit. Igitur nunc petitum pro parte Archiepiſcopi, ut ſtatutis quod ad Eccleſias Cantuarienſis Civitatis et Dioceſis in quibus dicti Abbas et Conventus obtinent tantum jus Patronatus, et futuris temporibus obtinebunt, et ad ipſarum Eccleſiarum Rectores, Clericos et Parochianos non extendatur veſtra hujuſmodi exemptio; et quod Eccleſiæ quas habent et habebunt in proprios uſus, et Rectores ſeu Vicarii, Clerici vel Parochiani earum, quoad juriſdictionem ſpiritualem ſeu etiam temporalem per eandem exemptionem non intelligantur exempti, ſed illas tantum eccleſias et per ipſam exemptionem conſtatis exemptas quæ plene jure ipſi Monaſterio ſunt ſubjectæ: et mandetis, quod per eoſdem Abbatem et Conventum, per Rectores et alios Clericos Parochianos prædictarum et aliarum Eccleſiarum Cant. Civitatis et Dioceſis, in quibus ipſi Abbas et Conventus qualemcunque habeant juriſdictionem, faciant ipſi Archiepiſcopo obedientiam et reverentiam debitam in pulſando campanis, in proceſſionibus faciendis, et in omnibus aliis in quibus conſueverunt et debent. Et quod omnes Proceſſus, ſive per prædictos Conſervatores, vel per eoſdem Abbatem et Conventum, aut per præfatum Archiepiſcopum, vel eorum aliquem, vel quemcunque alium factos occaſione præmiſſorum caſſetis et irritetis. Et quia omnes tam majores quam inferiores abaritiæ ſtuduerunt, pecuniæ ſummopere obtemperantes, petitiones Archiepiſcopi juſtas, ratasque eſſe judicantes, ratisnibus religioſorum contra notam privilegii ſuperius conceptis non obſtantibus, Dominus Papa declarabit in hunc modum. An. 29 E. I. Nota.

*Bonifacius Epiſcopus Servus ſervorum Dei, ad perpetuam rei memoriam. Dudum pro parte dilectorum filiorum Abbatis & Conventus Monaſterii S. *Auguſtini Cantuarienſis*, Ordinis Sancti *Benedicti*, fuit expoſitum nobis, quod licet eorum Monaſterium à principio fundationis ipſius, ſeu à tempore cujus memoria non extabat, cum omnibus membris ſuis exiſtentibus ubicunque fuiſſet exemptum per ſpecialia Privilegia Sedis Apoſtolicæ à juriſdictione qualibet ordinaria, prout evidentius in privilegiis contineri dicebatur eiſdem, eis tamen poſtmodum per nonnullos Archiepiſcopos *Cantuarienſes*, qui pro tempore fuerant, nunc hinc, nunc inde vexationibus et angustiis fatigatis, quædam Compoſitiones ſuper exemptionibus & libertatibus contentis in dictis Privilegiis, intervenerunt inter partes. Verùm cùm idem Abbas & Conventus aſſereretent, per hujuſmodi Compoſitiones prædictis eorum Privilegiis & Libertatibus non modicum derogari; Nos eorum ſupplicationibus inclinati, hujuſmodi privilegia, exemptiones & libertates ipſis & dicto Monaſterio à præfata Sede conceſſa, in ſuo voluimus & decrevimus robore permanere; ac nichilominus ipſos Abbatem & Conventum, dictumque Monaſterium cum omnibus membris, Eccleſiis, Capellis, Xenodochiis, Hoſpitalibus, Cantariis, necnon Caſtris, Villis, Maneriis, Domibus, Grangiis, Terris, Poſſeſſionibus, Redditibus, & quibuſcunque bonis ſuis, in quibuſcunque forent Dioceſibus conſtituta, & omnibus perſonis ſui Ordinis, et aliis eis ſubjectis degentibus in eiſdem, ab omni poteſtate, juriſdictione, ſubjectione atque dominio, tam Venerabilis fratris noſtri Archiepiſcopi, & dilectorum filiorum Capituli *Cant.* qui tunc erant, et qui pro tempore forent, quàm quorumlibet Archiepiſcoporum, Epiſcoporum, Capitulorum, Prælatorum, & Officialium ſuorum, & aliarum quarumlibet Eccleſiaſticarum perſonarum, duximus per noſtras ſub certa forma Literas eximenda, & eis ſuper exemptionis noſtræ privilegio, dilectos filios *Weſtmonaſterii* & de *Waltham*, ac ſuper iſtis ſub certâ formâ literis conſervatores nichilominus deputavimus. Poſtmodum autem Venerabili Fratre noſtro Archiepiſcopo *Cantuarienſi* prætendente, quod præfati *Weſtmonaſterienſis* & de *Waltham* Abbates in hujuſmodi conſervationis negotio procedentes, *Fines mandati noſtri in hac parte ſuper certis Articulis patenter exceſſerant*; & quod memorati

* Ibidem, col. 1995, 1996.

An. 29 E. 1. motati Abbas et Conventus Sancti *Auguſtini* prædictas exemptiones, et vires earum contra juſtitiam excedentes, juriſdictionem ordinariam nedum in Eccleſiis quas ipſi Abbas et Conventus appropriatas ſibi eſſe dicebant, et Vicariis, Clericis, Parochiis et Parochianis earundem Eccleſiarum, ſed etiam in Eccleſiis in quibus idem Abbas et Conventus aſſerebant jus Patronatus duntaxat habere; ac in Rectoribus, Clericis, Parochiis & Parochianis earundem Eccleſiarum ſibi temere uſurpare, ac juriſdictionem ipſam in Civitate ac Dioceſi *Cantuarienſi* diverſis modis exercere. Solennes inſuper proceſſiones quæ a Clero & Populo dictarum Eccleſiarum ſicut a cæteris Clericis et populis dictarum *Cantuarienſis* Civitatis & Dioceſis ſingulis annis certis diebus ad Eccleſiam Chriſti *Cantuariæ* publicè fieri conſueverunt impedire; pulſationem quoque Campanarum quæ in tranſitu ipſius Archiepiſcopi per prædictas Civitatem & Dioceſim *Cantuariæ* ob ejus reverentiam & honorem fieri conſueverat ab antiquo, ſubtrahere, vel ſubtrahi facere in Eccleſiis prædictis præſumpſerat fuerunt tàm pro parte memorati Archiepiſcopi *Cantuarienſis* Eccleſiæ, quam ſibi adhærentium & adhærere volentium, diverſæ appellationes ad eandem Apoſtolicam interjectæ. Cumque negotium appellationum hujuſmodi pro parte ipſius Archiepiſcopi per ejus Procuratorem præſente Procuratore ipſorum Abbatis & Conventus fuiſſet propoſitum coram nobis, nos volentes de ipſius qualitate negotii plenius informari, per viam proviſionis & ordinationis negotium ipſum ex officio noſtro ſub compendio diffinire, Procuratoribus ipſis duximus injungendum, ut tam ſuper exemptione prædicta quam ſuper appellationibus memoratis, nos de juribus pertinentiarum earundem verbo tenus & in ſcriptis plenius informarent. Qui pro partibus ipſis ſuper earum juribus nos juxtà hujuſmodi mandatum noſtrum informare curarunt. Nos igitur hujuſmodi informatione recepta, volentes ſuper præmiſſis ipſarum partium cavillationibus obviare, ac amputare litigiorum et jurgiorum affectus et diſpendia inter eos prohibendo et ordinando declaramus, et declarando determinamus, *Quod præfati Abbas & Conventus Monaſterii Sancti* Auguſtini Cant. *in Eccleſiis* Cantuarienſis *Civitatis & Dioceſis in quibus ipſi jus Patronatus duntaxat optinent, & futuris temporibus obtinebunt, habeant præſentationem Rectorum & Clericorum, & alia quæ jura continent patronatus; Archiepiſcopus verò* Cantuarienſis, *qui nunc eſt, & qui pro tempore fuerit, habeat in eiſdem Eccleſiis inſtitutionem & deſtitutionem, & tàm in eis quàm in Rectoribus Clericis & Parochianis ipſarum, etiam alia ſpiritualia, prout hinc & inde jura communia permittunt. In Eccleſiis quoque ipſorum Civitatis & Dioceſis quas idem Abbas & Conventus in proprios uſus habere noſcuntur, & quas eis in futurum optinere contigerit, & Rectoribus ſeu Vicariis, Clericis & Parochianis earum, ipſi Abbas & Conventus habeant temporalia ſua. Idem autem Archiepiſcopus habeat ſpiritualia in eiſdem, nec aliàs quam eis ex præſenti noſtra declaratione permittitur, memorati Abbas & Conventus in prædictis Eccleſiis in quibus ipſi, ut dictum eſt, Jus Patronatus duntaxat habent, vel habebunt, & Rectoribus, Clericis, & Parochianis earum, & in Eccleſiis quas in proprios uſus obtinent vel obtinebunt, aut in Rectoribus, ſeu Vicariis, Clericis, Parochiis, & Parochianis eorum juriſdictionem ſibi vendicent, aut in eos exercere quoquo modo præſumant. Declaramus inſuper, quod Clauſula de perſonis decentibus in Eccleſiis, Capellis, & cæteris locis eorundem, ad Monachos & perpetuò converſos referatur. Inſuper autem per Rectores & alios Clericos, necnon Parochianos prædictarum & aliarum quarumcunque Eccleſiarum* Cantuarienſis *Civitatis & Dioceſis in quibus ipſi Abbas & Conventus quilibetcunque juriſdictionem habere noſcuntur, debitum honorem & reverentiam in pulſando campanis, in proceſſionibus faciendis, & in omnibus aliis in quibus conſueverunt & debent, Volumus & præcipimus exhiberi memorato Archiepiſcopo, debitis & conſuetis temporibus atque locis, præfato exemptionis noſtræ privilegio in cæteris contentis in ea in plenis robore duraturo.* Nulli ergo omnino hominum liceat hanc paginam noſtræ declarationis, conſtitutionis, & præcepti infringere, vel ei auſu temerario contraire, &c.

Thus this controverſie between the Archbiſhop, Abbot and Monks, (which continued near 8. years ſpace, to their vaſt expence, trouble, vexation) received this final determination. Wherein we may obſerve, 1. The deteſtable Corruption of Pope *Boniface*, his Cardinals, Notaries, and other Officers in the Court of *Rome*, in taking great bribes, rewards, and ſummes of money from both parties, and thereupon varying, nulling, repealing their Judgements, Sentences, Letters, Orders, Bulls,

Bulls, Priviledges, in favour, disfavour, to the advantage or prejudice of either party, according to the greatness or prevalency of their Bribes, without any regard to justice. 2ly. Their manifold arts to procrastinate the final decision of the controversies between them, to exhaust their purses, and gain new bribes, rewards from them and their Proctors. 3ly. The strange ambitious, proud, contentious, turbulent spirits of the Archbishops, Abbots, Monks of *Canterbury*, in that and precedent times, evidenced by the manifold controversies, violent proceeding, costly long-lasting successive suits between them, by reason of Popes contradictory Bulls of Priviledges and exemptions granted to, and purchased by them at dear rates; which did but renue, increase, perpetuate their contests and appeals to *Rome*, instead of determining them. 4ly. The publike contempts, slightings of Popes Bulls, Mandates, Sentences, both by the Archbishop, Abbots, Monks, when they entrenched upon either of their claimed Priviledges or Jurisdictions. 5ly. Their gross, frequent abuses of Excommunications and Interdicts, fulminated, denounced against each other, upon every pretended contempt or violation of their claimed Priviledges or Jurisdiction. *An.* 29 *E.* 1.

After the premised Declaration of Pope *Boniface* in favour of the Archbishop, he proceeded so violently against the Abbot, Monks and their adherents, by Excommunications, Interdicts, and other Ecclesiastical Censures, that he enforced them to submit, and sue unto him for absolution and a friendly agreement between them, thus related by * *William Thorn.* *Quæ quidem Declaratio sic publicata Anno supradicto, scilicet* 1303. *die Sancti* Dunstani *Archiepiscopi, in Ecclesia Christi* Cant. *immediatè post factam ibidem processionem, præsentibus tunc Clericis & Laicis in magna multitudine ad eundem diem specialiter vocatis & rogatis,* Henricus *Prior Ecclesiæ prædictæ prædicavit populo, cujus thema fuit hoc;* Fili, non dimittas legem matris tuæ, non transgredieris terminos quos posuerunt patres tui; *Declarationem publicavit, manifestavit, & in linguâ maternâ publicè exposuit.* Postea vero Dominus Archiepiscopus, Archidiaconus et eorum Officiales compellebant omnes Parochianos nostros et tenentes, ac alios qui nobis medio tempore adhæserunt, vilissimas et importabiles pœnitentias facere, fustigantes circa Ecclesias, et per verbera, ac ad deferendum cereos ad feretrum Sancti Thomæ contra voluntatem eorum, *videlicet* unumquemque secundum facultatem bonorum suorum, pro eo quod medio tempore nobis et nostris fuerant intendentes et obedientes. *Igitur ista publicatione factâ;* omnes et singuli Rectores et Vicarii, qui prius Abbati adhærebant, se a divinis cessabant, petentes se de quærendo gratiam et præsentiam Archiepiscopi. *Qui in præsentia ipsum constituti,* vi et metu ducti, fatebantur se ipsos sententia majoris excommunicationis per ipsum et suos Commissarios fuisse innodatos, et petierunt reformationem status sui. Factaque sibi resignatione et cessione beneficiorum suorum, et facto juramento de stando mandatis Ecclesiæ, juxta eorum petitionem obtinuerunt. * Et sic omnia beneficia absque Pastoribus manserunt desolata, et dicti Rectores et Vicarii irregulares ibidem pronunciati per Archiepiscopum supradictum. Similiter et Capellani Parochiales et alii annalia celebrantes a divinis cessarunt, gratiam et benevolentiam ejusdem humiliter petentes, confitebantur se ipsos sententia excommunicationis fuisse ligatos, petentes reformationem status sui, præstitoque juramento de stando mandatis Ecclesiæ, optinuerunt. Et aliqui eorumdem pronunciati fuerunt ibidem irregulares, quidam deto postmodum gratiam optinuerunt. *Set Rector de* Brockland *& Vicarius de* Menstre, *non reputantes se aliqua sententia fuisse ligatos, non statim submiserunt se, quia processum Archiepiscopi tunc pendentis causâ in Curia* Romana *indecisa, aliquo modo credebant non posse valere. Rector Ecclesiæ* Fritindenne *oblatis ab animarum Curâ exonerari, purè, simplicitèr & absolutè in manus Domini Abbatis in Hospitio suo apud* Suthwerk *resignavit.* * Chron. Wil. Thorne, col. 1997, to 2003.

Nota.

*Nota.

Istis itaque oblatibus, gravaminibus et angustiis, Rectoribus, Vicariis, Capellanis, Parochialibus et Annalia celebrantibus, necnon tenentibus Parochianis et aliis ante Declarationem Abbati adhærentibus per Archiepiscopum, Archidiaconum, Commissarios et alios ministros eorumdem illatis, et qualiter gravioza in posterum committantur inferre, *prædicti Abbas & Conventus miserunt ad eum Dominum* Johannem Tavy *Militem, duos Monachos, cum aliis, tunc apud* Colcestriam *existentem; Et post salutationem sibi factam, idem Dominus* Johannes *dixit Archiepiscopo,*

An. 29 E. 1. *Archiepiſcopo, qualiter ſolebat eſſe amicus Eccleſiæ Sancti* Auguſtini, *& regavit eum ex parte Abbatis & Conventus*, quod illam ſuam amicitiam antiquam bellet continuare in futurum, et quod placeret ei aliquam bonam viam ordinare, quod pax et concordia eſſet de cætero inter ipſum et Abbatem, et quod placeret ſibi nulla gravamina inferre Clericis vel Laicis abbærentibus prædictis Abbati et Conventui ante publicationem declarationis antedictæ pro diſſenſionibus, diſcordiis, et contentionibus inter ipſos prius habitis. *Cui reſpondit Archiepiſcopus*, quod Charitatem habuit eſſentialem, ſed eam in effectum oſtendere non poterat, quia gravatus fuit per eos ſumptibus et penſis et laboribus. *Et quando ſuper hiis competens emenda ſibi per eoſdem fuerit facta, tunc foret amicus ſicut ſolebat eſſe.*

Paucis verò diebus tranſactis, Abbas acceſſit eum apud Donemow; *& cum rogaſſet eum*, ut omnem indignationem ab eis placeret amovere, et multa alia pro pace et benevolentia ſua captanda ſibi præferret: *Archiepiſcopus reſpondit*, Quod ſuper hiis nondum ſe deliberaverat. *Et cum idem Abbas, ab ipſo parumper declinaſſet, & quaſi ad propria licenciatus diverterè incepiſſet, & poſtea confeſtim rediret ob ipſius reverentiam, petebat ab eo*, ut ſibi benedictionem impenderet. *Qui dixit*, quod hoc tunc non faceret, quia non erat in ſtatu benedictionem recipiendi, cum eſſet excommunicatus. *Et Abbas reſpondit*, quod hoc non credebat. *Et ſic ab eodem Archiepiſcopo cum omnibus ſuis ad propria declinavit.* (Such was their pride and implacability towards each other.)

* Ibidem, col. 1998, 1999. * *Anno Domini ſupradicto ad tractatum pacis efficacius proſequendum ad inſtantiam Domini Abbatis, nobiles viri Domini* Americus de Valencia *Comes de* Penbrok, Richardus de Ingkepene, H. de Apolderfeld, *&* Johannes Taxy *Milites, Magiſtri* Henricus *de* Norwood, *&* Jacobus Synobaldi *de* Florencia *Clerici, fratres* Richardus *de* Cant. *&* Radulphus de Gatewych *Monachi, acceſſerunt apud* Lambed *ad Archiepiſcopum, & cum idem Archiepiſcopus & Comes prædictus ſimul ſedentes circa Solis occaſum & in ſecretis, de forma pacis inter ipſum & Abbatem tractaſſent, Archiepiſcopus alta voce reſpondit*; Quod propter diverſas occupationes poſt horam prandii emergentes officium quod ſibi incumbebat non dixerat, & propter hoc in craſtinum eos ut decuit velle benignè audire. *In craſtino verò cum idem Domini redirent, Dominus* Henricus de Apoldreſeld *tradidit ei Cedulam cujus forma talis eſt.*

Sire, nous ſumes a vous venuz a la requeſte del Abbe & du Covent de Seint *Auſtin* de *Canterbirs*, qe nous ount pris & requis, que nous vous voſſiſſomes dire acune choſes que touchent et vos et caus de contekes et debaths qe ſont moiez entre vous a damage de montz gentz que coupe nen ount. E pur ce Sire qil entendent, et que vous lavez ſi entenduz qil pleſt a noſtre Seignour le *Apoſtaile*, que bone pes e tretis de accord ſe ſeit entre vous et le Abbe e Covent avandiz, voillantz humblement tant que en eus eſt accompli le volunte de noſtre Seignour le *Apoſtaile*, nous ount ſi envoyes aſaver, ſil vous pleſt de aver tretis de accord de ces contekes et debatz per entre vous, et ſil vous pleſt ils ſerront preſtz en ceo qe lour touch, iſſi qe en eus ne ſerra trove nulle defaute ne deſmeſur qe covenable pes e accord ne ſe face, et qe nous lur feyſuoms a ſaver de ceſte choſe voſtre volunte.

Tunc dictus Dominus Comes & alii ſecum exiſtentes Archiepiſcopum humiliter requiſierunt, quod bellet habere tractatum de bona et firma pace. *Qui reſpondit*, quod hoc utile eſſet, & talis tractatus benè ſibi placeret. *Et dixit*, quod voluntas ſua fuit, & etiam ratio & æquitas hoc prætendunt, quod prædicti Abbas et Conventus facerent ſibi emendam ſuper infraſcriptis gravaminibus; et aliter non potuit oſtendere verſus eos aliqua ſigna amicitiæ vel pacis. *Quæ ſunt hæc.*

Inprimis, *Religioſi de Sancto* Auguſtino *Eccleſias parochiales* Cantuarienſis *Civitatis & Dioceſis, nedum quas ſibi prætendunt fuiſſe & eſſe appropriatas; verumetiam Eccleſias in quibus Jus Patronatus dumtaxat habere ſe aſſerunt, earumque Rectores, Clericos, Miniſtros & populum* ab obedientia debita Archiepiſcopo quoad omnem juriſdictionem ordinariam, niſi ſunt totis viribus contra juſtitiam ſubtrahere, jus et poſſeſſiones Archiepiſcopi et Eccleſiæ ſuæ injuſte perturbando.

Item, inhibuerunt tam Clero quam populo dictarum Eccleſiarum nedum eidem Archiepiſcopo vel Miniſtris ſuis obediant in aliquo vel intendant.

Item, ut fierent in Eccleſia Cantuariæ proceſſiones Penteceſtes, quæ a Clero et Populo dictarum Eccleſiarum retroactis temporibus conſueverunt, proceſſionem eandem, necnon oblationes procurarunt fieri ad ſuum Monaſterium, ubi nunquam fieri conſueverunt.

Item

Item, in eiſdem Eccleſiis inhibuerunt campanas pulſari in tranſitu ejuſdem Archiepiſcopi, et oſtia dictarum Eccleſiarum ignominioſe claudi fecerunt honorem et ſubjectionem nequiter ſubtrahendo. *An.* 29 E. 1.

Item, licet nullo modo liqueat eiſdem Religioſis aliqualem juriſdictionem aliqualiter competere in perſonis aliquibus dictæ Diocæſis; Idem tamen Religioſi juriſdictionem ordinariam ſibi vendicabant et uſurpabant in Eccleſiis prædictis, earumque Parochianis conſtituerunt et præfecerunt Officiales, Decanos rurales, exteroſque Miniſtros ad exercitium hujuſmodi juriſdictionis adulterinæ.

Item, compulerunt Rectores, Vicarios et Presbyteros dictarum Eccleſiarum ipſis Religioſis tanquam Ordinariis præſtare obedientiæ juramentum, juriſdictionem Archiepiſcopi minus prudenter perturbando.

Item, Rectores et Vicarios, quorum inſtitutio ad Archiepiſcopum ſolebat pertinere, et ad quas vacantes Eccleſias ſolebant dicto Archiepiſcopo perſonæ idoneæ præſentari, idem Religioſi inſtituere et deſtituere in eiſdem temere præſumpſerunt.

Item, in Eccleſia de Faverſham ſibi appropriata per ſanguinis effuſionem polluta, dicti Religioſi celebrabant et fecerunt celebrari divina et alia Sacramenta et Sacramentalia in eadem miniſtrari, ac mortuos in Cimiterio ibidem ante reconciliationem ſepeliri.

Item, Petrum dictæ Eccleſiæ Vicarium eadem Vicaria privarunt, et privatum eſſe publice nunciarunt, ipſum a domibus dictæ Vicariæ ſententialiter amovendo.

Item, in quibuſdam aliis Eccleſiis ſibi appropriatis, et etiam ſui patronatus noſtra authoritate Eccleſiaſtico ſubpoſitis interdicto, per Monachos ſuos et alios Presbyteros authoritate noſtra majori Excommunicatione innodatos fecerunt divina celebrari, et in eis Sacramenta et Sacramentalia per eoſdem Presbyteros ſic excommunicatos, Parochianos etiam abhorrentes ipſorum excommunicatorum miſſas audire vel Sacramenta ab eis recipere excommunicari fecerunt de facto, et excommunicatos publice nunciari.

Igitur non poſt multos dies venit Abbas ad Epiſcopum Dunelmenſem *qui tunc apud* Winham *hoſpitatus fuit, qui & erat hnic Eccleſiæ amicus fidiſſimus. Iſte Epiſcopus ibidem expoſuit Abbati,* quod Archiepiſcopus fuit multum offenſus, *& quod ipſe replicaverat gravamina ſibi illata per ipſum Abbatem & ſuos. Et Abbas Epiſcopo reſpondit, quod non videbatur rationabile quod in aliquo offenderetur,* quia ipſe proſecutus fuerat jus ſuum et cauſam ſuam ſicut tenebatur pro defenſione juris Monaſterii ſui. *Veruntamen multum affectabat habere pacem cum ipſo & ſuam bonam voluntatem. Propter hoc citò poſt miſit ſibi per ſollemnes Nuncios quoſdam Articulos, ut ſi placeret ſibi eoſdem concedere libenter ſibi de ſuo ſerviret.*

Articuli per Abbatem.

Imprimis, *ſupplicavit Abbas & Conventus, quod placeret Domino Archiepiſcopo quoad Eccleſias eis appropriatas, ſic teſtificari & ratificare ſtatum eorundem, quod non poſſint in poſterum ſuper eiſdem inquietari, quamquam ſuper pradictis habeant ſufficientem titulum per ſedem Apoſtolicam.*

Item, *quod velit informari ſuper privilegiis qua habent de ſuis familiaribus Clericis & Laicis, & illum ſtatum acceptare, ita quod de cætero lis ſive contentio minimè oriatur.*

Item, *quod jus præſentandi ſit eis ſalvum in Eccleſiis nunc de jure vacantibus.*

Item, *quod poſſent pacificè habere cuſtodiam & fructus colligere Eccleſiarum ſui patronatus, per mortem vel alio modo debito vacantium.*

Item, *quod antiqua conſuetudo qua dicitur* Bilage, *eſſet uſitata ubicunque & quandocunque neceſſitas poſtulaverit.*

Item, *pro pace fovenda quod illa qua in poſterum forent dubia hinc inde poſſent examinari, declarari & certificari per commune conſilium utriuſque partis amicabiliter abſque aliqua lite bona fide, ità quod jus utriuſque partis hinc inde ſemper ſervetur.*

Reſponſio Archiepiſcopi ad Articulos.

Ad primum articulum, de ratificatione Eccleſiarum illis appropriatarum, reſpondetur per Archiepiſcopum, quod viſis appropriationibus Eccleſiarum ſuarum, paratus erit facere eis quod ſecundum Deum & bonam conſcientiam facere poteſt, quantum ad hoc.

Ad

An. 29 E. I.

Ad secundum articulum, de privilegiis quantum ad familiares Clericos & Laicos, respondetur sic, quod videatur eidem, quod declaratio Domini Papæ expedit quod in isto articulo petitur.

Ad tertium articulum, de præsentatione salvanda in Ecclesiis suis rationabiliter vacantibus, respondetur, quod super hiis pendet consultatio Domini Papæ.

Ad quartum articulum, de custodiis Ecclesiarum tempore vacationis ipsarum, & pro receptione fructuum earundem durante vacatione, quoad primam istius articuli respondetur, Quod declaratio Domini Papæ ipsam primam partem expedit. *Quantum ad secundum, scilicet, de receptione fructuum, respondetur*, quod illud tangit Archidiaconum de quo respondere non potest.

Ad quintum, de coercione malefactorum ipsorum, respondetur, quod paratus erit facere id quod licitè potest, & de jure.

Ad sextum articulum petitur, quod intelligitur per hunc dictionem Bilage, *dicunt, quod quidem usus vel consuetudo qui* Bilage *in partibus* Kanciæ *vulgariter appellatur, sic se habere consuevit. Quod cum contentio vel controversia aliqua suborta fuerit inter aliquos super finibus seu limitibus, debent Senescalli seu Ballivi partium vel alia persona fidedigna ad hoc per partes specialiter deputata, in loco de quo est contentio convenire, rem que oculis subjicere, informationeque per viros vicinos fidedignos habitu absque strepitu judiciali & figura judicii mox totam dirimere quæstionem. Ad istum articulum respondit*, quod vellet facere per consilium suum & non aliter.

Ad ultimum articulum, de rebus dubitabilibus examinandis & discutiendis per consilium utriusque partis, respondetur, Quod in hiis in quibus probabilis dubietas emerserit, intendit in eventum providere quod conveniens fuerit & opportunum. *Veruntamen pacis & concordia fervidi zelatores eundem Archiepiscopum, ut a vexationibus Clericis et Laicis Abbatis, ut prædictum est, inhumaniter illatis, & ab actione de demandis per prædictos Abbatem & Conventum ut pretendit pro gravaminibus sibi factis unà cum confirmatione status eorundem cum stabilitate pacis perpetua rogantes, sedulo ipsorum interventu placuit eidem Archiepiscopo ipsis Religiosis pro pacis tranquilitate quærenda & imperpetuum authore Domino confovenda concedere infrascripta.*

* Chron. Wil. Thorne, col. 2001, 2002.

* Concessiones Archiepiscopi.

Inprimis, concedit idem Archiepiscopus pro se & successoribus suis, quod electis in Abbates Sancti *Augustini* in Monasterio eorundem cum ad hoc fuerit requisitus per Archiepiscopum impendatur munus benedictionis, **sine exactione professionis ejusdem Abbatis, quam solebant recipere sui prædecessores.**

Item, quod cum veniens ad dictum Monasterium pro electo benedicendo, cum processione & pulsatione receptus fuerit à Conventu, nil juris ea vice vel alia infra septa dicti Monasterii vendicabit, per quod possit ipsorum Religiosorum privilegiis in aliquo derogari.

Item, **quod electus sic benedictus Mitram gerat et Abbatis insignia consueta.**

Item, quod Clerici sive servientes capitales in maneriis ipsorum Religiosorum cum sint de familia Abbatis, si aliquando feciſſe dicuntur aliquid, **quod excommunicationem inducat majorem vel minorem ante discussionem facti**, nisi fortè factum esset notorium, vel antequam confessi, convicti, vel in opere deprehensi, aut contumaces post legitimam citationem extra septa ipsius Monasterii sibi factam, **per Archiepiscopum vel suos Ministros non excommunicabuntur nec suspendentur, nec excommunicati vel suspensi denunciabuntur nominatim, dum tamen Abbas vel hic qui pro tempore præerit Monasterio extra septa taliter delinquentem, et ad ipsum Monasterium confugientem, coram dictis Ordinariis compulerit stare juri, vel ipsum expulerit de Abbatia.**

Item, **quod omnis jurisdictio et coercio ordinaria infra Monasterii septa cesset.**

Item, cum Personam vel Vicarium in Ecclesiis dictorum Religiosorum mori contigerit, vel aliter cedere, liceat ipsis Religiosis habere retentionem clavium penes se vacationis tempore, donec ad præsentationem eorum alius instituatur in eisdem, salvo jure Archidiaconi *Cantuariæ* qui pro tempore fuerit, quoad jurisdictionem medio tempore in eisdem Ecclesiis exercendam, & quoad medietatem fructuum & sequestrorum interim perceptorum, ità quod claves ei qui vice Archidiaconi præsentatos inducet in corporalem possessionem, à dictis Religiosis tradantur.

Item, concedit, quod eorum Ecclesiæ, scilicet de *Menstre*, de *Nordborn*, de *Chistelet*, de

de *Faviſham*, & de *Middleton*, cum ſuis Capellis, liberæ ſint ab omni ſuſpenſione et interdicto Ordinariorum imperpetuum; ſalva tamen Ordinariorum juriſdictione in Clero et populo earundem. *An.* 29 E 1.

Item, quod dictas quinque Eccleſias, non obſtantibus dictis contentionibus & litibus, eiſdem Religioſis confirmabit, ſalvis Vicariis earundem.

Item, quod fiat pulſatio campanarum in Eccleſiis ipſorum contra Abbatem, ſecundum quod fieri conſuevit.

Item, Archiepiſcopus *Anacoritas* non faciet de cætero in Eccleſiis dictorum Religioſorum, niſi de conſenſu Abbatis memorati.

Poſtremo proteſtatur Archiepiſcopus, quod nondum ad tractatum pacis eſt paratus, *licet ſæpedicti Religioſi ut videtur aliud facere non intendant, ſet ipſius pacis dulcorem guſtare deproperans, ipſam bonis conditionibus & honeſtis quantum poterit per ſe & ſuos ſatagit procurare*, et ſub tali pacis diſſimulatione nec oblata pro pacis tranquilitate ex parte Abbatis vellet admittere, vel ſuper conceſſione ſua eos permitteret aliqualiter deliberare. *Set quod ſuperius conceſſit & admiſit*, velut improbus et contentionum amator ſubdole denegavit; unde et ad lites et ſurgia ad tempus convolarunt. Impœnitentiam cujus negationis Monachi Cantuariæ ſuſcitarunt. So that all mediations for, and propoſitions between them for a cordial reconciliation of their ſuits and differences, vaniſhed into ſmoak, through the pride and obſtinacy of both parties, to the great diſturbance of the publick peace.

I finde by two parchment Rolls in *French* in the White Tower, (one ſide of which is putrified, but the other entire) that the King being at *Dover*, in the 30th. year of his reign the Archbiſhop of *Canterbury* complained to him againſt the Sheriff of *Kent*, the Conſtable of *Dover*, (*Robert de Bomhers*) and their Officers, that they had *diverſement & en mont des maneres* invaded and infringed the Liberties of the Church of *Canterbury*, againſt the Franchiſes thereof conferred on them by Popes & Kings themſelves; which the King commanded his Counſil to examine, and enquire the truth thereof by Commiſſion, and then to report it to him in writing, which was done accordingly, and compriſed in theſe two Rolls: The ſubſtance of his complaint againſt the Sheriff of *Kent* was, *That whereas the Archbiſhop and his Archdeacon in the premiſed differences between the Abbot and Monks of* Canterbury *and him, had deprived and removed divers Vicars, placed by the Abbot in the Impropriations and Churches belonging to the Abby of St.* Auguſtine, *and inſtituted and inducted others in their places; the Sheriff upon the Abbots complaint, had removed them out of the Churches, Vicaridges, reſtored the former Vicars to them, and would ſuffer no victuals to be brought to his Vicars who kept poſſeſſion in ſome Churches, and attached, impriſoned others of them; and that he and the Lieutenant of* Dover *had entred into, and executed Writs within his Franchiſes and Liberties.* To which the Sheriff anſwered, *That the Archbiſhop had no right to place or diſplace thoſe Vicars, but only the Abbot; that the Vicars therein placed by the Archbiſhop being indicted for breaking the publick peace, and forcible entries into the ſaid Churches, and keeping them by Lay force, he did thereupon according to Law and his duty, by vertue of the Kings Writs, remove, attach and impriſon them* for their contempt, and deſpite againſt the Kings Writs and authority, and for felonious taking away the Goods of the Vicars, which the Archbiſhop by his Archdeacon had injuriouſly ſequeſtred. As for entring into the Archbiſhops Franchiſes, the Sheriff and Conſtable of *Dover* juſtified it by ſundry Rolls and Preſidents, eſpecially when the Archbiſhop was a party, as he was in this conteſt between him and the Abbot of St. *Auguſtines*. Wherewith it ſeems the King and Counſil reſted ſatisfied. So troubleſome was this Archbiſhop not only to the Pope and Court of *Rome*, but to the King and his Counſil, and to the Sheriff of *Kent* and Conſtable of *Dover*, in this hot conteſt between the Abbot, Monks and him. But to leave them, I return to my *Chronological ſeries*, which their long-laſting ſuits have interrupted. Anno 30 E. 1. in Turre London.

How prone the *Engliſhmen* in this time were to pillage *Italian* Clerks and their Proctors, and keep them out of our Churches by armed force, this Writ will in ſome meaſure inſtruct us, iſſued upon a complaint thereof to the King and his Counſil,

An. 27 *E.* 1.

Pat. 27 E. 1. m. 8. dorſo. Pro Theobaldo de Barr Perſona Eccleſiæ de Pageham.

REX dilectis & fidelibus ſuis *Roberto de Bures*, & *Waltero de Gilling* ſalutem, Ex querela *Gerrici de Sago* Procuratoris *Theobaldi de Barr* Perſonæ Eccleſiæ de *Pageham* accepimus, quod quidam Malefactores & pacis noſtræ perturbatores bis et armis et vexillis diſplicatis obſident Eccleſiam prædictam et domos ejuſdem Eccleſiæ, quo minus idem Procurator ad Eccleſiam illam perſonaliter accedere, et de bonis ipſius perſonæ, adminiſtrare et diſponere poſſit, et homines et ſervientes dicti Procuratoris in domibus prædictis exiſtentes, inde exire, vel victualia ad eos deferre non permittunt, et blada dictæ Perſonæ ibidem inventa triturari faciunt, aſportant et conſumunt de die in diem, in ipſorum Perſonæ & Procuratoris diſpendium non modicum & gravamen, & contra pacem noſtram. Nos malitiæ hujuſmodi malefactorum in hac parte obviare volentes, Vobis mandamus, quod aſſumpto vobiſcum Vic. noſtro Com. *Suſſex.* ſtatim viſis literis illis in propriis perſonis veſtris ad Eccleſiam accedentes, omnes prædictos Malefactores, quos dictam Eccleſiam ſeu domos prædictas ſic obſidentes inveneritis, ſine dilatione per præfatum Vic. capi et in priſona noſtra ſalvo cuſtodiri fac. donec aliud inde præceperimus. Et ſi forſan iidem Malefactores audito rumore de adventu veſtro occaſione prædicta ab obſidione illa receſſerint, tunc de nominibus eorundem Malefactorum diligentem fac. inquiſitionem, & omnes malefactores de dictis tranſgreſſionibus quos per inquiſitionem per vos inde faciendam culpabiles inveneritis ut prædictum eſt, capi et in priſona noſtra ſalvo cuſtodiri faciatis, donec aliud inde præceperimus. Mandavimus enim Vic. noſtro Com. prædicti, quod aſſumpto ſecum ſufficienti poſſe Com. ejuſdem ad omnia prædicta facienda vobis reſpondeat & intendat, & quod ad certos dies & loca quos eis ſcire fac. venire fac. coram vobis tot & tales, &c. de Com. ſuo prædicto, per quos, &c. In cujus, &c. Teſte Rege apud *Weſtm.* viceſimo tertio die *Octobris.*

Per ipſum Regem & Conſilium.

* Here, p. 810, 811.

You heard* *before*, that the King to ſatisfie his diſcontented Earls, and people (whom the Archbiſhop inſtigated and abetted againſt him) iſſued Writs and Proclamations this year, concerning his Confirmation, and the due obſervation of the Great Charters of their *Liberties* and of the *Foreſt* in all their Articles, and the *Perambulations* of the *Foreſt* to be made with all convenient expedition. For their further aſſurance whereof to remove their fears and jealouſies, he ſent theſe enſuing Writs to the Sheriffs of *Lancaſter*, *London* and all other Sheriffs of *England*, and likewiſe to his Treaſurer and Barons of the Exchequer, his Chief Juſtices and other Judges of the Kings Bench and Common Pleas, publickly to read, proclaim and obſerve, reciting in them at large the Articles concerning the *Foreſt*, which he had new granted and confirmed to them, and his reſolution ſpeedily to proceed in the perambulation.

The Writ to the Sheriff of *Lancaſter* is thus recorded in the Statute Roll.

An. 27 E. 1. Ex Rotulo Statutorum in Turre London. de Temporibus E. 1. E. 2. & E. 3. m. 37 intus.

* Here, p. 732, to 748.

Edwardus Dei Gratiâ Rex *Angliæ*, Dominus *Hiberniæ*, & Dux *Aquitaniæ*, Vicecom. *Lanc.* ſalutem. Cum nuper ante tranſfretationem noſtram in *Flandr.* apud *Weſtm.* nos habentes reſpectum ad grandes miſas & expenſas quæ populus Regni noſtri fecerat & ſuſtinuerat diverſis modis pro nobis, tam tempore pacis quàm guerræ, habuiſſemus non modicam voluntatem & deſiderium populum ipſum reſpicere, prout tunc temporis potuimus, conceſſimus eidem populo de noſtra propria voluntate pro nobis & hæredibus noſtris, quod Magna Charta de Libertatibus obſervetur in omnibus punctis ſuis, & ſimiliter Charta de Foreſta ſervetur. *Salvis tamen* juramento noſtro, jure Coronæ noſtræ, et rationibus noſtris, ac etiam aliorum: * quæ quidem per Venerabilem patrem & Archiepiſcopum *Cantuar.* ex parte noſtra & in noſtra præſentia tunc pronunciari fecimus, & deinde apud *Odimere* in ipſo paſſagio noſtro in *Flandr.* eandem conceſſionem ſub ſigillo noſtro obſervari præcipiendo mandabimus et teneri per totum regnum noſtrum in quolibet Comitatu. Et quia à tempore illo citra per aſtationem & diſtrictionem guerrarum eramus occupati multipliciter & diſtracti in diverſis partibus & longinquis, per quod ſcire nequibimus ſtatum Regni noſtri. Nos diebus iſtis, quatinus nobis vacat, noſtram

continu-

continuantes primariam voluntatem, habuimus deliberationem ſuper conceſſione noſtra prædicta, et ad honorem Dei, et ſanctæ Matris Eccleſiæ, ac commodum totius populi regni noſtri. Volumus, quod prædicta Magna Charta de libertatibus obſerbetur in omnibus punctis ſuis, et Charta etiam de Foreſta ſecundum ſubſcriptos Articulos, qui ſunt tales. *An.* 27 *E.* I

Inquiſitio vel viſus de *expeditatione Canum* exiſtentium in Foreſta de cætero fiat, quando fieri debet regardum; ſcilicet de tercio anno in tertium Annum, & tunc fiat per viſum & teſtimonium legalium hominum, Et ille cujus Canis inventus fuerit tunc *non expeditatus* det pro miſericordia tres ſolidos. Et de cætero nullus Bos capiatur pro *expeditatione*. Talis autem fiat *expeditatio* per Aſſiſam Foreſtæ, quod tres Cotelli abſcindantur ſine pelota de pede anteriori. Nec *expeditentur* canes de cætero niſi in locis ubi conſueverunt *expeditari* tempore primæ Coronationis Regis *H.* avi noſtri. Nullus *Foreſtarius* vel *Bedellus* de cætero faciat *Scotallas*, vel colligat garbas vel avenam, vel bladum aliquod, vel agnos vel porcellos, nec aliquam collectam faciat; Et per viſum & Sacramentum duodecim regardatorum, quando facient regardum. Tot *Foreſtarii* ponantur ad Foreſtas cuſtodiendas quot ad illas cuſtodiendas rationabiliter viderint ſufficere. Nullum *Swanimotum* de cætero teneatur in regno noſtro, niſi ter in anno, videlicet in principio quindecim dierum ante feſtum Sancti *Michaelis* quando *Agiſtatores* noſtri conveniunt, ad agiſtandum Dominicos boſcos noſtros, & circa feſtum Sancti *Martini*, quando *Agiſtatores* noſtri debent recipere pannagium noſtrum, & ad iſta duo *Swaynimota* conveniant *Foreſtarii*, *Viridarii*, & *Agiſtatores*, & non alii per diſtrictionem: & tercium *Swaynimotum* teneatur in initio quindecim dierum ante feſtum Sancti *Johannis Baptiſtæ* pro Venatione beſtiarum noſtrarum, & ad illud *Swaynimotum* tenendum conveniant *Foreſtarii*, *Viridarii*, & non alii per diſtrictionem. *Articuli de ffoccsta.*

Præterea ſingulis quadraginta diebus per totum annum conveniant *Foreſtarii* & *Viridarii* ad videndum *Attachiamenta de Foreſta*, tam de *Viridi* quam de *Venatione* per præſentationem *Foreſtariorum* ipſorum & coram ipſis attachiatis. Prædictæ autem *Swaynimota* non teneantur niſi in Comitatibus in quibus teneri conſueverunt. Unuſquiſque liber homo *Agiſtet* boſcum ſuum in *Foreſta* pro voluntate ſua, & habeat *pannagium* ſuum. Concedimus etiam, quod unuſquiſque liber homo ducere poſſit *porcos* ſuos per *Dominicum Boſcum* noſtrum liberè & ſine impedimento ad *agiſtand.* eos in *Boſcis* ſuis propriis, vel alibi ubi voluerit, Et ſi *Porci* alicujus liberi hominis una nocte pernoctaverint in *Foreſta* noſtra non inde occaſionetur, undè aliquid de ſuo perdat. Nullus de cætero * amittat vitam vel membra pro venatione noſtra. Et ſi quis captus fuerit & convictus de captione Venationis, graviter redimatur, ſi habeat undè redimi poſſit. Si autem non habeat unde redimi poſſit, jaceat in priſona noſtra per unum annum et unum diem, et ſi poſt unum annum et unum diem plegios invenire poſſit, exeat a priſona, ſin autem, abjuret regnum Angliæ. Quicunque Archiepiſcopus, Epiſcopus, Comes vel Baro veniens ad nos ad mandatum noſtrum tranſierit per *Foreſtam* noſtram, liceat ei capere unam beſtiam vel duas per *viſum Foreſtarii*, ſi præſens fuerit. Sin autem, faciat *cornari*, *ne videatur furtivè hoc facere*. Idem liceat eis in redeundo facere ſicut prædictum eſt. Unuſquiſque liber homo de cætero ſine occaſione faciat in boſco ſuo vel in terra ſua quam habet in *Foreſta*, *molendinum*, *vivarium*, *ſtagnum*, *marleram*, *foſſatum*, vel terram *arabilem* extra coopertum in terra *arabili*, Ita quod non ſit ad nocumentum alicujus vicini. Unuſquiſque liber homo habeat in boſcis ſuis *aereas Accipitrum*, *Eſperverariorum*, & *Falconum*, *Aquilarum* & *Heyronum*. Habeat ſimiliter *mel* quod inventum fuerit in boſcis ſuis. Nullus *Foreſtarius* de cætero qui non ſit *Foreſtarius* de feodo firmam nobis reddens pro balliva ſua, capiat *Chiminagium* aliquod in balliva ſua, *Foreſtarius* autem de feodo firmam nobis reddens pro balliva ſua, capiat *Chiminagium*, videlicet pro *carecta* per dimidium annum *duos denarios*. Pro *Equo* qui portat *ſummagium*, per dimidium annum *obolum*, et per alium dimidium annum *obolum*, & non niſi de illis qui de extra ballivam ſuam tanquam *Mercatores* venient per licentiam ſuam in ballivam ſuam ad buſcam, maeremium, corticem vel carbonem emend. & aliàs ducend. ad vendendum ubi voluerint. Et de nulla alia *carecta* vel *ſummagio* aliquo *chiminagium* capiatur; Et non capiatur *chiminagium* niſi in locis in quibus antiquitus capi ſolebat & debuit. Illi autem qui portant ſuper dorſum ſuum buſcam, corticem vel carbonem ad vendendum, quamvis inde

* Vide Petrum Bleſenſem de Inſtit. Epiſcopi, Bibl. Patr. Coloniæ Agrip. Tom. 12. pars 2. p. 944. F, G, H.

An. 27 E. 1. vivant, nullum de cætero dent *Chiminagium*. Omnes Utlagati pro *Foresta* tantum à tempore Regis *Henrici* Avi noſtri, uſque ad primam Coronationem noſtram, veniant ad pacem noſtram ſine impedimento, & ſalvos plegios inveniant, quod de cætero non foriſfacient nobis de *Foreſta* noſtra. Nullus *Caſtellanus* vel alius teneat placita de *Foreſta*, ſive de *viridi*, ſive de *venatione*, ſet quilibet *Foreſtarius* de feodo attachiet placita de *Foreſta*, tam de *viridi* quam de *venatione*, & ea præſentet *Viridariis Provinciarum*, & cum irrotulata fuerint & ſub ſigill. *Viridariorum* incluſa, præſententur *Capitali Juſtic.* noſtro cum in partes illas venerit ad tenendum *placita Foreſta*, & coram eo terminentur.

Quos autem Articulos ſupradictos firmiter et inviolabiliter obſervari volumus et teneri; *volentes nichilominus*, quod perambulatio fiat, ſalvis ſemper juramento noſtro, jure Cozonæ noſtræ, et rationibus noſtris atque calumpniis, ac omnium aliorum: Ita quod perambulatio illa nobis repoztetur, antequam aliqua executio vel aliſquod aliud inde fiat: quam quidem perambulationem volumus quod fiat ſicut pzædicitur, ad citius quod fieri poterit, poſt negotia quæ habemus expedienda cum Nunciis qui de Romana Curia ſunt venturi, quæ hero ita ſunt ardua, quod non ſolum nos et regnum noſtrum, ſet totam Chziſtianitatem contingunt, et ad ea ſanius pertractanda totum Concilium noſtrum habere plenarie indigemus. *Et præter conceſſionem noſtram factam, ſicut ſuperius exprimitur de præmiſſis*, diligenti meditatione penſavimus, quoſdam juris defectus, multimoda gravamina et oppzeſſiones qui pluribus aliis modis pzæfato populo ſunt illata tempozibus retroactis. *Et volumus ſuper illis qua nobis occurrebant ad præſens* ad allebiationem et commoditatem ejuſdem populi pzo legis certitudine ſtabilire, et remedium apponere in hunc modum, &c. *Et ideo tibi præcipimus firmiter injungentes*, quod ſtatim et ſine dilatione aliqua fac. legi et publicari in Cibitatibus, Burgis, Villis Mercatoziis et locis aliis ſolempnibus per totam ballibam tuam ubi melius biderit expedire, omnes Articulos ſupzadictos, ut illos quos conceſſimus ac teneri volumus, et firmiter obſervari in fozma pzædicta integre et inconcuſſe, ac omnia et ſingula ſupzaſcripta omnibus ſcire fac. indilate. *Teſte Rege apud* Weſtm. *ſecundo die* Aprilis.

Conſimile ſtatutum *uſque ibi. Et ideo tibi præcipimus, &c. Miſſum fuit ſubſcriptis*, viz. *Theſaur. & Baronibus de Scaccario*, Rogero le Brabanzoun *& ſociis ſuis Juſtic. ad placita Regis audienda & terminanda aſſignatis*, Johanni de Metingham *& ſociis ſuis Juſtic. de Banco Regis, cum clauſula iſta. Et ideo vobis mandamus*, quod Cartam pzædictam cozam vobis in Banco pzædicto legi, et omnes et ſingulos Articulos ſupzadictos, ut illos quos conceſſimus et teneri volumus, quatinus vos et partes cozam vobis placitantes contingunt integre et inconcuſſe obſervari faciatis. *Teſte Rege apud* Weſtm. *ſecundo die* Aprilis.

The Writ to the Sheriff of *London* and other Sheriffs (differing ſomwhat in words but not in ſubſtance from the other, and dated about a week before) is thus regiſtred in the Clauſe Roll of this year.

* Clauſ. 27 E. 1. m. 17. dorſo. De quibuſdam articulis Magnæ Chartæ, & Chartæ de Foreſta.

REX Vicecomitibus *London.* ſalutem. Mittimus vobis quoſdam Articulos in *Magna Carta de Foreſta* contentos, quos claræ memoriæ Dominus *Henricus* quondam Rex *Anglia* pater noſter, ad honorem Dei & ad profectum ac utilitatem populi ſui dudum conceſſit, quoſque acceptamus, et volumus atque concedimus pzo nobis et hæredibus noſtris, quod per omnes Fozeſtas Regni noſtri teneantur, et in fozma quæ ſequitur obſerventur. Inquiſicio vel viſus de expeditacione Canum, *&c.* (as before Vic. *Lancaſtr.*) *uſque* & coram eo terminentur. Et ideo vobis præcipimus firmiter injungentes, quod ſtatim & ſine dilacione aliqua faciatis legi et publicari in Cibitatibus, Burgis, Villis mercatoziis et locis aliis ſolempnibus per totam Walliam veſtram ubi melius videritis expedire, omnes articulos ſupzadictos, ut illos quos conceſſimus, ac teneri volumus et firmiter obſervari in fozma pzædicta integre et inconcuſſe. Et nichilominus volumus, quod perambulacio Foreſtarum fiat ad citius quod poterimus, poſtquam negocia quæ expedienda habemus, penes nuncios de Curia Romana in Anglia jam venturos fuerint expedita: Quæ quidem negocia tam ſunt ardua, quod tangunt Nos et totum regnum noſtrum, et Chziſtianitatem univerſam; et ad quæ faciendo expedit et neceſſe eſt totum conſilium noſtrum habere nobiſcum: Et iſtud negocium ſimul cum aliis negociis pzædi-

ctis

ctis volumus et mandamus, quod hoc omnibus ſcire faciatis indilate. Teſte Rege apud *Weſtm.* 26 die *Marcii.* *An.* 27 E. 1

Conſimiles literæ diriguntur ſingulis Vicecomitibus per Angliam. T. ut ſupra.

In the Patent Roll of Anno 27 E. 1. m. 20. *intus.* I finde the *Proclamation* conteined in the Bundle of Writs of *Privy Seals* (* *here* printed) enrolled *verbatim*, whereby the defaced words (omitted, p. 811. l. 3. 9.) may be thus ſupplied. *Et avant ces hours leuſſoms nous fet, ne feuſſent aucunes gentz qi nous empreſſerent, &c. qe paralte ſe face, de le devant dit terme enauant, ſi haſtiuement come ele ſe purra.* * Page 410, 411.

King *Edward* the 1, ſummoning a Parliament at *Weſtminſter*, * *ſecunda Dominica Quadrageſimæ* (An. 28 of his reign) *ad ſalvationem Coronæ noſtræ Regiæ*, et communem utilitatem populi regni noſtri, as the Writs of Summons import, to ſatisfie his Prelates, Nobles, People, and engage them to aſſiſt him with their armes and purſes in his Wars againſt the rebellious and perfidious *Scots*, not only ratified the Great Charters of *Liberties* and of the *Foreſt*, and all other Charters, which he had formerly thrice confirmed at their importunity, but likewiſe preſcribed new penalties againſt the infringers of them, conſtituting Juſtices in every County to puniſh all offences againſt them (not formerly puniſhable) in a ſummary way, from day to day, enacting New proviſions for their better obſervation, with additional Articles ſuperadded to them, commonly ſtiled *Articuli ſuper Cartas*: which although printed in our Vulgar Statute Books, and Sir *Edward Cookes* 2 * *Inſtitutes*, who hath largely commented on them, I ſhall here inſert for the moſt part out of the Statute Rolls in the *Tower*, from which the printed Statutes vary in ſome words, with other Records and Writs relating to them and the Perambulation of the *Foreſts*, (not formerly printed) for the benefit of the Students and Profeſſors of the Law, and ſuch other Gentlemen and Members of Parliament who at any time may make uſe of them, for the maintenance of theſe Charters and their hereditary Liberties, when ever violated, as they have frequently been, eſpecially by the late Uſurpers and Subverters of our Lawes, Parliaments and Government, under a pretext of defending and eſtabliſhing them. *An.* 28 E. 1. * Claule 27 E. 1. m. 9. dorſo. The Firſt Part of my Brief Regiſter, &c. p. 11. * Page 537, &c.

PUR ceo qe les pointz de la *Grant Chartre* des *Franchiſes*, & la *Chartre* de la *Foreſt*, les quieus le Roi *Henr.* pere le Roi qe ore eſt granta a ſoen poeple pur le prue de ſoen Roiaume, ne unt pas eſte tenuz ne gardez avant ces heures pur ceo qe peyne ne fuſt avant eſtablie en vers treſpaſſours contre les poynts des Chartres abauntdites: noſtre Seigneur le Roi les ad de Mobell grant, e renobele e confirme: Et a la requeſt des Prelatz, Contes et Barons en ſon Parlement a *Weſtmonſter* en quaremine, l'an de ſoen Regne vint et utiſme, ad certeine fourme et peyne ordene et eſtablie encontre tuz iceaus qe contre les pointz des abauntdites Chartres ou null point de eles en nulle manere bendront, en la fourme qe enſuit. Ceſtaſſavoir, qe de ci enavaunt *la Grand Chartre* de Franchiſes *Dengleterre*, grauntée a tote la Commune *Dengleterre*, e la *Chartre* de la *Foreſt* en meiſme la manere grantée ſoient tenues, gardées, e meintennes en cheſcun article, et cheſcun poynt auſſi pleynement, come le Roi lad grantée, renobelle, et par ſa Chartre confirme: Et qe celes Chartres ſoient Bailées a cheſcun Viſconte *Dengleterre*, de ſoutz le Seal le Roi a lire quatre foiz par an devant le poeple en plein Conte. Ceſt aſſaboir a prochein Conte apres la Feint *Michell*, al prochein Conte apres le *Noell*, al prochein Conte apres la *Paſqe*, et al prochein Conte apres la Feint *Johan*. Et a celes deus Chartres en cheſcun point et en cheſcun article de eles fermement tenir, ou remedie ne fuſt avant par la commune ley, ſoient eſlus en cheſcun Conte par la commune de meiſme le Conte, trois prodes homes, Chivaliers, ou autres loiaux, Sages et aviſes, qui ſoient Juſtices jures et aſſignes par les lettres le Roi obertes de ſoen grand Seal, de Eyr et de Terminer, ſanz autre bzief qe leur commune garant, les pleints qe ſa ferront de touz iceaus qe bendzont ou meſpzendzont en nul des dits poynts des abauntdites Chartres es Contez ou il ſont aſſignes, auſſibien de deinz Franchiſes come de bors, e auſſibien des Miniſtres le Roi bors de leur places, come des autres. Et les pleints oyes de jour en jour ſanz delay, les terminent ſanz alluer les delays qe ſont allues par commune ley. Et qe meiſmes ceaus Chivalers eient poer de punis *Ix Rot. Stat. de Temp. E 1. E 2. E 3. m. 35. num 47. Articuli ſuper Cartas.*

An. 28 *E.* 1. punis touz ceaus qe ſerront atteintz de treſpas encountre nul point des Chartres abauntdites, ou remedie ne fuſt avant par commune ley, auſi come avant eſt dit, par enpriſonment, ou par ranceaun, ou par amerciment ſelonc ceo qe le treſpaſs le demand. Et pur ceo n'entent pas le Roi, ne nul de ceaux qe ſuſt a ceſt ordenement fere, qe les Chivaliers abauntditz teignent nul play par le poer qe done leur ſerra, en cas ou avant ces houres fuſt remedie purveu ſolonc la commune ley per brief, ne que prejudice enſoit fet a la commune ley, ne a les Chartres en nul de leur pointz. E voet le Roi, qe ſi touz trois ne ſoient preſentz, ou ne purront as totes les foiz entendre a faire leur office en la fourme avauntdit, qe deus des trois le facent. E ordene eſt, qe les Viſcontes e les Bailliffs le Roi ſoient entendantz as les Commandementz des avauntdites Juſtices, en quanq; apertenent a leur office. E ouſtre ceſtes choſes grantées ſur les pointz des Chartres abaundites, le Roi de ſa Grace eſpeciale en allegeance des Grevances qe ſoen poeple ad eu par les guerres que un teſte, et en amendment de leur eſtate. E pur tauntqe il ſoient plus preſtz a ſoen ſerbice, et plus boluntiers aidantz quant il en abera fere, ad grantſ aſcuns Articles, les quieus il intent, qui tendront auſi grant lieu a ſon poeple, et auſi grant profiſt ſerront, ou plus qe les pointz avant grantes.

Empriemechiefe, pur ceo qe une grant grievance eſt in ceſte Roiaume et damage ſanz nombre, de ceo qe le Roi et ſes Miniſtres de ſa meignée, auſibien les aliens, come les denzeines, ſount leur priſes la ou il paſſent par mi le Roialme, et pernent les bienz de gentz, des Clers, et des Lays, ſanz rien payer, ou bien miins que la balue, ordene eſt, *qe de ci ou avaunt nul ne preigne priſes par mi le Roiaume, fors qe les pernours le Roi & ſes purveiours pur loſtell le Roi: E qe ceus pernours le Roi & purveiours pur ſoen hoſtell ne preignent riens fors qne pur meiſme loſtell. E des priſes quil ſerront pur mi les pais de manger, ou de beyure, et autres menuz neceſſaries pur loſtell, qil facent la pay, ou gre a ceus des quens les choſes ſerront priſes.* E qe touz tiens pernours le Roi, purbeiours ou achatours, eient de ci en avant leur garant obeſque eus du Grant Seal, ou de petit Seal le Roi, coutenant leur poer, e les choſes dount il frount priſes ou purbeyance, le quel garrant ils muſtreront as ceus des quieus il frount la priſe, avaunt ceo quil enpriegnent rien; E qe ceus pernours, purbeyours ou achatours le Roi ne priegnent plus qe buſoigne, et meſſer ne ſett, pur le Roi et ſoen hoſtell, e de ſez enfantz: E qe riens ne preignent pur ceus que ſont a Gages, ne pur null autre. E qil reſpoignent en loſtel, et en la Garderobe plenemen des totes leur priſes ſanz fere ailleours leur largeſtes, ou liverees de choſe qe pur le Roi ſoit priſe. E ſi null pernour de Loſtell le Roi per Garant quil eit, face priſes ou liverees en autre manere qe deſus neſt dit, pur pleint fece al Seneſchal, et al Treſourer del hoſtel le Roi, ſoit la verite enquiſt. E ſi de ceo ſoit atteint, ſoit gre maintenant fait au pleintif, & ſoit hoſte du ſervice le Roi pur touz jours, e demoerge en priſon a la volente le Roi. E ſi null face priſes ſantz garant & lemport encountre la volunte de celui a qui les biens ſont, ſoit meintenant areſtu par la Ville ou la priſe ſerra fece, & meine a la prochein Gaole. E ſi de ceo ſoit atteiut ſoit la fait de lui come de laroun, ſi la quantite des biens le demande; E quant as priſes fere en feires, et en bones Villes, & portz pur la grant Garderobe le Roi, eient les purnours leur commune garant par le grant Seal; E des choſes quil prendront, eient la teſtmoignance du Seal du Gardein de la Garderobe, et des choſes iſſint pur eus priſes de noumbre, de quantite, et de la value ſoit fait, dividende entre les purnours & les Gardeins des feires, meires, ou chiefs Bayliffs des Villes et Portz pur la veue des Marchantz des quiens les biens ſerront iſſint pris. E riens ne lui ſoit ſuffert de plus prendre quil ne mete en dividende. E cele dividende ſoit porte en Garderobe deſutz le Seale le Gardeine, meire, ou Chiefe Baille avauntditz, et leuz demoerge tant qe ſur la Conte du Garderober le Roi. E ſil ſoit trove que null eit autrement pris que ſere ne deveroit, ſoit puny ſur la Conte par le Gardein de la Garderobe le Roi ſolom ſa deſerte. E ſi null face tiens priſes ſanz Garant, e ſur ceo ſoit atteint, ſoit fait de lui come de ceus que ſount priſes pur loſtell le Roi ſaunz garant, come deſus eſt dit. E ne entent mie le Roi, ne ſoen conſeil que per ceſt eſtatut rien diſcreſſe au Roi de ſoen droit des auncienes priſes, dues e accuſtumes, come des vyns, et autres biens, mes qe en touz pointz pleinement lui ſoit ſauve.

De

De leſtat du Seneſchall & des Marchals, & des plez qe eus devient tenir, & comment, Ordeine eſt, que deſormes ne tiegnent plai de franc tenement, ne de dette, ne de covenante, ne de contract des gentz du pueple, fors tant ſulement des treſpas de loſtell, & autres treſpas faitz dedeinz la verge, & de contractz & covenantz que aſcun de loſtell le Roi avara fait a autre de meiſme loſtell, & en meſme loſtell & ne mie aillours. E null plai de treſpas ne pledront autre qe ne ſoit attache per eus avant ceo qe le Roi iſſe hors de la verge ou le treſpas ſerra fait, & les pledera haſtinement de jour en jour, iſſint qil ſoient perpledez & terminez avaunt ceo que le Roi iſſe hors des bundes de cele verge ou le treſpas fut fait. E ſi par cas dedeinz les bundes de cele verge ne poent eſtre termines, ceſſent ceus plais devant le Seneſchall & ſoient les pleintiffs a la commune lei. Ne deſormes ne prieigne le Seneſchall coniſances des dettes, ne dautre choſe, fors que des gentz del loſtell avauntdit, ne null autre plai ne tiegnent per Obligation fait a la deſtreſt du Seneſchall & des Mareſthaus. E ſi le Seneſchall ou les Mareſthaus rienfacent countre ceſte ordenement, ſoit leur fet tenu pur nul. E pur ceo que devaunt ces houres montz de felonies feces dedenz le verge unt eſte deſpunies, pur ceo que les Coroners des pais ne ſe ſont pas entremis denquerre de tiens maneres des felonies dedeinz la verge, mes le Coroner de loſtell le Roi quin eſt paſſant, de qui iſſue ne ad mie eſte fet en du manere, ne les fellons mis en exigendes, ne utlaghes, ne rien de ceo preſente en Eire, que ad eſte a grant damage du Roi, & a meins bone garde de ſa pees; Ordene eſt, qe deſoremes en cas de mort de homme, ou office de Coroner apent as vewes, & enqueſts de ceo fere, ſoit mande le Coroner du pais, qui enſemblement oue le Coroner del hoſtell face loffice qui apent, & le mette en Rouile. E ceo que ne porra mie devant le Seneſchall eſtre termine pur ceo que les fellons neiporrent eſtre attachetz, ou pur autre encheſon, demoerge a la commune lei, iſſint que les exigendes, utlagheryes, & preſentmentz en Eire ſoient de ceo fetz per le Coroner du pais, auſint come des autres felonies fetes dehors la verge, mes pur ceo ne ſoit leſs que les attachmentz ne ſoient fetz freſthement ſur les fellonyes faites.

An. 27 E. 1. See Cooks 2 Inſtit. p. 547, to 550.

Ouſtre ceo, null commun plai ne ſeit deſoremes tenu al Eſchequer, **contre la tourne de la * Grant Chartre**, &c.

* Chap. 11. Cooks 2 Inſtit. p. 550, 551.

E pur ceo que moutz miſfeſors ſont en la terre, plus que mes ne ſoleient, & robberies, arſuns & homicides feces ſanz noumbre, & la pees meins bien gardee, pur ceo que leſtatut que le Roi fiſt fair nadguerres a *Wynceſtre*, nad pas eſte tenu: Voet le Roi, que cel eſtatut ſoit de novell envoie en cheſcun conte, & leu & pupplie quatre foiz per an, **auſi come les deus Grantz Chartres**, & firmement garde en cheſcun point ſur les peines que leuz ſont aſſeſſes. E a cel eſtatut garder & meintenir ſoient charges les trois Chivaliers qi ſont aſſignes per mi les Contez pur adreſter les choſes fetes contre les **Grantz Chartres**. & de ceo eyent garrant.

En dreit de waſtz & deſtructions fetz en gardes per Eſcheatours & Sutheſcheatours, des meſons, parks, bois, & vivers, & totes autres choſes qe eſt en la mein le Roi; Voet le Roi, qe celui qe avera le damage receu, eit brieſe de Waſt en Chancellerie vers l'Eſcheatour de ſoen fet, ou le Sutheſcheatour de ſon fet, ſil eit de quei reſpoundre. E ſil nad de quei, ſi reſpoigne ſon Sovereigne, per autele peine, quant a damages, come darrein fuſt ordenes per eſtatut ſur cens qui fount Waſtz en gardz.

Derechiefs la ou l'Eſchaeour ou le Vifconte ſeiſiſt en la mein le Roi autres ters, la ou il nad reaſon de ſeiſer, e puis quant trove eſt la non reaſon, les iſſues due meene temps unt eſte ceo en arrere retenuz, & nemie renduz quant le Roi ad la meine ouſte; Voet le Roi, qe deſoremes la ou terres ſont iſſint ſeiſies, & puis la mein ouſte pur ceo qil nad reaſon de ſeiſir, ne de tenir, ſoient les iſſues plenement rendens a celui a qui la terre demoert, & averra la damage receu, &c.

En totes les choſes deſarrtz ditz & cheſcun de eles, Voet le Roi e entent il a ſoen conſeil, e tous cens qui a ceſt ordenement furent, **que le droit, et la Seignurie de ſa Coronne ſoyent lui ſoient par tout.**

This laſt clauſe and ſaving (which tacitly enervated all the Articles the King had formerly enacted, in caſe he ſhould allodge upon any ſubſequent occaſion, that they were contrary to the Rights and Prerogative of his Crown, and therefore his violations of any of them were warranted and juſtifiable by this ſaving of them) ſo diſguſted

An. 28 *E.* 1. gusted the Earls and Nobles, that they departed from the Parliament much discontented, as * *Thomas Walsingham* informs us.

* See here p. 811.

Soon after the King issued these Writs, for the proclaiming, reading, observing these Charters, Statutes, and the Statute of *Winchester*; and for the electing of three Knights or other persons of quality in every County to punish the infringers of them, according to the premisses.

Clauſ. 28 E. 1. m. 8. dorſo.

REX Vicecomiti *Ebor.* ſalutem. **Quia volumus quod Magna Charta Domini *H.* quondam Regis *Angliæ* patris noſtri, de Libertatibus *Angliæ*, et etiam Chartæ de Foreſta, in omnibus et ſingulis Articulis ſuis firmiter et inviolabiliter obſervetur; tibi præcipimus, quod Chartas illas in pleno Com. tuo quatuor per annum legi et publice proclamari;** (videlicet, in proximo Com. tuo *Paſch.* & in proximo Com. tuo poſt feſtum Sancti *Johannis Baptiſtæ*, & in proximo Com. tuo poſt feſtum Sancti *Michaelis*, & in proximo Com. tuo poſt feſtum *Natalis Domini*) **et omnes et ſingulos Articulos in dictis Chartis contentos, quantum in te eſt, obſervari facias firmiter et teneri: Et hoc nullo modo omittas.** Teſte Rege apud *Weſtm.* 28 die *Martii*.

Conſimiles literæ diriguntur **ſingulis Vicecomitibus per *Angliam*,** in quorum Com. Foreſta Regis exiſtit, ſet in aliis Com. in quibus non eſt Foreſta Regis, **non fit mentio de Charta de Foreſta, ſet tantum de Magna Charta de Libertatibus *Angl.*** Teſte Rege ut ſupra.

The Writs to proclaim and obſerve the Articles upon theſe Charters, are thus recorded.

Clauſ. 28 E. 1. m. 7. dorſo. De Articulis per Regem populo Angliæ conceſſis, tenendis.

REX Vic. *Linc.* ſalutem. Cum nos in allevationem gravaminum quæ populus regni noſtri occaſione guerrarum hactenus tolerant, ac in emendationem ſtatus ejuſdem populi, **necnon ut ex hoc ſe exhibeat ad noſtra ſervitia promptiorem, nobiſque in agendis noſtris libentius ſubſidium faciat in futurum, quoſdam Articulos eidem populo plurimum annuente Domino profuturos, de gratia noſtra ſpeciali conceſſimus concedendos.** Tibi præcipimus firmiter injungentes, quod dictos Articulos quos tibi mittimus ſigillo noſtro conſignatos, in Comitatibus, Burgis, Villis mercatoriis, & ſingulis aliis locis infra Ballivam tuam in quibus videris expedire, tàm infra libertates quàm extra, legi & publice proclamari facias; ac eos, quantum in te eſt, juxta vim & effectum eorundem **obſervari facias firmiter et teneri.** Teſte Rege apud *Sanctum Albanum* 15 die *Aprilis*.

Conſimiles literæ diriguntur **ſingulis Vicecomitibus per *Angliam*.** Teſte ut ſupra.

The Writs to elect three Knights, or other of the honeſteſt, loyaleſt and diſcreeteſt men in each County, for the obſervation of the *Great Charter*, and *Charter* of the *Foreſt*, and to puniſh all offences againſt them not puniſhable formerly by the Common Law, are thus recorded.

Clauſ. 28 E. 1. m 11. dorſo. De Militibus mittendis uſq; Ebor. pro Magna Charta & Charta de Foreſta.

REX Vic. *Lincoln.* ac Coronatoribus ac Communitati ejuſdem Com. ſalutem. **Quia propter communem utilitatem Prælatorum, Procerum et Magnatum, ac populi regni noſtri, conceſſimus pro nobis et hæredibus noſtris, quod Magna Charta de Libertatibus *Angliæ*, et Charta de Foreſta in ſingulis ſuis Articulis de cætero teneantur et firmiter obſervantur:** Vobis mandamus, quod tres Milites, vel alios tres de **probioribus, legalioribus et diſcretioribus liberis hominibus Comitatus prædicti ſine dilatione eligi, et eos usque *Eborum* venire faciatis.** Ita quod ſint ibidem in craſtino *Aſcenſionis Domini* coram nobis vel Conſilio noſtro, ad facienda & exequenda ea quæ tunc eis ibidem injungentur ex parte noſtra, **pro obſervatione Chartarum prædictarum.** Et habeatis ibi nomina prædictorum Militum vel liberorum hominum & hoc breve. Teſte Rege apud *Weſtm.* 27 die *Marcii*.

Conſimiles literæ diriguntur ſingulis Vicecomitibus, & Coronatoribus ac Communitatibus ſingulorum Comitatuum per *Angliam*.

The

The Writs for the Perambulation of the Foreſts in ſeveral Counties, iſſued to theſe enſuing Commiſſioners, in this form. *An.* 28 *E.* 1.

REX dilecto & fideli ſuo *Rogero de Brabazon*, ſalutem. Cum aſſignavimus vos una cum quibuſdam aliis fidelibus noſtris, **ad Perambulationem in Foreſtis noſtris infra Comitatus noſtros** *Salop*, *Stafford*, & *Derb.* **faciendam**: Vobis mandamus, quod ſitis *Litchfield.* in craſtino *Aſcentionis Domini* proximo futuro, parati exinde cum dictis fidelibus noſtris **proficiſci ad Perambulationem illam faciendam**; quibus mandavimus, **quod tunc ad hoc faciendum modis omnibus perſonaliter ſint ibidem. Et hoc nullo modo omittatis.** Ita quod per veſtrum defectum expeditio dicti negotii infecta non remaneat quoquo modo. Teſte Rege apud *Weſtm.* primo die *Aprilis*. Clauſ. 28 E. 1. m. 8. dorſo. De Perambulatione in diverſis Comitatibus.

Eodem modo mandatum eſt *Radulpho de Hengham*, ad Perambulationem in Foreſtis Regis infra Comitat. *Eſſex. Bukſ. Oxon.* faciend. aſſignato, quod ſit apud * ——— die prædicto.

Eodem modo mandatum eſt Magiſtro *Johanni Lovell*, ad Perambulationem in Foreſtis Regis infra Comitat. *Sommerſet. Dorſet. Devon.* faciend. aſſignato, quod ſit apud ——— die prædicto.

* Theſe blanks for the place are not filled up, but left in the Roll.

Eodem modo mandatum eſt *Johanni de Berewick*, ad Perambulationem in Foreſtis Regis infra Comitat. *Sutht.* & *Wiltes.* faciend. aſſignato, quod ſit apud ——— die prædicto.

Eodem modo mandatum eſt *Willielmo Inge*, ad Perambulationem in Foreſtis Regis infra Comitat. *Glouceſtr. Hereford. Wigorn.* faciend. aſſignato, quod ſit apud ——— die prædicto.

Eodem modo mandatum eſt *Johanni Denel*, *Willielmo Bretenhue*, & *Henrico de Gildeford*, aſſignatis ad Perambulationem Foreſtarum cum *Rogero de Brabazon*, videlicet cuilibet eorum per ſe, quod perſonaliter ſit apud *Litchfield* ad diem prædictam.

Eodem modo mandatum eſt *Willielmo Truſſell*, *Stephano de Graveſend*, & *Willielmo de Sutton*, aſſignati ad Perambulationem faciend. una cum *Radulpho de Hengham*, vid. &c. quod ſit perſonaliter apud, &c.

Eodem modo mandatum eſt *Gilberto de Knovill*, *Johanni Gerbod*, & *Humfrido de Walden*, aſſignati ad Perambulationem faciend. una cum Magiſtro *Johanne Lovell*, vid. &c. quod ſit perſonaliter apud, &c.

Eodem modo mandatum eſt *Waltero de Glouceſtr. Waltero de Fævely*, & *Johanni de Crokeſly*, aſſignati ad Perambulationem faciend. una cum *Johanne de Berewick*, vid. &c. quod ſit perſonaliter apud, &c.

Eodem modo mandatum eſt *Henrico de Cobham*, *Willielmo de Mortuo Mari*, & *Nicholao Fernham*, aſſignati ad Perambulationem faciend. una cum *Willielmo Inge*, vid. &c. quod ſit perſonaliter apud, &c.

REX dilecto & fideli ſuo *Johanni de Litchgrayne*, ſalutem. Cum aſſignavimus vos una cum quibuſdam fidelibus noſtris, **ad Perambulationem in Foreſtis de** *Shirewood*, *Inglewood* & *Galtres* **faciendam**: Vobis mandamus, quod ſitis apud *Ebor.* coram Theſaurario & Baronibus noſtris de Scaccario in die *Paſche* in 15. dies, parati exinde cum dictis fidelibus noſtris **proficiſci ad Perambulationem illam faciendam**; quibus mandavimus, **quod tunc ad hoc faciendum modis omnibus perſonaliter ſint ibidem. Et hoc nullatenus omittatis.** Ita quod per veſtrum defectum **expeditio dicti negotii infecta non remaneat quoquo modo.** Teſte Rege apud *Weſtm.* primo die *Aprilis*. Ibidem.

Et mandatum eſt *Johanni Bynn*, *Michaeli de Hartecla*, *Harſculpho de Oresby*, *Ade de Crokedayk*, & *Richardo Oyſell*, **aſſignatis ad Perambulationem faciendam, una cum prædicto** *Johanne*, videlicet quilibet eorum per ſe, quod ad diem prædictum modis omnibus perſonaliter ſit apud *Ebor.* coram prædictis Theſaurario & Baronibus. Teſte ut ſupra.

Yet all theſe Writs and Commiſſions would not ſatisfie the jealous Earls and others, that the Perambulation of the Foreſts would be really effected, or ſpeedily accompliſhed by the King: Whereupon, as * *Walſingham* and *Knyghton* ſtory, *Rex Angliæ ſub his diebus* **Parliamentum tenuit** Stamford. *ad quod convenerunt Comites & Barones*

* Walſingham Hiſt. Angl. p. 48. Ypodigma Neuſtr. p. 88. Henry de Knyghton de Event. Angl. l. 3. c. 13. col. 2528.

An. 28 E. 1. *Barones cum equis & armis, eo pront dicebatur propoſito,* ut **executionem Chartæ de Foreſta hactenus dilatam, extorquerent ad plenum. Rex autem eorum inſtantiam et importunitatem attendens, eorum voluntati in omnibus condeſcendit;** (or as *Knyghton*, **de qua re Rex integre et plene eorum voluntatem implebit ad vota.**) Moreover the King at *Stamford* iſſued theſe Writs to the Sheriff of *Lincoln*, and all other Sheriffs, for the reading, proclaiming four times in the year, and obſerving of the Statute of *Wynton* in all its Articles, as he had of the *Great Charter*, and *Charter of the Foreſt* by former Writs.

Clauſ. 28 E. 1. m. 7. dorſo. De ſtatuto Winton. Magna Charta, & Charta de Foreſta tenendis.

REX Vic. *Lincoln.* ſalutem. Quia modernis temporibus multò plures malefactores & pacis noſtræ perturbatores quàm ſolebant temporibus retroactis vagantur infra regnum noſtrum de patria in patriam, & diſcurrunt, roborias, incendia, & homicidia, in læſionem pacis noſtræ manifeſtam multipliciter perpetrantes, eo quod ſtatutum noſtrum quod apud *Wintoniam* octavo die *Octobris*, anno regni noſtri tertio decimo, pro conſervatione pacis noſtræ in dicto regno, de communi conſilio ejuſdem regni fieri fecimus, hactenus non exſtitit obſervatum; per quod volumus, quod ſtatutum illud quod tibi mittimus ſigillo noſtro conſignatum, in omnibus & ſingulis Articulis ſuis de cætero firmiter teneatur, & inviolabiliter obſervetur. Tibi præcipimus, **quod ſtatutum prædictum in pleno Comitatu quatuor per annum, ad terminos ad quos Magnam Chartam de Libertatibus** *Angliæ*, et **Chartam de Foreſta, pro te in eodem Com. legi nuper præcepimus et publicari, legi et publice proclamari, et illud in omnibus et ſingulis Articulis ſuis, quantum in te eſt, obſervari facias firmiter et teneri:** Et hoc nullatenus omittas. Teſte Rege apud *Stamford.* 2 die *Maii.*

Conſimiles literæ diriguntur ſingulis Vicecomitibus per *Angliam.* Teſte ut ſupra.

The King 8. dayes after being at St. *Edmunds*, to ſatisfie his Earls and Nobles, iſſued theſe memorable Writs to the 3. Knights and others elected in each County, for the obſervation of the Articles in the *Great Charter*, the *Charter of the Foreſt*, and the Statute of *Winton*, and puniſhing all offences againſt them, not formerly puniſhable by the Common Law of the Realm, and Kings Juſtices.

Pat. 28 E. 1. m. 14. De Articulis in Magna Charta contentis, & ſtatuto Regis apud Winton. edito obſervand.

REX dilectis & fidelibus ſuis *Johanni de Harington*, *Johanni de Aungervill*, & *Johanni de Holt*, ſalutem. **Quia Magna Charta de Libertatibus** *Angliæ*, et **Charta de Foreſta**, quas Dominus *H.* quondam Rex *Angliæ* pater noſter **populo regni ſui ad utilitatem ejuſdem regni conceſſit, pro eo, quod pœna in tranſgreſſores ſeu vententes contra tenores Chartarum prædictarum prius ordinata non erat, non fuerunt in quibuſdam ſuis Articulis obſervatæ. Nos ad requiſitionem Prælatorum, Comitum, Baronum, et aliorum fidelium noſtrorum, plenam ſub certa forma contra omnes illos qui contra Chartarum dictarum tenores vel aliquem Articulum earundem quodliſmodo de cætero venire præſumpſerint, ordinandam duximus et etiam ſtatuendam, ita quod Chartæ illæ adeo plene ſicut eas conceſſimus, renovavimus et confirmavimus, exnunc teneantur et obſerventur in ſingulis Articulis earundem, et ad Chartas illas in Com. Leic. in ſingulis ſuis Articulis in quibus remedium prius per Communem Legem provisum non fuerat firmiter obſervandas, aſſignavimus vos Juſtic. noſtros ad querelas omnium et ſingulorum de eodem Com. tam infra Libertates quam extra, conquerencium ſeu conqueri volencium de omnibus illis qui contra tenores Chartarum prædictarum in aliquo Articulorum ſuorum venerint ſeu deliquerint in Com. prædicto, tam videlicet de Miniſtris noſtris extra placeas ſuas, quam etiam de aliis quibuſcunque audiendas, et ad huſmodi querelas de die in diem, non allocando dilationes quæ per Legem Communem allocantur, celeriter terminandas, et etiam ad omnes illos quos contra tenores Chartarum prædictarum in aliquo Articulo earundem, ubi prius per Communem Legem remedium non fuerat, ut prædictum eſt, venire ſeu delinquere et inde convinci contigerit coram vobis, per impriſonamentum, redemptionem vel amerciamentum, ſecundum quod tranſgreſſio exegerit puniendos.** Aſſignavimus etiam vos ad faciendum ſtatutum per nos nuper de communi conſilio regni noſtri pro conſervatione pacis noſtræ apud *Winton.* editum, **quod ad ſingulos Comitatus regni noſtri ſub ſigillo noſtro mittimus**, jam de novo, de cætero in

ſingulis

ſingulis ſuis Articulis ſub pœnis in eodem Statuto contentis, in Com. prædicto obſervari firmiter & teneri, & ad omnes tranſgreſſores & contravenientes puniendos, juxta formam ſtatuti ejuſdem; Ita videlicet, quod ſi vos omnes ad hæc faciend. quociens opus fuerit intendere non poſſitis, tunc duo veſtrum quos præſentes eſſe contigerit nichilominus ea faciant & exequantur in forma prædicta. Et ideo vobis mandamus, quod ad præmiſſa facienda & explenda diligenter intendatis, ſicut prædictum eſt; **Salvis nobis redemptionibus, amerciamentis et aliis ad nos inde ſpectantibus.** Mandavimus enim Vic. & omnibus Ballivis & Miniſtris Com. prædicti, tam infra libertates quam extra, quod vobis omnibus & duobus veſtrum in præmiſſis omnibus & ſingulis intendentes ſint et reſpondentes, quociens eis ſcire feceritis ex parte noſtra. Nolumus autem nec intendimus quod virtute iſtius poteſtatis vobis datæ, placitum aliquod in caſu in quo ſecundum legem communem per breve proviſum remedium prius erat, per vos teneatur, ſeu legi communi præjudicetur, aut dictis cartis in aliquo derogetur. In cujus, &c. Teſte Rege apud Sanctum *Edmundum* 10 die *Maii*, Anno 28 E 1. *An.* 28 E. 1.

Eodem modo aſſignantur Milites & alii ſubſcripti in Comitatibus ſubſcriptis, *videlicet*,

Nicholaus de Weyland, Johannes de Peyton, & Johannes de Biskele, *in Com.* Suff.

Walterus de Paveley, Robertus de Vernoun, & Johannes de Grimeſtead, in *Com.* Wiltes.

Johannes le Bretton, Johannes de Cokefield, & Robertus de Burgulion, *in Com.* Norff.

Johannes de Clynton de Coleſhill, Philippus de Gayton, & Johannes de Lodbrook *in Com.* Warr.

Thomas de Scalleriis, Galfridus Wardeleyes, & Baldewinus de Colne, *in Com.* Kant.

Johannes de Dene, Robertus de Bayons, & Willielmus de Pappeworth, *in Com.* Hunt.

Willielmus de Creſſey, Richardus de Bingham, & Robertus de Staunton, *in Com.* Nott.

Egidius de Meynell, Henricus *filius* Herberti, & Johannes Deynecurt *in Com.* Derb.

Radulphus Reynell, Johannes de Paybenham, & Willielmus de Hotot, *in Com.* Bedford.

Rogerus de Tirringham, Johannes Neytmitt, & Laurentius de Bluntesdon, *in Com.* Buks.

Richardus de Wyndeſore, Adam de Brampton, & Johannes de Sperſhop, *in Com.* Berks.

Johannes de Sancto Claro, Johannes de Langham, Richardus Damory, & Johannes de Elsfield, *in Com.* Oxon.

Richardus le Baskervill, Robertus le Petit, & Thomas Pickhard, *in Com.* Heref.

Henricus Tregaz, Henricus Huſee, & Willielmus Eckingham, *in Com.* Suſſex.

Warreſius de Valloignes, Thomas de Inſula, & Lucas de Porta, *in Com.* Cantebr.

Willielmus de Fokerham, Edmundus de Grafton, & Richardus de Griminhall, *in Com.* Wygorn.

Robertus de Glamorgan, Willielmus de Brembeſheate, & Nicholaus de Perſhete, *in Com.* Sutht.

Willielmus de Chambernoun, Andræas de Treſtock, Willielmus le Graunt, *in Com.* Devon.

Richardus de Heydon, Robertus de Sancto Claro, & Richardus Pick, *in Com.* Somerſet.

Willielmus de Brok, Rogerus de Suthcoate, & Simon de Kenſiton, *in Com.* Middleſex.

Henricus de Kighley, Robertus de Holland, & Alanus de Norreys, *in Com.* Lancaſtr.

Lucas Tailboys, Willielmus de Faunes, & Willielmus de Swethorp, *in Com.* Northumbr.

Hugo Peverell, Reginaldus de Bevill, & Johannes de Reſtminſter, *in Com.* Cornub.

An. 28 *E.* 1. Hugo de Multon, Johannes de Goldington, & Robertus de Weſſington *in Com.* Weſtmerl.

Willielmus de Sancto Quintino, Petrus Bocard, & Johannes de Kirkeby, *in Com.* Eborum.

Hugo Wake, Elias de Preſton, & Thomas Wale, *in Com.* Northampton.

Robertus de Frigeſthorp, Petrus Levener, & Robertus ad Aulam *in Com. Roteland.*

Willielmus de Enneis, Johannes Aynell, & Thomas de Harpesfield, *in Com.* Heref.

Johannes le Britton, Jollanus de Dureme, & Petrus de Suthherch, *in Com. Eſſex.*

Johannes de Hamme, Henricus de Gildford, & Walterus de Gedding, *in Com.* Surr.

Petrus Crok, Walterus de Helyn, & Johannes de Langele *in Com.* Glouc.

Robertus Corbet, Richardus de Harley, & Thomas de Roſſcale, *in Com.* Salop.

Johannes Goland, Ranulphus de Treskenny, & Thomas de Burnham, *in Com.* Linc.

Willielmus de Stafford, Robertus de Pype, & Willielmus de Wroteſley, *in Com.* Stafford.

Richardus de Havering, Stephanus Pruwett, & Johannes de Stok *in Com.* Dorſet, *(elected by the premiſed Writs, and after them Commiſſioned by the Kings Patents.)*

Pat. 28 E. 1. m. 14 De intend Juſtic. ad Articulos & Statutum prædict Aſſign.

REX Vicecomiti *Leyc.* & omnibus Ballivis & Miniſtris de eadem Com. tam infra Libertates quam extra, ſalutem. Quia *Magna Charta*, &c. (*ut ſupra*, uſque *ibi firmiter obſervandas.*) Aſſignavimus dilectos & fideles noſtros *Johannem de Harrington, Johannem de Aungervill*, & *Johannem de Holt*, **Juſticiarios noſtros ad querelas** omn. &c. (*ut ſupra*, uſque ibi *exigeret puniendos.*) Aſſignavimus etiam eoſdem *Johannem, Johannem*, & *Johannem* ad faciend ſtatutum, &c. (uſque ibi *ita videlicet*) quod ſi ipſi omnes, &c. (*ut ſupra*) tunc duo ipſorum quos præſentes eſſe contigerit ea faciant & exequantur, prout in Literis noſtris Patentibus præfatis *Johanni, Johanni*, & *Johanni* inde confectis plenius continetur. Et ideo vobis mandamus, firmiter injungentes, quod eiſdem *Johanni, Johanni*, & *Johanni*, & duobus eorum in præmiſſis omnibus & ſingulis intendentes ſitis & reſpondentes, quociens ipſi, aut duo eorum vobis ſcire fecerint ex parte noſtra. Et hoc nullo modo omittatis. Teſte Rege ut ſupra.

Eodem modo mandatum eſt ſingulis Vicecomitibus Comitatuum ſupraſcriptorum, & omnibus Ballivis et Miniſtris de eiſdem Com. tam infra Libertates quam extra, quod Militibus in Com. illis aſſign. ad querelas, &c. *ut ſupra.* et ad faciend. ſtatutum, &c. intendentes ſint & reſpondentes, ſicut prædictum eſt. Teſte ut ſupra.

Ibidem. De poteſtate data recipiend. Sacram. a quibuſdam aſſign. ad prædictos Articulos & Statutum obſervandum.

REX dilecto & fideli ſuo *Petro Crok* ſalutem. De fidelitate veſtra plenius confidentes, Dedimus vobis poteſtatem recipiendi in pleno Com. *Glouc.* **Sacrament. dilectorum et fidelium noſtrorum** *Walteri de Heylin*, & *Johannis de Langele*, quos unà vobiſcum aſſignavimus Juſtic. noſtros, **ad tranſgreſſiones** quas contra tenores Magnæ Chartæ & Chartæ de Foreſtæ **fieri continget in eodem Com. audiend. et terminand.** Ac etiam ad obſervationem Statuti nuper apud *Wynton.* de communi Conſilio noſtro, juxta poteſtatem vobis et ipſis per Literas noſtras Patentes indè traditam, **quod bene et fideliter faciant et exequentur, et quæ pertinent ad officium ſuum in hac parte, juxta formam poteſtatis ejuſdem.** Et ideo vobis mandamus, quod **Sacramentum prædictorum** *Walteri* & *Johannis* **recipiatis in forma prædicta.** Mandavimus enim Vic. noſtro Com. prædict. quod præfatos *Walterum* & *Johannem* coram vobis in pleno Com. ſuo venire fac. ad præſtand. ibidem Sacramentum ſuum, ſicut prædictum eſt, In cujus, &c. Teſte Rege apud *Sanctum Edmundum*, decimo die *Maii.*

Conſimilem poteſtatem habent Milites ſubſcripti recipiendi Sacramentum ſubſcriptorum ſecum in Com. ſubſcriptis Aſſignatorum, videlicet.

Nicholaus de Weyland, & Johannes de Peyton, *recipiendi Sacramentum* Johannis de Biskele.

Johannes de Cokefeld & Robertus le Burgulion, *recipiend. Sacramentum* Johannis le Bretun.

Johan

Johannes de Dene & Willielmus de Pappworth, *recipiend. Sacramentum* Roberti de Bajoſis. *An.* 28 *E.* 1.

Radulphus Peynell, *recipiendi Sacramentum* Johannis de Pabenham, & Willielmi de Hotot.

Rogerus de Tirringham & Johannes Neirwit, *recipiend. Sacramentum* Laurence de Bluntſdon.

Richardus Damory & Johannes de Ellesfield, *recipiend. Sacramentum* Johannis de Sancto Johann de Langham.

Johannes Tregaz & Henr. Huſee *recipiend. Sacramentum* Willielmi de Eccenebam.

Ricardus de Havering, *recipiendi Sacramentum* Stephani Prewet & Johannis de Stoke.

Robertus de Glamorgan & Nicholaus de Perſhete, *recipiendi Sacramentum* Willielmi de Brembeſhete.

Willielmus de Chambernoun & Andreas de Treſtok, *recipiendi Sacramentum* Willielmi de Graunt.

Robertus de Sancto Claro, *recipiendi Sacramentum* Richardi de Heydon & Richardi Pyk.

Willielmus de Brok, Rogerus de Suthcoate, *recipiendi Sacramentum* Simonis de Kenſinton.

Robertus de Holland, *recipiendi Sacramentum* Henrici de Kighly, & Allani de Norreys.

Hugo Wake & Thomas Wale, *recipiendi Sacramentum* Eliæ de Preſton.

Johannes de Goldington *recipiendi Sacramentum* Hugo de Mutment & Roberti de Weſſington.

Moreover the King not long after iſſued this Writ to the Treaſurer and Barons of the Exchequer for the obſervation of the *Grand Charter* in all matters before them in all its Articles, wherein there is no mention of the *Charter of the Foreſt*.

REX Theſaurario & Baronibus ſuis de Scaccario, ſalutem. Quia volumus quod **Magna Charta** Domini *Henrici* quondam Regis *Angliæ* Patris noſtri **de Libertatibus Angliæ, quam confirmabimus et etiam innovabimus, in omnibus et ſingulis Articulis ſuis firmiter et inviolabiliter obſervetur**; Vobis mandamus, quod **Chartam prædictam in omnibus et ſingulis ſuis Articulis, quantum in vobis eſt, coram vobis in dicto Scaccario obſervari faciatis firmiter et teneri.** Teſte Rege apud *Dunfres* 23 die *Octobris*. Clauſ. 28 E. 1. dorſ. 2. De Articulis contentis in Magna Charta obſervandis in Scaccario.

The King to receive the returns of the Perambulations of the *Foreſts*, and to hear and determine all juſt Exceptions againſt them, iſſued this memorable Writ of Summons to the Sheriffs for a Parliament to be held at *Lincoln* for that and other arduous affairs of the Realm,

REX Vic. *Cumbr.* ſalutem. **Cum nuper pro communi utilitate populi regni noſtri conceſſimus, quod CARTA DE FORESTA in ſingulis ſuis Articulis obſervaretur, aſſignando quoſdam de fidelibus noſtris in ſingulis Comitatibus regni in quibus Foreſtæ noſtræ exiſtant, ad Perambulationem illam diſtincte et aperte factam, ad Nos, antequam aliqua executio bei aliquid aliud inde fieret, reportarent**: & quod Juramentum noſtrum, jus Coronæ *Angliæ*, rationes & calumpnia noſtra, necnon jus, rationes & calumpnia aliarum omnia ſalva forent. Nos licet dilecti & fideles noſtri nunc primo ad **Nos detulerunt quod fecerint in negotiis memoratis, quia tamen Prælati, Comites et Barones et cæteri Magnates dicti regni, in quorum præſentia noſtras et aliorum proponi et audiri volumus rationes, et de quorum conſilio in eodem negotio, prout alias diximus, intendimus operare. Maxime cum ipſi ad obſervand. et manutenend. jura Regni ac Coronæ noſtræ prædicta una Nobiſcum juramenti vinculo ſunt aſtricti, juxta latus noſtrum tunc temporis non fuerunt**: Ac pro eo ſimiliter, quod illi qui ſuas rationes quatinus illud negocium illos tangit proponere debeant, indè præmuniti non erant, eodem negotio ſine ipſorum **Conſilio finem imponere non potuimus bono modo. Et quia negotium illud quantum poſſumus cupimus maturari, ita quod per Nos non ſiet abſ-** Cl. 28 E 1. m. 3. dorſo De Militibus, Civibus & Burgenſibus mittendo ad Parliament. Regis. See the 2d Part of my Brief Regiſter & Survey of Parliamentary Writs, p. 53, 54, 55, & Part 4. p. 12, 83.

que

An. 28 *E.* 1. que ulteriozis dilationis incommodo, (quin) effectum debitum ſoztiatur. Volentes cum Prælatis, Comitibus, Baronibus & Magnatibus ſupradictis, ac cum aliis de Communitate dicti Regni ſuper hoc, et quibuſdam aliis arduis negotiis Nos et ſtatum regni pzædicti tangentibus habere colloquium et tractatum. Tibi præcipimus firmiter injungentes, quod venire facias coram Nobis ad Parliamentum noſtrum apud *Lincolniam* in Octabis Sancti *Hillar.* prox. futur. duos Milites de Balliva tua, illos videlicet qui pzo Communitate Com. pzædicti ad Parliamentum noſtrum ultimo pzæteritum per pzæceptum noſtrum venirent; et etiam de qualibet Civitate infra Ballivam tuam eoſdem Cives, et de quolibet Burgo eoſdem Burgenſes qui ad pzædictum Parliamentum noſtrum aliàs ſic venerunt. Et ſi fortè aliquis Militum, Civium aut Burgenſium prædictorum mortuus fuerit, aut infirmus, per quod ad dictos diem & locum venire nequit, tunc loco illius mortui aut infirmi, unum alium idoneum ad hoc eligi, & ad dictum Parliamentum noſtrum venire facias; ita quod Milites, Cives & Burgenſes prædicti, dictis die & loco modis omnibus interſint, cum plena poteſtate audiendi et faciendi ea quæ ibidem in pzæfatis negotiis ozdinari contigerint pzo communi commodo dicti regni. Et eiſdem Militibus de Communitate Com. prædicti, & Civibus de Civitatibus, & Burgenſibus de Burgis prædictis, rationabiles expenſas ſuas habere facias in veniendo ad Parliamentum noſtrum, ibidem mozando, et exinde redeundo. Tibi inſuper præcipimus, ſicut prius, quod per totam Ballivam tuam ſine dilatione publicè proclamari facias, Quod omnes illi qui Perambulationem in aliquo calumpniari voluerint, quod ſint cozam Nobis in Parliamento noſtro pzædicto, oſtenſuri in hac parte rationes ſuas et calumpnias ſi quas habent: Et habeas ibi nomina Militum, Civium & Burgenſium & hoc Breve. Teſte Rege apud *le Reſe*, 20 die *Septembris*,

Conſim. literæ diriguntur Vic. ſubſcriptis in quorum Com. Foreſtæ exiſtunt, *viz.* Vic. *Weſtmerland. Eborum, Nottingham, Derby, Northampton, Bucks, Huntindon. Eſſex, Surr. Suthhampt. Wiltes, Sommerſet, Dorſet, Devon. Glouceſtr. Wiggern. Hereford, Roteland, Oxon, Salop, Stafford, Warr.*

REX Vic. *Lincoln.* ſalutem. Cum nuper pro communi utilitate, &c. (*ut ſupra*, uſque ibi *pro communitate dicti regni.*) Et habeas ibi nomina prædictorum Militum, Civium & Burgenſium & hoc breve,

Eodem modo mandatum eſt Vic. ſubſcriptis, in quorum Com. non ſunt Foreſtæ, viz. *Norff. Suff. Cantebr. Bedf. Kent, Suſſex, Middleſex, Leyceſtr. Northumbr. Cumbr. Lancaſtr. Heref.*

The Parliament being met together at *Lincoln*, *In octabis Sancti* Hilarii (as * *Matthew Weſtminſter* informs us) *tenente Rege Parliamentum ſuum* Lincolniæ, conqueſti ſunt Comites et Barones, de toztuoſis et violentis depzædationibus, undique per miniſtros et familia Regis factis. Kurſum petierunt, ut libertates in Magna Charta contentæ, ex tunc in ſuo roboze pzimitivo in perpetuum perdurarent. *Item poſtulaverunt*, ut deaſſoreſtationes pzo quibus angustiabantur omnes divites plebis, a Rege ſæpius conceſſas, ſed hactenus opere non completas, remota ulteriozi dilatione, fieri juberet decretas. Pijs et quibuſdam aliis articulis inſtantiſſime a Rege poſtulatis, pzocraſtinatis quampluribus diebus; *demum videns Rex*, quod non deſiſterent ab inceptis, nec adquieſcerent ſibi in neceſſitatibus ſuis, ut populo generatim gratam faciat; *reſpondit*, Se eſſe paratum concedere et ratificare petita, et ſi qua alia quoquo tempoze poſcerent, vel ducerent confirmanda. Renovatæ ſunt igitur Chartæ de Libertatibus, et de Foreſta, ſigilloque Regio munitæ, et in unoquoque Comitatu per Angliam deferuntur. *Quibus coram populo divulgatis*, violatozes earum *Majozi Excommunicationis Dominus Archiepiſcopus Cantuarienſis cum exteris Coepiſcopis, innodabit. *Porro pro hoc confirmationis effectu, conceſſerunt Comites & Barones Regi quintamdecimam partem bonorum ſuorum mobilium, in feſto Sancti* Michaelis *proxime tunc futuro. Ea res* (as *Polydor Virgil* obſerves) ita omnium animos devinxit, *ut populus ex decima parte fructus prædiorum unius anni, tributum perpenderat*, quo Pzinceps ſentiret ſuum beneficium in vulgus gratum eſſe. Sed Robertus Archiepiſcopus Cantuarienſis (ſuch was his treachery, obſtinacy and ingratitude to the King, notwithſtanding his pardon and reſtitution to his Protection, Temporalties, and Goods, for his *former delinquen-

* Flores, Hiſt. An. 1300. p. 415, 426. Polydor. Virgil, Angl. Hiſt. p. 343.

* See here, p. 743, 744, 745.

*Here, p. 721, 732, 787.

ſy

cy of this kinde) pro Clero nihil voluit concedere, neque de temporalitate annexa Ecclesiæ, sine licentia Summi Pontificis speciali. Such a devoted vassal was he to the Pope, and his Antimonarchical Decrees. *An.* 28 & 29 *Edw.* 1.

The King hereupon to satisfie his Prelates, Nobles, Commons, issued these new Letters Patents under his Great Seal to all Counties within the Realm, for the observation of the *Great Charter* and *Charter of the Forest* in all their Articles, and nulling all Statutes against any Article of them, by the *Common Counsil* of the Realm in due manner; 4. whereof I found extant in the *Tower* under his Great Seal.

EDwardus Dei gratia Rex *Angliæ*, Dominus *Hiberniæ*, & Dux *Aquitaniæ*, Omnibus ad quos præsentes literæ pervenerint, salutem. Sciatis, quod cum Nos Magnam Chartam Domini *H.* quondam Regis *Angliæ* patris nostri de Libertatibus Angliæ, una cum Carta de Foresta concesserimus, ac confirmavimus ac innovavimus per Cartam nostram, præcepimusque quod Cartæ illæ in singulis suis articulis tenerentur et firmiter observentur. Volumus et concedimus pro nobis et hæredibus nostris, quod si quæ statuta fuerint contraria dictis Chartis vel alicui articulo in eisdem Chartis contento, ea de communi consilio regni nostri modo debito emendentur, vel etiam adnullentur. In cujus rei Testimonium has literas nostras fieri fecimus patentes. Teste meipso apud *Lincoln.* 19 die *Februarii*, Anno regni nostri vicesimo nono. *An.* 29 *E.* 1.

In *Rotulo* Perambulationum Forestarum, An. 29 E. 1. m. 18. the Transcript of these Letters Patents is inrolled *verbatim* as before, with this subscription. *Et est ista Carta pro Com.* Bedf. *Consimiles Cartæ fiant pro Com. subscriptis, viz. Pro Comitatibus* Cornub. Warr. Suthr. Linc. Kanc. Stafford, Huntind. Derb. Northr. After which followes the several *Perambulations* of the Forests then made by special Justices, Commissioners and Juries upon Oath in form ensuing.

Staff. ff. EDwardus Dei gratiâ Rex *Angliæ*, Dominus *Hiberaiæ*, & Dux *Aquitaniæ*, Omnibus ad quos præsentes literæ pervenerint, salutem. Sciatis, quod cum Communitas Regni nostri nobis concesserit quintamdecimam omnium bonorum suorum mobilium quæ habebunt in festo Sancti Michaelis proximo futuro extunc taxandorum, quæ quidem Quintadecima post hujusmodi taxationem colligi debet, levari et fideliter nobis solvi. Volumus et concedimus pro nobis et hæredibus nostris, quod Perambulationes factæ coram dilecto et fideli nostro Rogero le Brabanzon, et sociis suis ad hoc assignatis, per præceptum nostrum de Foreſtis nostris in Com. Stafford. de cætero teneantur et observentur, per metas et bundas contentas in eisdem perambulationibus, quarum tenor de verbo ad verbum sequitur in hunc modum. *La puralee de la* Foreſt *en la Conte de* Stafford *fece devant Monsire* Rogier Brabazun, *Monsire* Williame Bontevileyne, *Monsire* Johan Druwell, *o Sire* Henr. de Guldeford *Justices nostre Seigneur le Roi a cele purale fere, Mescredy en la Semeyne de* Pentecuste, *l'an du Regne le Roi* Edward *vint uti sme, de la Foreſt du* Cannok, *en la presence* Williame Trumwyn, Estevene de Elmedon, *Foresters de lavantdite Foreste de fee, en la presence* Johan de Heravile, Richard de Barton, Robert de Wiston, *Verders de la vantdite foreſt*, per le Serment Robert de Estaundon, Williame de Mere, Geoffrey de Gresley, Johan le Wasteneys, Henr. Maunesin, Henr. de Creswall, Huwe de Weston *Chivalers*, Williame de Wrottesley, Robertus le Hunt, Estevene de Wollaston, Richard Sprigenell, Michell de Norton, Henry de Alrewas, Robertus de Semford, Thomas de Titnesmere, Robert de Sewalfield, Henr. de Verdoun, William de Tymmor, Richard de Berkbury, Robert de Horseley, Williame de Tamenham, & Johan de Cressewell. Qui dient par lieur serment, *qe nostre Seigneur le Roi qe ore est, si ad quatre hujus en la vantdite* Foreſt *dehors* Watlinstrete, *vers le North. Cestassavoir la hay de* Hopewas, *la hay de* Alrewas, *&c.* (there at large recorded) *la Vile de* Wolaston, *une partie de terre de* Swynesford, *de* Bellemor, *de* Haagaley, *de* Brome, *la vile de* Chirchhull, *la vile de* Vennorton, *une party de terre de* Yeldentre, *de* Chadeste, *de* Hurcote, *une parte de Waste de* Kydderminstre, *e la vile de dune lent* Hethey *e la vile de* Wolnardeley, *le vile de* Kynningsard, *la vile de* Arley, *la vile de* Eveneſſend, *de* Morf de Luteley, *e de* Bobbinton, *ove les* bois, *e les* wastz, *ove les Appurtenances, sont aforesters puis la Coronement* Ex Rotulo Perambulationum Foreſtarum, Anno 29 E. 1. m. 18.

An. 29 *E.* 1. *ment le Roi* Henri Beſael *noſtre Seignour le Roi qe ore eſt. En teſmoigne des queux choſes les Jurors avantditz a ceſte puralee ont mis leur ſeaus.* **Ita quod quicquid per iſtas Perambulationes ponitur extra Foreſtam, remaneat extra Foreſtam, et reſiduum remaneat Foreſta, ſecundum metas et bundas prædictas imperpetuum.** In cujus rei teſtimonium has literas noſtras fieri fecimus patentes. Teſte meipſo apud *Lincoln.* 14 die *Febr.* Anno, &c. viceſimo nono. After which the Perambulation of the other Foreſts follow in that Roll.

Thus were theſe two Great Charters fully and abſolutely ratified, and this grand buſineſſe of the Perambulations of all Foreſts ſettled, confirmed, after all theſe ſucceſſive Parliamentary conteſts between the King and his Nobles concerning them, to the Nobles and Commons great content and ſatisfaction, though not with ſo much ſincerity on the Kings part as they imagined, which he afterwards diſcovered * to his great diſhonour, and juſtification of the Earls and Nobles jealouſies of his ſincerity therein.

* Walſingham Hiſt. Angl. p. 6. & Daniels Hiſtory, p. 200.

An. 28 *E.* 1. In the Bundles of Writs in the White Tower, *An.* 28 *E.* 1. there are only theſe 3. Writs extant, (the reſt being loſt, or putrified) for holding and proſecuting Suits in Court Chriſtian by the uſurping Clergy. Edwardus, &c. *Vic.* Nor. &c. *Pone*, &c. Thomam *Archiepiſcopum* Ebor. *quod ſit coram Juſticiariis noſtris*, &c. *apud* Ebor. *& Magiſtr.* Robertum de Carebelesby *Clericum ſuum, ad reſpondend.* Willielmo Pyking, *& Matil. uxori ejus*, &c. *quare Magiſter* Robertus *tenuit placitum in Curia Chriſtianitatis de catallis & debitis, quæ non ſunt de Teſtamento vel Matrimonio*, **contra Prohibitionem noſtram**, &c. *Teſte.* J. de Metingham *apud* Ebor. 10 *die* Nov. *Anno regni noſtri* 28. *Vic.* Hereford. **quod attach.** Johannem de Chattley, &c. *ad reſpondend.* Nicholao Jereyn; *quare ipſe, ſimul cum* Roberto *Vicario Eccleſiæ Sancti* Petri Hereford. *ſecutus fuit (conſimile) placitum in Curia Chriſtianitatis*, **contra Prohibitionem noſtram**, &c. *Teſte* J. de Metingham *apud* Ebor. 12 *die* Novembr. *Anno regni noſtri* 28. And *Vic.* Kanc. *Si* Johannis Abadam *&* Elizabeth *uxor ejus*, &c. *pone*, &c. Robertum *Archiepiſcopum* Cantuar. *& Magiſtr.* Henr. de Naſſington, *quod ſint*, &c. *oſtenſuri*, **quare tenuerunt placitum in Curia Chriſtianitatis de Advocatione domus Sancti** Marci de Billeſwyk *juxta* Briſtoll, **contra Prohibitionem noſtram.** *Teſte meipſo apud* Beverlacum 24 *die* Novembr. *Anno regni noſtri* 28.

In the Bundles of Writs in the White Tower, *An.* 28 *E.* 1. there are only theſe 3. Writs extant, (the reſt being loſt, or putrified) for holding and proſecuting Suits in Court Chriſtian by the uſurping Clergy. Edwardus, &c. *Vic.* Nor. &c. *Pone*, &c. Thomam *Archiepiſcopum* Ebor. *quod ſit coram Juſticiariis noſtris*, &c. *apud* Ebor. *& Magiſtr.* Robertum de Carebelesby *Clericum ſuum, ad reſpondend.* Willielmo Pyking, *& Matil. uxori ejus*, &c. *quare Magiſter* Robertus *tenuit placitum in Curia Chriſtianitatis de catallis & debitis, quæ non ſunt de Teſtamento vel Matrimonio*, **contra Prohibitionem noſtram**, &c. *Teſte.* J. de Metingham *apud* Ebor. 10 *die* Nov. *Anno regni noſtri* 28. *Vic.* Hereford. **quod attach.** Johannem de Chattley, &c. *ad reſpondend.* Nicholao Jereyn; *quare ipſe, ſimul cum* Roberto *Vicario Eccleſiæ Sancti* Petri Hereford. *ſecutus fuit (conſimile) placitum in Curia Chriſtianitatis*, **contra Prohibitionem noſtram**, &c. *Teſte* J. de Metingham *apud* Ebor. 12 *die* Novembr. *Anno regni noſtri* 28. And *Vic.* Kanc. *Si* Johannis Abadam *&* Elizabeth *uxor ejus*, &c. *pone*, &c. Robertum *Archiepiſcopum* Cantuar. *& Magiſtr.* Henr. de Naſſington, *quod ſint*, &c. *oſtenſuri*, **quare tenuerunt placitum in Curia Chriſtianitatis de Advocatione domus Sancti** Marci de Billeſwyk *juxta* Briſtoll, **contra Prohibitionem noſtram.** *Teſte meipſo apud* Beverlacum 24 *die* Novembr. *Anno regni noſtri* 28.

In the Bundles of Writs in the White Tower, *An.* 28 *E.* 1. there are only theſe 3. Writs extant, (the reſt being loſt, or putrified) for holding and proſecuting Suits in Court Chriſtian by the uſurping Clergy. Edwardus, &c. *Vic.* Nor. &c. *Pone*, &c. Thomam *Archiepiſcopum* Ebor. *quod ſit coram Juſticiariis noſtris*, &c. *apud* Ebor. *& Magiſtr.* Robertum de Carebelesby *Clericum ſuum, ad reſpondend.* Willielmo Pyking, *& Matil. uxori ejus*, &c. *quare Magiſter* Robertus *tenuit placitum in Curia Chriſtianitatis de catallis & debitis, quæ non ſunt de Teſtamento vel Matrimonio*, **contra Prohibitionem noſtram**, &c. *Teſte.* J. de Metingham *apud* Ebor. 10 *die* Nov. *Anno regni noſtri* 28. *Vic.* Hereford. **quod attach.** Johannem de Chattley, &c. *ad reſpondend.* Nicholao Jereyn; *quare ipſe, ſimul cum* Roberto *Vicario Eccleſiæ Sancti* Petri Hereford. *ſecutus fuit (conſimile) placitum in Curia Chriſtianitatis*, **contra Prohibitionem noſtram**, &c. *Teſte* J. de Metingham *apud* Ebor. 12 *die* Novembr. *Anno regni noſtri* 28. And *Vic.* Kanc. *Si* Johannis Abadam *&* Elizabeth *uxor ejus*, &c. *pone*, &c. Robertum *Archiepiſcopum* Cantuar. *& Magiſtr.* Henr. de Naſſington, *quod ſint*, &c. *oſtenſuri*, **quare tenuerunt placitum in Curia Chriſtianitatis de Advocatione domus Sancti** Marci de Billeſwyk *juxta* Briſtoll, **contra Prohibitionem noſtram.** *Teſte meipſo apud* Beverlacum 24 *die* Novembr. *Anno regni noſtri* 28.

In Turre London An. 28 E. 1.

The Archbiſhop of *Canterbury* intending this year to viſit the Kings Free-Chappel of *Haſtings*, and the Prebends belonging thereunto, by his Metropolitical authority, to the prejudice of his Royal Prerogative, the King thereupon iſſued this Prohibition to him, entred in the Clauſe Roll.

Clauſ. 28 E. 1. m. 14. dorſo. Prohibitio pro Capellis Regis.

REX venerabili in Chriſto Patri *R.* eadem gratia Archiepiſcopo *Cantuar.* totius *Angliæ* Primati, ſalutem. **Cum libera Capella noſtra de *Haſtinges*, cum Prædendis ad eandem Capellam ſpectantibus, ſicut aliæ liberæ Capellæ noſtræ in regno noſtro ab omni juriſdictione ordinaria exempta ſit, libera penitus et immunis: Ac vos viſitationis officium in Capella noſtra et Prædendis prædictis jam intendatis, ſicut accepimus, exercere. Nos attendentes noſtræ regiæ dignitati per hoc poſſe de facili derogari; Vobis prohibemus, ne juriſdictionem aliqualem in prædictis Capella et Prædendis exercere, vel quicquam quod in noſtri ſeu Coronæ aut Regiæ dignitatis noſtræ præjudicium, ſeu libertatis prædictarum Capellæ et Prædendarum læſionem cedere poſſit aliqualiter attemptare præſumatis.** Teſte Rege apud *Blidham* 17 die *Januarii*.

The Biſhop of *Chicheſter* challenging a Juriſdiction in and over this Free-Chappel, and its Prebends, had a day given him to declare his right in Parliament, againſt which time the Prebends were ordered to ſearch out and bring all evidences and Inquiſitions they could finde, to maintain the Kings Intereſt and Prerogative therein.

Placita Parl. An. 28 E 1. See Ryley, p. 227. Adjornamentum Epiſcopi Ciceſtriæ.

DIes datus eſt Epiſcopo *Ciceſtriæ* per Magiſtrum *Henricum Gerlaund*, qui pro ipſo Epiſcopo ſequitur **verſus Dominum Regem, pro juriſdictione quam idem Epiſcopus clamat habere in Capella Regis de *Haſtinges*, et ejuſdem Capellæ Prædendis, uſque ad proximum Parliamentum futurum.** Et dictum eſt

Egidio

Egidio de Garderoba, & *Waltero de Agmondeſham* Præbendariis præfatæ Capellæ, **quod interim per ſe et alios Præbendarios**, &c. **ſcrutari faciant et inquirere quicquid Domino Regi et ſibi ipſi valere potuit in negotio prædicto. Et ſi quod invenerint tunc ibidem habeant per ſe aut alios Præbendarios**, &c. Et ſciendum, quod quædam Inquiſitiones captæ per *Robertum de Burgheſche* ſuper negotio prædicto, & aliæ evidentiæ dictum negotium quæ ad illud Parliamentum oſtenſæ fuerunt, remanent in Cancellaria, &c. *An.* 28 E. 1.

The Biſhop of *Worceſter* having by his uſurped Epiſcopal authority publickly and inhumanly inhibited under pain of Excommunication in the City of *Glouceſter*, that no perſon of that Town ſhould preſume to ſell any bread, wine, beer or victuals to the Prior and Canons of St. *Oſwald* (whom he had excommunicated) for their neceſſary ſuſtenance, or to buy any thing of them; whereat the King admired, and was much moved, as manifeſtly redounding to the no ſmall prejudice and hurt of his Royal Crown, Dignity, Government, and the liberty, commerce of his Subjects; he thereupon iſſued this memorable Writ to him, to make no ſuch Inhibitions for the future, and ſpeedily to revoke this and all ſuch his illegal Excommunications grounded thereon, elſe he in default thereof would provide other remedy againſt ſuch proceedings.

REX venerabili in Chriſto Patri *G.* eadem gratia *Wigorn.* Epiſcopo, ſalutem. Intelleximus, quod vos in Villa noſtra *Glouc.* **publice et inhumane ſub pœna Excommunicationis, ne quis Priori et Canonicis Sancti *Oſwaldi* ejuſdem Villæ panem, vinum, cervifiam, aut aliqua victualia ad ſuſtentationem eorum neceſſaria vendere, vel ab eis aliqua emere præſumeret prohiberi feciſtis**, de quo miramur non modicum et movemur. **Et quia hujuſmodi Inhibitio, ſi eo modo proceſſerit, in Coronæ noſtræ præjudicium, noſtræque dignitatis Regiæ non modicam læſionem manifeſtam redundat; Noſque tantam inſolentiam tollerare non poſſumus, ſicuti nec debemus, ſet potius volumus, quod omnes de regno noſtro indifferenter, et alii quicunque ad fidem et pacem noſtram exiſtentes, victualia et alia quæ venalia fuerint vendere poſſint, et emere in eodem regno. Vobis mandamus firmiter inhibentes, ne aliquas hujuſmodi inhibitiones de cætero facere attemptetis, et ſi quas forte fieri feceritis vel ſententias aliquas Excommunicationis protuleritis ex hac cauſa, eas faciatis celeriter revocari. Ita quod in veſtri defectum aliud remedium nos apponere non oporteat in hac parte.** Teſte Rege apud *Dunfres* 23 die *Octobris*. A Writ worthy the conſideration of ſuch, who have ſince revived or practiſed ſuch illegal and inhuman Excommunications. Clauſ. 28 E. 1. m. 2. dorſo. Pro Priore & Canonicis S. Oſwaldi Glouc.

The King ſending the Archdeacon of *Richmond* to the Court of *Rome* this year, granted him this ſafe conduct.

REX omnibus amicis ſuis ad quos, &c. ſalutem. Cum mittamus dilectum Clericum noſtrum *Gerardum de Waſpeynes* Archidiaconum *Richmund.* **ad Curiam Romanam** pro quibuſdam negotiis nos, & regnum noſtrum ſpecialiter tangentibus, vos rogamus quatinus eidem *Gerardo*, aut hominibus ſuis in Comitiva ſua exiſtentibus, in eundo verſus Curiam prædictam, ibidem morando, & inde redeundo, in perſonis aut rebus ſuis non inferatis, ſeu quantum in vobis eſt inferri permittatis injuriam, moleſtiam, dampnum, impedimentum aut gravamen, ſet eis potius noſtri contemplatione, cum per partes veſtras tranſitum fecerint, ſalvum & ſecurum conductum habere faciatis, quociens ab ipſis ſuper hoc ex parte noſtra fueritis requiſiti. In cujus, &c. per biennium duraturas. Teſte Rege apud *Sanctum Albanum* 13 die *Aprilis*. Pat. 28 E. 1. m. 18. De conductu.

Conſimiles literas de conductu habent ſubſcripti, **miſſi per Regem ad Curiam prædictam pro quibuſdam negotiis ipſum Regem et Regnum ſuum ſpecialiter tangentibus**; videlicet, Magiſter *Petrus Aymerici*, Magiſter *Reymundus Arnaldi de Rama*, *Galfridus Ruſſel*. Teſte Rege apud *Sanctum Albanum* 15 die *Aprilis*.

The King likewiſe iſſued this Prohibition to the Archdeacon of *Richmonds* Vicegerent, not to compell *Adam de Osgodeby* his Clerk, continually imployed in his

An. 28 *E.* 1. ſervice, to reſide upon his Benefice whiles ſo imployed about his affairs, againſt the antient Priviledge of his and his Royal predeceſſors Clerks, which they had enjoyed time out of minde.

Clauſ. 28 E. 1. m. 2. dorſo. Pro Adam de Oſgodeby perſona Eccleſiæ de Hankeſwell.

REX dilecto ſibi Gerenti-vices Magiſtri *Gerardi de Wyſpaynes* Archidiacori *Richmund.* ipſo agente in partibus tranſmarinis, ſalutem. **Cum dilecti Clerici noſtri ad ordines ſuſcipiendos, vel ad faciendam in ſuis Beneficiis reſidentiam perſonalem dum noſtris immorantur obſequiis aut alias ſuper eiſdem, moleſtari vel inquietari non debeant:** Noſque & progenitores noſtri Reges *Angliæ* **hujuſmodi libertate ſeu privilegio pro Clericis noſtris a tempore quo non extat memoria ſemper hactenus uſi ſumus;** * **quod nec ipſi Clerici noſtri, vel progenitorum noſtrorum prædictorum aliquibus retroactis temporibus ſuper hujuſmodi compelli, vel alias ſuper Beneficiis ſuis moleſtari vel inquietari conſueverint:** Vobis inhibemus, **ne dilectum Clericum noſtrum** *Adam de Osgodeby* **Perſonam Eccleſiæ de** *Hankeſwell* **in Archidiaconatu prædicto, qui per præceptum noſtrum noſtris jugiter intendit obſequiis, dum eiſdem obſequiis immoratur, ſuper hujuſmodi compellationibus, aut alias ſuper Beneficio ſuo inquietetis: Et ſequeſtrum ſi quod in fructibus aut bonis Beneficii ſui hujuſmodi occaſione fieri fecerittis, ſine dilatione relaxari faciatis.** Teſte Rege ut ſupra.

* See the Regiſter of Writs part 2. f. 58. b. Fitz. Natura Brev. f. 44. g.

The Abbot of *Cluny* ſending his Proctors into *England*, to demand and collect to his uſe (in name of a Subſidie) a great ſum of money from the Priors and Monaſteries of that Order in *England*, and from all Eccleſiaſtical perſons on whom they had conferred Benefices, without the Kings licenſe or aſſent, not uſed in the time of his Progenitors, which Subſidie might tend to the prejudice not only of the ſaid Priors, but of him and the whole Realm; iſſued this memorable Inhibition to them, not to exact, levy or receive the ſaid Subſidie without his ſpecial licenſe and aſſent, upon any pretences whatſoever; together with a Writ to the Warden of the Cinqueports, not to permit any Monk of that Order, or any other Servant or Meſſenger to paſſe the Seas, or carry over any monies without his ſpecial licenſe.

Clauſ. 28 E. 1. m. 14. intus. De ſubſidio non exigendo ad opus Abbatis Cluniacenſis, ſine licentia Regis.

REX Procuratoribus Abbatis *Cluniacenſis* in *Anglia*, ſalutem. Datum eſt nobis intelligi, **quod prædictus Abbas vos in** *Angliam* **ſpecialiter deſtinavit, ad petendum et levandum ad opus ipſius, nomine Subſidii, quandam magnam pecuniæ quantitatem a Prioribus ordinis** *Cluniacenſis* **in** *Anglia*, **et omnibus perſonis Eccleſiaſticis quibus iidem Priores Eccleſiaſtica Beneficia contulerunt. Verum quia nunquam alias tale ſubſidium conſuevit in regno noſtro exigi ſeu levari abſque noſtra vel progenitorum noſtrorum licentia et aſſenſu, poſſetque hujuſmodi ſubventionis inordinatæ Subſidium in noſtri, et Priorum prædictorum, ac totius regni noſtri præjudicium de facili redundare: Vobis firmiter inhibemus, ne præfato Abbati ſub nomine ſubventionis, auxilii, mutui ſive doni, aut alio quocunque colore quæſito infra idem regnum exigatis, levetis, ſeu etiam recipiatis, ſine noſtri aſſenſu et licentia ſpeciali.** Teſte Rege apud *Blidam* 17 die *Januarii*.

Ibidem. De non permittendo Monachos Ordinis Cluniacenſis tranſire ad partes tranſmarinas.

REX dilecto & fideli ſuo *Roberto de Burgherſh*, cuſtodi Quinque Portuum ſuorum, ſalutem. Datum eſt nobis intelligi, **quod Abbas** *Cluniacenſis* **quoſdam ex ſuis Monachis in** *Angliam* **ſpecialiter deſtinavit,** &c. (ut ſupra, uſque ibi) **Vobis mandamus firmiter injungentes, quod nullum Monachum ordinis prædicti, Nalletum ſeu alium Nuncium quemcunque pecuniam deferentem ad partes tranſmarinas tranſire permittatis, ſine noſtra licentia ſpeciali.** Teſte ut ſupra.

After which the King at the requeſt of the Abbots of that Order, permitted them to repair to their General Chapter, ſo as they carried over no money, ſilver, plate of any kinde with them.

Clauſ. 28 E. 1. m. 8. Pro Abbatibus Ciſtercienſis Ordinis.

REX præfatis Cuſtodibus, ſalutem. Licet vobis ſicut cæteris Cuſtodibus aliorum Portuum noſtrorum nuper mandaverimus, **et ex certa cauſa inhibuerimus, ne aliquos Abbates** *Ciſtercienſis* **ordinis de regno noſtro in Portu prædicto tranſfretare permitteretis ſine noſtra licentia ſpeciali;** Vobis nichilominus mandamus,

damus, quod prædictos Abbates ad Generale Capitulum ſuum Ciſtercii proficiſci volentes, cum ad portum prædictum cauſa transfretandi accesſerint, ſine impedimento transfretare permittatis, non obſtante inhibicione noſtra prædicta. Proviſo tamen, quod nullam monetam argenteam vel aliam monetam albam de noſtro vel alterius cuneo, vel vaſa aliqua argentea, ſeu argentum aliquod in maſſa vel alio quobis modo, per portum prædictum ad partes tranſmarinas per eoſdem Abbates deferri ſeu duci permittatis quoquo modo, contra formam ordinationis noſtræ inde factæ. Teſte Rege apud Sanctum *Albanum* 13 die *Aprilis*. *An.* 28 *E.* 1.

After the death of *Henry de Newerke*, **Thomas Corbridge* being elected Archbiſhop of *Yorke*, repaired to *Rome* for his confirmation, where after long attendance, for expedition ſake, he was enforced to reſigne his right of election into the Popes hands, and to receive the Archbiſhoprick from him by way of proviſion; who thereupon not only confirmed, but conſecrated him Archbiſhop at *Rome* and gave him his Pall, and this enſuing Bull, the Original whereof I found in the *White Tower*, directed to King *Edward*, wherein he relates all the proceedings concerning his election and conſecration, praying the King to reſtore his Temporalties.

* See Polydor Virgil, Angl. Hiſt. l. 1. p. 344 H. de Knyghton de Event. Angl. l. 3. c. 13. col 2528.

BONIFACIUS Epiſcopus, Servus ſervorum Dei, chariſſimo in Chriſto filio *E.* Regi *Angliæ* ſalutem, & Apoſtolicam benedictionem. Divinæ gratia Majeſtatis acquiritur, ſi Miniſtris ejus, & his præcipuè qui Pontificali ſunt præditi dignitate, pro ipſius reverentia condignus honor impendatur, & favor neceſſarius exhibetur. Dudum ſiquidem *Eboracen.* Eccleſia per obitum bonæ memoriæ *Henrici Eboracenſis* Archiepiſcopi ſolatio deſtituta paſtoris, Dilecti filii Capitulum ipſius Eccleſiæ certa die ad eligendum præfixa, vocatis omnibus qui voluerunt, debuerunt & poterunt commodè intereſſe pro futuri ſubſtitutione Paſtoris inſimul convenerunt; & invocata Spiritus ſancti gratia (ut eſt moris in hujuſmodi negotio per viam ſcrutinii procedere) eligentes tres de dicto Capitulo fidedignos, videlicet dilectos filios *Johannem de Metingham*, *Johannem de Cadomo*, & *Robertum de Pickering* ejuſdem Eccleſiæ Canonicos aſſumere curaverunt: qui vota ſua primò, & deindè ſingulorum de Capitulo ipſo diligentius ſcrutarentur, eaque redigentes in ſcriptis, illa mox in ejuſdem Capituli præſentia publicarent. Cumque ſcrutatores hujuſmodi ſuper hoc juxta formam eis traditum proceſſiſſent, demum publicato ſcrutinio per publicationem hujuſmodi compertum extitit, in venerabilem fratrem noſtrum *Thomam* Archiepiſcopum *Eboracen* (tunc ipſius Eccleſiæ Canonicum) majorem & ſaniorem partem prædicti Capituli direxiſſe in hujuſmodi ſcrutinio vota ſua; & ſubſequenter prædictus *Robertus Pickering*, qui (ſicut præmittitur) erat unus de ſcrutatoribus ſupradictis, de mandato & conſenſu dictorum Capituli ac ſuo & ipſius Capituli nomine, eundem *Thomam* in Archiepiſcopum elegit; Dictuſque *Thomas* electione hujuſmodi de ſe factæ conſenſum ſuum infra tempus à jure ſtatutum, ad ipſius Capituli inſtantiam impendere, procuravit ſe propter hoc cum certis procuratoribus memorati Capituli ſuper hujuſmodi electionis negotio ſpecialiter conſtitutis, ad Apoſtolicam ſedem perſonaliter conferendo. Et præſentato nobis hujuſmodi electionis Decreto ſuper eadem electione confecto, ac ipſo *Thoma* & dictis procurantibus, ut electionem ipſam confirmare de apoſtolicæ benignitatis clementia dignaremur; tandem dictus *Thomas* in noſtra & fratrum noſtrorum præſentiæ conſtitutus, jus, ſi quod ſibi ex electione memorata competere noſcebatur, ex conſiderationibus certis inductus, ſponte ac libere in noſtris manibus reſignavit. Noſque hujuſmodi reſignatione recepta, proviſionem ipſius Eboracenſis Eccleſiæ ea vice diſpoſitioni et ordinationi noſtræ ac ſedis Apoſtolicæ duximus reſervandam, decernentes extunc irritum et inane, ſi ſecus a quoquam ſcienter vel ignoranter contingeret attemptari. (A new Papal fraud and device, to defraud the King, electors, and elected Archbiſhops, and other Biſhops duly elected of their rights, and ingroſſe the power of conferring all Archbiſhopricks and Biſhopricks into his own hands by his *Proviſions*.) Et tandem conſiderantes attentius, laudanda probitatis merita, honeſtatem morum, & aliarum virtutum dotes multiplices, quibus idem *Thomas* noſcitur inſignitus, ac propterea firma ducti fiducia, quod per ipſius *T.* circumſpectionem providam & providentiam circumſpectam

In Turre London. De Thoma Archiep. Ebor.

An. 28 *E.* 1. prædicta *Eboracenſis* Eccleſia in ſpiritualibus & temporalibus (Deo propitio) ſuſcipiet incrementa, deliberatione cum fratribus ipſis ſuper hoc habita diligenti, dedicto *Thoma* præfatæ *Eboracenſis* Eccleſiæ de ipſorum fratrum conſilio et apoſtolicæ poteſtatis plenitudine duximus prouidendum, præficientes ipſum eidem *Eboracen.* Eccleſiæ in Archiepiſcopum et Paſtorem, curam ſibi et adminiſtrationem ipſius *Eboracenſis* Eccleſiæ ſpiritualiter et * temporaliter committendo, dicto *Thoma* ſubſequenter noſtris manibus munere conſecrationis impenſo, pallium plenitudinem videlicet pontificalis officii de † corpore beati *Petri* ſumptum, et ab eodem T. cum ea qua decuit inſtantia poſtulatum, ad nomen et uſum ejuſdem *Eboracenſis* Eccleſiæ per dilectos filios noſtros *Matthæum* Sanctæ *Mariæ in Portica*, ——— Sancti *Adriani*, *Franciſcum* Sanctæ *Mariæ* in *Coſmedyn*, & *Petrum* Sanctæ *Mariæ nova* Diaconos Cardinales, fecimus exhiberi. Cum itaque, fili chariſſime, ſit virtutum opus Dei miniſtros, et præſertim Pontificali dignitate præditos, benigno fauore proſequi, ac eoſdem verbis et operibus pro Regis æterni gratia venerari, excellentiam Regiam rogamus et hortamur attente, quatinus eidem Archiepiſcopo ob reverentiam apoſtolicæ ſedis et noſtram, temporalia ſeu regalia ejuſdem *Eboracenſis* Eccleſiæ, quæ per te vacationis ejuſdem tempore teneri dicuntur, ſine qualibet difficultate reſtituens, te tibi reddas in regio fauore munificum et cunctis oppoꝛtunitatibus gratioſum. Ita quod idem Archiepiſcopus tuæ Celſitudinis fulcitus auxilio, in commiſſa ſibi cura Paſtoralis officii poſſit, Deo propitio, proſperari; & tibi exinde à Deo perennis vitæ præmium, et a nobis condigna prouenial actio gratiarum. Dat. *Lateran.* 7. Idus *Martii*. Pontificatus noſtri anno ſexto.

* This was an Innovation & Uſurpation on the Crown.

† Never clad with any ſuch Pall: Therefore a notorious lye.

The King upon receit of this Bull iſſued a Writ to reſtore his Temporalties, * *dilectis & fidelibus ſuis* Galfrido Ruſſell & Lamberto de Trykingham *Cuſtodibus ſuis Archiepiſcopatus* Eborum. *Teſte Rege apud* Staunford 30 *die* Aprilis. *Per breve de Privato Sigillo*, at large recited in the Record.

Pat. 28 E. 1. m. 17. De reſtitucione temporalium.

Thomas Stubs renders us this account of this Archbiſhops election, conſecration, and of an high conteſt that happened ſoon after between the King and him, about the Chappel of St. *Sepulchres* in *Yorke*, for which King *Edward* ſeiſed his Temporalties and detained ſundry of them till his death, for obeying the Popes Proviſion & Commands before the Kings Writ, in refuſing to admit his Clerk to this Chappel, and to remove the Popes Clerk whom he had placed therein by his Papal Proviſion. * Thomas de Corbrigge, *Cuſtos & Sacriſta Capella S.* Sepulchri Eboraci *ex collatione venerabilis in Chriſto patris* Johannis *diſti* Romani Eboracenſis *Archiepiſcopi fuerat effectus. Hic itaque* Thomas 2 *Idus* Novembris, *anno* 1299. *electus in Paſtorem*, Curiam petiit Romanam, *ubi. tertio Kal.* Martii *eodem anno conſecratus eſt* a Papa Bonifacio 8. *Quo quidem conſecrato*, Dominus Papa (by his uſurped Authority) cuſtodiam dictæ Capellæ uni ex clericis propriis conſanguinitate ſibi propinquo, eo quod in † Curia vacabat, indilate conceſſit. Nec multo poſt per mortem dicti Clerici dicta capella vacavit. *Qui cum adhuc vivens in extremis jam conſtitutus jaceret velut exanimis, reſumpto tamen ſpiritu*, vocavit ad ſe Dominum Papam, *dicens*, De pro Capella *Eboracenſi*, eo quod proventus ejus inutiliter expenderat, immenſa meruiſſe ſupplicia; *unde Dominum Papam ſuppliciter rogavit pro ſalute animæ ſuæ*, quatinus cuſtodiam dictæ Capellæ alicui diſcreto corporalem in ea reſidentiam facturo concedere dignaretur. *Nec mora*, idem Dominus Papa per literas mandavit Thomæ Eboracenſi Archiepiſcopo, quatinus cuſtodiam dictæ Capellæ alicui excellenti theologo, quem ipſemet duceret eligendum quamtocius conferret. At ille mandatis obtemperans apoſtolicis, ipſam Capellam Magiſtro Gilberto de Segrave egregio ſacræ theologiæ Doctori, Lincolnienſis Eccleſiæ Canonico contulit, et ipſum in eandem inſtituit. *Hiis peractis*, *Rex* Edwardus *filius Regis* Henrici *Archiepiſcopum pluries rogavit*, quatenus ipſam Capellam Johanni Buſh *Notario ſuo* conferre non negaret. Inter hæc vero Archiepiſcopus ſuper collatione ejuſdem Capellæ penes Regem ſe ſæpius excuſavit, aſſerens ipſam virtute mandati Apoſtolici fuiſſe collatam et plenam exiſtere. Quocirca Rex iratus tres Baronies Archiepiſcopatui Eboracenſi ex antiquo collatas et eidem annexas, poſt multas perſecutiones et irrogatas Archiepiſcopo injurias ſeiſiri fecit, et eas uſque ad obitum Archiepiſcopi in manu ſua tenuit. *Quo infra breve defuncto, ſedeque vacante*, Decanus et Capitulum Eccleſiæ Petri Eboraci ad inſtantiam Domini Regis expulſo dicto Magiſtro Gilberto

* Actus Pontif. Ebor. col. 1718, 1719.

† A Novel Uſurpation.

Nota.

Gilberto cuſtodiam dictæ Capellæ præfato Johanni contulerunt, ac ipſum in eadem inſtituerunt. *Vixit autem venerabilis Pater* Thomas *in Archiepiſcopatu annis tribus, menſibus ſex, diebus vero* 10. *Quibus tranſactis obiit apud* Lanum 19 *Kal.* Octobris, *Anno Pontificatus ſui* 4, *Dominicæ incarnationis* 1303. *Regni autem Regis* Edwardi *filii Regis* Henrici 31. *& in Eccleſia collegiata* Suthwell Eboracenſis *Dioc. ſepultus eſt.* I find this Caſe of his thus alleged by *Baſſet* in the Argument of a * *Quare non admiſit* brought by the King againſt the Biſhop of *Lincoln*, Trin. 19 E. 3. (remembred by Sir † *Edward Cooke* in his Caſe *De Jure Regis Eccleſiaſtico:*) *Le Roy* E. *laiel port* Quare non admiſit *vers* T. *Archeveſque de* E. *& Leveſque* alleg qe le Pape long temps devant aboit purbeu a meſme Legliſe, et il ne oſoit ne aboi power de lui ouſter, &c. * Barbazon Juſtice lui dit, que ceo qe vous allege pur non power nous tenoumus nient bepler, pur qe il fuit attaint de contempt, et ſes Temporalties ſeiſes, et demeurent en main le Roy tout le dite le Archeveſqe. *An.* 28 *E*

* F. tzh. Abr. Quare non admiſit, 7. † 5 Report, f. 12. b. * Brabazon.

In this memorable caſe the Kings Judges reſolved, 1. That where the Kings legal Writs or commands came in competition with the Popes Mandates or Proviſions, our Archbiſhops and Biſhops (though then ſworn and devoted to the Pope) ought to obey the King, before the Pope; & not to diſpute, but execute the Kings Writs, as well as his Temporal Officers, according to St. *Pauls* and St. *Peters reſolutions*, Rom. 13. 1, to 8. 2 Pet. 2. 13, 14, 15, 17. 2ly. That their not obeying the Kings Royal Writs and Legal Mandates, is ſuch an high offence, contempt againſt the Kings Crown and Dignity, that the King by the Lawes of *England* might then juſtly ſeiſe and confiſcate their Temporalties during life. Biſhop * *Godwin in his life* hath this memorable paſſage; *He ſate in all but* 3. *years*, 7. *moneths, and* 10. *dayes. Whether it be that few mens mindes be ſo great*, as to ſuſtein the burthen of a Princes diſpleaſure, or that God who promiſeth a long life to ſuch who obey their Superiours, in his juſt judgement doth ſooneſt cut off ſuch as are backward in this duty: So ſurely it hath fallen out for the moſt part, that thoſe Biſhops who have preſumed moſt in oppoſing themſelves againſt their Princes, have leaſt time endured, and ever ſeen quickly taken away, whereof I could yeeld infinite examples.

Godwins Catalogue of Biſhops, p. 471.

I find that this Archbiſhops Liberties in *Beverley* were ſeiſed into the Kings hands *Anno* 29. of his reign for a contempt, committed by him in the Kings preſence, but afterwards reſtored to by him this Writ.

REX dilecto ſibi *Richardo Oyſel* Ballivo ſuo de *Holdernеſſe*, ſalutem. Mandamus vobis, quod libertatem venerabilis patris *Tho. Eborum* Archiepiſcopi quam nuper pro quodam contemptu apud *Beverlacum* in præſencia noſtra nobis facto, capi fecimus in manum noſtram, eidem Archiepiſcopo replegiari faciatis ad voluntatem noſtram. Teſte Rege apud *Everſle* 14 die *Junii*.

Clauſ. 29 E. 1. Pro Tho. Archiepiſcopo Eborum.

The Clergy of the Province of *York* having formerly granted the King a certain number of Armed men againſt the *Scots*, he now iſſued theſe Writs for their ſpeedy raiſing, and ſending them to *Berewick* by a certain day.

REX dilecto & fideli ſuo *Johanni de Crepping*, ſalutem. Cum dudum de communi aſſenſu, Cleri Archiepiſcopatus *Ebor.* ordinatum et conceſſum fuiſſet, quod Clerus ille pro cuſtodia Marchiæ *Scotiæ* nobis inveniret certum numerum dominum armatorum, & jam neceſſe habeamus quod homines illi tunc ad arma ceſſati nomine dicti Cleri, ad partes *Scotiæ* cum corpore noſtro vadant, per quod mandavimus cuſtodi Spiritualitatis Archiepiſcopatus *Ebor.* ſede vacante, quod præfato Clero det firmiter in mandatis et eis injungat, ipſoſque modis et viis ſingulis quibus melius expedire viderit inducat, ut dictos homines uſque *Berewicum* ſuper *Twedam* modis omnibus ad nos mittant. Ita quod ſint ibidem die Dominica in feſto Sanctæ *Luciæ* Virginis proximo futuro ad ultimum, parati ad proficiſcendum exinde cum corpore noſtro ad vadia noſtra ad partes *Scotiæ* ſupradictas; Vobis mandamus firmiter injungentes, quod eidem cuſtodi ad præmiſſa facienda, conſulentes ſitis & auxiliantes quociens opus fuerit, & per ipſum ſuper hoc ex parte noſtra fueritis requiſiti. Teſte Rege apud *Burton Archiepiſcopi*, 23 die *Novembris*.

Clauſ. 28 E. 1. m. 17. De hominibus armatis uſque Berewicum mittendis per Clerum Archiepiſcopatus Ebor.

REX

An. 28 *E.* 1.

Ibidem.

REX dilecto sibi in Christo custodi Spiritualitatis Archiepiscopatus *Ebor.* sede vacante, salutem. **Cum dudum de communi assensu Cleri Archiepiscopatus prædicti ordinatum et concessum fuisset,** &c. *ut supra.* Vobis mandamus firmiter injungentes, **quod præfato Clero vestris firmiter in mandatis et eis injungatis, ipsosque modis et viis singulis quibus melius expedire videritis inducatis, ut dictos homines usque** *Berewicum* **super** *Twedam* **modis omnibus ad nos mittant.** Ita quod sint ibidem die Dominica in festo Sanctæ *Luciæ* Virginis proximo futuro ad ultimum, parati **ad proficiscendum exinde cum corpore nostro ad vadia nostra ad partes** *Scotiæ* **supradictas.** Mandavimus enim dilecto & fideli nostro *Johanni de Creppingh.* quod vobis consulens sit & auxilians in præmissis quociens necesse fuerit, & per vos super hoc ex parte nostra fuerit requisitus. Teste Rege apud *Burton Archiepiscopi*, 22 die *Novembris.*

The Bishops, Abbots, Priors and Commonalty of *North* and *West-Wales* having granted the King this year a Subsidie to carry on his Wars against the *Scots*, the King thereupon granted them these ensuing Patents for him and his Heirs, that it should not turn to the prejudice of them, their heirs or successors, nor be drawn into consequence for the future.

Pat. 28 E. 1. m. 6. Pro Episcopis, Abbatibus, & tota Communitate Northwalliæ & Westwalliæ.

REX omnibus ad quos, &c. salutem. Sciatis, **quod cum dilecti et fideles nostri Episcopi, Abbates, Priores, et tota Communitas** *Northwalliæ*, quandam **subvencionem pecuniæ in subsidium guerræ nostræ** *Scotiæ* **nobis fecerint liberaliter et gratanter;** volumus & concedimus pro nobis & hæredibus nostris, **quod dicta subvencio sic per eos nobis facta, eis vel eorum successoribus aut hæredibus non cedat in præjudicium, seu trahatur in consequentiam in futurum.** In cujus, &c. Teste Rege apud *la Rose* 21 die *Septembris.*

Consimiles literæ fiunt pro Episcopis, Abbatibus, Prioribus, & toti Communitati *W. Walliæ.*

Ibidem Pro Communitatibus de Flynt, terrarum de Bowelt Montis Gomeri, & PowysGriffyn.

REX omnibus ad quos, &c. salutem. Sciatis, quod cum Communitas Comitatus de *Flynt* quandam subvencionem pecuniæ in subsidium guerræ nostræ *Scotiæ* nobis fecerit liberaliter & gratanter, volumus & concedimus pro nobis & hæredibus nostris, **quod dicta subvencio taliter nobis facta dictæ Communitati non cedat in præjudicium seu trahatur in consequentiam in futurum.** In cujus, &c. Teste ut supra.

Consimiles literæ fiunt Communitatibus subscriptis; videlicet Communitati terræ de *Bowelt*, Communitati terræ *Montis Gomeri*, Communitati terræ de *Powys Griffyn.*

He likewise returned the Commonalty of *Flintshire* and others these Letters Patents of thanks and indempnity.

Ibidem. Literæ de regratiando præfatas Communitates de subventione Regi per eas facta.

REX Communitati Comitatus de *Flynt*, salutem. **De illa subventione pecuniæ quam nobis ex mera curialitate vestra in subsidium guerræ nostræ** *Scotiæ* **jam fecistis, vobis referimus multas grates, et ne subvencio illa vobis cedat aliqualiter in præjudicium in futurum, vobis super hoc nostras patentes literas destinamus.** Teste Rege ut supra.

Consimiles literæ diriguntur Communitatibus subscriptis; videlicet, Communitati terræ de *Bowelt*, Communitati terræ *Montis Gomeri*, Communitati terræ *Powys Griffyn.*

Pat. 28 E. 1. m. 7. De tribus Capellanis assignatis per H. de Newerk nuper Archiepiscopum Eborum ad celebrandum divina apud Cawode, Burton & Wylton.

The King this year out of his piety and Ecclesiastical Soveraignty confirmed the pensions granted by the late Archbishop of *Yorke* to 3. Chaplains to maintain a Chantry in 3. Chappels, during the vacancy of the Archbishoprick in his hands, as well as during the plenarty.

REX omnibus ad quos, &c. salutem. Cum bonæ memoriæ *Henricus de Newark* quondam Archiepiscopus *Eborum* quandam placeam terræ apud *Kingston super Hull* ad Archiepiscopatum *Eborum* pertinentem de uno ædificio ædificatam,

tam, & in omni alia ſui parte vacuam habuiſſet. Idemque Archiepiſcopus de voluntate & aſſenſu Capituli ſui *Eborum* ordinaſſet, ut placea prædicta decenter ſuis ſumptibus ædificata **aſſignarentur tres Capellani per Archiepiſcopum** *Eborum* **qui pro tempore fuerit,** ſeu per Decanum & Capitulum *Eborum* ſede ejuſdem Archiepiſcopatus vacante, in tribus Capellis Maneriorum dicti Archiepiſcopatus, videlicet, de *Cawode*, *Burton*, & *Wylton*, & unus per eoſdem Decanum & Capitulum, ſeu per idem Capitulum Decano minime exiſtente, in Eccleſia beati *Petri* ad altare Sancti *Wilielmi*, **pro animabus Regum, Reginarum** *Angliæ*, **Archiepiſcoporum** *Eborum*, **et ſua, divina imperpetuum celebraturi.** Recepturique ſinguli eorum, placea prædicta, ut prædicitur ædificata, ad ſuſtentacionem ſuam Centum ſolidos annuos per æquales portiones, in feſtis Sancti *Martini* in hyeme & *Penteceſtes*, per manus Archiepiſcoporum *Eborum* prædictorum de redditibus domorum inibi conſtructarum; Ac executores ejuſdem defuncti nobis humiliter ſupplicaſſent, ut ſinguli Capellani prædicti temporibus vacationum dicti Archiepiſcopatus, **in manu noſtra ſeu hæredum noſtrorum exiſtentis, prædictos centum ſolidos annuos per manus Cuſtodum noſtrorum prædicti Archiepiſcopatus, ſeu hæredum noſtrorum,** de redditibus domorum prædictarum ad prædictos terminos habere & libere percipere valerent, concedere dignaremur. **Nos ſanctam ejuſdem defuncti devotionem quam ad cultus divini augmentationem habuit pro remedio animarum prædictarum propenſius attendentes, et affectionem quam erga ipſum occaſione laborioſi obſequii,** quod nobis præſtitit dum vixit in terris, ad memoriam reducentes, ac etiam ſupplicationi prædictorum executorum benignius annuentes, conceſſimus pro nobis & hæredibus noſtris, quod ſinguli Capellani prædicti in dictis locis divina (ut prædictum eſt) celebraturi, **prædictos centum ſolidos annuos ad ſuſtentationem ſuam, de redditibus prædictis per manus Cuſtodum noſtrorum, ſeu hæredum noſtrorum, omnibus temporibus vacationum dicti Archiepiſcopatus in manu noſtra ſeu hæredum noſtrorum exiſtentis, ſine occaſione vel impedimento noſtri vel hæredum noſtrorum, Juſtic. Vicecomitum, Eſcaetorum, et omnium aliorum Ballivorum ſeu Miniſtrorum noſtrorum quorumcunque habeant et libere percipiant terminis antedictis ordinationem prædictam pro temporibus Archiepiſcoporum** (ut prædictum eſt) **factam, quantum in nobis eſt, acceptantes ipſam pro nobis et hæredibus noſtris tenore præſentium confirmamus.** In cujus, &c. Teſte Rege apud *Weſtm.* 28 die *Marcii.* *An.* 28 E. I.

Per Petitionem de Conſilio.

The Kings Chancellor preſenting a Clerk in his name to a Benefice, without his privity or ſubſequent confirmation, he thereupon revoked and granted it to another, by this Patent.

REX venerabili in Chriſto patri *J.* eadem gratia Electo *Lincoln.* ſalutem. Ad Eccleſiam de *Wynewyk* vacantem, & ad noſtram donationem ſpectantem, ratione Epiſcopatus *Lincoln.* nuper vacantis, & in manu noſtra exiſtentis, dilectum Clericum noſtrum *Rogerum de Aſſherugg* vobis præſentamus intuitu charitatis; Rogantes quarinus eundem Clericum noſtrum ad eandem Eccleſiam admittatis, & Perſonam conſtituatis in eadem. Præſentationem vero de *Johanne de Stokes* **per Cancellarium noſtrum noſtro nomine prius factam, penitus revocantes. Præſertim cum præſentatio illa ab initio a conſcientia noſtra non emanaverit, nec eam ei poſt facto ratam habuerimus ſive firmam.** In cujus, &c. Teſte Rege apud *Sanctum Albanum* 13 die *Aprilis.* Pat. 28 E. I. m. 18. De Præſentatione.

John de Dalderby a Canon of *Lincoln*, being elected this year Biſhop thereof, by the Kings licenſe and Royal aſſent thereto, his election was ſignified by his Writ to the Archbiſhop, *apud Weſtm.* 7 *die Maii*; who being thereupon confirmed by the Archbiſhop, the King iſſued a * *Writ* to reſtore his Temporalties, *dilecto Clerico ſuo* Richardo de Junnere; *Teſte Rege apud Weſtm.* 18 *die Marcii.* * Pat. 28 E. I. m. 26, 25. See Godwins Catalogue, p. 243.

Robert le Beel and *Robert de Blida* having been impriſoned above three years ſpace in *Newgate*, for counterfeiting Popes Bulls and other Letters, the King at laſt ſent this Writ to enlarge them, upon their petition to his Counſil.

REX

An. 28 E. 1.

Clauſ. 28 E. 1. m. 9. Pro Roberto le Beel & aliis.

REX Vicecomitibus *London.* ſalutem. Cum *Robertus le Beel*, *Robertus de Blida*, & *Willielmus de Gildeford* **pro controfactura Bullarum et quarundam aliarum Literarum, cum** *Waltero de Maydenſtan* **inventarum,** coram Theſaur. & Baronibus noſtris de Scaccario eis impoſita, **in priſona noſtra de** *Newgate* **per tres annos et amplius extiterint,** ut dicitur. Nos præfatos *Robertum*, *Robertum*, & *Willielmum* in priſona illa occaſione prædicta diutius detineri nolentes; vobis præcipimus, quod ipſos à priſona illa, ſi ea occaſione & non alia detineantur in eadem, ſine dilatione deliberari faciatis. Teſte Rege apud *Totenham* 5 die *Aprilis*.

Per Petitionem de Conſilio.

The Monaſtery of *Jeddeworth* in *Scotland* being ſo waſted and impoveriſhed by the *Scottiſh* Wars, and incurſion of Enemies, that it was unable to maintain the Canons thereof, nor they able to reſide there in ſafety to ſerve God; the King thereupon out of his piety and Eccleſiaſtical Prerogative, ſent ſome of them to other Religious Houſes of the ſame Order in *England*, to be there received and maintained, till that Houſe was repaired and reſtored to a better condition, as this Writ for *Ingeram de Colonia* to the Prior and Covent of *Bridlington* aſſures us.

Clauſ. 28 E. 1. m. 17. intus. Pro Ingelramo de Colonia Canonico domus de Jeddeworth.

REX dilectis ſibi in Chriſto Priori & Conventui de *Bridlington*, ſalutem. Mittimus ad vos fratrem *Ingelramum de Colonia* Canonicum Domus de *Jeddeworth* in *Scotia*, ordinis veſtri, præſentium portitorem; in qua quidem Domo idem *Ingelramus* **ad famulandum ibidem altiſſimo,** ut deceret hiis diebus, **facere moram nequit, tum propter incurſus hoſtium, tum quia Domus illa per frequentes guerras** *Scotiæ* **habitas adeo lapſa eſt facultatibus et deſtructa, quod ad ſuſtentationem Canonicorum ejuſdem ipſius non ſuppetunt facultates;** Devotionem veſtram rogantes attentè, quatinus dilectum *Ingelramum* **in Domum veſtram** ad deſervi**endum ibi Deo ſub habitu veſtro inter vos, juxta profeſſionis ſuæ votum, Dei intuitu noſtriſque precibus admittatis, et fraterna charitate in Domino pertractetis, ſaltim quouſque dicta Domus de** *Jeddeworth* **relevetur, et in melius reformetur.** Teſte Rege apud *Ebor.* 16 die *Novembris*.

The King this year iſſued theſe Letters to the Prelates and Clergy of *Ireland*, to grant him a Subſidie for the preſervation of his Crown, the common defence and peace of the Church, Realm, and people of *England* and *Ireland*.

Pat. 28 E. 1. m. 28. De ſubſidio à Clero Hibern. petendo ad opus Regis.

REX Venerabilibus Patribus Archiepiſcopis, Epiſcopis, necnon Abbatibus, Prioribus, Decanis, Capitulis, Archidiaconis, & aliis perſonis Eccleſiaſticis totique Clero terræ noſtræ *Hibernia*, ſalutem. **Ad hoc duas in hoc mundo, Eccleſiaſticam videlicet et Temporalem inſtituiſſe dignoſcitur Dominus dignitates, ut exigente neceſſitate ſibi deberent adinvicem ſuffragari, mutuaque ſubventione, altera alterius ſubſidio adjuvari. Hinc eſt, quod cum pro ſalvatione Coronæ noſtræ Regiæ, communique utilitate Cleri et populi regni, et terrarum noſtro dominio ſubjectarum, necnon pro tranquilitate et quiete ſanctæ Eccleſiæ, regni, terrarumque prædictarum mediante divino ſubſidio procurandis, quædam nobis incumbant ad præſens arduа facienda, quæ ſine veſtro conſilio et auxilio commode non poterimus adimplere.** Aſſignavimus dilectos & fideles noſtros *Richardum de Burgo* Comitem *Ulton.* *Johannem Wogan* Juſtic. noſtrum, & Magiſtrum *Thomam Cantok*, Cancellar. noſtrum *Hibernia*, una cum Baronibus noſtris de Scaccario *Dublin.* **ad petendum et requirendum nomine noſtro a vobis et quolibet veſtrum ſubſidium, quod ad tam arduorum negotiorum felicem conſummationem, ac noſtri et veſtri honorem, commodum et quietem veſtræ gratioſæ liberalitati videbitur opportunum, et ad omnia alia et ſingula facienda, quæ præfati Comes, Juſticiarius, Cancellarius, et Barones, ſeu aliqui ex ipſis quos ad hoc vacare contigerit, ſuper præmiſſis et ea contingentibus viderint facienda.** In cujus, &c. Teſte Rege apud *Blidam* 17 die *Januarii*.

Iſta litera præcedens fuit duplicata de verbo ad verbum, præter hoc, quod in altera duplica non fuit *Richardus de Burgo* Comes *Ulton.* aſſignatus.

The

The King this year issued this Writ to restore the Temporalties to *Walter Viel* Bishop elect of *Dare* in *Ireland*. *An.* 28 E. 1.

REX dilecto & fideli suo *Johanni Wogan* Justic. suo *Hibern.* vel ejus locum tenenti, salutem. Cum nos **electioni nuper factæ** in Ecclesia *Darensi* de discreto viro Magistro *Waltero de Viel* Cancellario ejusdem Ecclesiæ, **in Episcopum illius loci, regium assensum adhibuerimus et favorem**, & mandaverimus custodi Spiritualitatis Archiepiscopatus *Dublin.* ut quod suum est in hac parte exequatur; volentes eidem Electo, **ut laboribus et expensis suis parcatur gratiam in hac parte facere specialem, vobis mandamus**, &c. **Acceptis tamen**, &c. (as in other Writs of this kinde.) In cujus, &c. Teste Rege apud *Novum Monasterium* 5 die *Januarii*. Pat. 28 E. 1. m. 31. De assensu adhibito electioni, & temporalibus post fidelitatem captam restituendis.

Per ipsum Regem, nunciante W. Cov. & Lych. *Episcopo.*

Pope *Boniface* the 8. confirming the election of *Richard* Archbishop of *Dublin*, and inserting some words into his Bull to the King concerning his promotion thereunto; and the Temporalties thereof, which seemed prejudicial to the Kings Crown and Royal dignity, in the judgement of the King and his Counsil, when presented to them by the Archbishop; the King thereupon refused to restore his Temporalties, untill the Archbishop publickly renounced all clauses in the Popes Bull, openly or tacitly, directly or indirectly prejudicial and derogatory to his Crown and Royal dignity, as this memorable Patent for his restitution attests to posterity.

REX custodi suo Archiepiscopatus *Dublin.* salutem. Accedens ad nos venerabilis pater *Richardus* Archiepiscopus *Dublin.* **literas Domini** *Bonifacii* **divina providentia Summi Pontificis, super promotione sua in** *Dublinensem* **Archiepiscopum factas, nobis præsentavit, et quia in literis illis quædam verba continebantur quæ nobis et Coronæ nostræ, nostræque regiæ dignitati præjudicialia videbantur, dictus Archiepiscopus se super hoc excusando, publice et expresse asseruit et protestabatur, Quod dicta verba in literis prædictis ad procurationem suam, aut de sua conscientia apposita non fuerunt; nec unquam intentionis suæ extitit nec extitit quicquam impetrare, facere vel prosequi, per quod nobis aut Coronæ seu dignitati nostræ Regiæ posset præjudicium aliquod generari; et ob hoc omnibus et singulis in dictis literis Apostolicis contentis, quatenus nobis aut Coronæ seu dignitati nostræ Regiæ tacite vel expresse, directe vel indirecte, præjudiciales sunt vel esse poterunt quodlibmodo, renunciavit sponte, pure, simpliciter et expresse, supplicans humiliter et devote, ut temporalia Archiepiscopatus prædicti de nostra gratia et mera liberalitate Regia sibi restituere dignaremur. Nos igitur hujusmodi excusatione et renunciatione receptis, ipsius Archiepiscopi supplicationibus annuentes, cepimus fidelitatem ejusdem Archiepiscopi, et temporalia Archiepiscopatus prædicti eidem Archiepiscopo restituimus de nostra gratia speciali.** Et ideo vobis mandamus, quod ipsi Archiepiscopo vel ejus certo attornato, temporalia dicti Archiepiscopatus sine dilatione liberetis, **de nostra gratia supradicta.** Teste Rege apud *Rykehale* primo die *Junii*. Pat. 28 E. 1. m. 14. De restitutione temporalium.

Eodem modo mandatum est *Waltero de Gloucestr.* Escaetori ultra *Trentam*, quod eidem Archiepiscopo, &c. temporalia, &c. Teste Rege ut supra.

Et mandatum est Militibus, &c. In cujus, &c. Teste Rege ut supra.

Eodem modo mandatum est Canonicis liberæ Capellæ Regis de *Pencriz*, quod eidem Archiepiscopo **tanquam Decano suo**, &c. In cujus, &c. Teste Rege ut supra.

The original renunciation of the clauses in Pope *Boniface* his Bull, prejudicial to the Kings Crown and dignity, made by this Archbishop, mentioned in this Patent to restore his Temporalties, I found extant under his own Archiepiscopal Seal in a bundle of Writs and Privy Seals in the White Tower, which I shall here present you with as a rarity.

UNiversis ad quos præsentes literæ pervenerint, *Richardus* permissione divina *Dublinensis* Archiepiscopus, salutem in amplexibus Salvatoris. Noverit universitas vestra, **quod cum in literis Apostolicis super promotione nostra in Archiepiscopum** Brevia Regis An. 28 E. 1. in Turre Lond.

An. 28 *E.* 1. epiſcopum *Dublinenſem* conſectis, & ſereniſſimo Principi Domino noſtro Domino *Edwardo* Dei gratia Regi *Angliæ* illuſtri, Domino *Hiberniæ*, & Duci *Aquitaniæ*, per ſanctiſſimum patrem Dominum *Bonifacium* Papam 8. dedicatis, et per nos præſentatis eidem, quædam verba continebantur quæ idem Dominus Rex et ſuum Conſilium ſibi ſuæque Regiæ dignitati Coronæ eſſe præjudicialia prætendebant, & quædam verba alia quæ in conſimilibus literis Apoſtolicis ſolita opponi ſint in præfatis literis noſtræ promotionis omiſſa. Nos publice et expreſſe dicimus et profitemur, quod nunquam noſtræ intentionis extitit vel extitit, quicquam ſuper trahere, facere vel proſequi, quod in ejuſdem Domini Regis, etuſque dignitati Regiæ, vel Coronæ præjudicium poſſet aliqualiter redundare. Unde omnibus et ſingulis in dictis literis Apoſtolicis contentis, quatenus prædicto Domino Regi ejuſque dignitati Regiæ vel Coronæ tacite vel expreſſe, directe vel indirecte præjudiciales extitunt, vel eſſe poterunt quovis modo, pure, ſponte renunciamus, atque ſimpliciter et abſolute. In quorum teſtimonium ſigillum noſtrum præſentibus duximus apponendum. Dat. apud *Ebor.* 31 die *Maii*, Anno Domini 1300.

I found this Appeal *An. Dom.* 1299. in the White Tower, made againſt a ſentence of Excommunication denounced by the Archbiſhop of *Canterbury* and his Auditors of Cauſes, by *Ralph de Ebor.* his Proctor, in caſe of a Preſentation to the Church of *Griſton*, thus exemplified under the hand of a publick Notary.

Anno 28 E. 1. in Turre London.

IN Dei Nomine Amen. Anno Domini ab Incarnatione 1299. Indictione 13. 7 Idus *Decembris*, in præſentia mei *Gilberti* Notarii publici infraſcripti, *Roberti* filio *Johannis de Totranho* Clerici, & *Thomæ de Totranho*, teſtium ad hoc ſpecialiter vocatorum & rogatorum, *Richardus de Eboraco* Clericus, Procurator Magiſtrorum *Radulphi de Ebor.* ad Eccleſiam de *Griſton Norwicenſis* Diocæſis præſentati, & *Radulphi de Thorny* Rectoris Eccleſiæ de *Beringewell* apud *Suthmalling*, innovavit & notificavit Domino *Cantuarienſi* Archiepiſcopo, & ejuſdem cauſarum auditoribus generalibus, quandam Appellationem prius (ut dicebat) interpoſitam, et Apoſtolos petiit ſub hac forma. *In Dei Nomine Amen. Quia vos Domine* Cantuarienſis *Archiepiſcope, nuper per auditores veſtros, ſcilicet Magiſtros* Willielmum de Glouceſtr. Willielmum de Chadeleſhunte, & Richardum de Morceſtr. *apud* Lambeth, *me* Radulphum de Thorny *Procuratorem Magiſtri* Radulphi de Ebor. *ad Eccleſiam de* Griſton *præſentatum, pro eo quod quaddam privilegium dicti Domini mei in cauſa inter dictum Dominum meum ex parte una, & Dominum* R. *nuper* Norwicen. *nunc* Elien. *ex altera, ſuper non admiſſione Eccleſiæ de* Griſton *prædicta, ad quam dictus Dominus meus canonicè extiterat præſentatus, in Curia veſtra* Cantuariæ *aliàs exhibitum, iteratò non exhibui*, non obſtantibus provocationibus et appellationibus meis, ac etiam inhibitione Sedis Apoſtolicæ; *de quibus omnibus & ſingulis verbo & eiſdem auditoribus ad plenum innotuit*, in Domini mei præjudicium, et Sedis Apoſtolicæ contemptum, contra juſtitiam excommunicaſtis, ſeu etiam excommunicarunt auditores ſuprascripti: *Sentiens Dominum meum & me ex hoc indebite pragravari*, dictam Sedem Apoſtolicam in dictis ſcriptis appello, et Apoſtolos peto. *Et ego* Richardus *Procurator antedictus*, in ipſa Appellatione nunc innovata et interpoſita in termino juris exiſtens, inſtanter, inſtantius, et inſtantiſſime, *à vobis Domino* Cantuarienſi *Archiepiſcopo, veſtrisve auditoribus prædictis conjunctim & diviſim, quatenus jura permittunt*, Apoſtolos iterato peto, et cum effectu requiro, quod ſi mihi denegaveritis, iterato ut prius appello. Acta ſunt hæc Anno Domini, Indictione, die & loco prædictis, præſentibus teſtibus memoratis.

Et ego *Robertus Nicholai, Simonis de Lutegarſhale, Saresbur.* Diocæſis publicus Imperiali authoritate Notarius, prædictis omnibus & ſingulis unà cum teſtibus ſuprascriptis præſens interfui; & ea ſic fieri, vidi, audivi & publicavi, meoque ſigno conſueto, & nomine ſignavi rogatus.

The King by his Royal Prerogative writing to the Abbot and Covent of *Coggeſhale*, to ſettle a *Corody* during life on *Richard de Ry*, which they did by their Deed; the *Corody* being uncertain, he iſſued this other Writ to them to aſcertain it, and certifie him what it was; who thereupon returned him this Certificate.

Excellenti ſſim

An. 28 E. I.

EXcellentiſſimo Principi Domino *Edwardo*, Dei gratia illuſtri Regi *Angliæ*, Domino *Hiberniæ*, & Duci *Aquitaniæ*, ſui humiles & devoti fratres, *Johannes* Abbas de *Coggeſhale*, & ejuſdem loci Conventus, (ſi placet) ſalutem, cum omni reverentia & honore. Cum nuper per vos fuerimus requiſiti, ut *Ricardo de Rye* vitæ neceſſaria in domo noſtra, quoad viveret, miniſtraremus; ac nos, ob reverentiam veſtram, & ad mandatum veſtrum, eidem *Ricardo* conceſſerimus, quod ſit in domo noſtra ad aulam noſtram, & ibidem comedat cum libera familia, & habeat ibidem vitæ neceſſaria, quoad vixerit; **et ſuper hoc literas noſtras eidem** Ricardo **fecimus patentes.** Quam quidem Conceſſionem nimis nudam reputaris, pro eo, **quod in dictis literis noſtris, quid de quotidiano victu, et quid pro roba et calceatura, per annum percipere debeat, nihil eſt expreſſum, et ſuper hoc vos certiorare nobis mandaſtis.** Excellentiæ veſtræ ſignificamus, **quod aliis ſervientibus per vos, ſeu per veſtros Progenitores in caſu conſimili ad nos miſſis, temporibus retroactis,** (a good evidence of the Kings ancient right to Corodies in that Monaſtery and others) **nihil certum fuerat conceſſum**; nec ſcimus quid certum exprimere, præter illud quod patria dederit, ſeu quòd venale in confinio repertum fuerit; nec aliud certum, qui in domo noſtra pro ſuo dando modo conſimili perhendinant. Pro ſua roba & calceatura certitudinem eidem *Ricardo* aſſignavimus & providimus, de qua ſe non contentum arrogando & minas inferendo proteſtatur. Dominationem igitur veſtram, omni qua poſſumus humilitate & devotione, requirimus, Quatinus pietate ducti, ſpiritu compaſſionis indigentiæ noſtræ miſerere dignemini, **quia indebitati ſumus in Quingentis et xl. libris Sterlingorum, præter multas et magnas liberationes, quæ quotidie deferuntur per diverſos extra domum noſtram.** Valeat & creſcat Dominatio veſtra per tempora longiora cum ſalute plurima.

Bundela Brevium de Privato ſigillo, &c. An. 28 E. 1. in Turre London.

The King writing to the Abbot and Covent of *Certeſy* for a like Corrodie during life for *Hugh de Hibernia*, they returned him this anſwer.

EXcellentiſſimo Principi Domino *Edwardo* Dei gratia Regi *Angliæ* illuſtri, ſuus humilis & devotus Capellanus, *Bartholomæus* Abbas de *Certeſeye*, & ejuſdem loci Conventus, ſalutem in eo per quem Reges regnant & Principes dominantur. **Mandatum veſtrum recepimus in hæc verba:** Edwardus, &c. *dilectis ſibi in Chriſto Abbati & Conventui de* Certeſeye, *ſalutem. Diutinum & gratuitum ſervitium, quod dilectus nobis* Hugo de Hybernia *nobis & chariſſimæ Conſorti noſtræ* Alianoræ *quondam Reginæ* Angliæ *hactenus impendit, meritò attendentes; vos rogamus ſicut aliàs rogavimus*, quatinus eidem Hugoni **quandam libertatem, unde juxta ſtatum ſuum poſſit** idem Hugo **cum uno garcione decenter ſuſtentari, velitis noſtri intuitu concedere, in domo veſtra prædicta, quoad vixerit, percipiendam**; *pro quo vobis teneamur ad actiones uberes gratiarum: vel cauſam ſignificetis*, **quare mandato noſtro alias vobis inde directo parere noluiſtis, vel non debuiſtis.** *Teſte meipſo apud* Weſtm. *primo die* Aprilis, *Anno Regni noſtri viceſimo octavo.* — Speramus, quod Excellentia veſtra exilem domum noſtram onerare non affectat, ſed ad memoriam reducere dignoſcetur, **quod nuper ad mandatum veſtrum**, Laurentium de Batſhete **admiſimus, et ſibi omnia in victu et veſtitu neceſſaria gratanter conceſſimus et benignè**: unde voluntatem veſtram ad præſens, & propter alia quæ domum noſtram quotidiè gravant & moleſtant, adimplere non valemus. Valeat Dominatio veſtra per tempora longiora. Dat. apud *Certeſeye* 13. die *Maii*. Anno Regni veſtri ſupradicto.

Bundela ibid.

I pretermit others of like nature this year.

Anno Gratiæ 1300. (as [a] *Walſingham* computes it) **Papa** Bonifacius 8. (to enlarge his Papal Juriſdiction, fill his own purſe, and empty the peoples, by a new pious fraud inſtituted a *Jubilee* after the Jewiſh Cuſtome, *indultum faciens omnibus verè pœnitentibus & confeſſis, qui per anni præſentis ſpacium*, et per quemlibet annorum centeſimum futurum, Romam, *ac beatorum Apoſtolorum* Petri & Pauli *baſilicas* **voto peregrinationis humiliter acceſſerint et debote, cunctorum ſuorum conceſſit indulgentiam peccatorum, quo multi peregrinati ſunt ad** Romam. **Jubilæum Judaico more primus inſtituit** (addes *Balæus* in his life) & Romam *adeuntibus indulgentias plenarias ac peccatorum remiſſiones ſufflavit*, **ut eo** [b] **vivo conſulto agnatos et amicas nocturnas duceret.** [b] *Conradus à Leichthenaw*

[a] Hiſt. Angliæ p. 45. Polychron. l. 7. c. 40. Henry de Knyghton de Event. Angl. l. 3. c. 13. col. 2528.

[b] Rerum Memorabil. Paraleipomena, p. 343.

An. 28 E 1. Abbot of *Usperge*, [c] *Cranzius*, and [d] *others* record, That during this Jubile, Albertus *ab electoribus Rex* Romanorum *declaratus, et postquam* Aquisgrani *coronatus* (after his conquest and slaughter of the Emperor *Adolphus*) *et missis ad urbem* Romam *oratoribus, voluntatem de se electorum Principum Pontifici* Bonifacio 8. *jussit intimari*, ut electionem de se factam confirmaret. *Celebraverat jam Papa iste primus* a se institutum Jubilæum *magno ad urbem concursu: usque ad illum Pontificibus non venerit in mentem tàm festo negotio commovere Christianismum. Legationem ad se factam ab electo Rege animosius insinuatam*, rejecit Pontifex animosior longe, quod sine sua authoritate electio facta robur non haberet; nam utriusque penes se unum gladii potestatem manere affirmabat; quod ipso apparatu in eo qui tum agebatur in urbe Jubileo solenniter fertur ostentasse. *Primo quidem solenni die in Pontificalibus apparens populo, apostolicam illis benedictionem impartitur:* postera autem die imperiali habitu, insula nihilominus Cæsarea insignis, gladium ante se nudatum jussit deferri, et sedens alta voce testatur, ECCE DUO GLADII, HIC. Vide O Petre successorem tuum, et tu salutifer Christe tuum cerne Vicarium. Vide quo ascendit superbia servorum tuorum. (adde these two Pontifician Writers.) Upon which [e] *Johannes Balæus* hath this observation, *Ut se declararet Pontificem maximum*, et Imperatorem supremum atque Monarcham totius orbis, instructum duobus cornibus æmulantibus Christi potentiam. Si hoc diabolicum monstrum, urbibus ac regibus formidabile, ANTICHRISTUS ILLE MAGNUS NON SIT, tantam sibi in terris potestatem arrogans; Nullus unquam futuro expectandus erat.

c Saxoniæ, l. 8. c. 36. p. 224, 225.

d Cent. Magd. 13. c. 10. col 1016. Platina Balæus, & Hermannus Schedel. in Bonifacio.

e Script. Brit. Cent. 4. c. 76. Appendix, p. 358.

Moreover, he issued this Bull to the Bishop of *Miden* and Dean of *Dublin* in *Ireland*, to collect and pay in all the arrears of the six years Disme granted by Pope *Nicholas* to King *Edward* towards the relief of the Holy Land (though he never sent any ayd thereto) and to pay and assign them to the *Italian* Merchants of his Papal Chamber in the Name of the Church of *Rome*, (not to the Kings Collectors) notwithstanding any former mandates or assignments to the contrary; the exemplification whereof I found in the *White Tower*.

Brevia Regis de Privato sigillo, &c. Anno 29 E. 1. in Turre London

IN Dei nomine Amen. Hoc est exemplum quarundam literarum Domini Papæ, cum vera Bulla publica & filo serico, non abolitarum, non obrasarum, & non vitiatarum in aliqua parte sui, ac omni suspitione carentium: Quarum Literarum tenor talis est. *Ionifacius* Episcopus Servus servorum Dei, venerabili fratri Episcopi *Medensi*, & dilecto filio Decano Ecclesiæ *Dublinensis*, salutem & Apostolicam benedictionem. Cum olim fælicis recordationis *Nicholaus* Papa 4. Prædecessor noster, collectionem Decimæ omnium Ecclesiasticorum Reddituum, Provenionum, et Obventionum *Armachen. Dublinensis, Cassellensis & Tuamensis* Provinciarum, quam per sex annis Prædecessor ipse concesserat charissimo in Christo filio nostro *E.* Regi *Angliæ* Illustri, ad prosecutionem commodiorem et efficaciorem negotii Terræ Sanctæ, quod idem Rex personaliter prosequendum assumpserat, duxerit nobis per suas sub certa forma literas committendam. Discretioni vestræ, præsentium tenore, districte præcipiendo mandamus, quatinus dilectis filiis *Rogerio & Lapo Spine, Guidoni Bertaldi, Cino Bosi*, & aliis eorum sociis, de societate *Spinorum* de *Florentia*, nostræ Cameræ Mercatoribus, vel alicui seu aliquibus eorundm, de quorum legalitate ac sufficientia facultatum plenè confidimus, aut eorum Procuratori seu Procuratoribus specialiter ad hæc ab eis constitutis, has nostras deferentibus literas, quicquid est de dicta Decima collectum per vos vel vestrum alterum, aut per Sub-collectores vestros vel alterius vestrum, quod nondum sit alii vel aliis de speciali mandato Sedis Apostolicæ assignatum, infra duorum mensium spatium a receptione præsentium, et Colligendum etiam de dicta Decima, si quid restat, quod vos habere contigerit in futurum, sine diminutione aliqua, integre, omni occasione, difficultate, ac mora postpositis, Ecclesiæ Romanæ nomine assignare curetis. Facientes de assignatione hujusmodi confici publica Instrumenta; quæ, ipsorum similibus penes vos retentis, una cum vestris literis continentibus quid, & quantum, & quibus de prædicta Decima duxeritis assignandum, nobis per fidelem nuncium transmittatis: Non obstante aliquo mandato contrario, a dicta Sede vel a nobis olim facto super ipsa Decima vel ejus parte aliis quibuscunque Mercatoribus assignanda. Sic vos in hac parte ac in executione Officii prælibati vigilanter, fideliter, & efficaciter habituri,

habituri, quod redargui de negligentia non poſſitis, ſed debetis potius de diligentia commendari. Dat. *Anagniæ* 5. Idus *Julii*, Pontificatus noſtri anno quinto. *Ar.* 28 E. 1.

Ego *Barone de Signa Florentin.* Diocelis, Judex Ordinarius, atque Notarius Publicus, filius *Aliotti*, Præſens exemplum ex Originali ſuo fideliter ſumpſi & exemplavi; nil, quod ſenſum vel intellectum mutet, minuens ſive addens. Ideoque ſubſcripſi & publicavi, & ut hiis adhibeatur plena fides meum teſtimoniale ſignum appoſui publicè me ſubſcribente.

This Pope not content with theſe arrears, out of his inſatiable avarice and rapin to carry on his Wars againſt the King of *Aragon*, [a] *Hoc anno* **Dominus Papa Bonifacius Decimam omnium bonorum Eccleſiaſticorum in Anglia**, (and likewiſe in *Ireland*, as the [b] *Annals of Ireland* relate) **per triennium uſurpavit**, as a Subſidie to the Church of *Rome* againſt her Enemies. **Porro illis diebus** (as *Matthew Weſtminſter* complains) **ſal terræ, et caput bulgi in magnam hydropem ceciderunt: quanto enim plus pecuniam (humorem nequam) hauriebant, tanto amplius eam ſitiebant.** *Et quod iſte de temporalitate, non ſponte ſuam imminutum reliquerat*, **ille non coactus de ſpiritualitate contaminatum carpebat. Sedit ergo in triſtitia fidelium Eccleſia, deducta per vocales tutores ſuos miſerabiliter ſub tributo.**

[a] Mat. Weſtm. Flores Hiſt. An. 1301. p. 416.
[b] Cambdens Britannia, p. 163.

What uſurped Juriſdiction this avaritious bribe-taking Pope *Boniface* exerciſed this year over the Biſhop of *Cheſter*, *Walter de Langton* the Kings Treaſurer, and other Biſhops elect in *England*, *Matthew Weſtminſter* thus relates. * *Dominus* Walterus de Langtona *Epiſcopus* Ceſtriæ & *Theſaurarius* Angliæ, **apud Dominum Papam ſuper variis facinoribus et facinoroſis criminibus graviter diffamatus, reſponſurus in propria perſona ſuper eiſdem coram Summo Pontifice citatur. Qui erhauſta in Curia non modica pecunia, quia noverunt ipſum præ multis bovem valde pinguem, tamen parum profecit,** *Remiſſus namque fuit ad Archiepiſcopum* Cantuar. **ut ipſe in abſentia ſua, per certas perſonas purgationem ſumeret accuſati, et per eundem Walterum, negotii inſcium, referiberet Summo Pontifici, quid geſtum fuerit, quidve factum. Quidve plura? ſumpta purgatione ſua per Archiepiſcopum a Laicis et Civibus bonæ opinionis ſuper aliquibus criminibus, et a viris religioſis magnæ famæ de reliquis, prout decuit hos et illos cognoſcere, ad Papam iterum eſt reverſus. Papa autem intelligens Purgationem Epiſcopi ſagacem et ordinatam per Archipræſulem ſibi miſſam, Epiſcopum Walterum famæ priſtinæ reſtitutum cum uberiori gratia remiſit ad propria.** *Porro Miles qui eum accuſaverat* Johannes, *poſt non multum temporis, & ipſe ſuper homicidio & aliis facinoribus accuſatur. Conſcius vero ſibi vendicat jus Eccleſiæ; Qui etſi ſit uxoratus, ait ſe Diaconum fuiſſe priuſquam eam duxiſſet.* **Tandem condemnatus, carceri Epiſcopali liberatur, in per dies quinque nec amplius ſupervixit. Sumat ſibi ex eo ſpeculum malitia Laicalis, viros Eccleſiaſticos accuſare.** *Obierunt hoc anno* Elienſis & Wygornienſis *Epiſcopi, & electi ſunt duo Monachi in loco ipſorum.* **Qui non invenientes gratiam conſecrationis ab Archiepiſcopo Cantuar. ad Sedem Apoſtolicam profecti ſunt. Quo cum perveniſſent diſcuſſo electionis utriuſque ordine coram Papa, electio Prioris Elienſis eſt confirmata, Wygornienſis autem Monachi penitus eſt quaſſata. Dedit ergo Dominus Papa Epiſcopatum illum cuidam de Ordine Fratrum Minorum, by his own Papal Proviſion: to wit, to** † *William de Gainsborough*, *Sacri Palacii Lector* Romæ. *Et quia hanc in Concionibus & Scholaſticis congreſſibus defendebat doctrinam*, **Papam non poſſe errare, neque a quoquam eſſe judicandum, licet mille Chriſtianorum animas ad orcum detruſerit, factus eſt a Bonifacio 8. execrabiliſſimo** Romanæ ſedis **monſtro Wygornienſis Epiſcopus**, ex Franciſcano **prodigioſus Pontifex**; as *John Bale* relates.

* Anno 1301. p. 417, 418. Godwins Catalogue of Biſhops, p. 261.

† Baleus Scriptorum Brit. Cent. 4. c. 91. p. 36. Godwins Catalogue, p. 364.

Circa præſens tempus (as * *Tho. Walſingham* ſtories, Anno Dom. 1300,) *divulgatum fuit* Romanæ *Curiæ*, **quod Sanctimoniales Angliæ** (like the *common Harlots* deſcribed by *Solomon*, *Prov.* 7. 11, 12. & c. 9. 14, 15.) **vagabundæ inutiliter diſcurrebant per patrias** (encouraged by the Popes new Jubile to travel as far as *Rome*, to purchaſe pardons for their whoredomes, and then, yea there to play the Whores afreſh) *qua vagatio* **eſſet omnibus religioſis eſſet contraria, nimirum mulieribus eſſet tollenda, *præſertim*,** Cum omne quod in mundo eſt, aut eſt concupiſcentia oculorum, aut concupiſcentia carnis, aut ſuperbia vitæ. *Cupiens ergo Summus Pontifex*

* Hiſt. Angliæ p. 47. Sanctimoniales vagabundæ.

1 John 2.

ſanctæ

An. 28 E. 1. ſanctæ prȝovidere converſationi (though himſelf was accuſed publikely of whoredom) *talibus inordinatis diſcurſibus finem impoſuit: quamvis decreta Pontificum* belut fundamenta montium inconbulſis ligaminibus fixa ſunt, (which yet every Pope could ſhake and ſubvert by their diſpenſations, and *non-obſtantes*) *& dictas ſanctimoniales hactenus neceſſitatis cauſa extra cellas ſuas exire permiſerant*, cum plerumque tempeſtatibus et turbinibus ſecularium rerum religio ſanctæ Dei Eccleſiæ maculis reprȝobȝum diſſipatur. *Idcirco pro futurum ſuccedentibus poſteris eſſe decrevit, ut ea quæ ſalubri conſilio ordinantur, & communi aſſenſu fratrum definiantur ſine robore ſuarum robore literarum. Quapropter Summus Pontifex* Bonifacius *octavus ſcripſit Archiepiſcopo* Cantuarienſi Roberto, *& aliis Epiſcopis & Suffraganeis diſtrictè*, prȝæcipiens in virtute ſanctæ obedientiæ et injungens, ut omnes Sanctimoniales in ſuis Dioceſibus habitantes includi facerent, et non de cætero liceat eis de Cellis ſuis prȝogredi, quia non expedit animabus earum. Dedit etiam idem Apoſtolicus Archiepiſcopo et ſuis Suffraganeis unicuique in ſua Dioceſi, poteſtatem diſtinguendi, terminos limitandi, ȝordinandi et exponendi in Cellis dictarum Sanctimonialium, quos terminos et limitationes prȝæterire non licebit, quavis cauſa neceſſitatis, *ut decretalis inde confecta teſtantur.* Which King *Edgar* and other of our Kings by their Royal Charters and Prerogatives did, and King *Edward* might have legally done, without this Popes authority.

The Clergie of *England* having purchaſed the Kings favour and protection, by granting him ſuch Aides and Subſidies as he demanded of them, againſt Pope *Boniface* his *premiſed Decree, without his ſpecial licenſe, by which they conceived they had incurred his actual Excommunication; as likewiſe by procuring the Kings protection and officiating in their cures; imployed their Proctors at *Rome* to purchaſe and procure ſpecial Abſolutions from the *Pope* from the ſaid Excommunication, though done only *through force, and ſuch fear as might happen even to a conſtant man*; who thereupon authorized the Archbiſhop of *Canterbury*, (the procurer and proſecuter thereof,) to abſolve them, upon their petitions and acknowledgement of their offences therein, and ſubmiſſion to ſuch penance as ſhould be impoſed on them for that offence, after a ſhort ſuſpenſion, and promiſe that they would alwayes thenceforth obey the Mandates of the Pope and Church of *Rome* for the future, and this Conſtitution in particular; as is evident by certain Inſtruments of Abſolution (remembred by none of our Hiſtorians) regiſtred in the *Liger Bocke* of the *Priory of Bath*, out of which I have tranſcribed ſome of them, relating to that Priory, and Dioceſe of *Bath* and *Wells*, not unworthy publike knowledge.

* Here, p. 684, 685, &c.

* Page 210, 211, 212.

VEnerabili in Chriſto Patri Dei gratia Archiepiſcopo *Cantuar.* vel ejus Vicario in Spiritualibus, Frater *Gentilis*, miſeratione divina Eccleſiæ Sancti *Martini* in *Montibus* Prȝesbyter Cardinalis ſalutem, & ſinceram in Domino Caritatem. Ex parte *Johannis de Godmer* perpetui Vicarii Eccleſiæ de *Cheddar. Bathon.* & *Wellen.* Dioc. Nobis oblata Petitio continebat, Quod ipſe olim per vim et metum qui cadere poſſet in conſtantem, invitus Miniſtris ſeu Collectoribus illuſtris Regis Angliæ, contra novæ Conſtitutionis tenorem ſanctiſſimi Patris Domini Bonifacii divina prȝovidentia Papæ octavi, Talleas ſive Collectas perſolvit; per quod ſententiam Excommunicationis incurrit, in tales generaliter prȝomulgatam, et ſic ligatus; (non tamen in contemptum Clavium) in ſuis ȝordinibus miniſtrabit, et alias ſe ingeſſit divinis. Super quibus ſupplicari fecit humiliter ſibi de abſolutionis beneficio et diſpenſationis gratia per Sedem Apoſtolicam ſalubȝriter prȝovideri. Nos igitur auctȝoritate Domini Papæ, cujus Pœnitentiariæ curam gerimus, circumſpectioni veſtræ committimus, quatinus ſi ita eſt, ipſum Vicarium a dicta Excommunicationis ſententia, juxta formam Eccleſiæ abſolvatis. Proviſo attentè, quod idem Vicarius ſuper hoc mandatis Domini Papæ, et Romanæ Eccleſiæ ſemper parebit, et faciet illam pœnitentiam quam ſibi duxerit injungendam, eoque ad tempus prout expedire videritis a ſuorum Ȝordinum executione ſuſpenſo. Demum Suffragantibus ei meritis, alioque Canonico non obſtante ſuper irregularitate dicto modo contracta, cum eo miſericȝorditer auctȝoritate diſpenſetis prȝædicta. Datum *Agnan.* ſexto Idus *Auguſti*, Pontificatus Domini Papæ *Bonifacii* octavi Anno ſexto.

Sancto

An. 28 *E.* I

SAncto Patri in Chriſto & Domino reverendo *R.* Dei gratia *Cantuar.* Archiepiſcopo, totius *Anglia* Primati, ſui filii humiles & devoti, *Thomas* Prior & Conventus *Bathon.* ſalutem, & devotus obedientiæ & reverentiæ ſpiritus, cum omni honore debito tanto Patri. **Ad petendum et recipiendum a veſtræ clementia ſanctitatis, beneficium Abſolutionis ſuper Excommunicationis ſententia quam incurriſſe veremur, ex eo quod contra Conſtitutionem Sanctiſſimi Patris et Domini *Bonifacii* divina providentia Papæ octavi editam, contra omnes qui collectas et exactiones a Miniſtris, Nunciis, ſeu Collectoribus illuſtris Regis *Angliæ* perſolverunt nolentes dei inviti, protectionem Domini Regis ſuper hoc impetrantes et recipientes;** dilectum nobis in Chriſto *Hugonem Godmer* Præcentorem Eccleſiæ noſtræ *Bathonia* Commonachum noſtrum, noſtrum in hiis conſtituimus Procuratorem. Dantes eidem liberam & plenam poteſtatem, **veſtra in hac parte recipiendi mandata, quæ ſecundum Deum ad ſalutem animarum noſtrarum juxta tenorem, formam, vim et effectum mandati Apoſtolici ſuper hoc vobis directi, nobis duxeritis injungenda, una cum poteſtate jurandi in animas noſtras, ſecundum quod poſtulaverit ordo juris.** In cujus rei teſtimonium ſigillo noſtro communi ſignari fecimus hanc ſcripturam. Datum Capitulo noſtro *Bathon.* 5 Idus *Novembris*, Anno Domini 1300. Ibidem.

UNiverſis præſentes literas inſpecturis pateat evidenter, quod nos *Thomas* Prior *Bathon.* & ejuſdem loci Conventus, ordinis Sancti *Benedicti*, *Bathon.* & *Wellen.* Diœceſis, **bona fide promittimus, et ſub pypotheca omnium bonorum Monaſterii noſtri cavemus, quod nos ſemper Romanæ Eccleſiæ et Domini Papæ mandatis parebimus, ſuper Excommunicationis et Interdicti ſententiis quas incurrimus, pro eo quod dudum contra Conſtitutionis tenorem Sanctiſſimi Patris noſtri Domini *Bonifacii* Papæ octavi, Nunciis ſeu Miniſtris Domini Regis *Angliæ* ſubſidium de bonis noſtris Eccleſiaſticis contribuimus, propter vim et metum qui cadere poterit in conſtantes.** In cujus rei teſtimonium, &c. Datum in Capitulo noſtro *Bathon.* 5 Idus *Novembris*, Anno Domini 1300. Ibidem.

UNiverſis præſentes literas inſpecturis, *Robertus* permiſſione divina *Cantuar.* Archiepiſcopus, totius *Anglia* Primas, æternam in Domino ſalutem. Literas venerabilis patris Domini *Matthæi* Dei gratia *Portuenſis* & Sancti *Ruffinæ* Epiſcopi, **Sanctiſſimi Patris Domini *Bonifacii* Papæ 8. Pœnitentiarii, recepimus**, tenorem qui ſequitur continentes. *Venerabili in Chriſto patri* R. *Dei gratia Archiepiſcopo* Cantuarienſi, *vel ejus Vicario in Spiritualibus*, *Frater* Matthæus *miſeratione divina* Portuenſis *ac S.* Ruffinæ *Epiſcopus*, *ſalutem & ſempiternam in Domino caritatem.* **Ex parte Prioris et Conventus Monaſterii** Bathonienſis, *ordinis Sancti* Benedicti, **fuit propoſitum coram nobis, quod ipſi olim vi et metu qui cadere poterit in conſtantem, Miniſtris, Nunciis, ſeu Collectoribus illuſtris Regis** Angliæ, **contra Conſtitutionem et tenorem Sanctiſſimi Patris et Domini, Domini *Bonifacii* divina providentia Papæ octavi, nobiliter editæ, contra talleas, collectas et exactiones ſibi impoſitas perſolverunt; propter quod Excommunicationis incurrunt ſententiam ex ipſius Conſtitutionis tenore in omnes et ſingulos contra facientes generaliter promulgatam: Et ſic ligati in ſuis, non tamen in contemptum clavium, miniſtraverunt Ordinibus, et aliis divinis ſe ingeſſerunt officiis, ſicut prius. Verum cum parati ſint Sanctæ Romanæ Eccleſiæ in omnibus obedire mandatis, ſupplicari fecerunt humiliter eis per Sedem Apoſtolicam ſalubriter provideri. Nos igitur ipſorum ſupplicationibus, quantum cum Deo poſſumus, favorabiliter annuentes, auctoritate et mandato Domini Papæ, cujus Pœnitentiariæ curam gerimus, providentiæ veſtræ præſentium tenore committimus, quatinus ſi eſt ita, ipſos et eorum quemlibet a reatu exceſſus hujuſmodi et excommunicatione quam propter hoc incurrunt, abſolvatis, juxta formam Eccleſiæ conſuetam: Interdictum ab ipſo Monaſterio amovendo, et injuncta eorum cuilibet pro culpæ modo pœnitentia ſalutari, et alia quæ talibus debent et conſueverunt injungi; quodque ſtabunt mandatis Eccleſiæ, et facient illam pœnitentiam, quam Sedes Apoſtolica eis duxerit injungendam; Super irregularitate et præmiſſis contracta diſpenſetis authoritate et mandato prædictis, alio non obſtante Canonico impedimento miſericorditer** Ibidem.

An. 28 *E.* 1. miſericorditer eiſdem, prout ſecundum Deum animarum ipſorum ſaluti viderit expedire. *Datum* Lateran. 3 *Non.* Martii, *Pontificatus Domini Pape* Boniſacii *octavi anno ſexto.* Nos igitur dictos Priorem & Conventum Monaſterii *Bathon.* & eorum quemlibet in perſona fratris *Hugonis Godmer* Procuratoris ipſius Eccleſiæ *Bathon.* Commonachi & Procuratoris ſui, a majoris Excommunicationis ſententia memorata, præſtita nobis primitus ab eiſdem idonea cautione, quod ſtabunt mandatis Eccleſiæ, et facient illam pœnitentiam, quam Sedes Apoſtolica eis duxerit injungendam, authoritate nobis in hac parte commiſſa juxta formam Eccleſiæ abſolvimus, et eis injunximus pœnitentiam ſalutarem, Interdictum de ipſo ſuo Monaſterio amovendo. Et ſuper irregularitate quam ea occaſione ſic ligati in ſuis Ordinibus miniſtrando, et alias ſe divinis officiis immiſcendo contraxerant, cum eiſdem et eorum quolibet miſericorditer auctoritate diſpenſamus præmiſſa, prout ſecundum Deum animarum ipſorum ſaluti vidimus expedire. In teſtimonium vero præmiſſorum ſigillum præſentibus eſt appenſum. Datum apud *Lymirge* 17 Kal. *Decembr.* Anno Domini 1300. Conſecrationis noſtræ ſeptimo.

Ibidem. VEnerabili in Chriſto Patri Domino R. Dei gratia *Cantuar.* Archiepiſcopo, totius *Angliæ* Primati, ſuus filius devotus *Jordanus*, Vicarius Eccleſiæ de *Weſton* juxta *Bathon.* obedientiam & reverentiam debitam cum honore. Gravi corporis ægritudine perpetua detentus, ad veſtram venerabilem præſentiam accedere non valens, dilectum mihi in Chriſto *N.* Clericum, ad petendam meam abſolutionem pro excommunicatione, quam contraxi pro protectione Regia quam recepi compulſus; necnon ad diſpenſationem ſuper irregularitate, ſi quam contraxi in miſcendo me divinis ſic ligatus, coram vobis meum conſtituo Procuratorem. Dans eidem poteſtatem liberam & plenam recipiendi mandatum veſtrum, ſuper his quæ in mandato Apoſtolico ſuper hoc vobis directo continentur; et jurandi in animam meam, et omnia facere alia vel faciendi quæ ad ſalutem animæ meæ, juxta dictum mandatum Apoſtolicum volueritis ordinare. In cujus rei teſtimonium ſigillum meum, una cum ſigillo Archidiaconi *Bathon.* præſentibus eſt appenſum. Dat. apud *Weſton.* 8 Idus *Novembris*, Anno Domini 1300.

No doubt all the reſt of the Prelates, Abbots, Priors, Covents, Parſons, Vicars and Clergy of *England* purchaſed the like Abſolutions, under the ſelf-ſame hard terms and conditions, for obeying God and the King, againſt this Popes Antichriſtian Conſtitution; ſuch Vaſſals were they to the Papal Chair.

This year I finde this exemplification of Pope *Boniface* his Bull for prolonging the Truce between the Kings of *England* and *France*, atteſted before the Archbiſhop of *York*, and Biſhop of *Coventry* and *Litchfield*, entred in the * *Patent* and *Almain Rolls.*

* Rot. Patent. An. 28 E. 1. m. 17 intus Rot. Aleman. Anno 22 E. 1. uſque 31. m. 10. intus, nu. 17.

UNiverſis præſentes literas inſpecturis, miſeratione divina *Thomas* Archiepiſcopus *Ebor. Angliæ* Primas, & *Walterus Coventr.* & *Litchfield.* Epiſcopus, ſalutem in Domino ſempiternam. Noveritis nos vidiſſe & diligentius inſpexiſſe literas Sanctiſſimi in Chriſto Patris Domini *B.* divina providentia Sanctæ *Romanæ* ac Univerſalis Eccleſiæ Summi Pontificis, vera Bulla ipſius cum filo deſerico bullatas formamque ſequitur continentes. *Bonifacius* Epiſcopus, &c. (*verbatim* as before, Here p. 763.) Dat. *Anagniæ* 12 Kal. *Auguſti*, Pontificatus noſtri anno quinto. In cujus rei teſtimonium, & ad pleniorem fidem impoſterum faciendam, præſentes literas patentes exinde fieri fecimus, & noſtrorum ſigillorum munimine roborari. Dat. apud *Thorp* juxta *Ebor.* 4 Idus *Julii*, Anno Domini 1300.

Thereupon the King to ſettle a ſpeedy, firme, final Peace between himſelf and his Confederates, and the King of *France* and his Adherents, in purſuance of Pope *Boniface* his premiſed award, concerning all differences between them not fully determined therein, and to execute the ſame, iſſued this large Commiſſion to his Proctors therein named, finally to conclude and execute the ſame, for the general good of Chriſtianity, and relief of the Holy-Land, which he directed and ſignified to the Pope, thus entred on record.

Sanctiſſimo

SAnctiſſimo in Chriſto Patri Domino *B.* divina providentia Sacroſanctæ *Romanæ* ac Univerſalis Eccleſiæ Summo Pontifici, *Edwardus* ejuſdem gratia Rex *Angliæ*, Dominus *Hiberniæ*, & Dux *Aquitaniæ*, devota pedum oſcula beatorum. Cum ſuper negotio reformationis pacis inter Regem *Franciæ* & nos, juxta formam pronunciationis per vos in quem tanquam in privatam perſonam et Dominum *Benedictum Gaytanum*, tam per dictum *Franciæ* Regem, quam per nos et confederatos noſtros extitit compromiſſum, virtute compromiſſi ejuſdem factæ plura reſtent veſtræ Sanctitatis arbitrio terminanda, et etiam exequenda. Nos ad honorem Dei, et commodum Terræ Sanctæ affectantes ea celeriter terminari, ad petendum et audiendum, recipiendum et acceptandum complementum, perfectionem et conſummationem, pronunciationes ac reformationis pacis prædictarum, dilectos & fideles noſtros venerabilem in Chriſto patrem *Johannem Winton.* Epiſcopum, fratrem *Willielmum de Geynesburgh* de ordine Minorum, *Gerardum* Archidiaconum *Richmund. Galfridum de Geynvall*, & *Galfridum Ruſſell* Milites, Procuratores noſtros et Nuncios ſpeciales, necnon dilectos Clericos noſtros Magiſtros *Reymundum Arnaldi* de *Rama Vaſaten.* & *Petrum Aimerici* Sancti *Severini Burdegalem* Canonicos, ad veſtræ Sanctitatis præſentiam deſtinamus. Dantes & concedentes eiſdem Epiſcopo, Fratri, Archidiacono, Militibus & Clericis, plenam, generalem et liberam poteſtatem ac ſpeciale mandatum, complementum, perfectionem ac totalem conſummationem pronunciationis ac reformationis prædictarum, et omnia alia et ſingula quæ ſuper reformatione pacis, et ſuper omnibus guerris, diſcordiis, litibus, controverſiis, cauſis, quæſtionibus, dampnis et injuriis, petitionibus et actionibus realibus, perſonalibus et mixtis, quæ fuerunt, et ſunt, vel eſſe poſſent inter dictum Regem *Franciæ* et nos occaſione quacunque, et præmiſſa quoquomodo contingentibus veſtræ Sanctitatis circumſpectio duxerit diffiniendа, arbitraliter ſententianda, præcipienda, ordinanda, diſponenda, pronunciandа, addenda, minuenda, corrigenda, interpretanda, ſeu etiam declaranda, petendi, audiendi, recipiendi, acceptandi, omologandi, roborandi et vallandi per Juramentum in animam noſtram præſtandum, et aliis modis et formis de quibus eis videbitur expedire: Necnon tractandi, paciſcendi, concordandi, et etiam tranſigendi, et omnia alia et ſingula facienti, quæ ad plenam pacem et concordiæ omniumque prædictorum perfectionem et confirmationem quoquomodo pertinent et poterunt pertinere, et quæ nos faceremus vel facere poſſemus ſi præſentes eſſemus, etiamſi mandatum exigant ſpeciale. Volumus etiam & concedimus, quod præfati Epiſcopus, Frater, Archidiaconus & Milites, quatuor vel tres ex ipſis, ſi forſan ipſos quinque inſimul ad hoc concurrere non contingat, plenam, generalem & liberam habeant in præmiſſis omnibus & ſingulis: poteſtatem promittentes nichilominus, nos ratum imperpetuum habituros et firmum quicquid per prædictos Epiſcopum, Fratrem, Archidiaconum, Milites aut Clericos, aut per ipſos Epiſcopum, Fratrem, Archidiaconum et Milites, quatuor aut tres ex ipſis Epiſcopo, Fratre, Archidiacono et Militibus, ſi ipſi quinque ad hoc, ut præmiſſum eſt, inſimul non concurrant, petitum, acceptatum, omologatum, vallatum, aut alias factum fuerit in præmiſſis et quolibet præmiſſorum, ſuper quibus etiam per noſtras literas approbandis, tenendis, ſervandis et complendis nos et hæredes noſtros, ac omnia bona noſtra ſpecialiter obligamus. Et hæc ſanctæ paternitati veſtræ ſignificamus, et omnibus quorum intereſt vel intereſſe poteſt aut poterit in futurum per noſtras patentes literas ſigilli noſtri munimine conſignatas. Dat. apud *Sanctum Albanum* 15 die *Aprilis*, Anno Domini 1300. *An.* 28 E. 1

Pat. 28 E. 1. m. 17. intus. Literæ Regis de Procuratorio miſſæ ad Curiam Romanam,

In purſuance whereof the King granted this licenſe to the Biſhop of *Wincheſter* and his Servants, to repair to *Rome* for the publick affairs of him and his Realm, with their money, plate and harneſſe, notwithſtanding all former general reſtraints of that kinde.

REX Cuſtodibus paſſagii Portus ſui *Dover.* ſalutem. Licet vobis nuper mandaverimus, quod nullam monetam argenteam vel aliquam aliam monetam albam de noſtro vel alterius cuneo, vel vaſa aliqua argentea, ſeu argentum aliquod in maſſa vel alio quovis modo per Portum prædictum ad partes tranſmarinas deferri permitteretis ſine noſtra licencia ſpeciali; Vobis nichilominus mandamus,

Clauſ. 28 E. 1. m. 8. Pro Johanne Epiſcopo Winton.

An. 28 & 29 *Edw.* 1.

mus, quod venerabilem patrem *Johannem Wynton.* Episcopum, pro quibusdam negociis Nos et regnum nostrum specialiter tangentibus ad Curiam Romanam proficiscturum, cum tota familia sua et toto harnesio suo, et rebus suis sine scrutinio inde faciendo per portum prædictum versus Curiam prædictam transfretare permittatis, non obstante mandato nostro supradicto. Teste Rege apud Sanctum *Albanum* 15. die *Aprilis*. Per ipsum Regem.

The like License be granted to the Earl of *Lincolne* and his followers, with a restraint to others who shrouded themselves under his advocation and license.

Clauſ. 28 E 1. m. 2. De non permittendo transfretacionem fieri ſub advocatione Comitis Linc.

REX Custodibus passagii Portus sui *Dovorr.* salutem. Quia intelleximus quod quidam Milites sub advocacione dilecti & fidelis nostri *Henrici de Lacy* Comitis *Lincolniæ*, ad partes transmarinas versus Curiam Romanam pro quibusdam arduis negociis Nos et regnum nostrum specialiter tangentibus, profecturi, nituntur ad partes prædictas sine nostra licencia transfretare; Vobis mandamus, quod prædictum Comitem, ac Willielmum le Lungſ. Johannem le Espring, Milonem de Stapelton, Rogerum le Sauvage, Mauricium le Brun, Johannem de la Mare, Johannem de Molington & Bartholomæum de Badlesmere, Milites, et familiares prædicti Comitis, cum rebus, herneſ. & familia sua ad partes prædictas absque impedimento transire permittentes, alios Milites nomine ipsius Comitis licet per prædictum Comitem advocaberint transire nullatenus permittatis, contra formam inhibitionis nostræ inde factæ. Teste Rege apud *Karliolum* 13. die *Octobris*.
Per ipsum Regem, nunciante *W. Cov.* & *Lichf.* Episcopo.

During the Negotiations of the Kings Ambassadors at *Rome* to settle a final Peace, the Kings Proctors sent to the King of *France*, concluded this temporary Truce between them, wherein the *French King* cunningly included the late *King of Scots* and the *Scotish Nation*, as his *allies*, by virtue of their former League with him, which they* *had publikely abjured* before King *Edw.* and his *Nobles*, thus publisshed by King *Philips Letters*, which I found in the *White Tower*, with this brand of dislike præfixed to it.

* See here, p. 602, to 606. 647, to 670.

Treugæ initæ inter Angliæ & Franciæ *Reges per eorum Procuratores & Nuncios, Anno Gratiæ* 1301. *pro quibus* dicti Nuncii Regis Angliæ reperiebenſi fuerunt, non ſolum per ipsum Regem et Prælatos et Nobiles, ſed etiam per Communitatem Regni prædicti; pro eo, quod permiserunt Regem et gentes Scotiæ includi in treugis prædictis ex parte Francorum Regis, ratione Confœderationis prius initæ inter Francorum et Scotorum Reges prædictos.

An. 29 E. 1. in Turre London.

PHELIP par la grace de Dieu Roy de *France*, a tous ceus qui cestes presentes lettres verront, salutz. Sachent touz, qe come ascuns Tretiz aient este euz entre nous pur nous et en nostre noun d'une parte, et les gentz le Roy *Dengleterre* nostre treschier Cousin, pur lui & en soun noun d'autre part, en la manere qui sensuit. Tretez est & accordez a *Anyers* entre les gentz du noble Prince *Philipp* par la grace de Dieu Roy de *France*, cestassavoir le Counte de *Seint Poole*, le Counte de *Brit.* Monsieur *Hugh de Bloville*, & *Piers Flote*, Chivalers de celuy Roy d'une part, & les gentz du Noble Prince *Edward* par meisme cele grace Roy *Dengleterre*, cestassavoir Leveſque de *Cestre*, le Counte de *Nycole*, Lercediacne de *Richemonde* & *Johan de Berewik* Chanoyne *Deverwik*, dautre; Qui come ascuns traitiz de Pees assent & porra este eux entre les gentz le Roy de *France* & les gentz le Roy *Dengleterre*, & a ce qe il traitiz veniſſent plus leucrement a effect. Lui dit Roi de *France* euſt envoie au dit Roy *Dengleterre* ses Messages, Cestassavoir L'abbe de *Compigne*, Monseur *Aubert de Hanget*, & Meistre *Pierre de Flamgne*; par les queux il sist requere le Roy *Dengleterre*, sicome il avoit autresoiz fait par plusours autres Messages & lettres especiales, qui des guerres, des molestations, et des greifs qil fesoit au noble Prince J. Roy Descoce, et as Escotz, *et allitez et confederez du dit Roy de France il se suffrist et cessat, et la dite boye pur parlée ou traitée dessusdit, nust pas este lozs pursuie par ascuns certeins empeschements, et le dit Roy *Dengleterre* eit novelement enboie ses solempnes Messages au dit Roy de France pur la pursuite du dit traitiz de pées. Trayte est & accordez entre les gentz de devantdit Roy de *France* & les gentz le Roy *Dengleterre* desusdiz, qe les Messages de lun & de lautre Roys de *France* & *Dengleterre* sassembleront a *Monstroill* a la Quinzeine de *Pasch.* procheine-

* Here, p. 602, to 606.

procheinement avenir, pur le dit traitiz de Pees, pur ſuere & mettre a fyn al ayde de celui qui eſt feſour & actour de Pees. Et pur ce qui le dit traitiz requer preces & aſcun enloignement de temps. Treue eſt, acorde & priſe entre le dit Roy de *France*, pur lui * et pur la dite Roy *Deſcoce*, pur les *Eſcotz*, et pur les autres alliez, & le dit Roy *Dengleterre* pur lui et ſes Alliez, desmeintenont juſques a la feſte Seint *Andreu* qe ſerra lan de grace 1302. le jour decele feſte enclos en la dite treue. Les Conditions & les Declarations qui furent miſes en lautre treue priſe à *Turney* entre les ditz Roys de *France* e *Dengleterre*, ſicome elles ſount contennes es lettres faites ſur ce eues, pur miſes & pur expreſſes en ceſte preſente treue taunt come elles ſount ou pount faire a la ſeurte & a la fermete & declaration de la garde de ceſte treue. Et exceptez qui entendu ne doit moi eſtre qui lui *quiens* de *Barre* & les *Burgoynons*, qui ſount venuz a pees au dit Roy de *France*, ne *Guy* jadis Counte de *Flaundres*, et ſes enfans ſoient tenuz pur alliez du dit Roy *Dengleterre*. Et ſauf ce qui lui Roy de *France* tendra en ſa main les terres et les choſes immobebles priſes ſur les *Eſcotz*, ſicome il eſt en deſouz eſcript. Item il eſt accordez, qui les terres, poſſeſſions, rentes, heritages, et totes les choſes immobebles qui le dit Roi *Dengleterre* ad pris et occupies ſur le Roy *Deſcoce* ou ſus les *Eſcotz*, deputs qui les Meſſages le Roy de *Fraunce* deſuznomez vindrent a lui, ou ſerront priſez avant la ratification de ceſt preſent traitiz fait par le Roy *Dengleterre*, ſerront en la main du Roy de *France* juſques a la tous ſeintz proſchein avenir. Les queles terres, ceſtaſſavoir teles que le devantdiz Rois *Dengleterre* et les Counte de *Nycole* tiencnt ils ount deſoze endroit mis par paroles en la main du dit Roy de *France*, et les mettront par fait dedens la quinzeime de la Chandelure proſchein avenir, et les autres terres tenuz par autres dedens meiſme cele terme. Item il eſt accorde, qui les Chaſteaux, les Forteleſſes, les Juſtices, les Seignours, et les governementz des dites terres, le devantdit Roy de *France* ſerra tenir et garder en ſa main durant la dite treue par le Duc de *Burgoyne*, ou par celuy ou ceux qil y eſtablira pur lui a ce qui ne ſoit ou ne ſoient ſuſpecionous notoyzement : Sil envent ou poet prendre la Cure & la garde, ou par le Counte *Dambreuill.* ou par celui ou ceux qil mettra pur lui qui ne ſoit, ou ne ſoient ſuſpecionouz notoirement, ſi le Duc ne ſe voleit ou ne poiet entremettre. Et les terres gaynables deſuſdites purra faire le Roy de *France* bailler a gayner et a retiner par quicunq; gentz lui plerra, & les fruitez, & les Rentz, les Iſſues & les Proffz des dites terres tant gaynables come autres, le dit Roy de *France* purra retenir a ſoy, ou doner a qui lui plerra, et enfaire du tout ſa volunte, durant le temps qil les doit tenir; ſauve & excepte, qui la meine poeple du pays gaygnours des terres, qui ſount en lour propres heritages, qil avoient, avant qui les ditz Meſſages du Roy de *France* veniſſent au Roy *Dengleterre* de heritage ou a certeine temps ſolonc la cuſtume du Pays, ne ſerront pas oſtez, & luy rendront ceux qui tignent les terres agayner a temps a certein penſion, cele penſion par le dit temps qil doit tenir les dites terres : les queles choſes taunt terres gaynables, come Chaſteaux, Juſtices, Forteleſſes, & toutes les autres choſes, qui ſerront miſes en le main du Roy de *France* per ceſte rayſon en la manere qe elles yſerront miſes; Il promet en bone foy pur lui et pur ſes heirs, qil rendra enterement, & remettra en la main du dit Roi *Dengleterre* ou de ſes heirs, ou de ceux qil eſtablira ou eſtabliront pur eux a ce dedeinz la feſte de la touz ſeintz proſcheine avenir, ſi effect qe ja navigne, ne ſenſivoit du traitiz de ſuſdiz; & ſi pees ne ſoit face de deins le dit terme. Et devient les ditz Roys *Dengleterre* & ſouh fuiz aynez doner ayde a garder de fource ceux qui ſerront eſtabliz as gardes des dites terres, & lour dourra & ferra doner le dit Roy *Dengleterre* ſeur & ſauf conduſt par tout ſoen poer puis la treue faillie, ſi pees qui navigne ne ſenſuoit du dit traitiz a ce partir ove totes les choſes des dites terres & a retourner de lour lieux. Et ad bien de dit Roy de *France* fait retenue qe ſaube ſoit a lui et au dit Roy *Deſcoce* et as *Eſcotz* ſes alliez pur la ſuite des choſes deſſuſdites, et des autres, qe le dit Roy *Dengleterre* ad pris ou occupez ſur eur puis la dite primere treue, et des ſuppriſes et des damages qe ount eſte faitz par lui ou par ſa partie au Roy de *France* ou as *Eſcotz* deſſuſditz, ou as autres alliez du dit Roy de *France*, durantz les treues. Et come les Meſſages du Roy *Dengleterre* facent retenne, qe ſauve ſoit a celui Roy la purſuite des ſuppriſes des occupations & autres Damages qil dient, qui lui ount eſt faitz par le dit Roy de *France*, ou par les ſoeus durant la treue avantdite, il pleſt bien as gentz le Roy de *France* en noun de lui, qe

An. 28 *E.* 1.

* *Nota.*

An. 28 & 29 Edw. 1.

ſi aſcuns damages ount eſte faitz au dit Roy *Dengleterre* ou as ſoens par le Roy de *France*, ou par les ſoens durant la treue, qil ſoient remandez & redreſcez ſolonc la fourme de la treue, ou de la ſouffrance. Et totes foiz voent & promet le dit Roy de *France*, qui les dites terres, Chaſteaux, Seignouries, & Forteleſſes, & totes les choſes, qui ſerront miſes en ſa main pur ceſte cauſe ſoint rendues & rebaillies enterement au dit Roy *Dengleterre* ou a ſes heires, ou a ceux qil eſtablira ou eſtabliront par eux a ce, ſicome deſſuz eſt dit deſeinz le jour de la touz ſeintz avantdit, noun contreſteaut Article ou Proteſtation contenuz en ſes lettres, ou autre choſe qui a venir puiſſe ſi la pees ne ſe feſoir, ſicome deſſuz eſt dit. Et toutes les choſes deſſuſdites & cheſcune de elles, ſicome ellez ſount deſſuz deviſez les gentz le Roy de *France* deſſuz diz tendront, gardront & acompliront tant come in eux eſt, & procuront qui le dit Roy de *France* les tendra, acomplira & gardera fermement & loiaument, & de ce envoyera ſes lettres overtes au dit Roy *Dengleterre* contenantz les Paroles deſſuſdites. Et eſt aſſavoir, qe ia ſoit ſe, qui les gentz le Roy de *France* appelent touz jours *Johan* Roy *Deſcoce*, et dient qe lui et les *Eſcotz* ſount alliez de Roy de *France*, Les Meſſages le Roy *Dengleterre* meintienent touz le contraire, et le appelent *Johan de Baillol*, et dient qil neſt pas Roy *Deſcoce*, ne lui ne les *Eſcotz* ne ſount alliez au dit Roy de *France*. *Nous le traitiz deſſuzditz & toutes les choſes cy dedens eſcriptes, ſicome elles ſount deſſus expreſſes & deviſees, voloms, looms, agreoms & approvoms; Et promettons en bone foy les tenir & accomplir fermement & loyaument tancome en nous eſt. En teſmoignne de quen choſe nous avoms fait ſeeler ceſtes preſentes lettres de noſtre ſeele. Faites & donees a Seint* Benoyt *ſur* Leyre *le jour de* Noel *Lan de grace* 1301.

These Letters Patents of King *Philip* concerning the Truce being brought to King *Edward* by his Meſſengers, the King before they were read, made a publike Proteſtation againſt the clauſes that concerned the King of *Scots* and the *Scotiſh* Nation, thruſt into them by the King of *France* in favour of the *Scots*, againſt his Commiſſioners wills and proteſtation, as diſhonourable to his former Judgement and proceedings againſt them, and derogatory to his Soveraign Dominion over them and the Realm of *Scotland*, which Proteſtation he cauſed to be ſolemnly regiſtred and drawn up by the Popes publike Notary, which I found in this Original Inſtrument in Parchment in the *White Tower*.

An. 29 E. 1. in Turre London.

IN *Nomine Domini, Amen. Anno Incarnationis ejuſdem Milleſimo triceſimo ſecundo, Indictione tertio, die ultimo menſis* Aprilis, *ſcilicet pridie Kal.* Maii *in Capella Caſtri de* Deviſes Sarisburienſis *Dioceſis, coram magnifico Principe* Edwardo *Dei gratia Rege* Angliæ, *Domino* Hiberniæ, *& Duce* Aquitaniæ, *in præſentia mei Notarii publici infraſcripti, & teſtium ſubſcriptorum ad hoc vocatorum ſpecialiter & etiam rogatorum. Magiſter* Bertrandus Grymeward *Clericus perſonaliter conſtitutus, dicit Regi eidem, quod ipſe ſibi, unà cum Magiſtro* Philippo Martel *conſortio ſuo quaſdam literas patentes detulit, ſigillo excellentiſſimi Principis Domini* Philippi *Regis* Franciæ *ſigillatas ſuper ratificatione & approbatione quarumdam Treugarum initarum & concordatarum, ut dicit, apud* Anyers *in* Francia *per Regum Nuncios prænotatos, et quod ipſos ei traderet, dum tamen placeret recipere & videre. Et concitò Dominus Rex* Angliæ *ſupradictus voluit et mandavit, quod Dominus* Johannes de Beneſtede *Clericus, qui præſens aderat,* qualdam proteſtationes ſuo nomine faceret coram eo et teſtibus infraſcriptis; *qui ſtatim vivo voce oraculo* proteſtabatur in lingua Francigena *ſub verbis quaſi conſimilem habentibus intellectum.* Seigneurs, le Roy de *France* enueit vues Lettres a noſtre Seigneur le Roy per ceſte Clerke qui ci eſt, de ratifiement e de appreuvement des treues priſes e accordees nadgares a *Anyers* par les meſſages le Roy de *France*, e les Meſſages noſtre Seigneur le Roy qi eſt preſent, a tenir a eux deux e a leur alliez. Je fatz deſore proteſtation en ſon noun pardevant vous, qe par nulles parolles contenues ou expreſſes en ? celes Lettres de ratefiement ne par nul receibze deles, nentent noſtre Seigneur le Roy qe *Johan de Baillol*, ne les *Eſcotz* ſoient alliez au Roy de *France*, auſi coms il ne ſunt mye, ne quil aſſente en aucune manere qil ſoient enclos en celes treues a la requeſte du Roy de *France*, au de ſes Meſſages par cel acheſon qe pareant, qui pozreit plus legerement appzochier a la pes entre celi Roi de *France* e Monſeigneur le Roi *Dengleterre*, ne quedent nentent mye

noſtre

noſtre Seigneur le Roi qil endebient come deſoze aber advantage, ou pzoffit; Pur ce qe pus laſſent des treues abantdites les *Eſcotz* benantz contre la du foi de celes les quels il bien ſavoient, cozurent obe gzant company des Gentz e a chibaux darmes en les terres, e ſur les gentz qi tindzent de noſtre Seigneur le Roy *Dengleterre*, e qi eſtoient a ſa foi e a ſa pés, e encoze ſunt, e furent aizous homicides e robberyes tant des biens de Seint Egliſe come des biens ſeculers, e autres come gentz de Religion malement treterent, e furent autres damages aſſez gziebouſes encontre le dien, e le deboir de meſme celes treues par quoi je facz encoze pzoteſtation en ſun noun, qil neutent point qe les *Eſcotz* ſoient enclos en celes treues, ne qe par celes ne doit creſtre a eut abantage ne pzofit. *An.* 28 *E.* 1.

Quibus proteſtationibus ſic peractis, pzæfatus Dominus Rex Angliæ eaſdem pzoteſtationes ratificabit, ac etiam appzobabit, et ſuper hiis ſibi publicum inſtrumentum confici requiſibit. *Acta, dicta, mandata, & proteſtata fuerant omnia ſupraſcripta, Anno, Indictione, die & loco præſcriptis, præſentibus Dominis* Johanne de Merk, *&* Johanne de Weſton *Militibus, ac Domino* Roberto de Cottingham *Clerico teſtibus ad hæc vocatis ſpecialiter & rogatis.*

Et ego Johannes *dictus* Boulis *de* London. Domini Papæ authozitate Notarius Publicus, *actis, dictis, proteſtatis, ratificationi, et approbationi interfui ſupraſcriptis, & ſcripſi omnia prænotata, ac etiam publicavi, meoque ſigno conſueto ſignavi rogatus.*

I find 2. or 3. diſtinct Records more in K. *Edward* the 3d his reign, wherein theſe Articles which concern the *Scots* are particularly recited, extracted out of K. *Philips* Letter, teſtifying the Kings, Prelates, Nobles, Commons diſlike and reprehenſion of the Commiſſioners for conſenting to them. After which follows, *Infraſcripta ſunt quædam ex cauſis timoris*, pzopter quas non erat aliquis ex Epiſcopis ſeu Comitibus, aut cæteris pzocur. et Nunciis ſolempnibus per abum Domini noſtri Regis ad Curiam Romanam et ad Franciam Regem ſolite deſtinatis pzo pace refozmanda et treugis ozdinandis, et pzozogandis inter Reges pzædictos et eozum Subditos et Confæderatos, qui a tempoze ozdinationis treugarum inſtraſcriptarum quo ad illam partem in qua Rex et Gentes Scotiæ ſunt incluſa, ex parte Franciæ Regis ratione confæderationis inter Franc. et Scotiæ Reges pzius initæ, audebat ſibi aſſumere onera officii Pzocuratozis et Nuncii ad pzoſequend. et continuand. pzoceſſus et tractatus ſuper hiis incboatos, quouſque illa remedia fuerunt adbibita, *de quibus fit mentio in duobus *rotulis indorſatis*, de ſubditorum ſingularitate, & negligentia, guerrarum materia, & inimicorum audacia. *Et ſpecialiter, quouſque de ordinatione vel aſſenſu majorum ex dictis Epiſcopis & cæteris dicti Regis* Angliæ *Conſiliariis, Procuratores conſtituti fuerunt per Magiſtros & Marinarios Navigii dicti Regis* Angliæ, *ad proſequend. in* in dicta Curia Romana contra Francorum Regem pr ſuos per viam peccati ſuper guerrarum materia in Anglia, Scotia, Wallia, Vaſconia, et in Mari Angliæ, ac aliis Terris et Inſulis Cozonæ Angliæ annexis. *Et quouſque certus erat, quod in proceſſu per Papam* Bonifacium 8. incboat. ad proſecutionem Pzocuratozum, Magiſtrozum et Marinariozum pzædictozum, contra Regem Franciæ et ſuos latæ fuerunt in eozum perſonas excommunicationis, et in eozum terras interdicti ſententiæ, et ad huſus ſententiarum executionem faciend. Ozdinatum fuit auxilium bzachii Secularis, cum Crucis ſignatione et aliis materiis; *Et hujus cauſæ oſtendi non poſſimus ad præſens ex cauſis aliàs exprimend.*

* Which I found in the White Towel Chappel.

In Turre London.

Prima cauſa hujus timoris, in proceſſu per Dominum Papam incboat. ad Gallicorum et Scotorum inſtantiam, againſt the King of *England*, concerning his claim to the Superior Dominion over the Realm of *Scotland*; thus related by *Thomas Walſingham* and other of our Hiſtorians.

* *Per idem tempus* Scoti *cognoſcentes* Romæ omnia venalia, donis Dominum Papam uberius ditaverunt, petentes ab eo conſilium pariter et auxilium contra Dominum ſuum Regem Angliæ. *Quibus Papa promiſit*, et bene remedium contemplatione † donariozum, *jubens ut celeriter ſine tumultu repatriarent: Itaque Papa promiſſionis ſuæ non immemor, illico direxit quendam* Lumbardum *ad Archiepiſcopum* Cantuar. (his ſworn creature) *jubens*, ut ſuæ legationis vices ageret in hac parte, et Regem adiret cum literis inclauſis, eique mandata Papalia demonſtraret. *Archiepiſcopus verò poſt trium hebdomadarum ſpatium pervenit ad Regem cum præ-*

* Hiſtoria Angliæ, p. 46, 47. Ypodigma Neuſtr. p. 88, 89.

† denariorum

dicto

An. 28 E. 1. *dicto* Lumbardo, *quem invenit contra* Scotos *demicantem.* **Oſtendit ei igitur Papale mandatum,** *cujus tenor fuit,* **ut Rex deſiſteret Scotos inquietare de cætero, quorum regio et perſonæ exemptæ ſpecialiter ſuæ Capellæ, ut aſſeruit, pertinebant. Neque priùs dicebat, eſſe poterat, quin Civitas** Jeruſalem **ſuos Cives protegeret, et confidentes in Domino ſicut Mons** Sion **confoveret.** *Rex autem intellectis his apicibus, mox alta voce ſic reſpondit;* Per ſanguinem (*inquit*) Dei propter *Sion* non tacebo, & propter *Jeruſalem* non quieſcam, dum ſpiritus fuerit in naribus meis; **quin jus meum toti mundo cognitum toto poſſe defendam. Poſt aliquot dies Scoti freti Papali favore, ſupercilioſe mandaverunt Regi** Angliæ, **ut permitteret illos tranquille vivere donec pares ſuos et Regem** Franciæ **conſuluiſſent; communicantes niſi faceret, quod Papa pro illis interponeret ſuas partes.** *Ad hæc Rex indignando ſubriſit, dicens;* **Ex quo vos omnes et ſinguli mihi feciſtis homagia tanquam præcipuo Domino Regni** Scotiæ, **putatis me tenendum per ampulloſa mendacia, ut (tanquam carens viribus) jus quod in vos habeo prætermittam? Cavete ne de cætero coram me rem tali mandato compereatis, quod ſi feceritis, Dominum teſtor, a mari uſque ad mare totam** Scotiam **devaſtabo:** (An heroick anſwer.) *E contra* Scoti *ſatis audacter aſſerunt,* ſe in hac cauſa ſanguinem ſuum ſuſuros pro defenſione juſtitiæ & patriæ libertate. *Rex* Angliæ (upon this occaſion) *direxit Nuncios ad Papam, Comitem videlicet* Lincolniæ, *& Dominum* Hugonem le Spencer, *qui declararent injurias ſibi magnas per* Scotis, *& eorum falſitatem manifeſtarent. Inſuper & Dominum Papam deprecarentur,* **ne mendacii fabricatoribus,** Scotis **videlicet veritatem odientibus, proditoribus et homicidis ſinum aperiret de cætero protectionis, quorum fraudulenta falſeque perſuaſio Papalem ſolicitudinem circumvenerat fraudulenter. Papa vero cujus ſtomachus a corruptione** Scotorum **nondum geſtus fuerat,** *etſi noſcet juſtam petitionem Regis,* **tamen preces armat et Regi mandat, ut ſui contemplatione,** Scotis *treugas indulgeat, à die* Omnium Sanctorum *uſque ad* Pentecoſten; *quod & factum eſt.*

a Walſingham Hiſt. Angl. p. 48, 49, 50. Ypod. Neuſtr. p. 89, 90, &c.
b Flores Hiſt. p. 417, 418.
c De Event. Angl. l. 3. c. 13. col. 2519.
* See here p. 797, 798.

Soon after, as [a] *Walſingham,* [b] *Mat. Weſtminſter,* and [c] *Henry de Knyghton* ſtory, *Eodem anno Papa* Bonifacius *per* Scotos *informatus, direxit literas Regi* Angliæ *ſecundarias, in quibus aſſeruit,* **Regnum** Scotiæ **ad jus** Romanæ **Eccleſiæ pertinere, Regemque** Angliæ **ſubjectionem ejus, contra Deum et juſtitiam, et in præjudicium Sedis Apoſtolicæ vindicare;** (againſt his own conceſſion but the year before, upon the * delivery of *John Baliol* to his Legate, whereof I found two ſpecial Records in the White Tower) *allegans ſubſcriptas rationculas.* Primò, *quia cum Rex* Henricus *pater iſtius obtinuiſſet auxilium in terra ſua contra* Simonem de Monte forti *à Rege* Scotorum Alexandro, **ne hoc auxilium jure ſubjectionis cuiuſlibet, aut debiti petitum, aut præſtitum putaretur,** *idem* Henricus *per literas ſuas patentes recognovit,* **non ex debito recipiſſe, ſed ex gratia ſpeciali.** Item, *ad coronationem hujus Regis vocatus per literas, ut ei præſentiam amicabilem in tantis ſolempniis tanquam amicus exhiberet,* **non venit ex debito, ſed ex gratia ſpeciali.** *Inſuper pro terris ce* Tindale & Penreth *in regno* Angliæ *poſitis, cum Rex* Scotiæ *ad præſentiam Regis* Angliæ *ſe perſonaliter contuliſſet, eidem fidelitatem impenſurus pro eiſdem terris, tanquam in* Anglia *ſitis,* **non ut Rex** Scotiæ, **nec pro Regno** Scotiæ, **fidelitatem eandem exhibuit,** *quia palam coram proteſtatum erat,* **quod pro Regno** Scotiæ **fidelitatem Regi** Angliæ **facere non debebat.** Item, *quod prædictus* Alexander *Rex reliquit puellam hæredem, nomine* Margaretam, *neptem Regis* Angliæ, *tunc minoris ætatis, cujus cuſtodia non ad Regem* Angliæ, *velut ad Dominum Supremum pervenit, ſed ad certos ejuſdem Regni* Scotiæ *Proceres, ad hoc electos.* **Revarguebat etiam Papa Regem,** *eo quod poſt mortem dicti* Alexandri *Regis,* Scotos **tanquam acephalos et ducis ſuffragium non habentes, ipſos per vim ſibi ſubjugavit et metum, in præjudicium et grabamen non modicum** Romanæ **Eccleſiæ.** *Adjiciens,* quod cum **Dominus Papa officium Legationis alicui committit exequendum in regno** Angliæ, **cauſa ſolutionis Decimæ, vel etiam quavis alia cauſa rationabili, et hujus Legatio literis et privilegio ſpeciali Apoſtolicæ Sedis ad dictum Regnum** Scotiæ **ſe non extendat.** *Reſiſtendum eſt & obſiſtendum hujuſmodi Legationi, prout tempore fœlicis recordationis* Adriani *contigit evidenter. Nam Legatus ipſe ad prefatum Regnum* Scotiæ **aliquatenus admiſſus non extitit, donec per literas Apoſtolicas ſpeciales, ſibi Legationis officium fuit in eodem commiſſum.** *Item addidit,* quod idem

Regnum

Regnum per beati Petri Apoſtoli venerandas reliquias non ſine ſuperni dono muneris converſum extitit ad fidei Catholicæ unitatem. *Et qualiter in antiquis temporibus* Eboracen. *Archiepiſcopus, qui tunc erat, mota per eum ſupra jure Metropolitano, verſus Prælatos* Scotiæ *quæſtione, pro ſe nequivit ſententiam obtinere. His propoſitis movit Regem Dominus Papa per literas ſuas*, quod Epiſcopos, Abbates, * Clericos, et omnes alios Regni Scotiæ, quos detinebat captivos in carcere, libere abire permitteret, et quod officiales ſuos de Regno Scotiæ memorato revocaret, quos in præjudicium, injuriam, et grave ſcandalum fidelium populorum, et oppreſſionem juſtorum in dicto Regno ſtatuerat et ordinaverat, ita quod acceptior et gratioſior fieret Deo, et favorem Apoſtolicæ Sedis in hoc ſibi acquireret plenius. *Et ſi in eodem Regno* Scotiæ *vel aliquo ejus parte, jus aliquod habere ſe aſſeret*, per Procuratores et Nuncios ad hoc ſpecialiter conſtitutos, cum omnibus juribus et munimentis hujuſmodi negotium tangentibus, ad Sedem Apoſtolicam deſtinaret, ſuper præmiſſis plene complementum juſtitiæ recepturus. In purſuance whereof, Papa mandat Archiepiſcopo Cantuar. quod præſentet Regi Angliæ literas quas ſibi mittit pro Scotis; by this moſt inſolent imperious Bull, printed in *Matthew Weſtminſter*, the original with another decayed tranſcript whereof I found in the *White Tower Chappel*. *An.* 28 *E.* 1.

* Clericos.

* *Bonifacius* Epiſcopus ſervus ſervorum Dei, venerabili fratri Archiepiſcopo *Cantuar.* ſalutem & Apoſtolicam benedictionem. Frequens & inculcata fidedignorum aſſertio, ac famæ divulgantis eloquium noſtro patefecerunt auditui, exceſſus, moleſtias, turbationem, dampna, injurias et jacturas, per chariſſimum in Chriſto filium noſtrum *Edwardum* Regem *Angliæ* illuſtrem, & officiales ac gentem ipſius, contra Regnum *Scotiæ*, ac Prælatos et Clericos, et perſonas Eccleſiaſticas, Religioſas et Seculares, necnon Eccleſias, Monaſteria, et alia Religioſa loca, et habitatores et incolas dicti Regni, et bona eorum etiam attemptata. Noſque nolentes, ſicut nec debemus, talia ſub diſſimulatione tranſire, Regem ipſum per literas noſtras quas tibi mittimus, per te præſentandas eidem ſeriosas, hortamur, Frater, ut Epiſcopos, Clericos, et perſonas Eccleſiaſticas dicti Regni, quos adhuc tenere dicitur captivatos, reſtitui faciet priſtinæ libertati, et officiales revocet, quos in eodem Regno aſſeritur poſuiſſe, atque ad præſentiam noſtram ſuas mittat Procuratores et Nuncios, cum omnibus juribus et munimentis ſuis, ſi crediderit in præfato Regno, vel aliqua ejus parte jus aliquod ſe habere. Nichilominus lites, quæſtiones et controverſias quaſlibet inter ipſum Regem et præfatum Regnum Scotiæ, ac Prælatos, Clericos, et perſonas ſeculares ejuſdem Regni ſuborias, et quæ poſſunt in poſterum ex quibuſcunque cauſis præteritis exoriri, totumque negotium ad deciſionem et determinationem Sedis Apoſtolicæ, per dictas noſtras reducimus literas et etiam reſervamus, ac decernimus irritum et inane, ſi ſecus ſcienter vel ignoranter a quoquam in hac parte contigerit attemptari. Quocirca fraternitati tuæ per Apoſtolica ſcripta in virtute obedientiæ, et ſub pœna ſuſpenſionis ab adminiſtratione Spiritualium et Temporalium diſtricte præcipiendo mandamus, quatinus præfatas literas noſtras eidem Regi, ſublato dilationis obſtaculo repræſentas, ac ipſum ad ea quæ ſibi ſcribimus, ut in exhortationibus acquieſcat efficaciter animes et inducas. Diem quoque quo ſibi prædictas præſentaveris literas, et quicquid feceris, quidve ipſe reſponderit et fecerit in hac parte, nobis per tuas literas patentes, harum ſeriem continentes, fideliter et ſeriosus intimare procures. Datum *Anagniæ* 4 Kal. *Julii*, Pontificatus noſtri anno quinto.

* Mat Weſtm. p. 419, 420, & in Turre London.

Nota.

Litera miſſa Regi Angliæ Edwardo *primo per* Bonifacium *Papam*, quod Regnum Scotiæ pertinet ad Eccleſiam Romanam: (two antient parchment Tranſcripts whereof I found in the *White Tower Chappel*, and another enrolled in the *Black Book* of *Scotland*.) Mat. Weſtm, p. 420, to 424. & in Turre London.

Bonifacius Epiſcopus, Servus ſervorum Dei, chariſſimo in Chriſto filio *Edwardo* Regi *Angliæ* illuſtri, ſalutem & Apoſtolicam benedictionem. Scimus, fili, & longo jam temporis ſpatio, magiſtra nos rerum experientia docuit, qualiter erga *Romanam* matrem Eccleſiam, quæ te gerit in viſceribus charitatis, Regiæ devotionis affectus exuberat, reverentiæ Zelus viget, quodque promptus & ſedis ejus votis obtemperas, beneplacitis acquieſcis. Quamobrem ſpem firmam gerimus, plenamque fiduciam

An. 28 E. 1.

duciam obtinemus, quod regalis ſublimitas verba noſtra benignè recipiat, diligenter intelligat, efficaciter proſequatur. Sanè ad Celſitudinem Regiam potuit pervenisse, & in tuæ libro memoriæ nequaquam ambigimur contineri, qualiter * ab antiquis temporibus regnum *Scotiæ* pleno jure pertinuit, et adhuc pertinere dinoſcitur ad Eccleſiam ſupradictam; quodque illud ſicut accepimus, progenitoribus tuis regni *Angliæ* Regibus, ſibe tibi feudale non extitit nec exiſtit. Qualiter etiam, claræ memoriæ *Henricus* Rex *Angliæ*, pater tuus, tempore diſcordiæ ſive belli inter ipſum & quendam *Simonem de Monteforti* ſuoſque fautores & complices ſuſcitatæ, à recolendæ memoriæ *Alexandro* ejuſdem *Scotiæ* Rege, ac ipſius *Henrici* genero auxilium ſibi petit exhiberi. Et ne hujuſmodi auxilium jure cujuſlibet ſubjectionis aut debiti petitum ſeu præſtitum notaretur, præfatus *Henricus* eidem Regi *Scotiæ* ſuas patentes durit literas concedendas, per eas firmiter recognoſcens, prædictum auxilium recepiſſe, bel ſe recepturum duntaxat de gratia ſpeciali. Præterea, cum ſucceſſu temporis præfati Regis *Scotiæ*, tui ſororii, tunc viventis, in tuæ coronationis ſolempniis habere præſentiam, non ex debito, ſed tantum ex gratia intendebat. Et cum etiam Rex ipſe pro *Tindaliæ* ac de *Poynerre*, terris in regno *Angliæ* poſitis, ſe ad præſentiam tuam perſonaliter contuliſſet, tibi fidelitatem ſolitam impenſurus, idem in præfatione fidelitatis hujuſmodi, multis tunc præſentibus, vivæ vocis oraculo publicè declaravit, quod pro terris eiſdem ſitis tantum in *Anglia*, non ut Rex *Scotiæ*, neque pro Scotiæ regno fidelitatem exhibeat eandem, quinimo ipſam extitit proteſtatus, quod pro regno ipſo tibi fidelitatem præſtare ſeu facere aliquatenus non debebat, utpote tibi penitus non ſubjecto. Tuque ſic oblatam fidelitatem hujuſmodi admiſiſti. E tua quoque non creditur excidiſſe memoria, qualiter eodem Rege de medio quondam ſublato, *Margareta* puella, nepte tua, tunc minoris ætatis, hærede ſibi relicta, non ad te velut ad Dominum pervenit cuſtodia memorati, ſed certi ejuſdem regni Proceres, ad ejus cuſtodiam extiterunt electi, quodque poſtmodum diſpenſatione ab Apoſtolica ſede obtenta ſuper matrimonio contrahendo inter dilectum filium nobilem virum *Edwardum* natum tuum et *Margaretam* prædictam dum viveret, ſi ad id Procerum dicti regni accederet vel haberetur aſſenſus, tu eiſdem Proceribus per tua ſcripta caviſſe dinoſceris, priuſquam vellent hujuſmodi matrimonio conſentire, quod regnum ipſum penitus liberum, nullique ſubjectum, ſeu quobiſmodo ſubmiſſum in perpetuo remaneret, quodque in præfatum ſeu talem ipſius ſtatum reſtitueretur omnino, ſi ex hujuſmodi matrimonio contrahendo liberos non extare contingeret, ac nomen et honorem, ut prius, pariter retineret, tam in ſuis ſibi ſervandis legibus et præficiendis officialibus dicti regni, quam Parliamentis tenendis, tractandis cauſis in ipſo, et nullis ejus incolis extra illud ad judicium evocandis. Et quod in *tuis patentibus literis inde confectis hæc plenius & ſerioſius contineri noſcantur. Præfata inſuper *Margareta* de præſenti luce ſubſtracta, & tandem ſuper ſucceſſione dicti regni *Scotiæ* ſuborta diſſentionis materia inter partes, ipſius regni Proceres, metuentes ſibi dictoque regno poſſe occaſione hujuſmodi præjudicium generari, non aliter ad tuam præſentiam extra ipſius accedere limites voluerunt, niſi per te patenti ſcripto caveretur eiſdem, quod id non fiebat ex debito, ſed ex gratia ſpeciali; Quodque nullum exinde ipſius regni libertatibus poſſe diſpendium imminere. Et licet (ut dicitur) ſuper ſtatu ejuſdem regni *Scotiæ*, ac ejus prius habita libertate, regno ipſo tunc carente præſidio Defenſoris, per ipſius regni Proceres, tunc velut acephalos, et ducis bel aurigæ ſuffragium non habentes, ſive per illum cui præfati regni regimen, licet indebite, diceris commiſiſſe, contra morem ſolitum aliqua fuerint hactenus innobata, ea tamen, utpote per bim et metum, quæ cadere poterant in conſtantem *illicita, nequaquam debent de jure ſubſiſtere, aut in ejuſdem regni præjudicium redundare. Cæterum nobis nullatenus venit in dubium, quin potius certi ſumus, quod cum Apoſtolicæ ſedis præcellens auctoritas per ſuas literas in *Angliæ* ac *Scotia* regnis ſimul alicui legationis committit officium exequendum, vel pro quavis cauſa, quam rationabilem reputat, Decimæ ſolutionem indicit, hujuſmodi Apoſtolicæ literæ ad præfatum *Scotia* regnum ſe aliquatenus non extendunt, ſpeciali prædictæ Sedis privilegio *Scotiæ* indulto penitus obſiſtente, prout tempore felicis recordationis *Adriani* Papæ Prædeceſſoris noſtri, tunc Sancti *Adriani* Diaconi Cardinalis, & per ipſius Sedis literas ſimul in regnis ipſis legati, cum quo familiariter tunc eramus, contigit evidenter. Nam Legatus ipſe ad præfatum regnum *Scotiæ* aliquatenus admiſſus non extitit, donec per

* An impudent falſe averment.

* Here, p. 395, to 398. & in 2. Parchment Rolls I found in the White Tower.

* Therefore Kings Johns Charter of reſignation of his Realms & Crown to Pope Innocent by force, fear and fraud was much more voyd by this his Papal reſolution; See Tom. 2. p. 326, 327, 328.

per literas ſpeciales Apoſtolicas, ſibi legationis ſuit commiſſum officium in eodem. Præterea noſcere poteſt Regia Celſitudo, qualiter regnum ipſum per beatæ * *Andreæ* Apoſtoli benerandas reliquias, non ſine ſuperni numinis grandi dono acquiſitum, et converſum extitit ad fidei catholicæ unitatem. Qualiter etiam antiquis temporibus *Eborum* Archiepiſcopus, qui tunc erat, mota per eum ſuper jure Metropolico adverſus Prælatos *Scotiæ* quæſtione, in qua dictum antiquitus fuiſſe commemorat; Memento quod ſumus tui, ut cætera quæ indè ſequuntur ſilentio relinquamus, pro ſe ſententiam obtinere nequivit, quamvis alia plura & varia, quæ in hac parte rationabiliter proponenda ſe offerunt; ex quibus ad hæc tibi ſcribenda movemur, prætereat calamus, ne indè forſitan ſenſibus Regiis tædium generetur. Hæc profecto (fili chariſſime) infra clauſtra pectoris ſollicite conſiderare te convenit, & attendere diligenter, ex quibus nulli in dubium veniat, regnum *Scotiæ* prælibatum ad præfatam *Romanam* Eccleſiam pertinere, quod tibi nec licet nec licuit, in ipſius Eccleſiæ ac multorum præjudicium, per violentiam ſubjugare, tuæque ſubjicere ditioni. Cum autem, ſicut habet fidedigna, & noſtris jam pluries auribus inculcata relatio, famæque præcurrentis affatibus divulgatur, tu præmiſſa (ut debueras) non attendens, neque debita conſideratione diſcutiens, et ad occupandum et ſubjugandum ditioni Regiæ regnum ipſum, tunc Regis auxilio deſtitutum, vehementer aſpirans, et tandem ad id exercens potentiæ tuæ vires, venerabilibus fratribus noſtris *Roberto Glaſguenſi* & *Marco Sodorènſi* Epiſcopis, et nonnullis Clericis et aliis perſonis Eccleſiaſticis dicti regni (ut dicitur) captis et carceralibus vinculis traditis; quorum aliquos (ſicut aſſeritur) ſqualor Carceris violentis extinxit: Ac etiam occupatis Caſtris, et (prout fertur) Monaſteriis, aliiſq; Religioſis locis quampluribus dirutis, ſeu deſtructis, ac dampnis gravibus ejuſdem regni habitatoribus irrogatis, in ejuſdem regni partibus Officiales Regios poſuiſti, qui Prælatos, cæteros Clericos, et Eccleſiaſticas ac etiam Seculares dicti regni perſonas, multimodis perturbare moleſtiis et afflictionibus variis et diverſis impetere non verentur, in divinæ Majeſtatis offenſam, Sedis memoratæ contemptum, Regiæ ſalutis et famæ diſpendium, Juris injuriam, et grave Scandalum fidelium plurimorum. Regalem itaque Magnificentiam rogamus et hortamur attente, et obſecramus in eo, qui eſt omnium vera ſalus, quatinus ſolerter attendens, quod ex debito Paſtoralis Officii noſtris humeris incumbentis, ad conſervanda et gubernanda ſollicite bona et jura omnia Eccleſiæ ſupradictæ tenemur, quodque homini plus quam Deo deſerre non poſſumus nec debemus, prædictos Epiſcopos, Clericos, et perſonas Eccleſiaſticas, quos adhuc Carcer Regius tenet incluſos, pro Divinæ et Apoſtolicæ Sedis, ac noſtra reverentia (ſublato difficultatis et dilationis objectu) benigne reſtitui facias priſtinæ libertati, dictoſque Officiales de regno *Scotiæ* revoces memorato. Sic te in his prout ſperamus et cupimus promptis et efficacibus ſtudiis habiturum, ut apud cœleſtem Regem pro minimis grandia rependentem, non immerito reddaris acceptior, gratior haberis, et præter laudis humanæ præconium tibi proinde proventurum, Apoſtolicæ ſedis favorem et gratiam poſſis uberius promereri. Si vero in eodem regno *Scotiæ*, vel aliqua ejus parte jus aliquod habere te aſſeris, volumus, quod tuos Procuratores et Nuncios ad hoc ſpecialiter conſtitutos, cum omnibus juribus et munimentis tuis, hujuſmodi negotium contingentibus, infra ſex menſes a receptione præſentium numerandos, ad noſtram præſentiam mittere non omittas; cum parati ſumus tibi tanquam dilecto filio plene ſuper præmiſſis exhibere juſtitiæ complementum, et Jura, (ſi qua habes) inviolabiliter obſervare. Nos enim nichilominus extunc lites, quæſtiones, et controverſias quaſlibet inter te denique et regnum *Scotiæ*, ac Prælatos, Clericos, et perſonas Seculares ejuſdem ſuborias, et quæ poſſunt in poſterum ex quibusdis cauſis prædictis exoriri, totumque negotium prædict. contingens, aut aliquod eorundem, ad cognitionem et determinationem ſedis ejuſdem, præſentium tenore reducimus, et etiam reſervamus. Decernentes irritum et inane, ſi ſecus ſcienter vel ignoranter a quoquo in hac parte contigerit attemptari. Datum *Anagniæ*, quinto Kalend. *Julii*, Pontificatus noſtri Anno quinto.

An. 28 E 1.

* Not *S. Petri* Apoſtoli: Ergo, it is a part of St. Andrews, not of St. Peters Patrimony, upon this account.

Nota.

What the trayterous Archbiſhop did in purſuance thereof in obedience to the Pope, againſt his duty, oath and allegiance to the King and kingdome, this his certificate to the Pope will fully inform us.

* *Certificatio*

An. 28 E. 1.

*Mat. Westm. p. 424, 425.

* *Certificatio Archiepiscopi, Domino Papæ missa, super negotia* Scotiæ.

Sanctissimo in Christo Patri & Domino suo reverendo, si placet, Domino *Bonifacio*, divina providentia Sacrosanctæ *Romanæ* ac universalis Ecclesiæ Summo Pontifici, suus filius devotus *Robertus* permissione divina *Cantuariensis* Ecclesiæ Minister humilis, pedum oscula beatorum, cum promptitudine juxta posse parendi mandatis papalibus ac præceptis. *Mandatum sanctæ & reverendæ paternitatis vestræ sub Bulla plumbea nuper recepi, tenorem continens infrascriptum.* Bonifacius Episcopus, &c. (*de verbo ad verbum recitando totam Bullam proximo præcedentem.*) *Cujus delator quasdam alias literas Apostolicas nobili Principi Domino* Edwardo *Dei gratiâ Regi* Angliæ *illustri directas*, et per me ex injuncto paternitatis vestræ præsentandas incontinenti, exhibuit, quasi sub eodem contextu. *Quo quidem mandato vestro, una cum literis suprascriptis* reverenter admisso, ac statim coram me recitato, *præparavi sartiunculas, victuras & sumptus, extunc de die in diem, & familiam ordinavi ad veniendum pro expositione & expeditione eorum, quæ mihi per vos mandabantur ad ipsum Dominum Regem, qui tunc agebat in remotioribus partibus regni sui, versus* Scotiam *distantibus, a loco ubi mandatum vestrum receperam, per viginti vel circiter moderatas dietas. Et antequam venirem continuatis dietis cum omni festinatione ad Civitatem* Carleolum, *quæ est in Marchia* Scotiæ, *ingressus fuit idem Rex cum exercitu suo partem regni* Scotiæ, *quæ vocatur* Galvedia. *Cumque diligenter explorando recepissem a viris fidedignis, secularibus & religiosis, ipsius patriæ notitiam habentibus, quod ad Regem usque ad* Kriandbright, *in arctissimis locis* Galwediæ, *mihi tutus non patebat accessus; tamen propter* Scotos *sine capitis regimine existentes, & alios latrunculos, prædas & sanguinem* Anglorum *sitientes, qui cum duæ exercitus eorundem occupaverant media loca inter* Carleolum *et ipsum Dominum Regem, distantem ab eadem Civitate ferè per quadraginta Milliaria, cum propter victus & hospitii defectum, qui in itinere medio, vastata tota patria, reperire vel per eam asportare nequibant; Ego per* obedientiæ necessitatem *ex parte una, et per tanta pericula in tàm longinquis partibus de mea Dioceſi & Provincia, quæ ex altera nimium non urgebant arctatus*, maxime non invento inter Seculares vel religiosos quoquam, qui adventus mei causam ipsis *Scotis* verbotenus, vel per literas meas propter mortis periculum auderet deferre, et mihi securum conductum petere ab eisdem; *aliud remedium prout potui exquirens, direxi duos de familiaribus meis ad Dominum Regem prædictum, cum literis meis, navigio per quosdam periculosos transitus maris, significans sibi per eosdem adventum meum & ejus causam, et petens*, quod propter reverentiam sedis Apostolicæ, cujus eram nuncius sibi, significaret ubi, qualiter, et quando, ad eum tute accedere possem propter viarum discrimina, quæ sibi per eosdem meas literas nunciavi. *Cujus responsio ab eisdem Nunciis, non minima pericula in mari & itinere eundo & redeundo evasis, per literas Regias mihi delato, quibus continebatur, quod ipse Dominus Rex nihil (securi pro me scivit ad vitanda dicta pericula, quàm quod cum Domina Regina uxore sua, pro qua miserat, venirem ad partes* Gerewikes, *ad locum ubi disposuit eidem Dominæ obviare, deficiente navigio, quo una cum equis et familiaribus meis necessariis vehi possem per mare, quod dum nuncii mei transierunt tam periculosè versus Regem, ventis etiam quasi continuis validis & contrariis existentibus, morabar in confiniis* Scotiæ, *quærendo de loco in locum victus sufficientiam potius quam abundantiam, circa sex septimanas securiorem progressus ad Regem opportunitatem non tam dispendiosè quàm anxiè expectando. Denique cum audirem diligentius explorando, quod idem Dominus Rex cum exercitu suo in redeundo versus Castrum de* Caerlandrock, *quod prius ceperat, in* Scotia *fixisset tentoria, juxta novam Abbathiam de Dunques in* Galvedia, malens periculo me, meos ac mea exponere, *quàm in tam longinquis partibus quodammodo vacuis, extra meam Diœcesim & Provinciam diutius sic languere, latitans in quibusdam locis secretis juxta mare, quod dividit* Angliam *&* Galvediam, *captata temporis opportunitate in refluxu maris, ductus ab his, quos non oportebat via transitus ignorasse, transivi per quatuor meatus aquarum maritimos cum equis et phaleris, nomine magis (ratione profunditatis aquarum) quam litoris & vivorum sabulorum introitu & exitu periculosos; & quasi inopinatè veni die Veneris proximo post festum sancti* Bartholomæi *Apostoli, ultimo jam transacto, ad dictum Regem, in medio exercitu suo tunc in prandio existentem: & quia non potuit, ut dicebat, eo die vacare, mandavit mihi illo die in sero per duos de majoribus Comitibus, qui tunc assistebant ei, quod in crastino, videlicet Sabbato sequente audi-*

ret

ret me benignè. Adveniente igitur ipſo die Sabbati coram devotiſſimo juveni Domino Edwardo *filio dicti Regis, Comitibus, Baronibus, & aliis Militibus ſui exercitus in magna multitudine confluentibus, ac dicto Domino Regi aſſiſtentibus, recitato mandato veſtro prædicto mihi tranſmiſſo,* **literas Sanctæ Paternitatis veſtræ prædicto Domino Regi directas, authoritate ejuſdem mandati præſentavi eidem, quas ipſe Dominus Rex reverenter recipiens, eas publice legi coram omnibus, et in Gallica lingua fecerat patenter exponi.** *Quibus auditis patienter à ſingulis,* **animavi ipſum et induri modis quibus potui et ſcivi, quod veſtris exhortationibus, quoad ea quæ in dictis literis exponebantur, pareret in omnibus reverenter.** *Poſtmodum me ſecedente ab eo cum Clericis meis ad mandatum ſuum, dum deliberaret ſuper hiis cum dictis Proceribus ſuis, ac demum revocato, reſpondit mihi coram eiſdem per interpoſitam perſonam ſub hac forma.* An. 28 E. 1.

* Reſponſio Regis Archiepiſcopo *Cantuar.* ad literas Apoſtolicas. * Mat Weſtm. p. 426, 427.

Domine Archiepiſcope, feciſtis ex parte ſuperioris & reverendi patris Domini Papæ, quandam monitionem, contingentem ſtatum & jus regni Scotiæ; **verum quia conſuetudo eſt Regni Angliæ, quod in negotiis contingentibus ſtatum ejuſdem Regni, requiratur conſilium omnium quos res tangit, ac inſtans negotium Regni** Scotiæ **tangit ſtatum et jus Regni** Angliæ, **pluresque ſunt Prælati, Comites, Barones, et alii Regni** Angliæ **Proceres abſentes, qui non ſunt nec fuerunt in iſto exercitu, quos dictum contingit negotium; quibus etiam inconſultis reſponderi non poterit dicto ſummo Patri noſtro aut vobis finaliter;** *In hac parte intendit Dominus noſter Rex ſuper contentis in literis dicti patris, quàm citius poterit commodè, eoſdem abſentes & nunc præſentes ſimul conſulere, & cum eiſdem deliberatius tractare, ac per Nuncios proprios eidem Summo Pontifici ſuper hiis de communi eorum conſilio reſpondere. Quod quidem reſponſum idem Dominus Rex ſic in ſua præſentia nomine ſuo factum ratificavit, & etiam expreſſè approbavit. Dum igitur cum tali reſponſo coram tanta multitudine Magnatum & aliorum fidedignorum mihi facto, licentiatus divertiſſem ab eo, & verſus propria revertiſſem, audivi, quod idem Dominus Rex ſtatim infra quatriduum poſt receſſum meum, rediit cum exercitu ſuo ad partes* Angliæ, *& ſingulis quaſi de exercitu ſuo ad propria cum equis & armis remeantibus, idem Dominus Rex exercitu ſic diſperſo, paucis *enim comitantibus & ſecum retentis, perhendinare diſpoſuit, ut dicebatur communiter, apud quandam Abbatiam, quæ vocatur* Holmcoltram, *in confiniis* Scotiæ *ſuper mare.* **Et ſic mandatum veſtrum cum omni qua potui diligentia, ſum reverenter in omnibus executus.** *Valeat ſemper & creſcat in Domino ad ſua Eccleſia regimen Apoſtolica Celſitudo veſtra. Datum apud* Otteford 8 *Idus* Octobris, *Anno Dom.* 1300. * eum.

Thus we ſee how over-diligent and officious this Archbiſhop was in executing the Popes imperious Antichriſtian Mandates, in high derogation of his own Kings Crown, Dignity, and Soveraign Dominion over *Scotland*, which this Pope laid claim to by a falſe pretended antient Right, as a part of St. *Peters* Patrimony, and the Church of *Romes* Demeſn.

The King upon the receipt of this Bull from the Pope, delivered to himſelf by the Archbiſhop, (on which I finde this *Memorandum* endorſed; *Memorandum quod Dominus Rex tradidit Domino* J. de Langeton *Cancellario ſuo apud* Northampton. 24 *die* Decembris, *anno regni ſui* 29. **Bullam quam Archiepiſcopus** Cantuarienſis **tulit eidem Domino Regi apud** Cartanoks *in* Scotia, *cujus tenor Bullæ continetur hic infra*;) upon his return into *England* out of *Scotland*, ſummoned a Parliament at *Lincoln*, *in Octabis Sancti Hilarii*, to adviſe with his Prelates, Nobles and Commons how to defend the Rights of his Crown, againſt this New Papal claim: In the * *Writs of Summons* to the Archbiſhops, Biſhops, Abbots and Priors thereunto, as well as in thoſe to the Earls and Barons, he inſerted this memorable clauſe; **Darime cum ipſi ad obſervandum et manutenendum jura Regis et Coronæ noſtræ prædictæ una nobiſcum, juramenti vinculo ſint aſtricti.** Moreover he iſſued ſpecial Writs to ſeveral Deans, Archdeacons, and other learned Scholars to appear at *Lincoln*, to adviſe with the Lawyers and others of his Counſil concerning his antient Right to the Realm of *Scotland*, penned in this forme.

* Clauſ. 28 E. 1. m. 3. dorſo. See my Firſt Part of a Brief Regiſter of Parliamentary Writs, p. 120. 344, 345. & Here, p. 855.

An. 28 E. 1. Clauſ. 28 E. 1. m. 3. dorſo.

REX *dilecto Clerico ſuo Magiſtro* Reginaldo de Brandon, *ſalutem.* **Quia ſuper jure et dominio quæ Nobis in regno** Scotiæ **competit, et quæ anteceſſores noſtri Reges** Angliæ **in eodem regno** Scotiæ **habuerunt temporibus retroactis, cum Juriſperitis et aliis de Conſilio noſtro ſpeciale Colloquium habere volumus et Tractatum:** *Vobis mandamus firmiter injungentes, quod modis omnibus ſitis ad Nos apud* Lincoln. *in Octabis Sancti* Hilarii *prox. futur.* **Nobiſcum et cum cæteris de Conſilio noſtro ſuper præmiſſis tractatur, veſtrumque Conſilium impenſur. Et hoc ſicut Nos, et honorem et commodum regni noſtri diligitis nullatenus omittatis.** *Teſte Rege apud* le Roſe 28 *die* Septembris.

Conſimiles litera diriguntur ſubſcriptis; viz. Magiſtro Willielmo de Grenfell *Decano* Ciceſtr. *Magiſtro* R. *Decano Sancti* Pauli London. *Magiſtro* Willielmo de Sardene *Official.* Cantuar. *Magiſtro* Roberto de Radeſwell *Archidiac.* Ceſtr. *Magiſtro* Petro de Inſula *Decano* Wellen. *Magiſtro* Johanni de Derby *Decano* Lichf. *Magiſtro* Johanni de Crancumbe *Archidiac.* Eſtriding, *Magiſtro* Philippo Martell, *Magiſtro* Willielmo Pikering, *Magiſtro* Roberto Pikering, *Magiſtro* Willielmo de Kilkenny, *Magiſtro* Richardo de Plumpſted, *Magiſtro* Thomæ de Lugore, *Magiſtro* Petro de Dene, *Magiſtro* Johanni de Lacy.

He likewiſe ſent this Writ to the Chancellor and Univerſity of *Oxford* to ſend 4. or 5. of the diſcreteſt and moſt expert Scholars in the written Law, to conferr with him and his Counſil upon the premiſed buſineſſe of *Scotland.*

Clauſ. 28 E. 1. m. 3. dorſo. The First Part of my Brief Regiſter, p. 345.

REX dilectis ſibi in Chriſto **Cancellario et Univerſitati** *Oxon.* ſalutem. **Quia ſuper jure et dominio quæ Nobis in regno** *Scotiæ* **competit, &c.** (*verbatim*, as in the precedent Writ.) Vobis mandamus firmiter injungentes, **quod quatuor vel quinque de diſcretioribus et in jure ſcripto magis expertis Univerſitatis prædictæ ad Parliamentum noſtrum apud** *Lincoln.* **mittatis**; ita quod ſint ibi in Octabis Sancti *Hillarii* prox. futur. ad ultimum, **Nobiſcum et cum cæteris de Conſilio noſtro ſuper præmiſſis tractaturi ſummque conſilium impenſuri. Et hoc ſicut Nos, et honorem et commodum regni noſtri diligitis, nullatenus omittatis.** Teſte Rege ut ſupra.

Eodem modo mandatum eſt **Cancellario et Univerſitati** *Cantebr.* **quod mittant ad dictum Parliamentum duo vel tres de diſcretioribus et magis in jure ſcripto erpertis Univerſitatis prædictæ, &c.** Teſte ut ſupra. Wherein it is obſervable, that the Univerſity of *Oxford* was placed before *Cambridge*, and a double Number to be ſent from thence to the Parliament to thoſe of *Cambridge*; as being more eminent, and abounding with more learned men in that age, then *Cambridge* Univerſity.

To theſe Writs the Chancellors and Convocations of the Univerſities of *Oxford* and *Cambridge* made theſe diſtinct returns, which I found in a * *Bundle of Writs* in the *White Tower* Chappel.

* Bundela Brevium & Literarum, An. 28 & 29 E 1. in Turre London.

EXcellentiſſimo Principi & ſereniſſimo Domino, Domino *E.* Dei gratia Illuſtri Regi *Anglia*, ſui (ſi placet) **Cancellarius Univerſitatis** *Oxonia*, **Cœtuſque unanimis Magiſtrorum**, Devotionis obſequium & reverentiæ debitum cum honore. Literas Regiæ Majeſtatis ſuſcepimus, continentes, *ut ad veſtrum Parliamentum* Lincoln. *pro arduis Regni negotiis pertractandis cum cæteris de Conſilio, quatuor ſaltem mitteremus Magiſtros.* Sanè præceptis Regiis obtemperare propenſius congaudentes, **Serenitati Regali Magiſtros quatuor deſtinamus, quorum facta et nomina apud Scholaſticos extollantur, viros utique Scientia Juris præditos, et moribus bene-ſtatos, veſtrique honoris et famæ ſervidos Zelatores; Rogantes humiliter, ut Regiæ liberalitatis immenſitas et affluentia bonitatis ipſos dignetur recommendatos habere, atque remittere proſperatis veſtro pro beneplacito negotiis expeditos.** Dierum longitudinem cum ſalute adjiciat vobis ille, per quem Reges regnant & Principes dominantur.

Ibidem.

EXcellentiſſimo Principi Domino, Domino *Edwardo* Dei gratia Regi *Angliæ* Illuſtri, **devoti ſui Cancellarius** *Cantebrig.* **et tota Univerſitas cum humili recommendatione**; Seipſos ad mandata paratos, & in Rege Regum feliciter triumphare,

phare. Ad mandatum Serenitatis veſtræ providos viros & diſcretos Magiſtros, *Simonem de Waldene* Monachum, & *Hugonem Sampſonis* Juriſperitos, ad veſtræ dominationis præſentiam deſtinamus, ut in his quæ vos et regnum veſtrum contingere dinoſcuntur, pareant in omnibus & intendant. Conſervet vos, &c. *An.* 28 & 29 *Edw.* 1.

The King alſo iſſued Writs to theſe following Abbots, Priors, Deans and Chapters, to ſearch out and ſend all their *Chronicles* to this *Parliament*, to make good his ancient Title to the Realm of *Scotland*.

REX dilecto ſibi in Chriſto Abbati & Conventui *Weſtm.* ſalutem. Quia ſuper jure et dominio quæ Nobis in regno *Scotiæ*, &c. (as before, *uſque tractatum*) Vobis mandamus firmiter injungentes, quod ſcrutatis diligenter omnibus Chronicis, Archivis et ſecretis domus veſtræ, quicquid invenire poteritis quod tangat dictum regnum *Scotiæ* quoquo modo, Nobis ad Parliamentum noſtrum apud *Linc.* in Octabis Sancti *Hillarii* proximo futur. per aliquem de veſtris, de quo confidentiam habueritis, et qui in hujuſmodi negotio majorem noticiam habuerit, tranſmittatis. Et hoc ſicut Nos, et honorem ac commodum regni noſtri diligitis, nullatenus omittatis. Teſte Rege apud la *Roſe*, 26 die *Septembris*. Clauſ. 28 E 1. dorſo 3, 2.

Codſimiles literæ diriguntur ſubſcriptis, videlicet, Abbati de *Waltham*, Abbati S. *Auguſtini* in *Cantuar.* Priori & Conventui Eccleſiæ Chriſti *Cantuar.* Abbati de Sancto *Edmundo*, Abbati de Sancto *Albano*, Abbati de *Eveſham*, Abbati Sanctæ *Werburgæ Ceſtr.* Priori & Conventui *Dunelm.* Priori & Conventui *Karliel.* Abbati de *Malmesbury*, Priori & Conventui *Roffen.* Abbati de *Barlinges*, Abbati beati *Petri Gloucestr.* Abbati de *Furneys*, Abbati de *Holmcoltran*, Abbati de *Cirenceſtr.* Abbati de *Jerovall*, Abbati de *Fontibus*, Abbati de *Radynges*, Abbati *Glaſton*, Abbati de *Rameſeye*, Abbati beatæ *Mariæ Ebor.* Abbati de *Burgo S. Petri*, Abbati S. *Auguſtini Briſtoll*, Abbati de *Thorneye*, Priori & Conventui S. *Swithuni Wynton.*

Conſimiles etiam literæ diriguntur Decanis & Capitulis, Abbatibus & Prioribus ſubſcriptis, videlicet, Decano & Capitulo Eccleſiæ Sancti *Pauli London.* Decano & Capitulo Eccleſiæ beatæ *Mariæ Sarum*, Decano & Capitulo Eccleſiæ *Ciceſtr.* Decano & Capitulo *Exon.* Decano & Capitulo *Wellen.* Priori & Conventui *Bathon.* Decano & Capitulo *Hereford.* Priori & Conventui *Coventr.* Decano & Capitulo *Litchf.* Decano & Capitulo *Linc.* Priori & Conventui *Elyen.* Priori & Conventui *Norwycen.* Decano & Capitulo *Ebor.* Abbati & Conventui *Oſeneye*, Abbati & Conventui de *Abyndon*, Abbati & Conventui de *Alnewyke*, Abbati & Conventui de *Novo Monaſterio.*

Upon reading the Popes Bull, there were divers debates among the Kings Counſil and Parliament, how the King ſhould proceed in anſwering the Popes Bull, or whether he ſhould return any anſwer at all thereto; and how he might avoyd the perils and difficulties that might enſue upon his proceedings therein; as this memorable parchment Roll I lately found in the *White Tower* (then drawen up and preſented to the King and his Counſil) will inform us: containing reaſons *pro & contra* to 5. Quæres then propounded and debated concerning it; the firſt whereof, with the beginning of the ſecond are torn or eaten off from this remaining part, which I ſhall preſent you with. It ſeems the ſecond Quære then propounded, was; Whether the King ſhould ſend any Meſſengers to the Pope to declare and defend his right to the Realm of *Scotland*? to which theſe Reaſons *pro & contra* were propounded and engroſſed in this Roll. The Reaſons againſt it therein remaining, are theſe. In Turre London, An. 29 E. 1.

ITem, Quia (ſic) eſſet Papa Judex in propria cauſa.

Item, Rex Angliæ revocaret in dubium jus et poſſeſſionem ſuam regni Scotiæ, aggrediendo litem.

Item, ammitteret ſecundum formam literæ ſupradictæ approbare reductionem et reſervationem litium, quæſtionum, et controverſiarum ſubjectarum, quæ poſſent imposterum oriri et quacunque cauſa inter Regem et regnum Scotiæ, ad cognitionem et determinationem Sedis Apoſtolicæ, et etiam decretum ſubſequens, per quod decernit

An. 28 *E.* 1 decernit irritum et inane si secus, &c. per quæ videtur interdicere manum militem in subditos et rebelles regni Scotiæ, et auferre potestatem jurisdictionem, coercionem in eosdem justitiam faciendi, et sua facta et jura regalia annullare.

Item, cum Papa asserit, in libro memoriæ Regis contineri, ipsius regnum Scotiæ ad Romanam Ecclesiam pertinere pleno jure; *ac etiam concludit*, dictum regnum in bonis seu de bonis Ecclesiæ Romanæ esse; periculosum esset apud Sedem Apostolicam coram Papa litigare; maxime cum Rex contra Papam (qui Papa se asserit judicem et partem) nullum in Curia Romana consilium vel auxilium inveniret. Et periculosum esset ibi Instrumenta et Munimenta deferre, quæ etiam essent valida essent, ea contra se et suam assertionem forsan nullatenus approbaret.

Si verò non mittat Rex Angliæ *secundum formam mandati prædicti, deliberandum est cujusmodi possent ex hoc pericula evenire. Tamen videtur quibusdam, quod si illud verbum* (volumus, &c.) *importat vim denunciationis, tunc erit his effectus*, quod Dominus Rex Angliæ prosequatur jus suum infra tempus præfixum; alioquin cedat ab actione, ut, sicut destitutus a possessione, excludatur a jure. *Si verò illa verba* (volumus, &c.) *cadant in vim citationis vel artationis (ut quidam opinantur) tunc creditur posse evenire*, ut sic Rege non mittente juxta formam literarum prædictarum, contracta contumacia vel mittetur Ecclesia Romana in possessione regni Scotiæ, vel excluso Rege Angliæ et vendicatione juris regni Scotiæ, per decretum declarabit, regnum Scotiæ ad Romanam Ecclesiam pertinere, vel ad alias pœnas Domino Regi præjudiciales, tam spirituales quam temporales saltem, de facto usurpando jurisdictionem, potest extendere manus suas in personam scilicet vel in rem; præsertim cum Papa offerat eidem Regi plene exhibere justitiæ complementum, et jura si quæ habeat inviolabiliter observare: Unde Rege non mittente, forsan Papa reputaret Regem oblatæ sibi justitiæ et authoritatis sedis Apostolicæ contemptorem, et de observatione etiam jurium suorum similiter oblata * nullo curare.

* nolle.

Circatertium: An sit mittendum ad declinandum judicium, cognitionem, jurisdictionem et forum; vel ad excusandum, quare non mittat secundum formam mandati? *Deliberandum est ex quibus causis competentibus Rex possit sic declinare vel excusare, et quæ possent ex hiis pericula evenire. Et videtur quibusdam*, quod si Rex declinet Papam, quod non sit Judex suus in temporalibus, quia Papa non debet judicare de Laico feodo, et Papa asserat Regem Angliæ esse Vassallum suum; posset forsan esse periculum, quia Papa reputans eum negasse vassallagium suum, prorumperet in pronunciationes Domino Regi præjudiciales super feudo, quod dicit eum tenere ab Ecclesia, et forte declinationem illam non admitteret, cum asserat regnum Scotiæ ad Romanam Ecclesiam pleno jure pertinere, et sic ipsum regnum sibi subesse in jurisdictione temporali. *Et si sic declinaret*, quodammodo sibi attribueretur cognitio in dubio, an sua sit jurisdictio, cum unus asserat, et alius neget; nec est verisimile, quod pronunciaret contra assertionem suam vullatam, immo potius pro eadem; et ulterius ad alia deteriora et Regi præjudicialia procederet.

Item, cum Papa reducat ad se omnes quæstiones et lites exortas inter Regem Angliæ et regnum Scotiæ, et quascunque personas de regno eodem; et in præcedentibus literis Apostolicis narretur de injusta incarceratione Episcoporum, Prælatorum et Clericorum Scotiæ, et de destructione Monasteriorum et aliorum locorum Religiosorum regni ejusdem, et aliis excessibus et damnis datis, Rege comparente coram Papa per Procuratores et Nuncios ad hoc specialiter deputatos, *sicut in prafatis literis Apostolicis continetur*, quilibet in regno Scotiæ (ut videtur) posset contra Regem denunciare prædicta, et accusare eum de eisdem. Et sic haberet necesse omnibus de se conquerentibus respondere in Curia memorata.

Circa quartum: Si vero se excuset, quia jura Coronæ suæ non potest in judicium deducere sine consensu Procerum et Magnatum regni sui; quodammodo videretur eum reputare Judicem suum.

Item, si excuset se, quia Proceres regni sui positi ad rationem, concorditer dicunt se nolle permittere Regem jura Coronæ suæ, ad quorum conservationem et defensionem juramenti vinculo sunt astricti, contra libertates, leges et consuetudines regni Angliæ coram Papa in judicium deducere, nec jus et possessionem suam regni Scotiæ, quæ clara sunt et certa, in judicium deducere, nec in dubium ac scrupulum quæstionis ponere quoquo modo. Et quod ipsi Proceres illud idem ita scribent: Deliberetur an sit expediens; quia timetur, quod Papa reputaret istam excusationem

frivolam

frivolam, et procederet forsitan ad pœnas præjudiciales præscriptas spirituales et temporales, in personam scilicet et rem, supponendo se esse suum judicem competentem. *An.* 28 E. 1.

Circa quintum verò, videlicet de mittendo informationes correspondentes literis Apostolicis; si hic videatur Consilio expediens, deliberetur de modo mittendi; an per Nuncium cum literis de credentia, qui extrajudicialiter prædictas informationes Papæ seriatim exponat, et de periculis qui possent inde contingere. *Et videtur quibusdam periculum esse,* quod cum laicum sit mandatum credentiæ et incertum, per interrogationes subtiles et astutas faciendas a Papa, posset Nuncius hujusmodi injuncta sibi excedere, et aliqua præjudicialia forte fateri.

Item, cum Nuncius credentiam plenam habens, quandoque major sit omni procuratore propter generalitatem credentiæ, posset forsan compelli respondere et alia dicere quam sibi erant injuncta, quorum nulla vel difficiles valde foret revocatio in futurum.

Item, sic mittendo Nuncium cum talibus informationibus, jus quod habet in regno Scotiæ contingentibus, videretur parere quodammodo, cum ibi contineatur, quod mittat nuncios cum juribus, &c. et infra certum tempus; Nec protestationes facto contrariæ valerent.

Item, forsan Papa tali Nuncio talia proponenti præfigeret terminum, vel Regi in persona sua, ad ostendendum et probandum jura et allegata coram eo; vel forsan si proposita insufficientia et tanquam probata rejiceret et cassaret, et ulterius ad præjudicialia procederet contra Regem et regnum Scotiæ.

Item, Si mittantur informationes per literas Regias sub Regis sigillo, si videretur expediens, consilio deliberetur de periculis quæ possent accidere. Et timetur, quod Papa informationes hujusmodi et literas tanquam insufficientia documenta et munimenta reputabit; et ob hoc procedens ad alia, pronunciabit aliqua præjudicialia, ut supra. Et cavendum est summopere, ne aliquid obscurum, scrupulosum, dubium, vel præjudiciale, quod possit contra Regem interpretari, in dictis literis inserantur; pro eo quod ipsæ literæ, si mittantur ad Papam, ad perpetuam rei memoriam remanebunt.

Item, sic mittendo et informando, videtur quodammodo parere mandato et voluntati Domini Papæ, et sibi obedire in temporalibus, et ei tribuere facultatem examinandi jura sua in eisdem informationibus sibi missa; et forsan Papa decerneret Regem fore vocandum, ad docendum et ostendendum jura in hujusmodi literis comprehensa et allegata.

Item, Papa intelligens in parte esse sibi paritum et non plene, præcludet Regi viam quoquam ulterius proponendi seu probandi.

Si vero Rex Angliæ nullo modo compareat nec mittat Procuratorem, nec Nuncios, nec informationes extrajudiciales, nec se excuset, nec judicium declinet; tamen quia literæ Apostolicæ non videntur habere vim citationis nec monitionis, nec ipsum Regem artare ad mittendum, prout in ipsis literis continetur; præcipue cum Papa non reputetur Judex in Laico feudo; tamen quia etiam hujusmodi literæ asperæ, insolitæ, et inauditæ, ac juri communi contrariæ videntur continere, (in quo casu etiam, etsi Papa esset Judex competens, videretur secunda jussio expectanda) tunc forsan Papa contra Regem, tanquam contra contumacem et indefensum, ad pronunciationes, præclusiones, et juris Ecclesiæ Romanæ declarationes, et ad alia procederet præjudicialia, *prout supra.*

a Clauſ 29 E. 1. m. 10. dorſo. Ryley Placita Parl. Append. p 496

b Mat. Weſt. An. 1301. p. 427. to 435.

c Tho. Walſingham, Hiſt. Angl. p. 49, &c. Ypodigma, p. 89, to 95.

d Henry de Knyghton de Event. Angl. l. 3. c. 4. col. 2484, to 2490.

e Polyd. Virgil, Fabian, Caxton, Hollinſhed, Speed, Stow, Daniel.

After mature, serious debate, and consideration of these Questions and Reasons *pro & contra* in the Parliament at *Lincoln, Rex Apostolicis literis* et deliberato *apud* Lincolniam convocato Concilio, pro jure suo declarando, literas hujus tenoris rescripsit, (inrolled in perpetuam rei memoriam in the [a] Records in the *Tower*, and registred at large to posterity, by [b] *Matthew Westminster*, [c] *Thomas Walsingham*, [d] *Henry de Knyghton*, and more briefly by [e] others.

SAnctissimo in Christo Patri Domino *Bonifacio*, divina Providentia, Sanctæ *Romanæ* ac universalis Ecclesiæ Summo Pontifici, *Edwardus* eadem gratia Rex *Angliæ*, Dominus *Hiberniæ*, & Dux *Aquitaniæ*, Devota pedum oscula beatorum. Infrascripta non in forma nec in figura judicii, sed omnino extra judicium pro serenanda

An. 29 *E.* 1. nanda ſanctæ paternitatis veſtræ conſcientiæ vobis tranſmittimus exhibenda. Altiſſimus inſpector cordium, * noſtræ ſcrinio memoriæ indelebili ſtylo novit inſcribi, quod Anteceſſores et Progenitores noſtri, Reges *Angliæ* ſure ſuperioris et directi dominii ab antiquiſſimis retro temporibus Regno *Scotiæ*, et * ipſius Regibus, in temporalibus et anneris eiſdem præfuerunt, et ab eiſdem Regibus pro regno *Scotiæ*, et ejuſdem regni Proceribus, a quibus habere volebant, ligea homagia et fidelitatis juramenta receperunt: nos Juris et dominii poſſeſſionem continuantes huſuſmodi, pro tempore noſtro, eadem * tam a Rege *Scotiæ*, quam ab ipſis regni Proceribus recepimus: quinimo tanta juris et dominii prærogativa ſuper regnum *Scotiæ* et ejuſdem Reges gaudebant, quod regnum ipſum ſuis fidelibus conferebant, Reges etiam ex juſtis cauſis amovebant, et conſtituerunt ſub ſe loco ipſorum alios regnaturos, quæ proculdubio ab antiquo notoria fuerunt et exiſtunt *; licet aliud fortè paternis auribus per pacis æmulos & rebelliones filios fuerit falſa inſinuatione ſuggeſtum; quorum machinoſa & imaginaria figmenta veſtra providentia, quæſumus, aſpernetur. (Which *Matth. Weſtminſter* and *Walſingham* thus relate, Licet aliud forſitan paternis veſtris auribus, &c. ſuggeſtum fuerit à quorum machinoſis & imaginariis figmentis, ut veſtræ Sanctitatis oculus avertatur, ſuppliciter quæſumus, & paternam clementiam & excellentiam devotis affectibus exoramus, ut brevitatis cauſa, geſtis antiquorum temporum ſalvis, quædam exempli cauſa tangamus.) * Sub temporibus itaque *Ely* & *Samuelis* Prophetæ, viz. quidam ſtrenuus & inſignis, *Brutus* nomine, de genere *Trojanorum*, poſt excidium urbis *Troja*, cum multis nobilibus *Trojanorum*, applicuit in quandam Inſulam, tunc *Albion* vocatam, à Gigantibus inhabitatam, quibus ſua & ſuorum devictis potentia & occiſis, eam nomine ſuo *Britanniam*; ſocioſque ſuos *Britones* appellavit, & ædificavit Civitatem, quam *Troinovantum* nuncupavit, quæ modo *Londonia* nominatur. Et poſtea regnum ſuum tribus filiis ſuis diviſit, ſcilicet *Locrino* primogenito illam partem *Britanniæ*, quæ nunc *Angliæ* dicitur; & *Albanacto* ſecundo natu, illam partem quæ tunc *Albania* à nomine *Albanacti*, nunc vero *Scotia*, nuncupatur; Et *Cambro* filio minori partem illam, nomine ſuo tunc *Cambriam* vocatam, quæ nunc *Wallia* vocitatur; reſervata *Locrino* ſeniori Regia dignitate. Itaque biennio poſt mortem *Bruti* applicuit in *Albania* quidam Rex *Hunorum* nomine *Humber*, & *Albanactum* fratrem *Locrini* occidit: quo audito, *Locrinus* Rex *Britonum* perſecutus eſt eum, qui fugiens ſubmerſus eſt in flumine, quod de nomine ſuo *Humber* vocatur; & ſic *Albania* revertitur ad dictum *Locrinum*. Item *Dunwallo* Rex *Britonum Scatarium* Regem *Scotiæ* ſibi rebellem occidit, & terram ejus in deditionem recepit: Item duo filii *Dunwallonis*, ſcilicet *Belinus* & *Brennius* inter ſe regnum patris ſui diviſerunt: Ita quod *Belinus* ſenior Diadema Inſulæ cum *Britannia*, *Wallia* & *Cornubia* poſſideret; *Brennius* vero, ſub eo regnaturus, *Scotiam* acceperet: (Petebat enim *Trojana* conſuetudo, † ut dignitas hæreditatis primogenito perveniret.) Item, *Arturus* Rex *Britonum* Princeps famoſiſſimus, *Scotiam* ſibi rebellem ſubjecit, & penè totam gentem delevit; & poſtea quendam nomine * *Anguſelum*, in Regem *Scotiæ* præfecit. Et cum poſtea idem Rex *Arturus* apud Civitatem *Legionum* feſtum faceret celeberrimum, interfuerunt ibidem omnes Reges ſibi ſubjecti; inter quos † *Anguſelus* Rex *Scotiæ* ſervitium pro regno *Scotiæ* exhibens debitum, gladium Regis *Arturi* detulit ante ipſum; & * ſucceſſive omnes Reges Scotiæ omnibus Regibus Britonum † fuere ſubjecti. Succedentibus autem Regibus *Anglis* in prædicta Inſula, & ipſius Monarchiam & dominium obtinentibus, ſubſequenter (An. Gratiæ 907.) *Edwardus* dictus ſenior filius *Eluredi* Regis *Angliæ*, *Scotorum*, *Cumbrorum*, & *Strege Wallorum* Reges, ſibi, tanquam ſuperiori Domino, ſubjectos habuit et ſubmiſſos. (Anno Gratiæ 933.) *Adelſtanus* Rex *Angliæ* *Conſtantinum* Regem *Scotorum*, ſub ſe regnaturum, conſtituit, dicens, Honeſtius eſt Regem facere, quam Regem eſſe. Et * eſt dignum memoria, quod idem *Adelſtanus*, intercedente Sancto *Johanne de Beverlaco* quondam Archiepiſcopo *Eborum*, *Scotos* rebellantes ei † dimicavit, qui gratias Deo devotè agens, Deum exoravit, petens quatenus interveniente beato *Johanne*, ſibi aliquod ſignum evidens oſtenderet, quatinus tàm ſuccedentes quàm præſentes cognoſcere poſſent *Scotos Anglorum* regno jure ſubjugari. Et videns quoſdam Scopulos juxta quendam locum propè *Dunbar* in *Scotia* prominere, extracto gladio de vagina, percuſſit in ſilicem; qui Lapis ad ictum gladii, Dei virtute agente, ita cavatur, ut menſura ulnæ longitudine poſſet coaptari; & hujus rei hactenus evidens ſignum appa-

ret,

* veſtræ

* omnibus

* Juramenta, Here, p. 506, to 536. 649, to 665.

* apud omnes

* See Here, p. 490, to 496.

† quod

* Ancelmum

† Ancelmus

* ſucceſſione

† fuerunt

* in memoria

† divicit

ret, & in *Beverlacenſi* Eccleſia, in legenda Sancti *Johannis* quaſi ſingulis Hebdomadis per annum ad laudem & honorem S. *Johannis* pro miraculo recitatur. Et de hoc extat celebris memoria tàm in *Anglia* quàm in *Scotia* uſque ad præſentem diem. *An.* 28 E. 1.

Item *Conſtantinus* Rex *Scotorum*, & *Eugenius* Rex *Cumbrorum* ad prædictum Regem *Angliæ Adelſtanum*, poſt aliqualem diſſentionem inter eos habitam venientes, ſe cum ſuis regnis eidem *Adelſtano* dedidere; cujus facti gratia filium *Conſtantini* ipſe *Adelſtanus* de ſacro fonte ſuſcepit. Item (Anno gratiæ 948.) *Edredo* Regi *Angliæ* *Scoti* ſine bello ſe ſubdiderunt, et eidem Regi *Edredo* tanquam Domino fidelitatem debitam juraverunt, quodam *Tricio* Rege ſuper ipſos *Scotos* ſtatuto. Item (Anno gratiæ 974) cum *Edgarus* Rex *Angliæ* Regem *Scotorum Kinadum*, & *Cumbrorum Malcolmum*, Regem plurimorum Inſularum *Makkum*, alios quinque Subregulos, ſcilicet *Dunevaldum*, *Syferth*, *Huwal*, *Jacob*, & *Inchil*, per fluvium *Dehe* remigare feciſſet, (in quadam navi pro-proram ſediſſet) fertur ipſum dixiſſe, Succeſſores ſuos gloriari ſe Reges *Anglorum* eſſe, cum tanta honorum prærogativa fruerentur, ut ſubjectam haberent tot Regum potentiam. Poſt dictum *Edgarum* ſucceſſive ſucceſſerunt Reges *Angliæ*, Sanctus *Edwardus* Martyr, *Egelredus* frater ejus, *Edmundus* dictus *Hirenſide* filius *Egelredi*, & *Knutus* (Anno gratiæ 1017.) qui eorum temporibus regnum *Scotiæ* in ſua ſubjectione pacifice tenuerunt; hoc duntaxat excepto, quod anno quintodecimo regni *Knuti* prædicti, idem *Knutus Scotiam* rebellantem, expeditione illuc ducta Regem *Scotiæ Malcolinum* parvo ſubegit negotio; ſubdituſque eſt ei idem *Malcolinus*. Quibus *Heraldus* filius *Knuti*, & *Hardeknutus* frater ejus, unus poſt alium Reges *Angliæ* ſucceſſerunt; qui, eis ſic regnantibus, ſibi ſubjectionem regni *Scotiæ* pacifice habuerunt. Item (Anno gratiæ 1054) Sanctus *Edwardus* Rex *Angliæ* regnum *Scotiæ* dedit *Malcolmo* filio Regis *Cumbrorum*, de ſe tenendum. Item (Anno gratiæ 1072) †*Willielmus* dictus *Baſtardus* Rex *Angliæ*, cognatus dicti *Edwardi*, à *Malcolmo* Rege *Scotorum*, tanquam a ſuo homine ſibi ſubdito, homagium recepit. Item (Anno gratiæ 1091.) *Willielmo Ruffo* Regi *Angliæ* prædictus *Malcolmus* Rex *Scotorum* juramento fidelitatis ſubjectus fuit. Item (Anno gratiæ 1092.) prædictus Rex *Willielmus Donewaldum* de regno *Scotiæ* et juſtis cauſis amovit, et loco ejus *Duncanum* filium *Malcolmi* Regem *Scotiæ* præfecit, et recepit ab eo fidelitatis juramentum; dictoque *Duncano* doloſè perempto, dictus Rex *Willielmus* præfatum *Donewaldum*, qui iterum Regem *Scotiæ* invaſerat, amovit ab eodem, & *Edgarum* filium dicti *Malcolmi* Regem *Scotiæ* conſtituit, et eidem illud regnum donavit; Cui ſucceſſit *Alexander* frater ejuſdem *Edgari* conceſſu Regis *Angliæ Henrici* primi, fratris dicti Regis *Willielmi Ruffi*. Item (Anno gratiæ 1126) *Matildi* Imperatrici filiæ & hæredi Regis *Henrici* prædicti, Rex *Scotiæ David* fecit homagium et fidelitatem. Item Regi *Anglorum Stephano Henricus* filius dicti Regis *David* homagium fecit. Item *Willielmus* Rex *Scotorum* pro regno *Scotiæ*, & *David* * frater ſuus, et Comites et Barones regni *Scotiæ*, devenerunt homines *Henrici* filii Regis *Angliæ Henrici* Secundi in craſtino Coronationis prædicti *Henrici* filii *Henrici* ſecundi, patre vivente, et fidelitatem ei juraverunt contra omnes homines, ſalva fidelitate debita patri viventi. Anno vero viceſimo regni Regis *Henrici* Secundi prædicti, dictus *Willielmus* Rex *Scotorum* rebellare incipiens, venit in *Northumbriam* cum Exercitu magno, & exercuit in populo ſtragem magnam: Cui occurrentes Milites Comitatus *Eborum* apud *Alnewyk* ipſum ceperunt, & dicto *Henrico* Regi *Angliæ* reddiderunt. Annoque ſequenti (1135) ſcilicet 15. Kal. *Martii* eſt idem *Willielmus* permiſſus liberè abire. Poſtea vero apud *Eborum* anno eodem 17 Kal. *Septembris*, idem *Willielmus* Rex *Scotorum*, de conſenſu Prælatorum, Comitum, Baronum, Procerum, & aliorum Magnatum regni *Scotiæ*, Domino ſuo Regi *Angliæ Henrico* filio *Matildis* Imperatricis prædicto, ſuis literis patentibus caviſſe noſcitur, quod ipſe et hæredes et ſucceſſores ſui Reges *Scotiæ* Epiſcopi et Abbates, Comites etiam et Barones, et alii homines regni *Scotiæ*, de quibus Dominus Rex habere voluerit, facient Regibus *Angliæ* homagium, fidelitatem, et ligeantiam ut ligio Domino contra omnem hominem. Et in ſignum ſubjectionis hujuſmodi, idem *Willielmus* Rex *Scotiæ* Capellum ſuum, et Cellam atque Lanceam ſuper Altare Eccleſiæ beati *Petri Eboracenſis* optulit; quæ in eadem Eccleſia uſque in hodiernum diem remanent et ſervantur. Item, Epiſcopi, Comites et Barones dicti regni *Scotiæ* conventionaverunt (ut verbis ejuſdem Conventionis utamur) Domino Regi & *Henrico* filio ſuo prædictis, Quod ſi Rex *Scotiæ* aliquo caſu a fidelitate Regum

* See Here, p. 490, 491.

† See p. 491, 492.

* filius ejus.

An. 29 E. I. *Angliæ* et Conventione prædicta recederet, ipſi cum Domino Rege *Angliæ* tenebunt, ſicut cum ligio Domino ſuo, contra Regem *Scotiæ*, quouſque ad fidelitatem Regis *Angliæ* redeat. Quam quidem compoſitionem felicis recordationis *Gregorius* Papa 9. in diverſis reſcriptis Regibus *Angliæ* & *Scotiæ* directis, mandabit firmiter obſervari; continentibus etiam inter cætera, quod *Willielmus* et *Alexander* Reges *Scotorum*, Regibus *Angliæ* *Johanni* et *Henrico* ligium homagium et fidelitatem fecerunt, quæ tenentur ſucceſſores eorum, Comites et Barones regni *Scotiæ*, ipſis et ſuis ſucceſſoribus exhibere. *Et iterum*, quod cum idem Rex *Scotiæ* homo ligius ſit ipſius *Henrici* Regis *Angliæ*, et eidem fidelitatis præſtitit juramentum, quo ſe principaliter aſtrinxit, quod in ipſius Regis et regni *Angliæ* detrimentum nihil debeat penitus attemptare. Et Papa *Clemens* ſcribens Regi *Angliæ*, pro *Johanne* Epiſcopo S. *Andreæ*, expulſo ab Epiſcopatu ſuo per Regem *Scotiæ*, inter cætera rogavit, quod *Willielmum* Regem *Scotiæ* moneret et induceret; et (ſi neceſſe fuerit) diſtrictione Regali quæ ei præeminet, et conceſſa ſuæ Regiæ Celſitudini poteſtate compelleret, ut dicto Epiſcopo omnem rancorem remitteret, et Epiſcopatum ſuum habere in pace permitteret. Et poſt Conventionem prædictam in Eccleſia beati *Petri Eborum* coram prædictis Regibus *Angliæ* & *Scotiæ*, & *David* fratre ſuo, & univerſo populo, Epiſcopi, Comites, Barones, Milites de terra Regis *Scotiæ* juraverunt Domino Regi *Angliæ*, & *Henrico* filio ſuo et hæredibus eorum, fidelitatem contra omnem hominem, ſicut ligeis Dominis ſuis. Et (Anno gratiæ 1194) idem *Willielmus* Rex *Scotorum* ad mandatum Regis *Henrici* prædicti venit apud *Northampton*, ad Parliamentum Domini ſui, adducens ſecum omnes Epiſcopos, Abbates & Priores totius regni ſui. Et venit etiam ad ejuſdem *Angliæ* Regis mandatum in *Normanniam*. Et idem Rex *Willielmus* poſt deceſſum dicti Regis *Henrici* veniens *Cantuariam*, *Ricardo* Regi *Angliæ* filio & hæredi dicti *Henrici* fecit homagium. Quo *Ricardo* viam univerſæ carnis ingreſſo, ſæpefatus *Willielmus* *Johanni* Regi *Angliæ* fratri & hæredi prædicti Regis *Richardi* extra Civitatem *Lincolnia* ſupra quendam montem, in conſpectu omnis populi fecit homagium, et jurabit ei fidelitatem ſuper Crucem *Huberti* tunc *Cantuarienſis* Archiepiſcopi; et eidem *Johanni* tanquam Domino ſuo per Cartam ſuam conceſſit, quod *Alexandrum* filium ſuum ſicut hominem ſuum ligium maritaret; promittendo firmiter in Charta eadem, quod idem *Willielmus* Rex *Scotorum* & *Alexander* filius ſuus, *Henrico* filio Regis *Angliæ* *Johannis*, tanquam ligio Domino ſuo contra omnes mortales fidem et fidelitatem tenerent; à quo quidem *Willielmo* Rege *Scotorum* poſtmodum, pro eo quod deſponderat filiam ſuam Comiti *Bolonia* præter ipſius Regis *Johannis* Domini ſui aſſenſum, pro tranſgreſſione et temeraria præſumptione hujuſmodi, debitam ſatisfactionem accepit. Item *Alexander* Rex *Scotorum*, ſororius noſter, Regi *Angliæ* *Henrico* patri noſtro, pro regno *Scotiæ*, & poſtea nobis, homagium fecit. Vacante deinde regno *Scotiæ* poſt mortem *Alexandri* Regis illius, & ſuſequenter per mortem *Margaretæ* ejuſdem regni *Scotiæ* Reginæ & Dominæ, Neptis noſtræ, *Epiſcopi, Abbates, Priores, Comites, Barones, Proceres, & cæteri Nobiles & Communitates totius regni *Scotiæ*, ad nos, tanquam ad legitimum Defenſorem, Ducem, Aurigam, Capitaneum, et Dominum capitalem ejuſdem regni ſic vacantis gratis et ſpontanea voluntate accedentes, prout tenebantur de jure, jus noſtrum, progenitorum, et anteceſſorum noſtrorum, ac poſſeſſionem ſuperioris et directi dominii in regno eodem, et ipſius regni ſubjectionem ex certa ſcientia pure, ſimpliciter et abſolute recognoverunt, et præſtitis nobis ab eiſdem tanquam ſuperiori et directo Domino *Scotiæ* debitis et conſuetis fidelitatum juramentis, ac Civitatibus, Burgis, Villis, Caſtris, ac cæteris munitionibus regni ejuſdem in manu noſtra traditis ad Cuſtodiam, ejuſdem regni noſtri certos jure noſtro Regio Officiales et Miniſtros deputabimus, quibus ipſi tempore vacationis hujuſmodi concorditer fuerant obedientes et intendentes in noſtris præceptis Regiis et mandatis. Poſtmodum autem diverſæ perſonæ ſuper ſucceſſione in dictum regnum *Scotiæ* jure hæreditario inter ſe contendentes, ad *Nos, tanquam ad ſuperiorem Dominum regni Scotiæ accefferunt, petentes ſuper jure ſuccedendi in regnum prædictum ſibi per nos exhiberi juſtitiæ complementum, volentes et expreſſe conſentientes eorum nobis tanquam ſuperiori et directo Domino regni Scotiæ ſtare juri. Et demum earundem partium petitionibus et juribus coram nobis tanquam ſuperiori et directo Domino judicialiter propoſitis, ac ſufficienter auditis, rimatis, examinatis et diligenter intellectis, in præſentia omnium Prælatorum et Nobilium.

* Here, p. 492, 493.

* Here, p 494, &c.

* Here, p 497, to 529.

Nobilium quafi totius regni Scotiæ, et de voluntate et aſſenſu expreſſo eorundem procedentes, Johannem de Balliolo debite * præfecimus in Regem Scotorum, quem tunc in ſucceſſione ejuſdem regni hæredem legitimum et jura habere invenimus potiora. Qui quidem Prælati, Comites, Barones, Communitates ac cæteri Incolæ ejuſdem regni hujuſmodi ſententiam noſtram expreſſe omologarunt, acceptarunt et expreſſe approbarunt, et ipſum Johannem de mandato noſtro virtute hujuſmodi judicii in Regem ſuum admiſerunt. Ac idem Johannes Rex Scotiæ pro regno ſuo, præſtito nobis † homagio debito et conſueto, ac fidelitatis juramento, ad Parliamenta noſtra de mandato noſtro veniens, eiſdem tanquam noſter Subditus, ſicut alii de regno noſtro interfuit, et noſtris tanquam Domini ſui ſuperioris dicti regni Scotiæ paruit beneplacitis et mandatis, nobis in omnibus obediens et intendens; quique idem Johannes, Rex Scotiæ, et Prælati, Comites, Barones, Nobiles, Communitates, ac cæteri Incolæ majores regni ejuſdem ex præconcepta malitia at prælocuta ac præordinata proditione, factiones, confederationes, conſpirationes et conjurationes, in exhæredationem noſtram et hæredum noſtrorum, ac regni noſtri, contra debitum homagii ſui et fidelitatis juramentum inter ſe inierunt, in crimen læſæ majeſtatis nequiter incidendo. Unde cum præmiſſa ex fideli relatione, fama publica conſentiente, ad aures noſtras perveniſſent, volentes futuris periculis præcavere, quæ ex hiis & aliis poſſent nobis, regno noſtro, & regni noſtri Incolis verſimiliter provenire, †pro aſſecuratione regni noſtri acceſſimus ad confinium regni utriuſque, pluries mandantes eidem Johanni tunc Regi Scotiæ, quod ad certa loca in confinio prædicto ad nos accederet, ſuper præmiſſis et aliis, pro ſtatu, tranquillitate et pace utriuſque regni aſſecurationem facturus, et alia per nos et Conſilium noſtrum ſibi expedienda auditurus, et ſuper hiis et ea contingentibus juſtitiam recepturus: Qui ſpretis mandatis noſtris, contumaciter in ſua perſiſtens perfidia, ad bellicos apparatus cum Epiſcopis et Clericis, Comitibus, Baronibus regni Scotiæ, ac etiam aliis exteris conductitiis, contra nos, regnum noſtrum et Incolas regni noſtri hoſtiliter ſe convertens accinxit, et ad hoſtiles aggreſſus et incurſus procedens regnum noſtrum invaſit; quasdam villas regni noſtri Angliæ per ſe et ſuos deprædatus eſt, easque baſtabit incendio; homines noſtros interfecit, et nonnullis Nautis noſtris per eos peremptis, naves hominum noſtrorum regni Angliæ comburi fecit: Et e veſtigio * redditis nobis homagio et fidelitate per Regem Scotiæ, tam pro ſe quam pro aliis quibuſcunque regni ſui Incolis, per verba effectum diffidentiæ exprimentia, Comitatus noſtros Northumbriæ, Cumbriæ, et Weſtmorlandiæ regni noſtri Angliæ, congregato ingenti exercitu, hoſtiliter per ſe et ſuos invaſit, ſtragem innumeram hominum noſtrorum, incendia Monaſteriorum, Eccleſiarum et Villarum inhumane perpetrando, et patriam undique depopulando, infantes in cunis, mulieres in puerperio decubantes immiſericordi et atroci ſævitia trucidarunt; et quod auditu horrendum eſt, a nonnullis mulieribus mamillas atrociter abſciderunt; parvos Clericulos primas literas et Grammaticam addiſcentes ad numerum circiter ducentorum in Scholis exiſtentes, obſtructis hoſtiis Scolarum, igne ſuppoſito concremarunt. Moſque cernentes tot dampna, opprobria, facinora et injurias in exhæredationem noſtram et deſtructionem populi regni noſtri proditionaliter irrogari; Nec volentes ratione juramenti, quo ad conſervationem jurium Coronæ regni noſtri ſumus aſtricti, tam execranda et nefanda facinora ulterius tolerare, nec jura noſtra relinquere indefenſa, cum idem Johannes et gens Scotorum noſtri Subditi per leges ſe juſtificari minime permiſiſſent, ipſo regno Scotiæ, quod a longiſſimis temporibus, ſicut ſuperius exprimitur, nobis et progenitoribus noſtris feudale extitit ex cauſis præmiſſis, commiſſo deinde bello juxta leges et conſuetudines regni noſtri contra eos de conſilio Procerum et Magnatum noſtrorum badiato, contra dictum Johannem et gentem Scotorum vires potentiæ noſtræ extendimus, prout de jure nobis licuit; et proceſſimus contra ipſos tanquam notorie proditores, contumaces, et publicos hoſtes noſtros. Subacto itaque regno Scotiæ jure proprietatis noſtræ ditioni, præfatus * Johannes Rex Scotiæ ipſum regnum Scotiæ, quatinus de facto tenuit, ſponte, pure et abſolute reddidit in manum noſtram; proditiones et ſcelera memorata coram nobis et Proceribus regni noſtri publice recognoſcens. Quo peracto, * Prælati, Comites, Barones, Nobiles et Communitates regni Scotiæ quos ad pacem noſtram Regiam ſuſcepimus, ſubſequenter homagia et fidelitates nobis tanquam immediato et proprio Domino ejuſdem regni Scotiæ fecerunt, at etiam præſiterunt.

An. 29 *E.* 1.

* Here, p. 520. to 542.

† Here, p. 529, 530, 531.

† Here, p. 645, to 650.

* Here, p. 647, 648.

* Here, p. 650.

* Here, p. 649, to 665.

An. 29 E. 1. ſtiterunt. Ac redditis nobis ejuſdem regni Civitatibus, Villis, Caſtris, Munitionibus, et cæteris locis omnibus ad dictum regnum ſpectantibus, Officiales noſtros et Miniſtros ad regimen ejuſdem regni Scotiæ præfecimus jure noſtro. Cumq; Jure plenè dominii in poſſeſſione ejuſdem regni exiſtente dinoſcamur, omittere non poſſumus nec debemus, quin inſolentiam ſubditorum noſtrorum rebellium, ſi quos inveneri mus, præeminentia Regia, prout juſtum fuerit et expedire viderimus, reprimamus. Quia vero ex præmiſſis et aliis conſtat evidenter et notorium exiſtit, quod prælibatum regnum Scotiæ tam ratione proprietatis quam poſſeſſionis ad nos pertinet pleno jure, nec quicquam fecerimus vel caberimus ſcripto vel facto, ſicuti nec poſſemus, per quæ juri vel poſſeſſioni prædictis debeat aliqualiter derogari; Sanctitati veſtræ humiliter ſupplicamus, quatinus præmiſſa propida meditatione penſantes, et illis veſtri motum animi dignemini inſorare, ſuggeſtionibus contrariis æmulorum in hac parte vobis factis fidem ſi placet nullatenus adhibendo, quinimo ſtatum noſtrum et jura noſtra Regia ſuprædicta habere velitis, ſi placet, paternis affectibus commendata. Conſervet vos Altiſſimus ad Regimen Eccleſiæ ſuæ ſanctæ per tempora proſpera & longæva. Dat. apud †*Kemeſeye* ſeptimo die *Maii*, Anno Domini 1301. & regni noſtri viceſimonono.

† Kynardeſey.

† Mat. Weſt. Anno 1300. p. 416. Walſingham, Hiſt. p. 54, 55. Neu [illegible] 54. [illegible] 2. in [illegible], p. 98.

Quantum vero ad hoc, quod petivit Papa, quod ſi Rex Angliæ jus haberet in regno Scotiæ, vel in aliqua ejus parte, Procuratores et inſtructos mitteret, et fieret ei juſtitiæ complementum. Rex per ſe noluit, ſed hoc commiſit Comitibus, et aliis terræ Proceribus, *qui ſuper hæc Domino Papæ hujus tenoris literas, reſcripſerunt*: or as he † *elſewhere* expreſſeth it, *Concordati itaque Rex & Barones, ordinaverunt Domino Papæ elegantem Epiſtolam*, ſignatam centum Sigillis, *petitoriam*, ut jus Anglorum in regno Scotiæ ab initio habitum, juſte protegeret, et falſis ſuggeſtionibus perjuratorum Scotorum aurem minime inclinaret.

* Mat. Weſt. An. 1301. p. 435, 436.

*SAnctiſſimo in Chriſto Patri, Domino *Bonifacio*, divinâ providentia Sanctæ *Romanæ* ac univerſalis Eccleſiæ *Summo Pontifici*, ſui devoti filii, *Johannes* Comes *Warenn. Thomas* Comes *Lancaſtriæ*, *Radulphus de Monte Hermeti* Comes *Gloceſtriæ & Hertfordiæ*, *Humfridus de Bohun* Comes *Hereford. & Eſſex.* & Conſtabularius *Angliæ*, *Rogerius Bigot* Comes *Norff.* & Mareſcallus *Angliæ*, *Guido* Comes *Warwic.* &c. (to the number of 100 Earls, Barons and Great men.) Devota pedum oſcula beatorum, &c. Sancta *Romana mater Eccleſia*, per cujus miniſterium fides Catholica in ſuis actibus cum ea, ut firmiter credimus & tenemus, maturitate procedit, quod nulli præjudicare, ſed ſingulorum jura conſervari velit illæſa. Sinè covocato nuper per Sereniſſimum Dominum noſtrum *Edwardum* Dei gratia Regem *Angliæ* illuſtrem, *Parliamento* apud *Lincolniam* generali, idem Dominus noſter quaſdam literas Apoſtolicas, quas ſuper certis negotiis conditionem & ſtatum regni ex veſtra parte receperat, in medio exhiberi ac ſeriosè nobis fecit exponi. Quibus auditis et diligentius intellectis, tam tenſibus noſtris admiranda, quam hactenus inaudita in eis audivimus contineri. Scimus enim, pater ſanctiſſime, et eſt notorium in partibus noſtris, ac nonnullis aliis non ignotum, quod a prima inſtitutione regni Angliæ, Reges ejuſdem regni, tam temporibus Britonum quam Anglorum, ſuperius et directum Dominium regni Scotiæ habuerunt in poſſeſſione, vel Capitanei ſuperioritatis et recti dominii ipſius Scotiæ ſucceſſivis temporibus extiterunt, nec ullis temporibus ipſum regnum in temporalibus pertinuit vel pertinet, quovis jure, ad Eccleſiam veſtram ſuprædictam. Quinimo idem regnum Scotiæ progenitoribus dicti Regis noſtri, Regibus Angliæ, atque ſibi feodale extitit ab antiquo; nec etiam Reges Scotorum et regnum aliis quam Regibus Angliæ ſubfuerunt vel ſubjici conſueverunt. Neque Reges Angliæ ſuper juribus ſuis in regno prædicto, aut aliis ſuis temporibus, coram aliquo judice Eccleſiaſtico vel ſeculari ex præeminentia ſtatus ſuæ Regiæ dignitatis, et conſuetudinis cunctis temporibus irrefragabiliter obſervatæ, reſponderunt, aut reſpondere debebant. Unde habito tractatu et deliberatione diligenti ſuper contentis in literis veſtris memoratis, communis, concors et unanimis omnium noſtrum et ſingulorum conſenſus fuit, eſt, et erit inconcuſſe, Deo propitio in futurum, quod præfatus Dominus noſter Rex ſuper juribus regni Scotiæ, aut aliis ſuis temporalibus nullatenus reſpondeat judicialiter coram vobis, nec judicium ſubeat quoquo modo, aut jura ſua prædicta in dubium quæſtionis deducat,

Nota.

ducat, nec ad præſentiam veſtram Procuratores aut Nuncios ad hoc mittat; præ- *An.* 29 E. 1.
cipue cum præmiſſa cederent manifeſte in exhæredationem juris Coronæ regni Angliæ et Regiæ dignitatis, ac ſubverſionem ſtatus ejuſdem regni notoriam, necnon in præjudicium libertatis, conſuetudinum, et legum paternarum, ad quarum obſervationem et defenſionem ex debito præſtiti juramenti aſtringimur, et quæ manu tenebimus toto poſſe, totiſque viribus cum Dei auxilio defendemus. Nec etiam permittimus, nec aliqualiter permittemus, ſicut non poſſumus nec debemus, præmiſſa jam inſolita, indebita, præjudicialia, et alias inaudita, præliba-tum Dominum noſtrum Regem, etiam ſi vellet facere, ſeu modo qualibet attemp-tare. Quocirca Sanctitati veſtræ reverenter et humiliter ſupplicamus, quatenus eundem Dominum noſtrum Regem, qui inter alios Principes orbis terræ Catho-licum ſe exhibet et Romanæ Eccleſiæ devotum, jura ſua, et libertates, et conſuetu-dines, et leges prædictas, abſque diminutione et inquietudine pacifice poſſidere, ac illibata perſiſtere benignius permittatis. *In cujus rei teſtimonium* ſigilla noſtra, tam pro nobis quam pro tota Communitate prædicti regni Angliæ, præſentibus ſunt appenſa. *Datis & actis* Lincolniæ *Anno Domini* 1301.

This memorable Epiſtle of the Earls, Barons, Great men, and Commons of *Eng-land*, ſealed with * *one hundred of their ſeals*, together with the premiſed Epiſtle in the Kings name, unanimouſly agreed and ſent to the Pope in a full and famous Par-liament ſpecially ſummoned upon this occaſion, is 1. A moſt remarkable evidence of the King of *Englands* antient indubitable Right to, and Soveraign Dominion over the Kingdom and Kings of *Scotland* in all ages. 2ly. An irrefragable refutation of this Popes pretended Claim, Title to, and Soveraignty over it. 3ly. A pregnant proof of his uſurped Antimonarchical Innovation, in ſummoning the King of *Eng-land* to declare and defend his Title to it before his Papal Tribunal. 4ly. A magna-nimous reſolute Proteſtation againſt his Antichriſtian claim, judicially to deter-mine the Right or Title of our Kings or other Princes to their Crowns or Temporal Do-minions. 5ly. A clear demonſtration of their admirable prudence in oppoſing this Antichriſtian Popes endeavoured Uſurpations over the Kingdoms, Crowns, Kings of *England* and *Scotland*, with ſo much deliberation, reſolution, magnanimity and una-nimity, which they endeavoured with greateſt care to perpetuate to poſterity, as a preſident for all ſucceeding Parliaments and Peers upon the like occaſions.

* Cooke's In-ſtit. p. 5.

How and by what means, degrees, and for what ends the precedent Bulls of Pope *Boniface* were procured, by the confederacy of the Kings of *France*, *Scotland*, & *Scots*, this memorable Record thereof (which I found in two ſeveral Rolls in the White Tower, compiled upon the like occaſion in the reign of King *Edward* the 3d. by advice of his Counſil, and repreſented to the Pope) will inform us; which I ſhall here inſert, as worthy publick view, relating wholly to theſe Tranſactions by his Grandfather King *Edward* the 1.

Infraſcripta ſunt tres viæ quibus Francorum *Rex & gentes* Scotiæ *inſtabant erga* Bonifacium *Papam* 8. *ad inchoandum proceſſum contra* E. *quondam Regem* Angliæ, *Anum Domini noſtri Regis, ad fines inferius contentos.* In Turre London.

INprimis, inſtabant erga dictum Papam pro cognitione habenda in Curia Ro-mana via proceſſus arbitralis, contra Regem Angliæ prædictum, ſuper juribus dictam terram Scotiæ tangentibus, et ſuper attemptatis per dictum Regem Angliæ et ſuos contra hujuſmodi jura terræ prædictæ, et contra conventiones treugarum inter dictos Angliæ et Franciæ Reges pro ipſis et eorum ſubditis et confederatis initarum *Anno gratiæ* 1297. *videlicet*, ſuper homicidiis, incendiis, et terrarum ſurpriſiis, rapinis, et aliis dampnis per ipſum Regem Angliæ et ſuos datis gentibus dictæ terræ Scotiæ treugis durantibus ſuppradictis. Et ſpecialiter ſuper cor-ruptelis et defectibus dictæ terræ Scotiæ prædicto Papæ denunciatis ex parte dicti Franciæ Regis, et gentium terræ Scotiæ prædictæ, contra jura, leges et conſuetu-dines in foro ſecutari in regno Angliæ obſervata; ac etiam ſuper erroribus, iniqui-tatibus et nullitatibus ex parte dicti Franciæ Regis et gentium Scotiæ prædictarum propoſitis contra proceſſus factos per dictum Regem Angliæ et Curiam ſuam, et contra judicia lata in Curia ſua prædicta pro ipſo Rege Angliæ contra Regem et gentem

An. 29 *E.* 1. gentem terræ Scotiæ prædictæ, ſuper jure quocunque tam antiquo quam novo dicto Regi Angliæ pertinente in terra Scotiæ ſuprædicta. Et hoc fieri petebant virtute quorundam compromiſſorum factorum in dictum Papam, tanquam in privatam perſonam et Benedictum Gaitanum, per dictorum Angliæ et Franciæ Regum Procuratores, ſuper omnibus guerris et diſſentionibus, cauſis, quæſtionibus, actionibus realibus et perſonalibus, *&c.* ac etiam virtute treugarum prædictarum, et cujuſdam confederationis initæ *Anno gratiæ* 1295. inter dictum Franciæ Regem ex una parte, et Regem et gentes dictæ terræ Scotiæ ex altera, contra dictum Regem Angliæ et nationem Anglicanam.

Item, quando illa via expedire non poterant, *propter rationes & cauſas per dictum* Angliæ *Regem & Conſiliarios ejus ordinatas, & coram dicto Papa per dicti* Angliæ *Regis Procuratores propoſitas*, inſtabant pro cognitione via ordinarii proceſſus in dicta Romana Curia habenda contra Regem Angliæ prædictum, ſuper hujuſmodi juribus terræ Scotiæ, et cæteris omnibus attemptatis ſuprædictis. Et hoc fieri petebant virtute Superioritatis et directi dominii, quæ ſuggerebant dicto Papæ ad Eccleſiam Romanam pertinere in temporalibus regni Scotiæ prædictæ, prout in Bulla dicti Papæ prædicto Regi Angliæ inde directa, plenius continetur.

Item, quando illa via expedire non poterant, propter rationes et cauſas contentas in literis per Comites et Barones, et alios Nobiles regni Angliæ dicto Papæ directis, reſpondendo pro dicto Rege Angliæ ad defenſionem juris Regii et Coronæ prædictæ, ad quædam ex contentis in Bulla ſuprædicta, inſtabant pro cognitione habenda loco quo ſuper via proceſſus ordinarii ſuper homicidiis, et Eccleſiarum et domorum Religioſarum incendiis, et omnibus dampnis datis per dictum Regem Angliæ et ſuos Epiſcopis, et aliis perſonis Eccleſiaſticis terræ Scotiæ prædictæ. Et hoc fieri petebant virtute Superioritatis quam dictus Papa habuit in perſonis Eccleſiaſticis et rebus Spiritualibus terræ Scotiæ prædictæ: Et alibi ſuper omnibus guerris in terris quibuſcunque, inter Regem Angliæ et ſuos ſubditos, confederatos et adjutores ex una parte, et alios quoſcunque Chriſtianos ex altera inchoatis, ad deſtructionem ſanguinis Chriſtiani, et ſuccurſus Terræ Sanctæ impedimentum, prout in ſupplicationibus, denunciationibus, accuſationibus, et querelis dicto Papæ factis et delatis ex parte dicti Franciæ Regis, et gentium terræ Scotiæ prædictæ, contra dictum Regem Angliæ et ſuos, *ab anno gratiæ* 1297. *finiente, uſque ad menſem* Decembris *anno* 1302. plenius apparet.

Fines ad quos proceſſum erat per tres vias prædictas.

In eodem Rotulo. *Infraſcripti ſunt fines ad quos dictus* Franciæ *Rex, & gentes terræ* Scotiæ *prædictæ, inſtabant erga dictum Papam* pro cognitione habenda in Curia Romana ſuper premiſſis, et pro ſententia ſeu arbitrio ferend. et executioni cenſura Eccleſiaſtica demandand.

INprimis, ad compellendum dictum Regem Angliæ ad ſuperſedendum in guerra ſua contra inimicos ſuos inchoata.

Item, non ſolum ad annullandum omnes hujuſmodi proceſſus factos per dictum Regem Angliæ et Curiam ſuam, ad declarandum Superioritatem immediatam quam idem Avus habuit et habere debuit ratione forisfacturæ Domini Johannis de Balliolo quondam Regis Scotiæ, propter confederationem initam inter ipſum Regem Scotiæ ex una parte, et P. Francorum Regem tunc inimicum Regis Angliæ ex altera; una cum ceteris forisfacturæ cauſis alias plenius exprimendis; ſed etiam ad annullandum omnes proceſſus per dictum Regem Angliæ factos ad declarandum et ſuperius dominium, quod ipſe Rex Angliæ et ejus anteceſſores Angliæ Reges jure hæreditario habuerunt in terra Scotiæ prædicta.

Item, ad roborandam confederationem quondam initam inter ipſum Francorum Regem ex una parte, et dictum Dominum Johannem de Balliolo, ac Prælatos et Nobiles, et Univerſitates et Communitates Civitatum et Villarum dicti regni Scotiæ, pro ipſis et eorum hæredibus et ſucceſſoribus ex altera. Et etiam ad includendum dictum Dominum Johannem et cæteros omnes terræ Scotiæ prædictos in treugis inter dictos Angliæ et Franciæ Reges initis pro ipſis et eorum hæredibus, ſubditis, et confœderatis ad fines infraſcriptos.

Item

Item, ad ſuſtinendum Prælatos et Nobiles, ac alios ſupradictos dictæ terræ Scotiæ in libertate in ſecretis tractatibus eis promiſſa. *An.* 29 *E.* I.

Item, ad adquirendum dictis Prælatis et Nobilibus ac cæteris omnibus incolis dicti regni Scotiæ, damna paſſis per Angliæ Regem et ſuos durantibus treugis ſupradictis, et eidem Francorum Regi hujuſmodi damna paſſorum nomine, Actionem contra Regem Angliæ et ſuos, ad æſtimationem damnorum prædictorum.

Item, ad adquirendum eidem Francorum Regi et ſubditis ſuis et confœderatis, bias et coleres intrandi regnum Angliæ, ac cæteras terras Domino Regi Angliæ ſubjectas, et ad complendum quaſdam ordinationes factas contra nationem Anglicanam, ad finem univerſalis exhæredationis et diſtructionis dicti Regis Angliæ et nationis Anglicanæ prædictæ, per Excommunicationis et Interdicti ſententias, et per Cruceſignationem, et invocationem brachii ſecularis. Quas quidem ordinationes et confœderationes dictus Abus et ejus Conſiliarii magis timere ſolebant inter cætera omnia pericula nationi Angliæ imminentia, et contra quas magis laborabant remedia adhibere, ordinando, proſequendo et ad finem contrarium judicialiter et extrajudicialiter operando a tempore quo ipſis conſtabat de effectu finali præditionis, propter quam T. de Turbervill. erat ſuſpenſus, prout in dictis proceſſibus & aliis, ac Procuratorum & Nunciorum ipſius Avi credentiis & Summis Pontificibus & *Franciæ* Regi expoſitis, & in aliis tractatibus literis & memorandis, & Nobilium regni *Angliæ* reſponſionibus ſuper hiis factis plenius continetur. (Of which I found ſundry Records and Memorials in the *White Tower* Chappel.)

Supraſcripta oſtenduntur ad præſens ad finem, quod conſideratis literis Apoſtolicis et literis Francorum Regis dicto Domino noſtro nuper directis, et articulis credentiarum Nunciorum eorundem dicto Domino noſtro expoſitis, ſi apparerat quod hujuſmodi articuli tendant ad aliquem finem ex ſupraſcriptis, vel ad aliquem alium ſimilem in effectu, idem Dominus noſter et ejus Conſiliarii uti valeant defenſionibus juris et facti, per Abum ſuum et ejus Conſiliarios quondam ordinatis et obſervatis, contra pericula imminentia ipſis et Nationi Anglicanæ in præmiſſis, quouſque defenſiones meliores inveniantur.

Item, ad finem quod Nobiles regni Angliæ, et Procuratores Communitatis Subditorum regni prædicti, admittantur per ipſum Dominum Regem ad hujuſmodi defenſiones proponend. prout eorum anteceſſores ab Avo dicti Domini noſtri erant admiſſi. Et quod Conſiliarii et Nuncii ipſius Domini noſtri conſilio et auxilio eis diligenter aſſiſtant, ſub forma tempore Avi ſui prædicti obſervata.

Item, ad quædam alia facienda et ipſorum nomina proponenda et proſequenda, quæ et certis cauſis alias ſunt ſecretius exprimenda.

I likewiſe found two other Records in the *White Tower* Chappel, relating to and ſeconding the premiſes, in nature of a Popular Petition to the Kings *Chancellor*, thus relating all the proceedings in this affair.

Cancellario Domini noſtri Regis;

Iſta Petitio eſt popularis, facta ad proſecutionem quorundam Nautarum dampna paſſarum per inimicos nationis Angliæ.

QUia pro certis cauſis contentis in Rotulo ſignato per *B.* & ex aliis cauſis de quibus apparet in Rotulo de defenſionibus et remediis contra tres vias procedendi ſignatos per *B.* videbatur Avo Domini noſtri et ejus Conſiliariis, quod dampnoſum et periculoſum eſſe poterit Epiſcopis et aliis perſonis Eccleſiaſticis proponere aliqua tendentia ad declinand. cognitionem Domini Bonifacii quondam Papæ 8. inchoatam ad inſtantiam *Franc.* Regis & confœderatorum ſuorum terræ *Scotiæ*, & aliunde ſervire Coronæ *Angliæ* in contingentibus terram *Scotiæ* prædictæ, virtute compromiſſi in ipſum Papam ſanciti per Procuratores Regum prædictorum; Et ſpecialiter aliqua tendentia ad juſtificand. guerram dicti Regis *Angliæ* contra gentes terræ *Scotiæ* prædictæ, & ad continuand. guerram ſupradictam, Dominus *Robertus* de *Burgherſech* conſtitutus erat Procurator. dicti Regis *Angliæ* ad proponend. Articulum contentum in Cedula præſentibus annexo, & alios articulos, tendentes non ſolum ad juſtificand. guerram prædictam, et etiam ad ipſam confirmand. contra rebelles ſuos in terra Scotiæ ſupradictæ, et ad retinend. dictam terram Scotiæ perpetuo

In Turre London, relating to An. 29, 30, &c. E. 1.

An. 29 E.1. tuo et immediate annexam Coronæ Angliæ, et patrimonio Regum Angliæ incorporatum, ita quod nunquam poni poterat extra manus Regum Angliæ prædictorum, nec a dicta Corona segregari.

Item, quia postquam ad instantiam Procuratorum dicti Regis *Franciæ* & confœderatorum suorum terræ *Scotiæ* prædictæ, dicta Papæ suggerentium, non solum superioritatem terræ Scotiæ in spiritualibus dictæ terræ set etiam in temporalibus ad Ecclesiam Romanam pertinere, processus per dictum Papam contra dictum Regem Angliæ erat inchoat. ad finem ipsum compellendi per excommunicationis et interdicti sententias ad supersedend. in guerra sua contra Scotos prædictos, necnon ad annullandum omnia judicia per Curiam Angliæ lata contra dictos Scotos super corporum et bonorum forisfactura, sed etiam ad restituend. dictis Scotis omnes eorum terras per ipsum Regem Angliæ et suos, tam tempore guerræ, quam treugarum occupatas, et ad satisfaciend. eis de omnibus dampnis eis datis tempore treugarum prædictarum, necnon ad privand. ipsum Regem Angliæ omnimoda superioritate quam habuit in terræ Scotiæ, et ad alios fines contentos in dicto Rotulo signato per B. Videbatur dicto Regi *Angliæ* et ejus Consiliariis, quod dampnosum et periculosum esse poterit non solum Episcopis et cæteris personis Ecclesiasticis regni Angliæ, † onus defensionis. set etiam sibi assumere. Unde per ordinationem Consilii in Parliamento Lincoln. Anno Gratiæ Millesimo Trecentissimo, omnes Comites et Barones, et cæteri Nobiles dicti Regi Angliæ ibidem præsentes, ipsorum nomine et totius Communitatis regni prædicti dictum onus assumpserunt, ut apparet per eorum literas dicto Papæ directas sub sigillo eorundem, et contentas in dicto Rotulo signato per B.

Item, quia Anno Gratiæ 1301. quandò *Franc.* Rex & ejus confœderati tantum confidebant de solitis singularitate & dissensione, & aliis Consuetudinibus quarundam gentium nationis *Anglicanæ*, et aliarum terrarum Coronæ *Angliæ* annexarum, et specialiter de assensu seu conniventia quarundam personarum aliàs secretius nominandarum, quod noluerunt consentire ulteriori prorogationi treugarum inter ipsos et Regem Angliæ prædictum, nisi dicti Scoti includerentur in dictis treugis, tanquam Francorum Regis confœderati, & Comites & cæteri dicti Regis *Angliæ* confederati de terris *Flandr. Barr.* & *Burgund.* exciperentur a Treugis supradictis, prout per literas * *Francorum* Regis super hiis treugis factas, Anno 1302. & nunciorum & procuratorum dicti Regis *Angliæ* tractatus & excusationes plenius apparet.

* Here, p 875, 876.

Item, Quia Episcopi & alii solempnes nuncii & procuratores dicti Regis *Angliæ* per quos & alii ipsius Consiliarii, de quorum Consilio & ordinatione compromissum fuit in Papam *Bonifacium* 8. super guerris & discordiis, &c. duæ primæ viæ tractandi et procedendi coram dicto Papa & aliis ad pacem reformand. inter dictos *Angliæ* & *Franc.* Reges et eorum subditos quondam ordinatæ fuerunt, & per septennium et amplius continuatæ, et informationes factæ dicto Papæ & Cardinalibus, & aliis Domini Papæ nunciis super hujusmodi guerrarum materia, et super hiis petita erant remedia primis duabus viis supradictis, in tantum reprehensi fuerunt non solum per dictum Papam, set etiam per homines Nationis Angliæ, et specialiter per quosdam conquerentes de dampnis & gravaminibus eis datis durantibus treugis, tractatibus, et processibus morosis supradictis, non solum in laboribus et expensis, set etiam onerosis et Custumarum impositionibus insolitis.

Item, dicti Episcopi & cæteri prædicti tantum timebant hujusmodi conquerentium comminaciones et guerras, resistentias & rebelliones quæ ex præmissis potuerunt in *Angliam* more solito provenire; et quia duæ primæ viæ prædictæ adeo erat desperatæ, ad tollendam principalem materiam guerrarum *Scotorum* & aliorum inimicorum Nationis *Anglicanæ*, seu impossibiles videbantur omnibus notitiam habentibus materiæ supradictæ, et conditionum personarum præstancium dictis inimicis auxilium & favorem contra rationem prædictam, & contra incolas terrarum Coronæ *Angliæ* annexarum dictæ Nationi adhærentes, & eorum confœderatos, adjutores & amicos. Et quod via denunciationis vel querelæ ratione peccati procedere oporteret, contra inimicos prædictos. Et quod hujusmodi via denunciationis vel querelæ tantum erat odiosa in Curia Romana et alibi, et periculosa esset personis Ecclesiasticis, et Comitibus et aliis Nobilibus regni Angliæ pro remediis necessariis impetrandis contra dictos inimicos prosequentibus, quod nullus ipsorum audebat onera officii Procur. et Nuncii assumere in præmissis; (Whereupon) Procuratores

res Nautarum Portuum regni *Angliæ*, et aliarum terrarum & Inſularum Coronæ *Angliæ* annexarum, aſſumpſerunt de ordinatione dicti Regis Angliæ et ejus Conſilii, onus defenſionis Jurium Coronæ Angliæ in præmiſſis contra dictæ Nationis Angliæ inimicos, et eorum adjutores et confœderatos, via denunciationis et querelæ, coram quibuſdam Cardinalibus per Dominum Papam Bonifaciam aſſignatis hujuſmodi guerrarum materiam in ſcriptis proponendo, et dictis inimicis prædictam materiam imponendo, unà cum paſſagii tranſmarini impedimentis, & aliis dampnis quampluribus dicto Regi *Angliæ* & ſuis per dictos inimicos præſtitis & illatis per 17 Annos & amplius, contra protectionem Sedis Apoſtolicæ ipſi Regi Angliæ et ſuis ratione cruceſignationis conceſſam, et in dictæ Sedis contemptum, et totius Chriſtianitatis præjudicium. Ac dictus Dominus Papa ad hujuſmodi Procuratorum inſtantiam, contra dictum Francorum Regem et ſuos ſuper propoſitis contra ipſos inimicos, ratione peccati inchoavit proceſſum Menſe *Decembris*, Anno 1302. Cujus virtute, dictus Rex Franc. excommunicatus erat, et regnum ſuum interdictum, ante diem Sancti *Johannis Baptiſtæ* proximo ſequentem. Et eodem die appellatum erat per dictum Franc. Regem et Prælatos et Nobiles regni ſui prædicti ad hujuſmodi Excommunicationis et Interdicti ſententiis ad Generale Concilium, ad præſentationem Domini Willielmi de Neugaretto et aliorum denunciantium Crimen Hæreſis et alia crimina contra Papam prædictum; de fine vero dicti proceſſus nichil dicendum eſt ad præſens ex cauſa. *An.* 29 E. 1.

Item, dicti Nautæ à tempore mortis dicti Papæ *Bonifacii* extra adeò ſingulares fuerunt, negligentes & remiſſi ad proſequend. coram Summis Pontificibus via denunciationis & querelæ, ad finem reſumendi & continuandi proceſſum ſupradictum, vel inchoandi ſimilem in effectu contra dictæ Nationis *Anglicanæ* inimicos, et eorum hæredes, confederatos & adjutores, quod ex hujuſmodi eorum ſingularitate & negligentia, dictæ Nationis inimici audaciam ſumentes inſurgendi, & tam in terra quam in mare guerras movendi contra gentes Nationis prædictæ, et incolas terratum, Inſularum Coronæ *Angliæ* annexarum, ex quibus mala infinita pervenerunt, tâm in perſonis quàm in bonis Gentium prædictarum, et adhuc provenire non ceſſant.

Placeat Paternitati veſtræ reverendæ, inſtare erga Dominum noſtrum Regem & ejus Conſilium, quod mandetur dictis Nautis, quod conſtituant Procuratores ſufficientes ad proſequendum coram Summo Pontifice & ejus Nunciis in *Anglia* tunc præſentibus ante ipſorum receſſum, vel ſaltem unius eorundem, ad finem reſumptionis & continuationis proceſſus ſupradicti, & ad alios fines per dicti Domini noſtri Conſilium ordinand. & ſpecialiter ad duos fines vel tres alias ſecretius exprimendos ex cauſa.

I ſhall conclude this Hiſtory, with * *Polydor Virgils* Narrative. Bonifacius *Pontifex* à Scotis *precibus* fatigatus, et ſubiratus, *quod* Edwardo Balliolo *filio* Johannis *non eſſent reſtitutæ poſſeſſiones, quas ille in* Angliæ *habebat*, interdixit Edwardo Regi, ne amplius poſt hæc Scotos bello vexaret, quod id regnum antea in Romani Pontificis fidem et poteſtatem a Scotis ipſis permiſſum fuiſſet, et ideo aſſerebat, ſibi ſoli integrum eſſe cuicunque liberet dare auferreve: Edwardus *accepto Pontificis reſcripto, habuit primo quoque tempore Principum Concilium, de eaque re maturè conſuluit*: poſtea, tam per literas quam per Nuncios Pontificem docuit, jus prioritatis terræ Scotiæ ad ſe pertinere, ſecumq; facere, et propterea non paſſurũ ſe eo perperam privari. His cognitis Bonifacius ſtatim refrixit, ut ſcil. ſi pertinacius contenderet, ne inhoneſte cauſa caderet. And ſo the imperious vapouring Bulls, and claims of this uſurping Pope to the right and dominion of the Realm of *Scotland*, vaniſhed into ſmoake; and King *Edward* vigorouſly purſuing his declared right thereunto, † *In feſto* Pentecoſtes *finitis Trengis quæ cum* Scotis *initæ fuerunt*, *Rex contra feſtum Sancti* Johannis Baptiſtæ *in* Scotiam *proficiſcitur* exercitu adunato, *& in* Scotia *denique hiemavit*.

* Angl. Hiſt. l. 17. p. 342.

† Tho. Walſingham, Hiſt. Angliæ, p. 55. Ypodigma Neuſtriæ, p. 95.

After the Parliament held at *Lincoln*, and the premiſed Letters of the King and Nobles ſent to Pope *Boniface* concerning his Soveraign dominion over *Scotland*; the King writ and ſent this complemental Letter of thanks to him for his great favour (in granting him a *Diſme* for the pretended relief of the *Holy Land*, as I conjecture)

An. 29 *E.* I. and to desire him speedily to compleat and put a final end to all remaining differences between the *French* King and him for the common good of the whole Christian Repuplick; (which the Pope delayed for his own private ends,) for which end he formerly and now again dispatched several Ambassadors and Proctors to him therein nominated.

Claus. 29 E. 1. m. 3. dorso. Pro Rege.

SAnctissimo in Christo Patri *B.* &c. *Edwardus* &c. Quantæ mansuetudinis gratiæ & quo liberalitatis munere nos fueritis hactenus prosecuti, non possumus esse immemores; nam quantò illud perspicaciori intuitu contemplamur, tanto nostris intellectibus altius se extollit, & in ejus consideratione Deo & vobis exinde laudes referimus pleniores. Dum itaque in mente revolvimus **continuatas liberalitates et promptas quibus non pluries visitastis, et inter cætera munificentiam illam magnam per dilectum Clericum nostrum** *Ger.* Archidiaconum *Rych*, nobis nuper ex parte vestra **delatam, qua nos liberaliter honorastis, quantam vobis astringimur et tenemur nequivimus exprimere, neque sufficimus. Ut condignas super hoc vobis gratias exolvamus, set pro illis superna clementia inestimabilis boni vobis præmium recompenset.** Cæterum **finem et exitum negotii reformationis pacis quod** est inter **Regem** *Franciæ* **et** *Nos*, quod adhuc pendere dignoscitur coram vobis, pro quo alias solempnes Nuncios nostros ad præsentiam vestram transmisimus, & pro quo etiam dilectos & fideles nostros *Walterum Coventr.* & *Litchf.* Episcopum, *Amadeum* Comitem *Sabaudiæ*, *Ottonem* de *Grandissono*, Militem, & prædictum Archidiaconum, Procuratores & Nuncios nostros ad vos mittimus iteratò, **desiderabiliter expectantes Sanctitati vestræ omni prece qua possumus supplicamus, quatinus eosdem Nuncios**, paternis affectibus recommendatos habentes, sic si placet circa expeditionem finalem & consummationem ipsius negotii curam sollicitam dignemini adhibere, quod pro bono & utilitate **totius Reipublicæ Christianæ, ad prosperum et optatum** divina **cooperante clementia perducatur effectum.** Credentes, si placet, quæ præfati Nuncii, vel tres ex ipsis, ex parte nostra vestræ beatitudini viva voce exponenda duxerint in præmissis. *Conservet &c. Dat apud* Glasgu 24 *die* Augusti.

He likewise issued and sent this Patent of Procuration by them to the Pope, to put an end to this long-deferred Treaty of Peace.

Pat. 29 E. 1. m. 2. intus. Procuratorium Regis missum ad Curiam Romanam.

SAnctissimo in Christo Patri Domino *B.* Divina providentia, &c. *Edwardus*, &c. Devota Pedum oscula Beatorum. **Super expeditione negotii reformationis pacis inter magnificum Principem Regem** *Franciæ* & Nos, juxta formam vestræ pronunciationis virtute compromissi per dictum Regem & nos **in vos facti, dudum habitæ seu prolatæ nunc authore Domino finaliter terminandi**, dilectos & fideles nostros *Walterum Coventr.* & *Litchfelden.* Episcopum, & Nobiles viros *Amadeum* Comitem *Sabaudiæ*, *Ottonem* de *Grandissono* Militem, & *Ger.* Archidiaconum *Richmund*, Procuratores & Nuncios nostros ad vestræ sanctitatis præsentiam destinantes; **Damus eis et concedimus generalem, plenam et liberam tenore præsentium potestatem et speciale Mandatum** petendi, audiendi, recipiendi & acceptandi complementum, perfectionem, ac totalem consummationem pronunciationis ac reformationis prædictarum, & omnia alia & singula quæ super reformatione Pacis prædictæ, ac etiam **super omnibus Guerris, discordiis, litibus, controversiis, causis, quæstionibus, damnis et injuriis, petitionibus et actionibus realibus et personalibus atque mixtis, quæ fuerunt et sunt, vel esse possent inter prædictum Regem** Franciæ **et nos occasione quacunque, et præmissa quoquo modo tangentibus vestra providentia duxerit arbitranda, laudanda, diffinienda, arbitraliter sententianda, præcipienda, ordinanda, disponenda, pronuncianda, addenda, minuenda, corrigenda, interpretanda seu declaranda, ac ea omologandi, roborandi, et vallandi per juramentum in animam nostram præstandum**; Nec non **tractandi, paciscendi, concordandi, et etiam transigendi, et omni alia et singula faciendi quæ ad plenam pacem et concordiam, ac pacis et concordiæ omniumque prædictorum perfectionem et consummationem, quoquo modo pertinent et poterunt pertinere, et quæ nos faceremus vel facere possemus, si præsentes essemus**, etiamsi ea vel eorum aliquod mandatum exigant, vel exigat speciale. Volumus insuper & concedimus, quod tres ex ipsis, si forsan ipsos quatuor insimul ad hoc concurrere non contingat, plenam, generalem,

generalem, & liberam habeant in præmiſſis omnibus & ſingulis poteſtatem. Promittentes nichilominus, Nos ratum & firmum perpetuo habituros quicquid per prædictos Epiſcopum, Comitem, Militem & Archidiaconum, aut tres ex ipſis, ſi ipſi quatuor ad hoc ut præmittitur inſimul non concurrant, petitum, acceptatum, omologatum, vallatum, aut aliàs factum fuerit in præmiſſis, & quolibet præmiſſorum. Super quibus etiam per noſtras literas approbandis, tenendis, ſervandis atque complendis, nos et hæredes noſtros & omnia bona noſtra ſpecialiter obligamus: Et hæc Sanctitati veſtræ ſignificamus, & omnibus quorum intereſt, vel intereſſe poteſt aut poterit in futurum, per noſtras patentes literas ſigilli noſtri munimine conſignatas. Dat. apud *Glaſcu*, 24. die *Auguſti*, Anno 1301. Regni vero noſtri 29. *An.* 29 E. 1

The King ſoon after for the haſtier and ſpeedier diſpatch of this grand affair, and all other his buſineſſes in the Court of *Rome*, (where nothing could then be obtained or ſpeedily affected without Bribes and Penſions to the *Roman* Cardinals and other Officers) granted 4. Annuities of 50. *Marks a year* out of his Exchequer, payable at the Feaſts of *Eaſter* and St. *Michael* to 4. of the principal ſwaying Cardinals, all of one date, thus recorded to poſterity.

REX omnibus ad quos, &c. ſalutem. Attendentes affectionis ſinceritatem et diligentiæ ſollicitudinem quas venerabilem Patrem *Lucam de Fliſco*, Sanctæ *Mariæ* in *via lata* Diaconum Cardinalem, Conſanguineum & amicum noſtrum Cariſſimum erga Nos, et negotiorum noſtrorum expeditionem gerere nobimus, et habere, quinquaginta Marcas ſterlingorum annuatim per æquales portiones ad Scaccarium noſtrum, videlicet in Feſtis *Paſchæ* & Sancti *Michaelis* percipiendas duximus concedendas. In cujus, &c. Dat apud *Dony Pas* 14. die *Octobris*. *Per breve de Privato Sigillo.* Pat. 29 E. 1. m. [illegible]. De [illegible] nibus C[illegible] libus Re[illegible] per Regem. conceſſis.

Conſimiles literas habet Venerabilis Pater Dominus *Petrus de [illegible]perne*, Sanctæ *Mariæ novæ* Diaconus Cardinalis, amicus Regis Cariſſimus, de quinquaginta Marcis ſterlingorum percipiendis ad Scaccarium prædictum in feſtis prædictis. Teſte ut ſupra. *Per breve de Privato Sigillo.*

Conſimiles literas habet Venerabilis Pater Dominus *Willielmus de Pergamo*, Sancti *Nicholai in Carcere Tulliano* Diaconus Cardinalis, amicus noſter Chariſſimus, de quinquaginta Marcis ſterlingorum annuatim percipiendis ad Scaccarium prædictum in feſtis prædictis. Teſte ut ſupra.

Conſimiles literas habet Venerabilis Pater *Franciſcus*, Sanctæ *Mariæ in Coſmedyn* Diaconus Cardinalis, et amicus Regis Cariſſimus, de quinquaginta Marcis ſterlingorum annuatim percipiendis ad Scaccarium prædictum in feſtis prædictis. Teſte ut ſupra. *Per breve de Privato Sigillo.*

In a Bundle of Writs and Letters in the *White Tower* Chappel, I found this Writ of the King under the privy Seal to his Chancellor, to write Letters in his name to acquaint theſe Cardinals what Penſions he had granted them; and to direct other letters to them in uſual form in his name, on the behalf of the Biſhop of *Cheſter*, his Treaſurer.

EDward par la grace de Dieu Roy *Dengleterre*, Seigneur *Dirland*, & Ducs *Daquitaine*, a noſtre chere Clerc, et feal, *Johan de Langeton* noſtre Chanceler, ſaluz. Pur ce qe Leveſque de *Ceſtre* noſtre Treſorier, irra prochainement a la Court de *Rome* en noſtre Meſſage, et nous luy aboms graunte noſtre Protection et general Attorne pur luy et pur les Siens, qi vount oveuk luy, a durer par taunt de temps, come le dit Eveſque voudra; Vous mandoms, qe ſur ce, li facez aver nos lettres en duwe fourme. E pur ce qe Leveſque ad a faire de nos lettres de priere tot ne y aloſt il point al Apoſtoille, et a Cardinaux, et a aucuns autres de cele Court, pur ſa beſoigne propre; Vous mandoms, que bous luifacez aver al Apoſtoille, et as autres qil vous fera aſaboir, bones et eſpecieles tieles come Leveſque voudra deviſer, de ſicome bous ſabez la deſautes qe nous averoms de luy tant come il eſt en ceu boiage et plus averioms de li, ſil ne revenſiſt toſt deſaute. E pur ce qe le dit Eveſque, le Counte de *Savoye*, Monſeur *Otto de Graunſon*, & Lercediakne de *Richemonde* vount en noſtre Meſſage al Apoſtoille, pur le beſoigne dentre le Roy de *France* et Bundela Bre[illegible] & Litera[illegible] in Turre [illegible]udon An. 29 E. 1.

An. 29 E. 1. nous fetes loꝛ faire nos lettres obertes en loꝛ nouns, ſur tiele fourme, come nos Meſſages ount eu, qi ꝑ ſont autre foiz alez; & come nous foloms abiſez a doner ſèz a 4. Cardinaux; Les queux Lercediakne de *Richem.* vous fera aſſaver, a chef. cun 50. mark par an, nous voloms qe bous loꝛ enfacez nos lettres tieles come autrefoiz ont eſte faitez a Cardinaux de ſemblable doun. Don ſouz noſtre prive Seale a *Glaſgu*, le 25 jour de *Augſt*, l'an de noſtre Regne 29.

The *Earl of Savoy*, and *Otto de Grandiſon*, beſt acquainted with the ſtate of the Kings affairs, and differences between him and the King of *France*, refuſing to undertake this new Embaſſie and Procuration to the Pope, for the reaſons * *premiſed*, though oft times importuned thereunto by the King; he thereupon the next year authorized his other Proctors to proceed therein by this Writ.

* Here, p. 896.

Cl. 30 E 1. m. 15 dorſo. Rot. Alemanniæ ab An. 22 E 1. uſq. 31. m. 6. Procuratorum Miſſorum ad Curiam Romanam.

SAnctiſſimo in Chriſto Patri Domino *B.* Divina Providentia Sanctæ *Romanæ* et univerſalis Eccleſiæ Summo Pontifici, *Edwardus* ejuſdem gratia Rex *Angliæ*, Dominus *Hiberniæ*, & Dux *Acquitaniæ*, devota pedum oſcula beatorum. Nuper ſanctiſſime Pater ante terminum feſtivitatis Sancti *Andreæ* Apoſtoli prox præteritum, dilectos & fideles noſtros *Walterum Coventren.* & *Litchfelden.* Epiſcopum, & nobiles viros *Amadæum* Comitem *Sabaudiæ*, *Ottonem de Grandiſſono* Militem, & Magiſtrum *Gerardum de Wyppeyns* Archid. *Richmund.* ad veſtræ Sanctitatis præſentiam providimus deſtinandos, quos ſimul vel ſaltem tres ex eis ad audiendum complementum, perfectionem ac totalem conſummationem pronunciationis & reformationis pacis in negotio compromiſſi per magnificum Principem Regem *Franciæ* & Nos in vos facti, juxta formam & continentiam ejuſdem, Procuratores noſtros & Nuncios fecimus ſpeciales. Et licet ſupradictos Comitem & Militem, qui jus noſtrum & ſtatum negotii pro parte noſtra præcipuè noverunt, & aliàs Nuncii & Procuratores noſtri in eodem negotio compromiſſi, (prout veſtra novit Sanctitas) extiterunt, ſpecialibus literis et Nunciis cum magna ꝑecum inſtantia, ad aſſumendum laboꝛem ad veſtram ꝑæſentiam accedendi, requiſi verimus diligenter, ipſi tamen ob quamplures notabiles cauſas et evidentes rationes (*expreſſed in the premiſed Records and Petition to the Chancellor) ſe in hac parte multipliciter excuſarunt, prout jam de novo ad noſtrum pervenit auditum. De quo tedio afficimur in immenſum. Ne igitur veſtra finalis ꝑonunciatio in memoꝛato compꝛomiſſi negotio, quantum ad Nos attinet, propter ipſorum Comitis & Militis abſentiam impediatur, quod abſit, quomodolibet, vel etiam differatur, prælibatis Epiſcopo & Magiſtro *Gerardo* & utrique eorum in ſolidum; ita quod non ſit melior conditio occupantis, ad audiendum pro nobis, & noſtro nomine pronunciationem veſtram, voluntatem & beneplacitum ſuper hiis quæ inter Regem *Franciæ* & nos per vos, virtute compromiſſi prædicti reſtant pronuncianda vel etiam facienda, per alias noſtras patentes literas poteſtatem nos noveritis commiſiſſe, Conſervet vos altiſſimus ad regimen Eccleſiæ ſuæ ſanctæ per tempora proſpera & longæva. Dat. apud *Derlington* quinto die *Marcii*, Anno Regni noſtri 30.

* Here, p. 896, 897.

But theſe Commiſſioners likewiſe delaying, or refuſing to act any further therein, the King in *September* following, conſtituted and ſent New Proxies to conclude this long-delayed buſineſſe, by this Patent.

Pat. 30 E 1. m. 9. intus. Procuratorium miſſum ad Curiam Romanam.

SAnctiſſimo in Chriſto Patri Domino *B.* Divina Providentia Sacroſanctæ *Romanæ* & Univerſalis Eccleſiæ, Summo Pontifici. *Edwardus* ejuſdem gratia Rex *Angliæ*, &c. devota pedum oſcula beatorum. Super expeditione negotii reformationis pacis inter magnificum Principem Regem *Franciæ* & nos juxta formam veſtræ pronunciationis, virtute compꝛomiſſi, per dictum Regem & nos in vos facti dudum habitæ ſeu prolatæ nunc authoꝛe Domino finaliter terminandi, Religioſos viros fratres *W. de Geinsburgh*, & *H. de Hertlepole* de Ordine Fratrum Minorum, & dilectos Clericos noſtros Magiſtros *Johannem de Sancto Claro* Canonicum *Lond.* & *Philippum Martell* Juris Civilis profeſſorem, ac *Willielmum de Dene* Militem, Procuratores & Nuncios noſtros ad veſtræ Sanctitatis præſentiam deſtinantes; damus eis & quatuor vel tribus eorum, ſi eos ſimul adeſſe non contigerit, ac concedimus generalem, plenam et liberam tenoꝛe ꝑæſentium poteſtatem et ſpeciale mandatum petendi,

tendi, audiendi et recipiendi complementum, perfectionem, ac totalem conſummationem pronunciationis et reformationis prædictum, et omnia alia et ſingula quæ ſuper reformatione pacis prædictæ; ac etiam ſuper omnibus guerris, diſcordiis, litibus, controverſiis, cauſis, queſtionibus, damnis, injuriis, petitionibus et actionibus realibus et perſonalibus atque mixtis, quæ fuerunt, et ſunt, vel eſſe poſſent inter prædictum Regem *Franciæ* et nos, occaſione quacunque, et premiſſa quoquomodo tangentibus, veſtra prohidentia duxerit arbitranda, laudanda, diffinienda, arbitraliter ſententianda, percipienda, ordinanda, diſponenda, pronunciranda, addenda, minuenda, corrigenda, interpretanda ſeu declaranda, et etiam omnia alia et ſingula faciendi, quæ ad plenam pacem et concordiam, ac pacis et concordiæ, omniumque prædictorum perfectionem et conſummationem quoque modo pertinent et poterunt pertinere. Promittentes nichilominus nos ratum & firmum perpetuò habiturus quicquid per prædictos Fratres, Clericos & Militem, aut quatuor vel tres ipſorum petitum, receptum, actum, geſtum, ſeu aliàs factum fuerit in præmiſſis & quolibet præmiſſorum, ſuper quibus etiam per noſtras literas approbandis, tenendis, ſervandis atque complendis nos & Heredes noſtros, & omnia bona noſtra ſpecialiter obligamus. Et hæc ſanctitati veſtræ ſignificamus, & omnibus quorum intereſt, vel intereſſe poteſt aut poterit in futurum per noſtras Patentes Literas ſigilli noſtri munimine conſignatas. Dat apud *Arundel* 9 die *Septembris*, Anno Domini 1302. Regni verò noſtri triceſimo. *Anno* 29 & 30 *E.* 1.

What proceedings the Pope made in this Affair to the excommunicating of the King, and interdicting the Realm of *France*, you have heard * before, and I ſhall hereafter more fully relate. * Here, p. 897.

In the Bundles of Writs I diſcovered in the *White Tower* of *Anno* 29 *E.* 1. I found theſe enſuing at the Kings, or Parties Suites, for holding and proſecuting Suites for Goods, Chattles, Treſpaſſes, Advowſons and Freeholds in Court Chriſtian, againſt the Kings Crown, Dignity and Prohibitions. Pundel's Placitum in Turre Londoñ, de Anno 29 E. 1.

Edwardus *Dei gratia Rex* Angliæ, *&c. Vic* Suff. *&c. Pone*, *&c.* Johannem *perſonam Eccleſiæ de* Tudenham, *&c. oſtenſurus quare cum placita de Catallis & Debitis quæ non ſunt de Teſtamento vel Matrimonio* **ad nos et coronam et dignitatem noſtram, et non ad alium pertineant in regno noſtro; idem** Johannes, *&c.* **ſecutus eſt placitum in Curia Chriſtianitatis de catallis et debitis Prioris Canonicorum de** Thetford, **quæ non ſunt de Teſtamento vel Matrimonio, in læſionem Coronæ et dignitatis noſtræ, et contra prohibitionem noſtram.** Teſte meipſo apud *Glaſcon*, 8 die *Septembris*, *an. r. n.* 29. Edwardus, &c. *Vic.* Suff. *Pone*, &c. *Magiſtr.* Johannem *de* Naſſington **ſentorem**; *Quare*, *&c.* (ut ſupra) *tenuit placitum in Curia Chriſtianitatis de catallis & debitis* Jacobi *de* Mohune *perſonam Eccleſiæ de* Brompton: **quæ non ſunt**, &c. **in læſionem Coronæ et dignitatis noſtræ**, &c. **Pone etiam** Willielmum de Roynene, Willielmum Haldeyn, Robertum de Mundesby, (and three others) **quare ſecuti ſunt idem placitum in eadem Curia contra prohibitionem noſtrum.** *T. meipſo apud* Hereford, 26 *die* Aprilis, *an. r. n.* 29. Edwardus, &c. *Vic.* Glouc. &c. *quod penas Magiſtr.* Rogerum de Stoke, *quod ſit*, *&c. ad reſpondend. Magiſtr.* Radulpho de Leyceſtre, & Thomæ de Mitcham, *quare ipſe ſimul cum Magiſtro* Johanne de Eboracis *perſona Eccleſiæ de* Tredyngton *ſecutus fuit* (conſimile) *placitum in Curia Chriſtianitatis* **contra prohibitionem noſtram**, &c. *T.* E. de Mekingham, 23 *die* Febr. *an. r. n.* 29. *Vic.* Not. &c. *quod diſtringas* Willielm. de Peterings *per omnes terras & catalla, &c. ad reſpondend.* Radulpho de Bedyngton, & Johanni de *Eyleſton*; *quare ipſi ſimul cum Magiſtr.* Roberto de Candelbey, **tenuerunt** (conſim.) **placitum in Curia Chriſtianitatis, &c.** *Et ad audiendum judicium ſuum de pluribus defaltis. T.* J. de Metingham *apud* Ebor. 16 *die* Maii, *an. r. n.* 29. *Vic.* Ebor. &c. *Si* Robertus Ughtred, &c. *pone*, *&c. Magiſtr.* Johannem de Naſſington, & *Magiſtr.* Johan. de Berenys, &c. *oſtenſuri quare* **tenuerunt** (conſimile) **placitum de catallis et debitis quæ non ſunt.** *Pone etiam* Michaelem Chapeleyn, Johannem de Northaveron, *Magiſt.* Rogerum de Hoſelerton, & Thomam de Hoſelerton, **quare ſecuti ſunt idem placitum contra prohibitionem noſtram, &c.** *T. meipſo apud* Aberford, 27 *die* Novembris, *an. r. n.* 29.

Edwardus, &c. *Vic.* Eſſex, *ſi* Rogerus de Gras, &c. *Pone*, *&c.* Willielmum Atteforde *perſonam Eccleſiæ de* parva Badowe, &c. *oſtenſurus quare* **ſecutus eſt placitum in**

An. 29 E 1. in Curia Chriſtianitatis de Advocationis Capellæ *beatæ* Mariæ *de* parva Badowe contra prohibitionem noſtram. *Teſte meipſo apud* Strivelyn. 8 *die* Octobr. *Anno regni noſtri* 29.

Edwardus, &c. *Vic.* Linc. &c. *Si* Chriſtiana Weſt, *&c. pone, &c. Magiſtr.* Benedictum *de* Muchewell, & Robertum *perſonam medietatis Eccleſiæ de* Stoks, *&c. oſtenſuri*, quare cum placita de Tranſgr. contra pacem noſtram factis in regno noſtro, ad nos, &c. idem Benedictus et Robertus tenuerunt placitum in Curia Chriſtianitatis de hujuſmodi Tranſgreſſionibus, in læſionem Coronæ et dignitatis noſtræ, et grave dampnum ipſius Chriſtianæ, et contra Prohibitionem noſtram, &c. *Teſte meipſo apud* Newelham, 28 die *Januarii*, *An. r. n.* 29.

Edwardus, &c. *Vic.* Hereford, &c. *Si* Johannes *fil.* Adæ de Mariſco, &c. *pone, &c.* Richardum Epiſcopum Hereford, *&c.* oſtenſurus, quare tenuit placitum in Curia Chriſtianitatis de Laico feodo prædicti Johannis *in Proma Canonicorum* contra prohibitionem noſtram. Pone etiam, &c. *Magiſtr.* Robertum de Glouceſtr. quare ſecutus eſt idem placitum in eadem Curia contra prohibitionem noſtram. *Teſte meipſo apud* Linlinſcu. 2. *die* Nov. *An. r. n.* 29.

But the principal Writs of this kinde, and of greateſt concernment this year, are thoſe which concern the Earl of *Lancaſter* (made by adviſe of the Kings Counſil, Nobles and others upon mature conſideration) againſt *John de Ferrers* for proſecuting, and the Archbiſhop of *Canterbury* and his Commiſſaries, for holding Plea of ſundry of his Caſtles, Manors, Villages and Freeholds in ſeveral Counties in Court Chriſtian, againſt the Kings Prohibitions; which I found in the *White Tower* Chappel, iſſued under the Kings privy Seal, and after under his Great Seal by the Chancellor.

Bundela Brevium de Privato Sigillo, &c. in Turre London, An. 29 E 1.

EDward par la grace de Dieu Roy *Dengleterre*, &c. a noſtre chier Clerk & ſoial *Johan de Langeton* noſtre Chancelier, ſaluz. Nous avoms reſceu la ſourme des lettres, qe vous et noſtre Conſeil a *Everwyk* avez ordene ſur la buſoigne qui touche la Conte de *Lancaſtre* noſtre Nevеu, dont nous vous mandaſmes nadgires & lavoms monſtree as Contes, Barons, et as autres bones gentz qui ſont en noſtre compeigne, & vous feiſoms aſſavoir, quil nous ſemble, et a eux auſint, que la dite ſourme eſt renable et ſeiſable en ceſt cas; par quoy nous la vous renuoions et mandoms, qe vous facez nos lettres contenantz meiſme la ſourme, et les livrez as gentz de dit noſtre Nevеu dou ſouz noſtre prive Seal a *Pebles*, le 10 jour *Daugſt*, l'an de noſtre regne vint & noeviſme.

EDward, &c. a ſon chier & ſoial *Johan de Fereres*. Per ceo, qe nous aboms entendu qe vous, un plai de lai fee, dount la coniſſance apent purement a noſtre Curt, ſuez en la Curt Chriſtiene vers *Thomas* Conte de *Lancaſtre*, en grant prejudice de nous et de noſtre Reaume, et en blemiſſement, de noſtre Corone, e de noſtre Dignitie Royale; as queux ſauver, meinteinir et garder vous eſtez tenuz e liez par le Serement qe vous nous avez fait; Nous mandoms e enjoignoms en la homage qe vous nous avez fait, e la foy qe vous nous debez, e le Serement avantdit, e ſur forfeiture de quanque vous nous poez forfere, Qe vous par vous, ne par autre, le dit play ne ſuez en la Curt Chriſtiene avandite; e ſi nule Suite enavez fait ou mande e faire, ſanz delay le repelez e faitez repeler. E vous meimes ſoiez deuant nous a trois ſimoines de la Seint *Michel* ou qe nous ſeoms, pur ſere a reſceivre en les choſes avantdites, ceo qe dreit enſerra. E nous adunges ſerroms preſt de vous ſere dreit en cele buſoigne, ſi avant come la coniſſance apent a nous, e a noſtre Curt: E eyes illoeques ceſt bref.

Clauſ. 29 E 1. m. 7. dorſo.

REX dilecto & fideli ſuo *Johanni de Ferrariis* ſalutem. Quia intelleximus quod vos quoddam placitum de Laico feodo, cujus cognitio ad noſtram Curiam mere ſpectat, in Curia Chriſtianitatis verſus dilectum Nepotem & fidelem noſtrum *Thomam* Comitem *Lancaſtriæ* proſequimini, in regni noſtri præjudicium manifeſtum, et Coronæ noſtræ noſtræque dignitatis Regiæ non modicam læſionem, ad quas tenendas, manutenendas, et etiam obſervandas, aſtricti eſtis vinculo nobis præſtiti Juramenti, Nobis ſub debito homagii quod nobis feciſtis, et in fidelitate qua nobis tenemini, necnon et juramento veſtro prædicto, et etiam ſub forisfac-

tura amnium quæ nobis ſatisfacere poteſtis, firmiter inhibemus, ne placitum prædictum per vos vel per alium in Curia Chriſtianitatis proſequi præſumatis. Et ſi hujuſmodi placitum in Curia illa proſequi feceritis, ſeu proſequi mandaveritis, ſine dilatione qualibet revocetis, et revocari totaliter faciatis, et vos ipſi coram nobis ſitis a die Sancti *Michaelis* in tres Septimanas ubicunque tunc fuerimus in *Anglia*, ad faciendum et recipiendum quod juſtum fuerit in præmiſſis. Nos enim parati ſumus et erimus vobis in hac parte plenam et celerem Juſticiam exhibere. Et habeatis ibi hoc Breve. Teſte Rege apud *Pebles* 10. die *Auguſti*. *An.* 29 E. 1.

Per breve de Privato Sigillo.

The Archbiſhop of *Canterbury* and his Commiſſaries holding Plea, and *John de Ferrariis* proſecuting it in Court Chriſtian, againſt the Kings Prohibitions; the Earl of *Lancaſter* thereupon brought this Action againſt the Archbiſhop and his Commiſſaries for this uſurpation upon the Kings Crown, Dignity, Courts, and contempt of his Royal authority, to his damage of 20000 *l.* as the Plea Rolls of Anno 29 E. 1. which I found in the *White Tower* record, his Declaration running in the words of the premiſed Writs; upon which iſſue was joyned, *whether he held plea or not*, and this Writ to ſummon a Jury awarded to the Sheriffs of *London* to try the iſſue.

Bundela Brevium in Turre London, An. 29 E. 1.

E*Dwardus* Dei gratia, &c. Vicecomitibus *London.* ſalutem. Præcipimus vobis, quod venire faciatis coram Juſticiariis noſtris apud *Ebor.* à die S. *Martini* in quindecim dies 12. tàm Cives quàm alios liberos et legales homines de Civitate *London.* quorum quilibet habeat Centum ſolidatas terræ, tenementorum, vel redditus per annum, ad minus, per quos rei veritas melius ſciri poterit. Et qui nec *Thomam* Comitem *Lancaſtriæ*, nec *Robertum* Archiepiſcopum *Cantuar.* aliqua affinitate attingant, ad recognoſcendum ſuper Sacramentum ſuum, ſi prædictus Archiepiſcopus per ſe, & Magiſtrum *Robertum de Ros* Canonicum Eccleſiæ S *Pauli Lonaon.* & Magiſtrum *Johannem de Bedeford* Archidiaconum *London.* Commiſſarios ſuos, die Martis proximâ poſt feſtum Sanctæ *Trinitatis*, & die Mercurii proximâ poſt feſtum Nativitatis S. *Johannis Baptiſtæ*, Anno regni noſtri viceſimo nono, tenuit placitum in Eccleſia S. *Pauli London.* de Laicis feodis prædicti Comitis, ad ſectam *Johannis de Ferrariis*, viz. de *Tuttebyr.* Maneriis de *Barton*, *Rolleſton*, Villis de *Tatenhall*, *Marthinton*, terris, pratis, paſcuis, nemoribus, & redditibus eorundem Maneriorum & Villarum in Com. *Staff.* & Maneriis de *Hegham Ferers* & *Ruſſinden* in Com. *Northt.* Maneriis de *Duffeld* & *Beurepeyr* in Com. *Derb.* & Caſtro de *Lyverpol.* Maneriis de *Weſt-Derby* & *Salford*, Nemoribus de *Toxthad* & *Croxthad*, & *Simondeſwode* in Com. *Lancaſtr.* contra prohibitionem noſtram, ſicut prædictus Comes dicit, vel non, ſicut Archiepiſcopus dicit; Quia tàm prædictus Archiepiſcopus quàm prædictus Comes, inter quos inde contentio eſt, poſuerunt ſe in juriſdictionem illam. Et habeatis ibi nomina Jur. & hoc Breve. Teſte *R. de Hengham* apud *Eborum*, 27 die *Octobr.* Anno regni noſtri 29. What Verdict and Judgement was given therein, I finde not.

In the decayed Plea Rolls at *Yorke* An. 29 E. 1. I found theſe 2. ſuites and Attachments for holding and proſecuting Pleas in the Court Chriſtian for Lay fee and Chattels, againſt the Kings Prohibitions.

Placita apud Eborum, Ann. 29 E. 1. in Turre Lond.

Eborum. Robertus de Rypplingham *perſona Eccleſiæ de* Aclum & Alex. *vicarius Eccleſiæ de* Aclum attach. fuerunt *ad reſpondendum* Johanni de Bernevill *de placito, quare prædictus* Robertus, *&c.* tenuit placitum in Curia Chriſtianitatis de Laico feodo ipſius Johannis *de* Lenenyng, *contra, &c. Et de placito quare prædictus* Alex ſecutus eſt idem placitum in eadem Curia, *contra, &c. Et unde idem* Johannes *queritur, quod cum ipſe die Dominica proxima ante feſtum* Omnium Sanctorum *anno regni Regis nunc viceſimo ſeptimo in Eccleſia beati* Petri Eborum, *in præſentia Magiſtri* Thomæ de Corbrigg, (and others,) &c. poſtea riſſet Regiam prohibic. ne prædicti Robertus & Walterus tenerent placitum in præfata Curia Chriſtianitatis de herbagio creſcente in Curt. prædicti Johannis *apud* Levenyng, ——— *&c.* Yet they proceeded to ſuſpend, and excommunicate him, in contempt of the King and his Courts,

An. 29 *E.* 1. Courts, to the hurt of his Crown and Royal Dignity, &c. *et unde dampnum habet, &c.* which is putrified.

Eborum. Robertus Ughtred *per attorn. ſuum optulit ſe, &c. verſ. Magiſtrum* Johannem de Naſſington, *& Magiſtrum* Johannem de Berewyk, Matthæum de Chapeleyn, Johannem de Northalverton,& *Magiſtrum* Rogerum de Heſelerton *de placito quare predict. Magiſter* Johannes *& Magiſter* Johannes **tenuerunt placitum in Curia Chriſtianitatis de catallis,** *&c.* **quæ non ſunt,** *&c.* **contra,** *&c. Et de placito,* **quare prædicti** Michaelis, Johannes, *& Magiſter* Rogerus **ſecuti ſunt idem placitum,** *&c.* **contra,** *&c. Et ipſi non veniunt; Et præceptum fuit Vic.* **quod attach.** *&c. Et Vic. mandat, quod præceperat Ballivis, &c. Ideo præceptum eſt Vic. quod non omittat propter prædictam libertatem quin attach. &c.*

The King being informed, that the Archbiſhop of *Canterbury* this year, notwithſtanding his * *Prohibition* to him the year before, intended to viſit his Free-Chappel within the Caſtle of *Haſtings*, againſt the antient Priviledge of his Free-Chappels and Crown, iſſued this Writ to the Conſtable of the Caſtle, not to permit the Archbiſhop, or any other from him, to come within the Caſtle, to viſit or exerciſe any Eccleſiaſtical Juriſdiction within the Free-Chapple thereof.

* Here p. 856.

Clauſ. 29 E. 1. m. 9. De non permittendo Archiepiſc. Cantuar. ingred. Caſtrū de Haſtinges.

REX *Stephano Sprot* Conſtabulario Caſtri ſui de *Haſtinges*, ſalutem. Quia venerabilis pater *R. Cantuar.* Archiepiſcopus **liberam Capellam noſtram in Caſtro prædicto, quæ ab omni Juriſdictione ordinaria eſt exempta, intendit ut intelleximus viſitare, in noſtri præjudicium, et libertatis Capellæ noſtræ prædictæ læſionem manifeſtam; Vobis mandamus firmiter injungentes, quod ſi contingat præfatum Archiepiſcopum, aut aliquem alium ex parte ſua ad Caſtrum noſtrum prædictum accedere, ad dictam Capellam noſtram viſitandum, vel ad aliquid aliud faciendum aut attemptandum, quod in noſtri præjudicium ſeu læſionem libertatis dictæ Capellæ noſtræ cedere poteſt, ipſum Archiepiſcopum vel alium ejus nomine ex hac cauſa Caſtrum prædictum nobis inconſultis nullatenus ingredi permittatis.** Teſte Rege apud *Feckenham* 9 die *Aprilis.*

The Abbot of the *Ciſtercians* ſuing the Abbot of *Rewly* in Court Chriſtian, and vexing him for farming a Church of a Prior alien, ſeiſed by reaſon of the Wars with *France* into the Kings hand, by advice of his Parliament, iſſued this Prohibition to ſtay all proceedings.

Clauſ. 29 E. 1. m. 16. dorſo. Prohibitio pro Abbate Regalis loci.

REX dilectis ſibi in Chriſto Abbati de *Pynn*, ſalutem. Cum occaſione guerræ inter Regem *Franc.* & nos motæ, de communi conſilio regni noſtri ſit proviſum, **quod exitus et proventus terrarum, reddituum, et aliorum bonorum quæ alienigenæ habent in regno noſtro infra idem regnum remaneant, ſaltem quouſque pax inter dictum Regem et nos fuerit integre reformata,** ac vos, ſicut intelleximus, pro eo quod proventus qui de Eccleſia de *Saham* ante dictam guerram vobis ſolvi conſueverunt infra regnum noſtrum prædictum, ſecundum formam proviſionis prædictæ hactenus remanſerunt, dilectum nobis in Chriſto Abbatem *Regalis loci* juxta *Oxon.* firmarium Eccleſiæ ſupradictæ **coram Abbate** *Ciſtercienſi* **trahitis in placitum,** ut intelleximus, & ipſum ea occaſione multipliciter moleſtetis, **in noſtri præjudicium,** & prædicti Abbatis *Regalis loci* dampnum non modicum & gravamen, & contra formam proviſionis prædictæ, de quo vehementer miramur; **Nolentes quod aliquis pro his quæ pro utilitate regni noſtri ſalubriter ſtatuuntur, trahatur in placitum vel alias indebite moleſtetur, vobis ſub forisfactura omnium quæ in eodem regno noſtro forisfacere poteritis firmiter inhibendo mandamus, ne de cætero proſequamini placitum ſupradictum.** Teſte Rege apud *Linc.* 23 die *Februarii.*

Per Conſilium.

The King being informed, that the Abbot of the *Premonſtratenſes* had ſent ſome of his Canons into *England*, to demand and levy a great ſum of money and Subſidie to his uſe from the Abbots of his Order in *England*, and all Eccleſiaſtical perſons on whom they had conferred any Benefice, without his privity and Royal aſſent, to the

the prejudice of himself and of the whole Realm, issued this Writ to the Constable of *Dover* and Warden of the Cinqueports, not to permit any Canon, Vallet, or other Messenger of that Order to carry any money, or passe out of *England*, without his special license; agreeing with that before against the like practice by the Abbot of **Cluny*. *An.* 29 E. 1.

* Here p. 858.

REX dilecto & fideli suo *Roberto Burgherſh* custodi Quinque Portuum suorum, salutem. Datum est nobis intelligi, **quod Abbas** *Pramonstratensis* **quosdam** er suis **Canonicis in** *Anglia* **specialiter destinavit, ad petendum et levandum ad opus ipsius Abbatis quandam magnam pecuniæ quantitatem de Abbatibus ordinis** *Pramonstratensis* **in** *Anglia*, **et omnibus personis Ecclesiasticis quibus iidem Abbates Ecclesiastica beneficia contulerunt; verum quia nunquam alias tale subsidium in regno nostro consuevit erigi absque nostra vel progenitorum nostrorum licentia et assensu, posseteque hujusmodi subventionis inordinatæ subsidium in Abbatum prædictorum, ac totius regni nostri præjudicium de facile redundare; Vobis mandamus firmiter injungentes, quod nullum Canonicum ordinis prædicti, Valletum seu alium Nuncium quemcunque pecuniam deferentem ad partes transmarinas transire permittatis, sine nostra licentia speciali.** Teste Rege apud *Morpath* 28 die *Junii*. Claus. 29 E. 1. m. 8 dorso. Quod Canonici Pramonstrarenses non transeant ad partes transmarinas.

I found some Inquisitions issued to several Sheriffs to enquire what monies they had exacted and levyed in this kinde, to which an *Ignoramus* was for the most part returned, these Monks being unwilling or affraid to disclose the indirect practices, or incurre the displeasure of their Superiors.

The Archbishop of *Canterbury* (during the *hot contest between him, and the Abbot and Monks of St. *Augustines*) having excommunicated no less then 17. Parsons and Vicars in *Kent* at once, and imprisoned most of them in the Goal at *Canterbury* upon a Writ of *Capias Excommunicatum*, till they satisfied him for their contempts and injuries against him; upon their complaint thereof to the King, he issued this Writ of Privy Seal to the Bishop of *Chester* his Treasurer, his Chancellor and Counsil, to take good advice thereon, and then to certifie him what course he should take for their relief; as this Writ of Privy Seal I found in the *White Tower Chapple* attests. * Here p. 823 831, 837.

EDward *par le grace de Dieu*, &c. *al honurable piere in Dieu* W. *par la meſme grace Eveſque de* Ceſtre, *noſtre Treſorier, & a noſtre chier Clerc & foial* Johan de Lingeton *noſtre Chancelier, & as autres bones gentz de noſtre Conſail demouraunt a* Everwyk, *ſaluz. Nous enveoms a vous Frere* William de Tykenburſt *Moigne de l'Abbe de Seynt* Auſtyn de Canterbir, & Phelip de Intebergh *Clerc, qui de par l'Abbe & le Covent de meiſme le lieu*, **nous ont en pleignaunt aucunes choſes monſtrees, qe l'Erceveſque de** Canterbir **et ſes Miniſtres ont faites ozetard en grant prejudice de eux, et contre la franchiſe, et l'eſtate de leur Egliſe, et contre la forme des privileges, quil ont de l'Apoſtoille qui oze eſt, et d'aucuns de ſes predeceſſors Eveſques, et auſſint a grant damage d'acunes perſones qui a lour juriſdiction purement appendent,** *ſicome il dient, dont il ſe ſentent molt grevez*, **et nous ont requis, qe nous enmettoms conſail et remede. Et pur ce qe nous deſiroms molt a mettre bon conſail es beſoignes que touchent la dite Egliſe, la quele eſt de noſtre avoerie eſpecialment par la devotion que nous auoms a Saint** Auſtyn **de** Canterbir, **et auſint pur la bon volunte, que nous auoms a l'Abbe et au Covent avantdits;** *Vous mandoms, qe veuz eez a liſir & a tien diligence come il affiert, quantque les avantdits* William & Phelip *vous diront ſur le fait du dit Erceveſque & de ſes Miniſtres en cele partie, & eez conſail & bon aviſement de ce qe nous enporroms faire, par reiſon. Car nous enferiens volenters ce qe nous poriens en bone manere.* **Et quant vous aurez conſailliez ſur ceſte choſe tant come il vous ſemblera qe bon ſoit, mandez nous ent vos auys diſtinctement par vos lettres.** *Don ſouz noſtre prive ſeal a* Kinges Clipſton *le 4. jour de* Decembr. *l'an de noſtre regne vint & notviſme.* Bundela Brevium & Literarum in Turre London. An. 29 E. 1.

The King upon their advice, soon after issued two several Writs to the Sheriff of *Kent*, to release them upon sufficient bayle who were taken and imprisoned, and not

An. 29 E. 1. to take or impriſon the reſt who abſented themſelves, upon putting in ſufficient pledges to appear before him in the Parliament at *Lincoln*, to abide his order in this buſineſſe.

Clauſ. 29 E. 1. m. 14. intus. Pro Johanne Rectore Eccleſiæ de Parva Monigham, & aliis.

REX Vic. *Kanc.* ſalutem. Cum nuper ad denuntiationem venerabilis patris *R. Cantuar.* Archiepiſcopi per literas ſuas patentes nobis ſignificantis, quod *Johannes* Rector Eccleſiæ de *Parva Monigham*, *Johannes* Rector Eccleſiæ de *Eaſtlangedon*, *Walterus* Rector Eccleſiæ de *Stonore*, *Johannes* Vicarius Eccleſiæ de *Chiſteſted*, *Johannes* Vicarius Eccleſiæ de *Mentre*, *Edmundus* Vicarius Sancti *Laurentii* in *Tanet*, *Matthæus* Vicarius Eccleſiæ de *Northborne*, *Thomas* Rector Eccleſiæ de *Frythyndonne*, *Johannes* Vicarius Eccleſiæ de *Tenterdenne*, *Johannes* Vicarius Eccleſiæ de *Leanham*, *Martinus* Rector Eccleſiæ de *Borewaremerſh*, *Sampſon* Rector Eccleſiæ de *Wynelesbergh*, *Willielmus* Rector Eccleſiæ de *Brockland*, *Thomas* Rector Eccleſiæ de *Stone*, *Laurentius* Rector Eccleſiæ de *Kingeſdonne*, *Thomas* Vicarius Eccleſiæ de *Sheldwych*, & *Willielmus* Vicarius Eccleſiæ de *Middleton*, propter manifeſtam contumaciam ſuam excommunicati ſunt, nec ſe volunt **per cenſuram Eccleſiaſticam juſtitiari**; **tibi præceperimus**, quod prædictos *Johannem*, *Johannem*, *Walterum*, *Johannem*, *Johannem*, *Edmundum*, *Matthæum*, *Thomam*, *Johannem*, *Johannem*, *Martinum*, *Sampſonem*, *Willielmum*, *Thomam*, *Laurentium*, *Thomam*, & *Willielmum* per corpora ſua, ſecundum conſuetudinem *Angliæ* juſtitiares, donec Sanctæ Eccleſiæ tàm de contemptu quàm de injuria ei illata ab eis eſſet ſatisfactum. **Et poſtmodum poſtquam iidem** *Johannes*, *Johannes*, *Walterus*, *Johannes*, *Johannes*, *Edmundus*, *Matthæus*, *Thomas*, *Johannes*, *Johannes*, *Martinus*, *Sampſon*, *Willielmus*, *Thomas*, *Laurentius*, *Thomas*, & *Willielmus*, **præter tu mandati noſtri prædicti per te capti, et in priſona noſtra** *Cantuar.* **detenti fuerant, tibi ob aliquas certas cauſas coram nobis propoſitas præceperimus, quod accepta ſufficienti ſecuritate a præfatis** *Johanne*, *Johanne*, *Waltero*, *Johanne*, *Johanne*, *Edmundo*, *Matthæo*, *Thoma*, *Johanne*, *Johanne*, *Martino*, *Sampſone*, *Willielmo*, *Thoma*, *Laurentio*, *Thoma*, & *Willielmo*, **quod eſſent coram nobis in Parliamento noſtro apud** *Lincoln.* **in Octabis Sancti** *Hilarii* **proximo præteritis, ad informandum nos plenius ſuper cauſis prædictis, ipſos** *Johannem*, *Johannem*, *Walterum*, *Johannem*, *Johannem*, *Edmundum*, *Matthæum*, *Thomam*, *Johannem*, *Johannem*, *Martinum*, *Sampſonem*, *Willielmum*, *Thomam*, *Laurentium*, *Thomam*, & *Willielmum*, **a priſona illa ſi occaſione prædicta et non alia detenti eſſent in eadem, interim deliberari faceres per ſecuritatem prædictam.** Et haberes hoc breve tunc ibidem. **Actu nobis returnaveris, quod omnes in dicto brevi nominati capti fuerunt, et per bonam ſecuritatem poſtmodum deliberati, exceptis prædictis** *Waltero* Rectore Eccleſiæ de *Stonore*, *Johanne* Rectore Eccleſiæ de *Eaſtlangedon*, *Thoma* Rectore Eccleſiæ de *Frythyndonne*, *Martino* Rectore Eccleſiæ de *Borewaremerſh*, & *Laurentio* Rectore Eccleſiæ de *Kingeſdonne*, qui in Balliva tua inventi non fuerunt. **Nos habito ſuper prædictis tractatu in Parliamento prædicto, dictam ſecuritatem continuare volentes**; tibi præcipimus, **quod accepta hujuſmodi ſecuritate ſive manucaptione a prædictis** *Waltero*, *Johanne*, *Thoma*, *Martino*, & *Laurentio*, prout nobis returnaſti non inventis ſi ſe juſtitiari permiſerint, **et nova ſecuritate a præfatis** *Johanne*, *Johanne*, *Johanne*, *Edmundo*, *Matthæo*, *Johanne*, *Johanne*, *Sampſone*, *Willielmo*, *Thoma*, *Thoma*, & *Willielmo*, **quod erunt coram nobis ad voluntatem noſtram ſuper præmiſſis, omnibus reſponſuri ad captionem eorundem** *Johannis*, *Johannis*, *Walteri*, *Johannis*, *Johannis*, *Edmundi*, *Matthæi*, *Thomæ*, *Johannis*, *Johannis*, *Martini*, *Sampſonis*, *Willielmi*, *Thomæ*, *Laurentii*, *Thomæ*, & *Willielmi* **non præcedas, donec aliud ſuper hoc a nobis habueris in mandatis.** Teſte Rege apud *Lincoln.* 18 die *Febr.*

Per Regem & Conſilium.

From which Writ, as we may obſerve the exceſſive malice, vexation and impiety of the Archbiſhop, in excommunicating ſo many Rectors and Vicars of Pariſh Churches at once, upon the premiſed ſuits and conteſt between him and the Abbot and Monks of *Canterbury*, whereby the people of thoſe places were long deprived of the ſpiritual food of their ſouls; ſo we may well inferre:

1. That it is the Kings Prerogative, Office, duty to examine, redreſſe and rectifie ſuch vexations, abuſes, and Excommunications of Rectors, Vicars, and other his Subjects,

Subjects, even by the Archbiſhop of *Canterbury* himſelf, much more by other Biſhops or their inferior Officers. *An.* 29 E. 1.

2ly. That ſuch extravagant abuſes and Excommunications are thought fit and worthy examination and redreſſe even in Parliament in that age.

3ly. That the King by his Prerogative might enlarge perſons taken upon a *Capiat Excommunicatum* out of Priſon upon ſecurity, without any Oath, and ſuperſedeat his Writs of Excommunication againſt others, not actually taken and impriſoned, till their cauſes were heard and determined by him in his Parliament, and that by the reſolution of the King and his Counſil in Parliament, by whoſe order this Writ iſſued forth.

This year there fell out this memorable caſe in Law touching the Kings prerogative, contained in the enſuing Writ. The King preſenting his Clerk to the Archbiſhop of *Canterbury* to admit him to a Benefice accruing to him by reaſon of a Wardſhip, the Archbiſhop refuſing to admit him becauſe he was under age, being contrary to the Canonons, he thereupon committed the Church to one of the Kings Chaplains till he ſhould be of age: The Archbiſhop dying, his ſucceſſor finding no perſon inducted therein, and ſo holding it voyd, admitted the Cletk of the right patron preſented to it, contrary to the Kings prerogative, *againſt whom no time nor lapſe incurrs; who thereupon commanded him to admit his firſt preſented Clerk (now of age) thereto, by this Writ. * See here, p. 331.

REX Archiepiſcopo *Cantuar.* ſalutem. Meminimus quod nuper vacante Eccleſiæ de *Rolnyngden* veſtræ Dioc. per mortem talis quondam ejuſdem Eccleſiæ Rectoris, & ad noſtram donationem ſpectante, ratione Cuſtodiæ terræ & Heredis *J.* de *S.* defuncti, qui de nobis tenuit in Capite, tunc in manu noſtra exiſtentis; Nos bonæ memoriæ *J.* tunc Archiepiſcopo *Cantuar.* prædeceſſori veſtro dilectum Clericum noſtrum *Willielmum de Halſtede* ad eandem Eccleſiam duximus præſentandum: ſet idem Archiepiſcopus **quia dilectus Clericus noſter erat tunc temporis minor annis**, ſecundum **Canonicas ſanctiones** *R.* de *S.* Capellano noſtro, **nomine dicti Clerici noſtri commiſit cuſtodiam Eccleſiæ antedictæ**; **Verum quia vos in eadem Eccleſia inſtitutum neminem invenitis**, *Stephanum de Certeſeya* Clericum ad præſentationem *J. de Lerham* Militis, qui **ejuſdem Eccleſiæ aſſerit ſe patronum, in præjudicium Juris noſtri**, cum nobis tempus non currat in talibus, ad **eandem Eccleſiam admiſiſtis, dicto Sacerdoti auferendo cuſtodiam antedictam. Nolentes igitur permittere Jus Regium, ad cujus conſervationem, fidelitatis nobis præſtitæ debitum vos aſtringit, taliter abſorberi. Vobis mandamus**, quod illud quod per vos de dicta Eccleſia, in **Juris Regii**, ut præditum eſt, præjudicium eſt taliter acceptatum, **celeriter revocantes, præditum Clericum noſtrum, cui nichil hiis diebus obſiſtere Canonicum credimus in hac parte, ad præſentationem noſtram ad præfatam Eccleſiam admittatis.** Quid autem ſuper hoc duxeritis faciendum nobis per latorem præſentium reſcribatis. Teſte Rege apud *Feckenham*, 12 die *Aprilis*. Claus. 29 E 1. m. 11. dorſo. De revocando præſentatione factam contra Statum Regni & Clerico Regis admittendo.

The Abbot and Covent of *Thorney* having paid 500 Marks to Pope *Boniface* his Collectors for arrears of the Diſmes collected for relief of the Holy Land, borrowed by the King, for which ſumme they were bound in the *14th year of his reign, and had the Kings Counterband to diſcharge them thereof; upon his Petition in the Parliament of *Lincoln*, the King iſſued this Writ to his Treaſurer and Barons of the Exchequer for their ſatisfaction and diſcharge thereof, by ſuch means as they ſhould deem moſt expedient. *Here, p. 300, &c.

REX Theſaurario & Baronibus ſuis de Scaccario ſalutem. Dilecto nobis in Chriſto Abbas & Conventus de *Thorneye* per peticionem ſuam coram nobis & Conſilio noſtro in Parliamento noſtro *Lincoln.* exhibitam ſupplicarunt, quod cum ipſi nuper per * literas ſuas patentes ſigillo ſuo communi ſignatas, pro nobis in quingentis marcis ſterlingorum, quæ ad manus noſtras de pecunia **Decimæ in ſubſidium Terræ Sanctæ in regno conceſſæ devenerunt, ſe erga Dominum Summum Pontificem obligaverint**; Noſque per literas noſtras patentes obligaverimus Nos, hæredes & ſucceſſores noſtros, præfatis Abbati & Conventui & ſucceſſoribus ſuis ad Cl. 29 E 1. m. 13. Pro Abbate de Thorneye. * See Here, p. 360, 361, 362,

An. 29 E. 1. plenam & integram ejuſdem pecuniæ ſolucionem infra duos menſes poſtquam ab eiſdem Abbate et Conbentu ſuper hoc requiſiti fuerimus faciend. necnon ad ipſos inde conſervandos indempnes. Et iidem Abbas et Conbentus virtute obligacionis ſuæ prædictæ de prædictis quingentis marcis Collectoribus dictæ Decimæ per præfatum Summum Pontificem ſpecialiter deputatis, iam ſatisfecerint, ſicut dicunt; Voluimus ei in ſatisfactione prædictarum quingentarum marcarū in firmis annuis et debitis quæ nobis debent ad Scaccarium prædictum facere allocationem, vel alio competenti modo eis ſuper hoc providere. Nos igitur ſupplicationi ipſorum Abbatis & Conventus in hac parte annuere, ipſorumque indempnitati volentes proſpicere ut tenemur, vobis mandamus, quod inſpectis literis noſtris prædictis, habitoque cum eodem Abbate ſuper præmiſſis diligenti tractatu de aliqua bona & competenti forma, per quam de prædictæ pecuniæ ſumma exoneremur, et eiſdem Abbati & Conventui in firmis & debitis prædictis debita allocacio vel alio modo competens ſatisfactio inde fiat, provideatis, prout juxta diſcretionem veſtram vobis videbitur melius faciendum, & prout per nos & Conſilium noſtrum vobis præfatæ Theſaurariæ plenius eſt injunctum. Teſte Rege apud *Lincolniam*, 26. die *Febr.*

Per Petitionem de Conſilio.

The like Writ iſſued to them upon a Petition of the Abbot of *Peterburge* in the ſame Parliament, who was bound, and ſecured by the Kings Counterbond for 500 l. more of that money which he had paid to the Popes agents, *Clauſ.* 29 *E* 1. *m.* 3. to omit all others.

Thus the money pretended and collected for the Holy Land after the King had made uſe of it for divers years, was exacted and purſed up by this avaritious Pope at laſt, and never employed for its pretended end. An impious Papal fraud.

The Popes *Italian* Agent appointed by him to demand and receive Ten thouſand markes of the money long before granted for relief of the *Holy Land*, which the King borrowed from the Popes Collectors upon the bonds of theſe Abbots, his ſureties, to repay it within 2. Moneths upon the Popes demand, whom the King was bound to ſave harmleſſe by his Counterbonds to them, exacting one mark in every hundred Marks for his expenſes, or elſe refuſing to give up their bonds till paid. The King upon complaint thereof iſſued this memorable Writ to him, prohibiting this his extortion, and commanding him to deliver up their bonds, the debt being his, upon payment only of the principal moneys; elſe he would take ſome other courſe for their relief againſt him.

Cl. 29 E 1. m. 10. intus. Pro quibuſdam Abbatibus & Prioribus Angliæ.

REX diſcreto Viro Magiſtro *Benich. de Florenc.* ad recipiendum nomine Domini Papæ ſolutionem decem millium Marcarum a quibuſdam Abbatibus et Prioribus Regni noſtri debitarum occaſione quarundam obligationum, quas pro eis noſtro nomine et pro nobis dudum fecerant, aſſignato, ſalutem. Datum eſt nobis intelligi, quod vos de ſingulis Centum Marcis prædictæ ſummæ pecuniæ unam Marcam pro expenſis veſtris a prædictis Abbatibus et Prioribus, antequam dictas obligationes eorum quæ penes vos reſidere dicuntur, reſtituere velitis eiſdem, exigitis et exigere præſumitis pro libito, minus juſte, in grave ipſorum diſpendium, immo verius noſtrum, qui Abbates et Priores tenemur eoſdem in hac parte conſervare indempnes, utpote qui pro nobis et ad noſtram inſtantiam obligationem et fideiuſſionem hujuſmodi ſubierunt. Nos igitur præfatis Abbatibus et Prioribus quatenus honeſte poterimus ſuper hoc ſubvenire volentes; Vobis mandamus, firmiter injungentes, quod ipſa ſola forte contentus, ab exactione prædictæ Marcæ de dictis Centum Marcis habendæ deſiſtatis, et juxta quod præfati Abbates et Priores et eorum quilibet pro rata portione contingentis eiſdem et eorum quemlibet, prout in obligationibus eorundem inde confectis plenius continetur ſatisfecerint, vel ſatisfecerit in hac parte, obligationes eaſdem eis et eorum cuilibet omnimoda difficultate poſpoſita reſtituere nullatenus omittatis. Taliter ſuper præmiſſis vos habentes, ne ſi ſecus feceritis aliud remedium ſuper hoc nos oporteat adhibere. Dat. apud *Eveſham* 27 die *Martii.*

The King upon the Complaint of the Maſters and Scholars of the Univerſity of *Oxford*,

Oxford, of the want of paving, and of the filth, dung in the ſtreets, and other places, both within the Town and Suburbs of *Oxford*, which corrupted the air, and annoyed their health, iſſued theſe memorable Writs for repairing & cleanſing their ſtreets, and removing the Swine out of them, by the overſight of ſuch as the Chancellor and Proctors of the Univerſity ſhould appoint, and to keep them clean for the future. *An.* 29 *E.* I.

REX Majori & Ballivis ſuis *Oxoniæ* ſalutem. Quia ex parte dilectorum nobis in Chriſto Magiſtrorum et Scholarium Univerſitatis *Oxon.* nobis eſt conquerendo monſtratum, quod pavimentum Villæ noſtræ prædictæ adeo enormiter eſt dirutum & confractum, quod ex hoc univerſi & ſinguli tranſeuntes & incedentes per Villam eandem dampna non modica ſuſtinent & gravamina; et etiam quod per ſimos & ſimaria, & plures alias fæditates quæ in ſtratis et venellis villæ prædictæ ponuntur et colliguntur, aer ibidem in tantum corrumpitur et inficitur, quod Magiſtris et Scholaribus prædictis, et aliis ibidem converſantibus et tranſeuntibus horror abhominabilis incutitur, commoditas ſalubriorĩs aeris impeditur, ſtatus hominum graviter læditur, aliæque intollerabiles incommoditates et quamplura diſcrimina et corruptione hujuſmodi provenire noſcuntur, in Magiſtrorum et Scholarium prædictorum et aliorum ibidem converſancium et tranſeuncium nocumentum et periculum manifeſtum. Volentes ſuper hoc congruum remedium adhiberi; Vobis mandamus, quod pavimentum Villæ prædictæ per viſum alicujus vel aliquorum quem vel quos Cancellarius et Procuratores Univerſitatis prædictæ ad hoc duxerit deputand. in ſtratis & venellis ibidem reparari & emendari faciatis, et Comburgenſes veſtros ad hoc modis omnibus quibus melius expedire videritis inducatis, & ſi neceſſe fuerit, modo debito compellatis, ut unuſquiſque coram ten. & tenuris ſuis in Villa prædicta pavire faciat, ac ſtratas prædictas & venellas fimus & ſimariis univerſis mundari, et eas ſic mundatas imposterum mundas conſervari, ac porcarias in ſtratis et vicis exiſtentes per quas hujuſmodi fæditates accumulantur et plurimum colliguntur, amoveri faciatis, ita quod Villa noſtra prædicta adeo munda de hujuſmodi fæditatibus de cætero conſervetur, quod clamor ad nos inde non perveniat iteratus, per quod manum ad hoc debeamus apponere grabiorem. Teſte Rege apud *Wodeſtok* 18 die *Martii*. Cl. 29 E 1. dorſo. m. 14, vel 15. De ſtratis & venellis in Oxon. faciendis.

REX Vic. *Oxon.* ſalutem. Quia ex relatu plurimorum accepimus, quod pavimentum Suburbii Villæ noſtræ *Oxon.* adeo eſt dirutum & confractum, quod ex hoc univerſi et ſinguli tranſeuntes et redeuntes per pavimentum illud dampna non modica, &c. (*ut ſupra*) & etiam quod per ſimos, &c. quæ in ſuburbio prædicto ponuntur & colliguntur, aer ibidem corrumpitur, &c. quod Magiſtris et Scholaribus Univerſitatis *Oxon.* & aliis in eodem ſuburbio converſantibus, &c. Volentes, &c. tibi præcipimus, quod pavimentum Suburbii prædicti per viſum alicujus vel aliquorum, &c. emendari facias, & Burgenſes ac alios ten. & tenuras in eodem ſuburbio habentes, modis omnibus quibus, &c. inducas, & ſi neceſſe fuerit, &c. ut unuſquiſque coram ten. & tenuris ſuis in ſuburbio prædicto pavire faciat, ac ſtratas Suburbii prædicti ſimis, &c. & eas ſic mandatas, &c. Ita quod ſtratæ Suburbii prædicti adeo mundæ, &c. conſerventur, &c. *ut ſupra*. *Teſte, ut ſupra.* Ibidem. De ſtratis & venellis in ſuburbio ejuſdem Villæ paviendis.

The King by his Prerogative ſent an old Servant of his maimed in his Service, to the Prior and Covent of *Coventry*, to be there relieved by a Corody during life, by this Writ.

REX dilectis ſibi in Chriſto Priori & Conventui de *Coventria*, ſalutem. Quia *Rogerus de Ceſtria*, ſerviens noſter ad arma, qui nobis diu benè fideliter deſervivit, & in ſervicio noſtro mahemiatus exiſtit, per quod nobis non ſufficit amplius famulari, ipſum ad vos duximus tranſmittendum; Rogantes quatinus ipſum *Rogerum* in domo veſtra admittatis, & ei cum uno garcione deſervienti eidem neceſſaria ſua in victu & veſtitu, juxta ſtatus ipſius *Rogeri* exigenciam, quoad vixerit exhiberi noſtris precibus faciatis, pro quo vobis ad grates teneamur merito ſpeciales. Teſte Rege apud *Lincolniam*, viceſimo primo die *Februarii*. Ibid. m. 16. dorſo. Pro Rogero de Ceſtria.

The

An. 29 *E.* 1. The King being informed by the Abbot of *Peterburgh* (who loved Veniſon) that by ſeveral Charters of his predeceſſors he ought to have the Tithe of all his Veniſon within his Foreſts in the County of *Northampton*, and to have Writs iſſued for that purpoſe, iſſued this Writ for to have the arrears thereof due unto him for three years.

Clauſ. 29 E 1. m. 4. Pro Abbate de Burgo Sancti Petri.

REX dilecto & fideli ſuo *Ada de Welles* Seneſcallo Foreſtæ ſuæ inter pontes *Oxon.* & *Staunford.* ſalutem. Quia conſtat nobis per inſpectionem Chartarum *Willielmi*, *Richardi* & *Johannis* progenitorum noſtrorum, & *Henrici* patris noſtri, quondam Regum *Angl.* quod Abbas de *Burgo Sancti Petri* qui pro tempore fuerit, **habere debet ex conceſſione dictorum Regum *Angl.* Decimam venationis captæ in Foreſtis noſtris infra Com.** *Northampton.* & etiam conſtat nobis per inſpectionem Rotulorum Cancellar. dicti patris noſtri, **quod Abbates ejuſdem loci ſemper habuerunt breve ſuum de Decima venationis illius habenda**; vobis mandamus, **quod Abbati ejuſdem loci Decimam in Foreſtis prædictis de annis regni noſtri viceſimo ſeptimo, viceſimo octavo, et de anno præſenti habere faciatis, prout ipſe et prædeceſſores ſui eam habere conſueverunt**; niſi prius eam habuerit per aliud breve noſtrum. Teſte Rege apud, *&c.* 23 die *Auguſti.*

The King carrying the Banner of St. *John* of *Beverly* with him into *Scotland* for his better ſucceſſe, upon his return from thence, reſtored it by this Writ.

Clauſ. 29 E. 1. m. 18. De Vexillo Sancti Johannis Beverlaci remiſſo.

REX dilectis ſibi in Chriſto Capitulo Eccleſiæ Sancti *Johannis Beverlaci*, ſalutem. Vexillum Sancti *Johannis* quod nobiſcum habuimus in guerra noſtra *Scotiæ*, vobis per dilectos Clericos noſtros *Galfridum de Welleford* Capellanum, & *Robertum de Haliwell* exhibitores præſentium deſtinamus. Teſte Rege apud *Aberford* 27 die *Novembris.*

The King this year out of his ſpecial grace granted this Patent and Priviledge to the Prior and Monks of St. *Albans*, that they during every avoidance ſhould hold the Temporalties of the Abby, (except Knights Fees, and Advouſons of Churches) rendring to him a thouſand Marks for every time it fell, or year it continued void.

Pat. 29 E. 1. m. 8. Pro Abbate & Conventu de S. Albano.

REX omnibus ad quos, &c. ſalutem. Sciatis quod ob devotionem quam erga Sanctum *Albanum* glorioſum Chriſti Martyrem gerimus & habemus, & ut Monachi Abbatiæ de Sancto *Albano* de cætero poſſint quietius & tranquillius altiſſimo famulari, conceſſimus pro nobis & hæredibus noſtris Abbati & Conventui Abbatiæ prædictæ, quod Prior & Conventus Abbatiæ ejuſdem & eorum ſucceſſores, in ſingulis vacationibus ejuſdem Abbatiæ, quociens videlicet ipſum exnunc vacare continget, **habeant et teneant eandem cuſtodiam Abbatiæ illius, et omnium temporalium ejuſdem, cum omnibus rebus et bonis ad Abbatiam illam qualitercunque ſpectantibus, adeo plene et integre, ſicut aliquis Abbas ejuſdem loci Abbatiam illam et temporalia, cum rebus et bonis prædictis, ſede plena aliquibus retroactis temporibus habere et tenere conſuevit.** Ita quod ipſi Prior & Conventus de temporalibus &. bonis ac rebus illis plenam & liberam adminiſtrationem habeant, & inde diſponere & ordinare poſſint, prout eis melius & utilius videbitur faciendum, & prout Abbas dicti loci inde poſſet ordinare & diſponere ſede plena; **ſalvis nobis et hæredibus noſtris feodis Militum quæ tenentur de Abbatia prædicta, et Advocationibus Eccleſiarum cum acciderint, temporibus vacationum prædictarum.** Ita tamen quod omnes redditus & ſervitia annua de feodis prædictis in vacationibus illis provenientia remaneant Priori & Conventui prædictis: Salvis etiam nobis & hæredibus noſtris eſcaetis quas accidere contigerit temporibus prædictis, quæ quidem eſcaetæ ſingulis hujuſmodi vacationibus finitis, videlicet poſt fidelitatem ipſius quem ibidem eligi, confirmari ſeu præfici contigerit in Abbatem, nobis vel hæredibus noſtris factam, liberentur & remaneant Abbati, Priori & Conventui, & ſucceſſoribus ſuis dicti loci, ſine occaſione vel impedimento noſtri vel hæredum noſtrorum quorumcunque: **Reddendo nobis et hæredibus noſtris pro qualibet vacatione Abbatiæ prædictæ, ſive duraverit per annum integrum, ſive per minus tempus, mille marcas, infra annum a tempore quo Abbatia illa vacare inceperit computandum;**

videlicet,

videlicet, **quingentas marcas in fine primi dimidii anni illius, et quingentas marcas in fine ejuſdem anni.** Et ſi fortè vacatio Abbatiæ illius duraverit ultra annum, **tunc prædicti Prior et Conventus pro proximo anno integro ſequenti, ſi tanto tempore duraverit, ſolvant nobis et hæredibus noſtris mille marcas ad terminos prædictos, et ſic pro quolibet anno integro poſt primum annum, durante vacatione prædicta, ad eoſdem terminos mille marcas.** Et ſi ultra annum integrum, vel annos integros duraverit, vel minore tempore quam per annum, **tunc pro illo minori tempore de prædictis mille marcis minus pro rata temporis illius proportionaliter nobis ſolvant.** Et volumus & concedimus pro nobis & hæredibus noſtris, quod prædicti Prior & Conventus, & eorum ſucceſſores, imperpetuum habeant & teneant cuſtodiam Abbatiæ prædictæ ſingulis temporibus vacationum ejuſdem in forma prædicta. Ita quod nullus Vicecomes, Eſcaetor, ſeu quicunque alius Ballivus, vel Miniſter noſter, vel hæredum noſtrorum de cuſtodia Abbatiæ prædictæ, ſeu Cellarum ſuarum, Maneriorum, aut aliarum rerum ſeu bonorum quorumcunque ad dictam Abbatiam ſeu Cellas ſuas ſpectantium quoquo modo, ratione vacationis illius, ſe in aliquo intromittat. Hoc tamen excepto, quod Eſcaetor vel alius Miniſter noſter, ſeu hæredum noſtrorum qui pro tempore fuerit, infra portas tantum Abbatiæ prædictæ in principio cujuſlibet vacationis ejuſdem, **quandam ſimplicem ſeiſinam nomine noſtri regii domini capiat, et ea ſic capta ſtatim exinde recedat abſque alio inde capiendo, ſeu etiam aſportando.** Ita quod ultra unum diem occaſione ſeiſinæ prædictæ moram ibi non faciat, nec aliquem ibidem ſubſtituat loco ſui. Volumus inſuper & concedimus pro nobis & hæredibus noſtris, quod ſi nos forſitan vel hæredes noſtri aliquo tempore vacationis Abbatiæ prædictæ, **exercitum noſtrum fecerimus ſummoneri,** prædicti Prior & Conventus & ſucceſſores ſui **pro propriis et dominicis feodis ad ſtilum Abbatiæ illius, in manibus ipſorum Prioris et Conventus tunc exiſtentibus, ad ſervicium in eodem exercitu faciendum minime teneantur, nec occaſione ſervicii illius moleſtentur in aliquo ſeu graventur, ſed inde penitus ſint quieti:** Silvis tamen nobis & hæredibus noſtris ſerviciis feodorum Militum quæ tenentur de Abbatia prædicta temporibus vacationum ejuſdem ad nos pertinentibus ratione exercitus ſupradicti. In cujus, &c. Teſte Rege apud *Caldeſtrem* 30 die *Julii*. *Per ipſum Regem.* An. 29 E. 1.

The King likewiſe releaſed all Debts owing to him by the Abbot and Covent of St. *Albans*, in recompence of the 1000 Marks for which they were bound for him to the Church of *Rome*, and had ſatisfied it to the Popes Agent; and 300 Marks more they gave him as an Ayd for his expedition into *Scotland*.

REX omnibus ad quos, &c. ſalutem. Sciatis quod pro remiſſione quam dilecti nobis in Chriſto Abbas & Conventus de Sancto *Albano* nobis fecerunt, **tam de illis *mille marcis quas ab eis pro quibuſdam arduis negotiis noſtris expediendis, mutuo recepimus de pecunia Decimæ in ſubſidium Terræ Sanctæ a Clero regni noſtri nuper conceſſæ, eiſdem Abbati et Conventui nomine Summi Pontificis liberata in depoſito cuſtodienda, et quas iidem Abbas et Conventus poſtmodum pro nobis dicto Summo Pontifici ſolverunt; quam de aliis debitis quibuſcunque in quibus eis ex quacunque cauſa uſque ad diem confectionis præſentium tenebamur, necnon et pro trecentis marcis quas iidem Abbas et Conventus nobis in ſubſidium expeditionis noſtræ *Scotiæ* jam debuerunt, pardonavimus eis omnia debita in quibus ipſi nobis ex quacunque cauſa uſque ad diem prædictum tenebantur:** Volentes & concedentes pro nobis & hæredibus noſtris, quod iidem Abbas & Conventus de debitis prædictis penitus ſint quieti. In cujus, &c. Teſte Rege apud *Pebbles* ſecundo die *Auguſti*. *Per ipſum Regem.* Pat. 29 E. 1. m. 27.

* Here p. 360, 361. Bundela brevium de Privato Sigillo Anno 30 E. 1, in Turre London.

Et mandatum eſt Theſaur. & Baronibus de Scaccario, quod ipſos Abbatem & Conventum de debitis ſupradictis quietos eſſe faciant juxta tenorem literarum Regis prædictarum. Teſte Rege ut ſupra.

The King ſending the Archdeacon of *Richmond* to *Rome* about his affairs, (to procure a Diſme for 3. years from the Clergy of *England* and *Ireland*) he rendred him this account of his expenſes in that journey, which he ordered to be ſatisfied out of the Diſme and Quindiſme granted him, by this Obligation.

REX

An. 29 *E.* 1.

Pat. 29 E 1. m. 7. De Gerardo Archidiacono Richem.

REX omnibus ad quos, &c. ſalutem. Sciatis nos teneri dilecto Clerico noſtro *Gerardo* Arcbid. *Richemund.* in Trescentis et nobem libris tribus ſolidis et quatuor denariis de expenſis ſuis, per ipſum in nuncium noſtrum pro quibuſdam negociis noſtris ſpecialibus ad *Romanam* Curiam nuper proficiſcentem factis, videlicet à quintodecimo die *Aprilis*, anno regni noſtri viceſimo octavo, uſque ad viceſimum tercium diem *Junii*, anno regni noſtri viceſimo nono, prout per compotum ejuſdem Archidiaconi coram dilecto Clerico noſtro *Johanne de Drokenesford* Cuſtodæ Garderobæ noſtræ inde redditum evidenter apparet. Quam quidem pecuniæ ſummam præfato Archidiacono in feſto *Paſchæ* proximo futuro de pecuniæ decimæ vel quintædecimæ nobis in regno noſtro conceſſæ, nos promittimus ſoluturos. In cujus, &c. Teſte Rege apud *Dony Pas* 14. die *Octobr.*

Per literas dicti Johanni Patentes.

Ibid m. 7. De Protectionibus Pat. 29 E 1.

W *Alterus Coventr. & Lychf.* qui pro negociis Regem et regnum ſuum ſpecialiter tangentibus proſecturus eſt ad Cur. Romanam, habet literas Regis de protectione per unum annum duraturas, cum clauſ. volumus & exceptis Pres. &c. T. Rege apud *Dony Pas* 27. die *Septembris.*

The King granted theſe Licenſes and Protections to the Prior of *Durham* and others to go to the Court of *Rome* about their affairs and their Churches, who could not go thither without his licenſe.

m. 23 De Protectione.

R *Icardus de Hoton.* Prior *Dunelm.* qui de licencia Regis proſecturus eſt ad Curiam Romanam habet literas Regis de protectione ſimplices ſine clauſulis, per biennium duraturas. Preſ. &c. Teſte Rege apud *Lincolniam* primo die *Marcii.*

Per ipſum Regem, & duplicatur.

Ibidem.

A *Lex. de Punzunby* qui cum eodem Priore proſecturus eſt ad dictam Curiam habet literas Regis de protectione, ſimplices, &c. duraturas ut ſupra. Preſ. &c. Teſte Rege ut ſupra.

Per ipſum Regem duplicatur.

Ibidem.

REX omnibus amicis ſuis ad quos, &c. ſalutem. Cum dilectus nobis in Chriſto *Ricardus de Hoton* Prior *Dunelm.* de licencia noſtra ad Curiam Romanam pro quibuſdam negociis ſuis expediendis ſe dibertat; Vos rogamus, quatenus eidem Priori aut familiæ ſuæ ſecum eunti, in rebus aut perſonis ſuis, in eundo verſus partes prædictas, ibidem morando, & exinde redeundo non inferatis, &c. ſet potius eis cum ipſos per partes veſtras tranſitum facere contigerit, ſalvum & ſecurum conductum noſtri contemplacione habere faciatis, cum ab ipſis ex parte noſtra fueritis ſuper hoc requiſiti. In cujus, &c. per biennium duraturas. Teſte ut ſupra.

Per ipſum Regem.

Conſimiles literas de conductu habet præfatus *Ricardus* ſine mentione facta de Priore, duraturas ut ſupra. Teſte ut ſupra.

The King this year granted reſtitution of the Temporalties of a Nunnery belonging to his Patronage by the death of the Earl of *Cornwall*, upon the Certificate of the Biſhop of *Lincoln.*

Pat. 29 E 1. m. 29. intus. De reſtitutione Temporalium.

REX dilecto & fideli ſuo *Waltero de Glouc.* Eſcaet. ſuo citra *Trentam.* Cum venerabilis pater *I. Lincolnienſis* Epiſcopus examinato proceſſu electionis nuper in Eccleſia Conventuali de *Garing.* de duabus Monialibus ejuſdem domus in diſcordia factæ, alteram earundem, videlicet *Margeriam Neel* quæ nobis extitit præſentata in Prioriſſam Domus illius, cujus advocatio per mortem bonæ memoriæ *Edmundi* quondam Comitis *Cornubii* Conſanguinei noſtri, ad manus noſtras devenit præfecerit, ſicut per literas patentes ipſius Epiſcopi nobis inde directas nobis conſtat. Nos præfectionem acceptantes, cepimus fidelitatem ipſius *Margeriæ* & Temporalia domus prædictæ, prout moris eſt reſtituimus eidem. Et ideo vobis mandamus, quod eidem *Margeriæ* Temporalia domus prædictæ libereris in forma prædicta. Teſte Rege apud *Nettleham* 9. die *Februarii.*

The

The King upon the Petition of the Prioreſſe and Nunnes of the Monaſtery of St. *Mary de Bello Porto* in *Ireland*, iſſued this Patent of ſpecial grace for the election, confirmation, and reſtitution of the Temporalties to a New Abbeſſe by his Chief Juſtice in *Ireland*, they giving ſecurity by their patent under Seal, that this ſpecial grace ſhould not prejudice the rights of his Crown, nor be drawn into conſequence for the future. *An.* 29 E 1.

REX dilecto & fideli ſuo *Johanni Wogan* Juſtic. ſuo *Hiberniæ*, ſalutem. Cum dilecti nobis in Chriſto Prioriſſa & Moniales beatæ *Mariæ* de *Bello Portu* juxta *Waterford.* nobis per literas ſuas Patentes ſignificaverint, quod Abbatia ſua prædicta per mortem *Johannæ* quondam Abbatiſſæ illius loci Paſtorali eſt ſolatio deſtituta; ſupplicantes Nobis, prout moris eſt, quod licentiam ſibi aliam eligendi in Abbatiſſam eiſdem concedere dignaremur: Ac nos precibus earundem Prioriſſæ & Monialium in hac parte favorabiliter inclinati, licentiam illam eis duximus concedendam. Mandantes ipſis, quod talem ſibi eligant in Abbatiſſam, quæ Deo devota, regimini Eccleſiæ ſuæ neceſſaria, nobiſque et terræ noſtræ *Hiberniæ* utilis et fidelis exiſtat. Nos earundem Prioriſſæ et Monialium laboribus et expenſis in hac parte parcere volentes, iſta vice conceſſimus eis de gratia noſtra ſpeciali, & vobis dedimus poteſtatem, quod facta Electione prædicta, &c. aſſenſum Regium vice noſtra præbeatis; ſignificantes loci Dioceſano, quod id quod ſuum eſt in hac parte exequatur. Volumus etiam & vobis dedimus poteſtatem, quod, &c. tunc accepta ab eadem Electa fidelitate in caſu iſto nobis debita, temporalia ejuſdem Abbatiæ eidem Electæ, prout moris eſt, liberetis, vice noſtra. Receptis prius ab ipſa Electa literis ſuis patentibus ſigillo ſuo, necnon et ſigillo Capituli ſui ſignatis, quod hæc gratia noſtra quam eidem Electæ ad præſens ex mera liberalitate noſtra conceſſimus, nobis vel hæredibus noſtris non cedet in præjudicium vel exhæredationem, ſeu trahetur in conſequentiam temporibus futuris. In cujus, &c. Teſte Rege apud *Nettleham*, 5. die *Februarii*.

Par. 29 E 1. m. 29 intus. De licentia eligendi, & poteſtate data reſtituendi Temporal. in Hibernia.

Per ipſum Regem nunciante J. *de* Benſtede.

The King likewiſe iſſued this Writ to his Chief Juſtice and other Officers in *Ireland* to commit the Temporalties of the Biſhoprick of *Imelac.* ſeiſed into his hands for *debts owing him by the Biſhop, to new Gardians, by reaſon of the ill adminiſtration of them by the former Gardian.

* See Here, p. 808.

REX Juſtic. ſuo *Hiberniæ*, & Theſ. & Baronibus ſuis de Scaccario *Dublin.* ſalutem. Licet pro quibuſdam debitis in quibus Venerabilis Pater *W. Imelacenſis* Epiſcopus nobis tenetur; Vobis mandaverimus, quod Temporalia Epiſcopatus prædicti cum pertin. caperetis in manum noſtram, et Cuſtodiam Epiſcopatus illius Magiſtro *Bartholomæo de Sutton* liberaretis; ita quod de exitibus Epiſcopatus illius nobis & præfato Epiſcopo ad Scaccarium noſtrum *Anglia* reſponderet. Ac jam intellexerimus, quod præfatus *Bartholomæus* minus bene ſe geſſit in Cuſtodia prædicta, per quod de aſſenſu prædicti Epiſcopi præfatum *Bartholomæum* a Cuſtodia prædicta amovendum, & loco ipſius Magiſtrum *Richardum Berard.* & *Rogerum de Clifford* Clericos, quamdiu nobis placuerit in eadem Cuſtodia duximus ſubrogandos. Vobis mandamus, quod eiſdem *Richardo* & *Rogero* vel eorum alteri has literas noſtras deferenti, Cuſtodiam Epiſcopatus prædict. cum bonis in Maneriis ejuſdem Epiſcopatus exiſtentibus liberetis. Ita quod nobis & præfato Epiſcopo inde reſpondeant ad Scaccarium noſtrum *Anglia* ſupradictum ad mandatum noſtrum. Proviſo, quod prædictus *Bartholomæus* coram vobis ſecuritatem inveniat, quod de exitibus Epiſcopatus prædicti per ipſum dum Cuſtodiam prædict. habuit hucuſque perceptis, nobis ad Scaccarium noſtrum prædictum reſpondeat, ut debebit. In cujus, &c. Teſte Rege apud *Nettleham*, 12 die *Febr.* Duppl.

Pat. 29 E. 1. memb. 28. intus. De Cuſtodia Epiſcopatus Imelac. liberand. Magiſtro Richardo Berard. & Rogero de Clifford, Clericis.

The Archbiſhop of *Ardmach* being amerced 40 Marks by the Kings Juſtices of the Common Bank in *Ireland*, upon which proceſſe iſſued againſt him out of the Exchequer; the King upon his complaint iſſued a Writ to moderate it, who thereupon reduced it to 5. Marks, which although he paid, yet proceſſe continuing againſt him for the reſidue, he obtained this ſecond Writ to the Treaſurer and Barons there, for his relief.

An. 29 E. 1.

Cl. 29 E. 1. m. 7. Pro Archiep. Ardmach.

REX Theſ. & Baronibus ſuis de Scaccario *Dublin.* ſalutem. Ex parte venerabilis patris *J.* Archiepiſcopi *Ardmach.* nobis eſt oſtenſum, quod cum pro eo quod quadraginta libræ ad quas ipſe coram Juſtic. noſtris de Banco *Dublin.* inbolunarie et abſque cauſa rationabili fuerat, ut dicitur amerciatus, ab eodem Archiepiſcopo per ſummonicionem Scaccarii prædicti exigebantur; Vobis nuper mandaverimus, quod conſiderata quantitate delicti ob quod ſic fuerat amerciatus, amerciamentum illud juxta diſcrecionem veſtram moderaretis, et diſtrictionem ſibi ea occaſione factam quouſque moderacio illa facta fuiſſet relaxaretis: Vos licet amerciamentum illud virtute mandati noſtri prædicti, habito reſpectu ad parvitatem delicti ob quod ſic extitit amerciatus, ad centum ſolidos moderaveritis, idem Archiepiſcopus illos centum ſolidos citò poſtmodum nobis ad Scaccarium prædictum ſolverit, & quietanciam inde habeat, tamen triginta & quinque libras ab eodem Archiepiſcopo: ac ſi prædictos centum ſolidos in partem ſolucionis prædictarum quadraginta librarum, & non ratione moderacionis amerciamenti prædicti nobis ſolviſſet, jam de novo exigi, & ipſum ea occaſione graviter diſtringi faciatis, in ipſius Archiepiſcopi non modicum diſpendium & gravamen. Nolentes igitur quod idem Archiepiſcopus aliter indebitè prægravetur; Vobis mandamus, quod inſpecta quietancia quam prædictus Archiepiſcopus de prædictis centum ſolidis dicit ſe habere, ſi vobis conſtiterit dictum amerciamentum quadraginta librarum, uſque ad centum ſolidos per vos moderatum fuiſſe, tunc à diſtrictione eidem Archiepiſcopo pro prædictis triginta & quinque libris ratione amerciamenti prædicti per vos facta penitus deſiſtentes; ipſum de prædictis triginta & quinque libris quietum eſſe, prout juſtum fuerit, faciatis. Teſte Rege apud *Morpath*, 28 die *Junii*.

I ſhall cloze this year with this memorable Epiſtle of *Petrus Caſſiodorus*, a Noble *Italian* Knight, written to the *Engliſh* Church about this time, exhorting them to caſt off the yoak of the Popes *Roman* Tyranny, and rapines, and redeem their ancient liberties.

* Johan. Balæus De Rom. Pontificum actis, l. 6. p. 359, 360, &c. Script. Britan. Cent. 4. c. 7. Appendix, p. 359. Fox Acts & Monuments Vol. 1. p. 460, 461.

* *Petri Caſſiodori* ad *Anglos* Epiſtola, ſuper extrema *Angliæ* expilationis per Papam, circa Annum Domini 1302. ut Romani tyrannidis jugum excuterent; Ex vetuſto Codice ad ſanum *Sancti Albani* deſcripta.

ECcleſiæ nobili Anglicanæ in luto et latere ancillatæ, (as the *Jewes* did in times paſt under the *Ægyptians*) Petrus *filius* Caſſiodori, *Miles Catholicus, Pugil Jeſu Chriſti devotus, ſalutem,* et captibitatis jugum abjicere, et brabium accipere libertatis. Super Cathedram *Moſi* ſederunt *Scribæ* & *Phariſæi*, &c. *Signatur*, Cui comparabo te, vel cui aſſimulabo te, Jeruſalem filia? cui exæquabo te virgo filia Syon? Magna enim eſt tua contritio; velut mare fola facta eſt ſine ſolatio, toto die mœrore confecta. Data es in manus ejus, de quo non potes ſurgere abſque auxilio ſublevantis. Nam Scribæ & Phariſæi ſuper cathedram *Moſi* ſedentes, Principes Romani boſtes in capite facti, ſua phylacteria dilatantes, ambientes locupletari tuorum oſſium ex medullis, grabia et improbabilia in tuis et tuorum miniſtrorum imponunt humeris onera: et ultra quam decet, te conſtituunt ſub tributo, quæ libera fueras ab antiquo. *Recedat abhinc omnis admirationis materia*, quia mater tua domina gentium, viduarum more ſuo ſubdito deſponſata tibi, ipſum in patrem conſtituit, et Romanæ urbis Pontificem ſummum prælegit: qui quod ita ſit, tibi in nullo paternitatis genere oſtendit. Super te quidem ſuas magnificat fimbrias, et experimento edocet ſe tuæ matris eſſe maritum. Commemorat enim apud ſe propheticum ſæpe verbum, quod eſt in ſcrinio pectoris ſui ſic digeſtum: *Sume tibi librum grandem, & ſcribe in eo ſtylo hominis velociter*, Spolia detrahe, cito prædare; *Nunquid cum *Apoſtolus, ad hoc conſtituendum, ſic ſcribit*; * Omnis Pontifex ex hominibus aſſumptus, pro hominibus conſtituitur in his quæ ſunt ad Deum? non ad ſpolia et rapinas, non pro annuis cenſibus imponendis, nec pro necandis hominibus, ſed ut offerat dona & ſacrificia pro peccatis, qui etiam hic condolere poſſit qui ignorant & errant? *Et de* Petro *legitur Piſcatore*, cui ſe eſſe commemorat ſucceſſorem, *quod poſt Chriſti reſurrectionem cum cæteris Apoſtolis ad piſcandi officinam eſt reverſus, qui cum nichil in ſiniſtra navigii parte ceperat, Chriſto jubente*, ad dextram ſe convertit, & in terram plenam magnis piſcibus rete traxit. *Eſt igitur miniſterium Eccleſiæ*

Jer. 36. 2.

*Hebr. 5. 1, 2.

† Joh. 21. 3, 5, 6, 7.

Eccleſia utile in parte dextera exercendum, per quod & diabolus vincitur, & eidem Chriſto copia animarum adducitur. Certè ſic labor ſiniſtræ partis navigii non ſe habet: quia in eo fides titubat, dominatur triſtitia, cum quod inquirendo appetitur, minime inuenitur. Quis enim credat, ſimul et ſemel poſſe ſervire Mammonæ atque Deo? ac ſuæ voluntati placere, et carnis ac ſanguininis revelationibus inhærere, et offerre Chriſto munera digna? *Et dubio procul Paſtor qui ſupra gregis ædificationem non vigilat,* aliunde rugienti leoni, quærenti quem devoret, parat viam. *Vide (inquam)* facta inaudita nuncupativi filia Patris tui, qui bonos Paſtores a caulis obtum amovet, et ſuos nepotes, conſanguineos et parentes, alioſque nonnullos, literas ignorantes, et velut mutos et ſurdos, obium earumdem non intelligentes balatum, nec ne morſibus luporum curantes, velut mercenarios vellera auferentes, et metentes ſemina † oliorum in ipſis, non ut proſint, ſed ut præſint, conſtituit pro eiſdem, quorumque manus in copbinis ſervient, et ipſorum dorſa ab oneribus diberruntur. *Ex quibus, liquet,* quod Sacerdotium præterimittitur bis diebus, obſequium dibinum ſubtrahitur, et eleemoſinarum largitio adnullatur; per quod Regum, Principum et Chriſtianorum ſancta devotio evacuatur. *Nonne debet in oculis omnium mirabile reputari, quod ubi* * *Chriſtus pro ſe &* Petro *Regibus ſolvi juſſit tributum,* ipſe regna et regnorum Principes contra voluntatem illius, cujus dicit ſe eſſe Vicarium, qui ab ſe regna et mundi judicia abdicavit, ſuæ ſubjicere nititur ditioni, dominio ſui ſtyli, quia totum ſibi vendicat quod ſcripſerat eſſe ſuum? De te, filia, quid plus agit? Ecce a te trahit quod libet, nec tamen reputat ſe contentum, ſi partem rerum tuarum decimam a te ſumat, niſi primos fructus beneficiorum tuorum habeat miniſtrorum, ut tam pro ſe quam pro ſuo ſanguine novum conſtituatur patrimonium, de eiſdem abjectis piiſſimis voluntatibus fundatorum: et alia etiam execrabilia pro curſorum ſuorum ſtipendiis, quos tranſmittit in Angliam jam imponit, qui non tantum tuum ac tuorum victum auferat et veſturas, ſed eorum pelles ac carnes lacerant, ſicut canes. Nunquid Nebuchodonoſor Regi debeat comparari, qui templum Domini devaſtavit, & vaſis ſuis argenteis ſpoliavit? quod egerat enim ille, agit et iſte; et ille Domus Dei ſpoliavit Miniſtros, et ipſam deſtituebat auxilio: hæc et hic facit. Certe melius eſt occiſis gladio, quam fame aliqualiter interfectis; quia illi ſunt mortui ſtatim, et iſti ſunt a terræ ſterilitate conſumpti. Compatiantur tibi filia omnes tranſeuntes per viam, quia non eſt dolor ſimilis ſicut tuus: jam enim præ dolore nimio atque effuſione tua nimia lachrymarum ſuper carbones, ô facies tua denigrata ita, quod non eſt cognita amplius in plateis, in tenebroſis ſe tuus præſatus ſuperior collocavit, inebriabit te abſinthio et felle: afflictionem populi tui, ejuſque gemitum audi; vide domine et deſcende; quia cor dicti viri ſuper cor Pharaonis eſt nimium induratum, quem populum abire liberum non dimittit, niſi in fortitudine manus ſuæ, non enim ſuper terram flagitat miſerabiliter, ſed poſt mortem: quia quorumcunque Chriſtianorum bona ſub nomina *tituli de Inteſtatis conſtituunt omnia, poſt* deceſſum omnia deborat. Etenim Eccleſia Anglicana, qualiter retroactis temporibus Franciæ in regnum Angliæ ſuos concupiſcentiæ oculos dirigentes, machinabantur illud ſuæ ſubjicere poteſtati: ſed quod in ipſis hactenus deſuit, eſt timendum, ne ſuppleat prædicti viri nova conjecturatio nobi hoſtis: quia regni deficiente Theſauro, et ejus deſtructo ſacerdotio, efficietur bere regnum impotentius contra hoſtes. Ne igitur tu (filia) tuique Sacerdotes in miſeriam deducamini longiorem, expedit ut pro tua et vorum ſalute, quod Rex tuus Chriſtianiſſimus et regni Potentes, qui ampliſſimis beneficiis te ornaverunt, quique vos et beneficia hujuſmodi haberent in hoc caſu tueri, reſiſtant conjecturationibus, conſpirationibus arrogantiæ ac ſuperbiæ dicti viri, qui non Dei contemplatione, ſed pro præmiſſis, et pro ſuis ditando parentibus, ac pro nido ſuo, quaſi Aquilam exaltando per præmiſſa et alia impoſita per eundem, totalem pecuniam Anglicanam nobi dominii genere jam compellit, ne diſſimulata in hac parte ſimplicitas (in) regni hujus ſubverſionem auferat, velut ſuum, et adhibeatur ſero remedii tunc cautela. Avertat nempe Dominus virtutum de corde viri illius velamen, ſibique cor contritum et humile largiatur, et agnoſcere eum faciat veſtigia veri Dei, *per quæ à ſuis tenebris eruatur, & præmiſſos labores ſiniſtros dimittere compellatur: necnon & vineæ quam plantavit Dei dextra, ſacræ fidei cultoribus repleatur. Animadverte enim verba Domini, & Prophetiam* Jeremiæ, *ad propulſandum hujuſmodi inchoata, quæ dicunt;* Tu Paſtor, qui populum meum diſperſiſti, & eum de ſuis habitationibus ejeciſti,

† Ioliorum

* Mat. 17. 27.

Nota.

* See Tom. 2. p. 664, 671, 672-681, 682.

An. 29 & 30 *Edw.* 1.

ciſti, ecce viſitabo ſuper te tuorum malitiam ſtudiorum, nec erit vir qui ſuper Solium *David* de tuo ſemine ſedeat, nec qui in *Juda* ultra habeat poteſtatem; fiat nidus tuus deſertus, & ſicut *Sodoma* & *Gomorra*, taliter ſit ſubverſus: *qui ſi perteritus ab his dictis non deſiterit ab inceptis, & reſtitutionem non fecerit de præceptis,* **pſallent pro eo extunc nequiter corde indurato,** *Psalmum centeſimum octavum,* **illi cui omnia ſervient, aperte ſinguli ſingulis diebus in Chriſto devotiſſimi dicimus laudem.**

* In Mr. Fox his Engliſh Copy.

* *For truly as favour, grace, benevolence permitteth and neglecteth many things, ſo again the gentle benignity of man* **being too much oppreſſed and grieved ſeeketh to be delivered and freed from the ſame, ſtriveth and ſearcheth to have the truth known, and caſteth off that yoke by all means poſſible that grieveth him.**

*Acts and Monuments, vol. 1. p. 461.

What effect (writes * Mr. *Fox*) *this Letter wrought in them to whom it was directed, is not in ſtory expreſſed: This by the way may be conjectured,* **that no reaſon or perſwaſion could prevail, but that the Pope retained here ſtill his Exactions, whatſoever was ſaid or written to the contrary notwithſtanding.**

An. 30 *E.* 1.

In a broken Bundle of Writs *Anno* 30 *E.* 1. *rot.* 118. in the White Tower, I found only this one Writ of Attachment for a ſuit in Court Chriſtian, againſt the Kings Prohibition. Edwardus, *&c. Vic.* Ebor. *&c. Præcipimus tibi,* **quod capias** Walterum de Whyteby & Willielmum de Shyreburne *Capellanum, ſi inventi fuerint in Balliva tua, & eos ſalvo cuſtodias;* **Ita quod habeas corpora eorum coram Juſticiariis noſtris apud** Ebor. *in Octabis Sancti* Michaelis, *ad reſpondend.* Agneta de Linc. *de placito, quare ipſi ſimul cum* Waltero de Seteby **ſecuti ſunt placitum in Curia Chriſtianitatis de catallis et debitis quæ non ſunt de Teſtamento vel Matrimonio, contra Prohibitionem noſtram,** ut dicit; *& unde tu ipſe mandaſti Juſticiariis noſtris apud* Ebor. *à die* Paſchæ *in* 15. *dies, quod prædicti* Walterus & Willielmus *non ſunt inventi nec aliquid habent in Balliva tua* **per quod poſſint attachiari.** *Et habeas ibi hoc breve. Teſte* R. de Hengham *apud* Ebor. 25 *die* Maii, *Anno regni noſtri* 30. On which this return is endorſed; Walterus de Whyteby, & Willielmus de Shyreburne *Capellanus, non fuerunt inventi in Balliva mea poſt receptionem iſtius brevis, nec aliquid habent per quod poſſint attachiari.* The reſt are loſt or periſhed.

Bundela Brevium in Turre London An. 30 E. 1.

In the Clauſe Roll of this year, I finde this memorable Writ of Prohibition ſent by the King to the Archbiſhop of *Canterbury*, who had preſumptuouſly excommunicated the Kings Conſtable of *Dover* Caſtle, and other of his Officers, for impriſoning the Abbot of *Faverſham* in *Dover* Caſtle, (upon a Judgement given againſt him in the Court of *Shipwey*, the chief Court for all the Cinque ports, for certain Treſpaſſes committed by him within that Juriſdiction) according to his office and duty, againſt his Crown, Dignity, and Cuſtome of the Realm, to their great prejudice and ſcandal; commanding him forthwith to abſolve them, revoke all his Citations and ſentences denounced againſt them, upon his allegiance, or elſe he would proceed ſeverely againſt him for this high contempt.

Clauſ. 30 E 1. m. 13 dorſo Prohibitio pro Miniſtris Regis ſuper his quæ fecerunt ratione officii ſui.

REX venerabili in Chriſto patri *R.* eadem gratia *Cantuar.* Archiepiſcopo, totius *Anglia* Primati, ſalutem. **Cum ſecundum conſuetudinem in regno noſtro approbatam hactenus et optentam, et ratione juris noſtri Regii Miniſtri ſeu Ballivi noſtri, pro aliquibus quæ ratione officii ſui et per conſideracionem Curiæ noſtræ fecerunt, coram aliquibus Ordinariis aut Judicibus Eccleſiaſticis citari, ſeu etiam in placitum in Curia Chriſtianitatis trahi non debeant quoquo modo;** Ac vos dilectum & fidelem noſtrum *Robertum de Burgherſh* Conſtabular. Caſtri noſtri *Dovor.* & cuſtodem Quinque Portuum noſtrorum, **et quoſdam alios Miniſtros noſtros in munitione dicti Caſtri exiſtentes, pro eo quod Abbatem de *Faverſham* priſonæ noſtræ pro quibuſdam tranſgreſſionibus per ipſum in læſionem Coronæ et Regiæ dignitatis noſtræ, ut dicitur, perpetratis, per conſideracionem Curiæ noſtræ de *Shipweye*,** quæ eſt magna Curia noſtra Portuum prædictorum, **adjudicatum, infra Caſtrum prædictum juxta officii ſui debitum arreſtarunt, coram vobis ad certum diem ubicunque in Provincia veſtra eſſetis citari, et ſententias Excommunicationis in ipſos ea occaſione fecerittis, ut acceptimus, fulminari, in noſtri juris regii prædicti præjudicium, et ipſius *Roberti* et aliorum Miniſtrorum noſtrorum prædictorum diſpendium non modicum et ſcandalum manifeſtum; necnon contra conſue-**

Coke 4 Inſt. 224. acc. 2 pRilegs' Kdg. nro. 484. a

tudinem

tudinem ſuprædictam. Nolentes nobis ſuper ſtatu noſtro regio aliqualiter dero- *An.* 30 *E.* 1.
gari, aut Miniſtros noſtros pro hiis quæ judicialiter ſtant indebite fatigari: Vobis mandamus in fide qua nobis tenemini firmiter injungentes, quod hujuſmodi Citationibus prædicto *Roberto* et Miniſtris noſtris prædictis ea de cauſa faciendis, ſuperſedentes, ſententias prædictas in ipſos per vos, ut præmittitur, fulminatas, faciatis ſine dilatione aliqua revocari: Ita quod non oporteat nos ad hoc aliter apponere manum noſtram. Teſte Rege apud *Guldeford* 15 die *Maii*.

* *Anno* 30 *E.* 1. there fell out this memorable caſe. King *Henry* the 1. by his Charter in the year 1130. gave to *William* Archbiſhop of *Canterbury* and his ſucceſſors the Church of St. *Martin* in *Dover*, with all the Prebendaries, Rents and Franchiſes thereto appertaining by Land or Sea, commanding him to place therein Religious perſons to ſing Maſſe for his anceſtors, his own, and his heirs ſouls; and ordained in his Charter, **That theſe Religious perſons themſelves ſhould have the free election of the Abbot, and the Archbiſhop the examination and confirmation of their election:** Whereupon the Archbiſhop began to found a New Monaſtery near *Dover*, intending to place therein Canons of the Order of S. *Auguſtine*, but dyed before it was finiſhed. King *Henry* the 2. by his Charter renewed the grant of *Henry* the 1. to Archbiſhop *Theobald* and his ſucceſſors, and commanded him according to the ſaid Kings order, *to place Monks of the Order of St.* Benedict *therein, and that he ſhould give them all the Prebendaries, Poſſeſſions, Rents and Franchiſes belonging to the old Church of St.* Martin; which Archbiſhop *Theobald* did accordingly, as intirely as he received them by gift from the King. *Alſo he gave the Monks* **a Prior of the Covent of** *Canterbury*, not perpetual, but *removable at his pleaſure*, to teach the new Monks their order, and put the Monks into poſſeſſion of all the Prebendaries but two which the Abby of St. *Auguſtines* held: **Apres le dit Erceveſque** Tibaud, **ſaunz conge, et ſanz aſſent du Roy, et contre le fourme de la Chartre le Roy, et contre les privileges le Pape en Bulles, donne ſa Chartre au Priour et au Capitre de** Canterburi, **qe le Priour de** Dovre **feuſt a touz jours fait del Covent de** Canterburi, **et nemi d'aillours.** *Ce dun ad eſte encheſon & matiere de confuſion & deſtruction a la Maiſon de* Dovre *a touz jours, de mal en pys. Nemy pur ce un Erceveſque* Baldwyn **per noun, ne avoua mye cel doun, mes lour dona Priour de eur meſmes,** *ceſt aſſavoir* Osberne, *qi moult emenda la Maiſon en ſon temps.* After which, *l'an de regne* Edward 1. *treſziſm, le Priour de* Dovre Anſelme, *Moigne de* Canterburi, **avoit tant degaſte les biens de lour Egliſe, qe les Moignes n'avoient dont vivre, ne eſtre veſtuz; et ſi avoit il endette la Maiſon, de mil et centz marcs. Adonqes il le encuſerent de diſſipation et le engetterent, come cele qi neſtoit pas profitable: le Priour de la** Trinitie **et ſon Covent meintenant aloient procurant l'Erceveſque** Johan, **qi donaſt Priour a** Dovre **un del Covent de** Canterburi, **et diſſoient qe ce eſtoit lour droit a touz jours uſee puis la fundation de la Maiſon de** Dovre, **les Moignes de** Dovre **entenderent ce et feſoient aſſevoir au Conſeil noſtre Seignour le Roy. Per quoy le Priour de** Canterburi **fuſt appellez en Juggement a monſtrer per quoy droit il feſoit cel chalunge. A la fin il monſtre la Chartre l'Erceveſque** Tibaud, **qil lour avoit fait ſaunz aſſent du Roy, ſicome deſſus eſt dit; la choſe feuſt deſpute en la Court le Roy; et pur ce qe l'Erceveſque avoit paſſe l'ordinance, a la volunte du donnour, agarde feuſt (nemy) qe cele Chartre n'avoit nule valour, et enſi fuſt le Priour et la Capitre en** Canterburi **forſtuge de lour demaunde: Et pur ceo qe l'Erceveſque avoit taunt meſpris contre la fourme de dit doun, agarde fuſt, qe le Priour de** Dovre **feuſt pris en la meyn le Roy, et qe l'Erceveſque queiſt grace du Roy, ſ'il vouſiſt mes ſoit la voeſon de la dit Maiſon. Et adonqes le Roy commanda qil euſſent fraunche election de lour Priour, et qe l'Erceveſque cele foitz li recouſt en noun du Roy; en qi mein l'avoeſon eſtoit adonqes et uncore eſt. Et l'Erceveſque** Johan **a lour nomination receuſt, et fit Priour** Robert Whitacre, **Moigne de la Maiſon de** Dovre, **qi eſtoit Priour dint et neof anns, et plus; et oze darrein morast. Enſi ad le Maiſon de** Dovre **eſtre en poſſeſſion de Priour de eux meſmes per agard, et per Juggement de la Court noſtre Seignour le Roi, et d'illoeqes juſques a taunt qe le dit Priour** Robert **ſe leſſe morir.**

* Brevia Regis in Turre London. An 14 E. 2. nu. 45 Monaſticon Angl. vol. 2. p. 1, 2.

The

An. 30 E. 1. The Biſhoprick of *Ely* becoming void by the death of *Ralph Walpool*, tranſlated from *Norwich* thither by Pope *Boniface* his proviſion, the Monks of *Ely* by the Kings licenſe unanimouſly elected * *Robert Orford* their Prior, to whom the King giving his Royal aſſent, the Archbiſhop of *Canterbury* deferred his confirmation, for which he appealed to *Rome*, and before his appeal could be tendred to him he nulled his election, whereupon he appealed the ſecond time againſt him to the Pope; into whoſe hands he reſigning his right, he thereupon conferred the Biſhoprick on him by his proviſion, deſiring the King to reſtore his Temporalties by this Bull, the original whereof I found in the *White Tower Chapple*, reciting the whole proceedings.

* See Godwins Catalogue of Bps. p. 212.

Anno 30 E. 1. in Turre London.

* fiducialius.

BONIFACIUS Epiſcopus ſervus ſervorum Dei, chariſſimo in Chriſto filio *E.* Regi *Angliæ* illuſtri, ſalutem & Apoſtolicam benedictionem. Ad fovendum in charitatis viſceribus Eccleſiarum Prælatos, ac eos præcipue, qui Epiſcopali dignitate præminent, eo te * fiducialibus noſtris precibus invitamus, quo in bonorum operum executione veſtrum affectum extimamus promptum ac facilem invenire, maximè cum apud Deum (cujus Prælati hujuſmodi ſunt miniſtri) retributionis æternæ præmium, & apud homines laudis præconium exinde acquiratur. Olim ſiquidem Eccleſia *Elienſis* Cathedralis per obitum bonæ memoriæ *Radulphi Elien.* Epiſcopi, paſtoris ſolatio deſtituta, venerabilis frater noſter *Robertus* Eccleſiæ *Elienſis* tunc Prior, & Conventus ejuſdem Eccleſiæ, vocatis omnibus qui voluerunt, debuerunt & potuerunt commodè intereſſe, die (ad eligendum) futurum Pontificem præfixa, ut moris eſt, convenientes in unum, ac deliberantes in hujuſmodi Electionis negotio per viam procedere compromiſſi, ſeptem ex dicto Conventu, videlicet, dilectis filiis *Petro* Suppriori, *Alexandro* Præcentori, *Radulpho* Sacriſtæ, *Stephano* Cellarario, *Warino* Elemoſinario, *Johanni* Subſacriſtæ, & *Richardo* Hoſtillario, ipſius Eccleſiæ providendi ea vice ipſis & eidem Eccleſiæ de Prælato, conceſſerunt liberam poteſtatem die illa uſque ad pulſationem completorii duraturam; promittentes illum in Epiſcopum & Paſtorem recipere, quem iidem compromiſſarii, ut præmittitur, ducerent concorditer eligendum. Qui hujuſmodi poteſtate recepta ſecedentes in partem, poſt diligentem quem inter ſe ſuper hoc habuere tractatum, in ipſum *Robertum* direxerunt unanimiter vota ſua, & deinde dictus Præcentor ex poteſtate ſibi & aliis prædictis compromiſſariis ejus Collegis, (ut prædicitur) tradita, de ipſorum ibidem præſentium mandato vice ſua & eorundem Collegarum ac prædictorum Conventus, eadem die ante præfatam completorii pulſationem, memoratum *Robertum* in Epiſcopum *Elienſem* elegit, ac electionem hujuſmodi à dictis Conventu concorditer acceptatam ſolempniter publicavit; idemque *Robertus* infra tempus à jure ſtatutum, ad eorundem Conventus inſtantiam, **electioni prædictæ conſenſit.** Cumque poſtmodum memoratus Conventus feciſſent ejuſdem electionis decretum per quoſdam ex eis Procuratores ad hoc ab ipſis Conventu conſtitutos, venerabili fratri noſtro *Cantuarienſi* Archiepiſcopo præſentari, & tàm dictus *Robertus* perſonaliter, quàm iidem Conventus per eoſdem Procuratores poſtularent ab eo infra tempus à jure ſtatutum, **ut eandem electionem auctoritate Metropolitica confirmaret: Eodem Archiepiſcopo confirmare dictam electionem, prout ſpectabat ad eam nimium differente, demum fuit ex parte dictorum *Roberti* et Conventus, tam ab eo quam ejus Commiſſariis per ipſum in hac parte deputatis ex quibuſdam cauſis coram nobis viris, cum eorum præſentiam commode adire non poſſent, ad ſedem Apoſtolicam appellatum:** Sed prædictus Archiepiſcopus, cui dicti *Robertus* & Conventus hujuſmodi appellationem notificare volebant, antequam facere illum valerent, **præfatam electionem contra juſtitiam infirmavit**; propter quod pro parte prædictorum *Roberti* & Conventus **iterato ad ſedem appellatum extitit præliberam, ſicque hujuſmodi negotio per tales appellationes ad dictam ſedem legitime devoluto,** & præfato *Roberto* perſonaliter dictiſque Conventu per prædictum *Richardum* & dilectum filium *Willielmum de Clara*, Eccleſiæ prædictæ Monachos, eorundem Conventus ſpeciales Procuratores & Nuncios pro dicto negotio proſequendo, **infra legitimum tempus in noſtra præſentia comparentibus, et facientibus coram nobis negotium ipſum proponi, nos proceſſus tam circa electionem prædictam, quam in Curia memorati Archiepiſcopi in negotio prædicto habitos, necnon perſonam ipſius *Roberti*** per venerabilem fratrem *L.* Epiſcopum *Albanen.* & dilectos filios noſtros

Gentilem

Gentilem titulo Sancti *Martini* in *Montibus* Presbyterum, & *Matheum* Sanctæ *Mariæ* in *Portica* Diaconum Cardinales, **examinari fecimus diligenter.** Dictus verò *Robertus* poſt factam nobis ſuper hujuſmodi examinatione à dictis Cardinalibus relationem fidelem, **volens ſæpedictam Eccleſiam a diſpendiis, quæ incurrere poterat per judiciales anfractus durante dicto negotio, præſervari, omne jus quod ſibi ex præfata electione fuerat acquiſitum, ſponte ac libere in manibus noſtris reſignavit:** (as * *Thomas* Archbiſhop of *York* had done before him, through this Popes craft and delayes.) **Nos igitur hujuſmodi reſignatione recepta, cupientes regimini ejuſdem Eccleſiæ illam perſonam, de cujus probitate plenam haberemus notitiam per noſtræ provisionis ſtudium, præfore;** quæ conſtat per confeſſionem ab ipſo *Roberto* coram Archiepiſcopo memorato factam, dum de dicta confirmatione facienda per ipſum Archiepiſcopum agebatur, **Excommunicationis ſententiam latam a Canone dictum *Robertum* quodam tempore incurriſſe, pro eo quod ipſe manus injecerat in quendam Clericum temere violentas, et ab eadem ſententia rite fuiſſe ſine mora culpabili abſolutum, licet is ſeu etiam alius Canonicum contra eundem *Robertum* objectum et nobis oſtenſum non obſtaret, quo minus debuiſſet præfata electio confirmari. Nos ne occaſione hujuſmodi Excommunicationis quiſquam detractionis circa ſtatum ſuum ab aliquibus, qui nituntur interdum vas incruſtare ſincerum valeret impingi, nebe inde ipſius opinio gravata quomodolibet remaneret, omnem maculam ſive notam, ſi de Apoſtolicæ poteſtatis plenitudine abolentes, ipſum bis nequaquam obſtantibus nunciavimus habilem ad Epiſcopalem et quamlibet dignitatem Eccleſiaſticam obtinendam;** & deinde attendentes, quod ſibi literarum ſcientia, vitæ mundities, morum honeſtas, regularis obſervantia, prudentia ſpiritualium, & temporalium providentia, & alia virtutum dona ſuffragari noſcuntur, ſuper quibus etiam multorum fidedignorum teſtimonio multipliciter commendatur, conſiderantes inſuper, **quod ex præfata reſignatione, ut prædicitur, ab ipſo facta præſumitur vehementer, ipſum ambitionis vitium quod eſt penitus reprobandum, potiſſime in promovendis ad dignitates Eccleſiaſticas, fugere** ——— ———: ac per hæc, & ex eo etiam quod jam dicti Conventus præfatam electionem, ut prædictum eſt, concorditer acceptarunt, non immeritò extimentes quod dicta Eccleſia per ipſum poterit ſalubriter gubernari, **de fratrum noſtrorum conſilio, et ex noſtræ plenitudine poteſtatis eundem *Robertum* præfecimus eidem Eccleſiæ in Epiſcopum et Paſtorem, curam ſibi et adminiſtrationem ipſius Eccleſiæ in ſpiritualibus et * temporalibus committendo,** & ſubſequenter ſibi fecimus inſuper munus conſecrationis impendi; firma ſpe fiducias tenentes, quod eadem Eccleſia per ipſius induſtriam providentiæ à noxiis præſervabitur, & adverſis, optatis quoque proſperitatis commodis ſpiritualiter & temporaliter augeatur. Cum itaque ſibi chariſſime, **ſit virtutis opus Eccleſias et perſonas Eccleſiaſticas,** præſertim Pontificali præditas dignitate, **benigno favore proſequi,** ac eas verbis & operibus pro Regis æterni gloria venerari; Serenitatem Regiam rogamus & hortamur attentè, quatinus dicto Epiſcopo **pro noſtra et Apoſtolicæ ſedis reverentia,** ejuſdem *Elien.* Eccleſiæ quæ per te vacationis ejus tempore teneri dicuntur, ſine qualibet libet difficultate reſtituens, alias ipſum & Eccleſiam ſibi commiſſam habeas propenſius commendatos, **te reddens ipſis in regio favore munificum, et in cunctis neceſſitatibus gratioſum.** Ita quod idem Epiſcopus tuo fultus auxilio, in commiſſa ſibi cura Paſtoralis officii poſſit Deo propitio proſperari, ac tibi exinde à Deo perennis vitæ præmium, **et a nobis condigna proveniat actio gratiarum.** Dat. *Lateran.* 4 Kal. *Novembris*, Pontificatus noſtri anno octavo.

An. 30 *E.* 1.

* Here, p. 859, 860.

* *Nota.*

This uſurping Pope, as he perſwaded or enforced by threats or long delayes this Biſhop and others whoſe Elections were queſtioned or oppoſed, though never ſo canonical and legal, to reſign their Elections into his hands, that ſo he might conferre the Biſhopricks on them by his own Papal Proviſions; ſo he likewiſe inſerted this new clauſe into his Proviſions, whereby he committed the Temporalties as well as the Spiritualties, *Curam ſibi & adminiſtrationem ipſius Eccleſiæ in Spiritualibus &* **Temporalibus committimus,** in derogation of the Kings Prerogative; who thereupon refuſed to reſtore their Temporalties till they * publickly renounced this clauſe, as prejudicial to the Kings Crown and Dignity.

* Here, p. 865, 866.

Pope

An. 30 *E.* 1. Pope *Boniface* this year likewise sent this Bull to the King, to signifie his confirmation of the Election of the Abbot of St. *Edmunds*, and his benediction of him, immediately belonging to the Church of *Rome*, desiring the King to restore his Temporalties: the Original whereof I rescued from the rubbish in the *White Tower* Chappel.

In Turre London.

Bonifacius Episcopus, Servus servorum Dei, Charissimo in Christo Filio *E.* Regi *Anglorum* illustri, salutem, & Apostolicam benedictionem. Gratiæ tibi Divinæ præmium & humanæ præconium laudis acquiritur, **Si Ecclesias, Monasteria, et Personas Ecclesiasticas præcipue, regni tui Regali præsidio fobeas, et favore benivolo prosequaris.** Nosque ad id Celsitudinem tuam eo fiducialius Apostolicis exhortationibus excitamus, quo magis illam in operum executione bonorum speramus promptum & facilem invenire. Vacante siquidem dudum Monasterio Sancti *Edmundi* ad *Romanam* Ecclesiam **nullo medio pertinente**, Ordinis Sancti *Benedicti Norwicen.* Dioc. per obitum quondam *Johannis* Abbatis ipsius, Conventus ejusdem Monasterii vocatis omnibus qui debuerunt, potuerunt & voluerunt commodè interesse, die ad hoc præfixa convenientes in unum pro futura tacienda electione Abbatis, ac deliberantes ad id per viam procedere compromissi, fratribus *Rogeri de Cheventon* Camerario, *Petro de London* Elemosinario, *Richardo de Brun* Sacristæ, *Thomæ* Abbati dicti Monasterii tunc Suppriori, *Johanne de Eversden* Cellario, *Alano de Walsingham* & *Reginaldo de Denchmer* Monachis ejusdem Monasterii, providendi ea vice dicto Monasterio de Abbate concesserunt unanimiter potestatem, usque ad certi temporis spatium duraturam; promittentes, illum in eorum & dicti Monasterii Abbatem recipere et habere quem dicti Compromissarii, vel major eorum pars de seipsis vel aliis de gremio dicti Monasterii infra dictum spatium ducerent eligendum. Cumque idem *Thomas* Abbas & alii Compromissarii Collegæ sui prædicti hujusmodi potestate recepta, secedentes in partem deliberationem habuissent, prout expediebat, super hujusmodi negotio diligentem, demum Collegæ dicti *Thomæ* Abbatis vota sua in eum unanimiter direxerunt: Ac dictus *Johannes* Cellerarius unum de Compromissariis supradictis, nomine suo & aliorum prædictorum Collegarum suorum, & totius Conventus vice, de ipsorum aliorum Collegarum mandato, infra dictum spacium præfatum *Thomam* duxit in Abbatem dicti Monasterii eligendum, & electionem hujusmodi coram ipsis, Conventu illam acceptantibus publicavit: Ipseque *Thomas* Abbas præstito ad ipsorum Conventus instantiam electioni hujusmodi de ipso factæ consensu, ac *Willielmus de Lucham* & *Guilielmus de Harlawe* ejusdem Monasterii Monachi Procuratores ipsorum Conventus ad sedem Apostolicam accesserunt, Decretum nobis electionis ejusdem servatis in hiis omnibus statutis à jure temporibus, præsentantes, **eamque confirmari a nobis cum instantia postulantes.** Nos autem tàm ipsius Electionis formam, quàm ejusdem *Thomæ* Abbatis personæ merita per Venerabilem fratrem *M.* Episcopum *Portuen.* & dilectos filios nostros *G*— Sancti *Martini* in *Montibus* Presbyterum, & *Franciscum* Sanctæ *Luciæ* in *Silice* Diaconum Cardinales, examinari fecimus diligenter. Et quia demum facta nobis per eos relatione fideli, electionem illam invenimus de ipso Abbate persona ydonea Canonicè celebratam, illam de ipsorum Episcopi Cardinalium et aliorum fratrum nostrorum consilio duximus confirmandam; præficiendo ipsum dicto Monasterio in Abbatem, ac faciendo sibi postmodum per Venerabilem fratrem nostrum *L.* Episcopum *Albanen.* munus benedictionis impendi: firma de ipso concepta fiducia, quod cum eidem Abbati vitæ munditia, Religionis Zelus, morum gravitas, Literarum scientia, Providentia Spiritualium & Circumspectio Temporalium, aliaque virtutum dona sicut habent fidedignorum testimonia suffragentur, Monasterium ipsum per suæ cooperationis ministerium, Gratia sibi favente divina, grata sub ipsius felici regimine recipiet incrementa. Quocirca magnificentiam tuam rogamus & hortamur attentè, quatinus eundem Abbatem & commissum sibi Monasterium habens pro Divina dictæ sedis ac nostra reverentia propensius commendata, exhibeas te illi benivolum & in cunctis oportunitatibus gratiosum: ita quod ipse Regio favore suffultus commissum sibi dicti Monasterii regimen possit salubriter exercere, tuque proinde concrescas meritis apud Deum, apud nos gratiâ, & apud fidelium populos clarâ famâ. Dat. *Anagniæ*, — Kalend. *Junii*, Pontificatus nostri Anno Octavo.

He

He likewiſe ſent another Bull to the King, the date whereof is torn out, to certifie him of his confirmation of the election of *Johannes de Marines*, to another exempt Abby of the Order of St. *Benedict* within the Dioceſſe of *Lincoln*, the Original whereof (ſomewhat torn and mutilated) I found in the *White Tower*, and ſhall not inſert at large, ſince it runs almoſt in the ſame words, with that for the Abbot of St. *Edmunds*, differing only in the Electors and elected perſons Names, and other petty circumſtances, and praying his reſtitution of the Temporalties. *An.* 30 *E.* 1.

Pope *Boniface* the 8. out of a pretence to gratifie and ſupply the King in his neceſſities, for his extraordinary piety and affection toward the Church of *Rome*, granted him the moiety of the 3. years Diſms of all the Poſſeſſions and Livings of the Church and Clergy within *England* and *Ireland* he had * *formerly* impoſed on them; reſerving (like a cheating *Roman* Pontiff) the other moiety of it to himſelf, appointing the Treaſurers that ſhould receive and keep it, to gain the Kings royal aſſent thereto, without which he could not levy it, which he eaſily conſented to, publiſhing it to all his Subjects by theſe Letters Patents, to make it a foundation of credit to ſatisfie his Creditors by aſſignments thereof. * Here, p. 889.

REX omnibus ad quos, &c. ſalutem. Noveritis nos recepiſſe Literas Apoſtolicas in hæc verba. Bonifacius *Epiſcopus Servus ſervorum Dei*, *Chariſſimo in Chriſto filio* Edwardo *Regi* Angliæ *illuſtri ſalutem*, *& Apoſtolicam benedictionem.* Clara Celſitudinis tuæ merita et ſinceræ devotionis affectum quoad Deum et Romanam Eccleſiam Patrem tuam, quibus feruiſti hactenus, biges ad præſens, et ſicut ſperamus et credimus in futurum, Domino auxiliante, ſervebis, benigna conſideratione penſantes, et attendentes, quod tam præteriti quam moderni malitia temporis te ſumptibus plurimis, ac laboribus et anguſtiis aggrabavit, pia meditatione prohibidimus, ad te ſuper hiis animum paternæ compaſſionis extendere, ac ad ſublebationem tuam munificentiam Apoſtolicæ ſedis tibi reddere gratioſam. Cum igitur in toto regno Angliæ ac tota Hybernia Decimam omnium Eccleſiaſticorum reddituum et proventuum præidem, ut noſti, pro oneribus et neceſſitatibus Eccleſiæ memoratæ ad Triennium duxerimus imponendam; Nos volentes, ut tu in effectu percipias quod erga te gerit in hac parte noſtræ mentis affectus, et eligentes potius in nobis ipſis egere, ut opportuna, tibi quod ſuper hoc poſſumus ſubſidia miniſtremus, medietatem totius hujuſmodi Decimæ prædictorum trium annorum tibi in hujuſmodi ſublebationem ſumptuum et laborum præſentium authoritate concedimus de gratia ſpeciali. Reliquam vero medietatem nobis et Eccleſiæ prælibatæ remanere volumus, pro noſtris et ejus oneribus et neceſſitatibus ſuppraditis. Et ecce venerabili fratri noſtro Epiſcopo, et dilecto Magiſtro Bartholomeo de Ferentino Canonico London. prædictæ Collectoribus Decimæ, damus per alias noſtras literas in mandatis, ut hujuſmodi medietatem tibi conceſſam tam collectæ, quam colligendæ impoſterum Decimæ prælibatæ tibi vel procuratori ſeu procuratoribus tuis aſſignare procurent. Tu ita, fili chariſſime, ſic ad ea quæ divinæ Majeſtati complaceant, et honoris et exaltationis Eccleſiæ prælibatæ reſpiciant incrementa mentem tuam dirigas, actuque confortes, quod apud Deum et homines, ac ſedem Apoſtolicam commendari valeas, et amplioribus attolli favoribus in tuis opportunitatibus merearis. *Dat.* Lateran. 4 *Idus* Marcii, *Pontificatus noſtri Anno Octavo.* In cujus rei Teſtimonium ſigillum noſtrum præſentibus duximus apponendum. Dat. apud *Herying* primo die *Septembris.* Pat. 30 E. 1. m. 8. intus. Exemplificatio Bullæ ter quam Papa conceſſit Regi Decimam Eccleſiaſticarum in Anglia & Hibernia

After which I finde (in a Bundle of *Writs of Privy Seal* I diſcovered in the *White Tower* Chappel,) that the King and Pope equally ſharing this Diſme between them, iſſued Privy Seals to the Treaſurers thereof to pay ſeveral ſummes of money to his Creditors out of thoſe Diſmes, and to his Chancellor, to give them receits thereof under his Great Seal, and particularly of the ſumme of 2000 marks payed by his order to an *Italian* Uſurer.

EDwardus, &c. Cuſtodibus magni Sigilli noſtri, ſalutem. Quia recepimus in Garderoba noſtra à Venerabili Patre *R. London.* Epiſcopo, & Magiſtro *Bartholomæo de Ferentino*, Canonico Sancti *Pauli London.* Collectoribus Decimæ Cleri *Angliæ* de aſſenſu noſtro per Summum Pontificem per tres Annos impoſitæ, per manus *Philippi Gerardin* & ſociorum ſuorum, Mercatorum de Societate *Spinorum* de *Florencia*, recipientium denarios de eiſdem Collectoribus, pro tanta pecuniæ ſumma, quam iidem Mercatores nobis nuper liberarunt in Garderoba noſtra prædicta, Bundela Brevium de privato ſigillo, An. 30 E. 1. in Turre Lond.

An. 30 E. 1. Duo millia marcarum de meditate prædictæ Decimæ, nobis per dictum Summum Pontificem conceſſæ, de ſecundo anno eiuſdem Decimæ: Vobis mandamus, quatinus eiſdem Collectoribus literas Acquietantiæ, dicto magno Sigillo noſtro ſignatas de receptione hujuſmodi in forma prædicta habere faciatis. Dat. ſub privato ſigillo apud *Weſtm.* 12 die *Novembris*, Anno regni noſtri tricesimo.

How he ordered the reſidue of the Money of theſe Diſmes to be paid to the Proctors of his Officers and Souldiers in *Gaſcoigne*, to ſatisfie the Debts he owed them, this Writ of Privy Seal will inform us; which I found in the ſame bundle.

In eadem Bundle in Turre London Anno 30 E. 1.

EDward, *&c. al honourable Piere en Dieu* Richard *par meisme la grace Eveſque de* Londres, *& a noſtre bien amez Meſtre* Bartholomeu de Ferentyn *aſſignez a prendre & a reſceivre la Diſme* de les biens de la Clergie de noſtre Royame avantdit, *ſalutz. Come nous eons grantez per nos lettres overtes a nos amez et feaux gentz hommes, Clerks, & autres Soudeyers de* Gaſcoigne, tout l'argent et tout le profiſt, qe lui treſ ſeint Pere Boniface Pape utiſme nous ad graunte de la Diſme qe il ad nobelement miſe ea poſee a prendre des biens des Egliſes, et de la Clergie de noſtre Reaume Dengleterre, et tut le Droit et toute la Reſon, qe nous avons ou poons ou devons avoir en la diſte Diſme, et quanque poet iſſir et avenir de la diſte Diſme en tut la diſte Reaume Dengleterre, *en quelle nous entendons eſtre contenue tote la terre de* Gales, *a prendre et a reſceivre, par eux ou par lour Procuratours nomez: Ceſtaſſavoir par Meſtre* Arnaut de Maſſerin, *& par* Arnaut de Bic *Clerc, par* Johan Lunozm, *par* Guilhard Dabad, *par* Vitan Brana, *& par* Vitan Manent, *& par quatre de eux, ſi tuz enſemble ne poent eſtre, ou par les ſubſtitutz de lour avant nomez auſi entierement, e en tieli meisme firme & manere come nous le deverons prendre dedeinz le terme qe ſe enſuit ceſtaſſavoir de la procheine feſte de Seint* Michel *qe vent a dex ans proſcheins ſuianz & acompliz en partie de paie de antiques dettes, qe nous lour devons, ſicome plus pleinement eſt contenue en nos lettres avantdiſtes, les queles il vous purront monſtrer, vous prions & mandons, qe as avantditz gentz hommes & Clers & autres Soudiers, ou a lour certeins Procuratours avanntditz, ou Attornez ou ſubſtitutz de lour Procuratours liverez & paiez en noſtre nom* tot l'argent et le profiſt a nous apoztenant de la Diſme avantdiſte auſi entirement et as meiſmes les termes, come vous eſtoiez tenuz de paier la a nous. *E de ce qe vous aurez paiez a eux ou a lour Procuratours, ou Attornes, ou as Subſtitutz de eux dont vous aurez lour lettres overtez d'aquitance teſmoignance la receite des Deniers, a eux part vus paiez, vous ferons aver due allowance & acquitance en voſtre acunte. E avons ordine & volons qe* Johan de Sandale & Thomas de Cantebrigg. *nos Clers feent a la partie fere o l'un de eux des Deniers par ordiner la manere coment la parte ſerra feite ſanz tot delay a cheſcun ſouz pur ſouz, & livre pur livre, & puiſſent endoſſer ſouz lour lettrez ſolon qe chaſcun averra pres de tiel paiement. E volons qe vous retiegnez a noſtre oeps des premiers deniers qe vous porrez aver de la diſte Diſme* Trois mille marcs qe nous avons ordine de paier as avantditz gentz, hommes, Clers, et autres Soudiers de Gaſcoigne *hors de noſtre Garderoba, a la quinſeine de ceſt Seint* Michel *prochein avenir de preſt ſur meiſmes la Diſme par lour purveances. En teſmoignage, &c. Donez a* Herting *le primer jour de* Septembr. *l'an de noſtre regne Tentiſme.*

I pretermit all other particular Debts aſſigned by ſundry other Privy Seals in the ſame Bundle to be paid out of this Diſme to other perſons.

The Collectors refuſing to pay any monies upon theſe Privy Seals out of the Diſmes, unleſſe the King would give them his obligation under the Great Seal to ſave them harmleſſe againſt the Pope, (whom they feared more then the King) he hereupon iſſued this Privy Seal to his Chancellor to make them ſuch Obligations as the Keeper of his Wardrobe *John de Drokenesford* ſhould direct.

In eadem Bundela, Anno 30 E 1.

EDward, &c. *a meiſme Chancellor, ſalutz. Pur ce qe nous avoms grant meſtre de deniers, & avoms entendu*, qe les quillours de la Diſme, qe l'Apoſtoille nous ad grante en noſtre Roiaume, neu vueillent rien paier, ſil neu eent lettres obligatoires de nous, le quen choſe nous ſemble, qe ni ſerroit mie molt prejudiciele a nous, puis

puis que nous entendoms, qe le dit Apoſtoill nous enuerra par temps ſur ce ces lettres de garant, *vous mandoms qe vous facez tieux lettres ſur ce as ditz qnillourt, come noſtre chier Clerk* Johan de Drokenesford *Gardein de noſtre* Garderobe, *vous dirra de par nous. Et en droit, des Terres & de la garde de deux Chaſteux, ceſtaſſaver de* Nottingham *& de* Briſtead, *qui deivent eſtre baillez au Conte* Mareſchall. *facez auſint fair tieux letres come meiſme celi* Johan *vous dirra. Et pur ce qe nous avems ordine denuoier en* Gaſcoigne *aucuns deniers, pur la ſuſtenance de nos bonez gentz celes parties; Vous mandoms qe vous facez faire lettres as Gardeinz des Portz, ou les deniers ſerront mis en mer, qil les ſueffrent paſſer peiſſiblement, & ſanz nule manere dempeſchement, ſelonc ce qe le dit* Johan *vous aviſera de par nous. Don ſouz noſtre prive Seale a* Berkhamſtede *le* 10 *jour d'* Averill, *l'an de noſtre Regne Trentiſme.* *An.* 30 E. 1.

The Archbiſhop having excommunicated the Biſhop of *London*, Collector of the Diſmes and ſome of his Clerks, the King upon their complaint iſſued this Writ to his Chancellor, not to grant any Writ de *Excommunicato Capiendo* againſt them upon the Archbiſhops ſuggeſtion, till he gave further order therein.

EDward, &c. *D'autre part nous vous mandoms, qe pur la ſuggeſtion ou requeſte de* Lercebeſque de Canterbir. ne facez faire Briefs de Caption ſur Lebeſque de Londres, ne ſur ſes Clerks, ne autres de ſa meſnee tanque vous eueoms autre choſe ordene. *Don ſouz noſtre prive Seal a Seint* Alban *le* 9. *jour de* Averill, *l'an de noſtre Regne Trentiſme.* In eadem Bundela.

Some Merchants *formerly bound as the Kings Sureties to repay the Moneyes of the Diſmes given to the Holy Land, (which the King long before had ſeiſed) when ever the Popes Collectors ſhould call for it, petitioning the King to ſecure them, or diſcharge their bonds; he thereupon iſſued this Writ of Privy Seal to his Chancellor, to contrive the beſt way he could for their indempnity; in which Writ he informs him, that the Pope by his Bull had releaſed to him all the Diſmes he had ſeiſed, which were not formerly paid in to his Agents.

* See here, p. 559, 560.

EDward, &c. *a meiſme Chancelier, ſaluz. Come les Marchantz de la Compaignie de* Pouche *& de* Rembertyns *de* Florence *jadis à noſtre priere ſe obligeaſſent por de bone memoire* Eſmon *jadis noſtre frere, à honourable pere* Johan *Eveſque de* Wynceſtre *& a* Oliver *dunques Eveſque de* Nicole, aſſignez par la Court de Rome de cuiller la Diſme grante en eide de la Terre ſainte en dys mil lib. deſterlinges; *les queux le dit* Eſmon *enprumpta & receuſt a noſtre oeps des Eveſques avantdiz, & les queux deniers feurent* en nos buſoignes eſpeciaument mis et diſpenduz: *et* Brache Girard *Marchant de la dite Compaigne, nous eit monſtre unes lettres overtes ſealez de noſtre grant ſeal, par les queles nous ſumes tennez & aucuns promis des meiſmes les Merchantz garder de damage en ceſte partie, & nous eit incontinement requis, qe nous vueillons ordener bone voie, coment li & ſes Compaignons puiſſent eſtre acquitez de la dite ſomme de Deniers, & ſauvez de damage ſicome apent. Nous vueillantz a la priere le dit* Brache *gracionſement entendre, & noſtre promeſſe avantdite tant avant come nous purroms parfournir ſicome nous ſumez tenuz, Vous mandoms, qe ensz par vous & les autres de noſtre Conſeil qui ſont a* Everwyk *ſur ceſte choſe aviſement & treitiz pluis pleiner, regardez deligeaument* le tranſcrit dune Bulle que nous aboms baillie a noſtre chier Clerk Johan de Drokenesford, par la quelle Bulle l'apoſtoile de ſa grace nous ad releſſe et done tot quanque nous aboms pris, ou fait prendre de quecunque Diſmes grantés en eide de la Terre ſeinte, en quelque lieu qe ce feuſſ, ſelonc ce qe vous porrez par meiſme la tranſcrit pluis pleinement veair et entendre, *ordenez entre vous tiele voie par nos lettres ou en autre maniere come vous verrez qe mielz face faire, par quoy les ditz Marchantz ſoient quitez de la dite ſome, & gardez de damage, & qe nous auſſint en puiſſons eſtre quitez* ſelonc la tenour de la Bulle avantdite. *Et ceſte choſe en nulle maniere ne leſſez. Don ſouz noſtre prive Seal à* Rakesburgh, *le* 16 *jour de* Feverez, *lan de noſtre Regne Trentiſme.* In eadem Bundela.

The King likewiſe iſſued theſe Writs for the repaying and ſatisfying ſeveral ſums of money, for which the enſuing Abbots were obliged as his Sureties to

An. 30 *E.*1. the Popes Agents, and counter-ſecured by his Recognizances to them.

Clauſ. 30 E.1. m. 9. Pro Abbate de Rameſeye. * Here p. 362.

REX Theſaur. & Baronibus ſuis de Scaccario, ſalutem. Recolimus vobis alias per noſtras dediſſe literas in mandatis, ut inſpectis literis quas dilectis nobis in Chriſto Abbati & Conventui de * *Rameſeye*, qui ſe dudum pro nobis in mille libris ſterlingorum, **quæ ad manus noſtras de pecunia Decimæ in ſubſidium Terræ Sanctæ in terra noſtra conceſſæ, debenerunt, erga Summum Pontificem per ſuas literas obligarunt, et eam jam ſolverunt, ſicut dicunt, ſuper conſervatione indempnitatis ſuæ fieri fecimus**, cum eodem Abbate diligenti tractatu præhabito, provideretis de aliqua via bona, per quam erga prædictos Abbatem & Conventum in firmis & debitis quibus nobis tenentur ad Scaccarium prædictum, exonerari poſſemus à prædicta pecuniæ quantitate, de quo, ſicut accepimus, nichil hucuſque feciſtis. Nos igitur prædictorum Abbatis & Conventus indempnitati volentes in hac parte proſpicere ut tenemur, vobis iteratò mandamus, quod inſpectis literis noſtris prædictis, ſi vobis conſtiterit eoſdem Abbatem & Conventum pro nobis, ſicut prædictum eſt, **prædictæ ſummam pecuniæ perſolviſſe**, tunc ipſis de dictis mille libris in debitis quæ nobis debent, & firmis annuis, in quibus nobis tenentur ad Scaccarium prædictum debitam allocationem, quouſque prædictis Abbati & Conventui **de dictis mille libris plenarie fuerit ſatisfactum.** Teſte Rege apud *Weſtm.* 28. die *Julii*. *Per ipſum Regem.*

Eodem modo mandatum eſt præfatis Theſaur. & Baronibus pro Abbate & Conventui de * *Abyndon*, **de mille marcis quas ſolverunt pro Rege in forma prædicta.** Teſte ut ſupra. * Here p. 362.

Eodem modo mandatum eſt præfatis Theſaur. & Baronibus pro Priore & Conventu *Elien.* **de quingentis libris quas ſolverunt pro Rege**, ut ſupra, cum iſta clauſula, *tunc ipſis de dictis quingentis libris in debitis quæ nobis debent ad Scaccarium prædictum debitam allocationem fieri faciatis.* Teſte Rege ut ſupra.

The King alſo iſſued theſe Writs of Privy Seal to his Chancellor, to write Letters to the Pope on the behalf of the Biſhop of *Cheſter* his Treaſurer in the beſt form he could under his Great Seal, for the ſpeedy diſpatch of his buſineſſe in that Court, and his diſmiſſion thence, in regard of the great buſineſſes and imployments which required his preſence at *Monſtroll* and elſewhere.

Bundela Brevium de privato ſigillo, An 30 E. 1. in Turre London.

EDward *par la grace de Dieu Roy* Dengleterre, *Seignour* Dirland, *& Ducs* Daquitaine, *a noſtre chier Clerk & foial* Johan de Langeton *noſtre Chancelier, ſaluz. Nous vous mandoms, qe en auxi eſpeciele maniere, come vous veuez,* **qe face a faire enbocez au Pape par ceſt meſſage noz lettres deſouz noſtre grant ſeal, par les quelles, nous le prioms, qil vuelle deliverer l'Eveſque de** Ceſtre, **au plus toſt qil porra endroit des buſoignes qui li touchent en ſa Court eſpecialment, por ce qe nous voudriens molt et auriens grant meſtier, qil fuſt a** Monſtroill. *a la jornee qe ſe deit tenir illuesques, a la quinzeyne de* Paſques *procheine avenir, entre les gentz le Roy de* France *& les noz,* **et por pluſores autres buſoignes que nous auoms faire de li en noſtre Roiaume.** *Don ſouz noſtre privé ſeal a* Lynthliſcu *le* 13 *jour de* Janeuoir, *l'an de noſtre regne Trentiſme.*

The King approving the draught of Letters to the Pope, ſent theſe two Writs of Privy Seal to the Chancellor for the ſpeedy ſending of them, and other Letters to the Pope touching his ſpeedy diſpatch, and the Duke of *Savoys* and *Otho de Grandiſons* refuſals of the Embaſſie to *Rome* concerning the Truce between him and the King of *France*, with directions who ſhould carry and deliver them.

In eadem Bundela.

EDward *par la grace de Dieu Roi* Dengleterre, &c. *a noſtre chier Clerk & foial* Johan de Langeton *noſtre Chancelier, ſaluz. Nous auoms bien entendu* **les fourmes des lettres qe vous auez ordenez, que nous deuoms enboier a l'Apoſtolile,** *les queles nous pleiſent bien, & voloms qe ſelonc meiſmes les fourmes, les quales nous vous renuoions cy dedenz encloſes,* **facez faire lettres au Pape; et que l'Eveſque de** Ceſtre **et l'Erceditakne de** Richemond **puiſſent bailler au Pape les unes lettres ou les autres, ſelonc es qui verront qe miels face a faire.** *Mais quant a la fourme*

que

que vous auez ordenee pur ce que nous vous mandaſmes par noſtre chier Clerk Johan de Benſtede *de la buſoigne* Deſcoce, *qe le dit Eveſque deverit procurer* deters l'Apoſtoille, ſachez qe par les reiſons, qe meiſme celi Johan nous en ad mandees par ſes lettres depar entre vous qui enenſtes Conſail, *nous vous envolons ſuffrir quant a ore. Et pur ce vous mandoms qe* Wynebaud *Meſſag. le dit Eveſque facez deliverer pur porter ſes autres lettres avantdites, & haſtez ſa deliverance, & lenvoiez avant le plus en haſte qe vous porrez. Don ſouz noſtre prive ſeal a* Derlington *le* 5. *jour de* Marz, *l'an de noſtre regne Trentiſme.* *An.* 30 E. 1.

EDward *par la grace de Dieu Roy* Dengleterre, *Seignour* Dirland, *& Duc* Daquitaine, *a noſtre chier Clerk & foial* Johan de Langeton *noſtre Chancellier, ſalutz. Nous entendoms qe vous ſauez bien, & qe vous troverez par Roulle, coment nous donaſmes nadgaires lettres ouertes al Eveſque de* Ceſtre, *au* * *Conpte de* Savoye, *a Monſeur* Otes de Grantzon, *& al Arcedeacre de* Rychemont, *pur oir la volunte l'Apoſtoille ſur les buſoignes, que ſont entre le Roy de* France *& nous, dont nous ſumes mis ſur li, & qe les dites lettres en dounent poair a eux quatre ou as trois de eux, & ne pas a meins. Et pur ce qe le dit Compte & Monſeur* Otes *ny puent entendy, ſi voloms pur eſchuire ancun peril qui purroit avenir, qe vous faciez tantoſt faire lettres overtes contenantz en gros,* qe nous enbeoms au Pape les avantditz Eveſque et Arcidiacre, en tiel manere qe eux, et chaſcun de eux peuſent ou peuſſe oir la volunte et la bon ploiſir du dit Pape ſur les buſoignes avanditez. *Car nous nentendoms quil en facent ne faire puiſſent autre choſe a ceſte foiz.* Et enbeez auſſint au Pape noz lettres cloſes, contenantz, coment nous euſmes ordenez denboier ſur ce, a ſa preſence les quatre perſones avantdites, et qe les avantditz * Conpte et Monſeur Otes ſe ſont excuſez par pluſurs grantz reſons, q'il ny puent entendre. *Por quoi nous li prioms,* quil en voille tenir pur excuſez nous et eux, et ſa volunte, et ſon bon ploiſir dire as avantditz Eveſque et Arcidiacre, au al un de eux, ſur les dites buſoignes. *Faites auſſint faire* unes autres lettres cloſes au Pape, *contenantz, coment le dit Eveſque eſt molt noſtre Secretaire, & coment nous auoms grant defaute de li & de ſa preſence en noz parties, & coment il ſerroit molt neceſſaires a la jourvee qui ſe deit tenir a* Monſtroill. *a la quinzeyne de* Paſque *entre les genz le Roy de* France *& les noz. Pur quoy nous prioms au Pape,* quil voille bonement et gracioſement, et le plus toſt quil poyra, en bone manere, entendre a la deliberance au dit Eveſque, et de la buſoigne, pur quoy il eſt venuz a li, et quil voille eſtre remembrant coment il vient a li par ſon mandement, comme ci qui eſt et eſtre voet humbles et obeiſſant a ſon pleiſir, ſicome dreitz eſt. Pur quoy il li pleiſe eſtre plus gracious et plus debonetres enbers le dit Eveſque, qe enbers ceux qui ne li obeiſſent mie. Totes ces lettres voloms qe ſe facent ſi haſtivement et ſi adreitement, come vous ſaurez et poyrez, et qe vous les enboyrez ſanz delay au dit Eveſque par ceſt meſſage, ſealees de noſtre Seal, enſemblement ove les tranſcriptz des choſes ſealez du voſtre. *Don ſouz noſtre privie ſeal a* Noef Chaſtell ſur Tyne *le* 25 *jour de* Faverer, *l'an de noſtre regne Trentiſme.* In eadem Pundela. An. 30 E. 1.

* Here p. 898, 899.

* See here p. 900, 901,

The Letters then ſent by the King to the Pope in the Biſhops behalf, (long ſuſpended by him principally at the proſecution of *John de Lovetot*, whom the King by his inſtigation cauſed to be impriſoned for ſundry offences upon his return from *Rome*) with the Kings Certificate to the Pope againſt *Lovetot*, I finde thus recorded.

SAnctiſſimo in Chriſto Patri Domino *B.* divina providentia Sacroſanctæ *Romanæ* ac Univerſalis Eccleſiæ Summo Pontifici, *Edwardus* eadem gratia Rex *Angliæ*, &c. devota pedum oſcula beatorum. Dum gemitus frequentiam & acuti doloris amaritudinem quibus chariſſimus nobis in Chriſto Dominus *W. Coventr. & Lichf.* Epiſcopus Theſaur. noſter ab officio et adminiſtratione tam ſpiritualium quam temporalium per Apoſtolicam ſedem ſuſpenſus, et ſic ſub ſtatu humili et depreſſo vitam ſuam agens jam premitur oculis noſtris ſubjicimus, ei et doloribus ſuis ob laudabilia merita nobis per ipſum diu impenſa, ex affectu intimo quem ad ipſum gerimus intus compatimur; eo nichilominus jam acerbius moleſtati, quod *Johannes de Lovetot* famæ ſuæ prodigus, quem falſum ac proditorem nobis aſſerimus, maliciis malicias prioribus novas accumulans, literas Apoſtolicas dictum Epiſcopum et ſuum Clauſ. 30 E. 1. m. 6. cedula.

An. 30 *E.* 1. um negotium contingentes, et ut intelleximus, Domino *Cantuar.* Archiepiſcopo ac Collegis ſuis directas, per vias et malicias excogitatas præſentare et exhibere ſtudioſe hactenus diſſulit, nec adhuc tempore ſcriptionis præſentium animum prætendebat exhibendi eaſdem, ut ſic per langoris diſpendium birum perimeret et deſtrueret, prob dolor innocentem, licet per procuratores dicti Epiſcopi ſuper præſentatione et exhibitione literarum earundem dicto Domino Archiepiſcopo et Collegis ſuis facienda cum omni ſuiſſet inſtantia requiſitus. Veſtris itaque pedibus prboluti quæſumus, pie Pater, ut huiuſmodi maliciæ ex paterna pietate remedium apponere, et oleo mitigationis et Apoſtolicæ ſedis benignitate infuſo, reſpectu habito ad labores, anxietates ac varia inconvenientia quæ jam ſuſtulit, ſtatui dicti Epiſcopi miſericorditer prbidere, noſtrumque in hoc per dilectum Clericum noſtrum Magiſtrum G. de Blaſt. latorem præſentium, quem prpter id ad vos ſpecialiter deſtinamus refocillare animum, intuitu dignemini Regiæ dignitatis. Poſtremo Apoſtolica ſedes ſciat, quod dum præfatum Theſ. noſtrum, cujus Miniſterio et induſtria magis ac magis ſingulis dierum prceſſibus indigemus, in ſuo ſtatu ſic languere conſpicimus lætitiam quamcunque a noſtris præcordiis penitus exulamus. Super hiis igitur tam nobis quam ſibi dignetur proſpicere pius pater. Ad Regimen Eccleſiæ ſuæ Sanctæ Altiſſimus vos conſervet in dierum longitudine Deo grata. Dat. apud *Coucham* 24 die *Auguſti*.

Ibidem. SAnctiſſimo in Chriſto Patri *B.* &c. *Edwardus*, &c. devota pedum oſcula beatorum. Ne in alterius dampnum factum alienum redundet, veſtræ Sanctitati notum facimus per præſentes, quod *Johannem de Lovetot* poſtquam de Curia *Romana* jampridem reverſus fuerat, et in terra noſtra *Angliæ* moram aliquandiu traxerat, ob diverſas culpas et offenſas a multis retro temporibus in Regiam Majeſtatem noſtram commiſſas arreſtari fecimus, et per aliquos dies licet paucos areſtatum detinuimus, prout ſecundum modum & conſuetudinem terræ & regni noſtri facere debebamus. Verum quia ipſum falſum, mendacem, famæ ſuæ prodigum et proditorem novimus, ne per ſolitam malitiam arreſtationem huiuſmodi, Kariſſimo nobis in Chriſto *Coventr.* & *Litchf.* Epiſcopo Theſ. noſtro mendaciter impingere in præſentia veſtra præſumeret, eundem proditorem ob Apoſtolicæ ſedis reverentiam ad devotam Epiſcopi prædicti inſtantiam ea vice ab areſtatione huiuſmodi duximus liberandum, quodque vobis teſtificamur veraciter per præſentes. Ad regimen ut ſupra. Teſte ut ſupra.

Clauſ. 30 E 1. m. 5 dorſo. Pro W. Coventr. & Litchf. Epiſcopo. REX Sanctiſſimo in Chriſto Patri Domino *B.* Divina Providentia Sacroſanctæ *Romanæ* ac univerſalis Eccleſiæ Summo Pontifici; *Edwardus* ejuſdem gratia, &c. devota pedum oſcula beatorum. Inter cæteros noſtris adhærentes obſequiis Venerabilis Pater *W. Coventr.* & *Litchf.* Epiſcopus Theſ. noſter locum præcipuum optinens, ſic affectus noſtra exhuberat erga ipſum, quod ſui commodi et honoris augmentum cordis et intimo reſpicimus et optamus. Nos itaque prædictum Epiſcopum qui in conſpectu noſtro habetur multipliciter gracioſus, ac ſua negotia quanto valemus affectu veſtræ Clementiæ commendantes, Sanctitati veſtræ prece qua poſſumus ſupplicamus, quatinus ſic noſtram perſonam in ipſo dignemini contemplari, quod noſtræ interceſſionis inſtantia ſibi locum nunc ſaltem in eo teneat poriorem, quo in deſideriis noſtris multis de cauſis quas ſecundum Deum ſanas credimus et ſalubres intimius geritur, ut prædicta ſua negotia juxta votum pro ipſo ſortiantur effectum proſperum et felicem. Et ecce, ſanctiſſime Pater, is qui proſequitur contra eum captioſa querens diffugia, malitioſe proſecutionem eandem prorogit et protelat, ut eum prolixiore langore fraudulenter aggravet et affligat, ad quod ſi placet de clementiæ veſtræ bonitate condignum reſpectum habentes, præfata ſua negotia, quæ ſub gratiæ veſtræ dependent arbitrio, cum Apoſtolico benigno labore beatitudo veſtra dignetur feliciter maturare: quia non præſumitur quod proſecutor ille, immo verius perfidus perſecutor de jure proſecutionis ſuæ confidat, qui differt jam proſequi quod ſubdole inchoavit. Conſervet vos Altiſſimus ad regimen Eccleſiæ ſuæ per tempora proſpera & longæva. Dat. apud *Lewes* 13 die *Sept.*

He likewiſe ſent theſe earneſt paſſionate Letters to ſeveral Cardinals at *Rome*, his ſpecial friends and penſioners, in behalf of his Treaſurer.

Venerabili

An. 30 E. 1. Clauſ. 30 E. 1. m. 6. Cedul.

VEnerabili in Chriſto Patri Domino *J.* Dei Gratia titulo Sanctorum *Marcellini* & *Petri* Presbyteri Cardinali, amico ſuo Kariſſimo; *Edwardus* ejuſdem gratia &c. ſalutem, & ſinceræ dilectionis affectum. Non ſine Cordis amaritudine paternitati veſtræ do'enter referimus, quam anxie intus torquemur quantaque doloris immenſitate intrinſecus moleſtamur, dum kariſſimum nobis in Chriſto Patrem Dominum *W. Coventrenſem* & *Lychfeld.* Epiſcopum Theſ. noſtrum, qui nobis in majoribus feſtorum ſolempniis, cum inſignibus Pontificalibus divina celebrare ſolebat, ab officii ſui executione, ac ſpiritualium et temporalium adminiſtratione ſuſpenſum fore oculis noſtris conſpicimus; præcipue cum per hoc in Epiſcopalis dignitatis obprobrium vilipendatur, et quaſi hominum deriſio et plebis abjectio qui aliis præeſſe debuerat videatur. Ob grandem itaque affectionem quam propter ipſius laudabilia merita ad ipſum gerimus, perſonam ipſius veſtræ reverendæ paternitati ſpecialiter commendamus intimis præcordiis. Vos rogantes et mitigationem, ſi quam poteritis ex benignitate Apoſtolica moderandam, quoad ea quæ ſtatum ſuum contingunt procurare et impetrare velitis eidem, ut ſic Regiam Majeſtatem ad ea quæ vobis grata fuerint perpetuis reddatis temporibus obligatum. In dierum longitudine fæliciter valeatis. Dat. ut ſupra. Teſte ut ſupra, (as that to the Pope * to the ſame effect.) * Here, p. 916.

Eodem modo ſcribitur ſubſcriptis, videlicet, Fratri *G.* titulo Sancti *Martini in Montibus*, & Domino *R.* titulo Sanctæ *Potentianæ*, Presbyteris Cardinalibus.

I found two petitions of the Abbot of St. *Auguſtines* complaining of the malicious proceedings and appeal of the Archbiſhop of *Canterbury* and his adherents againſt many of his impriſoned Tenants, with the Kings order to appear before him and his Counſil.

In Bundela Brevium de Privato Sigillo, &c. An. 30 E. 1

A Noſtre Seigneur le Roy Monſtre le Abbe de Seint *Auſtyn* de *Canterbyre*, qe come *Johan* le fiz *Thomas* de *Grenle* en la (Curt) le Abbe de *Faveresham* queſt de la Franchiſe de Cinc-Ports euſt appelle *Johan de Gravenal*, *Adam le Orfreiſer*, et autres pluſours des gentz le dit Abbe de Seint *Auſtyn*, de la mort *Chriſtien* frere meſmes celui tue en *Faverſham*, ſi come in ſon appel illoc fet eſt contenuz: cel appel par compaſſement del Meyre, Bailliffs, & de la Comunaute de la dite ville de jur en jur avoyeaunt, amuneſaunt, & changeaunt a lur volunte; et ſur ceo par acuns encheſuns noſtre Seignour le Roy euſt maunde par ſon Bref al Abbe de *Faverſham*, quil euſt le Record & le proces de cel Appel devant lui as oitaves de la Seint *Hill.* derein paſſe, meſmes celui *Johan* pendant ceo bref par le Abbe & maliciouſe compaſſement des ditz Meire, Baillifs & Commune, & des gents Lercevеſque de *Canterbyre* eſteindre cel purchas, & a greyndeur grevance del dit Abbe de Seint *Auſtin* & de ſes gentz a purloigner le detriment de la mort avauntdite, & qe le dit Erceveſque par dureſce avant parlee en le temps de lempriſonment le Abbe de Seint *Auſtyn*, & des ſoens ſon droit poſſeſſions, & ſa exemption puiſſe a ſa volente occuper et anyntier, *Adam le Orfreiſer*, & ſes autres par luy avaunt en la dit Curt appellez, & eſtre ceux le dit Abbes de Seint *Auſtyn*, *Robert de Burgeſh* Gardein de Cinc-ports, a qui la coniſſaunce de ceux faiz par le cuſtume des ditz Portz ſoloic aperteiner, & pluſurs autres par bref le Roy devant Juſtices en Baunk pendant, de meſme la mort, ad de novell l'appellee, en anientiſſement des coniſſaunces au Roy en les Portz apendantz par ſon Gardeyn, & deſheritaunce et empovriſſement de l'Abeye de Seint *Auſtyn*, dount il eſt Patron, et en arrieriſſement del ordinaunce noſtre Seignour le Roy, qe fuſt qe le Gardeyn des Portz avantdirz cel appel oy & determinees par queux deſturbances et compaſſementz, de jour en jour faitz par ſes adverſaires avantdits ſoun droit defendre ne puet, ne homme trouer qui de choſe que luy touche ſe oſe entremettre. De quoy il prie noſtre Seignour le Roy, que de ci come quant qe a la dite Egliſe de Seint *Auſtyn* appent de lui eſt tenuz, qe de ſa grace eſpeciele, lui & le ſoens de la dite mort faucement & malicioueſment appellez puiſſent eſtre a ſa meinpriſe demenie, ou a autre meinpriſe ſuffiſaunte, de eſtre par tot a droit a ſa volunte del appel avauntdit, ou encountre tiels malices & compaſſementz autre remedie eſpecial ordine, que par deſtreſce de priſoun detenuz ne deſturbe, ne ſoit quil ne puiſſe le droit de ſa Egliſe par lui et par les ſoens fraunchement purſure, meintenir & defendre.

E prie

An. 30 E. 1. E prie le avantdit Abbe pour li & pour ſes hommes, qui preſt ſont de eſter a la ley par tot, ke noſtre Seigneur le Roy veille commander, qe aucune Juſtice eit pouer a oier & terminer le avantdit appel: Iſſi ke le Abbe & ſes hommes de teles anginces procures pâſſent eſtre delivres.

Dorſ. Bene licet Domino Regi ponere appellandos ut per manucaptionem uſque ad diem Placiti. Et ideo fiat Breve Vicecomiti quod accepta ſufficienti manucaptione, unde voluerit reſpondere, & videlicet corpus pro corpore, eos liberet, &c. Et inſeratur etiam in Brevi, videlicet, quod hoc pertinet ad Regem; eo quod intellexit quod malitia interbenit in Appello prædicto.

Item videtur Conſilio, quod Juſticiarii bene poſſunt aſſignari ad audiendum et terminandum Appellum prædictum; et quo Appellum illud non eſt adbuc inchoatum in Banco.

Aſſignentur R. Brabezon, & H. Spygurnell.

In eadem Bundala An. 30 E 1. in Turre Lond. A Noſtre Seigneur le Roy monſtre le ſon Abbe de Seynt *Auſtyn* de *Canterbyre*, ke par la ou noſtre Seigneur le Roy ad de ſa grace ordine, ke au teles feyets qe le Ercheeveſque de *Canterbyre* prie qe les ſoyetz le avantdit Abbe ſoyen prís cum eſcuminges pendant les plays entre eus en la Curt de *Rome*, ke les ſoicts le avantdit Abbe iſſi prís par ſa temoniance, ke il ſunt de ſa juriſdiction, la quels il claime par ſes privilegies ſeient delibres par ſuffiſant ſeurte de eſtre a la volunte noſtre Seigneur le Roy, le avantdit Ercebeſque ad oze par la caption ſet prendze pluſurs de ſoietz le Abbe, les queus tot eit le Abbe temonie par ſa lettre patente, qe ils ſunt ſes ſoiets et de ſa juriſdiction, ne poent eſtre delibzes fozke as utabes de la ſeinte *Hilleyre*, e iſſi qe le Abbe dunc ſoit a *Everwyk* por averrer qe il ſunt ſes ſujets & de ſa juriſdiction; de quele juriſdiction le plai eſt entre la Erchebeſque e li en la Court de *Rome*, ze quei le Abbe prie a noſtre Seignour le Roy com ſon Conſervatour en ceſt cas e ſemblable, ke il beile comander a ſun Chanciler, ke ſes ſoiets, iſſi prís, ſaient delibzes, ſelonc la ozdinance e juriſdiction ——— deſuſdite. Et ke L'abbe ne ſeit travayli a *Everwyk* ſans reſon par le procurement le Ercheveſqe.

Derichefs a noſtre Seignour le Roy prie le avantdit Abbe, qe pour le pryne de *Johan de Gravene*, *Adam le Orfreiſer*, e pluſours autres de ſes hommes ke ſunt en ſa priſone de *Dovere* por la mort *Chriſtien de Brunley* tue a *Faverſham* a ceo ———em lur met ſus, & ke par procurement de akune gentz ki ſont de conſent le Erceveſque apeles par *Johan de Brunleye*, prie le avantdit *Chriſtien*; Les queus *Johan* & les autres hommes ſont preſts de eſter a la Ley, et de eus aquiter de cele mort par les leys & uſages des *Cynk-ports*. E ke il ——— le comander ke ſon gardeyn de ſes *Cynk-ports* ou autre a ſes voluntes, eyent eſpecial Garrant et pouer de fere la deliverance de les priſoners, & d'oir et terminer le apel deſuſdit ſi——meſter ſeyt ke les priſoners, avantdits ſeient meues a ——————— deliveres——— ——— il ſunt pris deveront aver eſte fet en memes la vyle de *Faverſham*.

Et ——————— a oier & terminer le Apel ke *Johanne Aldwyne* fet vers le deſſuſdit *Johan de Gravene* ——————— de ſa meſon bruſe en *Faverſham* deſuſdit.

Nomina Impriſonatorum pro morte *Chriſtini de Brunley*, *Johannes de Graveneys*, *Adam le Orfreſer*, *&c.*

Derichef, por ceo qe mouts des gentz par procurement de Miniſtres de Erceveske de *Cantirbir* ſunt grantz grevances et diders damages al Abbe de Seint *Auſtyn* de *Canterbirs* et a ſa gentz, prie le avantdit Abbe, ke noſtre Seignour le Roy li veille prendre en ſa protection, & ſes hommes, & ſes poſſeſſions, iſſi ke le avantdit Abbe & ſes hommes toutz jours ſeyent reſponſables a cheſcun en checun Court, de checun manere de play, de torre et de treſpas, & de dette, & de checun autre play.

Ceſte Protexion prie le Abbe ke les Allies le Ercheveſque le plus avys facent mai e deſpites a li e as ſeus.

En meſmes la manere prie il deliverance de *Robert de Laterel*, *Henry Paulin* & *Williame Walran*. Li ſont empriſonez a *Faverſham* por la mort le avantdit *Chriſtien*.

Upon which Petitions, the King iſſued this Writ of Privy Seal to his Chancellor for relief of the Abbot and his Tenants.

Edward

An. 30 *E.* 1.

EDward, &c. a noſtre chier Clerk & foial *Johan de Langeton* noſtre Chancelier ſaluz. Nous vous enveoms cy dedenz aucunes requeſtes, que noſtre chier en Dieu Abbe de Seint *Auguſtin* de *Canterbir.* nous ad faites, dont une ſi eſt endroit d'aucunes perſones de ſa exemption, **qui ſont pris, et detenuz en noſtre priſon par ſuggeſtion Lercevesque de** *Canterbir.* par out meiſme L'abbe nous ad requis, qe par ſa teſmoignance les veuſiſſiens faire deliverer. Et pour ce qe nous avoms lor delivrance attroie tant come en nous eſt, tot auſi come il la requiert: Nous voloms qe vous li en facez aver lettres de noſtre grant Seal en due fourme. Et quant al autre requeſte, comes de ſes hommes priz & detenuz en noſtre priſon, pur apel fait contre eux par *Johan de Brunleye*, pur la mort *Chriſtian de Brunleye*, Vous mandoms, qe a oir & terminer cel apel, et a faire la deliverance de celes gentz, ſelonc la Ley & la uſage de celes parties; & a oir & terminer auſint l'apel qe *Johan Aldewyn* fait envers *Johan de Graveneye* & *Richard* ſon filz, de la burgerie de la meiſon meiſme cele *Johanne*, aſſignez par lettres de noſtre grant ſeal, Monſeur *Robert de Borgherſh* noſtre Gardeine des Cinc-Portz, enſemblement ove aucun autre, que vous ſemblera a ce ſuffiſant, ſelonc ce, qe la Buſoigne demande. E voloms auſint, qe au dit Abbe, pur li, & pur ſes hommes, ſes terres, ſes choſes, ſes rentes, & totes ſes poſſeſſions, facez aver noſtre Protection, ſanz la clauſe, qui forſprent les pledz & les quereles en du fourme. Don ſouz noſtre privie Seal a *Lieliſcu* le 24 jour de *Novembr.* l'an de noſtre regne 30.

This Archbiſhops malice, injuſtice, and oppreſſion will further appear by his refuſing to accept ſufficient caution from two perſons he had impriſoned upon a *Capias Excommunicatum*; as this Writ *de Cautione admittenda*, and the Sheriffs return thereon informs us.

Bundela Brevium, An. 30 E 1. in Turre London.

EDwardus Dei gratia Rex *Angliæ*, &c. Vic. *Kanc.* ſalutem. Ex parte *Humfridi atte Grenbelde* de *Eſt Farnlegh*, quem ad denunciacionem venerabilis patris *R. Cantuarienſis* Archiepiſcopi **tanquam excommunicatum et claves Eccleſiæ contemnentem**, per corpus ſuum ſecundum conſuetudinem *Angliæ* per te juſticiari præcepimus, donec Sanctæ Eccleſiæ tàm de contemptu quàm de injuria ei illata ab eo fuerit ſatisfactum, nobis eſt oſtenſum; quod licet idem *Humfridus* **eidem Archiepiſcopo frequenter optulerit idoneam cautionem de parendo mandatis Eccleſiæ in forma juris, ut per hoc abſolucionis beneficium conſequi poſſit, idem tamen Archiepiſcopus cautionem illam ab eo hactenus admittere recuſavit, de quo miramur quamplurimum et movemur.** Et quia nolumus, quod idem *Humfridus* diucius in priſona **contra juſtitiam detineatur**; Tibi præcipimus, ſicut aliàs præcepimus, quod in propria perſona tua ad præfatum Archiepiſcopum accedas, & ipſum ex parte noſtra **moneas, & efficaciter induces**, ut accepta à præfato *Humfrido* caucione prædicta, à priſona qua occaſione prædicta detinetur mandet deliberari. Et ſi idem Archiepiſcopus in priſona tua id facere noluerit, tunc ipſum *Humfridum* a priſona prædicta, ſi ea occaſione & non alia detineatur in eadem, deliberari facias, vel cauſam nobis ſignifices quare mandatum noſtrum aliàs tibi inde directum exequi noluiſti vel non potuiſti. Teſte meipſo apud *Cantuariam*, 15 die *Junii*, Anno regni noſtri Triceſimo.

Dorſo. Acceſſi ad *Robertum* Archiepiſcopum *Cantuar.* & ipſum ſecundum tenorem hujus brevis ex parte Domini Regis monui, quod accepta idonea caucione de *Humfrido Grenchill* de *Eſt Farlee* de parendo mandatis Eccleſiæ in forma juris, ut per hoc mandaret ipſum a priſona Domini Regis deliberari; idem Archiepiſcopus reſpondit, **quod minime ei optulit ſufficientem cautionem**; Tamen *Hamundus de Lopo*, & *Thomas Golde* de *Eſtfarlee* optulerunt ſe plegios pro idonea cautione quod idem *Humfridus* parebit mandatis Eccleſiæ in forma juris, ſet non de ſatisfaciendo.

The Collectors of the Quindiſme granted by the Parliament to the King, levying it on the Temporalties of the Clergy, (charged with three years Diſmes to the King and Pope) the King iſſued this Writ for their exemption from it, but not their Tenants, as being liable to the payment thereof.

An. 30 *E.* 1.

Bundela Brevium de Privato ſigillo, An. 30 E. 1.

Edward par la grace de Dieu, *&c.* a meſme Chancelier, ſaluz. Come nous eons entendu qe les Taxors & Cuillors tiel Quinzime ſe targent de cuillir & lever meiſme **le Quinzime des biens des Prelatz et des autres perſones de Seynte Egliſe par aſcunes raiſons et paroles**, qe les ditz Prelatz & perſones lor ont dites & demoſtrees; & nous entendoms **qe en ceſt choſe ne covendra mettre nul eſloignement ne nul delay quant a oze. Car noſtre entention eſt tot outre, qe les biens clerement eſperitaux, qe ſont as perſones de Seynte Egliſe, ne ſoient de rien tenuz a ceſte Taration doze, ne qe les Taxors en doivent rien demander, ne les Cuillors cuillir a noſtre oeps.** Mais bien entendoms & tote foiz auons entendu, qe les Temporautez qe ſont en tenance des Prelatz, des gentz de Religion, & de tote maniere de perſones de Seynte Egliſe, de quelque condition qil ſoient, ſont tenuz au dit Quinzime en lor afferont; auſi come les autres Temporautz de noſtre Royaume, ſicome il ont eſte touz jours cea en arieres en temps de nous & de nos auncestres Roys *Dengleterre*: Vous mandoms qe a pluis en haſte qe vous porrez, mandes per briefs ſouz noſtre grant Seal as ditz Taxors & Cuillors par tot en noſtre dit Royaume, qe haſtinement taxent & lievent le Quinzime auſi bien des Temporautes dont Prelatz, e gentz de Religion, ou autres perſones de Seynte Egliſe ſont en tenance, come des autres ſelonc la fourme qe lor fuſt baille de par nous a noſtre Eſcheker. Et en meiſme le maniere mandez a touz noz Viſcontes, qe a cele choſe faire & perfourmir, ſoien en eide & en conſail as ditz Taxors & Cuillors totes les foiz qe meſtier ſerra, & meiſmes les Taxors & Cuillors lor foront a favor, & qe ceſte choſe ne leſſent ſicome ceux Taxors, Cuillors & Viſcontes voudront eaux meiſmes ſauver de grief damage. Don a *Rokesburgh* ſuz noſtre prive Seal le 9. jour de *Faverer*, l'an deſuſdit.

The Kings Eſcheator challenging the Palfry, Cup, Ring, and Cry of doggs of the Abbot of St. *Albans*, after the Abbots deceaſe, as due to the King from the Prior and Covent, who alledged they were exempted from paying them by the Kings Letters Patents, granting them all the profits and goods of the Abby during the vacancy thereof for 1000 Marks, iſſued this Writ to the Eſcheator to forbear the exaction of them till the next Parliament, when he would adviſe with his Counſil concerning it.

Clauſ. 30 E 1. m. 16. Pro Priore & Conventu de S. Albano.

* See here p. 910, 911.

REX dilecto & fideli ſuo *Waltero de Glouc.* Eſcaetori ſuo ultra *Trentam*, ſalutem. Quia dilecti nobis in Chriſto Prior & Conventus de Sancto *Albano* per quaſdam * literas noſtras patentes, per quas eis conceſſimus cuſtodiam Abbatiæ ſuæ de Sancto *Albano*, & omnium Temporalium ejuſdem, cum omnibus rebus & bonis ad Abbatiam illam ſpectantibus, quotiens eam vacare contiget, **aſſerunt ſe quietos eſſe debere a præſtatione Palefridi, Cuppæ, Annuli, et Potæ Abbatum ejuſdem loci, poſt mortem eorundem Abbatum**; Vobis mandamus, **quod exactionem quam præfatis Priori et Conventui facitis pro Palfredo, Cuppa, Annulo, et Pota nobis ratione præſentis vacationis Abbatiæ prædictæ præſtandis, ponatis in reſpectum, uſque ad proximum Parliamentum noſtrum; ut tunc inde fiat, quod de Conſilio noſtro durerit nos faciend.** Et habeatis ibi hoc breve. Teſte Rege apud *Lyniſcu* 30 die *Januarii*.

Per breve de Privato Sigillo.

By which Writ it is evident, That the King by his Prerogative then claimed the Palfry, Cup, Ring, and Cry or Kennel of Hounds of every Abbot after his death, as his due; as this enſuing Writ in the ſame Roll will further inform us.

Clauſ 30 E 1. m. 16. Pro Priore & Conventu de Waltham.

REX præfato Eſcaetori, ſalutem. Licet dilecti nobis in Chriſto Prior & Conventus Eccleſiæ Sanctæ *Crucis* de *Waltham*, per Chartas progenitorum noſtrorum Regum *Angliæ* quas inſpeximus, habere debeant cuſtodiam domus ſuæ prædictæ & omnium bonorum ejuſdem in ſingulis vacationibus ſuis, poſt mortem Abbatum ſuorum quorumcunque; per quod vobis mandavimus, quod occaſione mortis *Roberti* nuper Abbatis ejuſdem domus, vos de eadem domo aut bonis ejuſdem quibuſcunque, in aliquo non intromitteretis, & ſi quid inde recepiſſetis occaſione prædicta, id

id eis ſine dilatione reſtitui faceretis; **intentionis tamen noſtræ fuit et eſt, quod Annulus, Cuppa, Paletridus, et Pota Canum qui fuerunt prædicti Abbatis die quo obiit, a prædictis Priore et Conventu per vos ad opus noſtrum, ſi ad nos per mortem ejuſdem Abbatis pertinere debeant, exigantur. Ita tamen quod Annulo, Cuppa, Paletrido, et Pota ſic exactis, vos exactionem illam ponatis in reſpectum, uſque ad proximum Parliamentum noſtrum, ut tunc inde fiat, quod de Conſilio noſtro ſuper hoc duxerimus ordinando.** Et ideo vobis mandamus, **quod facta exactione hujuſmodi, eam ponatis in reſpectum, uſque ad proximum Parliamentum noſtrum,** Et habeatis ibi tunc hoc breve. Teſte Rege apud *Edeneburgh* ſecundo die *Febr.* An. 30 E. 1.

Per breve de Privato Sigillo.

from a French novel much write against Christ: lib a question started to S^r E. whether a clergy man might keepe a packe of dogges: or upon Arch B. Abbots killing as he was hunting.

This year the King made theſe Certificates to the Pope of his Royal aſſent to the Elections of the Abbots of St. *Albans*, St. *Edmunds*, and *Waltham*, (immediately ſubject to the See of *Rome*) for their confirmation.

SAnctiſſimo in Chriſto patri Domino *B.* divina providentia Sacroſanctæ *Romanæ* ac Univerſalis Eccleſiæ Summo Pontifici, *Edwardus* ejuſdem gratia Rex *Angliæ*, *&c.* devota pedum oſcula beatorum. Sciat veſtra paternitas reverenda, quod electioni nuper factæ in Eccleſia Conventuali de Sancto *Albano*, de Fratre *Johanne de Marines* Priore ejuſdem Domus in Abbatem illius loci, **Regium aſſenſum adhibuimus et favorem:** Et hoc Sanctitati veſtræ tenore præſentium ſignificamus, **ut quod veſtrum eſt in hac parte exequi dignemini cum favore.** In cujus, &c. Dat. apud *Linliſcu* 30 die *Januarii*. Clauſ. 30 E. 1. m. 32 intus. De aſſenſu Regio.

Per breve de Privato Sigillo.

SAnctiſſimo in Chriſto patri Domino *B.* divina providentia, *&c.* ut ſupra. Sciat veſtra paternitas reverenda, quod electioni nuper factæ in Eccleſia Conventuali de Sancto *Edmundo*, de Fratre *Thoma de Totyngton* Suppriore ejuſdem Domus in Abbatem illius loci, **Regium aſſenſum adhibuimus et favorem:** Et hoc Sanctitati veſtræ tenore præſentium ſignificavimus, **ut quod veſtrum eſt in hac parte exequi dignemini cum favore.** In cujus, &c. Dat. ut ſupra. Pat. 30 E. 1. m. 33. De aſſenſu Regio.

Per breve de Privato Sigillo.

SAnctiſſimo in Chriſto patri Domino *B.* divina providentia, *&c.* ut ſupra. Sciat veſtra paternitas reverenda, quod electioni nuper factæ in Eccleſia Conventuali Sanctæ *Crucis* de *Waltham*, de Fratre *Johanne de Badburgham* Canonico ejuſdem Domus in Abbatem loci illius, **Regium aſſenſum adhibuimus et favorem:** Et hoc Sanctitati veſtræ ſignificamus præſentium per tenorem, **ut quod veſtrum eſt in hac parte exequi dignemini cum favore.** In cujus, &c. Dat. apud *Walſingham* 30 die *Martii*. Ibid. m. 27. De aſſenſu Regio.

Per breve de Privato Sigillo.

The King upon receipt of the Popes Bull of the confirmation of the Abbot of St. *Edmunds*, iſſued this Writ to reſtore his Temporalties.

REX dilecto & fideli ſuo *Waltero de Glone*. Eſcaetori ſuo citra *Trentam*, ſalutem. Cum Dominus *Bonifacius* Summus Pontifex electionem nuper celebratam in Eccleſia Conventuali Sancti *Edmundi*, de Fratre *Thoma de Totyngton* Suppriore ejuſdem Domus in Abbatem illius loci, **cui prius Regium aſſenſum adhibuimus et favorem,** confirmaverit, ſicut per literas ipſius Summi Pontificis bullatas nobis inde directas plenius nobis conſtat: Nos confirmationem illam acceptantes, recepimus fidelitatem ipſius Electi, & Temporalia dictæ Abbatiæ, prout moris eſt, reſtituimus eidem. Et ideo vobis mandamus, quod eidem Electo Temporalia Abbatiæ prædictæ liberetis in forma prædicta. Teſte Rege apud *Weſtm.* 10 die *Auguſti*. Pat. 30 E. 1. m. 14. De reſtitutione Temporalium Ab. S. Edm.

The King granted this licenſe to ſome Priors of the Order of *Cluny* in *England*, to go to a general Chapter beyond the Seas, provided they carried no money nor ſilver with them, againſt former Prohibitions.

An. 30 E. 1. Clauſ. 30 E. 1. m. 9. Pro Prioribus de Beremundeſey & de Wenlok.

REX dilecto & fideli ſuo *Roberto de Burgherſh* Conſtabulario Caſtri ſui *Dovor.* & cuſtodi Quinque Portuum ſuorum, ſalutem. Quia dilectis nobis in Chriſto Priori de *Beremundeſeye*, & Priori de *Wenlok* in regno noſtro commorantibus, **ad generale Capitulum ſuum *Caritaten.* proximo celebrand. de gratia noſtra ſpeciali licentiam dedimus tranſfretandi.** Vobis mandamus, quod eoſdem Priores ad dictum Capitulum ſuum in Portu noſtro *Dovor.* tranſire permittatis. **Ita tamen quod pecuniam aliquam ſeu argentum aliquod ad partes tranſmarinas ſecum non portant, contra formam Inhibitionis de hujuſmodi tranſfretantibus vobis factæ.** Teſte Rege apud *Weſtm.* 20 die.

Conſimile breve pro Priore S. *Trin. Ebor.* Ibid. m. 16. Teſte Rege apud *Edenburgh.* 2 die *Febr.* *Per breve de Privato Sigillo.*

The King by the miſinformation and violent proſecution of the Archbiſhop of *Canterbury*, having by his Writ *de vi laica amovenda*, diſpoſſeſſed the Abbot and Covent of St. *Auguſtines* of the Church of *Sellyng* long appropriated to them, againſt their Priviledges from, and Appeals to the See of *Rome*, at the Popes requeſt, iſſued this Writ to the Sheriff of *Kent* to reſtore them to, and protect them from all force in the quiet poſſeſſion thereof, wherein he expreſſeth his Soveraign care and duty to protect and right them againſt all grievances and injuſtice.

Clauſ. 30 E. 1. m. 2. Pro Abbate Sancti Auguſtini Cantuar.

REX Vic. *Kanc.* ſalutem. Circa manutenenda & conſervanda jura Monaſterii Sancti *Auguſtini Cantuar.* eò potius debemus eſſe ſolliciti, **quo ſuper hoc per Apoſtolicas literas atque preces ſpecialius excitamur.** Cum itaque Abbas & Conventus prædicti Monaſterii Eccleſiam de *Sellyng* diutius in proprios uſus tenuerint, **juxta quod per quædam privilegia eis ab Apoſtolica ſede inde conceſſa**, coram nobis & Conſilio noſtro ex parte ipſorum nuper exhibita evidenter apparet; ac prætextu cujuſdam brevis de vi laica à prædicta Eccleſia amovenda, ad inſtantiam venerabilis patris *R. Cantuar.* Archiepiſcopi nuper conceſſi ſuper poſſeſſione ipſius Eccleſiæ, **contra indulta dictæ ſedis, et appellationes ad eandem ſedem interpoſitas per eoſdem moleſtentur**, ſicut accepimus, **multipliciter et turbentur**; quo minus adminiſtrationem fructuum & bonorum ejuſdem Eccleſiæ gaudere pacificè valeant, ut ſolebant: Nos prædictis Abbati & Conventui **ſuper oppreſſionibus ipſorum indebitis ſubvenire volentes, ac eos favore Regio, quatinus ſine juris offenſa poterimus in ſua juſtitia conſovere**; tibi præcipimus, quod non obſtante aliquo mandato noſtro, tibi prius inde inconſultè, (pro eo quod tunc prædictorum Abbatis & Conventus diutina poſſeſſio nos latebat) directo, **eos in poſſeſſionem in qua tempore receptionis prædicti mandati noſtri inveniſti reducens, ipſos poſſeſſione ſua hujuſmodi pacifice gaudere permittas.** Omnibus ex parte noſtra inhibens & injungens, **ne prædictis Abbati et Conventui ſuper eadem poſſeſſione ſua violentiam aliquam inferre præſumat.** Teſte Rege apud *Weſtm.* 15 die *Novembris.*

Per ipſum Regem.

The King likewiſe at the Popes requeſt, iſſued this Writ to reſtore the Goods, Money, Jewels and Merchandize of ſome *Italian* Merchants, ſeiſed and forfeited to him for a Murther committed by them.

Clauſ. 30 E. 1. m. 7. Pro Mercatoribus de Societate Spinorum de Florentia.

REX *Luca de Havering*, & *Richardo de Caumpes* nuper Vicecom. *London.* & Coronatoribus Civitatis ejuſdem, ſalutem. **Ad inſtantiam Domini Summi Pontificis nobis pro Mercatoribus de Societate** *Spinorum* de *Florentia* **ſupplicantis**; Vobis præcipimus, quod omnia bona & catalla Mercatorum eorundem pro morte *Willielmi Raman* quem *Thouſe le Lumbard* de præcepto *Philippi de Spina* interfeciſſe dicebatur, in manum noſtram capta, quæ in pannis lineis & laneis, argento numerato, jocalibus aureis & argenteis, vaſis argenteis, equis, fœno, buſta, & aliis rebus diverſis conſiſtunt, & quæ appreciantur ad centum & ſeptem libr. decem ſolidos, & quatuor denarios, prout per Inquiſitionem de mandato noſtro inde factam, & in Cancellariam noſtram returnatam, plenius nobis conſtat, **præfatis Mercatoribus integre reſtituatis de gratia noſtra ſpeciali.** Teſte Rege apud *Weſtm.* 4 die *Auguſti.*

Per ipſum Regem.

No doubt the Pope had a reward for this favour, though the King loſt by it.

The

The King iſſued this Writ to the Earl of *Cheſter* to remove a Lay force out of the Church of *Thorneton*, to which he had preſented his Clerk by reaſon of a Wardſhip. *An.* 30 E. 1.

REX *Edwardo* filio ſuo chariſſimo Comiti *Ceſtriæ*, ſalutem. Cum nuper in Curia noſtra coram Nobis, per conſiderationem ejuſdem Curiæ noſtræ recuperaverimus verſus *Willielmum de Venables* & *Katerinam* uxorem ejus, & *Petrum* filium *Randulphi le Recter*, præſentationem noſtram ad Eccleſiam de *Thornton* ſuper *Moram* in Comitatu *Ceſtriæ*, tunc vacantem, & ad donationem noſtram, ratione minoris ætatis *Petri* filii & hæredis prædicti *Randulphi* in cuſtodia noſtra exiſtentis, ſpectantem; & mandaverimus per Breve noſtrum de judicio venerabili patri *W. Coventren.* & *Litchfeld.* Epiſcopo, loci Dioceſano; quod non obſtante Reclamatione prædictorum *Willielmi*, *Katerinæ*, & *Petri* ad præſentationem noſtram, ad Eccleſiam prædictam idoneam perſonam admitteret; ac Vicarius ipſius Epiſcopi, in remotis agentis, dilectum Clericum noſtrum *Robertum de Askeby* ad dictam Eccleſiam ad præſentationem noſtram admiſerit, & Rectorem reſtituerit in eadem; prout per literas Patentes præfati Vicarii dicto Clerico noſtro inde confectas evidenter apparet; idemque Vicarius nobis ſignificaverit, *quod tanta vis laica & reſiſtentia rebellium ſe tenent in Eccleſia memorata, quod officii ſui debitum non poteſt ad præſens inibi exercere*, ſupplicando ut hujuſmodi vim faciamus ab eadem Eccleſia amoveri; Vobis mandamus, **quod omnem vim Laicam, quæ ſe tenet in dicta Eccleſia ad perturbandum præfatum Vicarium, quominus Officium ſuum ſpirituale exercere poſſit ibidem, ſine dilatione amoveri faciatis ab eadem**, præfatum Clericum noſtrum in poſſeſſione ſua Eccleſiæ prædictæ quantum in vobis eſt, manutenendo, protegendo, & etiam defendendo. Teſte Rege apud *Lynliſcu*, 26 die *Jan.*

Cl. 30 E 1. Ced m 18. dorſo. De vi Laica amovend. ab Eccleſia de Thornton. ſuper Moram.

The King iſſued this Writ to the Biſhop of *Exon* and his Officials, and to the Archdeacon of *Penywich*; not to attempt any thing to the prejudice, or to exerciſe any Eccleſiaſtical Juriſdiction in the Church of St. *Beriens* in *Cornwall*, which antiently was, and ought to be his *Free Chappell*, or in the Chappels and Prebendaries thereto belonging, being now reunited to his Crown.

REX venerabili in Chriſto Patri *Th.* eadem gratia Epiſcopo *Exon.* & ejus Offic. ſalutem. Cum Eccleſia Sanctæ *Berianæ de Cornubia*, **libera Capella noſtra eſſe debeat**, & Anteceſſorum Progenitorumque noſtrorum quondam Regum *Angliæ* fuerit ab antiquo, **ac una cum Præbendis eidem Capellæ annexis, ab omni juriſdictione ordinaria exempta, libera penitus et immunis, ſitque eadem Capella ad Coronam, ut ad ſuam naturam reverſa; Vobis firmiter inhibendo mandamus, ne quicquam quod in noſtri ſeu libertatis noſtræ Capellæ prædictæ præjudicium cedere valeat quoquo modo, attemptare aliqualiter præſumatis**; Taliter vos in præmiſſis habentes, ne ſi ſecus feceritis remedium aliud congruum in hac parte nos oporteat adhibere. Teſte Rege apud *Weſtm.* 7. die *Julii.*

Clauſ. 30 E 1. m. 11. dorſo. Prohibitio pro libera Capella Regis.

Eodem modo mandatum eſt Archidiacono de *Penwych* in *Cornubia* & ejus Offic. Teſte ut ſupra.

The Archdeacon of *Lewes* intending to exerciſe Ordinary Juriſdiction in the Kings Free Chappel of *Haſtings*, and the Chappels thereunto annexed, to the prejudice of his Crown and Dignity, iſſued this memorable prohibition to him againſt this his intended Uſurpation.

REX Archid. *Lewen.* & ejus Offic. ac eorum Commiſſar. ſalutem. **Cum libera Capella noſtra beatæ *Mariæ* in Caſtro de *Haſtinges*, una cum Præbendis et Capellis eidem annexis ſicut in cæteræ liberæ Capellæ noſtræ in regno noſtro ab omni Juriſdictione ordinar. ſit exempta, libera et immunis. Ac vos in Capella prædicta, Præbendis et Capellis eidem annexis intendatis, ſicut accepimus, Juriſdictionem exercere, in noſtri et Regiæ dignitatis noſtræ, et prædictæ Capellæ noſtræ præjudicium manifeſtum: Nos attendentes per hoc nobis et Regiæ noſtræ dignitati, necnon exemptioni, libertati et immunitati ipſius Capellæ poſſe de facili derogari,**

ibid. m. 6. dorſo. Prohibitio pro Capellis Regis.

An. 30 *E.* 1. derogari, niſi ad hoc opoꝛtunum remedium apponamus; Vobis firmiter inhibemus, ne in pꝛædicta libera Capella noſtra ſeu membꝛis ipſius Juriſdictionem aliquam exercere, ſeu quicquam aliud attemptare, in noſtri et Regiæ dignitatis noſtræ, ac dictæ liberæ Capellæ noſtræ pꝛæjudicium aliqualiter pꝛæſumatis; Taliter vos in pꝛæmiſſis habentes; quod ſuper hoc aliud remedium nos non apoꝛteat adhibere. Teſte Rege apud *Newendenne* 15. die *Septembris*.

The King being frequently importuned by the Cardinal of St. *Maries* in *Rome*, to conſent to the Popes appropriation of two Prebendaries in the Churches of *York* and *Lincoln* to two Churches in *Rome*, or depoſiting the profits thereof to their uſe in their Proctors hands, ſent this anſwer to him why he could not aſſent thereto, being ſo prejudicial to the rights of his Crown, and contrary to his Oath, to maintain them.

Clauſ. 30 E 1. m. 6. dorſo

VEnerabili in Chriſto Patri Domino *M.* Sanctæ *Mariæ in Porticu* Diacono Cardinali, amico ſuo chariſſimo, *Edwardus* Dei gratia, &c. ſalutem, & ſinceræ dilectionis affectum. Satis occurrit memoriæ noſtræ, & debet occurrere illa frequens inſtantia, quæ ſuper negotia pꝛæbendarum *Eboracen.* & *Lincolnienſis* Eccleſiarum, & facto depoſiti proventuum Præbendarum ipſarum erga nos curaſtis inſiſtere vicibus ſuccеſſibis; quod veſtris Procuratoribus faceremus depoſitum hujuſmodi aſſignari, juxta quod nuper veſtræ literæ nobis miſſæ plenius continebant. Sanè ſcire vos volumus, quod ſi veſtris annueremus precibus in hac parte, non aliud videretur, niſi appꝛopꝛiationi petitæ, (quam eſtis diligenter hactenus pꝛoſecuti) pꝛæbere conſenſum, quod quidem in noſtri pꝛæjudicium, et Coꝛonæ noſtræ Regiæ, (ad cujus conſervationem vinculo juramenti ſumus aſtricti) læſionem enoꝛmem cederet manifeſte, quod utique nollet, ut credimus, veſtra diſcretio circumſpecta. Verumptamen nobis admodum complaceret, ut ſuper dicto negotio, cum Domino Papa, cui ſuper hoc ſcribimus colloquium haberetis, ut de aliqua via ſeu foꝛma congrua, quæ tolerabilis foꝛet et conveniens, nos in hac parte eximia ſuæ circumſpectionis induſtria inſoꝛmaret, et nobis inſoꝛmationem ſuam hujuſmodi aperiret; quam ob affectionem quam ad vos geſſimus ab antiquo, et adhuc gerimus et habemus, libenter, in quantum bono modo poſſemus, condeſcenderemus veſtris beneplacitis atque votis. Dat. apud *Arundell.* 9 die *Septemb.*

After which the King writ this ſecond Letter to this importunate Cardinal, advancing 335 marks to his Proctors by way of gift and bounty only, and in lieu of the *Florens* which he received, not as a *depoſitum* for the profits of the Prebendaries; and promiſing him payment of the arrears of his annuity formerly granted to him, when he ſhould be enabled, to ſtop his further importunity in this his illegal ſuit.

Clauſ. 30 E 1. m. 1. dorſo. De Prebendis in Eccleſiis Eborum & Lincoln. & facto depoſiti proventuum earum Prebendarum.

VEnerabili in Chriſto Patri Domino *M.* Sanctæ *Mariæ* in *Porticu* Diacono Cardinali, amico ſuo chariſſimo; *Edwardus* ejuſdem gratia, &c. ſalutem & ſinceræ dilectionis affectum. Sanè occurrit, &c. (*verbatim* as in the former Letter, to) Verumptamen, ob affectionem quam ad vos geſſimus ab antiquo, et adhuc gerimus et habemus, vobis placere volentes, in quantum poſſumus bono modo, pꝛo Florenis inventis *London.* depoſitum, de quo fecerunt pꝛædictæ veſtræ literæ mentionem, treſcentas et triginta et quinque Marcas ſterlingoꝛum pꝛocuratoꝛibus veſtris fecimus numerari, valoꝛem videlicet *Florenorum* ipſoꝛum, et eoſdem *Florenos* ad opus noſtrum mandabimus recepi, et in utilitatem noſtram converti. Nec intelligat veſtra diſcretio, quod pꝛætextu pꝛæfati depoſiti vobis mittamus pecuniam memoꝛatam, ſed ex cauſa pꝛoꝛſus alia, et de dono noſtro ac munificentia ſpeciali. Cæterum per guerrarum & turbationum grandium tempeſtates ſumptibus plurimis, ac laboribus & anguſtiis aggravati, quo minus ad pꝛæſens de arreragiis illius annuæ penſionis quam vobis dudum conceſſiſſe recolimus ſatisfacere valeamus, quæſumus ut ſuper hoc in nos patientiam habeatis, et quampꝛimum tempoꝛa commodioꝛa ſucceſſerint, de omnibus ſatisfactionem condignam vobis faciemus impendi, juxta quod nos teneri poterit apparere. Dat. apud *Weſtm.* decimoquinto die *Novembris*.

The

The King being in like manner importuned by the Cardinals, returned the like answer to their reiterated Letters touching the Church of *Monketon*, as he did concerning these prebendaries. *An.* 30 *E.* 1.

VEnerabili in Christo Patri Domino *Franc.* Sanctæ *Luciæ* in *Silice* Diacono Cardinali, amico suo charissimo : *Edwardus* Dei gratia Rex *Angliæ*, Dominus *Hiberniæ*, & Dux *Aquitaniæ*, salutem. **Literas et preces tam ex parte vestra quam quorundam aliorum Cardinalium super facto Ecclesiæ de** Monketon, **quam quidem Nepos vester habere contendit, nobis frequenter directas recipimus**; ad quas alias certum recolimus dedisse responsum, **quod absque Regii juris nostri injuria, et Coronæ nostræ præjudicio et læsione enormi, non poterimus immutare.** Verumptamen volentes per aliam viam satisfacere votis vestris, **dicto Nepoti vestro vel alii quem nobis duxeritis nominandum, de certo Reditu qui in Laico feodo consistit, vestri contemplatione libenter providebimus, cum ad id habuerimus facultatem**; Et ut super hoc certam concipiatis & fiduciam injunximus dilecto Clerico nostro *J.* de *Benstede* Rectori prædictæ Ecclesiæ de *Monketon*, qui juxta latus nostrum moratur assidue, ut inde nobis memoriam faciat, cum opportunum se facultas. Dat. apud *Lewes* 13 die *Septemb.* Cl. 30 E 1. m. 5. dorso. De Ecclesia de Monketon.

REX discreto viro *Jacobo*, Domino *Matthei Ursy* de filiis *Ursy* Nepoti venerabilis patris Domini *F.* Sanctæ *Luciæ* in *Silice* Diaconi Cardinalis, salutem & dilectionem sinceram. **Literas et preces tam ex parte dicti Domini Cardinalis patrui vestri, quam quorundam aliorum Cardinalium, super facto Ecclesiæ de** *Monketon*, quam habere contenditis, **nobis frequenter directas recepimus**, ad quas eidem Domino Cardinali certum recolimus alias dedisse responsum, quod absque regni juris, &c. (ut supra) Verumtamen votis ipsius Domini Cardinalis & vestris per aliam viam satisfacere **in hac parte, vobis vel alii quem, &c.** Teste ut supra. Ibidem.

By these Letters of the King we may discern; 1. The restlesse importunity of avaritious *Roman* Popes, Cardinals, and their Nephews, to usurp upon the rights of the Crown by appropriations, provisions of Prebendaries, Churches, to gain Church-preferments in *England*, to the prejudice of the King, kingdom, and peoples souls. 2ly. The Kings prudence in opposing, and putting them off with reiterated answers and excuses, or proffering them other compensations to prevent their designes, and stop their importunities.

This year the King by his Prerogative sent several of his Servants to these several Monasteries by his Writs, to be there maintained and provided for during life.

Johannes de Wyndesor. Serviens Regis mittitur Priori & Conventui *Bathon.* Teste Rege apud *Westm.* 15 die *Octobris.*

Johannes de Tothull Serviens Regis, mittitur Abbati & Conventui de *Cogeshale.* Teste ut supra.

Regin. de Sanf. Serviens Regis, mittitur Abbati & Conventui de *Colecestr.* Teste ut supra.

Gilbertus del Bed. Serviens Regis, mittitur Abbati & Conventui de *Burgo Sancti Petri.* Teste ut supra.

Per ipsum Regem Nunc. fratre W. de Wintreburn. Pro pluribus Servientibus.

The King this year sent these Letters to the Pope and Cardinals, by his Proctors appointed to conclude a final peace between him and the King of *France.*

SAnctissimo in Christo Patri Domino *B.* Divina providentia Sacrosanctæ *Romanæ* ac universalis Ecclesiæ Summo Pontifici; *Edwardus*, &c. devota pedum osculabeatorum. De circumspectione & fidelitate Religiosorum virorum fratrum *W.* de *Geinsburgh* & *H. de Hertpole* de Ordine Fratrum Minorum, ac dilectorum Clericorum Magistrorum *Johannes de Sancto Claro* Canonici *London*, *Philippi Martell* Juris Civilis Professoris, & *Willielmi de Deen* Militis nostrorum fiduciæ plenitudinem obtinentes, ipsos super finali expeditione negotii reformationis pacis inter Regem *Franciæ* Clauf. 30 E 1. m. 6. dorso. Literæ directæ Papæ pro Rege.

An. 30 E. 1. *Francia* & nos juxta formam veſtræ pronunciationis dudum habitæ & prolatæ, nunc authore Domino terminandi, ad beatitudinis veſtræ præſentiam duximus deſtinandos; Sanctitati veſtræ affectuoſè & humiliter ſupplicantes, **quatinus prædictis fratribus, Clericis et Militi, aut quatuor vel tribus ipſorum ſi eos non contigerit ſimul adeſſe, in his quæ ſuper præfato negotio et aliis quæ eis commiſimus veſtræ, Clementiæ referanda ex parte noſtra vobis exponent oraculo vivæ vocis, fidem ſi placet indubiam dignemini adhibere.** Conſervet vos altiſſimus ad regimen Eccleſiæ ſuæ ſanctæ per tempora fœliciter longiora. Dat. apud *Arundell.* nono die *Septembris.*

Pat. 30 E 1. m. 9. intus, & Rot. Alemann. m. 6. intus. Procuratorium miſſum ad Curiam Romanam.

SAnctiſſimo in Chriſto Patri Domino *B.* Divina providentia Sacroſanctæ *Romane* ac univerſalis Eccleſiæ Summo Pontifici; *Edwardus* ejuſdem gratia Rex *Angliæ*, &c. devota pedum oſcula beatorum. Super expeditione negotii reformationis pacis inter Magnificum Principem Regem *Franciæ* & nos juxta formam veſtræ pronunciationis virtute compromiſſi per dictum Regem & nos in vos facti dudum habitæ ſeu prolatæ nunc (auctore Domino) finaliter terminandi, Religioſos viros fratres *W. de Geynsburgh* & *H. de Hertpole* de ordine fratrum Minorum, & dilectos Clericos noſtros Magiſtros *Johannem de Sancto Claro* Canonicum *Londonienſem*, & *Philippum Martel* Juris Civilis profeſſorem, ac *Willielmum de Dene* Militem, procuratores & nuncios noſtros ad veſtræ Sanctitatis præſentiam deſtinantes. Damus eis & quatuor vel tribus eorum, ſi eos ſimul adeſſe non contigerit, ac concedimus generalem, plenam & liberam tenore præſentium poteſtatem & ſpeciale mandatum **petendi, audiendi et recipiendi, complementum, perfectionem ac totalem conſummationem pronunciationis ac reformationis prædictarum, et omnia alia et ſingula quæ ſuper reformatione pacis prædictæ, ac etiam ſuper omnibus guerris, diſcordiis, litibus, controverſiis, cauſis, quæſtionibus, dampnis et injuriis, petitionibus et actionibus realibus, et perſonalibus atque mixtis, quæ fuerunt, et ſunt, vel eſſe poſſent inter prædictum Regem *Franciæ* et Nos occaſione quacunque, et præmiſſa quoquo modo tangentibus, veſtra providentia duxerit, arbitranda, laudanda, et diffiniendæ, arbitraliter ſententianda, præcipienda, ordinanda, diſponenda, pronuncianda, addenda, minuenda, corrigenda, interpretanda ſeu declaranda, et etiam omnia alia et ſingula faciendi quæ ad plenam pacem et concordiam, ac pacis et concordiæ omniumque prædictorum perfectionem et conſummationem quoquo modo pertineat et poterunt pertinere; promittentes nichilominus Nos ratum et firmum perpetuo habituros quicquid per prædictos Fratres, Clericos et Militem, aut quatuor vel tres ipſorum petitum, receptum, actum, geſtum, ſeu alias factum fuerit in præmiſſis, et quolibet præmiſſorum: Super quibus etiam per noſtras literas approbandis, tenendis, ſervandis atque complendis, Nos, hæredes noſtros, et omnia bona noſtra ſpecialiter obligamus:** Et hæc Sanctitati veſtræ ſignificamus, & omnibus quorum intereſt, vel intereſſe poteſt aut poterit in futur. per noſtras patentes literas Sigilli noſtri munimine conſignatas. Dat. apud *Arundell.* 9 die *Septembris*, Anno Domini 1302. Regni vero noſtri Triceſimo.

Ibid m. 12. dorſo. Literæ directæ Cardinalibus pro Rege.

VEnerabili in Chriſto Patri Domino *M.* permiſſione divina Sanctæ *Mariæ novæ* in *Portica*, Diacono Cardinali; *Edwardus* ejuſdem gratia, &c. ſalutem, & ſinceræ dilectionis continuum incrementum. Dilectos & fideles noſtros Magiſtrum *Petrum de Dene* Canonicum *Londonienſem*, & *Rogerum* dictum *le Savage* Militem, **pro quibuſdam negotiis noſtris quæ multum inſident cordi noſtro ad Domini Summi Pontificis præſentiam deſtinantes;** Paternitatem veſtram de qua plenè confidimus, affectuoſè requirimus & rogamus, quatinus religioſo viro fratri *W. de Geynsburgh* de Ordine Minorum in **Romana Curia commorantí**, quem Nunciis prædictis adjunximus, ac nichilominus eiſdem Nunciis & duobus eorum in his quæ ſuper præfatis negotiis ex parte noſtra vobis oraculo vivæ vocis duxerint exponenda, fidem velitis, ſi placet, indubiam adhibere, **ac ea penes Dominum Summum Pontificem diligenter et efficaciter juxta ſperatam fiduciam promovere, quoties opportunum fuerit, et ab eiſdem Nunciis noſtris vel duobus eorum fueritis requiſiti. Nos igitur paratos ſemper invenietis et promptos ad ea quæ ſcire noverimus vobis grata.** Dat. apud *Chartham*, 13 die *Junii.*

Conſimiles

Conſimiles literæ diriguntur Cardinalibus ſubſcriptis; videlicet, *An.* 30 *E.* 1

Domino *L.* Sanctæ *Mariæ in via lata*
Domino *P.* Sanctæ *Mariæ nova*
Domino *W.* Sancti *Nicholai* in carcere *Tull.* } Diacon. Cardinal.
Domino *Franciſco* Sanctæ *Mariæ* in *Coſmedyn.*
Domino *J.* Titulo Sanctorum *Marcellini* & *Petri*
Domino *G.* Titulo Sancti *Martini* in *Montibus* } Presbyter. Cardinal.

The Kings daughter *Mary* being a Nun profeſſed at *Ambresbury*, the King granted her 40 Oakes each year, 20 Tun of Wines, and ſeveral Mannors of above the value of 200 *l.* a year, for her maintenance, (by which you may gueſs how well ſhe faſted, prayed, and mortified her fleſh in that Nunnery) by theſe Patents.

REX omnibus ad quos, &c. ſalutem. Sciatis nos dediſſe & conceſſiſſe pro nobis & hæredibus noſtris, chariſſimæ filiæ *Mariæ* Sanctimoniali *Fontis Ebroldi* apud *Ambresbur.* commoranti, quadraginta robora ſingulis annis in foreſtis noſtris de *Chuyt* & *Bokholt*, per manus cuſtodum earundem Foreſtarum qui pro tempore fuerint, ad focum ejuſdem filiæ noſtræ in Camera ſua, quamdiu moram apud *Ambresbur.* fecerit percipienda. In cujus, &c. Teſte Rege apud *Weſtm.* 10 die *Auguſti.* Pat. 30 E. 1. m. 14. Pro Maria filia Regis Moniale de Ambresbur.

REX omnibus ad quos, &c. ſalutem. Sciatis quod in recompenſationem **ducentarum libr̃arum**, quas nuper pro nobis & hæredibus noſtris conceſſimus chariſſimæ filiæ noſtræ *Mariæ* Sanctimoniali *Fontis Ebroldi* apud *Ambresbur.* commoranti, ſingulis annis ad ſuſtentationem **Cameræ ſuæ ad Scaccarium noſtrum percipiendas**, & etiam pro illis **viginti dolis vini**, quæ eidem filiæ noſtræ ſimiliter conceſſimus ſingulis annis per manus Vic. noſtri *Suthr.* qui pro tempore fuerit, percipienda, quamdiu ipſa filia noſtra infra regnum noſtrum *Angliæ* fuerit; conceſſimus ei Manerium de *Coſham* cum pertin. in Com. *Wiltes.* in valorem **quaterviginti et decem et ſeptem libr̃arum**; Burgum *Wilton.* & *Bereford.* cum pertin. in eodem Com. præter eleemoſynas conſtitutas in valorem **quatuor libr̃arum**; Manerium de *Sherſtan* cum pertin. in eodem Com. in valorem **ſexaginta libr̃arum**; Manerium de *Porſtok* cum pertin. in Com. *Dorſ.* in valorem **decem et octo libr̃arum**; Manerium de *Herdecote* cum pertin. in Com. *Sumerſ.* in valorem **decem et ſeptem libr̃arum**; & Maneria de *Freskwatre* & *Whytefeld* in *Inſula Vecta* cum pertin. in Com. *Suthr.* in valorem **ſexaginta et decem libr̃arum, trevdecim ſolidor̃um, et quatuor denariorum**; habenda & tenenda eidem filiæ noſtræ **ad ſuſtentationem Cameræ ſuæ quamdiu vixerit**, & infra regnum noſtrum fuerit ſupradictum. In cujus, &c. Teſte ut ſupra. Ibidem.

The King this year granted a licenſe to elect a Biſhop for the Church of *Lincoln*, then void, * *Teſte Rege apud* Wulloure 20 *die* Febr. *Per breve de Privato Sigillo.* * Pat. 30 E. 1. m. 30.

He likewiſe iſſued this Writ for reſtoring the Temporalties to the Biſhop elect of *Bath* and *Wells.*

REX dilecto & fideli ſuo *Nicholao Fermband* cuſtodi ſuo Epiſcopatus *Bathon.* & *Wellen.* ſede vacante, ſalutem. Cum venerabilis pater *R.* Archiepiſcopus *Cantuarienſis* totius *Anglia* Primas, electionem nuper celebratam in Eccleſia Cathedrali Sancti *Andreæ Wellen.* de diſcreto viro Magiſtro * *Waltero de Helſhagh* Decano illius loci, in *Bathon.* & *Wellen.* Epiſcopum, **cui p̃ius Regium aſſenſum adhibuimus et favorem**, confirmaverit, ſicut per literas patentes ipſius Archiepiſcopi nobis inde directas, nobis conſtat: Nos confirmationem illam acceptantes, **cepimus fidelitatem ipſius Electi, et Temporalia Epiſcopatus p̃dicti**, prout moris eſt, **reſtituimus eidem**. Et ideo vobis mandamus, quod eidem Electo Temporalia Epiſcopatus prædicti ſine dilatione liberetis in forma prædicta. Teſte Rege apud *Pecsham* 12 die *Septembr.* Pat. 30 E. 1. m. 9. De reſtitutione Temporalium

* See Godwins Catalogue, p. 300. The Leiger Book of the Priory of Bath, p. 216, 217, 229, to 238.

An. 30 *E.* I. The King by Judgement of his Court ſeiſing the Liberty of the Biſhop of *Durham* into his hands, for a contempt and offence of the Biſhop, thereupon appointed a Cuſtos, Sheriff, Juſtice in it, and a Keeper of the Seal, allowing them ſalaries by theſe Patents.

Pat. 30 E. 1. m. 19. De libertate Epiſcopatus Dunelm. commiſſo Roberto de Clifford.

REX Militibus, liberis hominibus, & omnibus aliis tenentibus de libertate Epiſcopatus *Dunelm.* ſalutem. Sciatis quod commiſimus dilecto & fideli noſtro *Roberto de Clifford*, libertatem prædictam cum pertin. **in manum noſtram per conſideracionem Curiæ noſtræ coram nobis captam, cuſtodiendam quamdiu nobis placuerit**: Ita quod Vicecomitem & alios Miniſtros idoneos ad ea quæ libertatem illam contingunt exercenda & facienda, ſub ipſo deputet & aſſignet; & quod idem Vicecomes de exitibus inde provenientibus nobis reſpondeat ad Scaccarium noſtrum. Et ideo vobis mandamus, quod præfato *Roberto* tanquam cuſtodi noſtro libertatis prædictæ, in omnibus quæ ad cuſtodiam illam pertinent intendentes ſitis & reſpondentes, ſicut prædictum eſt. In cujus, &c. Teſte Rege apud *Weſtm.* 17 die *Julii.*

Ibid. m. 16. Pro Roberto de Clifford cuſtode libertatis Epiſcopatus Dunelm. de feodo ſuo.

REX dilecto & fideli ſuo *Roberto de Clifford*, ſalutem. Cum per literas noſtras patentes vobis commiſerimus libertatem Epiſcopatus *Dunelm.* cum pertin. **in manum noſtram per conſideracionem Curiæ noſtræ coram nobis captam, cuſtodiendam quamdiu nobis placuerit**, prout in literis noſtris prædictis plenius continetur, **conceſſimus vobis ducentas marcas, ad ſuſtentationem veſtram percipiendas de exitibus libertatis prædictæ**, ſingulis annis dum cuſtodiam illam ſic tenueritis ex commiſſione noſtra. Ita tamen quod ſi minori tempore quam per annum dictam cuſtodiam nomine noſtro tenueritis, ſeu majori, ſemper percipiatis pro ſuſtentatione veſtra pro rata temporis quo habueritis cuſtodiam memoratam. Teſte Rege apud *Weſtm.* 24 die *Julii.*

Ibid. m. 19. De Juſtic. Regis in eadem libertate conſtituto.

REX omnibus ad quos, &c. ſalutem. Sciatis quod conſtituimus dilectum & fidelem noſtrum *Willielmum de Ormesby* **Juſticiarium noſtrum**, ad placita libertatem Epiſcopatus *Dunelm.* **in manum noſtram per conſideracionem Curiæ noſtræ coram nobis captam, tangentia, tenenda quamdiu nobis placuerit**; & ad juſtitiam ſingulis de eadem libertate conquerentibus, ſeu conqueri volentibus faciendam. In cujus, &c. Teſte Rege ut ſupra.

Ibid. m. 16. Pro Will. de Ormesby Juſtic. Regis ibidem de feodo ſuo.

REX dilecto & fideli ſuo *Willielmo de Ormesby*, ſalutem. Cum conſtituerimus vos Juſtic. noſtrum ad placita libertatem Epiſcopatus *Dunelm. &c.* ut ſupra, captam, tangentia; **tenenda quamdiu nobis placuerit**, prout in literis noſtris patentibus vobis inde confectis plenius continetur, **conceſſimus vobis ſexaginta marcas ad ſuſtentationem veſtram, percipiendas de exitibus libertatis prædictæ ſingulis annis**, dum officium illud ſic tenueritis ex commiſſione noſtra. Ita tamen, *&c.* dictum officium **nomine noſtro**, &c. In cujus, &c. ut ſupra.

Per ipſum Regem nunciante Theſaur.

Ibid m. 19. De ſigillo Regis ad cuſtodiam prædictæ libertatis deputato commiſſo.

REX omnibus ad quos, &c. ſalutem. Sciatis quod commiſimus dilecto Clerico noſtro *Henr. de Guldeford* **ſigillum noſtrum**, ad cuſtodiam libertatis Epiſcopatus *Dunelm.* **in manum noſtram per conſideracionem Curiæ noſtræ coram nobis captæ deputatum, cuſtodiendum quamdiu nobis placuerit.** In cujus, &c. Teſte Rege ut ſupra.

What Acquittances the King gave for monies received out of the three years Diſme granted him by the Pope, theſe Records will in part inform us.

Pat. 30 E. 1. m. 26. Pro Epiſcopo London. & Magiſtro Barthol. de Ferentino Collectoribus Decimæ.

REX omnibus ad quos, &c. ſalutem: Sciatis nos recepiſſe & habuiſſe per manus dilecti Clerici noſtri *Johannis de Drokensford* cuſtodi Garderobæ noſtræ, à venerabili patre Domino *R. London.* Epiſcopo, & à diſcreto viro Magiſtro *Bartholomæo de Ferentino* Canonico *London.* Sanctiſſimi patris Domini *Bonifacii* divina providentia Papæ octavi Clerico, **Collectoribus Decimæ in regno noſtro *Angliæ* per tres annos ad commodum noſtrum per præfatum Summum Pontificem impoſitæ, duo millia librarum ſterlingorum de pecunia ejuſdem Decimæ, ad quædam**

ardua

ardua negotia noſtra inde expedienda. Quam quidem pecuniæ ſummam eiſdem Collectoribus aut alteri eorundem ſolvere promittimus, ad voluntatem ipſius Summi Pontificis, cum per eoſdem Collectores aut eorum alterum ſuper hoc fuerimus præmuniti. In cujus, &c. Teſte Rege apud *Berkhamſted* 12 die *Aprilis*. *Per breve de Privato Sigillo.* *An.* 30 E. 1.

REX omnibus ad quos, &c. ſalutem. Sciatis nos recepiſſe & habuiſſe, &c. (*verbatim* as before) quaterviginti et tres libras, ſex ſolidos, et octo denar. de pecunia ejuſdem Decimæ, ad quædam ardua negotia noſtra inde expedienda. Quam quidem pecuniæ ſummam eiſdem Collectoribus aut alteri eorundem ſolvere promittimus, ad voluntatem ipſius Summi Pontificis, cum per eoſdem Collectores aut eorum alterum ſuper hoc fuerimus præmuniti. In cujus, &c. Teſte Rege apud *Weſtm.* 24 die *Maii*. *Per breve de Privato Sigillo.* Clauſ. 30 E. 1 m. 22. intus. Pro Epiſcopo London. & Magiſtro Bartholomæo de Ferentino.

REX omnibus ad quos, &c. ſalutem. Sciatis quod de pecunia proveniente de Decima Clero *Angl.* &c. recepimus à venerabili patre *R. London.* Epiſcopo, & Magiſtro *Bartholomæo de Ferentino*, &c. mille, centum, et ſexaginta et duas libras, &c. ut ſupra. Teſte Rege apud *Weſtm.* 23 die *Julii*. *Per breve de Privato Sigillo.* Pat. 30 E. 1. m. 18. Pro Epiſcopo London. & Magiſtro Barthol. de Ferentino Collectoribus Decimæ.

Conſimiles literæ fiunt præfatis Collectoribus de ducentis libris præfato *Johanni* liberatis. Teſte Rege ut ſupra. *Per breve de Privato Sigillo.*

Conſimiles, &c. de ducentis quaterviginti et decem et novem libris, et decem ſolidis. Teſte Rege apud *Weſtm.* 19 die *Julii*. *Per breve de Privato Sigillo.*

Conſimiles, &c. de quadraginta et viginti et tribus libris, decem et ſeptem ſolidis, et ſex denariis. Teſte Rege apud *Weſtm.* 17 die *Julii*. *Per breve de Privato Sigillo.*

REX omnibus ad quos, &c. ſalutem. Sciatis quod de pecunia proveniente de Decima Clero *Angl.* per Dominum *Bonifacium* Summum Pontificem de aſſenſu noſtro nobiter impoſita per tres annos, recepimus à venerabili patre *R. London.* Epiſcopo, & Magiſtro *Bartholomæo de Ferentino* Canonico *London.* Collectoribus ejuſdem Decimæ, quadraginta libras, dilecto Clerico noſtro *Johanni de Drokenesford* cuſtodi Garderobæ noſtræ à prædictis Collectoribus nomine noſtro liberatas. In cujus, &c. Teſte Rege apud *Weſtm.* 29 die *Julii*. *Per breve de Privato Sigillo.* Ibid. m. 14.

Conſimiles literæ fiunt de diverſis pecuniarum ſummis infraſcriptis; viz.

De mille marcis } Teſte Rege apud *Weſtm.* primo die *Auguſti*.
De quingentis marcis } *Per breve de Privato Sigillo.*

De ducentis ſexaginta & decem & octo libris, decem & octo ſolidis, quatuor denariis, & uno obolo. Teſte Rege apud *Weſtm.* 7 die *Auguſti*. *Per breve de Privato Sigillo.*

De quadraginta & quinque marcis. Teſte Rege apud *Weſtm.* 17 die *Auguſti*. *Per breve de Privato Sigillo.*

De quingentis marcis
De duobus millibus quingentis & viginti libris
De centum & quinquaginta libr.
De ſeptingentis libris
} Teſte Rege apud *Weſtm.* 8 die *Auguſti*. *Per breve de Privato Sigillo.*

REX omnibus ad quos, &c. ſalutem. Sciatis quod de pecunia proveniente de Decima Clero *Angl.* &c. recepimus à venerabili patre *R. London.* Epiſcopo, & Magiſtro *Bartholomæo de Ferentino* Canonico *London.* & Collectoribus ejuſdem Decimæ, centum et triginta et novem libr. ſeptem ſolid. et novem denar. dilecto Clerico noſtro *Johanni de Drokenesford* cuſtodi Garderobæ noſtræ à prædictis Collectoribus noſtro nomine liberatas. In cujus, &c. Teſte Rege apud *Weſtm.* 14 die *Octobris*. *Per breve de Privato Sigillo.* Ibid. m. 7.

An. 30 E. 1. The King granted this Patent to the Gentlemen, Officers, Soldiers, and Clerks in *Gaſcoigne* who had loſt their eſtates for him in the wars with *France*, for ſatisfaction of their loſſes and his Debts out of the Diſmes granted to him by the Pope.

Pat. 30 E 1 m 12. Pro hominibus de Vaſcon de Decima R. conceſſa eis aſſign.

LE Roy a tous ceus qui ceſtes lettres verront ou orront, ſaluz. Sachietz qe come nous ſoiems tenus en pluſours e diverſes dettes a aucuns gentieux hommes, e Clers, e autres Souders de *Gaſcoigne*, qui nous ount ſervi en tens de noſtre guerre de *Gaſcoigne* contre le Roy de *France*, tant par raiſon de proviſions, qe nous pur la perte de leur terres, rentes, e benefices, leur avoms aſſignees, qe par raiſon des gages e de reſtor de Chevaux du tens de la dite guerre ——— ſicome il piert pluis pleinement per nos lettres overtes, e par les lettres de ceus qui ont tenu noſtre lieu en *Gaſcoigne*, e des Clers illoques aſſignez pur fere les deſpens e les accountes oir, les queles lettres ont eſte enroullees, ou ſeignuees per nos Clers avantditz. Nous voillantz en le plus covenable maniere, quil nous ſemble quant a ore purveier a eux de fere paiement de dettes avantdites, grauntoms pur nous, pur nos heirs, e pur nos ſucceſſours, e aſſignetz, a eus tout l'argent, e tout le profit, qe le treſaint Pere *Boniface* Pape utiſme nous ad grantie de la Diſme, qe ad novelement miſe, e poſe aprendre des biens des Eſgliſes e de la Clergie de noſtre Roiaume *Dengleterre*, e tout le droit, e tote la raiſon, que nous aboms ou pooms ou devoms aboir en la dite Diſme, e quanque poet iſſir, e avenir de la Diſme deſuſdite, en tout le dit Roiaume *Dengleterre*, en quiel nous entendoms eſtre contenue tote la terre de *Gales*, a prendre e receibre per eus ou per leur Procurours, auſſi enterement e en cele meſme forme e maniere, come nous le deverioms ou porioms prendre dedens le Terme que enſuit; Ceſtaſſavoir, a deus anns continues & accompliz, qui devient comencer a la feſte de Seint *Michel* prochainement avenir, en partie de paiement, e en amenuſement e rebatement des avantdites dettes. E voloms qe les dites purvoiances qe ſont dues ove Lettres patentes de noſtre Grant Seal jeſqes a la date de ces lettres, ſoient primes paiees; e le remenant ſoit departi entre les ditz Soudiers pur lour dettes de Gages, & de reſtor de Chevaux, Soutz pur Soutz, e Livre pur Livre, uncore lour grantoims qe tout quanque eſt a cuilles de la dite diſme, jeſqes a la dite procheine feſte Saint *Michel*, tant come apertient ou poet apertenir a nous, e qe per nous nad eſte aſſigne a autre perſone leur ſoit baille e aſſigne en acroiſement du dit paiement. E promettons e grantoms a eux, pur eux pur leur heirs, e pur leur Succeſſours, les quieux auront eſte, ou ſerront de noſtre partie, qe nous feroms quil leur heirs e leur Succeſſours, e leur Procuraturs prendront e receivront per tout le dit tens tout quanque nous, nos heirs, e nous ſucceſſours deurioms ou porioms prendre de la dite Diſme; e de tout quanqe de meiſme la Diſme purroit avenir, e qe ceo ſi meſtiers eſtoit, leur emporteroms bone e ferme garrantie contre totes gentz. Eſtre ceo leur promettoms a preſtier ſur les iſſues de la dite Diſme, dedeinz le quinzein de la dite proſchein Feſte de Saint *Michel*, trois Mile Mars, pur avancement du dit paiement des purvoiances avantditz. E eſt aſaver, qe ceo qe eſt arere des vint Mile Mars, qe nous leur avoms premis a paier ſont contenuz en ceſt paiement. E pur ceo qil ſoient plus ſeurs des choſes deſuſdites nous promettoms & obligoms a eux nous, nos heirs, touz nos ſucceſſours, e touz nos biens per touz les lieus ou il ſoient, a garder, tenir, e complir totes les avantdites choſes, e cheſcune de eles, e cele meiſme choſe, avoms fet graunter e promettre en bone foi a *Edward* noſtre treſcher fiz Prince de *Gales* tant come en li ſerra. Eſtre ceo les honurables Peres *Richard* Eveſqe de *Londres*, *Wauter* Eveſq de *Ceſtr.* e nos amez e foiaux *Henry de Lacy* Counte de *Nicole*, *Johan* fiz au Duc de *Bretaigne* noſtre cher neveu, *Aymer de Valence* noſtre cher Coſin, *Hugh le Deſpencer* Chevaler, e *Johan de Drokenesford* noſtre cher Clerk e Gardein de noſtre Gardrobe, ont promis; Ceſtaſſavoir les ditz Eveſqes en leur foi, e les autres jure ſur ſaintes Evangiles, qil ſeront e purchaceront a leur poer en bone foi, qe les avantdites choſes e cheſcune de eles ſoient gardees, e acompliez, as ditz nos gentz e leur procurours. E nous avanditz *Edward* Prince de *Gales* per la volunte e l'aſſent noſtre cher Seignour e Pere lavoms premis en la forme deſuſdite, Eveſqes, Counte, *Johan de Bretaigne*, *Aymer de Valence*, *Hugh le Diſpenſer* e *Johan de Drokenesford*, a la requeſte du dit noſtre Seigneur le Roy avoms promis e promettons: Ceſtaſſavoir nous Eveſques en noſtre foi, et nous Counte, *Johan*, *Aymer*, *Hugh*, e *Johan* avanditz per noſtre Serement

ſur

ſur les ſaints Evangiles corporelment touchées, a gardir e acomplir en la manere de- *An.* 30 E. 1
ſuſdite tant come a nous afiert, e a noſtre poer, toutes les choſes avantdites, e chescune de eles. E eſt noſtre entendement qe ceus qui ont nos lettres overtes ſelees de noſtre grant Seal de purvoiances, preignent de la paie deſuſdite; e autres qui ont lettres overtes de purvoiance d'autre Seal qe du noſtre, riens ne preignent. En teſmoignance de quieux choſes nous avoms ſet fere ceſtes nos lettres overtes, ſelees de noſtre grant ſeal. E nous *Edward* Prince de *Gales* ſes filz, e nous Eveſqes, Counte, *Johan de Bretaigne*, *Aymer de Valence*, *Hugh le Diſpenſer*, e *Johan de Drokenesford* avauntditz a la requeſte e mandement du dit noſtre Seignour le Roy, avoms auſint mis nos Seaus a ceſtes preſentes lettres. Don. a *Loundres* le 16 jour *Dauſt*, L'an de noſtre Regne Trentiſme.

LE Roy al honourable Pere en Dieu *Richard* par meſme la grace Eveſque de *Lundres*, e a noſtre ben ame Maiſtre *Bertelmew de Ferentyn* aſſignez a prendre e a receivre la Diſme des biens de la Clergie de noſtre Roiaume avantdit, ſaluz. Come nous eoms grante per nos lettres overtes a nos amez & feaux gentiux hommes, Clers, e autres ſouders de *Gaſcoigne*, tout l'argent e tout le profit, qe la treſſaint Pere *Boniface* Pape utiſme, nous ad grante de la Diſme qil ad nobelment miſe e poſe apzendze des bens des Eſglíſes, e de la Clergie de noſtre Roiaume *Dengleterre*, e tout le droit, e tote la raiſon, qe nous avoms, ou pooms, ou devoms avoir en la dite Diſme, e quanque poet iſſir e avenir de la dite Diſme en tout le dit Roiaume *Dengleterre*, en quel nous entendoms eſtre contenue tote la terra de *Gales*; a prendre e a receivre per eux ou per leur procurours, auſi enterement, e en cele meſme forme e manere, come nous le deurioms prendre dedeinz le terme qi ſenſuit: Ceſtaſſavoir de la prochein feſte de ſaint *Michel* qui vient a deuz anns proſchein ſuauns & accompliz, en partie de paie de aucunes dettrs qe nous leur devoms, ſicome plus pleinement eſt contenu en nos lettres avauntdites, les quelesil vous porront moſtrer; Vous prioms e mandoms, qe as avantditz gentieux hommes, e Clers, e autres Souders, ou a lour certeins Procurours ou Attornez, liveretz e paiez en noſtre noun, tout l'argent e le profit a nous appurtenaunt de la Diſme abantdit, auſi enterement, e a meimes les termes, come vous eſtoietz tenu de paier la a nous. E de ceo qe vous averetz paie a eux qua leur Procurours, dont vous averetz leur † overtes d'aquitance, teſmoignantz la receite de Deniers a eux per vous paietz, vous feroms avoir due allowance aquitance en veſtre acunte. E avoms ordene e voloms qe a la paie fere ſoient *Johan de Sandale* e *Thomas de Canterigg*, ou l'un de cux, pur ordener la manere, coment la paie ſe doit fere. E voloms qe vous reteignetz a noſtre oes des primer Deniers qe vous purretz aver de la dite Diſme tres Mile Mars, qe nous avoms ordene de paier as avantditz gentiux hommes, Clers, e autres Souders de *Gaſcoigne* hors de noſtre Garderobe, a la quinzeine de ceſte Saint *Michel* prochein avenir, de preſt ſur meiſme la Diſme. En Teſmoignance de quen choſe nous avoms ſet fere ceſtes nos lettres overtes ſelees de noſtre Grant Seal. Don a *Weſtm*, le 16 jour *Dauſt*.

Pat. 30 E. 1. m. 12. De dicta Decima præfatis Valconibus ſolvenda.

† lettres

REX omnibus ad quos, &c. ſalutem. Sciatis quod aſſignavimus dilectos Clericos noſtros *Johannem de Sandale* & *Thomam de Cantebrig.* vel alterum ipſorum, ad ſupervidendum ſolutiones per venerabilem patrem *R.* Epiſcopum *London.* & dilectum Clericum noſtrum Magiſtrum *Bartholomæum de Ferentino* Canonicum *London.* Collectores Decimæ per Dominum *Bonifacium* Summum Pontificem Clero regni noſtri *Angliæ* de aſſenſu noſtro impoſitæ, de Denariis de dicta Decima prbenientibus, hominibus & creditoribus noſtris de *Vaſcon.* juxta Conceſſionem noſtram faciendas, & ad ordinandum quod prædictæ ſolutiones eiſdem Creditoribus debito modo fiant. In cujus, &c. Teſte Rege apud *Weſtm.* 17 die *Auguſti*.

Ibid. m. 11. De ſupervidend. ſolutiones præfatis Valconibus faciend.

The King likewiſe aſſigned to them the Profits of all the Religious Aliens ſeiſed into his hands by reaſon of the *French* wars.

LE Roi, a touz ceus qui ceſtes lettres verront ou orront, ſaluz en noſtre Seignur. Come nous eioms aſſigne per nos lettres overtes, ſelees de noſtre grant Seal, as aucuns de nos ametz e feaux gentieux hommes, e Clers, e autres de *Gaſcoigne*,

Ibid. De exitibus terr. alienigenarum in Angl. aſſign. hominibus de Vaſcon. per Regem.

An. 30 E. 1. *coigne*, certeines ſummes de Deners a receivre a noſtre Eſcheqer per an, a deus termes, en noun de proviſion, **per le reſon de leur rentes e terres, qil ont per du per la guerre qe ad eſte entre le Roy de *France* e nous**, vous feſoms aſſavoir qe nous aſſignoms per ceſtes nos lettres overtes, totes les iſſues des terres **e rentz des aliens religious e autres dedeins noſtre Roiaume *Dangleterre***, as avantditz gentieux hommes e Clers e autres; Ceſtaſſavoir du tens avenir, apres la date de ces lettres en partie de paiement de leur proviſions avantdites, a receivre per les mains de *Johan de Sandale* e *Thomas de Cantebrigg* nos Clers, ou un de eus; les queux nos avoms aſſigne a les dites iſſues cuillir e receivre a noſtre Eſcheqer; e as avantditz nos gentz de *Gaſcoigne*, e Clers, e autres, ſicome eſt avantdit, paier cheſcun an as termes per nous a eux aſſignez auſi enterement, come les dites iſſues ont eſte en tens paſſe levetz a noſtre oes demeine, tant qe les dites gentz de *Gaſcoigne* ſerront par paiements des proviſions avantdites, ſolom la forme contenue en nos dites lettres de proviſions a eux fetes. E voloms e commandoms qe les ditz nos Clers a nous ne a null' autre fors qe ſoulement a les ditz nos gentz de *Gaſcoigne*, ou a leur procurours ne ſoient reſponantz deſore enavant des dites iſſues, e qe a ceo fere e acomplir loiaument, ſoient juretz ſur les Saintz Evangiles Dieu: E de ceo qil paieront as avantdites gentz de *Gaſcoigne* ou a leur Procurours, il receivent duwe *Acquitance* per leur lettres overtes. E promettons qe les avantditz nos Clers, ne nul de eux ne remueroms hors de lour Office avantdit, ſanz le gre e le aſſent de nos genz de *Gaſcoigne* avantditz, ou de lour Procurours. En teſmoignance des queux choſes nous avoms fet fere ceſtes nos lettres overtes, ſeleez de noſtre grant Seal. Don. a *Weſtm.* le 17 jour *Dauſt.*

The Archbiſhop of *Dublin* reſiding in *England* from his Archbiſhoprick, the King iſſued this Writ for his Bailiffs to ſend moneys from thence to him into *England* for his ſupport, giving ſecurity not to tranſport it elſewhere, notwithſtanding his former Writs, that no money ſhould be exported from thence, by which the return of his money from thence was ſtayed.

Cl. 30 E 1 m. 18. Pro R. Archiep. Dublin.

REX dilecto & fideli ſuo *Johanni Wogan.* Juſticiario ſuo *Hibern.* vel ejus locumtenenti. Licet nuper ordinavimus, **quod nulla bona moneta de noſtro ſeu alterius Cuneo, extra poteſtatem noſtram portaretur:** mandaverimuſque ordinationem illam in Terra noſtra *Hibern.* firmiter obſervari: Intentionis tamen noſtræ non extitit nec exiſtit, quin hujuſmodi moneta à prædicta terra in *Angliam* deferri potuiſſet: Et ideo vobis mandamus, quod Pecuniam de exitibus terrarum & tenementorum venerabilis patris *Richardi* Archiepiſcopi *Dublin* in *Hibern.* per Ballivos ſuos ibidem, de mandato ipſius Archiepiſcopi levatam & collectam, quam iidem Ballivi ad ſuſtentationem prædicti Archiepiſcopi in *Anglia* detuliſſe voluerunt, & quam occaſione Ordinationis noſtræ prædictæ feciſtis areſtari; ſicut ex querela ipſius Archiepiſcopi accepimus, ſi eam occaſione illa & non alia feceritis areſtari, ſine dilatione deareſtari faciatis, & Ballivos prædictos eam in *Angliam* abſque impedimento deferre permittatis; accepta prius ab eiſdem Ballivis ſecuritate, quod **pecuniam illam alibi quam in *Angliam* ad prædictum Archiepiſcopum non deferrent, ſeu deferri facient quoquo modo.** Teſte Rege apud *Lyniſcu* decimo ſexto die *Novembris.*

The King iſſued this Privy Seal for a Protection under his Great Seal to this Archbiſhop of *Dublin* and his Tenants in *Ireland* in as beneficial a manner as could be, without doing any wrong.

Bundela Brevium de Privato Sigillo, An. 30 E 1. in Turre London.

EDward a meiſme Chancelier, ſaluz. Nous vous mandoms qe a l' onourable Peere en Dieu *R.* Erceveſque de *Dyvelyn*, qui par noſtre conge demoert en *Engleterre*, facez faire nos **Lettres de Protection**, pur li, pur ſes hommes, ſes terres, ſes choſes, ſes rentes, & totes ſes poſſeſſions en *Irland* en auſi profitable fourme come nous lees pooms doner, ſanz tort faire, meiſmes les lettres a durer pur un an. Doun ſouz noſtre prive Seal a *Linliſcu* le xiij. jour de *Decembre*, l'an deſuſdit.

Richard

Richard de Ferariis Archbiſhop of *Dublin* reſiding in *England*, during his Nonreſidency from his Archbiſhoprick, made *Thomas de Chaddeſworth*, (whoſe election the Pope had nulled) his *Vicar General*, to execute his office. After which being informed he was unable to diſcharge that office, or his own, by reaſon of infirmity and age, he writ theſe Letters to the Canons of St. *Patrick* and to him, to perſwade him to relinquiſh his *Vicar Generals* office, and recommend ſome other fit perſon to him, able to manage it; which Letters I found in a Parchment Scroll with others (interſerted to defray the expenſes of his Election, and take his accounts) in the *White Tower* Chappel. *An.* 30 *E.* 1.

Bundela Brevium, &c. An. 29 & 30 E 1. in Turre London.

RIcardus permiſſione Divina *Dublinenſis* Electus, diſcretis viris Canonicis in Eccleſia noſtra Sancti *Patricii Dublin.* reſidentibus, vel eorum uni, ſalutem, &c. Cum nos à retroactis temporibus diſcretum virum Magiſtrum *Thomam de Chaddeſworth* dictæ Eccleſiæ noſtræ Sancti *Patricii Dublinenſis* Decanum in Vicarium (ut vos ſcimus non latere) præfecimus generalem; ex inſinuatione & delatione publica venientium de dictæ *Hiberniæ* partibus, qui non levis dicuntur opinionis intelleximus, eundem Magiſtrum *Thomam*, propter corporis ſui debilitatem notoriam et ætatem ſuam decrepitam quaſi, ad onera noſtræ Vicariæ ac Spiritualitatis ſuppoꝛtanda, nec (quod magis eſt) ad ſui Decanatus regimen hiis diebus ſufficere non valere; Vobis & veſtrum cuilibet firmiter injungendo mandamus, quatinus de ſtatu dictæ noſtræ Vicariæ & Decanatus ſupportanda ſufficiat in præſenti, & ſi pro honore & utilitate dictæ Eccleſiæ noſtræ & bono ſtatu ejuſdem Decanatus recuperando parconomo indigeat ſeu cuſtode; necnon, ut ſi inſufficiens inveniatur, quis vel qui de fratribus veſtris ad pꝛædicta onera ſuppoꝛtanda, idoneus vel idonei reputentur; nobis infra menſem, à tempore receptionis præſentium continuè numerandum, per literas veſtras harum ſeriem continentes reſcribatis; aut reſcribat unus veſtrum ad quem præſentes literæ fuerint præſentati, aliis (ut convenit) legitimè convocatis. Datis, &c.

RIcardus, &c. Diſcreto viro Magiſtro *Thomæ de Chaddeſworth* Eccleſiæ noſtræ Sancti *Patricii Dublin.* Decano, Vicario noſtro generali, ſalutem, &c. De induſtria & fide veſtra approbata, veſtraque ſollicitudine quam circa Vicariæ noſtræ ac ſpiritualitatis curam vobis per nos commiſſam geſſiſtis ac geritis hiis diebus, vos merito commendamus; volentes ut voluntatem veſtram inceptam diligentiæ veſtræ maturitas, ſi commodè fieri poterit, libentius exequatur. Sanè a temporibus regiminis curæ prædictæ vobis commiſſæ in eodem officio vos gratanter miniſtraſſe (pro quo vos regratiamur in immenſum) ac labores varios & incommoda ac alia gravamina non modica in juriſdictionem veſtram conſervandam ſuſtinuiſſe invenimus: conſiderantes vos in ſenectute laudabili nunc exiſtentes, cui labores, ſollicitudines & gravamina hujuſmodi non incumbunt, à cura & onere ſupradictis, ſi veſtræ placeat voluntati, et alium idoneum et fidelem per vos invenire poterimus, pꝛo bono veſtro, vellemus exonerare. Diſcretionem veſtram nobis charam requirimus, quatinus voluntatem veſtram in præmiſſis, ſi laborem prædictum, ut prius, velitis & poſſitis pꝛout ipſius Vicariæ cura requirit continuare, vel omnino recedere ab eodem, & ſi hoc, quem nos ad eandem Vicariam admittere conſulitis nobis infra —— (*torne out*) dies receptionis præſentium continuè numerand. noſtris precibus & amore reſcribatis. Dat. &c.

The King out of his charity granted this protection and Patent to collect Almes to the Prior of St. *Briget* in *Vercelles* in *Lumbardy*.

Cl. 30 E 1. m. 16. intus. De Protectione pro Priore Hoſpitalis S. Brigidæ Virginis de Vercellis in Lumbardia.

REX Archiepiſcopis, Epiſcopis, Abbatibus, Prioribus, & omnibus Ballivis & aliis Chriſti fidelibus in *Hibernia* ad quos præſentes Literæ pervenerint, ſalutem. Cum dilectus nobis in Chriſto Prior Hoſpitalis Sanctæ *Brigidæ* de *Vercellis* in *Lumbardia* mittat *Thomam de Latymer* Clericum ſuum ad partes prædictas pro Elemoſinis ad ſuſtentationem pauperum in Hoſpitali prædicto commorantium colligendis; Nos ad requiſitionem *Edwardi* Principis *Walliæ* & Comitis *Ceſtriæ* filii noſtri kariſſimi, ſuſcepimus ipſum *Thomam* & alios Attornatos quos ad hoc ſubſtituere voluerit in protectionem & defenſionem noſtram ſpecialem, vobis, & Ballivis noſtris præcipientes,

tes, quod manuteneatis, protegatis & defendatis prædictum *Thomam* & ſubſtitutos ejuſdem in hac parte, non inferentes, ſeu inferri permittentes eiſdem injuriam, moleſtiam, dampnum aut gravamen. Et ſi quid eis forisfactum fuerit, id eis ſine dilatione faciatis emendari. Vos etiam Prælatos rogamus, quatinus cum idem aut ſubſtituti ſui ad loca veſtra, pro hujuſmodi elemoſinis petendis & colligendis acceſſerint benignè in Eccleſiis veſtris recipientes eoſdem ipſos in eiſdem Eccleſiis admonere populum & elemoſinas liberè querere permittatis, & eidem *Thomæ* & ſubſtitutis ſuis ad hujuſmodi elemoſinas in veſtris Dioc. ſic deputatis, petendas & colligendas literas veſtras convocatorias liberaliter concedere velitis, pro quo a Deo præmium & à nobis grates mereamini reportare. In cujus, &c. per biennium duratur. Teſte Rege apud *Weſtm.* 22 die *Julii*. *Per ipſum Regem.*

What Licenſes and royal aſſents the King by his Eccleſiaſtical Soveraignty gave this year to Biſhops, Abbots, and others in *Ireland*, theſe Records will inform us.

Pat. 30 E 1. m. 6. intus. De aſſenſu Regio adhib. & Temporalibus reſtituend in Hibern.

REX dilecto & fideli ſuo *Johanni Wogan* Juſtic. ſuo in *Hibern.* vel ejus locum tenenti, ſalutem. Cum dilecti nobis in Chriſto Prior & Conventus beatæ *Mariæ de Keul.* nobis per literas ſuas patentes ſignificaverint, quod Eccleſia ſua prædicta per reſignationem fratris *Roberti* quondam Abbatis illius loci, paſtoris eſt ſolatio deſtituta; ſupplicantes nobis, prout moris eſt, quod licentiam ſibi alium eligendi in Abbatem, eiſdem concedere dignaremur; ac nos precibus eorundem Prioris & Conventus in hac parte favorabiliter inclinati, licentiam illam eis duximus concedendam; mandantes ipſis quod talem ſibi eligant in Abbatem & Paſtorem, qui Deo devotus, regimini Eccleſiæ ſuæ neceſſarius, nobiſque et terræ noſtræ *Hyberniæ* utilis et fidelis exiſtat: Nos eorundem Prioris & Conventus laboribus & expenſis in hac parte parcere volentes iſta vice, conceſſimus eis de gratia noſtra ſpeciali, & vobis dedimus poteſtatem, quod facta electione prædicta de futuro Abbate, (ſicut prædictum eſt) eidem Electioni, cum Electus hujuſmodi per Priorem & Coventum dictæ Eccleſiæ vobis fuerit præſentatus, aſſenſum Regium vice noſtra præbeatis; ſignificantes loci Dioceſano, quod id quod ſuum eſt in hac parte exequatur. Volumus etiam & vobis dedimus poteſtatem, quod ſi contingat Electionem hujuſmodi per loci Dioceſanum canonicè confirmari, & vobis per literas ejuſdem Dioceſani inde conſtiterit, tunc accepta ab eodem Electo fidelitate in caſu iſto nobis debita, Temporalia ejuſdem Abbatiæ eidem Electo, prout moris eſt, liberetis vice noſtra; Receptis prius ab eodem Electo literis ſuis patentibus, ſigillo ſuo necnon ſigillo Capituli ſui ſignatis, quod hæc gratia noſtra, quam eidem Electo ad præſens ex mera liberalitate noſtra conceſſimus, nobis vel hæredibus nec cedat in præjudicium vel exhæredationem, ſeu trahatur in conſequentiam temporibus futuris. In cujus, &c. Teſte Rege apud *Weſtm.* 24 die *Octobris*.

Per ipſum Regem.

Ibid. m. 7. De Aſſenſu Regio.

REX venerabili in Chriſto Patri *R.* eadem gratia Archiepiſcopo *Dublin.* ſalutem. Sciatis quod Electioni nuper celebratæ in Eccleſia Cathedrali *Oſſoren.* de diſcreto viro Magiſtro *Willielmo* filio *Johannis* Canonico ejuſdem Eccleſiæ in Epiſcopum illius loci, Regium aſſenſum adhibuimus et favorem; Et hoc vobis tenore præſentium ſignificamus, ut quod veſtrum eſt in hac parte exequamini. In cujus, &c. Teſte Rege apud *Weſtm.* 18 die *Octobr.*

Ibid m. 6. De temporalibus in Hibern. reſtitut.

REX præfato Juſtic. vel ejus locum tenenti, ſalutem. Cum electioni nuper celebratæ in Eccleſia Cathedrali *Oſſoren.* de diſcreto viro Magiſtro *Willielmo* filio *Johannis*, Canonico ejuſdem Eccleſiæ, in Epiſcopum illius loci Regium aſſenſum adhibuimus et favorem; & hoc venerabili Patri *R.* Archiepiſcopo *Dublin.* per noſtras patentes literas ſignificaverimus, ut quod ſuum eſt in hac parte exequatur; Volentes ipſius Electi laboribus & expenſis in hac parte parcere iſta vice. Conceſſimus ei de gratia noſtra ſpeciali, et vobis dedimus poteſtatem, quod ſi contingat dictam electionem per præfatum Archiepiſcopum canonicè confirmari, & vobis per literas ejuſdem Archiepiſcopi inde conſtiterit, tunc accepta ab eodem Electo fidelitate in iſto caſu nobis debita, Temporalia Epiſcopatus prædicti eidem Electo fide-

fidelitate in iſto caſu nobis debita, Temporalia Epiſcopatus prædicti eidem Electo, prout moris eſt, liberetis vice noſtra; **Receptis prius ab ipſo Electo literis ſuis patentibus, &c.** ut ſupra. Teſte Rege ut ſupra. *An.* 30 E. 1.

Per ipſum Regem.

REX omnibus ad quos, &c. ſalutem. Sciatis quod dedimus & conceſſimus dilecto Clerico noſtro Magiſtro *Thomæ Cantok* Præbendam de *Molaghymon* in Eccleſia *Caſſalen.* in *Hibernia*, vacantem & ad donationem noſtram ſpectantem, ratione Archiepiſcopatus *Caſſalen.* vacantis, & in manu noſtra exiſtentis. Habend. cum ſuis juribus & pertin. quibuſcunque. In cujus, &c. Teſte Rege apud *Weſtm.* 15 die *Auguſti.* *Per ipſum Regem. Nunc.* Ottone de Grandiſſono. *duppl.* Pat. 30 E 1. m. 13. De Præbendis datis. Hibern.

Et mandatum eſt Decano & Capitulo Eccleſiæ, quod eidem Magiſtro *Thomæ* ſtallum in Choro & locum in Capitulo ratione Præbendæ prædictæ (prout moris eſt) aſſignent. Teſte ut ſupra.

Conſimiles literæ fiunt Magiſtro *Johanni Cantok* de Præbenda de *Kylardry* in Eccleſia prædicta vacante, ut ſupra. Teſte ut ſupra, &c.

Et mandatum eſt Decano & Capitulo Eccleſiæ prædictæ, quod eidem Magiſtro *Johanni* Stallum in Choro, &c. ut ſupra. Teſte Rege ut ſupra.

REX Electioni nuper celebratæ in Eccleſia Cathedrali *Lymer.* de diſcreto viro Magiſtro *Roberto de Dundofnyld* Canonico ejuſdem Eccleſiæ in Epiſcopum illius loci, **Regium aſſenſum adhibuit et fabozem.** Et hoc Cuſtodi Spiritualitatis Archiepiſcopatus *Caſſalen.* ſede vacante, ſignificatum eſt, ut quod ſuum eſt in hac parte exequatur. In cujus, &c. Teſte Rege apud *Weſtm.* 30 die *Julii.* Pat. 30 E 1. m. 20. Hibern. De aſſenſu Regio.

REX dilecto & fideli ſuo *Johanni Wogan* Juſtic. ſuo *Hibern.* vel ejus locum tenenti, ſalutem. Cum nos Electioni nuper celebratæ in Eccleſia Cathedrali *Lymer.* de diſcreto viro Magiſtro *Roberto de Dundofnyld* Canonico ejuſdem Eccleſiæ in Epiſcopum illius loci, **Regium aſſenſum adhibuimus et fabozem**, & hoc Cuſtodi Spiritualitatis Archiepiſcopatus *Caſſalen.* ſede vacante, per noſtras patentes literas ſignificaverimus, ut quod ſuum eſt in hac parte exequatur; Volentes ipſius Electi laboribus & expenſis in hac parte parcere iſta vice, **conceſſimus ei de noſtra gratia ſpeciali, et vobis dedimus poteſtatem, quod ſi contingat dictam electionem per præfatum Cuſtodem Spiritualitatis canonice confirmari**, & vobis per literas ejuſdem Archiepiſcopi inde conſtiterit, tunc accepta ab eodem Electo fidelitate, in iſto caſu nobis debita, Temporalia Epiſcopatus prædicti eidem Electo, prout moris eſt, liberetis vice noſtra. **Receptis prius ab ipſo Electo literis ſuis patentibus ſigillo ſuo, necnon et ſigillo Capituli ſui ſignatis, quod hæc gratia noſtra quam eidem Electo ad præſens ex mera liberalitate noſtra conceſſimus, nobis vel hæredibus noſtris non cedat in præjudicium vel exhæredationem, ſeu trahatur in conſequentiam temporibus futuris.** In cujus, &c. Teſte Rege ut ſupra. Ibid. De Temporalibus in Hibern. reſtituend.

Per ipſum Regem.

MAgiſtri *Mauricius* fil. *Mauricii*, & *Arnaldus de Burdens* Canonici Eccleſiæ *Limericen.* nunciantes Regi mortem *G.* nuper Epiſcopi illius loci, **habent literas Regis de licentia eligendi.** In cujus, &c. Teſte Rege apud S. *Albanum* 9. die *April.* *Per breve de Privato ſigillo.* Ibid. m. 26. De licentia eligendi.

REX venerabili in Chriſto Patri *S.* eadem gratia Archiepiſcopo *Caſſalen.* ſalutem. Sciatis quod electioni nuper celebratæ in Eccleſia Cathedrali *Korkagen.* de diſcreto viro *Johanne Mackerwil* Decano ejuſdem Eccleſiæ **in Epiſcopum illius loci, Regium aſſenſum adhibuimus et fabozem:** Et hoc vobis tenore præſentium ſignificamus, ut quod veſtrum eſt in hac parte exequamini. In cujus, &c. Teſte Rege apud *Chartham* 11 die *Junii.* Ibid. m. 22. De aſſenſu Regio.

REX dilecto & fideli ſuo *Johanni Wogan* Juſtic. ſuo in *Hibern.* ſalutem. Cum nos electioni nuper celebratæ in Eccleſia Cathedrali *Corkagen.* de diſcreto viro *Johanne Mackerwil* Decano ejuſdem Eccleſiæ in Epiſcopum illius loci, **Regium aſſenſum** De Temporal. in Hibern. reſtituend. ſi Electio confirmetur.

An. 30 *E.* 1. **ſum adhibuimus et favorem,** & hoc venerabili patri *S.* Archiepiſcopo *Caſſalen.* per noſtras literas, *&c.* (ut ſupra, pro Epiſcopo *Lymer.*) Teſte ut ſupra.

Pat. 30 E. 1. m. 30. Pro J. de Hothum Clerico Hib.

REX dilecto & fideli ſuo *Johanni Wogan* Juſtic. ſuo *Hibern.* ſalutem. Promotionem dilecti Clerici noſtri *Johannis de Hothum* ſuis exigentibus meritis, affectantes, **ipſum ad Beneficium Eccleſiaſticum valoris ſeraginta marcarum per annum ad minus, ad noſtram præſentationem ſpectans,** quamprimo hujuſmodi Beneficium in terra noſtra prædicta **vacare contigerit, noſtro nomine præſentandi,** vobis plenam committimus tenore præſentium poteſtatem. Et ideo vobis mandamus, quod præfatum *Johannem* ad hujuſmodi Beneficium noſtro nomine præſentetis, quamcito ad hoc optulerit ſe facultas. In cujus, &c. Teſte Rege apud *Rokesburgh* 16 die *Februarii.*

Per Petitionem miſſam ad Regem.

* Placita Parl. Anno 30 E. 1. nu. 1. See Ryley, p. 231, &c. Mr. Cambdens Britannia, p. 312, 313. Sir Edw. Cooks 1 Inſtit. f. 32. & 2 Inſtit. p. 435, 436.

In the Parliament of 30 *E.* 1. there happened this memorable caſe. * *William Paynel* and *Margaret* his wife, petitioned the King in the 28th. year of his reign for the third part of the Mannor of *Torpel*, with the appurtenances, as her Dower, belonging to her as the Freehold of *John de Cameys* her firſt husband, *&c. Et* Nicholaus de Warrewyk, *qui pro Domino Rege ſequebatur, tunc dixit, quod prædicta* Margareta *non debuit inde dotem habere, nec ad aliquam dotem inde petendam audiri debeat vel admitti, eo quod ipſa per longum tempus ante mortem dicti* Johannis *quondam viri ſui*, &c. *ſponte ac gratis de eodem viro ſuo receſſit, & cum prafato* Willielmo *tunc viro ſuo vivente prædicto* Johanne **in adulterio moram traxit,** *nec ante mortem ipſius* Johannis *per ipſum* Johannem *reconciliata fuit: per quod juxta formam ſtatuti Domini Regis nunc editi*, de mulieribus ſe à viris ſuis elongantibus, **et cum adulteris ſuis morantibus,** & ante mortem virorum ſuorum **ſponte et abſque cohercione Eccleſiaſtica non reconciliatis;** *præfata* Margareta, *à petitione ſua prædicta totaliter debet repelli, & petit Judicium pro Rege*, &c. *Et ſuper hoc præfati* Willielmus & Margareta *protulerunt quoddam ſcriptum factum ſub nomine prædicti* Johannis de Cameys *primi viri*, &c. *in hac verba.* Omnibus Chriſti fidelibus ad quos præſens ſcriptum pervenerit, *Johannes de Cameys* filius & hæres Domini *Richardi de Cameys*, ſalutem in Domino. **Noveritis me tradidiſſe et dimiſiſſe ſpontanea voluntate mea** Domino *Willielmo Paynel* equiti, *Margaretam de Cameys*, filiam & hæredem Domini *Johannis de Gateſdon* **uxorem meam, et etiam dediſſe et conceſſiſſe eidem** *Willielmo*, **relaxaſſe et quietum clamaſſe omnia bona et catalla quæ ipſa** *Margareta* **habet, vel de cætero habere poſſet, et etiam quicquid mei eſt de prædicta** *Margareta* **bonis et catallis cum pertinentiis ſuis. Ita quod nec Ego, nec aliquis alius nomine meo in prædicta** *Margareta*, **bonis et catallis ipſius** *Margareta*, **cum ſuis pertinentiis de cætero exigere vel vindicare poterimus nec debemus; imperpetuum volo et concedo, et per præſens ſcriptum confirmo, quod prædicta** *Margareta* **cum prædicto Domino** *Willielmo* **ſit et remaneat pro voluntate ipſius** *Willielmi.* In cujus rei teſtimonium huic præſenti ſcripto ſigillum meum appoſui; Hiis teſtibus, *Thoma de Depeſton, Johanne de Ferringes, Willielmo de Icombe, Henrico de Bironn, Stephano Caver, Waltero le Blound, Gilberto de Batecombe, Roberto de Boſco*, & aliis. *Et dixerunt*, **quod eadem** Margareta **in forma in dicto ſcripto contenta cum ipſo** Willielmo **moram fecit, et ex aſſenſu et voluntate** Johannis **tunc viri ipſius** Margaretæ **vivente ipſo** Johanne, **et ex traditione et dimiſſione ejuſdem** Johannis, **prout exprefſe per verba in eodem ſcripto contenta Domino Regi et Coronæ ſuæ conſtare potuit, et non cum eodem** Willielmo **ut adultero ſuo. Et ſuper hoc petierunt Judicium.** *Et tunc dictum fuit eiſdem* Willielmo & Margaretæ, *quod eſſent ad proximum Parliamentum futurum audituri inde judicium ſuum*, &c. *Poſtea ad proximum Parliamentum ſequens, videlicet, ad Parliamentum Domini Regis apud* Lincolniam *in Octabis Sancti* Hilarii *anno regni noſtri* 29. *prædicti* Willielmus & Margareta *per attornatum ſuum venerunt & inſtanter petierunt dotem ipſius* Margaretæ *prædictam; & datus fuit dies eiſdem ad proximum Parliamentum ſequens*, &c. *Poſtea ad proximum Parliamentum ipſius Domini Regis ſequens, videlicet apud* Weſtm. *in Octabis Sancti* Johannis Baptiſtæ *anno regni ſui* 30. *venit prædictus* Willielmus *& ſimiliter prædicta* Margareta, *per quendam* Walterum de Blound *attornatum ipſius* Margaretæ, *coram* Johanne de Abel *per breve Domini Regis factum, &*

petierunt

petierunt prædictam dotem ipſius Margaretæ *in forma prædicta*, &c. *Et ſuper hoc*, **recitata coram ipſo Domino Rege et Conſilio ſuo in pleno Parliamento**, *reſponſione pro Domino Rege ſuperius facta, & etiam audito & intellecto tenore ſcripti prædicti per ipſos* Willielmum & Margaretam *prius correcti, & ſimiliter lecto, audito & intellecto ſtatuto prædicto per ipſum Dominum Regem & Conſilium ſuum factо, & pro ipſo Domino Rege allegato, & in quo expreſſè continetur*, * Quod ſi uxor ſponte reliquerit virum ſuum, & abierit & moretur cum adultero ſuo, amittet imperpetuum actionem petendi dotem ſuam quæ ei competere poſſet de ten. viri ſui, ſi ſuper hoc convincatur, niſi vir ſuus ſponte & abſque cohercione Eccleſiaſtica eam ſibi reconciliat, & ſecum cohabitare permittat. *Ipſi* Willielmus & Margareta *tunc dixerunt*, quod per patriam verificare parati fuerunt, quod prædicta *Margareta* non morabatur cum ipſo *Willielmo* ut adultero ſuo, vivente prædicto *Johanne* primo viro ſuo, *&c. nec aliquid aliud dixerunt. Et quia ipſi* Willielmus & Margareta *dedicere non potuerunt, quin ipſa* Margareta *vivente prædicto* Johanne *primo viro ſuo abiret, & cum prædicto* Willielmo *moram faceret, virum ſuum, videlicet* Johannem *prædictum, omnino relinquendo, & ſponte, ut patet manifeſtè, cum ipſa* Margareta *in vita ipſius* Johannis *nunquam per ſe vel per alium, in aliquo aut alio modo reclamavit, nec adhuc reclamat. Immo primam voluntatem ſuam ſpontaneam declarando, & affectionem verſus ipſum* Willielmum *vivente prædicto* Johanne *conceptam continuando, eidem* Willielmo *poſt mortem ejuſdem ſe nubere permiſit, nec eidem* Willielmus & Margareta *aliquid dicunt ſeu oſtendunt per quod Curia certiorari poteſt, quod præfatus* Johannes *primus vir ſuus tempore ſuo eam reconciliavit aliquo modo: Et per ſcriptum prædictum per ipſum* Willielmum & Margaretam *correctum expreſſe apparet, quod eadem* Margareta *tempore prædicti* Johannis **ex dimiſſione et traditione ſua cum dicto Willielmo imperpetuum remanſura conceſſa fuit.** *Nec eſt neceſſè Curiæ Regis ad Inquiſitionem patriæ capiendam ſuper hiis quæ prius dedicere non poteſt, & Curiæ apparent manifeſtè, ſeu ſuper hiis quæ per partem * implacitando proponuntur & concedantur. Ac ſit veriſimile potiuſque præſumendum, & in Curia Regis & alia quacunque magis eſt credendum*, **quod ex quo uxor alicujus vivente marito ſuo cum aliquo alio viro moram ſponte faciat, in nullo reclamando vel contradicendo, quod in adulterio jaceat, quam alio modo debito aut legitimo; et maxime ubi ejuſdem uxoris tanta poſtea proſequitur ſpontaneæ voluntatis declaratio, quod nuptiæ poſt mortem mariti inter eoſdem ſubſequuntur, nec ad Coronam Regis pertineat ſuper adulterio Inquiſitionem patriæ capere: videtur Curiæ, quod non eſt neceſſe contra tantas et tam manifeſtas evidentias præſumptiones, probationes, et præfati** Willielmi & Margaretæ **conceſſionem, ad aliquam Inquiſitionem patriæ capiendam procedere in forma prædicta, qua dicti** Willielmus & Margareta **eum prætendunt. Immo quod prædicta** Margarata **per formam ſtatuti prædicti, ad dotem ſuam petendam admitti non debet ſeu audiri, rationibus prædictis. Et ideo conſideratum eſt, quod prædicti** Willielmus & Margareta **nichil capiant per petitionem ſuam prædictam, ſed ſint in miſericordia pro falſo clamore.**

An. 30 E. 1.

* Weſtm. 2. Anno 13 E. 1. c. 34. Fleta l. 5. c. 22. Britton c. 109. Homes Mirrour of Juſtices c. 5. ſect. 5.

* In placitando

* *Quædam alia litera per ipſos* Willielmum & Margaretam *in judicio porrigebantur, tres videlicet*, **quarum duæ fuerunt de purgatione ipſorum** Willielmi & Margaretæ **ſuper crimen Adulterii ſibi impoſiti, & tertia fuit de quodam annuo redditu viginti quatuor marcarum.** *Et quarum tranſcripta remanent in Garderoba, & de quibus literis in judicio iſto non fit mentio*, **eo quod ad judicium iſtud multum non pertinet. Nec ſuper teſtimonio Epiſcoporum ſunt judicia in Curia Regis facienda, licet literæ Epiſcoporum in Curiæ Regis fuerint porrectæ, niſi iidem Epiſcopi ad mandatum Regium ipſi Regi reſcriberent**, &c.

* Placita Parl. An 30 E. 1. See Ryley, p. 233.

From which memorable Caſe, and Judgement in full Parliament (the firſt I finde given upon the Statute of *Weſtm.* 2. *c.* 34. *Anno* 13 *E.* 1.) after long deliberation and debate, and the proceedings in it, I ſhall obſerve; 1. That the King and Parliament themſelves preſcribed and inflicted this penalty on Adulterous Wives, departing from their Husbands and living with others in adultery, that they ſhould loſe their Dowers unleſs they were reconciled to their Husbands, and returned to them before their deaths. 2ly. That the Biſhops and Eccleſiaſtical Courts being apt to favour Adultereſſes, and to enforce their Husbands by Eccleſiaſtical cenſures to receive and cohabit with them, notwithſtanding their adulteries with them and others, the King, Lords and Commons in Parliament ſpecially provided, that this

An. 30 E. 1. forced reconciliation ſhould not enable them to demand or receive Dowers out of their Husbands Freeholds. 3ly. That Certificates and Letters of Purgations made by ſuch Adultereſſes before the Biſhops, (which were uſually partial in the Adultereſſes behalf) were never admitted or allowed as evidences in the Parliament or Kings Courts, to acquit them from their adultery and forfeiture of their Dowers by vertue of this Act. 4ly. That where any matter of fact, crime or elopement appears evidently to the Court by the parties own plea, evidence, confeſſion, or ſhewing, it ſhall not be referred to a Tryal by Jury, or any others Certificate. 5ly. That the Husbands deed, grant and conſent to his Wives elopement and cohabitation in adultery with another, doth no way juſtifie her elopement or adultery, nor enable her to claim her Dower, againſt the proviſion of this Act. 6ly. That though our Biſhops and Eccleſiaſtical Courts then claimed and exerciſed Juriſdiction in cauſes of Matrimony and Adultery in ſome caſes, by the grant or connivance of the King or Parliaments, yet they would no wayes admit thereof in caſes of elopement, in reference to the recovery or forfeiture of Dowers, referred wholly to the Kings Temporal Courts, Judges, and High Court of Parliament: Nor of Biſhops voluntary Certificates, but where the King and his Courts commanded them to certifie by ſpecial Writs.

Placita An. 29 & 30 E. 1. in Turre Lond. Rot. 64 Midd.

In the Plea Rolls, or *Placita Term. Sancti* Michaelis *Anno viceſimo nono* Ed. *primi, incipiente triceſimo*, I found this Action and Declaration of the Earl of *Lancaſter* againſt the Archbiſhop of *Canterbury*, for ſuing him in Court Chriſtian for divers Caſtles, Mannors, Lands and Rents, and adjorning him upon an Appeal thereon into the Court at *Rome*, againſt the Kings Prohibition, Crown and Dignity, to his dammage of One Hundred Thouſand Pounds, in purſuance of the * *premiſed Writs.*

* See here, p. 902, 903.

RObertus *Archiepiſcopus* Cantuarienſis **attachiatus fuit** *ad reſpondendum* Thomæ *Comiti* Lancaſtriæ, *de placito*, **quare cum placita de laicis feodis in regno Regis, ad Coronam et dignitatem Regis ſpecialiter pertineant; Idem Archiepiſcopus ſimul cum Magiſtro** Roberto de Ros **Canonico Eccleſiæ Sancti** Pauli London. **et Magiſtro** Johanne de Bedeford **Archidiacono** London. **de caſtris, villis, maneriis, terris, pratis, paſcuis, nemoribus, et redditibus, ac aliis huiuſmodi feodis ipſius Comitis in regno Regis tenuerunt placitum in Curia Chriſtianitatis, in læſionem Coronæ et dignitatis ipſius Regis, et grave dampnum ipſius Comitis, et contra Prohibitionem, &c.** *Et unde idem Comes per attornatum ſuum queritur*, **quod prædictus Archiepiſcopus ſummonire fecit ipſum Comitem in Caſtro** Leyceſtriæ *per Archidiaconum* Leyceſtriæ, *& in Manerio de* Hegham *in Com.* Norht. *per Archidiaconum* Norht. *& in Caſtro de* Kenilleworth *in Com.* Warr. *per Officialem ejuſdem loci*, **quod eſſet coram ipſo Archiepiſcopo et prædicto Magiſtro** Roberto *&* Johanne **Commiſſariis ipſius Archiepiſcopi apud** London. **in Eccleſia Sancti** Pauli London. *in craſtino Sancti* Georgii *anno Regis nunc viceſimo nono*, **ad reſpondendum** Johanni de Ferariis **de laicis feodis, &c. ſcilicet, de Caſtro de** Tuttebiry, **Maneriis de** Barton, Rolleſton, **Villis de** Tatenhull *&* Marchynton, **terris, pratis, paſcuis, nemoribus et redditibus eorundem Maneriorum et Villarum in Com.** Staff. **et Maneriis de** Hegham Ferers, *&* Ruſſinden *in Comitatu* Norht. **Maneriis de** Duffeld *&* Beurepeyr *in Com.* Derb. **et Caſtro de** Lyverpoll, **Maneriis de** Weſtderby *&* Salford, **nemoribus de** Toxthad, Croxthad, *&* Simondeſwode *in Com.* Lancaſtriæ. **Et quod prædictus Archiepiſcopus per ſe, et prædictos Magiſtros** Robertum *&* Johannem **Commiſſarios ſuos, tenuit inde placitum in Eccleſia prædicta die et anno prædictis in Curia Chriſtianitatis, ad proſecutionem prædicti** Johannis de Ferariis. *Ac idem Comes poſtmodum die* Veneris *proxima ante feſtum Sancta* Trinitatis *eodem anno, per quendam* Richardum de Staunton *nuncium ipſius Comitis apud* Wechyndon *in Com.* Glouceſtriæ, **liberaſſet prædicto Archiepiſcopo Regiam Prohibitionem, ne prædictum placitum teneret, &c.** *in præſentia* Richardi de Crupys, Richardo de Staunton, *&* Nicholai *Clerici de* Kenilleworth, **prædictus Archiepiſcopus ſpreta Prohibitione Regis, nichilominus placitum tenuit per ſe et prædictos Commiſſarios ſuos in Eccleſia Sancti** Pauli **prædicta**, *die* Martis *proxima poſt feſtum Sancta* Trinitatis, *& die* Mercurii *proxima poſt feſtum Nativitatis Sancti* Johannis Baptiſtæ *proximè ſequentibus, in præſentia* Radulphi

Radulphi de Sandwico *cuſtodis Turris* London. & Eliæ Ruſſell *Majoris Civitatis* London. *& aliorum. Et clauſis oſtiis prædicta Eccleſia quendam Magiſtrum* Thomam de Teſhunte *Procuratorem ipſius Comitis ibidem eodem die Mercurii* detinuit, quousque quædam appellatio facta in eodem placito ex parte prædicti Johannis de Ferariis perlecta fuit, *et dies inde partibus per prædictum Archiepiſcopum & prædictos Commiſſarios ſuos præfixus* in Curia Romana, proximo die Juridico poſt feſtum Sancti Michaelis proximo ſequente, in læſionem Coronæ, &c. et contemptum Domini Regis, &c. et contra prohibitionem, &c. *Unde dicit*, quod deterioratus eſt et dampnum habet ad valentiam *Centum Mille Librarum. *Et inde producit ſectam.* * *Nota.*

Et Robertus *Archiepiſcopus per Attornatum ſuum venit & defendit vim & injuriam quando*, &c. *Et bene defendit*, quod ipſe nunquam tenuit placitum in Curia Chriſtianitatis de aliquibus Caſtris, Millis, Maneriis, terris, pratis, paſcuis, nemoribus, redditibus, nec aliquibus aliis laicis feodis contra prohibitionem, &c. *ſicut prædictus Comes* Lancaſtriæ *queritur*; *et de hoc ponit ſe ſuper patriam, et Comes* Lancaſtriæ *ſimiliter. Et quia prædictus Comes queritur, quod prædictus Archiepiſcopus per ſe & prædictos Commiſſarios ſuos tenuit prædictum placitum apud* London. *Præceptum eſt Vicecomiti* London. *quod venire faciat hic à die Sancti* Martini *in* 15 *dies* 12. &c. *per quos*, &c. *Et qui nec*, &c. *Quia tam*, &c.

An. 30 E. 1.

Robertus Archiepiſcopus Cantuarienſis in miſericordia pro pluribus defaltis, &c. as before. Ibidem dorſo.

Præceptum fuit Vicecomitibus London. *quod venire facerent hic ad hunc diem* 12. *tam Cives quam alios liberos & legales homines de Civitate* London. *quorum, &c. per quos, &c. et qui nec* Thomam *Comitem* Lancaſtriæ *nec* Robertum *Archiepiſcopum* Cantuar. *aliqua, &c. ad recognoſcendum, &c. ſi prædictus Archiepiſcopus per ſe & Magiſtrum* Robertum de Ros *Canonicum Eccleſiæ Sancti* Pauli London, *Magiſtrum* Johannem de Ford *Archid.* London. Commiſſarios ſuos, *die Martis prox. poſt feſtum Sanctæ* Trinitatis, *et die Veneris proxima poſt feſtum* Nativitatis *Sancti* Johannis Baptiſtæ, *Anno Domini Regis nunc viceſimo nono, in Eccleſia Sancti* Pauli London. tenuit placitum de catallis et debitis quæ non ſunt de Teſtamento vel Patrimonio, ad ſectam Johannis de Ferariis, videlicet de viginti milibus libris de exitibus *Caſtri do* Tuttebury, *Maneriorum de* Barton & Rolleſton, *Villarum de* Tatenhull & Marchynton *cum pertinentiis in Com.* Staff *& Manerii de* Hegham Ferers & Ruſſindon *in Com.* Norht. *Maneriorum de* Duffeld & Beurepyre *in Com.* Derb. *& Caſtri de* Lyverpol *& Maneriorum de* Weſtderby & Salford *in Com.* Lanc. contra prohibitionem, &c. *ſicut prædictus Comes dicit, vel non, &c? Et Vicecomes nichil inde fecit, ſed mandavit, quod breve adeò tardè, &c. Ideo ſicut aliàs præceptum eſt Vicecomiti, quod venire faceret hic in* Octabis *Sancti* Hillarii 12. *&c. per quos, &c. Et qui nec, &c. ad recognoſcendum in forma prædicta, &c. Quia tam, &c. et unde, &c.*

* Placita An. 29 & 30 E. 1. Lond. Rot. 136.

Præceptum fuit Vicecomitibus London. *quod venire facerent hic ad hunc diem* 12. *tam Cives, &c. de Civitate* London, *quorum, &c. per quos, &c. et qui nec* Thomam *Comitem* Lanc. *nec* Robertum *Archiepiſcopum* Cantuarienſem *aliqua, &c. ad recognoſcendum, &c. ſi prædictus Archiepiſcopus per ſe et Magiſtrum* Robertum de Ros *Canonicum Eccleſiæ Sancti* Pauli London, *eo Magiſtrum* Johannem de Bedeford *Archidiaconum* Londonienſem, Commiſſarios ſuos, *die Martis proxima poſt feſtum* Sanctæ Trinitatis, *& die Mercurii proxima poſt feſtum* Nativitatis *Sancti* Johannis Baptiſtæ *anno Regis nunc viceſimo nono, tenuit placitum in Eccleſia Sancti* Pauli London de Laicis feodis prædicti Comitis ad ſectam Johannis de Ferariis, *videlicet de Caſtro de* Tuttebury, *Maneriis de* Barton & Rolleſton, &c. as before in the Declaration. What Judgement or Verdict was given therein I finde not. Ibidem.

In the ſame Plea Roll, I finde this Declaration for another Plea held and proſecuted for Goods and Chattels in Court Chriſtian, againſt the Kings Prohibition.

Ricardus *Perſona Eccleſiæ de* Brayton-Beauchamp attachiatus fuit *ad reſpondendum* Domino Regi de placito, quare cum placita de catallis et debitis in regno Angliæ quæ non ſunt de Teſtamento vel Patrimonio, ad coronam et dignitatem Domini Regis ſpecialiter pertineant; *Idem* Ricardus (*ſicut ex relatu plurium accepit Rex*) ſecutus eſt placitum in Curia Chriſtianitatis de catallis et debitis Abbatis Sancti Nicholai Andegaviæ quæ non ſunt de Teſtamento vel Patrimonio, in læ-

Placita Anno 29 & 30 E 1. Buck. Rot 67.

*An.*30 E. 1. læsionem Coronæ et Dignitatis Regis, et contra prohibitionem Domini Regis, &c. Et unde Dominus Rex per Egidium de Kirkeby qui sequitur pro eo queritur, *quod cum prædictus* Ricardus *traxisset ipsum Abbatem in placitum in Curia Christianitatis coram Decano de Arcubus* London. *in Ecclesia beatæ* Mariæ de Arcubus, &c. *exigendo ab eodem Abbate sex quarteria frumenti et decem libras argenti*, quæ non sunt de Testamento vel Matrimonio, &c. *Et idem Abbas die* Lunæ *proximo post festum sancti* Thomæ *Apostoli, anno regni Regis nunc vicesimo nono apud* Drayton Beauchamp *in aula prædicti* Ricardi, *in præsencia* Thomæ le Provost *et* Simonis le Warner *prædicto* Ricardo Regiam Prohibitionem per Ricardum Neot *nuncium ipsius Abbatis liberasset*, ne idem Ricardus Persona Ecclesiæ prædictæ prædictum placitum in præfata Curia Christianitatis, contra prohibitionem Regis sequeretur: *ipse tamen, &c.* secutus est, &c. in contemptum Domini Regis centum librarum, &c.

Et Ricardus *persona*, &c. *venit et defendit vim et injuriam*, &c. *Et benè defendit, quod ipse nunquam secutus fuit prædictum placitum in Curia Christianitatis* contra prohibitionem Domini Regis, &c. *Et de hoc ponit se super patriam*, &c. *Ideo præceptum est Vicecomiti quod venire faciat hic à die Sancti* Hillarii *in* 15 *dies* 12. &c. *per quos* &c. *Quia tam*, &c.

I shall conclude this Year and Chapter, with the memorable high publike contests which happened between King *Philip* of *France*, and Pope *Boniface* the 8. evidencing his Antichristian usurpations, arrogance, pride, insolency, treachery, tyranny, both by his Speeches, Letters, Nuncioes, actions, censures; thus briefly expressed by *Matthew Westminster* our Monkish Historian, [a] *Hoc Anno* (1301) *orta est* dissentionis materia inter Papam et Regem Franciæ, utroque confidente de sua potentia magna; *ità ut* Dominus Papa *diceret* Nuncio Regis Francorum, Petro de Flote; Nos habemus utrumque potestatem. *Et ille pro Domino suo respondit*; Utique Domine; Sed vestra est verbalis, nostra realis. Et in tantum exarduit ira Domini Papæ, *ut diceret*, movere se velle contra eum cœlum et terram. What the real cause of this deadly feud between them was, and how violently prosecuted by both parties, *Walsingham*, and *other Historians* thus relate; [b] *Hoc tempore*, &c. (Anno 1302) Apamensis *Episcopus* de conspiratione contra Regem Franciæ accusatus, et ad Regis vocatus Curiam, in custodia detinetur. *Mense verò* Februario ad mandatum Domini Papæ liberatus, jubetur, una cum Nuncio Domini Papæ regnum evacuare infra certum terminum a Rege præfixum. Papa talibus nobis exasperatus (who would suffer no trayterous Bishop or Nuncio to be imprisoned or banished by his Soveraign for Treason or conspiracies against him) omnes gratias a se vel suis prædecessoribus concessas Francorum Regibus revocavit, et in eundem Regem cito post Excommunicationis sententiam fulminavit. Quam tamen Regi nemo ausus est nunciare, vel in regno Franciæ publicare. Fecit etiam citari Prælatos omnes de regno Franciæ, necnon et omnes Magistros in Theologia et in Jure, tam Canonico, quam Civili, ut coram eo Romæ in Calendis Novembris comparerent. Rex vero Franciæ publico prohibuit edicto, Ne quis aurum vel argentum, seu merces quascunque asportarent de regno suo, sub fortisfactione omnium bonorum, adjuncta nihilominus pœna gravi: fecit etiam exitus et introitus utrique diligentissime custodiri: to hinder all exportation of gold, silver, other Commodities or Letters to the Pope and Court of *Rome*, or import any Bulls of Excommunication or Interdict from thence. **Platina*, the *Century Writers*, *John de Serres*, and others story, That Pope *Boniface* sent *Stephen* Bishop of *Apamiers* in the County of *Foix*, within the Archbishoprick of *Tholouse*, (where he erected this new Bishoprick, and made *Stephen* Bishop thereof without the King of *France* his privity or consent) as his *Nuncio* to *Philip* King of *France*, (then involved in wars with the *Flemings*, who had newly given him a great overthrow) with a Bull, whereby he not only exhorted, but commanded him *proudly* and *imperiously* to succour the *Tartar* and *Christians* in the *Holy Land*, under pain of Excommunication: This Bishop coming to *Philip* with the Popes Bull, the King mildly represented to him the greatness and state of his affairs at home, which disabled him to obey the Popes commands; whereupon the Bishop with a bold face, *cum adhortando nihil efficeret*, minas addidit, *threatning*, That if the King would not obey the Pope, he would deprive him of his Realm. The *subject*, the *manner*, and the *person* (thus advanced against his will) did so move and

[a] Flores Hist. An. 1301, p 417. See Joan. Balæus Script. Brit. Cent. 4 p. 358.

[b] Hist. Anglix, p. 48.

* See Platina, Crespin & Barus in Bonifacio 8. Cent. Magd. 13 c. 10. col. 1016, 1017. John de Serres, and Grimstons Gen. Hist. of France, p. 135, 136.

and exaſperate *Philip* (grieved and diſturbed with his *late loſſe* and *overthrow* by the *Flemings*, as if the Pope would inſult over him for this his *unfortunate ſucceſſe*) for this diſloyal menace and affront, et quod ingenuæ puellæ per vim turpia intulerat Legatus (ſuch was his vowed Epiſcopal chaſtity) hominem petulantem, ita uti dignus erat, in vincula conjecit. Bonifacius *factus ea de re certior* (thereupon tranſported with choler) *protinus* Petrum Narbonenſem *Archidiaconum eo mittit, qui publicè omnibus audientibus mandaret*, ut quampzimum ipſum dimitteret, interminata pœna, niſi dicto obediret Franciæ regnum ad Romanam ſedem devolvendum: itemque ut ſubditos ipſius ab obedientia abſolveret, et diris ipſum devoveret. The *Chronicle of St. Denys* written in that age, [a] *Laurentius Bochellus*, and [b] *others* ſuperadde, *Au mois de* Fevrier *l'an* 1301. *l'Archeveſque de* Narbonne, *envoye par le* Pape Boniface, *vint en* France *de par iceluy Pape, denunceant au Roy de* France, qui et luy rendeſt l'Eveſque de Pamiers en ſa gard detenue (for ſeditious practiſes, ſpeeches and defamations uttered by him againſt the King in many places:) *Et il luy monſtre les* Lettres eſquelles le Pape mandoit au Roy de France, qu'il vouloit qu'il ſceuſt luy tant es tempozelles choſes, come es ſpirituelles eſtre ſoubſmis en la diticn du Pape de Rome, et enſement mandoit au Roy, ſi come eſdites Lettres eſtoit contenu: que des Eſgliſes deſozmais en avant, ne des pzebendes vaquans en ſon Royaume (jacoit ce qu'il euſt le garde d'eux) les fruicts, pzofites, ou le rentes a luy ne pzeſentiſt, nene pzeſumaſt detenir, et tout ce gardaſt au ſucceſſour des mozts. Et avec ce rappeloit icelup Pape de Rome toutes les faveurs, graces, indulgences leſquelles pour l'ayde du Royaume de France ou au Roy avoit octrope pour la raiſon de la guerre. *En devoyant le quel, aucune collation de prebendes ou de benefices*, n'entrepziſt a luy uſurper, purſuiver ne detenir; la quelle choſe ſi deſozmais le faiſoit, le Pape le tenoit pour vain, et pour faux, Et tenoit len et diſoit, que tous ceux qui ſe conſentans ſeropent, il les reputoit pur heretiques. Mira hominis impudentia fuit (*ait Meſſire* Jean du Tillet, *Eveſque de* Meaux, *en ſon abbrege bref del Cronique*) qui Regnum Galliæ Pontificiæ Majeſtati beneficium aſſerere auſus eſt. Verum multo ſolidiozes eſſe puto qui diſceptant, an tantum liceat Pontifici. *La teneur de Lettres de ſa Sainctite ſe trouue encores a preſent telle.*

An. 30 *E.* 1.

a Decret. Eccleſ. Gallicane, l. 2. Tit. 16. Reges Franciæ & ejus Officiales excommunicationi & interdicto non ſubjacere, c. 2. p. 321.

b John de Serres & Edward Grimſton in the General Hiſtory of France, p. 135, 136. Cent. Magd. 13. cap. 9. col. 969, 970. Joh. Balæus Script. Brit. Cent. 4. c. 76. appendix, p. 358. Chriſtianus Maſſæus in Chronic. An. 1301.

BONIFACIUS Epiſcopus, Servus ſervorum Dei, *Philippo Francorum* Regi. Deum time, et mandata ejus obſerva. Scire te volumus, quod in ſpiritualibus et tempozalibus nobis ſubes, Beneficiozum et pzæbendarum ad te collatio nulla ſpectat: et ſi aliquozum vacantium cuſtodiam habeas, fructus eozum ſucceſſozibus reſerves. Et ſi quæ contuliſti, collationes tales irritas decernimus, et quantum de facto pzoceſſerunt revocamus. Aliud credentes hæreticos reputamus.

King *Philip* was ſo highly diſpleaſed with theſe inſolent Letters, that as *Giovan Villani* a Citizen of *Florence* then living, and ſundry others ſtory, per diſpetto le gitto in ſul fuoco et arſelle. *Ou bien comme dit le Continuateur de L'archeveſque de* Coſenza, fuerunt in Regis palatio cozam pluribus concrematæ, et ſine honoze remiſſi nuncii, qui pozarant eas; *auſquells encore le Roy delivra reſponſe de ceſte teneur.*

'PHILIPPUS Dei gratia *Francorum* Rex, *Bonifacio* ſe gerenti pro Summo Pontifice, ſalutem modicam, ſeu nullam. Sciat maxima tua fatuitas in tempozalibus nos alicui non ſubeſſe. Eccleſiarum et Pzæbendarum collationem, ad nos jure Regio pertinere, et fructus earum vacatione durante noſtros facere. Collationes a nobis hactenus factas, et in poſterum faciendas, foze validas; et illarum vigoze, poſſeſſozes contra omnes viriliter nos tueri. Secus autem credentes, fatuos et dementes reputamus. Dat. &c.

c See Pierre de Pitheu, Preuves des Libertez de l'Egliſe Gallicane, ch. 7. p. 237. Mr. Fox his Acts & Monuments Vol. 1. p. 448, 449.

Hereupon this inſolent Antichriſtian *Pope* was ſo highly incenſed againſt King *Philip of France*, *in a ſeaſon when he thought him to be drawn dry both of men and monyes by his warr with* Flanders, (*which had waſted about three hundred thouſand* Frenchmen *and infinite Treaſures in leſſe then eleven years*) ſolemnly excommunicated Philip in a General Council, *with Saints Reliques and the Croſſe*, & accurſed him to the fourth generation, *for prohibiting any moneyes to be carryed to him out of* France; *and to de-*

priue

An. 30 E. 1. *privé him of his Crown and kingdom by armed force, he confirmed* Albert, *elected and crowned K. of the* Romans (*whose election he had not long before oft rejected, because made without his privity*) *and proclaimed him Emperor, upon this condition,* That he should seise upon the Realm of France, which he gave unto him (together with the [a] Title and Arms thereof) by his Papal authority. Francorum *regnum propter violatum jus gentium* Alberto *Imperatori* subjecit, et titulum Imperii Romani *prius multotiens denegatum* concessit, ut Rex quoque Francorum pateretur : *Quod cum* Albertus *consensisset*, Pontifex una eademque celebritate, hinc Philippum Franciæ regno privatum, inde Albertum Romano et illo ornatum pronunciabit ; as [b] *Hermannus Schedel*, and *others* story : Yea [c] *Thomas Walsingham* and *H. Knyghton* inform us, *Eodem tempore Papa* Bonifacius per literas suas Regem Anglorum interpellavit, ut Regi Francorum guerram commoveret, (against all his own former Letters, Treaties, Bulls, Legacies, Awards, to settle a perpetual Peace between them, and contrary to the League, Peace they had newly made, and ratified by their respective Oathes) ad quod faciendum ingens subsidium pollicetur ; Sed Rex Angliæ cum alias Domini Papæ erga se affectum expertum infidum, rem difficult, si possibile fuit recuperare per viam aliam sua, malens.

King *Philip* hereupon, to countermine the Plots of Pope *Boniface* who had thus insolently excommunicated, deposed, and given away his kingdom ; (in imitation of King *Edward* the 1.) [d] Franciæ Archiepiscopos, Prælatos, Decretistas, Theologos et Magistros, et omnes Barones, Milites, et Magistri regni Franciæ Parisius coegit. Quibus considentibus, Pontificem ipsum, schismaticum, hæreticum et sedis invasorem nominans, et homicidam, ad futurum Concilium adversus illum appellabit, quandoquidem sedem illam tunc vacare diceret, quod fraude et dolis eam occupasset. *Per* Arelatensem *quoque Archiepiscopum de his capitibus* Romanum *Pontificem incusat.* 1. Quod sit Simoniacus. 2. Quod dicat se non posse committere Simoniam. 3. Quod homicida sit. 4. Quod usurarius, idque esse manifestissimum. 5. Quod non adhibeat fidem conficientibus Eucharistiam. 6. Quod anima sit mortalis, et quod aliud gaudium non sit, quam in hac vita. 7. Quod sit revelator confessionum. *Nam coegit quendam Cardinalem ut Confessionem à quodam* Hispaniæ *Episcopo sibi factam revelaret : quæ cognita, Episcopum loco movit* ; sed post pecunia placatus Papa, eundem restituit. 8. Quod habeat duas Neptas concubinas, et ex utraque filios progenuerit. O fœcundum patrem ! 9. Quod Regi Angliæ concesserit omnes Decimas de Ecclesiasticis bonis, in subsidium belli contra Franciam. 10. Quod stipendio allexerit Saracenos ad invadendam Siciliam. After which he caused them all to renue their Oathes of Fealty to him ; and to compile, send these 2. memorable Epistles, the one to Pope *Boniface* by the Prelates and Ecclesiastical persons ; the other to the *Cardinals* by all the Nobles and Commonalty of the whole Realm of *France*, (in imitation of our *English* Barons Epistles to him in the Parliament of *Lincolne*) against this Innovation, and his Papal Provisions of Bishopricks and Benefices in *France* to aliens, with other grievances ; which I shall here insert, as pertinent to my History.

a Marc de Vulfan, de la Puissance de Pape, & des Libertes de l'Eglise Gallicane, l. 3. c. 20. n. 5, 6.

b Chronicar. Sexta Ætas, f. 246. Naucle-rus, Vol 2. gen. 44.

c Hist. Angl. p. 55, 56. & Ypodigma Neustriæ, p. 95. H. de Knyghton, de Event. Angl. l. 3 c. 13. col. 2520.

d Chronicon Martini, Nauclerus vol 2. gen 44. Balæus Cent Scriptor. Brit l 4. c 67. p. 358. Cent. Magd 13 c. 9. col 969, 970. General Hist. of France, p. 155. Bochellus Decret. Eccles Gallicane, l. 2. Tit. 16 p. 321, 322. Albertus Argentinensis in Chronico. Albert. Crantzius Saxoniæ, l. 8. c. 37. Philippus Mornay Hist Papatus, p 424. 425. Giovan. Villani Annales.

[c] *Litera missa Papæ* Bonifacio *ab Ecclesiasticis totius regni* Franciæ, *super eo, quod ipse scripserat Regi*, quod nedum in spiritualibus, sed etiam in temporalibus sibi suberat.

e Ex Veteri MS. Bibl. S. Victoris. Registre du threser des Chartres, coste B. 23. f. 243. Bzovius Hist. Ecclesiastica, p 34. Ex Bibliotheca Vaticana, Pierre de Pithou, Les Libertez de l'Eglise Gallicane, c 7. nu. 14. p. 237, &c to 251.

SAnctissimo Patri ac Domino suo charissimo, Domino *Bonifacio* divina Providentia Sacrosanctæ *Romanæ* ac universalis Ecclesiæ Summo Pontifici, sui humiles & devoti, Archiepiscopi, Episcopi, Abbates, Priores Conventuales, Decani, Præpositi, Capitula, Conventus atque Collegia Ecclesiarum Cathedralium, Collegiatarum, Regularium et Secularium totius Regni Franciæ Parisius congregati, Devota pedum oscula beatorum. Non absque cordium dolore, & amaritudine lachrymarum, Beatitudini vestræ significare compellimur, quia Serenissimus Princeps Dominus noster Christianissimus *Philippus* Dei gratia *Francorum* Rex illustris, auditis quæ per venerabilem virum Archidiaconum *Narbonensem*, Notarium et Nuncium vestrum, nuper sibi ex parte vestra relata fuerunt, ac inspectis Apostolicis literis clausis, ei per eundem Archidiaconum præsentatis, & quibusdam licet paucis, Baronibus suis, tunc sibi assistentibus, eorum communicato tenore ; ex his, tam

Dominus

Dominus Rex, quam Barones ipſi, ingenti admiratione, et vehementi turbatione commoti, ſtatim idem Dominus Rex de Baronum ipſorum conſilio, Barones cæteros tunc abſentes, ac nos, videlicet Archiepiepiſcopos et Epiſcopos, Abbates, Priores Conventuales, Decanos, Præpoſitos, Capitula, Conventus, atque Collegia Eccleſiarum, tam Cathedralium, quam Collegiatarum, Regularium, ac Secularium, necnon Univerſitates et Communitates villarum regni, ad ſuam mandavit præſentiam evocari, ut Prælati, Barones, Decani, Præpoſiti, ac duo de peritioribus unuſcujuſque Cathedralis vel Collegiatæ Eccleſiæ, perſonaliter, cæteri vero, per Oeconomos, Syndicos, et Procuratores idoneos, cum plenis et ſufficientibus mandatis comparere ſtatuto loco et termino curaremus. Porro nobis cæteriſque perſonis Eccleſiaſticis ſupradictis, necnon et Baronibus, Oeconomis, Syndicis, et Procuratoribus Communitatum, et villarum, et aliis, ſic vocatis, ex præmiſſæ vocationis forma, ad mandatum Regium hac die Martis 10. præſentis Menſis *Aprilis*, in Eccleſiæ beatæ *Mariæ Pariſius* in præfati Regis præſentia conſtitutis, idem Dominus proponi fecit, cunctis audientibus palàm & publicè, ſibi ex parte veſtra fuiſſe inter alia per prædictum Archidiaconum & literas intimatum, quod de Regno ſuo, quòd a Deo ſolo, ipſe et prædeceſſores ſui tenere hactenus recognoſcunt, temporaliter vobis ſubeſſe, illudque a vobis tenere deberet; nec contenti verbis hujuſmodi, ſic mirabilibus, ſicque novis et inauditis a ſæculo, apud incolas dicti Regni, ſedem tradere ſatagentes executionis in actum, Prælatos omnes ſui Regni ac Magiſtros in Theologia et profeſſores utriuſque juris oriundo de Regno prædicto, pro corrigendis exceſſibus, necnon et pro culpis, inſolentiis, injuriis, atque damnis, quæ Prælatis, Eccleſiis, et perſonis Eccleſiaſticis, Regularibus, et Sæcularibus in regno conſtitutis eodem, et alibi, per ipſum Dominum Regem et Officiarios, ſeu Ballivos ſuos, ac etiam a Paribus, Comitibus, Baronibus, aliiſque Nobilibus, Univerſitatibus, et populo ſui regni, inferri prætenditis, emendandum, ad veſtram præſentiam evocaſtis, ut ſic regnum præfatum præciosis jocalibus, incomparabilibuſque Theſauris, clypeis foriis præferendis, ſapientia videlicet Prælatorum, et ſapientium etiam aliorum, quorum fidelis maturitate conſilii, et providentia circumſpecta, regi habet et dirigi regnum ipſum, firmari fides, Sacramenta Eccleſiaſtica exhiberi, et miniſtrari juſtitia, et per eos facultatibus et divitiis vacuatum penitus et exhauſtum, dubii caſus eventus, miſerabilis ruinæ periculis, et deſolationis extremæ diſpendiis exponatur; in quibus, et aliis diverſis gravaminibus, quæ per vos, et Romanam Eccleſiam, ſibi, regno, et Eccleſiæ Gallicanæ, tam in reſervationibus, quam ordinationibus voluntariis Archiepiſcopatuum, Epiſcopatuum, et collationibus beneficiorum inſignium dicti Regni perſonis extraneis, et ignotis, et nonnunquam ſuſpectis, nullo tempore reſidentitus in Eccleſiis vel Beneficiis ſupradictis, ex quibus divini cultus diminutio ſequitur, piæ fundantium ſeu donantium voluntates propulſo pietatis officio defraudantur, pauperibus dicti Regni elemoſinarum largitio conſueta ſubtrahitur Regni depauperatio provenit, et Eccleſiæ jacturam deformationis incurrunt, dum ſtipendiorum perceptione ſubtracta, obſequiis deſtitutæ remanent ſervitorum, earum provenibus extraneorum commoditatibus deputatis: et Prælati, dum non habent quod pro meritis tribuant, immo retribuant, Nobilibus, quorum Progenitores Eccleſias fundaverunt, et aliis literatis perſonis, non inveniunt Servitores, ac hujuſmodi ex cauſis devotione tepeſcente fidelium, non eſt hodie qui ad Eccleſias manum liberalitatis extendat, ut alias ex præmiſſis edictis præbetur exemplum, necnon penſionibus nobis] et cenſibus Eccleſiis de novo impoſitis, immoderatis ſervitiis, aliiſque exactionibus et extorſionibus variis, præjudicialibus ſignis, et damnoſis novitatibus, ex quibus generalis ſtatus Eccleſiæ immutatur, Prælatis ſuperioribus dandi coadjutores ſuffraganeis Epiſcopis, et alias tam ipſis quam Suffraganeis, ea quæ ad ſuum ſpectat officium, exequendi facultas adimitur, ut pro his ad Apoſtolicam Sedem cum nummis recurratur, aliiſque diverſis caſibus, et nonnullis articulis, a longe retro lapſis, et veſtris præſertim temporibus, illatæ fuiſſe, et continue inferri conqueritur, ſuam et ſucceſſorum ſuorum, et Regni exhæredationem tam enormem et gravem, tamque manifeſtum ſui et Regni honoris diſpendium, et evidens detrimentum non intendens, ſicut non poterat, diutius tolerare: et ſe certum aſſerens, quod ſuperiorem in temporalibus, ſicut nec ſui Progenitores habuerunt, prout eſt toti mundo notorium, non habebat; ac ſanioræ in præſente negotio, ſicut Doctorum in Theologia et Magiſtrorum

An. 30 *E.* I.

An. 30 *E.* 1. giſtrorum in utroque Jure, de regno ſuo oriundorum, et aliorum, qui inter Doctores alias et peritos orbis peritiores et famoſiores habentur, relatione concordi, habuerat juſtam cauſam. Nos univerſos et ſingulos, tam Prælatos, quam Barones et alios requiſivit inſtantius, præcepit ut Dominus, et rogavit ac precibus inſtitit ut amicus, ut cum ad conſervationem libertatis antiquæ, honorum, et ſtatus Regni prædicti, ac incolarum ipſius, et relevationem gravaminum prædictorum, reformationem Regni, et Eccleſiæ Gallicanæ, de noſtro et Baronum ipſorum conſilio, ad laudem Divini nominis, exaltationem Catholicæ fidei, honorem univerſalis Eccleſiæ, et divini Cultus augmentum ſalutaria diſponat inire conſilia, et efficacem operam adhibere, præſertim circa gravamina per Officiales ſuos, et alios de Regno prædicto, ſi qua ſunt Eccleſiis et Eccleſiaſticis perſonis illata, ſuper quibus debitæ correctionis remedium, ante adventum præfati Archidiaconi, ordinaverat adhibere, quod jam duriſſet in executionis effectum, niſi quod id ex metu, vel ad mandatum veſtrum feciſſe forſan aliquibus videretur, id quod vobis aſcribere non poſſetis: ad hæc non ſolum omnia, quæ in bonis forent ipſius, ſed et etiam perſonam et liberos, ſi caſus exigeret, exponendo ſibi in his, in quibus ſingulariter omnium, et generaliter ſingulorum res agi dignoſcitur, cauſa prohibitur, et propium uniuſcujuſque tangitur intereſſe, prout ex debito fidelitatis aſtringimur, curaremus adeſſe conſiliis et auxiliis oppportunis, petens ſibi ſtatim ſuper his ab univerſis et ſingulis præciſe et finaliter reſponderi. Barones ſimul cum Syndicis, & Procuratoribus ſupradictis, ſecedentes in partem, et demum deliberato conſilio redeuntes, præfato Domino Regi, de hujuſmodi ſuo laudabili propoſito et beneplacita voluntate, ad multa laudum præconia, et gratiarum actiones exuberes aſſurgentes, unanimiter reſponderunt, ſe ad ea paratos, nedum exponere res et bona quæ extant, ſed ad hæc totaliter offerebant ſe et ſuas perſonas, uſque ad mortis ſupplicium, tormentorum quorumlibet gravamina non dubitando; adjicientes expreſſius viva voce; Quod ſi præfatus Dominus Rex præmiſſa, quod abſit, eligeret tolerare, vel ſub diſſimulatione tranſire, *ea ipſi nullatenus ſuſtinerent. Itaque à nobis ſubſequenter reſponſione petita, licet longioris deliberationis inducias poſtulantes, ipſum Dominum Regem et majores et Baronibus memoratis, quod non ea intentione ad eundem Dominum Regem Apoſtolicæ literæ proceſſiſſent, ut veſtræ voluntatis exiſteret in Regni prædicti libertatem impingere, vel quicquam honori Regio contrarium in hac parte quomodolibet innovare, (multa lenitate verborum, perſuaſionibus ſtudioſis, et multiplicatis excuſationum præſidiis) niſi fuimus inſormare, ac ipſum ad ſervandum vinculum unionis, quod inter ſanctam Romanam Eccleſiam et prædeceſſores ſuos, et ipſum, uſque ad hæc tempora viguiſſe dinoſcitur, multiplici inductione: ulteriori tamen dilatione negata, ac prædicto patenter et publice univerſis, quod ſi quis voluntatis contrariæ appareret, extunc pro inimico Regis et Regni notorie habebatur, conſultius attendentes, et conſpicientes apertius, quod niſi Dominus Rex et Barones prædicti ex noſtra forent reſponſione contenti, præter alia pericula et gravia ſcandala, quorum non eſſet numerum, neque finis tam Romanæ quam Gallicanæ Eccleſiæ devotio, et obedientia omnimoda laicorum, et totius populi, quæ extunc irrecuperabiliter tollebatur, non niſi multæ perplexitatis angustia, ſic duximus reſpondendum; Quod ipſi Domino noſtro Regi in conſervatione perſonæ ſuæ, ſuorumque, et honorum, ac libertatis et Jurium dicti Regni, prout quidam noſtrum, qui Ducatus, Comitatus, Baronias, Feoda, et alia membra Nobilia dicti Regni tenemus, ex forma Juramenti, et cæteri, qui omnes debito ſibi ſumus fidelitatis aſtricti, adeſſemus eidem debitis conſiliis, et auxiliis oppportunis; Eidem Domino noſtro Regi humiliter ſupplicantes, ut cum Apoſtolicæ Sanctitati ad obedientiam teneamur, ad beatitudinis veſtræ pedes, juxta præmiſſæ vocationis veſtræ tenorem, permitteret nos perferre. Ex parte cujus, & Baronum eſt ſecuta reſponſio: Quod nos nullo modo abire permitterent: Regnum ſic periculoſe, ſic deformiter, ſic irrecuperabiliter vacuari, quin potius exhauriri totaliter nullatenus ſuſtinerent. Conſiderantes igitur tam vehementem commotionem, et turbationem tam periculoſam et gravem, immo gravioſſimam, Regis, Baronum, et aliorum Laicorum Regni prædicti, et jam cognoſcentes apertius, quod antiquus hoſtis, pacis æmulus, zizaniæque ſatoris, quia ſuæ Ruinæ principio conatur, ut Eccleſiæ unitatem pacis turbatione reſcindat, charitatem vulneret, Sanctorum dulcedinem operum invidiæ veneno fellis inficiat, humanumque genus ebertat modis omnibus et perturbet,

faciente

Nota.

Nota.

* Like our Engliſh Barons before them, p. 893.

faciente nequitia, amabilis fœderis unitatis, et amicitiæ ſingularis, quæ inter ſæpedictam Romanam Eccleſiam, ac præfatum Dominum noſtrum Regem, ac prædeceſſores ejus, et Regnum, ad laudem Altiſſimi in fidei Chriſtianæ profectum, et tam Eccleſiæ, quam Regis et Regni exaltationis monimenta fœlicia, hactenus viguerunt, diſſolutioni et ſeparationi lugubri et flebili, (proh dolor!) porta patet, et inſurgunt undique fremientia ſcandala, excreſcunt angustiæ, Eccleſiis Eccleſiaſticiſque perſonis expoſitionis, ac rerum et bonorum direptionis pericula intentantur, cum jam abhorreant laici, et prorſus effugiant conſortia Clericorum, eos a ſuis omnino conſiliis et allocutionibus abdicando, ac ſi contra eos proditoriæ factionis conſcii, vel participes extitiſſent, et ad contemnendam Eccleſiaſticam cenſuram, et proceſſus ſi quavis auctoritate forſan fierent contra eos, jam ſe parant et muniunt, in grave periculum animarum, et alia varia et diverſa pericula, quæ nec lingua referre ſufficeret, nec poſſet ſcriptura diſſerere. Hinc in promptu ad Sanctitatis veſtræ providentiam circumſpectam in hoc ſummæ neceſſitatis articulo durimus recurrendum, flebilibus vocibus, et lachrimoſis ſingultibus, paternam clementiam implorantes, ac ſupplicantes humiliter, quod ſalubre remedium in præmiſſis, per quod forma tam longi decurſu temporis inter Eccleſiam, Regem, et Regnum fructuoſæ unionis, et mutuæ dilectionis integritas, in ant qua caritatis dulcedine conſervetur, ſtatus Eccleſiæ Gallicanæ in pulchritudine pacis et quietis optatæ remaneat; proſpiciatur nobis, noſtriſque ſtatibus, revocando veſtræ vocationis Edictum, ac prædictis periculis et ſcandalis obvietur, Apoſtolicæ providentiæ ſtudio, ac paternæ officio pietatis, dignemini providere. Conſervet Altiſſimus B. V. Eccleſiæ ſuæ ſanctæ per tempora longiora. Datum *Pariſiis* die *Martis* prædicta. *An.* 30 *E.* 1.

The Nobles of *France* likewiſe ſent this following Epiſtle to all the Colledge of Cardinals.

Lettre envoyie par tous les Barons de Royaume de France *au College des Cardinaux, quant le Roy appella contre* Boniface *Pape.*

Pierre de Pithou Preuves des Libertez de l'Egliſe Gallicane, c. 7. ſect. 15. p. 240, 241.

A Honorables peres lors chiers & anciens amis, tout le Colliege, & a chacun des Cardinaux de la Saincte Egliſe de *Rome*, li Duc, li Comte, li Baron, & li Noble, tuit du Roialme de *France*, ſalut, & continuel encreiſſement de charite, d'amour, & de toutes bonnes adventures a leur deſir. Seignours, vous eſpeciaulement ſcavez & chacun qui a ſain entendement, comment l'Egliſe de *Rome*, & li Royaume de *France*, li Rois, li Baron, li Clergie, & li peuples d'iceluy Royaume, ont d'ancienneté & continuellement de conſtume eſté conioints enſemble par ferme & uraye amour, & charite, & les grans miſeres, les peins, & les travaux que nos anteceſſours, & li pluſeours de nous & des noſtres, ont ſouffert, ſouffrent & ſouffreront tous jours en l'honneur de celuy qui pour nous ſouffrit paſſion & mort, pour ſouſtenir & eſſaucier la loy, & la foy Chreſtienne, & Sainte Egliſe, pour laquelle pluſieurs d'eux ont maintes fois ſouffert moult de griefues peines & travaux, & eſtes pris & naures a mort, & les grans cures que la divine Egliſe a miſes pour le bon eſtat du Royaume. Et pour ce que trop griefue choſe ſeroit a nous, ſe celle uraye unite qui ſi longuement a dure entre nous, ſe demenuiſoit & defailloit maintenant par la male voulente & par lennemitie longuement nourrie ſoubs l'ombre de amitie, & par les torcionnieres & deſrenables entrepriſes de celuy, qui en preſent eſt ou ſiege du gouvernement de l'Egliſe, nous vous certifions par la tenour de ces lettres aucunes mauvaiſes & outrageuſes nouvelletez, que il a de nouvel entrepriſes a faire a noſtre treſchier & redoute Seignour *Phelippe* par la grace de Dieu Roy de *France*, & a tout le Royaume; les quelles noſtre Sire li Roy fit expoſer entendiblement par devant nous, & tous les Prelats, les Abbez, & les Priours, les Doyens, les Provoſts, les Procureurs des Chapitres, & des Convents, des Colleges, des Univerſitez, & des Comunautes des Villes de ſon Royaume, preſens devant luy, pur les quiells ſe ils par ſa deſordenee volente eſtoient pourſuivies, l'unitez & l'amitie devant dites, ſe deferoient & deſioinderoient entre la dite Egliſe, & le Roy, & le Royaume, & nous; **car nous, ne le purrions, nene vourrions ſouffrir en nulle maniere, pour peine, perte, ne meſchief que ſouffrir en deuſſiens, en perſonnes, en enfans, en heritages, ne en autres biens.** Premiers

An. 30 E. 1. miers entre les autres choſes que au dit Roy noſtre Sire furent envoyees par meſſages, & par lettres, il eſt contenu, que du Royaume de *France*, que noſtre Sire li Roy, et li habitans du Royaume, ont touſiours dit eſtre ſoubget en temporalite de Dieu tant ſeulement, ſi comme c'eſt choſe notoire a tout le monde, il en duroit eſtre ſubiet a luy temporellement, et ne luy le devoit et doit tenir, et plus que il encores avec ce a fait appeller les Prelats, les Docteurs en Divinite, les Maiſtres en Canon et en Loys du dit Royaume de *France*, pur amander et corriger les exces, les griefs, les oppreſſions, et les dammages, que il dit par ſa volente, eſtre faits par noſtre Sire li Roy, par ſes Miniſtres, et par ſes Bailliffs, as Prelats, as Egliſes, as perſonnes des Egliſes, a nous, aux Univerſitez, et au peuple du dit Royaume, jacoit ce que nous ne les Univerſitez, ne li peuples du dit Royaume, ne requirons, nene voulions avoir, ne correction, ne amende ſur les choſes devantdites par luy ne par l'authorite, ne par ſon pouvoir, ne par autre, fors que par le dit noſtre Sire le Roy; et ſa avoit pourveu li Roy noſtre Sire, a mettre remede a griefs, ſ'aucun en y euſt, mais pour ce a retarde, puis que ces nouvelles ſont venues a luy; que il ne veult mye que il apere, que il la face par cremeur, ou par commandement, ou par correction de luy, ou d'autruy. Par la quelle convocation ainſi faite, li Royaumes remonrroit en grand gerit et en grand deconfort, ſe il ſe vuidoit de ſi precieux ſopaux et threſors, auſquels nuls ſe comperent, et que lendeit mettre avant toutes forces, et avant toutes armes, c'eſt a ſcavoir, le ſens des Prelats et des autres ſaiges, par qui conſeil, par qui ſens, et par qui pourveance le gouvernement du Royaume eſt adreciez et maintenus, la foy eſt tenue et eſſanciee en fermete, li Sacremens de Saincte Egliſe ſont ameniſtrez, et tenus, et juſtice faite et gardee en celuy Royaume, pour leſquieux choſes, et pour autres, les quelles trop longs choſe ſeroit a eſcrire. Et pour ce eſpecialment, que cil qui a preſent ſiet ou ſiege du gouvernement de l'Egliſe, a fait et fait encores chacun jour par ces ordenances de volente, les confirmations, et les collations des Archeveſques, et des Eveſques, et des autres nobles Benefices du Royaume devantdit, et y a miſes par grandes quantitez et ſommes d'argent, par quoy il les a grevees et chargees, ſi que il convient, que li menus peuples, qui leur eſt ſoubgez, ſoient grevez et ranconnez; car autrement ne purroient paier les exactions, qui leur a faites per perſonnes mecogneues, et aucunes ſouſpeconneuſes, et telles, et pluſieurs, ſi comme enfans et pluſieurs autres, qui de nul Benefice d'Egliſe tenir ne ſont dignes, et qui nulle reſidence ne font es Egliſes ou ils ont Benefices, ne ja n'y entrerent; et ainſi les Egliſes ſont defraudees de leur ſerbices, et les volentez de ceur qui les Egliſes fonderent, ſont anienties, par quoy les aumoſnes ſont laiſſees, pitie arriere miſe, et les bien faits ſubſtraits qui aux Egliſes ſouloient eſtre faits, et les Egliſes en ſont ſi abaiſſiees et decheues, que a peine y a nuls qui les deſcrbent, ne li Prelats ne poent donner leurs Benefices aux nobles Clercs, et autres bien nez et bien nettrez de leurs Dioceſes, de qui anteceſſours les Egliſes ſont fondees; par quoy maluois exemple eſt donnez communement a tout le peuple, et pour les penſions nouvelles et les ſerbices outragious et deſacoutumes, et les exactions et extortions diverſes, et les dommageuſes nouvelletez, li generaux eſtats de l'Egliſe du tout mucz et oſtez a ſouverains Prelats, li poures de faire ce qui a eux de leur office appertient, et eſt accouſtumez de faire, et encore ne luy ſouffiſt ce mie, mais les collations des Benefices, que noſtre Sire li Roys et nos anteceſſours ont fondez, et a li et a nous appartiennent, et ont de tout temps appertenu a li et a nous devanciers, et eſt accouſtume a appertenir, il nous empeſche et les veut abjeuſter et traire devers li par grand convoitiſe, pour plus grans exactions et plus grans ſerbices atraire a luy; et les quelles choſes nous ne pourrions ne vourrions ſouffrir des ores en avant en nulle maniere pour meſchief nul qui nous puiſſe avenir, et ſe ainſi eſtoit que nous, ou aucuns de nous le vouſiſſent ſouffrir; ne les ſouffroit mie li dits noſtre Sire li Roys, ne li commun peuples du dit Royaume, et a grand doulour et grand meſchief, nous vous faiſons a ſcavour par la teneur de ces lettres, que ce ne ſont choſes qui plaiſent a Dieu, ne ne doivent plaire a nul homme di bone volente, ne oncques mes telles choſes ne deſcendirent en cuer d'homme, ne ores, ne furent, ne entendues advenir

Nota.

fors

foꝛs avecques Antechꝛiſt; et jacoit ce que il die en ſes lettres, que ce a il fait du conſeil de ſes freres, ſi ſcauons nous certainement, ne autre choſe ne voulons, ne ne pourrions croire, que ce ne vous deſplaiſe, et que a telles nouvellettez ſi grans errours, et ſi folles entrepꝛiſes vous donniſſiez voſtre aſſentement, ne vos conſens, ne ne vouliſſiez que cette unitez, que ſi longuement et ſi fermement a dure, a le honneur de Dieu, et a l'eſſaucement de la foy Chꝛiſtienne, au grand bien, et au pꝛoſit, et au bon eſtat de l'Egliſe et du Royaume, par la perverſe volente, ou par la folle envehie d'un tel homme, ſe deffiſt et deſloinſiſt. *An.* 30 *E.* 1.

Pur quoy nous vous prions & requerons tant affectueuſement, comme nous pouvons; que comme vous ſoyez eſtablis & appellez en partie ou gouvernement de l'Egliſe, & chacun de vous en cette beſoigne veilliez tel conſeil mettre, & tel remede, que ce qui eſt par ſi legier & par ſi deſordenne mouvement commancie, ſoit mis a bon point, & a bon eſtat, **ſi que l'amour, et li unitez qui a touſiours dure entre l'Egliſe et le Royaume, puiſſe demourer et accroiſtre, et que li griefs eſclandres, qui pour ce eſt meus et eſt appareilliez d'eſtre ſi grans et ſi cruels, que le generalle Egliſe et toute la Chꝛiſtiente, l'en purroit douloir a tous jours, puiſſent par voſtre vertu, bon conſeil, et par voſtre amendement ceſſier**; et que l'en puiſſent entendꝛe pꝛoſitablement au ſaint voyage de oultre mer et as autres bonnes œuures, que li bons Chꝛiſtiens du Royaume ont accuſtume a faire, il ſoit chaſtiez en telle maniere, que li eſtas de la Chꝛeſtiente ſoit et demeure en ſon bon point, et en ſon bon eſtat; et de ces choſes nous faites a ſcavoir par le pozteur de ſes lettres voſtre volente et voſtre entention: car pour ce nous l'envoyons eſpeciaument a vous, et bien voulons que vous ſoiez certain que ne pour vie, ne pour mozt, nous ne departirons, ne ne veons a departir de ce pꝛoces, et feuſt ozes, * ainſi que li Rois noſtre Sire le vouliſt bien. Et pour ce que trop longue choſe et chargeans ſeroit, ſe chacun de nous mettroit ſeel en ces pꝛeſentes lettres faites de noſtre commun aſſentement, nos *Loys* fils le Roy de *France*, Cuens de *Eureux*, *Robert* Cuens d'*Artois*, *Robert* Dux de *Bourgoinaut*, *Jean* Dux de *Bretaine*, *Ferry* Dux de *Lorraine*, *Jean* Dux de *Hainaut* & de *Hollande*, *Henry* Cuens de *Luxembourg*, *Guis* Cuens de *S. Pol*, *Jean* Cuens de *Dreux*, *Hugues* Cuens de la *Marche*, *Robert* Cuens de *Bouloigne*, *Loys* Cuens de *Nivers* & de *Retel*, *Jean* Cuens d'*Eu*, *Bernard* Cuens de *Comminges*, *Jean* Cuens d'*Aubmarle*, *Jean* Cuens de *Fores*, *Valeran* Cuens de *Perigors*, *Jean* Cuens de *Foigny*, *J.* Cuens d'*Auxerre*, *Aymars de Poitiers* Cuens de *Valentinois*, *Eſtenes* Cuens de *Sancerre*, *Renault* Cuens de *Montbeliart*, *Enjorrant* Sire de *Coucy*, *Godefroy de Breban*, *Raou de Clermont* Coneſtable de *France*, *Jean* Sire de *Chaſtiau-vilain*, *Jordain* Sire de *Liſle*, *Jean de Chaylon* Sire de *Darley*, *Guillaume de Chauvigny* Sire de *Chaſtiau-Raoul*, *Richars* Sire de *Beauieu*, & *Amaurry* Vicuens de *Narbonne*, auons mis a la requeſte & en nom de nous, **et pur tous les autres, nos ſeas en ces pꝛeſentes lettres**; (as * one hundred of the *Engliſh* Earls and Nobles did to their Epiſtle to this Pope not long before.) Donne a *Paris* le 10 jour d'*Avril*, l'an de grace mil trois cens & deux. *Du Threſor des Chartres Regiſtre*, *B.* 28. *fol.* 246.

* See here p. 893.

* See here p. 892.

Moreover the People and Commons of *France* in that Parliament, made this following Supplication to King *Philip* againſt Pope *Boniface* the 8. for the defence of his Soveraignty in the Realm and Churches of *France*, againſt his Papal claims and Uſurpations thereon in his precedent Bull and Letter, and to declare and pronounce him an Heretick for his aſſertions therein.

Le Supplication de Pueuble de France *au Roy, contre le Pape* Boniface *le* 8.

Pierre de Pithou Preuves des Libertez de l'Egliſe Gallicane, c. 7. ſect. 17. p. 246, 247.

A Vous treſnoble Prince noſtre Sire par la grace de Dieu Roy de *France*, ſupplie & requiert le pueuble de voſtre Royaume, pour ce que il li appartient que ce ſoit faut, **que vous gardiez la Souveraine franchiſe de voſtre Royaume, qui eſt telle, que vous ne recogniſſiez de voſtre tempozell Souverain en terre, foꝛs que Dieu, et que vous faciez declairer, ſi que tout le monde la ſcache, que le Pape *Boniface* erra manifeſtement, et fiſt pechie mozte notoirement, en vous mandant par lettres bullees, que il eſtoit voſtre Souverain de voſtre tempozell, et que vous ne poudez pꝛeuendes donner, ne les fruits des**

Egliſes

An. 30 E. 1. Egliſes Cathedrales vacans retenir, et que touz ceux qui croient le contraire, il tenoit pour hereges.

Item, que vous factez declarier que l'en doit tenir le dit Pape pour herege, non pas vous, et toute la gent de voſtre Royaume, qui touſoitz ont creu et croient le contraire: Et pour ce que ſi ne veult cette erreur rappeller, ayant dit mont de fois que en cette creance viuroit et mourroit, et que ſa pour nul homme ce ne rappelleroit: les quelles choſes il pouvoit faire, ne dire, ne croire, ſans perher mortellement contro vous, contra vos hoirs, et contre vos anteceſſours, et contre tous vos ſuicts, et contre tout le pueuble Latin, qui croit la Decretale, qui dit, que vous ne recognoiſſiez nul Souverain en terre, et que le Pape qui la fiſt, ne vouloit pas, ne ne devoit ſurrection demander ſur voſtre tempozel; ſi que le dit Pape vous vouloit tollir a tozt la graigneur nobleneſſe, et le plus haut point de voſtre Seigneurie, en faiſant contre le commandement de la Loy noſtre Sire, tout ſarchamutement, en diſant que il li liſoit ſere encontre, et que ſoit voir, il pert; pour ce que li, qui diſoit que il eſtoit ſers Dieu, ne pouvoit la Loy de ſon Segreur oſter, ne refuſer a la garder, meſmement, quant as commandements de la Loy, que il ne fuſt, et deuſt eſtre tenu pour bougre, len puet prouver par tibe foꝛce, ſans que nul y puiſſe par raiſon reſpondre, que le Pape n'eut onques Seigneurie de voſtre tempozel, ne en autre, ne avoir, ne chalengier, ne doit, foꝛs tant comme ceux qui la Seigneurie avoient ou temps Sainct *Sylveſtre*, et puis l'en ont donne, et ſe il paroiſt plus chalement, et demandeurs convoitiſe, et rapine feroit par les raiſons qui enſuivent. Quand Dieu le pere apres le Ciel, & les quatre Elements ont forme *Adam* & *Eve*, il dit a eux & a leur ſucceſſion, *Quod calcaverit pes tuus, tuum erit*, ſi comme ſe dit le commencement de la Bible; ceſt a dire, que il vouloit, que chacun homme fuſt le Seigneur de ce qui occuperoit de terre. Ainſi departirent les fils d'*Adam* la terre, & en furent Seigneurs, trois mil ans & plus, avant le temps *Melchiſedec*, qui fuſt le primier Preſtre, & fuſt Roy, ſi comme dit l'hiſtoire; mais il ne fuſt pas Roy de tout le monde, & obeiſſoient la gent a li comme a Roy du temporel, non pas comme a Preſtre, & fuſt avant Roy que Preſtre. Apres ſa mort fuſt graund temps, 600 ans ou plus, autant qe nul autre fuſt Preſtre. Et Dieu le pere que donne la Loy de *Moiſe*, le ſtablie Prince de ſon pueuble *Iſrael*, & li commanda, que il fiſt *Aaron* ſon frere Souverain Preſtre, & ſon fils apres li. Et *Moiſe* baille & commiſt, quand u deuſt mourir, du mandement de Dieu, la Seigneurie du temporel, non pas au Souverain Preſtre ſon frere, ains a *Joſue* ſans debat, que *Aaron* & ſon fils apres y meiſſent; ains gardoient le Tabernacle, & entendoient illec au ſervice de Dieu, & ſe aidoient au temporel defendre, & conquerir par armes, & autrement. Et tous les autres Preſtres & Diacre le firent apres eux, auſſi comme les autres gens. Et puis quand il vint a partir la Terre Saincte entre les douze lignies, qui conquiſe l'avoient, celuy Dieu, qui toutes les choſes & avenir ſcavoit, commanda a *Joſue* leur Prince, que il partiſt la terre entre les onze lignies; & que le lignie des Preſtres & des Diacres euſſent en lieu de leur partie, les diſieſmes & les premiſſes de tout, & en veſquiſſent ſans terres avoir, ſi que ils peuſſent plus profitablement Dieu ſervir, & prier pur le pueuble. Et puis quand il vint grand piece apres, que le pueuble d'*Iſrael* demande Roy a noſtre Seigneur, ou fiſt demander par le Prophete *Samuel*, il ne leur e lit pas le Souverain Preſtre, mais *Saul*, qui ſurmontoit le graudeur tout le pueuble, de tout le col, & de la teſte. Apres noſtre Seigneur eleut *David* en Roy, non pas le Souverain Preſtre, ſi que il not nul Roy en *Jeruſalem* ſus le pueuble de Dieu, qui fuſt Preſtre, mais avoient Roy & Souverain Preſtre en diverſes perſonnes & avoit lan aſſez a faire de gouverner le Temporel, & le autre le Spirituel du petit pueuble; & ſi obeiſſoient tous les Preſtres du Temporel aux Roys. Apres noſtre Seigneur *Jeſus Chriſt* fuſt Souverain Preſtre, & ne trouve len point eſcrit, quil euſt onques nulle poſſeſſion du Temporel, neque il vouliſt que *Herodes*, qui Roy eſtoit, ne *Pilate*, qui eſtoit garde de ce que li Emperour de *Rome* avoit en pais, li en obeiſſent de riens ains dit, *que l'en rendiſt a* Ceſar *ce que l'en luy devoit, & a Dieu auſſi*; & fiſt paier pur li, & pur Saincte *Pere* ſon Vicaire d'un deniere d'or, quil fiſt prenre en le guelle d'un poiſſon, & le fiſt a fin quil ne feiſt eſclandre en luy, par le quel ils paient, non pas pour ce que il ne deuſſent riens. Apres ce Sainct *Pere*, & Sainct *Pol*, Sainct *Clement*, & les autres

Saincts

Saincts Apoſtles, ne les autres juſques au temps du dit *Boniface*, **ne demanderent oncques Seigneurie**, fors en ce que *Conſtantinus* donno a l'Egliſe. Ce fut grand abomination a ouir que ceſt *Boniface*, pour ce que Dieu dit a Sainct *Pere*, ce que tu lieras en terre, ſera lie au Ciel; cette parolle, d'eſpiritualement, entendi malement, comme bougre quant au Temporel; ſe il meiſt un homme en priſon temporelle, le meiſt pour ce Dieu en priſon en Ciel. Et ſi diſt S. *Auguſtin* contra *Vincentium Donatiſtam*, len puet en preſcher uſer de la Saincte Eſcriture, en ſens de myſtere, ſi comme le preſcheur voit que bien eſt; mais len doit uſer in diſputoiſon, en ſens de la lettre, non mie par myſtere. Et ſi dient les Docteurs que les faits de noſtre Seigneur, eſcrits au vieil Teſtament, ſont figure & exemple du nouvel Teſtament. Et l'Apoſtre dit, *que nous devons prendre exemple au fils* Jeſus Chriſt. Doncques quand Dieu le pere bailla a deux perſonnes le gouvernement de ſon petit pueuble d'*Iſrael*, a un le Temporel, a l'autre l'Eſpirituel, comment oſa dire le dit *Boniface*, & mander, qe la volunte de Dieu, **il devoit l'avoir la pouvoir et la charge de goverver l'Eſpirituel et le Temporel de tout le monde**; quar ſe il euſt le pouvoir du Temporel ſur vous & ſur voſtre Royaume; par plus forte raiſon il euſt ce pouvoir ſur tous les Princes Chreſtiens: **pour ce que il n'en y a nul, qui par droit eſcrit peut monſtrer ſa franchiſe, fors que vous: pour quoy vous li poues dire que a tort, par treſgrande convoitiſe, vouloit ſe ſouſprendre de nouvel par deſſus vous, et par le greignour orgueil que len peuſt trouver, que homme euſt oncques demande poeſte en monde. Comment pourroit homme dire parole plus enflee d'orgueil, que cette, Dieu m'a commis en terre ſon poudair en temporalite, et en ſpiritualite, ſi que ſus toutes gents en toutes manieres l'eſſent mon poudair et ma poeſte. Len puet bien voir ſe l'entente de ſi ſage ſeculier, comme il eſtoit, fuſt de bien gouverner tout le Temporel et l'Eſpirituel. Il n'empriſt pas ſi grand fais; quas nul plus plus ſage et plus fors n'i ſoffiſſent pas. Li meiſmes ne ſouffiſoit pas a l'Eſpiritualte gouverner, ne ſon devoir ne faiſoit; car il eſtoit tenu de garder les commandements de la Loy, du vieil Teſtament, et du nouvel, qui dient, que il devoit amer et enſeigner chacun homme du monde, comme ſoy meſme, et que qui ne ſera baptiſe, et ne croise en* Jeſus Chriſt, *ſera condampne; et que ſi, comme il qui eſt Pape, aimoit Dieu, il eſtoit tenu ſauver et lui rendre toutes armes, et les enſeigner par faites et par paroles. Onc les enſeignoit il pas bien en fait de tel orgueil, et de telle convoitiſe; quar il queroit ſon profit et ſa volente, non pas de tout le pueuble, et ſi n'enſeignoit par paroles, ne mes en pais ou il fuſt nez, de moult la mendre partie de la gent. Et n'enſuivoit pas noſtre Seigneur* Jeſus Chriſt, *qui envoya precher la loy Chriſtienne par ſoixante et douz Deciples, auſquenlz il donna le ſens et les langages de toutes gents; mais le dit* Boniface *fu en ce negligent: quar onques par loy ne par autre ne regarde ne n'enſeigna la centieſme partie de la gent du monde.*** Nota. Nota.

Il eſtoit greignour beſoing que il ſceut *Arabic*, *Caldee*, *Grieux*, *Ebrieux*, & tous autres languages, deſquelx il eſt moult de Chriſtiens, qui ne croient pas comme l'Egliſe de *Rome*, pour ce que ils n'ont eſte de ce enſeigniez, ſi comme les Pantacors devers Orient, neuf cens Eveſques quique il y a ſons li pres de tous les *Grieux*, & pluſieurs autres deſquielx enſeigner il laiſſa la cure, pour les plus obeiſſans ſuppediter, grever, & moleſter, que il eſt deſſuſdit. Se celuy qui par miracles ne pouvoit donner les languages, euſt fait apprendre en tous les lauguages des lettres, tant deſcoliers, bien deſpoſez pour apprendre, que ils ſouffiſiſſent pour envoier a toutes les pueubles prescher la foy Chriſtienne; & ſils n'euſſent aſſes ſceu pour ce fere a ſa vie, ſes ſucceſſours les euſſent envoyez, en par faiſant ce que il euſt commencie: auſſi comme *Moiſe* commenca la conqueſte de la Terre Saincte, & ce ne la vit onques, mes eſtabliſt par foy, quand il deuſt morir, en ſon lieu *Joſue*, & commanda au pueuble qui luy obeiſt. Pour ce appert, puis que dire le convient; **quar qui folie dit, folie doit oyr, pour quoy en reſpondre ſens et verite ne puet peril avenir. Quar ſi** Boniface **pour ſoy et pour tout ſon Clergie eus a Dieu renda tout le pueuble Latin, qui morut, taunt comme il euſt en cure, que ſi en laiſſa quatre cens peril par ſa negligence, et pour ce que il ne garda les commandements de la Loy, en ce que noſtre Seigneur** Jeſus Chriſt **dit a Sainct** Pere, *Paſce oves meas*, & entendi de toutes de quelconque lieu, & de quelconques lignages que ils fuſſent, & il laiſſa ce a faire, **pour entendre a pourvoir et a nobliſ ſon lignage,**

&

An. 30 E. 1.

An. 30 *E.* 1. et pour vous tollir voſtre greigneur Franchiſe, il ne puet nier, que par ſe faict, plus encores que ce il deiſt, pour ce que len croit plus exemple de faict, que de paroles, que il ne donnaſt occaſion a tous Princes meſcreans, et a tous les Chreſtiens Princes deſobeiſants, **de refuſer le Bapteſme, et l'obeiſance del Egliſe de** *Rome*: **pour ce que ils peuſſent perdre le plus haut point de leurs Seigneuries, c'eſt aſcavoir, de non reconnoiſtre Souverain de lour fins.** Se les Apoſtres, et les autres Deſciples euſſent fait, ou dit ainſi, **nul ne cuideroit qe ils peuſſent aboir un tout ſeul Prince conberti.** Et ſi droit en qe il commenca, a vous, bon Roy, **pour ce, que vous, et vos Anteceſſeurs, et tout le peuble ſouſmiſſa, vous abez tout temps eſte les plus obeiſſants, et les plus devot's a l'Egliſe de** Rome, **et a toutes les autres**; ſi comme il pert bien, regarda la Juriſdiction & l'autorite des Eſgliſes de voſtre Royaume, et des autres. Et pour cen il pert, que *Boniface*, l'exemple de *Zacharias*, ſofferca de faire contre le greigneur bien, le greigneur mal, que il pouet, quand il oyt qe vous & voſtre Conſeil' et tout voſtre pueuble, qui tant eſt grand, vous teniez pour ſi mal pnyez de ſon mandement. Et que ſi grand eſclandre en eſtoit par tont le monde, comme le fait greigneur, que len ne pourroit dire ne eſcrire, & ſi euſt eſte trop greigneur, ſe leu euſt uſe de ſemblable ſur tout le pueple Latin : quar null homme n'y euſt obey, tant comme ils' en peuſt defendre, le cuer & la volente du mandement, qui cuidoit faire tout le monde trembler, s'endurcirent ſans repentir, & ſans retraire a l'example de *Pharaon*. Ne onques homme ne s'appercent, que il ne morut en ſi grand iniquite, en faiſant le contraire de noſtre Seigneur *Jeſus Chriſt*, & de Sainct *Pol*, qui dit ainſi, *Se mon frere eſtoit eſclandre, pour len eſtre, je me garderoye de mengier char a touſiourſmais* : & pource qu'il ne parlaſt ſans faire, et ſans que il ne fuſt greveur au pueble, & que eſclandre ne iſſiſt, ice celuy ſage Apoſtre, quand il alloit prechant, par ſon art, & par ſes mains queroit, en faiſant panniers, ce qe neceſſaire y eſtoit pour luy, et pour ceux qui avec li eſtoient : et l'Apoſtre en ſon Canon meſme dit, *que pour eſclandre eſcheuer, l'en doit faire & laiſſera faire tout ce que l'en peut ſans pechie mortel*. Et ſi fut, et eſt, **eſclandre greigneur du dit mandement, de lorgueil, et de la conboitiſe** ; pour ce qe les ſages regardoient, que les Apoſtres & les Empereurs, en firent leur droet, qui pour eux eſtablirent le plus qe ils peurent. La quelle choſe pert bien, **a ce que l'Emperour dit, que il eſtoit Seigneur du monde, ſans rien excepter**, qui ne avint onques a *Alexandre*, ne a autre. Et ſe n'oſerent il dire que l'en ne ſe peut defendre contre l'Egliſe de *Rome*, et contre li Empire, par preſcription de Cent ans. Autrement il conveniſt revenir a faire comme les poiſſons, qui ont toute la mer comune, ſi que le plus fort boute hors le plus foible, et occupe le lieu, tant comme il luy plaiſt a demourer. Ainſi fervent la gent, ſe longue teneure ne diffendoit les tenens. **Dont ſemble il bien qe le dit Papa vouloit tou le monde deſtruire, et mettre en guerre, qui de noubel vouloit occuper cette Seigneurie, qui tenue et poſſiſe aboit eſte plus de mille ans en bonne foy des Roys des France.** Par autele raiſon puet len demander **tout l'heritage qe Dieu le Pere partit entre Adam et ſes enfans, quand il dit,** *Ce que ton pied marchera, & que tu occuperas, ſera tien.* Par quoy il pert, quil alloit droitement contre la loy de Dieu, et contre le comandement. Onques quand le dit *Boniface* ſceut ſi grand eſclandre eſmeue par le dit mandement, ne ſen ſuffriſt pour ſe appaiſier. Il appert bien, qe il ne doute eſclandre de riens, & qe cette entente de li fu perverſe, E que len apercent onques ſur ſe amendement. Et quand len ne puet nier quil ne ſceuſt tel eſclandre, et il ne luy en chaln, mais pourſui comme melencholieux ſa folle entente, plus fort que devant, par pluſeurs fois, perfez perners, par les queulx il renua Dieu, et en ce ſe rendurci, ſans reſortir de riens en ſa vie. Et fit ces choſes notoirement, en diſant, qui lui liſoit a faire. Et ſi appert clerement, **que il ne le pouet faire ſans pluſeurs pechiez mortels, qui ne puent eſtre eſcuſez, qe ce ne fuſt verite notoire.** Pour quoy, par les dits de Sainct *Pol*, & de Sainct *Auguſtin*, il renoia **Dieu notoirement, et en ceſt Eſtat fu mort, ſans que len onques apperceuſt ſa repentance**, ſi comme ceux qui furent preſens, & la renomme de *Rome* le teſmoigne; & in Epiſtola ad *Titum* 1. c. 9. q. 3. c. exiſtimant. Et ſe maintint touſiours, comme *Pharaon*, que il luy liſoit a faire; pour quoy il par raiſonablement quil fu herege, & in cette erreur mourat. E ſaucuns voulon le dit *Boniface* eſcuſer de tout ceſt eſclandre, en diſant qe le dit Pape ne pouvoit laiſſier, que il ne fiſt ſon pouoir des choſes deſſuſdites, que il ne cheiſt enpechie mortel, et que ſentence fu telle: Con-

tre

tre ce puet l'en dire, que il appert, que ce fuſt faux; car il s'enſuiuroit quil creuſt, qe tous les Apoſtoilles euſſent reſcu tous dix en peche mortel, pour ce quils ne firent ainſi. Par quoy que aucun autre ne praigne exemple a faire auſſi, et pour ce qe la peine de luy face poeur aux outres: et meſmement pour ce qe ils que fuſt Pape, et devant meſmes, ou li vit notoirement fere moult de choſes, qui ne pouvoient eſtre faites en bonne maniere, deſquelles ou nappercent onques ſigne d'amendement; Vous, noble Roy, ſur tous Princes, heritage **deſenſeur de la Foy**, deſtruiſeur de Bougres, pouez et duez, et eſtes tenus requerre et procurer, **qe le dit *Boniface* ſoit tenus et jugiez pour herege, en la maniere qe len le pourra et deura, et doit faire apres ce mort; ſi qua voſtre Souberaine Franchiſe ſoit gardee et declaree, et qu'elle ne periſſe, ne ne ſoit avilie en noſtre temps, et ſi que vous gardiez le ſerment, lequel vous faites en voſtre Couronnement: l'honneur et le profit de vous, et de vos antecesſeurs, et de vos heires, et de tout voſtre grand pueuble, la greigneur franchiſe de voſtre Royaume ne ſoit perdue, ne en doute remedee, et que celle injure fait a vous, et a voſtre pueuble, ſoit bien et ſuffiſament eſmendee.** *Du Threſor des Chartes Regiſtre* 129. *fol.* 114. *An.* 30 E. 1.

What further proceedings and diſputes there were in this Parliament, againſt and about the Popes pretended Supreme Authority, you may read in Mr.* *Fox his Acts and Monuments*, whereunto I referr the Readers.

* London 1640. Vol. 1. p. 443, to 445; 468, to 478.

The Colledge of Cardinals upon receit of the Peers and Nobles of *France* premiſed Letter, returned this following Letter in Anſwer thereunto, in defence and excuſe of Pope *Boniface* and his Proviſions made in *France*.

*Miſeratione divina Epiſcopi, Presbyteri, & Diaconi, S. *Romanæ* Eccleſiæ Cardinales, Nobilibus viris, Ducibus, Comitibus, Baronibus, & Nobilibus Regni *Franciæ*, in vero ſalutari ſalutem. Recepimus literas veſtræ Nobilitatis & nuncios, quas quidem per eoſdem Nuntios latores præſentium deſtinaſtis, quarum intellectus tenor noſtros amaricavit animos, & turbavit auditus. Vobis igitur præſentibus reſpondemus, quod ſanctiſſimus Pater & Dominus noſter, Dominus *Bonifacius*, divina providentia Sacroſanctæ *Romanæ* ac univerſalis Eccleſiæ Summus Pontifex, & nos ipſi vinculum charitatis & ſinceritatis affectus, quæ inter ipſum Dominum noſtrum Summum Pontificem, Prædeceſſores ipſius *Romani* Pontifices, & nos, & Prædeceſſores noſtros S. R. Eccleſiæ Cardinales, ac Magnificum Principem Dominum *Philippum Franciæ* Regem illuſtrem, ac Prædeceſſores ſuos fuerunt & viguerunt ab olim, manutenemus libenter; &, ut firma & ſtabilia maneant, promptis ſtudiis laboramus; ad hoc etiam invenimus ipſum Dominum noſtrum paratum & promptum. Inimicus tamen homo ſeminavit zizania, quæ Deo authore in faſciculos colligata erunt in combuſtionem & cibum ignis; & volumus vos pro certo tenere, **quod prædictus Dominus noſter Summus Pontifex nunquam ſcripſit Regi prædicto, quod de Regno ſuo ſibi ſubeſſe temporaliter, illudque ab eo tenere deberet**, & providus vir Magiſter *Jacobus* Archidiaconus *Narbonenſis*, Notarius & Nuncius Domini noſtri prædicti, ſicut conſtanter affirmat, **ipſi Domino Regi hoc ipſum vel ſimile nunquam verbaliter nunciabit aut ſcripto.** Unde propoſitio quam fecit *Petrus Flot* in præſentia dicti Domini Regis, Prælatorum et veſtra, et aliorum multorum, arenoſum & falſum habuit fundamentum, & ideò neceſſe eſt, quod cadat ædificium, quod ædificabitur ſuper illud: Prælati vero, Doctores in Theologia, & utriuſque Juris Magiſtri vocati fuerunt ad ipſius Domini noſtri præſentiam, certo eis peremptorio termino aſſignato, ut cum eis ſuper agendis poſſet deliberare conſultius, ſicut perſonis ipſo Domino Regi non ſuſpectis, immò acceptis & gratis, et diligentibus nomen ejus, & affectantibus ſtatum proſperum & tranquillum ipſorum Domini Regis & regni. **Nec eſt nobum per ſedem Apoſtolicam pro qualitate temporum et neceſſitate cauſarum, Concilia non ſolum particularia, ſed etiam generalia conbocari**, quorum aliqua plurium ex nobis temporibus congregata noſcuntur. Detulit tamen dictus Dominus noſter ipſi Domino Regi & regno, generale Concilium non vocando, in quo forſitan conveniſſent nonnulli nationum & regnorum illorum, qui minus dilectionis ad dictum noſcuntur habere. Et ſi ad eorundem Prælatorum & veſtram perveniſſet notitiam literarum tenor, quas idem Archiepiſcopus dicto Domi-

* Pierre de Pithou Preuves des Libertez de l'Egliſe Gallicane, c 7. ſect. 16. p. 244, 245.

An. 30 E. 1. no Regi, ex parte ipsius Domini nostri Summi Pontificis præsentavit, et fuissent expositus diligenter, reddendæ fuissent Deo & Domino vestro gratiæ copiosæ super paterna cura & materna dulcedine, quam ipse Dominus noster gessit & gerit, ut ipsi Rex et regnum habeant statum prosperum et quietum, et ut tollantur gravamina, quæ Prælatis, Ecclesiis ac Monasteriis, et nonnullis ex vobis, et Clero et populo sunt illata. Cum utique dictus Dominus noster Summus Pontifex, si Ecclesiam *Gallicanam* gravavit, **hoc fecit concedendo ipsi Domino Regi decimam plurium Annorum Ecclesiasticorum provintuum regni sui.** Et quod **ad dictum ejus** in qualibet Ecclesia Cathedrali & Collegiata regni prædicti, **una persona idonea poneretur; nonnullis etiam dignitates et beneficia contulit consideratione Regis ejusdem, Prælatorum et aliquorum ex vobis. Dispensationes quoque multas concessit et magnas, quæ non latent Regem ipsum et multos ex vobis**; ex quibus per ingratitudinem non dilectionis & reverentiæ, recipit idem Dominus noster debitam responsivam. **Ad hæc non venit in dubium homini sanæ mentis**, Romanum Pontificem **obtinere Primatum, et esse summum Hierarchum in Ecclesiastica Hierarchia, et posse omnem hominem arguere de peccato.** Nostræ quoque memoriæ non occurrit, quod **Cathedralibus Ecclesiis** dicti **Regni provideri**t de **personis** Italicis, **nisi** Bituricen. et Attrebaten. **Ecclesiis, quibus de personis provident ipsis Regi non suspectis et regno, quorum eminens scientia late patet**, nec sint conditiones eorum incognitæ. **Multis vero aliis Ecclesiis Cathedralibus providit de personis oriundis de regno prædicto**, nec Regi, nec regno prædictis probabili ratione suspectis. **Quis unquam prædecessorum suorum formas providendi pauperibus Clericis plus extendit, quibus per nonnullos ex Prælatis non fiebat Provisio, et mendicare quodammodo cogebantur in opprobrium Clericale?** Exsurgant cum ipso Domino Magistri in Theolgiâ, quibus ipse in *Parisien.* Ecclesia Canonicatus contulit & Præbendas. Exsurgant Magistri et alii literati, et in acie stent cum ipso, qui paupertate gravati multis sudoribus, multis vigiliis, multis laboribus adepti sunt scientiæ Margaritam, et dicam quomodo illorum pietas, ad quos beneficiorum collatio pertinebat, respexit eosdem. **Inbenietis pro uno extraneo, cui est per ipsum Dominum in dicto regno provisum, fere centum qui de prædicto regno traxerunt originem, ab eo provisionis gratiam recepisse. Et si de vacantibus beneficiis regni prædicti, aut vacaturis provident, nonne providit de personis oriundis de regno eodem, et familiaribus, et Clericis Regis, Prælatorum regni et vestris.** Adhæc ut non taceamus vobis solidam veritatem, non decuit, immo licuit, nec etiam expedivit sanctissimum Patrem et Dominum nostrum, Dominum *Bonifacium*, divina providentia Sacrosanctæ *Romanæ* ac universalis Ecclesiæ Summum Pontificem in literis vestris, quas nobis misistis, **non nominare Summum Pontificem**; sed, quod dolenter referimus, **missis filialis et solitæ reverentiæ more ac stylo, ipsum nominastis per quendam circumlocutionem indevotorum verborum et nobiter inventorum.** Hujusmodi autem literarum nostrarum placeat vobis habere bonum interpretem & fidelem. Datum *Anagniæ* 6. Kal. *Julii*, Pontificatus verò præfati Domini nostri Dom. *Bonifacii* Papæ 8. Anno octavo. Sigill. 17 sigillis ceræ rubræ. *Du Thresor des Chartres cofre* Boniface, *num.* 4.

Soon after, King *Philip* out of his Soveraign Authority issued these ensuing Letters for the constant, inviolable Protection and defence of all his Nobles, Prelates and Subjects adhering to him against Pope *Boniface* in this quarrel, against all his Citations, Excommunications, Interdicts, Censures, and proceedings whatsoever, ratified by Oath, from which he would not recede for any dispensation or cause whatsoever; thus registred for his honor to posterity.

Pierre de Pithou, Preuves des Libertes l'Eglise Gallicane, cap. 19. p. 680, 681.

Philippus Dei gratia *Francorum* Rex, universis præsentes literas inspecturis, salutem. Cum Prælatos, Barones, & alios fideles & subditos nostros defendere teneamur, nos dilecto nostro *P.* Monasterii *S. Cornelii Compendiæ* Abbati promisimus, **quod personam suam, statum, honorem, libertates**, et jura ipsius, Monasterii sui, **Consanguineorum, parentum, affinum, amicorum et subditorum** suorum, qui de adhærentibus fuerint, et aliorum adhærentium, et adhærere volentium, efficaciter defendimus, ubique afficiemus in eorum defensione contra omnem hominem, qui vellet statum, honorem, libertates, et jura prædicta infringere, vel etiam adnullare: et specialiter contra B. tunc Ecclesiæ Romanæ Regimini præsidentem, qui multis

multis contra nos, ipſum, et alios Prælatos, et regnum dicitur comminatus fuiſſe; nec nos ab eo, et ſuis, ut præmiſſum eſt, nec ipſos a nobis in defenſione prædicta ſeparabimus, nec etiam excludemus; faciemuſque de convocatione Concilii generalis, quod alias promiſimus, ſicut in Inſtrumentis publicis inde confectis plenius continetur. Cum tam nos, quam Prælati, et Barones regni noſtri ſub certis formis provocaverimus et appellaverimus, et in ſcriptis, ne dictus Bonifacius, commotus occaſione præmiſſorum vel aliquorum ex eis, procederet contra nos, Prælatos, Barones, ſubditos noſtros, prout in Inſtrumentis publicis inde confectis plenius continetur; Promittimus, quod ſi dictus B. jam forte proceſſerit, occaſione præmiſſorum, vel quia Prælati per nos retenti pro defenſione neceſſaria regni noſtri, poſt ejus vocationem, ex inopinato emergente, ad vocationem hujuſmodi non iverint, ſed ad requiſitionem noſtram ſe ex cauſis legitimis excuſarunt, vel procedat pendente negotio dicti Concilii, vel etiam terminato, præmiſſorum occaſione, quocunque quæſito colore, excommunicando, interdicendo, ſuſpendendo, deponendo, abſolvendo a juramento fidelitatis, vel homagii, aut alterius cujuſlibet obligationis vinculo, ſeu alias quoquo modo contra Nos, Prælatos, Barones, Conſanguineos, parentes, affines, amicos, vel ſubditos eorundem, aut alios adhærentes, vel adhærere volentes; Nos dictis Prælatis, Baronibus, et aliis adhærentibus, vel adhærere volentibus aſſiſtemus, et defendemus eoſdem, nec nos ſeparabimus de eis, nec abſolutionibus a juramentis quibuſlibet in præſenti negotio in animam noſtram factis vel præſtitis per quoſcunque, vel aliis quibuſcunque relaxationibus indultis vel indulgendis, impetratis vel impetrandis, ultro oblatis vel conceſſis, offerendis vel etiam concedendis, utemur: immo, ſemper eiſdem Prælatis, Baronibus, et aliis adhærentibus, et adhærere volentibus, adhærebimus: nos, hæredeſque noſtros, ad omnia præmiſſa et ſingula præmiſſorum inviolabiliter obſervanda, ſpecialiter obligamus; et ea propoſitis ſacroſanctis Evangeliis tenere et inviolabiliter obſervare, ac etiam adimplere, jurari fecimus, in præſentia noſtra, et in animam noſtram, per dilectum et fidelem noſtrum Comitem S. Pauli. Cæterum chariſſimæ Conſorti noſtræ *Johannæ* Reginæ *Franciæ*, ac chariſſimo *Ludovico* primogenito, & *Philippo* ſecundogenito natis noſtris, & Baronibus ſupradictis, damus præſentibus in mandatis, ut eidem Abbati *P.* omnia et ſingula præmiſſa promittant, ſeque exprèſſe et ſpecialiter obligent ad obſervationem eorundem, et ſimilibus juramentis aſtringant. Nos verò per promiſſiones & juramenta, quæ dictus Abbas ſuper præmiſſis & præmiſſa tangentibus, nobis fecit & præſtitit, non intendimus, nec volumus novum homagium, juramentum, ſeu aliam novum ſervitutem, in ipſo, & in monaſterio ſuo, et ipſius ſucceſſoribus, in aliis acquirere in futurum. Nos autem *Joanna*, *Franciæ* & *Navarræ* Regina, *Campaniæ*, *Briaq*, Comitiſſa Palatina, noſque *Ludovicus* & *Philippus* præfati, præmiſſa omnia et ſingula tenere firmiter, & fideliter obſervare, quantum ad nos pertinet, vel in futurum poterit pertinere, promiſimus et per præfatum Comitem *S. Pauli* in animas noſtras jurari fecimus nos, hæredes et ſucceſſores noſtros ad hæc expreſſè, et ſpecialiter obligantes. Nos vero prænominatus Rex præmiſſa omnia & ſingula, per præfatos Conſortem & liberos noſtros, de mandato noſtro, promiſſa, jurata, & prædictas obligationes, modo prædicto factas fuiſſe teſtamur. Et ad majorem cautelam, ſigillum noſtrum, nos Regina prædicta literis his appendi fecimus, una cum ſigillo præfati Domini noſtri Regis. Datum *Pariſius* die 15 *Junii*, Anno Dom. 1303.

an. 30 E. 1.

The like * *Protection* he iſſued *Decano & Capitulo Eccleſiæ* Pariſienſis, Pariſiis *die Martis poſt feſtum Sancti* Laurentii, *Anno Domini* 1303. with ſundry others in like form and words.

He likewiſe publiſhed this Royal Mandate, to ſeiſe the good of thoſe Eccleſiaſtical perſons who ſhould depart out of his Realm, without his ſpecial licenſe, (upon this Popes ſummons or any other pretence) contrary to his *Defences* formerly publiſhed.

* Pierre de Pithou les Preuves des Libertez Degliſe Gallicane. ch. 13. ſect 8. p. 500, 501.

* *Commandement fait par le Roy de ſaiſer les biens des Eccleſiaſtiques ſortis hors ſon Royaume, ſans ſon commandement.*

PHilippus Dei gratia *Francorum* Rex, Ballivo *Aurelianen.* vel ejus locum tenenti, ſalutem. Cum nos regni noſtri his diebus utilitate penſata, deliberationeque

* Ibid. chap. 19. Sect. 5. p. 681.

An. 30 E. 1. ſuper hoc præſtita, ſub certis ſemel et iterum formis **diſtricte duximus prohibendum, ne quis de Incolis regni noſtri, certis rationibus et cauſis, in ipſa prohibitione contentis, ab eodem regno abſque noſtra ſpeciali licentia exire præſumeret quoquo modo: Nonnulli nihilominus Prælati, Abbates, Priores, Magiſtri in Theologia, Doctoreſque Juris Canonici et Civilis, et aliæ quædam Eccleſiaſticæ et ſeculares perſonæ, prout ad noſtrum nuper venit auditum, Inhibitione hujuſmodi noſtra ſpreta, ab eodem regno egredi (quod moleſtum gerimus) præſumpſerunt.** Nolentes igitur ob ipſarum abſentiam perſonarum, bona earum temporalia diſſipari, & potius ea cupientes providè conſervari; mandamus tibi, **quatinus bona omnia temporalia perſonarum quarumlibet Rebellibæ tuæ, quæ prohibitionem noſtram prædictam tranſgreſſerunt, ad manum noſtram cauſa cuſtodiæ ponere non omittas, eaque diligenter cuſtodiri facias, donec de certis eorum Cuſtodibus, duximus prohibendum,** de nominibus verò ipſorum, & quantitate bonorum immobilium ſingulorum te diligenter informes, Informationem quam inde feceris, nobis quamcitius relaturus, vel ſub ſigillo tuo intercluſam miſſurus. Actum *Pariſius* Dominica poſt feſtum B. *Lucæ* Evangeliſtæ, Anno Domini, 1303.

* Pierre de Pithou, Preuves des Libertez de l'Egliſes Gallicane, chap. 12. ſect. 7. p. 682, 683.

* *Defenſis fait par le Roy à tous Eccleſiaſtiques de ſortir hors le Royaume*, under pain of confiſcation of all their lands, goods, and perpetual baniſhment as Traytors to the King and kingdome, and to intercept, ſeiſe all Letters to or from them.

Philippus Dei gratia *Francorum* Rex dilecto & fideli noſtro Archiepiſcopo *Remenſi* ſalutem & dilectionem. Olim pro defenſione neceſſaria regni noſtri, ad cujus impugnationem hoſtilis iniquitas conatus ſuæ malignitatis exercet, aliiſque cæteris & legitimis cauſis inducti, **conſtitutiones et inhibitiones, ne quis de fidelibus, vel ſubditis noſtris, vel incolis regni noſtri, cujuſcunque ſtatus et conditionis exiſtant, exiret limites regni ejuſdem, vel in via ſe poneret eundi, et de auro, argento, pecunia, et aliis cæteris rebus non extrahendis de regno noſtro, abſque licentia noſtra ſpeciali, ſub diverſarum pœnarum adjectione, duximus promulgandas**; certis ad conſervationem Conſtitutionum & Inhibitionum ipſarum executionibus, & portuum & paſſagiorum finium dicti regni Cuſtodibus deputatis. Verùm ex Conſtitutionibus & Inhibitionibus hujuſmodi nullus vel modicus, quod non ſine turbatione referimus, eſt hactenus ſecutus effectus, cum per diffidiam, negligentiam & defectum quorundam ex iſtis Cuſtodibus, ac fraudem & malitiam aliquorum poſt editionem, & contra tenorem & formam Conſtitutionum ipſarum perſonæ, nobis & regno ſuſpectæ, ingreſſæ fuerint, ac de die in diem quædã propriis & aliæ mutatis habitibus paſſim, & indifferenter ingrediantur, & quædam egrediantur terminos dicti regni, ac de regno ipſo hujuſmodi res prohibitæ abſque noſtra licentia extrahantur. Cum igitur præſentis conditio temporis, regni ſtatus, & ingruentium exigat qualitas agendorum, ut **Conſtitutiones et Inhibitiones prædictæ ſolito ſtrictius et firmius obſerventur**, præſertim cum *Flandrenſium* rebellium prædictorum abhorrenda rebellio, deteſtanda ſævitia, ferinaque rabies magis ac magis de die in diem invaleſcat, & periculoſa ſuccreſcat, adeoque ipſi mala malis, & exceſſibus exceſſus cumulantes, et ad ſubverſionem, deſtructionem omnimodam, & finale excidium dicti regni, **et Eccleſiarum totis conatibus ſatagentes**, nuper ad Civitatem *Morinenſem*, et ad alias diverſas villas & loca *Morinenſis*, *Attrebatenſis*, & *Tornacenſis* Diocæſium collecta ſatellitum hoſtiliter accedentes, beatæ *Mariæ Morinenſis*, & aliorum prædictorum locorum Eccleſias, ipſius Virginis & aliorum Sanctorum Imagines exiſtentes in eis, reverentia retrojecta, & divino amore poſtpoſito, neſandis auſibus & temeritate ſacrilega, ignis incendio concremarunt, ac villas & loca prædicta per cædis, depopulationis, & devaſtationis voraginem, depoſita omni humanitatis manſuetudine, horribili crudelitate totaliter deſtruxerunt, nec Deo, nec homini, nec perſonæ, nec dignitati aliquatenus deferentes, nec ſexui nec ætati parcentes, et alios diverſos enormes et deteſtabiles comiſerunt exceſſus, qui humanis ſenſibus horrorem & ſtuporem ingerunt, & audientium, dura quantumlibet, corda impunguntur. Nos ad neceſſariam ipſius regni, & Eccleſiarum, ac perſonarum Eccleſiaſticarum defenſionem totis, ut condecet, ſtudiis intendentes, ac propter hoc exponentes quibuſlibet perſonæ laboribus & diſpendiis non vitatis totaliter nos et noſtra, et ad defenſionem eandem noſtram, **et aliorum Prælatorum dicti regni, quorum in hac cauſa agitur**, et propri-

um

um cuſuſlibet proſequitur intereſſe, præſentium pro conſilio impendendo, exhortatione, ſollicitatione, & confortatione populi, animarum regimine, divinis myſteriis & officiis exequendis, aliiſque diverſis ex cauſis utilem & neceſſariam reputantes, cum ad defenſionem natalis patriæ, Eccleſiarum & fidei omnes & ſinguli teneantur: Vos attentè requirimus, & ſub naturalitatis officii debito, quo nobis & regno aſtricti tenemini, diſtrictè præcipiendo mandamus, quatinus nobis in defenſionis prædictæ negotio conſiliis & auxiliis opportunis & debitis aſſiſtatis, **inhibentes vobis diſtrictius ſub capitali, et amiſſionis bonorum omnium pœnis, et omnibus aliis quas jura et conſuetudines ſtatuunt, et nos infligere poſſumus, ne nos, Regnum, et Eccleſiam noſtram in tantæ neceſſitatis articulo, negligendo ſeu contemnendo defenſionem primam deſerentes, exeatis limites dicti Regni, vel vos in via exeundi ponatis. Nos enim, ſi ſecus præſumpſeritis attemptare, vos et omnes tam Clericos quam Laicos veſtros hac parte ſequaces, et vobiſcum, ut præmittitur, fugiendo defenſionem primam deſerentes, extra gardiam et protectionem noſtram, et a Regno noſtro extunc perpetuo relegamus et exponimus, tanquam noſtros et Regni notorios proditores in perſonis et rebus impune per quoſlibet offendendos.** Datum apud *Vicennas* Dominica poſt feſtum *Magdalenæ*, Anno Domini 1303. *An.* 30 *E.* 1.

PHilippus Dei gratia *Francorum* Rex, Seneſcallis, Ballivis, Præpoſitis, cæteriſque noſtris, ac Cuſtodibus Portuum & Paſſagiorum finium regni noſtri ubilibet deputatis, ſalutem. Turbamur non modicum, quod cum olim pro defenſione, *&c.* uſque ad hæc, *Corda impunguntur*, (ut ſupra.) **Vobis et veſtrum ſingulis ſub capitali, et amiſſionis omnium bonorum pœnis firmiter injungimus, et diſtricte præcipiendo mandamus**, quatinus ad conſervationem conſtitutionum & inhibitionum ipſarum ſolitò diligentius & efficacius intendentes, provideatis attentius, **ne perſona quæcunque Eccleſiaſtica, vel Secularis cujuſcunque dignitatis, ordinis, ſtatus vel conditionis exiſtat, etiamſi Archiepiſcopus, Epiſcopalve exiſtat prioratus, vel juramento, habitu** (Mercatoribus & Nunciis Mercatorum duntaxat exceptis) **exeat dictum regnum, neve literæ apertæ vel clauſæ quibuſcunque perſonis tranſmiſſis, etiamſi ad aliquos de affinibus, conſiliariis, vel familiaribus noſtris hujuſmodi forſitan literæ, vel ab ipſis ad alios dirigantur, afferantur in regnum, vel extrahantur de ipſo hujuſmodi literæ, aut aliæ res prohibitæ in Conſtitutionibus et Inhibitionibus ſuperadictis, niſi de egreſſu, emiſſione, vel extractione prædictis patentes literas noſtras recipere vos contingat; omnes literas quas ad manus noſtras devenire continget, quibuſcunque abſque perſonarum acceptione directas, nobis et non aliis clauſas et integras, ſine apertione vel inſpectione mittentes, bona omnia illorum, ſi quos forſan exire contigerit abſque noſtra licentia ſpeciali,** capientes ad manum noſtram, & tanquam confiſcata noſtris commodis applicantes, ad præmiſſa omnia & ſingula diligenter & fideliter exequenda, **ſibi indignationem noſtram perpetuam, et corporum ac bonorum noſtrorum pericula capitis evitare, totis viribus, totiſque conatibus intendentes; cum nos proculdubio gravius offendere non poſſetis, quam ſi in negligentia vel defectu, dolo, fraude vel malitia vos, quod abſit, contigerit inveniri. Nos enim non ſolum omnes illos, cujuſcunque ſtatus, dignitatis, vel conditionis exiſterent, etiamſi Archiepiſcopali vel Epiſcopali fulgerent dignitate, qui nos in regno in præſentis neceſſitatis articulo deſerendo, contra noſtræ ſummam prohibitionis exirent, ſed et vos exire in caſu negligentiæ, fraudis, malitiæ, vel defectus, noſtros et regni noſtri reputaremus non immerito proditores.** Datum ut ſupra. Ibidem, p. 685.

Thus did our King *Edward* the 1. with his Nobles, Clergy, Commons, and Univerſities in *England*, and King *Philip* with his Nobles, Prelates, Clergy, Univerſity of *Paris*, and Commons in *France*, by their preſident, though formerly at mortal enmity and Wars againſt each other, when reconciled by this Popes award and Legates as a private perſon, who endeavoured to uſurpe a Papal Juriſdiction and Soveraignty over themſelves, their Realms, Crowns, Prerogatives, as well in Temporals as Eccleſiaſticals, which he publickly claimed by his Bulls, moſt ſtrenuouſly and heroically oppoſe him in their *Parliaments* and *Councils*, and ſoon after laid his Papal Honour, Miter, Perſon in the duſt, with higheſt contumely and diſgrace.

An. 30 *E.* 1. disgrace. In order whereunto the King, Prelates, Nobles, and People of *France* in the Parliament at *Paris*, drew up this memorable Appeal to the next General Council, against this Pope and his detestable errors, crimes, vices, contained in sundry Articles.

Pierre de Pithou Preuves des Libertez de l'Eglise Gallicane, c. 13. p. 487, to 492.

Appellatio facta per Philippum *Regem* Franciæ *& Regnicolas ad futurum Concilium Generale, contra Papam* Bonifacium 8.

IN Nomine Domini Amen. Anno ejusdem Domini 1303. Indictione 13. mensis *Junii*, Pontificatus Domini *Bonifacii* Papæ 8. anno 9. tenore præsentis Instrumenti publici. Noverint universi quod præsentibus serenissimo Principe Domino *Philippo* Dei gratia Rege *Franciæ*, illustribus & reverendis in Christo patribus Archiepiscopis & Episcopis, ac religiosis viris Abbatibus & Prioribus, ac etiam nobilibus viris Comitibus, Baronibus, & quamplurimis aliis personis tàm Ecclesiasticis quàm Secularibus infrascriptis, in præsentia nostrorum Notariorum publicorum subscriptorum, ad hoc specialiter vocatorum & requisitorum, prout in subscriptionibus infrascriptis continetur; magnifici ac nobiles viri Domini *Ludovicus* Regis *Franciæ* filius, *Ebroicensis*, *Guido Sancti Pauli*, & *Johannes Drocensis* Comites, ac *Gulielmus de Plesseiano* Dominus *Vicenobrii* Miles, moti, ut dicebant, **fervore fidei, sinceræ devotionis affectu, et zelo charitatis inducti, Sacrosanctæ** *Romanæ* **ac Universali Ecclesiæ matri suæ, quam sub dicti Domini** *Bonifacii* **præsidentia periculose deprimi, ac deformationem enormem, et jacturam pati dicebant, compatientes ab intimis, ac Christianæ fidei in qua salus animarum consistit, et quæ suis temporibus (proh dolor!) miserabiliter contabescit et deperit,** ut dicebant, **periculo condolentes, ad ipsius Ecclesiæ et totius Christianitatis salubre regimen, et bonum statum, ac reparationem et exaltationem Catholicæ fidei, votis,** ut dicebant, **fervent**ibus **intendentes**; maximè cum eidem Ecclesiæ, fidei fundamento, & animarum saluti summè expediat, **ut Dominici gregis ovili non nisi verus et legitimus, ac vere et legitime pastor præsit, et quod ab eadem Ecclesia sponsa Christi,** quæ non habet maculam neque rugam, **omnis error, scandalum, iniquitas et injustitia repellatur, ac toti mundo quem er perversis actibus, detestandis operibus, et perniciosis exemplis dicti Domini** *Bonifacii* **in guerris et tenebris munere dicebant, salus par et tranquillitas, divina favente misericordia, procuretur**; **contra dictum Dominum** *Bonifacium* **hæreticæ pravitatis, et alia diversa horribilia et detestabilia crimina, quibus eum irretitum esse dicebant, et super eis publice et notorie diffamatum, præsentibus dicto Domino Rege, Archiepiscopis, Episcopis, et aliis Prælatis ac personis Ecclesiasticis qui pro suis et Ecclesiarum suarum agendis convenerant, ac Baronibus, Comitibus, et aliis Nobilibus quorum nomina sunt inferius conscripta, direrunt et asseruerunt**; ac dictus *Gulielmus* proposuit & objecit, jurantes, **ad Sancta Dei Evangelia tacta corporaliter, se præmissa omnia et singula credere esse vera, et posse probari:** Adjiciens idem *Gulielmus de Plesseiano*, hujusmodi juramento, **quod præmissa credebat se probare posset, et quod hujusmodi negotium contra dictum Dominum** *Bonifacium* **in Generali Concilio, vel alibi vel quando, et coram quibus de jure fuerit faciendum, ad finem debitum persequeretur. Requirentes instanter dictum Dominum Regem, tanquam fidei pugilem et Ecclesiæ defensorem, ut pro declaratione veritatis hujus, ad laudem divini nominis, augmentum et exaltationem Catholicæ fidei, et honorem ac bonum statum Ecclesiæ Universalis, et totius populi Christiani, Convocationi et Congregationi dicti Concilii Generalis prout ad eum pertinet, opem daret et operam efficacem, cum in talibus et similibus omnibus ex fervore fidei et zelo justitiæ directrix semper extiterit veritatis Regia domus sua, quodque Archiepiscopos, Episcopos, et Prælatos alios supradictos instanter requireret et instaret efficaciter apud eos**; **ipsique Comites et Milites requisierunt etiam instanter, et pluries Prælatos eosdem tanquam Ecclesiæ filios et columnas, ut modis legitimis, juxta Sanctorum Patrum instituta, et Canonicas Sanctiones, Convocationi et Congregationi dicti Concilii opem darent, et operam efficaciter ut tenentur.** Iidem vero Prælati objectionibus supradictis auditis, & plenius intellectis, hujusmodi negotium non solum arduum, immo arduissimum & maturi indigere deliberatione Consilii reputantes de loco recesserunt eodem.

Die

Die autem *Veneris* proxima ſequenti, ſcilicet 14 die ejuſdem menſis *Junii*, præ- *An.* 30 E. 1.
ſente præfato **Domino Rege**, necnon Dominis Archiepiſcopis præſentibus, ac in præſentia noſtrorum Notariorum publicorum ad hoc ſpecialiter vocatorum & requiſitorum, prædictus *Gulielmus de Pleſſeiano* Miles dixit, propoſuit, objecit, aſſeruit & legit prout in quadam Schedula quam tenebat in manibus continetur plenius, cujus tenor talis eſt.

Ego Gulielmus de Pleſſeiano *Miles*, **dico, propono et affero** Bonifacium **nunc ſedi Apoſtolicæ præſidentem, Hæreticum fore perfectum; in hæreſibus, factis enormibus, et perverſis dogmatibus inferius declaratis, quæ vera fore, et me probare poſſe credo, vel quæ ſufficient ex ipſis, ad probandum ipſum perfectum Hæreticum, loco et tempore competenti, et coram quibus hoc fieri de jure poterit et debebit, et hoc juro ſuper hæc Sancti Dei Evangelia corporaliter pertacta.**

The particular Articles to make good this Charge, are thus Engliſhed and recorded by * Mr. *Fox*, worthy ſpecial obſervation.

* Acts & Monuments, Vol. 1. p. 450. 451.

Firſt, * **That he believeth not the Immortality of men, and Chriſtian ſouls,** *but thinking much like as the* Sadduces *did believe*, **that there is no everlaſting Life, and that men cannot get at the length Joy, but that all the ſort and part of comfort and gladneſs is in this World,** *and by this means he affirmeth*, **that it is no ſinne for the Body to live daintily in all dainties:** *And out of the abundance of this leaven he was not aſhamed to ſay and openly to confeſs*, **that he had rather be an Aſſe, or a Dogg, or any other brute beaſt then a** Frenchman; *which thing he would not have ſaid if he believed a* Frenchman *had a ſoul that could enjoy everlaſting life. This thing he taught many men, which acknowledged this at the point of death, and the common report goeth thus on him in theſe things.*

* Ergo the Pope may be an Heretick, and is not infallible.

2. *And he believeth not faithfully that by the words ordained of Chriſt, and ſpoken over the Hoſt after the faſhion of the Church, by a faithfull Prieſt*, **that is lawfully ordered, the body of Chriſt to be there; and therefore it cometh to paſſe, that he giveth no reverence to it** (*no not a little*) **when it is lifted up of the Prieſt; yea he riſeth not to it, but turneth his back to it,** *and makes himſelf and his ſeat to be honoured where he ſitteth*, **rather than the Altar where the Hoſt is conſecrate;** *and he is commonly reported to do this.*

3. *Alſo he is reported to ſay*, **that Whoredome is no ſinne, no more then rubbing of the hands together**, *and thus commonly runs the voice and brute.*

4. *Alſo he ſaid often*, **that to thruſt down the King and** Frenchmen, (*if it could not be otherwiſe done*) **he would overthrow himſelf, the whole World, and the whole Church.** *And when he had ſaid ſo, ſome that ſtood by ſaid*, God forbid; *he anſwered*, **God grant.** *And when good men that heard the words replyed againſt him*, that he ſhould not ſay ſo, becauſe the Church of God, and all Chriſtian men ſhould ſuffer great ſlander ſo; *he anſwered*, **I care not what ſlanders ſoever come, ſo that the** Frenchmen **and their pride be deſtroyed**; *for it is neceſſary that ſlanders and offences come.*

5. Item, *he called again and allowed a Book made by Mr.* Arnold *of* Newton, *containing and ſmelling of* **Hereſie**, *condemned by the Biſhop of* Paris, *and reproved by the Maſters of Divinity, and burned openly by* Boniface *himſelf, and in the full Conſiſtory of Cardinals being likewiſe reproved, condemned, and burned*, **yet he allowed it being written again, and contepning the ſame fault.**

6. Item, *that he might make the moſt damnable remembrance of him perpetual*, **he cauſed his Images of ſilver to be ſet in the Church**, *by this means bringing men to Idolatry.*

7. Item, **he hath a private Devil whoſe counſell he uſeth in all things, and through all things.**

8. Item, *he ſaid once*, that if all men were of one ſide, and he on another, they could not deceive him neither in law nor in deed; *which thing could not be done except he uſed a Deviliſh Art; and of this he is openly thus reported.*

9. Item, **he is a Witch, asking counſell at Southſayers both men and women,** *and thus he is commonly judged.*

10. Item, *he ſaid openly*, **that the** Romiſh **Pope could not commit Symony,**

which

An. 30 E. 1. which is heretical to ſay: *This is a ſinne reproved as well in the Old Teſtament as in the New, and generally in the Holy Councells.* Alſo he is wont to make Merchandiſe of Prelates Livings, Dignities, Superiorities and Benefices, to which the Holy Orders be neceſſarily joyned, and of Abſolutions and Diſpenſations, like as Uſurers and Merchants uſe to buy and ſell common things in the Market; *and of this the common brute reports him (guilty.)*

11. Item, he letteth with all his might among Chriſtian men the ſpecial embaſſage of Chriſt, made to his own ſonnes, *ſaying,* Peace I leave to you, and ſoweth diſcord and warres; *wherefore once it was ſaid before him,* that certain parties would friendly agree after a good ſort, but he letted the peace: *And when the other party did humbly beſeech him that he would give licenſe to agree, he ſaid,* he would not: *Yea,* if the Son of God, or Peter the Apoſtle would come down into the Earth and command him, he would ſay, I will not believe thee.

12. Item, *becauſe the* French *Nation (being manifeſtly a moſt Chriſtian Nation) followeth not his errours in the Faith,* he reckoneth and openly calleth all and every of them Paterniani.

13. Item, he is infect with Sodomitical ſinne, keeping with him Boyes for Concubines, *and of this fault he is moſt commonly and openly reported.*

14. Item, he hath cauſed many murthers of Clerks to be done in his preſence, commending it, and rejoycing at their death: *And if they were not deadly wounded at the firſt by his Servants, as oft as he ſaw them ſmiting he ſaid,* ſmite, ſmite, *by which example many were ſlain.*

15. Item, *when he had condemned a certain Nobleman, he forbad the Sacrament to be given him at the point of death, he deſiring it, and being penitent; ſaying,* that the Sacrament of penance was not neceſſary to ſalvation.

16. Item, he compelled certain Prieſts to ſhew unto him the confeſſions of men, and he publiſhed them openly afterwards, *contrary to the will of them that were confeſſed, to their ſhame and confuſion, and compelled them to redeem their ſinnes: Inſomuch that once he depoſed a certain Biſhop of* Spain *for the faults that he confeſſed to a certain Cardinal, confeſſing unto him a certain privy horrible fault under* Benedicite, *and compelled the Cardinal againſt his will to declare his confeſſion,* and yet afterwards reſtored the ſame Biſhop again to his place for a little money: *wherefore he is thought to* play the Heretick in the Sacrament of penance.

17. Item, he faſteth not on the Faſting dayes, nor Lent, but eateth fleſh indifferently, and without cauſe ſuffereth his Houſhold and Friends to eat, ſaying it is no ſinne; *doing in this thing againſt the general ſtate of the Holy Church.*

18. Item, *he oppreſſed the Order of the Cardinals, and oppreſſed the Order of Black and White Monks, of Gray Friers and Preachers, and ſaid oft,* that the World was deſtroyed by them, and that they were falſe Hypocrites, and that neber good could chance unto any that would be confeſſed to them, or would be familiar with them, or would keep them in their houſe; and he never ſaid good word of any Prelate, Religious man, or Clerk, but ever rebuketh and ſlandereth them, taking away their good name, and to compell them to redeem their faults, he is glad of their accuſations; *and this is the common voice and report of him.*

Nota.

19. Item, *of old time,* he going about to deſtroy the Faith, *conceived a hate againſt the* French *King, even to the abhorring of the Faith, becauſe of the light of Faith which is there, and becauſe of the great witneſſe and example of Chriſtianity which is and hath been there: And before he had this Seat he is proved to have ſaid,* that if he were Pope, he would rather overthrow all Chriſtendome, but he would overthrow and deſtroy the Nation, which he calleth the Pride of the French.

20. *Alſo it is reported, that when the Embaſſador of the King of* England *in the name of the ſaid King, did require and intreat for the Tenth of the Realm of* England *to be given him, he anſwered,* that he would not give them the Tenths but on this condition, that he would make Warre with them againſt the French King. *And beſides this,* he is reported to have given great ſummes of money to certain perſons, to hinder that peace ſhould not be between the ſaid Kings. *He himſelf alſo with all his might hath letted it, by Meſſengers, Letters, and other wayes that he could,* yea by giving bribes.

21. Item,

21. Item, *he is reported alſo to have commanded* Frederick *which keepeth the Iſle of* Sicil, *that if he would* betray Charles *the King and break the peace which he made, and ſwear that he would keep with him, and would ſtirr againſt the King and kill the* Frenchmen, *that then he would give him aid, help, and counſell*; and for ſo doing he would give and grant him the ſaid Kingdoms. *An.* 30 *E.* 1.

22. *He confirmed alſo the King of* Almaine *to be Emperour, and ſaid openly*, that he did it to deſtroy the Nation which he calleth the Pride of the Frenchmen, which ſay they are ſubject to none in Temporal things. *Wherein ſaith he they lyed on their heads*; *declaring moreover*, that whoſoever (yea if it were an Angel from Heaven) would ſay that all Kings of the World were not ſubject to the ſame King of Almaine, he were accurſed.

23. *Further, he brake the agreements of Peace between the King of* Almaine *and the* French *King, in which either of them ſhould have their own ſaved*; *and what encroachings ſoever had been on either ſide, ſhould be brought to a due ſtate, and under an Oath orderly given and taken*; *he is reported to have commanded the ſame King of* Almaine, that he ſhould not keep thoſe conditions of Peace, but be an Enemy, and go about to ſow debate among Chriſtian men.

24. Item, *it is openly reported*, that the Holy Land was betraped through his fault, *and came to the enemies of God and of Faith, and that he ſuffered this for the nonc't*, and denyed to give aid to the Chriſtians which defended it, ſpending the Treaſures and money of the Church (which ſhould have been beſtowed on that uſe as the Patrimony of Chriſt) in perſecuting of faithfull Chriſtians and friends of the Church, and therewith would enrich his friends. *Nota.*

25. Item, *he is openly reported* to uſe Simony, not only in beſtowing of Benefices, but in giving of Orders, and making Diſpenſations: He hath ſet to ſale all Benefices of the Church, and would beſtow the Church commonly on him that would offer moſt; and he made his Servants Prelates of the Church, not for wealth of the Faith, nor to thruſt down Infidels, but to oppreſſe the faithfull, and to enrich his Kinred by the Churches goods, and of the Patrimony of him that was Crucified; and preſumed to make them Marqueſſes, Earles, and Barons, and was not afraid to build them ſtrong holds, rooting out and oppreſſing many Noblemen and others.

26. Item, *it is commonly reported*, that he hath divorced many Marriages lawfully made, to the contempt, hurt, and ſlander of many; *and he did promote his Nephew to a Cardinalſhip, being married, unlearned, and altogether unworthy to live*; *and openly married one that was divorced, and compelled him to make a vow of Chaſtity, and after that* he is reported to have had two Baſtards by her; *and ſo goeth the common brute of him.*

27. Item, *it is commonly reported*, that he handled ungently his predeceſſor Celeſtinus of holy memory, leading a holy life, (peradventure knowing in Conſcience that he could not forſake his Popedome, and therefore Boniface himſelf had no lawfull entrance to the See) and impriſoned him, and there quickly and privily cauſed him to die; *And of this the common brute and report is through all the World*, that he cauſed many great and learned men, living a regular life, (*which diſputed of this*, whether he might renounce the Popedome or not) to be ſet in priſon, and there to die.

28. Item, *he is reported to have railed at Religious perſons leading a regular life, without a reaſonable cauſe to the World, to the ſlander of many.*

29. Item, *he is reported to have ſaid, that within ſhort time he would make all the* Frenchmen *either Martyrs, or forſakers of their Faith.*

30. Item, *it is commonly reported*, that he ſeeketh not the health of the ſouls, but the deſtruction of them.

* Pierre de Pithou, Preuves des Libertez de l'Egliſe Gallicane, ch. 13. p. 489, 490.

* *Quibus ſic propoſitis & perlectis, idem* Gulielmus *proteſtatus fuit, dixit, juravit, provocavit, appellavit & ſuppoſuit, legendo in ſcriptis, per hac verba.*

† *In hunc convicia, maledicta, probraque obſcœna crimina nefanda, conceſſere* Philippus Galliæ *Rex & mendicantes Monachi quibus* Octavus *adverſabatur. Ea proferre ne procacitatis atque petulantiæ vitio obnoxius eſſe videar, mihi religio eſt.* Joh. Aventinus Annal. Boiorum, l. 7. p. 582.

Proteſtor autem ego *Gulielmus de Pleſſeiano* Miles, quod prædicta non propono, nec dico, propter odium aliquod ſpeciale ipſius † *Bonifacii*, (quia non habeo eum

An. 30 *E.* I. odio, ſed maleficia ſua prædicta) nec infamiam ipſius, nec alterius, ſed propter zelum fidei, et propter devotionem, quam habeo ad Sanctam Dei Eccleſiam, et ad ſanctum ſedem Romanam, dicens, quod per ea quæ vidi, & a fidedignis audivi de factis ejuſdem, et ex vereſimilibus conjecturis et probabilibus preſumptionibus collectis, ex prædictis et aliis quamplurimis diverſis articulis ſuo loco & tempore declarandis, ad ſancta Dei Evangelia tacta manu mea juro me credere, ipſum eſſe perfectum hæreticum, et me etiam credere quod de prædictis et aliis talia probari poterunt contra eum, quæ ſecundum ſtatuta Sanctorum Patrum ſufficient ad eundem hæreticum judicandum: Juro etiam, me probaturum contra eundem perſecuturum prædicta in Concilio Generali congregando in loco mihi tuto et ſecuro ad honorem Dei et exaltationem fidei Chriſtianæ, jure, honore, et ſtatu ſanctæ Sedis Apoſtolicæ in omnibus ſemper ſalvis, propter quæ inſtanter et cum reverentia requiro vos Dominum Regem, ad quem ſpectat ſanctæ Patris Eccleſiæ fideique Catholicæ defenſio, et de hoc eſtis rationem in extremo examine redditurus, et vos Dominos Prælatos qui columnæ fidei eſtis, et qui de prædictis ſimul cum aliis reverendis patribus Sanctæ Eccleſiæ Prælatis Catholicis in Generali Concilio congregandis, debetis eſſe judices, quatinus procuretis & detis operam efficacem, ut Generale Concilium in loco congruo et ſecuro, et tempore oppportuno congregatur: coram quo prædicta proponi, procedi et probari valeant, ut præmittitur, contra eundem *Bonifacium*. Voſque & Dominum Regem inſtanter requiro, ut eoſdem Prælatos præſentes et abſentes ubicunque terrarum, ad quos ſpectat, requiratis et efficaciter inducatis ut laborent viriliter, et alios requirant fideliter, quod prædictum Concilium ad prædicta, modo quo præmittitur, congregetur. Et quia hoc pendente, habeo ipſum *Bonifacium* ſuſpectum probabiliter, ne propter prædicta commotus et concitatus contra me, adhærenteſque mihi procuratores, et adjutores amicos, et familiares meos, bonaque mea, et ipſorum, quoquomodo procedat, vel procedere hoc pendente attente, idcirco in his ſcriptis coram vobis Domino Rege, et Dominis Prælatis, ac coram vobis publicis tabellionibus hic perſonaliter, ad dictum ſacrum convocandum Generale Concilium, et Apoſtolicum et Catholicum futurum, et ad ſanctum ſedem Apoſtolicum, et ad illud et illos, ad quem et quos de jure melius poſſum, et debeo, provoco et appello, Apoſtolos et literas teſtimoniales ſemel, ſecundo, et tertio inſtanter per vos mihi dari et tradi petens, ſupponens me, adhærentes, fautores, familiares, amicos, procuratores meos, et omnes illos, qui in poſterum mihi volverint adhærere, bonaque mea, et ipſorum ſub protectione et cuſtodia beatorum Apoſtolorum *Petri* et *Pauli*, et dicti ſacri congregandi Concilii et Apoſtolici et Catholici futuri, et ſanctæ ſedis *Romanæ*, adherens nihilominus ad cautelam, et adhærere volens appellationi et appellationibus, proceſſui et proceſſibus ſuper his factis per nobilem virum Dominum Gulielmum de Nogaretto Militem, in quantum ritè et legitimè factæ, et facti reperientur, non recedendo ab appellatione præſente.

Nota.

Quibus ſic lectis & peractis, præfatus Dominus Rex reſpondit, Prælatos prædictos requiſivit, procuravit, appellavit, & requiſitionem & provocationem, & appellationem fecit, prout infraſcripta ſchedula ibidem, eo et Prælatis, aliiſque infraſcriptis præſentibus et audientibus lecta plenius continetur; cujus tenor talis eſt.

* Ibidem, p. 490.

*NOs *Philippus* Dei Gratia *Franciæ* Rex, Auditis & intellectis propoſitis & objectis per vos *G.* de *Pleſſciano* Militem, & antea per dilectum et fidelem Militem noſtrum *G.* de *Nogareto*, contra *Bonifacium* nunc *Romanæ* Eccleſiæ regimini præſidentem, licet pudenda Patris cujuſlibet propria libenter pallio tegeremus, ob ſervorem tamen Catholicæ fidei ac devotionem eximiam, quam ad ſacroſanctam *Romanam* et Univerſalem Eccleſiam matrem noſtram, et omnium fidelium, ſponſam Chriſti, progenitorum noſtrorum inhærendo veſtigiis gerimus, qui pro exaltatione ac defenſione Eccleſiaſticæ Libertatis et fidei, proprium ſanguinem fundere minime dubitaverunt, fidei negotio, et Eccleſiæ ſtatui conſuli cupientes pro vitando diſpendio ſcandali generalis, præmiſſa nequeuntes ulterius urgente Conſcientia ſub conniventia vel diſſimulatione tranſire, cum ſuper his et frequentibus, et aſſiduis clamoribus per fidedignos, et magnæ authoritatis viros, ſæpe et ſæpius inculcatis ejus opinio vehementer et notabiliter ſit gravata, cum ſuper excidio fidei noſtræ, et quorumlibet aliorum, et præcipuè Regum et Principum orbis terræ, qui ad ejus exaltationem

altationem et augmentum, collatum nobis a Domino ſuſcepiſſe cognoſcimus poteſtatem, debet negligentia reprobari, veſtris in hac parte requiſitionibus pro divini reverentia nominis; ſalvis in omnibus ſacroſanctæ *Romanæ* Eccleſiæ honore et reverentia debitis, aſſentimus, ac convocationi, et congregationi dicti Concilii, ut ſuper præmiſſis veritas elucelcat, et omnis error abſcedat, Univerſalis Eccleſiæ et totius Chriſtianitatis ſtatui, et Terræ Sanctæ negotio conſulatur, ac ſcandalis, et periculis ingruentibus occurratur, parati ſumus; quodque libenter offerimus, quantum ad nos attinet, opem dare et operam efficacem; vosque Archiepiſcopos, Epiſcopos et Prælatos alios hic præſentes, tanquam Eccleſiæ filios, et columnas fidei, ad exaltationem, augmentum et conſervationem ipſius fidei, a Domino in partem ſollicitudinis evocatos, inſtanter requirimus, et obſecramus per viſcera miſericordiæ Jeſu Chriſti, quatinus hujuſmodi Convocationi, et congregationi Concilii, in quo perſonaliter intendimus intereſſe, totis, ut condecet, ſtudiis intendatis, ac viis et modis congruis efficaciter laborete. Ne autem dictus Bonifacius, qui animoſe et injurioſe contra nos pluries fuerit procedere comminatus, impedire ſatagens ne ſua, ſi qua ſint, in lucem veniant opera tenebrarum, hujuſmodi Convocationi et Congregationi Concilii, directe vel indirecte, impedimento præſtando, vel aliter quovismodo ſtatus noſter in eo integer exiſtat, contra nos, ſtatum noſtrum, Eccleſias, Prælatos, Barones, et alios fideles, baſſallos et ſubditos noſtros, terras noſtras vel ipſorum, regnum noſtrum et ipſius regni ſtatum in aliquo, ſpirituali gladio abutendo, de facto procedat, excommunicando, interdicendo, ſuſpendendo, vel alio quoquo modo pro nobis, et nobis adhærentibus, et adhærere volentibus, ad prædictum generale Concilium, quod inſtanter convocari petimus, et ad verum legitimum futurum Summum Pontificem, vel alios, ad quem et ad quos fuerit appellandum, provocamus et appellamus in ſcriptis, non recedendo ab appellatione per dictum *G.* de *Nogareto* interpoſita, cui extunc adhæſimus, ac etiam adhæremus, Apoſtolos teſtimoniales a vobis Prælatis et Notariis, cum inſtantia poſtulantes, ac exprelſe proteſtantes de innovando provocationem, et appellationem hujuſmodi, ubi, quando, et coram quibus nobis viſum fuerit expedire. Infraſcripti vero Archiepiſcopi, Epiſcopi, Abbates et Priores, præmiſſis ſic factis et habitis reſponderunt, provocaverunt, appellaverunt, ſuppoſuerunt, et proteſtati fuerunt, ac reſponſiones, provocationes, appellationes, ſuppoſitiones, ac proteſtationes fecerunt, prout in ſchedula quadam ibidem publice ac ſeriose perlecta plenius continetur, cujus tenor ſequitur in hæc verba. *An.* 30 *E.* 1

NOs *Nicoſienſis*, *Remenſis*, *Senonenſis*, *Narbonenſis*, & *Turonenſis* Archiepiſcopi, *Laudanenſis*, *Bellunacenſis*, *Cathalaunenſis*, *Antiſſiodorenſis*, *Meldenſis*, *Niverenſis*, *Carnotenſis*, *Aurelianenſis*, *Ambianenſis*, *Morinenſis*, *Silvanectenſis*, *Andegavenſis*, *Abrincenſis*, *Conſtantienſis*, *Ebroicenſis*, *Lexovienſis*, *Sagienſis*, *Claromontenſis*, *Lemovicenſis*, *Anicienſis*, *Matiſconenſis* Epiſcopi; *Cluniacenſis*, *Præmonſtratenſis*, majoris Monaſterii *Ciſtercienſis*, Sancti *Dionyſii* in *Francia*, *Compendienſis*, Sancti *Victoris*, Sanctæ *Genovefæ Pariſius*, Sancti *Martini Laudunenſis*, *Figiacenſis*, & *Belliloci*, in *Lemovicinio*, Abbates, Frater *Hugo* Viſitator Domorum Ordinis Militiæ *Templi*, ac Sancti *Johannis Jeroſolymitani* in *Francia*, & Sancti *Martini* de *Campis Pariſienſis* Priores, auditis quæ per vos Domini, Comites, et *Gulielmi* prædicti heri et hodiè dicta, propoſita, et objecta fuerunt contra Dominum *Bonifacium* Papam octavum, hujuſmodi dictis, propoſitis, aſſertionibus, & juraments, veſtris requiſitionibus, & aliis legitimis cauſis, inducti, & quadam quaſi neceſſitate compulſi attendentes, quod in præmiſſis negotium fidei, quod eſt Chriſti, qui ad ipſius defenſionem, & exaltationem fidei, & animarum regimen ſumus, licet immeriti, in partem ſollicitudinis evocati, cupientes obviare periculis, quæ imminent, expreſſis Convocationem et congregationem dicti Concilii, præmiſſis, & aliis cauſis, utilem & omnino neceſſariam reputantes, ut ipſius Domini *Bonifacii* innocentia clareat, ſicut teſte conſcientia exoptamus, aut de impoſitis ſibi per Concilium diſcutiatur, ſtatuatur, & fiat quod diſcernunt Canonicæ ſanctiones, vobis Domine Rex, et vobis Domini Comites & *G.* reſpondemus, quod ſalvis in omnibus Sacroſanctæ *Romanæ* Eccleſiæ honore et reverentia debitis, veſtris in hac parte requiſitionibus, ſuper ipſius Convocatione Concilii, aſſentimus: et parati ſumus Convocationi et Congregationi dicti Concilii, juxta Sanctorum Patrum inſtituta, et Canonicas et legitimas ſanctiones, Ibidem, p. 490 491.

An. 30 *E.* I. ctiones, opem dare et operam efficatem, non intendentes quoquo modo partem in hoc negotio facere, ſeu quibuſcunque partem facientibus adhærere. Verum ne dictus Dominus *Bonifacius*, motus ſeu provocatus ex iis, prout timemus ex veriſimilibus conjecturis, & comminationibus multis de procedendo contra nos, ab eo factis, contra nos, Eccleſias, Parochos et ſubditos noſtros, quoquomodo procedat, aut procedi faciat, ſua aut alia authoritate quacunque excommunicando, ſuſpendendo, interdicendo, deponendo, privando, vel alio quovismodo, quocunque colore quæſito, in impedimentum vel perturbationem dicti Concilii, et quin in eodem Concilio conſedere, conjudicare, et omnia alia facere, quæ ad officium Prælati pertinent, facere valeamus, noſtrique, adhærentium nobis, et adhærere volentium ſtatus, in omnibus ſalvi debeant remanere, pro nobis, Eccleſiis, Parochiis, et ſubditis noſtris, ac pro nobis adhærentibus, ſeu adhærere volentibus in hac parte, ad prædictum Concilium congregandum, et ad futurum verum et legitimum Summum Pontificem, et ad illum vel illos, ad quem, vel quos de jure fuerit appellandum, provocamus vel appellamus in ſcripto, et Apoſtolos cum inſtantia petimus, ſupponentes nos, Eccleſias, Parochos, ſubditos, et amicos noſtros, et adhærentes noſtrorum et ipſorum, ſtatum et jura, noſtraque et eorum bona protectioni divinæ, Concilii prædicti, ac futuri veri et legitimi Summi Pontificis, ac proteſtantes de innovando appellationem hujuſmodi, ubi, quando, et coram quibus nobis viſum fuerit expedire. Actum *Pariſius* apud *Lupram* in Camera dicti Domini Regis, Anno, Indictione, menſe, diebus Jovis & Veneris, ac Pontificatu prædictis, præſentibus nobilibus viris, Dominis *Andegaven. Bolon. Dampni-Martini*, & aliis Comitibus ſuperius nominatis, *Matthæo de Trya*, *Petro* Domino *Chanbliaci*, *P.* Domino de *Wormes*, *Hugone* de *Bonilla*, Militibus, necnon Magiſtris *Stephano* Archid. *Brugen. Nich.* Archid. in Eccleſia *Remen. G.* Theſaurario *Andegaven. Petro de Bello Porticu*, *Reginaldo* dicto *Burdon*, & *Johanne de Montegneyo*, ac nonnullis aliis, tam Clericis quam Laicis, ad hoc vocatis ſpecialiter et rogatis teſtibus. Et ego *Evenus Phyli* de Sancto *Nicaſio* Clericus *Coriſopitenſis* Dioceſis, Apoſtolica publicus authoritate Notarius, præmiſſis omnibus & ſingulis, duntaxat die Veneris actis, dictis et habitis interfui, & hic me ſubſcripſi, et ſolitum ſignum meum apposui requiſitus. *Au threſor des Chartres coffre Boniface, num.* 14. *& au livre cotte a au livre B.* 28. *fol.* 281. *&c. Au livre* 129.

* Pierre de Pithou Preuvez des Libertez de l'Egliſe Gallicane, ch 13. ſect. 2. p. 492, 493. Conſenſus Prælatorum regni Franciæ pro Regis defenſione, et appellatione ad Concilium 15 Junii 1303.

*UNiverſis præſentes Literas inſpecturis, miſeratione Divina *Nicoſienſis*, *Remenſis*, *Senonenſis*, *Narbonenſis*, & *Turonenſis*, Archiepiſcopi; *Laudunen*, *Beluacen. Cathalaunen. Antiſſiodoren. Melden. Nivern. Carnoten. Aurelianen. Ambianen. Morinen. Silvanectен. Bitteren. Andegaven. Abrincen. Conſtantien. Ebroicen. Lexovien. Sagien. Claromonten. Lemovicen. Anicien.* & *Matiſconen.* Epiſcopi; *Cluniacen. Præmonſtraten.* Majoris Monaſterii *Turonen.* Sancti *Dionyſia* in *Francia Compendien.* Sanctæ *Genovefa*, Sancti *Victoris Pariſ.* Sancti *Martini* in *Laudunen*, *Figiacen.* & *Belli loci* in *Lemovicinio* Abbates. Frater *Hugo* Viſitator Domorum Ordinis *Militiæ Templi*, ac Sancti *Martini* de *Campis Pariſien.* Priores, æternam in vero ſalutari ſalutem. Cum perſonam Domini noſtri Regis *Francia*, ſtatum, honorem, et jura defendere teneamur, eidem Domino Regi promiſimus, quod perſonam ſuam, Dominæ Reginæ, & filii ſui hæredis in regno, ſtatum, honorem, jura, & libertates ejuſdem totis viribus quantum ſecundum Deum poterimus, defendemus, et in eorum tuitione ſibi aſſiſtemus, contra quamcunque perſonam, quæ eum vellet impetere, ſtatum, honorem, jura, et libertates ejus infringere, aut etiam annullare, etiam contra Dominum B. Papam Octavum, qui multa contra eos et regnum *Francia* dicitur comminatus fuiſſe. Nec ab eo unquam ſeperabimus in defenſione prædicta S. Sedis Apoſtolicæ reverentia ſemper ſalva, faciemuſque de Convocatione Generalis Concilii, prout aliàs conceſſimus, prout in conceſſionibus noſtris in Inſtrumentis inde confectis plenius continetur. Cumque tam dictus Dominus Rex quam nos, ac Magnifici viri Domini *K.* & *Lud.* fratres dicti Domini Regis, *G. S. Pauli*, & *J. Drocen.* Comites, et alii multi Barones & Nobiles Regni, ſub certis formis provocavimus et appellavimus et in ſcriptis, ne dictus Dominus Papa commotus occaſione præmiſſorum, vel aliquorum ex eis, procederet contra ipſum Dominum Regem, Regnum, Barones, nos & ſubditos, et nobis adhærentes et adhærere volentes, prout in Inſtrumentis inde confectis plenius continetur. Promittimus, quod ſi dictus Dominus

minus Papa procedat quocunque quæsito colore, occasione præmissarum appellationum, adhæsionum, et quorumcunque aliorum Convocationem dicti Concilii tangentium, excommunicando, interdicendo, suspendendo, deponendo, absolvendo a juramento fidelitatis, homagii vel alterius cujuscunque obligationis, vel alias quoquomodo, procedendo contra Regem, prædictos *K. L.* et Comites, aut Magnificum virum *R.* Ducem *Burgundiæ*, qui appellationi prædictæ dicitur adhærere, et alios adhærentes, et adhærere volentes, qui se nobis sub forma, qua se Dominus Rex et alii prænominati nobis obligarunt et obligant, obligabunt; nos dicto Domino Regi et Baronibus, ac sibi assistentibus, assistemus, et secundum Deum pro viribus defendemus, nec nos seperabimus ab eisdem, nec absolutionibus a juramentis fidelitatis, vel aliis quibuscunque relaxationibus indultis et indulgendis, impetratis vel impetrandis, vel ultro oblatis vel offerendis, seu concessis seu concedendis, utemur; immo semper eidem Domino Regi, Baronibus, et adhærentibus adhærebimus. Et hæc omnia & singula supradicta promisimus, voluimus et juravimus jure *Romanæ* Ecclesiæ, nostroque, et Ecclesiarum nostrarum, in omnibus, et per omnia semper salvo, et illicita conspiratione, seu conjuratione cessante. Nolentes quod idem Dominus Rex novum homagium seu juramentum acquirere in nobis & nostris Ecclesiis valeat in aliis, per prædicta. In cujus rei testimonium præsentibus Literis nostra fecimus apponi sigilla. Datum *Parisius* die 15 *Junii*, Anno Domini 1303. Sigillatæ 32 sigillis. *Au Tresor des Chartes coffre* Bonifac. *num.* 1. *An.* 30 *E.* I.

* *Acte de ceux de l' Université de* Paris, *par le quel ils declarent que la Convocation d'un Concile Generall, proposé par le Roi est necessaire, y consentent, et en suite adherent à l'appel interietté par le Roy au dit futur Concile, au cas que le Pape* Boniface *vouluſt proceder contre ceux qui auront promeu cette Convocation.* * Ibid. nu. 3. p. 493, 494, &c.

UNiversis præsentes literas inspecturis. Universitas Magistrorum & Scholarium *Parisius* studentium, salutem in Domino. Ad notitiam singulorum volumus pervenire, quod nuper nonnullis ex nobis majorem partem Facultatum nostrorum & totius *Parisien.* studii facientibus, pro certis causis & negotiis accedentibus ad præsentiam Excellentissimi Principis Domini *Philippi* Dei Gratiâ Regis *Franc.* Illustris, ipso Domino Rege, ac nonnullis Archiepiscopis, Episcopis, Abbatibus, Prioribus, Comitibus, Baronibus, et aliis magnæ Authoritatis personis, tam Ecclesiasticis quam Secularibus, apud *Luparum Paris.* existentibus, recitatum fuit, nobis expositum, narratum ibidem, quod die Jovis, & die Veneris præcedentibus ipsis Domino Rege, Archiepiscopis, et aliis personis prædictis præsentibus, per quosdam Comites, et alios Nobiles regni *Franc.* contra Dominum *Bonifacium* 8. proposita et significata fuerunt **diversa enormia, et horribilia ac detestabilia Crimina, quorum quadam hæresim sapiunt manifeste, quibus eum irretitum esse dicebant et super iis publice ac notorie diffamatum**, præstito ibidem ab eisdem proponentibus ad sancta Dei Evangelia tacta corporaliter juramento quod hujusmodi proposita et significata credebant esse vera, et posse probari in Generali Concilio, vel alias ubi, quando et coram quibus de jure faciendum, et per proponentes eosdem **a Domino Rege, tanquam fidei pugili, et Ecclesiæ defensore**, ac Archiepiscopis, Episcopis, Abbatibus, Prioribus, et personis aliis Ecclesiasticis supradictis, tanquam Ecclesiæ fideique Columnis petitum fuerat, ac instanter et pluries requisitum, ut pro declaratione veritatis hujus, ut omnis error abscedat, ut periculis & scandalis, quæ universali Ecclesiæ imminent occurratur, convocationi et congregationi dicti Concilii Generalis, ad laudem Dei nominis, et exaltationem et augmentum Catholicæ fidei, ac salubre regimen, et bonum statum universalis Ecclesiæ, et tocius populi Christiani, opem darent & operam efficaces: Quodque idem Dominus Rex Archiepiscopi, Episcopi, Abbates, Priores et aliæ personæ Ecclesiasticæ supradicta auditis et intellectis pleniùs propositis & significatis, et requisitionibus supradictis, considerantes, **quod in hoc casu negotium agitur fidei quod est Dei**, et quod **ad defensionem et conservationem, et exaltationem ipsius fidei ipse Dominus Rex collatam sibi recipit a Domino potestatem, idemque Prælati sunt in partem sollicitudinis evocati**, super præmissis per dies multos discussione ac deliberatione præhabita diligenti, ex præmissis, et aliis legitimis causis moti, convocationem et congregationem dicti Concilii generalis utilem, et omninò necessariam reputantes, hujus Convocationi et

Congregationi

An. 30 *E.* 1. Congregationi conſenſerunt ac reſponderunt, quod Convocationi & Congregationi prædictis opem & operam darent efficaciter, ut deberent, & ne dictus Dominus *B.* motus ſeu provocatus ex iis, **prout timebant ex veriſimilibus conjecturis et comminationibus multis contra eos, Eccleſias, Parochianos, et ſubditos ſuos quoquomodo procedat aut procedi faciat ſua vel alia authoritate quacunque excommunicando, ſuſpendendo, interdicendo, deponendo, privando, aut alias quovismodo in impedimentum, et perturbationem Concilii congregandi, et quin concedere, conjudicare, et alia quæ ad officium Prælati pertinent, facere in eodem Concilio poſſent, ſalvique eorum et ſibi adhærentium ſtatus manere deberent, pro ſe, Eccleſiis, Parochianis et ſubditis ſuis, et pro ſibi adhærentibus ſeu adhærere volentibus in hac parte, ad prædictum Concilium congregandum, et ad ſuturum verum et legitimum Summum Pontificem, et ad illum vel ad illos, ad quem vel quos de jure fuerit appellandum, provocarunt et appellarunt in ſcriptis et Apoſtolos teſtimoniales cum inſtantia petierunt, ſupponentes ſe, Eccleſias Parochianos et ſubditos, ac ſibi adhærentes, ipſorum ſtatus, jura et bona protectioni divinæ, prædicti Concilii, ac futuri veri et legitimi Summi Pontificis, ac proteſtantes de innovando appellationem hujuſmodi ubi, quando, et coram quibus eis viſum fuerit expedire.** Quare pro parte præfati Domini Regis, petebatur à nobis, ut Convocationi & Congregationi dicti Concilii Generalis aſſentire, ac **quantum in nobis eſt opem dare et operam curaremus.** Nos autem præmiſſis conſiderationibus & cauſis inducti Convocationem & Congregationem ipſius Concilii reputantes utilem, neceſſariam & ſalubrem, ac expedientem fidei negotio, & Eccleſiæ Sanctæ Dei, **ejuſdem Convocationi et Congregationi Concilii aſſentimus, ac opem et operam libenter dabimus juxta poſſe, et provocationi et appellationi præfati Domini Regis adhæremus, quantum de jure poſſumus et debemus ſecundum Deum et juſtitiam, et ſanctæ permittunt Canonicæ Sanctiones, ſupponentes nos, ac nobis adhærentes et adhærere volentes, ſtatum noſtrum, et Univerſitatem noſtram protectioni divinæ, et prædicti Concilii Generalis, ac futuri veri et legitimi Summi Pontificis.** In quorum omnium teſtimonium ſigillum noſtræ Univerſitatis prædictæ præſentibus literis duximus apponendum. Datum die *Veneris* ante feſtum Nativitatis beati *Johannis Baptiſtæ*, Anno Domini 1303. *Au Threſor des Chartes coffre* Boniface. *num.* 51, & 53.

* Ibid. ſect. 4. p. 494, 495.

* *Forme de la Lettre envoyee par le Roy a toutes les Villes, Egliſes & Communautez de ſon Royaume, a ce quelles euſſent a conſentir a la Convocation du Concile general, & a l'appel par luy interiette au futur Concile.*

PHilippus Dei gratia *Francorum* Rex, diſcretis viris dilectis nobis in Chriſto Cathedralium, Collegiatarum Eccleſiarum Decanis & Capitulis, Prioribus Prædicatorum, Gardianis Minorum Fratrum, aliorumque Religioſorum Conventibus, Nobilibus, Conſulibus, Civibus, aliiſque perſonis Eccleſiaſticis & Secularibus *Tholoſan.* Civitatis & Diocæſis, ſalutem & dilectionem in Domino. Nuper nobis multis Archiepiſcopis, Epiſcopis, Abbatibus, Prioribus, Comitibus, Baronibus, aliiſque pluribus perſonis, tàm Eccleſiaſticis quàm Secularibus, præſentibus *Pariſ.* contra *Bonifacium* nunc Sedi Apoſtolicæ Præſidentem, **plura enormia et horribilia crimina, quorum aliqua immanem hæreſim continent manifeſte, ex parte plurium Illuſtrium perſonarum**, quorundamque Militum, fervore dilectionis Sanctæ Matris Eccleſiæ, ac zelo fidei Catholicæ accenſorum, ſignificata, dicta propoſitaque fuerunt, juramentaque aſſertivè ſuper ipſis criminibus præſtita ab eiſdem illuſtribus & nobilibus perſonis, ea proponentibus & ſignificantibus, prout in Inſtrumentis publicis ſuper hæc confectis plenius continetur. Per quos proponentes & ſignificantes ipſa crimina, inſtanter & pluries tàm nos quàm præfati Prælati, requiſiti & adjurati fuimus, ut ad honorem Dei, fidei Catholicæ, & Eccleſiæ Sanctæ Matris, ſuper convocatione Generalis Concilii convocandi, per quos fuerit faciendum, ad veritatem inquirendam & ſciendam ſuper ipſis loco & tempore, & ubi decebit proponendis intenderemus, & operam daremus efficacem; quod deliberatione diligenti præhabita neceſſario debere fieri viſum fuit; nihilominus ad cautelam, & ut poſſit malis obviari per nos, ipſos Prælatos, Barones, Nobiles, Univerſitatem *Pariſienſem*, Magiſtros in Theologia, Conventus Religioſorum, & Capitula Eccleſiarum appellationes

&

& provocationes interpoſitæ fuerunt, prout in quibuſdam Inſtrumentorum ſuper hæc confectorum videre poteritis contineri. Quare ad vos dilectos & fideles Clericos noſtros Archidiaconum *Algia* in Eccleſia *Lexovien.* & Magiſtrum *Petrum de Latilliaco* Canonicum *Pariſ.* & eorum quemlibet mittimus pro prædictis vobis aperiendis & clarius ſignificandis, vos veſtrumque ſingulos ex affectu requirentes pro honore Dei, fidei Catholicæ, & Sanctæ Matris Eccleſiæ, quatinus tanquam ipſius Eccleſiæ veri filii, cujus negotium agitur, convocationi Concilii Generalis conſentire, **appellationibuſque et provocationibus interpoſitis adhærere velitis, nihilominuſque ad tuitionem veſtrum expreſſionem quam ſyncero affectu procurare proponimus, de novo provocare et appellare ſecundum formam et modum quos in prædictis Inſtrumentis videbitis contineri**; ac nobis ſuper hoc patentes literas per ipſos vel eorum alterum ſigillis veſtris mittere ſigillatas. Actum *Pariſ.* die *Jovis* poſt feſtum Nativitatis beati *Johannis Baptiſtæ*, Anno Domini Milleſimo Trecenteſimo tercio. *An.* 30 E. 1.

* *Le Roy declare, qu'au cas que le Pape procede contre luy & ceux qu'il a aſſemblez, pour adviſer les moyens d'aſſembler un Concile, il en appelle au futur Concile, ou au Pape qui ſera legitime, du* 1 Juillet 1303. * Ibid. ſect. 5. P. 495. 496.

PHilippus Dei gratia *Francorum* Rex, univerſis præſentes literas inſpecturis, ſalutem. **Et ſi Catholicæ fidei et Univerſalis Eccleſiæ matris fidelium ſponſæ Chriſti, negotium cunctos, quos ejuſdem participatio fidei et religio Chriſtiana complectitur, principaliter et immediate contingat, ac proprium intereſſe reſpiciat ſingulorum. Nos tamen et alios Reges et Principes orbis terræ, eo principalius atque paramplius tangit et reſpicit, et ad ipſius promotionem negotii, cum cauſa depoſcit, eo aſtricti tenemur obnoxius quo ad exaltationem et augmentum ejuſdem fidei, et defenſionem Eccleſiæ et Eccleſiaſticæ libertatis commiſſam ſuſcepiſſe recognoſcamus, et fatemur et traditam divinitus poteſtatem.** Nuper ſiquidem nonnulli Comites, Barones & Milites regni noſtri, fide dignæ quidem & magnæ authoritatis perſonæ, moti, ut dicebant, fervore fidei, ſynceræ devotionis affectu & zelo charitatis inducti, Sacroſanctæ *Romanæ* & Univerſalis Eccleſiæ matri ſuæ, quam ſub præſidentia *B.* nunc ejuſdem Eccleſiæ regimini præſidentis miſerabiliter deprimi, ac deformationem enormem & jacturam pati dicebant, compatientes ab intimis, **ac Chriſtianæ fidei, in qua ſalus animarum conſiſtit, et quæ ſuis temporibus, proh dolor! contabeſcit et deperit, excidio condolentes, ad ipſius Eccleſiæ et totius Chriſtianitatis ſalubre regimen, et bonum ſtatum ac reparationem et exaltationem Catholicæ fidei, votis, ut dicebant, ferventibus intendentes, maxime cum eidem Eccleſiæ, fidei fundamento et animarum ſaluti, ſumme expediat, ut homo ſit gregis ovili non niſi verus et legitimus, ac vere et legitime Paſtor præſit, et quod ab eadem Eccleſia ſponſa Chriſti, *quæ non habet maculam neque rugam*, omnis error, ſcandalum, iniquitas, ac juſtitia repellatur, ac toti mundo quem ex perverſis actibus, deteſtandis operibus, et perniciosis exemplis dicti *Bonifacii* in guerris et tenebris manere dicebant, ſalus, pax et tranquillitas, divina favente miſericordia, procurentur contra dictum *Bonifacium* hæreticæ pravitatis, et alia diverſa enormia horribilia ac deteſtabilia crimina, quibus eum irretitum eſſe dicebant, et ſuper eo publice ac notorie diffamatum**; Nobis ac Archiepiſcopis, Epiſcopis, & aliis Prælatis ac perſonis Eccleſiaſticis qui pro ſuis & Eccleſiarum ſuarum agendis convenerunt, ac Baronibus, Comitibus, & aliis Nobilibus regni noſtri præſentibus, aſſeruerunt, propoſuerunt & objecerunt, publicè & patenter, præſtitis ab eiſdem objectoribus ut veſtram in hac parte conſcientiam informarent, noſtrumque ad exauditionem petitionis ſuæ animum facilius inclinarent, ad Sancta Dei Evangelia tacta corporaliter juramentis, quod hujuſmodi crimina credebant eſſe vera, & ſe poſſe probare, quodque ipſa in Generali Concilio, vel alias ubi, & coram quibus expedire viderint, & de jure fuerit faciendum, ad finem debitum proſequentur; Petentes à nobis, **tanquam fidei pugili, et Eccleſiæ defenſore, ac Archiepiſcopis & Epiſcopis ſupradictis, tanquam Eccleſiæ fideique columnis, ut pro declaratione veritatis hujuſmodi, ut omnis error abſcedat, ac periculis & ſcandalis quæ Univerſali Eccleſiæ imminent occurratur, convocationi & congregationi dicti Concilii Generalis, ad laudem divini nominis, augmentum & exaltationem**

An. 30 *E.* I. tionem Catholicæ fidei, honorem & bonum ſtatum Univerſalis Eccleſiæ, ac totius populi Chriſtiani opem daremus & operam efficaces, cum in talibus & ſimilibus caſibus ſemper directrix veritatis exiterit Regia domus noſtra. Nos autem licet pudenda patris proprio libenter pallio tegeremus, ob ſpecialis tamen devotionis & dilectionis zelum, quem ad præfatam Eccleſiam matrem fidelium ſponſam Chriſti, cujus tanquam Chriſtianæ legis & Catholicæ fidei zelatores devotum nos filium profitemur, & defenſorem recognoſcimus ſpecialem, progenitorum noſtrorum inſequendo veſtigia gerimus, **præmiſſa nequeuntes urgente conſcientia ſub conniventia vel diſſimulatione tranſire, præſertim cum ſuper excidio fidei, noſtra et aliorum quorumlibet, et præcipue Regum et Principum orbis terræ deberet patientia reprobari**; hujuſmodi propoſitionibus & objectionibus, ac requiſitionibus auditis & plenius intellectis, ac ſuper iis cum Prælatis videlicet, Archiepiſcopis, Epiſcopis, Abbatibus, Prioribus, Univerſitate *Pariſienſi* ſtudii, ac Magiſtris in Theologica facultate, & in utroque jure Doctoribus, Religioſis & aliis de regno noſtro oriundis, ac etiam aliunde, ac in regno ipſo & alibi Prælaturas, & beneficia obtinentibus, necnon Baronibus & aliis Nobilibus, deliberatione & diſcuſſione habita pleniori, convocationem & congregationem dicti Concilii, ex præmiſſis & aliis juſtis & legitimis cauſis, utilem & ſalubrem expedientem fidei negotii & Eccleſiæ Sanctæ Dei, & omninò neceſſariam reputantes; Convocationi & congregationi hujuſmodi faciendæ ut præfati *B.* innocentia clareat, ſicut teſte conſcientia exoptamus, aut de impoſitis ſibi per Concilium diſcutiatur, ſtatuatur & fiat, quod præcipiunt & decernunt Canonicæ Sanctiones, deliberato Concilio expreſſè conſenſimus & proponentibus reſpondimus memoratis, quod eiſdem convocationi & congregationi opem libenter & operam, prout ad nos pertinet, præberemus. Certis ne idem *B.* ex iis provocatus, contra nos Prælatos, Barones, & perſonas prædictas Eccleſias, terras, fideles & ſubditos noſtros, & eorum aut nobis adhærentes vel adhærere volentes in hac parte procederet, ad prædictum Concilium, & ad futurum verum & legitimum Summum Pontificem, & ad illum vel ad illos ad quos de jure fuerit appellandum, ex parte noſtra, & ipſorum ſub certis formis provocationibus & appellationibus interjectis. Nos itaque ad petendum prædictum Generale Concilium convocari & etiam congregari, & ad faciendum omnia & ſingula quæ circa hæc fuerint opportuna, dilectos & fideles *Gulielmum de Chacenayo* & *Hugonem de Cella* Milites noſtros, exhibitores præſentium, & utrumque ipſorum inſolidum Procuratores noſtros conſtituimus & Nuncios ſpeciales, dantes eis & alteri ipſorum in ſolidum ſuper præmiſſis omnibus & ſingulis, ac ea tangentibus vel dependentibus eiſdem plenam & liberam poteſtatem & ſpeciale mandatum, ratum habituri & gratum quicquid per eos vel eorum alterum factum, geſtum vel procuratum fuerit in hac parte. In cujus rei teſtimonium ſigillum noſtrum præſentibus literis duximus apponendum. Datum *Pariſ.* die 1 *Julii*, Anno Dom. 1303. *Et ſcelle, Au Threſor des Chartes coffre* Boniface, *num.* 50.

* Ibid. ſect. 6. p. 497.

* *Lettre du Roy aux Cardinaux, aux fins des Lettres precedentes.*

Philippus Dei gratia *Francorum* Rex, venerabilibus & amicis in Chriſto chariſſimis eadem gratia Epiſcopis, Presbyteris & Diaconis, Cardinalibus Sacroſanctæ *Romanæ* Eccleſiæ, ſalutem & ſinceræ dilectionis affectum. Ineffabilis amoris dulcedine ſponſus & * **caput Eccleſiæ Dei** filius Dominus noſter *Jeſus Chriſtus* amplectens & proſequens ſponſam ſuam, ipſam fundavit in *Petri* vocabulo *ſupra petram*, voſque ipſius columnas Eccleſiæ, fidei Cardines & Apoſtolorum conſtituit ſucceſſores; unde ſuper iis quæ augmentum & exaltationem fidei orthodoxæ, ac honorem & bonum ſtatum Univerſalis Eccleſiæ & totius populi Chriſtiani reſpiciunt, vos fiducia ſecura requirimus, ac ſpecialibus cum cauſa depoſcit literis & precibus excitamus. Nuper ſiquidem nonnulli Comites, *&c.* (ut ſupra, uſque ad verba, *provocationibus & appellationibus interjectis.*) Quapropter venerabilem cœtum veſtrum attentè requirimus & rogamus, **quatinus ad convocationem et congregationem prædicti Concilii Generalis, loco et tempore congruis celebrandi, pro honore Dei et augmento Catholicæ fidei, ac bono ſtatu Univerſalis Eccleſiæ, et totius populi Chriſtiani, diligenter et unanimiter, prout ad vos pertinet intendatis**; per quod omni ab Eccleſia Dei errore propulſo, ac ſedatis ſcandalis, reſurgant pax & tranquillitas,

* *Nota.*

tranquillitas, paretur miſerabili Terræ Sanctæ ſubſidium, vobis quæ pro tam laudabili opera à divina clementia condignè proveniat retributionis augmentum. Credentes dilectis & fidelibus *Gulielmo de Chacenayo*, & *Hugoni de Cella* Militibus noſtris, vel eorum alteri, quos ad vos propter hæc ſpecialiter deſtinamus, in iis quæ circa hæc vobis ex parte noſtra duxerint exponenda. Datum *Pariſ.* die 1 *Julii*, Anno Dom. 1303. *Et ſcelle, Au Threſor de Chartes coffre* Boniface. *An.* 30 *E.* 1.

* *Acte par le quel les villes du* Languedoc *adherent a l'appel interiette par le Roy au futur Concile*, Aouſt 1303.

* Pierre de Pithou, Preuves des Libertez de l'Egliſes Gallicane, p. 497, 498.

UNiverſis præſentes literas inſpecturis, Conſules Civitatum & Burgorum *Narbon. Carcaſſon. Bitter. Apam. Albia, Agathen.* & *Lodaven.* ac Villarum de *Monte Regali*, de *Caſtris*, de *S. Pontio Thommeriarum*, de *Lautreco*, de *Craſſa*, de *Lunoſo*, de *Pedenacio*, de *Trib. bonis*, de *Cancio*, de *Florenciace*, de *Capite Stagno*, de *Barbarrano*, de *Villa magna*, de *Amacio*, de *Burlacio*, de *Saxiacho*, de *Rivo*, de *Montanhaco*, de *Mirapiſco*, de *Centennon*, de *Berenchis*, de *Sancto Tiberio*, de *Sancto Paulo*, de *Sancto Gervaſio*, de *Podio Naucerio*, de *Dozenchis*, de *Ginbaco*, de *Peteracho*, de *Olargio*, de *Monte Olivo*, de *Laurano*, de *Ceſſolente*, de *Villalherio*, de *Corchis*, de *Villaiglino*, de *Villamoſtauſſion*, de *Ledmiano*, de *Briſatcſta*, de *Granlheto*, de *Senegatio*, de *Sancto Dionyſio*, de *Albanno*, de *Ambileto*, de *Palma*, de *Regali Monte*, de *Savardimo*, & Procuratores, Syndici & Rectores locorum, Caſtrorum ſeu Villarum de *Electo*, de *Paulmhio, Terra Salvis*, de *Lodeva*, de *Aſcano*, de *Claromonte*, de *Sancto Aniano*, de *Podio territo*, de *Bizano*, de *Carma*, de *Aniana*, de *Biſano*, de *Granolheriis*, de *Caunis*, de *Sancto Gulielmo*, de *Falgeriis*, de *Piſcinibus*, Seneſcalliæ *Carcaſſon.* ſalutem in Domino *Jeſu Chriſto*. Præſentium literarum ſerie vobis fieri volumus manifeſtum, quod cum Nobiles viri Dominus *Amalricus Vicomes*, & Dom. *Narbon. Gulielmus de Playſiano* Dominus de *Vicenobr.* Milites, & Magiſter *Dionyſius de Senonis* Clericus Domini noſtri *Francorum* Regis, nobis & nonnullis Prælatis, Prioribus, Capitulorum & Conventuum, Eccleſiarum Cathedralium, Collegiatarum, & Monaſteriorum, Syndicis & Procuratoribus, Baronibus, Nobilibus, Conſulibus Univerſitatum, Civitatum, Caſtrorum & Villarum inſignium præfatæ, & *Bellicadri*, & *Ruthenen.* Seneſcalliarum, convocatis & præſentibus die præſenti apud *Montem Peſſulanum* in domo Fratrum Minorum dicti loci, coram eis diligenter oſtenderint & expoſuerint, quod nuper nonnullis Archiepiſcopis, Epiſcopis, Abbatibus, Comitibus, Prioribus, Univerſitate Magiſtrorum & Scholarium *Pariſius* ſtudentium, & multis aliis magnæ authoritatis perſonis tàm Eccleſiaſticis quàm Secularibus *Pariſius* apud *Luparam*, in dicti Domini Regis præſentia conſtitutis, recitatum fuit eis & expoſitum ac narratum ibidem, quod ipſis Domino Regi, Archiepiſcopis, Epiſcopis, & aliis perſonis ſupradictis, per quoſdam Comites & alios Nobiles regni *Francorum* contra Dominum *Bonifacium* Papam 8. propoſita & ſignificata fuerunt, **diverſa enormia, ac horribilia ac deteſtabilia crimina, quorum quædam hæreſim ſapiunt manifeſte, quibus eum irretitum** eſſe dicebant, **et ſuper eis publice ac notorie diffamatum**, præfatis ibidem ab eiſdem proponentibus ad Sancta Dei Evangelia tacta corporaliter juramentis, quod hujus propoſita & ſignificata credebant eſſe vera, & poſſe probari in Generali Concilio vel aliàs, ubi, quando, & coram quibus de jure fuerit faciendum, & per proponentes eoſdem à Domino Rege, **tanquam fidei pugile et Eccleſiæ defenſore**, ac Archiepiſcopis, Epiſcopis, Abbatibus, Prioribus, & perſonis aliis Eccleſiaſticis ſupradictis, tanquam Eccleſiæ fideique columnis, petitum fuerat ac inſtanter & plenius requiſitum, ut pro declaratione veritatis hujus, ut omnis error abſcedat, ac periculis & ſcandalis quæ Eccleſiæ Univerſali imminent occurratur, convocationi & congregationi dicti Concilii Generalis ad laudem Dei nominis, & exaltationem & augmentum Catholicæ fidei, ac ſalubre regimen & bonum ſtatum Univerſalis Eccleſiæ, & totius populi Chriſtiani, opem darent & operam efficaces, quodque idem Dominus Rex, Archiepiſcopi, Epiſcopi, Abbates, Priores, & aliæ perſonæ Eccleſiaſticæ ſupradictæ, auditis & intellectis, propoſitis & ſignificatis, ac requiſitionibus ſupradictis conſiderantes, quod in hoc caſu negotium agitur fidei, quod eſt Dei, **et quod ad defenſionem, et conſervationem et exaltationem ipſius fidei, ipſe Dominus Rex collatam ſibi recepit a Domino poteſtatem** iidemque Prælati ſunt in partem ſolicitudinis

An. 30 E. 1. evocati, ſuper præmiſſis per dies multos diſcuſſione & deliberatione præhabita diligenti, ex præmiſſis & aliis legitimis cauſis moti, convocationem & congregationem Concilii Generalis utilem & omnino neceſſariam reputantes, hujus convocationi & congregationi conſenſerant & reſponderant, quod convocationi & congregationi prædictis opem & operam darent efficaciter ut deberent. Et ne dictus Dominus *B.* motus ſeu provocatus ex iis, prout timebant ex veriſimilibus conjecturis & comminationibus multis, contra eos, Eccleſias, Parochianos, & ſubditos ſuos quoquomodo procedat aut procedi faciat, ſua vel alia authoritate, excommunicando, ſuſpendendo, interdicendo, deponendo, privando, aut aliàs quoviſmodo in impedimentum & perturbationem Concilii congregandi, & quin conſedere, conjudicare, & alia quæ ad officium Prælati pertinent, facere in eodem Concilio poſſent, ſalvique eorum & ſibi adhærentium ſtatus manere debeant, pro ſe, Eccleſiis, Parochianis & ſubditis ſuis, & pro ſibi adhærentibus ſeu adhærere volentibus in hac parte, ad prædictum Concilium congregandum, & ad futurum verum & legitimum Summum Pontificem, & ad illum vel ad illos, ad quem vel quos de jure fuerit appellandum, provocarunt & appellarunt in ſcriptis & Apoſtolos teſtimoniales cum inſtantia petierunt; ſupponentes ſe, Eccleſias, Parochianos, ſubditos, & ſibi adhærentes, ipſorum ſtatus, jura & bona protectioni divinæ, prædicti Concilii, ac futuri veri & legitimi Summi Pontificis, ac proteſtantes de innovando appellationem hujus ubi, quando, & coram quibus eis viſum fuerit expedire. Quare cum pro parte Domini Regis, per dictos Dominos peteretur à nobis, ut convocationi & congregationi prædicti Concilii Generalis aſſentire, ac quantum in nobis eſt opem dare & operam curaremus, & de præmiſſis nobis ac cæteris ibidem congregatis, proceſſus *Pariſius* coram Domino Rege habitos per Inſtrumenta authentica & literas diverſis ſigillis ſigillatas oſtenderint. Nos præmiſſis conſiderationibus & cauſis inducti convocationem & congregationem ipſius Concilii, utilem, neceſſariam, ſalubrem, ac expedientem fidei negotio, ac Sanctæ Dei Eccleſiæ reputantes, eidem convocationi & congregationi Concilii pro nobis & Univerſitatibus locorum prædictorum, & aliis Univerſitatibus locorum expreſſorum ſuperius & non expreſſorum Seneſchalliæ *Carcaſſon.* prædictæ, & nobis adhærentibus & adhærere volentibus, **aſſentimus et opem et operam libenter dabimus, et dare promittimus juxta poſſe, et provocationi et appellationi, ac appellationibus prælati Domini Regis, per ipſum et quoſcunque alios ejus nomine factis, et aliorum quorumlibet ſibi adhærentium, adhæremus quantum de jure poſſumus et debemus ſecundum Deum et juſtitiam, et ut Sanctæ permittunt Canonicæ Sanctiones, ſalvis authoritate et reverentia Sedis Apoſtolicæ, Sanctæque ac Catholicæ Eccleſiæ unitate.** Et ne dictus Dominus *B.* motus ſeu provocatus ex iis, prout timemus ex veriſimilibus conjecturis & comminationibus variis factis per eum, contra nos, vel aliquem ex nobis, ſeu Univerſitatum prædictarum & aliorum quorumcunque nobis adhærentium, quoquomodo procedat vel procedi faciat, ſua vel alia authoritate quacunque excommunicando vel ſuſpendendo, interdicendo, vel alias quoquomodo in impedimentum vel turbationem congregandi Concilii, & quin aliàs ſtatus noſtri, ſalvi remaneant pro nobis & Univerſitatibus prædictis, & ſingulis hominibus ex eiſdem, & aliis nobis adhærentibus, ſeu adhærere volentibus ad præfatum ſacrum Concilium congregandum, & ad futurum verum & legitimum Summum Pontificem, & ad illum ſeu ad illos, ad quod ſeu quos de jure fuerit appellandum, provocamus & appellamus publicè in iis ſcriptis, in præſentia Tabellionum & Notariorum publicorum, aliorumque teſtium ſubſcriptorum, & Apoſtolos & literas teſtimoniales cum inſtantia petimus ab eiſdem; ſupponentes nos, Univerſitates prædictas, & ex eis ſingulos ac quoſlibet nobis adhærentes, & adhærere volentes, ſtatus noſtros & eorum fautores, & adjutores noſtros, bona & jura noſtra, & Univerſitatum prædictorum, & ſingulorum ex eis, nobiſque adhærentium & adhærere volentium in hac parte, protectioni divinæ, & beatorum *Petri* & *Pauli*, & dicti Concilii Generalis, ac Sedis Apoſtolicæ, & futuri veri & legitimi Summi Pontificis, ac proteſtantes de innovando appellationem ſeu appellationes hujus, ubi, quando, & coram quibus nobis viſum fuerit expedire. In præmiſſis enim omnibus nos conſentientes, adhærentes & appellantes prædicti, conſentimus, adhæremus & appellamus ſub modis & formis quibus Dominus Rex, **et aliæ Univerſitates regni *Francie* conſentientes conſenſerunt, adhæſerunt et appellaverunt.** Acta hæc fuerunt in loco prædicto,

8 Kal.

8 Kalend. *Auguſti*, Anno Domini 1303. Domino *Philippo* Dei gratia Rege *Francorum* regnante, in præſentia & teſtimonio Fratrum *Petri de Pullis* Gardiani, *Petri Rabelli*, *Johannis de Fonte*; *Rever*, *Fabri* Fratrum Minorum Conventus Domus prædictæ de *Monte Peſſulano*, Magiſtrorum *Boneti Faca* Cur. *Magalon* Epiſcopi, *Bernardi de Ferreriis*, & *Petri de Manſo* ejuſdem Domini Epiſcopi & Domini Regis Notariorum publicorum, aliorumque plurium teſtium ad hæc ſpecialiter vocatorum, & mei *Petri de Malhaco* de *Vauro* publici Seneſcallariarum *Tholoſa* & *Carcaſſ.* Domini Regis prædicti Notarii, qui præmiſſis interfui & requiſitus à dictis Conſulibus, Syndicis, Rectoribus & Procuratoribus hoc Inſtrumentum de prædictis recepi, ſcripſi, & meo ſequenti ſigno ſolito conſignavi. Et ego *Bonetus Faca* Notarius publicus, *&c.* ſignum meum appoſui. Et ego *Bernardus de Ferreriis* publicus, *&c.* ſignum meum appono. Et ego *Petrus de Manſo* publicus, *&c.* ſignum meum appoſui. Sigillat. 60 ſigillis, *An.* 30 E. 1.

Thus did King *Philip*, with all the Peers, Earls, Barons, Archbiſhops, Biſhops, Abbots, Priors, Cathedrals, Clergy, Univerſiy of *Paris*, the Cities, Villages, and Commonalty of *France*, unanimouſly oppoſe, Appeal and Article againſt Pope *Boniface* the 8. his perſon, crimes, Interdicts and Excommunications, to the next General Council, in the ruffe of his Papal Pride, Tyranny, as a moſt deteſtable Heretick, Atheiſt, Symoniack, Adulterer, Sorcerer, and monſter of Impiety; and ſoon after ſeiſed, impriſoned and brought him to a ſhamefull Tragical end, the Hiſtory whereof, according to my Chronological method, I muſt reſerre to the beginning of the enſuing Year and Chapter.

An. 31 *E.* 1.

BOOK V. CHAP. V.

Conteining the impriſonment and death of Pope Boniface *the* 8th. *The Letters, Bulls, Negotiations between King* Edward *the* 1. *and this Popes Succeſſors, with their Succeſſion in the See of* Rome: *This Kings Acts of Soveraign Eccleſiaſtical Juriſdiction over the Churches, Prelates, Clergy of* England, Scotland *and* Ireland. *His Prohibitions, Statutes, Edicts againſt Papal Proviſions, Exactions, and Prelatical Vſurpations upon the rights of his Crown and Temporal Courts; The Succeſſion of Archbiſhops, Biſhops, Abbots, and other Prelates in the Churches of* England, Scotland, Ireland; *With other particulars relating to their publike affairs, from the beginning of the* 31 *year of King* Edward *the* 1. *till his death, in the* 35 *year of his reign; Collected out of the* Records *of thoſe years, and our* Hiſtorians.

AFter the proceedings, Declarations, Articles and Appeals of our King *Edward* the firſt, his Parliament, Nobles, and of *Philip* King of *France* with his Parliament, Nobles, Prelates, Clergy and Commonalty, againſt Pope *Boniface* the 8. related in the precedent Chapter, the Papal dignity, authority, and pretended Soveraignty over all Kings, kingdoms, Churches, Nations, claimed and exerciſed by this *Antichriſtian Pontiff* and the *See of Rome*, together with his Excommunications, Cenſures, became ſo contemptible and deteſtable, that by the inſtigation and procurement of King *Philip*, this proud Pope was ſoon after ſuddenly ſeiſed upon, impriſoned, plundered of all his extorted Treaſure, which was very great, ſhamefully intreated, and came to an infamous death, the particulars whereof are thus related by our own Hiſtorians, more largely than any others.

[a] *Matthew Weſtminſter* renders us this account thereof; *Anno Dom.* 1303. *in vigilia Nativitatis* Mariæ, *Papa* Bonifacius, procurante ut creditur Rege Francorum, inter quos horrenda diſſentionis per longum tempus extitit materia, *à quibuſdam inimicis ſuis, & ſpecialiter à quodam nomine* Sairà de Campania, atrociſſime, irreverenterque dignitate Papali non obſtante, in præjudicium totius Eccleſiæ, immiſericorditer deprædatus fuit in palatio ſuo Anagniæ Civitatis, ſpoliatus fuit bonis ſuis omnibus, et in carcere per triduum cuſtoditus, &c. Verum quia a ſeculo non eſt auditum, *poſtquam pax Eccleſiæ per univerſum mundum eſt reddita* tam arduum flagitium, falſos Chriſtianos, qui ſe dicunt Chriſtianos et non ſunt, in Summum commiſiſſe Pontificem, *ad notitiam futurorum, non ſufficit dixiſſe*, Papa Bonifacius ſpoliatus fuit omnibus bonis ſuis, *niſi modus & forma facinoris ſubnectatur.* (which he repeats in his former words, without any particular relation thereof; Adding) *Poſtea rediit* Romam, et ibi tactus dolore cordis et angustia, præ irreverentia Eccleſiæ Romanæ, et ſibi Dei Vicario illata, *infra breve temporis ſpacium vitam finivit, viz.* 12. *die* Octobris, *et ſepultus fuit in craſtino in Eccleſia beati* Petri *in mirifico ſepulchro, quod ſibi præparaverat adhuc vivens. De quo quidam verſificator ſic ſcripſit:*

a Flores Hiſt. p. 442, 443.

Ingreditur *Vulpes*, regnat *Leo*, ſed *Canis* exit,
Re tandem vera, ſi ſic fuit ecce Chimera.

Alter verò ſic:

Vulpes intrabit, tanquam Leo pontificabit;
Exiit utque Canus, de dibite factus inanis.

[b] *Thomas*

An. 31 E. 1.

[b] *Thomas Walſingham* more largely and particularly records the cataſtrophe of this avaritious, tyrannical, antimonarchical inſolent Pontiff. *Anno* 1304. *circa feſtum S.* Johannis Baptiſtæ **milites quidam in præſentia Cleri et populi** Pariſius congregati, **Papæ** Bonifacio **multa impoſuerunt enormia, puta hæreſim, ſimoniam, et homicidam: propter quæ per Regem** Franciæ **appellatum eſt contra eum ad illum cujus intereſt.** *Circa feſtum Nativitatis beatæ Virginis, videlicet in vigilia Nativitatis ejuſdem, venit ſummo manè magnus exercitus hominum armatorum* miſſus **et parte Regis et Cardinalium** Columnenſium **damnatorum** *repentè ad portum Civitatis* Anagnium, **in quam Papa confugerat ad tutelam, quia ibidem natus fuerat.** *Invenientes igitur portas apertas ingreſſi ſunt Civitatem*, **et mox dederunt inſultũ pallacijs D. Papæ, et** Marchionis **nepotis Papæ et trium Cardinalium.** *Communitas verò villæ comperta, quod* Scaira *frater* Columpnenſium *Cardinalium, & Willielmus de Longareto Seneſcallus Regis* Franciæ **adveniſſent ex conſpiratione, ut Papam deponerent vel necarent** (who had unjuſtly and tyrannically depoſed them) *ſtatim pulſata communi campana, et tractatu habito, in communi eligerunt ſibi Capitaneum quendam* Adnulphum, *unum ex majoribus Dominis de* Campania, *per quem inſtanti negotio regerentur: Qui quidem* Adnulphus, *illis ignorantibus*, **Domini Papæ extitit Capitalis inimicus.** *Interim Domini Papæ adverſarii ejus Palacio, & Marchionis nepotis ſui, triumque Cardinalium acerrimos dederunt inſultus: ſed familiaribus Domini Papæ & Marchionis viriliter ſe defendentibus, illorum palacia* *invadere nequiverunt. *Trium tamen Cardinalium palatia*, **qui reputabantur ſpecialiter amici Papæ, per vim et potentiam ſunt ingreſſi, et omnia bona ibidem reperta diripuerunt et aſportaverunt.** *Ipſi verò Cardinales per latrinam vix evaſerunt. Interea intervenit Dominus* Adnulphus *villæ Capitaneus, adducens ſecum Dominum* Reginaldum de Supine *qui habuit de* Campania *magnum dominium*, **et erat Papæ Capitalis adverſarius**, *cum quo etiam venerunt filii Domini* Johannis de Chitau, **quorum patrem Dominus Papa tunc in carcere detinebat.** *Cumque dictus Capitaneus cum ſuis ſociis ſupradictis veniſſet ad* Scairum de Columpna, *& ejus exercitum, ſtatim cum omni populo quem ducebat, conjunxit ſe eidem.* **Et communibus votis irruerunt tantum in Papam et Nepotem ſuum,** *quod diu ut putebatur eis reſiſtere non valerent: Ob quam cauſam* Dominus Papa **timens ſibi, treugas petiit a** Scaira; *quas ſibi conceſſit & Nepoti ſuo, uſque ad horam nonam dicti diei: quæ videlicet treugæ captæ fuerunt hora prima. Durante treuga*, **Papa miſit ſecrete ad populum Anagum, ſupplicans, ut ſalvarent vitam ſuam;** *promittens, ſi hoc facerent*, **quod ipſos in tantum locupleticaret, quod omnes ſuo perpetuo merito gaudere deberent.** *Populus verò ſe excuſavit, dicens*, **ſe nihil poſſe juvare in hac parte**, *præſertim cum tota poteſtas villæ Capitaneum ſequeretur.* **Tunc Papa ſupplicabit Scairæ**, *ut ſignificaret articulos, in quibus fuerat nunciatum ſibi & ſuis fratribus*, **et ipſe paratus eſſet, ſecundum conſilium Cardinalium facere reſtitutionem ſibi. Scaira** *verò reſpondit*, **quod non permitteret Papam vivere, niſi duos Cardinales fratres ſuos plene reſtitueret**, *ſcilicet* Petrum & Jacobum de Columpna, **quos prius damnaverat, ad temporalia et ſpiritualia, et non ſolum illos reſtitueret, ſed et omnes de eorum ſanguine et parentela; et quod idem Papa poſt hujuſmodi reſtitutionem renunciaret Papatui; et quod poſtmodum corpus ejus eſſet ad voluntatem ipſius Scairæ.** *His auditis*, **ingemuit Papa,** *& ait.* **Heu me, durus eſt hic ſermo:** *cumque concordari non poſſent, & adveniſſet hora diei nona, iterum* Scaira *cum exercitu* **dedit inſultum Papæ et nepoti ſuo:** *at ipſi ſe viriliter defendebant. Tandem videntes adverſarii, quod principalis Eccleſia* Anagum, *quæ erat de ſancta* Maria, *eſſet eis impedimento quo minus poterunt accingere pro votis palacium Papæ, apposuit ignem ad oſtium Eccleſiæ ſupradictæ. Itaque valvis Eccleſiæ combuſtis, totaliter Eccleſiam ſunt ingreſſi homines* Scairæ, *& diſpoliaverunt omnes Clericos & Laicos mercenarios, habentes cultellos ibidem & alia mercimonia ad vendendum, ita quod non dimiſerunt valorem quadrantis ex omnibus quæ apprehendere potuerunt. Tandem* Marchio *nepos Papæ perpendens quod ſe ulterius non poſſet defendere, reddidit ſe dicto* Scairæ *& Capitaneo memorato, ea conditione, ut vitam ipſius & filii ſui ſalvarent, ſervientiumque ſuorum.* **Quibus auditis, Papa flebit amare.** *Poſt hæc, ruptis oſtiis & feneſtris palatii Papæ, & pluribus locis igne ſuppoſito*, **per vim ad Papam exercitus eſt ingreſſus. Quem tunc permulti verbis contumeliosis ſunt aggreſſi, minæ etiam ei a pluribus ſunt illatæ. Sed Papa nulli reſpondit.** *Enimvero cum ad rationem poſitus eſſet*, **an vellet renunciare Papatui?** *conſtanter reſpon-*

dit,

b Ypodigma Neuſtriæ, p. 95, 96. Hiſt. Angliæ, p. 57, 58. & p. 26. See Polychronicon, l. 7. c. 39. Centuriæ Magdeburg. 13. c. 10 col. 1017. H. de Knyghton de Event. Angliæ, l. 3. col. 2472, 2529.

* *intrare.*

An. 31 E. 1. dit, non: immo citius vellet perdere caput ſuum, *dicens in ſuo vulgari*; & le col, et le cape, *quod eſt dicere.* Ecce collum, ecce caput. Et ſtatim proteſtatus eſt coram omnibus, quod Papatui nunquam renunciaret; quamdiu poſſet habere vitam. Scaira vero voluit libenter interfeciſſe Papam, ſed per quoſdam fuit prohibitus, ita quod Papa in corpore malum non recepit. *Attamen oſtiariis Papæ fugatis & quibuſdam interfectis, ejectiſque tàm majoribus quàm minoribus de ſua familia*, deputati ſunt Cuſtodes Papæ per Scairum et Capitaneum, Dominus Reginaldus de Suppina, *& multi alii cum eodem: Acta ſunt hæc in vigilia nativitatis Sanctæ* Mariæ, *ſeptima hora diei: exercitus verò poſtquam irrupit palatium*, mox deſpoliavit Papam, et ejus cameram atque theſauriam ſuam, et aſportavit veſtimenta cum ornamentis, et aurum atque argentum cum omnibus aliis rebus inventis ibidem, et revera creditur, quod *omnes Reges mundi non poſſent tantum de theſauro reddere infra unum annum, quantum fuit de Papali palatio aſportatum, et de palatiis trium Cardinalium et Marchionis. Remanſit autem Papa et nepotes ſui ſub cuſtodia Militum et cuſtodum Scairæ uſque in diem tercium. *Medio tempore* Schaira *tractavit cum ſuis*, quomodo Papam morti traderet, vel mitteret ad Regem Franciæ corpus ejus. *Sed populus* Anagum *hoc comperiens, facta convocatione ſecreta ignorantibus Capitaneo &* Scaira, *quaſi ad* 10000. *hominum, concurrunt ad palatium ubi Papa ſervebatur in cuſtodia, et expulſis atque peremptis cuſtodibus, ingreſſi ſunt, & deliberaverunt Papam et Nepotes ejus, habituri eorum cuſtodiam penes ſe. Sed antè hæc omnia ſciendum, quod cum primò* Scaira *et Capitaneus cum Seneſchallo Regis* Franciæ *comprehendiſſent Papam*, in equum poſuerunt effrenem, ad caudam verſa facie, et ſic diſcurrere fere uſque ad novilſimum balitum coegerunt, et tandem pene fame necaverunt, *donec eum populus* Anagum *(ut præmittitur) liberaſſet.* Scaira *verò propter id offenſis villa communibus cum exercitu de villa receſſit. Tunc populus fecit Papam deportari in magnam plateam*, ubi Papa lachrymando populo prædicabit, inter omnia gratias agens Deo et populo Anagum de vita ſua. *Tandem in fine ſermonis dixit*; Boni homines & mulieres, conſtat vobis qualiter inimici mei venerunt & abſtulerunt omnia bona mea, & non tantum mea, ſed et omnia bona Eccleſiæ, & me ita pauperem ſicut *Job* dimiſerunt. Propter quod, dico vobis veraciter, quod nihil habeo ad comedendum vel bibendum, & jejunus remanſi uſque ad præſens. Et ſi ſit aliqua bona mulier, quæ me velit de ſua juvare elemoſina in pane vel vino, & ſi vinum non habuerit, de aqua permodica, dabo ei benedictionem Dei et meam, & omnes qui quicquam portaverint quantulumcunque modicum in meam ſubventionem, abſolvo ab omnibus peccatis ſuis. *Tunc omnes hæc audientes ex ore Papæ, clamabant*, Vivas Pater ſancte. *Et mox cernentes mulieres currere certatim ad palatium, ad offerendum ſibi panem, vinum, vel aquam, in tantum, quod ſtatim camera Papæ victualibus repleta fuit. Et cum non inveniretur vaſa ad capiendum allata, fundebant vinum & aquam in area Camera Papæ in maxima quantitate.* Et tunc potuit quiſquam ingredi et cum Papa loqui ſicut cum alio paupere qui volebat, *Tunc Papa exiens*, abſolvit omnes exiſtentes in civitate ab omnibus peccatis eorum generaliter, præter deſpoliatores Eccleſiæ Romanæ, ſpoliatores etiam Cardinalium et aliorum de Curia non abſolvebat, niſi bona hujuſmodi infra triduum reportarent. Veruntamen Papa exprelſe remiſit omnibus qui bona ſua aſportaverant, dum tamen illa bona de theſauro Eccleſiæ non fuerunt, *& ſtatim proteſtatus eſt coram omnibus*, quod voluit habere pacem cum Columpnenſibus Cardinalibus et ſuis aliis inimicis, et paratus erat ipſos reſtituere ad temporalia et ſpiritualia Cardinales, et hoc fecit proclamari per villam. *Interea reportata fuerunt bona illius quædam, ſed non omnia prius ablata. His itaque geſtis, Papa ſubito & inopinatè receſſit de villa* Anagum, *progrediens verſus* Romam, *cum maxima multitudine armatorum: et cum perveniſſet ad Sanctum* Petrum, ex timore quam conceperat, quando captus fuit, et mœrore rerum inæſtimabilium perditorum, et fame quam contraxerat ſub cuſtodia adverſariorum ſuorum cito defecit. *Et ſic completa eſt in eo prophetia prædeceſſoris ſui, qui dixit*; Aſcendiſti ut Vulpes, regnabis ut Leo, morieris ut Canis. Upon this occaſion, *Thomas Walſingham* thus concludes that year; *Tranſit annus iſte durus divitibus, pauperibus penuriosus*, Papæ, Curiæque Romanæ probrosus, propter malam captionem Papæ. *Sed tamen in hoc etiam conſolari potuit, quia nullus eorum qui ejus captioni interfuit, vel facinori tanto conſenſerit, judicium ultionis evaſit.* (A groſſe miſtake & forgery.) *Nam quidam inſanabili acti ſunt furia, quidam & præcipuè qui manum injecerunt Chriſti Vicario, manus proprias comederunt.*

Regis

* Papa emori potius vult, quam Papatui cedere.

* *Nota.*

Papa ignominioſe tractatus.

Cibum jejunus emendicat.

Papa famelinus familiaris.

* Hiſt. Angl. p. 60. Ypodig. p 96.

Regis etiam Franciæ *conſanguinitas & cognatio tacta eſt uſque in generationem ſeptimam igne ſacro.* *An.* 31 *E.* I.

† *William Thorne* a Monk of *Canterbury*, thus relates this avaritious proud Popes infamous ſpoiling, uſage and death, ſomewhat different from others in ſome particulars. *Anno* 1304. *idem* Bonifacius dum mundi hujus gloziam theſauris innumerabilibus ſollicite et caute|oſe adquiſitis æſtuaret, *in ſolo patrio in manibus inimicorum ſuorum Dominorum* Jacobi & Petri de Columpna *Cardinalium*, quos a Cardinalatu et ab urbe una cum nepotibus ſuis violenter ejecerat, eozumque palacia ſolo tenus everteret loca ſale conſpergendo, ut quaſi terram omnino faceret inutilem; tandem miſerabiliter ab omni pzozſus auro et argento, ac univerſis quæ pzæciosa penes eum fuerunt inventa, ſpoliatus eſt; quia abundanter theſaurizavit et ignozavit cui congregavit ea. *Ipſi verò* Petrus & Jacobus *Papam triduo ſecum detinentes, ut Papatui cederet pluries hortati ſunt.* Illo vero in Papatu vibere et mozi affirmante, aſſnina pelle repente excoziata eum induerunt, carcerali cuſtodia eum per triduum coartantes. *Non multum poſt* doloze cozdis abſoptus, 12. *die menſis* Octobris, *anno Pontificatus ſui nono* diem cum luctu clauſit extremum, dignam pzo meritis ſubiturus terminationem; *Unde prophetia ejuſdem*, Vulpes intrabit, &c. as in [a] *Matthew Weſtminſter.*

† Chronica, col. 2003.

[a] Flores hiſtoriar. p 443. Stella, Balæus in Bonifacio 8. Cent. Magd 13 cap. 10. col. 1018.

This was the Tragical ſhamefull end of this covetous, ambitious inſolent Antichriſtian Pope. *Hic ille eſt* (as [b] *Balæus* and *others* ſtory) *qui Decretalia promulgavit*; Romanum Pontificem a nemine debere judicari, etiamſi innumerabiles animas ſecum mancipio gehennæ traderet. *Hic ille eſt, de quo* [c] Platina *ſcriptor Pontificus ait*; Qui Imperatozibus, Regibus, Pzincipibus, nationibus, populis terrozem potius quam religionem inſicere conabatur, quique dare regna et auferre, pellere homines ac reducere pzo arbitrio animi conabatur, lucrum undique conquiſitum plus quam dici poteſt ſitiens. Qui omnes ferme pzæ ſe contempſit ſuperbiſſime. [d] *Qui die Cinerum* Procheti Hoſtienſi Archiepiſcopo ad ipſius pedes devoluto, cinerum magnam quantitatem in oculos conjecit, non in caput, *ut illis mos eſt*; *additis hiſce verbis*; Memento homo quia Gibellinus es, et cum Gibellinis in cinerem redigeris; inſtead of *Memento homo quod cinis es, & in cinerem reverteris.* After whoſe death (as [e] *Matthew Weſtminſter* and others ſtory) *Rex* Francorum *à Domino Papa* (Clemente 5.) oſſa Bonifacii pzædeceſſozis ſui petiit ad comburenda, tanquam hæretici, inſtantia opoztuna. *Petiit etiam Sanctorum Catalogo aſcribi* Petrum de Murone, *qui quondam fuerat Papa, dictus* Cœleſtinus *quintus*; whom this ungratefull Pope *Boniface* impriſoned, ſtarved to death; and therefore was now by divine retaliation likewiſe impriſoned and almoſt ſtarved, as you have heard.

[b] Balæus in Bonif. 8. & Cent. Magd. col. 1008, 1015.

[c] in vita Bonif 8.

[d] Abbas Uſpergenſis Paralcipom p. 343.

[e] Flores Hiſt. An. 1306 p. 463. Balæus Scriptor. Brit. Cent. 4. c 81, p. 364.

[f] Bonefacio *defuncto & ſepulto, in craſtino convenientes in unum Cardinales, eligerunt Epiſcopum* Oſtienſem, *de ordine* Prædicatorum, *& decimo die poſt creatus in Summum Pontificem*, Benedictus 11. *eſt vocatus*; Lombardus *natione, quem Papa* Bonifacius, *cujus Magiſter erat, fecerat Epiſcopum* Oſtienſem. *De iſto Epiſcopo quidam dicit,*

A te nomen habe, benè dic, benè fac Benedicte,
Aut rem perverte; maledic, malefac Maledicte.

[f] Mat Weſtm. An. 1303. p. 44. Tho Walſingham, Hiſt. Angl. p. 59. Co. Ypodig. Neuſtriæ, p. 36. Chron. Wil. Thorn, col. 2003. Hen. de Knyghton, de Event. Angl. l 3. c. 5 col. 2494, & cap. 13. col. 2529. See Platina, Onuphrius, Stella, Balæus, volaterranus, Hermannus Schedel, Opmerus, & Laertius Cherubinus in Benedicto 11.

Columpnenſes, *mortuo Papa* Bonifacio, *de ſuis egreſſi latibulis ad Papam* Benedictum *venerunt, miſericordiam implorantes, quos ille benignè ſuſcipiens abſolvit, ac bonorum ſuorum tribuit facultates: Sed eos ad gradum Cardinalatus tam ſubito reſtituere non decrevit. Papa* Benedictus *per hoc tempus Epiſcopum* Spoletanum *ad Cardinalatum aſſumens, fecit Epiſcopum* Oſtienſem; *fratrem etiam* [g] Willielmum de Makelesfield, *Doctorem ſacræ Theologiæ, ordinis Prædicatorum, natione* Anglicum, *Diocæſis* Coventrenſis, *tituli Sanctæ* Sabinæ *fecit Presbyterum Cardinalem. Qui antequam ad eum rumor perveniret, in fata cecceſſit. Cujus morte cognita, Papa fratrem* Walterum Winterburne *ſimiliter ordinis Prædicatorum, Regis* Angliæ *Confeſſorem*, Sarisburienſis *Diocæſis ad eundem titulum Cardinalatus promovit.* Of whoſe promotion, [h] *Johu* Bale renders us this account. *Mox ut mortuum luxiſſent patres* (Prædicatores) *prædictum* Gulielmum Maclesfeldium, *apud* Benedictum *ſuum ejus nominis undecimum Papam*, multis pecuniis egerunt, ut hic venerabilis eozum Doctoz illius in officio ſuccederet. Speciosum certe, imo ſplendidum balde, excelſis et turgidis eozum animis videbatur Cardinalium diadema a ſuis rabbinis geri, eoſque pzopterea a magnis Pzincipibus ſalutari.

[g] See Balæus Script. Brit. Cent. 4. c. 81. p. 361.

[h] Scriptorum Brit Cent. 4. c. 85. p. 366.

How

An. 31 E. 1.

How our Archbishops, Bishops, and their Officers still continued their Usurpations upon the Kings Temporal Jurisdiction, Courts, Free Chappels, Crown and Dignity, this year, will appear by several Prohibitions, Writs, Suits and Attachments against them.

In a broken Bundle of Writs in the *White Tower*, I met only with this, at the Kings prosecution, for suing in Court Christian against his prohibition.

Rundela Bretan. An 31 E. 1. in Turre London.

EDwardus Dei gratia Rex *Angliæ*, &c. Vic. *Essex* salutem. *Pone per vadios & salvos plegios Priorem de* Colne, & Hugonem de Hamshaye *Commonachum suum, quod sint coram Justic. nostris apud* Ebor. *in crastino S.* Martini, *ostens.* quare cum placita de Catallis et debitis in regno nostro quæ non sunt de Testamento vel Matrimonio, ad Coronam et Dignitatem nostram specialiter pertineant, iidem Prior et Hugo, *sicut ex relatu plurium accepimus*, secuti sunt placitum in Curia Christianitatis de catallis et debitis Johannis de Catefeld persona Ecclesiæ de Rochings Ayturp, quæ non sunt de Testamento vel Matrimonio, contra prohibitionem nostram, &c. *Teste meipso apud* Kynlos 9. *die* Sept. *Anno regni nostri Tricesimo primo.*

The Archbishop of *Canterbury* excommunicating the Prior and Canons of St. *Oswalds* Church in *Glouceſter* anciently the Kings Free Chappel, (exempted from all Episcopal and Metropolitical Jurisdictions by the Kings Charters, and Popes Bulls confirming them, but after united to the Archbishoprick of *Yorke*, and subjected by King *Williams* Charter and Popes Bulls only to that Archbishops Visitation,) and withall inhibiting all persons to pay Tithes, or have any communion with them as with excommunicate persons, (notwithstanding their Appeal against his Excommunication to the Court of *Rome*,) only because they refused to be visited by him in his Metropolitical Visitation, to the prejudice of the Kings Charters, Crown and Dignity. The King upon complaint thereof, issued this memorable Writ to the Archbishop, to revoke these his illegal sentences and proceedings against them, as prejudicial to his Crown and Dignity.

Claus 31 E 1. m. 12. dorso Pro Priore S. Oswaldi Gloucestr.

REX Venerabili in Christo patri *R.* eadem gratia Archiepiscopo *Cantuar.* totius *Angliæ* Primati salutem. Cum Ecclesia Sancti *Oswaldi Glouceſtr.* de Elemosinis progenitorum nostrorum quondam Regum *Angliæ* fundata, libera Capella eorundem Progenitorum nostrorum fuerit ab antiquo, et ab omni Jurisdictione ordinaria exempta penitus et immunis, ac bonæ memoriæ *Willielmus* quondam Rex *Angliæ* Progenitor noster, per Chartam suam prædictam Ecclesiam cum juribus suis cuidam *Thomæ* dudum Archiepiscopo *Eborum*, pro quibusdam exactionibus et calumpniis suis quas erga quendam *Robertum* tunc *Lincoln.* Episcopum de quibusdam Ecclesiis et possessionibus fecerat remittendis, dederit et concesserit; habendam eidem Archiepiscopo et successoribus suis Archiepiscopis ejusdem loci imperpetuum, ab omni Jurisdictione Diocæsani vel Metropolitani alterius quam sui ipsius exemptam penitus et immunem, sicut progenitores nostri eam ante donationem et concessionem prædictas tenuerunt, quas quidem donationem et concessionem quidam Summi Pontifices postmodum per suas Papales Literas confirmarunt: Ac Priores et Canonici ejusdem loci, tam virtute donationis et confirmationis prædictarum, quam ratione exemptionis prædictæ, ab omni Jurisdictione loci Diocæsani vel Metropolitani alterius quam Archiepiscopi loci prædicti semper hucusque extiterunt, ut dicitur, liberi penitus et immunes. Ac jàm intellexerimus, quod vos ad exemptionem, donationem, et confirmationem prædictas nullam habentes considerationem in Ecclesiam Sancti *Oswaldi* prædictam, ac Priorem et Canonicos ejusdem loci Officium visitationis, et alias Jurisdictionem ordinariam nuper nitebamini pro viribus exercere, et sententias Excommunicationis in ipsos Priorem et Canonicos, pro eo, quod vos super hoc impediverunt, sicut debuerunt, fulminastis. Et licet ipsi a sententiis prædictis tanquam ab iniquis, ad Curiam Romanam legitime appellaverint, et appellationis illius negotium effectualiter prosequantur, Vos nichilominus in Episcopatu *Wygorniæ* ne quis eisdem Priori et Canonicis tanquam excommunicatis et a communione fidelium seperatis de Decimis aut aliquibus aliis Spiritualibus respondeat, ac aliqualiter communicet cum eisdem fecistis publice inhiberi.

biberi. Quæ ſi ſic tollerarentur, in noſtri præjudicium et exemptionis, donationis et confirmationis earundem derogationem manifeſte redundarent. Vobis mandamus, quod ſententias in prædictos Priorem et Canonicos per vos aut alios authoritate veſtra, ut prædictum eſt, fulminatas, ac alia ſi quæ in hac parte in noſtri et exemptionis, donationis et confirmationis prædictarum præjudicium attemptaveritis, vel attemptari feceritis, faciatis revocari, nichil in hac parte in noſtri et ipſorum præjudicium attemptantes, ne pro defectu veſtri de alio remedio ſuper hoc nos oporteat provideri. Teſte Rege apud *Alvewyke* 9. die *Maii*. *An.* 31 E. 1

By which Record it is evident. 1. That our Kings by their Royal Prerogative and Charters, anciently did, and may exempt Churches and Chappels both from the Juriſdiction and Viſitation of Archbiſhops and Biſhops; and likewiſe ſubject Churches and Chappels within the Province of *Canterbury*, to the Archbiſhoprick and Province of *Yorke*. 2ly. That by their Writs iſſued out of Chancery and other Temporal Courts, they may command Archbiſhops and Biſhops to revoke all Sentences of Excommunication, and all proceedings or interdicts grounded thereon, that are illegal, irregular, uncanonical, or intrenching upon their Charters, or Prerogatives royal. 3ly. That Popes Bulls of exemptions in confirmation of our Kings Charters, added no real nor legal efficacy or vigor to them, being valid to all intents without them.

This Archbiſhop of *Canterbury* preſuming by his Archiepiſcopal authority, to ſue the Kings Sheriff, Officers and Bailiffs in *Kent* in his Eccleſiaſtical Court, for executing the Kings Writs, *de vi Laica amovenda* (placed therein by the Archbiſhop in the conteſt between the Abbot of St. *Auguſtines* and him) in ſeveral Churches, and threatning to excommunicate them for the ſame, againſt the Kings Crown and dignity; he thereupon iſſued this memorable Prohibition to him not to ſue, moleſt, or excommunicate them, and to reverſe all Sentences of Excommunication thundred out againſt them for obeying his commands.

REX Venerabili in Chriſto patri *R.* eadem gratia *Cantuar.* Archiepiſcopo, totius *Angliæ* Primati, ſalutem. Cum nos per Breve noſtrum *Henr. de Cobeham* nuper Vic. noſtro *Kanc.* præceperimus, quod omnem vim laicam & armatam quæ ſe tenuit in Eccleſiis Sancti *Pauli* extra muros *Cantuar. Chiſtelet*, *Menſtre*, *Wyneleſbergh*, *Keniuton parva*, *Merringeham*, *Eſtlangedon*, *Stonore*, *Swaleclyve*, *Kyngeſdonne*, *Frithindenne*, *Stone* in *Oxene*, *Borewardeſmarſh*, *Domecherch*, *Brocland*, *Omnium Sanctorum Cantuar.* Sanctæ *Mariæ Magdalenæ Cantuar.* Sancti *Johannis Cant.* & Sanctæ *Mildredæ Cantuar.* in læſionem pacis noſtræ, quam inviolabiliter tenemur obſervare, ſine dilatione amobere faceret ab eiſdem; (placed in them by the Archbiſhops direction) Et idem Vic. unà cum *Willielmo de Cotes* Subvicecom. *Kanc.* & *Johanne de Helles* & *Stephano de la Done* Ballivis & Miniſtris, dictum mandatum noſtrum exequi feciſſet; vos aſſerentes præfatus *Henricum*, *Willielmum*, *Johannem* & *Stephanum*, ut ex querela ſua accepimus, in excommunicationis ſententiam incidiſſe, pro eo, quod idem mandatum noſtrum fuerant executi, trahitis eos inde in placitum in Curiam Chriſtianitatis. Et quia manifeſte eſt contra coronam et dignitatem noſtram, quod Miniſtri noſtri, ſeu quicunque alii, pro eo quod mandata noſtra ſunt executi, trahantur in placitum in Curia Chriſtianitatis, aut quoquo alio modo nobis inconſultis inde occaſionentur, vel inquietentur; Vos prohibemus ne placitum illud exequamini in Curia Chriſtianitatis, nec ipſos occaſione præmiſſorum in aliquo gravetis vel inquietis; et ſententiam excommunicationis, ſi quam in eis ex cauſa prædicta fulminaveritis, ſine dilatione quacunque revocare faciatis, Teſte Rege apud *Edenesburgh* 4 die *Junii*. Clauſ. 31 E 1. m. 11. dorſo. Prohibitio pro Miniſtris Regis.

This Archbiſhop likewiſe excommunicating *William de Berdewell*, and ſuing out an Excommunication againſt him, notwithſtanding his Appeal to the See of *Rome* againſt his ſentence as unjuſt; the King iſſued this Writ of *Superſedeas* for his relief.

REX Vic. *London.* ſalutem. Cum nuper ad requiſitionem venerabilis patris *R. Cantuar.* Archiepiſcopi per literas ſuas patentes nobis ſignificantis, quod *Willielmus de Berdewell* propter manifeſtum contumaciam ſuam excommunicatus eſt, nec Cl. 31 E 1. m. Pro Will. de Berdewell.

An. 31 *E.* 1. nec ſe vult per cenſuram Eccleſiaſticam juſticiari, per breve noſtrum vobis præceperimus quod prædictum *Willielmum* per corpus ſuum ſecundum conſuetudinem *Angliæ* juſticiaretis, donec ſanctæ Eccleſiæ tam de contemptu quam de injuria ei illata ab eo eſſet ſatisfactum, & jam intellexerimus, quod prædictus *Willielmus* a ſententia in ipſum per præfatum Archiepiſcopum lata tanquam ab iniqua ſedem Apoſtolicam legitime appellabit, et appellationis ſuæ negotium proſequitur cum effectu. Nolentes quod prædicto *Willielmo* per prædictum breve noſtrum via præcludatur quo minus appellationis ſuæ negotium proſequi poſſit in forma juris, maximè cum hujuſmodi breve noſtrum de gratia noſtra procedat, & appellantis ſtatus integer eſſe debeat; Vobis præcipimus, quod executioni brevis noſtri prædicti vobis inde directi faciendæ ſupersedeatis pendente appellationis negotio ſuprædicto, vel donec de conſilio noſtro aliud inde duxerimus ordinandum. Teſte Rege apud *Aberden* 24. die *Auguſti*.

The ſame Archbiſhop about the ſame time endeavouring by Eccleſiaſtical cenſures to enforce one of the Kings Clerks, who was preferred by him to a benefice before he was made a Prieſt, to take the Order of Prieſthod upon him and reſide upon his benefice, whiles actually imployed in and about the Kings ſpecial ſervice, againſt the ancient Prerogative of the King, and priviledge of his Clerks; he thereupon iſſued this Prohibition to him on his Clerks behalf.

Clauſ. 31 E 1. m. 12. dorſo. Pro Magiſtro Johanne de Cadomo.

REX Venerabili in Chriſto Patri *R.* eadem gratia Archiepiſcopo *Cant.* totius *Angliæ* Primati ſalutem. Cum Clerici noſtri noſtris inſiſtentes obſequiis ad ordines ſuſcipiendos, vel ad reſidentiam perſonalem in ſuis beneficiis faciendam compelli non debeant, ſeu alias ea de cauſa inquietari dum eiſdem obſequiis immorantur; Moſque et progenitores noſtri quondam Reges *Angliæ* hujuſmodi privilegia et prærogativa pro Clericis noſtris uſi ſimus ſemper hactenus a tempore quo memoria non exiſtat, vos, ut accepimus, dilectum & familiarem Clericum noſtrum Magiſtrum *Johannem de Cadamo* perſonam Eccleſiæ de *Stanford London*. Dioc: qui tempore quo Eccleſiam illam ex præſentatione noſtra aſſecutus fuerat, noſtris de mandato noſtro ſpeciali inſiſtebat, et adhuc continue inſiſtit obſequiis, eo quod infra annum a tempore aſſecutionis ejuſdem Eccleſiæ ſe non procurabit, ſicut prætenditis, in Presbyterum ordinari, citari feciſtis coram vobis, et ea de cauſa graviter procedere intenditis contra eum in noſtri præjudicium et derogationem prærogativæ noſtræ Regiæ manifeſtum; Et quia ſuſtinere nolumus, ſicut nec debemus, quod Clerici noſtri dum noſtris intenderint obſequiis, per hujuſmodi Citationes et proceſſus, qui ſi tolerarentur, in noſtri præjudicium manifeſte redundare, vexentur inquietentur taliter ſeu grabantur, vobis mandamus rogantes, quatenus ab hujuſmodi moleſtatione et inquietatione præfato Clerico noſtro occaſione prædicta de cætero inferend. penitus deſiſtatis, proceſſum, ſi quem contra ipſum in hac parte feceritis ſine dilatione aliqua revocantes. Teſte Rege apud *Rokesburgh* 21 die *Maii*.

This Archbiſhop of *Canterbury* then likewiſe citing one of the Prebends of the Kings Free Chappel of *Haſtings* inveſted therein by the Kings collation without any preſentation of him to, or admiſſion by the Biſhop of *Wyncheſter*, during a ſuit and queſtion depending in the Kings Court between the Biſhop of *Chicheſter*, the King and Canons; the King iſſued this memorable Writ of Prohibition to him, in defence of the rights of his Crown, as bound thereunto by the tenor of his Oath.

Ibid. m. 14. Pro Magiſtro Johanne de Cadomo.

REX Venerabili in Chriſto Patri *R.* eadem Gratia *Cantuar.* Archiepiſcopo, totius *Angliæ* Primati, ſalutem. Operam ſtudioſam exhiberi nos convenit, ne Coronæ et dignitatis noſtræ Regiæ aliqualiter jura depereant, ad quæ conſervanda et manutenenda, eo potius debemus eſſe ſolliciti, quo ad hoc vinculo juramenti teneri dinoſcimur et aſtringi. Cum itaque collationes Præbendarum in libera Capella noſtra de *Haſting* ad nos pertineant pleno jure, et ſimus in poſſeſſione eas cum vacaverint conferendi, quamvis inter nos & Venerabilem patrem *G. Ciceſtrenſem* Epiſcopum ſuper Jure Inſtitutionis in Præbendis prædictis in Curia noſtra coram nobis quæſtio pendeat indeciſa; Nos dilectum et familiarem Clericum noſtrum Magiſtrum *Johannem de Cadamo*, pro eo quandam Præbendam in Capella noſtra

prædicta

prædicta, virtute Collationis noſtræ ſibi inde factæ dudum adeptus fuerat, ſicut alii Prædendarii eiuſdem Capellæ noſtræ huiuſmodi Prædendas ibidem ſunt hactenus aſſecuti, ſuper vicio intruſionis citari feciſtis, ut accepimus, coram vobis, et intenditis hac de cauſa graviter procedere contra eum. Nos igitur attendentes, quod ſi occaſione prædicta procederetis taliter contra ipſum, in Juris et Regiæ dignitatis noſtræ grave præjudicium, et enormem etiam cederet læſionem; Vobis prohibemus firmiter et districte, ne quid in hac parte quod in dicti noſtri Juris Regii et Coronæ noſtræ præjudicium aliquatenus cedere valeat attemptantes, de negotio prædicto, dum in Curia noſtra prædicta pendet (ut prædicitur) indeciſum, vos aliqualiter intromittere præſumatis. Teſte Rege apud *Huntindon* 22 die *Marcii*. *An.* 31 *E.* 1.

How ill the Archbiſhop himſelf was beloved even in *Canterbury* it ſelf, and how odious he with his Eccleſiaſtical Officers and their proceedings then were to the people, will appear by this Patent and Writ to inquire of an Aſſault made this year upon his Palace, Servants, pillaging of his goods, ſetting his Dean on horſeback with his face to the horſes Tayl, held in his hand for a bridle, and ſo carrying him to *Sellinges* with ſongs, ſhouts and dances, abuſing his horſe and throwing him into the dirt, to his great diſgrace, and hindrance of the execution of his office.

REX dilectis & fidelibus ſuis *Rogero de Hegham*, *Willielmo Haward*, & *Radulpho de Sandwico*, ſalutem. Ex parte Venerabili Patris *Roberti* Archiepiſcopi *Cantuar.* nobis graviter conquerendo, eſt oſtenſum, quod quidem Malefactores et pacis noſtræ perturbatores, manſum ipſius Archiepiſcopi apud *Cantuar.* ipſo in eodem manſo tunc exiſtente, nocanter bi et armis invaſerunt, portus ejuſdem Archiepiſcopi, manſi illius in partes ſecuerunt et fregerunt, et in ſervientes ac Miniſtros ſuos ibidem tunc inventis inſultum ex præcogitata malitia fecerunt, et ipſos verberaverunt, vulneraverunt, et male tractaverunt, et bona et catalla ejuſdem Archiepiſcopi ibidem ceperunt et aſportaverunt, et *Richardum Chriſtian* Decanum ipſius Archiepiſcopi de *Oſpringe* per ipſum Archiepiſcopum uſque *Sellinges* miſſum, ad quaſdam citationes et alia, quæ ſi ratione officii ſui Spiritualis incumbebant faciendo, apud prædictam Villam de *Sellinges* ceperunt, et ipſum verſus poſteriora equi illius retroverſum et caudam ejuſdem equi in manu ſua loco freni tenentem equitare inhumane compulerunt; ipſum etiam ſic equitantē per medium ejuſdem villæ de *Sellinges* cantibus et choreis illudendo duxerunt, et poſtea caudam illam, et auriculas ac labia ejuſdem equi abſciderunt, et ipſum Decanum in lutum foridum projecerunt, ipſumq; quo minus officium ſuum ſuper ſibi per præfat. Archiep. commiſſis et injunctis exercere potuit impediverunt, et alia enormia eidem Archiepiſcopo multipliciter intulerunt, ad grave dampnum ipſius Archiepiſcopi, et libertatis Eccleſiæ ſuæ Cantuar. derogationem, ac univerſalis Eccleſiæ ſcandalum manifeſtum, et contra pacem noſtram. Et quia tam enormes et deteſtabiles tranſgreſſiones, ſi taliter perpetratæ ſint tranſire nolumus impunitas; Aſſignavimus vos Juſtic. noſtros ad inquirendum per Sacramentum proborum, &c. de Com. *Kanc.* per quos, &c. de nominibus Malefactorum prædictorum, et tranſgreſſionibus prædictis plenius veritatem, & ad tranſgreſſiones illas aud. &c. ſecundum legem, &c. Et ideo vobis mandamus, quod ad certos, &c. inquiſitionem illam faciatis et tranſgr. prædictas audiatis & terminetis in forma prædicta; facturi, &c. ſalvis, &c. Mandavimus enim Vic. Com. noſtro Com. prædicti quod ad certos, &c. venire faciat, &c. coram tot & tales, &c. de balliva ſua per quos, &c. In cujus, &c. Teſte Rege apud *Dunfermilyn.* 6 die *Novembris*. Pat. 31 E. 1. m. 10. dorſo. Pro Archiepiſcopo Cantuar.

Nota.

Per finem factum ad Scaccarium.

The King, having recovered in his Court his Preſentation to a Church in the Dioceſſe of *Lincoln*, by Judgement againſt the Abbot of *Faverſham*, and preſenting his Clerk thereunto, his Clerk being proſecuted both before the Biſhop of *Lincoln*, and in the *Arches*, for *intruſion*, in procuring an Inſtitution to the ſaid Church, in derogation of the Kings Crown, Dignity, and of the Judgements and proceedings of his Temporal Courts, which ought not to be examined in any Eccleſiaſtical Conſiſtory, iſſued this memorable Writ of Prohibition againſt this Uſurpation.

An. 31 *E.* 1. Clauſ. 31 E. 1. m. 9. dorſo. Prohibitio pro Rege.

REX Decano de Arcubus *London.* & ejus Commiſſariis, ſalutem. Cum nuper in Curia noſtra coram nobis per conſiderationem ejuſdem Curiæ noſtræ recuperaverimus verſus Abbatem de *Faverſham* præſentationem noſtram ad Eccleſiam de *Tryeng. Linc.* Dioc. & per breve noſtrum de judicio mandaverimus venerabili patri *Linc.* Epiſcopo, loci Diocæſano, **quod non obſtante reclamatione prædicti Abbatis ydoneam perſonam ad Eccleſiam prædictam ad præſentationem noſtram admitteret**; ac dilectum Clericum noſtrum *Petrum de Abynton* præſentaverimus ad Eccleſiam antedictam, *Robertus Ing.* Clericus, præfatum Clericum noſtrum, **pro eo quod inſtitutionem in Eccleſia prædicta ad præſentationem noſtram juxta conſiderationem noſtram ſibi fieri proſequitur, coram Epiſcopo memorato trahit in placitum coram vobis in Curia Chriſtianitatis**, ſicut ex relatu plurium accepimus. **Et quia manifeſte eſſet contra Coronam et dignitatem noſtram Regiam, ſi Clerici noſtri, pro eo quod jus noſtrum et executiones Judiciorum in Curia noſtra, ſecundum legem et conſuetudinem regni noſtri, rite reddit orum proſequuntur, traharentur in placitum in Curia Chriſtianitatis**; **vobis prohibemus, ne placitum illud teneatis in Curia Chriſtianitatis, ſeu quicquam in hac parte quod in Juris noſtri Regii præjudicium vel retardationem executionis Judicii prædicti, cedere valeat, aliqualiter attemptare præſumatis.** Teſte Rege apud *Clacmanan* 12 die *Junii.*

The Biſhop of *Hereford* in three of his Viſitations demanding *Procurations* from *Philip de Waleys* Rector of a Pariſh Church whereof the King was Patron, and of others, although the Archbiſhops and other Biſhops of the Realm in that and former ages never received any *Procurations* from Parochial, but only from Cathedral and Collegiate Churches, and Religious Houſes; the King thereupon iſſued this memorable Prohibition to him, totally to deſiſt from exacting any ſuch *Procurations* from him.

Clauſ. 31 E. 1. m. 15. dorſo. Pro Magiſtro Philippo le Waleys.

REX venerabili in Chriſto patri *R.* eadem gratia *Hereford.* Epiſcopo, ſalutem. Ex inſinuatione dilecti Clerici noſtri Magiſtri *Philippi le Waleys*, Rectoris Eccleſiæ de *Stratton* in *Trattonſdale* veſtræ Diocæſis, quæ de noſtro patronatu exiſtit, nuper accepimus, quod vos **ratione Viſitationis quam in Eccleſia ſua prædicta tribus vicibus**, ut dicitur, **jam feciſtis, duodecim marcas nomine Procurationis, videlicet pro qualibet vice quatuor marcas exigitis ab eodem, licet alii Epiſcopi regni noſtri ſuas Diocæſes, et etiam Archiepiſcopi ſuas Provincias viſitantes, a Cathedralibus et Collegiatis Eccleſiis, et Religioſis domibus duntaxat, non autem a Parochialibus Eccleſiis Procurationem exigere conſueverint, a tempore cujus memoria non exiſtat**, prout ex relatu didicimus plurimorum. **Nolentes igitur præfatum Clericum noſtrum taliter indebite prægradari, nec Eccleſiæ prædictæ ad diminucionem noſtri patronatus onera conſueta per vos aut alios quoſcunque imponi.** Paternitatem veſtram affectuoſe rogamus, **quatinus ab exactione dictæ pecuniæ, ſi ex cauſa prædicta et non alia a præfato Rectore eam exigitis, totaliter deſiſtatis.** Teſte Rege apud *Waltham Sanctæ Crucis* 23 die *Febr.*

From which memorable Record I ſhall obſerve: 1. That no Archbiſhops, Biſhops or others, in that and former ages, exacted or received any *Procurations* but only when they actually viſited. 2ly. That they received them only from Cathedral and Collegiate Churches, and Religious Houſes which had great Revenues; not from any Pariſh Churches whatſoever. Therefore *Procurations* exacted from Pariſh Churches by them or their Deputy-Viſitors, or Officers ſince, is an illegal Innovation and Exaction. 3ly. That the exaction of ſuch *Procurations*, (not ſetled by any Act of Parliament) is not only a grievance to the Incumbents, but injury to the Patrons of Pariſh Churches. 4ly. That the King by his Royal Prerogative and Writs, may and ought in juſtice totally to prohibit and ſuppreſſe ſuch illegal *Procurations* when exacted by Archbiſhops, Biſhops, or any others in their Viſitations, as King *Edward* then did by the preceding Writ.

In a bundle of Letters and Writs in the White Tower, I met with this Letter of *Bartholomew de Ferentin* the Kings Agent at *Rome*, concerning Pope *Boniface* his downfall and deceitfull dealings towards him, feeding him only with good words; and

and his ſucceſſors good affections towards him, and his diſcourſes with him concerning the Diſmes granted him by Pope *Boniface* his Bull, not unworthy publick view. *An.* 31 *E.* 1.

A Mon treſcher & treſhonurable Seignour mon Sire *E.* par la grace de Dieu noble Roy de *Engleterre*, Seign. de *Hyrelaunde*, & Duk de *Aquitaigne*, voſtre petit Clerk, ſi vous pleſt, *Bartholemeu de Ferentyn*, due reverence, *&c.* Sachez Sire **qe je me remuay de la Court de** *Roume* vers *Engleterre* la veille del *Aurenoef*, & fu ſi treſdurement greve de une male goute en cheminaunt com je fu vers la Court, quil me coveneit fere de une jornee deus, par quey je ai eſte longement en le chemyn. Si arivay a *Dovere* le dimeigne del my quareme au veſpre, & ma gente ma mena ſi fort par ſes leis, qe a grant peine vink a *Londr.* la veille de Palmes & la fuy taunt de ly greve, qe je ne puis nule part aler ne a pe ne a chival; par quey vous pri, eher Sire, qe vous eiet ma demoere eſcuſee ſauns prendre la a mal, por la dite acheſon: Car ele me greve taunt ou plus com mon mal. Mes ſi toſt com je puis chivacher en nule manere, je me haſteray vers vous a mon poer. Je tochey Sire de vos boſoignes a l'Apoſtoile *Boniface*, qe eſt a Dieu comande, **et les procuray taunt com je poey, mes je ne poey onk rien auer de ly forz qe beles promeſſes, taunt qe le aventure auint dont bene ſauet.** Et puis ſa mort ay je toche a noſtre Seignour qe ore eſt, **et ly dis des beaus donns qe vous auiet regarde la Court le queus il auoit et ad en Chaumbre, et il me reſpoundi bonement, qe je ne auey nul meſſage depart vous a ly, mes a ſon predeceſſour.** Et quant nuſ meſſager eſpecial enuerret a ly, **il fra vous prieres il auant com gracioſe reſon le ſoeffe. Je le dis auſi de la Dyme qe ſon predeceſſour vus granta en condition, qe ſi la guerre de** *Cecille* **ſuſt apeſes, ou il morſſt auant la Dyme perquilye, qe vous euſſent entierement, quant qe ſuſt a quiller apres cel tens.** Et il me demanda, **ſi vous auiet de ce Bulle?** Et je reſpoundre, **vous auiet de ceo teſmoigne de dive dois de mon Sire** *Othes* **et de moy, qe fumes ouient de part ſon predeceſſour, qe nous le vous deiſſom de part ly,** & ne ly duſt pas ſembler qe nous vouſiſſom dire tens paroles de part ſi grant Seignurie, ſi eles ne feuſſent veritables. Et il me reſpondi, **quil ſauns Bulle ne le crerreit.** Mes ne pur quant bien eſt fet coe qe vous auet de cele boſoigne comence, & bon eſt, quil ſeit cheny. Et qe le dite nunciatioun de mon Sire *Othes* & de moy ſoit mis en eſcrit de main comune. Autres choſes Sire qe font a dire, vus dirray de bouche a plus toſt qe je porray, car trop ſerreit demaunder les vus toz en lettre. Deu par ſa pite vus ſauve de niaus, & vus doint bene fere vos boſoignes. Eſcrites a *Loundre* le jour de Palmes. In bundela Literarum, &c. in Turre Lond. An. 31 E. 1.

The King having ſeiſed the Franchiſes of the Biſhop of *Durham* in Parliament *An.* 30 *E.* 1. for ſundry oppreſſions and encroachments upon his Tenants, and his Crown, Dignity, Courts, complained of to the King; the Biſhop and his Tenants at laſt came to an agreement in Parliament the next year, whereupon the King reſtored his Franchiſes, and the Biſhop remitted his indignation againſt them; which accord is thus recorded.

COme nadgeres par aucunes encheſons **la Fraunchiſe del Eveſchee de** *Dureſme* **fut priſe en la main noſtre Seigneur le Roy** *Edward* fuiz le Roy *Henry*, **a ſon Parlement a** *Weſtmonſtier*, as Octaves de la Seint *Johan*, l'an de ſon regne trentiſme, & les gentz de la communaute, de la fraunchiſe de *Dureſme* **euſſent monſtre diverſes pleintes e grevaunces vers** *Antoyne* **donk Eveſqe de** *Dureſme*, e ſes Miniſtres, a eux fet. Et puis a *Dureſme*, a treis ſimeynes de Paſque l'an du regne le Roy avantdit Trente primer, devant ſon Conſil fut amiablement trete, entre les avanditz Eveſqe, e communaute, ſur les pleintes e grevances avandites. E apres iloqes devant le dit noſtre Seigneur le Roy feut cel treitiz reherce en la preſence des parties appeſees e acordees en la forme qe enſuit. Ceſt aſaver, **qe par la, ou le avanditz gentz, ſe ſentirent grevetz, de ceo qe nul fraunk homme, ne doit eſtre priſ, ne empriſone, ſil ne ſoit par enqueſte, ou par ſacroboz, ou priſ a mamoeure, la priſtrent les Bailliſs l'Eveſqe, les gentz du pais, e les retindrent en priſone a leur volonte, en contre la forme avandite:** Si graunte l'Eveſqe, **qe nul ne ſoit empriſonetz par ſes Bailliſs, en ſa fraunchiſe, autrement qe neſt uſe aillours en le Roialme, e qe les enqueſtes ſeient fetes pas les Coroners de l'Eveſche, auſi come eſt aillours uſe en le Roialme, ſolonc la forme del eſtatut.** Clauſ. 31 E. 1. m 6. dorſo. Concordia inter A. Epiſcopum Dunelm. & homines Communitatis libertatis Epiſcopatus Dunelm.

Et

An. 31 E. 1. Et par la ou la dite communalte prient, qe nul fraunk homme de l'Eveſche, ſoit empleyé en Curt Crestine, forſ qe de Teſtament e de Matrimoign, e qe ceus qe de autres choſes ſont empledetz en meiſme la Curt, eient la prohibicion e l'atachement ſur le Official, auſi bien come ſur la partie; Si graunte l'Eveſque, qe la prohibicion, ne l'atachement, ne ſoit a nuli dee, e qe ceux qui vienent en contre la prohibicion, ſoient punis ſolonc la lei, quel juge de Seint Eſglise qe ceo ſont. Et endreit des terres e des tenementz qe ſont tenuz en drengage, cleime l'Eveſque la garde des tenementz de li tenuz, e par cele encheſon ne cleime il mie garde des tenementz tenuz dautres, ſauve des tenantz le Priour. Et a ceo que les gentz de la communaute ſe ſentirent grevetz, qe l'Eveſque fit ſeiſir e tenir en ſa gardes terres, qe ſont tenues dautres par ſerviſe de Chevaler, par encheſon qe meiſmes ceus tenauntz, tindrent de li par ſervice de Chevaler; dit l'Eveſque qil devoit auer tieles gardes par ſa Prerogative, des terres qe meiſmes ceus tenaunz tindrent de autres par ſerviſe de Chevaler entre Tyne & Teyſe, auſi come le Roi, les ad aillours en *Engleterre*. E pur ceo qe l'Eveſque e les ditz gentz, ne poaient acorder ſur ceo point, ſi ſe miſtrent eus en le dit noſtre Seignur le Roi. Et le Roi al honurance de Dieu e de Seint *Cuthbert*, granta, qe l'Eveſque le euſt, auſi come il meiſmes la d'aillours en *Engleterre*. Et par la ou liſt a cheſcun fraunk homme, fere molin en ſa terre demeyne e prendre mine de charbun, e de feer, les Baillifs Leveſque deſturberent, auſi bien les Seignurs des viles, come autres fraunks tenauntz, qe eus ne poaient des choſes avandites lor profit fere; ſi voet Leveſqe e grante, qe cheſcun homme face molyn, ſil ne ſoit ſur terre qe ſeute deyue a ſon molyn, ou nuſant ali, ou autre aureit remede. Et qe cheſcun homme preigne mine de carbon, e de feer, en ſa terre ſeverale, e auſint la ou autres ont commune, en meiſme la manere, come il meſmes fet en ſa terre ſeverale, e la ou autres ont commune. Et par la ou nul fraunk homme de Leveſche, ne ſoleit eſtre empledetz, fors qe en la fraunche Curt Leveſqe, vindrent les Baillifs Leveſqe, e les firent empleder as halymotz, e les amercierent entre les vileins, en contre commune lei du Roiaume; ſi voet Leveſqe e graunte, qe nul fraunk homme ne veigne, ſi il ne voille la venir, e pleindre ſei de aucun vilein; & ſi tort li ſeit fet par aucun vilein, e il ſen voille pleindre aillours en fraunche Curt, bref li ſoit grante. Et pur la ou nul frannk qe eſt pris en la frannchiſe de *Dureſme*, pur fet en meiſme la frannchiſe, ſoit enpriſone en le Wapentak de *Sadbergh*, ne nul homme pris pur treſpas fet en le Wapentak, ſoit empriſone a *Dureſme*, qe neſt pas ore ſuffert: ſi voet Leveſque e grante, qe iſſint ſoit, hors pris ceus qui ſont areſtuz pur treſpas fet a li meiſmes. Et par la ou touz les frannk hommes de Leſveſche ſoleient eſtre quites de *Thonun*, e de totes maneres ducatz fets en ville *Uppelannde*, la vindrent les baillifs Leveſque, e priſt rent *Thonun* communaument, auſi ben de ceus qe achatent un acre de ble en terre, boef, ou vache, ou nul autre manere de ſuſtenance, en totes les villes de *Upelannd*, come en ville Marchannde, e ceo par extorſion, qe unkes ne fu fet en tens de ſes predeceſſurs: Si diſoit Leveſque, qe ceo ne fu mie par li, ſi voet e grante qe deſoremes nul *Thonn* ne ſoit pris, fors qe en meiſmes les lieus, e en meiſme la manere, come il ſoleit eſtre pris en tens de ſes predeceſſurs. Et qe nul de ſes Miniſtres ne ſeiſe autri terres ne chateus en ſa main ſanz brief de la Chauncelerie de garant, ſil ne ſoit apres la mort de Aunceſtre qui tint en chef de li qe neſt pas ore ſoffert: ben voet Leveſque que nule terre ne chatel ſeient ſeiſi en ſa main, autrement qe nad eſte uſe en tens de ſes predeceſſurs. Et qe nul de ſes Miniſtres ne leve dette de nul frannk homme, ſi ele ne ſoit conue, ou en curt recovere, ou ſa certeine dette: ben le voet Leveſque e le grante e la ou il prient, qe nul cariage ſoit pris de frank hommes, ſe il ne ſoit pur certain donant, ſicome eſt uſe par mi le Roiaume, hors pris ceux qi tienant leur terres par tien ſerviſe, e ceo neſt pas ſoffert: ben voet Leveſque e grante qe autrement ne ſoit fet, ſi ceo ne ſoit au tens de guerre, ſicome le Roi e autres Seignurs ſont en tiel caas. E qe nul ſuthbaillif de Coroner ſoit a Cheval, fors qe les qatre Coroners, ſicome fu en tens de ſes predeceſſours: ben le voet Leveſque e le grante. Eſtre ceo, la ou touz les hommes del Eveſche, ſoleient aver frannk iſſue e entre a la porte du Bayl, *daler a le corps ſeint, li et ſes Miniſtres point ne le ſuffrirent, a ceo qil diſoient: ſi voet Leveſque e grant, qe nul ſeit deſturbe par li, mes en tens de guerre e en autres tens quant meſtier ſerra de garde, e uncore en meiſmes cel tens voet Leveſque e grante qe len puiſſe fraunchement

Nota.

Nota.

* St. *Cuthbert*, for which they exacted monies.

chement entrer e iſſir, ſauve gentz de male ſuſpecion. E de ceo qe il prient qe cheſcun fraunkhomme puiſſe courre e prendre totes maneres des beſtes, hors des boundes de la fraunche chace, hors de Parks, e dedenz le fraunche chace, dedenz Acregarth a leure, e a Copyl, Chat, e teiſſun, qe neſt pas ore ſoffert: Si voet Leveſqe e grante, qe ben liſt, a cheſcuu fraunk homme, courre e prendre totes maneres des beſtes veneiſon, troue hors des boundes de la fraunche chace, ſil ne ſoit en park, ou beſte chacee, eſt ſuy de homme, ou de chen hors de la chace, quant il fet par li, ou par autre en ſon noun chacer: et quant a courre a prendre leure Gopil, Chaat ou Teiſſun dedenz la dite chace, dedenz Acregarth, ben voet Leveſque e graunte, qe ceus qe ſont eſpeciaument feffetz par chartre par li, ou par ſes predeceſſours, de courre iloqes, e prendre tiel manere dedut, y puiſſent courre e prendre, ſauve ſa veneiſon. Et eſtre ceo, la ou les fraunks hommer del Eveſchee, qui furent attachetz pur vert ou pur veneiſon, de la fraunche chaſe, ſe ſoleient aquiter par bon pais, en touz tens de ſes predeceſſours, ſes Miniſtres les ont pris e empriſonetz, e retenuz a lour volentez, par le ſurdit de un foreſter, ſaunz nule lei reſceivre, ou enqueſte prendre; e ceus qi ſuient atteintz de vert, ſoleient eſtre amercietz ſolom la quantite du treſpas, e ceo par les ſeuters de la Curt, de la fraunche chace; ſes baillifs les amercierent a lour volentez ſaunz nule taxacion des ſutiers: Voet Leveſqe e grante qe tiens maneres de attachementz ne ſoient deſoremes uſez pur treſpas de veneiſon, en la dite fraunciſe; Mes qe a preſentement de foreſters ſoient enqueſtes priſes de office en la Curt de la dite chace, par prodes hommes juretz, e ceus qe ſerront enditez par enqueſte, de treſpas de veneiſon, ſoient attachetz devenir a la Curt avantdite, e iloqes ſe mettent enqueſt du pais; ſi il voillent le treſpas dedire, dont ens ſont enditez par enqueſte, e ſi eus ſoient de treſpas de veneiſon atteintz par enqueſte, ou ſus ſe mettent, ou le treſpas degre voillent conoiſtre, ſoient puniz pur le dit treſpas, auſi come en fet aillours en *Engleterre*, en caas ſemblable, & pur vert ſil ſoient atteintz par enqueſte, ou pris a main oeure, ſoient amerciez ſolom la quantite del treſpas. Eſtre ceo, ceus qe ſoleient eſtre attachetz pur ſurdit de veneiſon priſe en Park, ſe ſoleient aquiter par bon pais, la vindrent ſes baillifs, e les retindrent en priſone a lour volonte, ſaunz nule enqueſte prendre: Voet Leveſque e grante qe les enditez de tien treſpas ſe puiſſent aquiter par bon pais, ſil ne ſoiennt trouez o main oeure. Et par la ou touz les hommes qe meinent en la fraunche chace ſoleient aver huſebote e heibote, de arder, edefier, e de enclore, e eſtre quites de paunage qe eus deveint avec de Aunceſerie, ou de feſſement, e ceo ne fu pas ſoffert: Voet Leveſque e grante qe lor eſtat ſoit ſauve, tel come il fut en tens de ſes predeceſſours, e tiel come il ont e uſetz par Aunceſerie, ou de feſſement. Et que les fraunks hommes de la fraunche chace ne ſoient chargetz de plus de Foreſters qe eus ne ſoleint aver, e qe nule garde ſoit partie en deus, e qe nul Foreſter ſoit a cheval, fors les deus meſtres. Et qe les Foreſters a pie ne priegnent garbes, ne autres choſes, fors qe deſormes, graſmen e de ſes bondes, mes ſicome il ſoleient prendre avaunt, en tens de ſes predeceſſours: Si voet Leveſqe e grante, quant a garbes prendre, qil ne preignent garbes, ne autres choſes des fraunks tenantz, ne de autres, autrement qe il ne ſoleient fere en tens de ſes predeceſſurs. Et quant a Foreſters mettre a ſa volonte, ſoit a pie, ou a cheval, ou meins; ben li liſt, qar ſes Foreſters ſont a ſes cuſtages demeyne, e de ſes vileins, e voet e graunte qe ceus qe y met plus qe ne ſoleient eſtre, tien ne preienent du pais, ne garbes, ne autres choſes. Et la ou la dite communaute prient, qe il voille redreſcer les appruementz ſetz en la fraunche chace, e de hors, e de lur entrees, e de leur iſſues eſtopees a greve nuſance de la dite communaute, iſſi qil ne ont fraunche entre ne iſſue, ne ſuffiſaunt paſture aportenaunt a lor fraunks tenementz. Voet ben Leveſqe e grante, qe la ou tiens appruementz, de ſon tens demeine, ſont nuſantz, iſſi qe les gentz ne ont pas ſuffiſaunte commune, ſolonc lei ſoient addreſcetz, & voet le Roi qe le redreſcement ſe face dedenz le Seint *Johan* prochein avenir. Et la ou ſes waſtz furent leſſetz a ferme e puis weynez par poverte, en la fraunche chace e de hors, la vindrent ſes baillifs e priſtrent les beſtes de veiſins procheins, e leuerent la ferme de eux encontre commune uſage du pais, dit Leveſqe qe ce ne fut mie par li, e voet e graunte qe mes ne ſoit fet. Eſtre ceo prient les gentz de la dite communaute qe nules iſſues ne ſoient levetz en la fraunchiſe avanndite; Mes a fere deſtreſces pur defautes, e les deſtreſces retenir, e plus prendre, tant qe la

An. 31 E. 1.

partie

An. 31 E. 1. partie veigne en Curt a reſpondre, ſicome ad eſte uſe du tens dont y ny ad memoire dit Leveſqe qe il ne fet autre choſe, ne fere ne cleime, fors qe ſicome homme fet ailleurs en le Roiame, en caas ſemblable. Et totes les choſes deſus grauntees, voet leveſque e graunte pur li e pur ſegliſe, e pur ſes ſuccoſſurs taunt come en li eſt, qe eles ſe teignent e remaignent fermes e eſtablees, as gentz de la dite communaute e a lour heirs, a touz jours. Et eſtre ceo, pur ceo qe touz les articles e grevances, avanditz, amiablement ſont acordetz, dont les gentz de la dite communaute touz, e cheſcun de eus, ont releſſetz a la propre perſone le dit Eveſqe touz les damages qe il out eux e reſceus, par acheſon des articles avantditz le dit Eveſqe pur le honeur e la reverence de noſtre Seignur le Roi qi de ceſt acoꝛd ſeſt entremis, ad releſſe tote manere de ire, de rancoꝛ, e de mal boillaunce qe il ad, ou ad eu, enꝛers eux, e cheſcun de eus, par acheſon des contens avanditz. En teſmoignance de ceſtes choſes, li dit Eveſque ad mis ſon ſeal a ceſt eſcrit. Don. a *Everwyk* le dis e noefiſme jour de *Juyl*, l'an del Incarnation noſtre Seignur, 1303. e du regne li dit Roy *Edward* Trente primer.

a Mat. Weſtm. An. 1301. p. 1417. Godwins p. 364. Spelman. Concil. Tom. 2. p 425. Ex cod. M S in Bibl. Cotton ſub effigiem Cleopatræ E. I.

After the death of [a] *Godfry Giffard* Biſhop of *Worceſter*, Anno 1301. A Monk was elected Biſhop thereof, *qui non inveniens gratiam conſecrationis ab Archiepiſcopo* Cantuarienſi, ad ſedem Apoſtolicam pꝛofectus eſt. *Quo cum veniſſet, diſcuſſo electionis ejus ordine coram Papa*, electio Wygornienſis Monachi penitus eſt quaſſata; Deditque ergo Dominus Papa Bonifacius Epiſcopatum illum (by his Papal proviſion) cuidam de oꝛdine Fratrum Minoꝛum, to wit, *Gulihelmo de Geynsburgh, Romæ Satanici ſacri Palatii Lector, & quia hanc in Concionibus ac Scholaſticis congreſſibus defendebat doctrinam*, Papam non poſſe errare, neque a quoquam eſſe judicandum licet mille Chꝛiſtianoꝛum animas ad oꝛcum detruſerit, effectus eſt a Bonifacio octavo (execrabiliſſime Romanæ ſedis monſtro) Wygornienſis Epiſcopus, An. Dom. 1301. as [b] *John Bale* Biſhop of *Oſſory* relates. King *Edward* having formerly ſent him and *Hugh Maunceſtr* a *Dominican* as his Nuncioes to the King of *France*, about reparations for the damages done by him to the Province of *Aquitain*, was content to accept his fealty, and reſtore the Temporalties of the Biſhoprick to him; but upon his ſolemn renunciation of a clauſe in the Popes Bull before the King and his Counſil in *Windeſor* Caſtle, which invaded and prejudiced his royal prerogative, as this Record and *Memorandum* thereof informs us.

b Pat. 31 E 1. m. 39.

REX dilecto & fideli ſuo *Humfrido de Waleden* Cuſtodi Epiſcopatus *Wygorn.* ſede vacante, ſalutem. Cum Dominus *Bonifacius* Summus Pontifex dilectum nobis in Chriſto fratrem *Willielmum de Gaynesburgh* de Ordine Minorum in Epiſcopum *Wygorn.* pꝛæfecerit et Paſtoꝛem, ſicut per literas ipſius Summi Pontificis bullatas, nobis inde directas, plenius nobis conſtat; Nos pꝛæfectionem illam acceptantes, cepimus fidelitatem ipſius *Willielmi*, & Temporalia Epiſcopatus prædicti, prout moris eſt, reſtituimus eidem; Et ideo vobis mandamus, quod eidem *Willielmo* Temporalia Epiſcopatus prædicti ſine dilatione liberetis, ſicut prædictum eſt. Teſte Rege apud *Wyndeſore* 4. die *Februarii*.

Et mandatum eſt Militibus, liberis hominibus, & omnibus aliis tenentibus de Epiſcopatu prædicto, quod eidem *Willielmo* tanquam Epiſcopo & Domino ſuo, in omnibus, quæ ad Epiſcopatum illum pertinent, intendentes ſint & reſpondentes, ſicut prædictum eſt. In cujus, &c. Teſte Rege ut ſupra.

Et memorandum, quod eadem die pꝛæfatus Epiſcopus in Caſtro Regis apud *Wyndeſore*, oblata Regi Bulla Apoſtolica, in qua continebatur inter cætera, quod Papa ſibi commiſit adminiſtrationem Spiritualium et Tempoꝛalium Epiſcopatus pꝛædicti; pꝛo eo, quod dicta Bulla, in hoc, juri Regio pꝛæjudicialis foꝛe videbatur, pꝛæfatæ Commiſſioni, quantum ad Tempoꝛalia dicti Epiſcopatus, expꝛeſſe renunciavit, et ſe dicta Tempoꝛalia a dicto Rege velle admittere; eaque ab ipſo tenere in pꝛæſentia dicti Regis et ſui Conſilii recognovit: et pꝛo tranſgreſſione, quæ dicto Regi fieri videbatur in admiſſione Bullæ Apoſtolicæ, in qua continebatur, quod Papa ſibi adminiſtrationem Tempoꝛalium dicti Epiſcopatus commiſit, fecit dictus Epiſcopus finem Mille Marcarum dicto Regi, ad voluntatem ſuam ſolvendarum. Poſtmodum vero dictus Epiſcopus fecit fidelitatem conſueram dicto Regi,

et

et idem Rex præcepit Cancellario ſuo, quod faceret ſibi literas de reſtitutione Temporalium Epiſcopatus prædicti. *An.* 31 *E.* 1

The Pope by his *proviſion* conferring a Prebendary in the Kings Free Chappel of *Wolverhampton* upon an *Italian*, and iſſuing proceſſe to put him into poſſeſſion thereof, in prejudice of the Kings royal Crown and Dignity; the King thereupon iſſued this memorable Prohibition to the Dean and Chapter by no means to admit him, and to ſend the proceſſe to him.

REX dilectis ſibi in Chriſto Decano & Capitulo liberæ Capellæ ſuæ de *Wolverhampton* ſalutem. Ne Coronæ et dignitatis noſtræ Regiæ jura depereant ſtudioſam nos decet operam adhibere, et ad ea manutenenda et conſervanda, eo potius debeamus eſſe ſolliciti quoad hoc vinculo juramenti teneri dinoſcimur et aſtringi. Cum itaque quoddam negotium prohiſorium de quadam Præbenda in Capella noſtra prædicta cuidam *Ottobono Maleſpania* authoritate Apoſtolica aſſignanda ſit vobis commiſſum, ſicut accepimus, exequendum, quod utique ſi procederet, in noſtri cederet præjudicium manifeſtum, et dictæ Coronæ ac dignitatis noſtræ Regiæ læſionem; Vobis inhibemus firmiter injungendo, ne nobis inconſultis ad executionem aliquam in hac parte faciendam procedatis, ſeu procedere præſumatis, per quod nobis, Regio juri noſtro, et liberæ Capellæ noſtræ prædictæ præjudicium aliquod generari valeat in futurum. Et ſi forſan ad receptionem alicujus authoritate prædicta proceſſeritis nobis inconſultis proceſſum hujuſmodi penitus revocetis, et faciatis quod ab aliis revocetur. Taliter ſuper his vos habentes, ne ad vos tanquam ad Juris et Coronæ noſtræ violatores graviter capere debeamus. Teſte Rege apud *Hampſtede*, ſecundo die *Decembris*. Clauſ. 31 E. 1. m. 19 dorſo. Prohibitio pro Capellæ Regis de Wolverhampton.

He likewiſe iſſued this memorable Writ to the Sheriff of *Stafford*, to defend and maintain his Clerk in the poſſeſſion thereof, and not permit him to be removed by the Popes proviſion or authority.

REX Vic. *Staff.* ſalutem. Intelleximus, quod cum dilectus Clericus noſter Magiſter *Johannes de Lovetot*, præbendam de *Kyſwaldeſton* in libera Capella noſtra de *Wulverenhampton*, ex collacione dilecti nobis in Chriſto Decani ejuſdem Capellæ nuper adeptus, & in poſſeſſionem ejuſdem per eundem Decanum inductus canonicè extitiſſet, quidam *Ottobonus Malæ ſpinæ* clamans habere præbendam prædictam per prohiſionem ſedis Apoſtolicæ ſibi factam, præfatum Clericum noſtrum a poſſeſſione ſua præbendæ prædictæ expellere nititur his diebus, quod in Coronæ et Regiæ dignitatis noſtræ ſi toleraretur cederet præjudicium manifeſtum; Nolentes igitur nobis et Coronæ noſtræ Regiæ injuriari taliter in hac parte; Tibi præcipimus firmiter injungentes, quod præfatum Clericum noſtrum in poſſeſſione ſua Præbendæ prædictæ manuteneas, protegas et defendas, non permittens ipſum per præfatum *Ottobonum*, vel quemcunque alium ſuper poſſeſſione prædicta virtute prohiſionis prædictæ ſic in præjudicium noſtrum factæ aliqualiter impediri. Teſte Rege apud *Odyham* 12 die *Januarii*. Ibid. m. 17. dorſo. Pro Magiſt. Nich. de Lovetot.

In the Plea Rolls of *Anno* 31 *E.* 1. in the Receits of the *Exchequer*, I likewiſe find this ſuit of the King againſt the Dean of *Wulverhampton*, for conferring this Prebendary on the Popes Clerk, againſt the priviledge and rights of his Crown and Realm, at the Popes command.

*DOminus Rex implacitat Decanum liberæ Capellæ ſuæ de *Wolverhampton*, eo quod ipſe contra privilegia regni ſui, et contra Jus Regni ſui contulit Præbendam in dicta Capella ſuper quendam Ottobon. de Maleſpina ex mandato Papæ, &c. Decanus venit, et poſuit ſe voluntati Domini Regis, Alto et Baſſo, ſi in aliquo deliquit, &c. remaneat quouſque locutum fuerit cum Rege, &c. * Hill. Anno 31 E. 1. apud Weſtm. coram Rege. Staff. rot. 47.

To which I ſhall ſubjoyn this Prohibition of the King to the Archbiſhop of *Canterbury*, not to viſit his free Chappel of S:. *Martins London*, nor the Prebendaries

An. 31 E. 1. thereunto belonging, exempt from all Epiſcopal Juriſdiction, againſt their priviledges, and hurt of his Crown and Dignity.

Clauſ. 31 E 1. m. 17. dorſo. Prohibitio pro liberis Capellis Regis.

REX venerabili in Chriſto patri *R.* eadem gratia *Cantuar.* Archiepiſcopo totius *Angliæ* Primati, ſalutem. Cum libera Capella noſtra *Sancti Martini* magni *London.* cum Prædendis ad eandem Capellam ſpectantibus, ſicut aliæ liberæ Capellæ noſtræ in regno noſtro ab omni Juriſdictione ordinar. exempta ſit, libera penitus et immunis, ac vos hiſtationis officium in Capella et Prædendis prædictis jam intendatis, ſicut accepimus, exercere. Nos attendentes, noſtræ Regiæ dignitati per hoc poſſe de facili derogari, Vobis prohibemus ne Juriſdictionem aliquaſlem in prædictis Capella et Prædendis exercere, ſeu quicquam quod in noſtri ſeu Coronæ aut Regiæ dignitatis noſtræ præjudicium, ſeu libertatis Capellæ et Prædendarum prædictarum læſionem cedere poſſit, aliqualiter attemptare præſumatis. Teſte Rege apud *Langeleye* 10 die *Februarii.*

Per Regem & Conſilium.

* Here, p. 989, 990.

Soon after the * premiſed accord between the Biſhop of *Durham* and his Tenants before the King and his Counſil in Parliament, the King iſſued this Writ of Privy Seal to his Chancellor to make a ſpecial Writ of Reſtitution of the Franchiſes, which the King had ſeiſed, by adviſe of his Judges of both Benches, and Barons of his Eſchequer, and to make Rolls and Memorials thereof, and ſend them to him.

Ex Bundela Brevium de Privato ſigillo, &c. An. 31 E. 1. in Turre Londor.

EDward par la grace de Dieu Roy *Dengleterre*, &c. A noſtre chier Clerk & foial Meiſtre *William de Grenefend* noſtre Chancellier ſaluz. Nous entendoms qe bous ſavez bzebi, coment nagaires par agard de noſtre Court, feiſmes ſeiſer et prendze en noſtre meyn la Franchiſe de Lebeſchée de *Dureme*, pur aucunes acheiſons contenues en le Recozd du Jugement, qe pi e ceo en ſu renduz, per devant nous, et coment nous aſſignames Gardein, Juſtices, Chancellier et autres Miniſtres por la dite Franchiſe garder, et por faire ce qe a meiſme la garde appendent, & por tenir a droit touz ceux de la dite Franchiſe qui pleindreſe vouſtrent, auſi bien des honeurable pere *Antoigne* Eveſqe de *Dureme* et de ſes miniſtres qui de droite ior avoient faillu en pluſurs manieres, ſicome il diſoient, come dautres. E por ceo qe le dit gardein et nos autres Miniſtres avantditz, ont ia grant piece des dites choſes uſez ne per nous, la dite Franchiſe demorant en noſtre meyn, ſicome eſt avantdit, dont pluſors quereles entamees entre le dit Eveſqe et ſes Miniſtres dune part, & les gentz de la Communaute de meiſme la Franchiſe dautre, por lor commun aſſent, furent nagaires ſur certeine forme de pes devant nous & noſtre Conſeil a *Dureme* appoſees finaument, & les autres pais redreſeez en due manere, ſolonc ce qe acordez feut entre eux, a ceo qe teſmoignes nous eſt por nos foialx & loialx *William de Bereford, Roz. de Hegham, William Ormesby*, & *Henric. de Budeford*, les queux nous aſſignames purſurveer les redreſcementz des choſes avantdites, ſi qe totes les dites quereles ſont ia terminees en bone manere, ſauve aucunes, qe nous avoms miſes & ajornees devant nous a noſtre prochein Parlement. Nous pur la devocion qe nous aboms a ſeint *Cuthbert* adboe de legliſe de meiſme Lebeſche, et por la bone volente qe nous a lavantdite Eveſche, vueillantz au dit Eveſque faire grace eſpeciale, rendoms au dit coꝛp Seint, et a meiſme Lebeſque auſſint la Franchiſe avantdite, a avoir tener et uſer a li et a ſes ſucceſſoꝛs auꝛt entiozement, et auſſ franchement, ſicome li ou ſes predeceſſours Ebeſques de meiſme le lieu reſnablement la aboient, tindzent et uſerent, avaunt le temps de la priſe de la dite fraunchiſe en noſtre meyn. En tien mande, qe ſaubez ſoient a nous et au nos heires noſtre Roiale dignete, et les choſes que a nous et a noſtre Cozoune p appendent, & qe totes les choſes acordees & apoſees entre le dit Eveſqe, & les gentz de la dite Commune, devant nous & devant noſtre Conſail, & les redreſcements faitz par lour commun aſſent, y taunt come la dite franchiſe ad eſte en noſtre meyn, ſoient fermement tenz a touz jour. Et ſi nul peravienture viegne a lencontre en nul point, qe nous ou noz heirs mettons la meyn, totes les foiz qe nous werrons qil face a faire. Et pur ce vous mandoms, qe au dit Eveſqe facez aver lettres de noſtre grant ſeal, de ceo qe nous li rendoms la dite Franchiſe en la forme avantdite. Et mandez per lettres de meiſme le ſeal a Monſieur *Robart de Clifford* noſtre gardein de meſme la Franchiſe, ou y ſon lieutenant

tenant, quil ſueffre le dit Eveſque uſer et joyr de la dite Franchiſe en la forme qe nous li la avoms rendue a quil en ouſte la meyn, et en meiſme la maniere mandez a Monſire **William D'ormesby* noſtre Juſtice de meiſme la Franchiſe, de ce qe a li en affiert per reiſon de la dite Juſticerie: Et auſint a *Henr. de Budeford* noſtre Chancellier de meiſme la Franchiſe, de ce qe a li en appent par la reiſon de la dite Chancellerie, & qe noſtre ſeal aſſignez au governement de la dite Franchiſe, qe nous li baillames, face rendre en noſtre Garderobe, au pluſteſt quil porra bonement. Et jaſoit ce qe nous vous mandoms ceſte forme, coment il nous ſemble qe la dite franchiſe fait a rendre. Nemye pur ce nous volons & vous mandoms, qe pris a vous les avantditz *William de Bereford*, *Roger de Hegham*, *William Dormesby*, & *Henr. de Budeford*, enſemblement ove les autres gentz de noſtre Conſail, auſsibien nos Juſtices de lun baunk et de lautre, come ceux de Leſtbekier, qui la ſerront preſentz, et qe vous porrez bonement aſſembler, eez conſail et aviſement ſur le proces, auſi bien de la priſe de la Franchiſe, come des autres choſes qe en ſont paſſees dés le comencemeut juſqes encea, dont nous vous enveoms ſouz noſtre prive ſeal aucuns roulles et aucuns remembrances qui ſont demorez devers nous, touchantz meiſme la buſoigne. Et ſil ſemble a vous et a eux qe la forme de ceſt rendre, face a changer en nul point, ſi voloms qe par lor conſail et lor aviſement ſoit le changement fait, et la forme ordeneez tiele come entre vous verrez qe a faire ſe face. Et nous enveez par aucun certein homme la forme du rendre de la Franchiſe de la dite Eveſchee, deſouz voſtre ſeal, enſemblement les roulles et les remembrances avantditez; et nous facez auſint ſaver, quantque vous enaurez fait au pluſteſt que vous porrez. Don ſouz noſtre prive Seal a la ville Seint *Johan de Perth* le 8. jour de *Joignet*, & lan de noſtre regne 31.

An. 31 *E.* 1.

* See here, p. 938.

In obedience to which Writ, the Chancellor, Judges and Barons framed this enſuing Writ of reſtitution, from whence we may obſerve; 1. That our Kings by their Royal Prerogative may ſeiſe and retain the Franchiſes and Liberties of any of their Biſhops, when they or their Officers abuſe and exceed them, to the oppreſſion and grievance of their Tenants, or other Subjects, till they be righted. 2ly. That the King in ſuch caſes may conſtitute ſuch Juſtices, Chancellors, Stewards, and other Officers by his own Royal authority, as the Biſhops uſed to conſtitute, to exerciſe all Juriſdictions in the Kings Name and Right alone, not in the Biſhops: Therefore he may conſtitute all their Eccleſiaſtical Officers too by like reaſon, when they exceed or abuſe their authority, in holding Plea in their Eccleſiaſtical Courts of matters belonging to his Temporal Courts, Crown or Dignity; or unjuſtly vex or excommunicate his Subjects, or refuſe to iſſue out their Proceſs in the Kings Name, ſtead, and under his Seal, according to the Statutes of 37 *H.* 8. c. 17. & 1 *E.* 6. c. 2. The Writ they then formed runs in this forme.

REX omnibus ad quos, &c. ſalutem. Sciatis quod cum regalem libertatem Epiſcopatus *Dunelm.* **quibuſdam de cauſis per conſiderationem Curiæ noſtræ coram nobis in Parliamento noſtro apud** *Weſtmonaſterium* **in Octabis Sancti** *Johannis Baptiſtæ* **anno regni noſtri triceſimo, in manum noſtram capi fecerimus et ſeiſiri,** & certos Cuſtodem, Juſtic. Cancellarium, & alios Miniſtros ad dictam libertatem deputaverimus noſtro nomine cuſtodiend. & ad faciendum ea quæ ad dictam cuſtodiam pertinebant, **ac ad juſtitiam tenendam et faciendam omnibus et ſingulis de eadem libertate conqueri volentibus,** tàm de venerabili patre *Antonio* ejuſdem loci Epiſcopo, & Miniſtris ſuis ejuſdem libertatis, **qui eis in juſtitia exhibenda,** ut dicebant, **modis variis defuerunt,** quàm de aliis quibuſcunque, **ac dicti Cuſtos, Juſtic. Cancellar. et alii Miniſtri noſtri prædicti præmiſſa noſtro nomine exercuerunt, jam eſt diu dicta libertate per dictam conſiderationem in noſtris manibus exiſtente, per quod plures querelæ inter prædictum Epiſcopum et Miniſtros ſuos ex parte una, et homines de Communitate ejuſdem libertatis ex altera motæ, per communem aſſenſum eorundem Epiſcopi, et Miniſtrorum ac conquerentium prædictorum, coram nobis et Conſilio noſtro apud** *Dunelm.* à die *Paſchæ* in tres ſeptimanas, anno regni noſtri triceſimo primo, ſub certa forma fuerant pacificatæ finaliter & ſedatæ, ac etiam quædam aliæ modo debito poſtea inter partes prædictas amicabiliter ſunt correctæ, prout inter eoſdem partes extitit concordatum, ſicut

Pat. 30 E. 1. m. 19. intus. De Epiſcopo Dunelm. de libertate ſua ſibi reſtituta.

An. 31 E. 1. per dilectos & fideles noſtros *Willielmum de Bereford*, *Rogerum de Hegham*, *Willielmum de Ormesby*, & *Henr. de Gildeford*, per nos ad prædictas correctiones ſupervidendas aſſignatos, nobis teſtificatum exiſtit. Ita quod omnes dictæ querelæ bono modo jam terminatæ ſunt & finitæ, exceptis aliquibus ex ipſis quas coram nobis in proximo Parliamento noſtro poni feci & adjornari. Nos ob devotionem quam erga beatum *Cuthbertum* glorioſum Chriſti Confeſſorem, Eccleſiæ *Dunelm.* patronum, & affectionem quam erga præfatum Epiſcopum gerimus & habemus, volentes eidem Epiſcopo gratiam in hac parte facere ſpecialem, præfatis Sancto & Epiſcopo prædictam reddidimus libertatem; habendam, tenendam & utendam eidem Epiſcopo & ſucceſſor. ſuis adeo integrè & liberè, ſicut idem Epiſcopus & predeceſſores ſui Epiſcopi ejuſdem loci eam rationabiliter tenuerunt, & ea uſi fuerunt ante captionem ejuſdem libertatis in manum noſtram. **Ita videlicet quod ſalva ſint nobis et hæredibus noſtris regia dignitas noſtra, jura, et res quæ ad nos et Coronam noſtram pertinent ibidem**, & quod omnia concordata & pacificata inter dictum Epiſcopum & homines dictæ Communitatis coram nobis & Conſilio noſtro, ac reformationes & correctiones per communem aſſenſum eorundem factæ, dum prædicta libertas extitit in manu noſtra, imperpetuum teneantur & firmiter obſerventur. Et ſi quis forſan contravenerit in aliquo præmiſſorum, quod nos & hæredes noſtri ad id manum apponamus, quociens nobis & ipſis hæredibus noſtris videbitur faciendum. In cujus, &c. Teſte Rege apud Villam Sancti *Johannis de Perth* 8 die *Julii*.

Ibidem.
* See p. 938.

REX dilecto & fideli ſuo *Roberto de Clifford* * cuſtodi ſuo libertatis Epiſcopatus *Dunelm.* in manu noſtra exiſtentis, vel ejus locum tenenti, ſalutem. **Cum libertatem prædictam quam quibuſdam de cauſis per conſideracionem Curiæ noſtræ coram nobis in Parliamento noſtro apud *Weſtmonaſterium* in Octabis Sancti *Johannis Baptiſtæ* anno regni noſtri tricesimo, in manum noſtram capi fecimus et ſeiſiri**, venerabili patri *Antonio Dunelmenſi* Epiſcopo per literas noſtras patentes ob devotionem quam erga beatum *Cuthbertum* glorioſum Chriſti Confeſſorem, Eccleſiæ *Dunelmenſis* patronum, ac affectionem quam erga præfatum Epiſcopum gerimus & habemus, reddiderimus de noſtra gratia ſpeciali, prout in literis noſtris prædictis plenius continetur: Vobis mandamus, quod de dicta libertate vos ulterius non intromittentes, ac etiam Vicecomites & omnes alios Miniſtros in officiis quibuſcunque in eadem libertate per vos noſtro nomine deputatos penitus amoventes, ipſum Epiſcopum libertate illa uti & gaudere permittatis, juxta tenorem literarum noſtrarum patentium prædictarum. Teſte ut ſupra.

Ibidem.
* See p. 938.

REX dilecto & fideli ſuo *Willielmo de Ormesby* * Juſtic. ſuo ad placita libertatem Epiſcopatus *Dunelm.* in manu noſtra exiſtentis tangentia tenenda aſſignato, ſalutem. Cum libertatem prædictam, &c. reddiderimus, &c. prout, &c. Vobis mandamus, quod de dicta libertate ratione officii Juſticiariæ prædictæ vos ulterius non intromittentes, ipſum Epiſcopum libertate illa, &c. ut ſupra. Teſte ut ſupra.

Ibidem.
* See p. 938.

REX dilecto Clerico ſuo *Henr. de Gildeford* *Cancellario ſuo libertatis Epiſcopatus *Dunelm.* in manu noſtra exiſtentis, ſalutem. Cum libertatem prædictam, &c. reddiderimus, &c. prout, &c. Vobis mandamus, quod de dicta libertate ratione officii Cancellariæ prædictæ vos ulterius non intromittentes, ipſum Epiſcopum libertate illa uti & gaudere permittatis, juxta tenorem literarum noſtrarum patentium prædictarum ſigillum noſtrum, ad regimen dictæ libertatis deputatum quod vobis nuper liberavimus, nobis in Garderoba noſtra cuſtodiendum quam citius commodè poteritis liberetis. Teſte ut ſupra. Et fuerunt patentes.

The Kings Eſcheator diſtraining the Abbot of St. *Benedict de Hulmo* for the Palfry and Cup of his predeceſſor, pretended to be antiently due to the King by his prerogative, and received from his predeceſſors upon every occaſion; whereas there was never any received by the King before: Thereupon a Writ of Inquiry of the truth thereof iſſued to the Kings Eſcheator, upon which an Inquiſition was found for the Abbot againſt the King, which I diſcovered in the *White Tower* Chappel.

Edwardus

An. 31 *E.* 1

Bundela Brevium & Literarum in Turre Lond. n, An. 31 E 1.

EDwardus Dei Gratia Rex *Angliæ*, Dominus *Hiberniæ*, & Dux *Aquitaniæ*, dilecto & fideli ſuo *Waltero de Glouceſtr.* Eſcaetori ſuo citra *Trentam* ſalutem. Ex querela dilecti nobis in Chriſto Abbatis Sancti *Benedicti de Hulmo* accepimus, **quod cum ipſe ad aliquem Palfridum vel Cuppam aliquam nobis ratione alicujus vacationis domus ſuæ prædictæ præſtand. nullatenus teneatur, et nos ſeu aliquis progenitorum noſtrorum quondam Regum *Angliæ* occaſione aliquarum vacationum ejuſdem Abbatiæ hujuſmodi Palfridum et Cuppam de prædeceſſoribus ſuis Abbatibus ejuſdem loci non habuerimus, ſeu habere conſueverimus temporibus retroactis, vos nichilominus unum Palefridum et unam Cuppam a præfato Abbate, ratione ultimæ vacationis Abbatiæ ſuprædictæ, ad opus noſtrum exigitis, et ipſum ea occaſione graviter diſtringi facitis minus juſte, in ipſius Abbatis dampnum non modicum, et domus ſuæ prædictæ exhæredationis periculum manifeſtum.** Et quia ſuper præmiſſis plenius certiorari, & præfato Abbati quod juſtum fuerit fieri volumus in hac parte; Vobis mandamus, quod per Sacramentum proborum & legalium hominum de balliva veſtra, per quos rei veritas melius ſciri poterit diligenter inquiratis, utrum nos vel progenitores noſtri prædicti **Palefridum aliquem vel Cuppam** de Abbatia prædicta, ratione alicujus vacationis ejuſdem temporibus præteritis habere conſueverimus, necne; & ſi ſic, tunc quis vel qui noſtrum, & quo tempore, & qualiter & quomodo. Et inquiſitionem inde diſtinctè & apertè factam, nobis ſub ſigillo veſtro & ſigill. eorum per quos facta fuerit ſine dilatione mittatis, & hoc breve. Teſte meipſo apud *Walkhamſtead* 27. die *Februarii*, Anno regni noſtri 31.

INquiſitio facta apud *Harehill* in Com. *Norff.* coram *W.* de *G.* Eſcaetor. Domini Regis in Com. *Norff.* die Jovis in Septimana *Paſchæ* Anno regni Regis *Edwardi*, triceſimo primo, videlicet, utrum Dominus Rex, vel Progenitores ſui **aliquem Palefridum vel Cuppam de Abbatia Sancti** *Benedicti de Hulmo*, **ratione alicujus vacationis ejuſdem Abbatis temporibus præteritis habere conſueverunt**, per *Rogerum de Hales* & *Bartholomæum de Sumerton* Milites, *Robertum Trenchemer*, *Johannem Sprigg*, *Willielmum de Adeburgh*, *Richardum de Gravele*, *Richardum de Brauntwyt*, *Willielmum le Garner*, *Galfridum le Treſtwere*, *Thom.* fil. *Moricii de Upton*, *Robertum le Vernoun*, & *Hugonem le Newman de Statham* Jur. dicunt ſuper Sacramentum ſuum, quod nullo tempore à quo extat memoria, Dominus Rex vel Progenitores ſui **Palefridum aliquem vel cuppam aliquam** de Abbatia Sancti *Benedicti de Hulmo* ratione alicujus vacationis ejuſdem Abbatiæ temporibus præteritis habere conſueverunt. In cujus rei teſtimonium dicti Jur. huic Inquiſ. ſigilla ſua appoſuerunt.

There was likewiſe another Writ of Inquiry iſſued, and Inquiſition about the ſame time at the ſuit of the Prior and Covent of the ſaid Abby, touching certain Lands and Tenements which they held and enjoyed for their ſuſtentation, divided from the reſidue of the Temporalties time out of minde, which neither the Abbots during the plenarty, nor Kings Eſcheators during the vacancy ever intermedled with in any Kings reign; which the Kings Eſcheator ſeiſed into his hands upon the laſt vacation, to their prejudice, as they ſuggeſted; which was found for the Prior and Covent.

In eadem Bundela, Anno 31 E 1.

EDwardus Dei gratia Rex *Angliæ*, Dominus *Hyberniæ*, & Dux *Aquitaniæ*, dilecto & fideli ſuo *Waltero de Glouc.* Eſcaetori ſuo citra *Trentam* ſalutem. Ex parte nobis in Chriſto Prioris & Conventus Abbatiæ Sancti *Benedicti de Hulmo* nobis eſt oſtenſum, quod cum ipſi quaſdam terras, & quædam tenementa ad Abbatiam prædictam pertinentia, pro ſuſtentatione ſua ſeparatim teneant, & Predeceſſores ſui Priores & Conventus ejuſdem loci terras illa & tenementa ſemper hactenus ſeparatim tenuerint, & plenam demonſtrationem inde habuerint. Ita quod Abbates ejuſdem loci temporibus ſuis, ſeu Eſcaetores, vel Cuſtodes noſtri, vel Progenitorum noſtrorum quondam Regum *Angliæ*, aliquibus vacationibus ejuſdem Abbatiæ de terris & tenementis prædictis ſeu exitibus eorundem ſe in aliquo intromittere non conſueverunt temporibus retroactis: vos nichilominus exitus terrarum & ten prædictorum jàm in ultima vacatione Abbatiæ ejuſdem, capiſtis in manum noſtram, et eos ac ſi ad nos ſicut alii exitus Abbatiæ ejuſdem, **ratione dictæ vacationis pertinerent alter**

An. 31 E. 1. ter quam aliis vacationibus Abbatiæ prædictæ temporibus retroactis fieri consuevit eisdem Priori et Conventui detinetis, in ipsorum Prioris et Conventus dampnũ non modicum et grabamen. Et quia eisdem Priori & Conventui injuriari nolumus in hac parte, set potius super præmissis volumus certiorari ut eis inde quod justum fuerit fieri faciamus; Vobis mandamus, quod per Sacramentum proborum & legalium hominum de Balliva nostra, per quos rei veritas melius sciri poterit diligenter inquiratis, utrum iidem Prior & Conventus aliquas terras & tenementa ità separatim teneant & hactenus tenuerunt, quod Abbates ejusdem loci temporibus suis de terris & tenementis illis vel exitibus eorundem se in aliquo non intromiserunt, necne; etsi sic, tunc utrum Escaetores vel Custodes nostri, vel progenitorum nostrorum prædictorum de eisdem terris & ten. vel eorum exitibus aliquibus vacationibus ejusdem Abbatiæ se intromittere, vel nobis inde respondere consueverint, necne; et si sic, tunc de quibus terris & ten. & quo tempore, & qualiter & quomodo. Et inquisitionem inde distinctè & apertè factam, nobis sub sigillo vestro & sigill. eorum per quos facta fuerit, sine dilatione mittatis, & hoc breve. Teste meipso apud Hospital. Sanctæ *Katerinæ* juxta *Turrim London.* tercio die *Februarii*, Anno regni nostri 31.

INquisitio facta apud *Harhill* in Com. *Norff.* coram Escaetore Domini Regis in Com *Norff.* die Jovis in Septiman. Paschæ, Anno regni Regis *Edwardi* tricesimo primo, videlicet, utrum Prior & Conventus Sancti *Benedicti* aliquas terras & tenementa teneant dictæ Abbatiæ pertinent. & hactenus tenuerunt; ita quod Abbates ejusdem loci temporibus suis retroactis nec Escaetor, vel Custod. Domini Regis, vel progenitorum suorum aliquibus vacationibus ejusdem Abbatiæ se intromittere consueverunt, necne; per *Rogerum de Hales*, *Bartholomeum de Burle*, *Johannem de Juggeloſe*, *Johannem Hoggede*, *Stephanum de Cottingham*, *Hugonem de Burr*, *Thomam de Kemelyngton*, *Martinum Gulion.* & *Robertum Crispin* Jur. Qui dicunt super Sacramentum suum, quod Prior & Conventus Abbatiæ Sancti *Benedicti* omnes terras & tenementa sua pro sustentatione sua, & certis officiis ejusdem Abbathiæ assignata, ita separatim ubiq; tenent, & hactenus temporibus retroactis tenuerunt, quod nec Abbates ejusdem loci temporibus suis, tempore à quo non extat memoria, de terris & tenementis illis seu de exitibus eorundem in aliquo se intromiserunt, nec Escaetores vel Custod. Domini Regis, vel Progenitorum suorum Regum *Anglia* de eisdem terris & tenementis aliquibus vacationibus ejusdem Abbatiæ, à tempore quo non extat memoria se intromittere, nec de exitibus eorundem, ad opus Domini Regis respondere consueverunt. In cujus rei testimonium huic Inquis. sigilla sua apposuerunt.

The Pope having granted the King the moiety of the *Disme* for 3. years, which he imposed on the Clergy of *England* and *Ireland*, the King not only disposed the moiety thereof, but likewise commanded all of it to be seised and secured till further order, that none of it might be transported, by this Writ.

Claus. 31 E. 1. m. 2. intus. De pecunia proveniente de Decima custodienda ad opus Regis.

REX Venerabili in Christo patri R. eadem gratia *London.* Episcopo, Collectori Decimæ Papalis, una cum Magistro *Bartholomæo de Ferentino* Canonico Sancti *Pauli London.* salutem. Mandamus vobis, **quod omnes denarios qui recepti et levati sunt de Decima prædicta per totum regnum nostrum, tam in manus vestras, quam in manus subditorum vestrorum quorumcunque prædictam Decimam colligentium, vel eandem per vos vel dictos subditos vestros in depositis custodientium existentes, et etiam omnes denarios qui ernunc levandi sunt de eadem Decima in eodem regno nostro, absque omni dilatione integre, et absque diminutione arestetis, et arestari et salvo et secure custodiri faciatis, quousque aliud super hoc a nobis habueritis in mandatis. Et hoc in fide qua nobis tenemini, et sub omni eo quod nobis forisfacere poteritis nullatenus omittatis.** Mittimus insuper ad vos dilectum Clericum nostrum *Johannem de Sandale*, vobis mandantes, quod eidem *Johanni* in negotiis prædictæ Decimæ, & aliis quæ idem *Johannes* vobis vivæ vocis oraculo intimabit, adhibeatis firmiter certam fidem. Teste Rege apud *Chambeskyneth* primo die *Novembr.*

Eodem

Eodem modo mandatum eſt Magiſtro *Johanni Bonichi* de *Senis* Commiſſario *Bartholomæi de Ferentino* Canonici Sancti *Pauli London.* **Collectoris Decimæ Papalis,** una cum præfato **Epiſcopo.** Teſte ut ſupra. *An.* 31 E. 1.

The King ſending to the Biſhop of *London* to order the Popes Collector of the Clergies Diſms in *Ireland*, to pay one thouſand marks thereof into the Treaſurer of *Ireland*, he thereupon deſired to receive the Kings acquittance upon payment thereof, by this Letter to the King.

A Treſnoble Prince e ſon treſchieur Seignur ſire *Edward* par la grace de Dieux Roy *Dengleterre*, Seignur *Derlande*, &c. Io ſoen humble Chapeleyn Eveſqe de *Londres* ſalutz, e quantqe il ſiet e poet de reverence e de honur. Treſchier Seignur iceo Mardy apres la Cluſe Paſchæ receumes vos lettres de credence par ſire *Waltier de Pederton* voſtre Clerc, qe nous diſt de par vous qe nous feiſons en haſt maunder a les Cuillours de la Dyme **miſe par noſtre Seignur le Apoſtoyle en** *Hirlande* qe i facent lyverer a Sire *Richard de Bereford* voſtre Treſourer en la dite terre *Dirland* mille Mars, e pur ceo qe nous deſiroms e touz jours preſz ſerroms a faire voz pleiſirs e comandemenz a noſtre poer, ſi ſerons faire noz lettres overtes e cloſes a Cuillors ſuſditz de mille Marz avantditz a paer au dit treſourer en la forme ſuſdite, iſſi qe **nous eyoms voſtre lettre de aquitance de deners avantnome,** ſolom la forme de voz autres lettres avant ces heures feſtes de tieux paemenz, quele nous avoms baille al portour de ceſtes lettres a reporter a *Londres* al houſtel meſtre *Bertilmeu de Ferentyn*, ou noz lettres a Cuillours avantditz ſerront preſtemenz trouez. Noſtre Seignur vos doynt bone ſaunt e longe vie. Eſcrit a *Suthminiſtre* le 16. jour de *April.* Bundela Brevium & Literarum in Turre Lond.

Dorſo. A treſnoble Prince e ſun treſchier Seignur ſire *Edward* par la grace de Dieux Roys *Dengleterre.* Par Leveſqe de *Loundres.*

How this money was to be diſpoſed of, this Writ informs us.

REX Collectoribus Decimæ in *Hibernia* aſſignatis, per venerabilem patrem *R.* Epiſcopum *London*, & Magiſtrum *Bartholomæum de Ferentino* Canonicum *London.* **Collectores ejuſdem a ſede Apoſtolica deputatos,** ſalutem. Cum noſtras patentes literas continentes, **quod nos de pecunia proveniente de dicta Decima recepimus a præfatis Epiſcopo et** *Bartholomæo* mille marcas ſterlingorum dilecto Clerico noſtro *Ricardo de Bereford.* Theſ. noſtro *Hiberniæ*, et prædictis Collectoribus noſtro nomine liberatas, fieri, et eas præfatis Epiſcopo et *Bartholomæo* fecerimus liberari; Vobis mandamus rogantes, quod à præfatis Epiſcopo et *Bartholomæo* habueritis in mandatis de dictis mille Marcis præfato *Richardo* ad opus noſtrum liberandis, tunc eas eidem *Richardo* ad cicius quod poteritis liberetis, ad faciendum inde quod ei dedimus in mandatis: Et hoc ſicut nos & honorem noſtrum, ac regni noſtri commodum diligitis, nullatenus omittatis. Teſte Rege apud *Beverlacen.* 21. die *April.* Cl. 31 E. 1. m. 12. De pecunia liberanda ad opus Regis in Hib.

Per ipſum Regem nunc. J. de Drokenesford & J. de Beneſtede.

He likewiſe ordered this thouſand Marks of the Diſm collected in *Irelaad*, to be ſent to him into *Scotland*, by this enſuing Writ.

REX dilecto Clerico ſuo *Ricardo de Bereford* Theſ. Scaccarii ſui *Dublin.* ſalutem. Cum noſtras patentes literas continentes, **quod nos de pecunia proveniente de Decima Cleri** *Hibern.* **per Dominum** *Bonifacium* **Summum Pontificem de aſſenſu noſtro nobiter impoſita per tres annos,** recepimus à venerabili patri *R. London.* Epiſcopo, & Magiſtro *Bartholomæo de Ferentino* Canonico *London.* Collectoribus ejuſdem Decimæ, mille marcas ſterlingorum, vobis à prædictis Collectoribus noſtro nomine liberatas fieri, et eas prædictis Collectoribus fecerimus liberari; Vobis mandamus, quod prædictas mille marcas à prædictis Epiſcopo & *Bartholomæo* recipiatis; et eas nobis ad partes *Scociæ* per Clericum qui cum hominibus ad arma de partibus *Hibern.* ad dictas partes *Scotiæ* eſt venturus, mittatis; dilecto Clerico noſtro Ib. m. 12. De pecunia mittenda Regi de partibus Hibern.

An. 31 E. 1. ſtro *Johanni de Drokenesford* Cuſtod. Garderobæ noſtræ ibidem liberandus; Et hoc nullatenus omittatis. Teſte Rege ut ſupra.

Per ipſum Regem, ut ſupra.

The King to raiſe preſent monies granted this priviledge to ſeveral Abbots and Monaſteries, that when ever the Abbeys ſhould become void by death or ceſſion, they ſhould have the Cuſtody of the Temporalties for 3. Moneths, prohibiting his Bailiffs and Eſcheators to intermeddle with them; as is evident by this Writ for the Abbot of St. *Maries* in *Yorke*.

Clauſ. 31 E 1. m. 2. Pro Priore & Conventu B. Mar. Ebor.

REX dilecto Clerico ſuo *Ricardo de Haveringe* Eſcaetori ſuo citra *Trentam* ſalutem. Cum literas noſtras patentes conceſſerimus dilectis nobis in Chriſto fratri *Benedicto* Abbati beatæ *Mariæ Eborum* ac Conventui ejuſdem loci, quod cum dictam Abbaciam per mortem vel ceſſionem dicti Abbatis vacare contingeret, Prior et Conventus ejuſdem loci qui pro tempore fuerint habeant cuſtodiam Abbaciæ prædictæ, cum omnibus ad Abbaciam illam pertinentibus, & quæ ad nos pertinere poſſent, ſi cuſtodiam ejuſdem in manu noſtra teneremus, à tempore quo Abbacia illa vacare inceperit uſque ad finem trium menſium proximò ſequencium completorum; Ita quod nullus Eſcaetor aut alius Ballivus ſeu Miniſter noſter vel hæred. noſtrorum **ſe de cuſtodia prædicta vel aliquibus ad eam ſpectantibus durantibus prædictis tribus menſibus intromittat**, nec ipſos Priorem et Conventum ſuper hoc aliqualiter impediat, quò minus ipſi per prædictos tres menſes habeant liberam et plenam adminiſtrationem omnium poſſeſſionum, proventuum & reddituum ad Abbaciam illam ſpectancium, necnon omnium exituum inde proveniencium: ſalvis nobis et hæredibus noſtris feodis Militum, advocationibus Eccleſiarum, Wardis, et Maritagiis liberorum tenencium ejuſdem Abbatiæ quæ tempore vacacionis ejuſdem accidere contigerit: Ita tamen, quod ſi vacacio illa ultra tres menſes prædictos duraverit, nos vel hæred. noſtri finitis eiſdem tribus menſibus cuſtodiam Abbaciæ prædictæ, cum omnibus ad cuſtodiam illam ſpectantibus durante vacatione prædicta habeamus, prout in literis noſtris prædictis plenius continetur; Vobis mandamus, **quod de cuſtodia Abbaciæ prædictæ vel aliquibus ad Cuſtodiam ſpectantibus, cum Abbaciam illam per mortem vel ceſſionem dicti Abbatis vacare contigerit, per tres menſes a tempore quo vacare inceperit computandos bos nullatenus intromittatis, contra tenorem literarum noſtrarum prædictarum**: Proviſo, quod feoda Militum, advocationes Eccleſiarum, Wardæ et Maritagia liberorum tenencium Abbaciæ prædictæ, ſi quæ infra prædictos tres menſes acciderint, in manum noſtram capiantur et ſalvo cuſtodiantur, donec aliud inde à nobis habueritis in mandatis. Teſte Rege apud *Northalverton* 28 die *Aprilis*.

Eodem modo mandatum eſt *Waltero de Glouc.* Eſcaetori ultra *Trentam*.

Ibid. Pro Priore & Conventu de S. Albano.

Conſimile cum literis patentibus ſcriptis antea in Rotulo Patentium de Anno 29 *E.* 1. ſcilicet de cuſtodia Abbaciæ S. *Albani* tempore vacacionis. Teſte Rege apud *Clacmanan.* 14 die *Junii.*

The King having ſummoned all thoſe that held of him by Knight-ſervice, and amongſt others all Archbiſhops, Abbots, Priors, and other Eccleſiaſtical perſons, women and others, unable to ſerve in perſon, to repair with their horſes and arms to *Berwyk* againſt the *Scots*; he thereupon iſſued this Writ to inable them to make a certain fine in money to be paid by a ſet day, for their ſervice due to him by their Tenures, or elſe actually to perform it by others, at their election.

Clauſ. 31 E 1. m. 12. dorſo. De fine faciendi cum Rege pro ſervicio Regi debito in exercitu Scociæ.

REX Vic. *Eborum* ſalutem. Licet nuper tibi præceperimus, quod ſummoneri faceres Archiepiſcopos, Epiſcopos, Abbates, Priores, & alias perſonas Eccleſiaſticas, et etiam viduas et al. mulieres de balliva tua qui de nobis tenent **per ſerbitium Militare**, vel per Serjanciam, ſeu de cuſtodiis Archiepiſcopatuum & Epiſcopatuum, aut aliis Cuſtodiis ſive Wardis in manu noſtra exiſtentibus, quod habeant ad nos in feſto *Penteceſtes* prox. futuro apud *Berewyk* ſuper *Twedam*, totum ſervicium ſuum nobis debitum, cum equis et armis benè munitum & paratum, ad proficiſcendum nobiſcum et cum aliis fidelibus noſtris contra *Scotos* inimicos noſtros; Volentes tamen ipſorum Prælatorum, Religioſorum, Mulierum, ac aliorum qui ad arma

minus

minus potentes, aut eciam minus idonei exiſtunt, **parcere gracioſe laboꝛibus iſta vice**; tibi præcipimus firmiter injungentes, quod ſtatim viſis præſentibus, in pleno Com. tuo, & nichilominus in villis Mercatoriis & alibi per totam Ballivam tuam, ubi melius videris expedire publicè proclamari facias, **Quod ipſi Pꝛælati, Religioſi, Mulieres, et alii ad arma minus ſufficientes aut idonei qui ſerbicium ſuum nobis debent, et finem pꝛo eodem ſerbicio nobiſcum facere boluerint**, veniant coram Theſ. & Baronibus noſtris de Scaccario in Craſtino *Aſcenſionis Domini* prox. futuro, cicius ſi poſſint apud *Eborum*, vel aliquem pro ipſis Vicecomitibus ibidem mittant ad faciendum finem nobiſcum pro ſervicio ſuo prædicto, et ad eundem finem videlicet **biginti libꝛarum pꝛo feodo unius Militis**, et Abbas pro quantitate ſervitii ſui militaris vel ſerjantiæ nobis debiti in hac parte, nobis idem in eodem craſtino ſolvendo: **Alioquin quod ſint ad nos in pꝛædict. feſto *Pentecoſtes* cum equis et armis, et toto ſuo ſerbitio, ut tenentur.** Et habeas ad dictum Scaccarium hoc breve in craſtino ſupradicto. Teſte Rege apud *Lann.* 17 die *April.* *An.* 31 *E.* I.

Hereupon ſundry Biſhops and Abbots made Fines to the King accordingly, as well as the Temporal Lords and Knights, as the *Roll* of thoſe Fines (as I conjecture) which I found in the White Tower, aſſures us.

Fines Epiſcoporum. In Turre Lond.

De Epiſcopo *Wigorn.* pro *tribus feodis Militum* 80 *l.* ſolvend. med. in feſto Sancti *Petri ad vincula*, & aliam in feſto Sancti *Michaelis* prox. ſequen.
De Epiſcopo *Dunolm.* pro *decem feodis*, 500 Marc.
De Epiſcopo *Cicestriæ* pro *duobus feodis* & *dimid.* 100. Marc. ſolvend. citra feſtum Sancti *Michaelis*.
De Epiſcopo *Sarum* pro *tribus feodis* & *dimid.* 116 *l.* 13 *s.* 4 *d.* fecit ſervitium pro *uno feodo* et *dimid.*
De Epiſcopo *Lincoln.* pro *quinque feodis*, 250 Marc.
De Epiſcopo *London.* pro *quinque feodis*, 250 Marc.
De Epiſcopo *Norwic.* pro *quinque feodis*, 250 Marc.

Fines Abbatium.

Suthf. De Abbate de *Hyda Wynton.* pro *tribus feodis Militum* 100 *l.* ſolvend. citra feſtum Sancti *Michaelis*, per manus Cuſtodum Epiſcopatus *Wynton.*
Hunt. De Abbate de *Rameſey* pro *quatuor feod. Militum* 200 Marc. ſolvend. unam medietat. in feſto Sancti *Petri ad vincula*, & alteram medietatem in feſt. Sancti *Michaelis*.
Suff. De Abbate Sancti *Edmundi* pro *ſex feodis*, 300 Marc.
Dorſ. De Abbate de *Shireburne* pro *duobus feodis*, 80 Marc.
Northt. De Abbate de *Burgo Sancti Petri*, pro *quinque feodis*, 250 Marc.
Wygorn. De Abbate de *Perſore*, pro *uno feodo*, 40 Marc.
Devon. De Abbate de *Taviſtoke* pro *uno feodo* 50 Marc. ſolvend. in feſto Sancti *Michaelis*.
Norff. De Abbate Sancti *Benedicti de Holme* pro *duobus feodis* et *dimid.* 125 Marc. ſolvend. in feſtum Sancti *Michaelis*.
Dorſ. De Abbatiſſa *Shafton* pro *tribus feodis*, 150 Marc. De Abbate de *Abbotesbur.* pro *uno feodo* 50 Marc.
Somerſ. De Abbate *Glaſton.* pro *tribus feodis* 100 *l.*
Warr. De Priore de *Coventr.* pro *quatuor feodis*, 200 Marc.

The King this year wanting monies for the great affairs of the kingdom and his wars, after all other means uſed to raiſe it, iſſued theſe Writs to the Aſſeſſors, Collectors, and Sheriffs of ſeveral Counties, for the taxing and levying of the Quindiſme formerly granted to him on the temporal goods of the Archbiſhops of *Canterbury* and Clergy of his Province, which he had twice reſpited at the Archbiſhops requeſts, but could now no longer forbear to levy.

Rot. Fin. An. 31 E. m. 11. De Quintadecima de bonis temporal. Cleri levandis.

REX Taxatoribus & Collectoribus **Quintædecimæ** in Com. *Kanc.* ſalutem. Licet nuper ad inſtanciam venerabilis patris *R. Cantuar.* Archiepiſcopi totius *Angliæ* Primatis, & Cleri regni noſtri, Vobis mandaverimus, **quod levacioni et collectioni Quintædecimæ pꝛædictæ de bonis tempoꝛalibus pꝛædictoꝛum Archiepiſcopi et Cleri**

An. 31 E.1. **Cleri in Com. prædicto ſuperſederetis**, uſque ad diem Sancti *Michaelis* anno Regni Triceſimo, & poſtmodum ad iteratam requiſicionem eorum Archiepiſcopi, et Cleri, vobis iterato mandaverimus, **quod lebationi et collectioni ejuſdem Quintædeciuæ de prædictis bonis temporalibus ipſorum Archiepiſcopi et Cleri in eodem Comitatu ſuperſederetis, uſque ad feſtum *Paſche* pror. præteritum; Quia tamen pro quibuſdam arduis et urgentibus negotiis, nos et ſtatum noſtrum, necnon defenſionem et ſalvacionem regni noſtri tangentibus, lebacionem et collectionem dictæ Quintædecimæ non poſſumus ulterius prorogare**; Vobis mandamus firmiter injungentes, quod dictam Quintamdecimam de bonis temporalibus prædictorum Archiepiſcopi et Cleri in Com. prædicto, ſine dilatione qualibet levetis et colligatis, juxta formam vobis prius inde liberatam; ita quod nobis inde plenè reſpondeatis ad Scaccarium noſtrum in Octabis Sanctæ *Trinitatis* prox. futur. ad ultimum. Et hoc ſicut nos & defenſionem ac ſalvationem regni noſtri diligitis, dampnumque veſtrum vitare volueritis, nullatenus omittatis. Ne per veſtri defectum, quod abſit, in hac parte negocia prædicti nobis incumbencia hiis diebus infecta remaneant quoquo modo, per quod ad vos & veſtra graviter capere debeamus; et habeatis ibi tunc hoc breve; Scientes, quod ſi dictam Quintamdecimam non feceritis in forma prædicta colligi & levari, ac eam nobis in Octabis prædictis non ſolveritis, ut prædictum eſt, tunc eam de terris, bonis & catallis veſtris ſine dilatione aliqua levari faciemus. Teſte Rege apud *Lanum* 16 die *April.* Et Taxatores & Collectores dictæ Quintædecimæ in Com. *Warr. Leyc. Nott. Derb. Lanc. Linc. Eborum, Weſtmerl. Cumbr. Northumbr.* reſpondeant in craſtino Sanctæ *Trinitatis.*

Ibidem. REX Vic. *Kanc.* ſalutem. Cum nuper ad inſtanciam, &c. *ut ſupra, uſque* ulterius prorogare, mandaverimus prædictis Taxatoribus & Collectoribus, quod dictam Quintamdecimam de bonis temporalibus prædictorum Archiepiſcopi & Cleri in Com. prædicto ſine dilatione qualibet colligi faciant et levari, juxta formam eis prius inde liberatam; ita quod nobis inde plenè reſpondeant ad Scaccarium noſtrum in Octabis Sanctæ *Trinitatis* prox. futur. ad ultimum; Tibi præcipimus firmiter injungentes, quod præfatis Taxatoribus et Collectoribus ad prædictam Quintamdecimam in forma prædicta colligendam & levandam ſis intendes, conſulens & auxilians quociens opus fuerit, et ab ipſis ex parte noſtra fueris requiſitus. Et hoc ſicut nos et defenſionem ac ſalvacionem regni noſtri diligis, damnumque tuum grave, et indignacionem noſtram vitare volueris non omittas. Sciens pro certo, quod ſi in te defectus aliquis inveniatur quo minus de dicta Quintadecima nobis ad diem prædictum reſpondeatur, ad te et tua graviter capiemus, dictamque Quintamdecimam de terris, bonis et catallis tuis ubicunque fuerint levari faciemus. Teſte Rege apud *Lanum* 16 die *Aprilis.*

Conſimiles literæ diriguntur ſingulis Vicecomitibus per *Angliam.*

Ibid. m. 8. intus. Pro R. Epiſcopo London. ac Magiſtro Barth. de Ferentino Collectoribus Decimæ. REX omnibus ad quos, &c. ſalutem. Sciatis quod nos pro arduis negociis Nos & regnum noſtrum tangentibus, recepimus et habuimus **nomine** mutui à venerabili patre *R.* eadem gratia Epiſcopo *London.* **Collectore Decimæ per ſanctiſſimum Patrem Dominum *Bonifacium* Papam octabum, in regno *Anglie* in ſubſidium Eccleſiæ *Romanæ* per tres annos impoſitæ, una cum Magiſtro *Bartholomæo de Ferentino* Canonico *London.* deputato, & Magiſtro *Johanne Bonichi* de *Senys* ejuſdem Magiſtri *Bartholomæi* Commiſſario, duo millia librarum ſterlingorum de pecunia dictæ Decimæ**, per manus dilecti Clerici noſtri *Johannis de Drokensford*, Cuſtodis Garderobæ noſtræ; Quæ quidem duo millia librarum ſterlingorrm eiſdem Epiſcopo, *Bartholomæo*, vel *Johanni*, *London.* in feſto beati *Michaelis* proximo futuro ſolvere promittimus per præſentes; Et ſi fortè accidente impedimento non ſolverimus in dicto feſto totam pecuniam ſupradictam; promittimus ſicut priùs, **quod ipſam pecuniam allocabimus Collectoribus prædictis in parte dictæ Decimæ quæ ad Nos pertinet et conceſſione dicti Domini Papæ, et ipſis Collectoribus plenam inde acquietanciam facimus, non obſtantibus aſſignationibus vel mandatis de dicta Decima per nos prius factis eiſdem vel perſonis aliis quibuſcunque.** In cujus, &c. Teſte Rege apud *Clacmanan.* 14 die *Jun.*

Rex

An. 31 E. 1.

Pat 31 E 1. m. 37. De pecunia de Decima liberanda Johanni de Drokeneſford Cuſtodi Garderobæ Regis.

REX venerabili in Chriſto patri *R.* eadem gratia Epiſcopo, & Magiſtro *Bartholomæo de Ferentino* Canonico *London.* **Collectoribus Decimæ in Subſidium *Romanæ* Eccleſiæ per Dominum *Bonifacium* divina prouidencia Papam octavum per tres annos in regno noſtro impoſitæ, ſalutem.** Licet nuper per noſtras patentes literas conceſſerimus et aſſignaverimus quibuſdam Nobilibus & aliis de terra noſtra *Vaſconiæ* in partem ſatisfactionis debitorum in quibus **tenebamur** eiſdem, totum id quod de prædicta Decima triennali per duos annos ultimos ad nos poterit et debebit **ex liberalitate ſedis Apoſtolicæ pertinere,** prout in literis noſtris prædictis inde confectis plenius continetur. Volentes tamen **pro quibuſdam arduis noſtris** negotiis quæ noviter emerſerunt, quoſdam Nobiles & alios de dicta terra noſtra *Vaſconiæ* ad partes ſuas celeriter deſtinare; Vobis mandamus, quod **tria millia Marcarum de eo quod ad nos pertinere dinoſcitur, de præfata Decima, de duobus annis prædictis, non obſtante aſſignacione vel conceſſione qualicumque per nos de præfata Decima in toto vel in parte ſolvenda,** præfatis *Vaſconibus* vel aliis perſonis quibuſlibet prius facta, dilecto Clerico noſtro *Johanni de Drokenesford* Cuſtodi Garderobæ noſtræ abſque omni dilacionis incommodo liberetis, quam quidem pecuniæ ſummam præfatis Nobilibus & aliis ad partes prædictas transfretantibus pro expenſis ſuis, et in partem ſolucionis debitorum in quibus adhuc tenemur eiſdem, per prædictum *Johannem* volumus liberari. In cujus, &c. Teſte Rege apud *Wyndeſor.* 6. die *Febr.*

Ibidem Pro Collectoribus Decimæ.

REX Omnibus ad quos, &c. ſalutem. Sciatis, quod nos pro quibuſdam arduis negociis noſtris quæ noviter emerſerunt, recepiſſe à venerabili patre *R.* Epiſcopo, et Magiſtro *Bartholomæo Ferentino* Canonico *London*, **Collectoribus Decimæ in ſubſidium *Romanæ* Eccleſiæ per Dominum *Bonifacium* divina prouidencia Papam octavum per tres annos in regno noſtro impoſitæ,** per manus dilecti Clerici noſtri *Johannis de Drokenesford* Cuſtodis Garderobæ noſtræ, **tria millia marcarum in partem ſolucionis dictæ Decimæ, nos de duobus annis ultimis dicti triennii contingentis.** De qua pecuniæ ſumma præfatos Epiſcopum & *Bartholomæum* tenore præſencium quietamus, non obſtante aſſignacione vel conceſſione qualicunque per nos de præfata Decima in toto vel in parte ſolvenda perſonis quibuſlibet prius facta. In cujus, &c. Teſte Rege ut ſupra.

This year the King having collected a vaſt ſumme of money to carry on his Wars againſt the *Scots*, and laid it up in his Treaſury at *Weſtminſter*, his Treaſury was broken up in the night, and *one hundred thouſand pounds* in money, beſides Plate and Jewels, ſtoln out of it by the *Abbot and Monks of *Weſtminſter*, and other their confederates; who were then ſuſpected, accuſed, indicted thereof, and thereupon committed priſoners to the Tower of *London*; who afterwards petitioning the King, that they were falſly and maliciouſly accuſed of this fact, deſired the truth thereof might be inquired, and ſpeedy juſtice done thereupon; the Hiſtory whereof and proceedings thereupon are thus recorded in the Records in the Tower.

* See Cooks 4 Inſtit. p. 112.

Pat. 31 E 1. m. 23. dorſo. De inquirend. de Theſauraria Regis fracta.

REX dilectis & fidelibus ſuis *Radulpho de Sandwico*, *Waltero de Glouceſtria*, *Johanni de Banquelle*, & *Rogero de Suthcotes*, ſalutem. Quia ex teſtimonio fidedignorum accepimus, quod quidam malefactores & pacis noſtræ perturbatores **Theſaurariam noſtram infra Abbatiam *Weſtm.* vi et armis fregerunt, et magnam partem Theſauri noſtri in eadem Theſauraria inventam ceperunt et aſportaverunt, et alia enormia nobis ibidem intulerunt, in noſtri contemptum manifeſtum, et dampnum inæſtimabile, et contra pacem noſtram. Nos ſuper tam enormi facto congruum et feſtinum remedium fieri volentes,** aſſignavimus vos ad inquirendum per ſacramentum tàm Militum quàm aliorum proborum & legalium hominum de Civitate noſtra *London.* quam etiam de Com. noſtro *Midd.* & *Surr.* per quos rei veritas melius ſciri poterit, qui ſunt illi malefactores & eis conſentientes, conſilium & auxilium in præmiſſis præſtantes, & ipſorum malefactorum ſcienter receptores, & ad quorũ vel cujus manus prædictus Theſaurus vel partem ejus devenit, & in quorum vel in cujus manibus nunc exiſtit, & cujuſmodi Theſaurus ſic aſportatus fuerit & cujus precii, & de omnibus aliis circumſtanciis factum illud qualitercunque

An. 31 *E.* 1. cunque contingentibus plenius veritatem. Et ideo vobis mandamus, quod ad certos, &c. inquiſitionem illam faciatis, & omnes illos quos per inquiſitionem illam culpabiles de facto illo conſilio vel auxilio, ſeu de ipſorum malefactorum receptamento inveniri contigerit, ſine dilatione areſtari, & in priſona noſtra ſalvo & ſecurè cuſtodiri faciatis, donec aliud inde præceperimus, **et Theſaurum quem in manibus hujuſmodi malefactorum inveniri contigerit, in certo et ſecuro loco poni faciatis, ita quod nobis inde reſpondere poſſitis ad mandatum noſtrum.** Mandavimus enim Vicecomitibus noſtris *London.* & Com. *Midd.* & *Surr.* prædictorum, quod ad certos, &c. venire faciant coram vobis tot & tales tàm Milites quàm alios, &c. de Ballivis ſuis, per quos, &c. In cujus, &c. Teſte Rege apud *Lynliſcu* 6 die *Junii.*

Pat. 31 E 1. m. 13. dorſo. De Abbate & Monachis Weſtm. indictatis de theſauro Regis.

REX dilectis & fidelibus ſuis *Rogero Brabazon*, *Willielmo de Bereford*, *Rogero de Hegham*, *Radulpho de Sandwico*, & *Waltero de Glouceſtria*, ſalutem. Cum *Walterus* Abbas *Weſtm.* Frater *Alex. de Perſhore*, Frater *Rogerus de Bures*, Frater *Radulphus de Morton*, Frater *Thomas de Dene*, Frater *Adam de Warefeld*, Frater *Johannes de Butterle*, Frater *Johannes de Nortele*, Frater *Robertus de Cherring*, Frater *Johannes de Salop*, Frater *Thomas de Lichefeld*, Frater *Simon de Henle*, Frater *Walterus de Arkeſden*, Frater *Willielmus de Chalk*, Frater *Robertus de Bures*, Frater *Richardus de Sudbur*, Frater *Henr. atte Rye*, Frater *Adam de Latham*, Frater *Johannes de Lond.* Frater *Johannes de Wyntenеye*, Frater *Radulphus de Middleton*, Frater *Richardus de Cubeworth*, Frater *Rogerus de Aldenham*, Frater *Johannes de Wanetinge*, Frater *Willielmus de Breybrok*, Frater *Robertus de Reding*, Frater *Petrus de la Croiz*, Frater *Henr. Payn*, Frater *Henr. de Birchefton*, Frater *Philippus de Sutton*, Frater *Guido de Aſſhewelle*, Frater *Willielmus de Kertlinton*, Frater *Thomas de Woburne*, Frater *Willielmus de Glaſton.* Frater *Johannes de Wigorn.* Frater *Robertus Bede*, Frater *Willielmus de Almaly*, Frater *Johannes de Ringſtede*, Frater *Willielmus de Huntingdon*, Frater *Laur. de Beamflet*, Frater *Alex. de Neuport*, Frater *Jordanus de Wretting*, Frater *Reginaldus de Haldham*, Frater *Reymundus de Wenlok*, Frater *Richardus de Waltham*, Frater *Richardus de Finelore*, Frater *Henr. del Temple*, Frater *Henr. de Wanetinge*, & Frater *Johannes de Wenlok*, Commonachi ejuſdem Domus; *Geronimus de Sancto Egidio*, *Rogerus de Preſthepe*, *Walterus de Echelesford*, *Rogerus de Wenlok*, *Hamo de Wenlok*, *Adam le Skynnere*, *Johannes Sharp*, *Richardus Smart*, *Johannes de Sancto Albano*, *Johannes de Lanton*, *Johannes de Lalham*, *Henr. le Ken*, *Richardus de Weſton*, *Richardus le Brazun*, *Thomas de Knyghtebrigge*, *Galfridus del Celer*, *Radulphus de Ditton*, *Radulphus de Huntindon*, *Johannes de Sudbur*, *Richardus de Hurle*, *Jocus de Cornub.* *Galfridus de Kanc.* *Johannes de Exon.* *Richardus del Ewe*, *Johannes del Bratyn*, *Johannes de Beamflet*, *Robertus le Potter*, *Petrus le Monner*, *Rogerus le Orfeure*, *Robertus Bolthed*, *Maur. Morel*, & *Godinus de Lombith*, **de fractione Theſaurariæ noſtræ apud** *Weſtm.* **nuper furtive facta, et Theſauro noſtro ibidem ad valentiam Centum Millium Librarum capto et aſportato indictati, et ea occaſione in priſona noſtra Turris noſtræ** *London.* **detenti, aſſernerint ſe inde falſo et malicioſe indictatos fuiſſe**, & nobis attentè ſupplicaverint, quod veritatem inde inquiri, & eis plenam & celerem juſtitiam exhiberi faciamus, aſſignavimus vos Juſtic. noſtros ad inquirendum per ſacramentum tàm Militum quàm aliorum, &c. de Comitatibus *Midd.* & *Surr.* per quos, &c. ſuper negotio prædicto plenius veritatem, & ad negotium illud audiendum & terminandum ſecundum legem, &c. Et ideo vobis mandamus, quod ad certos, &c. præmiſſa expleatis in forma prædicta, facturi inde, &c. ſalvis, &c. Mandavimus enim Vicecomitibus noſtris Comitatuum prædictorum, quod ad certos, &c. venire faciant coram vobis tot & tales tàm Milites quàm alios, &c. per quos, &c. In cujus, &c. Teſte Rege apud *Kynlos* 10 die *Octobris.*

Per breve de Privato Sigillo.

Pat. 31 E. 1. m. 9. dorſo De inquirend. de Theſauraria Regis fracta.

REX dilectis & fidelibus ſuis *Rogero Brabazon*, *Willielmo de Bereford*, *Rogero de Hegham*, *Radulpho de Sandwico*, & *Waltero de Glouc.* Sciatis quod aſſignavimus vos Juſtic. noſtros ad inquirendum per ſacramentum tàm Militum quàm aliorum, &c. de Civitate noſtra *London.* & Comitatibus *Midd.* & *Surr.* per quos, &c. qui malefactores, **nuper furtive theſaurariam noſtram apud** *Weſtm.* nocanter fregerun

fregerunt, et theſaurum noſtrum in eadem Theſauraria inventum ad valentiam centum millium librarum ceperunt et aſportaverunt, et alia enormia ineſtimabilia nobis ibidem intulerunt, in noſtri contemptum manifeſtum et diſpendium non modicum, et contra pacem noſtram, & ad negocium illud aud. & terminand. ſecundum legem, &c. Et ideo vobis mandamus, quod ad certos, &c. inquiſitionem illam capiatis, et negocium illud audiatis et terminetis in forma prædicta, facturi inde &c. ſalvis, &c. Mandavimus enim Vicecomitibus noſtris *London.* et Comitatuum *Midd.* & *Surr.* quod ad certos, &c. venire faciant coram vobis, tàm Milites quàm alios, &c. de Civitate et Comitatibus *Midd.* & *Surr.* prædictis per quos, &c. In cujus, &c. Teſte Rege apud *Kynlos*, 10. die *Novembris*. *An.* 31 E. 1.

Upon this Inquiſition I found a particular Roll in the *White Tower*, of many Witneſſes examined upon Oath, who atteſted that they ſaw ſundry of thoſe Monks and other perſons in the night time paſſing often times to and from the Kings Treaſury within the Abby, carrying ſome things in their arms and laps; that they ſent and conveyed away by water great hampers which were very heavy, wherein they conceived the Kings mony and plate were conveyed away, and ſome peeces of the Kings Plate and Jewels were found and ſeiſed in *London* and elſewhere; whereupon the Monks were long detained in priſon, till afterwards releaſed by the Kings ſpecial command, when he repaired to *Weſtminſter* to render thanks to God for his Victory over the *Scots* upon his victorious return from *Scotland*.

Matthew Weſtminſter a Monk of that Abby, ſomewhat abruptly relates the ſtory of this robbery of the Kings Treaſury, and impriſonment of ten Monks only for it (when as it appears by the Record that 48 of them, with the Abbot, were impriſoned and indicted for it) in favour to the Monks; together with their enlargement out of priſon by the Kings reiterated command, the Judges being unwilling, and denying to releaſe them, becauſe they reputed them more criminal than this Hiſtorian renders them. * *Spoliatus fuit Rex* Angliæ Edwardus *de Theſauro ſuo per unicum latronem in* Anglia, propter quod decem Monachi Weſtmonaſterienſes fuerunt incarcerati cum injuria. *Non ſufficit dixiſſe, Preſumptuoſiſſimus latro per ſe Theſaurariam Domini Regis* Angliæ *ſubintravit, niſi modus & forma ſubnectatur. Rurſumque cogitatio hominis ſemper eſt ad malum quam ad bonum propenſior, cum auditur* 10. *Monachorum incarceratio pro Theſauris Regis* Angliæ, *ſubrepit ſtatim iniqua ſuſpitionis cogitatio. At cum non declaratur eorum innocentia, auditor congaudet contumeliis nec opprobriis deſinit inſultare. Ad hoc filii qui naſcentur, et exurgent, niſi ſuper his fiat declaratio, ac aut deſidiæ vel inertiæ illos, qui tunc erant, arguent, vel quod formidoloſius eſt ad dicendum; in omittendo cauſam æſtimabant eos facti culpabiles extitiſſe. Ad hoc ſubeſt alia declarandæ incarcerationis neceſſaria ratio. Qui in rerum natura cum hæc fierent, nondum erant cum diſcipulis Jeſu, quando tentabatur à Diabolo, & poſt multas & varias tribulationum preſſuras demum à Domino viſitatis. Poſt multas retro generationes naſcituras, forſitan eſt dicturus in Regis Annalibus continetur* 10 Monachos pro Theſauraria ſua incarceratos fuiſſe. *Hoc nomen horroris eſt, nomen ſuſpicor ſtatim malum. Cum enim incarceratur quiſpiam, hoc inde convitium, aut ergo inobedicus juſſis Principum, aut tranſgreſſor Regiæ Pacis, erat hæc reſponſio. O* Dicime, *ſuper te conqueritur vox Eccleſiæ. Infer digitum tuum huc, & cognoſce loca clavorum, & noli eſſe incredulus, & maliloquus cum falſiloquis, ſed fidelis. Oſtendam tibi ſummatim, & aliis maliloquis ſuperbiæ tuæ, ad præterita falcanda * in properia, modum & formam ſpoliationis Domini Papæ in unica lectione. Nec non loca clavorum & foſſuram lateris muralis in Theſauraria Regis* Angliæ, *atque cauſam incarcerationis cum moleſtiis*, quæ exinde Monachis illius loci per viros Diabolicos perbenerunt, *poſteris manifeſtiſſimè derelinquam. Quæ tamen hic omittuntur, quia in præſenti Codice nimis prolixum eſſet inſerere:* * *Anno Gratiæ* 1305. *ad Annunciationem Dominicam aderat Rex* Edwardus *cum Magnatibus Populi ſui apud* Weſtmonaſterium *acturus Deo Gratias, & beato* Edwardo, *pro triumpho de* Scotis *potito.* Compaſſuſque ſuper injuſta incarceratione Monachorum Weſtmonaſt. juſſit mox fieri liberationem eorum; ſed ſuperabundante perverſorum judicum malitia, prolongantium iniquitatem ſuam, ultra præceptum Regis tenuerunt per octo dies Monachos in Carcere. *Quo audito*, præcepit Rex Juſticiariis ſuis ut omiſſis cæteris curis, incarcerati Monachi eorum Abbati continuo redderentur.

* Anno 1302. P. 442, 443.

* *impropria.*

* Anno 1305. P. 449.

The

An. 31 E. 1. The King wanting monies to ſupply his occaſions, by Writs directed to the Mayor and Sheriffs of *London*, commanded them to ſeiſe ſo much of the monies of *Blanch* Queen of *Navarre* depoſited in the houſe of the *Freers Minorits* in *London*, as would ſatisfie his debt, after her deceaſe, as theſe Records will at large inform us.

Pat. 31 E 1. m. 40. Pro Radulpho de Shepeye, quondam Receptore Blanchiæ Reginæ Navarr.

REX dilecto ſibi *Radulpho de Shepeye* quondam Receptori bonæ memoriæ *Blanchiæ* tunc Reginæ *Navarr.* quæ fuit uxor *Edmundi* fratris noſtri jam defunctæ ſalutem. Quia præfata Regina in mille quingentis ſexaginta & ſex libris, treſdecim ſolidis, & quatuor denariis, quos ei diu ante mortem ſuam de præſtito fecimus liberari nobis die quo obiit, ut recolimus tenebatur; **Et nos pro urgentibus et arduis negotiis nos et totum regnum noſtrum contingentibus quæ de nobo emerſerunt, pecuniam ad præſens plurimum indigemus, de denariis ipſius** defunctæ **quos in domo fratrum Minorum** *London.* **novimus per vos nomine ejuſdem** Reginæ **depoſitis fuiſſe, uſque ad ſummam prædictam per** *Hugonem de Pourte* et *Simonem de Parys* **Vicecomites noſtros** *London.* **ad opus noſtrum et cauſis prædictis capi fecimus et numerari.** Volentes & tenore præſencium concedentes, quod facta inter nos & executores teſtamenti dictæ Reginæ inde legali computacione, prædictam pecuniæ ſummam vel partem ejuſdem, quatenus per compotum illum invenire contigerit, quod ad reſtitucionem ejuſdem in toto vel in parte teneamur, reſtitui faciemus: Quod autem facere & eciam vos indempnes ſuper hoc verſus executores prædictos & alios quoſcumque conſervare promittimus bona fide. In cujus, &c. Teſte Rege apud *Guldeford.* 19 die *Jan.*

Ibid. Pro Gardiano Fratrum Minorum Lond.

REX dilecto ſibi in Chriſto fratri *Thomæ de Whapelad* Gardiano fratrum Minorum *London.* ſalutem. Quia bonæ memoriæ *Blanchiæ* quondam Regina *Navarr.* quæ fuit uxor *Edmundi* fratris noſtri nuper defuncta, in mille quingentis ſexaginta et ſex libris, treſdecim ſolidis, et quatuor denariis, quos ei diu ante mortem ſuam de præſtito ſecimus liberari, nobis die quo obiit ut recolimus tenebatur, & nos pro urgentibus et arduis negotiis nos et totum regnum noſtrum contingentibus quæ de novo emerſerunt pecunia ad præſens plurimum indigemus, de denariis ipſius defunctæ, quos in domo veſtra prædicta novimus nomine ejuſdem Reginæ depoſitos fuiſſe, uſque ad ſummam prædictam per *Hugonem Pourte* & *Simonem de Parys* Vicecomites noſtros *London.* ad opus noſtrum ex cauſis prædictis capi fecimus & numerari. Volentes et tenore præſentium concedentes, quod facta inter nos & executores teſtamenti dictæ Reginæ inde legali computacione, prædictam pecuniæ ſummam vel partem ejuſdem quatenus per compotum illum inveniri contigerit, quod ad reſtitucionem ejuſdem in toto vel in parte teneamur, reſtitui faciemus. **Quod autem facere et eciam vos ac ordinem veſtrum indempnes ſuper hoc verſus executores prædictos et alios quoſcumque conſervare promittimus bona fide.** In cujus rei Teſtimonium has literas noſtras vobis fieri fecimus patentes. Teſte ut ſupra.

Ibid De denariis Blanch. quondam Reginæ Navarr. cap. ad opus Regis.

REX dilectis & fidelibus ſuis *Johanni de Blund* Majori, & *Hugoni Pourt* & *Simoni de Parys* Vicecomitibus ſuis *London.* ſalutem. **Quia pro quibuſdam arduis noſtris et regni noſtri negociis, necnon pro defenſione ipſius regni contra inimicos noſtros invaſores ejuſdem, pecunia ad præſens plurimus indigemus,** aſſignavimus vos ad duo millia Marcarum de denariis bonæ memoriæ *Blanchiæ* quondam Reginæ *Navarr.* quæ *Radulphus de Shepye* nuper Receptor denariorum ipſius Reginæ in domo fratrum Minorum *London.* nomine ejuſdem Reginæ depoſuerat, ad opus noſtrum capienda, & dilecto Clerico noſtro *Johanni de Drokenesford* Cuſtodi Garderobæ noſtræ liberanda, & ad quædam jocalia noſtra præcii duorum milium, centum ſexaginta & trium librarum, ſex ſolidorum, & octo denariorum, una cum una parte cujuſdam Indenturæ inde factæ, cujus altera pars remanet in Garderoba noſtra prædicta, quæ vobis per præfatum Clericum noſtrum mittimus in Eccleſia fratrum prædictorum in depoſito, **in nomine pignoris pro prædicta pecunia ad ſecuritatem prædicti** *Radulphi* **deponenda.** Et ideo vobis mandamus, **quod ad domum fratrum prædictorum perſonaliter accedentes pecuniam prædictam ad opus noſtrum capiatis, et præfato Clerico noſtro liberetis, et jocalia noſtra prædicta una cum alia parte Indenturæ prædictæ, et eciam literas noſtras patentes, quas ſimiliter pro**

ſecuritate

ſecuritate præfati *Radulphi* factas vobis mittimus, ibidem deponatis cuſtodienda juxta tenorem literarum noſtrarum patencium prædictarum. In cujus, &c. Teſte Rege apud *Guldeford* 20 die *Januarii*. *An.* 31 *E.* 1.

The King having borrowed 2000 *l.* of the 3. years *Diſme* impoſed by Pope *Boniface* for the uſe of the Church of *Rome*, paid into his Wardrobe by the Treaſurers and Collectors, iſſued this Patent for repayment or diſcharge thereof, notwithſtanding all former aſſignations thereof made to the *Gaſcoigners* or any others.

REX omnibus ad quos, &c. ſalutem. Sciatis, quod Nos pro arduis negotiis Nos & regnum noſtrum tangentibus, nomine mutui recepimus et habuimus à venerabili Patre *R. London.* Epiſcopo, Collectore Decimæ Clero *Angliæ* per Dominum *Bonifacium* Papam 8. in ſubſidium *Romanæ* Eccleſiæ per tres annos impoſitæ, unà cum Magiſtro *Bartholomæo de Ferentino* Canonico *London.* per ipſum Dominum Papam deputato, & Magiſtro *Johanne de Bonichi de Senis* ejuſdem Magiſtri *Bartholomæi* Commiſſar. duo millia librarum ſterlingorum de pecunia dictæ Decimæ de duobus annis ultimis impoſitionis ejuſdem, per manus dilecti Clerici noſtri *Johannis de Drokenesford* Cuſtodis Garderobæ noſtræ; quæ quidem duo millia Librarum eiſdem Epiſcopo & *Bartholomæo* vel *Johanni* in feſto *Paſchæ* prox futur. *London.* reddere & ſolvere promittimus, vel ſaltem eis debitam allocationem in parte quæ ad nos de dicta Decima pertinet ex conceſſione dicti Domini Papæ, et plena acquietantia inde fieri faciemus; non obſtantibus aliquibus mandatis eiſdem Collectoribus per nos prius directis, vel aſſignationibus *Vaſconenſibus*, aut perſonis aliis quibuſcunque de dicta Decima per nos factis. In cujus, &c. Teſte Rege apud *Camſkmell* primo die *Novembris*. *Per Litteram* J. de Drokenesford. Pat. 31 E 1. m. 10. Pro Collectoribus Decimæ.

Pope *Boniface* the 8. out of his bounty and good affection to King *Edward*, to ſupply his neceſſities occaſioned by his Warrs, granted him all the moneys collected for the Ayde of the *Holy Land* he had formerly ſeiſed, together with all the arrears uncollected, and all the monyes he had unduly levyed from the Clergy, ſo as he or his Son would in convenient time ayde and aſſiſt the *Holy Land* to their power, by this memorable Bull; by virtue whereof the King covenanted to ſecure the Collectors and Subcollectors thereof and their Churches againſt the Pope and his Nuncioes, commanding them to deliver up the Obligations of the Merchants and Abbots who were bound as his Sureties to repay it upon demand to the Pope and Church of *Rome*, by this Patent.

BOnifacius Epiſcopus, Servus ſervorum Dei, cariſſimo in Chriſto filio *Edwardo* Regi *Angliæ* illuſtri, ſalutem & Apoſtolicam benedictionem. Celſitudinis tuæ conditiones ac merita, et devocionis affectum quem ad Deum et Apoſtolicam ſedem, ac Terram ſanctam hactenus habuiſti, ac te habere ſperamus et confidimus in futurum, benigna conſideracione penſantes, ac attendentes quod moderni malicia temporis te ſumptibus plurimis ac laboribus et anguſtiis aggravavit, pia meditatione prævidimus ad te ſuper hoc animum compaſſionis; extendere, ac tuæ providendo ſaluti Apoſtolicæ ſedis munificenciam tibi ſuper hiis reddere gracioſam: Ut igitur noſtræ benignitatis affectum percipias in effectu, totum et quicquid de quibuſcumque Decimis in quibuſcumque regnis, locis, et partibus, et quibuſcumque temporibus olim per Apoſtolicam ſedem in prædictæ Terræ Sanctæ ſubſidium deputatis per te, vel alium ſeu alios uſque in hodiernum diem percepiſti, vel ad te pervenit, tibi auctoritate Apoſtolica de noſtra gracia remittimus et donamus. Cæterum quia occaſione guerrarum, turbacionum et ſcandalorum quæ tibi et regno tuo inſurreriſſe, tu compulſus indigencia et neceſſitate coactus, Eccleſias et perſonas Eccleſiaſticas dicti regni per impoſitiones et exactiones illicitas fortitan aggravaſti. Nos attendentes quod tu jam declinas ad ſenium, & propterea ſaluti tuæ ſuper hiis providere ſalubriter intendentes, totum et quicquid per impoſiciones et exactiones hujuſmodi per te, vel alium ſeu alios percepiſti, vel ad te inde pervenit, eadem tibi auctoritate Apoſtolica Dei gratia remittimus et concedimus, et ampliori gratia, abſolbentes te auctoritate præfata a qualibet excommunicationis ſententia, ſi quam propterea incurriſti. Tu itaque fili benignitatem noſtram devotâ mente reſpiciens, ac mentem Pat. 31 E 1. m. 37. intus.

&

An. 31 E. 1. & oculos erigens reverenter ad Deum, erga præfatam Terram Sanctam super hiis sic te liberalem exhibeas, sicque Deo et Ecclesiæ matri tuæ te gratum et devotum intentis studiis repræsentes quod dignis attolli laudibus merearis. Dat *Laterani* 4. Id. *Marcii.* Pontificatus nostri anno septimo.

Ex tenore & virtute literarum earundem manifestè constat, quod decem millia librarum quæ bonæ memoriæ *Edmundus* quondam Comes *Leyc.* germanus noster pro quibusdam arduis nostris & regni nostri negotiis tunc in *Vasconia* & alibi ex injunctione & mandato nostro speciali expediendis, & venerabilibus patribus *J. Wynton.* & *O. Linc.* Episcopis dudum Collectoribus Decimæ per sex annos in subsidium Terræ Sanctæ in regno nostro concessæ, per Dominum Summum Pontificem deputatis, de præcepto nostro nomineque nostro recepit; ad cujus pecuniæ solucionem, dictis patribus vel eis in dictæ Collectionis officio succedentibus faciendam, dictus Comes per suas, & pro eodem Comite Mercatores de Societate *Pulicum* & *Rembertinorum* de *Florencia* per iſorum literas se obligarunt. Nolsque postmodum literas nostras de indempnitate, tàm fratri nostro & Mercatoribus quàm eciam Collectoribus memoratis, in munificentia sedis Apostolicæ ut præmittitur nobis facta, tanquam ad opus nostrum capta et in utilitatem regni nostri conversa, sine dubitacione qualibet includuntur; Propter quod dilectis nobis in Christo Abbati de *Waltham* & Decano Sancti *Pauli London.* in dictæ Decimæ collectione prædictis patribus subrogatis pluries mandaverimus, & ipsis sub forisfactura omnium quæ nobis forisfacere possent in regno nostro præceperimus, quod ipsi ponderatis præcepto literisque nostris de indempnitate, ac munificencia Domini Summi Pontificis suprædictis, & eciam periculo quod nobis & hæredibus ac executoribus testamenti prædicti fratris nostri, nisi dictæ literæ celerius restituerentur, posset de facili evenire, dictas literas obligatorias, & similiter literas nostras de indempnitate præfatis Collectoribus ut præmittitur factas, quæ penes eosdem Abbatem & Decanum residebant, nobis absque cujuslibet difficultatis obstaculo exhiberent & restituerent indilatè; Quibus quidem literis nobis tandem per hujusmodi præceptum nostrum exhibitis, ipsas literas tanquam specialiter nos tangentes ratione dictæ pecuniæ summæ in prædicti Domini Papæ munificencia, ut prædictum est inclusæ, duximus retinendas, non obstante protestacione per prædictos Abbatem & Decanum prius emissâ de illis literis rehabendis, quas ut asserebant, ad inspiciendum nobis tantummodo tradiderunt. Ne igitur iidem Abbas & Decanus vel eorum Ecclesiæ dampnum vel periculum aliquod incurrant imposterum ex hac causa, promittimus pro nobis et hæredibus nostris eosdem Abbatem et Decanum et eorum Ecclesias, versus Dominum Papam ac alios quoscumque super retencione literarum prædictarum indempnes penitus conservare. In cujus, &c. Teste Rege apud *Langele,* 11 die *Februarii,* duppl. *Per Consilium.*

☞ The monies due upon some of these Bonds being formerly paid to the Popes Collectors; the King took care to see them satisfied, as this Patent to the Vicar and Covent of *Merton* informs us.

Pat. 31 E. 1. m. 33. vel 34. Rotulus.

REX Omnibus ad quos, &c. salutem. Inspeximus literas patentes sigillo Scaccarii nostri consignatas in hæc verba. *Edwardus* Dei gratia Rex *Anglia,* Dominus *Hibernia,* & Dux *Aquitania,* Omnibus ad quos præsentes literæ pervenerint salutem; Sciatis quod pro illis quingentis libris quas pro quibusdam arduis & specialibus negociis nos et regnum nostrum *Anglia* contingentibus vicesimo quinto die *Aprilis,* anno regni nostri quartodecimo, mutuo recepimus de Priore & Conventu de *Merton.* de denariis penes eosdem Priorem et Conventum in Prioratu prædicto in deposito existentibus, de pecunia Decimæ a Clero regni nostri in subsidium Terræ Sanctæ dudum concessæ, et de quibus quingentis libris iidem Prior et Conventus literas nostras patentes quas eisdem Priori et Conventui fieri fecimus, per quas obligabimus Nos, hæredes et successores nostros ad plenam et integram ejusdem pecuniæ solucionem, seu restitucionem infra certum tempus faciend. et per quas promisimus bona fide pro nobis hæred. et successor. nostris ad conservand. ipsos Priorem et Conventum et successores suos ac Monasterium suum erga Summum Pontificem et quemcumque certum nuncium sedis Apostolicæ illæsos

illæſos penitus et indempnes, nobis reſtituerunt ad Scaccarium noſtrum, et quas quingentas libras per evidencias penes Theſaurarium et Barones noſtros de eodem Scaccario reſidentes conſtat ipſos Priorem et Conventum perſolviſſe Magiſtro *Bartholomæo de Ferentino*, ad dictum depoſitum colligendum et recipiendum per *B.* Summum Pontificem deputato, commiſimus et conceſſimus pro nobis et hæredibus noſtris prædictis Priori et Conventui triginta libras annuas de firma .... Prioris de Bernewell, quam idem Prior nobis reddit ad Scaccarium noſtrum pro manerio noſtro de *Ceſtreton.* percipiend. per manus dicti Prioris de *Bernewell* à craſtino Sancti *Michaelis* anno regni noſtri Triceſimo finiente, uſque ad finem octo annorum proximo ſequencium plenariè completorum, in allocacionem Ducentarum & quadraginta librarum in partem ſolucionis prædictarum quingentarum librarum. Conceſſimus eciam eiſdem Priori et Conventui de *Merton* triginta et duas libras, decem et octo ſolidos, et decem denarios annuos de redditu aſſiſo qui fuit *Adæ de Stratton* in Civitate et ſuburbio *London.* in manu noſtra per forisfactum ejuſdem *Adæ* exiſtens, percipiend. per manus Vicecomitum noſtrorum *London.* qui pro tempore fuerint ab eodem craſtino Sancti *Michaelis* per octo annos prox. ſequentes plenariè completos in allocacionem prædictarum quingentarum librarum; Quarum quidem conceſſionum per tempus prædictum ſumma eſt quingentæ et tres libræ, decem ſolidi, et octo denarii: Et ſic ſexaginta & decem ſolidi, & octo denarii, excedunt prædictas quingentas libras, quos quidem ſexaginta et decem ſolidos & octo denarios iidem Prior et Conventus reddent nobis vel hæredibus noſtris de exitibus redditus prædicti in fine octavi anni ſupradicti. In cujus rei teſtimonium has literas noſtras fieri fecimus patentes. Teſte venerabili patre *W. Coventr.* et *Litchf.* Epiſcopo Theſ. noſtro apud *Eborum* 4. die *Octobris*. anno regni noſtri Triceſimo. Nos autem Commiſſionem et conceſſionem prædictas ratas habentes et gratas, ipſas pro nobis et hæredibus noſtris concedimus et confirmamus. In cujus rei teſtimonium has literas noſtras fieri fecimus patentes. Teſte Rege apud Sanctam *Katerinam* juxta *Turrim London.* primo die *Marcii*. *Per Conſilium.* *An.* 31 *E.* 1

Et mandatum eſt Priori de *Bernewell* quod prædict. triginta libras, &c. Teſte Rege, ut ſupra.

The King being engaged in a Warre in *Scotland*, out of his piety and devotion iſſued theſe Writs to the *Cartuſian* Monks and *Freers Predicants*, to make fervent prayers unto God for himſelf, his Queen, children, and good ſucceſſe in this Warr.

REX Religioſis viris in Chriſto ſibi dilectis Priori et Conventui Ordinis *Majoris Cartuſ. de Hempton.* ſalutem. Qualiter pro tranquillitate et pace regni noſtri ad proterviam et maliciam *Scotorum* inimicorum et rebellium noſtrorum in ſua pertinacia perdurancium reprimendam, ſumus nos ipſi cum comitiva Nobilium dicti regni in dictis partibus *Scotiæ* conſtituti, non credimus vos latere; et quia in homine non eſt auxilium ſine Deo, ac propter hoc oportet impotenciam noſtram divinæ manus præſidiis ſuſtentari; Vos affectuoſe requirimus et rogamus, quatinus Nos, *Margaretam* conſortem noſtram kariſſimam, liberos, ligios et fideles noſtros, et omnes nobis adhærentes, ac expedicionem noſtram in prædictis partibus et alibi ubicumque in Miſſarum ſolempniis, orationum ſuffragiis, et aliis beneficiis ſpecialiter recommendatos habentes, Deum et Dominum noſtrum protectorem pro nobis et ipſis ſuppliciter exoratis; Ita quod per veſtra oracionum ſuffragia gratiam nobis et ipſis adaugeat; noſque et dictam Conſortem noſtram, liberos, ligios noſtros et fideles prædictos nobis adhærentes, ac regnum noſtrum ſua pietate ab omnibus adverſitatibus tueatur: Et de numero Miſſarum, orationum et beneficiorum quæ in hac parte duxeritis facienda, nos reddatis per veſtras literas certiores. Teſte Rege apud Villam Sancti *Johannis de Perth* 10. die *Julii*. *Per breve de Privato Sigillo.* Claſ. 31 E. 1, m. 7. dorſo. De orando pro Rege.

REX Religioſis viris in Chriſto ſibi dilectis Priori Provinciali Ordinis Fratrum Prædicatorum in *Anglia*, ac fratribus ejuſdem Ordinis ad inſtans Generale Capitulum ſuum apud *Pontemfractum* conventuris ſalutem. Qualiter pro tranquillitate et pace regni noſtri ad proterviam et maliciam *Scotorum* inimicorum & rebel- Ibidem. De orando pro Rege.

An. 31 E. 1. lium noſtrorum in ſua pertinacia perdurancium reprimendam ſumus nos ipſi cum comitiva Nobilium dicti Regni in dictis partibus *Scotiæ* conſtituti, non credimus vos latere; et quia, &c. *verbatim* ut ſupra. Teſte ut ſupra.

The King wanting men in his Wars againſt the *Scots*, authorized the Bayliff of *Holderneſſe* to take ſecurity from all perſons fit to ſerve him in his Wars, who had taken Sanctuary within the Liberties of St. *John* of *Beverly* for Murders, Robberies, or other Treſpaſſes, to ſerve him in his Wars according to their reſpective qualities, and to certifie their names to his Chancellor, who thereupon ſhould grant them pardons, and receive them to his peace, as this Record informs us.

Par. 31 E 1. m. 23, 24. De ſecuritate a fugitivis apud Beverlacen. capienda, quod venient in obſequium Regis ad partes Scociæ.

REX dilecto & fideli ſuo *Richardo Oyſel* Ballivo ſuo de *Holderneſſe*, ſalutem. Quia pro expeditione inſtantis guerræ noſtræ *Scotiæ*, & ut ad optatum finem citius cum Dei adjutorio perducatur, hominibus validis & ad arma potentibus indigemus plurimum hiis diebus, & quamplures hujuſmodi homines validi & potentes qui uſque ad Villam de *Beverlaco* pro ſecuritate & immunitate juxta libertatem ejuſdem Villæ ibidem habenda, **de homicidiis, latrociniis, roberiis, et aliis tranſgreſſionibus per ipſos**, ut dicitur, **contra pacem noſtram factis in diverſis regni noſtri Comitatibus fugerunt, infra eandem libertatem**, ut didicimus, **commorantur**: dedimus vobis poteſtatem recipiendi ab hujuſmodi fugitivis infra libertatem prædictam ſic commorantibus, quos ad eundum nobiſcum in guerra noſtra prædicta idoneos reputaveritis & potentes, & qui ad pacem noſtram & ad partes *Scotiæ* prædictas, in obſequium noſtrum venire voluerint, ſufficientes manucaptiones, quod erunt ad nos in propriis perſonis ſuis, in Octabis *Sanctæ Trinitatis* prox. futur. ad ultimum ubicunque tunc fuerimus in *Scotia*, armis competentibus benè muniti, videlicet quilibet eorum juxta conditionem & ſtatum ſuum, ibidem in obſequio noſtro in guerra noſtra prædicta ad voluntatem noſtram moraturi. Et ideo vobis mandamus, quod manucaptiones prædictas recipiatis in forma prædicta: Et de nominibus illorum qui ſic coram vobis fuerint manucapti, & etiam de nominibus manucaptorum ſuorum, & qualiter, & quomodo, & ſub qua forma manucaptiones illæ factæ fuerint, Magiſtro *Willielmo de Grenefeld* Cancellario noſtro ſub ſigillo veſtro diſtinctè & apertè conſtare faciatis, ut idem Cancellarius noſter hujuſmodi manucaptis juxta formam manucaptionum prædictarum, literas noſtras patentes de pardonatione ſectæ pacis noſtræ quæ ad nos pertinet pro homicidiis, latrociniis, roberiis, & aliis tranſgreſſionibus contra pacem noſtram factis, unde indictati ſunt, fieri faciat, prout præfato Cancellario noſtro per nos plenius eſt intimatum. In cujus, &c. Teſte Rege apud *Novum Caſtrum ſuper Tynam* 7 die *Maii*.

Per ipſum Regem.

Hereupon ſundry Malefactors to procure their pardons, obliged themſelves to ſerve the King in his Wars, as the Patent Rolls and Rolls of *Scotland*, *An.* 31 & 32 *E.* 1. aſſure us, fraught with ſuch malefactors pardons; againſt his former reſolution in the like caſe, thus related by * *Mat. Weſtm. Ad augmentandum igitur Rex exercitum ſuum, mandavit liberationem omnibus vinculatis, profligatiſque pacem, & etiam profugis nunciare, ſi ipſi in prima tranſfretatione vellent cum Regis fidelibus tranſfretare, qui etiam omnes gaviſi unanimiter ſpoſponderunt. Confluebant quidem mox ad Regem multa millia de talibus,* **et poſt puſillum murmurantes adverſum patrem familias pro denariis diurnis, recalcitrando diſceſſerunt a regia clientela.** *Tactus igitur Rex dolore cordis intrinſeco,* **et præcabens in futurum, juravit ex eo tempore nunquam hujuſmodi literas dimiſſorias talibus concedere ſceleratis:** Which Oath he now forgat.

* An. 1294. p. 392, 393.

Cl. 31 E 1. m. 17. dorſo. Pro Magiſtro Johanne de Kenleye, de penſione ratione novæ creacionis.

The King in that age by his Royal Prerogative upon the creation of every New Abbot, challenged from the Abby an annual convenient penſion for one of his Clerks he ſhould recommend unto them, untill they promoted him to ſome competent Benefice in their gift, as this Writ will inform us.

REX dilectis ſibi in Chriſto Abbati & Conventui de *Waltham Sanctæ Crucis*, ſalutem. **Cum vos ratione novæ creationis veſtræ præfatæ Abbas tenemini**

mini uni de Clericis noſtris quem vobis duxerimus nominandum, in quadam penſione de domo veſtra ſingulis annis percipienda, quouſque eidem per vos proviſum fuerit de Beneficio Eccleſiaſtico competenti: Ac nos promotionem dilecti Clerici noſtri Magiſtri *Johannis de Kenleye* ſuis meritis exigentibus affectamus, ipſum vobis nominaverimus ad hujuſmodi gratiam obtinendam; Vobis mandamus rogantes, quatinus eidem *Johanni* de domo veſtra penſionem hujuſmodi concedatis, talem videlicet quæ dantes deceat, recipientem vobis reddere debeat fortius obligatum. Ita quod vobis exinde reddamur in veſtris oportunitatibus meritò promptiores, ſibi ſuper hoc veſtras patentes literas fieri facientes. Teſte Rege apud *Wyndeſ.* 3 die *Febr.* An. 31 E. 1.

The King likewiſe by the ſame Prerogative, ſent divers of his old decayed Servants and Soldiers, for whom he was unable to provide, to ſeveral Abbies, Priories and Religious Houſes whereof he was Patron, to be there maintained with competent neceſſaries and Corodies during their lives, as theſe Writs aſſure us.

REX dilecto ſibi in Chriſto Priori & Conventui Sanctæ *Fredeſwydæ Oxon.* ſalutem. Quia *Johannes de Tackele* qui nobis diu & fideliter deſervivit, cui in vitæ ſuæ neceſſariis nondum providimus, ut vellemus, nobis non ſufficit amplius famulari; Nos ſtatui ipſius *Johannis* pio compatientes affectu, ipſum ad vos duximus deſtinandum, affectuoſe rogantes quatinus eundem *Johannem* in domo veſtra prædicta admittere, & ei in vitæ ſuæ neceſſariis juxta ſtatus ſui exigentiam, quoad vixerit exhibere velitis, noſtri rogaminis interventu, ſibi ſuper hoc veſtras patentes literas fieri facientes, pro quo vobis grates ſcire volumus ſpeciales, & de eo quod inde duxeritis faciend. nobis per veſtras literas reſcribatis. Cl. 31 E 1 m. 15 dorſo. Pro diverſis ſervientibus Regis miſſis ad Abbacias & Bundela Brevium de Privato Sigillo An. 31 & 32 E. 1. in Turre London.

Eodem modo mandatum eſt Abbatibus, Prioribus & Conventibus ſubſcriptis, pro ſubſcriptis, videlicet,

Abbati & Conventui *Glouceſtr.* pro *Rogero Schrich.*
Abbati & Conventui *Leyceſtr.* pro *Willielmo Papilion.*
Abbati & Conventui de *Furneys*, pro *Thoma de Kendale.*
Abbati & Conventui de *Bardeneye*, pro *Willielmo Mone.*
Abbati & Conventui *Sancti Petri de Gypeſwico*, pro *Roberto de Walſham.*
Priori & Conventui de *Coventr.* pro *Stephano Frere.*
Abbati & Conventui *Sancti Auguſtini Briſtoll*, pro *Simone de Robis.*
Priori & Conventui de *Dunſtaple*, pro *Hugone de Brikhull.*
Abbati & Conventui de *Seleby*, pro *Hugone Miriweder.*
Abbati & Conventui de *Meſſenden*, pro *Johanne de Wyndeſor.*
Abbati & Conventui de *Sancta Oſith.* pro *Willielmo de Weſtm.*
Priori & Conventui *Sancti Jacobi Briſtoll*, pro *Simone le Bulg.* poſtea miſſus fuit Abbati de *Melſa.*
Priori & Conventui de *Norwico*, pro *Waltero de Norwyco.*
Adam de Swyneford, mittitur Abbati & Conventui de *Whyteby.* Ibid. m. 13.
Simon des Bulges, mittitur Priori & Conventui de *Neuburgh.*
Johannes de Tatingeden ſerviens Regis, mittitur Abbati & Conventui de *Derleye.*

Many of which excuſed themſelves by reaſon of their great debts, poverty, loſſes, and Corodies formerly granted to others.

The King alſo by his Eccleſiaſtical Prerogative and Soveraignty iſſued this Writ to the Abbot and Covent of St. *Edmunds*, to grant a competent Corody to one of his ancient Servants anſwerable to his merits and condition during his life.

REX dilecto ſibi in Chriſto Abbati et Conventui de Sancto *Edmundo* ſalutem. Cum nuper per noſtras literas vos rogaverimus pro dilecto Serviente noſtro *Rogero le Uſſher*, qui nobis à multis retroactis temporibus benè & fideliter deſervivit, & cui in vitæ ſuæ neceſſariis juxta ſuorum exigenciam meritorum nondum providimus ut vellemus, quatinus ipſum *Rogerum* in domo veſtra prædicta noſtri intuitu admitteretis, cum duobus equis, et duobus garcionibus in victu et veſtitu, et aliis vitæ ſuæ neceſſariis honorifice quoad vixerit exhibendo. literaſque veſtras ſigillo veſtro communi ſignatas ſuper hoc ſibi fieri faceretis; ac vos nobis reſcripſeritis Clauſ. 31 E 1 m. 5 dorſo. Pro Rogero le Uſher.

An. 31 E.1. ſupplicando, ut cum domus veſtra prædicta de quodam *Willielmo de Camera* ſerviente noſtro ad conſimilem rogatum noſtrum onerata exiſtat, velimus vobis ſuper hoc parcere iſta vice; Nos onerationem illam penſantes, et præfato *Rogero* pro bono et diutino ſervicio ſuo in hujuſmodi neceſſariis provideri corditer affectantes, Vobis iterato mandamus rogantes, quatenus eundem *Rogerum* in domo veſtra prædicta ſaltem cum uno equo et uno garcione admittere, & eis neceſſaria ſua, juxta alterius mandati noſtri continenciam exhibere velitis noſtris precibus & amore, literas veſtras ſigillo veſtro ſignatas ſibi ſuper hoc fieri facientes. Pro eo enim quod domus veſtra prædicta per prædictum *Willelmum* ad noſtri inſtanciam eſt, ut aſſeritis onerata, vos in recompenſacionem oneris illius, volumus de altero equo et altero garcione prædicti *Rogeri* in prioribus literis noſtris contentis exonerari. Quid autem in præmiſſis duxeritis faciendum nobis per latorem præſencium reſcribatis. Teſte Rege apud *Kyncardyn* 17 die *Auguſti*.

The King by his prerogative writing to the Prior and Covent of *Ely* for a Corody for the ſame *Roger Uſſer*, received this excuſe from them, by reaſon of their great expenſes in the Court of *Rome*, (about the election of their Biſhop) and other oppreſſions.

Bundela Brevium & Literarum in Turre London. Anno 31 E 1.

MAgnifico Principi Domino *E.* Dei gratia Regi *Angliæ* illuſtri ſui per omnia devoti, Prior *Elyenſis* & ejuſdem loci humilis Conventus cum omni reverencia ſeipſos, et felices in Domino ſemper ad vota ſucceſſus. Literas veſtras pro *Rogero le Uſſer* nuper nobis porrectas ſummo honore ut decuit recepimus. Quocirca Serenitati veſtræ non ſine cordis et ſpiritus lamentatione ſignificamus, quod veſtra *Elyenſis* Eccleſia jam per varia cauſas et diſcrimina, tam in *Romana* Curia quam in *Anglia*, aliaſque oppreſſiones multimodas, ad tantam his diebus devgit inopiam, quod propriæ ſuſtentationi ejus non ſuppetunt facultates; Propter quod veſtræ peticioni pro dicto *Rogero* factæ ad præſens ſatisfacere non valemus; Regiam igitur celſitudinem, quæ afflictis more ſolito pio affectu compati conſuevit, humiliter imploramus, quatinus noſtram impotenciam in hac parte habere dignetur excuſatam, ſaltim donec facultas uberius ſe optulerit, ut ex hoc apud Deum veſtrorum augeatur cumulus meritorum. Vitam et incolumitatem veſtram ad regni veſtri regimen conſervat Altiſſimus per tempora diuturna.

What Protections the King granted to ſuch who by his ſpecial licenſe went to the Court of *Rome*, upon his, their Churches, or their own affairs this year, theſe Records inform us.

Pat. 31 E 1. m. 4. De protectionibus.

W*Alterus de Maydeſtan* perſona Eccleſiæ de *Bukenhale*, qui cum *Waltero* Covent. & *Lychf.* Epiſcopo profecturus eſt ad Curiam Romanam, habet literas de protectione per biennium dur. cum clauſula, volumus et exceptis. Pres. &c. T.R. apud *Gildeford* 20 die *Jannar*.

Ibidem.

J*Ohannes* Prior de *Mareſeye*, qui de licentia Regis profecturus eſt ad Curiam Romanam, habet literas Regis de protectione per biennium dur. Pres. &c. Teſte Rege apud *Certeſeye*, 27 die *Jannar*. *Per ipſum Regem.*

The King iſſued this Writ for repayment of moneys borrowed by his Agent for his affairs in the Court of *Rome*, out of the Hanaper.

Ibid. m 4. Pro Philippo Gerardin Mercatore de Societate Spinorum.

REX Omnibus ad quos, &c. ſalutem. Cum dilectus Clericus noſter Magiſter *Reymundus de Pinibus* nuper à *Fredolo Baudun* Mercatore *Lumbardiæ* ſexaginta et duas marcas ſterlingorum mutuo receperit, pro quibuſdam negotiis noſtris per ipſum *Reymundum* in *Romana* Curia proſequendis, de quibus idem *Reymundus* in Garderoba computavit, prout in quadam billa quam habet ſub ſigillo dilecti Clerici *Radulphi de Manton* Coferarii noſtri plenius continetur, & *Philippus Gerardun* Mercator. de Societate *Spinorum de Florencia* dictas ſexaginta & duas marcas, præfato *Fredolo* pro nobis & dilecto Clerico ſe promiſerit ſoluturum, promittimus quod eidem *Philippo* de prædictis ſexaginta & duabus marcis citra feſtum *Paſche* proximo

proximo futuro de exitibus Hanaperii noſtri per manus Cuſtodis ejuſdem Hanaperii ſatisfieri faciemus. Ita tamen quod idem *Philippus* nos & præfatum Cler. cum noſtrum, erga prædictum *Fredolum* penitus quietet de ſumma pecuniæ memorata. In cujus, &c. T. R. apud *Guldeford.* 20 die *Januarii.* *An.* 31 E. 1.

Per Conſilium.

The King for the more expeditious, ſucceſsfull promotion of his affaires in the Court of *Rome*, (where nothing was done *gratis* in that age) conferred a penſion of 50 *l.* a year on a *Roman* Cardinal for his forepaſt, and encouragement for his future ſervices of this kind.

REX omnibus ad quos, &c. ſalutem. Qui ſinceræ affectionis ferbore et gratuitæ benevolentiæ ſtudio noſtris utilitatibus procurandis inbigilant et inſtant, dignum duximus, et naturali conſonum eſſe novimus æquitati, ut eis mutuæ bicißitudinis beneficia rependamus. Attendentes igitur Venerabilis patris Domini *Gentilis* titulo Sancti *Martini* in *Montibus* Presbyteri Cardinalis amici noſtri charißimi, circumſpectam induſtriam et ſollicitudinem operoſam quas in noſtris negotiis in ſancta *Romana* Curia promovendis, hactenus adhibuit, eumque adhibiturum ſperamus, Deo propitio in futur. penſionem annuam quinquaginta Marcarum ſterlingorum, ad Scaccarium noſtrum percipiend. ad duos anni terminos, videlicet, in feſtis *Paſcha*, et Sancti *Michaelis*, per æquales portiones ſibi duximus tenore præſentium concedendam. In cujus, &c. Teſte Rege apud *Odyham* 11. die *Januarii.* Pat. 31 E 1. m. 41. intus. De penſione conceſſa Cardinali.

Per ipſum Regem.

The King out of his piety and charity granted this Protection for 5. years for the Freers of the Hoſpital of the *Holy Spirit* in *Rome*, to collect Alms throughout *England* once every year, deſiring all Archbiſhops, Biſhops, and others to aſſiſt them therein, and all Officers to apprehend all falſe counterfeit Collectors of their Almes.

REX Archiepiſcopis, Abbatibus, Prioribus, & omnibus Ballivis & aliis Chriſti fidelibus in *Anglia* ad quos præſentes literæ pervenerint ſalutem. Cum Dominus Papa dilectis nobis in Chriſto Magiſtro & fratribus Hoſpitalis *Sancti Spiritus Romæ* duxerit indulgend. quod ſemel in Anno recipiantur in Eccleſiis ad colligendum Elemoſinas, propter quod ipſi ad loca diverſa pro Elemoſinis ſuis colligendis accedunt. Nos dilectum nobis in Chriſto fratrem *Alguicium* Cuſtodem Domus de *Writle*, qui eſt Cella Hoſpitalis prædicti, generalem Attornatum Magiſtri & fratrum prædictorum, et alios Attornatos quos ſibi ſubſtituere voluerit homines, terras, res, redditus, et omnes poſſeſſiones ſuas ſuſcepimus in protectionem et defenſionem noſtram ſpecialem; Vobis Ballivis noſtris præcipientes, quod manuteneatis, protegatis & defendatis prædictum fratrem *Alguicium* & ſubſtitutos ejuſdem, necnon homines, terras, res, redditus, & omnes poſſeſſiones eorundem; non inferentes ſeu inferri permittentes, eiſdem injuriam, moleſtiam, dampnum aut gravamen, &c. Vos etiam Prælatos rogamus, quatenus cum idem frater *Alguicius* aut prædicti Hoſpitalis Attornati per ipſum fratrem ſubſtituti ad loca veſtra pro hujuſmodi Elemoſinis colligendis acceſſerint, benignè in Eccleſiis veſtris recipientes eoſdem, ipſos in eiſdem Eccleſiis veſtris admonere populum, et Elemoſinas liberè quærere permittatis; et eiſdem fratri *Alguicio* et aliis Attornatis ad hujuſmodi Elemoſinas in Dioceſibus ſic deputatis colligendas, literas veſtras convocatorias liberaliter concedere velitis; Ita quod a Deo meritum & a nobis grates reportare debeatis ſpeciales; Et quia intelleximus, quod quidam malevoli advocantes ſe per Magiſtrum et fratres Hoſpitalis prædicti Elemoſinas colligunt & recipiunt nomine ipſorum licet ad hoc per ipſos poteſtatem non habeant; Nos hujuſmodi malitiam reprimere cupientes, vobis Ballivis noſtris præcipimus, quod ipſos malivolos cum per vos tranſitum fecerint, prout rationabiliter fuerit faciendum, arreſtari faciatis, donec aliud inde præcipimus, ſeu ipſi malevoli de hujuſmodi competentes emendas fecerint, prout alias in caſu conſimili fieri conſuevit. In cujus, &c. per quin- Pat 31 E 1. m. 44. De Protectione pro fratribus Hoſpit. S. Spiritus Romæ.

An. 31 E. 1. quinquennium duratur. Teſte Rege apud *Marlebergh.* octavo die *Decembris.*
Per breve de Privato Sigillo.

The King alſo granted this Protection to the Vicar General of the Freers *Carmelites*, ſent into *England* to viſit thoſe of his Order.

Pat. 31 E. 1. m. 39. intus. De protectione pro Fratribus de Monte Carmeli.

REX omnibus Ballivis & fidelibus ſuis ad quos, &c. ſalutem. Sciatis quod cum dilectus nobis in Chriſto Prior generalis Ordinis beatæ *Mariæ* de *Monte Carmeli* jam miſerit in *Angliam* dilectum nobis Fratrem *Willielmum Pagain* de *Hanburgh* ejuſdem Ordinis Vicarium ſuum generalem, **ad Fratres et Domos Ordinis illius ibidem juxta ejuſdem Ordinis regulam viſitandos**, Nos ad requiſitionem dicti Prioris, præfatum Fratrem *Willielmum* cæteroſque confratres ſuos in comitiva ſua ratione Viſitationis prædictæ exiſtentes, **in protectionem et defenſionem noſtram ſuſcepimus ſpecialem.** Et ideo vobis mandamus, quod ipſum Fratrem *Willielmum* & confratres ſuos prædictos in comitiva ſua exiſtentes, manuteneatis, protegatis & defendatis, non inferentes eis, vel quantum in vobis eſt inferri permittentes, injuriam, moleſtiam, dampnum aliquod vel gravamen. Et ſi quid eis forisfactum fuerit, id eis ſine dilatione faciatis emendari. In cujus, &c. per biennium duratur. Teſte Rege apud *Guldeford* 20 die *Januarii.*
Per ipſum Regem, & breve ſuum de Privato Sigillo.

Two Freers Predicants turning Apoſtates and deſerting their Order this year, the King upon certificate thereof iſſued this Writ for their apprehending and puniſhment.

Pat. 31 E. 1. m. 33. intus. Pro Fratribus vagabundis areſtandis.

REX Vicecomitibus & omnibus aliis Ballivis ſuis ad quos, &c. ſalutem. Quia per Religioſum Fratrem *Thomam de Jorz* Priorem Provincialem Ordinis Fratrum Prædicatorum in *Angl.* intelleximus, quod Frater *Robertus de Kenyngton*, & Frater *Benedictus de Offord* profeſſi in Ordine prædicto, habitu Religionis ſuæ rejecto, & profeſſione ſua contempta præfatum Ordinem temerè ſunt egreſſi, & per varios Comitatus regni noſtri in animarum ſuarum diſpendium, & prædicti Ordinis ſcandalum non modicum dampnabiliter evagantur; volentes ipſorum inſolentiam reprimere, & Fratribus dicti Ordinis ſpecialiter ſubvenire: **Mandamus cum ipſis per literas Apoſtolicas ſit indultum, quod hujuſmodi Apoſtatas capere, ligare et incarcerare valeant, ſeu alias ſubdere diſciplinæ rigori, ubicunque eos contigerit inveniri:** Vobis diſtrictè præcipimus, quod prædictos Fratres *Robertum* & *Benedictum* ubicunque in Ballivis veſtris eos inveneritis, prout Prior Provincialis vel quicunque Prior Conventualis prædicti Ordinis vobis intimaverit, **ſalva ſemper immunitate Eccleſiæ faciatis ſine dilatione qualibet areſtari, et eiſdem Priori aut eorum alicui liberari.** Talem ad hoc diligentiam apponentes quos vos exinde debeamus merito commendare, & quod propter veſtri defectum nulla ſuper hoc ad nos querimonia deferatur. In cujus, &c. Teſte Rege apud *Ceſtrehunte* 14 die *Marcii.*
Per ipſum Regem nunciante J. de Benſtede.

The King iſſued theſe Writs for the reſtitution of the Temporalties of the Biſhop of *Ely*, and Abbot of *Waltham*, confirmed by the Pope.

Pat 31 E. 1. m. 39 intus. De reſtitutione temporal.

REX dilectis & fidelibus ſuis *Roberto Hereward* & *Johanni de Ditton* cuſtodibus Epiſcopatus *Elyen.* ſede vacante, ſalutem. Cum Dominus *Bonifacius* Summus Pontifex dilectum nobis in Chriſto Fratrem *Robertum* nuper Priorem *Elyen.* in Epiſcopum *Elyen.* præfecerit & paſtorem, **ſicut per literas ipſius Summi Pontificis bullatas nobis inde directas plenius nobis conſtat:** Nos præfectionem illam acceptantes, **cepimus fidelitatem ipſius** *Roberti*, & temporalia Epiſcopatus prædicti, prout moris eſt, reſtituimus eidem. Et ideo vobis mandamus, quod eidem *Roberto* temporalia Epiſcopatus prædicti ſine dilatione liberetis, ſicut prædictum eſt. Teſte Rege apud *Wyndeſ.* 4 die *Febr.*
Et mandatum eſt Militibus, &c. In cujus, &c. Teſte Rege ut ſupra.

REX

An. 31 *E.* 1.

Clauſ 31 E. 1. m. 11. Pro R. Epiſcopo Elyenſi.

REX dilectis & fidelibus ſuis *Roberto Hereward* & *Johanni de Ditton* nuper cuſtodibus Epiſcopatus *Elyenſis* ſede vacante, ſalutem. Cum nos quarto die *Febr.* proximo præterito, **præfectionem per Dominum *B.* Summum Pontificem factam,** de venerabili patre *Roberto* Epiſcopo *Elyenſi* nuper Priore *Elyenſi* in Epiſcopum illius loci acceptantes, **cepimus fidelitatem** ipſius *Roberti*, & temporalia Epiſcopatus illius eidem reſtituerimus, ut eſt moris; vobiſque mandaverimus, quod eidem *Roberto* temporalia Epiſcopatus prædicti ſine dilatione liberaretis, ac vos ipſum exitus temporalium Epiſcopatus prædicti à prædicto quarto die *Febr.* percipere & habere non permittitis, ut accepimus, de quo miramur; vobis mandamus, quod ipſum Epiſcopum exitus temporalium Epiſcopatus prædicti ab eodem quarto die *Febr.* plenariè percipere & habere permittatis: Et ſi quid inde poſt eundem diem perceperitis, id eidem Epiſcopo ſine dilatione liberetis; Et hoc nullatenus omittatis. Teſte Rege apud *Morpath* 9 die *Maii*.

Pat. 31 E. 1. m. 38. Pro Abbate de Waltham Sanctæ Crucis.

REX omnibus liberis hominibus, & omnibus aliis tenentibus de Abbate de *Waltham*, ſalutem. **Cum Summus Pontifex** dilectum nobis in Chriſto *Johannem de Badburghham* electum in Abbatem Sanctæ *Crucis* de *Waltham*, **cui prius Regium aſſenſum adhibuimus et favorem, ejuſdem Eccleſiæ in Abbatem præfecerit et Paſtorem, ſicut per literas dicti Summi Pontificis bullatas accepimus, Nos præfectionem illam acceptantes, cepimus fidelitatem ejuſdem** *Johannis*, & temporalia Abbatiæ prædictæ, prout moris eſt, reſtituimus eidem. Et ideo vobis mandamus, quod eidem *Johanni* tanquam Abbati & Domino veſtro in omnibus quæ ad Abbatiam prædictam pertinent, intendentes ſitis & reſpondentes, ſicut prædictum eſt. In cujus, &c. Teſte Rege apud *Wyndeſore* 6 die *Febr.*

What Elections were made, Royal aſſents given, and reſtitutions of Temporalties granted by the King this year of and to Biſhops, Archbiſhops, and others in *Ireland*, by the Kings Letters Patents, theſe Records will beſt inform us.

Pat. 31 E. 1. m. 10. De aſſenſu Regio.

REX Poſtulationi nuper factæ in Eccleſia Cathedrali *Clonen.* de diſcreto viro Fratre *Dovenaldo Obruyn* Gardiano Fratrum Minorum de *Killeth.* in Epiſcopum *Clonen.* **Regium aſſenſum adhibuit et favorem**: Et hoc ſignificatum eſt venerabili patri *N.* Archiepiſcopo *Ardmach.* ut quod ſuum eſt in hac parte exequatur. In cujus, &c. Teſte Rege apud *Wylgtreby* 14 die *Aprilis*.

Per breve de Privato Sigillo.

Ibidem.

SAnctiſſimo in Chriſto patri Domino *B.* divina providentia Sacroſanctæ *Romanæ* ac Univerſalis Eccleſiæ Summo Pontifici, *Edwardus* ejuſdem gratia Rex *Angliæ*, &c. devota pedum oſcula beatorum. Sciat veſtra paternitas reverenda, quod cum dilecti nobis in Chriſto Decanus & Capitulum *Ardmach.* in *Hybernia* nuper per mortem bonæ memoriæ *N.* quondam Archiepiſcopi illius loci, **petita a nobis prout moris eſt licentia alium ſibi eligendi in Archiepiſcopum, et optenta,** diſcretum virum Fratrem *Michaelem* Lectorem Fratrum Minorum de *Ardmach.* in ſuum poſtulaverint Archiepiſcopum & Paſtorem, **Nos poſtulationi illi Regium aſſenſum adhibuimus et favorem**; Et hoc veſtræ Sanctitati innoteſcimus per præſentes, ut quod veſtrum eſt in hac parte exequi dignemini cum favore. In cujus, &c. Dat. apud *Dunde* in *Scotia* 20 die *Octobr.*

Per breve de Privato Sigillo.

Clauſ. 31 E. 1. m. 12. Pro Epiſcopo Oſſorenſi Hibern.

REX dilecto & fideli ſuo *Waltero de la Haye* Eſcaetori ſuo in *Hibernia*, ſalutem. Cum viceſimo quarto die *Octobris* anno regni noſtri Triceſimo, electioni nuper celebratæ in Eccleſia Cathedrali *Oſſoren.* de diſcreto viro Magiſtro *Willielmo* filio *Johannis* Canonico ejuſdem Eccleſiæ in Epiſcopum illius loci, **Regium aſſenſum adhibuerimus et favorem**; & hoc venerabili patri *R.* Archiepiſcopo *Dublin.* per noſtras patentes literas ſignificaverimus, ut quod ſuum eſſet exequeretur in hac parte; ac etiam per alias literas noſtras patentes dederimus poteſtatem dilecto & fideli noſtro *Johanni Wogan* Juſtic. noſtro *Hibern.* quod ſi contingeret dictam electionem per præfatum Archiepiſcopum canonicè confirmari, & ſibi per literas patentes

An. 31 E. 1. patentes ipſius Archiepiſcopi inde conſtaret, **tunc accepta ab eodem Electo fidelitate in caſu illa nobis debita**, temporalia Epiſcopatus prædicti eidem Electo liberaret illa vice, ſicut per inſpectionem Rotulorum Cancellariæ noſtræ nobis conſtat: Ac licet idem Juſtic. virtute poteſtatis hujuſmodi poſt dictam electionem ſic confirmatam, **fidelitatem prædicti Epiſcopi** diu ante feſtum *Paſcha* prox. præteritum ceperit, & literas noſtras patentes ſub ſigillo quo utimur in *Hibernia* de dictis temporalibus ſibi reſtituendis vobis direxerit, ut eſt moris; vos nichilominus ipſum Epiſcopum exitus provenientes de temporalibus Epiſcopatus prædicti poſt datam dictarum literarum noſtrarum vobis ſuper hoc directarum, percipere & habere non permittitis, in ipſius Epiſcopi dampnum non modicum & gravamen, ſicut ex parte ipſius Epiſcopi nobis eſt oſtenſum. Et quia ipſum Epiſcopum nolumus in hac parte indebitè prægravari, vobis mandamus quod ſi ita eſt, tunc eidem Epiſcopo exitus de temporalibus Epiſcopatus prædicti poſt datam literarum noſtrarum vobis directarum, ut prædictum eſt, provenientes, & per vos perceptos liberari & habere faciatis. Ita tamen quod idem Epiſcopus de ſumptibus & miſis, ſi quos ante datam earundem literarum in terris Epiſcopatus prædicti **ſeminandis, vel alio modo noſtro nomine poſueritis, nobis reſpondeat ut debebit.** Teſte Rege apud *Morpath* 9 die *Maii*.

Pat. 31 E. 1. m. 33. De licentia eligendi

Adam de Roches nuncians Regi mortem bonæ memoriæ *A.* nuper Epiſcopi *Elſinen.* in *Hibern.* **habet literas Regis de licentia eligendi.** In cujus, &c. Teſte Rege apud *Weſtm.* 8 die *Marcii*.

Ibid. m. 19. De aſſenſu Regio.

REX venerabili in Chriſto patri —— eadem gratia Archiepiſcopo *Tuamen.* ſalutem. Sciatis quod electioni nuper celebratæ in Eccleſia Cathedrali *Elſinen.* de diſcreto viro Fratre *Donato* Abbate de *Buell Ciſtercienſis* Ordinis in Epiſcopum *Elſinenſem*, **Regium aſſenſum adhibuimus et favorem**; Et hoc vobis tenore præſentium ſignificamus, ut quod veſtrum eſt in hac parte exequamini. In cujus, &c. Teſte Rege apud Villam Sancti *Johannis de Perth* 28 die *Junii*.

Ibidem. De poteſtate data Juſtic. Hibern. reſtituendi temporalia in Hiber.

REX dilecto & fideli ſuo *Johanni Wogan* Juſtic. ſuo *Hibern.* ſalutem. Cum nos electioni nuper celebratæ in Eccleſia Cathedrali *Elſinen.* de diſcreto viro Fratre *Donato* Abbate de *Buell Ciſtercienſis* Ordinis in Epiſcopum *Elſinen.* **Regium aſſenſum adhibuerimus et favorem**; Et hoc venerabili patri —— Archiepiſcopo *Tuamenſi* per noſtras patentes literas ſignificaverimus, ut quod ſuum eſt in hac parte exequatur; volentes ipſius Electi laboribus & expenſis in hac parte parcere iſta vice, **conceſſimus eis de gratia noſtra ſpeciali, et vobis dedimus poteſtatem**, &c. **Acceptis tamen**, &c. In cujus, &c. Teſte ut ſupra.

Per breve de Privato Sigillo.

Ibid. m 31. De licentia eligendi.

Gilbertus de Clohon Canonicus *Fynnaboren.* nuncians Regi mortem bonæ memoriæ *S.* quondam Epiſcopi *Fynnaboren.* **habet literas Regis de licentia eligendi.** In cujus, &c. Teſte Rege apud *Ware* 16 die *Marcii*.

Per breve de Privato Sigillo.

Ibid. m. 10. De poteſtate data Juſtic. Hibern. reſtituendi temporalia in Hiber.

REX dilecto & fideli ſuo *Johanni Wogan* Juſtic. ſuo *Hibern.* ſalutem. Cum dilecti nobis in Chriſto Decanus & Capitulum *Fynnabor.* poſt mortem bonæ memoriæ *S.* nuper Epiſcopi illius loci, **petita a nobis prout mos eſt licentia alium ſibi eligendi in Epiſcopum, et optenta, ad electionem de futuro Epiſcopo proceſſiſſent**; & *David* Præcentor, *Johannes* Theſaurarius, *Karolus* Archidiaconus, *Yſaak* Cancellarius, *Benedictus*, *Matthæus*, *Thomas* & *Maur.* dictæ Eccleſiæ *Fynnabor.* Canonici, dilectum nobis in Chriſto Magiſtrum *Maur. Obryen*, itemque ejuſdem Eccleſiæ Confratres & Concanonici, Decanum ejuſdem Eccleſiæ in Epiſcopum illius loci **in uicezdia elegiſſent**, & Officialis Decani & Capituli *Caſſel.* cuſtodum Spiritualitatis Archiepiſcopatus *Caſſelenſis* ſede vacante, authoritate eorundem Decani & Capituli *Caſſel.* **examinatis dictis electionibus diligenter, electionem factam de prædicto Decano caſſaverit juris ordine in omnibus obſervato**, ſicut tàm per literas ipſorum Decani & Capituli *Caſſel.* quàm prædicti Officialis literas patentes nobis inde directas plenius nobis conſtat; Ac nos ad requiſitionem prædictorum

Præ-

Præcentoris, Theſaur. Archid. Cancellar. *Benedicti*, *Matthæi*, *Thomæ* & *Maur.* **electioni factæ de prædicto Magiſtro** *Obryen* **in Epiſcopum loci illius, ut prædictum eſt, quantum in nobis eſt Regium aſſenſum adhibuerimus et favorem**; & hoc præfatis Cuſtodibus per noſtras patentes literas ſignificaverimus, ut quod ſuum eſt in hac parte exequantur; Volentes ipſius Magiſtri *Mauricii Obryen* laboribus & expenſis in hac parte parcere iſta vice, **conceſſimus**, &c. **Acceptis tamen prius**, &c. In cujus, &c. Teſte Rege apud *Kyndromyn* 8 die *Octobr.* *An.* 31 E. 1.

Per breve de Privato Sigillo.

REX dilecto & fideli ſuo *Johanni Wogan* Juſtic. ſuo *Hibern.* ſalutem. Cum dilecti nobis in Chriſto Prior & Conventus de *Antro Sancti Fynbarr.* Diocæſ. *Cork.* nobis per literas ſuas patentes ſignificaverint, quod Abbatia ſua prædicta per mortem bonæ memoriæ *G.* nuper Abbatis illius loci, Paſtoris eſt ſolatio deſtituta, ſupplicantes nobis prout moris eſt, **quod licentiam ſibi alium eligendi in Abbatem eiſdem concedere dignaremur**; ac nos precibus eorundem Prioris & Conventus in hac parte favorabiliter inclinati, **licentiam illam eis duximus concedendam**; mandantes, quod talem ſibi eligant in Abbatem, &c. Nos eorundem Prioris & Conventus laboribus & expenſis in hac parte parcere volentes iſta vice, **conceſſimus eis de gratia noſtra ſpeciali, et vobis dedimus poteſtatem iſta vice, quod facta electione prædicta**, &c. **Acceptis tamen prius**, &c. In cujus, &c. Teſte Rege apud *Rokesburgh* 21 die *Maii.* Pat. 31 E. 1. m. 22. De poteſtate data Juſtic Hibern. reſtituendi temporalia in Hibern.

Per breve de Privato Sigillo.

SAnctiſſimo in Chriſto patri Domino *B.* Divina providencia Sacroſanctæ *Romanæ* ac univerſalis Eccleſiæ Summo Pontifici; *Edwardus* ejuſdem gratia, &c. devota pedum oſcula beatorum. Sciat veſtra paternitas reverenda, **quod electioni nuper celebratæ in Eccleſia Cathedrali** *Caſſel.* de diſcreto viro Magiſtro *Mauricio* Archidiacono *Caſſellenſi* in Archiepiſcopum illius loci, **Regium aſſenſum adhibuimus et favorem**; Et hoc veſtræ Sanctitati tenore præſencium ſignificamus, ut quod veſtrum eſt in hac parte, **exequi dignemini cum favore**. In cujus, &c. Dat. apud *Rokesburgh*, 17 die *Maii.* Pat. 31 E 1. m 22 vel 23 intus. Hibernia. De aſſenſu Regio.

Per breve de Privato Sigillo, dupp.

The King out of his free grace aſſenting to the election of this *Maurice* Archbiſhop of *Caſſell*, without any knowledge of his perſon, or teſtimony of any of his Loyal Subjects from thence, made this publike obligation, promiſe and oath for his fidelity to the King and his heirs, in caſe the Pope ſhould confirm his Election, ratified with his Seal, the original whereof I found in the White Tower.

UNiverſis Chriſti fidelibus ad quorum noticiam præſentes literæ pervenerint, *Mauricius* Archidiaconus Eccleſiæ *Caſſellenſis* Electus in Archiepiſcopum Eccleſiæ prædictæ ſalutem. **Cum excellentiſſimus Princeps et Dominus meus Dominus** *Edwardus* Dei gratia Rex *Angliæ* illuſtris, Dominus *Hiberniæ*, & Dux *Aquitaniæ*, **Electioni prædictæ de me factæ, nulla prius per ipſum habita noticia de perſona mea, nec aliquo teſtimonio fidelium ſuorum in partibus** *Hiberniæ* **exiſtentium inde recepto, Regium aſſenſum adhibuerit et favorem, de ſua gratia ſpeciali**; Promitto & obligo me per præſentes, & nichilominus corporale præſtiti juramentum, **quod ſi contingat me in Archiepiſcopum Eccleſiæ prædictæ per Dominum Summum Pontificem admitti et eciam conſecrari, fidelis ero dicto Domino Regi et regno ſuo, et maxime terræ ſuæ** *Hiberniæ*, **et antequam temporalia Archiepiſcopatus prædicti michi reſtituantur, bonam et ſufficientem ſecuritatem inveniam eidem Regi, quod fidelitati ſuæ et hæredum ſuorum ſemper conſtanter et viriliter adhærebo, quodque pax ſua vel hæredum ſuorum in dictis partibus** *Hiberniæ* **per me vel per meos, vel per procurationem meam, ſeu eciam conſilium meum aut juvamen, nullatenus impedietur, ſet quod pacem ipſius Regis et hæredum ſuorum in partibus prædictis** *Hiberniæ* **ſemper per me et meos manutenebo pro viribus et fovebo.** In cujus rei teſtimonium has literas meas patentes **Sigilli mei munimine roborabi.** Dat. apud *Eborum* 14 Kal. *Junii*, anno ab Incarnatione Domini 1303. Regni vero Regis prædicti Trieſimo primo. * Clauſ. 31 E 1. m 11. dorſo. & Bundela Brevium & Literarum in Turre London An. 31 E 1.

An. 31 *E.* 1. Pope *Benedict* the 10. having confirmed the election, and consecrating the person of *Maurice* Archbishop of *Cassel*, by whose consecration the Archdeaconry of *Cassil* which he formerly held, became voyd, the Pope thereupon pretending it belonged to his donation, conferred the Archdeaconry by his Papal provision upon *Thomas Olonxy*, and his Prebendary in that Church upon one *Peter*, usurping on the Kings right and prerogative, to whom the donation of the Archdeaconry & Prebendary of right belonged, by reason of the vacancy of the Archbishoprick. This *Thomas* and *Peter* procured the Popes Letters, to put them into actual possession of the Archdeaconry and Prebendary, under several penalties and Ecclesiastical censures; but afterwards understanding, that the right of conferring them was only in the King, and that they could not gain possession thereof by the Popes Letters; they thereupon publikely renounced all their right and interest therein by vertue of the Popes Provisions and Letters, by these two original Instruments which I found in the *White Tower* Chappel, worthy observation.

* Rundela Brevium & Literarum, An. 31 & 32 E. 1. in Turre London. Hibernia.

IN Nomine Domini *Amen*. Cum jam Sanctissimus in Christo Pater Dominus *Benedictus* Sanctæ *Romanæ* & Universalis Ecclesiæ **Summus Pontifex**, venerabili Patri Domino *Mauricio* nunc Archiepiscopo *Cassellensi* **in ipsius Sedis Archiepiscopum dudum Electo, sede ipsa vacante, apud sedem Apostolicam munus consecrationis impenderit, ac per ipsam consecrationem Archidiaconatum** *Cassellensem* **quem idem** *Mauricius* **usque ad eandem consecrationem tenuit, adhuc temporalibus Archiepiscopatus ejusdem cum advocationibus dignitatum, personatuum, præbendarum et Rectoriarum Ecclesiarum, quæ sede plena ad loci Archiepiscopum pertinent, in manibus Excellentissimi Principis, Domini** *Edwardi* Dei gratia Regis *Angliæ*, Domini *Hiberniæ*, & Ducis *Aquitaniæ* existentibus, mihi *Thomæ Olonxy* **ipsum Archidiaconatum** *Cassellensem* **contulerit, credens idem Summus Pontifex ad ipsum Jus Collationis hujusmodi pertinere debere, cum ad ipsum nullo modo pertineat in hac parte, datis super his literis executoriis ad eadem sede Apostolica directis, scilicet** .... Priori de *Fullinis Spolitanæ* Diocæsis, ac Decano de *Fythred*, & *Nicholao Florencii* Diocæsis ad me *Thomam* **inducendum in possessionem Archidiaconatus prædicti cum Juribus et pertinenciis universis, sub pœnis et censuris Ecclesiasticis expressis in ipsis, cum cæteris clausulis consuetis. Animadvertens postmodum ex circumspectione consilii sanioris, quod ad ipsum Dominum Regem tempore vacacionis hujusmodi et non ad alium spectat hujusmodi Archidiaconatus collatio in hac parte, et quod per collationem ipsius Summi Pontificis ipsum Archidiaconatum nec ipsius possessionem possem de Jure nanciscí aliqualiter nec habere, unde ego** *Thomas* **prædictus omni michi jure competenti vel quod michi competere poterit ad dictum Archidiaconatum, seu quibuscumque executionibus, processibus, prosecutionibus, inductionibus et possessionibus habitis et habendis occasione collationis ejusdem, renuncio in his scriptis, et protestor hanc meam renunciationem velle per omnem jurisdictionem dicti Archidiaconatus innobare, et pro Jure Regio in hac parte publice protestari.**

In eadem Rundela An 32 E 1.

IN Nomine Domini Amen. Cum jam Sanctissimus in Christo Pater Dominus *Benedictus &c.* (*verbatim as before, usque* cum cæteris clausulis consuetis.) Et ob hoc idem Magister *Thomas* quandam præbendam quam in eadem Ecclesia *Cassellensi* optinuerit, **in manibus ipsius Papæ renunciaverit, et michi** *Petro Matthæi Mackarwyl* **eam per ipsum Summum Pontificem conferri procuraverit atque dari, certis super hoc executoribus cum literis executoriis deputatis. Animadvertens postmodum ego** *Petrus* prædictus ex circumspectione consilii sanioris, quod ad ipsum Dominum nostrum Regem tempore vacationis hujusmodi, et non ad alium spectat hujusmodi præbendæ collatio in hac parte, et quod per collacionem ipsius Summi Pontificis ipsam præbendam nec ipsius possessionem possem de jure nanciscí aliqualiter nec habere; unde ego prædictus *Petrus* omni Juri michi competenti, vel quod michi competere poterit ad dictam præbendam, seu quibuscumque executionibus, processionibus, prosecutionibus, inductionibus et possessionibus habitis et habendis occasione collacionis ejusdem, renuncio in his scriptis, et protestor hanc meam renunciacionem velle per Diocæsim *Cassellensem* ubilibet innobare, et super jure Regio in hac parte publice protestari. In quorum omnium testimonium sigillum

meum

meum appoſui huic ſcripto apud *Strivelyn.* 24. die menſis *Julii*, Anno Domini 1304. et regni Domini noſtri Regis prædicti 32. *An.* 31 E. 1.

One of the Kings miners in *Ireland* having killed a man, and the reſt of them being afterwards beaten, aſſaulted, their mines filled and broken down, and ſome of them excommunicated and vexed for beating of a Chaplain in their own defence, ſo that they were enforced to quit the mines, and give over working, made this complaint thereupon to the Treaſurers and Barons of the Kings Exchequer in *Ireland*, who tranſmitted it into *England*; whereupon the King ordered Commiſſioners of *Oyer* and *Terminer* to examine the buſineſſe, and do them right, as this Original Complaint thereof (I found in the *White Tower*) demonſtrates.

A Leur treſchiers Seigneurs, Treſorier noſtre Seigneur le Roy, et al Barons del Eſcheker, les Minours en *Dirland* ſalutz, et chieres amiſtez. Sires une aventure avynt es partyes de la Mynere le mekerdy prochein devant le Seynt *Luk*, que une homme de pais eſteit tue par un Minour, le quel ſenfuiſt meyntenant, et autres oveſques luy qui furont en la compaignie pur poour du pays coment quil eſteient aſſentauntz ou noun, et Sire *Renaud de Ferrers* pria noſtre Gardeyn quil aſſignaſt gent por cerchier la Minere, et il le feſoit iſſint ſouz terre & deſus, et en nos meſons et por tut en la preſence Sire *Renaud* et de tute la gent de ſa terre, qui furont maundez devenir por le homicide attacher. Et quant il ne les poient trouer ſeu alerent. E puis vyndrent *Willame* le fuiz le dit Sire *Renaud*, *Andreu Miſde*, *Robert Coffyn*, *Guy le Brit*, *Johan le Foreſter*, *Simon de la Hole*, et autres pluſors de gentz Sire *Renaud* noctantre ſur la mynere armez, et briſerent nos us & entroient as eſpeyes tretes ſauntz aucun baillyf, et nous miſtrent touz en effrai qui denioms overrer lendemayn, et puis alerent as foſſes et getterent leyn et groſes peres, et ont rompuz le merim qui ſoſtynt la Minere et ont fauſe le overaigne en pluſors lieux la ou ele eſtent mieux reparillee, et iſſint vyndrent de nuict en autre par meſme le contenance, onques puis ne oſeroms landroit bien entrer les overaignes ne profiter pur le Roy ne pur nous, qe la ou nous ſolioms aver en ceu ſoul lieu ou il feiſeient tien derrai aucune ſemayne xxx lades de mine et pluys, nous ne avioms onques puis que 4. ladees et 6. eſquieles, a grant damage du Roy et areriſement des overaignes. E ſur ce nous manaſent et dient apertement que ſi nul de nous viengne, nulle part a faire ne a marche, que nous ſerrioms iſſint batuz que jammays bone overaigne ne froms en Miniere ne ailleurs: par quoi pluſors de nous Minours ſe vient retrere et aler por pouur quil ne oſent demorrer en pays. Et iſſint ſumus nous touz maumenez et malement deſturbez por le coupe de celuy qui ſeu eſt fui, et en autre manere que en due. D'autre part fires avynt nadguerres que Sire *Willeme Gliſe* le Chapeleyn parochiel de *Byr*, vynt a une taverne ſus la minere entre aucuns des nous minours et autre gent du pays, & moveit contenk entre luy et nous Mynours, et feut batu, iſſint qil aboit la teſte bziſee et geuſt contrelit bone pite. Et noſtre Gardeyn quant ce oy, dire, tendi de nous chaſtier et faire bones amendes ſi il ſerroit trove ſi nous fuſoums en coupe, car ceux qui la furont et qui la choſe virent diſoient que les Minours le ferrent eaux defendaunt, mais le Chapeleyn ne voleit mye a ce aſſenter, eyus alerent le perſone Sire *Wauter de Ferrers* et le Chapeleyn en manere de vengeance cozpozale, et tant purchasrerent que les feſoient touz eſcumenger obe les communiantz, et lozs demozramus nous udyſs ſauntz rien eſſploiter long temps, que nous ne entraums mye ſouz terre en tiel eſtat, et nous ont iſſint chacez paz tieux dureſces qe aucuns des meillours de nous minours fenaterent en leur pays, a grant areriſtment des oberaignes. Dont Sires ſi bous plet voillez ſur les dites choſes mettre remedie et conſail, iſſint que eaux ne autres ne meſpzegnent de vers les oberours le Roy de taunt pluys hardiement en temps abenir, ſi ſes treſpas ſoient deſpuniz. A Dieu Sires qui vous gard touz jours. Eſcrites a la Minere Seynt *Simon* & Seynt *Jude*.

* Rundela R. vin. et rarum Anno 31 E 1.

Dorſo. Aſſignentur *Gilbertus de Knouvill* & *Thomas de la Hyde* ad audiendum & terminandum tranſgreſſionem prædictam per prædictos infraſcriptos & alios Regis (minerariis) in dicta minera factam.

The King alſo this year granted this Licenſe for an Alienation in *Mortmain* in *Ireland*.

An. 31 *E.* 1.

Pat. 31 E. 1. m. 26. Hiber. Pro Waltero de Hibernia Clerico.

REX omnibus ad quos, &c. ſalutem. Licet de Communi Conſilio regni noſtri ſtatuerimus, *Quod non liceat viris Religioſis ſeu aliis ingredi feodum alicujus ita quod ad manum mortuam deveniat, ſine licentia noſtra & Capitalis Domini de quo res illa immediatè tenetur*; per finem tamen quem *Walterus de Hibernia* Clericus fecit Nobiſcum coram tenente locum, Theſ. noſtro & Baronibus noſtris de Scaccario, conceſſimus, & licenciam dedimus, quantum in nobis eſt, eidem *Waltero*, quod ipſe unum meſſuagium, & unam carucatam terræ, unà cum pertin. in *Done* dare poſſit & aſſignare cuidam Capellano divina in Eccleſia de *Done* ſingulis diebus, pro anima ipſius *Walteri*, & animabus anteceſſorum ſuorum celebraturo. Habend. & tenend. eidem Capellano & ſucceſſoribus ſuis Capellanis in Eccleſia prædicta celebraturis, de Capitalibus Dominis feodi illius per ſervicia inde debita & conſueta imperpetuum, & eidem Capellano, quod ipſe prædicta meſſuagium & terram cum pertin. à præfato *Waltero* recipere poſſit & tenere, ſibi & ſucceſſoribus ſuis prædictis imperpetuum, ſicut prædictum eſt, tenore præſencium ſimiliter licenciam dedimus ſpecialem; Nolentes, quod idem *Walterus* vel hæredes ſui, aut prædictus Capellanus vel ſucceſſores ſui prædicti ratione Statuti prædicti, per nos vel hæredes noſtros, Juſtic. Eſc. Vic. ſeu Miniſtros noſtros quoſcumque inde occaſionentur in aliquo ſeu graventur. In cujus, &c. Teſte Rege apud *Beverlacum* 21. die *Aprilis*.

An. 31 E. 1. the *French* King to conclude a Peace with K. *Edw.* was willing to leave the *Scots* out of the Treaty, *baniſh them out of *France*, and to deliver him poſſeſſion of *Gaſcoigne*; wherupon the King iſſued two Patents or Commiſſions, the one to *John* Biſhop of *Worceſter*, *Ames* Earl of *Savoy*, *Henry de Lacy* Earl of *Lincoln*, and *Otto de Grandiſon*, or any 3. or 4. of them; dated 2. *die Marcii*, *Anno r. n.* 31. *apud* Huntingdon; the other to the three laſt or any two of them, dated *apud* Odyham 10 *die* Januarii, *Anno Dom.* 1303. *& regni noſtri* 31, to prorogue the Truce between him, the King of *France*, their kingdoms and Subjects, and to ſettle a firm and perpetual Peace between them, their heirs and ſucceſſors, againſt all perſons but the Church of *Rome*, agreeing in form with thoſe * premiſed; who thereupon treating with the Dukes of *Burgoine*, of *Brittain*, and other Commiſſioners of the King of *France*, concluded a firm peace between them and their Realms; the cloſe whereof I ſhall only inſert, out of a ſpecial Roll of the Patents, Procurations, and Peace then concluded and ratified, which I found in the *White Tower*.

* Thomas Walſingham, Hiſt. Angl. p. 61.

[a] Here, p. 896, 897, 900, 936.

NOus *Edward* Roi *Dengleterre* abauntdit, eauntz regard a grantez biens et profitz qe vienent del accord et del amitie de Rotz et de Princes, et eſpecialment a grant abancement qe pozra avenir a la buſoigne de la Terre Sainte, les avantditz treitie & accord daliaunce & damiſte, et totes les autres choſes es dites lettres contenues, et cheſcun de ſes por nous, & por nos heirs, et por noz ſucceſſors volons, looms, ratifions, agreeons et approvons, et por ces preſentes lettres confirmons, & en ſalme de nous les avoms fait jurez la Gardere fermement tenir. En teſmoignance de qe choſe nous avoms fait faire ceſtes nos lettres overtes ſealees de noſtre Seal. Done a la Ville de Seint *Johan de Perth* in *Eſcoce*, le diſme jour de *Joignet*, l'an de Grace Mil troiz Centz & troiz, & de noſtre Regne 31.

Matthew Weſtminſter, and *Walſingham*, render us this account of this Peace then ratified; [a] *Anno Dom. in feſto Sanctæ & individuæ Trinitatis, pax diu deſiderata inter duo regna, primò in* Francia, *poſtea in* Anglia *publicatur. Sub quo tempore reſtituta eſt Regi* Angliæ Vaſconia, *cum omnibus juribus ſuis & libertatibus, ſub forma qua prius ante initium belli hujus eam tenuerat.* [b] *Rex* Francorum *timens ob deſtitutionem* Waſconiæ *injuſtam, à Rege* Angliæ *per* Dominum Papam *ad hoc inſtigato guerram parari; ut ejus amicitiam ſibi compararet, quicquid in* Waſconia *in manu ſua tenebat, eidem ſponte gratiſque reſtituit, prout videbatur ignorantibus veritatem.* Which peace was much promoted by the great overthrows and defeats of the *French* in *Flanders*; whereof *Matthew Weſtminſter* renders us this brief account. *Quoties furor Regis* Franciæ *armatum militem contra* Flandrenſes *miſerit, conſtat quod toties perdiderit. Quia, aut in acie belli corruerunt, aut de acie ignominioſè & inglorii redierunt. Et in tantum inclinata eſt* Francorum *ſuperbia, ut pro magno*

a Mat. Weſtm. An. 1303. p. 441.

b Tho. Walſingham, Hiſt. Angliæ, p. 56.

magno haberetur, ſi cum Flandrenſibus *uſque ad certum tempus* Francia *pacificaretur.* *An.* 31 E 1.
Adeo ut dicere poſſint Franci, *fugiamus* Flandrenſes, *Dominus enim pugnat pro eis.*

Upon the concluſion of this peace, King *Edward* iſſued 55. ſeveral Writs to reſtore the Temporalties of all Priors, Prioreſſes, and Religious Monaſteries belonging to Aliens that were under the power of the King of *France*, according to the Articles of this Peace; A bundle of which Writs I found in the *White Tower*, running in this form.

EDwardus Dei gratiâ Rex *Angliæ*, Dominus *Hyberniæ*, & Dux *Aquitaniæ*, Theſaur. & Baronibus ſuis de Scaccario ſalutem. Cum in forma pacis inter nos et Regem *Franciæ* ſuper diſcordiis et guerris motis inter eundem Regem et Nos initæ et confirmatæ contineatur, Quod omnes terræ et redditus hominum et ſubditorum dicti Regis *Franciæ* per nos aut noſtros occaſione dictæ guerræ in manum noſtram capti, occupati ſeu detenti, ſive fuerint Religioſorum aut aliorum quorumcunque, plenarie et integre illis quorum fuerunt ante captionem eorundem in manum noſtram, reddantur et reſtituantur, prout in dicta forma plenius continetur. Vobis mandamus, quod terras et redditus dilectæ nobis in Chriſto Prioriſſæ de *Lumeniſtre* de poteſtate dicti Regis *Franciæ*, qui ratione ſupradicta in manu noſtra exiſtunt, eidem Prioriſſæ ſine dilatione plenè & integrè reddi et reſtitui, ac ipſam de illa ſumma pecuniæ quam pro terris et redditibus prædictis ad Scaccarium noſtrum prædictum annuatim poſt captionem eorundem in manum noſtram reddere conſuevit, exonerari faciatis, & inde quietam eſſe de cætero permittatis. Teſte meipſo apud *Banf* 4 die *Septembr.* Anno Regni noſtri 31. Bundela Brevium in Turre London. An. 31 E. 1.

The like Writs iſſued for theſe enſuing Abbots and Priors Aliens, *videlicet*, Prior de *Lewes*, Abbas *Cluniacen.* Prior *Runeliaco*, Prior de *Horſham*, Abbas de *Pynn*, Prior de *Horton*, Prior de *Threnly*, Prior de *Wenloke*, Prior de *Carbrooke*, Abbas de *Lyra*, Prior de *Eya*, Prior de *Totton*, Prior de *Byrewelle*, Prior de *Haiham*, Prior de *Mentingg*, Prior de *Cambringham*, Prior de *Weſt Ravendale*, Prior de *Lynton.* Prior de *Lappelle*, Prior de *Longa Bynington*, Prior de *Hayling*, Abbas de *Langonio*, Abbas Sancti *Martini* de *Albamarle*, Prior de *Eccleſfield*, Prior de *Otryton*, Prior de la *Sele*, Prior de *Frompton*, Prior de *Wylworron*, Prior de *Wenge*, Prior Sancti *Egidii*, Prior de *Styninton*, Prior de *Toftes*, Prior de *Okeburne*, Prior de *Lancaſtr.* Abbas beatæ *Mariæ* de *Greſtone*, Prior beatæ *Mariæ* de *Mortoyne*, Prior de *Longevill.* Prior de *Alverton Mauleverer*, Prior de *Weſton Edyth*, Abbas *Fiſcanen.* Prior de *Wivelsford*, Abbas Sancti *Martini Sagien.* Prior Sancti *Nicholai de Arundell*, Prior de *Cogges*, Prior de *Cowyke*, Prior et Conventus Sanctæ *Trinitatis Eborum*, Prior & Conventus de Sancto *Neoto*, Prior de *Stoke*, Prior & Conventus de *Blida*, Prior de *Mereſey*, Prior de *Vaſte*, Abbatiſſa Sanctæ *Trinitatis* de *Cadamo*, Prior de *Monteacuto.*

The King wanting monies for ſupply of his forces in *Scotland*, writ this Letter to the Biſhop of *London* to lend and ſend him 2000 *l.* of the monies out of the Diſms granted him by Pope *Boniface*, the repayment wherof he promiſed them by this Writ.

EDwardus, &c. Magiſtro *Bartholomæo de Ferentino* Canonico *Lond.* Collectori Decimæ, unà cum venerabili patre *R. London.* Epiſcopo, Cleri *Angliæ* per Dominum *Bonifacium*, &c. ſalutem. Quia pro mora noſtra & fidelium noſtrorum in partibus *Scotiæ* ad expeditionem noſtram ibidem maturandam ſæliciter & complendam, quam ad finem votivam in brevi, Dei adjutorio, ducere intendimus, et quæ per defectum pecuniæ poterit (quod abſit) in noſtri et totius regni noſtri dedecus et dampnum inæſtimabile de facili retardari, magna pecuniæ ſummæ ad præſens plurimum indigemus; De veſtra dilectione ſpecialiter confidentes, vos affectuoſè requirimus & rogamus, quatinus duo veſtrûm ſibi ſocios de pecunia proveniente de Decima prædicta de ſecundo anno impoſitionis prædictæ dilecto Clerico noſtro *Johanni de Drokensford*, Cuſtodi Garderobæ noſtræ, quem ad veſtram ea occaſione præſentiam deſtinamus, tam ex mutuo, ſolvi noſtris precibus faciatis; ad nos in dictis partibus *Scotiæ*, ſicut ei injunximus, deferenda; cui certam fidem præbeatis in his quæ vobis ex parte noſtra duxerit intimanda. Et hoc, ſicut nos & honorem Bundela Brevium & Literarum in Turre London, Anno 31 & 32 E. 1.

An. 31 *E.* 1. rem ac commodum noſtrum & totius regni noſtri diligitis, propter aſſignationes aliquas *Vaſconen.* vel aliis quibuſcunque de pecunia dictæ Decimæ per nos prius factas, nullatenus omittatis. Et nos præfato Epiſcopo & vobis, vel Magiſtro *Johanni Bonichi* de *Senis* Commiſſario veſtro, **dicta duo Millia librarum** in feſto *Paſchæ* proximo futuræ *London.* ſolvi, vel debitam allocationem inde in pecunia, nos de dicta Decima contingente, fieri faciemus. Super quo literas noſtras Patentes vobis mittimus, receptionem dictæ pecuniæ teſtificantes. Teſte meipſo apud *Kamskynel.* primo die *Novembr.* Anno, &c. 31.

Per literam Johannis de Drokenesford.

* See here, p. 980, to 983. Immediately after the * death of Pope *Boniface* the 8. *William de Nogaret* the Advocate of the *French* King drew up this ſolemn Appeal to the Cardinals and See of *Rome* then vacant, and to the next lawfull Pope and General Council, not to elect any of the ſaid Popes friends or followers Pope, nor to have voyces in his election, for the benefit and honour of the whole Church; wherein the Errors, vices of that Pope, and his followers, with their danger to the whole Church of God are fully related.

Acte par le quel Guillaume de Nogaret *declare, le Pape* Boniface *mort, qu' au cas que les Cardinaux appellent avec eux aucuns des fauteures du dit defunct* Boniface, *il en appelle au ſainct Siege, au Concile univerſel, & au Pape futur.* 1304.

Preuves de Libertez de Egliſe Gallicane, p. 501, 502, 503. UNiverſis præſentes Literas inſpecturis, ſalutem. Officialis Curiæ *Pariſienſis* ſede vacante, ſalutem in Domino. Noveritis, quod Nobilis vir Dominus *Gulielmus de Nogareto* Miles Illuſtris Regis *Franciæ* coram nobis perſonaliter conſtitutus, in ſcriptis appellationem conſtituit in hæc verba. Scriptum eſt, nihil eſſe quod **Eccleſiæ Dei magis officiat, quam ut indigni Paſtores ad animarum regimen aſſumantur. Si hoc eſt igitur periculoſum in quibuſlibet Eccleſiarum Prælatis, quanto ſit periculoſius in Summo Pontifice** cum indignus aſſumitur, divina teſtatur ſcriptura, necnon perverſus ac **deteſtabilis exitus** ex promotione *Bonifacii* proximo defuncti, qui **Dei, Eccleſiæ noſtris præfuit temporibus, oſtendit** præſentibus qui nunc vivunt, ac eis qui ſequuntur, futuro tempore **dat exemplum.** Cæterum Proverbium eſt vulgariter, *Tales Diſcipuli qualis Magiſter.* Eapropter ego *Gulielmus de Nogaretto* videns quamplures perſonas, maximè aliquas Sedi Apoſtolicæ aſſiſtentes, nedum in vita ſua foviſſe in ſuis perverſitatibus dictum *Bonifacium,* ſed nunc poſt mortem ejus, **ubi ceſſat cauſa tenoris ejus effrænatæ potentiæ, quæ hinc ipſos aliqualiter excuſabat, ipſum** *Bonifacium,* **ejus abhorrendam memoriam, ac ipſius facta damnabilia ſequentes, ac etiam defendentes, ne ſuper hæreſi, Schiſmate, Simoniaca peſte, Sodomitali abominatione, homicidiis,** aliſque innumerabilibus **vitiis, concupiſcentiis, in quibus profundo malorum poſitus et proſtratus, incorrigibilis ac inſperatus deceſſit,** convocetur Eccleſia per Concilium Generale, fiat juſtitia, prout decet, **ex quo cenſendi ſunt hæreſis manifeſti fautores:** intuens proh dolor! quod filii Matris Sanctæ *Romanæ* Eccleſiæ pugnant ſic turpiter contra eum, quæ ſemper fuit ſine macula, ſine ruga, tradunt Gentibus in deriſum, ſemper caſtam violare conantur, increſſat, dilatati per eam recalcitrant contra ipſam; ubera ſanctiſſima quæ ſunt meliora vino, matris noſtræ caſtiſſimæ, unguentis optimis flagrantia, nobis vitæ pabulum effundentia, ſubbacare nituntur, ad inſtar uberum meritricis. Sicut me contra dictum *Bonifacium* expoſui, pro defenſione matris prædictæ, ſic et contra ejus ſequaces & fautores, qui quodammodo cenſendi ſunt eo pernicioſiores, & magis ſi tollerarentur Eccleſiæ Dei nocivi, me murum volens opponere pro defenſione Eccleſiæ memoratæ, in his ſcriptis provoco & appello ad Sedem Apoſtolicam, ad totamque Dei Eccleſiæ congregandam, & ad Summum Pontificem futurum legitimum, ſeu ad eum quem melius valeam appellare, **ne Reverendi Patres Cardinales dicta labe fautoriæ carentes, quemquam** ex ejus **fautoribus, aut eis conjunctis, vel adhærentibus quoquo modo præſumant eligere in Eccleſiæ Dei Paſtorem, nec cum eis utpote excommunicatis a Canone ad electionem vel electionis ipſius tractatum procedant, nec eis communicent Eccleſiæ Dei prætioſiſſimam margaritam:** quam appellationem ad dictam Sedem ac reverend. Patrum cœtum Cardinalium, **propter metum juſtum prædictorum**

rum fautorum, & eorum inimicitias, quibus me graviſſimè perſequuntur, non audens accedere, interponò, proteſtor, & publicè vobis Domine Official. *Pariſ.* Curiæ; volens et requirens dictis Patribus Reverendis, ac omnibus Catholicis, quorum cujuſlibet intereſt, fieri manifeſtum. Præfatos verò fautores ceſſo ad præſens nominare ex cauſa, nec eſt periculum, cum eorum opera manifeſta, geſtus inſuper omnibus, qui ſint ipſi, manifeſtè declarent, et ab eorum fructibus clarè noſcuntur. Ex abundanti tamen me probaturum offero prædicta omnia & ſingula loco & tempore opportunis. In quorum omnium teſtimonium Sigillum Curiæ *Pariſien.* præſentibus Literis ad requiſitionem & rogatum dicti Domini *Gulielmi* Militis duximus apponendum. Datum Anno Domini 1304. die Sabbati poſt feſtum Nativitatis B. *Mariæ* Virginis. *An.* 31 *E.* 1.

* *Anno Gratiæ* 1304. *qui eſt regni Regis* Edwardi *Triceſimus ſecundus*, *Papa* Benedictus, *dum apud* Peruſium *verbum Dei populo prædicaret*, inter cætera deplorabit abominabile exitium, in vicarium Jeſu Chriſti et Petri commiſſum. Nec tamen caſum perſonæ deflebit, quinimo ipſum Chriſtum a Militibus Pilati iterum ſpoliari aſſerens, caprum, damnandum, et tanquam remortuum, planxit in Carcere, belut in ſepulchro, triduo a Militibus cuſtoditum; *non ut dicit Apoſtolus*, Chriſtus reſurgens ex mortuis, jam non moritur, &c. verum eſt in carne jam glorificata; *Sed ſicut dixit Dominus* Jeſus Chriſtus, Petro *interroganti*, Domine quo vadis? ait, venio Romam, iterum crucifigi. *Intellexit hoc* Petrus *de ſua dictum paſſione, quod in ea Dominus eſſet paſſurus, qui patitur in ſanctis miſericordia pietate. Et ſicut idem alio loco dicit*, Quod uni ex minimis meis feciſtis, ſive honoris, ſive dedecoris, hoc noveritis me paſſurum. *Cumque hac, & plura his ſimilia* de occaſu Papæ Bonifacii recitaret, * Bonifacii *captores*, Anagninos *omnes*, Nogaretum*que &* Sairam, ſpoliatores ejus, vel omnes ipſis aſſentientes, vel qui huic conſcii extitere, duplici contritione Anathematis irretivit. *Inſiſtens, & immoratus, quamplurimum huic verbo*, Si quidem in viridi ligno hæc fecerunt, in arido quid facturi ſunt? Cumque fulgura et coruſcationes divinæ ultionis flagitioſos viros inopinate occupare aſſereret, et ſe ad hoc Electum, et in Cathedra ſeniorum collocatum, ut annunciaret populo ſcelera eorum, diceret ut reſipiſcerent, ſatisfaciendo de commiſſis commonuit, alioquin ad radicem maledictionis, et ſtirpis peſtiferæ ſecurim amputationis et ebullitionis ſe poſiturum neceſſario et quam citius præconizat. *Hujuſcemodi igitur interminationibus exterriti viri venifici*, cum alio Caipha captantes conſilium, expedire quod unus homo moreretur, quam tota gens, vel tribus *Columnenſium* deleretur, corrupto per pecuniam Pincerna Domini Papæ impotionatus non poſt dies 15. ſuperbixit. *Leander*, *Stella*, *Creſpin*, *Onuphrius*, and * *Balæus* ſtory, *Abbatiſſæ cujuſdam ficuum obſonio, è vita ſublatus fuit. Obiit ergo Papa* Benedictus *in Civitate* Peruſii *ſeptimo die menſis* Julii, *cum ſedi ſſet menſibus octo, & diebus* 15. *Poſt cujus deceſſum oritur inter Cardinales ſæva diſſenſio; ita ut de eligendo Pontifice per menſes* 9. *de ipſis Cardinalibus* non poterant concordare. *Cumque in electionem Summi Pontificis diſſiderent, à* Civibus ſecundum Conſtitutionem* Gregorii *decimi includuntur. Tranſit igitur annus iſte* Romanis *lugubris propter diſſenſionum Cardinalium in electione Papæ.* This Pope notwithſtanding his premiſed ſeverity againſt the ſpoilers, impriſoners and murderers of his predeceſſor *Boniface*, was ſo indulgent to *Philip* King of *France*, the chief contriver of it, that to obtain his favour, and reduce him to his Sheepfold (as * *Thomas Walſingham* and others obſerve) *Papa* Benedictus *conſiderans pium eſſe etiam ovem errantem licet invitum perducere ad ovile*, Regem Francorum non pœnitentem, a ſententia excommunicationis per prædeceſſorem ſuum lata in eum abſolvit. Although, *Per idem tempus* Rex Franciæ offenſus Abbati Ciſtercienſi, quia in Appellatione contra Papam Bonifacium non conſenſerat, omnia Monaſteria ejuſdem ordinis in regno Franciæ conſtituta plurimum moleſtabit; propter quod Abbas ultro regimine ordinis ſui ceſſit. *An.* 32 E. 1.

* Mat. Weſt. Anno Dom. 1304. p. 444.

* Platina Stella Onuphrius, Volaterranus, Balæus in vita Benedicti 11.

* In vita Benedicti 11 p. 366 Centuriæ Script Brit. 4. c. 81. & 85. Appendix.

* Tho. Walſingham, Hiſt. Angliæ, p. 61.

* Walſingham Hiſt. Angl. p. 61. Ypodigm. Neuſtr. p. 96. Faſciculus Temp. Stella, Platina Volaterranus, Balæus, & others in vita ejus.

What Uſurpations the Prelates and Eccleſiaſtical Courts, Perſons made in the 32 year of King *Edward* the 1. upon his Crown and Temporal Courts, and what oppoſitions the King and his Judges made againſt them, theſe 6. Writs for holding Plea in Courts Chriſtian againſt the Kings Prohibitions, extant in the Bundle of Writs of this year in the *White Tower*, (beſides others that are periſhed) will in part inform us.

Edwardus

An. 32 *E.* 1. Bundelæ Brevium, Anno 32 E. 1. in Turre Lond.

EDwardus, &c. *Venerabili in Chriſto patri* W. *eadem gratia* Coventr. & Lychf. *Epiſcopo, ſalutem. Mandamus vobis ſicut aliàs vobis mandavimus, quod venire faciatis coram Juſtic. noſtris apud* Ebor. *à die* Paſch. *in unum menſem* Simonem de Shirley *Clericum veſtrum*, **ad reſpondendum nobis de placito, quare cum placita de Catallis et Debitis quæ non ſunt de Teſtamento vel Patrimonio, ad nos, coronam et dignitatem noſtram pertinent, idem** Simon, *ſicut ex relatu plurium accepimus*, **ſecutus eſt placitum in Curia Chriſtianitatis de Catallis et Debitis** *Magiſtri* Simonis de Wymundham *Perſonæ Eccleſiæ de* Dyremeſton, **quæ non ſunt de Teſtamento vel Patrimonio, in læſionem coronæ et dignitatis noſtræ, et contra Prohibitionem noſtram.** *Et unde Vic. noſter* Warw. *aliàs mandavit Juſtic. noſtris apud* Ebor. *quod prædictus* Simon de Shirley *Clericus eſt, & non habet laicum feodum in Balliva ſua per quod poteſt* **attachiari.** *Et ſciatis, quod niſi hoc mandatum noſtrum plenius exequutum*, **grabiter ad vos capiemus.** *Et habeas ibi hoc breve. Teſte* R. de Hengham *apud* Ebor. *6 die* Januarii, *Anno regni noſtri* 32.

On which the Biſhop endorſed: *Sequeſtravimus bona Eccleſiaſtica* Simonis de Shirley *qua habet in Epiſcopatu noſtro, & nichilominus citavimus ipſum quod ſit ad diem & locum in brevi contentos, ad faciend. ſicut in eodem brevi continetur.*

Ibidem. EDwardus, &c. *Pone* Johannem *Perſonam Eccleſiæ de* Uppeclatford, &c. *oſtenſur.* **quare cum placita de Catallis**, &c. (ut ſupra) **ſecutus eſt placitum in Curia Chriſtianitatis de Catallis et Debitis** Willielmi de Glouc. *Perſonæ Eccleſiæ de* Berton Stacy, **quæ non ſunt de Teſtamento vel Patrimonio, contra Prohibitionem noſtram**, &c. *Teſte meipſo apud* Stryvelyn 28 *die* Junii, *Anno regni noſtri* 32.

Ibidem. EDwardus, &c. *Vic.* Nottingham, *ſalutem. Præcipimus tibi, ſicut aliàs præcepimus, quod pones per vadium & ſalvos pleg.* Radulphum de Coleſtone *Capellanum; quod ſit coram Juſtic. noſtris apud* Weſtm. *in* Octabis *Sancti* Hillarii, *ad reſpondendum tàm Nobis quàm* Waltero de Candelisby *de placito, quare cum idem* Radulphus *in Curia noſtra apud* Eborum, *à die* Paſchæ *in* 15 *dies proximo præteritos attach. eſſet ad reſpondendum prædicto* Waltero *de placito*, **quare tenuit placitum in Curia Chriſtianitatis de catallis et debitis, quæ non ſunt de Teſtamento vel Patrimonio, contra prohibitionem noſtram, ut dicitur**; *ac idem* Willielmus *habuiſſet diem in Curia noſtra coram Juſticiariis noſtris apud* Eborum *in Octabis Sancti* Michaelis *proximo ſequentibus, ad reſpondendum prædicto* Waltero *de prædicto placito, idem* Radulphus, **pendente inde inter eos in prætata Curia noſtra, prædicto placito, nichilominus Placitum illud in eadem Curia Chriſtianitatis ulterius tenuit, quouſque ſententia in ipſum** Walterum **promulgata ipſum excommunicari fecit**; et poſtea **Breve noſtrum de ipſo Waltero ſic excommunicato, (tanquam claves Eccleſiæ contemnente) capiendo jam tibi porrexit, ut dicitur; in Coronæ et dignitatis noſtræ læſionem, Curiæ noſtræ prædictæ contemptum manifeſtum, et ipſius** Walteri **diſpendium non modicum et gravamen**; *Præcipimus etiam tibi ſicut alias tibi præcepimus*, **quod ſi tibi conſtare poſſit, quod prædictus** Walterus **occaſione prædicta et non alia excommunicatus ſit, tunc ab ipſo** Waltero **capiendo per aliquod Breve noſtrum ad ſectam ipſius** Radulphi **impetratum vel impetrandum omnino deſiſtas, et ipſum** Willielmum **pendente inter eos in prætata Curia noſtra inter eos in prædicto placito, pacem noſtram inde habere permittatis**: *Et unde tu ipſe mandaſti Juſticiariis noſtris apud* Eborum *in Octabis Sancti* Michaelis, *quod Breve noſtrum*, **quod tibi inde venit, adeo tarde venit, quod illud exequi non potuiſti.** *Et habeas ibi nomina Pleg. & hoc Breve. Teſte* R. de Henghaus *apud* Eborum 18 *die* Octobris, *Anno Regni noſtri* 32.

Dorſo. Radulphus de Coleſtone *Capellanus Clericus eſt, & non habet Laicum feodum in Balliva mea.*

Ibidem. EDwardus, &c. *Vic.* Not. &c. *Si* Walterus de Gouſſle, &c. *Pone*, &c. Thomam *Archiepiſcopum* Ebor. *Magiſtr.* Johannem de Naſſington *ſeniorem, & Magiſtr.* Johannem de Berewys, &c. **quare ſecuti ſunt placitum in Curia Chriſtianitatis de Catallis et Debitis, quæ non ſunt de Teſtamento vel Patrimonio, contra prohibitionem noſtram.** *Teſte meipſo apud* Dovere 6. *die* Marcii, *An. r. n.* 32.

Vic.

An. 32 E. 1.

VIc. Somerſet. *Si* Johannes de Chateham, *&c. Pone*, &c. *Magiſt.* Hugonem de Pencrich. *Offic. Epiſcopi* Bathon. *&* Wellen. *&c.* **quare tenuit placitum in Curia Chriſtianitatis, de catallis, &c. contra prohibitionem noſtram.** *Teſte meipſo apud* Strivelyn. 28 *die* Maii, *an. r. n.* 32. Ibidem.

VIc. Lanc. *&c. quod capias Magiſtr.* Willielmum de Totton *ad reſpondend* Thomæ de Bekyngton, *quare ipſe ſimul cum* Radulpho de Gloſingham *Capellanum* **tenuit placitum in Curia Chriſtianitatis de catallis et debitis quæ non ſunt, &c. contra prohibitionem noſtram, &c.** *Teſte* R. de Hengham *apud* Ebor. *die* Novembr. *Anno regni noſtri* 32. Ibidem.

EDwardus, &c. *Vic.* Sutht. *ſalutem. Præcipimus tibi, quod non omittas propter libertatem Epiſcopatus* Wynton. *quin venire facias coram Juſticiariis noſtris apud* Ebor. *in Octabis Sancti* Michaelis 12 *tàm Milites quàm alios liberos & legales homines de Viſn. de* Wynton. *quorum quilibet habeat Centum ſolidatas terræ & ten. vel redditus per annum ad minus, per quos rei veritas melius ſciri poterit. Et qui nec* Edmundum Huſee, *nec* Hugonem de Spineto *aliqua affinitate attingant, ad recognoſcendum ſuper ſacramentum ſuum,* **ſi prædictus** Hugo **unquam ſecutus fuit placitum in Curia Chriſtianitatis apud** Wynton. **de Quadraginta ſolidis de Catallis prædicti** Edmundi, **quæ non ſunt de Teſtamento vel Patrimonio, contra Prohibitionem noſtram,** *ſicut prædictus* Edmundus *dicit vel non, ſicut prædictus* Hugo *dicit; quia tàm prædictus* Edmundus *quàm prædictus* Hugo, *inter quos contentio inde eſt, poſuerunt ſe in Jur. illam. Et unde tu ipſe mandaſti Juſticiariis noſtris apud* Ebor. *à die* Paſchæ *in* 15 *dies, quod præceperàs Ballivis prædicta libertatis, quod præceptum noſtrum prius inde tibi directum exequerentur, qui nihil inde fecerunt. Præcipimus etiam tibi quod habeas coram Juſticiariis noſtris apud* Ebor. *ad præfatum terminum corpora Ballivorum prædicta libertatis, quibus prædictum Præceptum noſtrum inde feciſti, oſtenſur.* **quare illud Præceptum noſtrum exequi contempſerunt, in noſtri contemptum manifeſtum,** *&* **prædicti** Edmundi **diſpendium non modicum & gravamen.** *Et habeas ibi nomina Ballivorum Jur. & hoc breve. Teſte* R. de Hengham *apud* Ebor. 20 *die* Aprilis, *Anno regni noſtri* 32. Ibidem.

To theſe I ſhall ſubjoyn ſome other Prohibitions and Attachments, extant in the Clauſe Rolls of this year. The firſt to the Dean of the Arches, for ſuing the Kings Clerk in Court Chriſtian, againſt a Judgement given for the King and him in the Kings Court.

REX Decano Eccleſiæ beatæ *Mariæ de Arcubus London.* & ejus Commiſſar. ſalutem. Cum nos in Curia noſtra coram Juſtic. noſtris apud *Ebor.* per conſiderationem ejuſdem Curiæ recuperaverimus verſus Magiſtrum *Robertum de Lacy* præſentationem noſtram ad Eccleſiam de *Magna Hale Lincoln.* Dioc. vacantem, & ad donationem noſtram, ratione temporalium Abbatiæ de *Bardeney* nuper in manu noſtra exiſtentium, ſpectantem; ac idem Magiſter *Robertus* in quadam cauſa quæ inter dilectum Clericum noſtrum *Robertum de Aſkeby* quem ad ipſam Eccleſiam præſentavimus, & ipſum Magiſtrum *Robertum* **vertitur coram vobis in Curia Chriſtianitatis, de injuſta detentione et occupatione Eccleſiæ prælibatæ, contra eundem Clericum noſtrum excipiendo propoſuerit coram vobis,** ut relatu plurium accepimus, **quod præſentatio ad Eccleſiam prædictam ad nos non pertinet iſta vice, quod in enervationem juris noſtri Regii, et Judicii in Curia noſtra rite reddit, ſi admittatur cedere dinoſcitur manifeſte. Præſertim cum jus præſentandi nobis adquiſitum adnullari nobis inconſultis non debeat, ſeu caſſari: Vobis prohibemus, ne quid occaſione exceptionis prædictæ coram vobis in Curia Chriſtianitatis attemptetis, ſeu attemptari permittatis, quod in noſtri ſeu juris noſtri Regii præjud cium cedere valeat quoquomodo.** In aliis nichilominus cauſam prædictam tangentibus, quorum cognitio ad Curiam Chriſtianitatis pertinet, prout convenit procedentes. Teſte Rege apud *Strivelyn* 18 die *Junii.* Clauſ. 32 E. 1. m. 11. dorſo. Prohibitio pro Rege.

An. 32 E. 1. The Archbiſhop of *Canterbury* excommunicating the Prior and Covent of St. *Oſwald* in *Glouceſter*, of the Kings foundation, and his Free-Chapple, exempt from all Archiepiſcopal and Epiſcopal Juriſdiction, becauſe they oppoſed his Viſitation of them; and commanding all perſons within the City and County of *Glouceſter* not to ſell to, or buy of them any Victuals or other neceſſaries, nor in any kinde to communicate with them, in high contempt, prejudice and derogation of his Royal Crown and Dignity; the King thereupon iſſued this memorable Writ and Proclamation againſt his Archiepiſcopal unchriſtian Inhibition, commanding all his Subjects to buy, ſell and communicate with them in all things, as freely as they did before.

Clauſ. 32 E. 1. m. 2. dorſo. Pro Priore Sancti Oſwaldi Glouc.

REX Vic. *Glouc.* ſalutem. Quia ex querela Prioris & Conventus Eccleſiæ Sancti *Oſwaldi Glouc.* **quæ eſt libera Capella noſtra**, accepimus, quod venerabilis pater *Robertus Cantuar.* Archiepiſcopus in Villa noſtra *Glouc.* & alibi in Balliva tua, **nuper ſub pœna Excommunicationis fecit publice inhiberi, ne quis eiſdem Priori et Conventui decimas, redditus, aut alia jura Eccleſiaſtica reddat, ſeu victualia aut alia ad ſuſtentationem eorundem neceſſaria eis vendat, vel ab eis emat, ſeu aliqualiter communicet cum eiſdem; quod ſi ſic tolleraretur in noſtri et Coronæ noſtræ præjudicium, et Regiæ dignitatis noſtræ derogationem manifeſte redundaret. Nolentes quod prædicti Prior et Conventus in prædicta libera Capella noſtra miniſtrantes per hujuſmodi inhibitiones, quin victualia, et alia venalia emere poſſint, et vendere, ac etiam cum omnibus Chriſtianis in omnibus communicare excludantur. Tibi præcipimus, quod ſi hujuſmodi inhibitio ibidem facta fuerit, tunc in Villa noſtra** Glouc. prædicta, **et locis aliis quibus opus fuerit in Balliva tua publice proclamari fac. ex parte noſtra, ne qui propter hujuſmodi inhibitiones ſic in noſtri præjudicium factas omittant, quin cum eiſdem Priore et Conventu ſicut cum cæteris de regno noſtro ad fidem et pacem noſtram exiſtentibus in emptione et venditione victualium, et aliarum rerum venalium, ac etiam in omnibus aliis communicent, ſicut hactenus conſueverunt.** Teſte Rege apud *Bruſtwykes* primo die *Novembris.*

A memorable preſident, evidencing the Supreme Eccleſiaſtical Soveraignty of our Kings, in countermanding and nulling even the exorbitant Eccleſiaſtical Inhibitions and Excommunications of the Archbiſhop himſelf, by publick Proclamation, as prejudicial and derogatory to his Crown and Royal Dignity to tolerate or connive at, though warranted by Papal Canons, Conſtitutions and Preſidents.

Soon after, this memorable Writ of *Attachment* iſſued againſt the Archbiſhop of *Canterbury* himſelf, for preſuming to viſit the Free-Chapple of St. *Oſwald* in *Glouceſter*, and excommunicating the Prior and Covent thereof, againſt their Priviledges.

Clauſ. 32 E. 1. m. 17. dorſo. Pro Priore Sancti Oſwaldi Glouc. de Attachiament.

REX Vicecomiti *Glouceſtriæ*, ſalutem. Si Prior Sancti *Oſwaldi Glouceſtr.* fecerit te ſecurum de clameo ſuo proſ. tunc pone per vadium & ſalvos plegios *Robertum* Archiepiſcopum *Cantuar.* quod ſit coram nobis in Octabis Purificationis beatæ *Mariæ* ubicunque tunc fuerimus in *Anglia*, oſtenſur. **quare in Eccleſia** Sancti *Oſwaldi Glouc.* **quæ eſt libera Capella noſtra, de eleemoſynis progenitorum noſtrorum quondam Regum *Anglia* fundata, et quæ ab omni juriſdictione ordinaria exempta eſt penitus et immunis, juriſdictionem ordinariam exercere, ac etiam Excommunicationis ſententias in ipſum Priorem et Canonicos ejuſdem Eccleſiæ fulminare, et alia gravamina eis inferre præſumpſit, in noſtri contemptum, et Regiæ dignitatis noſtræ præjudicium, et dampnum ipſius Prioris ducentarum librarum, et contra Prohibitionem noſtram.** Et habeas ibi nomina pleg. & hoc breve. Teſte Rege apud *Dumfermelyn* 25 die *Novembris.*

The Biſhop of *Worceſter* and his Official intending to exerciſe Eccleſiaſtical ordinary Juriſdiction over the foreſaid Prior and Convent of St. *Oſwald*, by the Archbiſhops preſident and inſtigation, the King upon information thereof iſſued this enſuing Prohibition to him, almoſt *verbatim* with that to the * Archbiſhop of *Canterbury* the year before.

* Herep 984.

Venerabili

An. 32 *E.* 1
Clauſ. 32 E. 1. m. 17. dorſo.

VEnerabili in Chriſto patri *W.* eadem gratia Epiſcopo *Wygorn.* & ejus Officiali, ac eorum Commiſſar. ſalutem. Cum Eccleſia Sancti *Oſwaldi Glouceſtr.* de eleemoſynis progenitorum noſtrorum quondam Regum *Angliæ* fundata, **libera Capella eorundem progenitorum noſtrorum fuerit ab antiquo, et ab omni Juriſdictione ordinaria exempta penitus et immunis,** ac bonæ memoriæ *Willielmus* quondam Rex *Angliæ* progenitor noſter, per Chartam ſuam prædictam Eccleſiam cum juribus ſuis cuidam *Thomæ* dudum Archiepiſcopo *Ebor.* pro quibuſdam exactionibus & calumniis ſuis quas erga quondam *Robertum* tunc *Lincoln.* Epiſcopum de quibuſdam Eccleſiis & poſſeſſionibus fecerat remittendis, dederit & conceſſerit; habend. eidem Archiepiſcopo & ſucceſſoribus ſuis Archiepiſcopis ejuſdem loci imperpetuum, **ab omni juriſdictione Diocæſani vel Metropolitani alterius, quam Archiepiſcoporum loci prædicti exemptam penitus et immunem,** ſicut progenitores noſtri eam ante donationem & conceſſionem prædictas tenuerunt, quas quidem donationem & conceſſionem quidam Summi Pontifices poſtmodum per ſuas Papales literas confirmarunt. Et Priores & Canonici ejuſdem loci, tàm virtute donationis & confirmationis prædictarum, quàm ratione exemptionis prædictæ, **ab omni juriſdictione loci Diocæſani vel Metropolitani alterius, quam Archiepiſcoporum loci prædicti ſemper hucuſque extiterint, ut dicitur, liberi penitus et immunes;** ac jam intellexerimus, **quod vos ad exemptionem, donationem et confirmationem prædictas, nullam habentes conſiderationem, in Eccleſiam Sancti** *Oſwaldi* **prædictam, ac Priorem et Canonicos ejuſdem loci juriſdictionem ordinariam intendatis pro viribus exercere, quod ſi tolleraretur in noſtri præjudicium, et exemptionis, donationis et confirmationis earundem derogationem manifeſte redundaret: Vobis inhibemus, ne in dicta Eccleſia ſeu Priore et Canonicis ejuſdem quicquam in hac parte attemptetis, ſeu attemptari faciatis, quod in noſtri, ſeu dictæ Eccleſiæ, vel Prioris et Canonicorum ejuſdem præjudicium cedere valeat quoquomodo.** Teſte Rege apud *Dumfermelyn* 28 die *Novembris.*

Moreover the King iſſued ſeveral Prohibitions to the Archbiſhop of *Canterbury*, not to compell, ſue or ſequeſter ſundry of his Clerks imployed and continuing in his ſervice, to reſide upon their Benefices, or receive the Order of Prieſthood.

Clauſ. 31 E. 1. m 17. dorſo. Pro Johanne de Sheffeld Clerico.

REX venerabili in Chriſto patri *R.* eadem gratia *Cantuar.* Archiepiſcopo, totius *Angliæ* Primati, ſalutem. **Cum Clerici noſtri ad ordines ſuſcipiendos, vel ad faciendum in ſuis Beneficiis reſidentiam perſonalem, dum noſtris immorantur obſequiis compelli, aut alias ſuper hiis moleſtari vel inquietari non debeant:** Noſque ac progenitores noſtri Reges *Angliæ* **hujuſmodi libertate ſeu privilegio pro Clericis noſtris a tempore quo non extat memoria ſemper hactenus uſi ſumus:** Vobis mandamus rogantes, quatinus dilectum Clericum noſtrum *Johannem de Sheffeld* Perſonam Eccleſiæ de *Fuldon. Norwicen.* Diocæſis, qui per præceptum noſtrum noſtris jugiter intendit obſequiis, dum eiſdem obſequiis immoratur ad reſidentiam in Beneficio ſuo prædicto faciendam, vel ad ordines ſuſcipiendos, dum tamen infra ſacros exiſtat, **nullatenus compellatis, aut ſuper Beneficio ſuo prædicto occaſione præmiſſorum inquietetis ſeu moleſtetis.** Et ſequeſtrum, **ſi quod de fructibus aut aliis bonis Beneficii ſui prædicti ea occaſione fieri feceritis, ſine dilatione relaxari faciatis.** Teſte meipſo apud *Dumfermelyn* 28 die *Januarii.*

Eodem modo ſcribitur præfato Archiepiſcopo pro *Willielmo de Brichull* Clerico Regis, Perſona Eccleſiæ de *Denton, Norwicen.* Diocæſis.

Eodem modo ſcribitur præfato Archiepiſcopo pro *Petro de Dovewico* in Diocæſi prædicta beneficiato. Teſte Rege apud Villam Sancti *Andreæ* 24 die *Martii.*

Per breve de Privato Sigillo.

Eodem modo ſcribitur præfato Archiepiſcopo pro *Roberto* Perſona Eccleſiæ de *Magna Saxham, Norwicen.* Diocæſis. Teſte Rege apud *Sandford* 8 die *Aprilis.*

The Biſhop of *Lincoln* exacting duties, procurations, and other exactions from the Hoſpital of St. *Johns* without the Eaſt-gate of *Oxford*, of the Kings anceſtors foundation, exempt from all Epiſcopal Juriſdiction, payments and procurations by

An. 32 *E.*1. its very foundation, as his Free-Chapple, and to be visited only by his Chancellor and none other, issued this Prohibition to him.

Claus. 32 E.1. m. 2. dorso. Pro Rege de Hospital. S. Johannis.

REX venerabili in Christo patri *J.* eadem gratia *Lincoln.* Episcopo, salutem. Cum Hospitale nostrum Sancti *Johannis* extra Portam Orientalem *Oxon.* quod est fundatum **de eleemosynis progenitorum nostrorum Regum** *Angliæ*, **ab omni Jurisdictione ordinaria, et præstationibus, procurationibus, et aliis exactionibus quibuscunque per ordinarios faciendis, a prima fundatione sua exemptum sit penitus et immune; Ita quod nullus præterquam nos et Cancellarius noster prædictum Hospitale visitare, seu quoquomodo intromittere debeat de eodem: Vobis mandamus, quod ipsum Hospitale a præstationibus, procurationibus et exactionibus hujusmodi quietum, et immune esse permittatis, districtiones seu coercliones si quæ Magistro et Fratribus Hospitalis prædicti pro præstationibus, procurationibus, exactionibus hujusmodi per vos, vel Ministros vestros factæ fuerint, sine dilatione aliqua relaxantes eisdem.** Teste Rege apud *Brustwyk* 8 die *Novembris.*

The Pope by his *Provision* granting the next Prebendary that should fall void in the Kings Free-Chapple of St. *Martins London* to a *Roman*, and commanding the Dean of St. *Pauls London*, and *Bartholomew de Ferentine* a Canon thereof, to put him into possession of it; the King being informed thereof, for the preservation of the Rights and Priviledges of his Crown and Dignity according to his Oath, issued these two memorable Prohibitions to him against this Papal Provision.

Clauſ 32 E.1. m. 6. dorso. Prohibitio pro Capella Regis S. Martini Magni London.

REX dilectis sibi in Christo Decano Sancti *Pauli London.* & Magistro *Bartholomæo de Ferentino* ejusdem Ecclesiæ Canonico, vel eorum alteri, salutem. **Ne Coronæ et dignitatis nostræ Regiæ jura depereant studiosam nos decet operam adhibere, et ad ea manutenenda et conservanda eo potius debemus esse solliciti quo ad hoc vinculo juramenti teneri dinoscimur et astringi: Cum itaque quoddam negotium provisorium de quadam Præbenda in libera Capella nostra** *Sancti Martini London.* **cuidam** *Henrico* nato *Braunche* de *Sarracenis de Urbe*, **authoritate Apostolica assignanda sit vobis commissum, sicut accepimus exequendum, quod utique si procederet, in nostri cederet præjudicium manifestum, et dictæ Coronæ ac dignitatis nostræ Regiæ læsionem: Vobis inhibemus firmiter injungendo, ne nobis inconsultis ad executionem aliquam in hac parte faciendam procedatis, seu procedere præsumatis, per quod nobis, Regio juri nostro, et liberæ Capellæ nostræ prædictæ præjudicium aliquod generari valeat in futurum. Et si forsan ad receptionem alicujus authoritate prædicta processeritis inconsulte, processum hujusmodi penitus revocetis et faciatis quod ab aliis revocetur. Aliter super his vos habentes, ne ad vos tanquam ad juris nostri et Coronæ nostræ violatores graviter capere debeamus.** Teste meipso apud *Northalverton* primo die *Octobris.*

Clauſ. 32 E 1. m. 6. dorso. Prohibitio pro Rege.

REX *Henrico* nato *Braunche* de *Sarracenis de Urbe*, salutem. **Ne Coronæ et dignitatis nostræ Regiæ jura depereant studiosam nos decet operam adhibere,** &c. ut supra. **Cum itaque quoddam negotium provisorium de quadam Præbenda in libera Capella nostra** *Sancti Martini Magni London.* **cum aliquam vacare contigerit in eadem, authoritate Apostolica tibi sit factum, ut accepimus, quod utique si procederet in nostri cederet præjudicium manifestum, et dictæ Coronæ ac dignitatis nostræ Regiæ læsionem. Tibi prohibemus firmiter injungendo, ne prætextu negotii provisorii prædicti aliquod attemptes, seu attemptari procures in hac parte, quod nobis, Regio juri nostro, et liberæ Capellæ nostræ prædictæ præjudicare possit in futurum. Et aliter te habeas in hac parte, ne ad te tanquam ad juris nostri et Coronæ nostræ violatorem graviter capere debeamus.** Teste Rege apud *Beverlacum* 18 die *Octobris.*

In the Plea Rolls of *Trinity* Terme held at *York*, *Anno* 32 *E.* 1. (reserved in the Receivers Office of the Kings Exchequer at *Westminster*) this memorable Case (* *formerly* touched) is at large recorded, the brief whereof I shall first present you with in English. The King by his Letters Patents granted to Mr. *John Bonhs* the

* Herep. 860, 861.

the Prebend of *Styvelyngton* in the Church of St. *Peter* in *York*, belonging to him by the vacancy of the Archbiſhoprick, commanding *Thomas Corbridge* the new Archbiſhop to admit and put him into actual poſſeſſion thereof; who neglected to do it after two ſucceſſive mandates, to the Kings damage of 10000 *l.* Thereupon the Archbiſhop being ſummoned to anſwer this contempt before the Kings Juſtices, upon his appearing before them, alledged; *That he was alwayes ready to obey the Kings commands ſo far as he could, but he could not admit his Clerk, becauſe the Pope by reaſon of the vacancy, and his confirmation of him in the Court of* Rome *as Archbiſhop, had by his Proviſion conferred the ſaid Prebendary and Chapple thereunto belonging on his own Clerks, of whom they were now full; ſo as he by reaſon of his Oath and obedience made to his Lord the Pope, could not invalid the Act of the Pope his Superiour Lord, nor deprive or remove his Clerks, and therefore prayed the King to hold him excuſed; refuſing to give any other anſwer:* Whereupon Judgement was ſolemnly given againſt him, **That what he alledged was no ſufficient cauſe for him not to execute the Kings commands**, *and that all his Temporalties held of the King ſhould be ſeiſed into his hands for this his contempt and diſobedience, untill he ſhould yield obedience thereunto; and the Archbiſhop, and all others as well Clergymen as Laymen, were in full Court prohibited under pain of forfeiting all they could forfeit, not to proſecute or cauſe to be proſecuted any ſuit or appeal in the Court of* Rome *againſt the Rights of the Kings Crown and Dignity, nor to make any inſtruments, nor to give any ayd, counſil or aſſent in any kinde in this caſe, whereby any diſcord might ariſe between the Kings Court and the Court of* Rome. I ſhall now ſubjoyn the Tranſcript of the whole Record it ſelf. *An.* 32 E. 1.

[a] CUM *Dominus Rex per literas ſuas patentes dederit & conceſſerit dilecto Clerico ſuo Magiſtro* Johanni Bouhs *de* London. *Prebendam de* Styvelyngton *in Eccleſia beati* Petri Ebor. *vacantem*, **et ad Regis donationem ſpectantem, ratione Archiepiſcopatus** Ebor. **nuper vacantis, et in manu Domini Regis exiſtentis, habendam cum ſuis juribus et pertinentiis quibuſcunque**, *prout in literis ipſius Domini Regis predictis plenius continetur: Per quod idem Dominus Rex Archiepiſcopo*, &c. **mandaverit, quod ipſum** Johannem **ad prædictam Prebendam admitteret, et in corporalem poſſeſſionem ejuſdem, prout moris eſt, induci faceret, ſuper quo nichil hucuſque facere curavit, ut Dominus Rex accepit, de quo plurimum admirabatur**; *per quod idem Dominus Rex* **iterato prædicto Archiepiſcopo mandavit, quod præfatum** Johannem **ad Prebendam prædictam admitteret, et ipſum in corporalem poſſeſſionem ejuſdem induci faceret, juxta tenorem prioris mandati Regis eidem Archiepiſcopo inde directi.** *Alioquin quod eſſet coram Rege à die* Sanctæ Trinitatis *in tres Septimanas ubicunque*, &c. *oſtenſur.* **quare prædictum Magiſtrum** Johannem **ad Prebendam prædictam ad mandatum Domini Regis prædictum admittere recuſavit.** *Et unde Magiſter* Johannes Bouhs *dicit pro Rege, quod die Dominica in feſto Sanctæ* Petronillæ *Virginis, anno regni Regis nunc triceſimo ſecundo apud* Ottelay, *& in præſentia Magiſtri* Willielmi de Seyton, Stephani fil. Thomæ, Tinctoris de Foſſe *de* Ebor. Walter. de Lutton *Servient.* Thomæ le Nedelere, Johannis de Plumſtede, Adæ de Roudon, *& Clericorum ac familiarium prædicti Archiepiſcopi, prædictum primum mandatum Regium eidem Archiepiſcopo liberavit*, **quod ipſum** Johannem **ad Prebendam prædictam de** Styvelyngton **admitteret, et ipſum in corporalem poſſeſſionem**, &c. **induceret.** *Et etiam quod die Sabbati ſequent. apud* Seleby *in præſentia prædictorum Magiſtri* Willielmi, Stephani fil. Thomæ, Walter. de Lutton, Adæ de Roudon, *& etiam Abbatis de* Seleby, *& Magiſtri* Stephani de Malo lacu *Archidiaconi* Clyveland, *& Magiſtr.* Roberti de Alberwico *Decani* Aukland. *& aliorum, alind mandatum Regium eidem Archiepiſcopo liberavit, ad mandata Domini Regis in forma prædicta facienda*, &c. *Ac licet prædictus Archiepiſcopus prædicta brevia Domini Regis recepiſſet, prædictum tamen Magiſtrum* Johannem *ad Prebendam prædictam*, &c. **hucuſque admittere recuſavit, in Regis contemptum Decem Millia Librarum.** *Et hoc prædictus Magiſter* Johannes *offert verificare pro Domino Rege*, &c.

Et prædictus Thomas *Archiepiſcopus venit & defendit*, &c. *Et bene cognoſcit*, **quod ipſe prædicta mandata Regis admiſit; Et quod ipſe paratus eſt, et erit, et ſemper fuit mandatis Regiis parere in quantum poteſt, et ſibi incumbit**, &c. *ſed dicit*, quod

[a] Rotul. Hilarium coram Domino Rege apud Ebor. de Term. Sanctæ Trinitatis, Anno regni Regis Edwardi filii Regis Henrici 32. Rot. 75. in dorſo. Adhuc de craſtino S. Johan.

An.32 E.1. quod prædictum Clericum Domini Regis ad prædictas Præbendam et Capellam ad præſens admittere non poteſt, eo quod Dominus Papa ratione vacationis quæ alias ſe fecit in Curia Romana de eiſdem Præbenda et Capella, per conſecrationem ipſius Archiepiſcopi ibidem, qui eoſdem prius tenuit, ipſas eaſdem ex collatione ſua dedit Clericis, &c. de quibus eadem Præbenda et Capella nunc plene ſunt: *Unde dicit*, quod ipſe **ratione Sacramenti ſui, et obedientiæ ſuæ quæ Domino Papæ fecit, &c. factum ipſius Domini Papæ Superioris ſui infirmare non poteſt, nec prædictos Clericos, &c. inde prædare, &c. *Et petit*, quod Dominus Rex ipſum in iſta cauſa excuſatum habere velit, &c. *Et quæſitum eſt à prafato Archiepiſcopo, ſi aliquid aliud ad prædictum mandatum Domini Regis reſpondere velit*, &c. *Qui dicit ut prius*, quod non poteſt, &c. Et quia cauſa prædicta quam idem Archiepiſcopus de impedimento, ſeu non poſſe ſuo in Curia hic pro ſe aſſignat pro nulla habetur, eo quod factum Domini Papæ Superioris ſui in Curia Romana, factum in Curia hic deduci non poteſt nec terminari, immo ad *inobedientiam ipſius Archiepiſcopi erpreſſe reputatum ut tenetur, eo quod prædictum Clericum, &c. ad mandata Domini Regis prædicta admittere recuſavit; conſideratum eſt, quod temporalitas quam idem Archiepiſcopus de Domino Rege tenet, &c. capiatur in manum Domini Regis, &c. quouſque Clericum prædictum ad mandatum Domini Regis admiſerit, et ipſi Domino Regi de contempta et inobedientia prædictis ſatisfecerit: Et ſuper hoc publice in plena Curia hic inhibitum eſt ex parte Domini Regis, prædicto Archiepiſcopo et omnibus aliis de regno et de poteſtate Regis, tam Laicis quam Clericis, &c. ſub forisfactura omnium quæ forisfacere poterunt, ne aliquis eorum aliquid ſequatur, vel ſequi faciat erga Curiam Romanam, nec alibi contra jus Coronæ et dignitatis Regiæ, &c. in iſto caſu vel aliis quibuſcunque: Nec aliquas Appellationes, Procurationes ſeu Inſtrumenta quæcunque faciant, nec auxilium, conſilium ſeu aſſenſum ad hoc præbeant quoquo modo, per quod diſſenſio aliqua vel diſcordia inter Curiam Romanam et Curiam Regis poterint evenire, vel par inter eaſdem aliqualiter, quod abſit, infirmari, &c.

** Nota.*

** Nota.*

Nota.

From which memorable Record I ſhall obſerve: 1. That the Popes pretended right to conferre the vacant Livings belonging to thoſe Archbiſhops and Biſhops he conſecrated at *Rome* by his *Proviſions*, was a meer Innovation and Uſurpation, which our Kings would by no means permit or connive at, but ſtrenuouſly oppoſed, as inconſiſtent with, & deſtructive to the antient Rights and Priviledges of their Crowns, to preſent to all Prebendaries, Churches, Chappels of Archbiſhopricks & Biſhopricks that became or continued void, during the time their Temporalties were in their hands. 2ly. That no Bulls, Mandates, Cenſures, nor Proceſſe of the Pope, were pleadable in the Kings Courts in barre of the Kings Writs or Precepts. 3ly. That our Archbiſhops and Biſhops, by reaſon of their Oathes and obedience to the Pope, held themſelves obliged in duty and conſcience to obey the Popes Commands and Proviſions, rather then the Kings Writs and Preſentations. 4ly. That this their obedience to the Pope before the King, was adjudged a very high contempt in Law, for which their Temporalties were legally ſeiſed into the Kings hands, till they obeyed his Writs, before the Popes Injunctions to them. 5ly. That our Kings under ſevere forfeitures and penalties prohibited all Suits in, Appeals to, Inſtruments and Citations from *Rome*, prejudicial to their Prerogative, Crown and Royal dignity, or which might engender any conteſts between the Juriſdiction of the Kings Courts and the Court of *Rome*.

This ſeiſure of the Archbiſhops Temporalties into the Kings hands, by vertue of this Judgement, and his death ſoon after, I finde thus recorded in the *Fine Rolls* of this year.

Fines 32 E. 1. m 2. De Temporalibus Archiepiſcopatus Ebor. commiſſis.

REX omnibus ad quos, &c. ſalutem. Sciatis, quod cum nuper commiſerimus dilecto & fideli noſtro *Lamberto de Thrikingham* temporalia Archiepiſcopatus *Eborum*, quæ coram nobis in Curia noſtra quibuſdam de cauſis capta fuerunt in manum noſtram, cuſtodiend. quamdiu nobis placeret; ita quod de exitibus inde provenientibus nobis reſponderet ad Scaccarium noſtrum, ac temporalia illa in manu

manu noſtra per mortem bonæ memoriæ *Thomæ* nuper ejuſdem loci Archiepiſcopi jam exiſtant: Nos de fidelitate prædicti *Lamberti*, & dilecti & fidelis noſtri *Johannis de Byron* plenius confidentes, commiſimus eis temporalia ejuſdem Archiepiſcopatus, cuſtodienda quamdiu nobis placuerit. Ita quod de exitibus inde provenientibus nobis reſpondeant ad Scaccarium ſupradictum. In cujus, &c. Teſte Rege apud *Northalverton* primo die *Octobr.* *An.* 32 *E.* 1

Et mandatum eſt Magiſtro *Richardo de Haveryng* Eſcaetori citra *Trentam*, quod præfatis *Lamberto* & *Johanni* temporalia Archiepiſcopatus prædicti, quæ occaſione mortis prædicti *Thomæ* cepit in manum Regis, una cum exitibus per ipſum inde perceptis à tempore captionis eorundem in manum Regis, ſine dilatione liberet. Ita quod Regi inde ad plenum ad dictum Scaccarium valeant reſpondere. Teſte ut ſupra.

Eodem modo mandatum eſt *Waltero de Glouceſtr.* Eſcaetori ultra *Trentam.* Teſte ut ſupra.

REX omnibus ad quos, &c. ſalutem. Sciatis, quod conceſſimus dilecto & fideli noſtro *Lamberto de Thrikingham* cuſtodiam temporalium Archiepiſcopatus *Eborum*, **quæ coram nobis in Curia noſtra quibuſdam de cauſis capta ſunt in manum noſtram, cuſtodiend. quamdiu nobis placuerit**; ita quod de exitibus inde provenientibus nobis reſpondeat ad Scaccarium noſtrum. In cujus, &c. Teſte Rege apud *Stryvelin* 6 die *Julii.* Ibidem.

Et mandatum eſt Vicecomiti *Ebor.* quod temporalia Archiepiſcopatus prædicti in Balliva ſua per ipſum in manum Regis capta de mandato Regis, à tempore captionis eorundem in manum Regis, præfato *Lamberto* ſine dilatione liberet, ita quod Regi inde ad dictum Scaccarium plene valeat reſpondere. Teſte ut ſupra.

Eodem modo mandatum eſt Vic. *Northumbr. Notting. Glouceſtr. Lincoln.*

This Record was ſeconded with another of as high and conſiderable a nature about the ſame time; which fell out upon this occaſion. *Gerardus* Pope *Benedicts* Nuncio (at his command) impudently demanding the Diſms of the Clergy of *England* & *Ireland* for the uſe of the *Holy Land* and Church of *Rome*, (formerly granted by Pope *Boniface* his predeceſſor to K. *Edw.* for his own uſe) from the Collectors and others, contrary to Pope *Boniface* his Bull, and iſſuing out Warrants to the Kings Collectors in every Dioceſs to prohibit their collection therof, againſt the Kings own ſtrict Writs to collect it; the King thereupon iſſued this Writ to *Ralph de Sandwich* to repair to this Nuncio with the Mayor, Aldermen, and other Citizens of *London*, and ſommon him to appear privately before them in the Tower of *London*, without a publike Notary, and to require him forthwith to revoke and null all his Warrants to the Collectors, as contrary to his Crown and Dignity, which no former Nuncio durſt attempt, under pain of incurring his higheſt indignation belonging to Rebels and Enemies of his Crown, and forthwith in their preſence to iſſue out Warrants of revocation to every Dioceſſe by ſpecial Meſſengers at the Kings coſt; and if he refuſed to come to the Tower, or iſſue forth ſuch Letters of revocation, then preſently to attach him for this high affront, and comming into the Realm without his royal aſſent.

REX dilecto & fideli ſuo *Radulpho de Sandwico* ſalutem. Requirente diſpoſitione fælicis recordationis Domini *Bonifacii* Papæ Octavi, ſuper conceſſione **quam de medietate Decimæ Clero Angliæ, de aſſenſu noſtro impoſitæ per triennium percipiend. pro arduis et urgentibus negotiis nobis et regno noſtro incumbentibus, altera autem medietas dictæ Decimæ ſi dictus Dominus Papa per dictum triennium vitam duxiſſet in humanis ſibi in ſubſidium** Romanæ Eccleſiæ **reſervata; et ſi ipſum infra dictum triennium in fata decedere, bel pacem ſuper guerra de regno *Siciliæ* mota reformari contigiſſet, totum reſiduum dictæ Decimæ a tempore mortis ſuæ bel a tempore dictæ pacis colligendum et levandum, in noſtris uſibus integraliter converteretur, nobis liberaliter fecit et gracioſe, et eo prætextu, quod in vita ſua fuerat inchoatum recto proceſſu, riteque ſequenti poſt mortem ſuam debuit continuari, et ad effectum deduci finalem:** Mandavimus Collectoribus ejuſdem Decimæ per totum regnum noſtrum, **quod ipſi pecuniam inde debitam levarent, colligerent,** et Clauſ. 32 E 1. m. 10. dorſo. Pro Rege.

An. 32 E. 1. et illam nobis ſolverent; ſuper cujus executionis proceſſu jàm intelleximus, quod quidam Magiſter *Gerardus de Pototaria* qui ſe nuncium a latere Domini Papæ ſoræ miſſum aſſerit, et effici collectoræm diverſorum denariorum, tam de dicta Decima quam in ſubſidium Terræ Sanctæ et Romanæ Eccleſiæ debitorum, cujus authoritas qua ſe dicit fungi debere, penitus eſt nobis ignota, lebationem dictæ Decimæ per diverſa mandata ſua, ut more præſumptuoſo, et quaſi impetu repentino emanantia

Nota. eiſdemque Collectoribus directa, contra formam conceſſionis ſuprædictæ minus prudenter impedivit, et impediri facit, cum nullus temporibus retroactis a Curia *Romana* talia officiatus, infra regnum noſtrum veniens quacunque commiſſione ſibi deputata functus eſt, ſeu fungi debeat nobis inconſultis. Et ideo vobis mandamus, quod aſſumptis vobiſcum Majore, Aldermannis, et aliis de diſcretioribus hominibus Civitatis noſtræ *London.* ſecundum quod ad ſufficientiam foræ videritis, dictum Magiſtrum *Gerardum* adeatis, et ex parte noſtra ei injungatis, quod ex tunc incontinenti veniat coram vobis apud *Turrim* noſtram *London.* mandatum noſtrum auditurus: Et cum ibidem coram vobis comparuerit, ſtricte, prohibeo, et circumſpecte, quod nullus publicus Notarius ibi præſens fuerit, firmius et ſtrictius quo poteritis nomine noſtro dicto Magiſtro *Gerardo* exponatis et injungatis, quod hujuſmodi mandata ſua, quæ non ſolum ad derogationem lebationis dictæ pecuniæ, ſed ut contra dignitatem noſtram Regiam attemptata jaculantur, integraliter revocet, et penitus adnullet, ſicut ad indignationem Regiam quæ rebelles reprimit, contempnentes contemnit, et maxime qui præjudicium contra libertatem Coronæ noſtræ et regni noſtri præſumpſerit inferre voluerit, præſervari; Conſiderato ſiquidem, quod ſtatim in præſentia veſtra dictam revocationem ponat in facto: Ita quod literas ſuas faciat Collectoribus dictæ Decimæ in qualibet Dioc. infra regnum noſtrum dirigendas, et tunc literas illas abſque omni dilationis interballo dictis Collectoribus per certos Nuncios, de quibus notitiam habueritis, mittatis, et cuſtum quod ad hoc appoſueritis nos in Garderoba noſtra vobis ſolvi faciamus. Et ſcire faciatis præfato Magiſtro *Gerardo*, quod ſi authoritatem quampiam penes ſe habeat præmiſſa tangentem, illam pro loco et tempore cum ad hoc vacare poterimus in noſtri conſilii qua noſtri præſentia paratus ſit oſtenſurus, ut bita illa et inſpecta, ulterius fiat quod per nos et dictum Conſilium noſtrum fuerit faciendum. Et ſi idem Magiſter *Gerardus* coram vobis ad dictam *Turrim* noſtram venire noluerit, vel ſi venerit, et dictam revocationem in forma prædicta facere recuſaverit, tunc ipſum attacheris quouſque ſuper hoc duxerimus ordinandum. Inſuper vobis prohibemus, ne aliquis gratia, favore vel cautela quacunque copiam iſtius præſentis literæ aliqualiter optineat. Et quid ſuper præmiſſis feceritis, nobis ſub ſigillo veſtro quamprimum fieri poterit diſtinctè & apertè conſtare faciatis. Remittentes nobis tunc hoc breve. Teſte Rege apud *Strivelyn* 5. die *Julii*.

To which I ſhall ſubjoyn this memorable Record of like nature the year before.

Ibidem. BReve Regis de ſuperſedend. direct. Abbati de *Waltham* & Decano Sancti *Pauli London.* aſſign. ad colligend. Decimam per totum regnum in ſubſidium *Terræ Sanctæ*, per tres Bullas a Papa quibuſdam Commiſſionar. direct. &c. Ipſe Decanus venit coram Rege et Concilio, et ſuperſed. de collectione prædicta ob reverentiam Domini Regis. Et promittit, ulterius ſe non proceſſurum abſque bona voluntate Regis.

Pope *Boniface* having granted King *Edward* all the remainder and arrears of the 3. years Diſmes impoſed by his Royal conſent on the Clergy of *England* for the uſe of the Church of *Rome*, which being demanded notwithſtanding by Pope *Benedict* who ſucceeded him, and his premiſed Nuncio, the King thereupon iſſued this Writ of Privy Seal for the ſecurity of the Collectors and Treaſurers thereof againſt this new Pope, for the ſummes of money received from them by his command.

Bundela Brevium & Literarum in Turre Lond. An. 32 E. 1. EDwardus, &c. Omnibus ad quos, &c. ſalutem. Sciatis, quod cum nuper fælicis recordationis Dominus *Bonifacius* Papa octavus medietatem Decimæ per ipſum in ſubſidium *Romanæ* Eccleſiæ per tres annos Clero regni noſtri *Angliæ* de aſſenſu noſtro impoſitæ, pro arduis & urgentibus noſtris & regni noſtri negotiis, nobis liberaliter

beraliter conceſſiſſet altera meditate dictæ Decimæ, ſi idem Papam per dictum triennium vitam duceret in humanis, ſibi in ſubſidium *Romanæ* Eccleſiæ reſervata; et ſi infra dictum triennium ipſum in fata decedere contingeret, totum reſiduum dictæ Decimæ, a tempore mortis ſuæ colligendum et levandum, noſtris uſibus conceſſiſſet, et voluiſſet integraliter applicari; Ac idem Papa jam infra dictum Triennium viam univerſæ carnis ſit ingreſſus, per quod tota dicta Decima, a tempore mortis ipſius Papæ, ad nos juxta conceſſionem ſupradictam dinoſcitur pertinere; & nos jam mandaverimus venerabili Patri Epiſcopo *London.* & Magiſtro *Bartholomæo de Ferentino* Canonico *London.* Collectoribus dictæ Decimæ, per præfatum Summum Pontificem deputatis, ac Magiſtro *Johanni Bonichii* de *Senis* Commiſſario prædicti Magiſtri *Bartholomæi* in hac parte, quod omnem pecuniam de Decima prædicta de primo termino tertii & ultimi Anni trium prædictorum annorum per ipſos jam collectam & levatam, ac etiam colligendam & levandam, dilecto Clerico noſtro *Johanni de Drokenesford* Cuſtodi Garderobæ noſtræ plenè & integrè faciant liberari. Nos volentes ſecuritati prædictorum Epiſcopi, &c. proſpicere in hac parte, ipſum Epiſcopum ac ſucceſſores ſuos, ac Eccleſiam ſuam *Londonien.* & præfatos Magiſtros *Bartholomæum* & *Johannem Bonichii* de omni ea pecunia quam ipſi præfato *Johanni de Drokenesford* de dicto Termino, prætextu mandati noſtri prædicti, ſolverint aut liberaverint, erga Dominum Papam jam de nobo creatum, et omnes alios quorum intereſt vel intereſſe poterit quoquo modo, præmittimus pro nobis et hæredibus noſtris, indempnes conſervare. In cujus, &c. Teſte meipſo apud *Dunfermelyn* 31. die *Novembris.* Anno Regni noſtri 32. *An.* 32 E. 1.

He likewiſe iſſued theſe 3. ſucceſſive Writs, for the ſpeedy collecting and paying into his Exchequer at certain dayes, the firſt part of the 3. years Diſme granted him by Pope *Boniface*, accrued to him by his death, to the ſubcollectors thereof, notwithſtanding any cavils of the new Pope, Biſhops, or Clergy againſt it, commanding them to levy it without exceptions by all kinds of Eccleſiaſtical Cenſures without any partiality, under pain of ſeiſing their Temporalties if they neglected it.

REX dilectis ſibi in Chriſto Abbati & Conventui de *Certeſeye*, ſubcollectoribus Decimæ Clero *Angliæ* per bonæ memoriæ Dominum *Bonifacium* Papam octavum de aſſenſu noſtro impoſitæ per tres annos, ſalutem. Cum nuper prædictus Papa medietatem dictæ Decimæ, pro arduis & urgentibus noſtris & regni noſtri negotiis nobis liberaliter conceſſiſſet; altera medietate dictæ Decimæ, ſi idem Papa per dictum triennium vitam duceret in humanis, ſibi in ſubſidium *Romanæ* Eccleſiæ reſervata; & ſi ipſum infra dictum triennium in fata decedere; vel pacem ſuper guerra de regno *Siciliæ* mota, reformari contigerit, totum reſiduum dictæ Decimæ, a tempore mortis ſuæ colligend. et levand. noſtris uſibus ſimiliter conceſſiſſet et voluiſſet integraliter applicari; Et jam intellexerimus, quod prætextu vanarum et fribolarum excuſationum quarundam perſonarum eccleſiaſticarum, prætendentium, tam per mortem dicti Domini Papæ, quam per mortem *London.* Epiſcopi, unius Collectorum dictæ Decimæ, ſe ad ſolutionem dictæ Decimæ non teneri, vos negligentes & remiſſos hactenus exhibuiſtis, & adhuc ex hoc exhibetis in levatione et collectione Decimæ ſupradictæ, de quo miramur quamplurimum & movemur; Maximè, cum dicta Decima nobis virtute Conceſſionis prædictæ a tempore mortis dicti Papæ totaliter debeatur, et hujuſmodi Impoſitiones et omnes Conceſſiones gratioſæ, durante termino Impoſitionum et Conceſſionum illorum, vim fortiri debeant et effectum; Vobis mandamus in fide qua nobis tenemini firmiter injungentes, quod omnes eccleſiaſticas perſonas infra commiſſa vobis loca conſtitutas, nulli penitus deferendo, cujuſcunque ſtatus, dignitatis, aut conditionis exiſtant, ad ſolutionem plenariam dictæ Decimæ de primo termino tertii anni, per Excommunicationis, Suſpenſionis, et Interdicti ſententias, ſine dilatione qualibet compellatis, et nichilominus bona ipſorum eccleſiaſtica ſequeſtretis, eaque donec ad plenum ſatisfecerint, ſub arto ſequeſtro faciatis inviolabiliter cuſtodiri; Ita quod totam pecuniam indè provenientem habeatis ad Scaccarium noſtrum in craſtino S. *Hillarii* proximo futuro ad ultimum. De nominibus non ſolventium Theſaurarium & Barones noſtros de dicto Scaccario dictis die & loco reddentes, diſtinctè & apertè, per veſtras patentes literas certiores: ut tanquam contra honoris & commodi noſtri impeditores, graviter Clauſ. 31 E 1. m. 14 De Decima levanda ad opus Regis.

An. 32 E. 1. viter procedamus. Nos autem literas noſtras patentes de Indempnitate veſtra in hac parte vobis tunc ibidem habere in forma faciemus. Scimus enim pro conſtanti, quod dicta Decima de termino prædicto, citra Craſtinum prædictum colligi poterit plenariè & levari, ſi ad hoc cum diligenti aſſiduitate intenderitis, et rebelles (ſi qui fuerint) compeſceritis in forma ſuperius annotata: Scientes pro certo, quod ſi dicta ſolutio ultra dictum Craſtinum (quod abſit) aliqualiter retardetur, **terras, tenementa, bona et catalla veſtra in manum noſtram, ob veſtri defectum et negligentiam, capiemus.** Teſte Rege apud *Dunfermelyn* 10. die *Decembr.*

Eodem modo mandatum eſt Subcollectoribus ſubſcriptis, **quod totam pecuniam de Decima provenientem habeant ad Scaccarium prædictum Terminis** ſubſcriptis; *Viz.*

Priori et Conventui *Karlioli*, quod habeant, *&c.* in Craſtino *Epiphaniæ.*
Abbati et Conventui *Novi Monaſterii*, quod habeant, *&c.* eodem termino.
Abbati et Conventui Beatæ *Mariæ Eborum*, quod habeant, *&c.* citra *Natale Domini.*
Priori et Conventui de *Thorgharton*, quod habeant, *&c.* in Craſtino *Epiphaniæ.*
Abbati et Conventui de *Cokerſhand*, *&c.* in Craſtino Sancti *Hillarii.*
Abbati et Conventui de *Seleby*, *&c.* citra *Natale Domini.*
Priori et Conventui Sancti *Katerinæ* extra *Linc.* in Craſtino *Epiphaniæ.*
Abbati et Conventui de *Burton* ſuper *Trentam*, *&c.*
Priori de *Kenilworth.* *&c.* } in Craſtino Sancti *Hillarii.*
Abbati et Conventui de *Oſeneye*, *&c.*
Abbati et Conventui de *Radyng.*
Priori et Conventui de *Ely*, *&c.*
Priori et Conventui de *Bernewell*, *&c.* } In Craſtino Sancti *Hill.*
Abbati et Conventui Sancti *Edmundi.*
Abbati et Conventui de *Langeleye*, *&c.*
Abbati et Conventui de *Coleceſtriæ*, *&c.*
Abbati et Conventui de *Waltham*, *&c.* } In Craſtino Sancti *Hill.*
Abbati et Conventui *Weſtm.*
Abbati et Conventui de *Certeſeye*, &c.
Priori et Conventui de *Roffen.* *&c.*
Priori et Conventui S. *Gregorii Cant.* *&c.* } In Octabis Sancti *Hill.*
Decano et Capitulo *Ciceſtr.* *&c.*
Abbati et Conventui de *Hyda Winton.* *&c.*
Abbati et Conventui de *Shirebnrne* } In Octabis Sancti *Hill.*
Abbati et Conventui *Glaſton.*
Priori et Conventui de *Lanceneton*, } In Quinden. Sancti *Hill.*
Priori et Conventui Sancti *Nicholai Exon.*
Decano et Capitulo *Hereſ.* *&c.* } In Craſtino Sancti *Hillar.*
Abbati et Conventui *Glouceſtr.*
Abbati et Conventui de *Kermerdyn*, } In Octabis Sancti *Hillar.*
Decano et Capitulo de *Bangor.*
Abbati et Conventui de *Wygemor. Hereford.* Dioc.
Priori et Conventui *Lanton.* primæ *Meneven.* Dioc. } In Craſtino Purif. beatæ *Mariæ*
Abbati et Conventui de *Morgan. Landaven.* Dioc.
Abbati et Conventui de *Valle Crucis*, *Aſſaven.* Dioc.
Epiſcopo et Capitulo *Bangoren.*

Ibidem. De Decima defer. ad Scaccarium.

REX dilectis ſibi in Chriſto Priori & Conventui Sanctæ *Katerinæ* extra *Linc.* Subcollectoribus Decimæ, Clero *Angliæ* per Dominum *B.* Summum Pontificem impoſitæ per tres annos, ſalutem. Meminimus vos nuper à venerabili patre *R. London.* Epiſcopo, & Magiſtro *Johanne Bonich. de Senis*, Magiſtri *Bartholomæi de Ferentino* Commiſſario, principalibus Collectoribus dictæ Decimæ, recepiſſe in mandatis, quod in collectione & levatione Decimæ pro tertio anno trium prædictorum annorum, **cum omnimoda feſtinatione pariter et rigore, excommunicando, ſuſpendendo, interdicendo, nullam perſonarum exceptionem habentes**; ſed omnibus prorſus cavillatione et exceptione remotis celeriter procederetis, **ſub pœna Excommunicationis majoris**, quam in vos Priorem & cæteros majores veſtri Prioratus dicti Collectores

Collectores in ſcriptis protulerunt, ſi præfatum mandatum ipſorum omiſeritis aut etiam neglexeritis adimplere. Et quia in executione mandati prædicti, ut accepimus, nimis fuiſtis negligentes hactenus & remiſſi, vobis in fide qua nobis tenemini firmiter injungendo mandamus, quod omnes Eccleſiaſticas perſonas infra commiſſa vobis loca conſtitutas, *&c. ut ſupra, uſque* certiores. Et hoc, ſicut indignationem noſtram, & grave dampnum noſtrum vitare volueritis, nullatenus omittatis. Scimus enim, quod ſi ad levationem dictæ decimæ, per ſuſpenſionis, excommunicationis et interdicti ſententias, ac etiam ſequeſtrationem fructuum, ſicut prædictum eſt, celeriter duxeritis procedendum, deficere non poterimus, quin pecuniam dictæ Decimæ die prædicto ad ultimum habeamus. Literam autem Acquietanciæ dictorum principalium Collectorum de quingentis libris habemus paratam in Scaccario prædicto, vobis ibidem cum pecuniam illam ſolveritis, fideliter liberand. Et habeatis ibi hoc Breve apud *Dunfermelyn*, primo die *Decembris*. *An.* 32 *E.* 1.

Conſimiles literæ diriguntur Subcollectoribus ſubſcriptis de ſummis ſubſcripti, *videlicet*,

Abbati et Conventui beatæ *Mariæ Eborum* de 400 *l.*
Abbati et Conventui de *Novo Monaſterio* de 200 *l.*
Abbati et Conventui de *Cokerſand* de 100 *l.*
Abbati et Conventui de *Seleby* de 200 *l.*
Abbati et Conventui de *Thurgarton* de 100 *l.*

REX dilectis ſibi in Chriſto Priori & Conventui *Karlioli* Subcollectoribus Decimæ Clero *Angliæ* per ſælicis recordationis Dominum *Bonifacium* Papam Octavum de aſſenſu noſtro impoſitæ per tres annos, ſalutem. Cum prædictus Papa grabia onera et expenſas multiplices, quæ prætextu Guerrarum noſtrarum ſuſtinuimus, paterna compaſſione conſiderans et attendens, nobis ad relevationem expenſarum et onerum prædictorum, per ſuas literas, medietatem dictæ Decimæ liberaliter conceſſiſſet, quarum tenorem, de verbo ad verbum manu publica cujuſdam tabellionis conſcriptum, certis de cauſis vobis tranſmittimus intuendum, ac per vos omnibus aliis, quorum intereſt, vel intereſſe quoquo modo, ſi neceſſe fuerit, publicandum. Idemque Papa venerabili patri Epiſcopo, & Magiſtro *Bartholomæo de Ferentino* Canonico *London.* dediſſet per alias literas ſuas executorias in mandatis, Ut dictam medietatem Decimæ nobis conceſſam, tam collectæ quam impoſterum colligendæ, nobis vel Collectoribus noſtris, ad hoc per nos ſpecialiter deputatis faceremus aſſignari; quarum literarum prætextu, prædicti Epiſcopus per ſe, & *Bartholomæus* per Magiſtrum *Johannem de Bonichii de Senis* Commiſſarium ſuum in hac parte ſpecialiter conſtitutum, medietatem dictæ Decimæ de primis duobus annis, & aliquam partem ejuſdem Decimæ de primo termino tertii Anni per quoſdam Subcollectores ſuos jam levari fecerint, nobiſque per ſuas literas aſſignari: Ac nos propter ſælicem et celerem conſummationem guerræ noſtræ in *Scotia*, quam ad noſtram et Regni noſtri honorem ſummo deſiderio affectamus, ad præſens indigeamus magna pecuniæ quantitate. Vobis in fide & dilectione quibus nobis tenemini firmiter mandamus, quatinus virtute primæ Commiſſionis, de levanda de dicto triennio tota Decima, à prædictis Epiſcopo & *Bartholomæo* principalibus Collectoribus ejuſdem, ab initio vobis factæ, quam per mortem dicti Papæ, aut *London.* Epiſcopi minimè conſtat expiraſſe, totum reſiduum dictæ Decimæ de primo termino tertii anni, nondum adhuc levatæ nec ſolutæ, ab omnibus & ſingulis perſonis Eccleſiaſticis, infra commiſſa vobis loca conſtitutis, nulli penitus deferendo, cujuſcunque ſtatus, dignitatis, aut conditionis exiſtat per omnimodam cenſuram Eccleſiaſticam vobis in hac parte competentem, colligi & levari, ſine cujuſlibet excuſationis & dilationis incommodo faciatis. Ita quod illud ad Scaccarium noſtrum, cum omni celeritate qua fieri poterit, habeatis, ut ſic medietatem dictæ Decimæ de tertio anno, juxta conceſſionem Apoſtolicam, integraliter habeamus; noſque per noſtras patentes literas vobis de omni eo quod ſolveritis, ſufficientem Acquietanciam faciemus, ac vos erga Dominum Papam Principales Collectores, et alios quoſcunque conſervabimus indempnes. Teſte Rege apud *Dumfermelyn.* 10 die *Februarii*. Cl. 32 E 1. m. 14. Pro pecunia Declmæ levanda & ad Scaccarium deferenda.

An. 32 *E.* 1. Eodem modo mandatum eſt Abbatibus, Prioribus, & Conventibus ſubſcriptis, Subcollectoribus dictæ Decimæ, *videlicet*;

Abbati & Conventui *Novi Monaſterii*,
Abbati & Conventui B. *Mariæ Eborum.*
Priori & Conventui de *Thorgarton*,
Abbati & Conventui de *Cokerſand*,
Abbati & Conventui de *Seleby*,
Priori & Conventui S. *Katerinæ* extr. *Linc.*
Abbati & Conv. de *Burton* ſuper *Trettam.*
Priori & Conventui de *Kenilworth*,
Abbati & Conventui de *Oſeneye*,
Abbati & Conventui de *Radyng*,
Priori & Conventui de *Ely.*
Priori & Conventui de *Berneswell.*
Abbati & Conuentui Sancti *Edmundi*,
Abbati & Conventui de *Langeleye*,
Abbati & Conventui de *Colceſtr.*
Abbati & Conventui de *Waltham*,
Abbati & Conventui de *Weſtm.*
Abbati & Conventui de *Certeſeye*,
Priori & Conventui de *Roff.*
Priori & Conventui S. *Gregorii Cant.*
Decano & Capitulo *Cyceſtr.*
Abbati & Conventui de *Hyda Wynton.*
Abbati & Conventui de *Shireburne*,
Abati & Conventui *Glaſton.*
Priori & Conventui de *Lanceneton*,
Priori & Conventui S. *Nich. Exon.*
Decano & Capitulo *Hereford*,
Abbati & Covent. *Glouceſtr.*
Abbati & Conventui de *Kermerdyn.*
Decano & Capitulo *Morgan*,
Abbati & Conventui de *Wygemor.*
Abbati & Conventui de *Bangor.*
Priori & Conventui de *Lanton* primæ,
Abbati & Conventui de *Valle Crucis.*

The King likewiſe iſſued this following Writ to the Sheriffs of ſeveral Countyes to aſſiſt and help *Robert de Nottingham*, to levy and raiſe the monies that were behind and ungathered of theſe Diſms.

Pat. 32 E. 1. m. 18. De aſſend. Roberto de Nottingham Clerico, in negotiis Decimæ tangentibus Regem.

REX omnibus Vicecomitibus, Ballivis, & cæteris Miniſtris ſuis, & aliis, de Comitatibus *Lincoln. Leiceſtr. Northt.* & *Rotel.* ad quos præſentes literæ pervenerint, ſalutem. Cum nuper pro eo quod bonæ memoriæ Dominus *Bonifacius* Papa octavus, meditatem Decimæ per ipſum Clero *Angliæ*, de aſſenſu noſtro impoſitæ, per tres annos, &c. (*ut ſupra, uſque* ut contra ipſos, tanquam contra honoris et commodi noſtri impeditores, graviter procederemus;) ac dicti Prior & Conventus ſignificaverint, quod quidam, Clerici et Religioſi, rebelles ſunt, et impeditores, et ſolutioni dictæ Decimæ malitioſe detractores, ob quod ſolutio de dictâ Decimâ, nobis debitâ, hactenus eſt perperam retardata, ad damnum noſtrum non modicum, et contra fidem et affectionem quibus Regiæ noſtræ Majeſtati tenentur aſtringi; Aſſignavimus dilectum Clericum noſtrum, *Robertum de Nottingham*, ad capiendum in manum noſtram omnia bona et catalla, terras et tenementa omnium et ſingulorum illorum in Comitatibus prædictis, qui nobis in aliquo tenentur de portione ipſos contingente de Decima prædicta, ſecundum quod dictus *Robertus* per Extractas prædictorum Prioris & Conventus, vobis oſtendere poterit, et qui rebelles, impeditores, vel quocunque modo ſolutioni dictæ Decimæ fuerint contradicentes. Et ideo vobis mandamus, in fide & dilectione quibus nobis tenemini, firmiter injungentes, quod eidem *Roberto*, cum ad partes veſtras venerit, ſitis intendentes & auxiliantes in præmiſſis; Ita quod diligentiam veſtram & effectum, quos ſuper hiis appoſueritis, prout dictus Clericus noſter in redditu ſuo nobis referet, merito habere debeamus recommendatos. In cujus rei, &c. uſque ad feſtum Converſionis Sancti *Pauli* proximo futuro duratur. Teſte Rege apud *Dunfermelyn*, primo die *Januarii*.

* Clauſe 32 E. 1. m. 3. &c.

There are ſundry other Writs in the ſame **Clauſe* & *Patent Rolls* to the like effect for collecting, and taking the Accounts of the ſaid Diſmes, which I pretermit.

King *Edward* being engaged in a warr in *Scotland*, and ſo much taken up with ſecular imployments, that he had little time for his prayers and devotions; out of his Eccleſiaſtical Soveraignty and piety iſſued theſe 3. pious Writs to the Freers Minorites aſſembled in a General Chapter at *Nottingham*, and afterwards at *Aſſiſium*, and to the Freers Predicants in their General Chapter at *Tholonſe*, to pour out fervent prayers unto God for himſelf, and the good ſucceſſe of his affairs, and for his Queen, Children, Realms, Government, and to fit him for an *heavenly king-*

dom

dom, after his departure from his *Earthly*, of his meer mercy; worthy all Chriſtian Princes imitation upon the like occaſion. *An.* 32 *E.* I

REX Religioſis viris in Chriſto ſibi dilectis Fratribus de *Ordine Minorum*, ad Generale Capitulum apud *Notingham* proximò conventuris ſalutem, & in Spiritu Sancto dirigi in agendis. Attendentes beneficia ſacra, oꝛationumque devotarum ſuffragia ad divinam miſericoꝛdiam impetrandam multum humanæ conditionis fragilitati pꝛodeſſe inter alia opera pietatis, conſideranteſque nos pꝛo curis et rebus mundialibus quibus circa Regni noſtri regimen involuti ſumus, ſaluti noſtræ ſpirituali pꝛout nobis expediret intendere non valere, devotionem veſtram requirimus et rogamus, quatinus Nos, *Margaretam* Reginam *Anglia* Conſoꝛtem noſtram chariſſimam, *Edwardum* Pꝛincipem *Wallia* pꝛimogenitum noſtrum, cæteroſque liberos noſtros, ac populum nobis commiſſum, beneficioꝛum et ſuffragioꝛum veſtroꝛum foꝛe participes concedentes, pꝛo nobis et ipſis, ac ſtatu regni noſtri, expeditioneque negotioꝛum nobis incumbencium, ſupplicationes aſſiduas et oꝛationes devotas Altiſſimo offeratis, ut hic ſua pietate nos et ipſos dirigat per ſuoꝛum ſemitam mandatoꝛum, et poſt diem extremum ſalvationis locum nobis et ipſis dignetur miſericoꝛditer indulgere, ſtatumque regni noſtri conſeꝛvare pꝛoſperum et tranquillum. Teſte Rege apud *Strivelyn* 29 die *Julii*. Clauſ 32 E 1; m 7. dorſo. De orando pro Rege & Regina, & eorum liberis.

Per breve de privato ſigillo.

REX Religioſis viris, & ſibi in Chriſto cariſſimis Magiſtris Ordinis *Fratrum Minorum*, & diffinitoribus ac fratribus univerſis in Generali Capitulo ſuo apud *Aſſiſium* prox. conventuris ſalutem, & bravium pro labore perhenniter duraturum. Nos qui curis ſumus & rebus mundialibus involuti, & circa regimen regni noſtri inceſſantibus actibus et continuis meditationibus occupati, pro animæ noſtræ ſalute contemplationi prout haberemus neceſſe intendere nequeuntes, ac advertentes quod beneficia veſtra ſacra orationumque veſtrarum ſuffragia nobis in præſenti & eciam in futuro eſſe poterunt plurimum fructuoſa; Religioſum cœtum veſtrum & ſingulos fratres adunatos in eo requirimus et rogamus, quatinus Nos, *Margaretam* Reginam *Anglia* Conſortem noſtram kariſſimam, *Edwardum* Principem *Wallia* primogenitum noſtrum, cæteroſquæ liberos noſtros, ac populum nobis commiſſum ſuffragiorum et beneficiorum veſtrorum fore participes concedentes, pꝛo nobis, ſtatu Regni noſtri, et expeditione negotioꝛum nobis incumbenciuꝛ, hiis diebus pia pꝛæcamina apud Altiſſimum effundatis, ut ſic regnum tempoꝛale regere valeamus, quod in regno celeſti partem hæreditariam conſequamur. Conſervet vos Altiſſimus in caritate continua & perpetua. Dat. apud *Dunfermelyn*. 11. die *Decemb*. Clauſ 32 E 1; m. 16. dorſo.

REX Religioſis viris et in Chriſto ſibi dilectis Magiſtro Ordinis *Fratrum Prædicatorum*, ac diffinitoribus & fratribus univerſis in Generali Capitulo ſuo apud *Toloſam* proximo congregandis ſalutem, & Spiritu ſancto dirigi in agendis. Dum conditionem humanæ fragilitatis attendimus, & qualiter omni creaturæ tam ſublimi quam humili, prætereuntibus ſuo curſu diebus, præſentis vitæ finis appropiat, attenta conſideratione penſamus, ſic prævenire cupimus quantum nobis ex alto permittitur diem mortis, ut æterni clemencia Judicis dignetur noſtri de ſuæ gratiæ plenitudine miſereri. Verum cum devotarum orationum ſuffragia, inter alia pietatis opera multum proſunt ad divinam miſericordiam impetrandam, de vobis quorum ordinem benevolenciæ ſpecialis favore proſequimur, ut ſalutem noſtram zelemini, ut pro nobis, *Margareta* Regina *Angliæ* Conſorte noſtra kariſſima, *Edwardo* Principe *Wallia* primogenito noſtro, & cæteris liberis noſtris, ac ſtatu proſpero regni noſtri, preces devotas Domino offeratis, plenam fiduciam optinentes, devotionem veſtram requirimus et rogamus, quatinus nunc & in futurum dignam ſollicitudinem impendatis & inſiſtatis aſſiduis ſupplicationibus apud Deum, ut hic ſua pietate nos dirigat per ſuoꝛum ſemitam mandatoꝛum, & poſt diem extremum ſalvationis locum nobis dignetur miſericorditer indulgere, ſtatumque prædicti regni noſtri conſervare proſperum et tranquillum. Univerſitatem veſtram Religioſam diu conſervet Altiſſimus in caritate continua & perfecta. Dat. apud *Dumfermelyn*. primo die *Januarii*. Clauſ. 32 E 1; m. dorſo.

The

An. 32 E. 1. The King likewiſe iſſued Writs (according to the ſuperſtition of that age) to the Biſhop elect of *London*, Archbiſhop of *Canterbury*, and ſundry Abbots, for prayers to be made for *John de Warren* Earl of *Surrey* after his deceaſe.

Cl. 32 E 1. m. 6. dorſo. De orando pro anima Johannis de Warenna quondam Comitis Surr.

REX dilecto ſibi in Chriſto Electo *London.* vel ejus vices gerenti, ipſo agente in partibus tranſmarinis, ſalutem. Cum opus pium et coram Deo meritorium cenſeatur, pro defunctis jugiter exorare, ut ſic a peccatorum ſuorum nexibus facilius liberentur, ac chariſſimus Conſanguineus noſter *Johannes* quondam Comes *de Warenna*, qui nobis et regno noſtro ſemper utilis extitit et fidelis, viam univerſæ carnis jam (ſicut Altiſſimo placuit) ſit ingreſſus, quod vobis non ſine cordis amaritudine nunciamus; Vos affectuosè requirimus et rogamus, quatinus animam præfati Comitis à ſingulis Religioſis & aliis Eccleſiaſticis viris ſubditis veſtris, per totam Civitatem & Dioceſim *London.* conſtitutis, per Miſſarum decantationes & aliarum devotarum orationum ſuffragia faciatis divinæ clementiæ commendari. Teſte Rege apud *Tresk* quarto die *Octobr.*

Conſimiles literæ diriguntur ſubſcriptis, *videlicet*, *R. Cantuar.* Archiepiſcopo totius *Angliæ* Primati, Abbati S. *Auguſtini Cantuar.* Abbati *Weſtmonaſterii*, Abbati de *Waltham*, Abbati de Sancto *Albano*, Abbati de Sancto *Edmundo*, Abbati de *Eveſham.*

Sundry perſons being attached and ordered to be proceeded againſt for their contempt in reſiſting the Sheriff of *Lincoln* in the execution of his Writ, *De vi Laica amovenda*, out of the Church of *Bardeny*, upon the Sheriffs return thereof; the King at the requeſt of the Abbot of *Bardeny* was pleaſed to pardon their offence, and ſuperſede all further proſecution in his name againſt them, as this Record atteſts; which will ſerve to inform Profeſſors of the Law of the antient returns and proceedings upon ſuch Writs.

Clauſ. 32 E 1. m. 11. dorſo. Pro Roberto de Baſton & aliis qui fuerunt in Eccleſia de Bardeney vi armata.

CUm Rex nuper ad requiſitionem Venerabilis Patris *Johannis Lincoln.* Epiſcopi præceperit Vic. *Lincoln.* quod omnem vim laicam quæ ſe tenuit in Eccleſia de *Bardenay*, ad perturbandum ipſum Epiſcopum, quo minus officium ſuum ſpirituale in Eccleſia illa exercere poſſet, ſine dilatione amoveri faceret ab eadem: Ac idem Vic. Regi returnaverit, quod Eccleſiam prædictam ad executionem mandati prædicti faciendam acceſſit, & quod *Robertum de Baſton*, *Simonem de Edlinton*, *Simonem Merle*, *Robertum Medicum*, *Willielmum Carpentarium*, *Hugonem* ſervientem ejuſdem *Willielmi*, *Johannem de Curtilagio*, *Robertum Vannatorem*, *Simonem de Offington*, *Galfridum le Hunter*, *Galfridum le Porter*, *Philippum le Porter*, *Stephanum le Provoſt*, *Stephanum le Plummer*, *Gilbertum de Askeby*, *Nicholaum Belle*, *Johannem Joye* ſeniorem, *Galfridum* ſocium ſuum, *Galfridum le Meſſag.* *Thomam Aunſell*, Magiſtrum *Johannem de Maldon*, & *Eudonem* quondam Servientem *Adæ de Gaunt*, vi & armis ibidem ſibi reſiſtentes invenit, qui ipſum Vic. hujuſm odi vim laicam ibidem inventum juxta mandatum Regis amovere non permiſerunt, in Regis contemptum manifeſtum, et contra pacem Regis, per quod prædicti *Robertus*, *Simon*, *Simon*, *Robertus*, *Willielmus*, *Hugo*, *Johannes*, *Robertus*, *Simon*, *Galfridus*, *Galfridus*, *Philippus*, *Stephanus*, *Stephanus*, *Gilbertus*, *Thomas*, *Goſelinus*, *Johannes*, *Willielmus*, *Robertus*, *Thomas*, *Willielmus*, *Nicholaus*, *Johannes* & *Eudo* attachiati fuerunt per præceptum Regis ad reſpondendum Regi de reſiſtentia et contemptu prædictis: Rex ad inſtanciam Fratris *Roberti* Abbatis de *Bardeney*, pardonavit eiſdem *Roberto*, *Simoni*, *&c.* ſectam ſuam pro reſiſtentia et contemptu prædictis, & vult quod occaſione prædicta non occaſionentur nec de cætero moleſtentur in aliquo vel graventur, & quod omnino ſuperſedeatur ulteriori ſectæ contra ipſos dicta occaſione ſuo nomine inchoatæ. Teſte Rege apud *Strivelyn* 12. die *Junii.*

Per breve de private Sigillo.

The Abbot of *Bardeney* deprived by the Biſhop of *Lincoln*, upon his Appeal to the Archbiſhop, being reſtored to his former eſtate; the King upon certificate thereof, iſſued this Writ to reſtore his Temporalties ſeized upon his deprivation.

REX

An. 32 E. 1.

Pat. 32 E. 1. m. 20. De non intromittend. de Abbatia de Bardenay.

REX dilecto ſibi Magiſtro *Henrico de Thornhagh* Cuſtodi Abbatiæ de *Bardeney*, ſalutem. Cum dilectus nobis in Chriſto frater *Robertus* Abbas de *Bardenay*, quem venerabilis pater *J. Lincolnienſis* Epiſcopus poſt Appellationem per præfatum Abbatem ab eodem Epiſcopo, **ob certas cauſas ad Curiam *Cantuariæ* interjectam a Paſtorali Regimine ejuſdem Abbatiæ amovit, per Præſidentes dictæ Curiæ *Cantuar.* obtinuerit ſententialiter ad ſtatum priſtinum jam reduci**, ſicut per literas ipſius Archiepiſcopi, quas recepimus, nobis conſtat; Vobis mandamus, quod de Abbatia prædicta, poſſeſſionibus, libertatibus, juribus, aut aliis quibuſcunque ad eam ſpectantibus, quæ vobis pro defenſione eorundem cuſtodienda commiſſimus, vos ulterius non intromittentes, ipſum Abbatem de Abbatia prædicta poſſeſſionibus, libertatibus, juribus, & aliis quibuſcunque ad eam ſpectantibus, plenam & liberam adminiſtrationem habere permittatis. In cujus, &c. Teſte Rege apud *Strivelyn* 10 die *Maii*.

Per ipſum Regem nunciante Cov. & Lichfeld. *Epiſcopo.*

The Abbots and Covents of *Furneys* and *Salleye* having ſurreptitiouſly procured a Prohibition or *Indicavit* againſt a Suit for the 4th. part of the Tithes in Court Chriſtian, brought by the Parſon of the Pariſh; the King thereupon iſſued this Writ of *Procedendo*, to proceed therein notwithſtanding the Writ of *Indicavit*, upon an Inquiſition found and returned, that the Tithes amounted not to the value of the 4th. part of the Church, as was ſuggeſted.

Clauſ. 32 E. 1. m. 6. Pro Adam de Oſgodby Perſona Eccleſiæ de Gairgrave.

REX Officiali Archiepiſcopi *Ebor.* & ejus Commiſſar. ſalutem. Monſtravit nobis dilectus Clericus noſter *Adam de Oſgodby* Perſona Eccleſiæ de *Gairgrave*, quæ eſt de advocatione *Henrici de Percy*, **quod cum ipſe coram vobis in Curia Chriſtianitatis petierit verſus Abbatem et Conventum de *Furneys*, Decimas provenientes de eorum terris et culturis infra limites Parochiæ Eccleſiæ ſuæ prædictæ exiſtentibus**, ad ipſum *Adam* tanquam ad Rectorem, & ad Eccleſiam ſuam prædictam de jure pertinentes, **ac poſt varias allegationes ipſorum Abbatis et Conventus inſpectis et diligenter examinatis quibuſdam privilegiis Apoſtolicis, quæ pro eorum immunitate de Decimis illis non ſolvendis, coram vobis in judicio protulerunt; ipſorumque rationibus intellectis, conſideratum eſſet per vos in eadem Curia, quod ipſi dictas Decimas præfato Rectori et Eccleſiæ ſuæ prædictæ ſolvant**: Et quod Decimæ illæ ad ipſum & ſucceſſores ſuos, **ac ad Eccleſiam ſuam prædictam debent de jure pertinere, non obſtantibus privilegiis ſuprædictis**: Vos prætextu cujuſdam brevis noſtri de **Prohibitione**, quod dicitur **Indicavit**, vobis directi, **ne in placito illo in Curia Chriſtianitatis procederetis**; quod quidem breve idem Abbas ſurreptitiè in Curia noſtra impetravit, malicioſè ſuggerendo, **ſe tenere quartam partem ejuſdem Eccleſiæ de advocatione ſua propria**; ac ſi Patronus eſſet illius, **ſeu Decimæ illæ ad valorem quartæ partis dictæ Eccleſiæ attingerent ſeperſedetis**, in ipſius Rectoris dampnum non modicum & jacturam, & Eccleſiæ ſuæ prædictæ exhæredationis periculum manifeſtum. Cumque ad proſecutionem dicti Clerici noſtri, ſuper vero valore Eccleſiæ illius, ac etiam Decimarum dictarum per Vicecomitem noſtrum *Ebor.* inquiri fecerimus plenius veritatem, & acceperimus per eandem Inquiſitionem, **quod dicta Eccleſia valet per annum Centum et decem Marcas, præter Decimas ſuprædictas; et quod Decimæ illæ valent per annum Centum ſolidos**, per quod liquet, **quod Decimæ illæ ad valorem quartæ partis ejuſdem Eccleſiæ non attingunt. Nos nolentes per hujuſmodi falſam ſuggeſtionem juriſdictioni Eccleſiaſticæ derogari, ſeu jus ipſius Clerici noſtri aut Eccleſiæ ſuæ prædictæ ulterius retardari: Vobis mandamus, quod non obſtante dicta Prohibitione noſtra ſic per falſam ſuggeſtionem impetrata, in executione conſiderationis veſtræ ſuprædictæ in Curia Chriſtianitatis procedatis, prout in foro Eccleſiaſtico fuerit procedendum.** Teſte Rege apud *Morpath* 28 die *Auguſti*.

Ibidem.

REX Officiali, &c. ut ſupra, ſalutem. Monſtravit nobis dilectus Clericus noſter *Adam de Oſgodby* Perſona Eccleſiæ de *Grairgrave*, quæ eſt de advocatione *Henrici de Percy*, **quod cum ipſe coram vobis in Curia Chriſtianitatis petat verſus Abbatem**

An. 32 E.1. **Abbatem et Conventum de** *Salleye*, **Decimas provenientes de eorum terris et culturis infra limites Parochiæ Ecclesiæ illæ prædictæ**, ad ipsum *Adam* tanquam ad Rectorem, & ad Ecclesiam suam prædictam **de jure pertinentes**; Vos occasione cujusdam brevis nostri de **Prohibitione**, quod dicitur **Indicavit**, vobis directi, **ne in placito illo in Curia Christianitatis procederetis; quod quidem breve extra solitum cursum Cancellariæ nostræ a Curia nostra surreptitie emanavit**, sicut per transcriptum ejusdem quod sub sigillo vestro nobis misistis plenius nobis constat, in placito illo supersedetis, in ipsius Rectoris dampnum non modicum & jacturam, & Ecclesiæ suæ prædictæ exhæredationis periculum manifestum. **Et quia nolumus per hujusmodi breve sic surreptitie impetratum, jurisdictioni Ecclesiasticæ derogari, seu jus ipsius Clerici nostri aut Ecclesiæ suæ prædictæ ulterius retardari: Vobis mandamus, quod non obstante dicta Prohibitione nostra in dicto placito in Curia Christianitatis procedatis, prout in foro Ecclesiastico fuerit procedendum.** Teste Rege apud *Tynemuth* 12 die *Septembris*.

There being a *Capias Excommunicatum* issued, upon the Archbishop of *Canterburies* certificate, against *Edmund de Hoo*, who appealed against this sentence to the Court of *Rome* as unjust, the King thereupon superseded the Writ *de Excommunicato capiendo*; but being afterwards informed there was no such Appeal, or that it was not prosecuted, he then issued this Writ, to hear and examine the truth of these suggestions, and do right to both parties.

Claus. 32 E.1. m. 7. dorso. Pro Edmund de Hoo.

REX Vicecomiti *Suff.* salutem. Cum nuper ad requisitionem venerabilis patris *R. Cantuariensis* Archiepiscopi, per literas suas patentes nobis significantis, quod *Edmundus de Hoo* propter manifestam contumaciam suam **excommunicatus est**, nec se vult per censuram Ecclesiasticam justitiari, per breve nostrum tibi præcipimus, quod præfatum *Edmundum* per corpus suum secundum consuetudinem *Angliæ* justitiares, **donec Sanctæ Ecclesiæ, tam de contemptu quam de injuria ei illata, ab eo esset satisfactum**; & per quædam Instrumenta publica, quæ prælatus *Edmundus* in Cancellaria nostra exhibuit, intelleximus, quod idem *Edmundus* à sententia prædicta in ipsum & sibi adhærentes per præfatum Archiepiscopum lata, tanquam ab iniqua, **ad sedem Apostolicam pro se et sibi adhærentibus legitime appellavit**; cujus quidem appellationis negotium idem *Edmundus*, ut asserit, prosequitur cum effectu; & jam ex insinuatione *Elyæ Puger* & *Willielmi de Evereſdon*, ad quorum prosecutionem dicta sententia fuit in ipsum *Edmundum* lata, accepimus, quod idem *Edmundus* à dicta sententia (ut præmittitur) **non appellavit, nec est aliquam appellationem in hac parte hactenus prosecutus**; Nolentes quod præfato *Edmundo* per prædictum breve nostrum via præcludatur, quominus appellationem suam prosequi possit in forma juris: Maximè cum hujusmodi breve nostrum de gratia nostra procedat, **et appellantium status integer esse debeat**, necnon quod prædicti *Elias* & *Willielmus* à prosecutione juris sui occasione alicujus suggestionis frivolæ nobis factæ, contra justitiam impediantur. Tibi præcipimus, quod executioni brevis nostri prædicti, tibi de ipso *Edmundo* & sibi adhærentibus, per eorum corpora justitiandis directi, faciendæ supersedeas usque ad Quindenam Sancti *Michaelis* proximo futuram; quem diem præfato *Edmundo* dedimus ad certificandum & informandum nos & consilium nostrum **de appellatione sua prædicta, et qualiter eam fuerat prosecutus, et hoc in præsentia prædictorum** *Elie* & *Willielmi*, si tunc interesse voluerint, quos per te super hoc sufficienter volumus præmuniri. Et habeas ibi tunc hoc breve. Teste Rege apud *Stryvelin* 25 die *Julii*.

Per breve de Private Sigillo.

How vexatious the Archbishop of *Canterbury* was both to the Clergy and people, will appear by his excommunicating ten persons at once in one parish within the Diocesse of *Norwich*, endeavouring to be take and imprison them upon a *Capias Excommunicatum*.

Rundela Brev. & Literarum An 32 E.1. in Turre Lond.

EDwardus Dei gratia Rex *Angliæ*, &c. Vicecomiti *Suff.* salutem. Significavit nobis venerabilis pater *R. Cantuariensis* Archiepiscopus per literas suas patentes, quod *Willielmus de Luton*, *Edmundus de Hoo*, (Persona de *Riseby*) *Johannes*

de

de Luton, Johannes de Riſeby, Johannes Shereman de Riſeby, Edmundus de la Grene de Riſeby, Henricus le Chapeleyn de Riſeby, Johannes de Staunfeld, Galfridus de Heydon, & Haukinus Edmundeſſenant, Norwicenſis Diocæſis, **auctoritate ipſius Archiepiſcopi ordinaria excommunicati ſunt**, nec ſe volunt per cenſuram Eccleſiaſticam juſticiari. Quia vero poteſtas Regia Sacroſanctæ Eccleſiæ in querelis ſuis deeſſe non debet: Tibi præcipimus, quod prædictos *Willielmum, Edmundum, Johannem, Johannem, Johannem, Edmundum, Henricum, Johannem, Galfridum* & *Haukinum*, per corpora ſua ſecundum conſuetudinem *Angliæ* juſtities, **donec Sanctæ Eccleſiæ, tam de contemptu quam de injuria ei illata, ab eis fuerit ſatisfactum.** Teſte meipſo apud *Dunfermelyn* 28 die *Novembris*, Anno regni noſtri 32. A Tranſcript of which Writ, with the day of its receipt, the King commanded the Sheriff of *Suffolk* by another Writ to return and ſend to him into *Scotland*. *An.* 32 E. 1.

I likewiſe finde theſe three Superſedeaſſes of Writs *de Excommunicato capiendo*, upon the Excommunications of the Archbiſhop of *Canterbury* and Biſhop of *Sarum*, during Appeals againſt them to the See of *Rome*.

MEmorandum pro *Petro de Sabaudia*, Decano Eccleſiæ Sancti *Martini Magni London. Hugone de Vyenna* juniore, ejuſdem Eccleſiæ Canonico, *Johanne* Capitulo ſuo, —— Vicario perpetuo Eccleſiæ Præbendalis de *Chriſteſhale*, —— Cuſtode Hoſpitalis Sancti *Leonardi de Neuport*, & *Johanne Port* de *Neuport* Clerico, **quod ad ſuggeſtionem vel denunciationem Domini** *R.* **Archiepiſcopi** *Cantuarienſis*, **contra quem iidem ad ſedem Apoſtolicam appellarunt**, prout nobis conſtat, **per earundem appellationum inſpectionem, in quarum proſecutione ſunt, contra eoſdem vel eorum aliquem hujuſmodi appellationibus pendentibus ad captionem non ſcribamus.** Bundela Brev. & Literarum An. 32 E. 1. in Turri Lond.

Item, Memorandum pro eodem *Petro* Decano Eccleſiæ *Sarum*, *Gerardo de Seſiriaco* Clerico Procuratore ſuo, Magiſtro *Jacobo de Bukyngham*, & *Johanne* Capellano Eccleſiæ Parochialis Sancti *Thomæ Sarum*, **quod ad ſuggeſtionem vel denunciationem Domini** *S.* **Epiſcopi** *Sarum*, **contra quem iidem ad ſedem Apoſtolicam appellarunt**, prout nobis conſtat, **per earundem appellationum inſpectionem, in quarum proſecutione ſunt, contra eoſdem vel eorum aliquem hujuſmodi appellationibus pendentibus ad captionem non ſcribamus.**

Conſimile, Memorandum pro *Thoma de Sabaudia* Canonico Eccleſiæ *Sarum*, *Jacobo de Bukyngham*, *Jacobo de Briga*, & *Henrico de Bukyngham* Clericis, & *Jacobo de Valeres* Armigero, **quod ad ſuggeſtionem vel denunciationem Epiſcopi** *Sarum* **prædicti, &c. non ſcribamus.**

One who obtained a Benefice within the Dioceſſe of *Lincoln* by the Popes Proviſion, being impriſoned by a *Capias Excommunicatum*, upon a ſentence of Excommunication in the Arches, to which the Patron appealed againſt the Popes Proviſion, he appealing to the Court of *Rome* from the Arches (where the Appeal in the Arches was nulled) petitioned the Kings Counſil to be enlarged, becauſe the Excommunication in the Arches was after his Appeal to *Rome*, which the Archbiſhop refuſed to certifie againſt himſelf.

A *Conſail noſtre Seignur le Roy*; *Maſtre* Robert de Appelby *Perſone de la Egliſe de* Scalby *en La Counte de* Nichole, **pris et empriſone en Chaſtell de** Nichole **coment il ad meiſme cele Egliſe de** Scalby **per Proviſion del Apoſtoil, et inſtitut. per l'Eveſque de** Nichole; *&* **ſur ceo le Prieur de** Thornholm *Patron de cele Egliſe encontre les avantdits Proviſion et Inſtitution fit un appel a les Arches de* Londres. **E lavaundit** Robert **appella des Arches a la Curt de** Rome **pur grevaunce qe a luy fuit faite; E nemy encontr. eſteant le Appel avantdit, lavantdit Prieur fui ſoen appelle en les Arches tant com meiſme celuy** Robert **fut eſcumenge, et puis par la caption pris et empriſone. E le vantdit** Robert **per Procurator ſui ſoen appel en la Curt de** Rome, **et fiqes le prova, iſſint qe par cele appelle fuſt anentye le proceſſe des Arches, et de ceo ad il Bulles et Inſtrumentz de la Curt de** Rome. **Par quoy il pri pur Dieu qil puſſe eſtre delivere per le Curt le Roy, car l'Erceveſque de** Canterbury **ne vout pas eſcriture encontre ſoen fait demeiſme.** Bundela Brev. & Literarum An. 32 E. 1. in Turri Lond.

*An.*32 *E.* 1. A Monk of *Richmond* ſtealing Goods and flying out of the Monaſtery, being impriſoned by the Kings Writ of *Apoſtata capienda*, he commanded him to be delivered to the Monks of *Richmond* to be chaſtiſed and puniſhed according to the rules of that Order, and reſtore the ſtoln Goods to them, by this Writ.

Clauſ. 32 E. 1. m. 5. Pro Fratribus Minoribus Richmond. & Pat. 32 E. 1. m. 1.

REX Vic. *Cumbr.* ſalutem. Quia dilectus nobis in Chriſto Frater *Adam de Lincoln.* Miniſter Ordinis Fratrum Minorum in *Anglia* per literas ſuas nobis miſſas, intelligi nobis dedit, quod Frater *Arthurus de Hertilpole*, Frater illius Ordinis, & in Ordine illo profeſſus, nuper à Clauſtro ſuo apud *Richemond.* ſpreto habitu Ordinis illius auſu temerario clam evaſit, & quædam bona & catalla quorundam vicinorum & amicorum Fratrum Ordinis illius, apud *Richemond.* commorantium, penes ipſos Fratres depoſita cuſtodienda, ſecum aſportavit; & poſtquam aliquandiu de patria in patriam vagabatur ſub habitu ſeculari, in animæ ſuæ periculum & Ordinis prædicti **ſcandalum manifeſtum**, arreſtatus fuit apud *Quitonthaneve*, cum bonis & catallis prædictis, & jam in priſona noſtra apud *Egremund* detinetur. **Nos ad honeſtatem Ordinis illius, necnon et ad devotionem quam erga Ordinem illam gerimus et habemus**, tibi præcipimus, quod prædictum Fratrem *Arthurum* ſic captum & detentum, prædictis Fratribus *Richemondiæ* commorantibus, ſine dilatione liberes, **juxta Ordinis illius regulam et diſciplinam caſtigandum**, bona & catalla prædicta ſecum inventa, & (ut prædictum eſt) arreſtata, dictis Fratribus reſtituens indilatè. Teſte Rege apud *Dalton* 29 die *Septembris.*

The King this year to raiſe monies towards the payment of Debts, granted ſeveral licenſes to Abbots for the *appropriations of Pariſh Churches to them and their ſucceſſors*, as theſe Records inform us.

Clauſ 32 E. 1. m 12. Pro Abbate beatæ Mariæ Ebor.

REX Theſaur. & Baronibus ſuis de Scaccario, ſalutem. Cum in partem ſolutionis Quingentarum librarum, quas de gratia noſtra ſpeciali conceſſimus *Willielmo de Sancto Paulo*, *Arnaldo de Sancto Martino*, & quibuſdam ſociis ſuis Civibus & Mercatoribus *Baion.* in ſubventionem miſſarum & expenſarum, quas fecerunt in quadam proſecutione per ipſos erga *Willielmum de Sant*, quondam Civem *Baion.* defunctum, de quibuſdam bonis & catallis ejuſdem *Willielmi* nobis adjudicatis nomine noſtro facta; conceſſerimus & aſſignaverimus eis, **illas Centum libras, per quas Abbas beatæ *Mariæ Ebor.* finem fecit nobiſcum coram vobis, pro licentia appropriandi ſibi et Domui ſuæ Eccleſiam de *Donecaſtr.* ſui Patronatus**, *Ebor.* Dioc. prout in literis noſtris patentibus, præfatis Mercatoribus inde confectis, plenius continetur; ac idem Abbas præfatis Mercatoribus **de prædictis Centum libris ſatisfecerit**, prout præfatus *Willielmus de Sancto Paulo* pro ſe & ſociis ſuis prædictis coram nobis in Cancellaria noſtra recognovit: Vobis mandamus, quod ipſum Abbatem de prædictis Centum libris quietum eſſe faciatis. Teſte Rege apud *Stryvelin* primo die *Maii.*

Conſimiles literas habet Prior de *Boulton* in *Craven*, de Quinquaginta libris, per quas finem fecit coram præfatis Theſaur. & Baronibus, **pro licentia appropriandi ſibi et Domui ſuæ Eccleſiam de *Preſton* in *Craven*, ſui Patronatus**, *Ebor.* Dioc. ſic præfatis Mercatoribus aſſignatis. Teſte ut ſupra.

By theſe and other Records of like nature we may diſcover the original grounds of moſt Appropriations, purchaſed with money by Abbots during our Kings neceſſities for moneys, or by pretence of poverty, or loſſes ſuſtained by them.

The King likewiſe to raiſe preſent monies, granted the cuſtody of the Temporalties of St. *Edmunds* Abby during its vacancies, for a certain rent, fine and terme, by this Patent.

Pat 32 E. 1. m. 18. De vacatione Abbatiæ Sancti Edmundi de Bury conceſſa.

REX omnibus ad quos, &c. ſalutem. Sciatis quod ob devotionem quam erga Sanctum *Edmundum* glorioſum Chriſti Martyrem gerimus & habemus, & ut Monachi Abbatiæ de Sancto *Edmundo* de cætero poſſint quietius & tranquillius Altiſſimo famulari, conceſſimus pro nobis & hæredibus noſtris, Abbati & Conventui Abbatiæ prædictæ, quod Prior & Conventus Abbatiæ ejuſdem & eorum ſucceſſores in ſingulis vacationibus ejuſdem Abbatiæ, quotiens videlicet ipſam exnunc vacare contiget,

contingeat, **habeant et teneant cuſtodiam Abbatiæ illius, et omnium temporalium ejuſdem, cum omnibus rebus et bonis ad Abbatiam illam qualitercunque ſpectantibus**, adeo plenè & integrè, ſicut Abbates & Conventus ejuſdem loci Abbatiam illam & temporalia cum rebus & bonis prædictis, ſede plena, aliquibus retroactis temporibus habere & tenere conſueverunt. Ita quod ipſi Prior & Conventus de temporalibus & bonis, ac rebus illis plenam & liberam adminiſtrationem habeant, & inde diſponere & ordinare poſſint, prout eis melius & utilius videbitur faciendum; & prout Abbas & Conventus dicti loci inde poſſent ordinare & diſponere, ſede plena: Salvis nobis & hæredibus noſtris feodis Militum quæ tenentur de Abbatia prædicta, & Advocationibus Eccleſiarum, cum acciderint temporibus vacationum prædictarum. Ita quod omnes redditus & ſervitia annua de feodis prædictis in vacationibus illis provenientia remaneant Priori & Conventui prædictis: Salvis etiam nobis & hæredibus noſtris Eſcaetis quas accidere contigerit temporibus prædictis; quæ quidem Eſcaetæ ſingulis hujuſmodi vacationibus finitis, videlicet poſt fidelitatem ipſius, quem ibidem eligi & confirmari, ſeu præfici contigerit in Abbatem, nobis & hæredibus noſtris factam, liberentur & remaneant Abbati, Priori & Conventui dicti loci & ſucceſſoribus ſuis, ſine occaſione vel impedimento noſtri vel hæredum noſtrorum quorumcunque: **Reddendo nobis et hæredibus noſtris pro qualibet vacatione Abbatiæ prædictæ, ſive duraverit per annum integrum, ſive per minus tempus, Mille et Ducentas Marcas infra annum, a tempore quo Abbatia illa vacare inceperit, computandum**; videlicet, Sexcentas Marcas in fine primi dimidii anni illius, & Sexcentas Marcas in fine ejuſdem anni. Et ſi fortè vacatio Abbatiæ illius duraverit ultra annum, tunc prædicti Prior & Conventus pro proximo anno integro ſequenti, ſi tanto tempore duraverit, ſolvant nobis & hæredibus noſtris Mille & Ducentas Marcas ad terminos prædictos; & ſic pro quolibet anno integro poſt primum annum, durante vacatione prædicta, ad eoſdem terminos Mille & Ducentas Marcas. Et ſi ultra annum integrum vel annos integros duraverit minori tempore quam per annum, tunc pro illo tempore minori, de prædictis Mille & Ducentis Marcis minus, pro rata temporis illius proportionabiliter nobis ſolvant. Et volumus & concedimus pro nobis & hæredibus noſtris, quod prædicti Prior & Conventus & eorum ſucceſſores imperpetuum habeant & teneant cuſtodiam Abbatiæ prædictæ ſingulis temporibus vacationum ejuſdem in forma prædicta. Ita quod nullus Vicecomes, Eſcaetor, ſeu quicunque alius Ballivus vel Miniſter noſter vel hæredum noſtrorum de cuſtodia Abbatiæ prædictæ, ſeu Cellarum ſuarum, Maneriorum, aut aliarum rerum ſeu bonorum quorumcunque, ad dictam Abbatiam ſeu Cellas ſuas ſpectantium quoquo modo, ratione vacationis illius, ſe in aliquo intromittat; excepto quod Eſcaetor, vel alius Miniſter noſter, ſeu hæredum noſtrorum qui pro tempore fuerit, infra portas tamen Abbatiæ prædictæ in principio cujuſlibet vacationis ejuſdem, quandam ſimplicem ſeiſinam, nomine noſtri Regii dominii capiat; & ea ſic capta, ſtatim exinde recedat abſque aliquo inde capiendo ſeu etiam aſportando. Ita quod ultra unum diem, occaſione ſeiſinæ prædictæ, moram ibi non faciat, nec aliquem ibidem ſubſtituat loco ſui. Volumus inſuper & concedimus pro nobis & hæredibus noſtris, quod ſi nos forſitan vel hæredes noſtri, aliquo tempore vacationis Abbatiæ prædictæ exercitum noſtrum fecerimus ſummoneri, prædicti Prior & Conventus & ſucceſſores ſui, pro propriis & dominicis feodis Militum Abbatiæ illius in manus ipſorum Prioris & Conventus tunc exiſtentibus ad ſervitium in eodem exercitu faciendum minime teneantur, nec occaſione ſervitii illius moleſtentur in aliquo ſeu graventur, ſed inde penitus ſint quieti: Salvis tamen nobis & hæredibus noſtris ſervitiis feodorum Militum, quæ tenentur de Abbatia prædicta temporibus vacationum ejuſdem ad nos pertinentibus ratione exercitus ſupradicti. In cujus, &c. Teſte Rege apud *Stryvelin* 20 die *Maii*.

Per ipſum Regem nunciante W. Cov. & Lichf. *Epiſcopo*.

An. 32 *E.* 1.

The King likewiſe for the fine of 1200 Marks, granted the Temporalties of the Abby of *Glaſtonbury* for 6. moneths during the vacancy, to the Priot and Covent thereof, with certain limitations by this Patent.

Fines 32 E 1. m. 12. Pro Priore & Conventu Glaſton.

REX omnibus ad quos, &c. ſalutem. Sciatis **quod per finem Mille et ducentarum Marcarum**, quem dilecti nobis in Chriſto Prior & Conventus Abbatiæ *Glaſton.*

An. 32 *E.* 1. *Glaſton.* fecerunt nobiſcum, nobis per ſufficientem ſecuritatem, quam iidem Prior & Conventus nobis invenerunt, ad voluntatem noſtram ſolvendarum, conceſſimus eiſdem Priori & Conventui Cuſtodiam ejuſdem Abbatiæ, vacantis per mortem *Johannis* nuper Abbatis ejuſdem loci, & in cuſtodia noſtra exiſtentis; habendam à quartodecimo die *Septembris* proximo præteriti, uſque ad finem ſex Menſium proximo ſequentium completorum, cum omnibus ad Abbatiam illam pertinentibus, & quæ ad nos pertinere poſſent, ſi cuſtodiam ejuſdem in manu noſtra teneremus: Ita quod nullus Eſcaetor, aut alius Ballivus ſeu Miniſter noſter vel hæredum noſtrorum, ſe de cuſtodia prædicta, vel aliquibus ad eam ſpectantibus, durantibus prædictis ſex menſibus intromittat; nec ipſos Priorem & Conventum ſuper hoc aliqualiter impediat, quo minus ipſi per prædictos ſex menſes habeant liberam & plenam adminiſtrationem omnium poſſeſſionum proventuum & reddituum ad Abbatiam illam ſpectantium, necnon omnium exituum inde provenientium; ſalvis nobis & hæredibus noſtris feodis Militum, advocationibus Eccleſiarum, Wardis & Maritagiis liberorum Tenentium ejuſdem Abbatiæ, quæ tempore vacationis ejuſdem accidere contigerit. Ita tamen, **quod ſi vacatio illa ultra ſex menſes duraverit, nos vel hæredes noſtri finitis eiſdem ſex menſibus Cuſtodiam Abbatiæ prædictæ cum omnibus ad Cuſtodiam illam ſpectantibus, durante vacatione prædicta habeamus.** In cujus, &c. Teſte Rege apud *Dunfermelyn.* 10 die *Decembris.*

Et mandatum eſt *Gilberto de Knanill.* Cuſtodi Abbatiæ prædictæ vacantis, &c. quod de Cuſtodia Abbatiæ prædictæ ſeu aliquibus ad eam Abbatiam ſpectantibus, ratione vacationis prædictæ, ſe ulterius non intromittat; & exitus, ſi occaſione prædictæ ad opus Regis perceperit, præfatis Priori & Conventui ſine dilatione liberet. Teſte ut ſupra; & fuerunt patentes.

Thus the Abbots and Prelates for money and favour encroached continually upon the ancient Rights and Prerogatives of the Crown.

The King being informed that the Abbot of the *Præmonſtratenſes* intended to impoſe and levy a ſubſidy on thoſe of his Order within this Realm without his privity; iſſued this Prohibition to thoſe of that Order, to prohibit the payment thereof in money or other proviſions.

Clauſ. 32 E 1. m. 11. dorſo. Quod Abbas Præmonſtrat. Ordinis non faciat ſubſidium Abbati Præmonſtrat.

REX dilecto ſibi in Chriſto Abbati de *Dereford*, ſalutem. Intelleximus Abbatem *Præmonſtratenſem* quoſdam ſuos Procuratores pro exigenda à vobis quadam pecuniæ quantitate ad opus ſuum ad vos ſpecialiter deſtinaſſe; **quæ quidem exactio poſſet contra ordinationem noſtram de argento aliquo extra Regnum noſtrum non portando, et alias in noſtri præjudicium redundare; Vobis igitur firmiter inhibemus, ne præfato Abbati ſubſidium aliquod in pecunia vel rebus aliis, et quarum commercio pecunia extra regnum noſtrum deferenda haberi valeat, nomine ſubventionis, Doni, ſeu mutui, aut alias quomodolibet faciatis, ſine noſtri aſſenſu et licentia ſpeciali.** Teſte Rege apud *Strivelyn* 2. die *Junii.*

Conſimiles literæ diriguntur ſubſcriptis, *videlicet*, Abbati de *Begeham*, Abbati de *Halet.*

The King by his Royal Prerogative in this age, claimed a competent penſion for ſome of his Clerks from every Biſhop, Abbot, and Prior newly created by him, by reaſon of his Creation, as theſe Records atteſt.

Cl. 32 E 1. m. 11. dorſo. Pro Michaele de Clare.

REX Venerabili in Chriſto Patri *R.* eadem gratia *London.* Electo, ſalutem. **Cum vos ratione novæ Creationis veſtræ teneamini uni de Clericis noſtris, quem vobis duximus nominandum in quadam penſione anima de Camera veſtra percipienda, quouſque ſibi per vos provitum fuerit de Eccleſiaſtico beneficio competenti, ac dilectum Clericum noſtrum *Michaelem de Clare* vobis nominavimus ad penſionem hujuſmodi optinendam; Vobis mandamus, rogantes, quatinus eidem Clerico noſtro talem penſionem de Camera veſtra in forma prædicta percipiendam, quæ dantem deceat, recipientemque vobis reddere debeat fortius obligatum, concedatis;** ei literas veſtras patentes ſub hoc fieri facientes. Teſte Rege apud *Stryvelyn* 20. die *Junii.* *Per ipſum Regem Nunc.* W. Co. & Lych. *Epiſcopo.*

Johannes

Johannes de Carleton habet conſimiles literas Regis Priori & Conventui de *Novo Burgo* de quadam penſione habenda ratione nobæ creationis prædicti Prioris. Teſte ut ſupra. *An.* 32 E. 1.

Per breve d privato ſigillo. Ibid. Pro Johanne de Carleton.

The King by his Prerogative writ alſo for Corrodies for his aged Servants to the Prior and Covent of St. *Maries* in *Suthwerke*, and others, who returned theſe anſwers to him, rendring ſeveral reaſons, humbly tendred to his Majeſty, of their diſabilities to effect it, though otherwiſe willing.

SEreniſſimo Principi & Domino ſuo Reverendo *E.* Dei gratia Regi *Angliæ*, &c. ſui humiles & devoti Sacerdotes Prior & Coventus beatæ *Mariæ* de *Suthwerk*, ea quæ poterunt pro ſuo Domino orationum ſuffragia apud Deum. Placuit Excellentiæ veſtræ nobis, præcipere, quod *Willielmo le Fiſhere*, ſervienti veſtro, quoad viveret, faceremus in victu & neceſſariis provideri, Literas noſtras patentes inde ſibi faciendo, Sigilli noſtri Capituli conſignatas; quodque inde faciendum duceremus, vos efficeremus noſtris literis magis certos: **Quibus mandatis, novit Altiſſimus, humili animo pareremus, ſi noſtræ ad hoc ſufficerent facultates.** Sed apud Majeſtatem veſtram, à prædicto onere ſubeundo, excuſare non debet (Princeps inclyte) ſumma paupertas, qua nos deprimimur: cum omnis res, redditus et poſſeſſiones noſtræ ad ſuſtentationem noſtram ſufficere non valeant, niſi gratia Dei quæ ad ſupplementum agit, piæ fidelium largitiones nobis ſuccurrerent in hoc caſu. Eccleſia etiam noſtra, quæ jam triginta annis elapſis paſſa (proh dolor!) eſt ruinam, circa cujus relevationem ab eo tempore toto laboravimus noſtro poſſe, necdum tantum potuimus in ipſius relevatione invaleſcere, variis & oneroſis exactionibus tam in ſpiritualibus quam in temporalibus præpediti, quod noſtrum ex toto ædificare potuimus Campanile. Continuâ inſuper pugna, quam abſque interpellatione contra rabiem fluvii *Tamenſis* aggredimur, ſuper cujus ripam noſtra domuncula ſituatur, quam ad ſalvationem Eccleſiæ noſtræ & noſtram tantum non ſufficiunt vires noſtræ quin appoſito ſubſidio parti uni, pars alia ſtatim nobis periculum comminetur. Denique (Domine excellentiſſime) veſtra attendat magnificentia, quod in veſtris hujuſmodi proviſionibus ſervientium, Domibus, pinguibus de magnis et ſuperabundantibus Maneriis et aliis poſſeſſionibus magnificorum Principum, Progenitorum veſtrorum, Regum *Angliæ* (quarum fragmenta ac mica, quæ de menſis earum cadunt, pluris quam totâ noſtra ſubſtantia ſint valoris) veſtra ſemper Curia ſcribere conſuebit: non exilibus et exiguis Cellulis fratrum, quæ ex ſimplicium virorum, qui ex parvulis portionibus ſunt fundatæ: cujuſmodi eſt veſtra parvula noſtra domus: quia revera, ſi talem in noſtram aſſumeremus (prout vobis ſcribere placuit) comitivam, unum nos oportet de noſtris fratribus amovere, quod ne dum vobis moleſtum ſed videretur potius inhumanum. Parcatis igitur nobis, quæſumus, pie Princeps, ſi dictis veſtris præceptis parere non poſſumus, ut vellemus; quia verè non ſine frontis rubore noſtram jam vobis inſinuavimus parvitatem. Longævos & proſperos vos conſervet Altiſſimus, &c. Bundela Brevium & Literarum in Turri Lond. An. 32 E. 1.

EXcellentiſſimo Principi Domino ſuo & Patrono, *Edwardo* Dei gratia Illuſtri Regi *Angliæ*, ſui Monachi humiles & devoti Abbas & Conventus *Cernelii*, ſalutem, et tanto Domino & Principi feliciſſima ſucceſſuum incrementa. Dominationi veſtræ notificamus, quod habemus in Domo noſtra quendam *Johannem de Somerſete* nomine, per literas veſtras nobis directas, in victu & veſtitu, juxta ſtatus ſui exigentiam, quoad vixerit, in neceſſariis exhibendum. Inſuper Domina noſtra Dei gratia Regina *Angliæ*, Conſors veſtra, nobis literas ſuas nuper direxit pro quodam Clerico, ut prohiberemus eidem in Eccleſiaſtico Beneficio, vel Penſione competenti; qui de nobis recepit quadraginta ſolidos annuæ penſionis, quouſque eidem proviſum extitit in Beneficio congruo. Quare Excellentiæ veſtræ humiliter & devotè ſupplicamus, quatinus prædictæ Domui veſtræ ad præſens parcere velitis, ſi placet, & de ſuſtentatione *Ricardi de Ringwude* illam modo nullatenus onerare. Valeat veſtra, &c. Dat. in Capitulo noſtro in vigilia Sancti *Laurentii*, Anno gratiæ 1304. In eadem Bundela, An. 32 E. 1.

Sere-

An. 32 *E.* 1.

In eadem Bundela.

SEreniſſimo Principi, &c. *Edwardo* Dei gratiâ Regi *Angliæ*, &c. ſui devoti Abbas & Conventus de *Athelyngenya*, ſalutem, & orationum inſtantiam, ſubjectionem debitam ſimul & reverentiam. Veniens ad nos *Gilbertus de Ragun*, deferens veſtras literas, continentes, quod eidem neceſſaria ſua in victu et veſtitu honeſte juxta ſtatus ſui exigentiam exhiberemus; Vos etiam *Johannem de Hanecle*, Clericum veſtrum, de annua penſione quadraginta ſolidorum in domo veſtra *Athelyngenye* nobis præcepiſtis feofare: ac *Nicholaum Freyn* in victu et veſtitu, quoad dixerit, juxta ſtatus ſui decentiam exhibere: Et nos mandatum veſtrum in hiis ſumus executi, ut tenemur; Veſtram Regiam Celſitudinem devotis precibus exorantes, quatenus Domui veſtræ prædictæ ad præſens parcere dignemini intuitu charitatis, paupertatem noſtram (ſi placet) reſpicientes, prout dictus *Gilbertus* veſtræ Serenitati poteſt, ſi velit, intimare. Excellentia veſtra luceat in æternum. Dat. in Capitulo noſtro *Athelyngenyæ* v. Kal. *Auguſti*, Anno Domini 1304.

King *Edward* being informed by the Cardinal of *Oſtia* the Popes Legate, that *Benedict* the 11. had created *Walter Wynterburne*, his Confeſſor a Cardinal, out of his affection to the good of the *Engliſh* Nation, deſired him to return his ſpecial thanks to the Pope for this favor, till he could ſend ſpecial Meſſengers to him for that purpoſe, which he ſhortly intended to do, as this Letter of his informs us.

Clauſ. 32 E 1. m. 12. dorſo. Pro Rege.

VEnerabili in Chriſto Patri Domino *N.* Dei gratia *Oſtienſi* & *Velletrenſi* Epiſcopo, Apoſtolicæ Sedis Legato, amico ſuo Chariſſimo. *Edwardus*, &c. ſalutem & ſinceram in Domino dilectionem. Literas veſtras quas nobis ex veſtra grata benevolentia intimaſtis, quod ſanctiſſimus in Chriſto pater Dominus *Benedictus* Summus Pontifex dilectum nobis in Chriſto Fratrem *Gualterum de Wynterburne* Confeſſorem noſtrum ad Cardinalatus apicem ſublimavit: intelleximus diligenter et licet plurimum fuiſſet nobis cordi, quod idem frater noſtri lateri continuo aſſiſteret; Veſtram tamen Paternitatem requirimus cum affectu, quatenus eidem nomine noſtro S. Pontifici velitis ex parte noſtra gratiarum actiones referre, prout honeſtius veſtra noverit diſcretio faciend. Nos quæ id idem in brevi annuente Domino facere intendimus per noſtros Nuncios ſpeciales; habemus enim pro conſtanti, quod bona affectio quam erga nos et regnum noſtrum gerit, eidem ad hoc faciendum inter alia magnum præſtitit inductivum. Dat. apud Villam Sancti *Andreæ* in *Scotia* 4. die *Aprilis*, Anno regni noſtri 32.

* Scriptorum Brit. Cent. 4. cap. 5 p. 356.

I ſhall only inform you what * *John Bale* Biſhop of *Oſſory* writes of the Simonaical advancement, & preferment of this *Engliſh* Cardinal; Gualterus Wynterburn *in* Dominicanorum *torrente familia conſennit. Patres* (Dominicanorum) *apud* Benedictum *ſuum, ejus nominis* 11. *Papam* multis pecuniis egerunt, ut hic venerabilis eorum doctor in officio Cardinalis Guil. Maclesfeld. ſuccederet, ſpecioſum certe imo ſplendidum, unde excelſis et turgidis illorum animis videbatur, Cardinalium diadema a ſuis Rabbinis geri, eoſque propterea a magnis Principibus ſalutari. *Sexto igitur menſe ante prædicti Pontificis ex ficorum ſorbitatiuncula mortem*, ad emptam multo auro dignitatem non modica pompa. D. Sabinæ Cardinalis etiam Presbyter effectus. Quod tamen immenſæ ſuperbiæ faſtigium *ad* 15. *menſes, morte intercedente, vix tennit.*

The King retaining this New created Cardinal in *England* upon his ſpecial occaſions, till after the death of Pope *Benedict*, writ this Letter to Pope *Clement* the 5. to excuſe this his delay by reaſon of his royal command, and imployment in the arduous affairs of his Realm.

Clauſ. 32 E. 1. m. 7. Pro fratre Waltero de Winterburn Cardinali.

SAnctiſſimo in Chriſto patri Domino (*Clement.*) divina providentia Sacroſanctæ *Romanæ* ac Univerſalis Eccleſiæ Summo Pontifici, *Edwardus* ejuſdem gratia Rex *Angliæ*, &c. devota pedum oſcula beatorum. Dudum fœlicis recordationis Dominus *Benedictus* Papa undecimus, ad Religioſum virum Fratrem *Walterum de Winterburne* Confeſſorem noſtrum, attendens ipſius merita & eminentiam probi-

probitatis, ſuæ dirigens conſiderationis intuitum; **ipſum ad Cardinalatus** apicem *An.* 32 *E.* 1.
**duxit Domino diſponente vocandum. Cumque idem Cardinalis tanquam obe-
dientiæ filius juxta mandatum Apoſtolicum ſibi inde directum ſe paraſſet ad iter
ad præſentiam ſedis Apoſtolicæ veniendi, nos ipſum propter quædam arduа noſtra
quæ ſine eo tunc non poterant commode expediri, quaſi compulimus moram con-
trahere uſque modo.** Quocirca Sanctitati veſtræ humiliter ſupplicamus, **quatinus
moram præfati Cardinalis dicta de cauſa contractam habere, ſi placet, dignemini
propenſius excuſatam.** Conſervet vos altiſſimus ad regimen Eccleſiæ ſuæ ſanctæ
per tempora longiora. Dat. apud *Feddeworth* in *Scotia* 23 die *Aug.* Anno, &c. 32.

From which Epiſtle I ſhall obſerve: 1. That the Popes creation of the Kings Confeſſor to be a *Roman* Cardinal, did not exempt him from his obedience, duty and ſervice to the King. 2ly. That the King againſt the Popes preſent ſummons, of him to *Rome*, did by his Regal authority controll and countermand his journey thither when provided to take it, for the better diſpatch of his own preſſing important affaires, till he licenſed him to repair thither.

The King this year Writ theſe Letters in favour of the Dean of *Dunkelden* his Chaplain, to ſeveral Cardinals, to promote his affairs in the Court of *Rome*.

VEnerabili in Chriſto Patri Domino *N.* Dei gratia *Oſtien.* Epiſcopo, amico ſuo chariſſimo, *Edwardus* ejuſdem gratia, &c. ſalutem & ſinceræ dilectionis effectum. Dilectum Clericum noſtrum Magiſtrum *Matthæum* Decanum Cathedralis Eccleſiæ *Dunkelden*, exhibitorem præſentium, ipſiuſque negotia, quæ in *Romanâ* Curiâ habuerit expedire, veſtræ paternitati reverendæ pleno recommendamus affectu; veſtram amicitiam ſpecialiter requirentes, quatinus eidem Magiſtro *Matthæo* ſuper felici expeditione negotiorum prædictorum velitis amore noſtri veſtrum oportunum præſidium impertiri: Ita (ſi placet) quod in negotiis prædictis has preces noſtras profuiſſe ſibi ſentiat in effectu. Datum apud *Boghkener* in *Scotia* 13 die *Aug.* Cl. 32 E. 1. m. 7. dorſo. Pro Decano Dunkeld.

Per breve de Privato Sigillo.

Eodem modo ſcribitur Dominis, *J.* titulo S. *Marcellini* & *Petri*, & Domino *G.* titulo S. *Martini* in *Montibus*, Presbyteris Cardinalibus.

The Biſhop of *Cathenes* in *Scotland* deceaſing, and King *Edward* aſſenting to the election of a new one, made this Certificate thereof to the Pope.

SAnctiſſimo in Chriſto Patri Domino *B.* divina Providentia Sacroſanctæ *Romanæ* & univerſalis Eccleſiæ Summo Pontifici, *Edwardus* ejuſdem gratia, &c. devota pedum oſcula beatorum. Sciat veſtra Paternitas reverenda, quod nos Electioni nuper celebratæ in Eccleſia Cathedrali *Cathanen.* in *Scotia* de diſcreto viro *Fercardo* Decano ejuſdem Eccleſiæ **in Epiſcopum illius loci Regium aſſenſum adhibuimus et favorem.** Et hoc veſtræ Sanctitati innoteſcimus per præſentes, ut quod veſtrum eſt in hac parte, exequi dignemini cum favore. In cujus, &c. Datum apud *Strivelyn* in *Scotia*, 16. die *Junii*, Anno Regni noſtri, &c. Pat. 32 E. 1. m. 26. De aſſenſu Regio.

Per breve de Privato Sigillo.

The Abbot of St. *Katherine* near *Rhoan* making a Fine of 20 *l.* to make his fealty to the King at *Yorke* in the Chancery, to ſave his journy to him to *Strivelyn* in *Scotland* there to make it; the King thereupon iſſued this Writ forthwith to levy it on his Lands and Chattels.

EDwardus Dei gratia Rex *Angliæ*, &c. Vic. *Middleſex*, ſalutem. Cum *Williel-
mus de Geneſtis* nuper Prior Sanctæ *Katerinæ* in *Monte* juxta *Rotomagum*, in Abbatem ejuſdem loco *J.* nuper Abbatis ibidem per Archiepiſcopum *Rotomagenſem* ſubrogatus, **finem fecit nobiſcum coram Theſaur. et Baronibus noſtris de Scaccario
per viginti libras, ut fidelitatem ſuam nobis de temporalibus Abbatiæ prædictæ
debitam** Bundela Brevium de Privato Sigillo & Literarum in Turri London, An. 32 E. 1.

An. 32 *E.* 1. debitam in Cancellaria noſtra apud *Eborum* facere poſſet, et ne ad nos apud *Strivelyn* in *Scotia* accederet, præ dicta fidelitate faciendæ; Tibi præcipimus, quod dictam pecuniam de terris & catallis ipſius Abbatis in Balliva tua, ſine dilatione levari facias; Ita quod eam habeas in Cancellaria noſtra in feſto *Omnium Sanctorum* proximo futuro, ubicunque tunc fuerit, nobis in eadem Cancellaria liberandam: Et hoc nullo modo omittas. Et habeas ibi hoc breve. Teſte meipſo apud *Tynemuth* 10. die *Septemb.* Anno Regni noſtri triceſimo ſecundo.

The Taxers and Collectors of the Quindiſm granted by the Commonalty to the King out of their temporal goods, intending to tax and levy it upon the Spiritual goods of the Abbey of *Bellieu*; the King upon the Abbots complaint iſſued this Prohibition to them.

Bundela Brevium, &c. An. 32 E 1. EDwardus, &c. Taxatoribus & Collectoribus Quintædecimæ in Comitatu *Berks* ſalutem. Quia ex parte dilecti nobis in Chriſto, Abbatis de *Bello loco Regis*, nobis eſt oſtenſum, quod vos bona ipſius Abbatis merè ſpiritualia occaſione Quintædecimæ prædictæ, nobis a Communitate Regni noſtri de bonis ſuis temporalibus conceſſæ, taxare faciatis, et Quintamdecimam inde ad opus noſtrum levare intenditis, contra formam nobis ad Scaccarium noſtrum inde liberatam. Vobis mandamus, ſicut mandavimus, quod ſi ita eſt, tunc taxationi & levationi Quintædecimæ prædictæ de bonis ipſius Abbatis merè ſpiritualibus in Comitatu prædicto faciendis ſuperſedeatis, ipſum contra formam prædictam non moleſtantes in aliquo ſeu gravantes; vel cauſam nobis ſignificetis, quare mandato noſtro aliàs vobis inde directo minimè paruiſtis. Teſte meipſo apud *Drumkaragh*, 7. die *April*, Anno regni noſtri, 32.

The King after his royal aſſent to the election of *Ralph de Baudak* Biſhop of *London*, upon the Dean and Chapter of *Pauls* certificate thereof, iſſued theſe Writs for his confirmation, and for the reſtitution of his Temporalties, upon the Archbiſhops confirmation of him.

Pat. 32 E 1. m. 23. De Regio aſſenſu. REX Electioni nuper celebratæ in Eccleſia Cathedrali S. *Pauli London.* de diſcreto viro Magiſtro *Radulpho de Baudak* Decano ejuſdem Eccleſiæ in Epiſcopum illius loci, Regium aſſenſum adhibuit et favorem: Et hoc ſignificatum eſt venerabili patri *R. Cantuar.* Archiepiſcopo totius *Angliæ* Primati, ut quod ſuum eſt in hac parte exequatur. In cujus, &c. Teſte Rege apud Villam Sancti *Andreæ* 22 die *Martii*.

Per breve de Privato Sigillo.

Ibid. De Reſtitutione Temporalium. REX dilecto & fideli ſuo *Waltero de Gloucestr.* Eſcaetori ſuo ultra *Trentam*, ſalutem. Cum venerabilis pater *R. Cantuarienſis* Archiepiſcopus Electionem nuper celebratam in Eccleſia Sancti *Pauli London.* de diſcreto viro Magiſtro *Radulpho de Baudak* Decanum ejuſdem Eccleſiæ in Epiſcopum illius loci, cui prius Regium aſſenſum adhibuimus et favorem, confirmaverit, ſicut per literas patentes ejuſdem Archiepiſcopi, nobis inde directas, nobis conſtat; nos Confirmationem illam acceptantes, cepimus fidelitatem ipſius *Radulphi*, & Temporalia Epiſcopatus prædicti, prout moris eſt, reſtituimus eidem. Et ideo vobis mandamus, quod eidem *Radulpho* Temporalia Epiſcopatus prædicti liberetis in forma prædicta. Teſte Rege apud *Stryvelyn* primo die *Junii*.

To what elections, confirmations and reſtitutions of the Temporalties of Archbiſhops, Biſhops, Abbots, and other Eccleſiaſtical perſons in *Ireland* the King this year gave his royal aſſent, theſe Records will atteſt.

Pat. 32 E 1. m. 11. De reſtitutione Temporalium in Hibern. REX dilecto & fideli ſuo *Johanni Wogan*, vel ejus Locum-tenenti, ſalutem. Cum Dominus *B.* Summus Pontifex Electionem nuper celebratam in Eccleſia Cathedrali *Caſſalenſi* de diſcreto viro Magiſtro *Mauricio*, Archidiacono *Caſſalenſi*, in Archiepiſcopum illius loci, cui prius Regium aſſenſum adhibuimus et favorem, confirmaverit, ſicut per literas ipſius Summi Pontificis bullatas, nobis inde directas, nobis

nobis conſtat; Nos confirmationem illam acceptantes, **cepimus fidelitatem ipſius** *Mauritii*, & temporalia Archiepiſcopatus prædicti, prout moris eſt, reſtituimus eidem. Et ideo vobis mandamus, quod eidem *Mauritio* temporalia Archiepiſcopatus prædicti ſine dilatione liberetis, ſicut prædictum eſt. Teſte ut ſupra 18 die *Julii*. *An.* 32 E. 1.

Per Breve de privato Sigillo, dupp.

The King being in *Scotland* granted theſe licenſes for the election, confirmation, conſecration, and reſtitution of the Temporalties of the elect Biſhop of *Ferne* in *Ireland*.

Johannes Ingram & *Johannes* fil. *Thomæ*, Canonici Eccleſiæ *Fernen.* nunciantes Regi mortem *R.* nuper Epiſcopi illius loci, habent literas Regis **de licentia eligendi**. In cujus, &c. Teſte Rege apud Villam Sancti *Andreæ* in *Scotia* 12. die *Martii*. Pat. 32 E. 1. m. 23. De licentia eligendi.

Per breve de privato ſigillo.

REX dilecto & fideli ſuo *Johanni Wogan.* Juſticiario ſuo *Hibern.* ſalutem. Cum dilecti nobis in Chriſto Decanus & Capitulum Eccleſiæ *Fernen.* nobis per literas ſuas patentes ſignificaverunt, quod Eccleſia ſua prædicta per mortem bonæ memoriæ *R.* nuper Epiſcopi illius loci, Paſtoris eſt ſolatio deſtituta, ſupplicantes nobis, prout moris eſt, **quod licentiam noſtram ſibi alium eligendi in Epiſcopum concedere dignaremur, &c.** Nos eorundem Decani & Capituli laboribus et expenſis in hac parte parcere volentes iſta vice, conceſſimus eis de gratia noſtra ſpeciali, & vobis dedimus poteſtatem, &c. Receptis prius ab ipſo Electo literis ſuis patentibus, Sigillo ſuo, necnon & Sigillo Capituli ſui ſignatis, quod hæc gratia noſtra, **quam eidem Electo ad præſens ex mero liberalitate noſtra conceſſimus, nobis vel hæredibus noſtris non cedat in præjudicium vel exhæredationem, ſeu trahatur in conſequentiam temporibus futuris.** In cujus, &c. Teſte Rege apud Villam Sancti *Andreæ* in *Scotiæ* 12 die *Martii*. Ibidem De temporalitus reſtituendis in Hibern.

Per breve de privato ſigillo.

REX dilecto & fideli ſuo *Johanni Wogan.* Juſticiario ſuo *Hiberniæ*, vel ejus locum tenenti, ſalutem. Cum nuper ad proſecutionem venerabilis patris Epiſcopi *Leomen.* ſuggerentis, quod vos Carucatas quatervigintì & quatuor acras terræ & dimidium cum pertinentiis in Villa *Novi Caſtri de Lions* juxta *Dublin.* quas idem Epiſcopus aſſerit eſſe jus Eccleſiæ ſuæ, cepiſſis ex cauſis minus rationabilibus in manum noſtram: Vobis mandaverimus, quod ſuper modo & cauſa captionis terrarum prædictarum in manum noſtram, nos ſub ſigillo veſtro redderetis diſtinctè & apertè certiores; & vos nobis retornaveritis, Quod cum *Mauricius* quondam Epiſcopus *Leomen.* ſeiſitus fuiſſet de tribus Carucatis, quatervigintì & quatuor acris & dimidium apud *Kilulkan* in villa *Novi Caſtri de Lyons* juxta *Dublin.* ut de jure Eccleſiæ ſuæ per Eſcambium inde factum, inter nos & *Matthæum Ohogan* dudum Epiſcopum illius loci, pro quibuſdam terris apud *Reſchre*, idem *Mauricius* Epiſcopus prædictas tres Carucatas, quatervigintì & quatuor acras terræ, commiſit *Thomæ* fil. *Jacobi Ohogan*, tenend. eidem *Thomæ* in feodo, **ſine conſenſu Capituli ſui, noſtraque licentia non obtenta**; & quod Magiſter *Robertus de Loudevenold*, tanquam Cuſtos præfati *Thomæ*, recepit Exitus prædictarum Terrarum per tres annos, propter quod ordinatum fuit per Conſilium noſtrum *Hiberniæ*, quod dilectus & fidelis noſter *Walterus de la Haye*, Eſcaetor noſter *Hiberniæ*, terras illas caperet in manum noſtram; & quod terræ illæ ex cauſa prædicta **in manum noſtram captæ fuerunt et hactenus detentæ**, prout per returnum præfati Eſcaetoris vobis inde factum, & Inquiſitionem per ipſum Eſcaetorem factam, & vobis liberatam, cujus tranſcriptum nobis miſiſtis, vos aſſeritis accepiſſe. Et quia non liquet per Inquiſitionem prædictam, quod præfatus *Thomas* captioni Inquiſitionis prædictæ interfuit, pro jure (ſi quod habuit) oſtendendo, quod ad hoc fuerat aliqualiter præmunitus; Vobis mandamus, quod prædictum *Thomam* præmuniri faciatis, quod ſit coram vobis ad certos diem & locum, quos ad hoc provideritis, ſi ſibi viderit expedire, ad jus ſuum (ſi quod in terris prædictis clamet habere) coram vobis oſtendendum; et ſi nullam cautam rationabilem inveneritis, quare prædictus Epiſcopus Terras illas, ut jus Eccleſiæ ſuæ prædictæ, ingredi & habere non debeat, & vobis conſtiterit Terras illas ex cauſa Clauſ 32 E 1. Pro Epiſcopo Leomen.

An. 32 E. 1. prædicta & non aliæ captas fuisse in manum noſtram & detentas, tunc Eſcaetori noſtro prædicto detis in mandatis, quod de terris prædictis ſine dilatione aliqua amoveat manum noſtram, & ſe inde ulterius non intromittat; Salvo jure noſtro, alias cum voluerimus inde loqui. Teſte Rege apud *Tetham* 24 die *Auguſti*.

Per Breve de Privato Sigillo.

Pat. 32 E 1. m. 11. De Archid. dato.

REX omnibus ad quos, &c. ſalutem. Sciatis quod dedimus & conceſſimus dilecto nobis Magiſtro *Thomæ Olonxy* Archidiaconatum *Caſſalenſem* vacantem, & ad donationem noſtram ſpectantem, ratione Archiepiſcopatus *Caſſalenſis* vacantis, et in manu noſtra exiſtentis; Habendum cum ſuis juribus & pertinentiis quibuſcunque. In cujus, &c. Teſte ut ſupra 15 die *Julii*.

Per breve de privato ſigillo.

Et mandatum eſt Decano & Capitulo Eccleſiæ *Caſſalenſis*, quod eidem Magiſtro *Thomæ* Stallum in Choro & locum in Capitulo, ratione Archidiaconatus prædicti, prout moris eſt, aſſignent. Teſte ut ſupra.

Pat. 32 E 1. m. 16. De Temporalibus reſtituend. in Hibern.

REX dilecto & fideli ſuo *Johanni Wogan* Juſticiario ſuo *Hiberniæ*, ſalutem. Cum dilecti nobis in Chriſto Prior & Conventus de *Onok*. per literas ſuas patentes ſignificaverunt, quod Eccleſia ſua prædicta per mortem bonæ memoriæ *J.* nuper Abbatis illius loci, Paſtoris eſt ſolatio deſtituta, ſupplicantes nobis, prout moris eſt, quod licentiam ſibi alium eligendi in Abbatem eiſdem concedere dignaremur, &c. Nos eorundem Prioris & Conventus laboribus & expenſis in hac parte parcere volentes, iſta vice, &c. Receptis prius ab ipſo Electo literis ſuis patentibus, Sigillo ſuo necnon & Sigillo Capituli ſui ſignatis, **quod hæc gratia noſtra, quam eidem Electo ad præſens ex mera liberalitate noſtra conceſſimus nobis vel hæredibus noſtris non cedat in præjudicium vel exheredationem, ſeu trahatur in conſequentiam** temporibus **futuris**. In cujus, &c. Teſte Rege apud *Strivelyn*, 10 die *Junii*.

Per Breve de Privato Sigillo.

Pat. 32 E 1. m. 4. De temporalibus in Hibern. reſtituendis.

REX dilecto & fideli ſuo *Johanni Wogan* Juſticiario ſuo, vel ejus locum tenenti ſalutem. Cum dilecti nobis in Chriſto Prior & Conventus de *Rathnoyd* nobis per literas ſuas Patentes ſignificaverunt, quod Eccleſia ſua prædicta per reſignationem fratris *Chriſtiani* nuper Abbatis illius loci, Paſtoris eſt ſolatio deſtituta; ſupplicantes nobis, prout moris eſt, **quod licentiam ſibi aliam eligendi in Abbatem eiſdem concedere dignaremur, &c.** Nos eorundem Prioris & Conventus laboribus & expenſis in hac parte parcere volentes iſta vice, &c. Receptis prius ab ipſo Electo literis ſuis patentibus, Sigillo ſuo necnon & ſigillo Capituli ſui ſignatis, **quod hæc gratia noſtra, quam Electo ad præſens ex mera liberalitate noſtra conceſſimus, nobis vel hæredibus noſtris non cedat in præjudicium vel exhæredationem, ſeu trahatur in conſequentiam temporibus futuris.** In cujus, &c. Teſte Rege apud *Fynkhale*, 23 die *Septembris*. *Per Breve de privato Sigillo,*

Ibid m. 11. De Temp. reſtit. in Hibern.

Conſimiles literæ diriguntur eidem *Johanni Wogan*, &c. pro Priore & Conventu Sanctæ *Mariæ* de *Dynelek*. Teſte Rege apud *Strivelyn* 22 die *Julii*.

Fines 32 E 1. m. 6. Cedul. Hibern.

PRior de *Kenlet* in *Offer*. Finem fecit cum Rege in Cancellariâ Regis pro viginti ſolidis pro quibuſdam tenementis in *Offor*. quæ pro eo quod ea poſt publicationem Statuti Regis *de terris & tenementis ad manum mortuam non ponendis editi*, **ſine licentia Regis ingreſſus fuit, capta fuerunt in manum Regis, rehabendis.**

This year King *Edward* having ſubdued all the proud rebellious *Scots* who perfidiouſly took up arms againſt him, contrary to their premiſed reiterated Oathes and Covenants, except thoſe in *Strivelyn* Caſtle, ſitting down with his Army before it, encouraged them ſtrenuouſly to aſſault it by a ſhort Oration; wherein he recited both his Titles to *Scotland*, the manifold rebellions and perjuries of the *Scots*, and his great victories over them, which *Matthew Weſtminſter* thus relates.

Sub

[a] *Sub eodem quoque tempore, quo Reges ſolebant ad bella procedere*, fortunatiſſimus Rex Anglorum Edwardus, *peragratis quibuſcunque* Scotiæ *partibus*, calcatis bicerne-ſe cornibus ſuperborum, domitis rebellium fremitibus, *deditis ejus arbitrio cunctis nobilioribus regni* Scotiæ, *ac etiam debellatis, adhuc reſtabat unum Caſtellum fortiſſimum expugnandum, videlicet* Strivelin. *Ad quod cum perveniſſet Rex, ſtatim obſidionem diſpoſuit. Defenſor autem Caſtri, Miles ſatis magnanimus, dictus* Gulielmus Olyſard, *cernens tam elegantem expeditionem, ſe & ſuos circundari, mittit legationem, petens à Rege, ſibi licere Magiſtro ſuo* Johanni de Soules *tranſmittere in* Franciam, *experiri certè an deberet ſponte, & ſine reſiſtentia Regi reddere Caſtellum, vel contra eum, quamdiu poterat, illud defendere. Cui Rex, nequaquam. Quinimo, ſi ſalubrius æſtimaverit, Caſtrum defendere, quam illud nobis reddere ipſe viderit. Quo reſponſo accepto, recordatus eſt* Gulielmus *juramenti, quod fecerat Magiſtro ſuo, agenti tunc in* Francia *cum quibuſdam* Scotis, *gratia diſſenſionis habendæ: Sed quia non aderat auxiliator, neque qui ferret juvamen, ad reſiſtendum actui Regiæ præparet, quantum poteſt. Æſtimabat autem ſe non Regi obnoxium eſſe, ſi Caſtellum defenderet contra eum, pro eo,* quod fidelitatem vel homagium nunquam ſibi corporaliter præſtitiſſet. *Sed quomodo unà cum Magiſtro ſuo terram alterius, & Caſtrum Regis fraudulenter invaſerat, non ſanè proſpexit aut noluit intelligere, ut benè ageret. Porrò Rex* Angliæ *animavit populum ſuum ad bellum, replicans,* qualiter poſt obitum Alexandri Regis Scotiæ, Comites et Barones illum in principalem Dominum elegerunt, fidelitatem et homagium ſibi dantes, corporali præſtito Sacramento pro ſe, et pro cunctis Majoribus et Minoribus regni, tam præſentibus quam futuris, ut diſcuſſo jure ſingulorum vendicantium coram eo, ille Coronam ſuſciperet, quem ipſe judicaverit amplius habere juris ad regnum. *Quique præcaventes ſibi in futurum, ut Rex* Angliæ, non quaſi vocalis eorum, et regni et Regis Franciæ Dominus, quicquam conſtituerat, verum etiam ipſum, tanquam Advocatum Dominum, et realem poſſeſſorem, *omnibus Caſtellis, Civitatibus, Burgis, Mareſcalliis, Seneſcalliis, ac cunctis aliis proprietatibus quæ ad regnum pertinent, ipſum per dies* 40 *pacificè ſeiſierunt, ne in vanum currerent, aut in irritum factum proprium revocarent, prout in Patenti eorundem inſtrumento, inde confecto plenius continetur.* Poſtmodum Electus eorum Rex et coronatus contra ligium Dominum ſuum Regem Angliæ, movens bellum, devincitur, et carceri mancipatur. Peremptiſque C. M. viris et amplius in bello, apud Berwicum et Dunbar, inſuper captis Baronibus, Comitibus, et Militibus regni Scotiæ, et in Anglia incarceratis, ipſe Conquæſtor et Monarcha duorum regnorum efficitur lege Belli. Denuo dimiſſis illis miſericorditer repedare ad Natale ſolum et iterum Bellum ſuſcitantibus, occurrens Rex cum armato milite regnum Scotiæ alias inore gladii, adquiſivit, occiſis in Bello juxta Faukirk Lx. M. viris de Scotis. *Dixitque Rex*, Cum igitur jam tertio rebellionis filios clava potentiæ noſtræ bellicoſe domuerimus, et non ſit qui reſiſtat nobis niſi alter Saba, filius Bortrii, commilitones optimi, ſervatæ titulos laudis veſtræ, ut expugnato nocibo vermiculo, honor veſter propenſius augeatur. *Peroraverat iſta Rex, & legionis vel exercitus probatur aſſertio. Perinde tenduntur baliſtæ, eriguntur machinæ, fabricantur tormenta ad lapides jacendos*; and the Caſtle beſeiged, ſtrenuoſly aſſaulted, and defended to the utmoſt extremity, till the Governour and Souldiers were forced to ſurrender themſelves to the Kings mercy, who though ſeveral times levelled at and endangered to be ſlain, ſpared the lives of all thoſe who kept it againſt him, as the ſame Hiſtorian and † *others* relate at large. After which, * *Victorioſiſſimus Rex* Angliæ Edwardus, *deputatis in Caſtello illo, & à cæteris locis* Scotiæ *viris Nobilibus, qui triumphalem pacem ſuam cunctis indigenis ſervarent*, comitantibus ipſum Comitibus et Baronibus Scotiæ, in ſignum deditionis, et rebellionis debellatæ, ad Angliam iora direxit. *Tenuit igitur Rex* Natale *ſuum apud* Lincolniam, *& præcepit procuratoribus domus ſuæ, it à ſplendidè & magnificè adminiſtrare, quæ neceſſaria erant pro tanti jocunditate feſti, ſibi & Comitivæ ſuæ*, tanquam Monarchæ, Regi, et Domino duorum regnorum, *Ibique refocillans ſuos Comites & Proceres in multis deliciis per dies multos, virtutes bellatorum laudum præconiis attollebat. Quos condignis muneribus gratificatis, & pro laboribus commendatas, lætus dimiſit ad propria, & jocundos.*

An. 32 & 33 *Edw.* 1.

* Flores Hiſtoriarum, Anno Dom. 1304. p. 445, 446. See Walſingham, Hiſt. Angl. p. 60, 61. Ypodigma, An. 1304, 1305. Polychronicon, Caxton, Fabian, Polydor. Virgil, Holinſhed, Grafton, Speed, Daniel, Baker, & others, in the life of Edw. 1.

† Tho. Walſingham Hiſt. Angl. p. 60, 61. Ypodig. Neuſtriæ, An. 1305. Polydor Virgilius, Holinſhed, Grafton, Speed, Daniel, in E. 1.

* Mat. Weſt. p. 449.

Anno Gratiæ 1305. (33 *E.* 1.) *Ad* Annunciationem Dominicam *aderat Rex* Edwardus *cum Magnatibus populi ſui apud* Weſtmonaſterium, *facturus Deo gratias*

An. 33 E 1.

An. 33 *E.* 1. *& Sancto* Edwardo, *pro triumpho de* Scotis *potito.* **Circa festum* Annunciationis *beatæ* Mariæ, *quidam* Scotus *dictus* Guilelmus Waleis, *refuga pietatis prædo, sacrilegus, incendarius, & homicida,* Herode *crudelitate immitior,* Nerone *vesania debacchantior, qui pudenda hominis, quæ Deus celari voluit, faciens eis perizomata, cum* Chaldæa *maledicto discooperuit,* cogens quamplures viros ac mulieres Anglicos mixtim charolare nudos, et psallere ante se, constitutis a tergo torturis cum scorpionibus et aculeis, flagellantibus incurbantes, et pungentibus uti cederent in directum, qui infantes in cunis vagientes, et quosdam pendentes ad ubera ebiscerabit. Qui pueros in scholis et in Ecclesiis, ad magnum numerum incendio conflagrabit. *Quidum collegisset exercitum* Scotorum *in Bello de* Fonkirk *contra Regem* Anglorum, *& vidisset quod nequiret resistere tam forti exercitui; ait* Scotis, Ecce adduxi vos ad annulum, charolate, vel tripudiate vos sicut melius scitis. *Et aufugit è prelio populum suum in occisione gladii derelinquens. Hic vir* Belial, *post innumera flagitia, tandem per Ministros Regis capitur, & Londinum volente Rege ipso fieri judicium, adducitur, ac per Nobiliores regni* Angliæ *in vigilia sancti* Bartholomæi, *morte crudelissima, sed dignissima condemnatur. Primò per plateas* Londini *ad caudas equinas tractus usque ad patibulum altissimum, sibi fabricatum, quo laqueo suspensus, postea semivivus dimissus; deindè abscissis genitalibus, & eviscératis intestinis, ac in ignem crematis, demum, abscisso capite ac trunco in quatuor partes secto, caput palo super pontem* Londinensem *affigitur. Quadrisida verò membra ad quatuor partes* Scotiæ *sunt transmissa. Ecce finis immisericordis hominis, quem immisericordia sic finivit.*

* Mat. West. p. 459. Tho. Walsingham, Hist. Angl. p. 61. Ypodigma Neustr. p. 98. H. de Knyghton de Event. Angl. l. 3. col. 2520, to 2531

* Mat. West. p. 451, 452.

In* Octavis Nativitatis *beatæ* Mariæ, adunatum est **Consilium Regis Edwardi *ad* Novum Templum Londini, *cui interfuerunt Episcopi* Cestrensis *&* Wygornensis *de* Anglia, *& Episcopi Sancti* Andreæ *&* Glasconensis *de* Scotia, *& Abbates* Westmonaster. *&* Waverlaic. *& duo de* Scotia, *& duo Comites de* Anglia, *& duo de* Scotia, *et alii Barones tàm* Scoti *quàm* Angli. *Ubi per* 20 *dies consiliati sunt super firmanda pace Regia in* Scotia, *qualiter melius firmius & quietius, tàm pro* Scotis *quàm pro* Anglis, *pax summa & tranquillitas optima perpetuis stabiliretur temporibus. Ibi* Scoti per assensum totius regni Scotiæ, et quorum Ordinationi stare spospondit reliqua pars tota, ad Angliam sunt transmissi. *Et per assensum & ordinationem utriusque partis, constituti sunt Justiciarii & Clerici ultra & citra mare* Scoticum, *bini & bini, qui suis in locis pacem patriæ confoverent, lites deciderent, & pugnas sedarent. Hæc dispósita, venerunt ad Regem prænominati viri, & recitata ordinatione eorum in audientia, placuit Regi in omnibus, unico duntaxat articulo, de quodam judicio* Scotico, *penitus annullato.* **Tunc juraverunt Episcopi, Abbates, Comites, et Barones** Scotiæ pro se, et hæredibus suis, et reliqua gente superstite et futura in Scotia, stare Ordinationi prædictæ, et secundum modum et formam dispositionis hujuscemodi, tam potentes quam ignobiles, præsentes et futuros, velle semper degere et debere. Hoc autem apud **Panerium** de Scheene *super* Thamesim, Scoti **prædicti tactis Sacrosanctis Christi corpore et Evangeliis et aliis reliquiis spoponderunt.** *Gavisus igitur Rex ob spem firmæ futuræ pacis in* Scotia *fecit misericordiam cum eisdem, ut qui pro peccatis suis redemptionem fecerant, videlicet,* qui **balorem terrarum** suarum ad certos annos per duos, tres vel quatuor, **Regi debuissent** solvisse duos in quatuor, tres in sex, et quatuor in octo annos pensatis cujusque conditione et statu, ut haberent unde honeste viverent, **voluit hoc ratiocinium prolongari.** *Post hæc licentiati* Scoti *cum honore in regionem suam alacriter sunt reversi.* Yet within few Monetls after these perjured, faithlesse *Scots*, against these New Oathes and Ordinance, most perfidiously and ungratefully revolted from, rebelled against King *Edward*, Crowned a new King of their own, which occasioned new Warres; of which more in due place.

The Proceedings in this *Parliamentary Counsil*, and *Ordinance* for setling the affairs of *Scotland*, made by the unanimous consent of the Commissioners elected and sent from thence, and the Kings *English* Commissioners, with the Kings Royal assent thereto, are thus more fully enrolled in our *Records*, than related in any of our printed *Historians.*

* Plac. Parliamenti, An. 33 E. 1. See Rymer, p. 243, 244.

* *Dominus Rex injunxit Episcopo* Glascou, *Comiti de* Carrik, *&* Johanni de Mowbray, *quod tractatum ad invicem haberent super Articulis tangentibus regnum* Scotiæ *subscriptis, videlicet,* **de die et loco Parliamenti Regis** super statu regni et hominum Scotiæ; **De hominibus Scotiæ qui ad Parliamentum illud venient** (as Commissioners

ſioners only, not as Members thereof) et de aliis qui in partibus illis morari facient pro cuſtodia terræ prædictæ; et quod ſuper hoc conſulti Regi ſcire facerent avi-ſamenta, &c. *Et prædicti Epiſcopus, Comes, &* Johannes *die Veneris* 26 *die* Martii *reſpondebant Regi ſuper Articulis prædictis ſub hac forma.* A les Articles que noſtre Seigneur le Roi ad commande Leveſque de *Glaſc*, & au Count de *Carrik*, & au *Johan de Moubrey* quil dient lour avis. Ceſtaſſavoir del lieu & del jour a ſon Parlement, en droit des perſones *Deſcoce* qui a ceu Parlement vendront et les queux demorrent en pais pur la garde de la terre. Endroit du dit lieu il lour eſt avys. Qe ce ſoit a la volunte & al eeſe noſtre Seigneur le Roy, iſſint ſi luy pleſt, quil voille avoir regard a leſtat de ſon people *Deſcoce*. En endroit del dit jour aſſi en ſoit a la volunte. Mes il lour ſemble qe devant le feſt de Seint *Johan Baptiſtre* ſil pleſt a noſtre Seigneur le Roi, ne purra my bonement eſtre, pur ce qe avant la *Paſch* ne poent il bonement venir a lour pais, et adonques covendra qe la commune *Deſcoce* ce fuſt garny a certaine jour & a certaine lieu par brief de la Chancellerie, & par les Miniſtres noſtre Seigneur le Roy. Le queu jour de lour aſſemble ne peut eſtre bonement ſi luy pleſt devant laſcenſion prochein, & apres ceu temps averont il aſſez a faire de eux apparailler juſques la feſt de Seint *Johan* avantnome de venir la ou il plerra noſtre Seigneur le Roi. *An.* 33 E. 1.

Endroit des perſones qui devent venir: Avys lour eſt qe deux Eveſques, Dieux, Abbees, deux Countees, deux Barons, & deux par la commune unde ceu la mere & un autre de la les queux ſerront eſlutz par la commune *Deſcoce* a lour aſſemble ſuffireit ſil pleſt a noſtre Seigneur le Roi. Et ſi plus boille avoir ſoit a ſa volunte. En droit des perſones qe demorrent en pais par Garder de la dite terre: avis lour eſt, qe les Gardeins noſtre Seigneur le Roy & ſes Miniſtres ove la dite Commonalte *Deſcoce*, qui demorrent en pais purront ſuffic pur la Garde de la dite terre. Memorand de Parliamento 33 E. 1. die Dominica proximo poſt feſtum S. Matthiæ.

Et præmiſſis lectis coram Rege & Conſilio ſuo prædicto viceſimo ſexto die Marcii, *ſic reſponſum eſt per ipſum Regem,* Ker bult et concedit, quod dies Parliamenti Scotiæ ſit a die Natibitatis Sancti Johannis Baptiſtæ in tres Septimanas; Et quod Parliamentum illud ſit London; Et quod decem qui eligentur per totam Communitatem, ut ſupra continetur, veniant ad dictum Parliamentum pro tota Communitate terræ Scotiæ, (as Commiſſioners, not as Members of that Parliament.) *De cuſtodia terræ* Scotiæ *fiat cuſtodia per Cuſtodes & Miniſtros Regis, & per Communitatem terræ* Scotiæ, *prout Epiſcopus* Glaſguenſis, *Comes de* Carrik, & Johannes de Moubray *conſentiunt & ordinant*, &c.

* *Ad Petitionem prædictorum Epiſcopi, Comitis, &* Johannis, *petentium, quod prædicti homines qui electi erunt pro Communitate* Scotiæ *ad veniendum ad Parliamentum Regis,* poſſint habere cuſtus et erpenſas ſuas de dicta Communitate, et quod Ker velit concedere quod duo vel tres quos dicta Communitas ad hoc eliget, habeant poteſtatem de Rege ad lebandum hujuſmodi rationabiles erpenſas de eadem Communitate, &c. *Ita reſponſum eſt per Regem.* Ker bult, quod illi decem qui eligentur ad beniendum ad Parliamentum Regis pro tota Communitate terræ Scotiæ habeant erpenſas ſuas de tota Communitate Scotiæ. Et quod duo legales homines citra Mare Scotiæ, et duo legales homines ultra mare eligantur, ad hujuſmodi erpenſas aſſidendas et lebandas per biſum et Conſilium Cuſtodis Regni Scotiæ et Camerarii. Which was accordingly purſued, executed; and thereupon in that Parliament, this enſuing *Ordinance* was made and eſtabliſhed for the ſettlement of the Goverment of *Scotland*; and preſerving it from all ſubſequent inſurrections, rebellions and revolts from the Crown of *England*; thus recorded to Poſterity in the Rolls in the *Tower*. * See the 4th Part of my Brief Regiſter, Kalendar, and Survey of Parliamentary Writs, p. 22, 23.

Ordinatio facta per Dominum Regem ſuper ſtabilitate terræ Scotiæ.

FAit a remembrer que come noſtre Seigneur le Roy de ſon Parlement qil tynt a *Weſtmuſter* en Quarreine, l'an de ſon regne trentiſme tierz euſt fait aſavoir par Leveſqe de *Glagu*, le Counte de *Carrik*, Mounſieur *Johan de Segrave* adunqes tenant le Lieu le Roy en *Loeuein*, & par Sire *Johan de Sandale* Chamberleyne *Deſcoce*, as les bones gentz de la terre *Deſcoce*, qil feiſent aſſembler la Communalte de la terre, et que entre eux toutz eleuſent certein noumbre de gentz pur venir de par meiſme la Communalte a *Weſtmuſter* au Parlement que noſtre Seigneur le Roy avoit; Clauſ. 33 E. 1. m. 13. dorſo. in cedula. See Rylev his Appendix p. 503, to 508.

An. 33 *E.* 1. **avoit** ordene a tenira treis ſemaynes apres la feſte de la Nativite Seynt *Johan le Baptiſte* procheyn ſuant, le quel Parlement fuſt eſloignez tantque a la feſte de Laſſumpuon de noſtre Dame, per maundement de noſtre Seigneur le Roy, & puis tantque as uſtaves de la feſte de la Nativite noſtre Dame procheinement ſuant. Ac quelx lieu & terme les Eveſqes de *Seint Andr.* & de *Dunkeldyn*, Labbe de *Conpre*, & Labbe de *Menros*, le Counte de *Boghan*, Mounſieur *Johan de Mubray*, Mounſieur *Robert de Keth*, Mounſieur *Adam de Gurdain*, Mounſieur *Johan de Inchmartyn*, vindrent come ceux qui feurent eſleux, **et enveez de par la Communalte de la dite terre** *Deſcoce*, & le Count *Patrick* qui fuſt eſleu davoir eſte le diſſiſme de venir de par meiſme la Communalte ny vint mye, par quei par le Commandement noſtre Seigneur le Roy y fuſt aſſignez Mounſieur *Johan de Menteth*: E pur treiter des boſoignes *Deſcoce* enſemblement oue les gentz *Deſcoce* avant nomez furent aſſignez aſcunes gentz *Dengleterre*, dunt les nouns ſont cy deſuth: Et eux tutz auſi bien les *Engleis* come les *Eſcotz* qui feurent preſentz au treitiz de celes boſoignes, & cheſcun de eux ſeveraument par Commandement noſtre Seigneur le Roy feurent **ſermentez ſolonc le purpoſt des Articles de ſouz eſcritz.**

Leveſque de *Ceſtr.* Labbe de *Weſtmuſter.* Le Counte de *Nicole.* Mounſieur *Hugh le Deſpenſer.* Mounſieur *Johan de Haſtings*, mes il ny poeit venir pur la maladie. Mounſieur *Johan Boteturt.* Mounſieur *Roger Brabazun.* Mounſieur *William de Bereford.* Mounſieur *Johan de Iſle.* Meſtre *Reynard de Brandon.* Frere *Hugh de Mainceſtr.* Sire *Johan de Benſteade.* Leveſque de *Wirceſtr.* Labbe de *Waverle.* Le Counte de *Hereford.* Mounſieur *Henr. de Percy.* Mounſieur *William Martyn.* Sire *Johan de Sandale.* Sire *Rauf de Hengham.* Mounſieur *Roger de Heghham.* Meſtre *Phelip Martell.*

Et endroit des dites boſoignes, entre ceux *Dengleterre* & *Deſcoce* avaunt nomez, primerement treite eſt ſur le Governement de la terre *Deſcoce.* Et quant a mettre gardein de la terre, accord eſt que Mounſieur *Johan de Bretaine* ſoit Leutenant le Roy en *Eſcoce*, & gardein de la terre.

Item endroit del eſtat du Chanceller, accord eſt que Sire *William de Bevercotes* demoerge Chanceller *Deſcoce.*

Item que Sire *Johan de Sandale* demoerge Chamberlein *Deſcoce*, & que un Contreroullur ſoit aſſigne a li, ceſt aſavoir Sire *Robert Heron.* Puiz eſt treitez & accordez de metere quatre poire des Juſtices en la terre *Deſcoce*, & pur ce que les choſes ſoient meſnees de meillur & plus a honour & au profit de noſtre Seigneur le Roy, & al aiſement du pople, eſt aſſentu que en *Loeneis* ſoient deux Juſtices, ceſt aſavoir Mounſieur *Johan del Iſle*, & Mounſieur *Adam de Gurdon*; en *Galway* Mounſieur *Roger de Kirkpatrick*, & Mounſieur *Walter de Burghdon.* Et pur les terres de la Mer *Deſcoce*, ceſt aſavoir entre la Rivere de *Forth* & les Montz, Mounſieur *Robert de Keth*, & Mounſieur *William Inge*, & pur les terres de la les Montz Mounſieur *Reynaud le Chien*, & Mounſieur *Johan de Vaux* du Counte de *Northumberl.*

Item accorde eſt, que les Viſcuntes qui demorront en la terre, ſoient gentz neez de la terre *Deſcoce*, ou *Engleis*, & ſoient mys & remuez par le Lieutenant le Roy, & par le Chamberlein ſolonc lur diſcretion, & ceux Viſcuntes facent loffice Deſcheterrie, ſi come les Viſcuntes ſoleient faire, & que ceux qui ſeront mys Viſcuntes ſoient les plus ſuffiſauntz, les plus covenables, & les plus profitables que home purra trover pur le Roy, pur le pople, & pur la pees garder & meinteiner; Et quant a ore ordene eſt de Viſcuntes en la manere que ſon ſuit.

Que le Chamberlein qui aura la garde du Chaſtel de *Berewyk* mette deſoutz luy tiel pur eſtre Viſcunte de *Berewyk* pur qui il voudra reſpondre.

D'*Edenburgh*, De *Hadington*, De *Linliſcu*, Mounſieur *Ive de Adeburgh* Viſcunt. De *Pebbles*, *Robert Haſting* valett. Viſcunt. De *Sekirk*, celi qui eſt de Fee, Viſc. De *Dunfres*, Mounſieur *Richard Syward* Viſc. De *Wygeton*, *Thomas Makhulagh* Viſc. De *Are*, Mounſieur *Godefori de Ros* Viſc. De *Lanark*, Mounſieur *Henr. de Seint Cler* Viſc. De *Dumbretan*, Mounſieur *Johan de Menetheth* Viſc. & Con. De *Stryvelin*, *William Byſet* Viſc. & Con. De *Clacmanan*, Mounſieur *Maucolam de Inner Peffre* Viſc. De *Ughtreardour*, De *Kynros*, celi qui eſt de Fee, Viſc. De *Fif*, Mounſieur *Conſtantyn de Leghore* Viſc. De *Perth*, Mounſieur *Johan de Inchmartyn* Viſc. De *Forfaire*, *William de Herth* Viſc. De *Kynkardyn*, Mounſieur *Richard de Dummors* Viſc. De *Abberden*, Mounſieur *Norman de Lathlyn* Viſc.

De

De *Banf*, Mounſieur *Wauter de Berkele* Viſc. De *Elgyn*, *William Wiſeman* Viſc. *An.* 33 E. 1.
De *Forreis*, & de *Innervarne*, *Alexander Wiſeman* Viſc. De *Innernis*, Mounſieur *Johan de Eſtrivelyn* Viſc. De *Crembathyn*, Mounſieur *William de Mohant*, qui eſt de Fee, Viſcunt.

Item endroit de Coroners, accorde eſt que le Lieutenant le Roy, le Chaunceller, & le Chamberlein, veent queux Coroners ſont en la terre ſuffiſantz, & ceux quil trovoront ſuffiſantz demoergent en lur Offices & ceux qui ne ſerront trovez ſuffiſantz, & neent Ghartres du doundes Offices ſoient oſtez, & que le Lieutenant le Roy, & le Chanceller, & le Chamberlein ſolonc lur diſcretion y mettent autres *Engleis*, ou gentz *Deſcoce* neez, qui ſoient ſuffiſantz meis les Coroners qui ne ſerront trovez ſuffiſantz & eent Chartres du doun des Offices ne ſoient remuez tanque le Lieutenant le Roy, le Chanceller, & le Chamberlein eient ſur ne certifiez le Roy, & quil eneit dit ſa volunte. Et accorde eſt que le Lieutenant le Roy, & le Chanceller, & le Chamberlein aviſent & certifient le Roy a ſon procheyn Parlement a treis ſemaynes de *Paſch*, de ceux Coroners qui ne ſerront trovez ſuffiſantz auſi bien de ceux qui nut Chartres cum des autres qui ne les nut.

Item endroit de Chaſteux, ordene eſt que le Lieutenant le Roy eit en ſa main les Chaſtelx de *Rokesburgh*, & de *Jeddeworth*, ſicome le Roy ad ordene.

Item que Mounſieur *Johan de Kingeſton* demoerge Conſtable & Gardeyne du Chaſtel de *Edeneburgh*.

Item que *Piere Luband* demoerge Gardeyne de *Linliſcu*, ſicome le Chamberlein li ad la *Garde Baclee*.

Item que *William Byſet* demoerge Conſtable & Gardeyne du Chaſtel de *Strivelyn*, & Viſcunte, & la Garneiſon du Chaſtel ſoit ordenee per le Lieutenant le Roy, & par le Chamberlein, a lur primere venue en *Deſcoce*.

Item que Mounſieur *Johan Meneteth* demoerge Conſtable & Gardeyne du Chaſtel de *Dumbretan*, & Viſcunte, & la Garneiſon de ceu Chaſtel ſoit ordenee per le Lieutenant le Roy, & par le Chamberlein, a lur primere venue en *Eſcoce*.

Et fait en entendre, que le Lieutenant le Roy, & le Chanceller, & le Chamberlein puiſſent ſolonc lur diſcretion remuer les Juſtices & Viſcuntes avant nomez, & mettre y autres *Engleis*, ou gentz neez *Deſcoce* tielx, come il verront que ſoient ſuffiſantz tutes les foitz que lur plerra, & ſi come il verront, que meutz ſoit al honour, & au profit du Roy, & al aiſement du poeple, & par le maintenement de la pees.

Endroit des leis & uſages pur le Government de la terre *Deſcoce*, ordene eſt que luſage de *Scots* & de *Brets* deſorendroit ſoit defendu, ſi que mes ne ſoit uſez. Et ordene eſt auſint, que le Lieutenant le Roy, del hour quil ſerra venuz en la terre *Deſcoce*, face aſſembler les bones gentz de la terre en aucun certein lieu, le quel il verra que a ce ſoit covenable, & que illoeqes en la preſence de luy & des gentz qil y ſerront aſſemblez, ſoient rehercez les leis que le Roy *David* fiſt, & auſint les amendementz, & les additions que nut eſte puis faitz par les Roys. Et le Lieutenant le Roy entre li & le Conſeil quil y aura, auſi bien des *Engleis* come des *Eſcotz* redreſcent & amendent les leis & les uſages qe ſon apartement encontre Dieu & reiſon, ſolonc ce quil purront en ſi brief terme, & ſi avant come il purront ſaunz laviſement du Roy. **Et celes choſes qil ne purront redreſcer, ne noſeront enprendre ſaunz le Roy, enſemblement oue celes, quil averont accordez ſoient mpſes en eſcrit diſtinctement et apertement per commune aſſent du Lieutenant le Roy, et des gentz qui y ſerront aſſemblez, et deſouz le ſeal le Lieutenant ſoient portez au Roy a *Weſtmuſter* a tres ſemaynes apres la Paſch procheynement avenir par meſme le Lieutenant, et par certeines gentz *Deſcoce*, tantz et tielx come les gentz de la Communalte de la terre, qui ſerront a cele aſſemble, voudront eſtire pur meſmes les choſes porter au Roy as lieu et terme avantditz, et que celx qi y vendront, eent plener poer de par la Communalte de la terre, pur accorder et affermer ce que enſerra ordene, auſi avant come eux tutz de la Communalte purront faire, ſil y feuſſent preſentz, ſi que adunques entre eux qui y vendront, et les gentz que le Roy voudra aſſigner a eux, puiſſent les dites choſes eſtre veiwes et examinees, et que homme puiſſe ordener et affermer tiel redreſcement, par quei la terre *Deſcoce* puiſſe meutz eſtre quies et governee a toutz jours mes.** Et voet le Roy, que ſon dit Lieutenant ſoit illoeqes en propre perſone

An. 33 *E.* 1. ſone a meiſme loure. Puis commanda le Roy & ordene eſt, que le dit terme que feut mis a ſon Lieutenant & as gentz *Deſcoce* por venir au Parlement as trois ſemaines apres *Paſch* ſoit eſloignez tantque * a Laſtenſion.

* *Memorandum quod Dominus Rex in receſſu Epiſcopi Glaſcuenſis & Comitis de Carrike de Parliamento Regi apud Weſtm. in Quadrageſima hoc anno verſus Scotiam, ſtatuit & ordinavit, quod communitas terræ Scotiæ conveniat ad Villam Sancti* Johannis de Perth *in craſtino Aſcenſionis Domini, ad eligendum eos qui venient ad Parliamentum Regis à die Sancti* Johannis Baptiſtæ *in tres Septimanas pro tota Communitate prædictæ terræ, & etiam ad ordinandum de certa & ſecura cuſtodia dictæ terræ: ita quod in hoc parte ſpeciale Regi non ſit onus.* Ryles Placita Parliamentaria, p. 279.

Item endroit de remuer hors *Deſcoce* ceux, par qui la pees porreit eſtre troublee, ordene eſt, que le Lieutenant le Roy quant il ſerra ouenuz en *Eſcoce*, eit ſur ce conſeil & aviſement oue les bones gentz de la terre, **et ceux quil trovera par le counſeil quil y avera, quil facent a remuer par tiel acheſon, envee en** *Engleterre* **au Roy en coveitiſe manere, ſi qe le Roy puiſſe ordiner a les faire demurrer en** *Engleterre* **deces** *Trente*, **ſicome il verra qe face a faire.**

Item ordene eſt, qe Mounſieur *Alexandre de Lyndeſeie* demoerge hors *Deſcoce* par un demy an, ſi come autre foitz fuſt ordene.

Item accord eſt, qe commande ſoit au Counte de *Carrik*, qil mette le Chaſtel de *Kyndromyn* en la garde de tiel homme pur qi il meiſmes voudra reſpondre.

Item ordene eſt, que Mounſieur *Symond Fraſer* ſoit preſt & apparaillez le 20 jour de *Noel*, a mover de ſa dunques pur venir au Roy, & pur aler par ſes journees de jour en autre tant qil ſoit hors du poer noſtre Seigneur le Roy, & hors du poer le Roy de *France*, **pur tenir exil par quatre anz, ſi come autre foitz feuſt ordene,** ceſt aſavoir a la grace & au repel de noſtre Seigneur le Roy.

Endroit des buſoignes *Deſcoce* que deyvent eſtre treitees quant au Government de la terre *Deſcoce*, par les gentz a ce aſſignez, voet noſtre Seigneur le Roy, qe eux tuiz auſi bien les *Engleis* come les *Eſcotz*, **ſoient charges et ſermentez ſur le cozps noſtre Seigneur, et ſur ſeintes reliques, et ſur ſeintes Evangeilles, ceſt aſavoir cheſcun ſeveraument en la manere qe enſuyt.**

Que vous bien et loyaument dirrez et conſeillerez ce qe vous ſenterez que purra torner a meyntenement de la pees et de la quiete de la terre, et de la Seignurie, et du pople noſtre Seigneur le Roy, eſpecialment en la terre *Deſcoce*. **Et qe les deſtourbances et les empeſchementz que vous avez ſeu et ſavez, ou purres ſavoir que unt eſte et ſont ou purront eſtre contre la pees et la quiete de la terre, et de la Seignurie, et du pople noſtre Seigneur le Roy, et nomement en la dite terre** *Deſcoce* **en quel choſe qe ce ſoit, vous dirrez et deſclozrez ouvertement ſolonc voſtre entendement loialment et en bone foy, et comment la terre purra meltz eſtre guiee et governee. Et ſi vous ſachez lei ou uſage par quei la pees et la quiete de la terre, de la Seignurie, et du pople noſtre Seigneur le Roy, et nomement en la terre** *Eſcoce*, **eit eſte, ou ſoit, ou purra eſtre trouble en nule manere, que vous les dirrez as autres qui ſont auſint aſſignez a ce conſeil, et ſur ce dirrez voſtre conſeil, et voſtre mys entre eux enſemble par commune accozd, par quei la defaut puiſſe eſtre amende, ſi avant come vous ſaveres: Car le Roy voet ov rer par voz conſeilz. Et que pur amur, ne pur haur, ne pur parente, ne pur affinite, ne pur choſe que puiſſe avenir, ne pur ſerment, ne pur alliance que vous avez fait avant ces houres, a qui qe ce ſoit, vous ne lerres de faire, de dire, ne de Conſeiller les choſes deſus dites a tut voſtre ſen, et a tut voſtre poer. Et qe de choſe qe ſoit fait ou dite, ou parlee entre vous et les autres qui ſont entendantz a ceſt conſeil, vous ne accuſerez nul autre: Et qe les choſes treitees et accozdees vous tendrez ſecrees, ſi qe eles ne ſoient diſcovertes, tantque vous les ez muſtrez au Roy, et a ceux qil y voudra apeler, et qil eit ſur ce dit et ozdine ſa volunte. Et ſi vous ſachez nul qi demoere en la terre** *Deſcoce* **purra torner a deſtourbance de la pees, et le quel vauſiſt meltz a demozrer hozs de la terre** *Deſcoce* **pur le meyntenement de la pees, qe vous les muſtrez, et dirrez overtment qi ceſt, et toutz ceux qui vous ſaverez qui ſoient tielz. Et qe tutes les choſes ſoſdites dirrez et conſeillerez al honour de noſtre Seigneur le Roy, et a quiete et au profiſt de vous et des autres bones gentz de ſon Royaume, et de la Seignurie.**

Et fait a remembrer, qe le Roy a ſon Parlement des dites oytaves de la Nativite noſtre Dame commanda devant ſon Conſeil au Chamberlein *Deſcoce*, **qe les Burgages de** *Berewick* **qe ſoient Baillez et tenuz ſolonc les extents qe feurent faites per ſon commandement, puis le conqueſt. Et qe nule Charter purchacee a tenir par meinoze extent ne ſoit alloee.**

The

The Abbots of the *Ciſtercians*, *Cluny*, and other Orders impoſing ſundry Taxes, Subſidies, Procurations and other Exactions upon all Religious Houſes of their reſpective Orders in *England*, *Wales*, *Scotland* and *Ireland*, and forcing them to repair every ſecond or third year to their Chapters beyond the Seas, to their great oppreſſion, impoveriſhment, and diminution of Gods ſervice, notwithſtanding the Kings * *premiſed* frequent Prohibitions; the King to redreſſe this grievance for the future, upon the Petition of his Earles, Barons and Commons aſſembled in Parliament, in the 33. year of his Reign by his Eccleſiaſtical Soveraignty enacted a memorable Law to ſuppreſſe this dangerous Innovation, thus entred in the Records of that Parliament in the Tower, and afterwards confirmed and promulged in the Parliament at *Karliſle*, An. 35 E. 1. *An.* 33 E 1.

* Here, p 785, 858, 859. 904, 905, 1044.

AD Petitionem Comitum, Baronum, & aliorum de regno antedicto ad honorem Dei pro ſerbitio Dei in Eccleſia Catholica manutenendo, pro ſuſtentatione pauperum, boſpitalitatibus, et aliis bonis operibus faciendis. Et jam eſt Religio illa ita poſita in ſerbagio per Abbates *Ciſtercienſes*, quod ſerbitium Dei in hac parte impeditur, et bucuſque dicti Religioſi ita depauperantur, quod bibere non poſſunt, &c. ita videlicet, quod dictus Abbas *Ciſtercienſis* aſſeſſit et certum tallagium ſuper qualibet Abbatia in *Anglia* poſuit imperpetuum, et opoꝛtet quod Abbates *Anglia* & *Wallia* quolibet ſecundo Anno, et Abbates de *Hibernia* & *Scotia* quolibet tertio anno perſonaliter adeant Abbatiam *Ciſtercienſem* ad faciendum bujuſmodi appoꝛtum et tallagium. Et ſi aliquis Abbes inde deſuerit bel quod tallagium bujuſmodi alicui rebelet, &c. Abbas ille qui de bujuſmodi tranſgreſſione eſt convictus, erit depoſitus imperpetuum, ad bujuſmodi officio exercendo, (Note the intollerable injuſtice as well as avarice of theſe moſt holy Freers) et Pꝛioꝛ et Suppꝛioꝛ et alii officio excommunicantur quouſque dicta firma ſolbatur apud *Ciſtercium* per manus ſuas pꝛopꝛias, bel per manus Mercatoꝛum : unde ſumma bujuſmodi appoꝛti eſt in *Anglia*, *Wallia*, *Hybernia*, et *Scotia*, boc anno per æſtimationem 4000 Marc. Et ſunt Rotuli bujuſmodi tallagiorum in Cuſtodia fratris *Jacobi* Cuſtodis Domus de *Scardeburgh*. Et quod ordinatum eſt per Abbatem * *Ciceſtrenſem*, quod quilibet Abbas illius oꝛdinis babeat Cuſtodiam communis ſigilli domus, &c. quod eſſe deberet in cuſtodia Conbentus, per quod bujuſmodi Abbates bendunt poſſeſſiones domoꝛum ſuarum, et obligant domos, &c. Et etiam ad petitionem eoꝛundem Comitum, Baronum, et Communitatis Regni petentium, conſimile remedium apponi de aliis Religioſis qui faciunt appoꝛtum ad partes tranſmarinas, ſicut illi de *Cluniis* et *Præmonſtrat.* de *Caritate* et alii, &c. Ad prædictas duas petitiones reſponſum eſt, quod Dominus Rex in pleno Parliamento ſuo pꝛædicto de conſenſu Pꝛælatoꝛum, Comitum, Baronum, et aliꝛum de Regno oꝛdinabit, et ſtatuit certum Statutum in boc caſu. Thus enrolled in the *Statute Roll* in the *Tower*. Plac. Parl. An. 33 E. 1. m. 5. See Ryley his Placita Parliamentaria p. 281, 282. 475, 476.

* *Ciſtercienſem.*

*Nuper ad Notitiam Domini Regis et gravi querela Magnatum, Pꝛoceruꝛn, et aliꝛum Nobilium regni ſui pervenit, quod cum Monaſteria, Prioratus, & domus Religioſæ, ad laudem et bonoꝛem Dei, et ad exaltationem Sanctæ Eccleſiæ per Regem et Pꝛogenitoꝛes ſuos, et pꝛædictos Magnates et Nobiles et eoꝛum Anteceſſoꝛes fundata fuiſſent, et terræ et tenementa quamplurima eſſent data per ipſos dictis Monaſteriis, Pꝛioꝛatibus et domibus ac diris Religioſis in eiſdem Deo ſervientibus, ut in bujuſmodi Monaſteriis et domibus Religioſis tam Clerici quam Laici admitterentur, ſecundum ſuarum ſufficientiam facultatum, et infirmi ac debiles ſuſtentarentur; Hoſpitalitates, Elemoſinarum largitiones, et alia pietatis opera exercerentur, et pꝛo animabus pꝛædictoꝛum fundatoꝛum et bæredum ſuoꝛum fierent in eiſdem Abbates, Pꝛioꝛes, et Cuſtodes eorundem Domoꝛum, et quidam eoꝛum Superioꝛes alienigenæ, utpote Abbates et Pꝛioꝛes *Cluniacen. Ciſtercien.* et *Præmonſtraten.* et Sanctoꝛum *Auguſtini* & *Benedicti* oꝛdinum, et cæteri quamplures alterius Religionis et oꝛdinis, nobiter per ſingula Monaſteria et domos eis ſubjecta in *Anglia*, *Hibernia*, *Scotia*, et *Wallia* diberſa Tallagia, Cenſus, et Impoſitiones inſolitas graves et impoꝛtabiles, Domino Rege Magnatibuſque ſuis inconſultis, fieri ſtatuerunt, et pꝛo ſuo libito oꝛdinarunt, contra leges et conſuetudines dicti Regni. Et quo fit ut innumeris Religioſoꝛum et aliꝛum ſerbitoꝛum in bujuſmodi domibus et locis Religioſis per Tallagia bujuſmodi, Cenſus et Impoſitiones oppꝛeſſis, minuitur cultus divinus, et Elemoniæ pauperibus, infirmis, et debilibus ſubtrabuntur, et ſalutes bibeꝛum, et animæ moꝛtuoꝛum miſerabiliter defraudantur, boſpitalitates, elemoſinarum largitiones, ac cætera ceſſant opera Caritatis; ſicque quod olim

* Rot. Stat. An. 33 E. 1. m. 5. Ryley Plac. Parl. p. 312, 313, 314. See Claus. 7 E 2. m 13. & 28. Bundela Brevium in Turri London, & Extract. An. 8 E. 2. Cooks 2 Inſtit. p 580, to 586. who comments on this Statute, omitted in moſt ancient Statutes at large & their Abridgements.

An. 33 E. 1. in usus pios, et ad divini cultus augmentum caritative fuerat erogotum, jam in Censum reprobum est conversum. Unde præter ea quæ præmittuntur scandalum non modicum crescit in populo, et damna innumera in exhæredacionem prædictorum fundatorum et hæredum suorum proculdubio perbeniſſe noscuntur, et adhuc veriſimiliter præsumitur perbenire, niſi tantis et tam gravibus detrimentis celeri et salubri remedio obvietur. Considerans igitur præfatus Dominus Rex sibi et populo suo valde fore damnosum, si tam grandes facturas et insolentias sustineret diutius sub dissimulatione transire, volensque idcirco Monasteria, Prioratus, et alias Religiosorum domos et loca in regno, et terris, dominio suo subjectis constituta, secundum voluntatem & pia vota fundatorum ipsorum manutenere et defendere, & contra hujusmodi oppressiones de congruo remedio de cætero providere, ut tenetur, de consilio Comitum, Baronum, Magnatum, Procerum, & aliorum Nobilium & regni sui Communitatum, in Parliamento suo apud *Westm.* die Dominica prox. post festum Sancti *Matthiæ* Apostoli, anno regni sui Tricesimo tertio habito, ordinavit & statuit; Ne quis Abbas, Prior, Magister, Custos, seu quivis alius Religiosus cujuscumque condicionis aut status, aut religionis existat, sub potestate et dicione sua constitutus, Censum aliquem per superiores suos Abbates, Priores, Magistros, Custodes Religiosorum domorum vel locorum impositum, vel inter ſeipsos aliqualiter ordinatum, extra regnum et dominium suum sub nomine redditu, tallagii, appoyti, seu impositionis cujuscumque, vel alias nomine escambii, vendicionis, mutui, vel alterius contractus, quocumque nomine censeatur, per se, vel per Mercatores, aut alios, clam vel palam, arte vel ingenio deferat vel transmittat, seu deferri faciat quoquo modo: nec eciam ad partes exteras se divertat causa visitationis aut alio colore quæsito, ut sic bona Monasteriorum et domorum suarum extra regnum et dominium adducat; Et si quis contra præsens statutum venire præsumpserit, considerata qualitate delicti et Regiæ prohibicionis penitus contemptu, graviter puniatur. Præterea inhibet præfatus Dominus Rex omnibus et singulis Abbatibus, Prioribus, Magistris, Custodibus Religiosarum domorum et locorum Alienigenis, quorum potestati, subjectioni et obedienciæ domus eorundem ordinum in regno et dominio suo existentes subduntur, ne de cætera tallagia, census, impositiones, appoyta, seu alia quæcumque onera aliquibus Monasteriis, Prioratibus, seu aliis domibus Religiosis eis, ut præditur, sic subjectis, imponant vel faciant aliqualiter assidere; et hoc sub forisfactura omnium quæ in potestate sua optinent et forisfacere poterunt in futurum: Et insuper ordinavit Dominus Rex et statuit quod Abbates *Cistercienſis* et *Præmonſtratenſis* ordinum et aliorum Religiosorum, quorum Sigillum in custodia Abbatis et non Conventus prius residere tantum modo consuevit, de cætero habeant sigillum commune, et illud in custodia Prioris Monasterii sive domus, et quatuor de dignioribus et discrecioribus ejusdem loci Conventus sub privato sigillo Abbatis ipsius loci custodiend. deponant: Ita quod Abbas seu Superior domus qui potest per se, contractum aliquem seu obligationem nullatenus possit firmare, sicut hactenus facere consuevit. Et si forsan aliqua scripta obligatoria donacionum, emptionum, venditionum, alienationum, seu aliorum contractuum quorumcunque alio sigillo quam tali sigillo communi, sicut præmittitur custodito, inveniantur amodo sigillata, pro nullis penitus habeantur omnique careant firmitate. Ceterum intentionis Domini Regis non extitit, Abbates, Priores et alios Religiosos alienigenas per ordinaciones et statuta exprella superius ab officio visitacionis in regno et dominio suis exercendo excludere, quin per se ipsos vel alia Monasteria et alia loca eis in regno et dominio suis prædictis subjecta, juxta officii sui debitum in bis duntaxat quæ ad observantiam regularem et ordinis sui disciplinam pertinent libere valeant visitare; Proviso, quod illi qui officium hujusmodi visitacionis exercuerint nichil de bonis aut rebus hujusmodi Monasteriorum, Prioratuum, et domorum extra præfatum regnum et dominium præter rationabiles et moderatas eorum expensas deferant vel deferri procurent. Et licet ordinacionum et statutorum præscriptorum pronunciatio et publicatio a Parliamento proximo præterito usque ad præsens Parliamentum apud *Karliolum* in Octabis Sancti* *Hillarii*, post deliberacionem plenariam et tractatum cum Comitibus, Baronibus, Proceribus, et aliis Nobilibus ac Communitatibus regni sui habitum in præmissis, de consensu eorum unanimi et concordi, ordinavit et statuit, ut ordinaciones et statuta prædicta sub forma, modis et condicionibus suprascriptis, a proximo die *Maii* proximo futuro

* Anno regni ejusdem Domini Regis Edwardi 35.

futuro in antea inviolabiliter obſerventur, perpetuis temporibus valitura, quodque tranſgreſſores ipſorum pœnis extunc ſubjaceant annotatis. *An.* 33 *E.* 1.

Conſimile Statutum de verbo ad verbum mittitur in ſingulis Comitatibus per *Angliam.*

REX Vic. *Salop.* ſalutem. Quia ad communem populi regni noſtri utilitatem, & tocius dominii noſtri ſtatus melioracionem in inſtanti Parliamento noſtro apud *Karliolum*, de conſilio Magnatum & Procerum noſtrorum quædam edidimus Statuta, quæ tibi ſignata mittimus obſervanda: Tibi præcipimus firmiter injungentes, quod ea in duobus Comitatibus tuis publicè legere et recitare facias, & ea in ſingulis Articulis inviolabiliter obſervari, & hoc nullatenus omittatis. Teſte Rege apud *Karl.* 20. die *Marcii.*

Conſimilia brevia mittuntur ſingulis Vic. per *Angl.*

REX dilecto ſibi in Chriſto Abbati de *Waverle* ſalutem. Quia ad communem populi regni noſtri utilitatem, &c. *ut ſupra.* Vobis mandamus firmiter injungentes, quod ea quolibet anno bis in pleno Capitulo domus veſtræ publicè legere & recitare faciatis, & in ſingulis ſuis articulis, ſub pœna in prædictis Statutis contenta, inviolabiliter obſervari. Teſte ut ſupra.

Supradictum Statutum miſſum fuit cum literis Regis patentibus in forma prædicta Abbatibus locorum ſubſcriptorum, videlicet; De *Egliſton*, De *Sancta Agatha*, De *Jerovalle*, De *Bella Landa*, De *Fontibus*, De *Rupe*, De *Welleb*ek, De *Rughford*, De *Gerwedon*, Priori de *Spaldyng.* Quatuor paria literarum ad inſtanciam Principis dirigenda quibuſdam Abbatibus in *Walliam.* This Statute was again recited and confirmed in the Parliament at * *Karliſle*, Anno 35 E. 1. and ſent into all Counties.

* See Ryley his Placita Parl. p. 312, to 315.

The Biſhop of *Biblis* in the *Holy Land*, whoſe Biſhoprick was ſeiſed and detained from him by the *Saracens*, the enemies of Chriſt, being thereby reduced to extreme poverty, and having nothing to ſupport the dignity of his Epiſcopal function, Pope *Benedict* the 11. inſtead of giving any relief or maintenance to him in the Court of *Rome* or other Territories in *Italy*, granted him all the profits and revenues of the the *Priory* of *Goldingham*, a Cell belonging to the Church of *Durham* (within the Dioceſe of the Archbiſhoprick of St. *Andrews* in *Scotland*) during his life, or till he ſhould be reſtored to his former Biſhoprick, by this his enſuing Bull of Proviſion, with ſtrange unuſual *Non-obſtantes.* Which Bull being publikely read, conſidered, and debated before the King, Biſhops, Earles, Barons, Great men, Kings Counſil and Judges in full Parliament; they paſſed a memorable ſentence againſt it.

Placita Parliamenti, An. 33 E. 1. See Ryley, p. 282. Proceſſus tangens Epiſcopum Biblienſem.

IN Nomine Dei *Amen.* Anno Incarnationis ejuſdem Milleſimo Tricenteſimo quinto, Indictione tercia, die quinto menſis *Aprilis* apud *Weſtm.* juxta *Londen.* Dominus *Hugo* qui ſe gerit pro Epiſcopo *Biblienſi* coram Epiſcopis et aliis Prælatis, Comitibus, Baronibus, Juſticiariis, et nonnullis aliis Nobilibus, Clericis et Laicis, Conſiliariis Magnifici Principis, Domini *Edwardi* Regis *Angliæ* Illuſtris in domibus Archiepiſcopi *Eborum*, in quibus dictus Dominus Rex morabatur Generali Parliamento tunc exiſtente ibidem, quaſdam literas falſicis recordationis *Benedicti* Papæ 11. præſentabit, porrexit, et tradidit formam quæ ſequitur continentes.

Benedictus Epiſcopus, Servus ſervorum Dei Venerabili fratri * *A.* Epiſcopo *Dunelmenſi* ſalutem, & Apoſtolicam benedictionem. Exhibitâ nobis tua petitio continebat, quod *Saraceni Chriſtiani* nominis inimici Epiſcopatum *Biblienſem* occuparunt hactenus, et adhuc detinent occupatum, et per hoc venerabilis frater noſter *Hugo Biblienſis* Epiſcopus egeſtate grabatur, cum aliunde non habeat de quo ſecundum ſtatus ſui decentiam valeat ſuſtentari. Quare nobis humiliter ſupplicaſti, ut provideremus ſuæ indigentiæ de benignitate Apoſtolica dignaremur. Nos igitur ipſius inopiæ paterno compatientes affectu, digneque volentes ei per noſtræ provisionis auxilium ſubſidium aliquod provenire, tuis ſupplicationibus inclinati, providendi ſibi authoritate noſtra, per te, vel per alium ſeu alios de Cella ſeu Prioratu de *Goldingham* Ordinis Sancti *Benedicti*, Sancti *Andreæ* Dioceſis,

* Created Patriarch of Jeruſalem by Pope Clement the 5.

An. 33 *E.* 1. ad *Dunelmenſem* Eccleſiam ejuſdem ordinis pertinente, cujus adminiſtrationem Prior Eccleſiæ prædictæ aliquem de Monachis ipſius Eccleſiæ deputat et exinde amovet pro ſuæ libito voluntatis, cum omnibus juribus et pertinentiis ſuis, ab eodem Epiſcopo quoad vixerit, vel uſque ad recuperationem dicti Epiſcopatus retinendo, ac inducendi eum in corporalem poſſeſſionem ejuſdem Cellæ ſeu Prioratus, et inductum etiam defendendi amotis exinde quibuslibet qui ad gerendam adminiſtrationem ipſius Cellæ ſeu Prioratus per dictum Priorem fuerint deputati, ac faciendi et de ejuſdem Cellæ ſeu Prioratus redditibus, proventibus, juribus, obventionibus, univerſis integre reſponderi; Necnon et contradictores ſuper hoc per cenſuram Eccleſiaſticam appellatione poſtpoſita compeſcendi; Non obſtantibus contrariis ejuſdem Eccleſiæ conſuetudinibus, vel ſtatutis, juramento, confirmatione ſedis Apoſtolicæ, ſeu quacunque alia firmitate roboratis: aut ſi prædictis Priori et dilectis filiis Capitulo ipſius Eccleſiæ, vel quibuſcunque aliis communiter vel dibiſim, a prædicta ſede indultum exiſtat, quod excommunicari, ſuſpendi, vel interdici non poſſint, ſibe quod de Cellis ſeu Prioratibus ad eorum provisionem ſeu quamcunque diſpoſitionem ſpectantibus nequeat aliquibus probiberi per literas Apoſtolicas, non facientes plenam et expreſſam, ac de verbo ad verbum de indulto hujuſmodi mentionem, et qualibet alia dictæ ſedis indulgentia generali vel ſpeciali cujuſcunque tenoris exiſtat, per quam præſentibus non expreſſam, vel totaliter non inſertam effectus hujuſmodi gratiæ impediri valeat vel differri, et de qua in noſtris literis ſpecialis mentio ſit habenda, fraternitati tuæ plenam concedimus tenore præſentium facultatem. Dat. *Romæ* apud Sanctum *Petrum* 3. Non. *Aprilis*, Pontificatus noſtri Anno primo.

In which Bull we may obſerve; Firſt the ſtrange injuſtice of this Pope, in ſupplying the poverty of this Biſhop, with all the rents, profits and emoluments of this Priory, which ſhould relieve, ſupport the Monks therein, and removing the Monk placed therein by the Prior (only to collect and diſtribute them for the uſe of the Priory) without cauſe or hearing: 2ly. His moſt execrable tyrannical injunction to put this Biſhop into the actual poſſeſſion thereof, and excommunicate, interdict all who ſhould oppoſe him therein, without the benefit of appeal; Notwithſtanding any contrary Cuſtome, Statutes, or Oath of the ſaid Church to the contrary; though corroborated by the confirmation of the See Apoſtolick, or any other firm aſſurance, be it by Charters of our Kings, or Acts of Parliament. And which is more obſervable, notwithſtanding any Temporal or Spiritual priviledge or exemptions granted to this Priory, or others joyntly or ſeverally by the Popes and See Apoſtolick, that they ſhould not be excommunicated, ſuſpended or interdicted, or that their Cells and livings ſhould be totally exempted from, and not lyable to any Proviſion or diſpoſition whatſoever of the See Apoſtolike, which might hinder or delay the execution of this monſtrous Bull. To which the King after full debate and deliberation with his Counſil in Parliament, returned this memorable reſolution, That this Petition was not grantable, becauſe the granting thereof would be manifeſtly prejudicial to the King himſelf, and to his Royal Crown, as the Record thus informs us.

Ibidem. Quibus literis Apoſtolicis, ut præmittitur, præſentatis, viſis, examinatis, et plenius intellectis, requiſitionem quam prædictus Epiſcopus *Biblienſis* fecit prædicto Domino Regi, ſcilicet, quod placeret eidem et benigne permitteret, ut Prioratus de *Goldyngham* in *Scotia* Sancti *Andreæ* Dioceſis valeat adipiſci, juxta conceſſionem et aſſignationem per ſuprascriptas Literas Apoſtolicas ſibi ſpecialiter inde factas. Habitaque deinde per conſilium ejuſdem Domini Regis ſuper requiſitione et petitione hujuſmodi deliberatione plenaria, ex parte ejuſdem Domini Regis per Conſilium ſuum, datum fuit prædicto Epiſcopo præſentialiter tale reſponſum, videlicet; Petitio iſta ſi concederetur, foret manifeſte præjudicialis prædicto Domino Regi et Coronæ ſuæ Regiæ, et idcirco non eſt conceſſibilis in hac parte. And for a perpetual memorial hereof to all poſterity, theſe ſeveral atteſtations were affixed to it by honourable Witneſſes of all ſorts, and publike Notaries of the Pope himſelf then preſent, ſummoned to atteſt and record it.

Acta fuerunt omnia ſuprascripta, Anno, Indictione, die & loco præſcriptis, præſentibus venerabilibus in Chriſto Patribus & Dominis, *Waltero Coventrenſi* & *Lichfeldenſi*

ſcidenſi Theſaurar. *Angliæ*, ac *Antonio Dunelmenſi*, *Johanne Carleonenſi* Epiſcopis, necnon *H. Lincolniæ*, *Humfrido Herefordiæ*, *G. Warwici* Comitibus, *Aymero de Valentia*, *Johanne de Brittannia*, *H. de Percy*, *R. de Clifford*, *H. de Veer*, *Waltero de Teye*, *Adam de Welles*, *Johanne Botecourt*, *Rogero de Brabanzon*, *Johanne de Inſula*, *Roberto de Burgheſſe*, *Radulpho de Sandewico*, *Rogero de Heghham*, *Nicholao Fermband*, *Willielmo de Bereford*, *Willielmo Howard*, *Petro de Malore*, *Henrico Spigurnell*, & *Willielmo Inge* Militibus; ac diſcretis viris Dominis *Johanne de Drokensford*, *Johanne de Berewico*, & *Johanne de Benſtede*, necnon & Magiſtro *Reginaldo de Brandon*, *Roberto de Pickering*, & *Willielmo de Kilkenny* Clericis, teſtibus ad hoc vocatis ſpecialiter & rogatis. *An.* 33 E. 1.

Et ego *Johannes* dictus *Benks* de *London*. Domini Papæ auctoritate Notarius publicus, omnibus interfui ſupraſcriptis, & prædictum tranſcriptum, exemplum ſeu ſumptum per me à ſuo originali tranſcriptum, & cum Domino *Petro de Malore* Juſticiario Domini Regis *Angliæ* illuſtris, & Magiſtris *Johanne de Cadomo*, & *Gilberto de Lotegerſhale* Notariis publicis, diligenter auſcultavi, nil addens vel minuens, quod ſenſum mutet vel viciet intellectum, hoc in Inſtrumento præſenti ſcripſi, una cum aliis omnibus prænotatis, & prædictum exemplum ſeu ſumptum cum ſuo originali reperi concordari, me in teſtem ſubſcripſi, ac præſcripta omnia publicavi, hiisque ſigno conſueto ſignavi rogatus. Et ego *Johannes Ercuri* de *Cadamo* Apoſtolicæ ſedis auctoritate Notarius publicus, hoc exemplum una cum præfatis Domino *P.* Juſticiario, & Magiſtris *J.* & *G.* Notariis publicis, ad literas Apoſtolicas ſupraſcriptas fideliter & diligenter auſcultavi. Et quia dictum exemplum cum ipſis literis Apoſtolicis concordare inveni, in ejuſdem exempli plenam fidem & teſtimonium, me teſtem ſubſcripſi, & rogatus ſignum meum appoſui conſuetum. Et memorandum quod prædictum Inſtrumentum in plena Scaccaria liberatur die *Martis* 18 die ——— Anno 33. *Willielmo de Brichull*, & *Willielmo de Perſore* Camerariis ad cuſtodiendum in Theſaurario Regis.

In the Pleas of Parliament *apud* Weſtm. *coram Rege & Conſilio ſuo à die Sancti* Michaelis *in* 15 *dies*, *An.* 33 *E.* 1. the Prior and Covent of St. *Trinity* in *Dublin*, and Dean and Chapter of St. *Patricks Dublin*, were attached and proſecuted in Parliament at the Kings ſuit, for preſuming to elect a new Archbiſhop of *Dublin* in the place of *William Hothom* deceaſed, before they received the Kings ſpecial licenſe to elect, though they ſent ſome of their Members to petition for it; when as their Temporalties at the laſt vacancy were ſeiſed into the Kings hands for the like contempt, which they now reiterated, againſt the antient Rights and Prerogatives of the King and his predeceſſors time out of minde, to his dammage of 20000 *l.* for which the Temporalties of the Prior and Covent were again ſeiſed, notwithſtanding all their pleas and excuſes, as this memorable Record will inform us.

PRior & Conventus Sanctæ *Trinitatis Dublin.* & Decanus & Capitulum Sancti *Patricii Dublin.* **attachiati fuerunt ad reſpondendum Domino Regi de eo, quod cum Dominus Rex et progenitores ſui Reges *Angliæ*, et Domini *Hiberniæ*, a tempore quo non extat memoria, pacifice uſi ſint et gaviſi tali privilegio et dignitate, quod quociens Archiepiſcopatus, Epiſcopatus, Abbathia, quæ de eo tenentur in Capite, vel aliæ Domus quarum terræ in parte (*Hyb.*) vocantur ab antiquo, Terræ increcatæ, vacaverint, ſtatim tenementa Archiepiſcopatuum, Epiſcopatuum, Abbathiarum, et Domuum hujuſmodi capi debent in manum ipſius Domini Regis, et illi ad quos ſpectat electio de futuro Paſtore, &c. petere debent ab ipſo Domino Rege licentiam eligendi, &c. et licentia hujuſmodi non optenta, nullatenus liceat aliquem eligere, &c. Prædicti Prior et Conventus, Decanus et Capitulum ſede Archiepiſcopatus *Dublinenſis* vacante per mortem *Willielmi de Hothom* nuper Archiepiſcopi, &c. futurum Archiepiſcopum elegerunt, nunc die *Mercurii* proxima poſt Octabas Sancti *Hilarii*, licentia eligendi ab ipſo Domino Rege non optenta, in præjudicium et læſionem Coronæ et dignitatis ſuæ, &c. Unde *Johannes de Ponte* qui ſequitur pro eo, dicit, quod prædictum præjudicium et læſionem Coronæ et dignitatis Domini Regis fecerunt ipſi, ſicut prædictum eſt, in contemptum et dampnum ipſius Domini Regis 20000 *l.* Et hoc offert verificare ſua ipſo Domino Rege, ſicut Curia conſideraverit.** Plac. Parl. An. 33 E. 1. in Turr. Lond. See Ryley's Placita Parl. p. 297, to 300.

For

An. 33 E. 1. Et Prior & Conventus, Decanus & Capitulum veniunt, & prædicti Prior & Conventus dicunt pro ſe, **quod prædicti Decanus et Capitulum in ſingulis vacationibus Eccleſiæ ſuæ prædictæ, debent vocari ad intereſſendum ſuæ electioni apud Eccleſiam ſuam** *Sanctæ Trinitatis*, & ipſi ſi intereſſe voluerint habent vocem licet ſecundariam in electione facienda; unde dicunt, quod non debent ſeparatim ſine prædictis Decano & Capitulo inde reſpondere: Et petunt, quod prædicti Decanus & Capitulum ſi clamant eſſe participes in electione facienda, tunc ſe jungant in reſpondendo. Poſtea prædicti Prior & Conventus, Decanus & Capitulum petita conjunctim licentia inde loquendi, reveniunt. Et prædicti Prior & Conventus dicunt pro ſe, **quod ſtatim habita notitia de morte prædicti** *Willielmi* **nuper Archiepiſcopi**, &c. quæ pervenit ad eos in vigilia Sancti *Romani* proxima præterita, **miſerunt ipſi ſimul cum prædictis Decano et Capitulo certos Nuncios Domino Regi, ad petendum licentiam eligendi,** Fratrem *Andæum* Concanonicum prædictæ Eccleſiæ *Sanctæ Trinitatis*, & *Walterum Wogan* Canonicum prædictæ Eccleſiæ *Sancti Patricii*, **qui jam redierunt, et literas patentes Domini Regis eis inde deliderunt, quas proferunt**; & hoc idem teſtantur. Dicunt etiam, **quod ipſi et eorum prædeceſſores a tempore quo non extat memoria, ſemper in hujuſmodi vacationibus ſolebant mittere Nuncios ſuos cum literis ſuis Domino Regi ad petendum licentiam eligendi**, &c. **Et ſi Nuncii ſui non redirent infra tres menſes a tempore vacationis**, &c. **ſemper ſolebant ipſi et prædeceſſores ſui, circa finem temporis hujuſmodi ultra quod non liceret eis eligere**, &c. **Paſtorem eligere abſque calumpnia Domini Regis vel Miniſtrorum ſuorum.** Et prædictus *Johannes de Ponte* dicit pro Domino Rege, **quod die electionis factæ non conſtabat eis de aliqua licentia Domini Regis optenta**, &c. Dicit enim, **quod prædicti Nuncii cum prædictis literis applicuerunt in** *Hibernia* **die Dominica poſt electionem factam. Et hoc offert verificare pro Domino Rege**, &c. Dicit etiam, **quod in ultima vacatione prædicti Archiepiſcopatus ante inſtantem vacationem**, videlicet, **poſt mortem** *Johannis de Sanmford* **nuper Archiepiſcopi**, &c. Prior & Conventus, Decanus & Capitulum prædictarum domorum Nuncios ſuos miſſis Domino Regi ad petendum licentiam eligendi, & licentia illis conceſſa, &c. **ſet Nuncii non reverſi in hanc terram cum literis Domini Regis quas inde habuerunt, eligerunt Magiſtrum** *Thomam de Cladeſword* **tunc, ſicut et nunc Decanum prædictæ Eccleſiæ Sancti** *Patricii*. **Propter quod cum prædictus Decanus veniſſet ad ipſum Dominum Regem in** *Anglia*, **Rex ſic ipſum Electum non admiſit, ſed remiſit eligendum iterato, et**

Nota. **capere fecit in manum ſuam omnia temporalia prædicti Prioratus pro contemptu ſibi facto in hoc caſu, et ea ſic tenuit quouſque de gratia ſua ea replegiavit Priori prædictæ domus qui tunc fuit. Et hoc ſimiliter offert verificare pro Domino Rege.** Et Prior & Conventus non poſſunt hoc dedicere, **ideo ad Judicium de eis.**

Et Decanus & Capitulum dicunt pro ſe, quod ex conſuetudine hactenus approbata electio futuri Archiepiſcopi *Dublin.* debet fieri in Eccleſia prædicta S. *Trinitatis*, & quod prædictus Prior habet primam vocem in electione illa, & ipſi Decanus & Capitulum ſecundam. Et dicunt, quod prædicti Prior & Conventus vocaverunt ipſos Decanum & Capitulum quod intereſſent ad prædictum diem *Mercurii* præciſè, ad prædictam electionem faciendam. Et dicunt, quod ſi ipſi Decanus & Capitulum non interveniſſent ad diem hujuſmodi ſic vocati, **Prior et Conventus eligerent per ſe non expectata præſentia ipſorum Decani et Capituli: Et ſic ipſi Decanus et Capitulum excluderentur a poſſeſſione hujuſmodi electionis conjunctim et diviſim, et ex hoc per proceſſum temporis per diverſas cauſas quæ ſatis notæ ſunt Curiæ Domini Regis, poſſet maximum diſpendium Domino Regi generari.** Unde dicunt, quod ipſi Decanus & Capitulum ad vocationem prædictam venerunt ad prædictam Eccleſiam, **et rogaverunt prædictos Priorem et Conventum, quod ab electione facienda deſiſterent, quouſque licentiam Domini Regis optinerent, qui licet inde conſulendo deliberationem habuiſſent, rogatui ſuo minimè conſenſerunt, ſet præciſe dixerunt, quod ad electionem faciendam die illo procederent nullo caſu propediente.** Per quod ipſi Decanus & Capitulum, qui pro maxima parte Capituli ſunt Clerici Domini Regis, & ſui familiares, nolentes ob prædictas cauſas ſucceſſores ſuos præcludi ab electione aliàs facienda, &c. **et non per aliquem contemptum vel præjudicium Domino Regi machinandum, aſſignarunt certas perſonas ad intereſſendum electioni illi, quibus ipſi * voces ſuas penitus in electione illa**

* vices.

commi-

commiſerunt; videlicet, *Willielmus de Eſtden* Theſaurarius de Scaccario *Dublin.* & Canonicus prædictæ Eccleſiæ Sancti *Patricii* vocem ſuam, *Radulpho de Stanes* Canonico ejuſdem Eccleſiæ, prædictus Decanus, Juſticiarius de Banco *Dublin.* & *Thomas de Snitterby* Juſticiarius de eodem Banco, & Canonici prædictæ Eccleſiæ Sancti *Patricii* voces ſuas, Magiſtro *Wilhelmo de Hothum* Concanonico ejuſdem Eccleſiæ, **et hoc ſalvis juribus Regis: et pro eo quod electioni illi perſonaliter intereſſe noluerunt, licentia Regis non optenta.** Et quod ita eſt. **Et quod ipſi Decanus et Capitulum licentia, &c. non optenta, non proceſſiſſent ad electionem, &c. faciendam, niſi per prædictos Priorem et Conventum ſic fuiſſent coacti, ſicut prædictum eſt;** videlicet, **quod electioni illi per ſe vel per certas perſonas Capituli ſui quibus voces Concanonicorum ejuſdem Capituli conceſſæ fuiſſent, intereſſent, vel a poſſeſſione ſic eligendi fuiſſent excluſi, &c. parati ſunt verificare ſicut Curia conſideraverit.** *An.* 33 *E.* 1.

Et prædictus *Johannes de Ponte* petit Judicium pro Domino Rege, ex quo ipſi Decanus & Capitulum cognoſcunt, **quod eligerunt, &c. licentia non optenta.** Et Decanus & Capitulum dicunt, quod maxima pars Capituli Clerici Regis ſunt, & familiares ſui, non habentes Laica tenementa, ſed tantum Eccleſiaſtica beneficia. Et quod Dominus Rex in hujuſmodi caſibus **electionum factarum in prædicta Eccleſia licentia non optenta, ſemper ſe cepit ad Priorem et Conventum prædictæ Eccleſiæ *Sanctæ Trinitatis*, qui ipſos Decanum et Capitulum per vocationem induxunt ad intereſſendum, &c. ſicut prædictum eſt; vel ipſi Decanus et Capitulum excluderentur perpetuo,** &c. Unde petunt, **quod Curia Regis ad hoc habet adviſamentum,** &c. Et Prior & Conventus queſiti, ſi prædictus Decanus & Capitulum rogaverunt ipſos prædicto die *Mercurii* quod ſuperſederent, &c. non poſſunt hoc dedicere: Set dicunt, **quod ille dies *Mercurii* fuit ultimus dies eis conceſſus eligendi, &c. per Canones a tempore notitiæ ſuæ habitæ de vacatione prædicta.** Per quod dixerunt, **quod citius caderent in gratiam Domini Regis, cum credidiſſent et ex relatu quorundam audiviſſent, quod Dominus Rex licentiam eis prædixit eligendi, &c. quam in manus Papales, videlicet, quod ſi intra trimenſe ſpacium non eligerent, per hoc ipſi Papæ competeret Archiepiſcopatum conferre cuicumque voluiſſet.** Et Prior & Conventus queſiti, *quem elegerint?* dicunt, quod ipſi unanimiter duobus Canonicis ſuis exceptis eligerunt ipſum Priorem, &c. Et prædicti Decanus & Capitulum queſiti, *quem elegerint?* Dicunt, quod ipſi ſimul cum prædictis duobus Canonicis unanimiter eligerunt ipſum Decanum, &c. Decano ſolummodo excepto, **qui electioni de ſe factæ adhuc non conſenſit.** Et prædicti Decanus & Capitulum dicunt ulterius, **quod ſi videatur Domino Regi vel Curiæ ſuæ quod ipſi deliquerunt in hoc quod coacti, ſicut prædictum eſt, proceſſerunt ad electionem faciendam in forma prædicta pro jure Regis et ſuo manutenendo, tunc ipſi ſe ſupponunt inde gratiæ Domini Regis.** Et quia Prior & Conventus non poſſunt dedicere, **quin Temporalia Prioratus ſui alias capta fuerunt in manum Domini Regis, pro eo quod in ultima vacatione ante inſtantem vacationem eligerunt, ſicut prædictum eſt, antequam literæ Domini Regis de licentia Regis optenta devenerunt ad eos: Et Dominus Rex de gratia ſua ſpeciali replegiari fecit eis prædicta Temporalia ad voluntatem ſuam. Et ipſi jam de novo ſimiliter elegerunt licentia non optenta, contemptum contemptui cumulantes, unde præjudicium generari poſſet Domino Regi temporibus futuris, niſi ad hoc apponeretur remedium. Et dedicere non poſſunt, quin habuerunt unum diem ulterius ad minus, per quem poſſent expectabiſſe de electione facienda ſi voluiſſent infra tres menſes a tempore notitiæ ſuæ de vacatione,** &c. **Conſideratum eſt, quod Temporalia prædicti Prioratus capiantur in manum Domini Regis ad voluntatem ſuam,** &c. **Et cuſtodia inde committitur *Johanni* Vicario Eccleſiæ de *Lalk*, qui reſpondebit Domino Regi de exitibus,** &c. **Et Decanus et Capitulum expectent gratiam Regis.**

From which memorable Record we may obſerve: Firſt, the antient Prerogative of the Kings of *England*, as well in *Ireland*, *Wales*, *Scotland*, & all other their foreign Dominions as in *England*; That no Prior and Covent, Dean, Chapter ought to proceed to the election of any Archbiſhop, Biſhop, Abbot, Prior, Prioreſſe, or Maſter of any Monaſtery or Houſe, held of them *in capite*, or of their foundation, without

An. 33 *E.* 1. without or before their ſpecial license, for making ſuch elections were particularly petitioned for, granted, and actually received by them. 2ly. That their proceeding to make any ſuch elections even after their petitions for, and the Kings granting of ſuch ſpecial licenſes to elect before their actual reception, was not only a ſufficient ground for our Kings to declare ſuch elections voyd in Law, and deny their royal aſſents thereunto; but likewiſe an high contempt againſt our Kings royal Prerogative, Crown, dignity, and of ill example and dangerous conſequence, for which the Temporalties of the Electors might not only by Law be ſeiſed into the Kings hands, but themſelves ſubjected to a great exemplary fine by way of damage to the King, eſpecially when reiterated. 3ly. That though our Kings out of their ſpecial grace had frequently connived at and pardoned ſuch contempts in *Ireland* in ſundry caſes premiſed, yet when ſuch contempts were redoubled in two ſucceſſive elections in the very Archiepiſcopal See of the chief City of Trade and Note in *Ireland*, neareſt adjoyning to *England*, after the ſeiſure of their Temporalties for the firſt offence, reſtored out of ſpecial grace, upon hopes of future reformation, as in this caſe; the Kings preſent proceedings, and judgement given againſt them for this ſecond contempt, were moſt juſt and neceſſary, to prevent all future contempts of like nature. 3ly. That the Popes Canons, and the ancient Cuſtom of the Church of *Dublin*, pleaded by the Prior and Covent to excuſe or juſtifie this their election, and contempt, (That they ought to elect an Archbiſhop within 3. moneths next after notice of the avoydance, within which ſpace the Kings licenſe which they petitioned for came not to their hands,) was no legal plea againſt the Kings antient prerogative, to which all Popes Canons and contrary Cuſtomes ought to give place, who might legally grant or delay his Licenſes of this kinde till ſuch time as he ſhould think fit to iſſue them, being confined to no limits of time, without incurring any lapſe, eſpecially to the Pope. 4ly. That Popes new Canons, made in derogation of our Kings Crown, Dignity, and Prerogative, (to enlarge their own Papal power, wills, grandeur) were more carefully obſerved, obeyed, dreaded by the Priors, Covents, Monks and Clergy of that age (though void in Law) than the Kings unqueſtionable ancient prerogative and Lawes; and his Papal Cenſure more regarded than the Kings Legal Judgments. 5ly. That the Deans & Chapters refuſal to go to this election before the Kings ſpecial licenſes received in this and the former election, and joyning in it only to preſerve their right therein, was ſuch an extenuation of their contempt, as expoſed them rather to the Kings royal grace, then exemplary and ſevere juſtice.

* See Ryleys Plac. Parliamentaria, An. 33 E 1. p. 271, to 276.

I pretermit the great ſuit in the* *Firſt Parliament* of Anno 33 E 1. between the Biſhop of *Sarum* and the *Citizens* thereof, for Tallage due from them to the Biſhop, by reaſon of their Liberties from *Tolls*, and other immunities they enjoyed by the Charters granted to his Church and Tenants; who choſe rather publikely to renounce all the Liberties and exemptions from *Tolls* they enjoyed by it, than to be ſubject to the Biſhops Taxes and Tallages.

In that Parliament there were two Petitions exhibited to the King, by the Univerſities of *Oxford* and *Cambridge*, to which the Kings general anſwers were thus indorſed in their favour.

* See Ryley, Placita Parliamentaria, p. 248. Univerſitas Oxon.

* AD Petitionem Univerſitatis *Oxon.* petentis remedium, quod cum Compoſitio facta ſit inter Univerſitatem & homines ejuſdem villæ, quod Regratiatores non debent eſſe in villa niſi ad numerum 32, et Burgenſes ejuſdem villæ nunc numerum illum vehementer augmentarunt ad dampnum populi. Et etiam quod Rex præcipere velit, quod nullus Regratarius ſeu tabernarius binozum permittat, quod Clerici ſedeant ſeu hoſpitent *nocanter in tabernis ſuis. Ita reſponſum eſt, Quoad Compoſitionem ſi facta ſit inter Univerſitatem et Burgenſes, et rationabilis fuerit, Rex vult quod obſervetur. Ad alium Articulum, Cancellarius caſtiget Clericos ſuos, prout melius viderit expedire.

* An abuſe in that age, as well as ſince.

* Ibidem, p. 245. Univerſitas Cantabrig.

* AD Petitionem Univerſitatis (*Cant.*) prædictæ, petentis, quod Cancellarius dictæ Univerſitatis procedere poſſit in placitis coram eo placitaris de contractibus et Conventionibus factis inter Scholares et Laicos Univerſitatis prædictæ, non obſtante prohibitione. Ita reſponſum eſt, Sicut habet Univerſitas *Oxonienſis* ita habeant.

Among

Among the Petitions in that Parliament, this anſwer of the King to the Biſhop of *Landaff*, concerning Tithes of Aſſarts in the Foreſt of *Dene*, which were extra-parochial, is very obſervable. *An.* 33 E. I.

AD Petitionem Epiſcopi *Landaf*, petentis, quod Rex velit aſſignare Eccleſiæ *Omnium Sanctorum* ipſius Epiſcopi in Foreſta de *Dene* Decimam de novis Aſſartis in eadem Foreſta aſſartatis in proprio ſolo ipſius Regis ibidem. Ita reſponſum eſt, Rex vult quod id quod eſt extra Parochiam, et quod Rex concedere poteſt habeat Epiſcopus: Et fiant Literæ Regis Patentes de conceſſione, et breve Clauſum J. *de Botecourt* Cuſtodi Foreſtæ, &c. By which it is apparent, that Tithes without any Pariſh within Foreſts, in that age belonged to the King, who had power to reteine or grant them at his royal pleaſure. Ibidem, p. 249. Landaff.

Anno Gratiæ 1305. [a] *Cardinales* Romani, *dum ad invicem diſſentiunt ſuper electione apoſtolica, tandem aſpicientes à longè, injecerunt mentis aciem ultra* Alpes *ad Archiepiſcopum* Burdegalenſem, Bertramum de Angeaus, *ipſum in Summum Pontificem die* Pentecoſtes *unanimiter eligerunt, &* Clemens *quintus vocatur. Is autem electioni conſentiens ex* Burdegala Lugdunum *profectus, eo Cardinales omnes ad ſe vocabat: Qui ſine mora Pontifici obtemperarunt: convenerunt ſinguli Cardinales præter duos, qui non venerunt præ nimia ſenectute, & duo alii itinerando mortui ſunt,* et Curia Romana in Galliam tranſlata, *ad ſeptuaginta quatuor annos ibi remanſit cum magno* Romanorum *incommodo. Coronationi hujus* Clementis *interfuerunt* Philippus *Rex* Franciæ, Carolus *ejus frater, &* Johannes *Dux* Britanniæ, *qui ruina muri oppreſſus cum duodecim aliis ſtatim moriebatur dum ſolennitatis pompa per urbem ducerētur.* Philippus *quoque Rex ex ruina aliqua ex parte debilitatus eſt, Pontifex autem ex tanta trepidatione, ex aquo deturbatus, Carbunculum ex Tiara amiſit pretii Florenorum ſex millium. Idem Papa ante Natale duas ordinationes faciens creavit duodecim Cardinales, inter quos de Ordine Fratrum Pradicatorum fratrem* Thomam de Jozi, *Doctor ſacræ Theologiæ, natione* Anglicus, *titulo ſanctæ* Sabinæ *factus eſt Presbyter Cardinales; ſex Cardinales de* Vaſconia, *duos de* Francia, *Abbatem Sanctæ* Crucis *juxta* Burdegalim *Ordinis Sancti* Benedicti *creatum ſimiliter Cardinalem, Vicecancellarium ſuum conſtituit.* Petrum & Jacobum *de* Columpna *depoſitos & prædamnatos per Papam* Bonifacium 8. *de novo Cardinales creavit. Hinc aliqui è fratribus murmuraverunt. Conſtituit Papa Coronationis & ſolennitatis ſuæ diem* Lugduni *in craſtino Sancti* Bricii (as [b] *Mat. Weſtminſter* relates.) *Cumque poſt miſſarum ſolennia equitaret, de Eccleſia ad palatium, quidam murus lapideus & luteus vetus & ſemirutus, cui incumbebat populus multus, ut Papam videret, repentè corruit ſuper turbam, & duos Comites qui mulam Papæ per frænum ducebant, unum oppreſſit, videlicet* Andegavenſem, *alterum* Britanniæ *interemit;* et bis binos biros inclytos, multis aliis lauciatis. Sed Papa mirabiliter ſalvatus eſt. Quod infortunium alicujus futuri mali prognoſticum, plurima gens notabit. *Die ſancti* Clementis, *cum Papa primò miſſarum ſolennia celebraſſet,* poſt prandium orta lite et mota pugna inter Clientes Papæ et Cardinalium, unus de fratribus Summi Pontificis occiſus eſt. *Alterum fratrem ſuum cinxit Rex* Franciæ *baltheo militari, & multam aliam munificentiam in Civitatibus, & Caſtellis ſuis contulit Papa Rex* Francorum, per quod in omnibus negotiis ſuis expediendis gratiam multam promeruit et favorem. * *Rex autem* Anglorum miſit Domino Papæ ſingula utenſilia, quibus miniſtraretur ei in Camera, et in menſa omnia auro puriſſimo, per Epiſcopos regni ſui, videlicet *Litchfeldenſem* et *Wigornienſem*, et Comitem *Lincolniæ. Ad eandem vero ſolennitatem de* Anglia, *plures viri egregii abierunt. Porro Epiſcopum* Dunelmenſem *Dominum* Antonium de Bek *propter dapſilitatem & magnificentiam cordis quam in eo invenit,* Patriarcham Hieruſolomitanum creavit, *& electos* Eboracenſem & Landavenſem, *dimiſit ad propria confirmatos. Papa quidem conſtituit celebrare Curiam ſuam apud* Burdegalim. *Erat autem in principali porta Civitatis prophetia hæc ſcripta, in duobus verſibus aureis literis & latinis, ſed per pulverem incedentium fuerant obfuſcata, ita ut non apparerent niſi hæ duæ dictiones,* Altera Roma. *Verum conſtituta ibi Curia, viri Civitatis, deducto pulvere, invenerunt ſic ſcriptum.*

Dic tu qui tranſis, & portæ limina tangis,
Altera *Roma* vale, nomen gerit Imperiale.

[a] Mat. Weſt. An. 1305, p. 451. Thomas Walſingham, Hiſt. Angl. p. 61, 62. Ypodigma Neuſtr. p. 96. Leander, Stella, Onuphrius, Creſpin, Balæus, Faſc. Temporum, Platina, Volaterranus, Opmerus, Laertius Cherubinus in Benedicto 11. & Clemente 5.

[b] Mat. Weſt. An. 1305. p. 453.

Nota.

* See Thomas Walſingham Ypodigma Neuſtriæ, p. 96. Daniels Hiſtory, p. 100. Holinſhed. Speed, & others, An. 1304, 1305.

An. 33 *E.* 1. *Scribebantur autem ibi bi verſus ante mille annos* (if you credit the Reporter.) *Porrò Senatores* Romani *miſerunt ad Papam*, **ut veniret** Romam, **et ſtatueret Curiam ſuam ibi, ſicut prædeceſſores ſui Summi Pontifices conſueverant. Noluit Papa adquieſcere poſtulatis**, *ſed dixit*, Se miſſurum illic quempiam, qui eis ſatisfaceret vice ſua. From which Hiſtorical Narrative, it may juſtly be demanded; 1. Whether Pope *Clement* keeping his Court and Papacy at *Burdeaux*, not in St. *Peters* See and Chair of *Rome*, was a true Pope, and proper Biſhop of *Rome*, or Succeſſor of St. *Peter*? 2ly. Whether he did not both ſinne and erre in this tranſlation of his See? 3ly. Whether his infallibility being confined to St. *Peters* Chair in *Rome*, he loſt not his *infallibility* and *inerrability*, by ſitting in his new erected Papal Chair of *Burdeaux*, wherein he formerly ſate as Archbiſhop only of that City? 4ly. Whether the rich Gifts, he received from the Kings of *France* and *England*, to purchaſe his grace and favour in the diſpatch of all their affairs before him, were not direct *Bribery*, and deteſtable *corruptions*, contrary to St. *Peters* practiſe, *Acts* 8. 18, 19, 20?

King *Edward* deſigning to ſend ſome ſpecial Meſſengers for diſpatch of his affairs to the Court of *Rome* to Pope *Benedict*, whoſe journey was ſtopped by his death, being afterwards informed of the election of Pope *Clement*, ſummoned them to prepare themſelves to repair to him with all convenient ſpeed and from thence to go to the new Pope about his ſaid affairs, by this enſuing Writ.

Claſſ. 33 E 1. m. 12. dorſo. De veniendo uſq; Weſtm. pro negotiis Regis.

REX dilecto Clerico ſuo *Roberto de Pykerings* ſalutem. Cum tempore felicis recordationis Domini *Benedicti* nuper Summi Pontificis ordinavimus, quod **vos una cum quibuſdam aliis fidelibus noſtris ad Curiam** *Romanam* **proficiſceremini pro quibuſdam negotiis quæ nos tangunt.** Et poſtmodum intellecto de morte præfati Summi Pontificis, injunxerimus vobis & eiſdem fidelibus noſtris, quod quamcito **Summum Pontificem creari contingeret, prompti et parati eſſetis ad proficiſcendum pro negotiis noſtris prædictis ad Curiam ſupradictam**; Ac jam nova de creatione Summi Pontificis habeamus: Vobis mandamus firmiter injungentes, quod omnibus aliis prætermiſſis, uſque *Weſtm.* perſonaliter accedatis; ita quod ſitis ad Scaccarium noſtrum ibidem die Jovis in Quindena Nativitatis Sancti *Johannis Baptiſtæ* proximo futuri, **prompti et parati ad proficiſcendum ſtatim extunc cum dictis fidelibus noſtris ad Curiam prædictam pro negotiis noſtris antedictis**; & hoc ſicut de vobis confidimus nullatenus omittatis. Teſte Rege apud *Ciceſtriam* 17 die *Junii*.

Eodem modo mandatum eſt Magiſtro *Bartholomæo de Ferentino*, *Rogero le Warr*, *Thomæ de Berkele*, & Magiſtro *Thomæ de Cobeham*. Teſte ut ſupra.

Pope *Clement* the 5. was no ſooner elected, but he ſent theſe 3. enſuing Bulls and Letters, together with two *Nuncioes* to King *Edward*, expreſſing his extraordinary affection to him and his realm, earneſtly exhorting him to prolong the Truce between him and the King of *France*, to repair all dammages done by his Subjects to the *French*, to conclude a firm Peace between both Crowns, by his order, and that he would come to him in perſon into *France* before his departure thence toward *Rome*, or at leaſt to ſend his Son *Edward* Prince of *Wales*, accompanied with an honourable Train of Prelates and Nobles, to perfect the marriage between him and the King of *France* his daughter, and with full power to ſettle a perpetual peace between both Crowns, as he ſhould adviſe, without favour or partiality, for the avoyding of ſundry miſchiefs occaſioned by the Wars, both to their Realms and Chriſtianity it ſelf, and for the better and ſpeedier relief of the *Holy Land*. The original Bulls themſelves I diſcovered in the *White Tower Chappell*.

In Turri London, An. 33 E. 1.

CLemens Epiſcopus, Servus ſervorum Dei, Chariſſimo in Chriſto filio *Edwardo* Regi *Angliæ* illuſtri, ſalutem, & Apoſtolicam benedictionem. **Inter cæteros ſtudii mei labores, quibus ex injuncto nobis Apoſtolatus officio, ille jucundior inſidet cordi noſtro, ut inter te, fili prædilecte, et chariſſimum in Chriſto filium noſtrum** *Philippum* **Regem** *Francorum* **illuſtrem, de quorum beratione** *Romana* mater ingemiſcit Eccleſia, et unitate lætatur, ac utriuſque veſtrûm ſubditos, inter quos ille Serpens antiquus ſator diſcordiæ, pacis æmulus, & odii ſeminator, fomenta

zizaniæ

zizaniæ per caliditatis aſtutiam non ſine cum amaritudine rememorandis anguſtiis ſubmittant, pacis reformetur tranquillitas, animorum identitas perſeveret, & ut nos & ipſa optamus Eccleſia, vinculum dilectionis internæ, ut decet & convenit, ſolidetur. Sane inter te & ipſum in pacis tractatu extitit, ut dicitur, inter alia concordatum, quod dampnorum & gravaminum pace ſeu treuga ſecuta vel indicta durante hinc inde ab alter utrius veſtrorum gentibus & ſubditis irrogatorum quomodolibet & etiam illatorum ſufficiens præſtaretur emenda, & tandem eodem Rege & tuis Nunciis *Lugdun.* in noſtra præſentia conſtitutis, ut quod de ſatisfactione hujuſmodi fuerit ordinatum, pleniorem ſortiretur effectum; Adjunximus, quod quatuor probi viri, duo ſcilicet pro parte qualibet deputentur, qui ſuper præmiſſis inquiſita plenius veritate facerent paſſis damna & injurias ſatisfactionem congruam juxta malignitatem negotii exhiberi. Verum licet hæc, ſicut præmittitur, fuerint ordinata, quæ debuerint penitus obſervari, tamen quod nos cogit vehementius admirari poſtquam iidem nuncii *Lugdun.* noſtro ſe conſpectui præſentarunt, et ex eis aliqui à vobis etiam bona ſua quamplurima areſtata atque ſeiſita mercimonia & dampna non modica per gentem tuam nonnullis Civibus *Ambraren.* cæteriſque Mercatoribus *Corbiæ* ac illarum nequaquam obſtantibus regni ſui ordinationibus præmiſſis illata dicuntur, & nichilominus unus ex tuis dictis quatuor qui tunc in noſtra fuerunt præſentia nominati, electi & etiam deputati, negotio imperfecto diſceſſit. Cum itaque, fili chariſſime, ex præmiſſis ſi veritate nitantur tantò majoris turbationis materiam habeamus, quo niſi eis celeris correctionis remedio occurratur, poſſet timeri pericula exinde præteritis graviora, Celſitudinem tuam rogamus attentius, & hortamur in *Jeſu Chriſto*, quatenus bona & mercimonia ſic areſtata atque ſeiſita, exareſtari & deſeiſiri jubeas, ac de hujuſmodi dampnis & injuriis perſonis eiſdem faciat ſatisfactionem plenariam exhiberi, eundemque deputatum qui ſic à proſecutione prædictorum diſceſſit, remittas ad locum, ut præmittitur, ut cum aliis diligenter in præmiſſis intendat & illis ſubmoto difficultatis obſtaculo proſequatur. Attende igitur, fili perdilecte, & ut pacis amator inſpicias, quod ſi præmiſſa ad quæ te hortamur percompleas, multiplex inde bonum proveniet, & de contraria (quod abſit) poſſet inextimabile ſcandalum exoriri, quodque tu præter divinum præmium gratificaberis *Romanæ* **Eccleſiæ matri** tuæ, & nos qui te & Regem eandem in pacis abundantia ambulare & vivere cupimus, quique etiam in tuis proſperis & fælicibus ſucceſſibus ab intimis gratulamur, votis tuis ſtrictius obligabis. Dat. *Petragoris* 2. Kal. *Maii*, Pontificatus noſtri anno primo. *

An. 33 *E.* 1.

* In Dorſo. Bulla Clementis Papæ 5 Edwardo Regi Angliæ, ſuper tangentibus proceſſum Moneſtre'.

To which the King returning a ſatisfactory anſwer in all particulars, received this ſecond Bull from the Pope.

CLemens Epiſcopus, ſervus ſervorum Dei, venerabili in Chriſto filio *Edwardo* Regi *Angl.* illuſtri, ſalutem & Apoſtolicam benedictionem. Celſitudinis tuæ literas affectione conſueta recepimus, per quos conditiones negotii mercatorum *Franciæ* quorum bona in regno tuo fuerant areſtata: & qualiter perſonæ quæ per nuntios tuos coram nobis apud *Lugdun.* fuerunt deputatæ ad inquirendum de exceſſibus ſenſêre factis —— quæ commiſſa dicuntur per — gentem regni tui contra gentem regni *Franciæ* poſtquam inter te & chariſſimum in Chriſto filium noſtrum *Philippum* Regem *Francorum* pax & concordia per Dei gratiam reformata extitit, proceſſerunt, ſerioſe ſatis ad noſtram notitiam deduxiſti. Profectò, fili chariſſime, gaudeamus quod ſic planè, ſic clarè nobis hæc Regia circumſpectio reſeravit, & inter cætera deſiderabilia cordis noſtri tuum & Regis ejuſdem ſtatum proſperum & tranquillum, & inter te ac ipſum amænitatem mutuæ Charitatis potioribus deſideriis affectamus, diligentes cogitatus adhibere circa ſignificata curabimus, & utilis operationis impendium, prout melius divina gratia miniſtraverit, exponemus, Serenitatem Regiam rogantes, & hortantes attentè, quatinus gentes tuas ſic corrigas & refrænes, quod nulla inter te & eundem Regem ſcintilla rancoris emergat; & prædictis deputatis injungas, quod in negotiis per dictos nuntios eis commiſſis continuè intendant, & ſic efficaciter te habeas in prædictis, quod Magnificentia tua dignis exinde apud Deum & homines poſſit laudibus commendari. Dat. *Burdigalis* 2. Kal. *Julii*, Pontificatus noſtri anno primo. * Which he backed with this third Bull.

In Turri Lon. don. An. 33 E. 1.

* In Dorſo. Bulla Clementis Papæ 5 Edwardo Regi Angliæ, ſuper tangentibus proceſſum Moneſtrel.

An. 33 *E.* 1.
Ibidem.

CLemens Episcopus, Servus servorum Dei, carissimo in Christo filio nostro *Edwardo* Regi *Angliæ* illustri salutem & Apostolicam benedictionem. Benignæ puritatis ad notos & magnæ discretionis ad omnes Celsitudinis tuæ culmina reputat populus circumpositæ rationis, te quoque Magnates & humiles multa laude magnificant, & virtutum præcipuè devotionis ipsius præclaris te ferunt ornatibus insignitum; quare multum debet attendere circumspectio Regia, quod cum talis esse creditur, credentium opinio non fallatur. Magnitudinem itaque Regiam, tum propter intimæ dilectionis affectum quem ad ipsum semper habuimus & habemus, tum propter aliqua salutaria animæ tuæ commoda, tum etiam propter nonnulla inter te & Regem *Francia* illustrem pacis & quietis **procuranda et ordinanda salubria, et insuper de *Terræ Sanctæ* passagio intimis desideriis alloqui cupientes, eandem rogamus et hortamur attente**, quatinus antequam montes transeamus, quos post Coronationis nostræ solempnia apud *Vien.* circa instantis festi *Omnium Sanctorum*, auctore Domino celebranda, transire proponimus ad Sanctam *Romanam* Ecclesiam sponsam nostram **Deo propitio accessuri nobiscum, si modo fieri valeat, tuam a nobis plusquam exprimere possemus oblatam præsentiam habeamus; vel si forte (quod absit) venire nequiret aut nollet Regia Celsitudo, charissimum in Christo filium nostrum *Edwardum* illustrem Principem *Walliæ* natum tuum, Prælatorum et aliorum Magnatum virorum prudentium decenti comitiva vallatum, ad præsentiam nostram mittas, voluntarium atque promptum ad contrahendum matrimonium inter eum et natam jam dicti Regis *Franciæ* prolocutum; necnon cum sufficienti et plenaria potestate et speciali mandato faciendi, approbandi et recipiendi ea omnia quæ ad roborandam concordiam, charitatem et pacem inter te ac *Franciæ* Regem prædictum, et alia quæ ad animæ tuæ salutem, et ad tuum ac tuum et regni tui commodum et honorem, præstante Deo, intendimus ordinare.** Et ut nostra quam super præmissis habemus intentio tuæ possit magnificentiæ clarius aperiri, venerabilem fratrem nostrum *Raymundum* Episcopum *Lascurren.* & dilectum filium Magistrum *Willielmum Testa* Archidiaconum *Aranam* in Ecclesia *Covenarum* Capellanum nostrum, de quorum fidelitatis intimæ puritate plenam in Domino fiduciam obtinemus, ad tuam duximus præsentiam destinandos, & tuæ Serenitati mentem nostram aperire oraculo vivæ vocis, quorum relationibus ex parte nostra prolatis fidem volumus plenariam adhiberi. Dat. *Burdegal.* 8. Kal. *Septembris*, Pontificatus nostri anno primo.

To this last Bull and Letter, King *Edward* returned this complemental Answer.

Claus. 33 E. 1. m. 7. dorso.

SAnctissimo in Christo Patri Domino *C.* Sacrosanctæ *Romanæ* ac universalis Ecclesiæ Summo Pontifici; *Edwardus* eadem gratia Rex *Angliæ*, &c. devota pedum oscula beatorum. Venientes ad nos venerabilis Pater *Reymundus* Episcopus *Luscurren.* & Magister *Gulielmus Testa* Archidiaconus *Aran.* in Ecclesia *Covenarum* Capellanus vester, beatitudinis vestræ Nuncii vestras nobis literas præsentarunt. **Nos autem literas ipsas et Nuncios vidimus læta mente, et recepimus reverenter intuitu destinantis**, gaudentes quamplurimum & ingenti lætitia in Domino exultantes, quod sicut eorundem Nunciorum patefacit assertio, plenè vigetis corporea sospitate, ac vobis ad gratias quas sufficimus assurgentes, **et eo quod noster regnique nostri status salubris inest specialiter cordi vestro. Dare reverentissimam personam vestram antequam montes transeatis videre, ac colloquium cum eadem habere vestræque Coronationis solempniis interesse, si commode fieri posset, gratissimum nobis foret**; set ad hoc personam nostram quam vestræ Sanctitatiis benevolentia novit multis vexationibus fatigatam accedere, aut etiam *Edwardum* filium nostrum, Prælatorum, & aliorum Magnatum virorum prudentium decenti Comitiva vallatum mittere, pro quo sicuti et pro nobis conductum à Rege *Franciæ* juxta ordinationem Magnatum & Procerum Regni nostri primitus oporteret habere, brevitas temporis non permittit, quoniam expedire non credimus quoquomodo, quod accessus vester ad Curiam *Romanam* differatur, **sed potius quantum honestati vestræ congruet maturetur.** Et proculdubio admodum prægravamur, quod requisitionem & voluntatem vestram non possumus in hac parte, **juxta nostri cordis desiderium adimplere: ad vestra siquidem beneplacita et mandata prosequenda pro viribus et complenda nos**

vestra

veſtra ſancta Paternitas devotos ſemper inveniet, et paratos. Veſtræ igitur Sanctitati, de qua fiduciæ plenitudinem obtinemus, devotiſſimè ſupplicamus, quatinus præmiſſis clementi meditatione penſatis, tàm nos quàm prædictum natum noſtrum ſuper hoc habere dignemini excuſatos, ſicque Nos, regnum noſtrum, et noſtros proſequi gratioſe quod veſtræ benignæ pietatis affectum, quem vos ad perſonam noſtram longa experientia habuiſſe percepimus, de bono in melius continue augeri effectualiter ſenciamus. Ad hæc, circa promotionem negocii Terræ Sanctæ menti noſtræ præcipue inſidentis, cujus ſtatui miſerabili ſore compatiendum non indigne conſpicitur, eo libentius pietatis veſtræ clementiam excitamus, quo ad ſubveniendum eidem propoſitum veſtrum verſari intimius credimus et tenemur. Super quo et aliis, quæ dictorum Nunciorum veſtrorum legationem contingunt quibus noſtram aperuimus plenius voluntatem, dignetur eiſdem Providentia veſtra fidem indubiam adhibere. Cæterum quoſdam Prælatos & Magnates alios regni noſtri cum poteſtate plenaria & ſpeciali mandato ad veſtram præſenciam reverendam in brevi proponimus deſtinare, ad faciendum, appobandum et recipiendum ea omnia quæ ſuper præmiſſis pro nobis et ſæpedicto nato noſtro veſtra Sanctitudo viderit ordinanda, et quæ nos et idem filius noſter faceremus, ſeu facere poſſemus ſi noſtra adeſſet præſencia perſonalis. Sanctiſſimam perſonam veſtram conſervet altiſſimus ad regimen Eccleſiæ ſuæ Sanctæ per tempora proſpera & longæva. Dat. apud *Weſtm.* 4 die *Octobris*, Anno regni noſtri 33. *An.* 33 E. 1

This Epiſtle he ſoon after ſeconded with theſe enſuing Meſſengers, Proctors and Procurations which he diſpatched to him concerning the ſeveral affaires ſpecified in them, who preſented him with the premiſed gold plate for his Chamber; the more eaſily to obtain the Kings deſires.

SAnctiſſimo in Chriſto Patri Domino *C.* Divina Providentia Sacroſanctæ *Romanæ* ac Univerſalis Eccleſiæ Summo Pontifici; *Edwardus* ejuſdem Gratia, &c. devota pedum oſcula beatorum. Ex ſinceræ dilectionis affectu quem ad nos magna experientia vos habuiſſe et habere probavimus, de quo veſtræ Sanctitati quas poſſumus gratiarum referimus actiones, inducimur ad veſtræ liberalitatis januam audacius pulſandum, et paternæ ſubſidium bonitatis, confidentius requirendum; Dilectos igitur & fideles noſtros venerabiles patres *Walterum Coventr.* & *Lychf.* Theſ. noſtrum, & *Willielmum Wygorn.* Epiſcopos, *Henr. de Lacy* Comitem *Lincolniæ* Conſanguineum noſtrum, *Hugonem le Deſpenſer*, *Amaneun. de Lebreto*, *Ottonem de Grandiſono* Milites, Magiſtros *Johannem de Benſtede* Saccarii noſtri Cancellarium *Sariberien. Robertum de Pickering Eborum*, *Bartholomæum de Ferentino London*, & *Philippum Martell Ciceſtren.* Eccleſiarum Canonicos, ad præſentiam veſtræ beatitudinis deſtinantes, devotis eidem precibus ſupplicamus, quatinus mentis noſtræ deſideria Benignitati veſtræ per ipſos vel aliquos ex primo nominatis ipſorum vivæ vocis oraculo, exponenda benigne audire, benevolentiaque paterna exaudire. Nos ſiquidem mandatis veſtris totis ſemper viribus obedire cupimus, beneplacitiſque (Sanctitatis) veſtræ preponimus ſinceris affectibus complacere. Conſervet vos Altiſſimus ad regimen Eccleſiæ ſuæ Sanctæ per tempora proſpera & longæva. Dat. apud *Weſtm.* 20 die *Octobris*. Clauſ. 33 E 1. m. 26 dorſo.

This Epiſtle and Procuration to the Pope, the King ſeconded with another to ſeveral Cardinals, thus recorded.

VEnerabili in Chriſto Patri Domino *N.* Dei gratiâ *Oſtienſi* & *Velletrenſi* Epiſcopo, Amico ſuo Kariſſimo; *Edwardus* eadem gratiâ Rex *Angliæ*, &c. ſalutem, & ſinceræ dilectionis affectum. Venerandæ Paternitati veſtræ tanto libentius preces noſtras porrigimus, quanto confidentius ipſas à dilectionis veſtræ ſinceritate intra exauditionis gratiam introduci ſperamus. Hinc eſt quod cum dilectos & fideles noſtros venerabiles Patres *Walterum Coventr.* & *Lychf.* Theſ. noſtrum, & *Willielmum Wygorn.* Epiſcopos, *Henr. de Lacy* Comitem *Lincolniæ*, Conſanguineum noſtrum, *Hugonem le Deſpenſer*, *Amaneunm de Lebrete*, *Ottonem de Grandiſſono* Milites, Magiſtros *Johannem de Benſtede* Scaccarii Cancellarium *Sarum*, *Robertum de Pickering Eborum*, *Bartholomæum de Ferentino London.* & *Philippum Martell Ciceſtren* Clauſ. 33 E 1. m. 5. dorſo. Pro Rege.

An. 33 E. 1. *ceſtren.* Eccleſiarum Canonicos, ad Sanctiſſimi Patris Domini *C.* divina Providentia Summi Pontificis, pro quibuſdam arduis noſtris, regnique noſtri negotiis veſtræ benevolentiæ per eoſdem vel eorum aliquos exponendis, præſenciam deſtinamus, amicitiam veſtram de qua plenè confidimus, affectuoſè requirimus & rogamus, quatinus negotia memorata favore propitio commendata velitis habere, et ut celerem et optatum expeditionis effectum veſtro mediante juvamine ſortiantur, opem impendere ac operam efficaces, mandantes nobis cum fiducia ſi qua pro vobis aut veſtris volueritis nos facturos. Dat. apud *Weſtm.* 20 die *Octobris.*

Eodem modo ſcribitur pluribus Cardinalibus. Dat. ut ſupra.

Ibidem. SAnctiſſimo in Chriſto Patri Domino *C.* divina Providentia Sanctæ *Romanæ* ac Univerſalis Eccleſiæ Summo Pontifici; *Edwardus* eadem gratiâ Rex *Angliæ*, &c. devota pedum oſcula beatorum. De circumſpectione & fidelitatis intimæ puritate dilectorum & fidelium noſtrorum *Henr. de Lacy* Comitis *Lincoln. Hugonis le Deſpenſer, Amanen.* Domini *de Lebreto, Ottonis de Grandiſſono*, fratrum *Thomæ de Jorz*, & *Johannis de Wrotham* de Ordine Prædicatorum, *Johannis de Beneſtede*, & Magiſtri *Philippi Martell* exhibitorum præſencium fiduciæ plenitudinem optinentes, ſuper quibuſdam negotiis, honorem, ſtatumque noſtrum et Coronæ noſtræ tangentibus, quæ valde inſident cordi noſtro, vobis mentem noſtram decrevimus aperire. Sanctitati veſtræ devotiſſimè ſupplicantes, quatinus hiis quæ prædicti *Henricus, Hugo, Almenenus, Otto, Thomas* & *Johannes, Johannes* & *Philippus*, ſeptem, ſex, quinque, vel quatuor eorundem quos præſentes eſſe contigerit, ex parte noſtra ſuper præfatis negotiis beatitudini veſtræ expreſſerint viva voce fidem indubiam dignemini adhibere, ac ea votiva effectui juxta ſperatam fiduciam mancipare. Conſervet vos Altiſſimus Eccleſiæ ſuæ ſanctæ per tempora proſpera & longæva. Dat. apud *Weſtm.* 27 die Menſis *Octobris*, Anno Gratiæ 1305.

He likewiſe ſent this Letter to the Pope for the canonization of *Thomas de Cantelupe* late Biſhop of *Hereford* deceaſed, famous for ſundry miracles, as was ſuggeſted, that ſo he and his Realm might enjoy the benefit of his prayers and interceſſion for them in heaven, according to the Superſtitious Doctrine, practiſe, and Error of that ignorant age.

Cl. 33 E. 1. m. 3. dorſo. De translatione Sancti Thomæ de Hereford. SAnctiſſimo in Chriſto Patri Domino *C.* divina Providentia Sacroſanctæ *Romanæ* ac Univerſalis Eccleſiæ Summo Pontifici; *Edwardus* eadem gratia Rex *Angliæ*, &c. devota pedum oſcula beatorum. Pium & Juſtum eſſe cenſetur, ut ſicut Glorioſus Deus in Sanctis ſuis & in Majeſtate mirabilis, fideles miniſtros ſuos magnificat, altis decorat honoribus, & cæleſtis efficit beatitudinis poſſeſſores in cœlis; ita & ſacroſancta *Romana* Eccleſia veſtigia ipſius proſequens, eos ad quorum memorias ipſe Deus ſuæ virtutis potentiam manifeſtat, ſigna ac prodigia faciens pro eiſdem, dignæ venerationis officio laudari, glorificari, & ſtudiis ſollicitis honorari efficiat in terris, ut per hoc fides catholica roboretur, et idem altiſſimus qui laudabilis eſt in ſecula, glorificetur amplius et laudetur, ac ex hoc ſalutis noſtræ cauſam miſericordius & miſerabilius operari dignetur. Cum itaque *Thomas* dictus de *Cantilupo* Eccleſiæ *Herefordenſis* Antiſtes, qui nobili exortus proſapia, dum carnis clauſus carcere tenebatur, pauper ſpiritu, mente mitis, juſtitiam ſitiens, miſericordiæ deditus, mundus corde, verè pacificus prout firmiter recolimus nos expertos, utpote cujus apud nos diu, & laudabilis converſatio & glorioſæ vitæ inſignia, ex multa familiaritate quam nobiſcum habuit eadem fuerunt evidentius nobis nota, quod ſanctitatem vitæ & ipſius converſationem laudabilem cernebamus, quemadmodum degens in ſeculo magnis pollebat meritis, nunc veniens in cœlo, magnis corruſcare miraculis dinoſcatur, in tantum, quod ipſius meritis et interceſſionibus glorioſis, lumen cæcis, ſurdis auditus, verbum mutis, et greſſus claudis, et alia pleraque beneficia ipſius patrocinium implorantibus cœleſti dextera conferuntur, de quorum miraculorum corruſcatione multiplici nonnullis de regno noſtro certitudinaliter innoteſcit. Nos attendentes per Dei gratiam fideles in Chriſto, noſque præcipue, et populum regni noſtri ejus poſſe ſuffragiis adjubari, ut quem familiarem habuimus in terris mereamur habere patronum in cœlis; Sanctitati veſtræ devotiſſimè ſupplicamus, quatinus tantam lucernam abſconſam ſub modio remanere diutius

utius non ſinentes, ſet eam mandantes ſuper Candelabrum collocari, his qui ſunt in domo Domini ſolatium præbituram, **dignemini ipſum aſcribere Sanctorum Cathologo venerando, ut ejus precibus Dominus exoratus gratiam in præſenti, et gloriam nobis præbeat in futuro.** Conſervet vos Altiſſimus ad regimen Eccleſiæ ſuæ ſanctæ per tempora fæliciter longiora. Dat. apud *Weſtm.* ſecundo die *Novembris*, Anno regni noſtri 33. Whereupon he was accordingly * *Canonized* for a *Saint*. *An.* 33 E 1

* Godwins Catalogue, p. 377.

King *Edward* having * *formerly* denyed upon mature deliberation with his Counſil, to admit of the *Popes proviſions* to a prebendary in the Cathedral at *Yorke*, for which ſeveral Cardinals had importunately written to him, as being prejudicial to his Crown, dignity, contrary to his Royal Oath, and of dangerous conſequence, as he had formerly informed them, thought fit to remind them thereof by this new Letter, for fear they ſhould croſſe, and not promote his Proctors affairs, then ſent by him to the Pope and Court of *Rome*.

* See here, p. 934, 935.

VEnerabili in Chriſto Patri Domino *L.* Dei gratiâ *Albanenſi* Epiſcopo, Amico ſuo Kariſſimo; Rex, *&c.* ſalutem, & ſinceræ dilectionis affectum. Literas veſtras per quas pro *Franciſco* Nepote fælicis Recordationis *Bonifacii* Papæ octavi ſuper **quadam Prebenda** in Eccleſia *Eborum*, **quàm dudum cuidam de Clericis noſtris contulimus jure noſtro**, ſpecialiter nos rogaſtis, affectione plena recepimus, ipſarumque tenorem intelleximus, diligenter deſiderantes itaque veſtris favere precibus, quatinus poterimus bono modo negotium prædictum per illos de Conſilio noſtro plenè examinari & diſcuti fecimus cum diligentia ſtudioſa, **ad ſciendum ſi poſſent viam aliquam invenisse per quam abſque præjudicio juris noſtri Regii, et Coronæ noſtræ *Angliæ* læſione, poſſemus annuere votis veſtris. Verum poſt longum inde inter eos habitum conſilium et tractatum, eiſdem pluribus rationibus videbatur, quod in grave præjudicium et manifeſtum noſtri et hæredum noſtrorum, et exhæredationem ac enormem Coronæ noſtræ Regiæ** (cujus jura illæſa in omnibus obſervare vinculo juramenti aſtringimur) **cedere læſionem, ſi veſtris adquieſcerimus precibus ſuprædictis. Cum igitur præmiſſis obſtantibus ad præſens fieri nequeat quod rogaſtis, Paternitatem veſtram affectuoſe requirimus et rogamus, quatinus nos in hac parte habere velit veſtra grata benevolentia propenſius excuſatos; Non enim credimus, quod ad faciendum aliqua quæ in enervationem Jurium Coronæ noſtræ aliqualiter redundarent, ſeu ex quibus Juramenti noſtri prædicti poſſemus, quod abſit, incurrere læſionem, veſtræ nobis fidelitatis integritas et amicitiæ puritas ſuaderent.** Dat. apud *Bruſtwock* 3. die *Novembris*. Clauſ 33 E 1. m. 7. dorſo.

Eodem modo ſcribitur Domino *Franciſco* Sanctæ *Mariæ* in *Coſmedyn* Diacono Cardinali. Dat. ut ſupra.

Pope *Clement* ſo highly reſented the Kings oppoſition of his Predeceſſors and his own Papal *Proviſions* to this *Italian*, the Biſhop of *Biblis*, and others in *England*, that he ſharply reprehended him for, and adviſed him ſpeedily to reform it, in the cloſe of his ſucceeding Bull. To whom the King ſent this new Procuration for ſetling peace, and relief of the *Holy Land*.

SAnctiſſimo in Chriſto Patri Domino *C.* divina Providentia Sacroſanctæ *Romanæ* ac Univerſalis Eccleſiæ Summo Pontifici; *Edwardus* ejuſdem gratiâ Rex *Angliæ*, &c. devota pedum oſcula beatorum. **Attendentes pium et laudabile veſtræ Sanctitatis propoſitum circa promotionem negotii *Terræ Sanctæ*, quod tanto ad effectum poſſe Deo auſpice fæliciorem perduci ſperamus, quanto inter Reges et Principes, cæteroſque Nobiles et Magnates Chriſti fideles vinculum majoris unitatis et concordiæ puriorisque caritatiſque ferventioris per veſtræ circumſpectionem clementiæ fuerit inductum et fortius ſtabilitum.** Quamobrem inter Sereniſſimum Principem Dominum *Philippum* eadem gratia *Francorum* Regem, & Nos, ſucceſſoreſque ſuos et noſtros ſolidam **concordiam, caritatem ferventem, pacemque firmam continuari fæliciter et augeri ex intimis affectantes**, dilectos & fideles noſtros venerabiles patres *Walterum Coventr.* & *Lychf.* Theſaur. noſtrum, & *Willielmum Wygorn.* dicta gratia Epiſcopos, *Henricum de Lacy* Comitem *Lincoln.* Conſanguineum noſtrum Pat. 33 E 1. part 2. m. 8. Procuratorium pro Rege.

An. 33 E. 3. noſtrum, *Hugonem le Deſpenſer*, *Amanenum de Labreto*, *Ottonem de Gradiſſono* Milites, Magiſtros *Johannem de Benſtede*, Scaccarii noſtri Cancellarium, *Sarisberien. Robertum de Pickering Eborum*, *Bartholomæum de Ferentino London.* & *Philippum Martell. Ciceſtr.* Eccleſiarum Canonicos, de quorum circumſpecta prudentia & fidelitate probata plenam fiduciam optinentes, Procuratores noſtros & Nuncios ſpeciales ad veſtræ Sanctæ Paternitatis præſentiam deſtinamus. Dantes eiſdem vel ſeptem ex ipſis primo nominatis, aut quinque de dictis ſeptem, **plenariam poteſtatem et ſpeciale mandatum ſuper paſſagio *Terræ ſanctæ* prædictæ tractandi, ordinandi, conveniendi, concordandi et paciſcendi, necnon faciendi, approbandi et recipiendi pro nobis, et noſtro nomine ea omnia quæ ad ſolidam concordiam, caritatem et pacem inter præfatum Regem et nos, ac alia quæ ad animæ noſtræ ſalutem, et ad noſtrum regnique noſtri commodum et honorem, præſtante Domino, veſtra beatitudo duxerit ordinanda, præſtandique in animam noſtram quodlibet genus liciti Sacramenti, ac faciendi, et expediendi omnia alia et ſingula quæ nos faceremus, ſeu facere poſſemus ſi perſonaliter adeſſemus, etiamſi mandatum exigant ſpeciale.** Ratum habituri & firmum quicquid dicti Procuratores, vel ſeptem ex ipſis primo nominati, aut quinque de dictis ſeptem noſtro nomine fecerint in præmiſſis, & præmiſſa tangentibus quoquomodo. Et hæc Sanctæ Paternitati veſtræ & omnibus quorum intereſt, aut intereſſe poterit in futur. ſignificamus per noſtras Patentes Literas ſigilli noſtri munimine conſignatas. Dat. apud *Weſtm.* 15 die *Octobris*, Anno Domini 1305. Regni verò noſtri 33.

The Pope finding ſome obſtructions in the Treaty before him, (which hindred the concluſion of this much deſired Peace between both Crowns) by ſome of King *Edwards* Articles and Proctors, thereupon ſent this enſuing Bull unto him, for the prorogation of the former Truce to a longer day, and new powers to new Commiſſioners for ſetling a final Peace between them; in the cloſe of which Bull (the Original whereof I met with in the *White Tower*) he ſharply reprehends the King for oppoſing his *Papal Proviſions* to Eccleſiaſtical preferments in *England*, and other Innovations of the *Roman* See, adviſing him to reform them.

An. 33 E 1. in Turri London

Clemens Epiſcopus, Servus ſervorum Dei, Chariſſimo in Chriſto filio *Edwardo* Regi *Anglorum* illuſtri, ſalutem & Apoſtolicam benedictionem. Regalem volumus excellentiam non latere, quod in Termino *Quinden.* feſti proximo præteriti nativitatis beatæ *Mariæ* virginis prorogato ſuper tractatu pacis inter te, fili chariſſime, ac chariſſimum in Chriſto filium noſtrum *Philippum* Regem *Franciæ* illuſtrem, quos per diſpendioſa & periculoſa diſſidia invicem disjungere charitatis æmulus ſtuduit, divina ſuffragante gratia reformandæ, **tam tui quam ejuſdem Regis nuncii ſe coram nobis præſentare curarunt, & ſubſequenter mandatis ſuis exhibitis hinc & inde**, præfati tui nuncii quoſdam articulos ſuper quibus petierunt procedi ante omnia tradiderunt; tandem verò viſis per partem alteram ipſis articulis, & circa tractatum prædictum nonnullis per utroſque nuntios propoſitis & petitis, quia præhabiti tui nuntii abſque tua conſcientia, vel conſilio aliorum majorum nunciorum tuorum certis ex cauſis ulterius procedere omiſerunt, & terminus inſtantis Nativitatis Dominicæ uſque ad quem noſter ſuper hiis juxta formam Treugarum debebit durare tractatus ſic inſtet, quod minime præſumitur poſſe interim tractatus hujuſmodi terminari, cum utriuſque prædictis nunciis deliberavimus inſtare apud te dictumque Regem, ſuper prorogatione ipſius termini ulterius facienda, & medio tempore aliquos ex eis de tuo & dicti Regis ſanguine deſcendentes, quoſque certificati fuerimus ſuper hoc remanere in Curia, ne forſan vulgaris habeat opinio, tractatum fore ruptum, & propterea occaſionem aliqui, qui pacem odientes libenter nutrirent diſcordiam, aſſumere valeant malignandi. Quocirca Regiam rogamus magnificentiam, & exhortamur in Domino *Jeſu Chriſto*, **quot et quanta mala Deo diſplicibilia et exoſa, totique Chriſtianitati et fidei Catholicæ nociva non modice produxerunt guerræ præteritæ, ac producere (niſi pacis Deo grata concordia, eo donante, ſuperbenerit) imposterum veriſimiliter extimentur, inter pectoris claustra Regii pia conſideratione revolvens, et ad ipſam concordiam affectibus ſinceris intendens, ab eodem inſtanti feſto Nativitatis Domini uſque ad unum annum velis hujuſmodi tractandi terminum prorogare, ac etiam ordinare, quod alii ſolennes nuncii, qui poteſtate ſufficien-**

ti

ti ſuſſulti, tractatum hujuſmodi rationabilem ſubire, ac etiam uſque ad fælicem exitum proſequi velint ac valeant, intra certum terminum ad noſtram præſentiam tranſmittantur, ſuper quibus omnibus nos celeriter infra inſtantia feſta beatorum *Nicholai* vel *Thomæ* Apoſtoli ad longius, ut ea poſſimus ſignificare parti alteri, curet Serenitas Regia per ſuas literas efficere certiores, ſcituri es pro certo, fili dulciſſime, quod **ſincere ſecundum Deum et juſtitiam, et abſque ſcintilla partialitatis cujuſlibet, ſuper tractatu pacis ejuſdem, quam ferventibus affectamus deſideriis, intendimus procedere,** ſicut etiam tui prædicti nuntii evidenter percipere ſuper hiis quæ acta ſunt hiis diebus præteritis potuerunt: & nihilominus dilectus filius Magiſter *Andreas de Offord* Juris Civilis Profeſſor, Clericus & Nuncius tuus, quem pro præmiſſis ſerioſus & fidelis explicandis ad tuæ ſublimitatis præſentiam ire perſonaliter, & ad nos cum reſponſione redire celeriter volumus, referre poterit viva voce. Porrò quia Treugarum obſervatio multa poteſt afferre proculdubio commoda fælici proſecutioni & perfectioni tractatus prædicti, et eorum violatio ſi (quod abſit) contingeret incommoda varia miniſtrare, precibus & exhortationibus noſtris adjicimus, ut tua magnitudo Regia eas juxta formam ipſarum in quibus inter cætera infraſcripta clauſula & inſerta mandet & faciat inviolabiliter obſervari, & revocari, quæ forſan in partibus *Britanniæ* vel alibi fuerit in contrarium attemptata; cum præfata Rege *Franciæ* ſuper eiſdem faciendis & complendis mittendo ſibi articulos nobis per nuntios tuos prædictos oblatos cum tenore clauſulæ prælibatæ ſcribamus, ſicut aliàs, & ſuper obſervatione treugarum ipſarum & revocandis attemptatis, ſi quæ forent in contrarium plenis affectibus ſcripſerimus: indubiè ſupponentes, quod hæc effectualiter complebuntur, & hoc etiam nobis ejuſdem Regis nuntii promiſerunt; & ulterius ibidem inter nos & ipſos extitit prolocutum, quod ut treugæ ipſæ melius & inviolabilius abſque violatione qualibet obſerventur, de voluntate Regis ejuſdem procedet, & hoc credunt obtinere cum ipſi ſi ad hoc tua fili percariſſime concurrerit voluntas, **quod nos eas authoritate noſtra de utriuſque veſtrum conſenſu et voluntate obſervari tenaciter faciamus,** quæ tuis præfatis nunciis duximus explicanda. Clauſulæ vero prædictæ ſeries dinoſcitur eſſe talis. *Item ſi aliqui in* Vaſconia *vel alibi durantibus dictis treugis moveant guerram, interim vicino vel inimico ſuo alterius exiſtenti, quod dicti Reges ſe interponere non habeant per ſe vel alium directè vel indirectè, & quod propter hoc Treugæ predictæ non frangantur, & laborabunt benè abſque fraude & diligenter Reges predicti quod ſubditi unius partis non faciant guerram durantibus treugis prædictis ſubditis alterius partis in* Vaſconia *vel* Britannia. Cæterum, fili amantiſſime, quædam ſuper aliquibus aliis, & præſertim novitatibus quas audivimus fieri & multipl.cari (proh dolor!) **contra provisos per ſedem Apoſtolicam in partibus regni tui, præfato Clerico et Nuncio tuo ſecrete impoſuimus tuæ Celſitudini verbo tenus explicanda, eandem Celſitudinem per Dei miſericordiam obſecrantes, ut ſuper reverentia et devotione ſacroſanctæ** Romanæ **Eccleſiæ matris tuæ, progenitorum tuorum claræ memoriæ Regum *Anglie*, qui velut Principes Catholici et deboti eam honorare laudandis et meritoriis operibus ſtuduerunt, veſtigiis inhærendo, rejectis et ſpretis malorum hominum, qui ſua ſuper hoc in tuæ ſalutis, honoris et famæ diſpendium propria benari commoda ſatagunt, ſiniſtris et fraudulentis ſuggeſtionibus et conſiliis venenoſis ea, quæ minus decenter contra honorem ſedis Apoſtolicæ attemptata quoquo modo fuerunt in hac parte, pie, ſaboribiliter et benigne revocare procures: præfato Clerico**, & nuntio tuo fidem credulam ſuper hiis & aliis per nos eidem impoſitis, ut præmittitur nihilominus adhibendo. Dat. *Avinion.* 17. Kal. *Novembris.* Pontificatus noſtri Anno ſecundo.

Ap. 33 E. 1.

Nota.

The King this year ſent this Certificate and Letter to this Pope of the unanimous election of *William de Grenefeld* (his Clerk and Chancellor) to be Archbiſhop of *York*, whoſe merits he therein highly applauds, deſiring the Pope ſpeedily to confirm and conſecrate him, being long delayed by his predeceſſor.

SAnctiſſimo in Chriſto Patri Domino *C.* divina Providentia Sanctæ *Romanæ* ac Univerſalis Eccleſiæ Summo Pontifici; *Edwardus* eadem gratiâ Rex *Anglia*, &c. devota pedum oſcula beatorum. Vacante nuper Eccleſia *Eboracenſi* & ſuæ viduata Paſtore, Decanus & Capitulum ejuſdem Eccleſiæ ad electionem de futuro præficiendo Pontifice procedentes, **inter alios quos ad ejuſdem Eccleſiæ regimen utiles**

Claus. 33 E 1. m. 12. dorſo. See Pat. 33 E. 1. m. 21. intus.

An. 33 *E.* 1. foze conſpexerunt ad perſonam dilecti Clerici et Cancellarii noſtri Magiſtri *W. de Grenefeld* Eccleſiæ prædictæ Canonici ſuæ conſiderationis intuitum direxerunt, & ipſum concorditer eligerunt in ipſius Eccleſiæ Archiepiſcopum & Paſtorem; Nos autem ejuſdem Electi, cujus altitudo Conſilii, aſſiduis, ſcientia literalis, & induſtria circumſpecta ad quælibet agenda ſalubriter dirigenda, necnon & nobis ac regno noſtro dinoſcitur eſſe perutilis, commodi & honoris deſiderantes augmentum, Sanctitati veſtræ omni qua poſſumus inſtantia ſupplicamus, quatinus præmiſſis clementi meditatione penſatis, præfatum Electum qui pro confirmationis et conſecrationis munere Deo propitio favorabiliter obtinendo ad præſentiam veſtræ dominationis accedit, Apoſtolici favoris præſidio dignemini proſequi, et juxta ſperatam fiduciam celeriter atque fæliciter expedire. Firmiter enim ſperatur & creditur, quod per ſolertem memorati Electi induſtriam & evidentem prærogativam virtutum ipſius, in Spiritualibus & temporalibus utilia & ſalubria ſuſcipiet incrementa, quodque per votivam præfectionem illius plus providebitur eidem Eccleſiæ quàm perſonæ. Conſervet vos Altiſſimus ad regimen Eccleſiæ ſuæ ſanctæ per tempora proſpera & longiora. Dat. apud *Linc.* 31. die *Decembris*, Anno regni &c. 33. Hereupon the Pope to gratifie the King, receiving a great ſum of money from *Grenfeld*, ſpeedily confirmed, conſecrated, and diſmiſſed him.

a Actus Pontif. Ebor. col. 1719. See Mat. Weſtm. An. 1305. p. 456. Hen. de Knyghton de Event. Angl. l. 3 c. 13. col. 2530.

[a] *Thomas Stubs* in the life of *Grenefeld*, informs us; *Hic autem* Willielmus *die Veneris* 6. *non.* Decembr. *à fratribus ſuis* Eboracenſis *Eccleſia Canonicos, in Paſtorem canonicè electus*, Curiam Apoſtolicam cauſa conſecrationis expetit; *ubi cum* 2. *annis moram feciſſet continuam* 3. *Kal.* Februarii, *Anno Dom.* 1305. *Regni verò præfati Regis* Edwardi 33. *à Domino Papa* Clemente *quinto, Pontificatus ipſius Domini Papæ anno primo*, Lugduni *conſecratus eſt.* [b] Biſhop *Godwin* in his life informs us, *That after his Election he was fain to await the Popes pleaſure two years before he could obtain conſecration, which at laſt he received from Pope* Clement *the* 5th. But (notwithſtanding the Kings Letters in his favour) it coſt him 9500 Marks (no ſmall ſumme in that age, yet no Simony in the Pope) beſides the charge that he was at whiles he lay in the Popes Court: By reaſon of theſe immoderate expences he became ſo bare, *that at his firſt comming into* England, *he was fain to make two Collections amongſt his Clergy in one year, the firſt he called a* Benevolence, *the ſecond an* Ayde.

b Catalogue of Biſhops, p. 451

This year King *Edward* commanded all the *Priviledges* granted by him or his Progenitors Kings of *England*, or any way concerning the State of the kingdom, to be brought by his Treaſurer and Chamberlain to the Tower of *London*, and there delivered by Indenture under Seal to the Keeper of the Rolls of the Chancery, to be there kept and reſerved by thoſe who ſhould ſucceed in the ſaid office.

Clauſ. 33 E 1. m. 3. intus. De privilegiis Regis ſede Apoſtolica conceſſis in Turri London deponendis.

REX Theſ. & Camerariis ſuis ſalutem. Quia certis de cauſis volumus, quod omnia privilegia per Summos Pontifices quoſcunque nobis ſeu Progenitoribus noſtris quondam Regibus *Anglia* conceſſa, et ſtatum noſtrum ſeu Regni noſtri qualitercunque tangentia, apud TURRIM NOSTRUM *LONDON*. REPONANTUR & CUSTODIANTUR; Vobis mandamus, quod omnia hujuſmodi privilegia in Theſ. noſtro ſub cuſtodia veſtra exiſtentia, dilecto Clerico noſtro *Roberto de Cotyngham* Contrarotulari Garderobæ noſtræ per Indenturam inter vos et ipſum inde conficiendam, biſis præſentibus ſine dilatione liberetis, uſque AD DICT. TURRIM *LONDON*. IBIDEM ſub ſigillo ſuo et ſigillo dilecti Clerici noſtri *Adæ de Oſgodeby* CUSTODIS ROTULORUM Cancellariæ noſtræ, et ſigillis aliorum, eiſdem *Roberto* & *Adæ* in officiis illis ſuccedentium CUSTODIENDA. Teſte Rege apud *Weſtm.* 7. die *Novembris.*

From which Record it is obſervable: Firſt, That King *Edward* had a ſpecial care to collect and preſerve all Popes Bulls, Letters and Records which concerned the priviledges and rights of himſelf and his Royal Progenitors and the Realm of *England*. 2ly. That theſe Bulls and Records were ſpecially directed to be carried to the *Tower of London*, and delivered to the Keeper of the *Rolls* of the *Chancery*, to be there carefully preſerved in the ſaid *Tower*, where all the Records of the *Chancery* and Office of Records were then kept, and intended to be kept in ſucceſſion, as the ſafeſt and fitteſt place for ſuch an invaluable Treaſure, of ſo great concernment both

to

to the King, Kingdom and Subjects: To which Tower all the Records concerning *Scotland* and other the Kings Dominions were then ſent, and there reſerved for the Kings and Subjects benefit, as is evident by *Placita Parl.* An. 33 E. 1. nu. 6. the Prior of *Goldinghams* Caſe; where the queſtion was, whether that Priory was within the Juriſdiction of the Archbiſhoprick of St. *Andrews* or Kings of *Scotland*, or of *England*; to decide which controverſie it was then ordered in Parliament, Quod ſcrutantur Rotuli de Scotia quæ ſunt in cuſtodia TURRIS LONDON. tangentes regnum Scotiæ; Poſtea, quia &c. nec Rotuli Regis de terra Scotiæ in TURRI LONDON. ſunt ſcrutati, *Ideo datus eſt dies ad Parliamentum Regis poſt* Paſcha, &c. Therefore there were Rolls kept, and ſearches made after them in the Tower in that age, for deciding of Caſes pending in Parliament, and by conſequence a Tower, Houſe, Office there appointed for them, and the Keepers of them to reſide in, for the Kings and Subjects benefit. *An.* 33 E. 1.

The Archbiſhop of *Canterbury* in his Metropolitical Viſitation of the Dioceſſe of *Ciceſter*, having moſt inſolently and contemptuouſly againſt the Kings Prohibition, excommunicated the Keeper of the Caſtle of *Haſtings*, and certain Canons of the Kings Free-Chappel there, for refuſing to admit him into the Caſtle to viſit this Free-Chappel, by the Kings command; and afterwards ſending his Commiſſioners to viſit it in the abſence of the Keeper, who thereupon entred the Caſtle, viſited the Chappel, though exempt from all Archiepiſcopal, Epiſcopal, and Ordinary Juriſdiction, and placed a Dean therein; the King thereupon iſſued this Writ to ſummon the Archbiſhop perſonally to appear before him at a day, to anſwer theſe high contempts againſt his Crown and Royal dignity; and another Writ to the Conſtable of *Dover* Caſtle, to go to *Haſtings* and enquire the truth of the premiſſes, remove the new Dean there placed unduly, and appoint another in his ſtead, and certifie him in the next Parliament of all his proceedings therein.

REX Archiepiſcopo *Cantuar.* ſalutem. Viſitantibus vobis nuper Dioceſim *Cyceſtr.* prohibuimus vobis, ne Juriſdictionem aliqualem in libera Capella noſtra de *Haſtings*, ſeu Præbendis ad Capellam eandem ſpectantibus, præſumeretis aliquatenus exercere, ſeu quicquam aliud attemptare, quod in noſtri ſeu Coronæ aut Regiæ dignitatis noſtræ præjudicium, ſeu libertatis prædictarum Capellæ et Præbendarum poſſet cedere læſionem: Vos finibus prapriis non contenti, et falcem in meſſem alienam mittentes, mandato noſtro hujuſmodi minime ponderato, ad Villam de *Haſtings* intentione viſitandi prædictam Capellam et Præbendas ad ipſam ſpectantes, cito poſtea declinantes, in *Johannem de Wicheo* tunc cuſtodem Caſtri noſtri ibidem, pro eo quod non permiſit, ſicut nec facere debuit, vos ingredi prædictum Caſtrum ad viſitandum Capellam eandem, et in quoſdam alios ipſius Capellæ Canonicos vobis in ea parte non parentes, Excommunicationis ſententiam promulgaſtis, et excommunicatos publice denunciari mandaſtis. Et quia propoſitum veſtrum in dicta viſitatione illa vice non potuiſtis implere, Vos injurias accumulantes injuriis, quibuſdam Commiſſariis veſtris ſubſequenter ſub certa forma ſcripſiſtis, ut ad locum prædictum accederent, et viſitationis officium in prædicta Capella cum omnibus ipſam contingentibus vice veſtra complerent. Qui quidem Commiſſarii mandatum veſtrum hujuſmodi exequentes, ad locum prædictum perſonaliter acceſſerunt, et in Caſtrum noſtrum ibidem tunc carens cuſtode intrantes, in libera Capella noſtra prædicta infra idem Caſtrum ſituata, quæ ab omni Archiepiſcoporum, Epiſcoporum, et aliorum inferiorum Prælatorum Juriſdictione ordinaria, ſicut cæteræ liberæ Capellæ noſtræ infra Regnum noſtrum libera penitus et exempta extitit hactenus et exiſtit, contra Prohibitionem noſtram viſitationis exercere officium præſumpſerunt, in noſtri et Coronæ ac Regiæ dignitatis noſtræ non modicum præjudicium et contemptum. Nos igitur non valentes tantam inſolentiam tamque enormes injurias equanimiter tollerare; Vobis mandamus firmiter injungentes, quod ſitis coram nobis in craſtino *Sanctæ Trinitatis* ubicunque tunc fuerimus in *Anglia*, ad reſpondendum nobis de prædictis exceſſibus contra nos, et Coronam noſtram ſic notorie perpetratis, et de aliis etiam quæ vobis objicere voluerimus in præmiſſis, ac ad faciendum et recipiendum ulterius quod Curia noſtra conſideraverit in hac parte. Et habeatis tunc hoc breve. Teſte Rege apud *Weſtm.* 20 die *Aprilis*. Clauſ. 33 E. 1. m. 17. dorſo. Pro Rege.

An. 33 *E.* 1.

Pat. 33 E. 1. m. 2. intus. Pro Rege, de Decano in libera Capella de Haſtings præficiendo.

REX dilecto & fideli ſuo *Roberto de Burgherſh*, cuſtodi Quinque Portuum ſuorum, ſalutem. Peminimus Nos prohibuiſſe ſuper *Roberto* Archiepiſcopo *Cantuar.* tunc *Ciceſtrenſem* Diocæſim viſitanti, ne Juriſdictionem aliqualem in libera Capella noſtra de *Haſtings*, ſeu Præbendis ad Capellam eandem ſpectantibus, præſumeret aliquatenus exercere, ſeu quicquam aliud attemptare, quod in noſtri ſeu Coronæ aut Regiæ dignitatis noſtræ præjudicium, ſeu libertatis prædictarum Capellæ et Præbendarum poſſet trahere conſequens. Sed idem Archiepiſcopus finibus præfixis non contentus, mandato noſtro hujuſmodi minime ponderato, ad Villam de *Haſtings* intentione viſitandi prædictam Capellam et Præbendas ad ipſam ſpectantes ſubſequenter declinans, in *Johannem de Wyche* tunc cuſtodem Caſtri noſtri ibidem, pro eo quod non permiſit, ſicut nec facere debuit, ipſum ingredi dictum Caſtrum ad viſitandum Capellam eandem, et in quoſdam

* *Nota.*

alios ipſius Capellæ Canonicos ſibi in ea parte non parentes * excommunicationis ſententiam promulgavit, et excommunicatos publice denunciari mandavit. Et quia propoſitum ſuum de dicta viſitatione implere non potuit illa vice, ipſe injurias accumulans injuriis, quibuſdam Commiſſariis ſuis poſtmodum ſub certa forma ſcripſit, ſicut accepimus, ut ad locum prædictum accederent, et viſitationis officium in prædicta Capella cum omnibus ipſum contingentibus vice ſua complerent. Qui quidem Commiſſarii mandatum ſuum hujuſmodi exequentes, ad locum prædictum perſonaliter acceſſerunt, et in Caſtrum noſtrum ibidem tunc carens cuſtode intrantes, in libera Capella noſtra prædicta infra idem Caſtrum ſituata, quæ ab omni Archiepiſcoporum, Epiſcoporum, et aliorum inferiorum Prælatorum Juriſdictione ordinaria, ſicut cæteræ Capellæ noſtræ infra Regnum noſtrum libera penitus et exempta extitit hactenus et exiſtit, contra Prohibitionem noſtram exercere viſitationis officium præſumpſerunt, quendam *Willielmum de Lewes* eidem Capellæ in his quæ ad Decani officium pertinent præficiendo, ut locum in ea teneat præſidentis. Aliaque diverſa ſtatuta et ordinationes authoritate prædicti Archiepiſcopi ibidem condendo, in noſtri et Coronæ ac Regiæ dignitatis noſtræ præjudicium et contemptum, ac erroneationis periculum manifeſtum. Nos igitur non valentes tantam inſolentiam tantaque enormes injurias aliqualiter tolerare: Vobis mandamus ſtriuter injungentes, quod ad locum prædictum perſonaliter accedentes, ſuper præmiſſis et cunctis circumſtantiis eorundem inquiratis diligentius veritatem. Et ſi vobis conſtiterit prædictum *Willielmum de Lewes* Decani officium, ſicut prædicitur admiſiſſe, et eidem in memorata Capella noſtra incumbere, tunc ab ipſis officio et Capella ſine dilatione amovendo, eidem præficiatis aliquem alium nomine noſtro qui locum Decani tenere poſſit ibidem, donec per nos aliud inde fuerit ordinatum, certificantes nos in proximo Parliamento noſtro diſtincte et aperte de his quæ inveneritis in præmiſſis, et quolibet præmiſſorum. Teſte Rege apud *Weſtm.* 8 die *Novembris.*

Et mandatum eſt Canonicis Capellæ prædictæ, quod prædicto *Roberto* in omnibus quæ ſtatum et libertatem Capellæ prædictæ qualitercunque contingunt, intendentes ſint et reſpondentes, ipſumque ſuper præmiſſis vis et modis quibus poterunt informent. Teſte ut ſupra.

The Biſhop of *Winton* having demoliſhed an Old Chappel dedicated to St. *Stephen*, and founded a New one in the ſame place to the honour of St. *Elizabeth* daughter to the King of *Hungary*, and annexed a certain Meadow thereunto for the maintenance of a Chappel and Chauntry Prieſts; the King by his Soveraign Eccleſiaſtical power, for augmentation of Gods ſervice and worſhip, confirmed it by this his Royal Patent.

Pat. 33 E. 1, m. 12. intus. Pro Epiſcopo Winton. de nova Capella fundata.

REX omnibus ad quos, &c. ſalutem. Sciatis quod cum bonæ memoriæ *J.* quondam *Winton.* Epiſcopus jam defunctus, ad honorem Sanctæ & individuæ Trinitatis, ac glorioſæ Virginis *Mariæ*, & omnium Sanctorum, & præcipuæ in honore Sanctæ *Elizabethæ* quondam filiæ Regis *Hungariæ*, fundaverit dum viveret quandam novam Capellam in prato quod fuit ejuſdem Epiſcopi ante portam Caſtri de *Wolveſey*, quod pratum *Sancti Stephani* nominatur, pratumque prædictum quod ſex acras in ſe dicitur continere, cum ſitu ejuſdem Capellæ, ac etiam quandam Capellam

pellam Sancti *Stephani* in prato prædicto antiquitus situatam, dederit, annexerit, & concesserit pro se, & successoribus suis Episcopis *Wynton.* prænominatæ Capellæ Sanctæ *Elizabeth.* sic de novo fundatæ, & *Johanni de Wenefred* Capellano nunc præposito ejusdem Capellæ, ac Capellanis, Clericis, & aliis Ministris in eadem Capella Sanctæ *Elizabeth.* servientibus; Habendum & tenendum eisdem Præposito, Capellanis, Clericis & Ministris, & eorum successoribus in prædicta Capella Sanctæ *Elizabethæ* Deo servituris imperpetuum. Nos factum et intentionem ejusdem Episcopi in hac parte pro augmentatione cultus divini habentes specialitèr commendata, fundacionem, deputacionem, annexionem et concessionem prædictam ratas habentes et gratas, eas pro nobis et hæredibus nostris quantum in nobis est concedimus et confirmamus, sicut scriptum præfati Episcopi super hoc confectum rationabiliter testatur, Statuto nostro de terris & tenementis ad manum mortuam non ponendis edito non obstante. In cujus, &c. Teste Rege apud *Westm.* 28 die *Martii.* *An.* 33 *E.* 1

Per petitionem de Consilio.

No sooner was Pope *Clement* elected and inthroned in *France*, but under his specious pretexts of setling a firm peace between the Crowns of *England* & *France*, he began to exercise his new rapines and Papal usurpations in *England*, by complying with King *Edward*, in granting him a *two years Disme* from his Clergy for his own use, though pretended for the ayde of the *Holy Land*, that himself might more easily exact the First-fruits of vacant Ecclesiastical benefices to fill his own Coffers, though out of his Dominions, which occasioned these memorable Satyrical verses to be made of him and the King this year.

[a] Ecclesiæ navis titubat; *Regni quia clavis*
Errat; Rex, Papa facti sunt unica Cæpa
Hoc faciunt, do, des, Pilatus hic, alter Herodes.

[a] Mat. Westm. Anno 1305. p. 456, 457. Tho. Walsingham Ypodigma Neustriæ, p. 96, 97. Mat. Parker Antiqu. Eccles. Brit. p. 218.

Illo quoque tempore Papa Clemens concessit Regi Angliæ (who had presented him with a Royal costly present of Gold plate for his Chamber & Tables) per biennium Decimas Ecclesiasticorum proventuum pro negotiis *Terræ Sanctæ*, sed in usus alios expendebantur, videns insatiabilem quorundam Episcoporum Angliæ avaritiam imporrune postulantium primas vacantes Ecclesias per annum in suis Dioecesibus sibi concedi, advertensque, quia quod postulat inferior, potest et superior; apporiavit sibi ipsi per biennium omnes proventus de primo vacantibus Ecclesiis in Anglia, *videlicet*, de primo anno primos fructus, tam de Episcopatibus, Abbatiis, Prioratibus, Præbendis, Rectoriis, et Vicariis, quam de cæteris minutis beneficiis. Which *Thomas Walsingham* thus varieth, Dominus vero Papa attendens, quod charitas incipit a seipsa, primus fructus per Angliam sibi reservavit, &c. This is the first president of any Popes reserving, or exacting *Annates* or *First-fruits* of all Ecclesiastical Dignities, Promotions and Benefices throughout *England* extant in our Histories, which though reserved but for two years by this Pope at first, grew afterwards into custome by degrees both in *England* and elsewhere, though strenuously opposed, and frequently prohibited and declaimed against as a most intollerable grievance, mischief, oppression, abuse, diminishing Gods service, worship, damning mens souls, and destroying Churches; as those who please may read at large in *Nicholaus de Clemangiis* his learned Treatise, *De Annatibus non solvendis*, Operum Lugduni Bat. An. 1593. p. 82. to 106. *Ranulphus Cestrensis* Polychronicon, l. 7, c. 42. *Platina* in vita *Gregorii* 9. *Polydorus Virgilius*, de Inventoribus Rerum, l. 8. c. 2. *Carolus Molinæus*, contra *Parvas datas & abusus Papæ*, *Laurentius Bochellus*, Decreta Ecclesiæ Gallicanæ, l. 4. cap. 10. p. 650, 663, 670, 671, 674. lib. 7. Tit. 19. *De Annatis*, p. 1195, to 1139, & *Henrici Spelmanni* Glossarium, Tit. *Annates*, *& de eorum Origine & usu.*

As this Pope thus introduced these *First-fruits* into *England* to the extraordinary prejudice of the Church and scandal of Religion, so he likewise frequently sent abroad his Bulls of Provisions for Ecclesiastical benefices and promotions therein for his Favorites and Clerks, which were then voyd, or should afterwards fall voyd by death or otherwise. Witnesse his Provision to *Elyas Joneston* of any benefice then voyd, or which should fall voyd within the Dioceses of *Coventry* and *Litchfield*, belonging to the Archbishop of *Dublin* whom he consecrated: the execution whereof

An. 33 E 1. of he committed to the Bishop of that Dioceſſe, and to *Philip Martell*, and another, as appears by the original Bull it ſelf, and two Inſtruments in Parchment I found in the *White Tower*, reciting this Popes Bull in the firſt year of his Papacy, and their proceedings thereupon.

In Turri London, Anno 33 E 1.

REverendo in Chriſto Patri Domino —, Dei gratia *Dublinenſi* Archiepiſcopo, vel vices ſuas gerenti, in quibuſcunque locis *Coventren.* & *Litchfelden.* Dioc. ad ipſum Archiepiſcopum quoquomodo ſpectantibus, ac venerabilibus viris & diſcretis, Decanis & Capitulis, omnibuſque & ſingulis Canonicis, Eccleſiarum Collegiatarum, ac aliis quibuſcunque perſonatus, dignitates, adminiſtrationes, vel officia per ipſum Archiepiſcopum vel nomine ſuo habentibus, ſeu tenentibus in eiſdem quæ eidem Archiepiſcopo mediatè vel immediatè ſubeſſe noſcantur, *Philippus Martell* Eccleſiæ *Ciceſtren.* Canonicus, Venerabilis Patris Domini *W.* Dei gratiâ *Coventren.* & *Litchfelden.* Epiſcopi Executoris, ſuper prȝbiſſione et gratia per Sanctiſſimum Patrem noſtrum Dominum *Clementem*, Divina prȝvidentia Papam quintum *Elie de Joneſton* pauperi Clerico dicti *Cov.* et *Lichf.* Dioc. faciendis, una cum diſcreto viro Magiſtro *Galfrido Glaſton.* Eccleſiæ *Lichf.* Canonico, conjunctim et diviſim, Commiſſar. ſpeciales ſalutem, et mandatis Apoſtolicis firmiter obedire. Ad veſtram volumus notitiam pervenire, quod *Elias de Joneſton* prædictus in noſtri præſentia conſtitutus, ſub Anno ab incarnatione Domini 1306. 15 Kalend. *Maii*, Indictione quarta, Pontificatus Sanctiſſimi Patris noſtri Domini *Clementis* prædicti Anno prȝimo, quaſdam literas Apoſtolicas moȝe Cur. *Romanæ* bere bullatas, una cum Commiſſione dicti Epiſcopi in — prȝviſionis — principal. nobis præſentavit & tradidit; quas ſicut decuit, accepimus reverenter; ac ſic receptis & per nos inſpecturis, eas in publicum legi fecimus per Magiſtrum *Johannem de Spaldewyke* Notarium Publicum, quarum tenor talis eſt.

Clemens *Epiſcopus, Servus ſervorum Dei, Venerabili fratri Epiſcopo* Coventr. *ſalutem, & Apoſtolicam benedictionem. Conſtitutus in præſentia noſtra dilectus filius* Elyas de Joneſton *pauper Clericus tuus Dioc. veſtra nobis humiliter ſupplicavit, ut cum ipſe, ſicut aſſerit, nullum ſit Eccleſiaſticum beneficium aſſecutus*, prȝbideri ſibi de benignitate Apoſtolica mandaremus. *Quia igitur illi ſunt in Eccleſiaſtica beneficia promovendi quibus meres & ſcientia ſuffragantur; Cum idem Clericus quem per dilectos filios Magiſtros* Ounfridum de Trebis *Decanum* Melden. & Alanum Venatoris *Scholaſticum* Andegaven. *Eccleſiarum, ac fratrem* Arnaldum Fradeli *Ordinis Prædicatorum Capellanos noſtros, Examinatores ſuper hoc deputati à nobis, de literatura examinari fecimus diligenter, inventus ſit ille convenienter ydoneus ad Eccleſiaſticum beneficium obtinend. Nos de vita & converſatione ipſius Clerici notitiam non habentes, fraternitati tuæ per Apoſtolica ſcripta mandamus, quatinus de hiis ſolerter inquirens, ſi eum vita laudabilis & honeſta converſationis eſſe reperiatis*, et aliud Eccleſiaſticum beneficium non obtineat, nec alias ſcripſimus prȝ eodem, et aliud quod Canonicum non obſtitat ei, de aliquo Eccleſiaſtico beneficio ſecundum ſuæ prȝbitatis merita competenti, cum cura vel ſine cura, conſueto ab olim Clericis ſecularibus aſſignari, ſpectante in Civitate vel Dioc. Coventr. ad collationem vel prȝviſionem Venerabilis fratris noſtri Archiepiſcopi Dublin. ſi quod in eiſdem Civitate vel Dioc. Coventr. vacat ad præſens, vel quampȝimum ad id obtulerit ſe facultas, dummodo prȝ alio in conſimili forma non ſcripſimus ſuper conferendo ſibi beneficio ad prædictum Archiepiſcopum in dictis Civitate vel Dioc. Coventr. pertinente, per te, vel per alium ſeu alios prȝbidere, prȝcures, inducens eum in corporalem poſſeſſionem ejuſdem beneficii, et defendens inductum, ac faciens ipſum ad illud ſi in Eccleſia Collegiata, ſecundum diſtinctionem noſtram inferius anotatam extiterit, poſtquam de ipſo vacante ſibi prȝviſum fuerit in Canonicum recepi et in fratrem, non obſtante ſi forte nos in alia, aut prædeceſſor. noſtri Rom. Pontifices in quacunque forma de beneficiis ad prædicti Archiepiſcopi in dictis Civitate vel Dioc. Coventren. collationem vel prȝviſionem ſpectantibus, fecerimus aut mandaverimus aliis quicunque fuerunt, quibus nullum per hoc generari volumus prȝjudicium prȝbideri, dummodo non plures quam duo authoritate Literarum eorundem prædeceſſorum beneficia, ratione hujuſmodi pauperum Prȝviſionis expectamus: Aut ſi eidem Archiepiſcopo vel perſonis ipſius Eccleſiæ in qua ſibi prȝbideri contigerit, a ſede Apoſtolica ſit indultum, quod ad receptionem vel prȝviſionem alicujus non teneantur, quodque ad id compelli, aut

quod

quod interdici, ſuſpendi vel excommunicari non poſſint, vel quod de beneficiis ad eorum collationem vel præſentationem ſpectantibus non poſſit aliquibus provideri per literas Apoſtolicas, non facientes plenam et expreſſam de indulto hujuſmodi mentionem, ſine qualibet alia præfatæ ſedis indulgentia, cujuſcunque tenoris exiſtat per quam effectus præſentium impediri valeat vel differri, et de qua in noſtris literis mentionem fieri oporteat ſpecialem. Contradictores auctoritate noſtra appellatione poſtpoſita compeſcendo. Ita tamen quod idem Clericus prout requiret onus beneficii de quo ei provifum fuerit ad ordines ſe faciat ſtatis temporibus promoveri, et * perſonaliter reſideat in eodem. Alioquin hujuſmodi gratia et ejus effectus ſe ipſa nullius penitus ſit momenti; mandatum noſtrum in hac parte taliter impleturus, quod in eo impendiſſe laueris miſericordiam pauperi, et obedientiam mandatori. Volumus autem quod omnes aliæ literæ a ſede prædicta, vel ejus Legatis, ſeu quibuſlibet aliis obtentæ, necnon proviſiones et obligationes a quibuſcunque perſonis factæ ſuper ipſius Clerici proviſione ſint invalidæ omnique careant firmitate. *Ceterum diſtrictius inhibemus, ne præfato Clerico authoritate præſentium in Cathedrali aliquatenus provideatur Eccleſiæ, vel de cujuſlibet Eccleſiæ Collegiatæ Prebenda, cujus redditus & proventus annui* viginti quinque Marc. *ſterlingorum ſummam, ſive de aliqua Parochiali Eccleſia, vel aliquo Eccleſiaſtico beneficio curam animarum habente, cujus redditus & proventus* quadraginta Marcarum ejuſdem monetæ annuam quantitatem excedant. Nos enim irritum diſcernimus et inane, ſi quid contra hanc noſtram inhibitionem contigerit attemptari. Valorem autem annuum hujuſmodi reddituum, proventuum, declaramus et haberi volumus extimatum, prout de illis ſecundum taxationem vel alias pro decima eſt amplius perſolutum. *Noſtræ tamen intentionis exiſtit, quod de Eccleſiis, Prebendis, & beneficiis hujuſmodi ſi minoris quam ut prædicitur valoris extiterint,* poſſit volentibus provideri quodcunque, in Eccleſiis Collegiatis in quibus authoritate Apoſtolica plures quam unus expectant, hujuſmodi proviſio non procedat. (Proviſions being then grown ſo frequent, that there were two or three granted in poſſeſſion and reverſion to moſt Prebendaries, Benefices and Preferments, though of ſmall as well as of greater values.) *Dat.* Lugduni *Idus* Januarii, *Pontificatus noſtri anno primo.*

An. 33 E. I.

* Omitted in moſt other Proviſions.

W. Permiſſione divina *Coventr.* & *Litchf.* Epiſcopus, Executor ſuper proviſione & gratia per Sanctiſſimum Patrem noſtrum Dominum *Clementem* Papam 5. *Elya de Foneſton* pauperi Clerico noſtræ Dioc. faciend. dilectis nobis in Chriſto Magiſtris *Philippo Martel Ciceſtren.* & *Galfrido de Glaſton Litchf.* Eccleſiarum Canonicis, ſalutem, et mandatis Apoſtolicis firmiter obedire. Ad inquirendum de vita & converſatione prædicti Clerici, et ad providendum eidem de beneficio Eccleſiaſtico ſecundum ſuæ probitatis merita competenti, ad collationem vel proviſionem venerabilis patris Domini Archiepiſcopi *Dublin.* ſpectante, ſi quod in noſtra Dioc. vacat ad præſens, vel quamprimum ad hoc contulerit ſe facultas juxta mandatum Apoſtolicum, quod pro ipſo recepimus & vobis inſpiciend. mittimus, per eundem vices noſtras vobis conjunctim & diviſim committimus per præſentes, cum coercionis canonicæ poteſtate, quoüſque eas duximus revocandas. Dat. *Pariſ.* die Dominica in Paſſione Domini, Anno ejuſdem 1305. & Conſecrationis noſtræ decimo. Ibidem.

Qui quidem *Elyas* poſt hujuſmodi literarum Apoſtolicarum & Commiſſionis præſentationem, receptionem, lecturam nobis humiliter ſupplicavit, ut nos ad executionem dictæ proviſionis ſibi faciendæ juxta formam mandati Apoſtolici ſupradicti procederemus. Nos igitur ſupradictus *Philippus* volentes ut tenemur hujuſmodi mandatum Apoſtolicum exequi reverenter, habita ſuper vita & converſatione dicti *Elyæ*, & ſuper cæteris Articulis in hujuſmodi literis Apoſtolicis contentis, per viros fidedignos & honeſtos, inter quos à diu converſatus extiterat inquiſitione diligenti, per quam nobis conſtabat dictum *Elyam* ſuper vitæ & converſationis honeſtate, aliiſque probitatis meritis multipliciter commendari, nichilque ſibi de prædictis Articulis obviare, quominus hujus proviſionis et gratiæ capax debeat reputari, beneficium Eccleſiaſticum competens cum Cura vel ſine Cura nulli alii de jure debitum, conſuetum ab olim Clericis ſecularibus aſſignari, ei etiamſi Eccleſiæ Collegiatæ Prebenda, cujus fructus & proventus annui viginti quinque Marcarum ſterlingorum ſumma, ſeu Eccleſia Parochialis exiſtit cujus fructus proventus quadraginta

An. 33 E. 1. draginta Marcarum ejusdem monetæ, prout de illis secundum taxationem vel aliàs pro decima est amplius persolutum annuam quantitatem non excedant, spectans in Civitate vel Dioc. *Covenien.* ad collationem vel provisionem vestram Dom. Archiepisc. *Dublin.* prædict. si quod in eisdem Civitate vel Dioc. vacat ad præsens, seu quamprimum ad hoc obtulerit se facultas, ex nunc collationi & provisioni dicti Episcopi Executor. in hac parte, ut præmittitur, principal. nostro & Commissar. nostri prædict. vel alterius cujuscunque ad Executoris Commissar. **authoritate Domini Papæ qua fungimur** in hac parte prædictæ *Elyæ* conferend. reservamus. Etsi aliqua Præbenda æstimationis supradicta, vel etiam minoris in aliqua Ecclesia Collegiata Dioc. supradict. spectans ut præmittitur ad Collationem seu Provisionem vestram vacat ad præsens, quam dictus *Elyas* per se vel per Procuratorem suum ad hoc specialiter constitutum, postquam sibi vel suo Procuratori pro eo de hujusmodi Præbendæ vacatione constiterit infra unius mensis spacium duxerit acceptand. ipsam dicto *Elyæ* conferimus sibi de (dicta Præbenda) tenore præsentium providentes, ac vos Archiepiscopum prædictum, Decanum & Capitulum, omnes & singulos Prælatos & Canonicos Ecclesiæ Collegiatæ hujusmodi in qua Præbenda sit, ut præmittitur, reservata vacare dinoscitur, ac alios quoscunque personatus, dignitates, administrationes, vel officia per vos aut nomine vestro habentes seu tenentes, aut Vices vestras gerentes in eadem qui vobis Archiepiscopo, ut præmittitur, mediatè vel immediatè subesse noscantur, monemus communiter & divisim, ac vobis & singulis vestrum ac eorundem nichilominus authoritate prædicta, cum reverentia tamen qua decet, districte præcipiendo mandamus, quatinus dictum *Elyam* vel Procuratorem suum ejus nomine in Ecclesia Collegiata hujusmodi, **jurta literarum Apostolicarum prædictarum tenorem**, prout ad vos & quemlibet vestrum ac eorundem communiter vel divisim pertinet infra sex dies, quorum duos pro primo, duos pro secundo, ac duos vobis & singulis vestrum, ac eorundem pro certo termino & peremptorio assignavimus, recipiatis in Canonicum & in Fratrem, eidem stallum in Choro & locum in Capitulo sicut Canonico Ecclesiæ Collegiatæ hujusmodi assignantes, & in corporalem possessionem Canonicatus & Præbendæ prædictorum à tempore acceptationis hujusmodi secundum formam præmissam factæ continuè numerandos, sine difficultate qualibet quantum ad vos & singulos vestrum ac eorundem pertinet inducatis, & inducant, admittenda ipsum liberè ad eosdem, sibi vel Procuratori suo ejus nomine plenè & integrè de Præbendæ seu Canonicatus hujusmodi fructibus, juribus & obventionibus universis respondeatis & respondeant, ac ab aliis quatenus ad vos & singulos vestrum ac eorundem pertinet faciatis & faciant integrè responderi: Inhibentes, interdicentes vobis Domino Archiepiscopo prædicto & singulis vestrum ac eorundem **authoritate Apostolica prædicta**, ne hujusmodi Præbendam sic ut præmittitur reservatam, vel aliquod jus pertinens ad eandem alicui alii ante acceptationem dictæ *Elyæ* vel Procuratoris suæ conferre vel assignare curetis aut curent, permittatis aut permittant quantum in vobis & ipsis fuerit, assignari per alium vel conferri; nec etiam admittatis aut admittant aliquem ad eandem; si enim vos ipsum liberè ut præmittitur non admiseritis, vel impedimentum præstiteritis in prædictis publicè vel occultè, nos vobis Archiepiscopo in hiis scriptis **ingressum Ecclesiæ interdicimus**, & in singulis suprascriptis contradictores & rebelles qui reservationi collationi & inhibitioni hujusmodi quoquomodo indebitè se opponant, vel qui impedimentum præstabunt quominus prædicta collatio seu provisio suum expedite sortiatur effectum, in hiis scriptis **Excommunicationis sententiam promulgamus.** Monemus insuper in generali prout possimus omnes & singulos, ne admissionem ipsius *Elyæ* malicioſè differrant, vel admissioni suæ impedimentum præstent, **publice vel occulte, seu contradictores aut rebelles existant, seu præfatam Præbendam alii conferant, vel quoquomodo assignaverint. Alioquin dantes et recipientes Præbendam hujusmodi, seu dari, vel per alium recipi procurantes seu præstantes consilium, auxilium vel favorem publice vel occulte, cujuscunque præeminentiæ, authoritatis, ordinis, vel conditionis aut status exiterint, excepta Pontificali dignitate, nisi infra sex dies a tempore scientiæ pœnituerint, in hiis scriptis, et nunc prout ex tunc Excommunicationis sententiam promulgamus, ac Ecclesiam Collegiatam hujusmodi et Capitulum ejusdem durante hujusmodi contumacia seu contemptu, quatenus statum vestrum et subditorum vestrorum eisdem conspiciunt, Ecclesiastico supponimus interdicto.** Et si contingat vos vel aliquem vestrum,

aut

aut quamcunque aliam perſonam hujuſmodi ſententias incurrere quoquo modo per manifeſtam reſiſtentiam vel occultam: **Nolumus per alium quam per nos aut ſuperiores noſtros eas relaxari vel quomodolibet amoveri, decernentes etiam nunc irritum et inane, ſi ſuper hujuſmodi Eccleſiaſtico beneficio, ſicut præmittitur reſervato, ſecus a quoquam quavis authoritate quomodolibet contigerit attemptari.** Ad hæc ſi aliquod Eccleſiaſticum beneficium Curam habens Animarum, ſi Eccleſia Parochialis exiſtat æſtimationis ſupradictæ, vel etiam minoris, per nos ſic, ut præmittitur reſervatum, vacat ad præſens, quod dictus *Elyas* ſecundum formam in Præbendis ſuperius annotatam duxerit acceptandum, hujuſmodi monitiones, inhibitiones, mandata, interdicta & decreta, ad vos Archiepiſcopum & alios quoſcunque, quatinus vos & ſingulos eorundem ex natura & qualitate beneficii ſupradicti contingere poterunt, extendi volumus & mandamus, et in ſumma hoc eſt noſtræ voluntatis ſtudium, **ut ſecundum mandatum Apoſtolicum ſupradictum** idem *Elyas* hujuſmodi Eccleſiaſticum beneficium nulli alii de jure debitum, ut ſupradictum eſt, cum omni juris plenitudine aſſequatur; ac vobis Archiepiſcopo, vel vices veſtras gerenti in quibuſcunque locis *Coventr.* & *Lichf.* Dioc. ad vos Archiepiſcopum quoquomodo ſpectantibus, ac Venerabilibus viris & diſcretis Decanis & Capitulis, omnibuſque & ſingulis Canonicis Eccleſiarum Collegiatarum, ac aliis quibuſcunque perſonatus, dignitates, adminiſtrationes, vel officia per vos Archiepiſcopum vel nomine veſtro habentibus, ſeu tenentibus in eiſdem, quæ vobis Archiepiſcopo mediatè vel immediatè ſubeſſe noſcuntur, ubi Domicilium habere & Vicar. in abſentia veſtra ſolito dimittere, & vulgariter nuncupamini, & aliis ac alibi per quos, & unde ad veſtri notitiam citius poterunt pervenire, hujuſmodi noſter proceſſus notificetur ac etiam puplicetur, quodque per hujuſmodi noſtrum proceſſum, denunciationem ſeu publicationem ejuſdem perſonis & locis quibuſcunque faciend. **viris** Excellentiſſimi Principis *E.* Regis *Anglie* illuſtris **in nullo derogetur.** Per hujuſmodi autem noſtrum proceſſum nolumus nec intendimus in hac parte præfato noſtro Commiſſario derogare, quominus poſſit in hujuſmodi proviſionis negotio procedere, ſervato hoc noſtro proceſſu, prout ſibi videbitur expedire. Præſens autem inſtrumentum apud dictum *Elyam* vel ſuam Procuratorem volumus remanere, non per vos vel alium quemlibet extraneum detineri; immò ſi aliquis per vim vel contra voluntatem præfatæ *Elya*, ſeu ſui Procuratoris illud detinere præſumpſerit, **excommunicationis ſententiam quam in hiis ſcriptis ferimus ipſo facto incurrant.** Mandamus inſuper dictæ *Elya* vel ſuo Procuratori, quod vobis Copiam faciat de prædictis ſi eam petieritis vel habere volueritis; Ita quod facta vobis Copia omnia & ſingula Inſtrumenta & Literas reddatis eidem vel ſuo Procuratori ſine difficultate qualibet Copia ſi placuerit habita & retenta. In quorum omnium teſtimonium & certitudinem pleniorem, præſens Inſtrumentum hujuſmodi proceſſum continens, per Magiſtrum *Johannem de Spaldewyke* Notarium Publicum publicavi, ſignoque & nomine ſuo conſuetis ſignari mandamus.

An. 33 E. 1.

Ego *Johannes de Spaldewyck Lincoln.* Dioc. ——————— Dignitat. Almæ **Urbis** *Romana* **authoritate publicus Notarius** præmiſſam executionem in Eccleſia Sancti *Pauli London.* Anno ab Incarnatione Domini 1306. 15 Kalend. *Maii*, Indictione quarta, unà cum Magiſtris *Johanne de Okelee* Jur. Civil. Profeſſore, *Galfrido de Ston* Cur. *Cant.* Advocato, & *Willielmo Flemyng* Teſtibus ad præmiſſa vocatis per Magiſtrum *Philippum Martell* Executorem prædictum fieri vidi, ipſamque examinat. & correct. ſextodecimo Kal. *Auguſti*, Anno & Indictione prædictis apud *Berkings* in præſentia mei Notarii ſupraſcripti, & *Johannis Mallmeynes* & *Henrici Mallmeyns* teſtium ad præmiſſa vocatorum & rogatorum forma qua præmittitur & ad publicand. per me Notarium demandatur. Ideo me teſtem ſubſcripſi præſens quod Inſtrumentum per manum *Johannis de Dunton* conſcriptum ſigno meo & nomine conſuet. ſignavi: Rogatus interlineari videlicet hæc verba *(redditum)* ſuper viceſimam quintam lineam; ac *(eorundem)* ſuper 48. lineam interlineo & approbo. Ac ſi in directa linea fuiſſent.

I have inſerted this long Inſtrument at large upon theſe 3. Accounts; 1. To evidence the manifold cautions inſerted into *Popes proviſions* for poor Clerks, though honeſt and learned, which muſt be confined to an Archbiſhops living in one Dioceſſe of ſmall value, and thoſe not formerly granted to any others, and they bound to

An. 33 *E.* 3. perſonal reſidence thereon: when as others that were rich, and more able to pay great ſummes for them, were not ſo limited, nor clogged with ſo many cautions. 2ly. To manifeſt how many Bulls, Inſtruments under the hands of publike Notaries theſe poor Clerks muſt procure with vaſt ſollicitation, travel and expence, before they could obtain the leaſt probable hopes of enjoying any ſmall prebend or benefice by Popes Bulls, and yet not enjoy actual poſſeſſion of them in concluſion. 3ly. The multiplicity of Popes proviſions in that age to every ſmall inconſiderable as well as great prebendary or benefice, granted by them in poſſeſſion or expectancy to ſeveral perſons, by ſundry Bulls at once, contradicting, repealing each others by *Non obſtantes*, engendring infinite Suits, Appeals in the Popes Courts, for filthy lucre, to the unſpeakable vexation of the Patrons, Proviſors, and other competitors, and neglect of the peoples ſouls, during ſuch conteſts concerning them, of which avaritious, ambitious Popes and their officers had not the leaſt regard, though frequently ſuggeſted, as the principal ground of their deteſtable proviſions.

I found this Appeal to the See Apoſtolike this year (in a Bundle of Writs and Letters in the *White Tower*) from the Archbiſhop of *Canterburies* Commiſſaries ſentence of Excommunication againſt Sir *Richard de Wylonds* Knight, for laying violent hands upon *William de Dagepet*, a Freer, and *Albert de Langedon*, as unjuſt.

Bundela Petitionum & Brevium in Turri London. An. 33 E. 1,

IN Nomine Domini Amen, Anno ejuſdem ab Incarnatione 1305. Indictione tertia, Die Sabbati, *viz.* 11 Kal. *Junii*, conſtitutus perſonaliter coram diſcreto viro Magiſtro de *Morceſtre*, venerabilis patris Domini *R.* Dei gratia *Cantuarienſis* Archiepiſcopi, totius *Anglia* Primatis Commiſſario, ſeu cauſarum Curiæ ejuſdem Patris Auditore Generali, in Eccleſia Parochiali de *Lambuth. Wynton.* Diocæſis, qui alias ſententiam contra Dominum *de Wylonds* Militem, & pro *Alberto* inſcripto tulerat diffinitivam in hac parte, Magiſter *Stephanus Bygod* Clericus, dicti Militis Procurator, quandam Appellationem in ſcriptis redactum interpoſuit, & legit ſub tenore qui ſequitur. *In Dei Nomine Amen. Quia vos (Magiſter* Ricarde de Moreceſtr. *Venerabilis Patris Domini* R. *Dei gratia* Cantuarienſis *Archiepiſcopi, totius* Angliæ *Primatis Commiſſarius, ſeu cauſarum Curiæ ſuæ generalis Auditor) in cauſâ ſeu negotio* ſuper violenta manuum injectione, *qua vel quod vobis nuper vertebatur inter fratrem* Willielmum de Dagepet, & Albertum de Langedon *ex parte una, & Dominum* Ricardum de Weylonds *Militem ex altera* perperam procedentes, *cum dies ipſis partibus fuiſſet ad audiendum ſententiam diffinitivam ſeu pronunciationem finalem in hac parte præfixus, vos horum debitam de tractandis cauſis & negotiis anticipantes*, ipſumque Militem reputantes indebite contumacem, ſententiam pro Abbate prædicto contra dictum Militem diffinitivam tuliſtis, tanquam ipſum in ſententiam Excommunicationis majoris a Canone latam pronunciando aliqualiter incidiſſe: *Unde Ego, Procurator Militis, ſentiens ipſum Dominumnostrum, & me, tàm ex præmiſſis gravaminibus, quàm pronunciatione ſeu ſententia indebitè pragravari*, ab eisdem pronunciatione et ſententia, tanquam ab iniquis, judicum venerabilis Patris prædicti, et in ejus defectum, ſedem Apoſtolicam in his ſcriptis appello, et Apoſtolos inſtanter et inſtantiſſimè peto: ſupponens ipſum Dominum meum, et omnes ſibi adhærentes et adhærere volentes protectioni et defenſioni Sedis Apoſtolicæ memoratæ: *Præſentibus Magiſtris* B. Cunoardi, Roberto de Soubton, & Rogero de Batwey *Clericis & aliis.*

Et Ego *Willielmus de Maldon London.* Dioc. publicus Apoſtolica & Imperiali Authoritate Notarius præmiſſis interfui, eaque ſcripſi & publicavi rogatus.

I finde another Appeal in the ſame Bundle, brought by the Vicar of Great *Burſtede* within the Dioceſſe of *London*, from a ſentence of Excommunication unjuſtly denounced againſt him by the Commiſſary General of the Biſhop elect of *London* and his Official, certified into the Chantery, and there examined, againſt which he there prayed and received relief, wherein the form of, cauſe, and proceedings in Appeals, and the arbitrary and unjuſt proceedings in Eccleſiaſtical Courts uſed in that age, are fully evidenced.

Exa-

An. 33 *E.* 1.

Bundela Brevium, &c. An. 33 & 34 E. 1. in Turri London.

EXaminatio facta per *Magestros* J. de Cadomo, & R. de Glouceſtr. *Examinatores, per Dominum* W. de Hamelton. *Cancellarium Domini noſtri Regis, datos,* ſuper cognitione Appellationis *per Dominum* Richardum *perpetuum Vicarium de* Burſtede *magna*, London. *Diocaſis, interpoſitæ*, a ſententia Excommunicationis majoris *in ipſum per Magiſtrum* W. de Halſted *Commiſſarium generalem Magiſtri* Ricardi de Neuport (*tunc electi & confirmati* London.) Vicarii et Offic. prolatæ. *Unde prædictus Vicarius de* Burſtede *magna quoddam Inſtrumentum publicum protulit ſub hac forma.* In Dei Nomine Amen, per præſens publicum Inſtrumentum omnibus appareat evidenter, quod Anno Domini ab Incarnatione ejuſdem 1305, Indictione 3, 17 Kal. *Auguſti*, in præſentia mei Notarii infraſcripti, per teſtimonium infraſcriptorum, *Henrici de Norwyco, Walteri de Colceſtr.* & *Johannis* de eadem Monachi, comparentibus coram Magiſtro *Ricardo de Neuport*, Domini Electi & confirmati *London.* Vicario & Officiali, ut aſſerebatur, in Eccleſia S. *Pauli London.* pro Judice ſedente, *Thoma de Langeſtok* Procuratore *Roberti de Burton* Vicarii de *Gynge Montaneye, London.* Dioceſis, ex parte una; & *Ricardo* perpetuo Vicario de *Burſtede* magna, prædictæ Dioceſis, ex altera: lectiſque Articulis contra dictum Vicarium de *Burſtede*, tam ex officio, quam ad promotionem prædicti Vicarii de *Gynges* objectis, ex parte prædicti Vicarii de *Burſtede*, quædam exceptio recuſationis, provocationis, et appellationis, prius ab eodem Officiario interpoſitarum contra Officialem prædictum, fuerant in ſcriptis propoſitæ, quas idem Vicarius de *Burſtede* admitti petiit cum effectu; offerens ſe eas congruis loco et tempore legitime probaturum; dictus Magiſter *Ricardus de Neuport* Officialis memoratus receſſit a Conſiſtorio; et cauſam illam Magiſtro *Willielmo de Halſtede*, Commiſſario ſuo generali, ibidem pro tribunali ſedenti ozetenus commiſit, et præcepit eidem Magiſtro *Willielmo*, quod celeriter procederet in eadem cauſa. Idem vero Magiſter *Willielmus* Commiſſarius prædictus, prædictas exceptiones recuſationis, provocationis, et appellationis in ſcriptis prius coram Domino Officiali, ut præmittitur propoſitas, ſtatim, nulla ſuper eiſdem habita diſcuſſione, per decretum rejecit; propter quod idem Vicarius ad hujuſmodi decreto, ſtatim in præſentia dicti Magiſtri *Willielmi*, ſedem Apoſtolicam, et pro tuitione Curiæ *Cantuarien.* appellavit, et Apoſtolos petiit. Eiſdem Anno & Indictione, 14 Kal. *Auguſti*, in præſentia mei Notarii infraſcripti & teſtium ſubſcriptorum, *Ricardus* Vicarius Eccleſiæ de *Burſtede* prædictæ, in Eccleſia S. *Pauli London.* prædicta, coram Magiſtro *Willielmo de Halſtede* prænotato perſonaliter conſtitutus, quandam Appellationem in ſcriptis redactam eidem Magiſtro *Willielmo* Commiſſario prædicto tradidit et notificavit, ſub eo qui ſequitur tenore. *In Dei Nomine Amen.* Licet ego *Richardus* perpetuus Vicarius Eccleſiæ de magna *Burſtede*, *London.* Dioceſis, in cauſa ſeu negotio per Officialem *London.* authoritate Ordinadinarii procedentem, ſuper irregularitatis nota et aliis exceſſibus, mihi minus beraciter impoſitis ad promotionem *Roberti de Burton* Vicar. de *Gynges Monteneye*, nuper mota ſeu moto, metuens ex quibuſdam comminationibus, mihi per dictum Officialem, qui alias ſuper eiſdem exceſſibus mihi gravis et injuriosus extiterat, de me grabando, ut videbatur, factis; necnon ex aliis veriſimilibus cauſis et probabilibus conjecturis, mihi per dictum Officialem præjudicium poſſe generari in futurum, ne per eundem Officialem ſeu alium quemcunque ipſius nomine, vice, authozitate, vel mandato, quicquam in mei præjudicium attemptaretur ſeu fieret quoquo modo, ad ſedem Apoſtolicam, et pro tuitione Curiæ *Cantuaria* legitime appellaſſem aut provocaſſem, ſentienſque poſtea me per vos Magiſtrum *Willielmum de Halſtede*, Domini Officialis prædicti (ut dicitur) Commiſſarium, ex eo indebite prægravari, quod dicta provocatione et appellatione, de qua vobis ſufficienter innotuit non obſtante, Exceptiones quaſdam efficaces contra articulum, mihi per dictum Officialem in dicta cauſa ſeu negotio porrectum, partemque promobentem eundem, ac contra officium dicti Domini Officialis in hac parte congruis loco et tempore in forma juris propoſitas, quas etiam me obtuli in forma juris probaturum, nulla ſuper eiſdem habita diſcuſſione, præpropere ac ex abrupto rejeciſtis injuſte per decretum, dictas Sedem et Curiam legitime appellaſſem: Vos tamen Magiſter *Willielmo de Halſtede* prædictis provocatione et appellatione, de quibus vobis ſufficienter innotuit, non obſtantibus, in me Vicarium de *Burſtede* prædictum non legitime monitum, non conbictum, non confeſſum, nec per contumaciam abſentem, abſque cauſa

Anno 33 *E.* 1. rationabili ea occaſione, majoris Excommunicationis ſententiam fulminaſtis; meque ſic excommunicatum eſſe, publicum nunciare feciſtis, in mei præjudicium non modicum et grabamen. Unde ego *Richardus* Vicarius de *Burſtede*, ſentiens me et bis et eorum quolibet, per vos indebite prægrabari, prædictas Sedem et Curiam iterato, ut prius, in bis ſcriptis appello, et Apoſtolos inſtanter, inſtantius et inſtantiſſime peto: Supponens me et omnia Bona mea protectioni et defenſioni Sedis et Curiæ prædictarum. Acta ſunt hæc quæ ſupradixi, Anno, Indictione, diebus & loco ſupradictis; Præſentibus Magiſtro *Waltero de Colcceſtr. Henrico de Norwico.* & *Adam de Skyſton* Clericis, teſtibus ad præmiſſa rogatis. Et ego *Philippus de London* Clericus, ſacri *Romani* Authoritate imperiali publicus & authenticus Notarius, omnibus præſentibus interfui, ea vidi & audivi, & ut ſupra leguntur ſcripſi, & in publicam formam redegi, meoque Signo conſueto ſignavi rogatus. Et in ſupplementum eorum quæ in ſupraſcripto Inſtrumento continebantur, teſtes ſubſcriptos produxit frater *Johannes de Colecceſtr.* Monachus de *Stratford*, Ordinis *Cicceſtren. Ricardus de Perſtede*, & *Philippus de London.* teſtes jurati & examinati, dicunt in virtute Juramenti ab eiſdem præſtiti, quod Dominus *Richardus* Vicar. de *Burſtede* magn. *London.* Dioceſis, coram diſcreto viro Magiſtro *Willielmo de Halſtede* Commiſſar. tunc electi & confirmati Eccleſiæ *London.* Vicarii & Offic. quandam Exceptionem recuſationis de ſuſpecto 17. Kal. *Aug.* Anno Domini 1305. in Eccleſia S. *Pauli London.* propoſiti contra eundem in cauſa quæ vertitur inter eundem actorem ex parte una, & Dominum *Robertum* Vicarium de *Gynge Monteneye* reum, ex altera; ſuper Decimis quibuſdam minutis, quam quidem Exceptionem prædictus Commiſſarius ſtatim rejecit; à cujus rejectionis gravamine, dictus Vicar. de *Burſtede* ſtatim ore tenus ad Sedem Apoſtolicam appellabit. Dicunt etiam, quod mox eodem die præfatus Commiſſarius poſt dictas rejectionem et appellationem prædictum Vicarium excommunicavit. Et ſubſequenter die Lunæ proximo ſequenti eodem anno, videlicet 14 Kal. *Auguſti*, tam a dicto grabamine quam ab hujuſmodi Excommunicationis majoris ſententia appellabit in ſcriptis in præſentia Commiſſarii ſupradicti, et Apoſtolos petiit ab eodem, ut dicunt, quæ autem Appellatio per Inſtrumentum publicum memoratum ſuper hoc confectum et exhibitum per eundem evidenter apparet. Unde ſibi remedium in caſu hujuſmodi conſuetum per Curiam fuit adhibitum et conceſſum.

Iſta Scedula liberata fuit in *Canc.* per manus præfati Magiſtri de *Cadomo*, die Veneris poſt prandium in Quindena Nativitatis S. *Johannis* Baptiſtæ, Anno, &c. 34.

William de Teſta Pope *Clements* Nuncio, by his uſurped authority commanding all Prieſts and Parſons of Holy Church within the Province of *Canterbury*, ſolemnly to publiſh in their Churches, that no man nor Tenant ſhould be attendant, or pay any rents, debts, duty, or buy or ſell any thing to Frere *Theobald*, as Guardian of the Mannors and Temporalties of the Abby of *Beckherlewyn*, of the Advouſon of the King and other Temporal Lords; he thereupon procured the Kings Prohibition to him, not to intermeddle with any Lay-fee belonging to the ſaid Abby: Nôtwithſtanding which the Nuncio in contempt of the ſaid Probibition, againſt the Kings Crown and Dignity, cauſed him to be publickly excommunicated in the Court of *Canterbury* and the *Arches*, together with the Proctor, Advocate, and Bailiff of the ſaid Abbey, with all other perſons in general who ſhould any way aid or aſſiſt him; upon complaint whereof to the King and his Counſil by Petition, they ordered an Attachment to be iſſued againſt the Nuncio to appear before the King at a day certain, as this Petition and the endorſement inform us.

Bundela Petitionum, &c. An. 33 & 34 E. 1. in Turri London.

A Noſtre Seignour le Roy, e a ſon Conſeil; monſtre frere *Thebaud de Cambrmer* gardein des maniers & des biens temporalls le Abbe de *Beckherlewyn* en *Engleterre*, e Attorne generall le dit Abbe, par les lettres noſtre Seigneur le Roy patentes; e prie remedie de ceo, qe com Meſtre *William Teſta*, Erchetour des baſoignes noſtre Seigneur le Pape, eit generalment mande e comande a touz Prestres, et perſones de ſeinte Egliſe de la Province de *Canterbir*, qe eus ſolempnement facent denuncier e defendre en lur Egliſes, qe nul homme al dit *Thebaud* ne ſeit entendant ne reſponant de nules choſes que touchent les Manieres

ers ne poſſeſſions temporals del dit Abbe en *Engleterre*, ne qe nul tenant ne ly paye rente, ne autre ſerbice ne ly face, ne nule choſe de ly ne achate, ne nule dette a ly ne rende, ne pur gardein des temporalitez al dit Abbe en *Engleterre* ne ly tiegne. E ſur ceo l'avantdit Peſtre *Williame* puis la Prohibition noſtre Seignour le Roi a ly liberee, e par ly reſeue, leue, e entendue, en quele ſu conteneu, qe lavantdit Peſtre *Williame* ne ſe entremeſt del lay-fee le dit Abbe de *Beck* en *Engleterre*, e furent les maniers del dit Abbe eſpecialment motez en la dite Prohibition, lavantdit Peſtre *Williame Teſta* le Vendredi en la Veille de ſeint *Barnabe* le Apoſtle a la Curt de *Cantrebir.* en legliſe noſtre Dame *des Arches* en la Citee de *Loundres*, ſolempnement, publikement, et eſpecialment eſcomengea lavantdit *Thebaud* par nom, e Peſtre *Thomas de Hereford* ſon Advocat, e *Henry de Okeburn* Procuratour le dit Abbe, e *Johan de Soninghull*. Baillif le dit Abbe del Manier de *Okeburn*. E puis apres en generalment ſauntz nuly perſone ſoſprendre, eſcomengea touz iceus qui conſeil, ſeſour, ou eide, privément ou apertement, par aſcune manere de art ou de engin feiſſent a lavantdit *Thebaud*. E pur ceo qe les manieres, les autres poſſeſſions temporels al dit Abbe en *Engleterre*, ſont del Aboweſon noſtre Seignour le Roi, e de l'almone, e del don de ſes Anceſtres Reis de *Engleterre*, e des Contes, Barouns, e autres grauntz Seigneurs de la Terre: des quels Maniers, les Rentes, et les Iſſues ſuiſdites que iſſint, ſont proprement temporels, e des quels noſtre le Pape ne poet ordiner ne aver Coniſſance, ſauntz offenſe de la dignite e la Corone noſtre Seigneur le Roi: Prie le dit *Thebaud* en noun ſon Abbe avantdit, qil pleiſe a noſtre Seigneur le Roy, e a ſon Conſeil, ſuis ceo mettre remedie. *An.* 33 *E.* 1.

Dorſo. Sequatur in Canc. et ibi (habeat) Breve de Attachemento coram Rege ubicunque, &c. in Craſtino S. *Johannis Baptiſtæ*. Pro Rege.

The Abbot and ſeveral Monks of the Abby *de Furnays* being excommunicated and impriſoned upon a *Capias Excommunicatum*, for deteining their Tithes from the Rector of a Pariſh Church, bringing a Writ *de Cautione admittenda* to procure their liberty upon a falſe ſuggeſtion; the Dean and Chapter of *Yorke* during the vacancy, made a ſpecial certificate and return therein, denying they ever tendred ſufficient *caution* in Law, and therefore they refuſed to accept it.

Brandela Brevium de Anno 33 E. 1. in Furri London.

EDwardus Dei gratia Rex *Angl.* &c. Dilectis nobis in Chriſto Decano & Capitulo Eccleſiæ beati *Petri Eborum*, Cuſtodibus Spiritualitatis Archiepiſcopatus *Eborum*, ſede vacante, ſalutem. Ex parte Abbatis de *Furnays*, fratris *Roberti de Everyngham*, fratris *Johannis de Anneſtreye*, fratris *Michaelis Withelyp*, fratris *Willielmi de Benſty*, Commonachorum prædicti Abbatis, fratris *Willielmi Fykehode*, & fratris *Willielmi de Mewyth*, Converſorum ejuſdem Domus, quos ad dominationem veſtram, tanquam excommunicatos et clabes Eccleſiæ contemnentes, per corpora ſua ſecundum conſtitutionem *Anglie* per Vic. noſtrum *Lancaſtr.* juſticiari præcepimus, donec ſanctæ Eccleſiæ, tàm de contempto quàm de injuria ei illata ab eis eſſet ſatisfactum; Nobis eſt oſtenſum, quod licet iidem Abbas, *Robertus*, *Johannes*, *Michael*, *Willielmus*, *Willielmus* & *Willielmus* vobis frequenter optulerunt idoneam Cautionem, illam ab eis admittere hactenus recuſatis; de quo miramur. Et quia nolumus quod iidem Abbas, *Robertus*, *Johannes*, *Michael*, *Willielmus*, *Willielmus* & *Willielmus* diutius in priſona contra juſtitiam detineantur; Vobis mandamus, quod accepta a præfatis Abbate, *Roberto*, *Johanne*, *Michaele*, *Willielmo*, *Willielmo* & *Willielmo* Cautione prædicta, ipſos Abbatem, *Robertum*, &c. à priſona, qua occaſione prædicta detinentur deliberari mandetis: Alioquin quod noſtrum eſt in hac parte exequamini. Teſte meipſo apud *Bruſtwyk* 4. die *Decembris*. Anno regni noſtri 33.

Conſimiles etiam in hac ipſa cauſa fiunt literæ iiſdem Decano & Capitulo directæ, Teſte Rege apud *Thornton* ſuper *Humbr.* 12 *Decembr.* Anno ut ſupra. *To which Writs the Dean and Chapter made this Certificate and return.*

EXcellentiſſimo Principi, Domino ſuo, Domino *Edwardo*, Dei gratia Regi *Angliæ*, &c. Devoti Clerici ſui, Decanus & Capitulum Eccleſiæ beati *Petri Eborum*

An. 33 *E.*1. *Eborum*, Custodes Spiritualitatis Archiepiscopatus *Eborum*, sede ejusdem vacante, salutem in eo, cujus gratia Reges regnant. Literas vestras nuper recepimus, tenorem qui sequitur continentes. Edwardus, &c. (*recitatis de verbo ad verbum ambobus Brevibus supradictis.*) Velit igitur scire vestra Dominatio reverenda, quod quæ ex parte dicti Abbatis de *Furneys* & cæterorum in Brevi vestro prædicto nominatorum vobis suggesta fuerunt & ostensa, **carent primordio veritatis**; eo quod idem Abbas & cæteri nominati, **nec per se, nec per alium mandatum aliquod ipsorum nomine ostendentem ullam Cautionem coram nobis hactenus optulerunt.** Sed quidam *Johannes de Lancastr.* & *Johannes Travers*, se velle præstare Cautionem pro eisdem, in forma superius annotata asserebant, **licet potestatem a prædictis Abbate et cæteris suprænominatis, ad hujusmodi Cautionem exponendam non haberent**; qui per nos instantius requisiti, an per pignora vel fidejussores idoneos subire vellent Cautionem de sistendo dictos Abbatem & cæteros supranominatos in Judicio certis die et loco, coram nobis in forma Juris mandato Ecclesiæ parituros, videlicet ad satisfaciendum Deo & Ecclesiæ, tàm de Contemptu quàm de injuria ei illata ab eis, ac etiam Domino *Ada de Gayrgrave*, **de Decimis Garbarum infra parochiam ejusdem Ecclesiæ provenientium injuste detentis ab eisdem, ad quarum præstationem et solutionem dicto Rectori plenarie faciendam authoritate Curiæ *Eborum*, sede plena, judicialiter fuerint condempnati**; & quia rei judicatæ non parebant, **majoris Excommunicationis sententia legitime innodati, quam siquidem cautionem et non aliam in hoc casu idoneam reputamus, expressius denegarunt**, dicentes se velle cavere per duos Fidejussores Laicos usque ad summam decem librarum, de sistendo dictos Abbatem & cæteros prænotatos coram nobis certis die & loco per nos statuendis, **ad parendum mandatis Ecclesiæ in forma juris**, videlicet, **ad prosequendum duntaxat appellationem ab eisdem a dicta sententia interpositam**, ut dicebant; **quam quidem Cautionem tanquam minus sufficientem absque juris offensa non potuimus, nec debuimus admittere in hac parte.** Et hoc vestræ Magnificentiæ Regiæ præsentibus nostris literis sigillo Capituli nostri munitis significamus. Conservet vos, &c. Dat. *Eborum* 12 Kal. *Januarii*, Anno gratiæ 1304.

The King issued this Writ to the Sheriff of *Northampton* to enlarge out of prison certain persons taken upon a *Capias Excommunicatum*, upon the request and prosecution of the Archbishop of *Canterbury*, because they had solemnly appealed from his sentence as unjust, to the See Apostolick, and ought not to be hindred in the prosecution thereof.

Clauſ. 33 E. 1. memb. 2. dorſo. Pro Magiſtro & fratribus Hoſpitalis Sancti Johannis Northampt.

REX Vic. *Northampton* salutem. Cum nuper ad requisitionem Venerabilis Patris *R.* Archiepiscopi *Cantuar.* per literas suas patentes nobis significantis, quod frater *Richardus de Helmedene* Magister Hospitalis Sancti *Johannis Northt.* Fratres *Nicholaus de Brerewood*, *Johannes de Upton*, *Johannes de Ravensthorp*, *Robertus Russell*, *Robertus de Pyddington*, *Willielmus de Throp*, & *Philippus de Tiffeld*, propter manifestam contumaciam excommunicati sunt, nec se volunt per Censuram Ecclesiasticam justiciari; Tibi præceperimus, quod ipsos *Richardum*, *Nicholaum*, *Johannem*, *Johannem*, *Robertum*, *Robertum*, *Willielmum* & *Philippum*, per corpora sua secundum consuetudinem *Angliæ* justiciares, donec Sanctæ Ecclesiæ tàm de contemptu quàm de injuria ei illata ab eis esset satisfactum. Et jam intellexerimus, quod prædicti *Richardus*, *&c.* **a sententia prædicta in ipsos per præfatum Archiepiscopum illata tanquam ab iniqua ad sedem Apostolicam legitime appellarunt, et appellationis negotium prosequuntur cum effectu**: Nolentes quod præfatis *Richardo*, &c. per prædictum breve nostrum via præcludatur, **quo minus dictæ appellationis negotium prosequi possent in forma juris**, maximè cum hujusmodi breve nostrum de gratia nostra procedat, **et appellantium status integer esse debeat**; Tibi præcepimus, quod ipsos *Richardum*, &c. prætextu brevis nostri tibi inde directi **captos et in prisona nostra *Northt.* detentos a prisona prædicta, si ea occasione et non alia detineantur in eadem, deliberari facias**, usque ad vicesimum octavum diem *Aprilis* proximo futur. Nisi aliud interim super hoc duxerimus demandandum. Teste meipso apud *Stanes*.

The King this year issued this Writ to the Guardians of the Temporalties of the Archbi-

Archbiſhoprick of *Yorke*, ſpeedily to pay into his Exchequer at *Weſtminſter* all the rents and moneyes made of the Temporalties, Wools, and Profits thereof by a certain day to ſupply his Treaſury. *An.* 33 E. 1.

REX dilectis & fidelibus ſuis *Lamberto de Thrykingham*, & *Johanni de Byron*, Cuſtodibus ſuis Archiepiſcopatus *Ebor.* ſede vacante, ſalutem. Mandamus vobis firmiter injungentes, quod omnibus aliis prætermiſſis, omnes denarios quos de exitibus temporalium Archiepiſcopatus prædicti, viz. de firmis et lanis quam aliunde de temporalibus prædictis in promptu habetis, vel citra Octabis Sanctæ *Trinitatis* proximo futur. colligere poteritis et levare, habeatis ad Scaccarium noſtrum apud *Weſtmonaſterium* in dictis *Octabis*, ibidem in Theſaurariam noſtram liberandos. Et hoc nullo modo omittatis. Vobis enim inde ad dictum Scaccarium noſtrum debitam allocationem habere faciemus. Teſte Rege apud *Banſtede*, 28 die *Maii*. Clauſ. 33 Ed. 1. m. 12. intus, De Denar. portandis ad Scaccarium.

The King iſſued theſe ſtrict Writs under his Great Seal to the Collectors of the Diſms in *Ireland*, for the ſpeedy Collection of all arrears of the 3. years Diſms then due from the Clergy, without ſparing any of them, granted to him by the Bull of Pope *Boniface* the 8. for the diſpatch of his weighty affairs, though at firſt deſigned to other uſes; which ſundry refuſing to pay upon ſeveral pretences, and they thereupon delaying to collect, he enjoyned them now to levy by Excommanications, Interdicts, Suſpenſions, Sequeſtrations of the goods of thoſe who refuſed to pay, and by all other wayes, means, and alſo by Proceſſe out of the Kings Exchequer in *Ireland*.

REX dilectis Clericis ſuis Magiſtri *Willielmo de Hotham*, Canonico Eccleſiæ Sancti *Patricii Dublin.* & *Gnidoni de Wykjo* Perſona Eccleſiæ de *Heſe*, Collectoribus Decimæ Clero *Hiberniæ* per Dominum *Bonifacium* nuper Papam octavum, de aſſenſu noſtro impoſitæ per tres annos, ſalutem. Cum nuper prædictus Papa medietatem prædictæ Decimæ pro arduis et urgentibus noſtris et regni noſtri negotiis nobis liberaliter conceſſiſſet, altera medietate ejuſdem Decimæ, ſi idem Papa per dictum triennium vitam duceret in humanis, ſibi in ſubſidium Romanæ Eccleſiæ reſerbata; & ſi ipſum infra dictum Triennium in fata decedere, vel pacem ſuper guerra de regno *Sicilie* mota reformari contingeret, extunc totum reſiduum dictæ Decimæ noſtris uſibus ſimiliter conceſſiſſet et voluiſſet integraliter applicari. Et jam intellexerimus, quod nos prætertu vanarum et fribolarum excuſationum quarundam perſonarum Eccleſiaſticarum prætendencium, tam per mortem prædicti Domini Papæ, quam pro eo quod Magiſter *Gerardus de Petoraria* qui ad dictam Decimam colligendam ſe Procuratorem et Nuncium aſſeruit, per ſedem Apoſtolicam fuiſſe ſpecialiter deputatum commiſſionem, poſt mortem *London.* Epiſcopi, per ipſum & Magiſtr. *Bartholomæum de Ferentino* Canonicum *Lond.* Principales Collectores prædictæ Decimæ in *Anglia* & *Hibernia* vobis factam, ut dicitur, revocaverat, ſe ad ſolutionem dictæ Decimæ non teneri, levationi et collectioni ejuſdem Decimæ hactenus ſupersediſtis, in noſtri grave dampnum, de quo miramur plurimum et movemur. Cumque nuper dictus Magiſter *Gerardus* totum id quod in hac parte tam in *Anglia* quam in *Hibernia* per ipſum fuerat aliqualiter attemptatum expreſſè revocaverit, prout in quodam inſtrumento publico inde confecto, quod vobis mittimus, videre poteritis apertius continetur. Nos advertentes dictam Decimam nobis virtute conceſſionis prædictæ totaliter deberi, hujuſmodique Impoſitiones & omnes conceſſiones graciosas, durante termino impoſitionum & conceſſionum illarum vim ſortiri debere et effectum; Vobis mandamus in fide qua nobis tenemini firmiter injungentes, quod omnes Eccleſiaſticas perſonas infra terram noſtram *Hiberniæ* conſtitutas nulli penitus deferendo, cujuſcunque ſtatus, dignitatis aut conditionis exiſtat, ad ſolutionem totius Decimæ a retro exiſtentis de Decima ſupradicta virtute commiſſionis per prælatos ejuſdem Collectores vobis factæ per Excommunicationis, Suſpensionis, et Interdicti ſententias, necnon per ſequeſtrationem bonorum ſuorum Eccleſiaſticorum, et omnes alias vias et modis quibus melius expedire videritis compellatis: Et totam pecuniam prædictam ſalvo & ſecurè cuſtodiri faciatis, donec aliud à nobis inde habueritis in mandatis, de nominibus non ſolventium dilectos & fideles noſtros *Johannem Wogan* Juſtic. noſtrum *Hybernie*, Pat. 33 E 1. m. 21. pars 2. De Decima in Hibernia levanda.

An. 33 *E.* 1. *Hybernia*, & Theſaur. & Barones de Scaccario noſtro *Dublin.* reddentes diſtincte et aperte per veſtras Patentes literas certiores, ut ipſi contra ſic non ſolventes, tanquam contra honoris et commodi noſtri impeditores procedant, prout prædictis Juſtic. Theſ. & Baronibus per nos mandatum eſt plenius & injunctum. In cujus, &c. Teſte Rege apud *Cyceſtr.* 17 die *Junii.* So rigidly were theſe Arrears exacted and levyed by all ſorts of Eccleſiaſtical and Temporal Cenſures and Proceſſe, as well in *Ireland*, as *England.*

The King likewiſe iſſued theſe Writs to the Archbiſhops and Biſhops of *Ireland*, to haſten the collection of thoſe Arrears.

Clauſ. 33 E 1. m. 11. dorſo. De Decima in Hibernia ad opus Regis levanda.

REX venerabili in Chriſto Patri *R.* eadem gratia *Dublin.* Archiepiſcopo, ſalutem. Cum felicis recordationis Dominus *Bonifacius* Papa octavus, medietatem Decimæ Cleri *Anglia* & *Hibernia* per ipſum de aſſenſu noſtro impoſitæ per tres annos, nobis pro arduis & urgentibus noſtris & regni noſtri negociis liberaliter conceſſiſſet; altera medietate ejuſdem Decimæ ſi idem Papa per dictum triennium vitam duceret in humanis ſibi in ſubſidium *Romanæ* Eccleſiæ reſervatâ, & ſi ipſum infra dictum triennium in fata decedere, vel pacem ſuper guerra de regno *Sicilia* mota reformari contingeret, extunc totum reſiduum dictæ Decimæ noſtris uſibus ſimiliter conceſſiſſet & voluiſſet integraliter applicari. Et jam intellexerimus, quod Magiſter *Willielmus de Hothum* Canonicus Eccleſiæ Sancti *Patricii Dublin.* & *Guido de Vikio* perſona Eccleſiæ de *Heſe* Collectores dictæ Decimæ in *Hibernia*, prætextu vanarum et frivolarum excuſationum quarundam perſonarum eccleſiaſticarum prætendencium, tam per mortem prædicti Domini Papæ, quam pro eo, quod Magiſter *Gerardus de Petotaria*, qui ad dictam Decimam colligendam ſe procuratorem & nuncium aſſeruit, per ſedem apoſtolicam fuiſſe ſpecialiter deputatum, commiſſionem per *London.* Epiſcopum & Magiſtrum *Bartholomæum de Ferentino* Canonicum *London.* principales Collectores prædictæ Decimæ in *Anglia* & *Hibernia* eis factum, ut dicitur revocaverat, ſe ad ſolucionem prædictæ Decimæ non teneri, lebacioni et collectioni ejuſdem Decimæ hactenus ſuperſederunt, de quo miramur plurimum et movemur. Cumque nuper dictus Magiſter *Gerardus* totum id quod in hac parte tàm in *Anglia* quàm in *Hibernia* per ipſum fuerat aliqualiter attemptatum expreſſè revocaverit, prout in quodam inſtrumento publico inde confecto, quod dictis *Willielmo* & *Guidoni* miſimus apercius continetur. Nos advertentes dictam Decimam nobis virtute conceſſionis prædictæ totaliter deberi, hujuſmodique impoſiciones & omnes conceſſiones gratioſas durante termino impoſicionum & conceſſionum illarum vim ſortiri debere & effectum; Vobis mandamus in fide & dilectione quibus nobis tenemini firmiter injungentes, quod prædictis *Willielmo* & *Guidoni*, vel eorum alteri quem præſentem eſſe contigerit, in lebatione et collectione Decimæ ſuprædictæ per quaſcunque cenſuras Eccleſiaſticas, aliiſque viis et modis quibus ad commodum noſtrum melius expedire videbitur, & prout præfati *Willielmus* & *Guido* vel eorum alter vobis ſcire facient vel faciet, injungeat vel injunget, intendentes ſitis & reſpondentes, conſulentes, & auxiliantes; Præmiſſa omnia Suffraganeis cæteriſque veſtris ſubditis quibuſcumque diſtrictius injungentes; & hæc omnia & ſingula ſicut de vobis ſpecialiter confidimus, noſtrumque commodum & honorem diligitis, celeriter exequamini cum effectu; ita quod veſtram diligenciam in hac parte debeamus merito commendare. Scire vos volentes, quod ſi nobis conſtare poterit, quod per vos et negligentiam veſtram ſteterit quo minus tota pecunia de prædicta Decima in Dioc. veſtra debita cum celeritate levetur, eandem pecuniam levari de veſtris bonis temporalibus faciemus. Teſte ut ſupra.

Conſimiles literæ diriguntur Archiepiſcopis & Epiſcopis ſubſcriptis, & ſimiliter excepto Suffraganeis; Archiepiſcopo *Caſſell.* Archiepiſcopo *Tuamenſ.* Epiſcopo *Midd.* Epiſcopo *Kildar.* Epiſcopo *Leghlin.* Epiſcopo *Oſſor.* Epiſcopo *Fernenſi*, Epiſcopo *Lavinenſ.* Epiſcopo *Limer.* Epiſcopo *Imlagh.* vel ejus vices gerenti, Epiſcopo *Comerin.* Epiſcopo *Clonfertin.* Cuſtodi Spiritualitatis Archiepiſcopatus *Armacen.*

The premiſed Collectors notwithſtanding the former Writs being not ſo diligent in

in collecting the Diſms in *Ireland* as the King expected; he thereupon aſſociated 2. others to them, and 3. more to take an account thereof by theſe two Patents. *An.* 33 E. I.

REX dilectis Clericis & fidelibus ſuis *Willielmo de Moens* Canonico Eccleſiæ Sancti *Patricii Dublin.* & Magiſtro *Johanni le Mareſchal* Canonico Eccleſiæ *Daren.* ſalutem. Sciatis, quod cum nuper aſſignaverimus dilectos Clericos noſtros Magiſtrum *Willielmum de Hotham* Canonicum Eccleſiæ Sancti *Patricii Dublin.* & *Guidonem de Wychio* perſonam Eccleſiæ de *Heſe* ad arreragia Decimæ per Dominum *Bonifacium* nuper Papam octavum, Clero terræ *Hyberniæ* **de aſſenſu noſtro impoſitæ per tres annos**, & per eundem Papam pro arduis & urgentibus noſtris & regni noſtri negociis nobis conceſſæ, levand. & colligend. juxta formam commiſſionis eis factæ per bonæ memoriæ *R.* nuper *London.* Epiſcopum & Magiſtrum *Bartholomæum de Ferentino* Canonico *London.* principales Collectores dictæ Decimæ in *Anglia* & *Hibernia* per ſedem Apoſtolicam deputatos, prout in literis noſtris patentibus eis inde confectis, quæ penes eos reſident, plenius continetur; ac idem negotium pro eo quod prædicti Magiſter *Willielmus* & *Guydo* circa id exequendum **nimis remiſſi et negligentes extiterunt**, adhuc in majori ſui parte remaneat inconfectum, in noſtri grave diſpendium, et negociorum noſtrorum prædictorum retardacionem manifeſtam, de quo miramur quamplurimum & movemur. **Nos attendentes dampna et incommoda gravioza nobis et dicto regno noſtro poſſe de facili imminere, niſi negocium prædictum celerius expediatur, et de veſtra fidelitate et induſtria in hac parte plene confidentes**, aſſociamus vos præfatis *Willielmo* & *Guidoni* ad arreragia prædicta levanda; ita quod prædicti *Willielmus* & *Guydo*, vel eorum alter, ac illi qui ſub ipſis *Willielmo* & *Guydone* in dicta terra ad dicta arreragia levanda & colligenda ſunt deputati, eadem arreragia levent, & ea Theſaurario Scaccarii noſtri *Dublin.* vel illi quem idem Theſ. periculo ſuo ad arreragia illa recipienda loco ſui aſſignare voluerit, liberent cuſtodienda, quouſque eidem Theſ. ſuper hoc aliud duxerimus demandandum. Et ideo vobis mandamus, quod unà cum prædictis *Willielmo* & *Guydone* ad **prædictum negocium diligenter et celeriter exequendum in forma prædicta ſpecialiter attendatis.** Taliter in eodem negocio vos habentes, quod induſtriam veſtram in hac parte merito debeamus commendare. Sciturі, qood ſi vos remiſſos ſeu negligentes in hoc negocio exequendo contigerit inveniri, **ad vos tanquam ad mandatorum noſtrorum contemptores graviter capiemus**: Mandavimus eciam præfatis *Willielmo* & *Guydoni*, & eorum alteri, quod vos vel alterum veſtrum, ſi ambo intereſſe non poſſitis, ad hoc in ſocios vel ſocium admittant vel admittat, necnon Theſ. prædicto quod à prædictis *Willielmo* & *Guydone* vel eorum ſubcollectoribus aut eorum aliquo arreragia prædicta recipiat in forma prædicta. In cujus, &c. T. R. apud *Weſtm.* 7. die *Nov.* Pat. 33 E. 1. pars 1. De pecunia de Decima in Hibern. ad opus Regis levanda.

Iſta forma concordata eſt per Conſil. Regis.

REX dilectis & fidelibus ſuis *Willielmo le Deneneys*, *Nigello le Bruyn*, & *Ricardo le Blund*, ſalutem. Cum nuper aſſignaverimus dilectos Clericos noſtros Magiſtrum *Willielmum de Hotham* Canonicum Eccleſiæ Sancti *Patricii Dublin.* & *Guydonem de Wychio* perſonam Eccleſiæ de *Heſe*, ad arreragia, *&c.* ut ſupra plenius continetur, prædicti *Willielmus* & *Guydo*, ac illi qui ſub ipſis in prædicta terra ad dicta arreragia levanda & colligenda ſunt deputati, licet magnam partem arreragiorum illorum levaverint, nichil tamen nobis adhuc ſolvere curarunt, ut dicitur; in noſtri grave diſpendium ac negociorum noſtrorum prædictorum retardacionem manifeſtam, de quo miramur quamplurimum & movemur: Nos igitur ſuper facto ipſorum *Willielmi* & *Guydonis* ac ſubcollectorum ſuorum prædictorum in hac parte volentes certiorari, de veſtraque circumſpectione & induſtria confidentes in hac parte, aſſignavimus vos ad audiendum compotum prædictorum *Willielmi* & *Guydonis* ac ſubcollectorum ſuorum prædictorum, quorum iidem *Willielmus* & *Guydo* vel alter eorum, vobis ſcire facient vel faciet, de receptionibus ſuis Decimæ prædictæ necnon liberacionibus ſuis, ſi quas nobis aut aliis ad mandatum noſtrum inde fecerint, & ad faciendum ulterius quod ad hujuſmodi compotum pertinet: Ita tamen, quod ſi vos tres ad certos dies & loca quos ad hoc provideritis, ad hujuſmodi compotum audiendum intereſſe non poſſitis, tunc duo veſtrum quos adeſſe contigerit præmiſſa expleatis in forma prædicta. Et ideo vobis mandamus, quod ad præmiſſa explenda Ibidem.

An. 33 E 1. & perficienda intendatis in forma prædicta. Proviſo, quod ſi aliquos vel aliquem Collectorum vel ſubcollectorum prædictorum in arreragiis Decimæ prædictæ per ipſos vel ipſum receptæ exiſtere vos contigerit invenire, tunc ipſos vel ipſum ſuper prædictum compotum areſtetis, donec arreragia hujuſmodi nobis plenariè fuerint perſoluta. De nominibus verò non ſolvencium, quæ prædicti Collectores vel eorum ſubcollectores aut eorum aliquis vobis ſcire facient vel faciet, dilectos & fideles noſtros *Johannem Wogan* Juſtic. noſtrum *Hibern.* & Theſ. & Barones de Scaccario noſtro *Dublin.* reddatis diſtinctè & apertè per veſtras patentes literas cerciores, ut ipſi contra ſic non ſolventes procedere poſſint, prout in quodam brevi quod eis ſuper hoc mittimus, pleniùs continetur. Mandavimus eciam dilecto Clerico noſtro Magiſtro *Thomæ Cantok* Cancellario noſtro terræ prædictæ, quod ad certos dies & loca quos vos vel duo veſtrum ei ſcire facietis, venire faciat coram vobis per brevia noſtra ſub ſigillo noſtro quo in eadem terra utimur in ſua cuſtodia exiſtente, prædictos *Willielmum de Hothum* & *Guydonem* vel alterum eorum, ſi ambo non inveniantur, & ſimiliter ſubcollectores ſuos prædictos, quorum nomina vos vel duo veſtrum ei ſcire facient, ad reddendum compotum ſuum prædictum, et ad ulterius faciendum quod juſticia ſuadebit, & quod omnia alia brevia quæ ad celerem levacionem arreragiorum prædictorum juvare poterunt quovis modo, quociens per præfatos Theſ. & Barones, ac vos Collectores vel ſubcollectores prædictos, ſeu aliquem veſtrum ſuper hoc ex parte noſtra fuerit præmunitus, ſub ſigillo noſtro prædicto abſque dilatione aliqua fieri faciat, prout ad commodum noſtrum melius viderit faciendum. In cujus, &c. Teſte ut ſupra.

Iſta forma concordata fuit per Conſ. Regis.

* Here, p. 1053, to 1057.

King *Edward* having by the * premiſed Ordinance this year (as he apprehended) ſetled a perpetual peace in *Scotland*, without any poſſibility of a future rebellion or revolt, upon that groundleſſe confidence ſoon after called thoſe Nobles into queſtion who from the 24. to the 32. year of his reign had moſt oppoſed, and wreſted from him the confirmation of the *Great Charter*, and *Charter of the Foreſt*, together with *Articuli ſuper Chartas*, the Deafforeſtations of Foreſts, and free pardon of all his rancor and indignation againſt them, ratified by ſeveral Parliaments, and his own Oath for the inviolable obſervation of them, from which Oath he endeavoured to purchaſe an abſolution from Pope *Clement* the 5. But his principal aym was, to avenge himſelf upon the Archbiſhop of *Canterbury*, who had twice obſtinately refuſed to grant him any ayde from the Clergy for the defence of the Realm, without the Popes previous licenſe, deprived his Clerks againſt his Writs and their appeals with high contempt, viſited and invaded his Free Chappels, excommunicated his Officers and others for oppoſing him, againſt his reiterated Prohibitions, to the prejudice of his Prerogative, the diſinheritance of the rights of his Crown, and contempt of his Royal authority: yea conſpired with others to depoſe and impriſon the King, and Crown his Sonne in his ſtead, and often ſtirred up the Nobles againſt him to the diſturbance of the kingdoms peace: whom he thereupon ſharply reprehended, ſeiſed his goods, temporalties, and then ſent him to Pope *Clement* the 5, that ſo he might be cruſhed by their double power; thus recorded by * *Mat. Weſt.* and others. *Igitur dum Rex ſperaret omnia ſui regiminis negotia in pace moderari optata, quia tempus tacendi præteriit, in quo ſiluit, tacuit & patiens fuit, & aderat tempus loquendi, convenit cautè Comitem* Mareſchallum, *ſuper quodam dedecore et conſpiratione, quam Archiepiſcopus* Cantuarienſis *et plures Comites et Barones contra ipſum machinaberant, ipſo tunc agente in* Flandria. *Qui nequaquam valens iſta contradicere, gratiam Regis petit. Pro qua obtinenda, conſtituit Regem hæredem ſuum univerſorum quæ habuit, & ſic mortem perdidit & vitam invenit. Et Rex remuneratus eum, vitæ Comitis mille libratas terræ adaugendo conceſſit. Et ſic facti ſunt amici Rex & Comes. Similiter Rex ſingulatim ſingulos convenientes, qui hoc facto conſenſerant, pecuniaria pœna multavit. Ac ſi dicteret, Dolo mortem prodituſum meorum, ſed convertantur et redimantur per bona ſua temporalia, ſicque vivant. Ad ultimum, Archiepiſcopus convenitur, (who had ſundry times affronted him, yea invaded the rights and prerogatives of his Crown this very year, in his viſitations of his Free Chappels, and other particulars) et arguit eum Rex in peccato conſilii. Suffuſus rubore Archiepiſcopus, pallium Regi tendit, in miſericordia ejus ſe et bona ſua ſubmittendo. Cui Rex;*

* An. 1305. p. 452, 453. Antiqu. Eccleſiæ, Brit. p. 216, 217. Godwins Catalogue of Biſhops, p. 127, &c. Holinſhed, Speed, Daniel, An. 1305, & 1306.

Rex; Non per me, ſed per Pares tuos Coepiſcopos de facto tuo æquitas decernatur et judicium. *Et addidit.* Quoties ſcripſi tibi in diſtatione tua, Clericos meos angarianti, mecum coeſſentes, ut non procederes contra eos noſtri reverentia, uſquequo belli fremitus finiretur, nec exaudiſti me. Verum non obſtante illorum appellatione, ipſos in eorum abſentia de Eccleſiis ſuis privaſti. Novi quidem ſuperbiam cordis tui, immiſericordiam et aſtutiam. Semper enim contentioſe contra me egiſti; *Hac & multa alia convitia dixit ei. Porrò Archiepiſcopus adeò erat confuſus*, ut peteret benedictionem a Rege. *At Rex*, Non ſic decet pater, ſed ego à te debeo benedici: *et benedixit eum in eodem loco.* * *Eodem quaſi ſub tempore*, *Rex* Angliæ Robertum Cantuarienſem Archiepiſcopum apud D. Papam accuſabit ſuper eo, quod pacem regni ſui perturbabit, ſibique rebellantes defendit et fovit. *Propter quæ citatus à Summo Pontifice*, licentiatuſque a Rege, *quaſi valedicens illi*, *verſus* Burdegalim *transfretatur.* Ubi ab executione officii ſui ſuſpenſus fuit, quouſque de ſibi impoſitis legitime ſe purgaret. Which proceedings againſt him are thus more particularly recorded by * *William Thorn* a Monk of *Canterbury*, and *Matthew Parker* and *Godwin* out of him.

An. 33 *E.* 1

* Mat. Weſt. An. 1306. p. 457.

Anno Domini 1305. *Cum ſupradictus Archiepiſcopus* Robertus *ſuper multis Articulis*, et præcipue ſuper proditione quam cum quibuſdam Comitibus Proceribuſq; multis pactus erat in dolo, ut Regem a regni ſolio deſicerent, et filium ejus Edwardum in throno ſubrogarent, et patrem perpetuo carceri manciparent, a Rege calumniaretur, et objecta non poſſet juſticiare; timore vehementi perterritus, ad pedes Regis pronus cadens in terram, ut ejus mereretur aſſequi clementiam, ſeſe per ſingula flens et ejulans Regiæ ſubdidit voluntati. Sic ergo humiliatus eſt ille Deo odibilis et ſuperbus, qui per totum Anglorum orbem oris ſui flatu more meretricio, et ſacerdotium deturpabit, et in Clerum et populum tyrannidem exercuit inauditam, et qui Regem Dominum ſuum literatorie ei ſcribens nominare renuit ſuperbiendo; nunc autem humiliatus, et Regem et Dominum ſuum fatetur et nominat, obediens factus invitus ei devocius ſerviendo.

*Chronica W. Thorn, An. 1305. col. 2004, 2005. Antiqu. Eccleſiæ Brit. p. 217. Godwins Catalogue of Biſhops, p. 117.

Eodem Anno Dominus Papa prædictum Archiepiſcopum ſuper exceſſibus accuſatum multimodis in pleno Conſiſtorio uſque tertio, ore tenus vocabit, vocatumque publice in palacio et foro ſolempniter ſub voce præconia et tuba proclamante a Temporalibus et Spiritualibus uſque ſe ſuo repræſentaret aſpectui ſuſpenſum eſſe promulgabit, omnibuſque et ſingulis de Archiepiſcopo conqueri volentibus juſtitiam facere repromiſit. *Cumque Archiepiſcopus ſe citandum conſpiceret*, Regem adiit transfretandi licentiam periturus. *Cujus adventum cum Rex cognoviſſet, thalami ſui oſtia omnibus intrare volentibus patere juſſit, ut ſermo quem adverſus eum habiturus eſſet circumſtantes non lateret: Quem his verbis Rex ſic alloquitur.*

Licentiam transfretandi quam a nobis poſtulare veniſti libenter tibi concedimus, revertendi autem tibi licentiam nullam permittimus ſine et damus, memores doli et fraudis ac proditionis quas in Parliamento Lincolniæ cum Baronibus noſtris in Regiam machinatus es Majeſtatem, cujus rei litera ſigno tuo ſigillata teſtis eſt, et teſtimonium perhibet contra te evidenter; ſed propter amorem beati Thomæ et Eccleſiæ cui præes reverentiam et honorem, hinc uſque diſſimulimus, reſervantes eam Papæ qui noſtras in te injurias ulciſceretur, et prout meruiſti retribuet tibi utpote cernimus et ſperamus. A protectione vero noſtra quam ipſe requiris te prorſus excludimus, tibi omnem gratiam negantes et miſericordiam, quia vero ſemper immiſericors fuiſti, et idcirco miſericordiam conſequi non mereris.

Demum vero cum per Summi Pontificis Nuncios a ſpiritualibus et temporalibus ſuſpenſus, ac etiam peremptorie citatus continuo transfretabit, qui dignitatis ſuæ ſtatum animo revolvens, et tanquam exilio proſcriptus de reditu ſuo prorſus deſperans, flere cæpit ultra modum mœſticia plenus et dolore. Infœlix homo ille qui ſuperbe jactando ſæpe dicebat; Hominem ſub cœlo non timeo, nunc autem mimus factus, et Papam timet et Regem, ſua verens amittere aut ſibi perpetua pro ſuis demeritis advenire. Cumque ſe Summi Pontificis repræſentaret obtutibus, ab ipſo velut a vehementer indignante et irato continuo repulſus eſt, nullamque pene per annum ad Papam ingrediendi aut cum eo loquendi habere potuit facultatem. Papa vero per annum illum, permiſſu Regis, et ſpiritualia et temporalia univerſa per quendam Vaſconem ad uſus proprios applicabit. Pax autem

Anis 33 & 34 E. 1.

autem ſcripta ſunt ut credatis, quia pater Auguſtinus habet poteſtatem in terra puniendi peccata, et ſuos indebite gravantes vindictam inferendi, et ut credentes ipſum et ſuos honoretis in nomine ejus.

I finde by this Letter of *Humfry de Waleden* to the Chanceller, that the Kings Treaſurer ordered two Writs to be iſſued to the Sheriffs of *Kent*, *Surry* and *Suſſex*, to ſeiſe all the Corn of the Archbiſhop of *Canterbury* within their Counties.

Bundela Brevium de Privato Sigillo, &c. An. 33 & 34 E 1. in Turri London

A Son treſchier Seigneur, ſi lui pleſt, Sire *William de Hamiltone* Chanceller noſtre Seigneur le Roy, le ſoen *Humfrei de Waledene*, ſi lui pleſt, honeurs & totes reverences. Sire come nadgieres aviez en maundement de mon Seigneur l'Eveſque de *Ceſtre* Treſorier noſtre Seigneur le Roy, qe vous me feiſſez avoir deus Briefs; un a Vieſconte de *Kent*, e un autre a Vieſconte de *Surrey* e *Suſſex*, que bons fuiſſent pur moi, pur faire prſer les biez de l'Erce beſchée de *Canterbire*; des quieux Briefs, lun de devoit eſtre ale au Vieſconte de *Surrey* & *Suſſex* fuſt treſublie, vous pri Sire, qe tien Brief come vous feiſtes au Vieſconte de *Kent*, voillez faire au Vieſconte de *Surrey* & *Suſſex*, e envoier le me par le porteur de ceſt lettre. Noſtre Sire vous gard e vous doint bone vie e lungge.

This proud Archprelate being thus ſolemnly reprehended, ſuſpended from his Spiritualties and Temporalties, baniſhed the Realm, ſcorned, contemned both by the King, Pope, Clergy, People, to whom his pride and tyranny had rendred him very odious, continuing in exile to King *Edwards* death, was reduced to great extremities: For as * *Mat. Parker* ſtories out of *Stephen Birchnit*, and *Annales* Auguſtin. *Eccleſ.* Cantuar. *Cum ſe à Regis præſentia ſubtraxiſſet antequam Papam proficiſceretur inter Monachos* Cantuarienſes, *quia ei jam egeno & proſcripto nemo alimonia miniſtrare auſus eſt, aliquando delituit, & ab his nutritus atque fotus eſt. Quo cognito,* eos quoque proſcripſit Rex, vetuitque edicto, ne quis eis ad uſus vitæ neceſſarios miniſtraret. *Tum* 80. *à* Clauſtris Monachos præcipitabit, prædia in fiſcum contulit, *ne à fratribus quidam mendicantibus ſublevati ſunt, ſed vicatim per ſingulas ædes eleemoſynas petebant. Tandem Rex in exilium acto* Roberto *monaſterio boniſque veſtitut.* Roberto *autem Archiepiſcopo in exilium acto*, Wintonienſis *Epiſcopus pro eo interceſſit*, eumque Dominum ſuum appellabit; Rex eo turbatus, Epiſcopum Winton. protectione ſua privabit, ejuſque bona in fiſcum aferri juſſit, quod alium quam Regem Dominum agnoſceret, ac talem qui proditionis et manifeſtæ in Regem contumaciæ reus, vel ſubditi jus in ſuo regno amitteret. *In Archiepiſcopi exilio* Clemens *quintus* Papa (by the Kings conſent, againſt his own Prerogative Royal) Cantuarienſis *ſedis* œconomos conſtituit Gulielmum de Teſta *Archidiaconum* Arravenſem, *&* Petrum Amalvin *Canonicum* Burgenſem, qui authoritate inſti Papali Norvicenſem Epiſcopum ne privilegia quæ a ſuæ Diœceſis Clero vendicabit in jus vocarent. Papa vero hoc motus exemplo, qui ea quæ Epiſcopi in ſuis Diœceſibus ſibi arrogabant, jure ſe hactenus uſurpare, partaque ab aliis acquirere ſibi ſolebant, præſtitit et imperavit tandemque ne privilegia cujuſcunque Eccleſiaſtici in Anglia beneficii triennio prorſus daſtituit.

In the Clauſe Roll and Roll of *Rome*, An. 34 E. 1. I finde theſe enſuing Letters of King *Edward* the 1. ſent by ſpecial Meſſengers to Pope *Clement*, and ſeveral Cardinals, concerning his premiſed convention of the Archbiſhop before him, his ſpeeches to, and his complaints againſt him to the Pope, as the chief firebrand of the wars and ſeditions raiſed againſt him in all parts, the principle *remora* of his intended voyage to the *Holy Land*; and that he could expect no peace nor quietneſſe in the Realm whiles he continued in any part thereof, which he importuned the Pope and Cardinals to conſider of, and redreſſe, by ſummoning him to his preſence, &c.

Ex Rotulo Romæ, de An. 34 E 1. mem. 10. & Rot. Clauſ. m. 5, 17. & 24. Pro Rege de R. Archiepiſcopo Cantuar.

Sanctiſſimo in Chriſto Patri Domino *Clementi* Divina Providentia Sacroſanctæ *Romanæ* & univerſalis Eccleſiæ Summo Pontifici; *Edwardus* eadem Gratia Rex *Angliæ*, &c. devota pedum oſcula beatorum. Accedens ad præſentiam noſtram nuper *Cantuar.* Archiepiſcopus, poſt multos alios quos de ſacra Curia veſtra dixerat ſtatum contingentes ipſius, apud noſtrum ſubſtituit nuncium, quod tunc ſibi exhibere bellemus ſuper aliquibus negotiis ſuæ tangentibus gratioſos. Nos itaque his quæ nobis

nobis dicere voluit intellectis, ſibi duximus reſpondendum, quod ipſe erga Nos ita ſe geſſerat tempoꝛibus retroactis, ac pꝛocuraveꝛat et fecerat nobis et noſtris poſtpoſita ratione dedecꝛis, dampna quamplurima et deſpectus, quodque per factoꝛes et pꝛocuratoꝛes ſuos regnum noſtrum ſic diudum commotum fuerat et turbatum, quod per ipſum non ſtetit, quin exhæredati pꝛoculdoubto fuiſſemus: quæ quidem ad veſtram noticiam retrolapſis tempoꝛibus creꝺimus plenius perveniſſe, quam modo literis exꝛimamus. Et quamvis ad alliciend. eundem ad manſuetudinem et benevolentiam erga nos et noſtros curam appoſuerimus diligentem, nichil nobis pꝛoſuit, nec quicquam emendationis in ea parte percepimus, ſet potius eo amplius erga nos et noſtros continuationem ſuæ malevolentiæ et contrarietatis ſenſimus efferbere. Inde ſibi diximus & expreſſe, quod non meruerat ullam in nobis gratiam inbenire, nec etiam bidebatur nobis quod ſibi gratiam aliquam facere debebamus. Cum igitur (Pater Sanctiſſime) negotium *Terræ Sanctæ*, ſicut accepimus, multum inſideat cꝛꝺi veſtro, de quo non mediocriter recreamur, ac nos etiam pꝛæ cæteris deſiderabilibus cordis noſtri dictum negotium geramus in votis, fuiſſemuſque idem negotium jamdiu & diligentius proſecuti, niſi occupationes multiplices & immenſæ guerrarum & gravium turbationum contra nos inopinabiliter ſubortarum in diverſis locis & partibus obſtitiſſent, quarum pars magna per pꝛocurationem pꝛæfati Archiepiſcopi oꝛtum habuit et pꝛobenit, ſitque coꝛditer beatitudinis veſtræ omnes occaſiones tollere per quas pꝛoſecutio pꝛædicti negotii *Terræ Sanctæ* poſſit aliqualiter impediri, Sanctitati veſtræ affectuoſis pꝛecibus ſupplicamus, quatinus pꝛæmiſſis ſi placet benigna meditatione penſatis, honoꝛe Dei pꝛæbio, ſic de ſtatu ſæpedicti Archiepiſcopi veſtra pꝛobidentia oꝛdinet et diſponat, quod ad pꝛæfati negotii *Terræ Sanctæ* pꝛomotionis augmentum, ac noſtri regnique noſtri ſtatum cedat pacificum et quietum. Quin conſiderata malevolentia quam in dicto Antiſtite verſus nos et noſtros abſque culpa noſtra inbenimus babundare, creꝺimus firmiter et tenemus, quod ſi contingeret ipſum diutius in pꝛæfato regno noſtro vel alibi infra noſtram poteſtatem moꝛari, longe plus ſolito fieret nobis contrarius et infeſtus, ac ſuis conatibus niteretur nos et noſtros moleſtare, magiſque grabare quam pꝛius, nos et tranquillitatem regni noſtri periculoſius perturbando; nec aliquid videre ſcimus ad pꝛæſens quod ſit iter noſtrum impedire valeret, ſicut moꝛa ipſius infra poteſtatem noſtram, pꝛout ſuperius eſt exꝛpreſſum. Conſervet vos Altiſſimus ad regimen Eccleſiæ ſuæ Sanctæ per tempora proſpera & longeva. Dat. apud *Wynton.* ſexto die *Aprilis*, Anno regni noſtri 34. *Annis* 33 & 34 *Ed.* 1.

VEnerabili in Chriſto Patri Domino *N.* Dei gratia Epiſcopo *Hoſtien.* Amico ſuo chariſſimo; *Edwardus*, &c. ſalutem, & ſinceræ dilectionis affectum. Accedens ad præſentiam noſtram nuper *Cantuar.* Archiepiſcopus, poſt rumoꝛes aliquos quos de Apoſtolicæ ſedis dedicerat ſtatum contingentes ipſius, &c. (*ut ſupra uſque ibi.*) Cum igitur cordi Domini Summi Pontificis multum inſidiat, ſicut accepimus, negotium *Terræ Sanctæ* de quo non mediocriter recreamur, ac nos, &c. oꝛtum habuit & provenit, ſitque cordi dicti Domini Summi Pontificis omnes occaſiones tollere per quas, &c. valeat aliqualiter impediri; ſibi affectuoſiſſime ſupplicamus, quatinus præmissis benigna meditatione penſatis, honoꝛe Dei pꝛæbio, ſic de ſtatu ſæpedicti Archiepiſcopi, &c. (*ut ſupra.*) Quocirca Paternitatem veſtrum de qua confidimus pꝛece qua poſſumus deprecamur, quatinus ad pꝛomotionem eoꝛum quæ a pꝛæfato Domino Summo Pontifice fieri ſpecialiter petimus in pꝛæmiſſis, opem dantes ei ſi placet et operam efficaces, taliter apud eum beliꝛis ſuæ nominatum negotium Dei et noſtri intuitu pꝛomovere, quod vos cordi habere per effectum operis ſentiamus quod ſic inſtanter noſtra devotio poſtulat & requirit. Dat. ut ſupra. Clauſ. 34 E 1. m. 17 dorſo.

Eodem modo ſcribitur ſubſcriptis; *viz.* Venerabili in Chriſto Patri Domino *P.* Titulo Sanctæ *Priſcæ* Presbytero Cardinali, Venerabili in Chriſto Patri Domino *R.* Sanctæ *Mariæ Novæ* Diacono Cardinali, Venerabili in Chriſto Patri *Tho. Jorz* Titulo Sanctæ *Sabinæ*, Presbytero Cardinali.

He likewiſe writ a Letter of the ſame date to his Conſtable at *Burdeaux* to promote this buſineſs (which he much laid to heart) with the Pope and Cardinals with all his power upon all occaſions.

REX

Annis 33 & 34 E. 1.

Clauſ 34 E 1. m. 17. dorſo.

REX dilecto Clerico ſuo Magiſtro *Richardo de Haveringes* Conſtabulario ſuo *Burdeg.* ſalutem. Diſcretionem veſtram credimus non latere, qualiter Archiepiſcopus *Cantuar.* erga nos ſe geſſit temporibus retroactis, ac procuraverit et fecerit nobis et noſtris omni ratione poſtpoſita dedecus, damna quamplurima et deſpectus, quodque per factores et procuratores ſuos regnum noſtrum ſic dudum commotum fuerat et turbatum, quod per ipſum non ſtetit quin exhæredati proculdubio fuiſſemus. Cum itaque Domino Summo Pontifici per noſtras Literas ſupplicamus, ut de ſtatu dicti Archiepiſcopi, quem ſemper nobis et noſtris abſque Culpa noſtra invenimus malevolum et pro ſuis viribus adverſantem ſic ordinet et diſponat, quod ad noſtrum regnique noſtri ſtatum cedat pacificum et quietum, quoniam ſi contigeret ipſum diutius in prædicto regno noſtro, vel alibi infra poteſtatem noſtram morari, longe plus ſolito fieret nobis contrarius et infeſtus, ac ſuis conatibus niteretur nos et noſtros moleſtare, magiſque grabare quam prius, nos et tranquillitatem regni noſtri periculoſius perturbando, nec aliquid videre ſciamus ad præſens quod ſic proſecutionem negotii *Terræ Sanctæ* (quod gerimus in votis potiſſime) impedire valeret, ſicut ſi idem Archiepiſcopus infra poteſtatem noſtram morum traheret longiorem. Vobis mandamus firmiter injungendo, quatinus erga dictum Dominum Summum Pontificem & Card. ſubſcriptos, videlicet Dominum *Hoſtien.* Epiſcopum, *Th.* Tit. Sanctæ *Mariæ novæ* Diacon. Cardinal. quibus ſuper hujuſmodi negotio ſcribimus, promoveatis idem negotium (quod multum inſidet cordi noſtro) totis viribus, totoque poſſe quotiens opus fuerit, et videbitis opportunum circa promotionem ipſius omnem quam poteritis diligentiam adhibentes. Dat. ut ſupra.

Theſe Letters he backed with this ſecond Epiſtle, and another Nuncio to the Pope in *July* following, thus recorded in *Rotulo Romæ*, An. 34 E. 1.

Rot. Romæ An. 34 E. 1. m. 10.

PApæ Rex, Devota pedum oſcula beatorum. Licet interdum ex multa benevolencia fidelium noſtrorum diſſimulemus offenſas, illas tamen quæ in noſtri et dignitatis noſtræ regiæ præjudicium, contumeliam et contemptum per ſubditos noſtros notabiliter committuntur eo minus diſſimulare nos convenit, quo magis ſuperioris injuriâ creſceret ſubjectorum culpis remanentibus impunitis. Sanè in memoria veſtræ beatitudinis ea credimus reſidere quæ nuper de ſtatu Archiepiſcopi *Cantuar.* diſcripſimus ſeriosè per literas noſtras et nuncios ſpeciales, qualiter idem Archiepiſcopus erga nos ſe geſſerat temporibus retroactis, ac procuraverat ac fecerat nobis et noſtris poſtpoſita ratione, dedecus, damna quamplurima et deſpectus; quodque fidelitatis vinculo ac debitionis debita non ſervatis, per factiones et procuraciones ſuas ſic regnum noſtrum et nonnullos de fidelibus noſtris ejuſdem contra nos dudum commoverat et turbarat, quod per ipſum non ſtetit quin exhæredati proculdubio fuiſſemus, non ut exinde ſibi præjudicium accreſceret, ſed ut ſolum nos et ſtatum noſtrum lapſu præcipiti ſubvertiſſet. Et quamvis ad alliciendum eundem ad manſuetudinem & benevolenciam erga nos & noſtros, adhibuiſſemus ſollicitudinem opportunam, nichil nobis præfuit, nec quicquam emendacionis in ea parte percepimus, ſed potius eo amplius erga nos et noſtros continuacionem ſuæ malivolenciæ et contrarietatis ſenſimus effervere. Et quia Pater ſanctiſſime negocium terræ Sanctæ, ſicut accepimus, multum inſidet cordi veſtro, de quo, *&c.* (ut ſupra, ſitque, *&c.* ut ſupra) aliqualiter impediri, Sanctitati veſtræ duximus ſupplicandum, quatinus præmiſſis intenta ſi placet conſideratione penſatis, honore Dei præhio, eo modo de ſtatu ſæpedicti Archiepiſcopi veſtra providencia ordinare et diſponere dignaretur, quod ad præfati negocii terræ ſanctæ promocionis augmentum, ac noſtri regnique noſtri ſtatum cederet pacificum et quietum. Quoniam conſiderata malivolencia, *&c.* (ut ſupra) habundare veriſimiliter præſumimus, et tenemus quod ſi contingeret ipſum in præfato regno noſtro vel alibi, *&c.* ut ſupra, nec aliquid videre ſciamus, *&c.* (prout ſuperius eſt expreſſum) Hæc igitur Pater Sancte quæ præmiſimus innovanda et iteranda decrevimus, et deſideranter expectamus; volentes veſtræ patere noticiæ reverendæ; quod ſi contingeret Archiepiſcopum memoratum reſtitui, quod abſit, ſtatui priſtino et honori, temporalia ipſius Archiepiſcopatus quæ ex certis cauſis ſunt in manibus noſtris ad præſens, ad quæ quidem

Nota.

dem

dem rehabenda indignum ſe reddidit, exigentibus gravibus ſuis exceſſibus atque demeritis, ſibi reſtituere urgente conſcientia non poſſemus. Et ut inſuper de intencione noſtra vobis plenius liqueat in premiſſis, per dilectum clericum et ſecretarium noſtrum magiſtrum *Philippum Marcelli*, Juris Civilis profeſſorem Canonicum *Cicestrenſ.* de cujus fidei puritate fiduciæ plenitudinem optinemus, quem ad veſtram præſenciam deſtinamus ſuper hiis mentem noſtram vobis decrevimus lactus aperire, cui ſi placet dignemini in hiis quæ ex parte noſtra clemenciæ veſtræ expreſſerit viva voce fidem indubiam adhibere. Conſervet, &c. *ut ſupra.* Dat. apud *Preſton* ſecundo die *Julii* anno regni noſtri, &c. 34. *An.* 34 E. 1.

The Pope upon the Kings Letters and Sollicitations ſuſpending the Archbiſhop from his Spiritualties and Temporalties, took occaſion thereupon by a new uſurpation to depute the cuſtody as well of his Temporals as Spirituals to his own Nuncios in *England*, againſt the Kings Crown, Dignity, and Cuſtom of the Realm, whereupon the King by advice of his Counſel, to preſerve the Rights of his Crown, ſeiſed upon and committed the cuſtody of his Temporalties to *Humfrey de Walden*, as the *Fine Roll* of 34 E 1. thus records.

REX Omnibus ad quos, &c. ſalutem. Sciatis quod commiſimus dilecto et fideli noſtro *Humfrido de Walden* Archiepiſcopatum *Cantuar.* quibuſdam de cauſis in manu noſtra exiſtentem, cuſtodiendum quamdiu nobis placuerit. Ita quod de exitibus inde provenientibus nobis reſpondeat ad Scaccarium noſtrum. In cujus, &c. Teſte Rege apud *Weſtm.* 8 die *Jan.* per ipſum Regem. Fines 34 E. 1. pars unica De Archiepiſcopatu Cantuar. commiſſo Humfrido de Waleden.

Et mandatum eſt Militibus, &c. quod eidem *Humfrido*, &c. intendentes ſint & reſpondentes, ſicut prædictum eſt. In cujus, &c. Teſte Rege, *ut ſupra.*

Et mandatum eſt *Waltero de Gloucestria* Eſcaetori citra *Trentam*, quod eidem *Humfrido* Archiepiſcopatum prædictum cum pertin. una cum exitibus per ipſum inde perceptis à tempore captionis ejuſdem in manum Regis ſine dilacione liberet, ita quod de dictis exitibus Regi ad Scaccarium prædictum ad plenum valeat reſpondere. Teſte Rege ut ſupra.

In *Auguſt* following the Church of *Reycolure* belonging to the *Archbiſhoprick* of *Canterbury* being void, the King preſented a Clerk unto it, (which was his principal Phyſician,) as this Record atteſts.

MAgiſter *Nicholaus de Dyngewiks* Clericus, habet literas Regis de præſentacione ad Eccleſiam de *Reycolure Cantuar.* Dioc. vacantem, et ad donacionem Regis ſpectantem ratione temporalium Archiepiſcopatus *Cantuar.* in manu Regis exiſtentium: Et diriguntur litteræ Adminiſtratoribus Spiritualitatis Archiepiſcopatus prædicti, a ſede Apoſtolica deputatis. In cujus, &c. Teſte Rege apud *Neuburgh in Tyndale* 23 die *Aug.* per breve de privato Sigillo. Pat. 33 E. 4. m. 9. De præſentacione.

Not long after the Pope being informed thereof, ſent the King a Meſſage, that he was much diſpleaſed with his ſeiſure of the Temporalties, being contrary to the Canonical Sanctions; whereupon the King, though he aſſerted, that by the ſpecial Law and Prerogative of his Crown, and cuſtom of the Realm (which the Canons could not controul) he might juſtly ſeiſe the Temporalties, and take their Profits to his own uſe, yet he was contented, notwithſtanding his right, out of his ſpecial favour and affection to the Popes perſon, that the profits of the Temporalties ſeiſed in his hands ſhould become the Popes, and be entirely delivered to thoſe he ſhould ſend to receive them, by the Guardian of them whom the King had appointed, who ſhould give a reaſonable account to them thereof, as this Letter of his informs us.

SAnctiſſimo in Chriſto Patri Domino C. Divina Providentia Sacroſanctæ *Romanæ* ac univerſalis Eccleſiæ Summo Pontifici, ſuus devotus filius *E.* ejuſdem Gratia Rex *Angliæ*, &c. cum omni devotione, devota pedum oſcula beatorum. Placuit nuper Sanctitati veſtræ *Robertum Cantuar.* Archiepiſcopum ab Adminiſtratione ſpiritualium et temporalium ſuſpendere, ipſumque *Robertum* ad veſtrum examen ſpeciali- Rot. Romæ An. 34 E. 1. nu 9. memb. 5.

ter

An. 34 E. 1. ter evocare, et etiam certas personas ad gerendam administrationem dictorum spiritualium et temporalium deputare: quæ deputatio pro eo quod jurta assercionem dictorum prodictorum de Consilio nostro, qui ad jura Coronæ et dignitatis nostræ regiæ manutenenda et conservanda specialiter deputantur, quoad temporalia dicti Archiepiscopatus in manifestum præjudicium dictarum Coronæ et dignitatis nostræ redundabat, temporalia dicti Archiepiscopatus in manum nostram capi fecimus, prout nobis ex variis causis secundum Regni nostri consuetudinem licuit, et hoc jure nostro regio facere tenebamur: Et quia sanctissime Pater jam nuperrimè per dilectum Clericum nostrum Magistrum *Thomam de Suerthia* Canonicum *London*, (cui voluntatem vestram nobis referendam ut asserit, injunxistis) accepimus, quod captio hujusmodi vestræ fuit contraria voluntati, utpote Canonicis sanctionibus inimica. Nos Pater beatissime, licet dicta temporalia jure speciali dictæ Coronæ nostræ annexo, ipsa suspensione durante in manu nostra tenere, ipsorumque proventus possemus nostris usibus applicare, ob specialem tamen affectionem quam erga personam vestræ beatitudinis gerimus, et semper fidente Deo quantum in nobis est gerere cupimus in futuro, volumus et concedimus, quod fructus et proventus dictorum temporalium sic in manu nostra existentium vestri fiant, et illi seu illis quos ad hoc mittendo. duxeritis integraliter liberenter. Spondemus etenim custodi eorundum temporalium per nos deputato, quod ipsi per vos sic mittendo. de ipsis fructibus et proventibus per rationabilem compotum sit respondens: De votiva autem responsione, &c. Conservet, &c. in longeva, &c. Dat. apud *Brudele in Marchia Scotiæ* 7. die *Septembris*. Anno, &c. 34.

Nota.

The King before this Letter and Grant to the Pope, having conferred the Church of *Reycolure* upon his Physitian after the Archbishops suspension, fearing that the Pope would eject him, writ this Letter to him, for his approbation and confirmation therein, and that he might hold his other former Benefice together with it, since his health and life did next under God principally depend upon him; and withal granted him this new authority to present to all benefices belonging to the Archbishoprick which should from thenceforth become void.

Rot. Romæ, Anno 34 E 1. m. 4. in 8.

SAnctissimo in Christo Patri Domino *C.* Divina providentia Sacrosanctæ *Romanæ* ac universalis Ecclesiæ Summo Pontifici, suus devotus filius *Edwardus* eadem gracia Rex *Angl.* &c. devota pedum oscula beatorum. Pater sanctissime, status nostri negociorumque nostrorum certitudinem beatitudini vestræ referre norunt vivæ vocis oraculo Valetti vestri & nostri præsencium portitores. Quoad temporalia vero Archiepiscopatus *Cantuar.* Sanctitati vestræ per dilectum Clericum nostrum Magistrum *Thomam de Suthwerke*, ac per nostras literas jampridem meminimus nos scripsisse, quod licet de jure Coronæ nostræ fructus temporalitatis Archiepiscopatus prædicti durante suspensione Archiepiscopi illius loci capere, et ad opus nostrum retinere possemus, sicut datum est nobis intelligi per discretos viros de nostro consilio legum et consuetudinum regni nostri habentes noticiam pleniorem. Nos tamen ob specialem affectionem quam erga sanctissimam personam vestram optinemus, concessimus et concedimus, quod Custos dictorum temporalium per nos deputatus, de fructibus et proventibus dictorum temporalium durante suspensione prædicta, illi quem ad recipiendum fructus et proventus hujusmodi duxeritis assignandum plenarie sit respondens. Et præter hæc Pater sancte, volumus et concedimus, quod de beneficiis ecclesiasticis pertinentibus ad collacionem Archiepiscopi memorati ordinare pro vestræ Sanctitatis arbitrio valeatis, dictæ suspensionis tempore perdurante. Verum quia postquam temporalia prædicta capi fecimus in manum nostram, ac diu ante confectionem præsencium, dilectum Clericum nostrum Magistrum *Nicholaum de Tyngewyk* medico nostro (cui post Deum grates referimus de vita & reconvalescentia nostra de infirmitate qua jam per aliqua tempora eramus fatigati) præsentabimus ad Ecclesiam de *Recolure* quæ vacabit post captionem suprædictam, Paternitati vestræ devota precum instancia supplicamus, quatinus eidem Clerico nostro gratiam velitis facere specialem, et taliter circa statum suum paternæ provisionis munificencia ordinare, quod idem Magister *Nicholaus* dictam Ecclesiam de *Recolure*, una cum Ecclesia de *Colesfeuile Sarum* Dioc. quam adeptus fuit ante præsentacionem sibi factam de Ecclesia de *Recolure* antedicta, ipsamque tenet in præsenti, retinere

retinere baleat et habere. Hanc autem requiſicionem noſtram quam veſtræ clemenciæ ex intimo cordis affectu facimus in hac parte, favorabiliter exaudire dignemini, gracioſiſque affectibus adimplere, ſicut vitam noſtram diligitis, noſtrique corporis ſoſpitatem. Præſertim cum eundem *Nicholaum*, periciorem et aptiorem de regno noſtro pro cura et cuſtodia ſtatus et ſanitatis noſtræ noſtro judicio reputemus, eique ex toto curam corporis noſtri commiſerimus, ob grandem fiduciam quam de ipſius pericia optinemus. Conſervet vos, &c. Dat. apud *Hantwyſell* 11 die *Septembris*. Anno regni noſtri 34. *An.* 33 *E.* 3.

I finde that the King had formerly granted this Benefice to *Simon de Faveresham* who had quitted the *Archdeaconry* of *Canterbury* (whereof he was in poſſeſſion by the Kings preſentation) at his requeſt to *Lebreto* an *Italian* recommended to it by the Pope, who yet was diſturbed and cited before the Pope by another who pretended a proviſion to *Raicolure* from this Pope, in whoſe behalf the King ſent this Epiſtle to him.

SAnctiſſimo in Chriſto Patri Domino *C.* divina providencia Sacroſanctæ *Romanæ* ac Univerſalis Eccleſiæ Summo Pontifici, *Edwardus* eadem gratia Rex *Angl.* &c. devota pedum oſcula beatorum. Vir magnificæ probitatis Magiſter *Simon de Faveresham* Doctor in Theologica facultate, aſſiduè ſtudns virtutum invigilans, eminencia ſcienciæ literalis, morum gravitate & vitæ mundicia aliorumque laudabilium ſuffragio meritorum, adeo dicitur inſigniri, quod apud clemenciam veſtram judicio noſtro meretur favoris plenitudinem invenire. Cum itaque dictus Magiſter *Simon* veſtris volens devote in omnibus obtemperare mandatis, Archidiaconatum *Cantuarienſem* quem nuper fuerat aſſecutus, et aliquandiu ipſius pacifica poſſeſſione gabiſus, prætextu collacionis Nato dilecti et fidelis noſtri *Amaneni de Lebreto*, de Archidiaconatu prædicto per vos factæ abſque difficultate dimiſerit, ſubſequenterq; Eccleſiam de *Raicolure* Dioc. *Cantuar.* adeptus, occaſione cujuſdam proviſionis quæ pro quodam Clerico, longe utique ab ipſius *Simonis* meritis et bonitate diſtante, auctoritate veſtra in dicta Dioc. dicitur emanaſſe, ſuper eadem Eccleſia inquietari timeat et berari; Sanctitati veſtræ precibus ſupplicamus, quatinus his quæ præmiſimus, et aliis eciam quæ de tam probo et famoſo Clerico prædicantur clementi meditacione penſatis, ſic eum habere dignemini in hiis quæ ſtatum contingunt ipſius, gratioſis affectibus commendatum, ac Apoſtolici favoris gracia proſequi ſpeciali, ut in effectu percipiat quod ſuggeſſerit noſtræ mentis affectus. Conſervet vos altiſſimus ad regimen Eccleſiæ ſuæ ſanctæ per tempora proſpera & longæva. Dat. apud *Wolveſeye* 12. die *April*. Cl. 34 E 1. m. 16. Pro Magiſtro Simone de Faveresham.

After which it ſeems he quitting his preſentation to *Raicolure*, the King preſented his Phyſician to it notwithſtanding the Popes *proviſion*, which he would not admit of, and the Pope notwithſtanding his premiſed Letters refuſed to recall.

The King having now cruſhed the Earls and Barons who had formerly oppoſed and conſpired againſt him, with this Archbiſhop, the Captain, chief author, and encourager of their conſpiracy, * *Quia hujus inteſtina ſeditionis cauſam*, juramentum regni ſui Principibus de obſervandis eorum privilegiis et immunitatibus a ſe præſtitum eſſe ſenſerat, ejus religione amplius non teneri, ſed Papali authoritate ſolvi voluit: obtinuitque Rex a Domino Papa abſolutionem a juramento quod invitus præſtiterat ſuper obſervantia libertatum alias a Comitibus et Baronibus eractarum; uſus conſuetudine et cautela paterna, (*ſcilicet avi & patris ſui Regis* Johannis & Henrici 3.) qui quoties inſtabat neceſſitas de facili jurare voluit, ſe ſatisfacturum votis eorum, et eadem facilitate voluit reſilire quoties ſibi tempus commodius arrideret, prætendens ſemper Papalem abſolutionem a præſtito juramento: *Quæ Regum tam ſupina cæcitas*, Papalis juriſdictio ad eam magnitudinem erebit, ut, *Reges plus quam* Egyptiaca *obſcuritate involuti*, Papæ tantum authoritatis deferentes, quæcunque dei ſtrmiſſima ac ſanctiſſima jura atque fœdera ea diſſolvi poſſe, ſæpe ad ſuam et regnorum perniciem credebant. † *In hebdomada* Paſchæ, facit Rex publicari Bullam Apoſtolicam ſuper abſolutione juramenti præſtiti ſuper deaſſocſtationis ſumptibem facta et ſervanda, excommuni- * Mat. Parker, Antiq. Eccleſ. Brit. p. 216. Tho. Walſingham, Hiſt. Angl. p. 63. & Ypodigma, p. 97.

† Mat. Weſt. p. 457.

An. 33 E. 1. cando juſjurandum illud ſervare volentes, damnantes vero illud approbat et abſolvit. What could be more *atheiſtical, antichriſtian, diabolical, ſcandalous, deſtructive to Chriſtian Religion, publike faith, honeſty, juſtice,* and *humane ſociety*, then for this and other Popes by their impious Bulls to canonize profeſſed *perjury*, and *breach of ſolemn Oathes* for a Chriſtian virtue, and damn the obſervation of them for a moſt deteſtable *crime*? yea to excommunicate all thoſe as unworthy the priviledge, name, or ſociety of Chriſtians, who made a conſcience to obſerve their ſolemn ſacred Oathes; & yet to approve, abſolve all thoſe as moſt innocent and meritorious Chriſtians, who perfidiouſly and willfully violated them? * *This letting looſe the Lion, and untying the King from the Covenant made with his Subjects concerning their Charters confirmed to them by his three laſt Acts of Parliament, by abſolving him from his Oath*, was an Act of little Piety in the Pope, and of as little conſcience in the King; who (as if he now ſhould have no more need of his Subjects) diſcovered with what ſincerity he did it: is *Samuel Daniels* juſt cenſure of, and obſervation thereon. Which unworthy Act God himſelf immediately after exemplarily retaliated, by the *Scots* violation of their Oathes, Covenants, and new Ordinance moſt ſolemnly made and ſworn by them to King *Edward* in Parliament without any Papal abſolution, and raiſing new rebellions and wars againſt him, when he was moſt ſecure, to his unparallelled vexation.

* Danie's Hiſtory, p. 200.

* See here, p. 1077.

This year Pope **Clement* following the rapines of his avaritious predeceſſors, ſent *William Teſta* (a foreign Archdeacon) into *England* as his Nuncio, to collect all the *Diſmes*, *Peter-pence*, and other duties belonging to the Church of *Rome* and See Apoſtolick, with the arrears of the *Diſmes* belonging to Pope *Boniface* the 8. in *England*, *Scotland*, *Wales* & *Ireland*, the goods of a Cardinal & others dying inteſtate, and all indiſtinct Legacies, gifts, compoſitions, penalties, redemption of vowes formerly made, or impoſed, for the relief of the *Holy Land*, (only in pretext, but in truth for the Popes, *Roman* Churches, and the Kings uſe, who ſhared this prey between them) deſiring his favourable protection and aſſiſtance therein by this Bull, which I found in the *White Tower* (the beginning wherof being defaced in ſome words I have conjecturally ſupplied in a Parentheſis.)

Anno 33 E 1. in Turri Londou.

Clemens Epiſcopus, Servus ſervorum Dei, Chariſſimo in Chriſto filio *Edwardo* Regi *Angliæ* Illuſtri ſalutem, & Apoſtolicam benedictionem. Illam (confidentiam de tua Excellentia ſuſcepimus) quod preces noſtras promptо affectu ſuſcipias, et effectu benivolo ſtudeas adimplere. Hinc (eſt quod ex Serenitatis Regiæ tuæ prompta) Eccleſiæ *Romanæ* devotione, dilectum filium *Gulielmum Teſta* Archidiaconum *Aranen.* Eccleſiæ (de circumſpectione) ipſius fidelitate et legalitate confiſi, Collectorem et Exactorem Decimarum et Denarii (S. *Petri*, quæ in) partibus *Angliæ*, *Scotiæ*, *Walliæ* & *Hiberniæ* Eccleſiæ prædictæ debentur, necnon reſidui procurationum et (arreragiorum) dictæ ſedis quæ adhuc reſtant perſolvend. quæque juxta quandam Ordinationem ſalicis recordationis *Bonifacii* Papæ 8. prædeceſſoris noſtri, ad dictam Eccleſiam pertinent, ac bonorum bonæ memoriæ *Giffredi* Epiſcopi *Parmæ*, necnon Nuncii dictæ ſedis in illis partibus, qui apud ſedem eandem inteſtatus deceſſit, (the Pope then claiming inteſtate Cardinals and Biſhops goods within his Territories to himſelf) et indiſtincte Legatorum, necnon pecuniariarum pœnarum quæ frequenter (ſicut accepimus) in eiſdem partibus præmittuntur in diverſis contractibus pro *Terra Sancta* (auxilio) et etiam committuntur, et generaliter omnium quæ ex teſtamento, ex votis ſeu votorum redemptionibus tam Cruceſignatorum quam aliorum quomodocunque, dictæ *Terræ* ſubſidio, aut alias ipſi Eccleſiæ in eiſdem partibus quocunque ratione vel cauſa quomodolibet debentur per noſtras ſub dicta forma Literas duximus deputandum: Et ad ea fabor Regius eſſe noſtis plurimum opportunius. Serenitatem *Regiam rogamus et hortamur attente, quatinus eundem Collectorem, pro noſtra et Apoſtolicæ ſedis reverentia habere velis propenſius commendatum. Ita quod idem Collector hujuſmodi officium per nos ei commiſſum, Regalis Excellentiæ favore ſuffragante facilius et liberius exequi valeat, et nos Magnificentiam Regiam exinde dignis in Domino laudibus commendare poſſimus. Dat. *Nuvarii* 10 Kal. *Aprilis*, Pontificatus noſtri, Anno primo.

* itaque

To

To the Tranſcript of this Bull, this enſuing Cedule was annexed, (ſome words whereof in the beginning of ſeveral lines being torn and defaced, are ſupplied in a parentheſis) conteining ſome requeſts of this *William Teſta* made to the King, for the ſpeedy clearing of all doubts and queſtions that might ariſe between the King and him in the Execution of the Popes Commiſſion, in ſuch points as might intrench upon the Kings Crown and Dignity, (as ſome of them did) and the more effectual collection of ſuch arrears, and ſummes of money belonging to the Pope and *Roman* See, by the Kings favour and aſſiſtance, as no wayes intrenched upon his Crown or prerogative. *An.* 33 *E.* 1.

(REgia *Excellentia ſupplicat* Gulielmus Teſta *Archidiaconus* Arraven. *Domini Papæ Capellanus*) *& in partibus* Anglicanis *Nuncius, quatinus juxta* (*tenorem Literarum Regiæ*) *Majeſtati directarum in negociis* ab Apoſtolica ſede ſibi Commiſſis eidem Nuntio (in collectionibus pecuniarum) et aliis Romanæ Eccleſiæ negociis ſibi commiſſis, et etiam committend. ſibi et ſuis (de gratia ſua ſpeciali conſilium, auxilium) et favorem impendat, *& nullas injurias ſeu moleſtias aut impedimenta* (*inferat vel inferri permittat*) quominus ipſa, ſine præjudicio Regis poſſit executioni mandare. Anno 34 E 1. in Turri London.

Item, (*Quod Dominus Rex in omnibus*) *negotiis dicto Nuncio commiſſis eidem Nuncio* declaret et exprimat, ſi qua ſibi vel Colonæ ſuæ præjudicialia inveniantur, ut ſuper illis ſuperſedere valeat, et ſuper aliis commiſſa ſibi negotia exercere, juxta Regiæ Majeſtatis benevolentiam et favorem.

Item, Cum propter multa Nuncio prædicto commiſſa, ſeu etiam a ſede Apoſtolica committenda, aliqua forſitan dubia poſſent emergere, pro (quorum declaratione) idem Nuncius ſuper puncto quolibet Regiam Majeſtatem perſonaliter adire non poſſit, nec etiam pluries velit inquietare dictam Regiam Majeſtatem; *Placeat ſibi aliquibus viris Eccleſiaſticis declarationem dubiorum committere prædictorum, ut ad ipſos quocies opus fuerit poſſit habere recurſum*, et quod Literas Apoſtolicas ſibi directas ac etiam dirigendas publicare valeat locis et temporibus opportunis, et libere uti eiſdem ſine præjudicio Colonæ prædictæ.

Item, Quod quoſcunque debitores tam Romanæ Eccleſiæ quam Terræ Sanctæ ad ſolvend. ea quæ debent poſſit compellere per auxilium brachii ſecularis, ſi per cenſuram Eccleſiaſticam coherceri non poſſent.

Item, *Quod ad Informationem dicti Nuncii, omnia Regiſtra, Rotuli, & quæcunque alia informationes ſuum officium contingentia ſibi deliberentur, & (arreragia Decimæ & pecuniæ* Terræ Sanctæ, *quæ per Collectores*) *Domini Regis recepta fuerint, ſeu etiam conſignata tempore* Gerardi de Pocorarii *prædeceſſoris ejuſdem, ſi aliter non poſſit exequi officium ſupradictum.*

How extravagantly and oppreſſively this Papal Collector demeaned himſelf in the execution of this Bull to the prejudice of the Kingdom, Church, People, and what ſad petitions, complaints were made againſt him to the King and Parliament, and what oppoſitions, Lawes they thereupon made againſt them, and the like Papal exactions in future ages, I ſhall fully relate in its proper * time and place. * *An.* 35 E 1.

The Maſters and Scholars of the Univerſity of *Cambridge* being beaten and aſſaulted in their Lodgings by the Townſmen and others this year; the King (out of his care of learning, and Gods worſhip) iſſued this Commiſſion to examine the Treſpaſs, and certify him the truth thereof.

REX dilectis & fidelibus ſuis *Rogero de Hegham & Roberto de Baiocis*, ſalutem. Quia ex gravi querela Magiſtrorum et Scolarium Univerſitatis *Cantebr.* accepimus, quod quidam malefactores et pacis noſtræ perturbatores dictam Univerſitatem impugnare, et effectum diſciplinæ ſcolarizancium ibidem perturbare machinantes, oſtia quorundam hoſpiciorum eorundem Magiſtrorum et Scolarium in villa prædicta vi et armis fregerunt, et in Magiſtros et Scolares in eiſdem hoſpiciis inhabitos inſultum fecerunt, et ipſos verberaverunt, vulneraverunt, et male tractaverunt, et alia enormia eis intulerunt, in ipſorum Scolarium et Magiſtrorum dampnum non modicum, et ſtudii ſui, per quod cultus divinus in regno noſtro augmentari Par. 33 E 1. pars 1. m. 17. Pro Magiſtris & Scolaribus Cantebr.

An. 33 E. 1. canda juſjurandum illud ſervare volentes, dampnantes vero illud approbat et abſolvit. What could be more *atheiſtical*, *antichriſtian*, *diabolical*, *ſcandalous*, *deſtructive to Chriſtian Religion*, *publike faith*, *honeſty*, *juſtice*, and *humane ſociety*, then for this and other Popes by their impious Bulls to canonize profeſſed *perjury*, and *breach of ſolemn Oathes* for a Chriſtian virtue, and damn the obſervation of them for a moſt deteſtable *crime*? yea to excommunicate all thoſe as unworthy the priviledge, name, or ſociety of Chriſtians, who made a conſcience to obſerve their ſolemn ſacred Oathes; & yet to approve, abſolve all thoſe as moſt innocent and meritorious Chriſtians, who perfidiouſly and willfully violated them? * *This letting looſe the Lion, and untying the King from the Covenant made with his Subjects concerning their Charters confirmed to them by his three laſt Acts of Parliament, by abſolving him from his Oath*, was an Act of little Piety in the Pope, and of as little conſcience in the King; who (as if he now ſhould have no more need of his Subjects) diſcovered with what ſincerity he did it: is *Samuel Daniels* juſt cenſure of, and obſervation thereon. Which unworthy Act God himſelf immediately after exemplarily retaliated, by the *Scots* violation of their Oathes, Covenants, and new Ordinance moſt ſolemnly made and ſworn by them to King *Edward* in Parliament without any Papal abſolution, and raiſing new rebellions and wars againſt him, when he was moſt ſecure, to his unparallelled vexation.

* Daniel's History, p. 200.

* See here, p. 1077.

This year Pope **Clement* following the rapines of his avaritious predeceſſors, ſent *William Teſta* (a foreign Archdeacon) into *England* as his Nuncio, to collect all the *Diſmes*, *Peter-pence*, and other duties belonging to the Church of *Rome* and See Apoſtolick, with the arrears of the *Diſmes* belonging to Pope *Boniface* the 8. in *England*, *Scotland*, *Wales* & *Ireland*, the goods of a Cardinal & others dying inteſtate, and all indiſtinct Legacies, gifts, compoſitions, penalties, redemption of vowes formerly made, or impoſed, for the relief of the *Holy Land*, (only in pretext, but in truth for the Popes, *Roman* Churches, and the Kings uſe, who ſhared this prey between them) deſiring his favourable protection and aſſiſtance therein by this Bull, which I found in the *White Tower* (the beginning wherof being defaced in ſome words I have conjecturally ſupplied in a Parentheſis.)

Anno 33 E 1. in Turri Londoa.

CLemens Epiſcopus, Servus ſervorum Dei, Chariſſimo in Chriſto filio *Edwardo* Regi *Angliæ* Illuſtri ſalutem, & Apoſtolicam benedictionem. Illam (confidentiam de tua Excellentia ſuſcepimus) quod preces noſtras prompto affectu ſuſcipias, et effectu benivolo ſtudeas adimplere. Hinc (eſt quod ex Serenitatis Regiæ tuæ prompta) Eccleſiæ *Romanæ* devotione, dilectum filium *Gulielmum Teſta* Archidiaconum *Aranen.* Eccleſiæ (de circumſpectione) ipſius fidelitate et legalitate confiſi, Collectorem et Exactorem Decimarum et Denarii (S. *Petri*, quæ in) partibus *Angliæ*, *Scotiæ*, *Walliæ* & *Hiberniæ* Eccleſiæ prædictæ debentur, necnon reſidui procurationum et (arreragiorum) dictæ Sedis quæ adhuc reſtant perſolvend. quæque juxta quandam Ordinationem ſælicis recordationis *Bonifacii* Papæ 8. prædeceſſoris noſtri, ad dictam Eccleſiam pertinent, ac bonorum bonæ memoriæ *Giffredi* Epiſcopi *Parma*, necnon Nuncii dictæ Sedis in illis partibus, qui apud Sedem eandem inteſtatus deceſſit, (the Pope then claiming inteſtate Cardinals and Biſhops goods within his Territories to himſelf) et indiſtincte Legatorum, necnon pecuniariarum pœnarum quæ frequenter (ſicut accepimus) in eiſdem partibus promittuntur in diverſis contractibus pro *Terra Sancta* (auxilio) et etiam committuntur, et generaliter omnium quæ ex teſtamento, ex votis ſeu votorum redemptionibus tam Cruceſignatorum quam aliorum quomodocunque, dictæ *Terræ* ſubſidio, aut aliàs ipſi Eccleſiæ in eiſdem partibus quacunque ratione vel cauſa quomodolibet debentur per noſtras ſub dicta forma Literas duximus deputandum: Et ad ea fabor Regius eſſe noſtis plurimum oportunius. Serenitatem *Regiam rogamus et hortamur attente, quatinus eundem Collectorem, pro noſtra et Apoſtolicæ Sedis reverentia habere velis propenſius commendatum. Ita quod idem Collector hujuſmodi officium per nos ei commiſſum, Regalis Excellentiæ favore ſuffragante facilius et liberius exequi valeat, et nos Magnificentiam Regiam exinde dignis in Domino laudibus commendare poſſumus. Dat. *Naverii* 10 Kal. *Aprilis*, Pontificatus noſtri, Anno primo.

* itaque

To

To the Tranſcript of this Bull, this enſuing Cedule was annexed, (ſome words whereof in the beginning of ſeveral lines being torn and defaced, are ſupplied in a parentheſis) conteining ſome requeſts of this *William Teſta* made to the King, for the ſpeedy clearing of all doubts and queſtions that might ariſe between the King and him in the Execution of the Popes Commiſſion, in ſuch points as might intrench upon the Kings Crown and Dignity, (as ſome of them did) and the more effectual collection of ſuch arrears, and ſummes of money belonging to the Pope and *Roman* See, by the Kings favour and aſſiſtance, as no wayes intrenched upon his Crown or prerogative. *An.* 33 *E.* 1.

(R*Egiæ Excellentiæ ſupplicat* Gulielmus Teſta *Archidiaconus* Arraven. *Domini Papæ Capellanus*) *& in partibus* Anglicanis *Nuncius, quatinus juxta* (*tenorem Literarum Regiæ*) *Majeſtati directarum in negociis* ab Apoſtolica ſede ſibi Commiſſis eidem Nuntio (in collectionibus pecuniarum) et aliis Romanæ Eccleſiæ negociis ſibi commiſſis, et etiam committend. ſibi et ſuis (de gratia ſua ſpeciali conſilium, auxilium) et favorem impendat, *& nullas injurias ſeu moleſtias aut impedimenta* (*inferat vel inferri permittat*) quominus ipſa, ſine præjudicio Regis poſſit executioni mandare. Anno 34 E 1. in Turri London.

Item, (*Quod Dominus Rex in omnibus*) *negotiis dicto Nuncio commiſſis eidem Nuncio* declaret et exprimat, ſi qua ſibi vel Coronæ ſuæ præjudicialia inveniantur, ut ſuper illis ſuperſedere valeat, et ſuper aliis commiſſa ſibi negotia exercere, juxta Regiæ Majeſtatis benevolentiam et favorem.

Item, Cum propter multa Nuncio prædicto commiſſa, ſeu etiam a ſede Apoſtolica committenda, aliqua forſitan dubia poſſent emergere, pro (quorum declaratione) idem Nuncius ſuper puncto quolibet Regiam Majeſtatem perſonaliter adire non poſſit, nec etiam pluries velit inquietare dictam Regiam Majeſtatem; *Placeat ſibi aliquibus viris Eccleſiaſticis declarationem dubiorum committere prædictorum, ut ad ipſos quociens opus fuerit poſſit habere recurſum*, et quod Literas Apoſtolicas ſibi directas ac etiam dirigendas publicare valeat locis et temporibus opportunis, et libere uti eiſdem ſine præjudicio Coronæ prædictæ.

Item, Quod quoſcunque debitores tam Romanæ Eccleſiæ quam Terræ Sanctæ ad ſolvend. ea quæ debent poſſit compellere per auxilium brachii ſecularis, ſi per cenſuram Eccleſiaſticam coherceri non poſſent.

Item, *Quod ad Informationem dicti Nuncii, omnia Regiſtra, Rotuli, & quæcunque aliæ informationes ſuum officium contingentia ſibi deliberentur, & (arreragia Decimæ & pecuniæ* Terræ Sanctæ, *quæ per Collectores*) *Domini Regis recepta fuerint, ſeu etiam conſignata tempore* Gerardi de Pocorarii *prædeceſſoris ejuſdem, ſi aliter non poſſit exequi officium ſupradictum.*

How extravagantly and oppreſſively this Papal Collector demeaned himſelf in the execution of this Bull to the prejudice of the Kingdom, Church, People, and what ſad petitions, complaints were made againſt him to the King and Parliament, and what oppoſitions, Lawes they thereupon made againſt them, and the like Papal exactions in future ages, I ſhall fully relate in its proper * time and place. * *An.* 35 E 1.

The Maſters and Scholars of the Univerſity of *Cambridge* being beaten and aſſaulted in their Lodgings by the Townſmen and others this year; the King (out of his care of learning, and Gods worſhip) iſſued this Commiſſion to examine the Treſpaſs, and certify him the truth thereof.

REX dilectis & fidelibus ſuis *Rogero de Heghham & Roberto de Baiocis*, ſalutem. Quia ex gravi querela Magiſtrorum et Scolarium Univerſitatis *Cantebr.* accepimus, quod quidam malefactores et pacis noſtræ perturbatores dictam Univerſitatem impugnare, et effectum diſciplinæ ſcolarizancium ibidem perturbare machinantes, oſtia quorundam hoſpiciorum eorundem Magiſtrorum et Scolarium in villa prædicta vi et armis fregerunt, et in Magiſtros et Scolares in eiſdem hoſpiciis inventos inſultum fecerunt, et ipſos verberaverunt, vulneraverunt, et male tractaverunt, et alia enormia eis intulerunt, in ipſorum Scolarium et Magiſtrorum dampnum non modicum, et ſtudii ſui, per quod cultus divinus in regno noſtro augmentari Par. 33 E 1. pars 1. m. 17. Pro Magiſtris & Scolaribus Cantebr.

augmentari poſſet, retardacionem manifeſtam, et contra pacem noſtram; aſſignavimus vos ad inquirendum per Sacramentum proborum, &c. de Comitatu *Cantebr.* per quos, &c. de nominibus prædictorum malefactorum, & ſuper tranſgreſſione prædicta plenius veritatem. Et ideo vobis mandamus, quod ad certos, &c. quos, &c. inquiſicionem inde faciatis, & eam diſtinctè & apertè factam nobis ſub ſigillis veſtris & ſigillis eorum per quos facta fuerit ſine dilacione mittatis & hoc breve. Mandavimus enim Vicecomiti noſtro Com. prædicti, quod ad certos, &c. venire faciat coram vobis tot & tales probos, &c. de Balliva ſua, per quos, &c. In cujus, &c. Teſte Rege apud *Weſtm.* 7 die *Marcii.*

Per Petitionem de Conſilio.

Within few dayes after, upon the Univerſities Petition, he granted them liberty during his royal pleaſure, to hold plea of perſonal actions between Scholars and Townſmen before their *Chancellor*, notwithſtanding any Writ of Prohibition.

Pat. 33 E 1. m. 26. Pro Scolaribus Univerſitatis Cantebrig.

REX omnibus ad quos, &c. ſalutem. Sciatis, quod de gratia noſtra ſpeciali conceſſimus Scholaribus Univerſitatis *Cantebr.* quod de omnibus actionibus perſonalibus poſſint conbenire Burgenſes et alios Laicos Municipii noſtri *Cantebr.* coram Cancellario ejuſdem Univerſitatis, et quod per prohibicionem noſtram ſuper hoc nequaquam impediantur. In cujus, &c. Pro noſtræ libito voluntatis duraturas. Teſte Rege apud *Weſtm.* 12 die *Marcii.*

* See here, p. 1064.

Per Petitionem de Conſilio, & per idem Conſ. congregatum.*

The King likewiſe for the tranquility and quiet of the Scholars and Students of this Univerſity, confirmed the Charter of King *Henry* the 3d. his father, that no Tourneys, Juſts or Tiltings ſhould be uſed in *Cambridge*, nor within 5. miles thereof under ſevere penalties.

Pat. 33 E 1. pars 2. m. 4. Pro Magiſtris & Scolaribus Univerſitatis Cantebr.

REX Vic. *Cantebr.* qui pro tempore fuerit, ſalutem. Cum celebris memoriæ Dominus *H.* quondam Rex *Anglia*, pater noſter, per cartam ſuam quam confirmavimus, conceſſerit Magiſtris et Scolaribus Univerſitatis *Cantebr.* Quod Torneamenta aliqua, aventuræ, juſtæ, ſeu hujuſmodi haſtiludia non fierent in villa *Cantebr.* ſeu per quinque miliaria circumquaque torneare, juſtas facere ſeu aventuras, vel alia haſtiludia quærere ſeu exercere præſumerent: Nos tranquillitatem ibidem ſtudencium affectantes, et conceſſionem et inhibitionem prædictas inviolabiliter obſerbari volentes; Tibi præcipimus, quod quociens Torneamenta aliqua, aventuras, juſtas, ſeu hujuſmodi haſtiludia in eadem villa, ſeu alibi infra prædicta quinque miliaria circumquaque proclamari contigerit, ad requiſitionem Magiſtrorum et Scolarium ejuſdem Univerſitatis, Ne quis Torneamenta aliqua, juſtas, aventuras, ſeu haſtiludia aliqua ibidem, ſeu infra prædicta quinque miliaria exercere præſumat ex parte noſtra publice proclamari facias, et firmiter inhiberi. In cujus, &c. Teſte Rege apud *Weſtm.* 7 die *Novembris.*

He likewiſe iſſued this Writ to the Sheriff of *Cambridge*, for the apprehending of *Thomas Pecche*, and others, for preſuming to proclaim a Juſts there, in contempt of his former Writ.

Clauſ. 33 E 1. m. 3. Pro Thoma Pecche, & al. attachiand.

REX Vic. *Cantebr.* ſalutem. Cum celebris memoriæ Dominus *H.* quondam Rex *Angl.* pater noſter, per cartam ſuam quam confirmavimus conceſſerit Magiſtris & Scolaribus Univerſitatis *Cantebr.* Quod torneamenta aliqua, aventuræ, juſtæ, ſeu hujuſmodi haſtiludia non fierent in villa prædicta, ſeu per quinque miliaria circumquaque, et ſub grabi forisfactura inhibuerit, ne quis de regno *Anglia* apud Villam prædictam ſeu alibi infra prædicta quinque miliaria circumquaque torneare, juſtas facere ſeu aventuras, ſeu alia haſtiludia quærere præſumeret contra conceſſionem prædictam: Ac licet Major Villæ prædictæ, *Thoma Pecche, Rogero Tamery, Nicholao Bath, Roberto Honel, Philippo Colevill, Warino de Baſſingburn, Johanni de Exning, Waltero de Orewell, Johanni de Hunton, Henr. Chaumberleyg de Beks*, & aliis qui nuper juſtas in dicta villa proclamari fecerint, infra eandem villam inhibuerit ex parte noſtra, ne juſtas aliquas contra tenorem Cartæ et confirmationis noſtræ prædicta-

pꝛædictarum facere pꝛæſumerent quobiſmodo, iidem nichilominus *Thomas, Rogerus, Nicholaus, Robertus, Philippus, Warinus, Johannes, Johannes, Walterus, Johannes & Henricus* pꝛohibicione huiuſmodi non obſtante, juſtas pꝛope Villam pꝛædictam facere pꝛæſumpſerunt, in noſtri contemptum, et quietis ac tranquillitatis Magiſtrorum et Scolarium pꝛædictoꝝm pertuꝛbacionem manifeſtam. Et quia huiuſmodi tranſgreſſionem et contemptum relinquere nolumus impunitos; tibi pꝛæcipimus firmiter injungentes, quod pꝛædictos *Thomam, Rogerum, Nicholaum, Robertum, Philippum, Warinum, Johannem, Walterum, Johannem & Henricum*, ubicumque eos infra ballivam tuam contigerit inveniri, per coꝛpoꝛa ſua ſine dilacione attach. et in pꝛiſona noſtra, ſalvo cuſtodias, donec aliud inde a nobis per literam ſub pꝛivato ſigillo noſtro receperis in mandatis. Et ſi fortè aliqui ipſorum in Balliva tua non poterint inveniri, tunc nobis de nominibus eorundem & de locis in quibus fuerint converſantes conſtare facias indilatè. Teſte Rege apud *Weſtmonaſterium*, ſeptimo die *Novembris*. *Per ipſum Regem.* *An.* 33 *E.* 1.

He likewiſe gave his royal aſſent for ſetling ſeveral ſhops and an houſe in *Oxford* upon *Bayliol* Colledge, demiſed to them by *William Burnell*, for the better maintenance of Scholars and learning therein.

REX Omnibus ad quos, &c. ſalutem. Quia accepimus per Inquiſicionem quam per Vic. noſtrum *Oxon.* fieri fecimus, quod non eſt ad dampnum vel pꝛæjudicium noſtrum, aut aliorum, ſi concedamus *Hugoni de Scales, Galfrido de Heghham*, & *Johanni de Borham*, executoribus Teſtamenti Magiſtri *Willielmi Burnel* quondam Pꝛæpoſiti *Wellenſis*, quod ipſi novem ſhopas cum pertin. in *Oxon.* quæ de nobis tenentur, et unum meſſuagium cum pertin. in eadem villa quæ idem *Willielmus* in teſtamento ſuo eiſdem executoribus legavit, ad executionem Teſtamenti ſui inde faciendam, dare poſſint & aſſignare dilectis nobis in Chriſto Magiſtro Domus Scolarium de *Baliolo Oxon.* & Scolaribus ejuſdem Domus, Habend. & tenend. eiſdem Magiſtro & Scolaribus, et ſucceſſoribus ſuis Magiſtris & Scolaribus ejuſdem Domus de nobis & hæredibus noſtris, & aliis Capitalibus Dominis feodi illius per ſervicia inde debita & conſueta imperpetuum. Nos per finem quem pꝛædictus Magiſter fecit nobiſcum in Cancellaria noſtra, conceſſimus & licentiam dedimus pro nobis & hæredibus noſtris, quantum in nobis eſt, pꝛæfatis executoribus, quod ipſi ſhopas & meſſuagium pꝛædict. cum pertin. dare poſſint & aſſignare pꝛædictis Magiſtro & Scolaribus, Habend. & tenend. ſibi & ſucceſſoribus ſuis Magiſtris & Scolaribus ejuſdem Domus de nobis & hæredibus noſtris, & aliis Capitalibus Dominis feodi illius per ſervicia inde debita & conſueta, imperpetuum, & eiſdem Magiſtro & Scholaribus quod ipſi ſhopas & meſſuagium pꝛædicta cum pertin. à pꝛæfatis executoribus recipere poſſint. Habend. & tenend. ſibi & ſucceſſoribus ſuis pꝛædictis, ſicut pꝛædictum eſt, tenore pꝛæſencium ſimiliter licentiam dedimus ſpecialem, Statuto noſtro de terris & tenement: ad manum mortuam non ponendis edito non-obſtante; Nolentes quod iidem Executores, aut pꝛædicti Magiſtri, & Scholates ſeu ſucceſſores ſui ratione pꝛæmiſſorum per nos vel hær. noſtros, Juſticiarios, Eſcaetores, Vicecomites, Ballivos, aut alios Miniſtros noſtros quoſcunque occaſionentur, moleſtentur in aliquo ſeu graventur. In cujus, &c. Teſte Rege apud *Swaton*, ſextodecimo die *Januarii*, & dupp. Pat. 33 E 1. m. 1. intus. Pro Magiſtro & Scolaribus Domus de Balliolo in Oxon.

REX Majori & Ballivis *Oxon.* ſalutem. Cum per literas noſtras Patentes conceſſerimus, & licenciam dederimus dilectis nobis in Chriſto Magiſtro Domus Scolarium de *Baliolo Oxon.* & Scolaribus ejuſdem Domus, quod ipſi unum meſſuagium & novem ſhopas cum pertin. in *Oxon.* quæ Magiſter *Willielmus Burnel* nuper Pꝛæpoſitus Eccleſiæ *Wellen.* defunctus in Teſtamento ſuo eiſdem Magiſtro et Scolaribus legavit, ab executoribus Teſtamenti ipſius Magiſtri *Willielmi* juxta formam dicti legati recipere poſſent; Habenda & tenenda eiſdem Magiſtro & Scolaribus & ſucceſſoribus ſuis de nobis & hæredibus noſtris, & Capitalibus Dominis feodi illius per ſervicia inde debita & conſueta, prout in literis noſtris pꝛædictis plenius continentur, quod quidem teſtamentum coram vobis in Curia veſtra modo debito ut dicitur eſt probatum; Vobis pꝛecipimus, quod ſi pꝛædicta meſſuagium & Shopæ pꝛæfatis ſcolaribus ut pꝛædicitur ſint legata, & teſtamentum pꝛædictum coꝝm vobis ut pꝛædictum Clauſ. 33 E 1. pars 1. m. 2. Pro Scolaribus Domus de Balliolo Oxon.

Anno 33 E. 1 dictum est sit probatum, tunc eisdem magistro & scolaribus prædicta Messuagium & Shopas liberetis, tenenda juxta formam legationis testamenti prædicti ac probationis ejusdem, necnon juxta consuetudinem ejusdem villæ & juxta licentiam nostram suprædictam, salvo jure cujuslibet. Teste Rege apud *Westm.* 5. die *Novembr.*

Eodem modo mandatum est Balivis *Margaretæ* Reginæ *Anglia* de prædicta villa. Teste ut supra.

How all the ancient Lands, Revenues, Temporal and Eccleſiaſtical Royalties, Liberties, Priviledges, and Sanctuary, granted to the Church of St. *Peters* in *York*, and to the Canons, Dean, Chapter, or Archbiſhop thereof, out of reverence to St. *Peter* the *Prince of the Apoſtles* (who had his *Chair* therein, as well as at *Rome*, and likewiſe his * *Banner* carried in the Warsain the forefront of the Army) were originally derived from the Piety, Bounty, and Eccleſiaſtical Sovereignty of our Kings, not from the Pope; and what they were, this memorable Charter of King *Edward* the firſt, which recites and confirms them, will at large inſtruct us.

* Here Tom. 1. p. 33. 346. Tho. Stubs Actus Pontif. Ebor. col. 1703. 1704.

† Chart. 33 E. 1. m. 6. pars 1. Pro Decano & Capitulo Eccleſiæ beati Petri Eborum.

† REX Archiepiſcopis, *&c.* ſalutem. Inſpeximus Chartam confirmationis, & declarationis quarundam Libertatum necnon innovationis ac uberioris conceſſionis Libertatum in eadem contentarum, quam celebris memoriæ Dominus *H.* quondam Rex *Anglia* Pater noſter fecit Eccleſiæ Sancti *Petri Eborum* & Decano & Capitulo ejuſdem, in hæc verba. *Henricus* Dei gratiâ Rex *Anglia*, Dominus *Hibernia*, Dux *Normannia* & *Acquitan.* Comes *Andegav.* Archiepiſcopis, Epiſcopis, Abbatibus, Prioribus, Comitibus, Baronibus, Juſtic. Vicecomitibus, Præpoſitis, Miniſtris, & omnibus Balivis & fidelibus ſuis ſalutem. Inſpeximus Chartam quum Dominus *Henricus* quondam Rex *Anglia* proavus noſter fecit Eccleſiæ Sancti *Petri Eborum*, in hæc verba. *Henricus* Rex *Anglia*, Archiepiſcopis, Epiſcopis, Abbatibus, Conſulibus, Proceribus, & Univerſis fidelibus ſuis *Francis* & *Anglis* totius *Anglia* ſalutem. **Poſſeſſiones & dignitates & libertates & conſuetudines quas habuit *Eborum* Eccleſia. Concedo & Regia authoritate præſenti Carta confirmo, ſicut hic ſubſcriptæ ſunt ſub Regibus antiquis &** Archiepiſcopis quod plerique meminiſſe poſſunt, *Edwardo* Rege *Aldredo* Archiepiſcopo fuit Eccleſiæ Sancti *Petri* conſuetudo egregiæ libertatis, **ſi quis enim quemlibet cujuſcunque facinoris aut flagitii reum & convictum infra atrium Eccleſiæ caperet & detineret, univerſali judicio vj. hundreth emendebat. Si vero infra Eccleſiam xlj. hundreth infra Chorum xlij. Pœnitentia quoque de ſingulis ſicut de Sacrilegis injuncta in hundreth viij lib. continentur. Quod ſi aliquis inſano ſpiritu agitatus Diabolico auſu quenquam capere præſumeret in Cathedra lapidea juxta altare, quam *Angli* vocant *Fridſtall*, id eſt, Cathedra quietudinis vel pacis, hujus tam flagitioſi ſacrilegii emendatio ſub nullo judicio erat, ſub nullo pecuniæ numero claudebatur, ſed apud *Anglos Boeclos*, hoc eſt ſine emenda vocabatur.** Hæ Emendæ nihil ad Archiepiſcopum ſed ad Canonicos pertinebant, Canonici Sancti *Petri* in *Hird*, id eſt domeſtica vel intrinſeca familia appellabatur *Fena Canonicorum*, propriè **Penſa Sancti *Petri*.** Denique, ſiquæ in Eccleſia, vel in Cimiterio, vel in domibus Canonicorum, vel in terris eorum injuſta agentur, aut ipſi Canonici adverſus ſe invicem, aut adverſus alios, vel alii adverſus Canonicos vel adverſus alios, forisfactura nulla Archiepiſcopo, ſed tota Canonicis judicabatur; Archiepiſcopus autem in rebus Canonicorum hoc tantum juris habebat, quod defuncto Canonico, ipſe aliis prælationes, & præbendas præbeat; **nec tamen ſine conſilio et aſſenſu Decani et Capituli. Si vero Archiepiſcopus adverſus Apoſtolicum vel Regem committeret ad quod redimendum vel pacificandum pecunia opus eſſet, nihil tamen Canonici Archiepiſcopo præter ſuam voluntatem darent, et pecunia Canonicorum et hominum eorum pro Commiſſo vel debito Archiepiſcopi, nec etiam in namium caperentur.** Habeant Canonici in domibus & in terris ſuis *Soccam* & *Saccam*, *Tol* & *Theam*, *Invell* & *Uvell*, & *Infangenetheefe*, **et omnes eaſdem honoris et Libertatis conſuetudines, quas ipſe Rex in terris ſuis habebat, et quas Archiepiſcopus de Domino Deo et de Rege tenebat:** Hoc etiam amplius, quod nemo de terra Canonicorum *Wapenthaemot* nec *Trydingmet* nec *Shyreſmet* ſequebatur; Sed calumpnians aut calumniatus ante oſtium Monaſterii Sancti *Petri* rectitudinem & recipiebat & faciebat. **Hoc autem a religioſis principibus et bonis anteceſſoribus ſic provisum eſt**, quamvis Canonici placitantes pulſato * ſignato ad horas Canonicas, cito poſſent

* ſign.

poſſent regredi: Archiepiſcopo vero per Seneſcallos, & Præfectos, & Milites ſuos facilius erat prædicta placita ſequi & tenere. Si vero aliquis terram aliquam Sancto *Petro* daret vel venderet, nemo poſtea *Soccam vel Saccum*, *Tol & Theam* in illa clamabat, ſed eaſdem conſuetudines quas & alia terra Sancti *Petri* iſta habebat; tantum amoris et reverentiæ Anteceſſores noſtri huic Sanctæ Principis Apoſtolorum Eccleſiæ deferebant. Quando autem Rex congregabat exercitum, unus homo tantum preparabatur de tota terra Canonicorum cum vexillo Sancti *Petri*, qui ſi Burgenſes in exercitum irent Dux & Signifer eis procederet, ſine Burgenſibus vero nec ipſe iret. Hanc etiam conſuetudinem ſive dignitatem habeant Canonici Sancti *Petri* ab Anteceſſoribus Regibus, nominatim quoque à Rege *Edwardo* conceſſam & confirmatam, ut nullus de familia Regis vel de exercitu ejus in propriis domibus Canonicorum, nec in Civitate, nec extra hoſpitetur. Ubicunque fit duellum *Eborum* juramenta debent fieri ſuper textum vel ſuper reliquias Eccleſiæ Sancti *Petri*, et facto duello victor arma victi ad Eccleſiam Sancti *Petri* offerat, gracias agens Deo, et Sancto *Petro* (here conjoined as equals) pro victoria. Si Canonici vel homines eorum Clamorem fecerint in placitis Regis, Clamor eorum ante omnem cauſam terminetur, quantum poteſt terminari, ſervata Eccleſiæ dignitate. Teſte Archiepiſc. *Eborum*, *W. Giff.* Epiſc. *Wynton*, *W. Berlo* Epiſc. *Lincolnia*, *R. Flamb* Epiſc. *Dunelm. W.* Com. de *Warr. R. Baſſet*, *G. Ryſdel*, *F.* fil. *Sygulfi* apud *Wynton*. Nos autem conceſſionem & confirmationem prædictam ratam & gratam habentes, eam pro nobis & Hæredibus noſtris prædictæ Eccleſiæ concedimus & confirmamus, ſicut præfata Charta ipſius Regis *Henrici* rationabiliter teſtatur, & ſicut eadem Eccleſia Libertatibus in prædicta Charta contentis hucuſque uſa eſt. Et ad declarationem quarundam Libertatum in eadem Charta ſub quibuſdam generalitatibus contentarum & conceſſionem libertatum uberiorem, concedimus Decano & Capitulo ejuſdem Eccleſiæ, & hac Charta noſtra confirmamus pro nobis & Hæredibus noſtris, quod ipſi Decanus & Capitulum habeant omnia amerciamenta omnium hominum ſuorum ad ipſos Decanum & Capitulum & ſingulos Canonicos pertinentium, & fines pro eiſdem amerciamentis, ita quod ad nos vel Hæredes noſtros nichil inde pertineat: ſed ipſi Decanus & Capitulum & Canonici recipiant de hominibus ſuis quicquid de eiſdem recipere deberemus de prædictis pro quocunque delicto ſeu tranſgreſſione amerciati fuerint in Curia noſtra, ſive coram nobis vel Baronibus noſtris de Scaccario, ſive coram Juſticiariis noſtris de Banco, ſive coram Juſtic. noſtris, Itinerantibus ad communia placita, ſive coram Juſtic noſtris aſſignatis ad quaſcunque Aſſizas capiendas vel Gavilas deliberandas, ſeu ad quaſcunque Inquiſitiones faciendas, ſive etiam amerciati fuerint coram quibuſcunque aliis Juſtic. noſtris, Vicecomitibus, Inquiſitoribus, Præpoſitis, Ballivis, vel aliis Miniſtris noſtris ad quodcunque officium ex parte noſtra deputatis, exceptis Juſtic. noſtris & hæredum noſtrorum ad placita foreſtæ noſtræ deputatis. Salvis nobis & Hæredibus noſtris amerciamentis prædictorum Decani & Capituli de propriis delictis ſuis ubicunque in Curia noſtra amerciati fuerint, & omnibus aliis finibus quam pro amerciamentis hominum ſuorum, quos ipſi & quicunque homines ſui fecerint nobiſcum, vel coram quibuſcunque Juſtic. aut aliis Ballivis noſtris: Salvis etiam nobis placitis foreſtæ noſtræ et omnibus finibus et amerciamentis proventuris de ipſis et hominibus ſuis de eadem foreſta. Et quod iidem Decanus & Capitulum imperpetuum habeant omnia Catalla & Bona quorumcunque hominum ſuorum utlagatorum, Damnatorum, & fugitivorum de quibus poſſet ad nos aliquis quæſtus pertinere ſive hominis, ſive illius Capituli, ſive Decani, ſive ſingularis Canonici, & etiam animalia in terris ſuis quæ vocantur *Weyf*. Volumus etiam & concedimus pro nobis & hæredibus noſtris quod iidem Decanus & Capitulum, & ſinguli Canonici, atque eorum Succeſſores, & eorum homines univerſi ſint quieti in Civitate & Burgo, in *Feriis & Nundinis*, in tranſitu *Pontium & Maris Portuum*, & in omnibus locis per totam *Angliam*, *Hiberniam*, & *Walliam*, & omnes terras & aquas noſtras, de quolibet *Thelonio*, *Tallagio*, *Paſſagio*, *Pedagio*, *Laſtagio*, *Stallagio*, *Hydagio*, *Wardagio*, operibus & auxiliis *Caſtellorum*, *Murorum*, *Pontium*, & *Parcorum*, *Walliorum*, *Foſſatorum*, & *Vivariorum*, *Navigio*, *Domuum Regalium* ædificatione & omnimoda operatione & cuſtodia *Caſtrorum*, & de omni *Carrucio* & *Summagio*, nec eorum *carri*, *carretta aut equi capiantur ad aliqua carriagia facienda*. Et quod Sylvæ eorum ad prædicta opera, vel aliqua alia nullo modo capiantur. Et quod ſint quieti de omnibus *Geldis*, *Danegeldis*, *Fengeldis*, *Hengeldis*, *Forgeldis*, *Penygeldis*, *Thethingpeny*,

An. 33 E. I

An. 33 E.1. *thingpeny, Hundred peny, Miskenings, Thenag. Chiming.* & *Herbag.* & de *Vectigalibus* & *tributis*, & *exercitu*, & *equitatu*, & de omni *terreno Servitio*, & *ſecularis exactione*, *ſalvo Servitio unius Signiferi* ſecundum quod continetur in præſcripta Carta præfati Regis *Henrici* proavi noſtri; Et ſimiliter quod imperpetuum ſint quieti de *Sectis Comitatum*, *Hundredorum*, *Wapentagiorum*, & *Trithing*, & de *Murdro* & *Latrocinio*, *Eſcapio*, & *Concelamento*, & *Homſckne*, *Gribruch*, *Bloodwyte*, *Flitwyte*, *Forſtall*, *Leyrwyte*, *Hongwyte*, & *Wardpeny*, & *Worwhalpeny*, & de omnibus auxiliis *Vicecomitum*, & *Miniſtrorum ſuorum*, & de *Scutagiis*, & *Aſſiſis*, & *Recognitionibus*, *Inquiſitionibus*, & *Summonitionibus* **niſi pro Libertate et negotiis Eccleſiæ** *Eborum*. Et tunc ſi placitum inter homines prædictæ Eccleſiæ & Canonicos, vel inter Canonicos per ſe, vel inter homines per ſe ex utraque parte, omnes de *Aſſiſa* ſint de Libertate prædictæ Eccleſiæ, vel de Libertate beatæ *Mariæ Eborum* ſi illi non ſufficiant. Si vero inter Decanum & Capitulum, vel eorum aliquem, Canonicos ſingulos vel eorum homines & aliquem qui non ſit de Libertate *Aſſiſa* debeat arramiari & capi, medietas ſit de forniſecis: & quod idem Decanus & Capitulum habeant Curiam ſuam & juſtitiam cum *Secco* & *Sacca*, *Tholl* & *Theam*, & *Infangenethief*, & *Utfangenethief*, *Flemenſtick*, *Ordel*, & *Oreſt* infra tempus & extra, cum omnibus aliis Immunitatibus, Libertatibus, conſuetudinibus & quietanciis ſuis. Concedimus etiam pro nobis & hæredibus noſtris quod ſi iidem Decanus & Capitulum, & Canonici prædicti vel eorum homines placitum habeant adverſus alios, vel alii adverſus eos, vel ipſi ad invicem, placitum illud non teneatur nec audiatur alibi quam in hoſtio prædictæ Eccleſiæ Sancti *Petri*. Salvis placitis Coronæ noſtræ quæ in domo alicujus Canonici extra Cimiterio audiantur & teneantur, ſicut iidem Decanus & Capitulum hucuſque uſi ſunt, & eis à prædeceſſoribus noſtris Regibus ipſis eſt conceſſum: & quod finitis placitis prædictis habeant iidem Decanus & Capitulum extractus Rotulorum Juſtic. noſtrorum qui placita prædicta tenuerunt de omnibus Amerciamentis hominum ſuorum ſub Sigillis eorundem Juſtic. Ita quod ipſa Amerciamenta vel Fines pro Amerciamentis, non veniant in Summonitionem a Scaccario noſtro, per quod iidem Decanus & Capitulum & eorum homines aliquatenus moleſtentur. Sed liceat eiſdem Decano & Capitulo homines ſuos ad eorundem Amerciamentorum ſolutionem diſtringere modo quo viderint meliori: Nullus etiam Vicecomes, aut alius Ballivus vel Miniſter noſter terras, vel Libertates eorundum Decani & Capituli ad aliquas diſtrictiones faciendas ipſis irrequiſitis ingrediatur; Nec Averia eorum in namium capiantur, ſed imperpetuum habeant Returnum Breviun noſtrorum de omnibus ipſos & homines ſuos, & eorum terras, & tenementa contingentibus. Et hoc eis pro nobis & Hæredibus noſtris concedimus & preſenti Carta confirmamus. Prohibemus etiam, quod nullus Vicecomes, vel Ballivus, aut alius Miniſter noſter infra terras prædictorum Decani & Capituli vel Eccleſiæ prædictæ aliquem hominem capere, ligare, verberare, interficere vel ſanguinem fundere, ſeu rapinam vel aliquam violentiam facere preſumat. Nec Nativos, vel Fugitivos ſuos, vel Catalla eorum aliquis detineat, nec eos vel homines eorum pro conſuetudine aliqua vel ſervitio, vel exactione, vel aliqua cauſa diſturbet de rebus ſuis quas homines eorum affidare poterunt ſuas eſſe proprias. Quare volumus & firmiter præcipimus pro nobis et Hæredibus noſtris, quod prædicti Decanus & Capitulum, & Canonici, & eorum homines imperpetuum habeant omnes Libertates, conſuetudines & quietantias prædictas ſicut prædictum eſt, ſine impedimento & contradictione noſtri, & hæredum noſtrorum, & omnium Ballivorum noſtrorum. Et prohibemus ſuper gravem forisfacturam noſtram, ne quis eos contra eaſdem Libertates in aliqua vexet, diſturbet, vel inquietet, nec eis moleſtiam inferat aut gravamen. Hiis teſtibus: Venerabili patre *B.* Archiepiſcopo *Cantuar.* *Richardo* Comite *Cornub.* *Rogero Bigod* Comite *Norfolch.* & Mareſcallo *Anglia*, *Johan. de Pleſſetis* Comite *Warr.* *Petro de Sabaud.* *Johanne* filio *Galfridi* Juſtic. noſtro *Hibernia*, *Petro Chaceport* Archidiacono *Well.* Magiſtro *Willielmo de Kilkenny* Archidiacono *Coventren.* *Petro de Rawll.* *Henrico de Wengham*, *Radulpho* filio *Nicholai*, *Bertramus de Croiell*, *Johanne de Grey*, *Roberto Walleroud*, *Barth. Pech.* *Stephano Banton*, *Willielmo de Grey*, *Nicholao de Sancte Maure*, & aliis. Dat. per manum noſtrum apud *Porteſmuth* quinto die *Julii*, Anno Regni noſtri Triceſimo ſeptimo. Nos autem confirmationem, declarationem, innovationem & conceſſionem prædictas ratas habentes & gratas, eas pro nobis & hæredibus noſtris Eccleſiæ Decano & Capitulo prædictis concedimus & confirmamus, ſicut Carta prædicta rationabiliter

biliter teſtatur. Hiis teſtibus, Venerabilibus Patribus *R. Cantuar.* Archiepiſcopo, *W. Covenir. & Lichfield* Epiſcopo, & *Johanni de Britann.* juniore, *Hugone le Diſpenſer*, *Roberto* filio *Rogeri*, *Johanne de Sulley*, *Roberto de la Ward* Seneſcallo Hoſpitii noſtri, *Edmundo de malo Lacu*, et aliis. Dat. per manum noſtram apud *Kennington* 20 die *Maii*. *An.* 33 *E.* 1

Such ample Liberties did the Dean, Chapter and Canons of *York* procure from our Kings, to the prejudice of their Crowns and Revenues, out of their reverence to St. *Peter*, who then kept his reſidence in his Chair and Church at *York*, not at *Rome* it ſelf, to which Popes would ſeem to confine it, though they reſided elſewhere, as Pope *Clement* did now at * *Burdeaux*. *Here p. 1065.

The King likewiſe iſſued this Writ for the reſtoring of a Maleſactor who fled to the Churchyard and Altar of *Whitegifte* in *York* Dioceſſe, and was violently pulled out of it and impriſoned, under pretext of preſerving the Liberties of the Church.

REX Vic. *Eborum* ſalutem. Ex inſinuatione dilectorum nobis in Chriſto Decani & Capituli Eccleſiæ beati *Petri Eborum* Cuſtodum Spiritualitatis Archiepiſcopatus *Eborum* ſede vacante accepimus, quod cum *Willielmus* filius *Richardi* de *Whitegift* Dioc. *Eborum*, occaſione cujuſdam tranſgreſſionis per ipſum contra pacem noſtram factæ ut dicitur, **ad aream de *Whitegifte* quæ eſt Cimiterium Deo dedicatum confugiſſet, ut per libertatem et immunitatem eccleſiaſticam ibidem tueri poſſet et ſalvari**, quidam homines ipſum *Willielmum* ſic fugientem inſequentes, et infra idem Cimiterium exiſtentem, **vi et armis ab eodem extrarerunt, et ipſum ſic extractum vinculis ligaverunt, et ſic ligatum ad priſonam caſtri noſtri *Eborum* duxerunt, qui quidem *Willielmus* occaſione illa et non alia in priſona prædicta detinetur, ut dicitur, in eccleſiaſticæ libertatis leſionem manifeſtum**: per quod iidem cuſtodes nobis humiliter ſupplicarunt, ut in præmiſſis apponere vellemus remedium oportunum: **Nos itaque libertatem eccleſiaſticam et ejus immunitatem illæſas conſervare et manutenere volentes**, ut tenemur, tibi præcipimus, quod ſi tibi conſtare poſſit præmiſſa vera eſſe, **tunc prædictum *Willielmum* a prædicta priſona liberari, et ſub ſalvo et ſecuro conductu ad Cimiterium prædictum a quo extractus fuit, reduci, et in eundem ſtatum reponi fac. quo extiterat tempore extractionis ſupradictæ.** Teſte Rege apud *Reyle* 18 die *Auguſti*. Clauſ. 33 E. 1. m. 7 De homine extracto de eccleſia ad eccleſiam reducendo.

The King out of his Eccleſiaſtical Soveraignty and Piety granted the Tithes and Appropriations of all his new Aſſarts within his Foreſt of *Dene* which were extraparochial, to the Biſhop of *Landaff*, to augment his over-ſmall Biſhoprick, and maintain a Chauntry in the Church of *Newland*.

REX Omnibus ad quos, *&c.* ſalutem. Sciatis, quod ad emendacionem Epiſcopatus *Landavenſis*, qui nimis exilis eſſe dinoſcitur, necnon in ſubvencionem ſuſtentacionis cujuſdam Capellani divina pro anima noſtra et animabus anteceſſorum noſtrorum ſingulis diebus celebrantis et imperpetuum celebraturi in Eccleſia omnium Sanctorum de la *Newlande* infra Foreſtam noſtram de *Dene*, quam venerabilis Pater *Johannes* Epiſcopus prædicti Epiſcopatus tenet ſibi et ſuis Succeſſoribus *appropriatam, conceſſimus eidem Epiſcopo pro nobis et hæredibus noſtris quantum in nobis eſt, quod ipſe & ſucceſſores ſui Epiſcopi ejuſdem loci **omnes Decimas de aſſartis infra foreſtam prædictam de novo aſſartatis et aſſartandis provenientes, percipiant et habeant Eccleſiæ ſuæ de la *Newlande* prædictæ, quas ad eandem Eccleſiam volumus imperpetuum pertinere, ſine occaſione vel impedimento noſtri vel hæredum noſtrorum ſeu Miniſtrorum noſtrorum quorumcunque; Dum tamen aſſarta prædicta extra limites cujuſcumque parochiæ exiſtant.** In cujus, *&c.* Teſte Rege apud *Weſtm.* 20 die *Marcii*. Pat. 33 E 1. m. 14. Pro Epiſcopo Landavenſi. * See p. 1111.

Per ipſum Regem & petitionem de conſilio. Dupp.

The like Grant and Appropriation of extraparochial Tithes of Aſſarts within the Foreſt of *Sherwood*, the King made this year to the Prior of *Felley* by this Patent.

An. 33 *E.* 1.

Pat. 33 E 1. m. 6. Pro Priore de Felleie.

REX, Omnibus ad quos, &c. ſalutem. Sciatis, quod ad emendationem ſtatus Prioris et Canonicorum regularium Prioratus de *Felleye* in Com. *Nottingham* qui exilis eſſe dinoſcitur, & ut prædicti Prior et Canonici numerum fratrum ſuorum commodius augere, et curis ſecularibus prætermiſſis eo diligencius et quiecius poſſint divinis obſequiis inſiſtere, ut tenentur, conceſſimus pro nobis et hæredibus noſtris intuitu caritatis prædictis Priori et Canonicis, quod ipſi et ſucceſſores ſui omnes decimas de aſſartis noſtris bayarum de *Lyndeby*, *Rumwod*, & *Willeye* infra foreſtam noſtram de *Shirewode* noſtro tempore aſſartatis prøbenientes, percipiant et habeant Eccleſiæ ſuæ Prioratus ſui prædicti de noſtra eleemoſina, appropriatas imperpetuum, ſine occaſione vel impedimento noſtri, vel hæredum noſtrorum, ſeu miniſtrorum noſtrorum quorumcunque, dum tamen bayæ prædictæ infra limites alicujus parochiæ non exiſtant. In cujus, &c. T. R. apud *Weſtm.* 15 die *April.*

Per ipſum Regem.

The King likewiſe of piety, for encouragement of Miniſters, ordered the Tithes of his Mills in *Holderneſſe* to be paid to the Parſons of all Pariſh Churches wherein they were, as the Nobles and others there uſed to pay them.

Cl. 33 E 1. m. 4. De Decimis dandis de molendinis Regis in Holderneſſe.

REX dilecto ſibi *Ricardo Oyſel*, Ballivo ſuo de *Holderneſſe*, ſalutem. Mandamus vobis, quod de exitibus molendinorum noſtrorum in Balliva veſtra faciatis Decimas dari perſonis Eccleſiarum in quarum parochiis molendina illa exiſtunt, prout alii Magnates de regno noſtro, ac homines partium illarum Decimas dant de exitibus molendinorum ſuorum. Et nos vobis inde in compoto veſtro ad Scaccarium noſtrum debitam allocationem fieri faciemus. T. R. apud *Weſtm.* 20 die *Octobris.*

Per breve de Private Sigillo.

In like manner he iſſued this Writ for payment of Tithes of Agiſtments of all cattle, and of Colts, out of the Park of *Ryſebergh*, to the Abbot of *Nuttele.*

Clauſ. 33 E 1. m. 9. Pro Abbate de Nuttele.

REX Ballivis *Margaretæ* Reginæ *Angl.* Conſortis noſtræ, de *Ryſebergh* ſalutem. Quia accepimus per inquiſicionem quam per Vic. noſtrum *Bukk.* fieri fecimus quod dilectus nobis in Chriſto Abbas de *Nuttele* perſona Eccleſiæ de *Ryſebergh*, ac prædeceſſores ſui Abbates ejuſdem loci, & perſonæ Eccleſiæ prædictæ, à tempore quo non extat memoria, tàm tempore *Ricardi* de *Alemannia* dudum Comitis *Cornubiæ*, quàm tempore *Edmundi* nuper Comitis, ibidem percipere & habere conſueverunt decimam tam pullanorum ipſorum *Ricardi* et *Edmundi*, quam aliorum in Parco de *Ryſebergh* pulletorum, quam denariorum de agiſtamento de quibuſcumq; animalibus in eodem Parco facto prøbenientium, quouſque perſona *Lumbard.* & *Willielmus Beauſamis* Cuſtodes equicii noſtri, poſtquam dictum Manerium ſimul prædicto Parco per mortem præfati *Edmundi*, ad manus noſtras devenit præfatum Abbatem quo minus dictam decimam percipere et habere poſſet impediverunt, per quod vos poſtquam dicta Manerium & Parcum præfatæ Conſorti noſtræ aſſignavimus dictum Abbatem ſuper hoc ſimiliter impediſtis, et adhuc impeditis. Nos nolentes quod eidem Abbati injurietur in hac parte, Vobis mandamus, quod prædictum Abbatem decimas prædictas in Parco prædicto percipere et habere permittatis, prout ipſe et prædeceſſores ſui prædicti eas temporibus retractis percipere et habere conſueverunt. T. R. apud *Cantuar.* 6. die *Julii.*

Per petitionem de Conſ.

What Penſions the King and Queen too then claimed for their Clerks from Abbots and Biſhops newly created, or to be created by the King, theſe Records will inform us.

Clauſ. 33 E 1. m. 22. Pro Ricardo de Berland Clerico.

MEmorandum, quod Dominus Rex 6. die *Januarii* ad requiſitionem Magiſtri *Willielmi de Grenefeld* tunc Cancellarii ſui, conceſſit quantum in ipſo fuit *Ricardo de Byrland* Clerico de Cancellaria, penſionem annuam quam futurus Abbas de *Muchelny* ratione novæ creationis ſuæ dare teneretur uni de Clericis Regis; & poſtmodum *Johannes de Godele* Theſ. Reginæ nunciavit Cancellar. quod eadem Regi-

na

na ſimiliter conceſſit quantum in ipſa fuit præfato *Ricardo* penſionem antedictam. *An.* 33 *E.* 1.

MEmorandum, quod Rex ad inſtanciam *Margar.* Reginæ *Angliæ*, Conſortis ſuæ, conceſſit *Willielmo de Leyceſtr.* Clerico gratiam ad ipſum Regem pertinentem, ratione nobæ creacionis futuri Prioris Prioratus de *Merton*, nunc vacantis et in manu ſua exiſtentis. Teſte Rege apud *Weſtmonaſterium* viceſimoquarto die *Octobris.* Clauſ. 33 E 1. m. 5. dorſo Pro Willielmo de Leyc.

REX venerabili in Chriſto Patri *J.* eadem gracia *Linc.* Epiſcopo, ſalutem. Promocionem dilecti Clerici noſtri *Edmundi de Dymeton* prætextu diutini & laudabilis ſervicii quod idem *Edmundus* in partibus *Vaſcon.* non ſine magnis laboribus & expenſis nobis impendit, ſpecialiter affectantes, veſtram Paternitatem affectuoſè requirimus & rogamus, quatinus eidem *Edmundo* de primo vacatura præbenda in Eccleſia veſtra *Lincoln.* probidere velitis, intuitu caritatis noſtrique rogaminis interventu, præfatum *Edmundum* tali & tam benigno favore in hac parte ad noſtram inſtanciam proſequentes quod vobis pro ipſo grates ſpeciales reddere teneamur, eidem *Edmundo* aliquam decentem et honeſtam penſionem percipiendam ſingulis annis de camera veſtra, quouſque ſibi de præbenda pro ipſo competenti in Eccleſia veſtra prædicta, juxta rogatum noſtrum duxeritis probidend. per veſtras patentes literas concedendo. Et quid ad has preces noſtras duxeritis faciendum nos reddatis per veſtras literas certiores. Dat. apud *Weſtm.* 30 die *Marcii.* Clauſ. 33 E 1. m. 17. dorſo. Pro Edmundo de Dymeton.

Per ipſum Regem, & petitionem de Conſilio.

The King by his Eccleſiaſtical Prerogative (according to the manner and devotion of that age) commanded Prayers and Maſſes to be made for the ſoul of *Joan* late Queen of *France*, by theſe enſuing Writs to the Archbiſhop and other Prelats.

REX Venerabili in Chriſto Patri *R.* eadem gratia Archiepiſcopo *Cantuar.* totius *Angliæ* Primati ſalutem. Deus omnium conditor & creator, qui cœlestis profunditate conſilii ordinat, vocat, diſponat & revocat ſubjectas ſuæ providenciæ creaturas, ſereniſſimam conſortem *Philippi* Regis *Franc.* illuſtris Conſanguinei noſtri kariſſimi, *Johannam* quondam Reginam *Franciæ* ab hoc ſeculo, prout ſibi placuit evocavit. Cum igitur opus ſanctum et ſalubre cenſeatur pro defunctis, ut a peccatorum ſolbantur nexibus erorare, Paternitatem veſtram affectuoſe requirimus et rogamus, quatinus ipſius *Johannæ* exequias debote et ſolempniter celebrantes, ejus animam cum decantacione miſſarum aliiſque devotarum orationum ſuffragiis ipſi altiſſimo ſpecialiter commendetis, ipſamque ab univerſis et ſingulis, Religioſis et aliis perſonis eccleſiaſticis, ſubditis veſtris, per totam veſtram dioceſim adjubari ſimiliter per hujuſmodi ſuffragia faciatis. Quæſumus autem, ut de miſſarum numero et aliarum orationum ſuffragiis quæ pro præfata *Johanna* mandaveritis ſeu injunxeritis facienda, per veſtras literas nos curetis quamcicius vobis inde conſtiterit, reddere certiores; ut vobis ad grates & gratias ob præmiſſa teneri meritò debeamus. Teſte Rege apud *Weſtm.* 13. die *Aprilis.* Clauſ. 33 E 1. m. 16. dorſo. De orando pro anima Johannæ quondam Reginæ Franciæ.

Eodem modo ſcribitur ſubſcriptis, viz. *J. Karlielenſi*, &c.

REX dilecto ſibi in Chriſto —— Abbati Sancti *Auguſtini Cantuar.* ſalutem. Deus omnium conditor, *&c. ut ſupra.*

Conſimiles literæ diriguntur Abbatibus ſubſcriptis, videlicet, Abbati de Sancto *Edmundo*, and ſundry others mentioned in the Roll.

The like Writ he iſſued this year for Prayers and Maſſes to be made for *Blanch* late Dutcheſſe of *Auſtria* deceaſed.

REX Venerabili in Chriſto Patri *R.* eadem gratia Archiepiſcopo *Cantuar.* totius *Angliæ* Primati ſalutem. Cum opus ſanctum et ſalubre cenſeatur pro defunctis, ut a peccatorum ſalvantur nexibus erorare, paternitatem veſtram affectuoſe requirimus et rogamus, quatinus exequias nobilis Dominæ *Blanchiæ* quondam Ducisſæ *Auſtriæ*, et ſororis *Margaretæ* Reginæ *Angliæ*, Conſortis noſtræ kariſſimæ Cl. 33 E 1. m. 12. dorſo. De orando pro anima Blanchiæ quondam Ducisſæ Auſtr.

An. 33 *E.* 1. kariſſimæ; quam quidem Duciſſam, Deus prout ſibi placuit, ab hoc ſeculo evocavit, **debote et ſolempniter celebrantes, ejus animam cum decantacione miſſarum, aliiſq; debotarum oracionum ſuffragiis ipſi Altiſſimo ſpecialiter commendetis, ipſamque ab univerſis et ſingulis Religioſis et aliis perſonis Eccleſiaſticis ſubditis veſtris per totam veſtram Dioc. faciatis ſimiliter commendari.** Teſte Rege apud *Kenyngton.* 26 die *Marcii.*

Conſimiles literæ diriguntur ſubſcriptis, videlicet *J. Karliolenſi, J. Norwycenſi, J. Elyenſi, R. Wyntonienſi, J. Reffenſi, A. Dunolmenſi, Thomæ Exonienſi, S. Sarum, W. Wygorn. R. Hereford enſi, W. Bathonienſi & Wellenſi, W. Coventr. & Lychf. A. Aſſavenſi, A. Bangorenſi, D. Menevenſi, J. Landavenſi* Epiſcopis, Electo *Lond.* Cuſtodi Spiritualitatis Archiepiſcopatus *Ebornm* ſede vacante, & Cuſtodi Spiritualitatis Epiſcopatus *Cyceſtr.*

REX dilecto ſibi in Chriſto Abbati S. *Aug. Cantuar.* ſalutem. **Cum opus ſanctum,** &c. veſtram amicitiam affectuoſe requirimus, &c. *ut ſupra,* commendetis & faciatis, &c.

Conſimiles literæ diriguntur Abbatibus ſubſcriptis, viz. Abbati de Sancto *Edmundo,* Ab. de S. *Albano,* Ab. de *Waltham,* Ab. *Weſtm.* &c. Teſte ut ſupra.

How the King by his Prerogative exempted Clerks from reſidence on their benefices, imployed continually in his ſervice, theſe Writs will inform us.

Cl. 33 E 1. m. 22. De reſidencia non faciendа.

Mich. de Eſton-Croke Perſona Eccleſiæ de *Kellenden,* **qui per præceptum Regis obſequiis in Garderoba Regis jugiter intendit, habet literas Regis Cuſtodi Spiritualitatis Epiſcopatus *London.* quod non compellatur ad reſidentiam perſonalem in dicto beneficio ſuo faciendam.** Teſte Rege apud *Linc.* 5. die *Januarii.*

Cl, 33 E 1. m. 15. dorſo. Pro Magiſtro Roberto de Pykering, Clerico.

REX, *&c.* dilectis ſibi in Chriſto Capitulo *Ebornm* ſalutem. Cum nuper per breve noſtrum mandaverimus dilecto Clerico noſtro Magiſtro *Roberto de Pykering* Confratri & Concanonico veſtro, quod omnibus aliis prætermiſſis *London.* perſonaliter accederet, ita quod eſſet ibidem die Veneris proxima poſt *Octabas Purificationis* beatæ *Virginis* proximo præteritas, cum illis de conſilio noſtro quos tunc inveniret ibidem, **ſuper quibuſdam arduis negociis Nos et ſtatum regni noſtri tangentibus colloquium habiturus;** & promiſerimus eidem Magiſtro *Roberto,* **quod ipſum interim ſuper reſidencia ſua in Eccleſia veſtra prædicta indempnem faceremus per omnia conſervari;** ac idem Magiſter *Robertus* ad mandatum noſtrum prædictum *London.* acceſſerit, & ibidem pro negociis Nos & ſtatum regni noſtri tangentibus cum cæteris de Conſilio noſtro per præceptum noſtrum moram traxerit uſque modo. Nos ipſius Magiſtri *Roberti* indempnitati in hac parte cupientes proſpicere, ut tenemur, **Vos affectuoſe requirimus et rogamus, quatinus eundem Magiſtrum *Robertum* pro tempore quo ad mandatum noſtrum ab Eccleſia veſtra prædicta taliter abſens fuerit, juxta promiſſionem noſtram prædictam indempnem noſtri intuitu conſervantes hujuſmodi, abſenciam ſuam pro reſidencia teneatis;** Ita quod vobis ex hac cauſa grates ſpeciales reddere teneamur. Teſte Rege apud *Weſtm.* 6 die *Aprilis.* Which he might have diſpenſed with by his abſolute Regal power, without any ſuch entreaty.

He alſo this year granted the Chappel of St. *Croſſe,* upon condition of the Chaplains perſonal reſidence to officiate every day therein.

Pat. 33 E 1. pars 2 m. 14. intus. De Capella data.

REX omnibus ad quos, &c. ſalutem. Sciatis, quod caritatis intuitu dedimus & conceſſimus dilecto nobis in Chriſto fratri *Thomæ de Netherton* Capellano, Capellam noſtram *Sanctæ Crucis* in Foreſta noſtra de *Whichewode* vacantem, & ad noſtram donacionem ſpectantem: Habendam cum omnibus ad Capellam illam ſpectantibus; **ita quod ibidem perſonaliter reſideat, et in eadem Capella ſingulis diebus horas canonicas dicat, miſſamque celebret, prout per alios Capellanos qui capellam prædictam hactenus habuerunt fieri conſuevit.** In cujus, &c. Teſte Rege apud *Shene,* primo die *Octobris.*

In

In like manner the Abbeſſe of *Wherewell* bound by a new Conſtitution to perpetual reſidence within that houſe with her Nuns; had this Writ to make an Attorny upon that account. *An.* 33 *E.* 1

Iſabella Abbatiſſa de *Wherewell* quæ moratur in domo ſicut aliæ Abbatiſſæ, ac Moniales ejuſdem ordinis juxta conſtitutionem nobam inde factam ſuo perpetuo manent incluſæ, habent literas Regis Attorn. ſub nominibus *Roberti de Cormaylles*, & *Johannis de Swyltenham*, duratur. per unum annum. Teſte Rege apud *Reylegh* 17 die *Aug.* Pat. 33 E 1. pars 2. m. 14. De Attorn.

That ſome *Roman* Cardinals had at this time 2. Prebendaries or more in Cathedral Churches in *England*, and yet reſided in neither, appears by this Record.

Neapoleo Sacroſanctæ *Romanæ* Eccleſiæ Cardinalis, præbendarius præbendæ de *Suthcane* in Eccleſia beati *Petri Ebor.* & præbendæ de *Sutton* in Eccleſia beatæ *Mariæ Lincoln.* in Cur. *Romana* commorans, habet literas *R.* de Attornato ſub nominibus *Galfridi de Pinno* & *Johannis Rychy de Florencia*, &c. In cujus, &c. per biennium duraturas præſ. T. R. apud *Berkynggs* 21 die *Septemb.* Ibid. De Attorn.

The Archdeacon of *Canterbury* excomunicating divers of the ſervants of the Abbot of St. *Auguſtines*, for collecting the fruits of vacant Benefices belonging to the Abby, as they uſed time out of mind, which the Archdeacon pretended to belong to him; from which ſentence the Abbot and they appealed as unjuſt; the King thereupon granted this *Superſedeas* to the Writs *De Excommunicato capiendo* iſſued againſt them.

REX Vic. *Kanciæ* ſalutem. Monſtravit nobis dilectus nobis in Chriſto — Abbas Sancti *Auguſtini Cantuar.* quod cum cuſtodia Eccleſiarum de advocatione ipſius Abbatis, necnon et perceptio fructuum earundem Eccleſiarum per homines ejuſdem Abbatis colligendorum cum ipſas Eccleſias vacare contigerit, a tempore vacationis earundem quouſque plenæ fuerint et conſultæ, ad ipſum Abbatem de jure et conſuetudine pertineant, & idem Abbas & prædeceſſores ſui Abbates ejuſdem loci cuſtodiam Eccleſiarum ſic vacancium habuerint, & fructus per homines ſuos ad hoc deputatos collegerint & habuerint a tempore quo non extat memoria, *Johannes de Langeton* Archidiaconus *Cantuar.* aſſerens fructus Eccleſiarum prædictarum infra Archidiaconatum prædictum ſic vacancium, ad ipſum pertinere, *Ricardum le Creour* de *Cantuaria*, *Thomam* fil. *Johannis de Wynelesburgh*, *Thomam Appelgar*, *Willielmum de Nyton*, *Thomam Sprot*, *Ricardum Godefrey*, *Willielmum Burgeys*, *Johannem de Berton*, *Willielmum Lamb*, *Ricardum le Fullere*, *Rogerum Sprot*, *Michaelem* fil. *Willielmi de Wynelesbergh* de *Beltham*, & *Simonem Romyng* ſervientes ipſius Abbatis, & per ipſum Abbatem ad fructus Eccleſiæ de *Wynelesbergh* quæ eſt de advocatione ejuſdem Abbatis nuper vacantis colligendos deputatos, excommunicabit: per quod nos nuper ad requiſitionem venerabilis patris *R. Cantuar.* Archiepiſcopi nobis per literas ſuas patentes ſignificantis, quod prædicti *Ricardus*, *Thomas*, *&c.* & *Simon* ſunt excommunicati, nec ſe volunt per cenſuram Eccleſiaſticam juſticiari, Tibi præcepimus, quod prædictos *Ricardum*, *Thomam*, *&c.* & *Simonem* per corpora ſua ſecundum conſuetudinem *Angliæ* juſticiares, donec Sanctæ Eccleſiæ tàm de contemptu quàm de injuria ei illata ab eis eſſet ſatisfactum. Cumque idem Abbas pro ſe & prædictis *Ricardo*, *Thoma*, *&c.* ac aliis ſibi in hac parte adhærentibus, a ſententia prædicta tanquam ab iniqua ad ſedem Apoſtolicam legitime appellaverit, et appellacionis illius negocium proſequatur, ut intelleximus, cum effectu: Nos nolentes quod prædictis *Ricardo*, *Thoma*, *&c.* & *Simoni* per prædictum breve via præcludatur quo minus appellacionis prædictæ negocium proſequi poſſint, maxime cum hujuſmodi breve de gracia noſtra procedat, et appellancium ſtatus integer eſſe debeat: Tibi præcipimus, quod executioni brevis noſtri tibi inde directi faciendæ ſuperſedeas pendente appellacionis negocio ſuprædicto, vel donec aliud à nobis inde habueris in mandatis: Et ſi prædictos *Ricardum*, *Thomam*, *&c.* & *Simonem*, vel eorum aliquem ea occaſione ceperis, tunc ipſos à priſona qua ea occaſione detinentur ſine dilatione deliberes in forma prædicta. Teſte Rege apud *Weſtm.* 7. die *Aprilis.* Cl. 33 E 1. m. 16. Pro Abbate S Auguſtini Cant.

What

An. 33 E 1. What Theeves and Apostates some Monks proved in that age, this Record will evidence.

Pat. 33 E 1. pars 2. m. 15. De pardonacione transgressionis pro fratribus Minoribus Exon.

REX omnibus Ballivis & fidelibus suis ad quos, *&c.* salutem. Sciatis, quod cum frater *Nicholaus de Sardekyn* de *Bristoll*, qui de Conventu fratrum Prædicatorum de *Exon.* nuper erat, **per assensum et auxilium** fratris *Stephani de Exon.* de dicto Conventu **quandam partem de denar.** dilecti & fidelis nostri *Gilberti de Knevill* **in domo ipsorum fratrum apud** *Exon.* **depositis, a domo illa jamdiu asportasset, et se exinde cum dicta pecunia elongasset**; Ita quod aliquo tempore postmodum non potuit, ut dicitur, inveniri; & cæteri fratres de Conventu prædicto præfatum *Stephanum* subsequenter pro quodam delicto contra ordinis sui regulam commisso, **in carcerem sibi custodiam detrusissent, juxta ordinis illius exigenciam castigandum**: Ac fratres *Johannes de Loc levicil*, *Robertus de Otery*, *Willielmus de Reigny* qui diversis vicibus fuerunt ibidem Priores, & cæteri fratres de Conventu predicto coram dilectis & fidelibus nostris *Willielmo Martyn*, & sociis suis Justiciar. nostris ad diversas felonias & transgressiones in Com. *Devon.* audiendas & terminandas assignatis, jam sint de receptamento prædicti fratris *Stephani* & non de aliqua transgressione alia indictati, prout accepimus ex testimonio fratris *Roberti de Bromyerd* Prioris Provincialis in *Angl.* & *Hugonis de Manceſtr.* de ordine memorato. Nos ob amorem & bonam voluntatem quos ad dictum Ordinem gerimus, & habemus, & per testimonium prædictorum fratrum *Roberti* & *Hugonis* firmiter credentes, quod prædicti fratres *Johannes*, *Robertus de Otery*, *Willielmus de Reigny*, & alii de Conventu prædicto præfatum fratrem *Stephanum* pro dicto crimine, si illud commisisset, concelando, seu alio malo modo minime receptarunt; pardonavimus eis transgressionem prædictam quatinus ad nos pertinet, aut pertinere poterit occasione facti & receptamenti prædictorum; Ita quod prædicti fratres seu aliqui vel aliquis de Conventu prædicto occasione facti seu receptamenti prædictorum non molestentur in posterum in aliquo seu graventur. In cujus, &c. T. R. apud *Bures* 11 die *Aug.*

Per Breve de privato sigillo.

There were several partial purgations this year of Clerks indicted for murders, robberies, burning of houses, receiving of Felons; who were delivered out of prison, and their goods restored to them again, by several certificates of Archbishops and Bishops, as the * *Clause Roll* of this year attests, to the great incouragement of Malefactors

* Clauſ. 33 E 1. m 7, 8, 12.

What a Sovereign Ecclesiastical Jurisdiction the King this year exercised in granting Licenses to Bishops and Abbots to appropriate Churches to them and their Successors, and fine those who presumed to appropriate them without his special License, these Records will inform us.

Pat. 33 E. 1. m. 12. intus. pro J. Episcopo Karliolensi.

REX Omnibus ad quos, *&c.* salutem. Sciatis quod de gratia nostra speciali **concessimus et dedimus licenciam pro nobis et hæredibus nostris**, quantum in nobis est, venerabili in Christo Patri *Johanni* Episcopo *Karlioli*, quod ipse Ecclesiam de *Roubury* quæ est de advocatione sua propria, **sibi et Ecclesiæ suæ beatæ** *Mariæ Karliol.* **in proprios usus perpetuo possidendam appropriare, et eam sic appropriatam tenere possit sibi et successoribus suis Episcopis ejusdem loci imperpetuum, sine occasione vel impedimento nostri vel hæredum nostrorum Justic. Escaetorum, Vicecomitum, aut aliorum Ballivorum seu Ministrorum nostrorum quorumcumque.** In cujus, *&c.* Teste Rege apud *Westm.* 20 die *Marcii.* *Per ipsum Regem.*

Pat. 33 E. 1. pars 1. m. 11. intus. Pro Priore de Boulton in Craven.

REX Omnibus ad quos, *&c.* salutem. Sciatis quod **per finem** quem dilectus nobis in Christo Prior de *Boulton* in *Cravene* fecit nobiscum coram venerabili Patre *W. Coventr. & Lychf.* Episcopo Thesaurario nostro, pardonavimus eidem Priori & Conventui **ejusdem loci transgressionem quam fecerunt appropriando sibi et Ecclesiæ suæ de** *Boulton* **Ecclesiam de** *Carleton* **et** *Cravene*, **quæ est de advocatione sua propria ut dicitur, in proprios usus imperpetuum possidendam, nostra ad hoc licentia non optenta**, & concessimus pro nobis & hæredibus nostris quantum in nobis est prædictis Priori et Conventui, **quod ipsi et successores sui prædictam Ecclesiam de** *Carleton* **sic appropriatam in proprios usus retinere possint sibi et Ecclesiæ**

suæ

ſuæ de *Boulton* prædictæ imperpetuum ſine occaſione vel impedimento noſtri vel hæredum noſtrorum Juſtic. Eſc. Vic. aut aliorum Ballivorum ſeu Miniſtrorum noſtrorum quorumcumque, ſtatuto noſtro de terris et tenementis ad manum mortuam non ponendis edito non obſtante. In cujus, *&c.* Teſte Rege apud *Weſtm.* primo die *Aprilis.* *An.* 33 E. 1.

The King granted this Licenſe, Safe-conduct and Protection to the Biſhop of *Sodor*, to viſit the Churches within his Juriſdiction within the Iſle of *Inchegal.*

REX Omnibus Ballivis et fidelibus ſuis ad quos, *&c.* ſalutem. Cum venerabilis Pater *Alanus* Epiſcopus *Sodorenſis* ad partes Inſularum de *Inchegal* cauſa viſitationis ſuæ et ad officia Epiſcopalia ibidem exercenda de licencia noſtra jam accedat, vobis mandamus, quod eidem Epiſcopo aut hominibus ſuis in eundo ad partes prædictas, ibidem morando, et exinde redeundo non inferatis vel quantum in vobis eſt inferi, permittatis injuriam, moleſtiam, dampnum, impedimentum aliquod ſeu gravamen, ſed ejus potius ſalvum et ſecurum conductum noſtri contemplacione habere faciatis quociens opus fuerit, et ab ipſo Epiſcopo ex parte noſtra ſuper hoc fueritis requiſiti. In cujus, *&c.* per unum annum duraturas. Teſte Rege apud *Weſtm.* 26 die *Marcii.* *Per ipſum Regem nuncup.* A. Dunolm. *Epiſcopo.* Pat. 33 E. 1. pars 1. intus. De conductu.

The Marriage propounded by Pope *Boniface*, and ſollicited by his Succeſſor, being compleated between King *Edward* and *Margaret* Siſter of the King of *France*, in order to ſettle a Peace between them, the King iſſued this Patent in augmentation of her Dower, made by him at the Church door when he eſpouſed her.

REX Omnibus ad quos, *&c.* ſalutem. Sciatis quod cum felicis recordacionis *Bonifacius* divina providencia nuper Sanctæ *Romanæ* ac univerſalis Eccleſiæ ſummus Pontifex in quem ſuper pace inter nos et Regem *Francia* reformanda, ſuper diſcordiis et guerris inter nos et ipſum racione quacumque nuper exortis, ſub certis formis ex modis ex parte noſtra et ipſius Regis fuerat compromiſſum, inter cætera quæ in pronunciationis ſuæ ſerie continetur, et virtute dicti compromiſſi ordinaſſet, *quod matrimonium inter nos &* Margaretam *ſororem prædicti Regis* Franciæ *contraheretur ſub certis condicionibus atque pœnis, & quod dotalicium ad valorem quindecim Milium librarum* Turonenſium *in terris & tenement. in locis competentibus per nos aſſignaretur eidem.* Noſque dotalicium prædictum de tribus Milibus librarum tertæ monetæ *Turonen.* augmentaverimus de noſtra propria et libera voluntate, et ad præmiſſa in omnibus et ſingulis adimplenda hominaverimus et aſſignaverimus eidem *Margaretæ* certa Caſtra, Civitates, Villas, Honores, Burgos, Firmas, Maneria, Hundreda, et alia loca diverſa de quibus eam dotavimus ad ollium Eccleſiæ quando eam deſponſaverimus, prout in literis noſtris patentibus eidem *Margaretæ* inde confectis plenius continetur: Nos honorem et ſtatum ipſius *Margaretæ* uberius reſpicere volentes, dotalicium prædictum de duobus Milibus librarum terræ monetæ prædictæ jam duximus augmentandum, ita quod in univerſo habeat in dotem ſeu dotalicium terras et tenementa uſque ad valorem viginti Milium librarum *Turonenſ.* annuatim, quatuor *Turonenſ.* pro uno *Sterlingo* computandis. Et in valorem dictarum viginti Milium librarum *Turonenſ.* nominavimus et aſſignavimus eidem *Margaretæ* Maneria, Villas, Firmas et Hundredum ſubſcripta, videlicet, Villam de *Kingeſthorpe* cum pertin. in Com. *Northampton* in valorem ſexaginta librarum *Sterlingorum*, Manerium de *Biſton* cum pertin. in eodem Com. in valorem quadraginta librarum, Manerium de *Kingeſelive* cum pertin. in eodem Com. in valorem ſexaginta et duarum librarum, Manerium de *Briggeſtock* cum pertin. in eodem Com. in valorem quadraginta et unius librarum et decem ſolidorum, viginti et quinque libras de firma quam *Laurencius de Falvile* in eodem Com. in valorem undecim librarum ſexdecim ſolidorum et octo denariorum, Manerium de *Longebenyngton* cum pertin. in Com. *Lincoln.* in valorem centum et ſexaginta librarum, Villam de *Stranesby* cum pertin. et omnibus aliis pertin. ſuis in eodem Com. in valorem quinquaginta librarum, et quinquaginta libras de firma quam homines de Soca de *Caſtro* reddunt per annum in eodem Com. Habenda et tenenda eidem *Margaretæ* in augmentacionem dotis ſuæ prædictæ quoad vixerit, adeo integrè et Pat. 33 E. 1. pars 2. m. 19. intus. Pro Regina.

libere

Anno 33 E. 1 liberè ſicut nos ea tenuimus. In cujus, *&c.* Data per manum noſtram apud *Banſtede* 30 die *Maii*. *Per Breve de Private Sigillo. Duplicatur.*

The King by his Eccleſiaſtical Prerogative granted this Licenſe to the Biſhop of *Landaff* to * appropriate the Church of *Newland* to his Biſhoprick.

* See p. 1105.

Pat. 33 E. 1. m. 18. Pro Johanne Epiſc. Landavenſi.

REX Omnibus ad quos, *&c.* ſalutem. Sciaris quod caritatis **intuitu conceſſimus et licenc. dedimus pro nobis et hæredibus noſtris quantum in nobis eſt**, venerabili Patri *Johanni* Epiſcopo *Landavenſ.* quod ipſe Eccleſiam de *Nova terra* in Foreſta noſtra de *Dene Herefordenſ.* Dioceſis, cujus advocacionem habet ex donacione noſtra, **appropriare ſibi et Eccleſiæ ſuæ *Landavenſ.* et eam ſic appropriatam ſibi et ſucceſſ. ſuis Epiſcopis ejuſdem loci retinere et in proprios uſus habere poſſit imperpetuum ſine occaſione vel impedimento noſtri**, vel hæred. noſtrorum, Juſtic. Eſcaetorum, Vicecomitum, aut aliorum Ballivorum ſeu Miniſtrorum noſtrorum quorumcumque. In cujus, *&c.* Teſte Rege apud *Thetford* 9 die *Febr.* *Dupl.*

What Protections the King granted this year to ſuch who by his Licenſe repaired to or ſtaied in the Court of *Rome*, theſe Records will inform us.

Pat. 33 E. 1. pars 2. m. 12. intus.

MAgiſter *Willielmus de Grenefeld* Decanus Eccleſiæ Sanctæ *Trinitatis Cicestrenſ.* **qui de licencia Regis moratur in Curia** *Romana*, habet litteras Regis de protectione uſque ad Feſtum Natalis Domini proximo futurum cum clauſula volumus, *&c.* except. *&c.* & except. *&c.* præſ. *&c.* Teſte Rege apud *Shene* ſecundo die *Octob.*

Pat. 33 E. 1. pars 2. m. 17. intus. De protectione.

ROgerus *la Warre*, qui **pro Regis et regni negociis ad Curiam** *Romanam* **proficiſcitur eſt**, habet litteras Regis de protectione per unum annum duraturas, cum clauſula volumus, *&c.* except. & except. *&c.* præſ. *&c.* Teſte Rege apud *Cantuar.* 12 die *Julii.* *Per ipſum Regem.*

JOhannes *de Tany* qui cum præfato *Rogero* pro Regis & Regni negociis **Curiam** *Romanam* **proficiſcitur eſt**, habet conſimiles litteras de protectione cum clauſula, *&c.* duraturas, ut ſupra. *Per teſtim. præfati Rogeri.*

Pat. 33 E. 1. m. 7. parte 1. De Attorn.

STephanus Prior de *Lewes* qui **de lic. Regis proficiſcitur eſt ad Curiam** *Romanam*, habet litteras Regis de attorn. ſub nominibus fratris *Guichardi* de *Carolocо* commonachi ejuſdem Prioris & *Thomæ de Holm*, duraturas per biennium, preſentibus, *&c.* Teſte Rege apud *Weſtm.* 7 die *Aprilis.*

Ibid. De protectione.

Idem *Stephanus* Prior *de Lewes* qui **de licencia Regis proficiſcitur eſt ad Curiam** *Romanam*, habet litteras Regis de protectione ſimplices ſine clauſulis duraturas per biennium, præſentibus, *&c.* Teſte Rege ut ſupra. Dupl.

John de Langeton being elected and confirmed Biſhop of *Cicester* after the death of *Gilbert de Sancto* * *Leopoldo*, *pater Orphanorum, conſolator mœrentium viduarum, in grabatis & in tugurriis decubantium, pius & humilis viſitator, & inopum quàm divitum affluens recreator* (as few Biſhops were then or ſince) *cujus vitæ ſanctimoniam ſubſecuta mox crebra miracula proteſtantur*) the King thereupon this year iſſued this Writ for the reſtitution of his Temporalties.

* Mat. Weſtm. An. 1305. p. 456. Godwins Catalogue. p. 387.

Pat. 33 E. 1. pars 2. m. 17. intus. De reſtitutione temporalium.

REX dilecto ſibi *Waltero de Goddynges*. Cuſtodi ſuo Epiſcopatus *Cicestrenſ.* ſede vacante, ſalutem. Cum venerabilis Pater *R.* Archiepiſcopus *Cantuar.* electionem nuper factam in Eccleſia Cathedrali *Cicestrenſ.* de diſcreto viro *Johanne de Langeton* Canonico ejuſdem Eccleſiæ in Epiſcopum illius loci, cui priùs **regium aſſenſum adhibuimus et favorem, confirmaverit**, ſicut per literas patentes ipſius Archiepiſcopi nobis inde directas nobis conſtat. Nos confirmationem illam acceptantes cepimus fidelitatem ipſius Electi, & temporalia Epiſcopatus prædicti prout moris eſt, reſtituimus eidem. Et ideo vobis mandamus, quod eidem Electo temporalia Epiſcopatus prædicti liberetis in forma prædicta. Teſte Rege apud *Dover* 16 die *Julii.*

Per breve de private Sigillo

Et mandatum eſt Militibus, *&c.* In cujus, *&c.* Teſte ut ſupra.

Per breve de private Sigillo.

This

This year *Henry de Merewell* being elected and confirmed Biſhop of *Wynton* by the Kings royal aſſent, (not *Henry de Woodloke*, as * *Godwin* miſtakes) the King iſſued this Writ for reſtitution of his Temporalties. *An.* 33 E. 1.

* Catalogue of Biſhops, p. 179.

REX dilectis & fidelibus ſuis *Nicholao Fermband* & *Roberto de Harghwedon* Cuſtodibus ſuis Epiſcopatus *Wynton.* vacantis, & in manu noſtra exiſtentis ſalutem. Cum venerabilis pater *R. Cantuar.* Archiepiſcopus, tocius *Angl.* Primas electionem nuper celebratam in Eccleſia Sancti *Swythini Wynton.* de fratre *Henr de Merewell* Priore ejuſdem Eccleſiæ in Epiſcopum loci illius, **cui prius Regium aſſenſum adhibuimus et favorem confirmaverit**, ſicut per literas patentes ejuſdem Archiepiſcopi nobis inde directas nobis conſtat; **Nos confirmationem illam acceptantes, cepimus fidelitatem ipſius Electi, et temporalia Epiſcopatus prædicti, prout moris eſt, reſtituimus eidem.** Et ideo vobis mandamus, quod eidem Electo Temporalia Epiſcopatus prædicti liberetis, ſicut prædictum eſt. Teſte Rege apud *Weſtm.* 12 die *Marcii*, dupp.

Et mandatum eſt Militibus, &c. In cujus, &c. T. ut ſupra.

Pat. 33 E 1. m 26. intus De reſtitucione temporalium.

The King out of his charity granted this Patent to the Maſter and Brethren of St. *Thomas* of *Acon London*, to collect Alms in *England*, *Scotland*, *Ireland* and *Wales*, in purſuance of Popes Bulls formerly made unto them.

REX Archiepiſcopis, Epiſcopis, Abbatibus, Prioribus, & omnibus Ballivis & aliis Chriſti fidelibus in *Anglia*, *Scocia*, *Hibernia* & *Wallia* ad quos, &c. ſalutem. Cum dilectis nobis in Chriſto Magiſtro & fratribus Domus Sancti *Thomæ* Martyris de *Acon London.* **a diverſis Summis Pontificibus ſit indultum**, quod ipſi vel eorum procuratores aut nuncii ſemel in anno recipiantur in Eccleſiis ad fidelium eleemoſinas colligend. propter quod iidem Magiſter & fratres ad loca diverſa pro hujuſmodi eleemoſinis colligendis procuratores & nuncios ſuos mittant. Nos dilectum Clericum noſtrum Magiſtrum *Edmundum de London.* Magiſtrum domus, necnon & fratres ejuſdem Domus & alios procuratores & nuncios quos loco ſuo aſſignare voluerint, ad præmiſſa facienda, homines, terras, res, redditus, & omnes poſſeſſiones Domus illius in protectionem & defenſionem noſtram ſuſcepimus ſpeciales, vobis Ballivis noſtris præcipientes, quod ——— &c. *vos eciam prælatos requirimus & rogamus, &c. Ita quod à Deo poſſitis ex hac cauſa meritum reportare, &c. Et quia intelleximus quod quidam malivoli ſe per Magiſtrum & fratres Domus prædictæ falſo advocantes, nomine ipſorum Magiſtri & fratrum eleemoſinas in diverſis locis colligunt, &c. prout aliàs in caſu conſimili fieri conſuevit. In cujus, &c. per triennium duraturas. T. R. apud Sanctum *Albanum*, 5. die *Maii*.

Pat. 33 E 1. pars 1. m 2. Pro Magiſtr. & fratribus Domus S. Thomæ Martyris de Acon London.

* As here, p. 1013.

This year the King granted the Cuſtody of the Temporalties of the Abbey of St. *Benedict de Hulmo* during the vacancy for a certain rent, as he did to ſundry *others before in the ſame form.

*Here, p. 1042 1043.

REX, &c. (*as before, in that to St.* Edmunds *uſque ibi.*) **Reddendo nobis et hæredibus noſtris pro qualibet vacacione Abbaciæ prædictæ ſive duraverit per quatuor menſes, ſive per minus tempus ducentas marcas infra eoſdem quatuor menſes. Et ſi forte vacacio Abbaciæ illius duraverit ultra quatuor menſes, tunc prædicti Prior et Conventus pro proximis quatuor menſibus integris ſequentibus, ſi tanto tempore duraverit, ſolvant nobis et hæredibus noſtris ducentas marcas: et ſic pro quibuſlibet quatuor menſibus integris poſt primos quatuor menſes durante vacacione prædicta ducentas marcas. Et ſi ultra quatuor menſes integros duraverit minori tempore quam per quatuor menſes, tunc pro illo minori tempore de dictis ducentis marcis pro rata temporis illius proportionaliter nobis ſolvant.** Et volumus et concedimus pro nobis & hæredibus noſtris, quod prædicti Prior & Conventus et eorum ſucceſſores imperpetuum habeant & teneant cuſtodiam Abbaciæ prædictæ ſingulis temporibus vacacionum ejuſdem in forma prædicta; ita quod nullus Vicecomes, Eſcaetor, ſeu quicumque alius Ballivus vel Miniſter noſter vel hæredum noſtrorum de cuſtodia Abbaciæ prædictæ, ſeu Cellarum ſuarum, Maneriorum, aut aliarum rerum ſeu bonorum quorumcumque ad dictam Abbaciam ſeu Cellas ſu-

Pat. 33 E 1. pars 2. m 23. intus. Pro Abbate Sancti Benedicti de Hulmo.

An. 33 *E.* 1. as ſpectancium quoquo modo ratione vacacionis illius ſe in aliquo intromittat. Hoc tamen excepto, quod Eſcaetor, *&c.* (*as before to thoſe of St.* * Edmonds, *and others forecited*) T. R. apud *Stok Dabernun*, 29 die *Maii.*

*Here p. 1043.

Though the King levyed money by all poſſible means this year, yet he ſhewed his juſtice in cauſing goods unduly levyed for the *Quindiſme* to be reſtored to the Executors of the Biſhop of *Sarum*, by this Writ.

Cl. 33 E 1. m. 10. Pro Executoribus teſtamenti Willielmi de la Cornere dudum Epiſcopi Sarum.

REX Theſ. & Baronibus ſuis de Scaccario, ſalutem. Monſtraverunt nobis Executores teſtamenti bonæ memoriæ *Willielmi de la Cornere* dudum Epiſcopi *Sarum*, quod cum idem Epiſcopus ſicut cæteri Epiſcopi de regno noſtro, anno regni noſtri decimo octavo conceſſiſſet nobis decimam bonorum ſuorum ſpiritualium ſecundum taxacionem *Norw.* per quod quintamdecimam nobis eodem anno à communitate regni noſtri conceſſam de bonis ſuis temporalibus ſolvere non debuit, vos licet decima nos de bonis ſpiritualibus prædicti Epiſcopi contingens, nobis ad dictum Scaccarium perſolvatur, ipſos tamen Executores pro Quintadecima de bonis temporalibus quæ fuerunt prædicti Epiſcopi nobis reddenda graviter diſtringitis, & partem inde levari feciſtis, in ipſorum Executorum dampnum non modicum & gravamen. Et quia nolumus quod iidem Executores in hac parte indebitè prægraventur, Vobis mandamus, quod ſi vobis conſtare poſſit quod prædictus Epiſcopus dictam decimam nobis ſolverit, tunc Executores prædictos de prædicta quintadecima quietos eſſe faciatis. Et ſi quid de bonis dicti defuncti ſeu Executorum prædictorum ratione dictæ Quintædecimæ ad opus noſtrum lebatum fuerit, ad eiſdem Executoribus prout juſtum fuerit reſtitui, vel eis inde debitam allocacionem prout fore videritis faciendum fieri faciatis. Teſte Rege apud *Greneford*, 15. die *Maii.*

The King likewiſe inhibited any Barons, Knights or others, who repaired to the Tourneys or Juſts to be held in *Sarum*, to lodge then or at any other time in the Canons houſes within the Cloſe, or take victuals there to their diſturbance.

Pat. 33 E 1. pars 2. m. 5. Pro Canonicis Eccleſiæ de Sarum.

REX Comitibus, Baronibus, Militibus, & omnibus fidelibus ſuis ad turneandum apud *novam Sarum* de cætero conventuris, ſalutem. Tranquillitati & quieti Canonicorum Cathedralis Eccleſiæ beatæ *Mariæ Sarum* infra clauſum ejuſdem Eccleſiæ commorancium, ut eo commodius & quiecius divinis poſſint obſequiis intendere proſpicere cupientes; Vobis omnibus & ſingulis mandamus firmiter injungentes, ne aliquod hoſpicium infra clauſum prædictum, ſeu victualia, aut aliqua alia neceſſaria ad dictos Canonicos ſeu eorum aliquem ſpectancia contra voluntatem eorundem Canonicorum aut Ballivorum ſuorum ibidem ipſis abſentibus, hac vice, vel aliàs cum vos vel aliquem veſtrum ex cauſa hujuſmodi ad Civitatem prædictam contigerit declinare, capiatis ſeu capi faciatis, ſet in adventum veſtrum ibidem vos taliter habeatis, quod dicti Canonici ſeu alii Miniſtri Eccleſiæ prædictæ non impediantur per vos ſeu veſtros, quo minus divinis obſequiis more ſolito quietè & pacificè intendere valeant, ſicut decet. In cujus, &c. Teſte Rege apud *Weſtm.* 7. die *Novembris.* *Per ipſum Regem.*

I found this Record in the *Fine Rolls* of this year touching the Kings ſeiſing the Temporalties of *Thomas* Archbiſhop of *York* for his * premiſed contempt, till his death.

* Here, page 1029, 1039. &c.

Fines 33 E 1. m. 18. Pro executoribus teſtamenti T. nuper Archiep. Eborum.

REX dilectis & fidelibus ſuis *Lamberto de Thrikingham*, & *Johanni de Byron* Cuſtodibus Archiepiſcopatus *Eborum* vacantis & in manu ſua exiſtentis, ſalutem. Cum nuper præſentaſſemus dilectum Clericum noſtrum Magiſtrum *Johannem Buſſh* ad capellam ſeu ſacriſtariam beatæ *Mariæ* & Angelorum *Eborum*, & ad præbendam de *Styvelynton* in Eccleſia beati *Petri Eborum*, & bonæ memoriæ *Thomas* tunc Archiepiſcopus *Eborum*, pro eo quod dictum Clericum noſtrum ad capellam ſeu ſacriſtariam prædictas admittere recuſavit, fuiſſet inde coram Juſtic. noſtris apud *Eborum* diſtrationatus, in quo quidem negocio ita eſt proceſſum quod propter inobedienciam quam dictus Archiepiſcopus nobis fecit capi fecimus in manum noſtram temporalia ipſius Archiepiſcopi, quæ in manu noſtra remanſerunt uſque

que ad diem obitus Archiepiſcopi ſupradicti, ac executores teſtamenti ejuſdem Archiepiſcopi pro deliberacione bonorum et catallorum quæ fuerunt ipſius Archiepiſcopi, et quæ occaſione prædicta capta fuerunt in manum noſtram habend. ad nos jam accesſerint & nobis ſupplicaverint, ut de bladis pro ſemine abernagii et quadragesimæ ſufficienter, ac pro ſuſtentacione beſtiarum de carucis capere velimus, & reſiduum bladorum, ac aliorum catallorum eis liberare. Nos volentes præfatis Executoribus pro ſalute animæ dicti defuncti gratiam facere in hac parte; Vobis mandamus, quod capto de bladis prædictis pro ſemine & ſuſtentacione beſtiarum in ſupradicta, reſiduum eorundem bladorum, ſimul cum omnibus aliis bonis & catallis quæ fuerunt prædicti Archiepiſcopi, et quæ occaſione prædicta capta fuerunt in manum noſtram, præfatis Executoribus liberari faciatis ad executionem teſtamenti prædicti inde faciendam. Salvis etiam nobis redditibus, herbagiis, et aliis exitibus temporalium prædictorum inde provenientibus a tempore capcionis eorundem in manum noſtram. Teſte apud *Bruſtwyk* 23 die *Novembr*, *An.* 33 E. 1.

Per breve de Privato Sigillo.

What Veniſon the King took this year in the Parks of the Archbiſhop of *Yorke* (then in his hands) this Writ will inform us.

REX dilecto & fideli ſuo *Lamberto de Trikingham* Cuſtodi ſuo Archiepiſcopatus *Eborum*, ſede vacante, ſalutem. Mandamus vobis, quod in chaciis et parcis Archiepiſcopatus prædicti ſtraginta et duos Damos de meliore pinguedine inſtantis ſeiſonæ capi et bene parari, nobiſque *London.* mitti faciatis, et cuſtum quod ad hoc appoſueritis vobis in compoto veſtro ad Scaccarium noſtrum de exitibus Archiepiſcopatus illius allocari faciemus. Teſte Rege apud *Cyceſtr.* 17 die *Junii*. Cl 33 E 1. m 6 De venacione capienda ad opus Regis.

The King borrowing 1000 Marks from the Popes *Italian* Merchants for the defraying the expenſes of *Walter Wynterburne* his Chaplain, advanced to the ſtate of a *Roman Cardinal*, iſſued this Writ for the repayment thereof out of the Diſms of *Ireland* granted him by Pope *Boniface* the 8.

REX dilectis ſibi *Willielmo de Hothum* & *Guidoni de Wykio* Perſonæ Eccleſiæ de *Heſe*, Collectoribus Decimæ Clero *Hibern.* per Dominum *Bonifacium* nuper Papam octavum impoſitæ per tres annos, ſalutem. Cum per literas noſtras obligatorias teneamur dilectis Mercatoribus noſtris *Johanni Grandonis*, *Matthæo Clariſſimi*, & *Gerardo Hugon.* Mercatoribus de Societate *Spinorum* de *Florencia* in mille Marcis ſterlingorum quas venerabili patri *Waltero de Wynterburne* Sacroſanctæ Romanæ Eccleſiæ Presbytero Cardinali per præceptum noſtrum liberarunt pro expenſis ipſius Cardinalis, et aliis neceſſariis ad ſtatum Cardinalatus ſpectantibus inde faciendis, prout in literis patentibus dicti Cardinalis receptionem dictæ pecuniæ teſtificantibus, quas dicti Mercatores in Garderoba noſtra liberarunt plenius continetur; Vobis mandamus firmiter injungentes, quod de denariis de dicta Decima per vos levatis & levandis dictus mille Marcas præfatis Mercatoribus vel uni eorum, aut attornato eorundem quem ad hoc per ſuas patentes literas duxerint aſſignand. quam citius poteritis, non obſtante aliquo mandato noſtro prius vobis facto liberetis; Recipientes à Mercatoribus prædictis vel uni eorum, aut attornato eorundem literas noſtras prædictas, & ſimiliter alias literas noſtras de acquietancia & indempnitate veſtra in hac parte quas eiſdem tradidimus, vobis cum pecuniam illam ut prædicitur receperint liberandas: & hoc nullatenus omittatis. T. R. apud *Ciceſtr.* 17 die *Junii*. Clauſ 33 E 1. m. 11. Intus. Pro Mercatoribus de Societate Spinorum de Florencia.

The King this year iſſued this Patent to the Abbot of *Oſeney* for the ſatisfaction of ſuch monies he had paid to the Popes Collectors, which the King obliged himſelf to diſcharge him from, being granted only for the uſe of the *Holy Land*, to which none of it was applyed either by the King or Pope.

REX Omnibus ad quos, &c. ſalutem. Sciatis, quod cum in ſatisfactionem quingentarum librarum quæ de Decima in Subſidium *Terræ Sanctæ* à Clero *Angl.* conceſſa ad manus noſtras devenerunt, & in quibus dilecti nobis in Chriſto — Abbas Pat. 33 E 1. pars 2. m. 22. Pro Abbate de Oſeneie.

An. 33 *E.* 1. bas & Conventus de *Oſeneye* Summo Pontifici ſe pro nobis ad noſtri inſtanciam obligarunt, et quas pro nobis eidem Pontifici poſtmodum perſolverunt, allocaverimus eiſdem Abbati & Conventui treſcentas & quinquaginta & duas libras, treſdecim ſolidos, & quatuor denar. in quibus iidem Abbas & Conventus nobis tenebantur ſuper compotum ſuum coram dilectis & fidelibus noſtris *Johanne de Inſula* & ſociis ſuis, ad compotos Collectorum decimæ Clero *Angliæ* per bonæ memoriæ Dominum *B.* Papam octavum, nuper per tres annos de noſtro aſſenſu impoſitæ audiendos, aſſignatis, redditum de denariis de dicta ultima decima per ipſos tempore quo fuerunt ſubcollectores ejuſdem in Dioc. *Linc.* receptis, pro qua quidem allocatione iidem Abbas & Conventus quaſdam firmas eis per nos in recompenſacionem dictarum quingentarum librarum prius aſſignatas ad certum tempus habendas in manus noſtras reddiderunt, volentes indempnitati eorundem Abbatis & Conventus proſpicere in hac parte, ipſos & ſucceſſores ſuos de prædictis treſcentis & quinquaginta & duabus libris, treſdecim ſolidis, & quatnor denar. acſi in Garderoba noſtra ſoluti fuiſſent pro nobis & hæredibus noſtris tenore præſencium quietamus, & promittimus nos & hæredes noſtros ipſos — Abbatem & Conventum & ſucceſſores ſuos erga prædictum Summum Pontificem, & alios quoſcunque inde indempnes penitus conſervare. In cujus, &c. T. R. apud *Horſele*, 30 die *Maii*.

The King likewiſe iſſued this Commiſſion to audit the Accounts of the Sub-collectors of the Diſmes thus given to him by Pope *Boniface* the third.

Pat. 33 E. 1. m. 20. intus. De compoto Subcollectorum Decimæ audiendo.

REX Dilectis & fidelibus ſuis *Johanni de Inſula*, *Waltero de Gloucеſtr.* *Radulpho de Sandwico*, Magiſtro *Willielmo de Hamſtede* & *Ada de Brum* ſalutem. Cum bonæ memoriæ Dominus *Bonifacius* Papa octavus medietatem decimæ Clero *Angl.* per ipſum de aſſenſu noſtro per tres annos impoſitæ, nobis pro arduis & urgentibus noſtris & regni noſtri negociis liberaliter conceſſiſſet, altera medietate dictæ decimæ ſi idem Papa per dictum terminum vitam duceret in humanis, ſibi in ſubſidium Romanæ Eccleſiæ reſervata, & ſi ipſum infra dictum terminum in fata decedere, vel pacem ſuper guerra de regno *Sicilia* mota reformari contingeret, totum reſiduum dictæ decimæ à tempore mortis ſuæ ſeu dictæ pacis reformacionis, colligendum & levandum, noſtris uſibus ſimiliter conceſſiſſet & voluiſſet integraliter applicari; Noſque dilectis nobis in Chriſto Abbatibus & Conventibus de *Waltham*, de *Redinge*, de *Furnois*, de *Faverſham*, de *Sancto Edmundo*, *Oſeneye*, *Langley* in *Norff.* *Coleſtrenſ.* *Certeſey*, beatæ *Mariæ Eborum*, *Selcby*, *Novo Monaſterio*, *Cokerſand*, *Burton* ſuper *Trentam*, *Gloucеſtr.* *Hida*, *Wynton*, *Shireburn*, *Glaſton*, *Kermerdyn*, *Wygemore*, & *Valle Crucis*, Ac eciam Prioribus & Conventibus de *Ely*, *Bernewell*, *Kenilworth*, *Roffa*, *Sancti Gregorii Cantuar.* *Karliolo*, *Thurgerton*, *Sancta Katerina* extra *Lincoln*, *Lanceneton*, *Sancti Nicholai Exon*, & *Lanton prime*, necnon Decanis & Capitulis *Hereford.* *Ciceſtrenſ.* & *Bangorn*, *Exon.* Subcollectoribus Decimæ prædictæ nuper mandaverimus, quod omnia arreragia dictæ Decimæ ſine dilacione aliqua levari facerent. Ita quod ea haberent apud *Weſtm.* ad certos dies in brevibus noſtris eis inde directis contentos, & quod præfati Abbates, Priores et Decani perſonaliter intereſſent, vel aliquos ſufficienter inſtructos et plenam poteſtatem ab ipſis habentes mitterent tunc ibidem ad compotum ſuum coram aliquibus fidelibus noſtris quos ad hoc duceremus aſſignandos inde reddend. et faciend. et recipiend ulterius quod Curia noſtra conſideraret in hac parte, Aſſignavimus vos ad audiendum compotum Subcollectorum prædictorum de receptionibus ſuis Decimæ prædictæ, necnon liberacionibus ſuis inde factis, et ad faciendum ulterius quod ad hujuſmodi compotum pertinet, prout vobis per nos et conſilium noſtrum plenius eſt injunctum. Ita tamen, quod ſi vos omnes non interfueritis, tunc quatuor vel tres veſtrum quos adeſſe contigerit præmiſſa expleatis: Et ideo vobis mandamus, quod ad premiſſa explenda et perficienda intendatis in forma prædicta. In cujus, &c. T. R. apud *Swaneton.* 16 die *Januarii*.

Hereupon theſe Subcollectors produced ſeveral acquittances under ſeal of the ſeveral ſums they had collected and paid into the Kings Wardrobe for their diſcharge, whereof I found a whole Bundle in the *White Tower*, many of them being likewiſe recorded in a ſchedule annexed to the Patent Roll of this year; whereof I ſhall recite only one for brevity ſake.

REX

An. 33 E. 1.

Pat. 33 E 1. mem. 6. in Cod. De pluribus acquietanciis factis Subcollectoribus Decimæ.

REX omnibus ad quos, &c. ſalutem. Sciatis, quod recepimus per manus dilecti Clerici noſtri *Johannis de Drokenesford* Cuſtodis Garderobæ noſtræ de dilectis nobis in Chriſto —— Abbate & Conventu de *Burton ſuper Trentam*, Subcollectoribus Decimæ Clero *Anglia* per fælicis recordationis Dominum *B.* nuper Papam octavum de aſſenſu noſtro impoſitæ per tres annos, per Epiſcopum *London.* & Magiſtrum *Bartholomæum de Ferentino* Canonicum *London.* dictæ Decimæ principales Collectores in Dioc. *Coventr.* & *Lychef.* deputatos, viginti libras de primo termino, & centum libras de ſecundo termino tercii anni termini trium annorum prædict. & ſex libras & ſex ſolidos de decima bonorum temporalium dictorum Abbatis et Conventus in villa de *Appelby* in Archid. *Derb.* de dicta Decima provenientes, & nos de porcione ejuſdem Decimæ juxta conceſſionem dicti Summi Pontificis contingentes. De quibus quidem centum & viginti & ſex libris & ſex ſolidis dictum Abbatem & Conventum ac ſucceſſores ſuos tenore præſencium quietamus, & ipſos erga Summum Pontificem, ac prædictos principales Collectores, & alios quoſcumque indempnes penitus volumus conſervari. In cujus, &c. Teſte Rege apud *Brunſwyk* 26 die *Novembr.*

Per literam Philippi de Wylgheby *Cancellarii de Scaccario.*

All the reſt run almoſt in the ſame form.

In the decayed Bundle of Writs in the *White Tower*, Anno 33 E. 1. there is this Writ extant, for ſuing in Court Chriſtian againſt the Kings Prohibition.

Anno 33 E 1. in Turri London.

EDwardus, &c. *Venerabili in Chriſto patri*, W. Covent. & Litchf. *Epiſcopo, &c. Mandamus vobis ſicut alias vobis mandavimus, quod venire faciatis coram Juſtic. noſtris, &c.* Edmundum de Whitacre *Clericum veſtrum, ad reſpondend.* Johanni de Plumpton, *de placito*, quare ſecutus eſt placitum in Curia Chriſtianitatis, de catallis et debitis quæ non ſunt de teſtamento vel matrimonio contra prohibitionem noſtram, &c. T. R. de *Hengham, apud* Ebor. 3 *die* Febr. *Anno regni noſtri* 33.

What Eccleſiaſtical Juriſdiction the King exerciſed this year in *Ireland*, in confirming the elections of Archbiſhops, Biſhops and others there, and preſenting to Churches, theſe Records will inſtruct us.

Pat. 33 E. 1. m. 11. Pro Ricardo Archiep. Dublin.

REX Juſtic. Eſcaetoribus, Vicecomitibus, Miniſtris, & omnibus Ballivis & fidelibus ſuis in *Hibern.* ad quos, &c. ſalutem. Volentes venerabili patri *Ricardo Dublin.* Archiepiſcopo gratiam facere ſpecialem, concedimus ei, quod toto tempore vitæ ſuæ abſque impedimento noſtri vel hæredum noſtrorum utatur et gaudeat eiſdem libertatibus, liberis conſuetudinibus et quietanciis, quibus ipſe Archiepiſcopus et prædeceſſores ſui Archiepiſcopi *Dublin.* per cartas prædeceſſorum ſuorum Regum *Angl.* et noſtras hactenus uſi ſunt. Et ideo vobis mandamus, quod prædictum Archiepiſcopum contra hanc conceſſionem noſtram non vexetis, vel ab aliquibus quantum in vobis eſt vexari permittatis. In cujus, &c. T. R. apud *Weſtm.* 28 die *Martii.*

Per ipſum Regem & petitionem retornatam de Conſilio.

Ibid. m. 10. intus Hybern. De licencia eligendi & temporalia reſtituend.

REX dilecto & fideli ſuo *Johanni Wogan* Juſtic. ſuo *Hibern.* vel ejus locumtenenti, ſalutem. Cum dilecti nobis in Chriſto —— Prior & Conventus Sancti *Patricii in Duno* nobis per literas ſuas patentes ſignificaverint, quod Eccleſia ſua prædicta per mortem bonæ memoriæ *N.* nuper Epiſcopi illius loci eſt paſtoris ſolacio deſtituta, ſupplicantes nobis, prout moris eſt, quod licenciam, &c. licenciam illam eis duximus concedendam, mandantes, &c. Nos eorundem Prioris & Conventus laboribus & expenſis in hac parte parcere volentes iſta vice, &c. In cujus, &c. T. R. apud *Weſtm.* 28 die *Martii.*

The Chief Juſtice refuſing to reſtore the Temporalties to the new elected Biſhop, becauſe not confirmed by the Archbiſhop of *Armach*, the See being then void, but by the Gardian of the Spiritualties; the King thereupon iſſued this Writ to reſtore them to him.

REX

An. 33 *E.* 1.

Pat 33 E 1. Pro Thoma Electo Sancti Patricii in Duno.

REX dilecto & fideli ſuo *Johanni Wogan* Juſtic. ſuo *Hibern.* ſalutem. Cum nuper Eccleſia Sancti *Patricii* in *Duno* per mortem bonæ memoriæ *N.* Epiſcopi illius loci paſtoris ſolacio deſtituta, ad ſupplicacionem Prioris & Conventus Eccleſiæ prædictæ, conceſſerimus eis quod ipſi alium ſibi eligerent in Epiſcopum & paſtorem; Et ut laboribus, expenſiſq; ipſorum Prioris & Conventus parceretur in hac parte, dederimus vobis poteſtatem, quod facta electione prædicta de futuro Epiſcopo, eidem electioni cum Electus hujuſmodi per Priorem & Conventum dictæ Eccleſiæ fuiſſet præſentatus, aſſenſum Regium præberetis vice noſtra; ſignificantes loci Metropolitano, ut id quod ſuum eſt in hac parte exequeretur: Et quod ſi contingeret electionem hujuſmodi per loci Metropolitanum canonicè confirmari, & vobis per literas ejuſdem Metropolitani inde conſtaret, tunc accepta ab eodem Electo fidelitate in caſu illo nobis debita, Temporalia ejuſdem Epiſcopatus eidem Electo, prout moris eſt, liberaretis vice noſtra; vobis licet electio per prædictos Priorem & Conventum facta de Magiſtro *Thoma Ketel* Perſona Eccleſiæ de *Leſmoghan* in Epiſcopum loci prædicti, cui Regium aſſenſum præbuiſtis, ut dicitur, vice noſtra, fuiſſet per Decanum & Capitulum *Ardmacan.* Cuſtodes Spiritualitatis illius loci ſede vacante, auctoritate Metropolitica canonicè confirmata, & vobis per literas eorundem Cuſtodum inde conſtitiſſet, fidelitatem tamen ipſius Electi capere, et temporalia Epiſcopatus prædicti ei reſtituere difficultatis, pro eo, quod per literas Archiepiſcopi *Ardmacani* de confirmacione electionis prædictæ non conſtabat, ſicut ex parte ipſorum Prioris & Conventus nobis eſt oſtenſum; Vobis igitur mandamus, quod ſi dicta ſedes *Ardmacan.* ſit vacans, & electio prædicta per præfatos Cuſtodes rite fuerit confirmata, & per literas eorundem Cuſtodum vobis inde conſtiterit, ut eſt dictum, tunc accepta fidelitate Electi prædicti, juxta tenorem mandati noſtri alias vobis ſuper hoc directi, eidem Electo temporalia Epiſcopatus prædicti a die quo vobis de confirmacione electionis prædictæ ſic conſtabat, ſine dilacione liberetis. T. R. apud *Ranreth*, 18 die *Auguſti.*

Clauſ. 33 E 1. m. 7. Pro R. Archiepiſcopo Dublin.

REX Collectoribus Decimæ Clero *Hiberniæ* per *Bonifacium* nuper Papam octavum impoſitæ per tres annos, ſalutem. Quia ad requiſicionem venerabilis patris *R.* Archiepiſcopi *Dublin.* dedimus eidem Archiepiſcopo reſpectum uſque ad feſtum Nativitatis Sancti *Johannis Baptiſtæ* prox. futur. de demanda illa quam ei fieri facitis de denar. in quibus Archiepiſcopus nobis tenetur de Decima prædicta, vobis ad opus noſtrum reddend. Vobis mandamus, quod eundem Archiepiſcopum reſpectum hujuſmodi interim habere permittatis. Diſtrictionem ſi quam ei ea occaſione feceritis relaxando; Proviſo, quod tunc nobis de denariis prædictis ad ultimum ſatisfiat. Teſte Rege apud *Lanfare*, ſeptimo die *Septembris.*

Per breve de Privato ſigillo.

Par. 33 E 1. m. 6. Hibernia.

Robertus de Carleton Capellanus, habet literas Regis de præſentacione ad Eccleſiam de *Typerkynyn* vacantem, & ad Regis donacionem ratione Archiepiſcopatus *Dublin.* dudum vacantis, et in manu Regis exiſtentis ſpectantem. Et diriguntur literæ *R. Dublin.* Archiepiſcopo. In cujus, &c. Teſte Rege apud *Weſtm.* 26 die *Aprilis.*

Pat 33 E 1. m. 7. De licentia eligendi

Nicholaus le Botiller Cancellar. Eccleſiæ *Fernen.* & *Willielmus de Braybrok* Clericus, nunciantes Regi mortem bonæ memoriæ *S.* nuper Epiſcopi illius loci, habent literas Regis de licencia eligendi. In cujus, &c. Teſte Rege apud *Wylburgham*, 14 die *Febr.*

Per breve de privato ſigillo.

Ibid. De temporalibus reſtituendis.

REX dilectis & fidelibus ſuis *Johanni Wogan.* Juſtic. ſuo, & Magiſtro *Thoma Cantock* Cancellario ſuo *Hibern.* vel eorum loca tenentibus, ſalutem. Cum dilecti nobis in Chriſto Decanus & Capitulum Eccleſiæ *Fernen.* nobis per literas ſuas patentes ſignificaverint, quod Eccleſia ſua prædicta per mortem bonæ memoriæ *S.* nuper Epiſcopi illius loci paſtoris eſt ſolacio deſtituta, ſupplicantes nobis, *&c.* Nos licentiam illam duxerimus concedendam, *&c.* In cujus, &c. Teſte Rege ut ſupra.

Per breve de privato ſigillo.

King

An. 33 E. I

King *Edward* in order to the ſettlement of his Affairs in *Scotland*, beſides the **premiſed Ordinance* for that purpoſe, made this accord with moſt of the Nobility of *Scotland* and their adherents (who had lately againſt their ſolemn Oaths revolted from, rebelled, and waged War againſt him) to receive them to his peace, and grant them both their Lives and Liberties, putting them only to a Fine and Ranſom of two, three, four or five years annual value of their Lands, according to their ſeveral offences, the moiety whereof they were to pay to the King every year, and to reſerve the other moiety for their ſupport till their full Ranſom was ſatisfied, and taking a new Oath of Allegiance to him for the future, as theſe Records inform us.

* Here p. 1053 to 1057.

CEs ſont les choſes accordes ove Mounſieur *Richard de Burgh* Conte *Dulveſtr*, Monſieur *Henry de Percy* Chevaliers, & *Johan de Benſtede* Clerke, pur noſtre Seigneur *Edward* par la grace de Dieu Roy *D'engleterre*, Seign. *Dirlaund*, et Ducs *Daquitaine* dun part, et Mounſieur *Johan Comyn de Badenaugh* pur luy et pur touz ſes eidanz *Deſcoce*, auxi bien ceux qui ſont la outre come ceux qui ſont par decea dautre, les queux choſes les avantditz *Conte Eymar*, *Henri & Johan de Banſtede* en nomi du dit Roi, et lavant dit *Johan Comyn* enſemblement ove Mounſieur *Edmund Comyn* de *Kilbride*, Mounſieur *Johan de Graham*, Mounſieur *Johan de Vaux*, Mounſieur *Godfrei de Roos*, Mounſieur *Johan de Maxwell* le emzniez, Mounſier *Pieres de Prendregyſt*, Mounſier *Wauter de Berkely* de *Kerdaan*, Mounſieur *Hugh de Erth*, Mounſieur *William de Erth*, Mounſieur *James de Roos*, et Mounſieur *Wauter de Rothovan* Chevalers, pur eux, pur touz les eidantz *Deſcoce* qui a la pees et a la foi du dit Roi voudrent eſtre, **ont Jurez a tenir et a garder loiaument**: Primerement eſt accord, qe tote manere de gentz *Deſcoce* qui ad le dit *Johan Comyn* vendront a la pees noſtre Seigneur le Roy avantdit, forpris aucunes perſones qui ſont ſi apres nomez, ſoient receu as conditions, que ſenſuent: Ceſtaſavoir, que ſauvez lour ſoient vie et membre, et quil ſoient quites denpriſonment, et quil ne ſoint deſheritez; Iſſint que de lour ranzon, et des amendes des treſpas quil ont faitz ſolement a noſtre Seigneur le Roy, et del eſtabliſſement de il terre *Deſcoce* il eſtoiſent as Ordinaunce. Et eſt entendu que les enfantz que ſont de deinz age dievent joyr de meiſmes ces conditions quant a ſauvement de vie et de membre, et quant aquitance denpriſonment et de deſheritance, et eſteront de lur ranzun, et de totes autres choſes ace qe noſtre Seigneur le Roy enordenra, a ſon prochein Parlement. Et demorrent totes les fermettez qui ſont orendroit en la meyn noſtre Seigneur le Roy & de ſiens en la tenaunce quel ſont ore juſqes a meiſme Parlement ſi que le dit Roy enordeine ſa volunte a cele hore, ſauve de aucunes, qui demorrent plus longement en ſa meyne, ſicome il eſt de ſouzdit. Et ce doit faire la gard des dites fermetez pas mi les choſes qui iſoint appurtenantz, ou en autre manere covenable as couſtages de ceux a queux eles ſerront rendues, & dievent enſement les pris de Guerre eſtre delivres dune parte & dautre, forpris Monſieur *Herbert de Morham* & ſon pere. Et tout auſint ſe devient deliverer touz ceux qui ſont en oſtage pur ranzon de gentz du dit Roi qui ont eſte pris par les gentz *Deſcoce* en tien manere que ce que paetz eſt de meiſme la ranzon paetz ſoit ſans plus, & quant a ce que neſt arriere deivent les oſtages & touz ceux pur qui il feurent livereiz eſtre de tout, en tout quites & delivres dune part & dautre. **Les perſones forpriſes**, ſicome eſt deſuſdit, ſont *Robert* **Evesque de** *Glaſgu*, Mounſieur *James* Seneſchall *Deſcoce*, Mounſieur *Johan Soules*, Mounſieur *David de Graham*, Mounſieur *Alexander de Lyndeſey*, Mounſieur *Simon Fraſer*, *Thomas du Boys*, & Mounſieur *William de Walleyt*, Dont il eſt accord que meiſme Leveſque come de ſon corps & de la temporaltee, & le dit Seneſchall, & Mounſirur *Johan Soules* ſoient as conditions de ceux de commune, ſicome eſt deſuſdit, & outre **tiegnent exil pur 2. ans hors** *Deſcoce* **et par de la** *Trente*. Et demoergent les Chaſtelx du dit Seneſchall en la meyne noſtre Seigneur le Roy, durant lexil, & ce face la gard as couſtages de meiſme le Seneſchall en la manere deſudite. En droit de Mounſieur *David de Graham*, & Mounſier *Alexandre de Lyndſey* accord eſt, quil ſoient auſint as conditions de ceux du commun, ſi come eſt avantdit, & outre ce tiegnent exil hors *Deſcoce* par demy an. Ceſt aſaver le dit *David de la Leawe* de *Twede*, & la dit *Alexandre* par de la *Trente*. Et quant a Mounſieur *Simon Fraſer*, & *Thomas du Boys*, eſt accorde, quil ſoient enſement as conditions de ceux du

Placita Parliamentaria in Turri London, An. 33 E. 1. See Ryley p. 369, 370. Forma Pacis Scotiæ in adventu Johannis le Comyn & aliorum.

An. 33 *E.* I. du commun ſicome eſt de ſuſdit, & outre ce tiegnent exil par trois anz hors de la Seignury noſtre Seigneur le Roi avauntdit, & hors du poeir le Roi de *Fraunce* auſint, ſil ne puiſſent autre grace trover en le medu temps. Et quant a Mounſieur *Guilliam de Galeys* eſt acorde, quil ſe mette en la volunte & en la grace noſtre Seignieur le Roi, ſi lui ſemble que bon ſoit.

Derechiefe, eſt accorde, que les Eveſqes de Seint *Andrew* & de *Dunkeldyn*, le Conte de *Bonghhan*, le Seneſchall *Deſcoce*, Mounſieur *Johan de Soules*, Mounſieur *Ingelram de Umframvil*, & les autres gentz *Deſcoce* qui ſont la outre, veignent a la pees noſtre Seigneur le Roi avantdit de deinz la quinzeine de ceſt *Paſque* prochein, ſi lour ſemble que bon ſoit, & ſoient recon en la fourme de ſuſdite, cheſcun ſolonc ſa condition & ſolonc ſon eſtate. Dautre part avantdit *Johan Comyn* doit eſtre a noſtre Seigneur le Roy a *Dunfermelyn* & ce prochein *Dimagne* enſemblement ove touz ceux de ſon accord qui lors y purront eſtre, pur faire lour homages & lur feutez, ſicome il affiert, & ceux que ne purrozt eſtre a cele houre pur certaine eſſoigne, deivent venir apres par ſuffiſant conduit a plus toſt quil purront, pur obeir & pur eſtre receveu la fourme avantdite. Et ſait aſavoire que les avantditz *Conte Dulveſter*, *Eymar*, *Henri*, & *Johan de Beneſted* de ont premis en *Bonfoi*, quil mettront lur loial peine envers noſtre Seigneur le Roi avantdit quil voille pur ſes lettres overtes ratifier ceſt accord en touz pointz quiele hore que le dit *Johan Comyn* & les autres qui oue luy venderont ſi come eſt avantdit, averont fait lor **homages et ſerments de feute** en due manere. En teſmoignance de queux choſes eſt ceſte endenture faite, dount lune parte demoert devers le dit noſtre Seigneur le Roy, Seal du Seal ou dit Mounſier *Johan Comyn* & de Mounſieur *Edmund de Comyn*, Mounſieur *Johan de Graham*, & de Mounſieur *Johan de Vaux*; & lautre, devers meiſme celui Mounſieur *Johan Comyn*; Seale des Seales as dite *Conte Dulveſter*, *Eymar*, *Henri* & *Johan de Benſtede*. Don a *Strathord* le Neviſme jour de *Fevrier* lan du Regne noſtre Seigneur le Roy avantdit trentiſme * ſecund.

* teirce.

Placita Parl. An 33 E. 1. See Ryley p. 566, 567.

E*Dward* par la Grace de Dieu Roy *Dengleterre*, Seigneur *Dirlande*, & Ducs *Daquitaine*; A touz ceux qui ces preſentes lettres verront ou oront, ſalutz. A perpetuel memoire des choſes ſouz eſcrites, par ceſtes preſentes lettres vous feſoms a ſavoir, que come le gentz de terre noſtre *Deſcoce* **apres ceo quil fuerent en noſtre homage et ligeaunce et liez a nous par ſerment de foiante, et per eſcritz et en autre manere, tant effoyciablement come nous et noſtre Counſeil ſavions oyder et charger, ſe relevaſſent contre nous par mauveis Counſeil, et meuſſent guerre, enſeſant robberies, arſons, homicides, ſelompes, et pluſurs autres maux, et damages a lour poeir en noſtre dit terre *Deſcoce*, et auſi en partie en *Engleterre*, contre lor homages, foiantes et ligeaunces avauntdites, et puis pluſurs de eux ſe revenſiſſent a noſtre foi et a noſtre obeiſaunce et feuſſent receuz a noſtre pees**, et a noſtre volunte: Et des darreyns *Johan Comyn*, Seigneur de *Badenaugh* Chevalier & les autres qui a cel houre oue lui tindrent, veniſſent auſi & feuſſent receus a noſtre pees, & a noſtre foi, en manere que **endroit de lour ranzons et des amendes de treſpas et doutrages ſoulment faitz a nous et de leſtabliſement de la terre *Deſcoce* eſtenſſent a noſtre Ordenance, et a noſtre volunte**; Nous ia ſeit, que **les deſpitz, treſpas, outrages, et deſobeiſances qe les dites gentz de noſtre dite terre *Deſcoce* nous ont faitz ſoient ſi grauntz et tant a charger par reſon, quil ne purraient a nul temps de ce faire ſuffiſauntz amendes ne due ſatisfaction, ſicome eux meiſmes ſont bien reconiſſantz et tot ne voillions: ſicome nous ne devoms tieux deſpitz, treſpas, outrages, e deſobeiſaunces ſoeffrir a paſſer ſauntz acun puniſſement. Nemie pur ce nous eantz regard a ceo que les gentz de la dite noſtre terre *Deſcoce* ſe ſont bien et loiaument portez vers nous puis noſtre derrein partier de celes parties, et pur leſperaunce qe nous avoms de lour bon port et de leur bon ſervice en temps avenir, vueilliantz a eux faire grace eſpeciale, lour avoms graunte et grauntoms, qe ſauves lour ſoient vie et membre, et quites ſoient denpriſonment et de diſheriteſon, ſauves totes voies a nous les terres, tenementz, et les Seignuries que *Johan de Baliol* iadis roi *Deſcoce* dona et aliena de les demeynes appurtenantes a la Roiaute *Deſcoce*, a faire de ce noſtre pleiſir: Et parvenoms et releſſoms as gentz de lavantdite noſtre terre *Deſcoce* qui ſont devenuz et receuz a noſtre pees et a noſtre foi, treſpas a nous faitz, coprons rancour, et tute manere de**

mall

mall voillance que nous avoms vers eux ensi totes voies, quil soient tenuz a paer ce que par nous & nostre Counseil est Ordene, solonc nostre dit & nostre pronunciation, que sensuent en cest forme. *An.* 33 *E.* 1.

A desprimes, nous dioms & pronuncioms qe le susdit *Johan Comyn*, & les autres qui ove lui vindrent a nostre pees & a nostre foi pur mi les Covenances qui leur feurent grantez, **poent pur ranzon et pur amendes des trespais par eux faitz la value de leur terres et de leur rentes de trois annz al obereigne de** *Novum Chastrum* que nous feisoms faire en la dite terre *Descoce* par seurte de meisme la terre & sauvation de la pees, ou a mettre en autre us, si come nous verroms que soit a faire. Et avoms ausi pardonez & pardonoms au dit *Johan Comyn* et a *David de Graham* lexil et la demoerene quil devoient faire et tenir hors *Descoce* per mi les covenaunces avauntdites. *Derechiefe*, solonc ce que par nous et nostre Conseil est Ordinez dioms et pronuncioms, que les Gentz *Descoce* qui vindrent a nostre pees et a nostre foi avant ce que le dit *Johan* & fu receu a la dite pees, **paent la value de lur terres et de leur rentes de deuz annz en la fourme avantdite**, save ceux qui purront monstrer quil endeivent estre quites par nostre grant & fait especial. Derechief, nous dioms & pronuncioms que *Adam de Gourdon* Chevalier en droit de sa ranzon & des emendes de trespas soit de la Condition *Johan de Comyn* avantdit; Cest asavoir **a paer la value de ses terres et de ses Rentes de trois annz en la manere de susdite.** Derechiefe nous dioms & pronuncioms que *Simon Fraser* Chevalier en droit de ranzon & des amendes de trespas soit de meisme la Condition. Cest asavoir **a paer la value de ses terres, et de ses Rentes de troiz annz en la fourme que dite est.** Derechiefe nous dioms & pronuncioms qe **Evesques, Abbez, Priours, et autres de Clerge, de nostre dit terre** *Descoce*, **save Leveslq de** *Glasgu*, **paent pur ranzon et pur amendes de trespas en la dite fourme la value de lour terres, et de lour Rentes dun an;** sauve ceux qui purront monstrer par fait especial ou en autre manere quil endeyvent estre quites. E le dit Evesque de *Glasgu* endroit de sa ranzon & des amendes de trespas, deit estre de la condition le dit *Johan Comyn*, Cest asavoir **a paer en la fourme que dit est la value de ses terres et de ses Rentes de trois annz**, & a meisme Leveſque avoms & **pardonez lexil et la demoere quil deboit fair et tenir hors** *Descoce* par mi les covenaunces, que grantez fueront, quant il vint darrainerement a nostre pees & a nostre foi. Derechief, quant a *Ingelram de Umframvil*, *William de Balliol*, & *Johan Wichard* Chevaliers qe poi de temps devant que ses lettres feurent faites vindrent a nostre pees & a nostre volunte, dioms & pronuncioms que le dit *Ingelram* pai en la dite fourme pur sa ranzon **et pur amends de trespas le value de ses terres et de ses Rentes de cink anz**: Et que meisme ceux *William de Balliol* & *John Wyebard* **paent per meisme lachelon en la susdite fourme la value de leur terres et de leur Rentes de quatre annz.** Derechief, dioms & pronuncioms que *Hugh de Ardrossam*, *Johan de Gourley*, *Johan de Naper*, & *Johan Makhilgoigny* qui sont de mesnage les avantditz *Ingelram*, *William*, & *Johan*, **qui a nostre pees et a nostre volunte sont venuz, paent pur leur ranzon et pur amendes de trespas la value de lour terres et de lour Rentes de trois annz.** Derechief, endroit du temps de la Manere & des termes du paement qe se doit faire par les ranzons & amends de trespas avant nomez, dioms & pronuncioms & voloms que nostre Lieutenant en la dite nostre terre *Descoce*, & nostre Chamberleyne de meisme la terre, quant il serront illueqes venuz, facent estendra totes les terres de touz ceux qui ranzon devient paier en bon manere & resnable, solonc ce que les terres vandront al houre qui les estendront, & solonc celes estentes faitz soit de cel houre, enavant commencez a faire lever ce que affera a chescun solonc sa condition & son estat. Cest a savoir que ceux qui en ranzon & en amends de trespas sont tenuz par mi lordenance que nous avoms faite, dite & pronuncie en la fourme avantdite, **paent per an as termes usuelz celes parties le moite de la value de lour terres et de lour Rentes solonc les dites estentes; Et ensi de an et an, tant que part paez soit ces que a eux apartient solonc Lordinaunce et la pronunciation avantdites, et lautre moite de la value de lour terres et de lour Rentes a eux remeigne pur leur sustenance.** Et fait asavoir que nostre entention ne nostre volunte nest mie, que le dit & la pronunciation que nous avoms fait en la fourme susdite sestendent ou puissent estre estenduz, ou entenduz endroit de celes persones *Descoces* qui sont en nostre prison, ne endroit des autres qui ne sont mie uncore venuz a nostre pees, ne a nostre foi. En tesmoignance

An. 33 E. 3. nance de queux choſes nous avoms fait faire ceſtes nos Lettres overtes. Don a *Weſtmonſter* le quinziſme jour *October* lan du noſtre regne trenſtiſme tierz.

Whiles King *Edward* (after theſe and his former Indulgences to the perfidious *Scots*) expected nothing but *Halcion dayes* of *tranquillity* and *loyalty*, there ſodainly aroſe ſoon after an unexpected *ſtorm*, and greater *rebellion* than before, through the treachery of the perjured Archbiſhop of St. *Andrews*, the Biſhop of *Glaſgo* and Abbot of *Schone*, who confederating with *Robert Brus* Earl of *Carrick*, and other of the *Scots* Nobility, reſolved to make and crown him King of *Scotland*; who being oppoſed therein by *John Comyn* his Coſin-German, a man of great alliance, love, and power in *Scotland*, and loyal to King *Edward*, he ſuddenly ſet upon and murdered him in the Church of *Dunfres*, and was ſoon after crowned King by the premiſed Biſhops and Abbots; thus related by our Hiſtorians. [a] Robertus de Brus *aſpirans ad regnum* Scotiæ, *nobilem virum* Johannem Comyn, *quia ſua proditioſæ factioni aſſentire noluit, apud villam de* Dunfres, *in cujus Caſtro Juſticiarii Regis* Angliæ *tunc ſedebant*, in Eccleſia fratrum Minorum interfecit. *In feſto vero* Annunciationis *beatæ* Virginis *in Abbathia Canonicorum regularium de* Scone, *præſentibus aliquibus Comitibus*, Johanne de Aſcella, & de Meneteth, et duobus Epiſcopis *de S.* Andrea & Glaſguenſi, & *Abbate de* Scone, & *multis Militibus*, *juxta morem patriæ, fecit ſe, velut* Adonias, *à conſpiratoribus coronari diademate.*

a Tho. Walſingham, Hiſt. Angl. p. 62, &c. Ypodig. p. 97. Mat. Weſtminſter, An. 1306. p. p. 456, 457. Polychron. H. de Knyghton, Fabian, Caxton, Polydor Virgil, Grafton, Holinſhed, Stow, Speed, Daniel, Baker in Edw. 1. An 33 & 34 E 1. Annals of Ireland p. 164, 165.

Dominica vero ſequente, quæ erat in Ramis Palmarum, *fecit ſe dennò coronari à quadam adultera, deſponſata Comiti de* Bowhan: *Quæ tranſgreſſo maritali thoro, exarſerat in ſpeciem & concupiſcentiam fatui coronati. Et mutavit nomen ejus impoſitum in baptiſmate, nominans illum* David. *Cumque domum rediſſet, fertur uxori ſuæ dixiſſe*; Heri vocabamur ego *Comes*, & tu *Comitiſſa*, hodiè verò ego *Rex*, & tu *Regina* vocamur. *Cui illa*, Æſtimo quod Rex æſtivalis ſis, forſitan hyemalis non eris: Timeo autem, ne tanquam flos agri, qui hodiè eſt, & cras in clibanum mittitur, ſic efloreas, ac ne pro perjurio fidei, per vocabulum Regium Comitatum ſimul perdas & regnum. *Qui ſe irriſum à muliere exiſtimans, volvit eam gladio peremiſſe, ſed ab aſtantibus detentus eſt. Nihilominus illam exilio relegans, in* Hyberniam *tranſmiſit ad patrem ſuum Comitem* Ultoniæ. *A quo ad Regem* Angliæ *deſtinata in honore eſt habita.*

Pope *Clement* the 6th being informed by K. *Edward* of this murder of *John Comyn* in the Church of *Dunfres*, ordered the Archbiſhop of *Yorke* and Biſhop of *Carliſle* to excommunicate him and his complices with ſound of Bells and Candles in all places of *England*, *Scotland*, *Ireland*, *Wales*, and elſwhere, (though without their Dioceſſe) and to interdict all their Lands and Caſtles, till they ſhould ſubmit themſelves, give competent ſatisfaction for this hainous offence, and deſerve to be abſolved, by this Papal Bull, wherein he made not the leaſt pretence to the Soveraign Dominion of *Scotland*, as his predeceſſor *Boniface* vainly and falſly did.

In Turri London. An. 34 E. 1.

Clemens Epiſcopus, Servus ſervorum Dei, venerabilibus fratribus Archiepiſcopo *Eboracen.* & Epiſcopo *Karleolen.* ſalutem, & Apoſtolicam benedictionem. Ad audientiam noſtram fidedigna relatione pervenit, quod *Robertus* Comes de *Carruc.* cum nonnullis ſuis in hac parte ſequacibus ad Eccleſiam loci fratrum Minorum de *Dunfres Glaſguen.* Dioc. manu accedens armata, ipſius immunitatem Eccleſiæ temere violavit, in ea ſacrilegium per homicidium committendo, contra indulta privilegiorum eiſdem fratribus a ſede Apoſtolica conceſſorum, in animæ ſuæ periculum, et ſcandalum plurimorum, propter quod excommunicationis ſententiam aſſeritur incurriſſe. Cum itaque præmiſſa, ſi veritate nitantur, nolumus, ſicuti nec debemus ſub diſſimulatione tranſire, fraternitati veſtræ per Apoſtolica ſcripta mandamus, quatinus ſi vobis conſtiterit dictum Comitem & alios in hac parte adhærentes eidem, propter præmiſſa vel eorum aliquod excommunicationis ſententiam incurriſſe, ipſum Comitem nominatum alioſque in hac parte adhærentes eidem in Eccleſiis veſtris coram populo Campanis pulſatis ac Candelis accenſis tamdiu excommunicatos denuntietis, et per *Anglia* et *Scotia* regna, et *Hibernia* et *Wallia* terras et partes, et alia loca de quibus expedire videritis, nunciari faciatis, et ab omnibus arctius evitari; donec Comes et adhærentes præfati ſuper hiis ſatisfecerint competenter, et abſolutionis debitæ beneficium meruerunt obtinere; necnon

omnes

omnes fautores, ſequaces et receptatores ipſius Comitis, niſi monitione præmiſſa dicto Comite facere ipſumque ſequi et receptare deſtiterit, excommunicationis vinculo innodantes, eos ſimul modo tamdiu excommunicatos publice nuntietis, et faciatis per omnia loca, de quibus expedire videritis etiam nuntiari, ac terras, caſtra, et villas eorum ſupponentes eccleſiaſtico interdicto, ipſumque cuſtodiæ noſtræ facientes inviolabiliter obſervari, donec eundem Comitem ſequi et receptare deſtiterint, ac ſuper his noſtris parentes benepl[illegible]ritis et mandatis abſolutionis beneficium obtinere. Dat. *Burdegal.* 15. Kal. *Junii.* Pontificatus noſtri anno primo. *An.* 34 *E.* 1.

In Dorſo. Bulla *Clementis* Papæ quinti ad denunciandum *Robertum de Brus* excommunicatum pro morte J. *Commyn*, de interdicendo terras, caſtra, villas, et omnia loca per quæ ipſe et ſequaces ſui tranſitum fecerunt, directa eſt Archiepiſcopo Eboracen. et Epiſcopo Carleolen. This Bull was accordingly executed by the Biſhops, as the * *Annals of Ireland* inform us.

* In the end of Mr. Cambdens Brit. p. 164.

Upon Information of the premiſed Coronation, rebellion and proceedings of *Robert Brus* and his confederates, [b] *Illis diebus miſit Rex* Angliæ Æmericum de Valentia *Comitem* Pembrochiæ, Robertum Clifford, & Henricum Percy *in* Scotia, *cum manu valida & armata, ut novis motibus reſiſterent, & nequiter coronatum, cum perfidis expugnarent, ac gentem fidam protegerent. Ad augmentandum igitur profectionem ſuam in* Scotiam, *fecit Rex per* Angliam *publicè proclamari*, ut quotquot tenerentur fieri Milites ſucceſſione paterna, & qui haberent unde militarent, adeſſent apud *Weſtmonaſterium* in feſto *Penteceſtes*, admiſſuri ſinguli omnem ornatum militarem præter equitaturam, de Regia Garderoba. *Confluentibus itaque trecentis juvenibus, filiis Comitum, Baronum & Militum, diſtribuebantur purpura, byſſus, ſyndones, cycladæ auro texta affluentiſſime, prout cuique competebat, &c.* After which, *Rex votum vovit Deo cœli & cygnis, ſe proficiſci in* Scotiam, *mortem* Johannis Comyn, *& fidem laſam* Scotorum, *vivus ſive mortuus vindicaturus. Adjuravit principem, & cæteros præceſſos viros terræ, fide ſibi debita, ſi ipſe prius in fata deceſſerit, corpus ſuum ſecum in* Scotiam *in bello deferrent, nec ſepelirent illud* quouſque Dominus de perfido coronato, et gente perjura dediſſet victoriam et triumphum. *Spoponderunt igitur cuncti fide bona, ſeparatos ſecum in vitam Regis, & in mortem cum Principe in* Scotiam *proficiſci, votum Regium expleturos. Exinde omnes animæquiores effecti, ſalutato Rege, in craſtino Sanctæ* Trinitatis *de* Weſtmonaſterio *receſſerunt, ad Regem in quindena Sancti* Johannis Baptiſtæ *in* Scotiam *affuturi. Pro hac autem Militia filii Regis*, conceſſus eſt Regi triceſimus denarius a Populo et Clero. Pertatores vero vicecomitum conceſſerunt. *Interea quidem facta eſt multa concertatio inter populum* Scotorum & Anglorum, *quis eorum in certamine videretur eſſe major. Interim* Robertus de Brus *circuiens terram, & homagia multorum recipiens, coadunato exercitu copioſo, in craſtino Sancti* Johannis Baptiſtæ *appropinquavit ad villam Sancti* Johannis, *in cujus præſidium nuper advenerat* Æmericus de Valentia. *Equites autem* Scotorum *omnes lineis camiſiis ſuper armaturam ſuam, ne diſcernerentur, induti erant ex juſſu novi Principis ſui. Invitatus ab eo* Æmericus *ad congreſſum; reſpondit, quod cum eo non die illo, ſed in craſtino dimicaret. Subtrahente vero ſe* Roberto *cum ſuis ad ſpacium unius miliaris, & ſe reficere volente, hora appropinquante veſpertina,* Æmericus *cum ſuis egreditur armatis, & ſubito juxta* Methſen Scotis *ſuperveniens, prælium aggreſſus eſt: Et ceciderunt in die illo, inter gladii, plures de* Scotis, *qui pſeudo-Regi adhæſerunt. Quinimo ipſe idem ter à dextrariis proſtratus eſt, & per* Simonem de Freyſell, *bellatorem egregium, ter levatus, tandem per fallaciam candida camiſia evaſit de prælio. Nam cum aliquandiu* Robertus *cæteriique qui ſe cum celeritate armaverant reſiſterent, tandem prævalentibus* Anglis *fugere ſunt coacti. Quos inſecutus* Æmericus *cum ſuis uſque in Inſulam* Keyntyr, *Caſtrum illius loci, putans* Robertum *ſe recepiſſe in eo, obſedit. Expugnato tamen Caſtro eum non invenit, quia ad extremas regionis inſulas fugerat, ſed fratrem ſuum* Nigellum de Brus *cum aliis quibuſdam ibidem cepit, quos omnes uſque* Bervicum *fecit addaci. In prælio autem ſupradicto capti ſunt hi viri*, Thomas *filius* Ranulphi, David Inkmartyn, Johannes de Summerville, *Milites*, Hutring Mareſcallus, & Vexilifer *pſeudo-Regis*, & Hugo Capellanus. *Qui nihilominus, cum prædictis, & cum multis aliis, quorum nomina hic non recitentur, ne pagina his vileſcat*, patibulo ante cæteros primitus eſt affixus, *quaſi*

[b] Mat. Weſt p. 457, 458, &c. Walſingham, & others before quoted.

An. 34 E 1. *diceret*; Ego Presbyter tale vobis præbeo iter. *Poſt hæc autem adveniente Rege* Angliæ *in* Scotiam *cum Principe* Walliæ, *& Magnatibus populi ſui, quidam* Scoti *eum honorificè admiſerunt, quidam abierunt retrorſum, nonnulli abdita ſilvarum diverticula petierunt. Exercitus tamen Regis diſcurrens per totum regnum* Scotorum, *cæpit perſequi fugitivos, & plures peremerunt, & aliquos vivos comprehenderunt*, utpote Epiſcopos et Abbatem prædictos, loricatos et armatos ſubtus exterius tegumentum. Duorum igitur Epiſcoporum culpa magna, ſed Epiſcopi Sancti Andreæ maſor. *Nam die congreſſionis inter* Anglos *&* Scotos *apud* Methſen, *juxta Sanctum* Johannem, *miſit armatam clientelam ſuam in ſuccurſum* Scotorum. *Ipſe vero callidè ſe reddidit interim* Anglis, *ut ſi* Scoti *de* Anglis *triumpharent, ipſum de illorum poteſtate eruerent, tanquam vi captum, pro defectu tutela. Si autem* Angli *triumpharent, ſibi parcerent eo quod derelictus à familia ſua fuit, quaſi non conſentiens factis illorum.* Iſti ergo perjurati Prælati in arctiſſimis carceribus forma et habitu quibus fugiendo capti fuerunt, retruduntur, quouſque per Apoſtolicam ſedem diſpoſitum ſit, quid de bis fuerit faciendum. The Kings Writs for theſe perjured Prelates and Abbots cloſe impriſonments in ſeveral Caſtles, and that in iron chains, are thus recorded in the Rolls in the *Tower*.

Nota.

Clauſ. 34 E 1. m. 6. intus. De W. Epiſcopo S. Andr. in priſona cuſtodiendo.

REX Vicecomiti *Sutht.* ſalutem. Quia inimicum, rebellem et proditorem noſtrum *Willielmum* Epiſcopum Sancti *Andreæ* mittimus ad Caſtrum noſtrum *Wynton.* carcerali cuſtodiæ mancipandum, exigente hoc multiplici culpa ſua, Tibi præcipimus, quod dictum Epiſcopum in tuam cuſtodiam, recipias, et corpus ejus infra Turrim dicti Caſtri in loco tutiori et fortiori ejuſdem Turris includas, et ſalvo ac ſecure * in compedibus ferreis cuſtodias, ſub forisfacturo vitæ et membrorum, ac omnium terrarum et tenementorum, bonorum et catallorum tuorum quæ exnunc forisfacta cenſemus, ſi de cuſtodia hujuſmodi aliquod periculum immineat in futurum. Proviſo, quod locus prædictus intus et exterius taliter muniatur et firmetur, quod de cuſtodia ipſius incluſi nullum timeatur periculum, quodque ad accedendum ad ipſum ſeu videndum, vel etiam ad alloquendum nemini poſſit patere aditus vel facultas, ſet nec ipſe Epiſcopus quemquam videat, ſeu etiam alloquatur, præter illos quos ad deſerviendum ei neceſſario tuo periculo deputabis, et quos per ſingulos menſes mutare et alios ſubrogare poteris ad cautelam, ſi pro ſecuritate tua videris expedire, ut cujuſlibet conſpirationis et colluſionis ſuſpicio evitetur. Et ut cuſtodia ejus ſecurior habeatur, omnes aditus et portæ Turris prædictæ ſecuris firmentur, et pons verſatilis levetur continue et claudatur; ad quam Cuſtodiam fideles et bonos aſſignabis ſub fidejuſſoria cautione cuſtodes, pro quibus tu ipſe nobis voluerit ſub prænotatis pœna et periculo reſpondere. Ad hæc, quia complicem ſuum conſimili vel forte majori infamia maculatum, *Robertum* ſcilicet Epiſcopum *Glaſguenſem* fidelitatem ſuam erga nos et Coronam noſtram frequenter et temere violantem, mittimus ad Caſtrum noſtrum *Porceſtr.* incarcerandum ibidem. Tibi præcipimus, ut poſito prius in tuto in Turri *Wynton.* prælato Epiſcopo Sancti *Andreæ* modo et forma præexpreſſis, dictum Epiſcopum *Glaſguenſem* in propria perſona tua ducas ſalvo et ſecure uſque *Porceſtr.* et juxta tuam et Cuſtodis noſtri Caſtri prædicti circumſpectionem induſtrem ipſum Epiſcopum in turiori et fortiori loco Caſtri prædicti *in compedibus ferreis includas, locum inſuper prædictum muniri et firmari veſtro et ipſius Cuſtodis Caſtri prædicti periculo facias, modo quo ſuperius exprimitur de Epiſcopo Sancti *Andreæ*, ſeu etiam meliori, quia tam te quam prædictum Cuſtodem Caſtri noſtri prædicti de cuſtodia ipſius Epiſcopi volumus æquanimiter onerari. Et ut fortius et firmius cuſtodiantur, volumus et mandamus, ut adjungas tibi et Cuſtodi noſtro Caſtri prædicti aliquos homines fideles et idoneos terras tenentes de viſneto Caſtri prædicti, vel loco viciniori, quos ad hoc ſufficientes videris, qui dictam cuſtodiam una vobiſcum recipiant et habeant, ſub pœnis et periculis prænotatis. De ſuſtentatione vero dictorum Epiſcoporum, famulantium eis et Cuſtodum ſuorum, quam per te exhiberi volumus ſecundum Indenturam quam tibi mittimus præſentibus intercluſam, cujus altera pars remanet penes Theſ. noſtrum, allocationem debitam tibi habere faciemus. Qualiter autem & quam providè & ſecurè ordinaveris de cuſtodia prædicta, & quot & quos terras tenentes tibi & dicti Cuſtodi Caſtri de *Porceſtr.* adjunxeris ad eandem, dicto Theſ. noſtro ſub tuo & illorum ſigillis qui una tecum onus ſubibunt Cuſtodiæ memoratæ ſignifices, ſine mora. T. R. apud *Dunolm.* 7 die *Aug.*

* *Nota.*

* *Nota.*

REX

An. 34 *E.* 1.

Cl. 34 E 1. m. 6. intus.

REX Cuſtodi Caſtri noſtri *Porceſtr.* ſalutem. Quia inimicum, rebellem et proditorem noſtrum *Robertum* Epiſcopum *Glaſguenſem*, qui fidelitatis nobis præſtitæ ſacramentum ſæpius violare præſumpſit, mittimus ad Caſtrum noſtrum prædictum Carcerali Cuſtodiæ, &c. (*ut *ſupra.*) Tibi præcipimus, quod prædictum Epiſcopum in tuam cuſtodiam infra Caſtrum prædictum recipias, et ſalvo et ſecure cuſtodiri facias in ſecuriori et fortiori loco totius prædicti Caſtri in compedibus ferreis, prout Vicecomiti noſtro *Suthr.* qui dictum Epiſcopum ad te ducet et tibi ſecurius videbitur faciend. Proviſo, quod locus prædictus, &c. (*ut ſupra.*) præter illos qui ad cuſtodiam illius deputabantur; quodque omnes aditus & portæ loci prædicti ſecuris firmentur, ac pons verſatilis levetur continue et claudatur. Et ut ipſius cuſtodiæ ſecurior habeatur, volumus quod per Vic. noſtrum prædictum et te aliqui homines fideles et idonei terras tenentes de vicineto Caſtri prædicti, vel loco vicinior et ad hoc ſufficientes eligantur, et eidem Vic. ac tibi adjungantur, qui una vobiſcum cuſtodiam dicti Epiſcopi recipiant et habeant, ac ipſum cuſtodiant, ſub pœna amiſſionis vitæ et membrorum, ac forisfactura omnium terrarum et tenement. ac bonorum ſuorum et veſtrorum quæ exnunc forisfacta cenſemus, ſi de cuſtodia hujuſmodi periculum aliquod immineat in futurum. Ad quam inſuper cuſtodiam tot et tales boni et fideles per dictum Vic. noſtrum te et alios terras tenentes deputentur Janitores & Miniſtri qui ad hoc ſufficere, & ſuſpitione carere omnimoda videbuntur, et pro quibus vos omnes voluerit is reſpondere, ſub pœna et periculo prænotatis, quos etiam per ſingulos mature et alios ſubrogare poteritis ad cautelam, ſi pro ſecuritate veſtra id videritis expedire, ut cujuſlibet conſpirationis et colluſionis ſuſpitio evitetur. De ſuſtentatione vero ejuſdem Epiſcopi famulantium ſibi & Cuſtodum ſuorum diſponet Vic. noſter prædictus, prout ſibi dedimus in mandatis. Teſte Rege, &c. ut ſupra.

* To the Biſhop of St. Andrew, p. 1124.

The *like Writ the King iſſued alſo to the Keeper of the Caſtle of *Mere*, for the cloſe and ſafe impriſonment of the Abbot of *Scone*, (*verbatim*, as in that before to the Sheriff of *Southampton*, concerning the cloſe impriſonment of the Biſhops of St. *Andrews*, and *Glaſgow*) With this further Precept to the Sheriff of *Wylts.*

* Ret. Finium An. 34 E 1. m. 6.

REX Vicec. *Wylts* ſalutem. Quia inimicum rebellem et proditorem noſtrum *Abbatem de Scone* mittimus ad Caſtrum *de Mere* incarcerandum ibidem exigente hoc multiplici culpa ſua, tibi præcipimus quod receptis præſentibus, uſque *Wynton.* in propria perſona tua feſtinanter accedas, ac dictum Abbatem a Vic. noſtro *Leyceſt.* per quem ipſum Abbatem illuc mittimus, recipias, & ſalvo ac ſecurè ducas uſque ad Caſtrum prædictum *de Mere*, & juxta tuam & *Richardi de Chiſelden* Cuſtodis Caſtri prædicti circumſpectionem induſtrem, ac tuciori & fortiori loco Caſtri prædicti in * compedibus ferreis includas, &c. Teſte Rege ut ſupra.

Fines 34 E 1. m. 6 intus. Pro R. Epiſcopo Glaſguenſi in priſona cuſtodiendo.

* *Nota.*

Et memorandum quod brevia prædicta (videlicet, hoc breve & brevia pro *R.* Epiſcopo *Glaſguenſi*, & pro *W.* Epiſcopo Sancti *Andrai*) facta fuerunt apud *Notingham* per Dominum *W. Coventr. & Lychf.* Epiſcopum Theſaur. Regis, & ſub Sigillo ſuo miſſa Domino Cancellario uſque ad Abbaciam Sancti *Jacobi Northampt.* ſub magno Sigillo in forma prædicta conſignanda.

Theſe ſtrict Writs for the cloſe impriſonment of theſe perjured Biſhops, Rebels, Traytors and Enemies to the King even in *iron chaines*, as well as in ſeveral Caſtles, Towers, notwithſtanding their Rochets, and ſacred Orders, under ſuch ſtrong armed guards and ſevere penalties, is a ſufficient evidence, what pernicious, dangerous Traytors and Rebels the King reputed them, being in truth farr worſe then any of thoſe Laymen whom he hanged, beheaded, quartered, ſetting up their Heads, Quarters in ſundry places throughout the Realm, to deterre others for the future, from the like Treaſons and Rebellions: Yet ſuch was his Royal Clemency towards them (in reſpect of their ſacred Orders, which much aggravated their Crimes, and by conſequence their puniſhments) that he not only ſpared their lives, and gave them and thoſe who attended them a daily competent allowance,

An. 34 E. 1. ance, but also allowed them a Chaplain daily to say Masse to them for the good of their souls, though themselves might be thought sufficient to be their own Chaplains during this their close imprisonment, having no such temporal imployments as formerly, to divert them from their Devotions, as this Record informs us.

Cl. 34 E 1. m. 6 dorso. De ordinatione Episcoporum S. Andreæ & Glasguens. & al. prisonum de Scotia.

MEmorandum, quod Vicecomes *Subt.* cui *Willielmus* Episcopus Sancti *Andreæ* Domini Regis proditor liberatur, in Turri Castri *Wynton.* salvo et secure custodiendus, secundum quod per breve Regis ei expressius est injunctum, faciat ministrare dicto Episcopo incarcerato expensas suas in hunc modum: videlicet, eidem Episcopo ad expensas suas proprias, singulis diebus sex denar. & pro uno valetti deserviente ei per diem tres denar. & pro uno garcione similiter ei per diem unum denar. et unum obolum, et pro uno Capellano celebraturo sibi missam singulis diebus, unum denarium et unum obolum per diem. Qui quidem Capellanus vallettus & garcio tales eligantur, et tam fideles de quibus nullum timeatur periculum, et pro quibus dictus Vic. suo periculo voluerit respondere. De aliis autem custodibus qui necessarii videbuntur pro custodia Episcopi prædicti disponet dictus Vic. prout sibi pro securitate sua melius viderit expedire.

Item idem Vic. cui *Robertus* Episcopus *Glasguen.* similiter liberatur ad incarcerand. in Castro *Porcestr.* similes Custodes ac Ministros deputabit eidem, ac sibi sumptus & expensas ministrabit ibidem prout pro Episcopo Sancti *Andreæ* superius est expressum. Et de sumptibus quos idem Vic. apposuerit tam circa dictos Episcopos & eis deservituros, quam circa alios Custus quos rationabiliter fecerit in stipendiis Custodum prædictorum, sibi per præsentem Indenturam cujus altera pars remanet penes Thesaur. de Scaccario, allocatio justa fiet.

* Mat Westm. An. 1306. pag. 460, 461, 462. See Walsingham, Polychronicon, Polidor Virgil, Fabian, Caxton, Graston, Holinshed, Daniel, Baker, in Ed. 1.

At the same time when these Bishops and Abbots were taken Prisoners, * *Capitur etiam & illa impiissima conjuratrix* de Bowhan *de qua consultus Rex, ait,* Quia Gladio non percussit, gladio non peribit. *Verum propter illicitam Coronationem quam fecit, in domicilio lapideo & ferreo, in modum Coronæ fabricato, firmissime obstruatur, & apud* Bervicum *sub dio forinsecus suspendatur, ut sit data, in vita & post mortem, speculum viatoribus, & opprobrium sempiternum. Illo quoque tempore, captus est* Symon Freysell, *in quo pendebat* Scotorum *tota fiducia, in tantum quod incarcerati Nobiles* Scoti, *invincibilem incomprehensibilemque illum asserebant, nec illo vivente* Scotos *posse devinci putarent. De cujus magnanimitate præsumens quidam* Scoticus *Miles, in* Turri Londinensi *vinculatis in* Elogium Anglorum *sed proprium dispendium, caput proprium Regi dedit quocunque die captus fuerit, amputandum. Nomen autem hujus* Herebertus de Norham, *per cunctis* Scotis *formosior, & statura eminentior tamen propter trinam proditionem, quam Regi* Angliæ *fecerat, & secundum dimissionem, tertio captus, una cum patre &* Armigero *in* Turri Londinensi *ferreis compedibus nexi erant. Post hæc* Symon Freysell ad Turrim Londinensem *mittebatur, ut illo viso, voti præstiti* Scotus *alius recordaretur. Instante igitur, id est in Vigilia* Nativitatis *beatæ* Mariæ, *eductis de* Turri Londinensi Herebertus & Thomas de Boys, *armiger ejus,* capitibus sunt truncati, Symon autem Freysell, propter pluralitatem proditionum, quas fecerat sic damnatur. A Turri Londinensi per vinculos et plateas distractus ut proditor, suspensus eminus quia latro, truncatus capite ut homicida, resixus equuleo per dies 20. igne quoque similiter est combustus. Hujus autem caput super Pontem Londinensem, juxta caput Gulielmi Waleis, super lanceam cunctis orationibus perhorrendum spectaculum, est affixum.

Mat. Westm. p. 461.

This was the deserved end of these perjured *Scottish* Traitors and Rebels. Soon after, *In diebus illis, fecit* Rex Angliæ inquirere per totam Scotiam per fide dignos homines, *quot & quanti intererant interfectioni* Johannis Comyn & *consortioni* Roberti de Brus: Et terme omnes cepit, et morti tradidit; aut ultra se rendentes regiæ voluntati, diris carceribus mancipavit. *Post hæc captum est Castrum de* Lochdor, *in quo inventus est* Christopherus Setonus, *Sororius* Roberti de Brus, *quem cum non* Scotus *sed* Anglus *esset, jussit Rex deduci usque* Dunfreis, *ubi quendam Militem de parte Regis prius occiderat,* ibique judicium subire coactus, tractus suspensusque est, ac ultimo decollatus. Johannes *vero* Setonus, Christopheri Germanus, *apud* Novum Castrum *super* Tinam *tractus,* suspensus, atque decollatus horribiliter vitam terminavit. *Erant enim ambo Armigeri pseudo-Regis, amboque consenserant*

necri

neci Joh. Comyn: *Uxorem vero* Chriſtoph. *& filiam* Ro. de Brus *in diverſis monialium Monaſteriis collocavit.* **Et dum exercetur in oies in populo ſcelerato talis vindicta fugit ad montana Cozonatus.** *Proinde timens ſibi* Johannes Comes de Aſceila, *fugam quærit, ſed Dei providentia timor quem timebat, evenit ei. Nam, cum in mari navigando fugeret, ſubito orto Vento contrario, ad terram repulſus, ab adverſariis captus erat. Quo audito Rex* Angliæ, *etſi graviſſimo morbo tunc langueret, levius tamen tulit dolorem. Comes autem iſte, de ſtirpe Regali ſibi originem vendicavit. Idcirco quidam Palatini, ipſum cum iniquis judicandum, indecens indecorumque cenſebant. Quibus Rex, non ſanguinis lineam, ſed juſtitiæ judicium attendens, dicebat.* Quanto gradus altior, tanto lapſus gravior eſſe conſtat. *Sed cæteris parricidiis generoſior in ſanguine, altius cæteris ſuſpendatur pro ſcelere. Nec vos latet quoties voluit prodidiſſe nos in* Anglia, *in* Scotia, *& in* Flandria. *Habete illum vos, &* Londini *juſtiſſime judicetur. Quo cum perveniſſet 7. die* Novembris *apud* Weſtmonaſterium *in Aula Regis* **utique condemnatur.** *Verum, quia de regali ſanguine fuerat oriundus,* **non eſt tractus, ſed aſcenſo equo, in equuleo quinquaginta pedum ſuſpenſus eſt.** *Poſtea ſemivivus demiſſus, ut majores cruciatus ſentiret,* **crudeliſſime decollatur.** *Truncus vero illius, præaccenſo in conſpectu ejus vehementi igne una cum carne & oſſibus, in favillas & cineres funditus conflagrantur.* **Caput autem iſtius, inter alia proditorum capita, ſuper Pontem** Londinenſem **in ſuperlativo gradu, quia de regali ſtemmate, eſt affixum.** *Rex apud* Lavercoſt, *juxta* Caerleolum *commorans, miſit* Bervicum *Juſticiarios, quorum judicio* Nigellus de Brus, *Miles pulcherrimæ juventutis, pro eo quod conſenſerat factionibus fratris ſui, & cæteri qui cum eo capti fuerant,* **tracti ſunt atque ſuſpenſi et ultimo decollati.** Thus did theſe perjured, rebellious *Scotch* Traitors ſuffer theſe juſt condign Executions for their old and new perjuries, Treaſons, Rebellions againſt King *Edward*, to whom they had ſo frequently ſworn, covenanted fealty, homage, loyalty and allegiance, under their hands and ſeals, as to their Soveraign Lord. *An.* 34 *E.* 1.

Whiles the King was thus imployed in ſubduing his *Scottiſh* Rebels abroad, the Pope and his Delegates, together with his own Biſhops, Clergy, and their Eccleſiaſtical Courts, were as buſie in encroaching upon the Eccleſiaſtical and Temporal Rights of his Crown and Courts at home, as theſe enſuing Writs to controll them will more fully inform us.

Pope *Clement* being encouraged by the Kings * premiſed compliance, that his foreign Agents ſhould ſequeſter and appropriate both the Spiritualties and Temporalties of the Archbiſhoprick of *Canterbury* to his own uſe, proceeded by *Stephen de Manby* and other his Delegates, to ſequeſter all the Spiritualties, Temporalties, Fruits and Profits of the Priory of *Durham*, of the Kings foundation, and his Progenitors, with their Rights and Appurtenances, without the Kings privity or licence, enjoyning the Prior, Chapter and Covent of *Durham*, with all the Proctors and Adminiſtrators of the ſaid Priory, intirely to anſwer all the Fruits, Rents, Profits, Rights and obventions of the ſaid Priory to the Patriarch of *Jeruſalem* during the pleaſure of the See Apoſtolick, to be diſpoſed of at his pleaſure; and commanded them to excommunicate and interdict all perſons of what quality ſoever, except the King, Queen, and their Children, which ſhould oppoſe or contradict this new and unheard of Papal Uſurpation; whereupon they denounced with direful execrations the greater Excommunication againſt the Prior and ſundry Canons of *Durham*, and divers others who oppoſed them therein, and alſo interdicted the Church of *Durham*, refuſing twice to revoke this their unjuſt Sentence upon the Kings Writs, and his Counſels commands to do it, in high contempt of the Kings Crown and Dignity, and diſinheriting the Rights thereof: For which they were twice ſummoned before the King and his Counſil, and after in the Parliament at *Karliſle*, were impriſoned and fined to the King, as this memorable Record will at large inform us.

* Here p. 1095. 1096.

* Inter Recorda D. Regis Car. 2. in Theſ. Receptæ Scaccarii ſui ſub Cuſtodia D. Theſ. & Camerar. ibidem. Inter al. ſic continetur ut ſequitur. Adhuc de quindena S. Trinitatis. Dunolm. Rot. 35.

* *Placita coram Domino Rege de Termino Sanctæ Trinitatis apud* Weſtmonaſterium *Anno regni Regis* E. *fil. Regis* H. *Triceſimo quarto.*

DOminus Rex mandavit *Stephano de Malo Lacu* Archidiacono *Clyveland* Breve ſuum in hæc verba.

† *Edwardus* Dei gratia Rex *Anglia*, Dominus *Hibernia*, & Dux *Aquitaniæ*; *Stephano de Malo Lacu*, Archidiacono *Clyveland*, ſalutem. Ad noſtrum pervenit auditum

† Recorded verbatim, in Clauſ. 34 E 1. m. 15. Pro Dom. Rege.

An. 34 E. 1. auditum, quod quædam negocia; sive facta insolita et hactenus inaudita, Prioratus *Dunelm.* (qui de Fundatione & Patronatu progenitorum nostrorum & nostræ existit) tangentia, sunt vobis exequend. commissa, quæ si eo modo procederent sicut in eis procedere, ut dicitur, præsumptistis, in Regiæ dignitatis et Coronæ nostræ præjudicium et exhæredacionem nostram cederent manifeste: Et quia super negociis et factis hujusmodi et eorum circumstanciis universis antequam in ulteriorem executionem procedant certis ex causis reddi volumus certiores, quod utique clare liquere non poterit absque vestra præsentia personali; Vobis mandamus firmiter injungentes, quod in quindena Sanctæ *Trinitatis* ubicunque tunc fuerimus in *Anglia*, coram Nobis et Consilio nostro sitis, ad ostendend. et faciend. nobis et Consilio nostro constare, quæ sunt et qualia quæ vobis super dictis negociis, sicut præmittitur sunt commissa, et qualiter, et quo modo, et cujus seu quorum autoritate, mandato sive præcepta talia nobis inconsultis exequi attemptatis; Ac audiend. faciend. et recipiend. super iis quod pro statu nostro et dictæ Coronæ per nos et dictum Consilium nostrum fuerit in hac parte faciend. Supersedentes omnino, nichilominus omnibus executionibus præfata negocia seu facta tangentibus interim faciend. Ac etiam penitus revocantes, si quæ super eisdem negociis occasione cujuscunque mandati vobis inde directi exequi forsitan attemptastis, et hoc sicut dampnum vestrum vitare volueritis, nullatenus omittatis. Et habeas ibi tunc hoc. Breve. Teste meipso apud *Wolvesey*, 29 die *April.* Anno regni nostri 34. *Per Breve de private Sigillo & Consilium.*

Mandavit etiam aliud Breve consimile *Thomæ de Goldesburgh* sub eodem tenore.

Mandavit etiam tertium Breve consimile Magistro *Ricardo de Morpath* sub eodem tenore.

Mandavit etiam quartum Breve consimile Magistro *Roberto de Baldoks*, sub eodem tenore.

Ad quem diem prædicti *Stephanus de Malo Lacu*, *Thom. de Goldesburgh*, Magistr. *Ricardus de Morpath*, & Magister *Robertus de Baldoks* coram Consilio Domini Regis apud *Westm.* venerunt. Et quæsitum est ab eis, *quæ & qualia sunt prædictum Prioratum tangentia quæ eis sunt exequenda commissa, & cujus seu quorum Authoritate talia attemptare præsumpserunt?* Qui dixerunt, *quod ea quæ fecerunt prædictum Prioratum &* Patriarcham Jerosolomit. *Episcopum* Dunelm. *tangentia, Authoritate cujusdam Mandati Abbatis* Lesasens. Appamiarum *Dioc. fecerunt*, per quod idem Abbas ipsius authoritate Apostolica mandabit, quod ipsi tanquam Executores et Commissar. &c. præfatum Patriarcham Episcopum, vel Procuratorem suum, &c. ad administrationem & curam dicti Prioratum, tam in spiritualibus quam temporalibus cum suis Juribus et pertin. universis admitti facerent, et recipi, ubique et per ipsum ad hoc deputando a Capitulo et Conventu ipsius Prioratus, et singulis personis Monasterii ejusdem, ac in eodem Monasterio vel alibi existentibus in his quæ ad executionem administrationis et curæ prædictarum pertinent, de Jure vel Consuetudine obediri et intendi, ac de ejusdem Prioratus fructibus, redditibus, proventibus, juribus et obventionibus universis * integraliter, usque ad Apostolicæ Sedis beneplacitum responderi, et quod in omnes et singulos negocium illud impedientes aut aliquo modo turbantes, sententiam Excommunicationis majoris promulgarent. Prætextu cujus mandati ipsi ad executionem inde faciend. prout eis videbatur licite facere posse juxta mandatum prædictum processerunt, & ostenderunt in scriptis totum processum facti sui in hac parte, in quo continebatur quædam sententiam Excommunicationis enormis et dira per ipsos lata super Priorem *Dunelm.* et quosdam Canonicos suos, et multos alios nominatim, et etiam super * omnes alios et singulos cujuscunque status, gradus, vel conditionis essent, qui executionem illam in aliquo perturbarent aut impedirent, seu impedientibus in aliquo opem darent, auxilium, consilium aut favorem, exceptis solummodo personis Domini Regis, Dominæ Reginæ, et liberorum suorum, Juribus etiam et Libertatibus Regalibus, &c. Et quod Ecclesiam *Dunelm.* prædictam Ecclesiastico super posuerunt interdicto. *Quæsiti*, si mandatum prædictum seu aliquod warrantum suum in hac parte Domino Regi ostenderunt priusquam illud executioni demandarunt? *qui cognoverunt expresse*, quod non. *Quæsiti etiam*, si factum suum prædictum et sententiam prædictam ad mandatum Domini Regis prædictum revocaberunt? dicunt, quod non. Unde præmissis omnibus inspectis & examinatis, videtur toto Consilio, quod

* *Nota.*

* *Nota.*

quod Mandatum prædictum, et etiam factum ipsorum Clericorum super Executione ejusdem in tantum tangunt tempozalitatem Regni, quod si eo modo permitterentur quo ipsi in negocio illo prozedere præsumpserunt, in Regiæ dignitatis et Corozuæ suæ præjudicium, et exhæredacionem Regis cederent manifeste; in hoc maxime, quod ipsi de executione aut dispositione aliqua de rebus tempozalibus dicti Prioratus qui de Fundatione et Patronatu prozenitorum Regis et ipsius Regis existit faciend. absque warranto vel permissione Domini Regis se intromiserunt, ut de fructibus, redditibus, prozentibus, Juribus, &c. cum nullus hujusmodi facta Corozonam Regalem tangentia ipso Rege inconsulto valeat nec debeat attemptare; nec ipsi warrantum quod inde habuerunt Domino Regi ostenderunt priusquam illud executi fuerunt, nec etiam ad mandatum Domini Regis prædictum factum suum vel sententiam prædictam revocaverunt, seu juxta mandatum illud revocare voluerunt, quæ omnia exprese sunt contra Corozonam et dignitatem Regalem, et ad inobedientiam et contemptum mandati Regis prædicti, et exhæredationem manifestam facta et executa. Per quod ipsi traditi sunt per manucaptionem sufficientem, scilicet, corpus pro corpore, usque à die Sancti *Michaelis* in 15 dies. ubicunque, &c. ad voluntatem Domini Regis tunc inde audiend. &c. Ad quem diem prætati Clerici per manucaptionem prædictam venerunt. *Et iterum quæsitus est ab eis*, Si sententiam prædictam adhuc revocaverunt? *qui dixerunt*, quod non, nec revocare potuerunt. Et super hoc datus est eis dies per manucaptionem sufficientem, ut de die in diem usque in Crastinum Animarum ubicunque, &c. in forma prædicta. Ad quem iidem Clerici per manucaptionem illam venerunt. Et deinde continuato processu versus eos, ut de die in diem usque diem *Mercur.* prox. post Octab. Sancti *Martini* iidem Clerici coram toto Consilio, &c. sententiam prædictam de plano revocaverunt in scriptis. Set quia manifeste constat Curiæ, quod Mandatum prædictum et etiam Executio inde per ipsos Clericos facta, exprese sunt contra Coronam et dignitatem Regalem, et ad inobedientiam et contemptum Mandatorum Domini Regis, et exhæredacionem suam ut præmittitur facta et executa, ipsi Clerici committuntur Gaolæ ad voluntatem Domini Regis, &c. Postea concordatum est, quod tradantur per Manucaptionem sufficientem, usque ad prozimum Parliamentum, &c. Et super hoc venerunt *Johannes de Crumwell*, *Willielmus de Honks*, & *Ricardus de Vernon* de Com. *Ebor.* & *Gilbertus de Toutheby*, *Willielmus de Farford*, & *Alanus de Cobbeldyks* de Com. *Linc.* & manuceperunt prædictum *Stephanum* corpus pro corpore, habendi eum coram Rege ad Parliamentum suum in Octab. Sancti *Hillar.* apud *Karliolum*, ad satisfaciend. Domino Regi de contemptu et inobedientia et transgressione suprædictis. Et *Radulphus de Rceheford* Miles, *Johannes de Gernon*, *Johannes Beks*, *Alanus de Cobbeldyks*, & *Petrus de Daldreby* de Com. *Linc.* Et *Willielmus de Honcks* de Com. *Ebor.* manuceperunt *Thom. de Goldesburgh* in forma prædicta. Et *Thom. de Nevill* de Com. *Roteland*, & *Willielmus de Cave* & *Galfridus de Cave* de Com. *Ebor.* Et *Petrus de Govewarton*, *Willielmus de Hongton*, & *Adam de Thorneton* de Com. *Northumbr.* manuceperunt *Ricardum de Morpath* in forma prædicta. Et *Radulphus de Rocheford*, *Johannes de Offynton* de *Cantuar.* de Com. *Kanc.* & *Petrus de Hascar*, & *Henr. de Gatis* de Com. *Midd.* & *Ricardus de Louthebury* de Com. *Essex*, & *Galfridus de Cave* de Com. *Eborum*, manuceperunt Magistrum *Robertum de Baldoks* in forma prædicta, &c. Ad quod quidem Parliamentum præfati *Stephanus de Malo Lacu*, *Thomas de Goldesburgh*, Magister *Ricardus de Morpath*, & Magister *Robertus de Baldoks* venerunt; Et prædictus *Stephanus* finem fecit cum Domino Rege pro contemptu et transgressione prædict. per quatervigiti Marcas, et recipitur per plegium *Roberti de Manley* Militis, de Com. *Eborum*, & *Gerardi Salveyn* de eodem Com. Et prædictus *Thomas de Goldesburgh* finem fecit, &c. per centum Libras, et recipitur per plegium *Thomæ de Multon* Militis de Com. *Linc.* & *Radulphi* fil. *Willielmi* Militis, de Com. *Eborum*. Et prædictus Magister *Robertus de Baldoks* finem fecit, &c. per biginti Marcas, per plegium *Johannis de Swynebourne* Militis, de Com. *Northumbr.* & *Thom. Grey* Militis, de eodem Com. Et Dominus Rex de gratia sua speciali pardonabit præfato Magistro *Ricardo de Morpath* omnem transgressionem et contemptum per ipsum factas, et omnino ei remittit finem, &c. Ideo idem Magister *Ricardus* eat inde quietus imperpetuum, &c.

An. 34 E. 1.

Anno 34 *E.* 1. I finde by the Clause Roll of 34 *E.* 1. that the King being informed the Popes Delegates proceeded to execute the Popes unusual and illegal commands in this businesse, notwithstanding his several Prohibitions to them, therein recorded, issued this Writ to *Robert Clifford* Guardian of the Liberties of the Bishoprick of *Durham*, by advise of his Counsil, strictly commanding him, not to permit them or any of them to execute any thing concerning the same within his said Liberties, till further order therein.

Claus. 34 E. 1. m. 10 dorso. Pro Rege de quibusdam tangentibus Prioratum Dunelm.

REX Dilecto & fideli suo *Roberto Clifford* Custodi libertatis Episcopatus *Dunelm.* vel ejus locum tenenti salutem. **Cum quædam negocia insolita et hactenus inaudita dilectum nobis in Christo** *Richardum* **Priorem** *Dunelm.* **ac Priorarum** *Dunelm.* **qui de fundatione et patronatu progenitorum nostrorum et nostro existit tangentia** *Stephano de Malo Lacu* Archidiacono *Cleveland*, *Thomæ de Goldesburgh*, Magistro *Roberto Baldock*, & Magistro *Richardo de Morepath*, **committantur exequenda, et quæ iidem** *Stephanus*, *Thomas*, *Robertus*, *& Richardus*, **nobis inconsultis exequi attemptarunt, in Coronæ et Regiæ dignitatis nostræ præjudicium et exhæredationem nostram manifestam, per quod eisdem** *Stephano*, *Thomæ*, *Roberto & Richardo* **prohibuimus, ne dicta negotia exequi aliquatenus attemptarent seu facerent attemptari. Ac jam intelleximus quod alii per prædictos** *Stephanum*, *Thomam*, *Robertum & Richardum*, **deputati, negotia illa infra libertatem prædictam exequi præsumunt; Vobis adhuc mandamus firmiter injungentes quod præfatos** *Stephanum*, *Thomam*, *Robertum*, *& Richardum* **aut alios quoscunque dicta negotia infra libertatem prædictam exequi nullatenus permittatis, donec aliud a nobis super hoc habueritis in mandatis.** Teste Rege apud Sanctum *Albanum* 16 die *Junii*. *Per Consilium.*

So careful was the King and his Counsil to prevent this dangerous Innovation and Encroachment on his Crown, and crush this new Cockatrice in the shell. The Pope being informed by his Nuncio and Legate here, concerning the Kings severe proceedings against them for executing his Bull, who misinformed him of the true state of the Case in point of Law and the Kings Prerogative, was very much offended with the King; whereof he being informed, to hold all fair correspondence with him, sent him this Epistle, complaining of the great wrongs done by his Agents to God, and especially to St. *Cuthbert* Patron of the Church of *Durham*, desiring him to examine the truth of the whole business himself, whereof he had been misinformed, and reform these excesses, to the honour of God, St. *Cuthbert*, and the Church, and righting of the Prior.

Rot. Romæ. An. 34 & 35 E. 1. m. 3. nu. 10.

SAnctissimo in Christo Patri Domino *C.* &c. suus devotus filius *Edwardus* Rex *Angliæ*, *&c.* Cum occasione quarundam suggestionum beatitudini vestræ factarum **aliqua** *Dunolmensem* tangencia Prioratum qui est de fundacione claræ memoriæ progenitorum nostrorum Regum *Angliæ* & jus eciam Coronæ nostræ existens, duxeritis ordinanda, ac **despectuum et violenciarum enormium graves excessus Deo et Sancto** *Cuthberto* **gloriosо Christi Confessori et eidem Ecclesiæ in qua ejusdem** Confessoris corpus sanctissimum requiescit, necnon & Priori & Conventui ejusdem loci **diversimode sint illati**, quibus non mediocriter sicut credimus vestræ fuisset compassa benignitas, **et congruæ directionis adhibuisset remedium super illis si de veritate eorum vobis primitus constitisset**, Sanctitati vestræ devotis precibus supplicamus, **quatinus negocia quæ Prioratum prædictum contingunt habentes, si placeat, affectu propicio commendata, examinacionem et discussionem eorum dignemini vestro proprio examini reservare, vel saltem aliquibus certis personis examinanda et discucienda committere quæ non fuerint partiales**, ut de veritate ipsorum negociorum plenius informati, ad suggestiones prædictas quæ nullam in se continent veritatem; sic demum condignum habere valeat providencia vestra respectum, qui conveniens videatur & extiterit opportunus: **Ac eciam super prædictis * dirigendis excessibus et violenciis ordinare atque disponere eo modo, quod ad Dei et Sanctæ Ecclesiæ ac beati Confessoris prædicti cedat honorem**, necnon et **status prædicti Prioratus melioracionis augmentum. Et nichilominus de contemptibus personæ præfati Prioris violenter sicut præmittitur, irrogatis dignetur**

* corrigendis.

tur veſtra clemencia lacius inquirere veritatem. Conſervet, &c. Dat apud *Tykyngcote* 11. die *Julii*, Anno Regni noſtri 34. *An.* 34 E. 1.

And ſo this Controverſie ceaſed for ought I finde by Records. The Popes Agents procuring the like Bull from the Pope to ſequeſter divers of the Spiritualties and Temporalties of the Church of St. *Maries* in *York*, being of the Kings foundation; the King thereupon iſſued this Writ and Prohibition to the Official of the Archdeacon of *Richmond*, imployed to execute that Bull, for the preſervation of the Rights of his Crown, as he did in the caſe of the Priory of *Durham*.

Clauſ 34 E. 1. m 15. Pro Abbate beatæ Mariæ Ebor.

REX Magiſtro *Willielmo de Twiſleton* Offic. Archidiac. *Richmond* ſalutem. Ad noſtrum pervenit auditum **quod quædam negotia ſive facta inſolita et hactenus inausita Monaſterium beatæ** *Mariæ Eborum*, **quod de fundatione et Patronatu Progenitorum noſtrorum et noſtro exiſtit tangentia, ſunt tibi exequenda commiſſa; quæ ſi eo modo procedunt ſicut eis procedere, ut dicitur, præſumpſiſti, in regiæ dignitatis et Coronæ noſtræ præjudicium et exhæredationem noſtram rederent manifeſte. Et quia ſuper negotiis et factis hujuſmodi et eorum circumſtantiis univerſis antequam in ulteriorem executionem procedat certis ex cauſis reddi volumus certiores, quod utique clare liquere non poterit abſque tua præſentia perſonali, Tibi præcipimus firmiter injungentes, quod in Craſtino Sancti** *Johannis Baptiſtæ* **ubicunque tunc fuerimus in** *Anglia*, **coram nobis et Conſilio noſtro ſis, ad oſtendendum et faciendum nobis et Concilio noſtro conſtare, quæ ſunt et qualia quæ tibi ſupra dictis negotiis ſicut præmittitur commiſſa, et qualiter et quo modo et cujus ſeu quorum authoritate mandato ſive præcepto talia nobis inconſultis exequi attemptas, et ad audiendum, faciendum et recipiendum ſuper hiis quod pro ſtatu noſtro et dictæ Coronæ noſtræ per nos et dictum conſilium noſtrum fuerit faciendum; ſuperſedens omnino nichilominus omnibus executionibus præfata negotia ſeu facta tangentibus interim faciendis, ac etiam penitus revocans ſi quæ ſuper eiſdem negotiis occaſione cujuſcunque mandati vos inde directi exequi ſicut prædicitur nobis inconſultis attemptaſti: Et hoc ſicut dampnum tuum vitare volueris nullo modo omittas. Et habeas ibi tunc hoc breve.** Teſte Rege apud *Wynton* 6. die *Aprilis*. *Per Breve de privato Sigillo & Conſilium.*

By which Writs and Proceedings this unuſual and formerly unheard of Uſurpation of the Pope was prevented, and not afterwards put in execution, whereby he would have appropriated the Temporalties as well as Spiritualties of all Religious Houſes and Monaſteries in *England* by degrees to himſelf and his Creatures, had not the King and his Counſil thus carefully prevented and ſuppreſſed it when firſt ſet on foot.

Pope *Clement* the 5th, his Delegates, Nuncioes and Agents, exceedingly encroaching this year upon the rights of the King, his Crown and Dignity, although the King in other particulars complyed with their requeſts in all things that intrenched not upon the rights and prerogatives of his Crown and Royal Dignity, to advance his own deſignes; yet he and his Counſil would by no means yeeld, or condeſcend to their manifold new, illegal requeſts, Procurations, Uſurpations, and proceedings, that were derogatory or prejudicial to the rights of his Crown, but oppoſed them to their power both in and by his Letters to this Pope and his Cardinals, by ſeveral Writs of Prohibition and Attachments iſſued to his Nuncioes, Legates, Delegates, and other Agents: Witneſſe this enſuing Letter of his to this Pope on the behalf of *John Buſh* his Clerk, whom he had legally preſented to a Præbendary in the Church of *York*, then void and in his hands, into which *Francis* the ſon of *Peter Gaſcain* an alien had intruded himſelf by the Popes proviſion; who cited the Kings Clerk out of the Realm perſonally to appear before the Pope upon falſe ſuggeſtions, to anſwer him damages for the pretended injuries done unto him, in turning him out of this prebendary, againſt the rights and liberties of his Crown, Dignity, and Realm.

PApæ Rex, &c. **Oppoztunum et ſolertem diligentiam libenter impendimus, ut jura Regiæ noſtræ dignitatis conſerbentur illæſa, ad quæ manutenda et conſerbanda** Rot. Romæ An. 34 E. 1. m. 5. n. 5.

An. 34 E. 1. ſerbanda tanto ſollicitius excitamur, quanto ſpecialius ex virtute juramenti quo ligamur, illa tenemur indefeſſa ſollicitudine defenſuri. Sanè vacante nuper *Eborum* Eccleſia & ejuſdem Archiepiſcopatu in noſtris manibus exiſtente, quandam prębendam quam in ipſa Eccleſia invenimus tunc vacantem, cujus poſſeſſioni quidam *Franciſcus* filius *Petri Gaitain* incumbebat de facto, dilecto Clerico noſtro Magiſtro *Johanni Buſh* de *London* jure noſtro Regio duxerimus conferendam. Quo virtute collationis noſtræ hujuſmodi dictam prębendam ritè & canonicè aſſecuto, prædictus *Franciſcus* per ſe et ſuos occaſionem querens haſkute gravandi eundem noſtrum Clericum et vexandi, ipſum citari perſonaliter coram vobis, ſicut accepimus, procuravit, ad reſpondendum eidem ſuper damnis et injuriis ſibi factis. Attendentes autem citationem ipſam ex ſuggeſtione non vera, ſet potius conficto quæſito coloře fuiſſe optentam, quæ ſi de veritate ipſius negotii veſtræ beatitudini primitus conſtitiſſet nullatenus ut credimus emanaſſet; Sanctitati veſtræ inſtancius ſupplicamus, quatinus prędmiſſis benigna conſideratione penſatis, quodque in hujuſmodi negotio noſtrum principaliter intereſſe verſetur, ſuper prędfata citatione et ejus effectu ſic Clementia veſtra dignetur remedium efficax adhibere, quod jus noſtrum prędictum, ad quod obſervandum ſicut prędicitur ſumus aſtricti ut conſervetur illæſum; et idem Clericus noſter, (cujus defenſioni in ipſo negotio deeſſe non poſſumus, ſicuti nec debemus) eo prętextu non inquietetur indebite ſeu gravetur. Conſervet vos Altiſſimus, &c. Teſte Rege apud *Lavertoſt*, quarto die *Octobris*.

The like Oppoſition he made againſt a new illegal clauſe thruſt into this Popes Bull and reſcript concerning the Manors, Villages, and temporal Demeſnes of the *Priory* of *Okeburn*, which he would by no means tolerate or aſſent to, but commanded it to be obliterated, as manifeſtly derogatory to his royal Right, refuſing to reſtore the temporalties, till this prejudicial clauſe was expunged, as this Letter of his concerning this Priory to a *Romiſh* Cardinal, informs us.

Rot. Romæ, An. 34 E 1. m 1. intus. num. 4.

VEnerabili in Chriſto Patri Domino *R.* Sanctæ *Mariæ* novæ Diacono Cardinali, amico ſuo chariſſimo, *Edwardus*, *&c.* ſalutem, & dilectionem ſinceram. Licet ea libenter quæ utilitatem et honorum veſtrorum prąmotionem reſpiciunt, quantum bono modo poſſemus prąmptis affectibus imploremus; Vtiis tamen quæ nobis et juri dignitatis noſtræ Regiæ ac Coronæ ſunt prąjudicialia, nequaquam aſſenſum prębere valemus, ſicuti non poſſumus nec debemus. Unde cum aliqua in Apoſtolico reſcripto contenta Prioratum de Okeburn tangentia, videlicet, ubi de Maneriis, villis et dominiis temporalibus fit mentio, quæ ſi procederent, manifeſte juri noſtro Regio derogarent, tollantur ea quæ prąjudicant, et ponatur Prioratus cum pertin. ſuis ſalvo conſueto apporęto ſuperiori Monaſterio faciendo: Et ſic poſtulata tranſire ſuſtinebimus, quantum poterimus jure noſtro Regio inoffenſo. Dat. apud *Karliolum*, 4 die *Aprilis*.

To which I ſhall ſubjoyn this Record and *Memorandum* concerning the Biſhop of *Catheneſſe*. The King by his Prerogative Royal as *Superior Lord of Scotland*, giving his royal licenſe for, and aſſent to the election and confirmation of the ſaid Biſhop of *Cathneſſe* in *Scotland*, confirmed by the Pope, iſſued this Writ for the reſtitution of his Temporalties; which yet the King would not grant him, till he had publikely renounced all clauſes in the Popes Bull concerning his temporalties (implying the Pope to have a power over them) as prejudicial to the Kings right and Crown, as this Records aſſures us.

Pat 34 E 1 m. 31 intus. De reſtitutione Temporalium in Eccleſia Catanen.

REX Cuſtodibus ſuis terræ *Scotiæ*, & locum ſuum in eadem tenentibus ſalutem. Cum Dominus Summus Pontifex electionem nuper celebratam in Eccleſia Cathedrali *Catanen.* de diſcreto viro *Fertardo* Decano ejuſdem Eccleſia in Epiſcopum illius loci, cui prius Regium aſſenſum adhibuimus et favorem, confirmaverit, ſicut per literas ipſius Summi Pontificis bullatas nobis inde directas nobis conſtat: Nos confirmationem illam acceptantes, cepimus fidelitatem ipſius Epiſcopi, temporalia Epiſcopatus prędicti, prout moris eſt, reſtituimus eidem. Et ideo vobis

bis mandamus, quod eidem Epiſcopo temporalia Epiſcopatus prædicti liberetis, ſicut prædictum eſt. Teſte Rege apud *Wynton.* 4 die *Aprilis.* *An.* 34 *E.* 1

Eodem modo mandatum eſt *Willielmo* Comiti de *Ros*, Cuſtodi Regis Epiſcopatus prædicti, ſede vacante. T. R. ut ſupra.

Et Memorandum, quod dictus Epiſcopus pro eo quod in Bulla de confirmatione electionis prædictæ Regi directæ, quædam verba temporalia Epiſcopatus prædicti tangentia continebantur, quæ Regi et juri ſuo Regio præjudicialia videbantur, apud *Wynton* die ſupradicto * renunciabit Bullæ prædictæ quoad verba ſupradicta. Et Rex de ſua gratia ſpeciali eidem Epiſcopo temporalia Epiſcopatus prædicti reddidit, et idem Epiſcopus eadem Temporalia de gratia Regis ſic admiſit, et ea de Rege ſe tenere coram Rege et Conſilio ſuo ibidem recognovit. * *Nota.*

So carefull was the King and his Counſil in that age, to prevent all new encroachments and uſurpations on the Crown and Prerogative by any new words or clauſes, which Popes uſually inſerted into their Bulls upon every occaſion to inlarge their Papal Juriſdiction, and would not obliterate nor renounce when juſtly excepted againſt by the King and Counſil.

As the Pope and his Agents, Nuncios and Collectors thus uſurped upon the Rights and Prerogatives of the Crown on the one hand, which the King and his Counſil ſtrenuouſly oppoſed; ſo did his Biſhops and their Eccleſiaſtical Courts and Officers on the other hand, which he with his Judges and Courts of Juſtice reſtrained this year, by theſe Writs of Prohibition extant in the Bundles of Writs I found in the White Tower, *An.* 34 *E.* 1.

E*Dwardus* Dei gratia Rex *Angliæ*, *&c.* dilecto & fideli ſuo *Thomæ de la Hyde*, ſalutem. Sciatis quod dedimus vobis poteſtatem recipiendi attornatos Magiſtri *Roberti de Polhorman*, quod coram vobis attornare voluerit, ad lucrandum & perdendum in loquela quæ eſt coram Juſtic. noſtris inter *Gilbertum de Bohedon* & prædict. *Robertum*, de eo quod idem *Robertus* **tenuit placitum in Curia Chriſtianitatis de catallis et debitis quæ non ſunt de Teſtamento vel Matrimonio contra prohibitionem noſtram.** Teſte meipſo apud *Wynton.* 15. die *Aprilis*, Anno regni noſtri 34. *Edwardus*, *&c. Thomæ de Raleigh*, *&c.* Dedimus vobis poteſtatem recipiendi attornatos *Henrici de Lucy*, *Willielmi de Curcy*, *Willielmi de Swynesfield*, *Michaelis de Albamarlea*, & *Willielmi de Colebeart*, *&c.* in loquela quæ eſt coram Juſtic. noſtris de Banco per breve noſtrum inter ipſos, *&c.* & Epiſcopum *Exon.* Magiſtr. *Johannem de Burton*, & Magiſtr. *Willielmum de Sancta Oliva*, **de eo quod idem Epiſcopus et *Johannes* tenuerunt placitum in Curia Chriſtianitatis de catallis et debitis quæ non ſunt de teſtamento vel matrimonio: Et de eo quod** *Willielmus de Sancta Oliva* **ſecutus eſt idem placitum in eadem Curia contra prohibitionem noſtram**, *&c.* Teſte meipſo apud *Kyngeſton Lacy* 26 die *Decemb.* An. regni noſtri 34. *Edwardus*, *&c.* Vicec. *Cantebr. &c.* Si *Thomas le Butcher* de *Cantebr. &c.* pone, *&c. Willielmum* Vicarium Eccleſiæ Sancti *Edwardi de Cantebrig. &c.* **quare ſecutus eſt placitum in Curia Chriſtianitatis de catallis, &c. quæ non ſunt, &c. contra prohibitionem noſtram**, *&c.* T. meipſo apud *Lauretoſt* 18. die *Octobr.* An. regni noſtri 34. Vic. *Eſſex*, *&c.* Si *Johannes* fil. *Roberti de Leyceſtr. &c.* pone, *&c.* Magiſtr. *Willielmum de Halſtede* & *Johannem* perſonam Eccleſiæ Sancti *Nicholai Coleſtr.* & *Galfridum Bacun*, *&c.* **quare ſecuti ſunt idem placitum in eadem Curia contra prohibitionem noſtram.** Teſte meipſo apud *Lauretoſt* 4. die *Novembr.* Anno regni noſtri 34. Brevia Regis, An. 34 E. 1. in Turri London.

E*Dwardus* Dei gratia Rex *Angliæ*, Dominus *Hiberniæ*, & Dux *Aquitanniæ*, Vicecomiti *Eborum* ſalutem. Si *Nicholaus de Mork*, & *Gilbertus Leorſon* fecerint te ſecurum de Clameo ſuo proſ. tunc pone per vadium & ſalvos Plegios *Inettam* Prioriſſam de *Grendale*, quod ſit coram Juſticiariis noſtris apud *Weſtmonaſt.* à die Sancti *Michaelis* in 15 dies, oſtenſur. **quare cum placita de tranſgreſſionibus contra pacem noſtram tactis in regno noſtro, ad Coronam et Dignitatem noſtram et non ad alium pertineant in eodem Regno, eadem Prioriſſa ſuper hujuſmodi tranſgreſſionibus ſecuta eſt placitum in Curia Chriſtianitatis, in læſionem Coronæ et dignitatis noſtræ, et grave dampnum dictorum *Nicholai* et *Gilberti*, et contra prohibitionem** Ibid.

An. 34 *E.* 1. bitionem noſtram. Et habeas ibi nomina Plegiorum & hoc Breve. Teſte meipſo apud *Sanctum Albanum* 16. die *Junii*, Anno Regni noſtri Triceſimo quarto.

Pleg. de *Proſ. Radulphus* filius *Simonis de Lefthous*, *Adam* frater ejus.

Pleg. *Inettæ* Prioriſſæ de *Grendale*, *Willielmus de Walpol*, *Robertus Præpoſitus*.

Placita de An. 34 E. 1. Adhuc de craſtino S. Martini.

Henricus de Calethorp attach. fuit ad reſpondendum *Ricardo de Saliſbery* & *Lucia* Uxori ejus, & *Ricardo de Terdeburx* de placito, **quare ſecutus eſt placitum in Curia Chriſtianitatis de catallis et debitis, quæ non ſunt de teſtamento vel matrimonio, &c. Et unde prædictus *Richardus*, et alii queruntur, quod cum ei detuliſſent prædictam prohibitionem in Cimiterio de *Whiteby*, in Vigiliis Sancti *Martini* anno 34. ne ſequeretur prædictum placitum: Idem *Henricus* ſpreta prohibitione prædicta, eos traxit in placitum coram Priore de *Whiteby* apud *Whiteby* auctoritate Apoſtolica, erigendo ab eis vigiliæ *Marc.* quæ non ſunt de teſtamento vel matrimonio, &c. contra prædictam prohibitionem, &c. Et unde dicunt, quod deteriorati ſunt et dampnum habent ad valentiam decem libras, et inde producunt Sectam, &c.**

Et *Henricus* venit & defendit vim & injuriam quare, *&c.* ſed dicit, **quod nunquam eos implacitavit in Curia Chriſtianitatis, nec aliquod placitum de aliquibus catal. quæ non ſunt de teſtamento, &c. poſtquam ei detulit prædictam prohibitionem, &c.**

Ibid Rot m. 4. *Ernald. de Kideland* optulit ſe, *&c.* verſus Magiſtrum *Walterum de Penbrok* Archidiacon. de *Berdeſtapel* de placito, **quare tenuit placitum in Curia Chriſtianitatis de catallis et debitis ipſius *Ernaldi* quæ non ſunt de Teſtamento, &c. contra Prohibitionem, &c.** Et verſus *Simonem le Lorm.* **quare ſecutus eſt idem placitum contra Prohibitionem, &c.** Et ipſi non venerunt, *&c.* Et præceptum fuit *Vicecomiti*, **quod attach. eos**, quod eſſent ad hunc diem. Et Vicecomes de prædicto *Simoni* nihil fecit. Ideo (ſicut prius) præceptum eſt Vicec. quod attach. eum, quod ſit à die *Paſchæ* in quinque ſeptimanas. Et Vicecomes ſit auditurus Judicium ſuum, *&c.* Et de prædicto Archidiacono mandavit Vicecomes, quod non habet Laicum feodum per quod, *&c.* Et ſuper hoc teſtatum eſt, quod habet Beneficium Eccleſiaſticum in Epiſcopatu *Exon.* Ideo mandatum eſt *R. Exon.* Epiſcopo, quod faciat eum venire ad diem, &c. Unde Vic. mandavit, *&c.*

* See here, Tome 2. in the Epitome of his life, in the Table.

† Hiſt Angliæ, p. 552, 553. Godwins Catalogue of Biſhops, p. 241. Rot. Romæ, An. 34 E. 1. num. 3.

The King this year ſent this Letter and ſpecial Meſſengers to Pope *Clement* for the canonization of *Robert Groſthead*, late Biſhop of *Lincoln*, wherein he highly extols his Learning, holineſſe of life, and the wonderful virtues and miracles ſince his death, although a * *fierce Antagoniſt* againſt the Uſurpations, vices, corruptions of the Popes, Church, See of *Rome*, and vicious Clerks, Monks, Freers in his age, **et Romanorum Malleus et Contemptor**, as † *Matthew Paris* ſtileth him.

SAnctiſſimo in Chriſto Patri Domino *C.* Divina Providentia ſacroſanctæ *Romanæ* ac Univerſalis Eccleſiæ Summo Pontifici; *Edwardus* ejuſdem gratia Rex *Angliæ*, &c. Devota pedum oſcula beatorum. Sedis Apoſtolicæ prudentia circumſpecta, quæ actibus intenta ſaluberrimis et operibus expoſita pietatis, ſolerter exequitur quæ ſunt ad divini nominis honorem et gloriam ac exaltationem Catholicæ fidei, ſalutemque fidelium merito cenſuit riteque providit, ut quos triumphantis Eccleſiæ Regio glorioſa poſt devictum conſummatumque certamen triſorme, mundi, carnis ſpirituſque maligni cœleſtis beatitudinis efficit poſſeſſores, curia ſolers Eccleſiæ militantis laudando et glorificando in terris, dignæ benerationis officio proſequatur, quatinus eorum ſuffragiis et patrociniis apud Deum, qui eſt glorioſus in ſanctis ſuis, et in ſua majeſtate terribilis inter mundanos conflictus et turbines adjuvetur. Hæc ſi itaque memoriæ *Roberti* quondam *Linc.* Epiſcopus, Dei famulus, vir utique in ergaſtulo carnis poſitus excellens meritis, vitæ ſanctitate præclarus, et velut ſtella matutina in medio nebulæ, et quaſi lucerna non ſub modio ſet ſuper Candelabrum poſita, ſperſit in alis lumen ſapientiæ et doctrinæ, in domo Domini virtutum ſubare adeo coruſcando, quod tandem in divini nominis confeſſione legitime certans, et contra mundum, carnem, et dæmonem triumphans, athleta non degener, Confeſſor inclytus, et birtutum opifex, paſtor bonus in populo curſum vitæ perluſtrantem, miraculis bires et potentiam naturalem excedentibus fæliciter conſummavit, de peregrino Cibis cœleſtis effectus, et beatorum Confeſſorum agminibus aggregatus; Hæc de ipſo Agoniſta nobili tenet Eccleſia Anglicana: Hæc Pontifi-

calis

calis narrat Authoritas: Hæc memoria seniorum retinet, Clerus indicat, militia meminit, testatur populus, et omnis utriusque sexus ætas recenter quodammodo velut a patribus nunciata filii recordantur. Dignum igitur æstimantes et congruum tam reverendum virum debere condignis in terris attolli præconiis, quem in cœlis cives Sanctorum et Domestici Dei glorianter honorant, ac ipse Sanctorum Dominus stola gloriæ redimitum ad paradisi januam coronabit; Beatitudini vestræ humiliter duximus supplicandum, quatinus nuncius pro Canonizatione præfati Episcopi obtinenda ad vestræ Sanctitatis præsentiam accedentibus, sicut sacram quæ Sacrosancta *Romana* Ecclesia in consimili negotio uti consueverat, benignam dignemini, si placet, audientiam gratiosis affectibus exhibere, ut per promeritæ Canonizationis eventum idem Episcopus per Apostolicæ sedis gratiam ascribi valeat beatorum Catalogo Confessorum, sicque ipse ut sanctus honoretur in terris, et glorificetur Altissimus in excelsis. Conservet vos Altissimus, &c. Dat. apud *Karliol.* 6. die *Maii.*

Notwithstanding these large *Encomiums* of *Grosthead* both by the King, Prelates, Clergy, and people of *England*, and their importunity to canonize him for a Saint, I cannot find by History or Record he was ever actually canonized, because he opposed the usurpations, corruptions of the Popes and Court of *Rome*; when as *Anselm*, *Becket* of *Canterbury*, and *Hugh* of *Lincoln*, though Arch-Traytors, Rebels against our Kings, were readily canonized for Saints upon this only account, that they maintained the usurpations of the Popes and Court of *Rome*, upon the Crowns, Rights, Liberties of our Kings, kingdome, and the Church of *England*.

The Bishop of *Ciceſter* by his usurped authority endowing a Vicar in the Church of *Rye*, (of the Kings patronage, without his or his royal progenitors assent) of the 3d. part of the Tithes and Oblations, to the prejudice of the Kings Crown, right, and Clerk presented thereunto; the King thereupon issued this Writ, declaring the endowment voyd in Law, if made without the royal assent, commanding the Bishop to inquire out, and certifie him the truth thereof.

EXcellentissimo Principi & Domino suo, *Edwardo* Dei gratia Regi *Angliæ* illustri, &c. *J.* ejusdem permissione Ecclesiæ *Cycestrensis* Minister humilis, salutem, &c. Celsitudinis Regiæ Majestati vestræ mandatum recepimus, formam continens infrascriptam. Edwardus, &c. *venerabili in Christo Patri J. eadem gratia Episcopo* Ciceſtr. *salutem.* Ne nostra seu Coronæ et dignitatis nostræ Regiæ Jura deperiant, vel per alicujus occupationem aut subtractionem aliqualiter minuantur, nos decet studiosam operam adhibere; et ad ea manutenenda, et conservanda, et subtracta aut occupata si quæ fuerint revocanda, eo potius debemus esse solliciti, quo ad hoc vinculo astringimur Juramenti. *Cum itaque* Alexander Butemount *ad Ecclesiam de la* Rye, *vestræ Diocesis, quæ de nostro Patronatu existit, nullâ portione de nostro seu alicujus Progenitorum nostrorum quondam Regum* Angliæ *assensu seu voluntate inde subtractâ, nuper per nos præsentatus, & in ea per prædecessorem vestrum canonicè institutus,* super perceptione duarum partium provventuum, et obventionum ejusdem Ecclesiæ et amplius per Johannem Dykesterne, *prætendentem se esse Vicarium ejusdem Ecclesia de ordinatione dicti prædecessoris vestri, & ipsum dictos Proventus & obventiones ea de causa percipere debere, sit, & à tempore institutionis sua prædicta fuerit impeditus*; quod in nostri juris præjudicium et coronæ nostræ exhæredationem, immo in diminutionem et deteriorationem Advocationis nostræ Ecclesiæ prædictæ, si toleraretur, cederet manifeste, præsertim cum hujusmodi ordinationes Vicariarum in Ecclesiis de advocatione nostra existentibus, fieri nequiant nec debeant, nostro assensu super hoc minime requisito, per quod dictam ordinationem, eo quod sine nostro aut progenitorum nostrorum prædictorum voluntate facta fuit, irritam et nullam penitus reputamus. *Vobis mandamus, quod vocato coram vobis præfato* Johanne, et de ordinatione Vicariæ prædictæ, et causis et omnibus circumstantiis ejusdem inquisita et officii vestri Pastoralis debito plenius veritate, si inveneritis hujusmodi ordinationem de dicta Ecclesia sine assensu nostro, seu progenitorum nostrorum prædictorum taliter factam fuisse, tunc eam, prout ad vos pertinet, adnulletis; præfatum *Alexandrum* provventus et obventiones prædictas integre et tanquam

Brevia Regis in Turri London, An. 34 E. 1.

Nota.

An. 34 *E.* 1. quam Rectorem eiuſdem Eccleſiæ percipere permittatis. *Et ſi fortaſſis prædictus* Johannes *aliquid de nobis vel aliquo Progenitorum noſtrorum prædictorum pro ſe de ordinatione habeat memorata, vel cauſa aliqua ſubfuerit quare id facere nequeatis*, tunc nos inde diſtincte et aperte reddatis per veſtras literas certiores. *Teſte meipſo apud* Weſtm. 6 *die* Junii, *Anno regni noſtri* 34.

Cujus igitur Brevis ratione prædictum Vicarium ad oſtendendum titulum in dicta Vicaria quem habet coram nobis fecimus evocari: et quia ſufficienter oſtendit, ſe in ipſa Vicaria per bonæ memoriæ *Gilbertum* prædeceſſorem noſtrum fuiſſe inſtitutum, nos abſque parte proſequente ſuper contentis in hoc Brevi, contra ipſum procedere ulterius debite non valemus. Verumptamen ſi Rector Eccleſiæ memoratæ, aut quivis alius in ipſo negotio proſequatur, parati ſumus & erimus facere quod incumbit. Valeat, &c. Dat. apud *Cacham* 14 Kal. *Auguſti*. An. Dom. 1306.

King *Edward* being informed by ſome of his ſuperſtitious Prelates and Clergy, that divers of his *Engliſh* Subjects, and others adhering to him, had incurred the Sentence of Excommunication and Irregularity, by ſlaying his *Scottiſh* Enemies, Traytors and Rebels, in his late Wars, and laying violent hands on the Trayterous *Scots* Biſhops, Abbots, Clergymen, and that in ſome Churches, which they had burned and defaced, procured a Commiſſion from Pope *Clement* to the Biſhop of *Carliſle* and three Abbots, to abſolve thoſe who did deſire abſolution from their Excommunication, Irregularity, and other Eccleſiaſtical Cenſures, as theſe his Writs, iſſued for that purpoſe to the Biſhop of *Carliſle* and others, the Sheriff of *Kent*, and all other Sheriffs of *England*, do clearly evidence.

Clauſ. 34 E. 1. memb. 15. dorſo. De abſolutione pro illis qui diverſa mala perpetrarunt inimicos Regis inſequendo.

REX Venerabili in Chriſto Patri *J.* eadem. gratia *Karliolenſi* Epiſcopo ſalutem. Cum Sanctiſſimus Pater Dominus *Clemens* Divina Providentia ſummus Pontifex, vobis et Religioſis viris Abbatibus beatæ *Mariæ Eborum*, de Sancto *Albano*, & de *Waltham*, abſolvend' fideles noſtros de Regno noſtro et aliunde a ſententiis excommunicationum et aliis delictis in quæ inciderunt nonnullos hoſtes et rebelles noſtros qui in perturbationem regni noſtri, furium noſtrorum et fidelium prædis conatibus nitebantur, Gladio et modis aliis perimendo, plures etiam mutilando et ſubjiciendo verberibus, Eccleſias etiam et loca Eccleſiaſtica incendio et ruina vaſtando et quædam alia committendo. Et ſimiliter cum illis qui propter præmiſſa irregularitatem aliquam incurrerunt, homicidis exceptis, authoritate Apoſtolica diſpenſandi per literas Apoſtolicas ſeparatim plenam commiſerit poteſtatem, prout in quadam Bulla quam vobis inde mittimus plenius continetur. Vos rogamus cum affectu, quatinus omnibus illis de Regno noſtro et aliunde qui in proſequendo hoſtes et rebelles noſtros prædictos excommunicationum ſententias ſeu delicta alia aut irregularitatem aliquam incurrerunt, et vobis pro abſolutione vel diſpenſatione ſuper ſententiis aut irregularitate prædictis obtinend. voluerint recipere abſolutionis ſeu diſpenſationis hujuſmodi beneficium, quatinus ipſa audita petitione eorundem veſtra diſcretio prout noverit indigere juxta tenorem Bullæ prædictæ ſine difficultate qualibet impendatis. Teſte Rege apud *Wynton* 17. die *Aprilis*.

Clauſ. 34 E. 1. m. 15. De abſolutione & diſpenſ. pro illis qui diverſa mala perpetrarunt inimicos Regis inſequendo.

REX Vicec. *Kanc.* ſalutem. Cum quidam fideles noſtri de regno noſtro & aliunde tam Clerici quam Laici nobis adhærentes in proſequendo diverſis vicibus nonnullos hoſtes et rebelles noſtros qui in perturbationem Regni noſtri, Furium noſtrorum et fidelium prædis conatibus nitebantur, quamplures ex eis gladio, et modis aliis perimerint, quoſdam etiam mutilando et ſubjiciendo verberibus, Eccleſias etiam et loca Eccleſiaſtica incendio et ruina vaſtando, in perſonas illarum manibus violenter injectis, datis etiam tam ibi quam alibi depradationibus incendiis et rapinis ſecundum conſuetudinem hoſtium contra hoſtes: Ac Sanctiſſimus Pater Dominus *Clemens* divina providentia ſummus Pontifex, ad inſtantiam noſtram, Venerabili Patri *Karliolenſi* Epiſcopo ac Religioſis viris Abbatibus beatæ *Mariæ Eborum*, de Sancto *Albano* et de *Waltham*, Abſolvendi prædictas homicidas, excommunicatos, ſacrilegos, et alios qui in favorem noſtrum talia commiſerunt ab hujuſmodi excommunicationum ſententia quas propterea incurrerunt, et delictis aliis ſuprædictis, et etiam cum illis qui propter hæc in irregularitatem aliquam inciderunt, homicidis exceptis, authoritate Apoſtolica diſpenſandi, per

ſeparatas

ſeperatas literas Apoſtolicas commiſerit poteſtatem. Tibi præcipimus firmiter injungentes quod in Civitatibus, Burgis, & locis aliis infra Ballivam tuam ubi videris expedire, publicè proclamari facias, **Quod omnes illi de eadem Ballivâ tua qui hujuſmodi abſolutione ſeu diſpenſatione ſe ſentiunt indigere, ad aliquem prædictorum Epiſcopi vel Abbatum accedant cum voluerint abſolutionis ſeu diſpenſationis beneficium ſuper præmiſſis, prout indiguerint, petituri, et etiam recepturi. Et hoc nullo modo omittas.** Teſte Rege apud *Wynton* 17. die *Aprilis*. *An.* 34 *E.* 1.

Conſimiles Literæ diriguntur ſingulis Vicecomitibus per *Angliam*.

I cannot finde by Record or Hiſtory that any perſons came to be abſolved by them in theſe caſes, it being lawful by the *Laws of God and Man, for the King and all his loyal Subjects and Adherents, to kill, ſtrike, apprehend, and lay violent hands on all the perfidious Traytors and Rebels of the *Scottiſh* Nation and others, even in Churches and Churchyards, yea to burn their Churches, when they fled into and fortified them againſt them, without incurring the leaſt Sentence of Excommunication, Irregularity, Interdict, or other Eccleſiaſtical Cenſures, impoſed by Popes or Prelates Canons, which they extended to the protection of Traytors, Rebels, Murderers, and other Malefactors, to the publike prejudice both of Juſtice, Government, and Monarchy, beyond their primitive intention.

* See Albertus Gentiles & Hugo Grotius de Jure Belli.

This year I met with this memorable Plea before the Chancellor in the Chancery, at the ſuit of the Freres of the Hoſpital of the Houſe of God in *Donewich*, againſt the Abbot of St. *Oſitha*, for taking a Croſs out of their Hoſpital, whither many reſorted to adore it, who beſtowed much Alms upon them, and carrying it to the Abbey of St. *Oſitha*, and there keeping it in contempt of the King, to the ſubſtraction of the Alms of the Hoſpital, and great dammage and impoveriſhing of the Freres: One of the firſt Pleas I have obſerved of this kinde in Chancery.

Placita coram Cancellario, Anno regni Regis E. filii Regis H. 34. in Turri Lond. *Eſſex.*

M*Andatum fuit Abbati de Sancto* Oſitha *in forma quæ ſequitur. Edwardus, &c.* dilecto ſibi in Chriſto Abbati de S. *Oſitha*, ſalutem. Mandamus vobis firmiter injungentes, **quod Crucem illam quam nuper ad proſecutionem fratrum Hoſpitalis noſtri Domus Dei de** *Donewyco* in Cancellaria noſtra per vos venire fecimus, quamque dilectus Clericus noſter *Willielmus de Hamelton* Cancellarius noſter nobis poſtmodum reſtituit cuſtodiendam, donec aliud inde præceperimus, habeatis in eadem Cancellaria noſtra, in Quindena S. *Johannis Baptiſtæ* proximo futuro, ubicunque fuerit in *Anglia*; ut tunc inde fiat, quod Conſilio noſtro fore videbitur faciendum. Et hoc nullatenus omittatis. Et habeatis ibi hoc Breve. Teſte meipſo apud *Harewe* 12 die *Junii*, Anno regni noſtri 34.

Præterea cujus mandati præditus Abbas ad prædictum diem in Cancellaria Regis perſonaliter venit, **et quandam Crucem ſecum ibidem detulit;** *quæ per conſiderationem dictæ Cancellariæ apud* Novum Templum London, *liberata eſt in depoſito cuſtodienda, donec, &c. Unde mandatum eſt Vicecomiti* Suffolc. *in forma quæ ſequitur. Edwardus, &c.* Vicecomiti *Suff.* ſalutem. **Quia accepimus quod quædam Crux, quæ quondam fuit Hoſpitalis noſtri** *Domus Dei de Donewico* **(ob cujus devotionem dum in prædicto Hoſpitali fuit quamplures de diverſis partibus ad locum illum confluentes, non modicas Eleemoſinarum largitiones ibidem contulerunt) ab eodem Hoſpitali uſque Abbatiam de S.** *Oſitha* **aſportata fuit, et ibidem adhuc exiſtit; in noſtri contemptum et dicti Hoſpitalis deprædationem, et eleemoſinarum prædictarum ſubtractionem; necnon et fratrum ac ſororum ibidem degentium depauperationem manifeſtam. Per quod nos, qui hujuſmodi Hoſpitalia, quæ de Eleemoſinis Progenitorum noſtrorum quondam Regum** *Angliæ*, **et noſtra, infra Regnum noſtrum ſunt fundata, in ſuis juribus conſovere tenemur; et ſubtracta ab eiſdem (ſi quæ ſint) quantum in nobis eſt, modis omnibus revocare; Abbati de S.** *Oſitha* **nuper mandavimus, quod Crucem prædictam in Cancellaria noſtra, in Quindena S.** *Johannis Baptiſtæ* **proximo præterita haberet. Qui quidem Abbas præterito mandati noſtri prædicti quandam Crucem tunc ibidem detulit, quæ de aſſenſu dicti Abbatis per Cancellarium noſtrum in Theſaurariâ apud** Novum Templum London, **liberata eſt, in depoſito cuſtodienda, donec diſcuſſum fuerit in Curia noſtra, utrum Crux illa ſit eadem Crux, quæ a prædicto Hoſpitali ſic aſportata fuerit, nec-**

Suff.

An. 34 *E.* 1. ne? Tibi præcipimus, quod venire facias coram nobis in Cancellaria noſtra, a die S. *Michaelis* in quindecim dies, ubicunque tunc fuerit in *Angliæ*, tot & tales probos & legales homines, tam de Villa de *Donewyco*, quam de partibus adjacentibus, per quos rei veritas melius ſciri poterit. **Et ſi ſic, tunc, quo tempore, et per quem, et qualiter, et quo modo; et utrum prædicta Crux quæ ſic liberata eſt in depoſito cuſtodienda, et quæ eis tunc ibidem oſtendetur, ſit eadem Crux quæ ſic aſportata fuit, necne?** Et habeas ibi hoc Breve. Teſte meipſo apud *Beverlacum* 22. die *Julii*, Anno regni noſtri triceſimo quarto. *Ad quem diem Vicecomes retornavit nomina ſubſcriptorum per manucapt. viz.* Willielmi de Cokeleye, Warini Scot, Richardi de Crainsford, Johannis de Hoxne, Richardi Cach, Roberti Codom, Roberti Joce, Johannis Kenrich. Rogeri le Taillur, Hamon. *fil.* Lof. Richardi Cokeſman, Willielmi Belicot, Willielmi de Titineſhale, Johannis de Riſimer, Willielmi de Munderill, Radulphi Swan, Roberti de Colevill, & Willielmi de Caldecotes.

Eſſex. *Et ſimiliter mandatum fuit Vicecom.* Eſſex. *in forma ſubſcripta. Edwardus, &c.* **uſque ibi, ſit eadem Crux, quæ ſic aſportata fuit, necne?** cum additione clauſulæ quæ ſequeretur; Et ſcire faciatis præfato Abbati, quod tunc ſit ibi ad faciendum & recipiendum quod Curia noſtra conſideraverit in hac parte. Et habeas ibi nomina eorum, per quos ei ſcire feceris, & hoc Breve. Teſte ut ſupra. Ad quem diem præfatus Abbas venit, & Vicec. retornavit nomina ſubſcriptorum, viz. *Johannis de Wyleby, Willielmi de Bret, Roberti de Dykeley, Alani de Markeſhale, Sacri le Chamberlein, Willielmi Pettifrank, Benedicti de Cokefeld, Johannis de Frothewik, Johannis Cokain, Johannis de Badhele, Sacri Caperoun, Roberti de Myſteley, Nicholai Gernoun, Hamonis de Bryche, Gilberti de Deſham, Galfridi de Ruly, & Johannis de Brokesbourne.* Et Jurati non ven. ideo diſtr. per omnes terras, *&c.* Ita, *&c.* quod habeat corpora, &c. hic in Octabis *Purific.* beatæ *Mariæ.* Et datus eſt dies Abbati quod tunc ſic ibi ad faciend. & recipiend. &c. ut ſupra. **Et poſtea prædictus Abbas perſonaliter in Cancellaria conſtitutus, cognovit, Crucem prædictam eſſe Hoſpitalis prædicti, et eam in præſentia dicti Cancellarii** *Ada de Brom* **Magiſtro Hoſpitalis prædicti reddidit et reſtituit dicto Hoſpitali imperpetuum remanendam.**

So that this Suit, for taking away and recovery of this adored Croſs, and the Alms gained and loſt thereby, was then proſecuted in Chancery, not in the Spiritual Court, and a Jury impannelled to try this iſſue, whether the Croſſe brought into the Chancery by the Abbot, was the ſame that was taken out of the Hoſpital or not?

* Flores Hiſt. p. 457. This year *Rex Edwardus* by his Eccleſiaſtical Prerogative, as * *Mat. Weſtminſter* ſtories, *vergens jam in ſenium, conquerentibus ad eum quibuſdam famulis domus ſuæ nondum promotis ad libitum, facta inquiſitione qua Cœnobia monaſtica ſeu canonicæ per progenitores ſuos fuerant fundata,* **in ipſis ſingulis, non ſimplicia Corredia monaſterialia, ſed ſicut in regia equitabant, cum uno equo, vel bino; ita et illos dum viverent, ab illo die erogavit, ſed voluit Corredia cum neceſſariis erogari.** Whereof there are ſundry Preſidents in the Bundles of Privy Seals, Writs, and Certificates, and in the Clauſe and Patent Rolls of *An.* 31, 32, 33 & 34 *E.* 1. and ſundry excuſes by Abbors, Priors, Covents, made and returned to the King in Chancery, why they could not grant them ſuch Corodies by reaſon of Poverty, Debts, Loſſes, or Corodies formerly granted by them to others upon the Kings or his Queens Letters and recommendations, ſome whereof I have remembred in the precedent years, and pretermit the reſidue, running in like form with them.

Reynerus de Gaienne Proctor to *Thomas Pybeſet*, endeavouring to make Procurations and Appeals to the See of *Rome* againſt *Ralph Stokes*, on whom the King had conferred the Prebend of *Wyghton* in the Church of *Yorke*, during the vacancy of the Archbiſhoprick, to hinder him from the poſſeſſion thereof againſt right, to the prejudice of the rights of his Crown; the King thereupon iſſued this Prohibition to them, not to proceed therein to the prejudice of his Crown and right, under pain of condigne puniſhment.

REX

An. 34 *E.* 1

Cl 34 E 1. m. 11. dorſo. Prohibitio pro Rege, & pro Radulpho de Stokes Clerico Regis.

REX Magiſtro *Reynero de Gaienne* Procuratori *Thomæ Pykelott*, vel ipſius *Reyneri* ſubſtituto, ſalutem. **Circa obſervationem et defenſionem Juris noſtri Regii eo magis eſſe ſollicitos nos oportet quo ad hoc aſtricti ſumus vinculo juramenti, nec diſſimulare poſſumus, ſicuti nec debemus, quia ejuſdem juris impugnatores facientes, prout convenit propulſare.** Cum igitur Præbendam de *Wyghton* in Eccleſia *Eborum* vacantem, & ad noſtram donationem ſpectantem, dilecto Clerico noſtro *Radulpho de Stokes* contulerimus jure noſtro, Nobiſque datum ſit intelligi, quod tu nomine præfati *Thomæ* poſſeſſioni dictæ præbendæ de facto, cum de jure non poſſit, ut dicitur incumbentis, ad impediendum effectum collationis noſtræ prædictæ, necnon et in noſtri juris Regii prædicti præjudicium provocationes facere et appellationes interponere jam intendis. Tibi prohibemus, ne in negotio prædicto provocationes ſeu appellationes per quas nobis ſeu juri noſtro Regio præjudicium aliquale generetur, aut effectus collationis noſtræ prædictæ ſic rite factæ aliqualiter minus juſte impediatur interponere præſumas: pro certo habens, quod ſi ſecus feceris ad te tanquam ad Juris noſtri Regii impugnatorem graviter capiemus. Teſte Rege apud *Wynton.* 3. die *Martii.*

Although the King condeſcended, that the Adminiſtrators of the Spiritualties of the Archbiſhoprick of *Canterbury* deputed by Pope *Clement*, ſhould intermeddle in ſome things, yet he expreſly prohibited them to meddle in the purgation of any Clerks convict and impriſoned for Felony and other crimes, by this Writ.

Cl. 34 E. 1. m. 8. De purgatione quorundam tranſgreſſorum non admittenda.

REX Adminiſtratoribus Spiritualitatis Archiepiſcopatus *Cantuar.* a ſede Apoſtolica deputatis, ſalutem. **Mandamus vobis, quod ad purgationem aliquam coram vobis capiendam de priſonibus in Curia noſtra convictis ſuper felonijs et tranſgreſſionibus per ipſos contra pacem noſtram in regno noſtro factis, et ea occaſione in priſona noſtra de *Maydeneſtan* detentis vos nullatenus intromittatis, donec aliud inde duxerimus ordinandum.** Teſte Rege apud *Grantham*, 16 die *Julii.* Yet he permitted his own Biſhops and other Ordinaries this year to take the purgation of ſundry Clerks convicted of Robberies, and other Felonies, and iſſued Writs to reſtore their goods and chattels that were ſeiſed to the Kings uſe; as *Claus.* 34 *E.* 1. *m.* 8, 10, 11, 15, 22. inform us.

Reymund a *Roman* Cardinal ſending two Proctors into *England*, on whom the Pope by his Proviſion had conferred ſome Benefices in the Churches of *Yorke*, *Lincoln*, and *Litchfield*; the King at his requeſt, out of his reverence to the Pope and See Apoſtolick, and honor to this Cardinal, granted them this enſuing Safe-conduct; yet with this caution, (which marred their deſign) that the ſaid Proctors ſhould not by any means proſecute, procure or attempt any thing, which might any way turn to the prejudice of his Crown and Royal dignity.

Pat. 34 E 1. De conductu procuratoribus Cardinalibus.

REX Vicecomitibus, & omnibus Ballivis & fidelibus ſuis ad quos, &c. ſalutem. Cum dilecti nobis Magiſtri *Reymundus Fabri*, & *Elyas de Caſtellione* Procuratores venerabilis Patris *Reymundi* Sacroſanctæ *Romanæ* Eccleſiæ Cardinalis, cui ſanctiſſimus Pater Dominus Pontifex de quibuſdam beneficiis in *Eborum*, *Linc.* & *Litch.* Eccleſiis ordinavit, ut accepimus, providere; nobis cum inſtantia ſupplicaverint, ut ipſis in proſequendo dicta negotia ſalvum et ſecurum conductum noſtrum concedere dignaremur: Nos, tam ob prædicti Domini Summi Pontificis et ſedis Apoſtolicæ reverentiam et honorem, quam prædicti Cardinalis intuitu, prædictorum Procuratorum precibus in hac parte favorabiliter annuentes; Vobis mandamus, quod eiſdem Procuratoribus cum ipſos vel eorum aliquem ad dicta negotia proſequenda per Ballivas aut diſtrictus veſtros tranſitum facere contigerit, non inferatis, ſeu quantum in vobis eſt ab aliis inferri permittatis injuriam, moleſtiam, dampnum, impedimentum aliquod vel gravamen, ſed ipſos potius à moleſtiis, dampnis & impedimentis hujuſmodi protegatis & etiam defendatis. Et ſi quid, &c. emendari, & ſi neceſſe fuerit ſalvum & ſecurum conductum habere faciatis eiſdem in proſequendo negotia memorata, quociens per ipſos vel eorum aliquem indè fueritis requiſiti. Dum tamen iidem procuratores quicquam non proſequantur, nec procurent quo-

An. 34 *E.* 1. quomodolibet vel attemptent quod in præjudicium coronæ vel dignitatis noſtræ Regiæ cedere valeat quoquomodo. In cujus, &c. quamdiu nobis placuerit duraturi. Teſte Rege apud *Bukeſtie*, 17 die *Februarii*.

Per breve de Privato Sigillo.

The Pope importuning King *Edward* by his Letters liberally to conferre his Caſtle of *Mulhan* upon *Amanenus* Lord of *Lebreto*, belonging heretofore to his anceſtors, for the good ſervices he and they had done him in his warrs in *Gaſcoigne*, returned him this anſwer why he could not grant his requeſt upon a double account, eſpecially for his high contempt and affront in taking and detaining priſoner *Peter Arnoldi* one of his principal Clerks, being of his Counſil, and refuſing to releaſe him upon the requeſt of ſome of his Counſil in *England*, to his great diſgrace and contempt; which he prayed the Pope to endeavour to redreſſe, and procure his Clerks enlargement.

Clauſ. 34 E 1. m. 17. dorſo. Pro Rege.

PAPæ Rex, Devota pedum oſcula beatorum. Recepimus cum reverentia qua decebat, literas quas in nobis veſtra beatitudo tranſmiſit, inter cætera continentes, ut dilecto & fideli noſtro nobili viro *Amaneno* Domino de *Lebreto* Caſtrum noſtrum de *Milhano* cum pertin. quod quondam fuerat progenitorum ſuorum, pro bono & laudabili ſervitio quod idem *Amanenus* in guerra noſtra *Vaſcon.* nobis impenderet, liberaliter concedere curaremus, eodem modo tenendum quo pater & dicti progenitores ſui Caſtrum illud antiquius tenuerunt; Unde veſtra noverit Sanctitudo, quod ſatis ſumus experti, nec à noſtra ſunt notitia aliena laudabilia et grata ſervitia quæ prædictus *Amanenus* in dicta guerra noſtra *Vaſcon.* & alibi nobis exhibuit fideliter & conſtanter, de quibus nos multipliciter commendamus. Et licet verum, quod prædictum Caſtrum de *Milhano* aliquando fuiſſet progenitorum præfati *Amaneni*, ſicut dictæ veſtræ literæ continebant. Pater tamen ipſius certis ex cauſis Caſtrum illud commiſit, et nichilominus claræ memoriæ Dominus *H.* quondam Rex *Angliæ* pater noſter eidemque pro dicto Caſtro nomine Eſcambii alias terras dedit. Cæterum, pater Sanctiſſime, cum quidam Clericus noſter, et de Conſilio noſtro non minimus, ſicut forſitan benè noſtis, Magiſter *Petrus Arnaldi de Vico* poſt creationem veſtram captus fuerit, et ſic captus, adhuc in carceribus teneatur, & veriſimiliter præſumamus, quod ad procurationem *Amaneni* hoc actum extiterit, præſertim pro eo, quod idem *Amanenus* per majores de noſtro Conſilio in *Anglia* requiſitus, malivolentiam quam ad ipſum Clericum noſtrum gerebat ſibi remitteret, id facere recuſaſſet, in noſtri bituperium et dedecus factum hujuſmodi cedere reputemus: Sanctitati veſtræ ſupplicamus humiliter & devotè, quatinus ad præmiſſa illum reſpectum, ſi placet, habere dignemini quem honori noſtro veſtra providentia viderit convenire, quodque id nobis gratum eſſe debeat & acceptum: clementiam veſtram ſcire volentes, quod prompti erimus et parati ad ea quæ vobis noverimus eſſe grata, & etiam cum promptitudine qua poterimus adimplere, quod ſuper hiis de quibus nos requirendum duxiſtis vobis viſum fuerit faciendum, ſupplicantes precibus iteratis, ut ſuper prætactis nobis ſignificare velitis veſtræ beneplacita voluntatis, et prædictum Clericum noſtrum taliter proſequi gratia et favore, ut in perſona ipſius quod pro nobis feceritis percipere valeamus. Conſervet, &c. Dat. *Wynton.* 8 die *Aprilis*, Anno regni noſtri, &c. 34.

After which anſwer *Amanenus* complying with the Kings requeſt, being likewiſe ſent over to him as a *Nuncio* from the Pope, he did out of his veneration to the *Pope* ſettle this Caſtle upon him and his heirs by this Patent.

Pat. 34 E 1. m. 10. De Amaneno Domino de le Breto.

REX Omnibus ad quos, &c. ſalutem. Licet nuper per cartam noſtram dederimus & conceſſerimus *Edwardo* filio noſtro kariſſimo, totum Ducatum (*Aq.*) prædict. cum omnibus pertin. ſuis. Habend. & tenend. ſibi, et poſt ipſum Regibus in regno *Angliæ* hæreditariè regnantibus, cum omnibus ad eundem Ducatum qualitercumq; ſpectantibus; ita tamen, quod præfatus filius noſter Ducatum prædictum alienare non poſſit, nec quicquam de eodem aut pertin. ejuſdem diſtrahere vel diminuere quoquo modo, ad requiſicionem tamen ſanctiſſimi patris Domini *Clementis* divina providencia ſacroſanctæ *Romanæ* ac univerſalis Eccleſiæ Summi Pontificis nobis factam,

tam, pro munere gratiæ ſpecialis, necnon pro laudabili et gratuito ſervicio quod dilectus et fidelis Miles noſter *Amanenus* Dominus *de le Breto* nobis & dilecto filio noſtro hactenus multipliciter impendit, concedimus, et licentiam damus eidem filio noſtro, pro nobis et hæredibus noſtris, quod ipſe Caſtrum et Caſtellaniam de *Milhano*, cum pertin. ſuis in Ducatu prædicto, dare poſſit et concedere præfato *Amaneno*: Habend. et tenend. ſibi et hæred. ſuis de filio noſtro, & poſt ipſum, de Regibus in regno *Anglie* hæreditariè regnantibus, cum dominicis, homagiis, redditibus, ſerviciis, feodis, & advocationibus Eccleſiarum, libertatibus, liberis conſuetudinibus, alta juſticia & baſſa, et aliis Juribus quibuſcunque, ad prædicta Caſtrum et Caſtellaniam pertinentibus, ſine aliquo retenemento, adeo integrè ſicut ad manus ejuſdem filii noſtri, ex dono et conceſſione noſtris prædictis devenerunt imperpetuum, faciendo inde de cætero eidem filio noſtro, & poſt ipſum, Regibus in regno *Anglie* hæreditariè regnantibus, ſervicia quæ de eiſdem Caſtro et Caſtellania, ante eſcambium, inter celebris memoriæ Dominum *H.* quondam Regem *Anglie* patrem noſtrum & patrem præfati *Amaneni*, inde factum, debebantur, et fieri conſueverunt. Condicionem autem prædictam in dicta carta noſtra contentam, videlicet, quod præfatus filius noſter Ducatum prædictum alienare non poſſit, nec quicquam de eodem, ſeu pertin. ejuſdem diſtrahere aliqualiter diminuere, quo ad donationem prædictam de dictis Caſtro e Caſtellania et ſuis pertin, faciendam, penitus revocamus. In cujus, &c. T. R. apud *Thetsk* 28 die *Julii*, triplicatur. *An.* 34 *E.* 1.

King *Edward* having procured the Popes abſolution from his Oath to obſerve the Perambulation of the *Foreſts* formerly made and ſetled in Parliament, to the great diſcontent of his Nobles and people, upon the new commotions and rebellions in *Scotland* beyond his expectation, in a Parliament in the 34 year of his reign, to regain his Nobles and peoples affections, and free them from the manifold oppreſſions, grievances, and illegal Proceedings by the Officers of his Foreſts, made this enſuing *Ordinance*, which he ſent to all the Sheriffs of *England*, and Juſtices of his *Foreſts*, to publiſh, proclaim, obſerve for the future by theſe memorable Writs, recorded in the *Statute Roll* in the *Tower*, not printed with the *Ordinance* it ſelf in * *Tottle's Magna Charta*, or any other *Statute book*.

* Lond. 1556. pars 2. f. 67.

REX Omnibus ad quos, &c. ſalutem. Dum imbecillitatis humanæ conſpicimus imperfectum, ac onera longè latéque diffuſa noſtris humeris incumbencia attenta conſideracione penſamus, intus nimirum puncturis diverſis torquemur, diverſorum cogitationum fluctibus agitati, et vexamur frequenter noctes ducendo inſomnes, quid agendum, quid tenendum, quidbe exequendum exiſtat inter præcordia hæſitantes; in eo tamen qui ſupra cuncta tenens in excelſis imperium, qui dat eſſe rebus, et diſpenſat prout vult munera gratiarum, cum ſapienciæ ſuæ magnitudinem humani non capiant intellectus, virtutes reſumimus, ſperantes, quod in ſerviciis ſuis perficiat actus noſtros, & ſuæ bonitatis clementia noſtrum miſericorditer videat et ſuppleat imperfectum, ut ipſius fulti præſidio per viam mandatorum Domini dirigamur. Profecto inter omnia ſollicitudini noſtræ et curæ inhærentia, circa illud præcipue noſtra non intermiſſive verſatur intencio, ut ſubditis noſtris regni noſtri incolis quietis et tranquillitatis dulcedinem præparemus, in quorum quiete quieſcimus, et in eorum tranquillitate non ſine ſuabitatis odore in floribus pacis deſideratæ interius confobemur. Sane ex fidelium noſtrorum relatibus, et oppreſſorum crebris clamoribus, de quibus nimia mentis commocione turbamur, didicimus, quod per Miniſtros Foreſtarum noſtrorum populus ejuſdem regni miſerabiliter opprimitur, depauperatur, et diverſis afficitur injuriis, undique moleſtatus; nonnunquam enim fiunt accuſaciones de foreſta et indictiones vulgariter ſic appellatæ, non per legitimas Inquiſiciones proborum et legalium hominum patriæ præcedentes, ut juſticia requirit, ſet ad dictum unius vel forſan duorum de foreſtariis, aut ad dictum unius vel forſan duorum de viridariis qui ex odio aut aliàs malicioſè, ut ab aliquo pecuniam extorqueant quenquam accuſant vel indictant, et exinde ſequuntur attachiamenta gravia, et punitur innocens quem nulla omnino culpa ſeu delictum conſtringit. Opprimitur etiam populus præ multitudine Foreſtariorum et aliorum miniſtrorum, quos cum non habeant undè aliunde vivant, per patriam foreſtæ adjacentem vivere oportebit eoſdem, et quod eſt deterius pro jure officii ſui vendicant

Ex Rot. Stat. Anno 34 E. 1. m. 13, & 14.

An. 34 E. 1. cant ut ſic vivant : Iſti nichilominus pro ſuis victualibus quibus egent boſcum ſuæ cuſtodiæ aut ſub ſuis cuſtodiis deputatum, et feras in eiſdem exiſtentes vendendo, donando, et multipliciter minuendo ac minui permittendo, ſucceſſivis dierum proceſſibus deſtruunt et adnichilant, ad noſtrum et hæredum noſtrorum intolerabile detrimentum. Quid plura? dampna et grabamina quæ circa hoc proveniunt, ut accepimus, difficile foret per ſingula enarrare. Cupientes itaque oppreſſionibus et grabaminibus hujuſmodi, quæ abſque gravi ſcandalo diutius ſub diſſimulacione præterire nequimus, modis et viis omnibus quibus poſſumus, obviare, ac regni noſtri incolarum paci et tranquillitati pervigili ſtudio provideré.

Volumus in primis & ordinamus pro nobis & hæredibus noſtris, quod de tranſgreſſionibus in Foreſtis noſtris de viridi et venacione de cætero faciendis, Foreſtarii infra quorum ballivas hujuſmodi tranſgreſſiones fieri contigerit, præſentent eaſdem ad proxima Swanimota, coram Foreſtariis, viridariis, regardatoribus, agiſtatoribus, et aliis earundem foreſtarum Miniſtris, et ſuper præſentacionibus hujuſmodi ibidem coram Foreſtariis, viridariis, et omnibus aliis Miniſtris ſupradictis per ſacramentum tam Militum quam aliorum proborum et legalium hominum de partibus vicinioribus ubi tranſgreſſiones ſic præſentatæ factæ fuerint non ſuſpectorum, veritas plenius inquiratur, et ſic inquiſita veritate, præſentationes illæ per communem concordiam et aſſenſum omnium miniſtrorum prædictorum ſollempniter roborentur et ſigillis ſuis ſigillentur; et ſi alio modo fiat indictamenti pro nullo penitus habeatur. Et ſi aliquem prædictorum Foreſtariorum, regardatorum, aut aliorum Miniſtrorum foreſtarum iplarum obire contingat, ſeu per ægritudinem vel alio modo impediri, quominus intereſſe valeat hujuſmodi Swanimotis, incontinenti Juſticiarius Foreſtæ ſeu locum ejus tenens ponat alium loco ſuo, ita videlicet, quod indictamentum fiat per omnes in forma prædicta, quodque Miniſtri qui ponendi ſunt ponantur, ſicut hactenus fieri conſuevit, exceptis Viridariis qui per electionem et per breve noſtrum deputabuntur. Et volumus, quod nullus Miniſtrorum prædictorum in aſſiſis juratis, ſeu inquiſicionibus extra Foreſtam capiendis de cætero ponatur.

Et ſi ſuperoneracio Foreſtariorum aut aliorum qui ſe gerunt ut Miniſtros Foreſtæ inveniatur, amoveantur hujuſmodi ſuperonerantes et impriſonentur ſecundum diſcrecionem Juſtic. Foreſtæ vel ejus locum tenentis, necnon & illi per quos poſiti fuerant, ad voluntatem noſtram ſimiliter puniantur. Et ad quodlibet Swanimotum inquiratur ſollempniter de ſuperoneracione Foreſtariorum et aliorum Miniſtrorum Foreſtæ, et de eorum oppreſſionibus populo noſtro illatis, et fiant inde emendæ et punitiones, prout ſuperius eſt expreſſum.

Quoad illos vero qui tempore quo Foreſta deafforeſtata fuit tranſgreſſiones de viridi aut venacione in Foreſta fecerunt, quia deafforeſtacionem eandem, et ut ſententia excommunicationis in contravenientes fulminaretur, quanquam de noſtra bona voluntate minime proceſſiſſet, conceſſimus, quam quidem ſententiam Dominus Summus Pontifex poſtmodum revocabit; et quas conceſſionem et deafforeſtationem ex certis cauſis revocamus et eciam adnullamus; Volumus, quod tranſgreſſiones hujuſmodi pardonentur, tranſgreſſionibus illis exceptis quæ in ea parte quæ Foreſta remanſit commiſſæ fuerunt; ita tamen, quod hayæ & foſſata facta medio tempore proſternantur et penitus amoveantur et adnichilentur; ſalvis arentacionibus noſtris quas ſecundum aſſiſam Foreſtæ volumus remanere. Boſcus autem ceſus & proſtratus amoveatur, & boſcus ſtans, remanent in Foreſta. Et ſi fortè aliquis talis boſcus adhuc ſtans ſit venditus, in Foreſta remaneat, & venditor ſatisfaciat emptori juxta quantitatem porcionis boſci ſtantis in Foreſta, & taliter medio tempore venditi, & prout ceperit de eodem.

Volumus eciam, quod Juſticiarius Foreſtæ noſtræ vel ejus locum tenens in præſencia Theſ. noſtri, et per aſſenſum ejuſdem habeat poteſtatem capiendi fines et redemciones illorum qui ſunt indictati de tranſgreſſionibus uſque nunc in Foreſta commiſſis itinere Juſticiariorum minime expectato.

Volumus inſuper, quod illi qui communem paſturam in Foreſta ante perambulacionem factam habebant, & qui ſunt poſtea repoſiti in Foreſta, quique de dicta communia per perambulacionem prædictam fuerant impediti, habeant communem paſturam de cætero in Foreſtis, adeo large et libere ſicut ante perambulacionem factum habere ſolebant; ſalvis arentacionibus noſtris in forma prædicta. In cujus, &c. *T. R. apud *Weſtm.* 27 die *Maii.*

*An. 34 E. 1. See Tottles Magn. Charta. pars 2. f. 68.

Conſi-

Conſimiles literæ miſſæ fuerunt ad ſingulos Com. per *Angl.* Et mandatum eſt ſingulis Vicecomitibus per *Angl.* quod literas illas in plenis Comitatibus ſuis legi, **et ordinacionem Regis in eiſdem contentam publice faciant proclamari.** *An.* 33 *E.* 1.

Rex Juſtic. Foreſtæ ſuæ ultra *Trentam* vel ejus locum tenenti ſalutem. Dum imbecillitatis, *&c.* Salvis arentacionibus in forma prædicta. Et ideo vobis mandamus **quod ordinacionem noſtram prædictam in ballivâ veſtra fac. publice proclamari, et eam de cætero in omnibus et ſingulis ſuis articulis obſervetis, et per totam ballivam veſtram faciatis firmiter et inviolabiliter obſervari.** Teſte ut ſupra.

Eodem modo ſcribitur Juſtic. foreſtæ Regis citra *Trentam* vel ejus locum tenenti.

I finde this Bull of Pope *Clement* the fifth, ſent to King *Edward*, complaining of his Breach of the deſigned Peace between him and the King of *France*, by ſeiſing of ſome Merchants Goods, and receſs of two of his Commiſſioners appointed to aſſeſs dammages on both ſides, mentioned in the * *precedent year*, enrolled in the Clauſe Roll of 34 *E.* 1. *m.* 12. *dorſo.* To which the King by advice of his Counſil returned this long ſatisfactory anſwer, refuting the ſuggeſtions of the *French* contained in the Popes Bull, as meer falſhoods and calumnies void of truth, and promiſing aſſiſtance to the Pope in caſe of danger. * Here p. 1066 1067.

Clauſ. 34 E. 1. m 12. dorſo. Pro Rege.

PApæ Rex devota pedum oſcula beatorum. Sanctitatis veſtræ Literas quas nobis Magiſter *Johannes de Salariis* Clericus lator præſentium præſentavit, reverenter receptis & earum tenore plenius intellecto, ea quæ continebantur in eis per nos & conſilium noſtrum examinari fecimus diligenter. Unde poſt tractatum ſuper hiis habitum exquiſitè, & eidem Clerico ad plenam informationem & inſtructionem eorum per dictum Conſilium noſtrum expoſitum ſibi, certum reſponſum dedimus in præmiſſis, quod providenciæ veſtræ latius exponere poterit viva voce. Conſervet vos altiſſimus, *&c.* Dat. apud *Weſtm.* 4 die *Junii.*

Ibidem.

SAnctiſſimo in Chriſto Patri Domino *C.* Divina Providentia Sacroſanctæ *Romanæ* ac univerſalis Eccleſiæ Summo Pontifici, *Edwardus* eadem gratia, *&c.* Devota pedum oſcula beatorum. Sanctitatis veſtræ literas nobis ex parte veſtra per Magiſtrum *Johannem de Solariis* Clericum præſentatas reverenter recepimus, inter alias continentes. Vobis intelligi *datum eſſe, quod poſtquam* Nuncii *noſtri nuper apud* Lugdunum *ſe veſtro conſpectui præſentarunt, et per veſtræ paternitatis providentiam, ut quatuor probi viri, duo videlicet pro parte Regis* Franciæ, *et duo pro parte noſtra, ad inquirendum de dampnis et injuriis poſt pacis reformationem ſeu trenga durante inter dictum Regem et nos illatis hinc inde, et ad faciendum poſſis dampna et injurias ſatisfactionem congruam exhiberi juxta negotii qualitatem, aſſignarentur ſeu deputarentur extitit ordinatum:* plura bona & merciamonia Civium *Ambanien.* cæterorumque Mercatorum *Corbia*, & aliorum locorum de Regno & poteſtate dicti Regis, ordinatione prædicta non obſtante, arreſtata & ſeiſita, ac ipſis per gentes noſtras alia dampna non modica ſunt illata. Super quibus vobis pater Sancte volumus eſſe notum. Quod ſuggeſtio illa nullam omnino continet veritatem; Nam poſtquam *Nuncii* noſtri prædicti à nobis receſſerunt iter arripiendo ad veſtram præſentiam accedendi, infra regnum noſtrum ſuper gentes dicti Regis nulla hujuſmodi arreſtatio facta fuit, ſed magno tempore elapſo, cum quidam Mercator noſter pannos & alia bona quæ ad opus noſtrum emerat in *Brebant* verſus *Angliam* per poteſtatem duceret dicti Regis, idem Rex pannos & bona prædicta arreſtari & ad opus ſuum capi quo libito ſuo fecit: & tandem poſt preces noſtras pro reſtitutione pannorum & bonorum prædictorum pluries ſibi directas, ac longam ſectam & frequentem inſtanciam Mercatoris prædicti, inquiſita ſuper hoc & reperta plenius veritate, præfatus Rex præcepit dicto Mercatori pro pannis & bonis prædictis certam pecuniæ ſummam taxatam ſuo arbitrio liberari, prout in ipſius Regis literis patentibus eidem Mercatori inde confectis plenius eſt contentum: Super quo quidem præcepto nulla executio nec reſtitutionis effectus juxta formam literarum prædictarum poſtmodum extitit ſubſecutus, quamvis idem Rex poſt confectionem literæ ſuæ prædictæ pluries ſuper hoc per nos debite fuerit requiſitus. Propter quod, diu antequam *Nuncii* noſtri prædicti apud *Lugdunum* ad veſtram præſentiam acceſſiſſent vel etiam ab *Anglia* receſſiſſent, juxta conſuetudinem in Regno noſtro **in caſu conſimili uſitatam et *legem Mercatoriam, præceſſa** * lex Mercatoria.

An.34 E.1. **prꝛocellu debito obſerbato, bona et mercimonia Mercatoꝛum de poteſtate dicti Regis ad balentiam pannoꝛum et bonoꝛum prꝛædicꝛoꝛum fuerint areſtata, tali,** *viz.* **modo quod quacunq; hoꝛa idem Rex noſtro ſatisfaceret Mercatoꝛi juxta foꝛmam literaꝛu ſuarum prꝛædictarum, et tunc prꝛæfatum arreſtum penitus relaxaretur Mercatoꝛibus antedictis.** Quoad id etiam quòd præfatæ Literæ veſtræ continebant, quod unus de noſtris de dictis quatuor qui in veſtra præſentia ad præmiſſa, ut præmittitur nominati, electi fuerunt & jurati, de partibus *Franciæ* diſceſſit negotio imperfecto: veſtræ clementiæ intimamus, quod prædicti duo per nos nominati & in veſtra præſentia, ut prædictum eſt jurati, in partibus *Franciæ* per tres ſeptimanas & amplius morabantur, quouſque dictus Rex alios duos pro parte ſua juxta ordinationem prædictam ipſis in dicto negotio adjungeret expectando. Et illis duobus deputatis poſtmodum per Regem *Franciæ*, & juratis, & de certo die incipiendi in dicto negotio procedere, inter ipſos quatuor concordato, unus de ipſis, qui pro Commiſſione ipſorum a nobis in hac parte habenda in *Angliam* ad nos venit cum commiſſione prædicta in *Francia*, rediit ante diem, altero interim aſſidue in dictis partibus commorante: & extunc illi duo per nos ut præmittitur deputati, intenderunt & adhuc intendunt continuo negotio memorato. Ita quod in nobis ſeu aliquo vel aliquibus de noſtris in hac parte defectus aliquis non exiſtit. Et utriuſque facti præcedentis veritas ſic ſe habet. Veſtræ igitur clementiæ ſupplicamus, quatinus hujuſmodi **falſis ſuggeſtionibus** ſeu earum perſuaſoribus qui ſic nituntur exceſſus proprios palliare, ſi placet **de facili non credatis**, nec ex talium vanis verbis ſeu minis in hæſitationem ſeu timorem aliquam incidatis; tales enim invenietis amicos in neceſſitatibus & opportunitatibus vos tangentibus ſemper promptos qui de periculis & adverſitatibus (ſi quæ forſitan, quod abſit emerſerint) cum Dei auxilio **viriliter vos defendent.** Licet autem ſuper præmiſſis prædicto Magiſtro *Johanni* veſtro *Nuncio* ſit reſponſum, quia tamen poſſet contingere quod idem Clericus reſponſum hujuſmodi veſtræ benignitati non tam clarè prout ſibi dictum extitit recitaret, ut de veritate præmiſſorum noſtraque reſponſione prædicta plenius vobis conſtet, poſitiſque quibuſcunque alias forſitan vobis ſuper hiis loquentibus certius reſpondere, præſentes Literas per vallettum noſtrum latorem præſentium veſtræ beatitudini deſtinamus. Conſervet vos altiſſimus ad regimen Eccleſiæ ſuæ per tempora proſpera & longæva. Dat apud *Weſtm.* 5 die *Junii.*

In a Bundle of Writs in the *White Tower*, I met with this obſervable one, iſſued to the Mayor and Bayliffs of the City of *Lincoln*, ſetting forth the Cuſtom of the City to deviſe Lands as well as Chattels, commanding them to prove a Will of Lands deviſed in that City, according to the Cuſtom therein uſed to prove Wills, or ſhew cauſe why they did it not; with the Certificate and return thereon, expreſſing the Cuſtom of the City, and reaſons they did not prove it.

Bundela Breviꝛum in Turri London, An. 34 E. 1.

Edwardus Dei gratia Rex *Angliæ*, Dominus *Hiberniæ*, & Dux *Aquitaniæ*, Majori & Ballivis ſuis *Lincoln.* ſalutem. Ex querela *Johannis* filii *Johannis Cotty* de *Lincoln.* accepimus, quod cum ſecundum conſuetudinem in Civitate noſtra *Lincoln.* hactenus optentam & approbatam, **liceat unicuique Civi ejuſdem Civitatis ten. ſua quæ ſibi adquiſierit in eadem Civitate tanquam Catalla ſua in ultima voluntate ſua legare cuicunque voluerit**, ac *Johannes Cotty* quondam Civis Civitatis noſtræ prædictæ quædam ten. ſua cum pertin. in Civitate prædicta & Suburbio ejuſdem quæ ſibi adquiſierat, **in Teſtamento ſuo prꝛæfato *Johanni* legaſſet; et licet Executoꝛes Teſtamenti illius penes vos diligenter inſtiterint ut pꝛobationem Teſtamenti illius ſecundum conſuetudinem Civitatis prꝛædictæ admitteretis, et executionem ejuſdem fieri faceretis, pꝛout hactenus in caſu conſimili fieri conſuevit; Vos tamen pꝛobationem illam huc uſque admittere diſtuliſtis et adhuc differtis minus juſte, in ipſius *Johannis* dampnum non modicum et exhæredationis periculum manifeſtum. Volentes igitur pꝛæfato *Johanni* fieri in hac parte juſtitiæ complementum; Vobis pꝛæcipimus ſicut alias pꝛæcepimus, firmiter injungentes, quod ſi ita eſt, tunc ad dictam pꝛobationem juxta modum et conſuetudinem Civitatis noſtræ prædictæ admittendam, et ad executionem debitam inde faciendam, abſque ulteꝛioꝛis moꝛæ diſpendio pꝛocedatis, vel cauſam nobis ſignificetis, quare mandatum noſtrum alias vobis inde directum exequi contempſiſtis.** Teſte meipſo apud *Wolveſey*, 15 die *Aprilis*, Anno regni noſtri 34.

Where-

Whereupon they made this Return annexed to the Writ. *An.* 34 *E.* 1.

ISta eſt cauſa quare ad probationem Teſtamenti *Johannis Cotty* **quondam Civis *Lincoln.*** de ten. in dicto Teſtamento Legatis non proceſſimus, quia modus & conſuetudo hactenus uſitat. & approbat. in Civitat. *Lincoln.* inter Cives dicti Civitatis tales ſunt, **quod quodlibet Teſtamentum dictæ Civitatis tangens Laicum feodum deb. probari coram Majore et Ballivis in plena Cur. infra Quadraginta dies post mortem Teſtatoris, ubi Teſtator obierit infra Quatuor Maria.** Et unde contra dictum Teſtamentum objectum fuit infra dictum terminum quatuordecim Annis elapſis & amplius per *Henr.* filium & Hæredem dicti *Johannis* Teſtatoris, quod probatio inde fieri non debuit pro diverſis defectibus in illo Teſtamento inventis, videlicet, **Quia ſigillum dicti Teſtatoris dicto Teſtamento non fuit appoſitum.** Item pro hoc, quod dictum Teſtament. efficiebatur de duabus Cedulis ſimul conſutis, ubi integre fieri debet ſicut Carta Feoffamenti. Item propter diverſa ten. apud *Baumburgh, Canewyke* & alibi in Com. *Lincoln.* extra Libertatem Civitatis *Lincolnia* in dicto **Teſtamento legata, contra Legem et conſuetudinem Regni; per quos quidem defectus una cum aliis in dicto Teſtamento inventis, Major et cæteri homines de Curia ad probationem inde ad tunc admittendam non proceſſerunt, eo quod videbatur eis quod eſſet exhæredatio prædicti *Henrici*, et contra conſuetudinem et libertatem Civitatis prædictæ ad talem probationem procedere.** Unde iidem Executores ſe intruſerunt in dict. ten. & *Johannem* filium *Johannis Cotty* in ſeiſinam poſuerunt ſuper herbam prædicti *Henr. Cotty*, & idem retent. ipſum ejecit velud per treſdecim Annos & amplius elapſos, per quod dictus *Johannes* filius *Johannis Cotty* tulit breve Domini Regis *Nova diſſeiſina* verſus dictum *Henricum* de tenementis prædictis coram *Willielmo Inge* & *Adam de Crokedak*, tunc temporis Juſtic. Domini Regis ad Aſſiſas capiend. aſſignat. apud *Linc.* coram quibus dictus *Johannes* nichilominus nichil cepit per breve ſuum, **eo quod dictum Teſtamentum coram ipſis per Aſſiſam pro dictis defectibus pro nullo habebatur:** a quo quidem tempore uſque noſtrum Executores dicti Teſtamenti omnino ceſſaverunt, ad probationem prædicti Teſtamenti optinend. per quod ad probationem Teſtamenti prædicti admittend. de tanto tempore ultra tempus limitatum, quod eſt contra conſuetudinem hactenus in dicta Civitate uſitatam, & ſimiliter propter diverſos Articulos per prædictum *Henricum* filium & Hæredem dicti Teſtatoris ſuperius contra dictum Teſtamentum objectos, ad præſens non proceſſimus.

A clear evidence, That the Probat of Wills in Cities and Places where Tenements and Lands were deviſable by cuſtom, belonged not to the Eccleſiaſtical but Temporal Courts, and that the King might by his Writs command Wills to be proved by thoſe who ought to prove them, or render him a legal reaſon why they refuſed ſo to do.

William Grenefeild Archbiſhop of *York* after his premiſed coſtly Conſecration had this Writ iſſued for the reſtitution of his Temporalties.

REX Dilectis & fidelibus ſuis *Lamberto de Thrikingham* & *Johanni de Byron* Cuſtodibus ſuis Archiepiſcopatus *Eborum* ſede vacante ſalutem. Cum Dominus ſummus Pontifex electionem nuper celebratam in Eccleſia Cathedrali *Eborum* de diſcreto viro Magiſtro *Willielmo de Grenefeild* Canonico ejuſdem Eccleſiæ in Archiepiſcopum illius loci, **cui prius regium aſſenſum adhibuimus et favorem confirmabecit**, ſicut per literas ipſius ſummi Pontificis Bullatas nobis inde directas nobis conſtat, Nos confirmacionem illam **acceptantes**, cepimus fidelitatem ipſius Archiepiſcopi, & temporalia Archiepiſcopatus prædicti prout moris eſt reſtituimus eidem. Et ideo vobis mandamus, quod eidem Archiepiſcopo temporalia Archiepiſcopatus prædicti liberetis ſicut prædictum eſt. Teſte Rege apud *Wynton*, 31 die *Marcii*. Pat. 34 E. 1. m. 32. De reſtitutione temporal. Archiepiſc. Eborum.

Eodem modo mandatum eſt præfatis Cuſtodibus vel eorum ſub-Cuſtodibus apud *Chirchedon, Compton*, & *Otenden* in Com. *Glouceſtr.* Teſte Rege ut ſupra.

Et mandatum eſt Militibus, *&c.* & reſpondentes ſicut prædictum eſt. In cujus, *&c.* Teſte Rege ut ſupra.

An. 34 E. 1.

After which returning from the Court of *Rome* to the Kings presence. to prevent all affronts to him and his followers within the Dioceſs of *Canterbury*, concerning the carrying of his Croſs therein, he procured this Safe-conduct from the King.

Pat. 34 E. 1. m. 36. intus. De conductu, Pro W. Archiepiſc. Eborum.

REX Omnibus Amicis & Ballivis & fidelibus ſuis ad quos, *&c.* ſalutem. Cum Venerabilis Pater *Willielmus de Grenefeild Eboracenſis* Archiepiſcopus ſit ad præſens a **Curia** *Romana* **ad noſtram præſentiam reverſurus**, vos amicos rogamus vobis, ballivis & fidelibus mandantes, quatenus eidem Archiepiſcopo aut familiæ ſuæ in veniendo ad nos a Curia prædicta non inferatis, ſeu quantum in vobis eſt ab aliis inferri permittatis injuriam, moleſtiam, dampnum, impedimentum aliquod ſeu gravamen, ſed eis potius ſalvum & ſecurum conductum habere faciatis quociens ab ipſo ſuper hoc ex parte noſtra fueritis requiſiti. In cujus, *&c.* uſque ad feſtum nativitatis Sancti *Johannis Baptiſta* prox. futur. duratur. Teſte Rege apud *Caneford*, 10 die *Februarii*. *Per Breve de privato Sigillo.*

Hereupon this Archbiſhop in his return from the Popes Court this year, was invited to lodge and feaſt with the Abbot in the Monaſtery of St. *Auguſtines* at *Canterbury*, yet with ſpecial caution in writing concerning the bearing of his Croſs within it, leſt it ſhould turn to their future prejudice. **Eodem anno Archiepiſcopus* Eboracenſis *rogatus (eſt) ab Abbate ad convivandum ſecum*; **facta tamen litera, quod non in præjudicium domus veniret per Crucis erectionem, quæ talis.**

*Chronica W. Thorn, col. 2005, 2006.

Univerſis Chriſti fidelibus, &c. Willielmus *permiſſione, &c. Noverint Univerſitas veſtra quod nos in craſtino S.* Benedicti, *An. Dom.* 1305. *ex rogatu Domini* Thomæ *Dei gratia Abbatis S.* Auguſtini Cant. *ad* Romanam *Eccleſiam nullo medio pertinentis, ad Monaſterium prædictum cauſa hoſpitandi* **Cruce præbia hoſpitantes, et ibidem pernoctantes; conſitemur et cognoſcimus de plano, quod per noſtrum ingreſſum, vel moram, ſeu Crucis noſtræ delationem, non intendimus nec volumus privilegiis, immunitatibus aut juribus ipſius Abbatis et Conventus Monaſterii prædicti nunc vel in poſterum in aliquo derogare; nec etiam nobis vel ſucceſſ. noſtris aliquid poſſumus Juriſdictionis aut juris acquirere, per quod poſſet in futurum præjudicium generari.** So careful were the Abbot and Covent to prevent all umbrages of infringing or violating their Priviledges and Liberties. And had not the King, his Counſil, and Judges, then much more reaſon to be carefull and vigilant to prevent by their Letters and Prohibitions all the apparent and clandeſtine Uſurpations of the *Roman* Popes, Cardinals, Legates, Nuncios, Proctors, and of our own Biſhops and Prelates, upon the ancient Rights and Priviledges of his Crown, his Temporal as well as Eccleſiaſtical Juriſdiction, and Subjects Liberties?

A Writ *de Excommunicato capiendo* being iſſued out againſt the Abbot of *Sallay*, and ſome of his Monks, to the Sheriff of *Yorke*, the King by his Eccleſiaſtical Authority, upon their tender of ſufficient Manucaptors, and caution, iſſued this Writ for their enlargement, if impriſoned thereon, and to ſuperſede their caption if not taken by the Writ.

Clauſ. 34 E. 1. m. 6. Pro Abbate de Sallay & quibuſdam Monachis ſuis.

REX Vic. *Eborum* ſalutem. Præcipimus tibi quod ſi frater *Johannes* Abbas de *Sallay* invenerit tibi ſufficientem manucaptionem pro qua reſpondere volueris pro ipſo Abbate, *Johanne de Heton* & fratre *Willielmo de Oſbaldeſton* commonachis dicti Abbatis quos ad denunciationem Venerabilis Patris *W.* Archiepiſcopi *Ebor.* **tanquam excommunicatos** & claves Eccleſiæ contemnentes per te juſticiari præcepimus, donec Sanctæ Eccleſiæ tam de contemptu quam de injuria ei illata ab eis eſſet ſatisfactum, quod erunt in Cancellaria noſtra coram Cancellario noſtro apud *London* in craſtino animarum, ad faciend. & recipiendum tunc ibidem quod Curia noſtra conſideraverit in hac parte, ipſos Abbatem, *Johannem* & *Willielmum* ſi ea occaſione & non alia in priſona noſtra exiſtent ſine dilatione deliberari facias ab eadem per manucaptionem prædictam; Et alios in hoc ſit de caption nominatos interim non capias eadem occaſione: Et habeas ibi nomina manucaptorum & hoc breve. Teſte Rege apud *Hoyneſalgh*, 10 die *Septembris*.

The

The King likewiſe iſſued this Writ to the Sheriff of *Suffolk*, to take into his cuſtody the bodies of two perſons therein named, who were excommunicated by the Abbot of St. *Edmunds*, who had a power by the Kings Charters to excommunicate thoſe within his Juriſdiction, and to * *certifie their Excommunications*, as well as the Biſhop of the Dioceſſe. *An.* 34 *E.* 1. Coke 1. Inſtit. p. 134. a.

REX Vicecom. *Suff.* ſalutem. Significavit nobis dilectus nobis in Chriſto *Thomas* Abbas de Sancto *Edmundo* Sanctæ *Romanæ* Eccleſiæ immediatè ſubjectus, per literas ſuas patentes, quod *Nicholaum de Huntingdon* Capellanus, & *Robertus Shipman* Laicus, **ſuæ juriſdictionis, propter ſuas manifeſtas contumacias excommunicati ſunt, nec ſe volunt per cenſuram Eccleſiaſticam juſticiari: Quia vero poteſtas regia ſacroſanctæ Eccleſiæ in querelis ſuis deeſſe non debet, tibi præcipimus quod prædictos** *Nicholaum* **et** *Robertum* **per corpora ſua ſecundum conſuetudinem** *Angl.* **juſticies hac vice, de gracia noſtra ſpeciali, donec ſanctæ Eccleſiæ tam de contemptu quam de injuria ei illata ab eis fuerit ſatisfactum.** Teſte Rege apud *Kyngſton Lucy*, 28 die *Decembris*. Clauſ. 34 E. 1. m. 22. vel 23. De excommunicato capiendo ad ſignificacionem Abbatis de Sancto Edmundo.

The King this year the more to ingratiate himſelf with Pope *Clement*, who loved Veniſon, ſent him no leſs than a hundred *Engliſh* Bucks for a preſent, but no Stags, becauſe he had plenty of them in *France*, as this Record informs us.

SAnctiſſimo in Chriſto Patri Domino *C.* Divina providentia Sacroſanctæ *Romanæ* ac univerſalis Eccleſiæ ſummo Pontifici, ſuus devotus filius. *Edwardus* ejuſdem gratia Rex, *&c.* devota pedum oſcula beatorum; **De venatione noſtra** *Anglicana* **ſanctitati veſtræ per latorem præſentium mittimus Centum Damos, ferinam vero Cervorum vobis tranſmittere poſtponentes, pro eo quod in partibus illis venationem huſmodi nobimus abundare.** Conſervet vos altiſſimus ad regimen Eccleſiæ ſuæ ſanctæ per tempora proſpera & longæva. Dat. apud *Laureteſt*, 6 die *Novembris*, Anno regni noſtri 34. Clauſ 34 E. 1 m. 4. dorſo. Pro Rege.

King *Edward* ſoon after hearing a rumor that ſome ſad accident had befaln the Pope, ſent a ſpecial Meſſenger to him, with this complemental Letter, deſiring with all ſpeed to receive an anſwer from him of his proſperous and happy eſtate, till which his mind could receive no pleaſure, nor his heart any joy, as he ſuggeſted.

SAnctiſſimo in Chriſto Patri Domino *C.* Divina Providentia Sacroſanctæ *Romanæ* ac univerſalis Eccleſiæ ſummo Pontifici. *Edwardus* eadem Gratia Rex *Angliæ*, *&c.* Devota pedum oſcula beatorum. Quidam rumor auribus noſtris jam inſonuit pater ſancte, quod tedia ſeu incommoda quædam (quæ nobis diſplicent in immenſum noſque gravant in intimis & conturbant) vobis nuper caſualiter acciderunt; Nos igitur de ſtatu veſtro (quem diu conſervet omnipotens incolumem atque ſanum) nova audire proſpera & felicia avide cupientes, dilectum vallettum noſtrum *Bern. Ferrant* exhibitiorem præſentium ad veſtræ ſanctitatis præſentiam deſtinamus: veſtram Clementiam devotis precibus exorantes, quatinus de ſtatus veſtri continentia nobis reſcribere dignemini per eundem quamprimum fieri poterit bono modo. **Animi enim jocunditatem ſeu corporis lætitiam non ſumemus quouſque de ſanctiſſimæ perſonæ veſtræ ſtatu nova fœlicia ſciverimus et optata, et ea nobis per veſtras literas propias duxeritis nuncianda.** Conſervet vos altiſſimus ad regimen Eccleſiæ ſuæ ſanctæ per tempora fœliciter longiora. Dat. apud *Kyngwode*, 19 die *Decembris*. Clauſ. 34 E. 1. m. 22. dorſo. Pro Rege.

What extraordinary affection Pope *Clement* bore to King *Edward* and the ſtate of his affairs, and the King to him (who ſerved each others turns for their reciprocal gain, in impoſing and levying Diſmes, Taxes on the Clergy and People) what Letters he ſent to him and his Cardinals to promote the affairs and advancement of others to whom he had relation, the premiſed Epiſtles of his to the Pope, with others enſuing, will evidence.

SAnctiſsimo Patri in Chriſto Domino *C.* divina providencia Sacroſanctæ ac univerſalis Eccleſiæ ſummo Pontifici, *Edwardus* eadem gratia Rex *Angliæ*, *&c.*, cum omni reverencia & honore humilima pedum oſcula beatorum. **Quantum ſucceſ-** Clauſ. 34 E. 1. m. 15. Pro Rege.

An. 34 *E.* 1. **ſive refloreat erga nos veſtræ benignitatis affectus, aperte colligimus ex animi teneritudine quem ad ſtatum noſtrum habetis, quoſque vobis placuit de ipſo ſtatu tam pie et tenere cogitare, atque diſponere**, quod utique ab innato ſanguine & antiqua gratitudine novimus proceſſiſſe, Aſſurgentes vobis ad grates & gratias quas poſſumus ſeu ſufficimus ſuper eo, quod nuncios noſtros quos nuper ad preſenciam veſtram tranſmiſimus admiſiſtis honorificè, & benignè noſtri conſideracione tractaſtis, prout illorum relacio nobis plenius præfecit. Sanè pro quibuſdam arduis negotiis nos & ſtatum noſtrum tangentibus quæ non mediocriter inſident cordi noſtro, diſcretos viros Magiſtrum *Thomam de Cobham* Canonicum *London*, decretorum doctorem, & *Rogerum* dictum *Sauvage* Militem noſtrum præſentatores præſencium, de quorum fidelitate & circumſpectione plenam fiduciam optinemus, ad veſtram præſenciam deſtinantes, ſanctitati veſtræ ſupplicamus humiliter & devotè, quatinus eiſdem Canonico & Militi quibus ſuper dictis negociis aperuimus laciùs mentem noſtram, beatitudini veſtræ per eos ſeriosius exponendam, in hiis quæ ex parte noſtra ſuper dictis negociis vobis expreſſerint viva voce, dignemini ſi placet, fidem indubiam adhibere, ac juxta ſperatam fiduciam operibus adimplere. In proſperitate continua & longæva ad exaltacionem Eccleſiæ ſuæ ſanctæ veſtram conſervet altiſſimus ſanctitatem. Dat. *Wynton.* 23 die *Aprilis.*

Ibidem. m 15. d. rſo. Pro Priore de Pontous.

SAnctiſſimo in Chriſto Patri Domino *C.* Divina Providentia Sacroſanctæ ac univerſalis Eccleſiæ ſummo Pontifici. *Edwardus* eadem gratia Rex *Angl. &c.* devota pedum oſcula beatorum: Quia domus & edeficia Prioratus de *Pontous* tempore guerræ inter Regem *Francia* & nos in *Vaſconia* nuper motæ combuſta, poſſeſſioneſque Prioratus ejuſdem deſtructæ fuerunt ſimiliter & conſumptæ, ac dilectus Capellanus noſter frater *Arnaldus* Prior Prioratus prædicti, pro eo quod parti noſtræ fideliter adhæſit, dampna recepit non modica & jacturas: Nos ipſum Priorem ſuis exigentibus meritis cupientes proſequi gracioſe, veſtræ clemenciæ devotis precibus ſupplicamus, quatinus eidem Priori de **aliquo beneficio competenti juxta ſtatum ſuum in partibus** *Vaſcon.* **vel alibi ubi veſtræ placuerit ſanctitati, prouidere dignetur veſtræ dominacio gracioſa; Has preces noſtras ſic ſi placet** Pater ſancte ad exaudicionis gratiam admittentes, quod dictus Prior prætextu fidelis geſtus ſui erga nos, bonæque affectionis quam ad nos gerit, ampliorem gratiam & favorem in veſtra ſancta præſencia ſe ſenciat aſſecutum. Conſervet, *&c.* Dat. apud *Wolveſeye*, 28 die *Aprilis.*

Clauſ. 34 E. 1. m. 15. dorſo. De Baldewino fil. Comitis de Lucenburgh.

PApæ Rex devota pedum oſcula beatorum. Comes de *Lucenburgh* ſpecialiter nos rogavit, ut ſuper promocione *Baldewini* fratris ſui miliciæ clericali aſcripti beatitudini veſtræ literas noſtras deprecatorias dirigere curaveremus: Nos itaque circa ipſius *B.* commoda promovenda licentius contemplacione prædicti Comitis intendentes, ſanctitati veſtræ attencius ſupplicamus, quatinus dictum *B.* favoris & graciæ ſpecialis benevolencia proſequentes, ſic eum habere ſi placet, dignemini in hiis quæ ſtatum ſuum reſpiciunt gratioſis affectibus commendatum, quod precum hujuſmodi interventu uberiorem fructum ſe gaudeat aſſecutum. Conſervet, *&c.* Dat. apud *Wynton.* 3 die *Maii*, Anno regni noſtri, 34.

Ibidem.

VEnerabili in Chriſto Patri Domino *R.* Sanctæ *Mariæ novæ* Diacono Cardinali amico ſuo kariſſimo. *Edwardus* eadem gratia, *&c.* ſalutem, & ſinceræ dilectionis affectum. Circa dilecti nobis *Baldewini* fratris nobilis viri Comitis de *Lucenburgh*, miliciæ clericali aſcripti commoda promovenda licencius contemplacione dicti Comitis intendentes, pro ipſo domino ſummo Pontifici literas noſtras deprecatorias duximus dirigendas, paternitatem veſtram affectuosè rogantes, quatinus prædictum *B.* noſtri præcatus interventu habentes gratioſius commendatum, ad promotionem utilitatum ipſius erga dictum ſummum Pontificem dare velitis ſi placet opem & operam efficaces. Ita quod veſtro mediante ſubſidio ſperatum fructum ſibi ſenciat proveniſſe & nos vobis exinde teneamur ad gratiarum uberes actiones. Dat. apud *Wynton.* 3 die *Maii.*

Theſe Letters of the King for favours and preferments for others abroad, induced the Pope and Cardinals to crave the like favour for their Nephews, Creatures, from

from the King: Hence the King upon the Petition of the Popes Nephew, out of his reſpect to the Pope and other conſiderations, was pleaſed to licenſe him to incloſe with battlements, and to fortifie his houſe in *Budos*, in *Gaſcoigne*, by this Writ. *An.* 34 *E.* 1.

REX Seneſcallo, Præpoſitis, Officialibus, Ballivis, Miniſtris, & omnibus aliis fidelibus ſuis in eodem Ducatu *Vaſc.* ſalutem. Sciatis, quod cum dilectus nobis *Reymundus Guilli de Budos* Miles, nepos Domini *Clementis* Summi Pontificis nobis ſupplicaverit, ut nos ſibi concedere velimus, quod ipſe domum ſuam de *Budos*, quæ eſt infra Præpoſituram de *Berſak* infra Ducatum prædictum kernellare, et domum illam fortem facere poſſet, muris, turrellis, foſſatis, et modis aliis quibus ſibi melius viderit expedire. Nos, ob reverentiam præfati Summi Pontificis, necnon & pro eo quod fortalicium hujuſmodi ad noſtram & terrarum noſtrarum in partibus illis, necnon et hominum de progenie prædicti Summi Pontificis ſecuritatem ſic faciendum reputamus, conceſſimus, & licentiam dedimus pro nobis & hæredibus noſtris, quantum in nobis eſt, præfato *Reymundo*, quod ipſe domum ſuam prædictam kernellare, et fortem facere poſſit in forma ſupradicta, & eam ſic kernellatam & fortem factam poſſit, ſibi, hæred. & ſucceſſor. ſuis imperpetuum, ſine occaſione vel impedimento noſtri, vel hæred. noſtrorum, Seneſcallorum, Præpoſitorum, Officialium, Ballivorum, ſeu Miniſtrorum noſtrorum Ducatus prædicti quorumcumque. In cujus, &c. T. R. apud *Wynton.* 9. die *Marcii*. Pat. 34 E. 1. m. 32. mem. Pro Reymundo Guilli de Budos.

Per breve de Privato ſigillo.

The King by Judgment of his Court re-ſeiſing the Liberty of the Biſhop of *Durham*, for his abuſing thereof, granted the Cuſtody of it by this Patent to *Robert de Clifford*, till the next Parliament, or other order.

REX Militibus, dilectis hominibus, et omnibus aliis Tenentibus de libertate Epiſcopatus *Dunelm.* ſalutem. Sciatis, quod commiſimus dilecto et fideli noſtro *Roberto de Clifford* libertatem prædictam cum pertin. in manum noſtram per conſideracionem Curiæ noſtræ coram nobis captam, cuſtodiendam uſque ad proximum Parliamentum noſtrum, vel donec aliud inde duxerimus ordinandum. Ita quod Vicecomitem & alios miniſtros idoneos ad ea quæ libertatem illam contingunt exercenda & facienda ſub ipſo deputet vel aſſignet, & quod idem Vicecomes de exitibus inde provenientibus nobis reſpondeat ad Scaccarium noſtrum. Et ideo vobis mandamus, quod præfato *Roberto* tanquam Cuſtodi noſtro libertatis prædictæ in omnibus quæ ad cuſtodiam illam pertinent, intendentes ſitis & reſpondentes, ſicut prædictum eſt. In cujus, &c. Teſte Rege apud *Kynemereford*, 6. die *Decembr.* Pat. 34 E. 1. m. 40 intus. Pro libertate Epiſcopatus Dunelm. commiſſa Roberto de Clifford.

Per breve de privato ſigillo.

William Biſhop of *Worceſter* making a fine of 1000. Marks to the King in Chancery for receiving a Bull from Pope *Boniface* the 8. touching the reſtitution of his Biſhoprick, wherein there were ſome words prejudicial to the Kings Crown and right; the King was afterwards pleaſed out of his ſpecial grace, in hope of his future loyalty, to pardon his Fine for this great offence by this Writ of Privy Seal.

REX omnibus ad quos, &c. ſalutem. Cum venerabilis pater *W. Wygorn.* Epiſcopus pro quibuſdam verbis Nobis et noſtræ Regiæ dignitati præjudicialibus, quæ continebantur in quadam Bulla quam idem Epiſcopus ſuper collacione ſibi de Epiſcopatu prædicto per felicis recordacionis Dominum *Bonifacium* nuper Papam octavum facta, ad nos tulit, finem fecit nobiſcum in Cancellaria noſtra de mille Marcis, nobis ſolvendis ad voluntatem noſtram: Nos pro bono ſervicio quod præfatus Epiſcopus nobis impendit, & pro dilectione bonaque voluntate quas ipſum ad nos habere ſperamus, volentes ſibi in hac parte gratiam facere ſpecialem, pardonavimus et dictas mille marcas, & volumus & concedimus, quod idem Epiſcopus pecuniam illam habeat de dono noſtro; ita quod occaſione finis prædicti per nos vel hæred. noſtros, ſeu aliquem de Ballivis aut miniſtris noſtris futuris temporibus non moleſtetur, occaſionetur in aliquo vel gravetur, ſet quod inde totaliter ſit quietus. In cujus, &c. T. R. apud *Hydam Wynton*, 21 die *Marcii*. Pat. 34 E. 1. m. 22. Pro W. Epiſcopo Wygorn.

Per breve de Privato ſigillo.

Pope

Upon the Payment of the arrears of the Diſms th.s year granted by Pope *Boniface* to the King by the Subcollectors, they received ſeveral acquittances, diſcharges for the ſame being paid into the Wardrobe, in this form.

Pat. 34 E. 1. m. 14 Cedula. Acquetancie, pro diverſis ſubcollectoribus in Anglia.

REX omnibus ad quos, &c. ſalutem. Sciatis, quod dilectus Clericus noſter *Johannes de Drokensford* Cuſtos Garderobæ noſtræ recepit in eadem Garderoba ad opus noſtrum de dilectis nobis in Chriſto Priore & Conventu Sanctæ *Katerinæ extra Lund.* ſubcollectoribus Decimæ Clero *Angliæ* per felicis recordacionis Dominum *B.* nuper Papam octavum, de aſſenſu noſtro impoſitæ per tres annos, per Epiſcopum *London.* & Magiſtrum *Bartholomæum de Ferentino* Canonicum *London.* dictæ Decimæ Principales Collectores in Dioc. *Lincoln.* conſtitutis, de arreragiis ejuſdem Decimæ quindecim libras & quindecim denarios de dicta Decima provenientes, & nos de portione ejuſdem Decimæ juxta conceſſionem dicti Summi Pontificis contingente, per manus *Johannis de Nevill* Vic. noſtri *Linc.* ſolventis denarios illos in Garderoba prædicta, &c. de quibus quidem quindecim libris & quindecim denar. dictos Priorem & Conventum, ac ſucceſſores ſuos tenore præſencium quietamus, et ipſos erga Summum Pontificem ac prædictos principales Collectores et alios quoſcunque indempnes premittimus conſerbare. T. R. apud *Caverſham*, 21 die *Novembr.* *Per billam prædicti* Johannis.

Conimiles literas de diverſis pecuniarum ſummis habent ſubſcripti; videlicet, above 40 Abbots, Priors, and other Subcollectors, whoſe acquittances are at large recited in the ſame Cedule. Yea the Original acquittances themſelves under Seal (amounting to an hundred or more) I found extant in the *White Tower* in a peculiar Bundle, where all may peruſe them.

Pope *Clement* the 5. having impoſed a two years Diſm, with the Kings conſent, for the aid of the *Holy Land*, upon the Clergie of *England*, *Scotland*, *Ireland*, and *Wales*, appointed ſpecial Collectors to levy it in *Ireland*, to whom the King preſcribed then a ſpecial Oath, diligently and faithfully to levy it without favor, hatred, love, or any other occaſion, granting the Collectors thereof a protection during this imployment; as theſe Records inform us.

Pat 34 E. 1. m. 27. Pro Rege.

REX dilecto Clerico ſuo Magiſtro *Thomæ Cantiki* Cancellario ſuo *Hiberniæ*, ſalutem; Cum venerabiles Patres .... *Lincoln.* & .... *London.* Epiſcopi, Collectores Decimæ per Sanctiſſimum Patrem Dominum *Clementem* Papam quintum nuper impoſitæ pro *Terra Sancta* Regio aſſenſu per biennium in tota *Anglia*, *Scotia*, *Hibernia* & *Wallia*, committunt idem negocium dilectis Clericis noſtris *Ricardo de Bereſford* Theſ. noſtro *Hibern.* & Magiſtro *Willielmo de Ryvere* Canonico *Sarum*, in *Hibern.* exequendum, et idem negocium nobis ſit cordi, et certis cauſis quas non exprimamus ad præſens, committimus poteſtatem ſacramenta prædictorum *Ricardi* & *Willielmi* recipiendi de prædicto negocio, poſtpoſitis favore, odio, timore, amore, & quacunque occaſione alia diligenter & fideliter exequendo. T. R. apud *Weſtm.* 28 die *Aprilis.*

Ibid. De Protectione pro ſubcollectore Decimæ.

REX omnibus Ballivis & fidelibus ſuis ad quos, &c. ſalutem. Sciatis, quod ſuſcepimus in protectionem et defenſionem noſtram ſpecialem, dilectum Clericum noſtrum Magiſtrum *Elyam de Muskham* ſubcollectorem Decimæ nobis a ſede Apoſtolica in ſubſidium *Terræ Sanctæ* conceſſæ per venerabilem patrem .... *Lincoln.* Epiſcopum, principalem ejuſdem Decimæ auctoritate Sedis Apoſtolicæ Collectores, unà cum venerabili patre *London.* Epiſcopo deputatum, homines, terras, &c. Et ſi quid, &c. faciatis emendari, & eidem *Elyæ*, quoties ipſum circa dictam negocium per ballivas aut diſtrictus veſtros tranſire contigerit, et per ipſum ſuper hoc fueritis requiſiti, ſalvum et ſecurum conductum habere faciatis. In cujus, &c. uſque ad feſtum Sancti *Johannis Baptiſtæ* prox. futurum duraturas. Teſte Rege apud *Wolveſeye*, 23 die *Aprilis.*

Ibid. m. 27.

REX omnibus Ballivis, &c. ſalutem. Sciatis, quod ſuſcepimus, &c. dilectum Clericum noſtrum Magiſtrum *Willielmum de Halleſtede* ſubcollectorem Decimæ nobis a ſede Apoſtolica in ſubſidium *Terræ Sanctæ* conceſſæ, per venerabilem patrem

patrem ..... *London.* Epiſcopum principalem ejuſdem Decimæ auctoritate ſedis prædictæ Collectorem, unà cum venerabili patre *Lincoln.* Epiſcopo deputatum, homines, terras, &c. ipſius *Willielmi.* Et ideo vobis mandamus, quod ipſum Magiſtrum *Willielmum*, &c. et ſi quid, &c. Et idem *Willielmo* quociens ipſum circa dictum negocium per ballivas aut diſtrictus veſtros tranſire contigerit, et per ipſum ſuper hoc fueritis requiſiti, ſalvum & ſecurum conductum habere faciatis. In cujus, &c. uſque ad feſtum Sancti *Johannis Baptiſtæ* prox. futur. duraturas. Teſte Rege apud *Wolveſeye*, 22 die *Aprilis.* *An.* 34 E. 1.

Per ipſum Regem & Conſilium. duppl.

The King wanting monies, iſſued Writs in this ſtrict form to the Subcollectors, to haſten the levying and paying in of the two years Diſms newly granted him by Pope *Clement* for the relief of the *Holy Land*, which he made uſe of for his own neceſſities.

REX dilectis ſibi in Chriſto Decano & Capitulo *Hereford.* Subcollectoribus Decimæ per Summum Pontificem in ſubſidium *Terræ Sanctæ* conceſſæ in Civitate & Archidiaconatu *Hereford.* deputatis, ſalutem. Cum ob aliquas arduas & certas cauſas quas ad præſens vobis literatoriè exprimere diſtulimus ſit expediens, tam pro utilitate Eccleſiæ quam Reipublicæ, et neceſſe quod Decima prædicta in Civitate et Archidiaconatu prædictis, et alibi infra regnum noſtrum, cum omni celeritate qua fieri poterit lebetur, colligatur et principalibus Collectoribus ejuſdem Decimæ protinus perſolbatur; Vobis mandamus in fide & dilectione quibus nobis tenemini firmiter injungentes, quod Decimam illam infra loca vobis commiſſa cujuſcumque dilacionis diffugio poſtpoſito per omnimodas coherciones quas poteritis lebari, colligi, et dictis Collectoribus principalibus ad terminum vobis per ipſos ſtatutum perſolbi modis omnibus faciatis, ut ipſi de dicta Decima reſpondere valeant juxta dicti Summi Pontificis voluntatem; de illa ſumma pecuniæ quam hactenus de prædicta Decima levaſtis, et quam tempore receptionis iſtius brevis promptam in manibus habueritis ſtatim poſt recepcionem ejuſdem reddentes diſtincte et aperte Theſ. & Barones noſtros de Scaccario per veſtras literas cerciores, et hoc ſicut indignacionem Summi Pontificis et noſtram, beſtrumque dampnum propium bitare bolueritis, nullatenus omittatis; Sciturі pro conſtanti, quod ſi quos negligentes bel remiſſos in dicta Decima lebanda et colligenda bel rebelles in ſolucione ejuſdem inbenirі contigerit, eos abſque grabi punicione ebadere minime permittemus. T. R. apud *Weſtm.* 24 die *Maii.* Clauſ. 34 E 1. m. 14. De ſolucione pecuniæ Decimæ feſtinanda.

Conſimiles literæ diriguntur ſubſcriptis, videlicet; Abbati & Conventui *de Bello*, ſubcollectoribus, &c. in Civitate & Dioc. *Ciceſtr.* and ſundry others mentioned in this Roll: which he ſeconded with this Writ to the Biſhop of *London*, appointed chief Collector of theſe Diſms by the Pope.

REX venerabili in Chriſto patri *R.* eadem gratia *London.* Epiſcopo, alteri Collectorum Decimæ per Dominum Summum Pontificem in ſubſidium *Terræ Sanctæ* conceſſæ, ſalutem. Cum pro quibuſdam arduis & certis cauſis quas ad præſens certa ratione ſubticemus, mandaverimus Subcollectoribus Decimæ prædictæ, quod Decimam illam infra loca eis commiſſa cujuſcumque dilationis diffugio poſtpoſito colligi et levari, vobiſque ad terminos eis per vos aſſignatos faciant liberari; ita quod bos inde reſpondere baleatis juxta dicti Summi Pontificis voluntatem; Vobis mandamus in fide & dilectione quibus nobis tenemini firmiter injungentes, quatinus Subcollectores prædictos ad dictam Decimam cum omni celeritate qua fieri poterit lebandam, colligendam, et vobis liberandam, omnibus biis et modis quibus expedire videritis, excitetis, et efficaciter inducatis; ita quod vobis aut ipſis negligencia aliqua in hac parte per dictum Summum Pontificem bel nos impingi nequeat quoquo modo. Certificantes Theſ. et Barones noſtros de Scaccario indilate de illa ſumma pecuniæ quæ de Decima illa hactenus eſt lebata, et quæ in manibus prompta erit tempore quo iſtud breve recipere bos continget. Teſte Rege apud *Weſtm.* 24 die *Maii.* Ibidem.

Eodem modo mandatum eſt *J. Linc.* Epiſcopo, alteri Collectorum Decimæ, &c. ut ſupra.

How

Anno 34 *E.* 1. How the King this year would have the values of his Livings to whom he preſented his Clerks returned to him, according as they were taxed to the laſt Diſme, for the Holy Land, before their admiſſion to them, this Record will inform us.

Clauſ. 34 E. 1. m. 13. Pro Willielmo de Borelworth clerico.

REX Venerabili in Chriſto Patri *J.* eadem gratia Epiſcopo *Linc.* ſalutem. Licet nuper quibuſdam de cauſis vobis mandaverimus **quod nos ſuper vero valore Eccleſiæ de *Heyford Waryn* veſtræ Dioc. ad quam *Willielmum de Boreſworth* clericum vobis præſentaveramus, quantum videlicet valeat per annum juxta ultimam taxationem de Eccleſiis *Anglicanis* factam, ratione Decimæ earundem in ſubſidium Terræ ſanctæ nuper conceſſæ, nos redderetis certiores**, & quod interim executioni præſentacionis noſtræ prædictæ ſuperſederetis, de quo juxta tenorem dicti mandati noſtri nos reddidiſtis certiores; Vobis nichilominus mandamus, quod executionem præſentationis noſtræ quam vobis pro prædicto clerico noſtro ad præſens mittimus prout ad vos pertinet fieri faciatis, non obſtante prædicto mandato noſtro vobis de ſuperſedendo execucioni prioris præſentacionis noſtræ inde factæ vobis directo. Teſte Rege apud *Wynton*, 12 die *Maii*.

* See Here p. 1100, 1101.

The King as he had prohibited Juſts in or near the Univerſity of * *Cambridge*, ſo likewiſe did he in *Oxford*, or twelve miles thereof, by this Writ, for the quiet and tranquility of the Scholars thereof.

Clauſ. 34 E. 1. m. 21. vel 22. Pro Magiſtris Univerſitatis Oxon.

REX Vic. *Oxon.* ſalutem. **Affectantes quietem et tranquillitatem Magiſtrorum Univerſitatis *Oxon.* et Scolarium ibidem Studencium, tibi præcipimus, quod ſi Torneamenta, Juſtas, Burdeiceas, ſeu alia haſtiludia in villa prædicta vel infra duodecim miliaria circumquaque citra feſtum *Paſche* proximo futur. contigerit proclamari, tunc ne quis Torneamenta, Juſtas, ſeu Burdeiceas facere ſeu alia haſtiludia exercere præſumat citra dictum feſtum in villa prædicta, ſeu infra duodecim Miliaria circumquaque ex parte noſtra publice proclamari facias et firmiter inhibere.** Teſte Rege apud *Bynyndon*, 22 die *Januarii*.

King *Edward* to evidence his love to Learning, and Soveraign Eccleſiaſtical Power, licenſed the Earl of *Lincoln* to appropriate five Churches for the maintenance of a new College with ſundry Scholars in the Univerſity of *Oxford*, by this enſuing Patent to the Earl.

Pat. 34 E. 1. m. 13. Pro H. de Lacy Comite Linc.

REX Omnibus ad quos, *&c.* ſalutem. Licet per inquiſicionem quam per dilectum & fidelem noſtrum *Walterum de Glouc.* Eſc. noſtram ultra *Trentam* fieri fecimus acceperimus, quod eſt ad dampnum & præjudicium noſtrum ſi concedamus dilecto Conſanguineo & fideli noſtro *Henrico de Lacy* Comiti *Lincoln.* **quod ipſe advocaciones Eccleſiarum de *Badynton*, *Ginelingham*, *Thoresby*, & *Halton* ſupra *Trentam* in Com. *Lincoln.* & de *Buckeby* in Com. *Northampt.** quas idem Comes de nobis tenet in capite, **dare poſſit et aſſignare treſdecim Scholaribus in quadam domo in *Oxon.* per ipſum Comitem de novo construenda in Univerſitate, ibidem moraturis**; Habendas & tenendas eiſdem Scolaribus, & Succeſſoribus ſuis Scolaribus in domo illa moraturis **imperpetuum.** Ita quod iidem Scolares **Eccleſias prædictas appropriare poſſint ſibi et Succ. ſuis prædictis in propios uſus perpetuo poſſidendas**, in hoc videlicet, quod **Si Eccleſias prædictas vel earum aliquas vacare contigerit hæredibus prælati Comitis infra ætatem et in cuſtodia noſtra vel hæredum ſuorum noſtrorum exiſtentibus nos et hæredes noſtri præſentaciones noſtras ad Eccleſias illas amittemus ratione donacionis et conceſſionis prædictarum; Nos tamen ob devocionem quam erga beatum *Thomam* gloriosum Chriſti Martirem, in cujus feſto dictus Comes nos ſuper hoc requiſivit**, necnon propter bonam voluntatem quam habemus precibus ipſius Comitis annuendi, conceſſimus eidem Comiti & licentiam **dedimus pro nobis et hæredibus noſtris, quantum in nobis eſt, quod ipſe advocationes prædictas dare poſſit et aſſignare prædictis treſdecim Scolaribus in domo prædicta per ipſum de novo conſtruenda in Univerſitate prædicta moraturis; Habendas et tenendas ſibi et Succeſſoribus ſuis Scolaribus in domo illa moraturis imperpetuum.** Et præfatis Scholaribus quod ipſi advocaciones prædictas ab eodem Comite **recipere, et eas ſibi et Succeſſoribus ſuis prædictis appropriare poſſint**

poſſint in proprios uſus imperpetuum poſſidendas, ſicut præticum eſt. tenore præ- *An.* 34 *E.* 1.
ſentium ſimiliter licenciam dedimus ſpecialem, ſtatuto noſtro de terris et tenem. ad manum mortuam non ponendis edito non obſtante: Nolentes quod prædictus Comes vel hæredes ſui aut præfati Scolares ſeu Succeſſores ſui prædicti ratione præmiſſorum per nos vel hæredes noſtros Juſticiar. & Eſcaetores vel Ballivos aut alios miniſtros noſtros quoſcumque occaſionentur, moleſtentur in aliquo ſeu graventur. In cujus, *&c.* Teſte Rege apud *Beverlacum*, 22 die *Julii.*

The Monaſtery of *Cluny* having ſuſtained great loſſes, and being deeply in debt as was ſuggeſted, not by their own defalt, the King for their relief was graciouſly pleaſed, notwithſtanding his former Prohibitions, Statute, and Proviſions againſt it, to grant the Abbot thereof and his Proctors his licenſe to come and demand a competent Ayd and relief from all the Monaſteries and Cells ſubject to their Order, and their Tenants, within his Dominions, by this his Patent, and likewiſe to exhort and encourage them thereunto. So prevalent were thoſe begging Freers with him.

REX omnibus Seneſcallis, Vicecomitibus, Ballivis, Miniſtris, & eorum loca tenentibus, ac aliis fidelibus ſuis quibuſcunque ad quos, &c. ſalutem. Licet Regiæ ſollicitudinis ſtudium circa diverſa quæ humeris noſtris agenda incumbant, jugiter diſtrahatur, nonnunquam circa Eccleſiarum et Monaſteriorum curam libenter infundimus noſtræ conſiderationis intuitum, & earum præcipue miſereri debito compaſſionis compellimur, quas oneris et preſſuræ incommoda faciente ſo tempore adverſitate deplorare conſpicimus, ut noſtro interveniente miniſterio a mole gravaminum releventur, præſerventur a noxiis, et felicibus proficiant incrementis. Cum igitur Monaſterium *Cluniacenſe* à Chriſti fidelibus omni veneratione colendum, cultores divini nominis induſtrios, honeſtatis munere præditos hactenus producere conſuetum, præter factum ſeu culpam Abbatis eidem Monaſterio nunc præſidentis, prout laudabili fidedignorum teſtimonio didicimus & credimus, ex diverſis & variis cauſis contingentibus adverſi conditione temporis id ægente, ſit ad præſens diverſarum fluctuationum turbinibus agitatum, et multiplici debitorum onere prægravatum, ipſius Monaſterii ſtatui benigno compatientes affectu, cupienteſque hujuſmodi obviare diſpendiis, ac Monaſterium & Abbatem ab iminentibus gravaminum preſſuris & debitorum oneribus relevari, patienter permittimus et etiam tolleramus, necnon omnes quorum intereſt in quantum bono modo poſſumus excitamus, ut pro hujuſmodi oneribus facilius et commodius ſupportandis, et debitorum attenuationibus prædictorum, Monaſteria et Prioratus regni noſtri et diſtrictuum noſtrorum prædicto Monaſterio *Cluniacenſi* ſubjecta et eorum tenentes, gratum et rationabile ſubventionis auxilium eidem Abbati *Cluniacenſi* poſſint facere et præſtare noſtris interveniente licentia et aſſenſu: Nobis omnibus et ſingulis injungentes et etiam inhibentes, ne prædicto Abbati aut Procuratoribus ſuis ad hoc deputandis per ipſum ſuper hujuſmodi auxilio exigendo et levando nullum inferatis ſeu inferri permittatis impedimentum, moleſtiam ſeu gravamen. In cujus, &c. Teſte Rege apud *Laurecoſt* 4 die *Novembris.*

Clauſ 34 E. 1. m. 2. dorſo. Pro Abbate Cluniacenſi.

Per breve de Privato Sigillo. Dupl.

That the King by his Prerogative this year, as well as formerly, claimed a competent penſion for one of his Clerks, upon the new Creation of Biſhops, this Writ to the Archbiſhop of *York* aſſures us.

Clauſ 34 E. 1. m. 12. dorſo. Pro Roberto de Cotingham Clerico.

RObertus *de Cotingham* Clericus habet literas Regis *W.* Archiepiſcopo *Ebor.* de annua penſione, ratione novæ creationis ſuæ, *&c.*

King *Edward* being aged, infirm, and mindfull of his approaching death, implored the daily, fervent and devout Prayers of the Friers Prædicants, aſſembled in a General Chapter at *Paris*, for himſelf, his Queen, Children, Realm and affairs, as he had of * the *Archbiſhops* and *Biſhops*, by this devout Writ.

* Speeds Hiſtory, p. 661.

An. 34 *E.* 1.
Clauſ. 34 E 1. pars 1. m. 16, vel 17.

REX, &c. Religioſis viris & ſibi in Chriſto dilectis, Magiſtro Ordinis Fratrum Prædicatorum, ac diffinitoribus Fratribus univerſis in Generali Capitulo ſuo *Pariſ.* proximo conventuris, ſalutem, & Spiritu Sancto dirigi in agendis. Dum condicionem humanæ fragilitatis attendimus, & qualiter omni creaturæ tam ſublimi quàm humili prætereuntibus ſuo curſu diebus præſentis vitæ finis appropiat, attenta conſideracione penſamus, ſic venire cupimus, quantum nobis ex alto permittitur, diem mortis, ut æterni clemencia Judicis dignetur noſtri de ſuæ gratiæ plenitudine miſereri: Verum cum devotarum orationum ſuffragia inter alia pietatis opera multum proſint ad divinam miſericordiam impetrandam, de vobis quorum ordinem benivolenciæ ſpecialis favore proſequimur, ut ſalutem noſtram zelemini, et pro nobis, Conſorte noſtra, et liberis noſtris, ac ſtatu proſpero regni noſtri, preces devotas Domino offeratis plenam fiduciam optinentes, devocionem veſtram requirimus et rogamus, quatinus nunc et in futurum dignam ſollicitudinem impendatis et inſiſtatis aſſiduis ſupplicationibus et interceſſionibus apud Deum, ut hic ſua pietate nos dirigat per ſuorum ſemitam mandatorum, et poſt diem extremum ſalvacionis locum nobis dignetur miſericorditer indulgere, ſtatumque regni noſtri conſervare proſperum et tranquillum: Univerſitatem veſtram Religioſam diu conſervet Altiſſimus in caritate continua et perfecta. Dat. apud *Wolveſeye*, 8 die *Aprilis*.

After which he iſſued another pious Writ to theſe Freers to the like effect aſſembled in their General Chapter at *York*.

Ibid. m. 10. dorſo. De orando pro Rege & Regina, ac eorum liberis.

REX dilectis ſibi in Chriſto Magiſtro Ordinis Fratrum Prædicatorum, ac diffinitoribus & fratribus univerſis in Capitulo ſuo Provinciali apud *Eborum* in proximo conventuris, ſalutem, & Spiritu ſancto dirigi in agendis. Inter cætera quæ fructum ſalutis repromittere credimus, hoc præcipuè in ſpei noſtræ fulcimentum accedit, quod nos aſſiduarum deprecacionum ſuffragiis fulti præſidio divinam propiciationem facilius conſequemur. De vobis itaque ut noſtram, ac Reginæ Conſortis noſtræ, liberorumque noſtrorum ſalutem, necnon ſtatum proſperum regni noſtri, et expedicionem felicem negociorum nobis incumbencium his diebus zelemini, plenam in Domino fiduciam optinentes, devocionem veſtram affectuosè requirimus & rogamus, quatinus apud illum qui eſt vera ſalus, et qui temporalitatis et perpetuæ felicitatis tribuit largitatem: Nos, Reginam Conſortem noſtram, et liberos noſtros, ac ſtatum regni noſtri devotæ ſupplicacionis ſtudio commendetis, ipſius clemenciam qui menſuræ termino non artatur exorantes, ut ſic regnum temporale regere, negociaque noſtra prædicta expedicioni felici per ſuæ ſubvencionis dexteram mancipare poſſimus, quod hoc ad laudem ſui nominis, et noſtrum regnique noſtri commodum cedere valeat et honorem, quodque nos poſt ſupremum vitæ noſtræ exitum in regno cœleſti partem hæreditariam conſequamur. Dat. apud *Eſt-Stratton* 12 die *Julii*.

A pious Writ and requeſt worthy all Chriſtian Kings imitation in all times of age, ſickneſſe, danger, or when they have any weighty affairs to undertake.

In the Clauſe Roll of 34 E. 1. I finde the Names, Country, and Titles of all the *Roman* Cardinal Biſhops, Prieſts and Deacons, thus enrolled; that ſo the King might the better know how to write and make his addreſſes to them upon all occaſions.

Clauſ. 34 E 1. m. 14. dorſo. Epiſcopi Cardinales.

Dominus *Nicholaus de Prato*, natione *Tuſcus*, Epiſcopus *Oſtienſis* et *Velletrenſis*, ſanctæ *Romanæ* Eccleſiæ Cardinalis.

Dominus *Johannes Buckamachius*, natione *Romanus*, Epiſcopus *Tuſculanus*.

Dominus *Leonardus de Gwarchnio*, natione *Campanus*, Epiſcopus *Albanenſis*.

Dominus *Johannes de Murre*, natione *Marchiæ Anchomoniæ*, Epiſcopus *Portuenſis*.

Dominus *Tetbericus de Vrbe veteri*, Epiſcopus Civitatis Papalis, quondam *Peneſtrinus*.

Dominus *Petrus Iſpanus*, Epiſcopus *Sabinenſis*.

Magiſter

Magiſter *Petrus de Capella*, quondam Epiſcopus *Tholoſ.* titulo ſancti *Apolinar.* Presbyter Cardinalis. *An.* 34 E. 1.

Dominus *Berengarius Fridolo*, quondam Epiſcopus *Biterren.* titulo ſanctorum *Nerrei* et *Achillei*, Presbyter Card. Presbyteri Cardinales.

Dominus *Johannes Monachi*, natione *Pikard.* titulo ſanctorum *Marcellini* et *Petri*, Presbyter Card.

Dominus *Gentil Monte Florum* de *Ordine Minorum*, natione *Marchiæ Anchon.* ſancti *Martini* in *montibus*, Presbyter Cardinalis.

Dominus *Tho. Jorz, Anglicus*, titulo ſanctæ *Sabinæ*, Presbyter Card.

Frater *Nicholaus de Freanvill*, de *Ordine Prædicatorum*, quondam Confeſſor Regis *Francia*, titulo ſancti *Euſebii*, Presb. Card.

Dominus *Stephanus de Suſiato*, quondam Archid. de *Burg*, & Canc. dicti Regis, titulo ſancti *Curiaci* in **Termis*, Presb. Card. * Thermis.

Dominus *Wilhelmus de Cantilupo* Camerarius Papæ, titulo ſancti *Marcelli*, Presb. Cardinalis.

Dominus *Willielmus Ruffati*, * Revendar. Papæ, titulo ſanctæ *Potenciana*, Presb. Cardinalis. * Referendarius.

Dominus *Petrus de Mota*, Vicecancellarius, titulo ſanctæ *Priſcæ*, Presbyter Cardinalis.

Dominus *Franciſcus de Campo Florum, Romanus*, ſanctæ *Luciæ* in *ſilice*, Diaconus Cardinalis. Diaconi Cardinales.

Dominus *Jacobus Gaictanus, Romanus*, ſancti *Georgii* ad *velum aureum*, Diaconus Cardinalis.

Dominus *Neapolis* de domo *Urſinorum*, ſancti *Adriani*, Diaconus Cardinalis.

Dominus *Landulphus Neapoli*, ſancti *Angeli*, Diaconus Cardinalis.

Dominus *Franciſcus Gaitanus*, de *Apagn.* ſanctæ *Mariæ in Coſmedyn*, Diaconus Cardinalis.

Dominus *Willielmus de Bergamo*, ſancti *Nicholai* in *Carcere Tulliano*, Diaconus Cardinalis.

Dominus *Petrus de Columpna*, Diaconus ſine aliquo titulo.

Dominus *Jacobus de Columpna*, Diaconus ſine, &c.

Dominus *Lucas de Fliſco*, ſanctæ *Mariæ* in *via lata*, Diaconus Cardinalis.

Dominus *Ricardus de Senis*, ſancti *Euſtachii*, Diaconus Cardinalis.

Dominus *Reymundus del Gout*, ſanctæ *Mariæ novæ* Diaconus, Nepos Papæ.

Dominus *Arnaldus de Polagrue*, Nepos Papæ, ſanctæ *Mariæ* in *Portica*, Diaconus Cardinalis.

King *Edward* having * preſented his learned Clerk and Phyſitian (who under God had ſaved his life and recovered him from his ſickneſs) to the Church of *Recolure*, by his Prerogative during the vacancy by the Archbiſhops ſuſpenſion, the diſpoſition of whoſe Temporalties the Pope had reſerved to himſelf, and thereupon the Pope refuſing upon the Kings premiſed importunate Letters in his favour to confirm him therein, pretending he had granted it by his proviſion to another: The King thereupon ſent this ſecond Epiſtle to confirm him therein, or confer it on him by the power he had granted him, promiſing to beſtow another Benefice of equal value on the Popes Clerk, provided his Phyſician might enjoy this; backing it with another Epiſtle to a *Roman Cardinal*, to promote this buſineſs effectually, and procure a Diſpenſation to hold it with his other Benefice in the Dioceſs of *Sarum*. * See here p. 1095, 1096, 1097.

DOmino Papæ Rex, devota pedum oſcula beatorum. Virtutum dona præcipua actuſque præclari quibus dilectus Clericus noſter Magiſter *Nicholaus de Tynchewyke* noſter Medicus noſcitur inſigniri, necnon & ipſius obſequia laudabilia nobis gratanter impenſa animum noſtrum pulſant mentemque ſollicitant, ut ubi ipſius utilitatem & honoris augmentum perſpicimus promoveri, ibi operam efficacius apponamus. **Cum nuper veſtræ Sanctitati duxerimus concedendum, quod de Eccleſiis quarum advocationes ſpectant ad temporalitatem Archiepiſcopatus *Cantuar.* et quæ vacare contingerent durante ſuſpenſione ejuſdem Archiepiſcopi, pro veſtro arbitrio poſſetis libere ordinare, ac ante conceſſionem noſtram hujuſmodi**, præfatum Magiſtrum *Nicholaum de Tynchewyke* Medicum noſtrum, cui poſt Rot. Romæ An. 34 & 35 E. 1. m. 5.

Ann 34 & 35 *E.* 1. Deum grates referimus de reconvaleſcentia qua nuper plurimum præmebamur, **præſentaſſemus ad Eccleſiam de *Recolure*, cujus advocatio ad temporalitatem pertinet antedictam, et quæ vacavit dum dicta temporalia capta in manum noſtram extiterunt: Sanctitati veſtræ devotiſſimis precibus ſupplicamus, quatinus dictam præſentationem noſtram gratam et acceptam, ſi placet habentes, benigne ſuſtinere velitis, quod dictus Clericus noſter ipſa Eccleſia gaudere valeat virtute præſentationis prædictæ, vel ſaltem eandem Eccleſiam eidem Clerico noſtro conferre dignemini gratioſe, et deinde cum ipſo ſuper retentione illius Eccleſiæ, una cum Eccleſia de *Coleſhull Sarum* Dioc. quam prius fuerat aſſecutus, de Apoſtolicæ poteſtatis plenitudine diſpenſare, prout** * alias **Sanctitati veſtræ ſuper hoc meminimus ſupplicaſſe: Et ſi forſan prædictam Eccleſiam de *Recolure* alteri Clerico contuleritis, poſt vacationem ejuſdem, nos eidem Clerico teneri volumus, ad Eccleſiam vel Beneficium valoris conſimilis vel majoris. Ita tamen quod dicta Eccleſia de *Recolure* remaneat ut præmittitur noſtro Clerico memorato. Hanc autem requiſitionem quam pro prædicto Clerico noſtro veſtræ clementiæ facimus, ſic ex intimo cordis noſtri prodeunt, ſicut aliqua alia quam vobis feciſſe recolimus temporibus retroactis, utpote pro perſona honeſtæ vitæ, bonæ converſationis, eminentis ſcientiæ, habilique ad quamlibet dignitatem Eccleſiaſticam noſtro judicio optinendam, ad exauditionis gratiam veſtra dignetur admittere ſanctitudo, ac juxta deſiderium cordis noſtri gracioſis affectibus adimplere, et nobis ſuper hoc reſponſum renunciare votivum.** Nos enim audita felici expeditione dicti negotii quam deſiderabiliter affectamus, **non modicam exinde lætitiam aſſumeremus.** Conſervet, &c. Dat. apud *Laurecoſt* ſeptimo die *Octobris.*

* See here p. 1096.

Rot. Romæ An 34 & 35 E. 1. nu. 5. VEnerabili in Chriſto patri Domino *R.* titulo Sanctæ *Mariæ Novæ* Diacono Cardinali, amico ſuo cariſſimo, *Edwardus, &c.* ſalutem & ſinceræ dilectionis affectum. Cum per alias noſtras literas Sanctiſſimum patrem noſtrum Dominum Summum Pontificem duxerimus requirendum, quatinus ſuſtinere velit, quod Eccleſia de *Recolure* quæ vacavit poſtquam temporalia Archiepiſcopatus *Cantuar.* capta fuerant in manum noſtram, & ad quam præſentavimus dilectum Clericum noſtrum Magiſtrum *Nicholaum de Tyrchewyke* Medicum noſtrum, hominem utique honeſtæ vitæ, bonæ converſationis & ſcientiæ eminentis, **eidem Clerico noſtro remaneat virtute præſentationis noſtræ ſuprædictæ, ſeu quod eandem Eccleſiam eidem Clerico conferat gratioſe, et ſecum de ſolita benignitate diſponet ſuper retentione dictæ Eccleſiæ, una cum Eccleſia de *Coleſhull Sarum* Dioc. quam idem Clericus prius fuerat aſſecutus:** Paternitatem veſtram in quantum poſſumus requirimus & rogamus, quatinus penes dictum Dominum Summum Pontificem ſolertem diligentiam noſtri intuitu velitis apponere & juvamen, & ut prædictum negotium juxta animi noſtri deſiderium ad effectum perduci valeat quem optamus, & ut gratioſum ſuper hoc à dicto patre reſponſum habeamus quam citius fieri poterit, curetis ſi placet impetrare, nos enim audita felici expeditione juxta votum, magnam exinde cordis lætitiam ſumeremus. Valeat veſtra Paternitas per tempore longiora. Dat. apud *Laurecoſt* ſemptimo die *Octobris.*

Thus was the King by his condeſcention and grant of the Temporalties and Preſentations belonging to himſelf and his Crown, to this Pope, enforced to importune both the Pope and Cardinals by ſucceſſive Letters, for the confirmation of his own Clerks preſentations to Churches who beſt demerited of him, and yet could not at all, or with great difficulty and expence obtain his juſt requeſts; ſuch was the avarice and ambition of this uſurping Pontiff.

* See here p. 1024, 1025, 1026. The King having * *cloſe impriſoned in Irons* the Archbiſhop of St. *Andrews* and Biſhop of *Glaſco* in *Scotland*, for their manifold Perjuries, Treaſons, Rebellions againſt him, ſent this Letter to the Pope for the promotion of others to their Biſhopricks who were faithfull to him, and fit to be promoted, for the peace and welfare of that Kingdom.

Rot. Romæ An. 34 & 35. E. 1, nu. 7. SAnctiſſimo in Chriſto Patri Domino *C.* divina Providentia Sacroſanctæ *Romanæ* ac univerſalis Eccleſiæ ſummo Pontifici, ſuus devotus filius, *Edwardus* eadem gratia Rex *Angliæ, &c.* devota pedum oſcula beatorum. Pater ſanctiſſime, **quia Magiſter** *Willielmus*

Willielmus de Lamberton Sancti *Andreæ*, et *Robertus Wychard Glaſguenſis* Epiſcopi, quos jam tanquam inimicos et proditores noſtros contra nos hoſtiliter inſurgentes captivos in noſtra cuſtodia detinemus, adeo antè hæc tempora erga nos ſe geſſerunt proditionaliter et perverſe, utpote qui fidelitatem et ſacramenta ſua pluries nobis præſtita non ſunt veriti violare, reatum perjurii pluribus vicibus notorie incurrendo, ac per ipſos ipſorumque procurationem et inſtigationem pax et tranquilitas terræ noſtræ *Scotiæ* ſæpius jam commotæ fuerunt pariter et turbatæ, multiſque ipſorum demeritis exigentibus erga nos reddiderunt taliter ſe indignos, quod pati non poſſumus nec debemus quin infra terram noſtram *Scotiæ* prædictam nec alibi infra poteſtatem noſtram morentur, propter pericula quæ nobis et terræ noſtræ *Scotiæ* ſuprædictæ poſſent per ipſorum machinationes ſubdolas futuris temporibus evenire. Et nos votis omnibus cupiamus quod ſancta Eccleſia per bonas honeſtas et idoneas perſonas gubernatur et etiam deſerviatur eidem, ſanctitati veſtræ devota precum inſtancia ſupplicamus, quatinus de prædicto Epiſcopatu Sancti *Andreæ*, caro & dilecto nobis Magiſtro *Willielmo Comyn* fratri nobilis viri Comitis *de Boghan*, viro utique benè literato, bonæ vitæ & converſacionis honeſtæ, aptoque noſtro judicio pro tali dignitate optinenda, pro quo eciam aliàs veſtræ ſupplicavimus Sanctitati, & qui alia vice ad eundem Epiſcopatum electus extitit, & per præfatum Magiſtrum *Willielmum* ſuoſque complices inimicos noſtros tunc impeditus; Ac de Epiſcopatu *Glaſguenſ.* ſupradicto, dilecto Clerico noſtro Magiſtro *Galfrido de Moubray*, qui ſimiliter eſt homo nobilis genere ac honeſtus in converſacione, dignemini providere, per hos namque ſperamus firmiter, quod Deo et ſanctæ Eccleſiæ debeat bene et congrue deſervirí, ac pax dictæ terræ *Scotiæ* fœlicius confoveri per ipſorum probationem & conſtanciam poterit & melius cuſtodiri. Super hiis igitur veſtræ placeat beatitudini nobis veſtram reſcribere voluntatem, hoc enim negocium multum inſidet cordi noſtro, per quod illudque ex cauſis præmiſſis, ac eciam pro eo quod perſonas pro quibus hanc requiſicionem veſtræ paternitati facimus dilectione amplectimur ſpeciali, in quantum poſſumus deſideramus favorabiliter exaudiri. Ad hæc pater Sancte cum nos alias veſtram informavimus ſanctitatem ſuper collocutione incepta de matrimonio inter *Alianoram* filiam noſtram kariſſimam & filium nobilis viri quondam Comitis *Burgundiæ*, ac excellentis dominæ Comitiſſæ *Burgundiæ* & *Attrabat.* contrahendo, & in caſu conſimili per aliquos homines ante hæc tempora, ut bene noſtis, fuerimus circumventi, voſque ſuper negocio illo per dilectum Clericum noſtrum Magiſtrum *Thomam de Suthwerk* curialiter reſponderitis, unde vobis ad graciarum aſſurgimus actiones, eidem ſanctitati veſtræ ſupplicamus, quatinus ſuper dicto negocio nobis & viis congruis quibus veſtræ ſanctitati videbitur faciend. velitis ſi placet taliter ordinare, quod nullatenus circumveniamur in prædicto negocio, prout aliàs ut prædicitur nos eſſe recolimus circumventos. In proſperitate Dominus vos conſervet ad regimen Eccleſiæ ſuæ Sanctæ per tempora feliciter diuturna. Dat. apud *Laurecoſt*, 4 die *Octobris*.

An. 34 & 35 *E.* 1.

Nota.

He likewiſe writ to the Pope to grant a Diſpenſation by his Papal power, for a marriage between a Kinſwoman of his, and a Nobleman of *Scotland*, who were too near of Kinred to marry, for the better ſettling of peace between the *Engliſh* and *Scots*.

PApæ Rex devota pedum oſcula beatorum. Conſiderantes diſpendia quæ nobis & populis noſtro regimini ſubditis *Angliæ* & *Scotiæ* nacionum jam per diverſas vices irrogavit turbacio venenoſa, quam quidam iniquitatis filii in partibus *Scotiæ* ante hæc tempora contra nos proditionaliter ſuſcitarunt, illa libenter proſequimur ac jugi meditacione ſtudioq; pervigili procuramus, per quæ pacem & tranquilitatem inter dictos noſtros ſubitos ſolidari credimus & dilectionem uberius confoveri. Cum itaq; pater ſancte ſuper matrimonio inter nobilem virum *Dunkanum de Fiff.* ac *Mariam* de monte *Hermerii* neptem noſtram contrahendo ſit penes nos habitus ſermo aliqualis, videmque *Dunkanus & Maria* pro eo quod in gradu affinitatis prohibito ſe attingunt, ſuper quo veſtram ſanctitatem informare poterunt plenius præſentium portitores, nequeunt abſque veſtra diſpenſacione legitime copulari, noſque illorum copulacionem pro bono pacis & dilectionis inter dictos noſtros ſubditos *Angliæ* & *Scotiæ* nutriendæ futuriſque temporibus conſervandæ deſiderabiliter affectamus,

Ibid nu. 6.

An. 34 & 35 E. 1.

tamus, Sanctitati vestræ devotis precibus supplicamus quatinus præmissorum intuitu, nostrique rogaminis interventu ut iidem *Dunkanus & Maria* matrimonialiter conjungi valeant de apostolicæ potestatis plenitudine dignemini si placet favorabiliter dispensare. Conservet, *&c.* Dat. apud *Laurecost*, 28 die *Octobris*.

Per Breve de Privato Sigillo.

The King writing to the Pope to send special Nuncioes into *England* for the setling of his own affairs; and the Pope thereupon sending *Cardinal Hispan* and *Lebetto* to him for his own ends, under pretext of promoting the publike good of Christianity and the Realm of *England*, the King returned him this Letter of thanks.

Rot. Romæ, An. 35 E 1.

SAnctissimo in Christo Patri Domino *C.* divina providencia sacrosanctæ *Romanæ* ac universalis Eccleſiæ Summo Pontifici; *Edwardus*, &c. devota pedum oscula beatorum. Pater sanctissime, Transmissæ nobis literæ vestræ per præsentium portitores, quas diligenter inspeximus continebant, quod vestra clemencia venerabilem patrem Dominum *Petrum Ispann.* Dei gratia sedis Apostolicæ Cardinalem, & nobilem virum Dominum *Amanenum* Dominum de *Lebreto* **pro aliquibus negociis tocius Christianitatis utilitatem, statumque regni nostri tangentibus**, jam pridem versus nos duxerat destinare, pro quibus eciam negociis litteras nostras vestræ sanctitati meminimus direxisse, quas diu antequam ad nos pervenerant vestræ literæ memoratæ, ad vestram credimus præsenciam perveniſſe. Et quia hujusmodi nuncii nobis hactenus fuerunt & adhuc sunt quamplurimum speciales, **de vestra missione eorundem sanctitati vestræ grates et gratiarum quas possumus referimus actiones**, potissimè de dicto Cardinali, quem *Edwardum* filium nostrum kariſſimum de progenie *Ispan.* existentem, de qua quidem patria idem Cardinalis duxit originem, specialiter diligere credimus & ex corde. Quamobrem, pater sancte, de adventu nunciorum prædictorum afficimur valdè læti. Conservet, &c. Dat. apud *Laurecost* tercio die *Januarii*.

King *Edward* sent this and a former Letter to this Pope for the restitution of the two Cardinals of *Columpna* to their dignities, lands, possessions, and goods, whereof they were deprived by his predecessor Pope *Boniface*, since they had been alwayes friendly and faithfull to him.

Rot. Romæ, An 35 E 1. m 3.

PAPÆ Rex devota pedum oscula beatorum. Reverendos patres Dominos *Jacobum* & *Petrum de Columpna* dictæ sanctæ *Romanæ* Eccleſiæ Cardinales, & domum ipsorum favore specialius benivolenciæ prosequentes, circa promocionem et utilitatem ipsorum eo libencius interponimus partes nostras, quo eos & alios de domo illorum fervenciores nostri nominis & honoris semper sensimus zelatores. Et licet **pro revocatione sentenciarum per Dominum** *Bonifacium* **Papam octavum** prædecessorem vestrum in ipsos & alios de domo illorum latarum, & restitucione terrarum & bonorum quibus fuerunt per eundem prædecessorem vestrum privati, per nuncios nostros quos nuper ad præsenciam vestram transmisimus institerimus, sicut recolimus diligenter, ut tamen affectionem quam ad eos & dictam domum ipsorum gerimus intercessio iterata testetur, sanctitati vestræ affectuosâ precum instanciâ supplicamus, **quatinus terras, possessiones, et bona quibus, sicut præmittitur, fuere pribati, præfatis Cardinalibus et aliis de domo sua prædicta quantum ad vestræ dominacionis gratiam attinet, benigne, plene, et integre restitui jubeatis**; ita, si placet, quod ex interventu precum nostrarum hujusmodi speratum fructum sibi senciant proveniſſe. Conservet, &c. Dat. apud *Karliol.* 25 die *Marcii*.

He writ also Letters to sundry Cardinals on the behalf of the Archbishop of *Yorke*.

Rot. Romæ, 34 & 35 E 1. m. 3.

VEnerabili in Christo Patri Domino *J.* titulo sanctorum *Marcellini* & *Petri*, sanctæ *Romanæ* Eccleſiæ Presbytero Cardinali, amico suo cariſſimo; *Edwardus*, &c. salutem, et sinceræ dilectionis affectum. Grata & fructuosa obsequia quæ nobis

nobis ab annis pluribus venerabilis pater *W. Eborum* Archiepiſcopus *Angl.* Primas exhibuit, ipſumque ad noſtrum & regni noſtri commodum & honorem exhibiturum ſperamus Deo propicio in futurum, non immeritò nos excitant & inducunt, ut apud noſtros benivolos & amicos ea quæ ad utilitatem & honorem ipſius cedere poterunt ſinceræ affectionis animo procuremus. Cum itaque idem Archiepiſcopus apud veſtram paternitatem quædam habeat negocia expedire, quæ vobis ut accepimus plenius aperit per ſcripturam, veſtram fiducialem amiciciam affectuoſè requirimus & rogamus, quatinus eidem ſuper negociis illis precum noſtrarum optentu vos exhibere velitis quantum bono modo poteritis favorabiles & benignos, ut has preces noſtras ſibi ſenciat fructuoſas, noſque vobis exinde ſpecialius teneamur ad ea quæ vobis grata fuerint et accepta. Dat. apud *Laurecoſt*, 25 die *Januarii*. *An.* 34 & 35 *E.* 1.

Eodem modo ſcribitur to ſome other Cardinals.

The Priory of *Laurecoſt* being burnt, much waſted, and impoveriſhed by the *Scotiſh* Rebels, and the King continuing long in it by reaſon of his ſickneſſe, granted them his licenſe to appropriate two Churches to them and their ſucceſſors when they ſhould fall voyd, which he likewiſe deſired the Pope to ratifie, though valid without his confirmation.

VEnerabili in Chriſto Patri Domino *P.* titulo ſanctæ *Priſcæ* Presbytero Cardinali, & ſanctæ *Romanæ* Eccleſiæ Vicecancellario, amico ſuo cariſſimo; *Edwardus*, &c. ſalutem, & ſinceræ dilectionis affectum. Cum Prioratus de *Laurecoſt Karliolenſis* Dioc. ſitus juxta confinia terræ noſtræ *Scotiæ*, per combuſtionem domorum & domorum deprædacionem ejuſdem Prioratus per quoſdam *Scotos*, inimicos & rebelles noſtros, fines regni noſtri dudum hoſtiliter invadentes inhumaniter perpetratas, depauperatus exiſtat plurimum & vaſtatus; Noſque paupertati dilectorum nobis in Chriſto Prioris & Canonicorum Prioratus prædicti piis compatientes affectibus, ob ſpecialem devocionem quam ad beatam *Mariam Magdalenæ* in cujus honorem illud cœnobium eſt fundatum gerimus & habemus, necnon & propter diutinam moram noſtram quam in eodem fecimus Prioratu dum adverſâ corporis valitudine præmebamur, dederimus eiſdem Priori & Canonicis advocaciones Eccleſiarum de *Mitford*, et de *Carlaton. Dunelm.* et *Karl.* Dioc. quæ de noſtro ſunt Patronatu, volentes et concedentes quantum in nobis eſt, quod ipſi ad relevacionem ſtatus ſui eaſdem Eccleſias, cedentibus aut decedentibus Rectoribus earundem, canonice aſſequi valeant in uſus proprios poſſidendas; Paternitatem veſtram affectuoſè requirimus & rogamus, quatinus ut Dominus Summus Pontifex, cui ſuper hoc noſtras litteras deprecatorias duximus dirigendas, præfatis Priori et Canonicis concedere velit in uſus proprios Eccleſias memoratas cum eas vacare contigerit, ſibi et ſucceſſoribus ſuis imperpetuum poſſidendas, opem et operam velitis noſtrorum interventu rogaminum apponere efficaces. Vobis enim exinde ſpecialius teneri volumus ad ea quæ vobis grata fuerint & accepta. Dat. apud *Karliol.* 17 die *Marcii*. Rot. Rom an. 34 & 35 E. 1.

The Pope out of his ſpecial favor to Queen *Margaret* authoriſing one Biſhop and 2. Abbots to provide Prebendaries in ſeveral Cathedrals for ſuch of her Clerks as ſhe ſhould nominate; and the Archbiſhop of *Rhoan* by reaſon of the Popes proviſions to him for his own Clerks, refuſing to admit the Queens till his were preferred; the King writ this Letter to the Pope for his preferrence before all others, leſt his favour to the Queen ſhould be fruſtrated.

PApæ Rex devota, &c. Nuper veſtræ Paternitatis clemencia, *Margaretæ* Reginæ *Angliæ*, Conſorti noſtræ cariſſimæ gratiam diſponens facere ſpecialem, venerabili patri Epiſcopo *Ebroicen.* & Religioſis viris Abbatibus Sancti *Auguſtini Cantuar.* & *Weſtm.* probibendi ipſius Reginæ Clericis, quos ipſa duceret nominandos, de præbendis in *Eborum*, *London. Ciceſtr. Sarum*, *Hereford. Litchf.* & *Rothom.* Eccleſiis, quam cito ad id facultas ſe offerret, conceſſerat poteſtatem. Cujus prætextu gratiæ quamvis prædicta Regina Magiſtrum *Johannem de Fontibus* Clericum & Medicum ſuum nominaſſet ad præbendam in dicta *Rothomagenſi* Eccleſia promovendum, executores ſupradicti ad probiſionem eidem Clerico in dicta Eccleſia faciendam; Ibidem.

An. 34 E. 1. ciendam, tum propter facultatem dicti loci Archiepiscopo per vos de præbendis in eadem Ecclesia, Clericis suis, usque ad certum numerum providendi concessam, tum propter alias provisiones sedis Apostolicæ in eadem Ecclesia prædictæ gratiæ derogatorias procedere non valebunt, sicque prædicta Regina Consors nostra, prædicta gratia ex vestra munificencia largita frustratur quodamodo præconcepta: Nos igitur ipsius Reginæ desiderium in hac parte, præcipuè super promocione Clerici sui prædicti, quam ex eo, quod de nobis in infirmitate nostra curam habuit diligentem, & adhuc nobis intendit jugiter hiis diebus, non immerito affectamus, cupientes optato effectui mancipari, sanctitatem vestram affectuosis precibus requirimus et rogamus, quatinus ut dictus Magister *Johannes* provisionibus prædictis seu gratia præfato Archiepiscopo concessa nonobstantibus, ad præbendam quam in dicta *Rothom.* Ecclesia primo vacare contigerit optinendam, omnibus præteratur, ordinare dignemini nostri roganinis interventu: Hanc requisicionem nostram eo si placet libencius ad exaudicionis graciam admittentes, quo dicto Medico in infirmitate nostra curam commisimus status nostri. Conservet, &c. Dat. apud *Karliol.* 28. die *Maii.*

He likewise writ this Letter to the Pope for a dispensation for one of his Clerks, out of the plenitude of his power.

Rot. Romæ, 34 & 35 E. 1. PApæ Rex devota pedum oscula beatorum. Licet per frequentem nostrarum litterarum missionem quas vestræ Clemenciæ pro Clericis nostris aliisque benivolis porrigimus, sæpe et sæpius vos vexemus, de vestræ tamen affluencia bonitatis quamplurimum confidentes in his quæ nos & nostros concernunt, et quæ de vestræ pendent plenitudine potestatis, ad vos tanquam ad singulare refugium filiali sumptâ fiduciâ recurrimus et medelam. Attendentes itaque vitæ meritum, morumque honestatem quibus dilectus nobis *Johannes de Leek* Eleemosinarius noster esse dinoscitur insignitus, necnon labores multiplices quos à nostræ primævæ ætatis exordio in nostris subiit obsequiis digrè credimus agere si vota ipsius votivis proveniantur affectibus, operamque studiosam impendamus, ut sui commodi & honoris incrementum sedulò procuremus. Quocirca sanctitati vestræ devotissimè supplicamus, quatinus eidem Clerico nostro de vestra liberali munificentia * dispensationis gratiam juxta formam petitionis suæ quam dilecto & fideli nostro *Amaneno de Lebreto* commisimus vestræ paternitati porrigendam & effectualiter prosequendam vestra dignetur concedere paternitas reverenda. Profectò, pater sancte, hujus requisicionis exaudicio grata nobis erit admodum & accepta; si nostri consideracione suorumque intuitu meritorum idem Clericus spei suæ in hac parte fructum assequi valeat peroptatum. Ad regimen Ecclesiæ suæ sanctæ sanctitatem vestram conservet Altissimus per tempora prospera & longæva. Dat. apud *Westm.* 25 die *Maii,* Anno Domini 1308.

* To hold a plurality of Benefices with cure.

The King this year granted this pardon for alienating lands in Mortmain to a Monastery in *Ireland,* without his license, with power to retain them, to erect a Cell of Freers *Augustines.*

Pat. 34 E. 1. m. 12. intus. Pro fratribus de Ordine S. Augustini de Fithard in Hibernia. REX omnibus ad quos, &c. salutem. Sciatis, quod de gratia nostra speciali pardonavimus dilectis nobis in Christo fratribus de Ordine sancti *Augustini* de *Fithard* in *Hibernia* transgressionem quam fecerunt adquirendo sibi & successoribus suis in puram & perpetuam eleemosinam unam acram terræ & dimid. cum pertin. in *Fythard,* ex dono & feoffamento *Walteri de Mulcote,* & confirmacione venerabilis patris *Mauricii Cassellen.* Archiepiscopi, de quo terra illa immediatè tenebatur, ad quoddam mansum ibidem de novo construendum & ab ipsis fratribus inhabitandum, & eas ingrediendo post publicacionem Statuti nostri, *De terris & ten. ad manum mortuam non ponendis editi,* nostra super hoc licencia non optenta. Et concessimus eis pro nobis & hæredibus nostris, quantum in nobis est, quod terram illam cum pertin. habeant & teneant sibi & successoribus suis, in puram & perpetuam eleemosinam, ad quoddam mansum ibidem de novo construendum & inhabitandum, sicut prædictum est, sine occasione vel impedimento nostri vel hæredum

dum noſtrorum, Juſtic. Eſcaet. Vic. et aliorum Ballivorum ſeu Miniſtrorum quorumcumque, ſtatuto noſtro prædicto non obſtante. In cujus, &c. Teſte Rege apud *Beverlacum*, 22 die *Julii*. *An.* 34 E. 1.

What elections were made this year of Biſhops and other Eccleſiaſtical perſons in *Ireland*, theſe Records and Writs will inform us.

REX dilectis ſibi in Chriſto —— Decano & Capitulo *Aladen.* ſalutem. Accedens ad nos *Walterus de Killeny* Clericus, cum litteris ſigillo dicti Capituli veſtri ſignatis, nobis ex parte veſtra humiliter ſupplicavit, quod cum Eccleſia veſtra prædicta per mortem bonæ memoriæ *D.* nuper Epiſcopi illius loci paſtoris ſolacio deſtituta, alium vobis eligendi in Epiſcopum licenciam vobis concedere dignaremur; Nos licet dictæ literæ defectivæ exiſtant, eo quod clauſæ, et ex parte dicti Capituli tantum nobis directæ fuerant, volentes nichilominus vobis gratiam in hac parte facere ſpecialem, licenciam illam iſta vice vobis gratioſe duximus concedendam; Mandamus, quod talem, &c. qui nobis fidelis exiſtat, &c. In cujus, &c. T. R. apud *Weſtm.* 24 die *Maii*. Pat. 34 E 1. m. De licencia eligendi in Hibern. & temporalibus reſtituendis

Per ipſum Regem nunc. R. de Cotingham.

REX dilecto & fideli ſuo *Johanni Wogan*, Juſtic. ſuo *Hibern.* vel ejus locum tenenti, ſalutem. Cum dilecti nobis in Chriſto Capitulum *Aladen.* nobis per literas ſuas ſignificaverint, quod Eccleſia ſua prædicta per mortem, &c. *ut ſupra.* Volentes nichilominus Decano dictæ Eccleſiæ & Capitulo prædicto gratiam in hac parte facere ſpecialem, licenciam illam iſta vice eis gracioſe duximus concedendam: Mandantes ipſis quod talem, &c. qui nobis fidelis exiſtat, &c. Nos eorundem Decani & Capituli laboribus & expenſis in hac parte parcere volentes, iſta vice, &c. Accepta tamen prius, &c. (as in other premiſed Writs.) In cujus, &c. Teſte Rege ut ſupra.

Per ipſum Regem, &c.

MAgiſtri *Rogerus Cantoks* & *Johannes Blundel* Canonici *Imlacen.* nunciantes Regi mortem *W.* nuper Epiſcopi *Imlacen.* habent literas Regis de licencia eligendi. Teſte Rege apud *Langeceſtr.* decimo die *Auguſti*. De licencia eligendi in Hibern.

Per breve de privato ſigillo.

Et memorandum, quod literæ patentes Decani & Capituli *Imalacen.* de nunc. prædicta, non fuerunt delatæ in Cancellar. ſet remanſerunt in Garderoba.

REX electioni nuper celebratæ in Eccleſia Cathedrali *Imelacenſi* de diſcreto viro Magiſtro *Thoma Cantoks* Canonico ejuſdem Eccleſiæ in Epiſcopum illius loci, Regium aſſenſum adhibuit et favorem: Et hoc ſignificatum eſt venerabili patri Archiepiſcopo *Caſſallen.* ut quod ſuum eſt in hac parte exequatur. In cujus, &c. T. R. apud *Neuburgh* in *Tyndale* 4 die *Sept.* Pat. 34 E 1. mem. 9. De aſſenſu Regio in Hibern. & temporalibus reſtituendis.

Per breve de privato ſigillo.

REX dilecto & fideli ſuo *Johanni Wogan* Juſtic. ſuo *Hiberniæ*, ſalutem. Cum nos electioni nuper celebratæ in Eccleſia Cathedrali *Imelacenſi* de diſcreto viro Magiſtro *Th. Cantoks* Canonico ejuſdem Eccleſiæ in Epiſcopum illius loci, Regium aſſenſum adhibuerimus et favorem: Et hoc per literas noſtras patentes ſignificaverimus venerabili patri —— Archiepiſcopo *Caſſellen.* ut id quod ſuum eſt in hac parte exequatur: Nos volentes ejuſdem Electi laboribus & expenſis in hac parte parcere iſta vice, &c. Accepta tamen, &c. In cujus, &c. T. R. ut ſupra. Ibidem.

Per breve de privato ſigillo. Dupp.

The * Annals of *Ireland* relate, *That this Mr.* Thomas Cantock *Chancellor of* Ireland *was conſecrated Biſhop of* Imelacen. *in the Church of the* Holy Trinity *of* Dublin *with great honour: at whoſe conſecration were preſent the Elders of all* Ireland, *where there was ſo ſumptuous and ſo great a feaſt made, firſt to the Rich, and afterwards to the poor, as the like had never been heard of before in* Ireland. Yet they make no mention of his feeding or feaſting the ſouls of his people with the ſpiritual food and preaching of Gods word, the prime duty of his Epiſcopal office: whereof he had little care. Cambdens Annals of Ireland, p. 164. Hybernia.

An. 34 *E.* 1.

† Annals of Ireland.

The ſame year as the ſaid † *Annals* inform us; *Richard Feringes* Archbiſhop of *Dublin* died in the Vigil of Saint *Luke*, after whom ſucceeded Mr. *Richard Haverings*, who occupied the Archbiſhoprick almoſt five years **by Apoſtolical diſpention**, (Pope *Clement* then newly uſurping to himſelf by the plenitude of his Papal power, *the diſpoſition of all Cathedral Churches and preferments* when they ſhould fall voyd during his Papacy by his Papal proviſions, which King *Edward* oppoſed to his power, for which this Pope ſharply reprehended him.) This Archbiſhop conſcious to himſelf of his illegal entring into, and of his neglect in the diſcharge of this his Archiepiſcopal office, **reſigned up his Archbiſhoprick**, after whom ſucceeded *John Leth.*

The occaſion and cauſe of his giving over (as the Archdeacon of *Dublin* of good memory, his Nephew hath reported) was this, *for that one Night he dreamed that a certain Monſter heavier than the whole World ſtood eminently aloft upon his breaſt: from the weight whereof he choſe rather to be delivered, then alone to have all the goods of the World: but when he awakened, he thought with himſelf*, **this was nothing elſe but the Church of** *Dublin*, **the fruits whereof he received, and took no pains for the ſame.** (The caſe of many of his ſucceſſors, and other Archbiſhops then and ſince.) *As ſoon as he could therefore*, **he came to the Lord Pope**, of whom he was much beloved, **and there renounced and gave over the Archbiſhoprick**; *For he had* (*as the ſame Archdeacon avouched*) *fatter Benefices and livings, then the Archbiſhoprick came unto*; which he ſhould likewiſe have reſigned upon the ſame account, ſince he reſided not and took no ſpiritual pains in them to feed and inſtruct his peoples ſouls, no more then in his reſigned Archbiſhoprick.

Pat. 34 E 1. m. 4. De Præſentacione

Johannes de Hibernia Clericus, (ſent into *Ireland* to collect the *Diſms* for the *Holy Land*, and other ſervices by the King) habet literas Regis **de præſentacione** ad Eccleſiam de *Stabanan*, vacantem & ad Regis donacionem ſpectantem. Et diriguntur literæ —— Cuſtodi Spiritualitatis Archiepiſcopatus *Ardmachan.* ſede vacante. In cujus, &c. T. R. apud *Laurecoſt*, 4. die *Novembris*.

Per Canc. ex dono Canc. de aſſenſu Theſ. Dupp.

Liberate & allocate, An. 34 E 1. Pro Johanne de Hibernia.

REX Theſ. & Camerariis ſuis de Scaccario *Dublin.* Liberate de theſauro noſtro dilecto Clecico noſtro *Johanni de Hibernia* quem mittimus ad partes *Hiberniæ* **cum literis Decimæ per ſanctiſſimum Patrem** *Clementem* **Papam quintum nuper impoſitæ pro** *Terra Sancta* **negocio per biennium conceſſæ**, *Ricardo de Bereford* Theſ. noſtro *Hibernie*, & Magiſtro *Willielmo de la Ryvere* Canonico *Sarum* liberandis, & ad reſponſum tam ſuper ordinacione inchoacione et continuacione prædicti negocii, per ipſos *Ricardum* & *Willielmum* faciendis, quam eciam ſuper providencia victualium verſus partes *Scocie* nobis deferendorum **Centum ſolidos** in ſubvencionem expenſarum ipſius Clerici noſtri, in eundo ad partes prædictas, ibidem pro eodem negocio morando, & inde cum reſponſo ejuſdem negocii ad nos in *Angliam* redeundo. Teſte Rege apud *Wynton*, 3 die *Maii.*

* Mat. Weſtm. An. 1306. p. 356, & 463. Tho. Walſingham Ypodig. Neuſtr. p. 96. Mat Parker, Antiq. Eccleſ. Brit. 216, 218.

* *Anno Gratiæ* 1306. Clemens *Papa* Burdegali *exiſtente*, (to evidence how unſutable his Papal proceedings were to his new name) **Epiſcopum** *Pictavienſem*, **qui ſibi dum Archiepiſcopus fuerat adverſabatur, a Pontificali depoſuit dignitate. Primatum etiam** *Aquitaniæ* **de** *Biturienſi* **ad** *Burdegalenſem* **Eccleſiam tranſtulit**; by his Papal authority, to grace his new Papal See tranſlated to it: At which time the King of *France* being releaſed from the Excommunications and Interdicts denounced againſt him, and his poſterity and kingdomes by Pope *Boniface* the 8. by way of revenge, after his deceaſe, in purſuance of his premiſed Appeals againſt him, as an Heretick, *Rex* Francorum *à Domino Papa* Clemente 5. (then reſiding in *France*) **oſſa** *Bonifacii* **Papæ, prædeceſſoris ſui petiit ad comburenda, tanquam hæretici, inſtantia opportuna. Petiit eciam ſanctorum Catalogo aſcribi** *fratrem* Petrum de Murone, *qui quondam fuerat Papa, dictus* Cœleſtinus *quintus. Tum in Papa eligendo* **jus trium ſuffragiorum vendicabit**; **ſet a Papa neutrum obtinuit.** In order to his firſt requeſt, the King of *France* cauſed theſe new Articles to be drawn up by two of his Proctors in his name, and preſented to Pope *Clement* by *Bertrandus Rupene*, which I ſhall here preſent you with at large out of *Pierre de Pithon*, evidencing that the Kings of *France* then claimed, exerciſed the ſelf-ſame Juriſdiction over the Clergy of *France*, as King *Edward* did in *England.*

Ex

An. 34 *E.* 1.

Preuves des Libertez de Leglise Gallicane, cap. 7. p. 253, 254, 255.

EX ſcripto valdè prolixo, quod *G. de Negareto*, & *G. de Pleſiano* Domini Regis *Francia* Milites, proſequentes negotium fidei, inceptum contra *Bonifacium* dictum octavum defunctum, & ejus memoriam, tradiderunt coram Domino D. *Clemente* Papa 5. Dei Gratia Summo Pontifice, per Nobilem virum *Bertrandum de Rupenegada* Militem, Procuratorem ſuum ad hæc:

1. Conſtat, et eſt notozium toti mundo, quod Reges *Francia*, iſte qui nunc eſt, et pzogenitozes ipſius, ſuperiozem niſi Deum ſolum in tempozalibus non noverunt. Sic eſt perpetuo a tempoze Generationis eozum obtentum: ſic Sancti Patres, Summi Pontifices, ſic Imperatozes, qui pzæfuerunt ante *Bonifacium* ſerdaberunt. (*Extra qui filii ſint legis c. per venerabilem.*) Nec Reges *Francia* ſuper rebus, vel juribus quibuſcunque tempozalibus, vel eis adhærentibus, vel annexis ad honozem, vel ſtatum regni ſui ſpectantibus, vel eis annexis, judicium receperunt per alium quemcunque in mundo, niſi per Curiam ſuam. Et hoc eſt notozium toti mundo et Eccleſiæ *Romanæ* ſemper fuit et *Bonifacio* ſupzadicto.

2. *Item*, Notorium eſt toti mundo, quod Rex qui nunc eſt, et ejus Progenitores, inter mundi Principes in Religione fidei corruſcarunt, & pro fide, ac omnibus quæ ad ſedem pertinent Eccleſiæ *Romanæ*, Prælatiſque ſuis ſemper obedientes fuerunt et erunt, ſecundum conſuetudines Regni, per quas forſan, jura quædam, qui de jure ſcripto pertineat ad Eccleſias, pertinent de antiqua conſuetudine ad Regem, ſeu ad alios Dominos tempozales, pluraque jura tempozalia quæ pertinere deberent de jure ſcripto ad Regem, ſeu ad alios Dominos tempozales, pertinent de conſuetudine ad Eccleſias dicti regni, et hoc diverſimode ſecundum diverſas conſuetudines diverſarum partium regni ipſius.

3. *Item*, Certum, notozium et indubitatum exiſtit, quod Rex et Reges qui fuerunt ſine medio, vel mediate, fundaverunt Eccleſias regni ſui, et eas dotaverunt, & hæreditatibus pinguibus, & bonis immobilibus ditaverunt, ad expendendum ipſorum bonorum, fructus & reditus, in cultu divino, & aliis bonis operibus, in regno prædicto, et conſueverunt defendere Reges pzædicti, ne bona Eccleſiarum pzædictarum diſſipentur vel expendantur ad alios uſus, quam ad quæ collata ſunt, ſine conſenſu et voluntate eozum. Et ſi aliud fiat, æſtimat fieri per rapinam ipſe ſuique regnicolæ, & ſui progenitores præteritis temporibus æſtimarunt, & jure ſui Principatus, quo tenentur ipſas Eccleſias cuſtodire, & ex jure Patronatus ipſarum Eccleſiarum. Et ideo Summi Pontifices, qui dictum *Bonifacium* præceſſerunt, nunquam Decimas, vel impoſitas ſimiles, fecerunt Eccleſiis dicti regni ſine Regum conſenſu qui fuerunt pzo tempoze.

Item, Certum eſt, notorium, & indubitatum, quod plurimæ Eccleſiæ dicti regni ſunt de ſpeciali Gardia Domini Regis prædicti, et ſpecialiter Cathedzales Eccleſiæ dicti regni, & cum gardia ipſa; vel dictæ Eccleſiæ oſtenduntur per violentiam, vel injuriam aliquorum in præjudicium dictæ Gardiæ, Reges ipſi, ex ſuo officio denunciante quocunque inquirere de his conſueverunt, et facere emendari offenſam factam Eccleſiis, & ſibi injuriam gardiæ ſuæ, quod eſt in favorem Eccleſiarum regni ex conſuetudine introductum, de cujus contrario memoria non exiſtit, nec Eccleſiæ dicti regni pro omni theſauro mundi permitterent iſtud tolli.

5. *Item*, Certum eſt, notozium et indubitatum, quod de hæreditatibus et rebus, et juribus immobilibus, ad jus tempozale ſpectantibus quibuſcunque, ſive petitorio agatur, vel poſſeſſozio, ſive pertineant ad Eccleſias et perſonas Eccleſiaſticas, vel Dominos tempozales, agendo et defendendo, cognitio pertinet ad Curiam tempozalem, ſpecialiter autem Domini Regis ipſius.

6. *Item*, Certum eſt, notozium, et indubitatum, quod in cauſis quibuſlibet ad fidem Catholicam, vel quæ mere ſpirituales noſcuntur, non ſpectantibus, quæ Regem *Francia* tangant, agendo vel defendendo Rex non litigat, nec litigare debet, vel tenetur, de conſuetudine notozia niſi in Curia ſua, ſemper a tanto tempoze, de quo in contrarium memozia non exiſtit.

7. *Item*, Certum, notorium, & indubitatum exiſtit, quod Rex *Francia* habeat, et ſui pzogenitozes habuerunt ſemper jura Regalia in bonis immobilibus Eccleſiarum plurimarum Venerabilium Regni ſui; nominatim cum vacant Eccleſiæ quæ habent tempozalitates, quæ ab eo movent, et ſede vacante conſueverunt Reges *Francia* fructus et redditus recipere bonozum immobilium eozundem ad pzæ-

An. 34 *E.* 3. latum Eccleſiæ ſpectaneum, quouſque nobus Prælatus venerit, et temporalitatem receperit per manum Regis ipſius.

8. *Item*, Certum, notorium, & indubitatum exiſtit, quod ubicunque principalis obligatus, modo quocunque, cujuſcunque ſtatus vel conditionis exiſtat tenetur Regi *Francia*; ſolus Rex, vel Curia ſua de debito cognoſcit hujuſmodi, et ipſum debitorem per captionem bonorum diſtringit, et tam ipſe, quam ejus anteceſſores, hoc facere ab antiquo conſueverunt; et a tanto tempore de cujus contrario memoria non exiſtit.

9. *Item*, Certum, notorium, & indubitatum exiſtit, quod Dominus Rex prædictis uſus eſt, et tam ipſi, quam ejus prædeceſſores uſi fuerunt, et ſunt et conſueverunt conferre dignitates, beneficia, et prædendas plurium Eccleſiarum, quæ de fundatione Regum ipſorum exiſtunt, nec dictus Dominus Rex, qui nunc eſt, aliter uſus eſt, quam ſui Progenitores hactenus uſi fuerunt, et eo modo utitur, et uſus eſt hoc tempore, quo ſui Progenitores et anteceſſores uſi fuerunt tanto tempore de cujus contrario memoria non exiſtit.

10. *Item*, Certum, notorium, & indubitatum exiſtit, quod dictus Dominus Rex habet Jura Regalia univerſa in regno ſuo; ſed inter cætera jura Regalia, habet jus percipiendi fructus omnes, reditus, et proventus Eccleſiarum Cathedralium vacantium, et ſuos faciendi, qui de ſua Regalia exiſtunt, quamdiu vacant: Et quum præficitur novus Prælatus illis Eccleſiis, Prælati hujuſmodi ab ipſo Rege, temporalitatem recipiunt, poſt fidelitatem ſibi præſtitant, vel homagium; quo jure Regalium dictus Dominus Rex uſus eſt, tam ipſe quam ejus prædeceſſores Reges *Francia* uſi ſunt, tantis temporibus, de quorum contrario memoria non exiſtit.

11. *Item*, Certum, notorium, & indubitatum exiſtit, quod dictæ Eccleſiæ in quibus Dominus Rex prædictus habet Regalia prædicta, de fundatione Regum *Francia* ſuorum prædeceſſorum exiſtunt.

12. *Item*, Certum, notorium, & indubitatum exiſtit, quod quandiu vacant dictæ Eccleſiæ, in quibus dictus Dominus Rex habet Regalia, idem Dominus Rex donat, et donare conſuebit dignitates et prædendas, et Beneficia quorum Collatio modo quocunque pertinere poteſt ad Prælatum illius Eccleſiæ, eo tempore quo exiſtant ibidem, ſive ibidem vacent prædicta Beneficia, Prædendæ, vel dignitates, et in Curia *Romana*, vel alibi ubicunque.

13. *Item*, quod prædicta jura pertinent, et pertinere debent ad dictum Dom. Regem, et ad ſuos prædeceſſores, jure ſuo Regio vel conſuetudine regni *Francia* notoria: et tam ipſe quam ejus prædeceſſores in ſaiſina et poſſeſſione, vel quaſi jurium omnium prædictorum et ſingulorum exiſtant, tanto tempore de cujus contrario memoria non exiſtit.

14. *Item*, Certum, notorium, & indubitatum exiſtit, quod jura Regalia aliquarum Eccleſiarum, quæ habet in Eccleſiis prædictis Dominus Rex prædictus, progenitores ipſius Domini Regis, et prædeceſſores ejus in regno dederunt in feudum aliquibus Baronibus ſuis, tam Eccleſiaſticis quam ſecularibus,; qui Barones regalibus illis utuntur et fruuntur, ſedibus Eccleſiarum ipſarum vacantibus jure ſuo feudali, et jure Regio, a quo ſuum jus mobet: Et ideo Jus Regale vocatur; quo jure dicti Barones utuntur nominibus ſuis et nomine Regio, et uſi ſunt tanto tempore, de cujus contrario memoria non exiſtit.

15. *Item*, Certum, notorium, & indubitatum exiſtit, quod cum Civitas *Lugdunenſis*, tempore primitivæ Eccleſiæ, fuiſſet ad fidem Catholicam prima converſa, & poſtea in manu infidelium deveniſſet, Rex *Franciæ* qui tunc erat vi armorum, & ſanguine rutilante ſuorum, conquiſibit dictam Cibitatem *Lugdunenſem*, cum omnibus juribus ſuis et pertinentiis ad fidem Catholicam et cultum divinum Cibitatem ipſam redegit, juriſdictione ſua Regia, et ibidem fundabit *Lugdunenſem* Eccleſiam Catholicam; et quia Civitas ipſa tempore infidelium præcedenti Archiflamines habuerat, & priſtinis temporibus prima ſedes fuerat *Galliarum*, ut moneta *Lugdunenſis* teſtatur, dictus Rex ſedem ipſam Archiepiſcopalem erexit, et erigi fecit, cum jure Primatiæ ſuper Eccleſias *Galliarum*, quo jure Primatiæ Archiepiſcopi *Lugdunenſes* longis temporibus uſi fuerunt.

16. *Item*, Certum & indubitatum exiſtit, quod Rex prædictus fundator Eccleſiæ *Lugdunenſis* Caſtris, Villis, terris & poſſeſſionibus, quas noſtris temporibus obtinuit dicta Eccleſia *Lugdunenſis*, eam dotavit, et jura Regalia (quæ Regalia in ſingulari

gulari appellantur) in feudum dedit & conceſſit Epiſcopo, et Eccleſiæ *Edvenſi* : et è converſo Regalia dictæ *Edvenſis* Eccleſiæ dedit & conceſſit in feudum Archiepiſcopo & Eccleſiæ *Lugdunenſi*, quam ſimiliter *Edvenſem* Eccleſiam fundavit et dotavit Rex prædictus, Fidelitate ab utroque eorumque ſucceſſoribus, ſibi, ſuiſque ſucceſſoribus præſtanda pro temporalitatibus prædictis retenta. *An.* 34 E. 1

17. *Item*, Certum, notorium, et indubitatum exiſtit, quod Archiepiſcopi *Lugdunenſes* qui fuerunt pro tempore, quotiens vacavit Eccleſia *Edvenſis*, & viciſſim *Edvenſes* Epiſcopi, quotiens vacavit Eccleſia *Lugdunenſis*, uſi ſunt ad invicem, et viciſſim dictis Regaliis temporalitatum ipſarum.

18. *Item*, Certum, notorium, & indubitatum exiſtit, quod antiquitus Comes *Lugdunenſis* Comitatum ſuum in feudum tenebat à Rege *Franciæ*, quem Eccleſiæ *Lugdunenſis* acquiſivit ex permutationis cauſa, cum omnibus caſtris, leudis ſeu pedagiis, feudis, & redditibus, juribus, & pertinentiis Comitatus ipſius, à *Lugdunenſi* Comite qui tunc erat, de conſenſu, authoritate et confirmatione Regis *Franciæ* qui tunc erat, à quo dictus Comitatus in feudum movebat.

19. *Item*, ipſa Eccleſia *Lugdunenſis* de conceſſu, authoritate et confirmatione Regis prædicti, ex cauſa permutationis prædictæ, dedit Comiti memorato magnas terras, hæreditates et caſtra, quas *Foreſii* Comes impræſentiarum poſſidet, qui de progenie dicti Comitis *Lugdunenſis*, qui erat etiam *Forenſis* Comes noſcitur deſcendiſſe, de quibus omnibus exiſtunt literæ, privilegia & publica monumenta : Hinc eſt, quod Capitulum Eccleſiæ *Lugdunenſis*, quod pro majori parte, dictum Comitatum poſſidet, & de temporalitate fundationis prædictæ Eccleſiæ ſuæ obtinet magnam partem, ſigno floris Lilii in ſuo ſigillo impreſſo, uſum ſemper fuerit.

20. *Item*, Certum, notorium, & indubitatum exiſtit, quod pro tempoſalibus Eccleſiarum ſuarum Archiepiſcopi *Lugdunenſes*, et Epiſcopi *Evenſes*, qui fuerunt pro tempore, præſtiterunt et præſtare conſueverunt fidelitatem Regibus *Franciæ*, qui ſimiliter fuerunt pro tempore, cum ad adminiſtrationem ſuorum Epiſcopatuum veniebant uſque ad tempus Archiepiſcopi *Lugdunenſis*, qui nunc eſt, qui malo ductus conſilio in ſuis tempoſalibus rebellis fuit Domino Regi prædicto, propter quod opoſtuit Dominum Regem ad coercendam rebellionem hujuſmodi, et ad juris ſui conſervationem, exercitum ſuum ad partes mittere *Lugdunenſes*.

21. *Item*, Certum, notorium, & indubitatum exiſtit, quod nullis temporibus præteritis ab eo quo Civitas *Lugdunenſis* fuit ad manus Chriſtianorum redacta per Regem *Franciæ* memoratum, nullus unquam Princeps terrenus, præter Reges *Franciæ*, jus Regium vel ſuperioritatis quodcunque ſuper Archiepiſcopos & Eccleſiam *Lugdunenſem* in Eccleſiæ temporalibus habuit, licet aliqui Archiepiſcopi prodigioſè aliquibus aliis Principibus advocaſſe ſuum temporale dicantur, ignorantibus tamen Regibus *Franciæ*, qui fuerunt pro tempore, quibus per hoc non potuit generari quodque præjudicium nec contra eos, vel in eorum præjudicium, cauſa poſſeſſionis mutari de jure; maximè cum ſemper in poſſeſſione fuerint, & ſaiſina juris Regii et ſuperioritatis prædictæ in temporalibus ejuſdem Eccleſiæ *Lugdunenſis*, tam recipiendo fidelitatem à ſingulis Archiepiſcopis ſupradictis, quam ſede *Lugdunenſi* vacante, capiendi, & exercendi prædicta Regalia per fideles ſuos Epiſcopos *Edvenſes*, cum is poſſidet, cujus nomine poſſidetur, Dominuſque fidei poſſidet per vaſſallum.

22. *Item*, Certum, notorium, & indubitatum exiſtit, quod dictus Dominus Rex progenitoreſque ſui Reges *Franciæ* qui fuerunt pro tempore, jus ſuperioritatis & Gardiæ in temporalibus Eccleſiæ *Lugdunenſis* exercuerunt, quoties ad eo recurſus eſt habitus, et quotiens opus fuit, tanto tempore de cujus contrario memoria non exiſtit.

23. *Item*, Certum, notorium, & indubitatum exiſtit, quod dictus Dominus Rex, Progenitoreſque ſui, jus reſorti, ad jus Regium & ſuperioritatem pertinens, atq; gardiam exercuerunt inconcuſſè in Civitate *Lugdunenſi*, quadraginta anni ſunt elapſi, & ab eo tempore citra, continuè, licet Archiepiſcopus prædictus qui nunc eſt, intervertere voluerit poſſeſſionem juris hujuſmodi Domino Regi prædicto, & diſtrinxerunt dictis temporibus temporalitatem dictæ Eccleſiæ *Lugdunenſis*, & juſtitiaverunt quoties opus fuit, propter impedimenta et inobedientias Archiepiſcoporum, qui fuerunt pro tempore vel Capituli, vel Gentium eorundem quas faciebunt in præjudicium ſuperioritatis, vel Gardiæ Domini Regis prædicti. Quod ſi interdum

An. 34 *E.* 1. dum & pluries damnificata fuerit, hoc non contingit ex culpa dicti Domini Regis, vel ſuorum, quem oportebat coercere dictos Archiepiſcopos et Capitulum propter impedimenta et inobedientia eorundem. Et locum habebat juris Regula, ſcilicet, quod quis ex culpa ſua damnum ſeſerit ſentire non videtur. Et alibi ſcriptum eſt, quod damnum quod inferunt Magiſtratus propter inobedientias coercendas, jure licito videtur illatum. *D. ad leg. Aquil.* quemadmodum Magiſtratus. Et ut exemplis utamur, tempore B. *Ludovici* cum ivit *Tunitium*, requiſitus Rex ipſe, dum fecit tranſitum per *Lugdunum* ab Archiepiſcopo qui tunc erat & Capitulo *Lugdunenſi*, Cives *Lugdunenſes* coercuit et fortalitia, quibus ſe munierant contra Eccleſiam *Lugdunenſem*, dirui facit tanquam ſuperior & Gardiator Eccleſiæ ipſius, quæ coercere non poterat Cives ipſos. Et cum Rex prædictus poſtmodum diſceſſiſſet apud *Tunitium*, filius ejus Rex *Philippus* de *Tunitio* reveniens, et tranſiens per *Lugdunum*, requiſitus ab Archiepiſcopo & Capitulo memoratis, diruit iterum fortalitia, quibus dicti Cives ſe iterum munierant contra eos. Eſt igitur erroneum dubitare, an *Lugdunenſis* Archiepiſcopus Eccleſiaque *Lugdunenſis* & ejus temporalitas ſint in regno, cum prædicta ſint clara ſic, et notoria, quod nulla poſſunt tergiverſatione celari.

Nota. 24. *Item*, Certum, notorium, & indubitatum exiſtit, quod cum Prælati vel eorum Officiales, per juriſdictionem ſuam ſpiritualem impediunt et perturbant juriſdictionem temporalem notorie, ſic quod negari non poteſt, Dominus Rex prædictus, de antiqua Conſuetudine dicti regni, quia ſpiritualitatem Prælatorum coercere non debet, diſtringere poteſt temporalitatem talium Prælatorum, quouſque ceſſent ab impedimento prædicto: Quod non eſt à jure longe remotum, cum ſuper actionibus realibus, vel in rem ſcriptis, pro rebus immobilibus et temporalibus ſpectantibus ad quemcunque, ut ſuper juribus quibuſcunque rerum immobilium temporalium, ſive poſſeſſorio, ſive petitorio agatur, pertineat cognitio per totum regnum ad Curiam temporalem, ſive illa juriſdictio temporalis ad Regem, vel Prælatos pertinent vel Barones. Cum igitur actio mihi pro vindicanda juriſdictione mea, & negandi in rem mihi competat contra eum, qui me in ea impediat, vel ſe in ea jus habere contendat, vel me in ea quocunque modo perturbet; Sequitur, quod ſi Prælatus vel Clericus me in mea juriſdictione impediat temporali, in rem actione negatoria mihi tenetur, et ipſum per eam propter hoc poſſumus coercere. Si ergo eſt notorium, non oportet quod in rem agatur, ſed per facti executionem meam poſſeſſionem defendam, etiam vi, ſi ſit neceſſe, vel judex ſuperior talis impedientis violentiam cohibebit, et in poſſeſſione mea vim mihi fieri prohibebit. (*D. ſi uſus fructus petatur*, l. *uti frui*, *Sect. quanquam*, *&c. Sect. utrum*, *&c. Si ſervit vindic.* l. 2. *De vi & vi armat.* l. 15. *vim vi*; & lib. 3. 8. *Cum igitur & C. uti poſſid.* l. *unica.*) Cum igitur Prælati et Clerici pro rebus temporalibus immobilibus et juribus litigent et reſpondere teneantur in Curia Regia, de conſuetudine regni notoria et de jure ut (8 *Diſt. Quo jure*, cum ſimilibus) Quid mirum, ſi Rex in dicto caſu Clericum vel Prælatum coerceat, captis pignoribus temporalitatis ſuæ, quam Rex in caſu licito juſtitiare poteſt et debet? Prælati namque et Officiales eorum per Cenſuram coercent Eccleſiaſticam eos qui juriſdictionem eorum impediunt ſpiritualem injuſte. Et dicto jure coercionis de quo ſupra diximus, Dominus Rex utitur, et tam ipſe quam ejus prædeceſſores uſi ſunt, tanto tempore de cujus contrario memoria non exiſtit.

25. *Item*, Certum, notorium, & indubitatum exiſtit, quod Dominus Rex prædictus cuſtodiri fecit, & tàm ipſe quàm ejus prædeceſſores cuſtodiri fecerunt tantis temporibus, de quorum contrario memoria non exiſtit introitus & exitus regni, quæ cuſtodia paſſuum dicitur, propter res abſtrahi vetitas de regno prædicto, ut eſt videre de lana, billone, auro, argento, equis, armis, et etiam tempore neceſſitatis: maximè autem & ſtrictius dicti paſſi paſſus cuſtodiuntur tempore guerræ quam pacis. Et quod tempore *Bonifacii*, et eo ut fertur communiter procurante in parte, guerræ erant in regno prædicto, partibuſque diverſis, cum Rex ipſe neminem invadebat, ſed regnum ſuum ſolummodo defendebat; et ſi forſan ex tali cuſtodia retardentur aliqui, regnum exire volentes, ſive de regno vel tranſeuntes, vel impediantur in rebus velitis extrahendis, et ob hoc damnum aliquod ſuſtineant itinerantes ad *Romanam* Curiam vel alibi, Rex, qui jure ſuo utitur, inde culpari non poteſt. Et ſi per injuriam cuſtodes paſſuum lædant aliquem, vel fraudem in

officio

officia committant, Regi culpa non debet imputari, dum tamen certioratus juſtiam exhibeat de eiſdem. Mala enim Regis electio cuſtodum talium non poteſt aſcribi Regi, cum ipſe ponat illos quos bonos reputat, et qui boni ſibi dicuntur præſidentes in officils ſupradictis, qui miniſtros alios adhibent ſibi neceſſarios, cum per ſe complere non poſſent; Nec eſt, nec unquam fuit, nec erit imperpetuum, quo minus etiam ſine dominorum culpa mali tales reperiantur Miniſtri. Nec poteſt ignorans Dominus reprehendi, dum tamen cum ſciverit juſtitiam adhibeat, in cujus exhibitione juſtitiæ Rex in defectu non fuit. **Crudele fozet igitur, pzodigioſum et doloſum, quod dictus Rex qui nullam fecit in pzæmiſſis injuriam, inauditus, non confeſſus, non convictus, declaretur in ſententiam Canonis incidiſſe, ſicut dictus** *Bonifacius* **ex ſuo doloſo pzopoſito, non per ſententiam ſed per ſuas Epiſtolas faciebat.** Cum etiam alii Reges terrarum, qui nimio plures Civitates & Caſtra in pleriſque partibus ſimili jure utantur, quo utitur Rex *Francorum* prædictus; quibus juribus, ex neceſſaria conſuetudine dicti regni, (quæ poteſt et debet dici vetuſta) tam ipſe quam ejus anteceſſores uſi ſunt continuè tantis inconcuſſè temporibus, de quorum contrario memoria non exiſtit, nec quicquam alteri ſancti Patres, Summi Pontifices, qui dictum *Bonifacium* præceſſerunt, unquam Regi *Franciæ* vel aliis Principibus quæſtionem moverunt de præmiſſis, de quibus maximè temporalibus, ſeu ad jus temporalitatis ſeu Regiæ Majeſtatis ſpectantibus, **ſolum ad dictum Regem et ejus Curiam cognitio pertinens,** ſi quis forſan vellet ſuper eis quæſtionem referre; **Cum etiam ſuper jure Patronatus Eccleſiarum in pleriſque partibus regni ad ipſum** *Romanum* **Regem et ejus Curiam cognitio pertinere noſcatur, ex antiqua conſuetudine pzædicta.** Cumque dictus *Bonifacius* nulli alii Principi ſuper juribus præmiſſis, vel ſimiliter unquam moverit quæſtionem. Cumque inſuper inter cætera regna mundi, fidei Religio, honor, & obedientia ad ſedem Apoſtolicam, & *Romanam* Eccleſiam, & Eccleſiarum libertates, atque defenſio, & jurium Eccleſiarum ipſarum exhibitio, in regno *Franciæ* obſerventur, et cuſtodiantur præcipuè. **Cumque in regno ipſo tam per Regem quam per alios, antequam dictum Papatum teneret, et poſt, honozes et obſequia dictus** *Bonifacius* **ſemper receperit inter cætera regna mundi.** Cum ſciret inſuper tempore quo fuit impetitus **ſuper hæreſi et ſchiſmate** per dictos Dominos *Columnenſes*, & poſtea apud Regem & magnas alias perſonas in dicto regno, **de eiſdem hæreſi et ſchiſmate,** quæſtum ut ſuperius eſt narratum, & clarum, certum & indubitatum exiſtit, **quod in odium fidei Catholicæ, pzo defenſione hæreſis ejus et ſchiſmatis odium conceperat contra dictos Regem et regnum, et totis ſuis ſtudiis ad eozum exterminium vigilabat,** ac etiam pzoperabat, et pzocedebat tam ad dictos **Actus nefandos quam alios,** per me *Gulielmum de Plaſiano* in viam provocationis, propoſitos, & adhuc alios præter ipſos, & ad omnes in literis, ſeu earum tenoribus per dictos excipientes in ſuis ſcriptis productis contentos excedens, Patrum Sanctorum terminos, falſas adinventiones, & fucatos colores inveniens ad ſuos defendendos errores. Et ſic non obſtant, **ſed clare de calumnia et hæreſi ſautozia convincunt dictos excipientes, per eos pzopoſita, et pzoducta contra Dominum Regem pzædictum; maxime cum tenozes literarum dicti** *Bonifacii* **et pzoceſſuum habitozum contra Dominum Regem pzædictum pzoducunt, qui pzoceſſus et literæ, tanquam perperam et temere attentati per** *Bonifacium* **fuerunt per dictum Dominum** *Benedictum* **pzædeceſſozem beſtrum annullati, et quatinus de facto pzoceſſerunt, revocati:** Quæ omnia dicti excipientes noverunt & in Curiæ, Pater ſancte, debent contineri Regiſtris quæ petimus ſuper iis per nos inſpici & videri. Et cum contra Dominum Regem ex præmiſſis dicti excipientes non poſſint intentionem ſuam, adinimicitias oſtendendas fundare, multo minus adverſus dictos Comites Dominum *Ludovicum* filium *Philippi* Regis Comit. *Ebroic. Guidonem* Com. *Sancti Pauli, Johannem Drocenſ.* Com. vel adverſus nos *Gulielmo de Nogaretto, Gulielmo de Plaſiano* Milites, vel alios de Regno prædicto.

An. 34 *E.* 1.

Et attendite, Pater ſancte, ſi dictus *Bonifacius* ex doloſo propoſito movebatur, cum Regi *Franciæ* in prædictis ſuis literis imponebat, **quod idem Dominus Rex contenderet ſe ſuperiozem non habere. Quis enim quoad ea quæ ad Claves regni cœlozum pertinent, et fidem Catholicam et Eccleſiaſtica Sacramenta, Summum Pontificem et Eccleſiam Romanam ſic humiliter, ſic reverenter, ſic debote recognoſcat, ſicut Rex** *Franciæ* **pzædictus et ſui pzogenitozes ſemper ſuperiozitatem hujuſmodi recognoverunt? Quis alius Chziſtianus invenitur in mundo Pzinceps,**

vel

An. 34 *E.*1. bel alius, qui in his talem tantamque reberentiam, et devotionem exhibeat Eccleſiæ *Romanæ*, ſicut Rex *Franciæ* prædictus? Certè nullus.

Præterea, qualiter poterat, niſi ex ſuo doloſo officio præceſſiſſet, per prædictas literas clauſas (*Auſculta fili*) dicto Domino Regi directas, & per clauſas literas dicto Domino *Johanni Monacho* miſſas definitivè pronunciare, ſine omni cauſæ cognitione, et de re quorum intereſt, non auditis, proferre ſententiam? Certe nuſquam.

Item, Advertite qualiter in literis (*Auſculta fili*) prædictis, ac ſi eſſet liquidum et clarum, per legitimum proceſſum habitum dicebat dictum Dominum Regem excommunicatum, et excommunicationem ſe extendere ſuper omnibus præmiſſis Articulis, in quibus jus, quo dictus Dominus Rex utitur, clarum, notorium, et indubitatum exiſtat, ut ſuperius eſt præmiſſum, et ad ejus Regiam dignitatem et cognitionem pertinere noſcatur. Inſpicite etiam, Pater ſancte, quod ſicut ſi voluiſſet ordinare de uno modico Priorato, in capite et in membris, ſic ſe bene dicebat diſponere etiam temporaliter, quod ad eum pertinere non poterat eſſo quod Catholicus Papa fuiſſet; ſuper omnibus dictis juribus claris et lucidis dicti Domini Regis et regni, et de ſtatu regni in una hice diſponere, et ad hoc Convocationem Prælatorum et Doctorum dicti regni ſe facere prætendebat. Legimus in *Iſaia*, Fatuus fatua loquitur, certe ſuum prævum propoſitum fatue oſtendebat.

I ſhall cloſe theſe proceedings of the *French* King againſt Pope *Boniface* after his deceaſe, with this obſervation of * *Matthew Parker* Archbiſhop of *Canterbury*, *Quod ſi* Johannes *quondam* Angliæ *Rex* hujuſmodi gladio Papæ cenſuris reſtitiſſet, *nec ſe nec regnum tot calamitatibus poſtea conſertim ſubſequentibus expoſuiſſet.*

* Antiqu. Eccleſ. Brit. p. 216.

An. 35 E. 1. I am now arrived at the laſt year of King *Edwards* reign, which [a] *Matthew Weſtminſter*, and [b] *Thomas Walſingham* begin with the Hiſtory of the general complaints of the Nobles, Commons and Clergy of *England*, againſt the manifold Innovations, Exactions, Grievances of *William de Teſta* the Popes Nuncio newly ſent into *England* to plunder it, and after that againſt *Peter Hiſpan* his *Legate à latere* in the Parliament held at *Carliſle*, and of the proviſions therein made againſt them, and the future Exactions, Impoſitions of Abbots and Priors Aliens upon religious Houſes of their Order in *England*.

[a] Flores Hiſtoriarum, An. 1307. p. 463, 464.
[b] Hiſt. Angl. p. 64. Ypodigma Neuſt. p. 97, 98 See Polychronic. Fabian, Holinſhed, Graſton, Speed, Daniel, and others, An. 35 E 1.

Anno gratiæ 1307. (as *Matthew Weſtminſter*, but 1308. as *Walſingham* computes) *qui eſt annus regni Regis* Edwardi *à Conqueſtu primi triceſimus quintus & ultimus, fuit idem Rex ad Natale apud* Carleolum *cum magna multitudine populi* Anglicani: *In Octavis Sancti* Hillarii Rex Parliamentum tenuit Carleoli, in quo per Majores grabes depoſitæ ſunt quærimoniæ, de oppreſſionibus Eccleſiarum et Monaſteriorum multiplicibus extortionibus pecuniarum per Nuncium Domini Papæ, Magiſtrum Gulielmum Teſta, nobiter in regnum inductis, præceptumque eſt eidem Clerico de aſſenſu Comitum et Baronum, ne de cætero talia exequatur. Ordinatum etiam erat, quod pro remedio ſuper his ordinando, ad Dominum Papam aſſignati mitterentur Nuncii. In eodem Parliamento edita ſunt Statuta quædam tangentia Religioſos, qui domus ſuas principales in alia regno habebant, &c. What theſe Petitions and complaints againſt the New extorſions of this *William Teſta*, and other the Popes Harpies were, what proceedings, Edicts, were had and made againſt them in this Parliament, and what Letters ſent to the Pope by ſpecial Meſſengers to prevent them for the future, the *Parchment Book* of the proceedings and Pleas in this Parliament in the *Tower*, thus more at large relates; our Monkiſh Hiſtorians being brief, partial in their relations of them.

* See Ryley his Placita Parliamentaria, p. 376, 377, &c.

* Hæ ſunt Petitiones quæ in Parliamento Domini Edwardi *filii Regis* Henrici *apud* Karliolum *in Octabis Sancti* Hillarii *Anno regni ſui* 35. per Communitatem Regni porrectæ fuerunt, ſuper oppreſſionibus per Magiſtrum Willielmum Teſta Clericum Domini *Clementis* Papæ quinti, Communitati factis memoratæ.

A Noſtre Seigneur le Roy prient Contes, Barons, et tote la Communaute de la terre aid et remedie des oppreſſions ſouthescrites, qe l'Apoſtoille fait faire

en

An. 35 *E.* 1.

en ceſte Roialme en ablefſement de la foi Dieu, et avpntiſſement de l'eſtat de Seint Egliſe en Roialme, et a diſheritezon et prejudice ou Roy, et de ſa Corone, et des autres bones gentz du dite Roialme, et en offens et deſtruction de la lei de la terre, et a graunt damage et enpoveriſſement du poeple, et en ſubverſion de tut l'eſtat du Roialme, et encountre la volunte et l'ordenement des primes foundours. La primer des Proviſions: Come Seint Egliſe en toutz ces eſtates de Prelacy en ceſte Roialme ſoit funde per le Roy, et per ſes Anceſters, et per les ditz Countes, et Barons, et lour Anceſters, pur eux et le poeple apprendre de la foi Dieu, et faire oreiſons et aumoynes et hoſpitalites en les liens ou les Egliſes ſont foundeez pur les Almes des foundurs et de lour heyres, et certaines poſſeſſions (qe amontent a les deux parties du Roialme) ſoint per les ditz foundurs aſſignetz as Prelatz pur ſuſtenir les charges ſuſditz et des tiels poſſeſſions, nomement que ſont aſſignetz as Ercevelques, Evelques, Abbyes, Priorjes, et autres Meſons de Religion, le Roy et les dites Countes et Barons come Seigneurs et avees en temps de vacations ount et avoir deivent la garde et preſentent, et devient preſenter a les Provendres et les Egliſes Parochieles, et as dignitees qe ſont de l'avoerye des Prelatz ſuſditz. Sauves celes dignitees que per le graunt et l'ordenement des Rois ſe ſount per election, et des queux Prelatz le Roy et ſes Anceſters a touz jours avoient la greyhure partie du ſen et du counſeill, que convenelt per la ſauvete du Roialme: la vint l'Apoſtoill en approprant a lui la Seignurie des tiels poſſeſſions come il feut meiſmes avoe, et donne per ſes Proviſions, et en autre manere les dignitees, provendres et Egliſes ſuſditez, as aliens qe james demoerent, et as aucuns qi demorer ne pount, come as Cardinals, qe unkes mes ne feut oy, iſſint qe a poy de temps apres ceſte choſe ſoit ſoeffert, il ne avera dignitee, provendre, ne Egliſe de avoeſons des Prelatz ſuſditz, qe ne ſerra en meynes des aliens; adonqes les elections quant as Ercevelchies, Evelchies, faudront les oreiſons, aumoynes et hoſpitalites en les liens ſuſditz ſerront ſuſtreſtes, le Roy et les autres lais avoyes en temps de vacations lour preſentementz perdront, le counſeil ſuſdit perira, les biens hors du Roialme ſerront emportiez, dont touz les mals apertement ſenſueront. Eſtre ceo l'Apoſtoill fait faire en ceſt Roialme autres oppreſſions jeſques en ces deſoies dont totes les dureſces ſuſdites pleinement ſenſuont. Une eſt: *Nota.*

Come les ditz Countes, Barons, et toutz ceux de la Communaute de la terre, et touz lour Anceſters du temps dont il nad memoire touz jours jeſques en ces, poent touz lour leis Chateux et biens en lour Teſtamentz deviſer et doner, depertier ſolonc lor donement de leux Executors, ſaunz rien nomer eſpecialment, ou diſtinctement, iſſint que la volunte de cheſcun Teſtatour touz jours ad eſtie de nomer tieux biens et leis Chateux diſtinctement, ou generaument, ou nomer pertie diſtinctement, ou pertis generaument, et les Executors de tieux Teſtamentz eient eſtiez touz jours jaſques en cea, chargez auxi avant de tieux biens et Chateux des Teſtators generaument, en lour Teſtamentz nomez, come des biens Chateux diſtinctement moties a reſpoundre en la Court le Roy a cheſcun qui voleit vers eux dette demaundre, iſſint que les Executions des Jugements renduz en la Court le Roy vers les Executors ount eſtiez faites per force de lei et cuſtume du Roialme, auxi avant du tieux biens et Chateux veint diſtinctement nomez come des autres; la veignent Meſtre William Teſta, et les autres Clercs et Procurators Apoſtoill et demaundent communement per mi le Roialme des Executors al oeps l'Apoſtoill touz les biens que ſont nient diſtinctement. En tiels Teſtamentz nomez et grevouſement par ſentences et en autre manere et ſoventfeth ſauns proces de lei les deſtreynent pur tieux biens a eux al oeps l'Apoſtoill paer, encountre la lei et la cuſtume ſuſditez: et la volunte des tieux Teſtators, a damage et empoveriſſement de tote la Roialme, et pur ceſte eſtraunge dureſce et deſques en ces de ſoie prient les dites Countes, Barons, et Communaute qe de ſicome tiel menere des Teſtamentz ad eſtie ſolonc la cuſtume du Roialme a touz jours uſee, et par les autres Apoſtoill acceptie et afferme ſicome en lour Canonize le eſcrite pleinement eſt contenuz, voille ſi lui pleſt remedie, encountre ceſt oppreſſion faire et ordener.

An. 35 E. 1. Enſement, par la ou les biens des Inteſtates per grantz de Rois (as our Archbiſhops and Biſhops ſuggeſted in their Conſtitutions of Inteſtates Goods, though erronioufly) devient per l'Ordenaire du lieu eſtre donez et departtes pur l'alme le moꝛt, et le dit Ordenaire per foꝛce de la * lei de la terre ſoit par ce tenuz a reſpounꝺre a la Court le Roy a cheſcun qui ſe pleinꝺre voet de dette en quei le moꝛt lieu feut tenuz; la veignent les Clercs l'Apoſtoill et demandent a ſoen oeps touz tieus maners des biens et des Chateux de Inteſtates, qeſt en offens de la lei, et encountre le grant ſuſdit. Note that this Article is not mentioned in the *Latin* Copy of the Articles, annexed at the end of the *French*, nor in the Letter and Remonſtrance of the grievances, innovations, oppreſſions then complained of, and petitioned againſt, drawn up in the Name of the King, and of all the Nobles and Commons of *England* in this Parliament, to be ſent to Pope *Clement*: Wherefore I juſtly ſuſpect it was afterwards foiſted into theſe Articles by the Biſhops, or their Officers, (like that new Clauſe in King *John's* Charter) only to juſtifie or countenance their Conſtitutions touching Inteſtates Goods, and patronize their diſtribution of them to pious uſes, for the good of their ſouls; which was not only prohibited, but generally oppoſed by the King, Nobles and Commons, as I have * *elſewhere* evidenced at large.

* Stat. 31 E. 1. c. 11.

* Here p 18, & 22.

E d'autre part, par la ou un home du dit Roialme ſe oblige a une autre en un ſome ꝺavoiꝛ a renꝺoꝛe a un certaine jour, et ſil ne fait, qil ſoit tenuz en 10 l. ou en une autre ſome ꝺavoiꝛ a paer au pꝛimer paſſage de gentz ꝺarmez en la terre ſeinte; les ditz Clercs l'Apoſtoill ſont enquerre per mi tut le Roialme des tiels obligations faites avant ces hours, ꝺont les paies ne ſont mie faites as jours contenuz, tut eient les ꝺettours fait gre a lour creanceours, ou per Jugement de la Court le Roy (a qui les conuſances des tiels obligations) appenꝺent eient les ꝺettes enſemblement ove les ꝺamages a lour creanceours renꝺuz; ja le meynes il diſtreynent les ꝺettours pur laꝺoiꝛ, iſſint a le terre ſeinte oblige al oeps l'Apoſtoill liberer.

Enſement, par la ou un home eſt obligie a un autre en ꝺette, et les creanceours veigne as ditz Clercs l'Apoſtoill, et les pꝛomette la maiſte, ou plus ou meynes de la ꝺite ꝺette pur luy faire avoiꝛ le remnant, meiſmes les Clercs meintenaunt ſount ſomonꝺoꝛe et ꝺeſtreynꝺoꝛe le ꝺettour a reſpounꝺoꝛe ꝺevaunt eux de cele ꝺette, en apert ꝺeſheritezon du Roy et de ſa Coꝛoune.

Enſement, par la ou le Roy et ſes Anceſtiers, Countes et Barons et lour Anceſtiers ont ꝺonez terres, tenementz et avoeſons, et tieles autres tempoꝛautez as Pꝛelatz ꝺe Seint Egliſe, come Ercevеſques, Eveſques, Abbies, Pꝛioꝛes, ꝺes queux Tempoꝛautes les unes ſont tenuz per homage, et les autres ſont tenuz pur Dieu ſeꝛvir en Seinte Egliſe, et autres charges faire come ſus eſt ꝺit, et ꝺes queles Tempoꝛautes; ſi toꝛt enſoit fait as tenantz ꝺe celes le Roy eſt tenuz a fair ꝺroit en ſa Court, pur ceo que la conuſance ꝺes tiels Tempoꝛautes au Roi apent et a null autre; la vint l'Apoſtoill en appꝛoꝛciant a lui la Seignurie ſuſdite, fait taꝛer a ſa voleute auꝛi avant la tempoꝛaute come l'eſpirituaute, en ꝺiſheriteſon du Roy, et ꝺes Countes et Barons ſuſditz.

Enſement, par la ou perſone ꝺe Seint Egliſe moeꝛt en tiel ſeſon ꝺel an, que les fruitz ꝺel an ſuꝑant ꝺevꝺent a luy appenꝺer, ꝺes queux il ad fait ſon teſtament come ꝺe ſes autres biens, et les Ereꝰtoꝛs par foꝛce ꝺe lei et cuſtume ꝺu Roialme touz jours ont eſtiez et ꝺeivent eſtre repouables en la Court le Roy ꝺe tiels fruitz a cheſcun, qe ꝺette voleit ꝺemanꝺer vers eux par bꝛief le Roy iſſint que l'execution ꝺu Jugement renꝺuz en la Court le Roy meintenaunt, ſauꝛz nule ꝺelay ſe ꝺet faire par foꝛce ꝺe lei ꝺu Roialme; auꝛi avant enꝺoꝛeit ꝺes tiels fruitz come ꝺes autres biens; la vint l'Apoſtoill, q'ad reſeꝛvi a lui les fruitz les pꝛimers vacantz, et veut aveꝛ tiels fruitz a ſon oeps ꝺemeine, et ſil les eit, ꝺemoꝛꝛa le Jugement renꝺu en la Court le Roy ſanz execution, et l'execution remeinꝺoꝛa en ſuſpens a la voluntе l'Apoſtoill.

Enſement, ſe pleynent les ditz Countes et Barons, et la Commnnaute, que par la ou lour Clercs a lour pꝛeſentmentz ſont receuz et inſtituz en le Egliſes que ſont ꝺe lour avoeſons, et ꝺes fruitz ꝺe celes Egliſes que ſont pꝛoperment les aumoꝛns ꝺes avoes, ſut ſoient il diſmes, quant a Dieu, ꝺeivent lour Clercs eſtre

eſtre ſuſtenuz pur les Egliſes ſerbir, la bint l'Apoſtoill et prent a lieu touz les fruitz del primer an de la boidantz de celes Egliſes, ſanz rien reſerbir pur la ſuſtenance des ditz Clercs, et iſſint apprope ſi a lup les aumopnes des ditz aboes encountre lour boientes, et en perill de diſheriteſon, quant a lour aboeſons, q'are per meiſme la reaſon qil les prent le primer an de l'aboidance, les peut il prendre le ſecond, et le tierce, et le quart, et iſſint avant a ſa bolunte, et ceſt apert diſheriteſon des aboes quant a lour aboeſons, q'are ſi toſt come les Clercs perde ſa poſſeſſion de ſa Egliſe encountre la boiente de ſon aboe, ſon aboe perde ſa aboeſon de meiſme l'Egliſe: et pur ce lei et cuſtume du Roialme, ne ſe offrent point que play ſoit en Court Chriſtiene des diſmes de l'Egliſe, ou de la tierce partie, ou de la quarte partie avant ce que plai ſoit termine en la Court le Roy de Lauceſon de meiſmes les diſmes. *An.* 35 *E.* 1.

Enſement, come pur le denyer de Seint Piere, que les *Rois Dengleterre donerent come en aumone a la Court de Rome, ſoleit touz jours eſtre paie a l'Apoſtoill ou a ſes Procuratours un certeyne, ceſt aſſaboir 200 l. 29 s. de tout le Roialme, a leber per les Eveſques Dengleterre, a quele manere e fourme de leber ad eſte touz jours del primer grant, jeſques en cea acceptie par Bulle des acuns Apoſtoill confirme, ſicome peut eſtre muſtri quant meſtir ſerra; la bint l'Apoſtoill reſuſunt cel certaine, et fait noumbrer par ſes Procuratours ſuldits treſtouz le aſtres de la terre, auxi come il doleit la poeir, et la pribitie du Roialme ſaboir, et demande de cheſcun aſtre un denyer, q'amontreit atrop, a quant damage et empoberiſſement du poeple, et a grant perill du Roy et de ſon Roialme.

* See here Tom. 1 p. 202, to 220.

After theſe Petitions in *French* in the Parchment Book in the Tower, intituled *Placita Parliamenti*, the ſame Petitions in ſubſtance, with ſome few Additions, are ſubjoyned in *Latin*, with this Preface.

Cum M in Parliamento Domini Regis apud Karliolum *in Octabis Sancti* Hillarii *Anno regni Domini Regis* E. 35. *propoſita fuerunt petitiones* per Comites, Barones, et alios Magnates, et Communitatem totius regni Angliæ pro ſtatu Coronæ Regiæ, necnon terrarum ipſius Regis Scotiæ, Walliæ, & Hiberniæ, et tota Communitate prædicta, ſuper dariis nobis et intollerabilibus gravaminibus, oppreſſionibus, injuriis et extorſionibus prælatis Comitibus, Baronibus, Magnatibus et Communitati, authoritate et mandato Domini Papæ, ac etiam per Magiſtrum Willielmum Teſta Domini Papæ Clericum, necnon ejuſdem Magiſtri Willielmi Commiſſarios, Miniſtros, ſeu Vices-gerentes, et ipſius nomine illatis, multipliciter in regno et terris prædictis, prout in articulis contentis in prædictis Petitionibus qui tales ſunt inferitur; *videlicet*, De effrenata multitudine Proviſionum Apoſtolicarum, per quas patronis ſeu advocatis beneficiorum collatio tollitur ſeu præſentatio, ac demum indigenæ nobiles et literati a promotione Eccleſiaſtica penitus excludentur, et erit defectus Conſilii in regno quantum ad ea quæ ad Spiritualitatem pertinent, nec inbenientur idonei qui ad Eccleſiaſticas baleant eligi prælaturas. Cultus divinus minuetur, hoſpitalitates et eleemoſinæ ceſſabunt, contra intentionem primariam fundatorum, Eccleſiarum jura peribunt, indefenſa ædificis Eccleſiaſtica corruent, et populi debotio ſubtrahetur. + See Ryleys Placita Parl. p. 379, 380.

Item, de Decanatibus Eccleſiarum Cathedralium regni Angliæ, quorum multi jam ad manus Cardinalium, et aliorum alienigenarum in ipſis Eccleſiis minime reſidentium debenerunt, et de exteris Decanatibus ut idem fiat in primo veriſimiliter eſt timendum, contra primariam Eccleſiarum ordinationem et intentionem ſalubberrimam fundatorum, ex quo in ipſis Eccleſiis Cathedralibus ad quorum regimen et cuſtodiam continuam Decani propter Epiſcoporum abſentiam ſalubriter fuerant inſtituti, multiplex inordinatio proveniet, atque defectus tam in divino obſequio hoſpitalitate et eleemoſina, quam in correctione exceſſuum Miniſtrorum, et Domino Regi ac regno multorum peritorum Conſilium, qui ad ipſos Decanatus eligi conſueverant penitus ſubtrahetur.

Item, de Religioſis domibus a dariis Magnatibus pia debotione fundatis, ad divini cultus augmentum, hoſpitalitatis exercitium, eleemoſinarum largitionem,

An. 35 E. I. ipsorum fundatorum et omnium fidelium defunctorum per orationes continuas remissionem, quorum reditus et proventus Dominus Papa intendit diversorum Cardinalium usibus applicare.

Item, de primis fructibus beneficiorum vacantium seu Apostolicæ reservatis, quod antea fuerat inauditum; super quorum collectione, Dominus Papa interpretationes durissimas et multum præjudiciales Domino Regi et regno, ac etiam toti Ecclesiæ Anglicanæ jam de novo evolvit, sicut fertur.

Nota.

* See here Tom. 1. p. 202, to 220. 236.

Item, de denariis Sancti * Petri a progenitoribus Regis primitus sub certa forma concessis, a prima concessione sua sub eadem forma a tempore cujus non extat memoria persolutis, nunc autem contra dictam concessionem minus rationabiliter exactis, in grave dampnum Ecclesiarum et totius populi Anglicani.

Item, de legatis vel promissis pia intentione a multis in subsidium Terræ Sanctæ propter redemptionem peccatorum, per aliquos authoritate sedis Apostolicæ improbè petitis et exactis, et in alios usus convertendis, ipsis legantibus vel promittentibus minime profecturos.

Item, de penis pecuniariis in fraudem legis variis contractibus adjectis, et in subsidium Terræ Sanctæ promissis, quarum prætextu multæ causæ ad forum Regium pertinentes, coram Clericis Domini Papæ in Regiæ dignitatis præjudicium agitantur.

Item, de indistincte legatis quæ sunt approbatæ tam de jure Canonico, quam Civili, et quæ dicti Clerici Domini Papæ impie sibi appropriare nituntur et in usus, ipsis defunctis quorum bona fuerant minime profuturos convertere, contra voluntatem piissimam defunctorum.

Item, cum Romana Ecclesia unum duntaxat Clericum pro suis negotiis hactenus in Anglia habere consueverat, ad expensas Ecclesiæ Anglicanæ, Dominus Papa jam, ut dicitur, quatuor Clericos ordinavit, quibus oportebit Anglicanam Ecclesiam ultra antiquam consuetudinem sumptus non modicos ministrare.

Nota. Hæc omnia ad extrahendam a regno pecuniam, ad exinanitionem Ecclesiæ manifestam, et ad ditandum alienigenas spoliatis indigenis, tendere dinoscuntur, *nisi exurgat Deus & dissipentur inimici ejus*, ut per secularem Principem, et ipsius Consilium, de consensu Procerum et Magnatum, tanta malitia reprimatur.

Super quibus oppressionum, gravaminum, et extorsionum, et injuriarum Articulis prælatus Magister Willielmus Testa quatinus ipsum contingunt in pleno Parliamento prædicto allocutus, convictus extitit, nec inde se potuit aliqualiter excusare, nisi tantum quod dixit, quod authoritate Domini Papæ præmissa fuerat executus. Et quia facta Magistri Willielmi Testa in præmissis, si tollerarentur manifeste cederent in divini cultus diminutionem, et Ecclesiæ Anglicanæ exinanitionem, necnon in præjudicium, læsionem et exhæredationem Coronæ, potestatis, jurisdictionis et dignitatis Regiæ Anglicanæ, destructionemque totius Communitatis prædictæ, ac status regni, legum et consuetudinum ejusdem subversionem, quod absit, perpetuam. Et unde majora pericula possent processu temporis evenire.

Nota. Demum, consideratis periculis prædictis, ex assensu Domini Regis, ac toto Consilio Parliamenti prædicti, probitum fuit, concordatum, ordinatum et consideratum, quod præmissa gravamina, oppressiones, injurias et extorsiones fieri non permitterentur in regno et terris prædictis. Et prohibitum est prædicto Magistro *W.* in Parliamento prædicto, quod de cætero contra prohibitionem, concordiam, considerationem prædictas, nec procedat, nec per se seu alium quemcumque in præmissis intromittat, vel aliquo præmissorum. Et injunctum est eidem Magistro *W.* quod quicquid per ipsum, Collegas, Commissar. Ministros, Vices gerentes, aut alios quoscunque sibi adhærentes seu intendentes attemptatum est, actum seu executum in præmissis, et quolibet præmissorum revocet, ut cassum, irritum, et inane, et totam pecuniam per eos in hac parte levatam, salvo custodiri fac. et secure infra regnum prædictum, quousque Dominus Rex de Consilio prædicto aliud super hoc duxerit ordinand. Et ad majorem hujus rei evidentiam ordinatum est et concordatum per Dominum Regem et Consilium prædictum, quod Nuncii experti ad dictum Dominum Papam, ex parte dicti Domini Regis et totius Communitatis prædictæ transmittantur ad prædicta gravamina, oppressiones, extorsiones, et injurias notificanda et exponenda. Et præceptum est singulis Vicecom. regni prædicti,

dicti, quod per Sacramentum proborum et legalium hominum de Balliviis suis, per quos rei veritas melius sciri poterit, diligenter inquirant de nominibus Commissariorum et aliorum Ministrorum prædicti Magistri Will. Testa, qui prædicta oppressiones, gravamina, extorsiones et injurias in Com. prædictis taliter perpetrarunt aut fecerunt, necnon de nominibus eorum qui coram dictis Commissariis vel Ministris, aliquem vel aliquos, citari vel vocari fecerunt, seu dicta gravamina executi fuerunt. Et omnes illos quos in prædictis culpabiles invenerint, attachient per corpora eorum; Ita quod eos habeant coram Rege in Octabis Sanctæ Trinitatis ubicunque tunc fuerit in *Anglia*, ad respondendum tam Domino Regi, quam aliis inde conqueri volentibus super prædictis. Et ad faciendum et recipiendum quod Curia Regis considerabit in hac parte, et Vic. habeant ibi nomina eorum quos inde culpabiles invenerint, et Vadia. *An.* 35 *E.* 1.

In the Clause Roll of 35 E. 1. I finde these Writs issued by the King to several Sheriffs to attach several Canons and Ecclesiastical persons, (many of them *Italians* and this Popes Nuncioes Agents) and bring them before the King and his Counsil to answer for their offences committed against the Kings Majesty.

REX Vic. *Staff.* salutem. Præcipimus tibi, quod sine dilacione capias Magistrum *Andream de Janua*, Canonicum Ecclesiæ de *Wolverenhampton*, et ipsum sumptibus suis propriis sub salvo et securo conductu duci facias usque *Karliolum*, ita quod sit ibi coram Nobis et Consilio nostro die Dominica in medio *Quadragesimæ* pror. futur. ad respondendum nobis de diversis transgressionibus per ipsum in regno nostro, in læsionem nostræ Regiæ Majestatis factis et perpetratis: Et hoc sicut te et omnia quæ habes in regno nostro prædicto diligis, et nobis forisfacere poteris nullo modo omittas. Et habeas ibi hoc breve. Teste Rege apud *Lanercost*, 4 die Febr. *Per Consilium.* Clauſ. 35 E 1. m. 14. intus. De quibusdam hominibus ducendis coram Consilio Regis.

Eodem modo mandatum est Vic. *Midd.* de *Bindo Baudwini* de *Vaccarettia* Commissario *Galiassi Guillielmi* capiendo et ducendo in forma prædicta.

Eodem modo mandatum est eidem Vic. *Mid.* de *Guidone de Wichio* Rectore Ecclesiæ de *Hese* de Com. *Midd.* capiendo et ducendo in forma prædicta.

Eodem modo mandatum est Majori & Vic. *London.* de *Galiasso Guillielmi de Sene Præstato*, *Guidone de Wichio*, Magistro *Andræa de Janua* Canonico Ecclesiæ de *Wolverenehampton* prædicto *Bindo Baldwyni* Commissar. &c. *Lanto Agolentis* de Societate *Amanetorum* de *Pistora*, *Manietto de Scala lapo Chini* de Societate *Scalarum de Florencia*, *Mazeto Bakerelli*, & *Neret Guidonis* de Societate *Perugiorum* capiendis et ducendis in forma prædicta.

Mandatum est etiam Principi *Walliæ*, & Com. *Cestriæ*, Custodi *Scotiæ*, & Justic. *Hiberniæ*, quod ipsi consimiliter procedant in terris prædictis, super negotiis memoratis, et provisionem, concordiam, ordinationem, et considerationem prædictas in eisdem terris faciant firmiter et inviolabiliter observari.

The Mandates, Writs then issued to the Sheriffs of Counties throughout *England*, were in these words.

REX Vicecomiti *Cumbriæ* salutem. Quia Comites, Barones, aliique Proceres et tota Communitas regni nostri in instanti Parliamento nostro apud *Karliolum* nobis intimarunt, quod diversæ oppressiones, extorsiones, injuriæ, et gravamina intollerabilia, sicut de debitis, convencionibus et aliis contemptibus quorum cognitiones ad Nos, Coronam, et dignitatem nostram, et non ad alium pertinentes, per nonnullos juris nostri Regii violatores et impugnatores in foro Ecclesiastico agitantur, quandoque pro parte debitorum illorum ad *Terram Sanctam* percipienda, et quandoque pro pœnis pecuniariis levanda, quæ in scriptis obligatoriis de debitis convencionibus seu contractibus hujusmodi confectis continentur, in subsidium *Terræ sanctæ* promittuntur, ac etiam de bladis et aliis bonis personarum et aliorum Prælatorum contra voluntatem eorum venditis et asportatis, necnon de bonis temporalibus intestatorum, ac bonis in testamentis defunctorum generaliter nominatis, in usus hujusmodi violatorum et impugnatorum convertis, et de denariis Sancti *Petri* ultra concessionem Progenitorum nostrorum quondam Regum *Anglia* Ryley Plac. Parliamentaria, p. 38a. Breve ordinatum singulis Vicecomitibus super eisdem.

*An.*35 *E.* 1. *Angliæ* jam exactis in Com. tuo, et alibi infra regnum noſtrum jam de novo perpetrantur, in noſtri et juris regni noſtri Regii præjudicium, Coronæque et dignitatis noſtræ Regiæ læſionem, et exhæredationem noſtram, necnon et ſtatus ejuſdem regni perpetuæ ſubverſionis periculum manifeſtum: Nos malitiæ violatorum illorum et impugnatorum, abſque omni diſſimulatione, prout tenemur, obviare volentes in præmiſſis; Tibi præcipimus, quod per ſacramentum proborum et legalium hominum de Comitatu tuo, per quos veritas melius ſciri poterit, in propria perſona tua diligenter inquiras, qui hujuſmodi oppreſſiones, extorſiones, injurias et gravamina proſecuti fuerint, et omnes illos quos per inquiſitionem illam inde culpabiles inveneris, ponas per vadium et ſalvos plegios quod ſint coram nobis in Octabis Sanctæ Trinitatis ubicumque tunc fuerimus in *Anglia*, nobis ſuper præmiſſis plenius reſponſuri, et ulterius facturi et recepturi quod noſtra Curia conſideraverit in hac parte. Et habeas ibi nomina pleg. Inquiſitionem illam diſtincte et aperte factam ſub ſigillo tuo et ſigillis eorum per quos facta fuerit. Et hoc breve. Teſte Rege apud *Karliolum* 22 die *Marcii*, Anno r. n. 35.

The Letter and Remonſtrance of theſe intollerable Papal grievances, oppreſſions, and Innovations then drawn up in the name and behalf of the King, and all the Nobles and Commonalty of *England* in this Parliament, to be ſent to Pope *Clement* by ſpecial expert Meſſengers, is very memorable; which I ſhall preſent you with out of the Memorials of this Parliament, enrolled in an antient Parchment Book in the Tower.

An. 35 E 1. Litera e Regno Angliæ ad Papam. See Ryleyes Placita Parliamentaria p. 355, 356. in Turri London.

NUper de veſtræ promotionis eventu ad Apoſtolicæ Celſitudinem dignitatis plene jocunditate gaudii replebamur, ſperantes in quibuſlibet dicti Regis et noſtris negotiis ac utilitatibus promovendis vos patrem gratioſum, benevolum et propicium habituros; nunc enim admirationis nobis non modicæ et querelæ ex ea cauſa conſurgit, quod nos, Clerus et populus dicti regni, (veri utique Catholicæ fidei profeſſores, qui tanquam devotionis filii vos et *Romanam* Eccleſiam reveremur, veſtrique nominis et honoris ferbidi zelatores) de paterna manu pro devotione prægrandi, oppreſſiones innumeras, et grandia ſuſcipimus detrimenta, qui potius ſperebamus ab eis, ſi forſan emergerent per veſtram clementiam relevari, ampliſque favoribus et uberrimis gratiis præveniri. Sane per Nuncios et Miniſtros veſtros in dicto regno *Angliæ* commorantes eorumque Commiſſarios nos exacerbari graviter ſencientes, ex materia operum eorundem fermatos malleos, experimur, quibus percutimur et conterimur multis modis et variis inceſſanter; et licet fidem Chriſtianam et ea quæ dilatationem cultus ipſius fidei reſpiciunt, et ad divinæ laudis ſpectant obſequium per veſtrum regi Miniſterium teneamus, et dictam Eccleſiam cunctorum matrem fidelium et Magiſtram, non tamen credimus, quod veſtræ intentionis exiſtat, vel ad hoc ſuam velit extendere poteſtatem, ut ſuos et devotos et humiles filios non ſolum non lædat aut oppримat, vel injuriis provocet, aut eorum jura præripiat, vel eis in aliquo deroget; ſet potius, ut a noxiis et indebitis oppreſſionibus cuſtodiat et præſerbet: Et ecce ſanctiſſime Pater nimis duris acerbis et impportabilibus oneribus et hactenus inauditis, quæ per dictos veſtros Commiſſarios fiunt cotidie, et in dicto regno diverſimode imponuntur, quorum aliqua curabimus deſcribere ſeriatim, commocio noſtra nimirum et rationabili cauſa procedit. Per effrenatam autem multitudinem Proviſionum quæ jam ad præfatum regnum a ſede Apoſtolica emanarunt, Ordinariis Beneficiorum collatio ad eos de jure pertinens tollitur, ac demum indigenæ Nobiles et Literati a promotione Eccleſiaſtica penitus excluduntur, ſicque erit defectus Conſilii in regno quantum ad ea quæ ad ſpiritualitatem ſpectant, non invenientur idonei qui ad Eccleſiaſticas valeant eligi prælaturas, cultus divinus minuetur, hoſpitalitates, et eleemoſinæ ceſſabunt contra intentionem primariam fundatorum, Eccleſiarum jura peribunt, ædificia Eccleſiaſtica corruent, et populi devotio ſubtrahetur. De Decanatibus etiam Eccleſiarum Cathedralium prædicti regni, quorum multi jam ad manus Cardinalium et aliorum aligenarum in ipſis Eccleſiis minime reſidentium devenerunt, et de cæteris Decanatibus ut idem fiat in proximo veriſimiliter eſt timendum, contra primariam Eccleſiarum fundationem et intentionem ſaluberrimam fundatorum, ex quo in ipſis Eccleſiis Cathedralibus ad quorum regimen

gimen et Cuſtodiam continuam Decani, propter Epiſcopi abſentiam ſalubriter fuerant inſtituti, multiplex inordinatio proveniet, atque defectus tam in Divino obſequio, hoſpitalitate et eleemoſina, quam in correctione exceſſuum Miniſtrorum, et Domino noſtro Regi ac regno multorum peritorum Conſilium qui ad ipſos eligi conſueverant Decanatus penitus ſubtrahetur. De Religioſis vero domibus a multis et diverſis Magnatibus ad divini cultus augmentum, hoſpitalitatis exercitium, et eleemoſinarum largitionem pia devotione fundatis, in remiſſionem peccaminum fundatorum ipſorum, et omnium fidelium defunctorum per hujuſmodi opera Caritatis, et orationes continuas faciend. redditus et proventus, ſicut evidenter apparet auferre intenditis, et diverſorum Cardinalium uſibus applicare: Necnon et veſtris propriis uſibus primas fructus Beneficiorum vacantium in regno prædicto, et aliis terris dicti Domini noſtri Regis dicioni ſubjectis ſimiliter reſervare, * quod antea fuerat inauditum; ſuper quorum collectione interpretationes duriſſimas et multum præjudiciales ipſi Domino Regi et regno, ac etiam toti Eccleſiæ *Anglicanæ* dicimini noviter edidiſſe, validus clamor auditur; et ſi ſuſtineretur, quod Dominus abertat, hæc novitas ſupra modum imperpetuum, in ejuſdem Domini Regis præjudicium et exhæredacionem ac regni depauperationem, et alimoniarum quæ ſiunt egenis annullationem apertiſſime redundaret. De denariis quoque beati *Petri*, * a progenitoribus ſæpedicti Domini noſtri Regis primitus et ex devotione ſub certa forma conceſſis, et a prima conceſſione ſub eadem forma a tempore cujus non extat memoria perſolutis, nunc contra conceſſionem prædictam per Clericos et Commiſſarios veſtros antedictos, nova fit exactio, in grave diſpendium totius populi *Anglicani*. De Legato itaque vel præmiſſis pia intentione a multis in ſubſidium *Terræ Sanctæ* pro remiſſione peccatorum, per aliquos authoritate veſtra petitis improbe et exactis, et in uſus alios convertendis ipſis legantibus vel promittentibus minime profuturis. Et de pœnis etiam pecuniariis in fraudem Legis et conſuetudinis dicti regni, contractibus nonnullis adjectis in ſubſidium dictæ *Terræ ſanctæ* promiſſis, quarum prætextu multæ cauſæ mere ad forum Regium pertinentes, coram memoratis Commiſſariis veſtris in Regiæ dignitatis præjudicium agitantur. Ac inſuper, de indiſtincte legatis quæ ſunt approbata juxta ſententiam Sapientum, tam a jure Canonico quam Civili, et a legibus et conſuetudinibus memorati regni non diſcrepantia, ſet ſervata; qui quidem prælibati Clerici veſtri et Commiſſarii impii, ſibi appropriare nituntur, et in uſus ipſis defunctis quorum bona fuerant minime profuturis convertere, contra voluntatem piiſſimam defunctorum maximum murmur ſurgit in regno, quæ tanquam non mediocriter præjudicialia Regiæ dignitati et populo dicti regni, nequiunt aliquatenus ſuſtineri. Ad hæc, cum *Romana* Eccleſia unum duntaxat Clericum pro ſuis negotiis hactenus in *Anglia* habere conſueverit ad expenſ. Eccleſiæ *Anglicanæ*, jam, ut dicitur; quatuor Clerici ſunt tranſmiſſi, et morantur ibidem ultra antiquas conſuetudines, et ad majus onus ejuſdem Eccleſiæ, et ulterioris oppreſſionis augmentum: Et quia præmiſſa et quodlibet eorundem, ſicut prænotatum eſt, ad exinanitionem Eccleſiæ *Anglicanæ*, præfati Domini Regis exhæredationem, et Coronæ et dignitatis Regis, atque Regis enormem præjudicium, injuriam et jacturam, oppreſſionem pauperum, deſtructionem fidelium, terræ ſcandalum, manifeſte tendere dinoſcuntur; Sanctitati veſtræ devotæ ſupplicationis inſtantia humiliter exoramus, quatinus bis quæ præmiſſimus clementi meditatione penſatis, quem non depreſſionem noſtrum, ſet noſtrorum exaltationem honorum diligere confidimus et ſperamus, ſic circa ea ſalubriter moderanda manum et animum Providentia veſtra dignetur apponere, quod in omnibus cultu ſervato modeſtiæ, cauſa vel occaſio non emergat, quæ nobis, (qui ipſam Eccleſiam veluti matrem filialis debite devotionis proſequimur) et eidem Eccleſiæ, quod abſit, ſcandalum vel turbationum inducat; quoniam non poſſemus, juxta poſſibilitatem noſtram aliqualiter tolerare, quod præfatum regnum, cui per hujuſmodi Novitates et oppreſſiones intollerabiles miſerabiliter illuditur, enervationes, diſpendia, (quorum fieri nequimus expertes, quodque in ſuis Juribus defenſare tenemur) taliter ſenciat, aut ſic indebite collidatur. A moſt obſervable heroick Remonſtrance, Epiſtle, and reſolution, worthy a genuine *Engliſh* Parliament.

An. 35 *E.* 3.

* *Nota.*

* See Tom. 1. p. 202, to 210.

By the precedent Letter, Articles, and Remonſtrance, it then was, and now is as

An. 35 *E.* 1. as evident as the Sun at noon-day to all the World; 1. That this Pope *Clement*, his Legates, Cardinals, Nuncioes, Agents, (yea some of his predecessors, with most of their successors ever since) were the most sacrilegious Church-robbers, the most avaritious, pernicious, impious, scandalous, unconscionable, uncharitable, unchristian Theeves, Plunderers, Spoylers, usurpers of the Churches, Clergies, poor mens revenues, possessions, maintenance, alms, and of the undoubted Rights, Prerogatives of the Kings, Nobles, Prelates, and Commons of *England*, the most real enemies to, and underminers of Gods worship, service, piety, charity, and Christian Religion that ever the World produced: whose principal care, study, practise, was, not to feed, foster, instruct, protect the Church and people of Christ, purchased with his most precious blood according to their duties, as Christ, his Apostles, and the primitive Bishops, Popes and Ministers of the Gospel did, and enjoyned them to do, but only to fleece, fley, oppresse, rob, plunder, murder, destroy them by new invented extortions and rapines, and fill their coffers with the *mammon of unrighteousnesse*, the only Deity they served, adored, loved, sought after in all Christian Kingdoms, especially in our own, with all their hearts, strength, might, souls: without seeking, minding the things of *Jesus Christ*, whose Vicars they professed themselves in their Bulls, Edicts, but absolutely contradicted, denyed by their premised works.

Whiles these things were acted in the Parliament at *Carliſle* against the Popes Innovations and extortions; to prevent their vigorous execution by the King, * *Venit ad* illud **Parliamentum** *circa festum* Cathedræ S. Petri (then translated from *Rome* in *Italy*, to *Burdeaux* in *France*) quidam **Cardinalis** Sabinensis, *Magister* Petrus Ispanus, missus a latere **Papæ** in Angliam, *ad perficiendum ordinatum matrimonium inter primogenitum Regis* Angliæ Edwardum, *& filiam Regis* Francorum Isabellam, secundum quod a **Papa** Bonifacio, tanquam pacis mediatore, ordinatum fuerat (as was pretended,) *Cui per Regem responsum est*, Paratum se implere quæ ordinata sunt, dummodo Rex *Francie* velit ex parte sua, quæ ad ipsum pertinent, adimplere. *Dederat enim Rex* Francorum, *dum* Vasconiam *tenuerat*, *Castrũ quod* Mali Leonis *dicitur*, *cuidam Militi*, *qui illud adhuc detinebat*, *nec ad mandatum Regis* Francorum *illud curabat restituere. Ob quam causam fertur illud matrimonium hactenus fuisse dilatum. Rediit itaque Cardinalis* Londinum, *ut super his certitudinem expectaret*, et Ecclesias Anglicanas depilaret (his chief design.) **Nam per Bullam habere voluit a cunctis Cathedralibus, Conventualibus, Regularibus et irregularibus Ecclesiis et Prioratibus, duodecim marcas sterlingorum: De Rectoriis vero octo denarios de qualibet marca. Contra hanc autem exactionem, appellatum est a Clero *Anglie* (to the King and his Counsil, as supreme, indifferent Judges in this case.) Et ordinatum est per Consilium Regis** (against the Popes expresse Bull) **illum Cardinalem non plus debet habere, quam acceperat olim Octobonus Cardinalis, et Legatus in Angliam, scilicet dimidium postulati.** A memorable president of the King and his Counsils regulating, retrenching the exorbitant Procurations of the Popes own *Legate à latere*, against his Papal Bull.

* Mat. Westm. An. 1037. p. 464. Thomas Walsingham, Hist. Angl. p. Speed, Holinshed, Daniel, and others.

This Parliament was afterwards adjourned to a further day by reason of the arrival of this Legate and *Amanenus Lebretto* in *England*, sent thither at the Kings request (as was pretended) about such affairs as concerned the state of Christianity, and the King and kingdom, as this Writ informs us.

Clauſ. 35 E 1. m. 13. dorſo. **REX** dilecto & fideli suo *Thomæ* Comiti *Lancastr.* Cum nuper vobis mandaverimus, quod in Octabis Sancti *Hillarii* prox. præterit. essetis apud Parliamentum, **Nobiscum super quibusdam arduis negotiis Nos et statum regni nostri tangentibus, pro quibus venerabilis Pater Dom. *Petrus Sabinen.* Episcopus Sanctæ *Romanæ* Ecclesiæ Cardinalis, ad Nos ex parte Domini Summi Pontificis est venturus, ut quem ante Octab. prædict. ad nos venisse credebamus, colloquium habitur.** Et idem Cardinalis non erit ad Nos apud *Karliol.* ante diem Dominicam prox. post mediam *Quadragesimæ*, viz. primam Dominicam in *Passione* Domini quæ jam instat. Vobis mandamus in fide & dilectione quibus nobis tenemini firmiter injungentes, quod dictis die & loco modis omnibus personaliter intersitis, **Nobiscum super præmissis habituri colloquium et tractatum, vestrumque Consilium impensuri,**

Et

Et hoc ſub forisfactura omnium quæ nobis forisfacere poteritis nullatenus omittatis. Teſte Rege apud *Lavercoſt*, 22 die *Febr.* *An.* 35 E. 1.

Conſimiles literæ dirigantur ſubſcriptis, *viz.* 2. Comitibus, & 24 Baronibus, recorded in the Clauſe Roll.

What care the King took for the honourable reception and intertainment of this Cardinal Legat upon his arrival in *England*, in all Cities and Counties, when he repaired to him to *Carliſle*, theſe Writs to the Mayors, Citizens, and the Commonalties of *Canterbury*, *London*, *Huntindon*, *Lincoln*, *Yorke*, and Sheriffs of *Cambridge*, and his protections granted to him, evidence.

REX dilectis ſibi Majori, Civibus, Ballivis, & toti Communitati Civitatis *Cantuar.* ſalutem. Cum venerabilis Pater Dominus *Petrus Sabinenſis* Epiſcopus, ſacroſanctæ *Romanæ* Eccleſiæ Cardinalis, & amicus noſter Chariſſimus a latere Domini Summi Pontificis miſſus ad Nos in nuncium ſam accedat: Vobis mandamus rogantes, quatinus eidem Domino Cardinali cum ipſum ad Civitatem prædictam venire contigerit, quanto honorabilius et decentius poteritis obviam faciatis, ac eundem Cardinalem et alios de familia ſua in dictam Civitatem curialiter admittentes ipſum in exennis et aliis curialitatibus cum tanto honore quanto poteritis, reſpiciatis noſtri rogaminis interventu, non permittentes quod hominibus dicti Domini Cardinalis dum infra Civitatem prædictam fuerint, quoquo modo injuria, moleſtia, dampnum, impedimentum aliquod ſeu grabamen, aut quod victualia in eadem Civitate propter adventum dicti Domini Cardinalis ibidem ſubtrahantur, aut carius vendantur, ſed quod venditioni habundantius quam conſueverunt exponantur, faciatis etiam Domino Cardinali ac hominibus ſuis habere Cariagium cum inde neceſſe habuerint, & ab ipſis ſuper hoc fueritis præmuniti. Et præmiſſa omnia & ſingula faciatis, prout dilectus & fidelis noſter *Johannes de Banquell* quam deputavimus ad prædictum Dominum Cardinalem ad nos conducendum vobis ſcire fecerit ex parte noſtra, vobis enim exinde ſcire grates volumus ſpeciales. Teſte Rege apud *Laurecoſt* 10 die *Decembris*. Clauſ. 35 E 1. m. 17. De honoribus Cardinali exhibendis.

Eodem modo ſcribitur Civibus & Communitati de *Roff.* Majori, Civibus & Communitati *London.* Majoribus & Ballivis & Communitatibus *Hunt. Linc. Eborum.* Baronibus, Ballivis & probis hominibus Portus, quod eidem Cardinali cum ipſum in portu prædicto applicare contigerit, quanto, &c. Upon his intended departure thence, he iſſued theſe Writs to like purpoſe.

REX dilectis ſibi Majori, Civibus, Ballivis, & toti Communitati Civitatis *Eborum* ſalutem. Cum venerabilis Pater Dominus *P. Sabinenſis* Epiſcopus, ſacroſanctæ *Romanæ* Eccleſia Cardinalis, & amicus noſter chariſſimus, qui a latere Domini Summi Pontificis miſſus in nunctum ad nos uſque *Karliolum* nuper venit, jam ſit ad partes proprias rediturus; Vobis mandamus rogantes, quatinus eidem Domino Cardinali cum ipſum ad Civitatem prædictam venire contigerit quanto honorabilius et decentius poteritis obviam eatis, ac eundem Cardinalem et alios de familia ſua in dictam Civitatem curialiter admittentes; ipſum in exennis et aliis curialitatibus cum tanto honore quanto poteritis, reſpiciatis noſtri rogaminis interventu, non permittentes quod hominibus dicti Domini Cardinalis dum infra Civitatem prædictam fuerint; fiant quoquomodo injuria, moleſtia, dampnum, impedimentum aliquod ſeu grabamen, aut quod victualia in eadem Civitate propter adventum dicti Domini Cardinalis ibidem ſubtrahantur, aut carius vendantur, ſed quod venditioni habundancius quam conſueverunt exponantur, faciatis etiam eidem Domino Cardinali ac hominibus ſuis habere Cariagium cum inde neceſſe habuerint, et ab ipſis ſuper hoc fueritis præmuniti, & præmiſſa omnia & ſingula faciatis, prout dilectus & fidelis noſter *Johannes de Banquell*, quam ad dictum Cardinalem ſic ad partes tranſmarinas redeuntem, dum infra regnum noſtrum fuerit conducendum deputavimus vobis ſcire faciet ex parte noſtra. Vobis etiam exinde ſcire grates volumus ſpeciales. Teſte Rege apud *Karliolum* 16 die *Marcii*. Clauſ. 35 E 1. m. 12. dorſo. De honoribus Card. exhibend. & ipſum decenter conducend.

Eodem modo ſcribitur ſubſcriptis, *viz.* Majoribus, Civibus, Ballivis & Communitatibus Civitatum *Linc. London.* & *Cantuar.* & Ballivis & Communitatibus de *Graham*, *Stamford*, *Hunt. Roff.* & *Dover.*

An. 35 *E.* 1.

Pat. 35 E 1. m 42. De ductu pro Cardinal. veniente in Anglia.

REX dilecto & fideli ſuo *Johanni de Banquell* ſalutem. Cum venerabilis Pater Dominus *P. Sabinenſis* Epiſcopus, Sacroſanctæ *Romanæ* Eccleſiæ Cardinalis, & amicus noſter chariſſimus, **a latere Domini Summi Pontificis et ſedis Apoſtolicæ, quam intuitu perſonæ ejuſdem Cardinalis infra poteſtatem noſtram bolumus honorari**, habenteſque de veſtræ circumſpectionis induſtria fiduciam pleniorem, vos ad dictum Cardinalem ad nos deputamus conducendum. Et ideo vobis mandamus, **quod eidem Cardinali cum in regnum noſtrum applicuerit, quanto decentius poteritis occurrentes, ipſum in dictum regnum noſtrum ex parte noſtra curialiter recipiatis, et ipſum ad nos decenter et honorabiliter conducatis**; Non permittentes, quod eidem Cardinali aut hominibus ſuis à quibuſcunque fiant infra idem regnum noſtrum injuria, moleſtia, dampnum, impedimentum aliquod ſeu gravamen. Mandavimus Vicecomitibus, Majoribus & Ballivis locorum per quæ credimus ipſum verſus nos venturum, **quod victualia in Ballivis ſuis in magna abundantia venditioni exponi, et dicto Cardinali ac hominibus ſuis Carlingfum cum inde indiguerint habere faciant**, prout vos dictis Vicecomitibus, Majoribus & Ballivis ex parte noſtra plenius injungetis. Et præmiſſa omnia & ſingula item circumſpectè & providè faciatis, quod diligentiam veſtram poſſimus merito commendare. In cujus, &c. Teſte Rege apud *Lanrecoſt* 10 die *Decembris*.

Upon this Cardinal Legates arrival at *Carliſle*, what alterations he procured by his flateries, the Popes fair promiſes, and abſolution of K. *Edward* from his Oath to his Nobles, to obſerve the *Charters of Liberties* he had granted and confirmed to them, (**a moſt execrable act in the Pope**, as † *Speed* and others obſerve, as well as *unjuſt and diſhonourable in the King*) to the enervating of his Parliaments premiſed proceedings, Acts againſt the Popes, this Cardinals, and his other Agents Exactions and Innovations, the *Pleas* and *Records* of this Parliament in the Tower, with other Records thus at large relate.

† Hiſtory of Great Britain, p. 661, 662.

* Placita Parl. An. 35 E. 1. See Ryley, p. 383, 384, 385.

* *Poſt receſſum vero Comitum, Baronum, aliorumque Magnatum, & totius Communitatis de* **Parliamento, Dominus Rex ad requiſitionem venerabilis patris** Petri Sabines **Epiſcopi Cardinalis tunc ibidem exiſtentis, mandavit Cancellar. per** W. Coventr. & Lichf. **Epiſcopum Theſaur. ſuum, ne hujuſmodi Bredia adhuc conſignaret.** *Et idem Rex poſtea literas ſubſcriptas dictis Clericis & Procuratoribus ipſius Papæ in* Anglia *commorantibus fieri fecit, quæ in Cancellar. irrotulantur.*

Ibidem, & Pat. 35 E. 1. m. 10. intus. Pro Nunciis Papæ de protectione.

REX omnibus Ballivis & fidelibus ſuis ad quos, &c. **Sciatis quod ob reverentiam Sanctiſſimi in Chriſto patris Domini C. divina providentia Sanctiſſimi Pontificis ſacroſanctæ *Romanæ* Eccleſiæ, ſuſcepimus in protectionem et defenſionem noſtram, necnon ſalvum et ſecurum conductum noſtrum**, dilectos nobis Magiſtros *Willielmum Teſta* Archid. *Draven.* in Eccleſia *Coven.* & *Petrum Amalmeni* Canonicum de *Burdegal.* **dicti Domini Papæ Clericos, et ſedis Apoſtolicæ Nuncios, ac Archiepiſcopatus *Cantuar.* Adminiſtratores, a ſede prædicta ſpecialiter deputatos, ipſorumque Commiſſar. et Miniſtros, in eundo per totum regnum noſtrum pro negotiis ad Eccleſiam *Romanam* ſpectantibus expediendis, ibidem morando, et exinde ad dictam *Romanam* Eccleſiam redeundo.** Et ideo vobis mandamus, quod prædictis Magiſtris *Willielmo* & *Petro*, aut eorum Commiſſariis ſeu Miniſtris, in eundo per regnum noſtrum prædictum, **pro expeditione negotiorum prædictorum, ibidem morando, et exinde redeundo, ſicut prædictum eſt, non inferatis, ſeu quantum in vobis eſt ab aliis inferri permittatis injuriam, moleſtiam, dampnum, impedimentum aliquod ſeu gravamen, et ſi quid eis forſfactum fuerit, id eis ſine dilatione fac. emendari.** In cujus rei, &c. Teſte Rege apud *Karliolum* 4 die *Aprilis*, Anno, &c. 35. *Per ipſum Regem*; without and againſt the adviſe of his Counſil and Parliament.

Ibidem, & Pat. 35 E. 1. m. 19. intus. De primis fructibus ad opus Papæ capiendis.

REX omnibus ad quos præſentes literæ pervenerint, ſalutem. **Sciatis quod ob reverentiam ſedis Apoſtolicæ, et affectionem quam erga Sanctiſſimum in Chriſto patrem Dominum *C.* divina providentia Dominum Pontificem gerimus et habemus, concedimus quantum in nobis eſt**, quod dilecti nobis Magiſter *Willielmus Teſta* Archid. *Axaven.* in Eccleſia *Coven.* & *Petrus Amalmeni* Canonicus

nitus *Burdegal.* ſedis Apoſtolicæ Nuncii, fructus primi anni a tempore reſervationis inde per Dominum Papam ſibi factæ, de beneficiis Eccleſiaſticis cum cura, et ſine cura vacantibus in regno noſtro provenientes, uſque ad triennium ſecundum mandatum Apoſtolicum, non obſtantibus quibuſcunque Prohibitionibus in Parliamento noſtro inde factis. Ita videlicet, quod de fructibus de Abbatibus ſeu Prioratibus vacantibus in eodem regno provenientibus ſe nullatenus intromittant, ad opus dicti Domini Summi Pontificis modo debito colligere, cuſtodireque valeant et tenere. Hoc tamen obſervato, quod pecuniam inde provenientem extra idem regnum præterquam per viam Cambii, non deferant ſeu deferri faciant quovis modo ſine licentia ſpeciali. In cujus, &c. Teſte ut ſupra. *An.* 35 *E.* 1.

Per ipſum Regem.

REX dilectis ſibi Magiſtris *Willielmo Teſta* Archid. *Draven.* in Eccleſia *Coven.* & *Petro Amalmeni* Canonico *Burdegal.* ſedis Apoſtolicæ Nuncis, ſalutem. Sciatis, quod ob reverentiam ſedis Apoſtolicæ, et affectionem quam erga Sanctiſſimum in Chriſto patrem Dominum *C.* divina providentia Summum Pontificem gerimus et habemus, volumus et concedimus, quod non obſtante aliqua Prohibitione ex parte noſtra prius facta, ſuper omnibus quæ ad dictum Dominum Papam et Eccleſiam *Romanam* in regno et aliis terris noſtris pertinent, et pertinere debent, utamini de cætero officio veſtro, ſicut Clerici et Nuncii aliorum Summorum Pontificum dicti Domini Papæ prædeceſſorum prius in *Anglia* commorantes, officio a ſede prædicta ipſis commiſſo uti conſueverunt temporibus retroactis. Ita quod * non faciatis aliquid ſeu etiam attemptetis, quod in præjudicium Coronæ aut dignitatis noſtræ Regiæ, ſeu aliorum fidelium noſtrorum cedere valeat quoquo modo. In cujus, &c. Teſte Rege apud *Karliolum* 4 die *Februarii*. Ibidem, & Pat. 35 E. 1. m. 19. intus. Pro Nunciis Papæ & eorum officio in Anglia exercendo. * *Nota.*

Per ipſum Regem.

REX dilectis ſibi Magiſtris *Willielmo Teſta*, &c. ſedis Apoſtolicæ Nuncis, et Adminiſtratoribus Archiepiſcopatus *Cantuar.* a ſede prædicta ſpecialiter deputatis, ſalutem. Sciatis, quod ob affectionem quam erga Dominum *C.* divina providentia Summum Pontificem gerimus et habemus, concedimus vobis, quod totam pecuniam ad *Romanam* Eccleſiam rationabiliter ſpectantem, per vos infra regnum noſtrum collectam, tradendo eam Mercatoribus infra idem regnum, poſſitis per viam Cambii dicto Domino Summo Pontifici deſtinare. Ita quod monetam aliquam de Cuneo noſtro, ſeu Argentum aliquod in maſſa extra idem regnum minime deferatis, ſeu per alios deferri aliqualiter faciatis. Teſte ut ſupra. Ibidem, & Pat. 35 E. 1. m. 19. intus. Pro Papa.

Per ipſum Regem.

The King likewiſe ſo far diveſted himſelf of his unqueſtionable antient Royal and gainfull Prerogative, to gratifie and enrich this Pope, (who complied with his deſigns) as to grant the cuſtody of all the profits of the Archbiſhoprick of *Canterbury* ſeiſed into his hands, to theſe two *Roman Harpyes*, by the Popes appointment, by this Patent.

REX dilecto & fideli ſuo *Humfrido de Waledon*, cuſtodi ſuo Archiepiſcopatus *Cantuar.* ſalutem. Licet nuper vobis commiſerimus Archiepiſcopatum prædictum cum pertin. quem ex certis cauſis capi fecimus in manum noſtram, cuſtodiendum quamdiu nobis placuerit: Ita quod de exitibus inde provenientibus nobis reſponderetis ad Scaccarium noſtrum, prout in literis noſtris patentibus vobis inde confectis plenius continetur. Ad requiſitionem tamen Sanctiſſimi in Chriſto patris Domini *Clementis* divina providentia Summi Pontificis; Vobis mandamus, quod Archiepiſcopatum prædictum cum pertin. una cum omnibus exitibus inde perceptis a tempore captionis eſusdem in manum noſtram, dilectis nobis Magiſtris *Willielmo Teſta* Archidiacono *Aranen.* in Eccleſia *Coven.* & *Petro Amalmeni* Canonico *Burdegal.* Clericis et Adminiſtratoribus Archiepiſcopatus prædicti, per dictum Dominum Summum Pontificem deputatis, vel eorum alteri Pat. 35 E. 1. m. 20. intus. De Archiepiſcopatu Cant. liberand. Procuratoribus Papæ.

*An.*35 *E.* 1. teri integre liberetis, custodiendum ad opus ipsius Domini Summi Pontificis, prout ipsis per eundem Dominum Summum Pontificem plenius est injunctum. Teste Rege apud *Karliolum* 26 die *Marcii*.

Per ipsum Regem nunciante Thesaurario.

He likewise issued these three Writs, for the Popes Legate to collect and levy his Procurations, and that as well in *Ireland* as *England*, (the main design of his Legation.)

Pat. 35 E. 1. m. 15. intus. Pro Sabinensi Episcopo Cardinali, de Procurationibus suis colligendis

REX Venerabilibus patribus Archiepiscopis, Episcopis, & Officialibus, ac Collectoribus Procurationum venerabilis patris *P. Sabinensis* Episcopi, sedis Apostolicæ Nuncii in *Anglia*, salutem. Sciatis, quod cum dictus Cardinalis pro reformatione et completione pacis inter Nos et Regem *Francia* ineundæ et firmandæ, ac communi commode regni nostri nobis nuper in *Angliam* per Dominum Summum Pontificem fuerit destinatus, volumus quod idem Cardinalis omnes et singulas Procurationes suas percipiat et habeat in regno nostro prædicto, juxta formam et effectum literarum Apostolicarum sibi super perceptione Procurationum hujusmodi directarum, et quod idem Cardinalis vobis omnibus et singulis ut diligentiam et laborem quos poteritis adhibeatis ad dictas Procurationes integre juxta formam prædictam, levandas et colligendas, ac sibi celeriter liberandas, quodque nullus vestrum eum impediat in hac parte firmiter injungere valeat et mandare. Vos igitur in præmissis taliter habeatis, quod præfatus Cardinalis præsens mandatum nostrum sibi sentiat profuturum, quodque de vobis non habeat materiam conquerendi. Teste Rege apud *Karliolum* 4. die *Maii*.

Ibid. m. 2 intus Pro Episcopo Sabinensi Cardinali.

REX dilectis sibi Collectoribus Procurationum venerabilis patris *P. Sabinen.* Episcopi, sedis Apostolicæ Nuncii, in *Coventr.* & *Lychfield.* Dioc. constitutis, salutem. Cum nuper concesserimus præfato Cardinali, quod ipse omnes et singulas Procurationes suas percipiat et habeat in regno nostro, juxta formam et effectum literarum Apostolicarum sibi super perceptione Procurationum hujusmodi directarum, prout in literis nostris patentibus Archiepiscopis, Episcopis, &c. et vobis ac cæteris dictarum Procurationum in dicto regno nostro Collectoribus inde directis plenius continetur. Volumus et concedimus, quod inspectis literis nostris prædictis dictas Procurationes in Dioc. prædicta, juxta vim et effectum literarum earundem, ad opus dicti Cardinalis colligatis et levetis, non obstantibus quibuscunque mandatis nostris contrariis, si quæ forsitan vobis direximus in hac parte. In cujus, &c. Teste Rege apud *Caldecotes* 28 die *Junii*.

Ibid. m. 15. In cedula.

REX Venerabili in Christo patri *Th.* eadem gratia *Ymelacen.* Episc. Canc. suo, & dilectis & fidelibus suis *Johanni Wogan* Justic. suo *Hibernia*, & *Richardo de Bereford* Thesaur. suo de Scaccario *Dublin.* & omnibus Ballivis & fidelibus suis in *Hibernia* ad quos præsentes literæ pervenerint, salutem. Cum venerabilis pater Dominus *P. Sabinensis* Episcopus, sedis Apostolicæ Nuncius, pro reformatione et completione pacis inter Nos et Regem *Francia* ineundæ et firmandæ nuper in *Anglia* ad nos missus certos Procuratores suos, ad Procurationes suas in partibus *Hibernia* sibi debitas, prout in literis Apostolicis plenius continetur, colligendas et levandas ad partes illas jam transmittat. Vobis mandamus, quod dictis Procuratoribus consulentes sitis et auxiliantes in præmissis, ipsique fidum et securum conductum, si necesse fuerit, ad pecuniam de dictis Procurationibus provenientem usque in *Angliam* deferendam, sumptibus suis habere faciatis, cum per ipsos debite fueritis requisiti, ut pecunia illa exinde per viam Cambii ad partes deferri valeat transmarinas. Cumque intellexerimus, quod quædam injuriæ et transgressione Procuratoribus dicti Cardinalis in illis partibus sint illatæ: Vobis injungimus firmiter & mandamus, quod si quid eis injuriatum inveneritis, id eis faciatis sine morâ dispendio debitè emendari; Non permittentes, quantum in vobis est, quod aliqua injuria seu molestia Procuratoribus ipsis ab aliquibus inferatur. Teste Rege apud *Karliolum* 4 die *Maii*.

Per breve de Privato Sigillo.

Yet

Yet withall he iſſued this Writ to prohibit him to exact any Procurations from his Free-Chappels, as he endeavoured. *An.* 35 *E.* 1.

REX Collectoribus Procurationum venerabilis patris *P. Sabinenſis* Epiſcopi, Sanctæ *Romanæ* Eccleſiæ Cardinalis, ſalutem. Cum libera Capella noſtra Sancti *Martini Magni London.* ſicut et cæteræ liberæ Capellæ noſtræ, ab omni Juriſdictione ordinar. necnon et ab omnibus Exactionibus, Contributionibus et Procurationibus quibuſcunque ſit exempta, libera penitus et immunis, vos, ſicut accepimus a dilectis nobis in Chriſto Decano et Capitulo Capellæ noſtræ prædictæ, Procurationes ad opus prædicti Cardinalis erigitis, et ipſos ad Procurationem eandem ſolvendam graviter compellitis, in noſtri et ipſius liberæ Capellæ noſtræ præjudicium manifeſtum: Nos igitur attendentes ſuper hoc nobis et Regiæ noſtræ dignitati poſſe de facili derogari, niſi citius in hac parte apponamus remedium oppoſitum. Vobis mandamus firmiter inhibentes, ne a prædictis Decano et Capitulo hujuſmodi Procurationes, vel alias Exactiones in noſtri et dictæ Capellæ noſtræ præjudicium aliqualiter exigere præſumatis, per quod oporteat nos manum ad hoc apponere graviorem. Teſte Rege apud *Karliolum* 28 die *Marcii*. Clauſ. 35 E. 1. m. 11. dorſo. De Procurationibus de liberis Capellis Regis non petendis.

The King likewiſe to gratifie and endear this Cardinal to him, beſides his Procurations, granted him an Annual Penſion during his life of 50 Marks a year, out of his Exchequer, by theſe Patents.

REX omnibus ad quos, &c. ſalutem. Attendentes grata et laudabilia obſequia per venerabilem patrem *P.* Epiſcopum *Sabinenſem*, Sacroſanctæ *Romanæ* Eccleſiæ Cardinalem, nobis et regno noſtro ante hæc tempora multipliciter et impoſterum impendenda, eidem Cardinali Quinquaginta Marcas ſingulis annis ad totam vitam ſuam, ad Scaccarium noſtrum in feſto Sancti *Michaelis* nomine penſionis percipiend. duximus concedendas. In cujus, &c. Teſte Rege apud *Karliolum* 27 die *Junii*. Pat. 35 E. 1. m. 8 intus. Pro Epiſcopo Sabinenſi de penſione ſibi data.

Per ipſum Regem nunciante Theſaur.

REX Theſaur. & Camerariis ſuis, ſalutem. Liberate de Theſauro noſtro venerabili patri *P. Sabinenſi* Epiſcopo, Sacroſanctæ *Romanæ* Eccleſiæ Cardinali, Quinquaginta Marcas pro termino Sancti *Michaelis* proximo futuri, de illis Quinquaginta Marcis quas eidem Cardinali conceſſimus ſingulis annis ad totam vitam ſuam, ad Scaccarium noſtrum in feſto Sancti *Michaelis* nomine penſionis percipiend. Teſte Rege apud *Caldecotes* 29 die *Junii*. Liberate Anno 35 E. 1. m. 2. Pro P. Sabin. Epiſcopo.

Per ipſum Regem nunciante Theſaur.

* Præterea quarum literarum prætati Clerici Domini Papæ non habentes reſpectum ad Prohibitiones eis inde in dicto Parliamento factas, ad omnia prædicta extorſiones et gravamina facienda reverterunt; et quia dicti Clerici poſtea occaſione Prohibitionum illarum per plures de regno impediti fuerunt, quo minus extorſiones ſuas et gravamina ſicut prius facere poſſent: Et idem Clerici in Conſilio Domini Regis apud Weſtm. ad feſtum Sanctæ Trinitatis proximo ſequen. quaſdam petitiones ſuper impedimento eis facto porrexerunt et protulerunt coram Conſilio ibidem literas ſuas ſuprædictas. *Et quia compertum fuit per eaſdem*, quod Dominus Rex nichil revocavit de prædicta Ordinatione facta in Parliamento, nec aliquid eiſdem Clericis conceſſit per literas prædictas, niſi quod primos fructus Eccleſiarum vacantium, quantum in Rege fuit colligere poſſint et habere, et ſuper hoc quod nichil facerent, nec attemptarent, quod cederet in præjudicium Coronæ ſeu dignitatis Regiæ, aut aliorum fidelium Regis, et quod ſingula gravamina prædicta in præjudicium Regis, et aliorum fidelium ſuorum cerunt, de mandato Domini Regis tunc apud Karliol. exiſtentis: Conſervatum fuit in eodem Conſilio, quod prætati Clerici nulla de gravaminibus prædictis facerent, nec primos fructus Eccleſiarum de patronatu Regis, pro eo quod in præjudicium Regis Coronæ cederet, nec aliorum haberent. Intelligentibus autem dictis Clericis de concordia hujuſmodi petitiones ſuas ulterius in Conſilio proſequi + Placita Parl. An. 35 E. 1. See Ryley, p. 384, 385.

An. 35 E. 1. proſequi ſeu ibidem ad reſponſionem earundem habendæ accedere noluerunt. Ideoque ordinata fuit et facta eiſdem Prohibitio ſubtus ſcripta.

REX Magiſtris *W. Teſta* & *Petro Amalmeni*, ſalutem. **Cum vos quaſdam petitiones coram nobis in Conſilio noſtro exhibueritis ad quas reſpondere nondum deliberatum exiſtit, et vos ut dicitur, aliqua proſequamini præjudicialia nobis, Coronæ et dignitati noſtræ Regiæ, necnon et Proceribus, Magnatibus, ac populo regni noſtri hujuſmodi deliberatione pendente: Nobis mandamus firmiter inhibentes, ne quiſquam quod in noſtræ Regiæ dignitatis læſionem, ſeu Procerum, aut populi dicti regni præjudicium cedere poterit quoquo modo per vos vel per alios aliqualiter attemptetis, ſeu etiam faciatis attemptari.** Teſte Rege apud *Karliolum* 27 die *Junii*, Anno 35.

Iſta **Prohibitio** *eis liberata fuit per manus Majoris, Aldermannorum, & Vicecom.* London.

Poſtea vero antequam de ulteriori remedio, **ſi dicti Clerici contra Prohibitionem illam venire præſumpſiſſent poſſet provideri,** *Dominus Rex extremum clauſit diem,* **per quod ulterius inde nichil actum erat.**

The Popes Legate having thus obtained the Popes and his own ends, in ſuſpending, or countermanding the Writs and Acts againſt the Popes Proviſions, Firſtfruits, and other Exactions promoted by *William de Teſta*, in filling his purſe with new exceſſive Procurations from the Clergy and Religious perſons in *England* and *Ireland*, and gained an annual Penſion during his life, without doing the leaſt good to the King, Kingdom or Chriſtianity, reſolving to depate from *England* procured theſe Patents of Protection, and honourable reception in all Cities, Places in his return, as he received at his arrival, and progreſſe to the King at *Karliſle*, though he continued in *England* till after the Kings deceaſe and funeral.

Pat 35 E. 1. m. 23. intus. De conductu pro Cardinal. redeunte ad partes tranſmarinas.

REX dilecto & fideli ſuo *Johanni de Banquell*, ſalutem. Cum venerabilis pater Dominus *P. Sabinen.* Epiſcopus, Sacroſanctæ *Romanæ* Eccleſiæ Cardinalis, & amicus noſter chariſſimus, **qui a latere Domini Summi Pontificis miſſus in Nuncium ad nos uſque *Karliolum* nuper venit, jam ſit ad partes proprias rediturus: Nos corditer affectantes dictum Dominum Cardinalem, tam ob reverentiam dicti Summi Pontificis et ſedis Apoſtolicæ, quam intuitu perſonæ ejuſdem Cardinalis infra regnum et poteſtatem noſtram decenter per nos et noſtros fideles ſingulos honorari;** habenteſque de veſtræ circumſpectionis induſtria fiduciam pleniorem, vos ad dictum Cardinalem ſic ad partes tranſmarinas redeuntem dum infra regnum noſtrum fuerit deputavimus **conducendum.** Et ideo vobis mandamus, **quod ipſum Dominum Cardinalem dum infra dictum regnum noſtrum ſic fuerit quanto decentius et honorabilius poteritis conducatis, non permittentes quod eidem Cardinali aut hominibus ſuis a quibuſcunque fiant injuria, moleſtia, dampnum, impedimentum aliquod ſeu gravamen.** Mand. Vic. Majoribus & Ballivis locorum per quæ credimus ipſum verſus partes dictas rediturum, quod victualia in Ballivis ſuis in magna habundantia venditioni exponi, & dicto Cardinali ac hominibus ſuis cariagium cum inde indiguerint habere faciant, prout vos dictis Vic. Majoribus & Ballivis ex parte noſtra plenius injungetis; Et præmiſſa omnia & ſingula ita circumſpectè & providè faciatis, quod diligentiam veſtram poſſimus merito commendare. In cujus, &c. Teſte Rege apud *Karliolum* 16 die *Martii*.

Pat. 35 E. 1. m. 5 intus. Pro Epiſcopo Sabinenſi Cardinali.

REX Vic. *Kanc.* ſalutem. Præcipimus tibi, quod cum venerabilis pater *Sabinen.* Epiſcopus, Sanctæ *Romanæ* Eccleſiæ Cardinalis, partibus *Cantuar.* appropinquaverit, ad transfretand. occurras ei & comiteris eum uſque *Dover.* **et de exitibus Ballivæ tuæ ipſius paſſagium acquietes, et nos tibi inde in compoto tuo ad Scacarium noſtrum debitam allocationem habere facientes. Et hoc nullo modo omittas.** Teſte Rege apud *Karl.* 3 die *Julii*.

Per ipſum Regem.

Anno

Anno eodem, the King to gratifie and reward this Cardinal Legate at his ſeeming departure hence, iſſued theſe Writs to his Chancellor to conferr the firſt Church or Prebendary in his gift of the value of 300 Marks a year or upwards upon him, or ſeveral Livings or Prebendaries amounting to that value, if none of ſo great a value became void, and to preſent or collate him thereunto, as this Writ and *Memorandum* aſſures us. *An.* 35 E. 1.

Edward par la grace de Dieu Roy *Dengleterre*, Seigneur *Dirlaunde*, & Duc *Daquitaine*, al honurable pere en Dieu *R.* par la meiſme grace Eveſque de *Londres* noſtre Chancellier, ſaluz. **Por ce que nous avoms grantez al honurable pere en Dieu *Thomas* par la meiſme grace du Title de Seinte *Sabine* Preſtre Cardenal, que nous li purveroms de la premere Egliſe ou provende qe ſe voidera de noſtre doneiſon, et que ſoit purement de lay patronage, juſques a la value de trois centz marcs, ou la entour, dous mandoms que dous facez diligeaument eſpier quant nule tiele Egliſe ou provende ſe voidera de noſtre doneiſon, et au plus toſt que dous purrez ſaver nule tiele Egliſe ou provende vacant de la dite value de noſtre doneiſon, et de lay patronage ſicome eſt avandit, facez ent faire lettres de preſentement, ou de collation ſouz noſtre grant ſeal en due fourme au dit Cardenal, ſi que nous peuſſoms eſtre quites vers li de noſtre grant avantdit. Et ſi adiegne par aventure que ceſt grant ne peuſt eſtre acompli en une Egliſe ou provende, nous voloms qil ſoit acompli en deux, ou trois Egliſes ou provendes de lay patronage que adeignent a la dite ſuſdite, iſſint que ceſti noſtre grant ne ſoit delaez per nul autre mandement. Et meiſmes les lettres de preſentement ou de collation facez liverer a li ou a ſon procurateur en cele partie.** Don ſouz noſtre prive ſeal a *Cardoil* le 26 jour *Davril*, l'an de noſtre regne 35. Ex bundela Brevium & Literarum An. 35 E. 1. in Turri Lond.

MEmorandum quod Dominus Rex per breve de privato ſigillo ſuo de data apud *Karliolum* 26 die *Aprilis*, anno regni ſui triceſimo quinto, mandavit venerabili patri *R. London.* Epiſcopo Cancellario ſuo, quod ipſe diligenter faceret explorari quando aliqua Eccleſia ſeu Præbenda de donatione Regis, **quæ eſſet pure de laico patronatu Regis valoris treſcentarum marcarum vel circiter vacaret.** Et quam cito idem Cancellarius ſcire poterit aliquam talem Eccleſiam vel Præbendam vacare, **faciat inde literas de præſentatione ſeu collatione ſub magno ſigillo Regis in forma debita, pro venerabili patre *Thoma* Titulo Sanctæ *Sabinæ* Preſbytero Cardinali: Et ſi contingat quod dicta conceſſio Regis compleri non poſſit in una Eccleſia, vel in una Præbenda, Rex vult, quod compleatur in duabus vel tribus Eccleſiis ſeu Præbendis de laico patronatu Regis, ut dictum eſt, quæ attingant ad valorem ſupradictum. Ita quod prædicta conceſſio Regis non differatur per aliquod aliud mandatum Regis.** Clauſ. 35 E. 1. m. 8. dorſo. De magno ſigillo liberato R. London. Epiſcopo.

Moreover the King at this Legates requeſt, reſpited the Oath of Fealty due to him from the Archbiſhop of *Rhein* by reaſon of his Temporalties in *England*, and commanded the Temporalties to be reſtored to his Proctor before he had taken his Oath of Fealty to the King, notwithſtanding a Debt charged on them by the Kings Writ to a third perſon, which the King engaged to pay, as theſe Records inform us.

REX dilecto & fideli ſuo *Waltero de Glouceſtria* Eſcaetori ſuo ultra *Trentam*, ſalutem. **Quia ad inſtantiam venerabilis patris P. *Sabinenſis* Epiſcopi, Sacroſanctæ *Romanæ* Eccleſiæ Cardinalis, dedimus reſpectum** venerabili patri *B.* Archiepiſcopo *Rothomagenſi*, uſque ad feſtum *Pentecoſtes* prox. futur. & ab eodem feſto uſque in unum annum proximo ſequentem completum, **de fidelitate ſua quam nobis facere tenetur, de terris et tenementis quæ de nobis tenet infra regnum noſtrum, et quæ per mortem prædeceſſoris ſui capta ſunt in manum noſtram:** Vobis mandamus, quod omnes terras & tenementa in Balliva veſtra, quæ occaſione mortis prædeceſſoris prædicti Archiepiſcopi cepiſtis in manum noſtram, *Galfrido Columbel* Clerico & Attornato ipſius Archiepiſcopi ſine dilatione liberetis, nomine ejuſdem Archiepiſcopi cuſtodiend. Ita quod idem Archiepiſcopus in fine dicti Clauſ. 35 E. 1. m. 7. Pro B. Archiepiſc. Rothomag.

An. 35 *E.* 1. dicti anni ad nos accedat, fidelitatem ſuam nobis facturus pro terris & tenementis ſupradictis. Teſte Rege apud *Karliolum* primo die *Aprilis*.

Per ipſum Regem.

Eodem modo mandatum eſt *Richardo Oyſel* Eſcaetori citra *Trentam*. Teſte Rege ut ſupra.

Pat. 35 E. 1. m. 1 intus. Pro Archiepiſc. Rothomag.

REX dilecto ſibi Magiſtro *Johanni Feroun*, ſalutem. Cum nuper ad inſtantiam venerabilis patris *P. Sabinenſis* Epiſcopi, Sacroſanctæ *Romanæ* Eccleſiæ Cardinalis, **dederimus reſpectum** venerabili patri *B.* Archiepiſcopo *Rothomagen.* uſque ad feſtum *Penteceſtes* proximo futurum, & ab eodem feſto uſque in unum annum proximo ſequentem completum, **de fidelitate ſua quam nobis facere tenetur. de terris et tenementis quæ de nobis tenet infra regnum noſtrum, et quæ per mortem prædeceſſoris ſui capta ſunt in manum noſtram:** Et mandaverimus dilecto & fideli noſtro *Richardo Oyſell* Eſcaetori noſtro citra *Trentam*, quod omnes terras & tenementa in Balliva ſua, quæ occaſione mortis prædeceſſoris prædicti Archiepiſcopi cepit in manum noſtram, *Galfrido Columbell* Clerico & Attornato ipſius Archiepiſcopi ſine dilatione liberaret, nomine ejuſdem Archiepiſcopi cuſtodiend. **Ita quod idem Archiepiſcopus in fine dicti anni ad nos accederet, fidelitatem ſuam nobis facturus pro terris et tenementis ſupradictis.** Ac idem Eſcaetor nobis ſignificaverit, quod dictum mandatum noſtrum juxta tenorem ejuſdem exequi non valebat, pro eo quod terras & tenementas prædicta diu eſt vobis prætextu cujuſdam brevis ſub ſigillo Scaccarii noſtri ſibi ſuper hoc directi liberavit, tenend. quamdiu nobis placeret, reddendo inde nobis per annum quinquaginta marcas, prout in tranſcripto brevis prædicti quod dictus Eſcaetor noſter ſub ſigillo ſuo nobis miſit plenius continetur. Vobis mandamus, quod terras & tenementas prædicta vobis ex parte noſtra ſic commiſſa, præfato *Galfrido* ſine dilatione liberetis cuſtodiend. in forma ſupradicta. Volumus enim vos de prædictis quinquaginta marcis, ex nunc ad dictum Scaccarium noſtrum prout juſtum fuerit exonerari. Teſte Rege apud *Karliolum* 16 die *Aprilis*.

In a Bundle of Writs of Privy Seal in the *White Tower*, I found this Writ of the King to his Chancellor, to tranſlate a *French* Letter therein mentioned into *Latin*; and ſend it to the Pope under the Great Seal, to thank him for his vigilancy to ſend this Legate to him into *England*, though his deportment here demerited no ſuch thanks from the Church, Clergy or Kingdom.

In Bundela' Brevium de Privato ſigillo An. 35 E. 1. in Turri Lond.

EDward par la grace de Dieu Roy *Dengleterre*, Seigneur *Dirlaunde*, & Ducs *Daquitaine*, a noſtre chier Clerk *William de Hamelton* noſtre Chauncellier, ſaluz. Nous vous enveoms deuz ces lettres une note eſcrite en Franceis dunes lettres, que nous voloms enveer a noſtre chier pere le *Pape*, & vous mandoms que meiſme la note facez tranſlater en Latyn, en bone & covenable forme, & ſealer de noſtre grant ſeal, & liverer as porteurs de ces lettres par les porter avant a noſtre pere avantdit. Don ſouz noſtre prive ſeal a *Laurecoſt* le 3 jour de *Janver*, l'an de noſtre regne 35.

Ibidem. * See here p. 1158.

* *Al Pape, par le Roy. Treſſeint pere, nous avons bien entenduz per voz lettres, les queles vous nous enveaſtes per les porteurs de ceſtes, coment vous avez enveez vers nous, Sire* Pierres Leſpaignol *Cardenal, & Monſieur* Amaneu *Seigneur de* Lebret, **pur aucunes buſoignes touchantz le common profit de la Chriſtiente, et l'eſtat de noſtre Roiaume,** *& faiſons ſavoir a veſtre Seintete que grant temps avant que voz dites lettres nous vindrent,* **aviens nous enbeez a vous noz lettres pur meiſmes les buſoignes,** *les queux lettres nous entendons que vous ſoient deſpieca venues,* **et mercions cherement a veſtre Seintete de ce que vous nous enbeez tieux meſſagers, qui nous ont eſte et ſont ſi eſpeciaux, et meeſment du dit Cardenal,** *le quel nous entendons qui doit eſpecialment amer* Edward *noſtre chier filz qui eſt du ſank* Deſpaigne, *de quel pais meiſme le Cardenal eſt. Par quoi treſſeint pere nous ſumes molt leez de la venue de voz ditz meſſages.*

He

He likewiſe commanded his Chancellor to write and ſend other Letters to the Pope in his name, on the behalf of *Duncan de Fyf*, for to diſpenſe with a marriage within the degrees of conſanguinity. *An.* 35 *E.* 1.

EDward par la grace de Dieu Roy *Dengleterre*, Seigneur *Dirlaunde*, & Ducs *Daquitaine*, a noſtre chier Clerk *William de Hamelton* noſtre Chancellier, ſaluz. Nous vous mandons que vous facez faire lettres ſouz noſtre grant ſeal de priere, en bone & eſpeciale forme al noſtre treſchier pere le *Pape*, que por le bien de pees & por l'amour de nous **il pleiſe a ſa Seintete diſpenſers matremoyne ſe puiſſe faire entre** * *Duncan de Fyf* & *Marie de Monthermer*, **nient contreſtant qil ſe appertienont en degre de parente ou affinite defenduz quant a contract de matremoyne.** Et facez faire autres lettres de priere a Sire *Pierres de Columpne* Cardenal, quil vueille avancer cele buſoigne devers noſtre dit pere le *Pape* en la meilleure manere qe il porra por l'amour de nous. Et meiſmes les lettres enſi faites facez liverer au portour de ceſtes lettres, & les porter avant ſelonc ce que li eſt enioignt. Dat ſouz noſtre prive ſeal a *Laurecoſt* le 12 jour d'*Octobre*, l'an de noſtre regne 35. In eadem Bundela. * See here p. 1157.

The King alſo ſent this Letter to the Pope, for his Diſpenſation for another Favorite of his to marry one within the prohibited degrees of conſanguinity, made a matter only to gain money to the Pope, not of conſcience in that age.

PApæ Rex, devota pedum oſcula beatorum. Attendentes obſequia utilia & accepta quæ dilectus & fidelis noſter *Poncius* Dominus de *Caſtellione* nobis laudabiliter hactenus impendit, ſtatus ipſius & ſuorum commodum & honorem non indignè inducimur procurare, ſperanteſque quod **ſolita veſtra** benignitas illos amplioris favoris gratia proſequatur quorum obſequioſa promptitudo penes nos exuberat, & quibus morum honeſtas & generis nobilitas ſuffragantur. Ideoque cum ſuper **matrimonio** inter *Poncium* filium dicti *Poncii*, & *Johannam de Peregort* contrahendo, jam ut intelleximus habitus ſit tractatus, iidem *Poncius* filius *Poncii* & *Johanna*, **pro eo quod in gradu conſanguinitatis prohibito ſe attingunt, abſque ſedis Apoſtolicæ gratia nequeunt matrimonialiter copulari**, Sanctitati veſtræ devotis precibus ſupplicamus, quatinus ut præfatus *Poncius* dictam *Johannam* ducere valeat in uxorem, prout veſtra decreverit paternitas reverenda, **noſtrorum intercentu rogaminum diſpenſare dignemini graciose.** Dat. apud *Karliolum* 26 die *Aprilis*.

Per breve de privato ſigillo. Clauſ. 35 E. 2. m. 9. dorſo. Pro Poncio Domino de Caſtellione.

The King this year commanded his Chancellor to write a Letter to the Pope and ſome Cardinals, in the beſt form he could, for the canonization of *Robert Groſthead* Biſhop of *Lincoln*, in purſuance of that he writ to the Pope the † *year before* for that purpoſe. † See here p. 1134, 1135.

EDward par la grace de Dieu Roy *Dengleterre*, *&c.* al honurable pere en Dieu *R.* par la meiſme grace Eveſque de *Londres* noſtre Chancellier, ſaluz: Come le honurable pere en Dieu Leveſque de *Nicole* & le Chapitre de Legliſe de meiſme le lieu, **ſoient enpurchaceant devers noſtre pere le Pape le canonizement de Seint** *Robert Groſſeteſte* **jadis Eveſque de** *Nicole*. **Nous eanz la buſoigne de dit canonizement molt a cuer, et deſiranz que ele ſe face al honur de Dieu et de Seinte Egliſe, et du dit corps ſeint auſint, vous mandoms que vous facez faire lettres de noſtre grant ſeal en bone forme, et eſpeciale a noſtre dit pere le Pape, enpriant a grant devocion come il affiert pur tiel corps ſeint, pur qui Dieu ad monſtre granz miracles, quil vueille le canonizement du dit corps ſeint granter et faire.** Et facez auſint faire autres lettres de noſtre dit ſeal en bone forme & eſpeciale deper nous a Sire *Reymon del Gout* **nevoeu noſtre dit pere le Pape**, a Sire *Pierres Leſpaynel*, & a Sire *Thomas de Fora* Cardenaux de la Seinte Egliſe de *Rome*, **enpriant que a la buſoigne du dit canonizement, abancer et exploiter ils mettent tote l'aide et le bon conſeil quil porront, pur l'onur de Dieu, de Seinte Egliſe, et de dit corps ſeint, et auſint pur amour de nous**; les queles lettres facez faire, In Bundela Brevium de privato ſigillo An. 35 E. 1. in Turri London. Roberti Groſſeteſt Canonizatio.

An. 35 *E.* 1. & deliverer a celi qi la buſoigne ſuyra devers vous, au plus toſt que vous porrez en bone manere. Don ſouz noſtre prive ſeal a *Cardoill* le 6 jour de *Mey*, l'an de noſtre regne 35.

Anno 35 E. 1. I found no fewer then 15. *Prohibitions* among the Bundles of Writs of that year in the *White Tower*, brought at the Suits of the King, or perſons injured, for holding and proſecuting Pleas in Court Chriſtian, for Chattels and Debts, not belonging to them, againſt the Kings Prohibitions, to the hurt of his Crown and Royal Dignity: A breviate whereof I ſhall only preſent you with.

Bundelæ Brevium in Turri London. An. 35 E. 1.

EDwardus *Dei gratia Rex* Angliæ, *&c. Vic.* Ebor. *&c. Si* Petrus Fraunkeleyn & Agn. *uxor ejus*, *&c. pone*, *&c. Magiſtr.* Gudricum de Eborum, *Magiſtr.* Franciſcum de Taytan, & Nicholaum de Clerc, **quare tenuerunt placitum in Curia Chriſtianitatis de catallis et debitis, quæ non ſunt de Teſtamento vel Matrimonio, contra Prohibitionem noſtram**: *Pone etiam*, *&c.* Henr. de Derby *Capellanum*, & Gregorium le Chapelayn *de* Akum, **quare ſecuti ſunt idem placitum in eadem Curia, contra Prohibitionem noſtram**, *&c. Teſte meipſo apud* Lauretoſt 4 *die* Januarii, *Anno regni noſtri* 35. *Vic.* Lanc. *Si* Simon de Tayllur, *&c. pone Magiſtr.* Henricum de Stowe, *&c. quare tenuit* (conſimile) *placitum*, *&c. Pone etiam* Robertum Marmyoun *Perſonam Eccleſiæ de* Wyntringham, *quare ſecutus eſt idem placitum*, *&c. Teſte meipſo apud* Karliolum 28 *die* Maii, *An. r. n.* 35. *Vic.* Devon. *Si* Philippus Lovecock *de* Tyverton, *&c. Pone*, *&c.* Nicholaum Mayon, *quare ſecutus eſt* (conſimile) *placitum. Teſte meipſo apud* Lauretoſt 22 *die* Novembr. *An. r. n* 35. *Vic.* Cornub. *Si* Willielmus de Roſcadan, *&c. Pone Magiſtr.* Robertum de Powerinam, *quare tenuit* (conſimile) *placitum*, *&c. Pone etiam*, *&c.* David *Vicarium Eccleſiæ de* Menſtre, **quare ſecutus eſt idem placitum**, *&c. Teſte meipſo apud* Lauretoſt 22 *die* Novembr. *An. r. n.* 35. *Vic.* Berks, *&c. Si* Matill. Bygod, *&c. Pone*, *&c* Jacobum de Bokyngham, **quare tenuit** (conſimile) **placitum**, *&c. Pone etiam*, *&c.* Willielmum Bygod, *&c.* **quare ſecutus eſt idem placitum**, *&c. Teſte ut ſupra* 22 *die* Novembr. with an *alias*, *Teſte ibidem* 26 *die* Novembr. *Vic.* Somerſet. *&c. Si* Richardus de Sancta Barba, *&c. pone*, *&c. Abbatem* Glaſton. *&c.* **quare tenuit** (conſimile) **placitum**, *&c. Pone etiam*, *&c.* Muriellam Paſtrel, *&c.* **quare ſecuta eſt idem placitum**, *&c. Teſte ut ſupra* 25 *die* Novembr. *Vic.* Berks, *&c. Si* Reginaldus de Bradeburn, Swaynus de Mettley, Johannes le Whelere, Andræas le Whelere, & Johannes le Horſpath, *&c. pone*, *&c. Magiſtr.* Radulphum de la Mere, & Petrum Rokekyn *de* Walyngford, *&c. oſtenſuri*, **quare ſecuti ſunt** (conſimile) **placitum**, *&c. Teſte ut ſupra* 26 *die* Novembr. *Vic.* Devon. *&c. Si* Nicholaus de Kirkham, Willielmus de Ferrariis, Richardus Lamberton, Guido le Bret, & Richardus le Tayllur, *&c. pone*, *&c. Magiſtr.* Johannem de Brenton, *&c.* **quare tenuit** (conſimile) **placitum**, *&c. Pone etiam*, *&c.* Walterum de Ferrariis *Perſonam Eccleſiæ de* Byor, *&c.* **quare ſecutus eſt idem placitum**, *&c. Teſte meipſo* (qua ſupra) 20 *die* Decembr. *Vic.* Devon. *&c. Si* Johannes de Alre, & Petrus Wych, *&c. pone*, *&c. Magiſtr.* Willielmum de Kilkenny, *&c.* **quare tenuit** (conſimile) **placitum**, *&c. Pone etiam*, *&c.* Margeriam *filiam* Euſtachii le Barum, *&c.* **quare ſecuta eſt idem placitum**, *&c. Teſte ut ſupra* 20 *die* Decembr. *Vic.* Leyceſtr. *&c. Si* Walterus le Palmer *de* Melton, *&c. pone*, *&c. Magiſtr.* Thomam de Naſſington, *&c.* **quare tenuit placitum in Curia Chriſtianitatis de catallis et debitis**, *&c.* **contra Prohibitionem noſtram.** *Pone etiam* Gilbertum Chery, *&c.* **quare ſecutus eſt idem placitum in eadem Curia, contra Prohibitionem noſtram**, *&c. Teſte meipſo apud* Lauretoſt 22 *die* Decembr. *Anno regni noſtri triceſimo quinto.*

In eadem Bundela.

EDwardus *Dei gratia Rex* Angliæ, *&c. Vic.* Ebor. *&c. Pone*, *&c.* Rogerum de Leſterton, *oſtenſur.* **quare cum placita de catallis et debitis in regno noſtro quæ non ſunt de Teſtamento vel Matrimonio, ad Coronam et dignitatem noſtram ſpecialiter pertineant, idem Rogerus**, *&c.* **ſecutus eſt placitum in Curia Chriſtianitatis de catallis et debitis Abbatis de Beland, quæ non ſunt de Teſtamento vel Matrimonio, in læſionem Coronæ et dignitatis noſtræ, et contra Prohibitionem noſtram.** *Teſte meipſo apud* Karl. 17 *die* Marcii, *An. r. n.* 35. *Rex*, *&c.*

Venerabili

Venerabili in Chriſto patri W. *Archiepiſcopo* Ebor. *&c. quod venire faciatis, &c.* Johannem le Franceys *Clericum veſtrum, ad reſpondend.* **tam Nobis quam Abbati de Salleye, &c. quare cum placita, &c.** (ut ſupra) **tenuit placitum in Curia Chriſtianitatis de catallis et debitis Abbatis de** Salleye, **quæ non ſunt de Teſtamento, &c.** *Teſte* R. de Hengham *apud* Weſtm. 12 *die* Maii, *An. r. n.* 35. *Vic.* Ebor. *&c. Pone, &c.* Walterum *fil.* Roberti Tote *de* Mapelton, *&c.* **quare cum placita, &c.** (ut ſupra) **ſecutus eſt placitum in Curia Chriſtianitatis de catallis et debitis Prioris de** Bridlington, **quæ non ſunt, &c.** *Teſte meipſo apud* Karliol. 8 *die* Junii, *An. r. n.* 35. *Vic.* Suff. *&c. Pone, &c.* Willielmum Oletеyn *de* Layfeld, *&* Johannem Fysks, *&c.* **quare cum, &c.** (ut ſupra) **ſecuti ſunt placitum in Curia Chriſtianitatis de catallis et debitis** Philip. de Thorpe *Perſona medietatis Eccleſiæ de* Freſyngfeld, **quæ non ſunt de Teſtamento vel Patrimonio, in læſionem Coronæ et dignitatis noſtræ, et contra Prohibitionem noſtram, &c.** *Teſte meipſo apud* Lauretoſt 8 *die* Decembr. *Anno regni noſtri triceſimo quinto.* *An.* 35 *E.* 1.

To theſe I ſhall ſubjoyn this memorable Writ the ſame year.

REX Vic. *Ebor.* ſalutem. **Diſſimulare non poſſumus ſicuti nec debemus, quin impugnatores juris noſtri Regii, ad cujus conſervationem vinculo juramenti aſtricti ſumus faciamus prout convenit caſtigare.** Cum igitur dilectus Clericus noſter *Walterus de Bedewynd* poſſeſſionem Theſaurariæ in Eccleſia beati *Petri Ebor.* virtute collationis noſtræ ſibi inde pleno jure noſtro factæ, **et per conſiderationem noſtræ Curiæ ſit adeptus,** noſque pro eo quod intelleximus jam de novo, **quod quidem jura dictæ Coronæ noſtræ, necnon et judicia in Curia noſtra reddita enervare præſumentes, Commiſſiones per quas idem Clericus noſter ſuper poſſeſſione ſua Theſaurariæ prædictæ poſſet de facili turbari, Judicibus Eccleſiaſticis fieri procuraverunt, inhibuerimus per literas noſtras patentes omnibus et ſingulis perſonis Eccleſiaſticis in quacunque dignitate vel officio conſtitutis, ne prætertu alicujus Commiſſionis eis vel eorum alicui per quemcunque factæ vel faciendæ ſuper Theſaurariæ prædicta, ſeu aliquibus ad eam pertinentibus, quicquam nobis inconſultis facere præſumant, per quod dictus Clericus noſter ſuper poſſeſſione ſua Theſaurariæ prædictæ, ſeu aliquorum ad eandem ſpectantium indebite perturbari, aut juri Coronæ noſtræ in aliquo valeat derogari: Tibi præcipimus, quod ſi quem in Balliva tua inveneris, qui poſt inhibitionem hujuſmodi ex parte noſtra ſibi factam, virtute alicujus Commiſſionis per quemcunque ſibi factæ vel faciendæ quicquam nobis inconſultis attemptaverit, per quod dictus Clericus noſter ſuper poſſeſſione ſua prædicta indebite turbari, aut juri Coronæ noſtræ prædictæ in aliquo valeat derogari, tunc ipſum arreſtes et in priſona noſtra ſalvo cuſtodias quouſque aliud a nobis inde habueris in mandatis. Et hoc nullo modo omittas.** Teſte Rege apud *Karliolum* 10 die *Marcii.* Clauſ. 35 E. 1. m. 10. dorſo. Pro Rege & Waltero de Bedewind Clerico.

Per breve de privato ſigillo.

Thus as the Pope, his Legates, Nuncioes, Agents uſurped upon the Rights and Prerogatives of the Crown, and Subjects Liberties on the one hand, ſo on the other hand our Archbiſhops, Biſhops, Archdeacons, Officials, and Eccleſiaſtical Courts, from the firſt to the very laſt year of this Kings reign, perpetually encroached, uſurped upon the Temporal Juriſdiction, Crown, Dignity, Courts, and his Subjects Liberties, notwithſtanding all Regal Prohibitions, Attachments, Informations, and Suits againſt them, in higheſt contempt of his Soveraign Authority, Juriſdiction, Parliaments, Counſil, Courts, Judges, by holding Pleas of Chattels, Debts, Treſpaſſes, Advowſons of Churches, Chappels, Lay-fees, and other cauſes peculiar to his Crown and Dignity; frequently Excommunicating his Officers and Subjects who brought Prohibitions to reſtrain their Uſurpations, and Impriſoning them upon *Capias Excommunicatums*, on purpoſe to vex, diſcourage, or diſable them to proſecute their juſt Actions againſt them, for theſe their diſloyal Uſurpations on the Kings Crown and Royalties, againſt their Oathes and Allegiance to this their Soveraign Lord. Such incorrigible Peſts, grievances and Nuſances were they both to the King and Subjects in that age, and in moſt preceding and ſuc-

An. 35 E. 1. ceeding generations, as theſe and the premiſed Records abundantly evidence, beyond contradiction.

With what armed Lay-force and violence ſome Clergymen then kept poſſeſſion of Prebendaries and Houſes thereunto belonging, againſt the Kings Clerks, in affront of his Royal Authority and Title, and how the King proceeded againſt them thereupon, this Writ and the Return thereof will inform us.

Ex Bundela Brevium An. 35 E. 1. in Turri Lond.

EDwardus Dei gratia Rex *Anglia*, Dominus *Hibernia*, & Dux *Aquitania*; Vic. *Huntingd.* ſalutem. Cum nuper dederimus & conceſſerimus dilecto Clerico noſtro Magiſtro *Johanni de Cadamo* Prebendam de *Leghton* Maner. in Eccleſia beatæ *Mariæ Lincoln.* vacantem, & ad noſtram donationem ſpectantem, ratione Epiſcopatus *Lincoln.* nuper vacantis, & in manu noſtra tunc exiſtentis: Habendum cum ſuis juribus & pertinentiis quibuſcunque: & venerabili patri *Johanni* Epiſcopo ejuſdem loci mandaverimus, quod præfatum Clericum noſtrum ad dictam Prebendam admitteret, ſtallumque in Choro & locum in Capitulo ratione dictæ Prebendæ aſſignaret eidem. Ac idem Epiſcopus, Decanuſque & Capitulum ejuſdem Eccleſiæ ipſum Clericum noſtrum ad Prebendam illam admiſerint, & ſtallum in Choro locumque in Capitulo ſibi aſſignaverint, prout ad ipſos ex officii ſui debito pertinebat, Magiſter *Philippus de Barton*, *Radulphus* fil. *Clementis de Leghton*, *Willielmus de Reygate*, & *Richardus le Meſſager*, **aggregata ſibi ingenti multitudine malefactorum, et pacis noſtræ perturbatorum, manſum Prebendæ prædictæ apud *Leghton* Maner. vi et armis ingreſſi, et effectum donationis et conceſſionis noſtrarum prædictarum enervare pro viribus machinantes, manſum illud cum pertin. præfato *Johanni* deforciant et detinent occupatum, et ipſum *Johannem* quo minus poſſeſſionem ejuſdem manſi cum pertin. juxta donationem et conceſſionem noſtras prædictas, et vim admiſſionis prædictæ nanciſci poſſit ut deberet impediunt minus juſte, in noſtri contemptum, et juris noſtri Regii derogationem manifeſtam, et dicti *Johannis* dampnum non modicum, ac contra pacem noſtram. Et quia hujuſmodi contemptum et injuriam ſuſtinere nolumus nec debemus, præſertim cum ad defenſionem et tuitionem jurium noſtrorum regiorum, ne per aliquorum uſurpationes depereant vel aliqualiter ſubtrahantur, juramenti vinculo aſtringamur**; Tibi præcipimus, quod per ſacramentum proborum & legalium hominum de Balliva tua per quos rei veritas melius ſciri poterit, diligenter inquiras de nominibus malefactorum prædictorum, qui una cum prædictis *Philippo*, *Radulpho*, *Willielmo* & *Richardo*, prædicta contemptum, injuriam, reſiſtentiam & impedimentum fecerunt & faciunt, & præfatos *Philippum*, *Radulphum*, *Willielmum* & *Richardum*, ac omnes alios quos inde per Inquiſitionem illam culpabiles inveniri contigerit attachies, ita quod eos habeas coram nobis à die Sancti *Johannis Baptiſtæ* in 15. dies ubicunque tunc fuerimus in *Anglia*, ad reſpondendum nobis de præmiſſis, & ad faciendum & recipiendum quod Curia noſtra conſideraverit in hac parte. Et habeas ibi nomina malefactorum illorum & hoc breve. Teſte meipſo apud *Karliolum* 10 die *Junii*, anno regni noſtri 35.

Dorſo. Inveni per Inquiſ. quam per tenorem hujus brevis fieri feci, quod *Radulphus* fil. *Clementis del Leghton*, *Willielmus de Reygate*, *Richardus le Meſſager*, & *Johannes le Provoſt*, per præceptum Magiſtri *Philippi de Barton* deforciaverunt & detinuerunt Magiſtro *Johanni de Cadamo* manſum de *Leghton* Maner. occupatum, quo minus idem Magiſter *Johannes* poſſeſſionem ejuſdem manſi nanciſci potuit, ut deberet; Et attachiavi *Radulphum* fil. *Clementis*, *Richardum le Meſſager*, & *Johannem le Provoſt*, **quorum corpora bobis mitto per portitorem bujus præſentis.** Cæteri non fuerunt inventi in Balliva mea.

There being a cauſe long pending in Parliament, concerning the Advowſon of the Church of *Brugeford*, the King willing to put a ſpeedy period thereunto in the Parliament at *Karliſle*, iſſued this Writ to *Bonifacium de Salariis* to repair to that Parliament with all his Evidences, there to defend the Kings and his own right thereunto.

REX

An. 35 E. 1.

Clauſ. 35 E. 1. m. 6. dorſo. De veniendo coram Rege pro advocatione de Briggford.

REX dilecto ſibi *Bonifacio de Salariis*, ſalutem. Quia quoddam negotium per venerabilem patrem *W.* Archiepiſcopum *Ebor.* per petitionem præſentibus intercluſum, **in Parliamento noſtro apud** *Karliolum*, & petitiones conſimiles **in aliis Parliamentis noſtris** per prædeceſſores ſuos, necnon & negotium dilecti & fidelis noſtri *Rogeri le Brabanzon*, **ſuper jura patronatus Eccleſiæ de** *Briggford* **coram nobis et Conſilio noſtro propoſita multo tempora agitata dilationem ceperunt diutinam.** Nos ne negotia illa diutius ob pericula quæ ex hujuſmodi dilatione imminere manifeſtè noſcuntur pendant ulterius indeciſa; volentes ut nunc ſaltem fine debito terminentur, ad quod præſentia veſtra requiritur ſpecialiter in hac parte: Vobis mandamus, quod in craſtino Sancti *Gregorii* Papæ **coram nobis et Conſilio noſtro ſitis per vos vel alium ſufficienter inſtructum apud** *Karliolam*, **oſtenſuri, ſi quid pro jure noſtro, ac etiam ſtatu veſtro,** quo ad contenta in petitionibus prædictorum Archiepiſcopi & *Rogeri* habeatis quare ad finalem expeditionem prædictorum negotiorum minimè fuerit procedendum; deferentes ſeu mittentes evidentias univerſas quas invenieritis vel habueritis in præmiſſis. Et habeas ibi tunc hoc breve. Teſte Rege apud *Laurecoſt* 8 die *Februarii*.

There being a controverſie between the Archbiſhop of *York*, the Archdeacon of *Nottingham*, and *Bonifacius de Salariis*, concerning their Eccleſiaſtical Juriſdiction over his and their Churches, the King by his Prerogative referred the examination thereof to two of his Juſtices by a Jury, and not to any Spiritual Court or Perſons, by this Patent.

Pat. 35 E. 1. m. 5 dorſo. Pro W. Archiepiſcopo Ebor.

REX dilectis & fidelibus ſuis *Edmundo de Eyncurt*, *Willielmo de Bereford*, & *Adæ de Middleton*, ſalutem. Suâ nobis venerabilis pater *W. Ebor.* Archiepiſcopus **petitione coram nobis et Conſilio noſtro exhibita ſupplicavit**, ut cum ipſe in Eccleſiis de *Ludham*, *Eſtmarkham*, *Weſtmarkham*, *Wheteley*, *Harworth*, *Eſtbriggford* & *Walesby*, ſuæ Dioc. **tanquam Parochialibus et curatis inſtitutiones et deſtitutiones habere, et alias Juriſdictionem ordinariam exercere debeat in eiſdem, ejuſque prædeceſſores Archiepiſcopi** *Ebor.* **ſuis temporibus, necnon Decani et Capitulum ejuſdem loci temporibus vacationum ſedis Archiepiſcopatus illius uſque ad tempus quo Capellam de** *Tikehill Bonifacio de Salariis* **hujuſmodi inſtitutiones et deſtitutiones in Eccleſiis prædictis habere, et omnimodam Juriſdictionem exercere conſueverint, ac Rectores et Vicarii Eccleſiarum prædictarum ad Eccleſias illas et Vicarias per prædeceſſores ſuos prædictos dicta ſede exiſtente plena, et per dictos Decanos et Capitulum vacante ſede illa ſemper hactenus uſque ad tempus collationis noſtræ prædictæ admiſſi fuerint,** & in poſſeſſionem earundem per Archidiaconos *Notingh.* & non per alium de mandato Archiepiſcoporum prædictorum inducti. Ac etiam iidem Archid. **viſitationes et alias Juriſdictiones Archidiaconales uſque ad tempus collationis prædictæ exercuerint in Eccleſiis et Vicariis ſupradictis.** A quo quidem tempore idem Archiepiſcopus & quidam de prædeceſſoribus ſuis prædictis, necnon Archidiac. *Notingh.* ſuper hujuſmodi inſtitutionibus & deſtitutionibus, ac aliis Juriſdictionibus ordinariis ibidem exercendis fuerant, & adhuc ſint per præfatum *Bonifacium* prætextu collationis noſtræ prædictæ indebitè impediti; velimus ei inde facere debitum & feſtinum juſtitiæ complementum. **Nos igitur ſuper præmiſſis volentes plenius certiorari, et præfato Archiepiſcopo quod juſtum fuerit fieri in hac parte,** aſſignavimus vos tres, & duos veſtrum quos præſentes eſſe contigerit, **ad inquirendum per ſacramentum proborum et legalium hominum de Com.** *Not.* **per quos rei veritas melius ſciri poterit,** in præſentia præfati *Bonifacii* ſi intereſſe voluerit, quam per Vic. noſtrum Com. prædicti ſuper hoc mandavimus præmuniri, **utrum aliqui Archiepiſcopi** *Ebor.* **ſuis temporibus, ſeu dicti Decanus et Capitulum temporibus vacationum ſedis prædictæ in prædictis Eccleſiis et Vicariis tanquam locorum illorum ordinarii inſtitutiones vel deſtitutiones aliquas habuerint, ſeu ipſi aut Archidiaconi prædicti aliquam Juriſdictionem ordinariam exercere conſueverint in eiſdem, ſicut prædictum eſt, necne? et ſi ſic, tunc qui Archiepiſcopi, et qui Archidiaconi, et quo tempore, et cujuſmodi Juriſdictionem exercuerint? et qualiter, et quo modo, et ſi quis vel qui eorum fuerit vel fuerint impeditus vel impediti?**

tunc

An. 35 *E.*1. tunc quis vel qui, et per quem vel per quos, et ex qua causa, et a quo tempore, et per quos Rectores et Vicarii Ecclesiarum prædictarum ante dictam collationem præfato *Bonifacio* per nos factam, ingressum in eisdem Ecclesiis et Vicariis habuerunt, et qualiter? et quo modo? Et ideo vobis mandamus, quod ad certos diem & locum quos vos tres, vel duo vestrum ad hoc provideritis super præmissis omnibus & eorum circumstantiis diligentem faciatis inquisitionem, & eam distinctè & apertè factam nobis sub sigillis vestris & sigillis eorum, per quos facta fuerit mittas, & hoc breve. Ita quod ea habeamus coram nobis à die Sancti *Michaelis* in 15. dies ubicunque tunc fuerimus in *Anglia*. Mandavimus enim præfato Vic. quod ad certos diem & locum quos vos tres vel duo vestrum ei scire facietis venire faciat coram vobis tribus vel duobus vestrum tot & tales probos & legales homines de Balliva sua, per quos rei veritas in præmissis melius sciri poterit & inquiri. In cujus, &c. Teste Rege apud *Caldecotes* 28 die *Junii*.

The Abbot of *Bilegh* prosecuting a suit for Tithes of a Parish Church appropriated to the Abby, by vertue of the Popes Letter, against the Prior of *Pritwell*, who obtained a Prohibition to the Popes Delegates upon a false suggestion, that the Tithes sued for exceeded the fourth part of the Advouson, which was certified to be untrue by the Bishop of *London*, in whose Diocess the Church was; the King thereupon issued this Writ, authorizing them to proceed in this Suit, notwithstanding the former Prohibition to them.

Clauſ. 35 E. 1. m. 6. dorſo. Pro Abbate de Bilegh.

REX Abbati de *Waltham*, & Prioribus Sancti *Trinitatis*, & Sancti *Bartholomæi London*. & eorum Commissariis, salutem. Cum nuper ad prosecutionem Abbatis de *Bilegh* personæ Ecclesiæ de *Magna Wakering London*. Dioc. nobis suggerentis, se virtute quarundam literarum Apostolicarum, implacitasse Priorem de *Pritwell* coram vobis in Curia Christianitatis de quibusdam decimis infra limites Parochialis Ecclesiæ suæ prædictæ per præfatum Priorem asportatis, et eidem Abbati injuste detentis; vosque prætextu cujusdam Prohibitionis nostræ ad suggestionem prædicti Prioris falso asserentis, se tenere quartam partem Ecclesiæ prædictæ de advocatione sua prædicta, cum Ecclesia illa non sit, nec aliquo tempore fuit in plures aut diversas partes seu personatus diversos devisa, in Curia nostra impetratæ et vobis porrectæ in placito prædicto procedere jamdiu supersedisse, in ipsius Abbatis dispendium non modicum et gravamen. Mandaverimus venerabili patri R. Episcopo *London*. quod nos super præmissis, utrum videlicet Ecclesia prædicta sit & hucusque fuerit integrè unius Rectoris vel Personæ, seu in plures Rectorias aut Personatus divisa necne, distinctè & apertè redderit certiores. Et idem Episcopus ad mandatum nostrum jam per literas suas nos certificaverit, *memoratam Ecclesiam fuisse & esse unius Rectoris, & non in plures Rectorias seu Personatus divisam, & quod Abbas & Conventus de* Bilegh *ipsam à magno tempore in proprios usus integrè tenuerunt, & adhuc tenent in præsenti:* Nolentes ipsum Abbatem à prosecutione juris sui per hujusmodi breve in Curia nostra surreptitiè impetratum ulterius impediri. Vobis mandamus, quod non obstante Prohibitione nostra prædicta in placito prædicto prout justum fuerit procedatis. Teste Rege apud *Karliolum* 18 die *Junii*.

King *Edgar* having granted Lands, Rents, and the Church of *Landeho* in *Cornwall*, to the Canons of *Plympton*, for the maintenance of two Canons to celebrate Divine Service there, maintain a Chantry, and distribute Almes to poor people, pilgrims and strangers; which Almes and Services were intermitted, substracted, and the Lands and Church by the Bishop and Chapter of *Exeter*, with the consent and confirmation of King *Henry* the 2. setled on the Prior of *Plympton*, and the Canons discharged of the said Divine Service and Almes; for which the Justices Itinerant ordered the Prior to be distrained. The King thereupon by his Ecclesiastical Prerogative discharged the Prior and Canons from the same, and ordained a Canon and Vicar in the said Church, to perform the Divine Service and Almes, by this Patent.

REX

An 35 *E.* 1.
Pat. 35 E. 1. m. 14 intus. Pro Priore de Plympton.

REX omnibus ad quos, &c. ſalutem. Sciatis quod cum nuper in Curia noſtra coram dilectis & fidelibus noſtris *Johanne de Berewyk* & ſociis ſuis Juſtic. noſtris ultimo Itinerantibus in Com. *Cornub.* præſentatum fuiſſet, quod quidam bonæ memoriæ *Edgarus* quondam Rex *Angl.* prædeceſſor noſter, dedit Canonicis de *Plympton* duas carucatas terræ, centum ſolidatas redditus cum pertin. in *Landebo*, & Eccleſiam ejuſdem Villæ, pro ſuſtentatione duorum Canonicorum ad divina ibidem celebranda, & eleemoſinam pauperibus erogandam, & pro peregrinis & aliis hoſpitandis, pro anima dicti Regis & ſucceſſorum ſuorum; & quod hujuſmodi celebratio & eleemoſinarum erogatio à tempore donationis prædictæ ibidem factæ fuerunt uſque ad principium quindecim annorum dictum Iter Juſticiariorum noſtrorum prædictorum præcedentium, **quæ celebratio et eleemoſinarum erogatio prædictæ ſubtractæ fuerunt**; ac Prior dicti Prioratus de *Plympton* in dicta Curia noſtra coram præfatis Juſticiariis noſtris, **ſuper ſubtractione hujuſmodi allocutus** aſſeruerit, quod quidam *Wielmus* quondam *Exon.* Epiſcopus, de aſſenſu Capituli ſui *Exon.* dedit Eccleſiam prædictam cuidam *G.* tunc Priori de *Plympton*, & Canonicis ejuſdem loci; & quod dictus Prior & prædeceſſores ſui, per donum dicti Epiſcopi, & confirmationem celebris memoriæ Domini *H.* quondam Regis *Angl.* proavi noſtri, prædictos terram, redditum & Eccleſiam tenuerunt **abſque celebratione divinorum, eleemoſinarum elargatione, ſeu peregrinorum hoſpitatione inde faciendis.** Cumque per Inquiſitionem in dicta Curia noſtra coram præfatis Juſticiariis noſtris de præmiſſis captam, in quam dictus Prior ſe poſuit, compertum fuiſſet, quod quidam —— prædeceſſor prædicti Prioris habuit prædictos terram, redditum & Eccleſiam de dono prædicti Regis *Edgari*, pro Cantaria eleemoſinis & hoſpitalitate ſuſtentandis in forma ſupradicta, & quod eædem Cantaria eleemoſinæ & hoſpitalitates à tempore donationis prædictæ per prædeceſſores dicti Prioris ſuſtentatæ fuerunt, **quouſque ſubtractæ extiterant**, ut eſt dictum; per quod dicta Curia noſtra conſideravit, **quod prædictæ Cantaria eleemoſinæ et hoſpitalitas ſuſtentarentur, et quod Prior prædictus ad hæc diſtringeretur**, ſicut per recordum & proceſſum coram præfatis Juſticiariis noſtris inde habita, quæ coram nobis venire fecimus eſt compertum. Nos licet Prior & Canonici prædicti ad ſuſtentationem dictorum duorum Canonicorum, eleemoſinarum erogationem & hoſpitalitatem juxta conſiderationem Curiæ noſtræ prædictæ teneantur: **Attendentes nichilominus cultum divinum aeo honeſte et congrue per Presbyteros ſeculares, quam per Religioſos extra Conventum in loco private commorantes poſſe exerceri, et ſuſtentari.** Ad requiſitionem dictorum Prioris & Canonicorum volumus & concedimus pro nobis & hæredibus noſtris, quantum in nobis eſt, quod prædicti Prior & Canonici, & eorum ſucceſſores de cætero habeant ad dictam Eccleſiam de *Landebo* **unum Vicarium et unum Capellanum ſeculares, divina ibidem celebraturos, et eleemoſinarum erogationem et hoſpitalitatem nomine dictorum Prioris et Canonicorum pro terra, redditu et Eccleſia prædictis facturos imperpetuum.** Nolentes quod iidem Prior & Canonici, vel ſucceſſores ſui ad aliquos Canonicos ſeu alios ultra dictos Vicarium & Capellanum in dicta Eccleſia de *Landebo* ad prædicta pietatis opera exercenda, ſicut prædictum eſt, inveniendos de cætero teneantur, aut per nos vel hæredes noſtros, Juſtic. Eſcaetores, Vicecomites, aut alios Ballivos ſeu Miniſtros noſtros quoſcunque ad hoc aliqualiter compellantur. In cujus, &c. Teſte Rege apud *Karliolum* 26 die *Martii*.

Per Petitionem de Conſilio.

A clear evidence of the Kings Eccleſiaſtical Soveraignty, to cauſe Lands, Rents, and Churches granted to religious and charitable uſes, to be imployed accordingly when ſubſtracted, revive the uſes when diſcontinued, to alter the original ſettlement for a more convenient, and force the perſons entruſted to perform the deſigned ſervices, as he ſaw juſt cauſe.

The King this year by his Soveraign Eccleſiaſtical Authority, granted the Advowſons of two Churches whereof he was Patron, to the Priory of *Laurecoſt*, with power to appropriate them for ever thereunto, when they ſhould fall void; which grant although he at their requeſt writ to the Pope to confirm, yet this his Patent was ſufficient in Law to effect it, without the Popes confirmation or privity.

REX

An. 35 E. 1.

Pat. 35 E. 1. m. 25. intus. Pro Priore de Laurecoſt.

REX omnibus ad quos, &c. ſalutem. Sciatis quod ob devotionem ſpecialem quam erga beatam *Mariam Magdalena* gerimus & habemus, necnon & ad relevationem ſtatus Prioratus de *Laurecoſt*, qui in honorem ejuſdem Sanctæ in Marchia regni noſtri *Anglia* & terræ noſtræ *Scotiæ* fundatus exiſtit, & qui per combuſtionem domorum & depredationem bonorum ejuſdem Prioratus per *Scotos* nuper inimicos & rebelles noſtros, ac etiam per diutinam moram, quam in Prioratu prædicto nuper fecimus dum adverſa corporis valetudine detinebamur depauperatus eſt multipliciter & depreſſus, **dedimus et conceſſimus** dilectis nobis in Chriſto Priori & Conventui Prioratus prædicti, **Advocationes Eccleſiarum** de *Miſford* in Comitatu *Northumbriæ*, & de *Carlaton* in Comitatu *Cumbriæ*, quæ ſunt de Patronatu noſtro; habend. & tenend. eiſdem Priori & Conventui & ſucceſſoribus ſuis **imperpetuum. Et conceſſimus eis pro nobis et hæredibus noſtris, quod ipſi Eccleſias illas ſibi et ſucceſſoribus ſuis in proprios uſus imperpetuum poſſidendas, appropriare et eas ſic appropriatas tenere poſſint ſibi et ſucceſſoribus ſuis prædictis imperpetuum, ſine occaſione vel impedimento noſtri vel hæredum noſtrorum, Juſtic. Eſcaetorum, Vicecomitum, aut aliorum Ballivorum ſeu Miniſtrorum noſtrorum quorumcunque.** In cujus, &c. Teſte Rege apud *Karliolum* 17 die *Marcii*.

Per ipſum Regem nunciante W. Coventr. & Litchf. *Epiſcopo.*

To which I ſhall ſubjoyn theſe following Writs of like nature, for appropriating Churches.

Pat. 35 E. 1. m. 6. intus. Pro Priore de Bridelington.

REX omnibus ad quos, &c. ſalutem. Sciatis, quod per finem quem dilectus nobis in Chriſto Prior de *Bridelington* fecit nobiſcum coram Theſaur. & Baronibus noſtris de Scaccario, **conceſſimus et licentiam dedimus pro nobis et hæredibus noſtris, quantum in nobis eſt, eidem Priori et Conventui ejuſdem loci, quod ipſi Eccleſiam de *Gouſle* ſui patronatus & *Lincoln.* Dioc. ſibi appropriare et in proprios uſus tenere poſſint ſibi et ſucceſſoribus ſuis imperpetuum, ſine occaſione vel impedimento noſtri vel hæredum noſtrorum,** Juſticiar. Eſcaetorum, Vicecom. Ballivorum, aut aliorum Miniſtrorum noſtrorum quorumcunque. In cujus, &c. Teſte Rege apud *Karliolum* 16 die *Junii*. *Per finem* 100 l.

Ibidem. Pro Abbate de Tynterne.

REX omnibus ad quos, &c. ſalutem. Sciatis, quod pardonavimus dilectis nobis in Chriſto Abbati & Conventui de *Tynterna* **tranſgreſſionem quam fecerunt, appropriando ſibi et ſucceſſoribus ſuis Eccleſiam de *Halvergate Norwicen.*** Dioc. quæ eſt de advocatione ſua propria, poſt publicationem ſtatuti noſtri de terris & tenementis ad Manum mortuam non ponendis editi, **et eam in proprios uſus tenendo, noſtra ſuper hoc licentia non optenta.** Et conceſſimus eiſdem Abbati & Conventui pro nobis & hæredibus noſtris, quantum in nobis eſt, **quod ipſi Eccleſiam prædictam ſic appropriatam ſibi et ſucceſſoribus ſuis prædictis retinere, et in proprios uſus habere poſſint imperpetuum, ſine occaſione vel impedimento noſtri, vel hæredum noſtrorum,** Juſtic. Eſcaetor. Vicecom. aut aliorum Ballivorum ſeu Miniſtrorum noſtrorum quorumcunque. In cujus, &c. Teſte Rege apud *Karliolum*. *Per Theſaur. quia aliàs fecit finem per centum marcas pro iſta pardonatione, & quibuſdam Chartis confirmandis.*

Ibid. m. 17. Pro Priore beatæ Mariæ de Karliolo.

REX omnibus ad quos, &c. ſalutem. Sciatis, quod ob devotionem quam erga glorioſam Virginem *Mariam*, & reliquias beati *Thomæ* Martyris, & aliorum Sanctorum in Eccleſia beatæ *Mariæ Karlioli* exiſtentes gerimus & habemus, necnon in relevationem oppreſſionum & dampnorum quæ dilecti nobis in Chriſto Prior & Conventus ejuſdem loci per invaſiones & combuſtiones *Scotorum* inimicorum & rebellium noſtrorum hactenus ſuſtinuerunt, **dedimus eis et conceſſimus pro nobis et hæredibus noſtris, quantum in nobis eſt, advocationem Eccleſiæ de *Soureby Karlioleniſis* Dioc. in Com. *Cumbr.*** Ita quod idem Prior & Conventus Eccleſiam illam cum eam vacare contigerit, **ſibi in proprios uſus poſſidendam appropriare, et eam appropriatam tenere poſſint ſibi et ſucceſſoribus ſuis imperpetuum, ſine occaſione vel impedimento noſtri vel hæredum noſtrorum,** Juſtic.

Juſtic. Eſcaetor. Vic. aut aliorum Ballivorum ſeu Miniſtrorum noſtrorum quorumcunque, ſtatuto noſtro de terris & ten. ad manum mortuam non ponendis edito non obſtante. In cujus, &c. Teſte Rege apud *Karl.* 4 die *Aprilis.* *An.* 35 E. 1.

ROY au Dean & au Chapitre de *Hereford*, ſaluz. Come nous vous eons pluſors foiz avant ces houres requis que vous vouſiſſiez grant tant come en vous feuſt **l'appropriation de l'Egliſe de** *Lyndrugg* de la Diociſe de *Hereford*, as propres oeps du Priour & du Covent de *Wyreceſtre*, a la quele apropriation l'Eveſque de *Hereford* ſeſt aſſentuz tant come en li eſt; & nous cons cele buſoigne eſpecialment a cuer, ſi deſirons molt que elle ſe feiſt. Vous prions derechief, **que a la dite appropriation voeilles bonement aſſentir pur amour de nous**, *& enſi confermer cele buſoigne per voz lettres ouvertes qil ne demoerge mye en vous qe noſtre deſir ne ſoit acompliz en cele partie.* Don, &c. Bundela Brevium de Privato Sigillo in Turri London. An. 35 E. 1.

EDward par la grace de Dieu Roy *Dengleterre*, Seigneur *Dirlande*, & Ducs *Daquitaine*, al honurable pere en Dieu *R.* par la meiſme grace Eveſque de *Londres* noſtre Chanceller, ſaluz. Por ce que l'Eveſque de *Hereford* ad grante a noſtre priere que le Priour & le Covent de *Wynceſtre* peuſſent **appropzier et tenir en propres oeps a eux et a lor ſucceſſors l'Egliſe de** *Lyndrugg*, en la Diociſe de *Hereford*, ſi toſt come meiſme l'Egliſe voidera par ceſſion ou par mort de la perſone; vous mandoms que vous facez faire lettres de noſtre grant ſeale **a noſtre pere le Pape en eſpeciale forme, enpriant quil li pleiſe cele appropriation confermer por regard de charite et de noſtre priere.** Et facez faire auſint lettres de noſtre dit ſeale eſcrites a frere *Thomas Forz* Cardenal de la Seinte Egliſe de *Rome*, enpriant que entour leſploit de la dite buſoigne il mette tot le bon conſail quil porra. Et nous vous enveioms cy dedenz encloſe une note eſcrite en *Franceys* au Chapitre de *Hereford*, la quele nous voloms que vous facez tranſlater en *Latin* en bone forme, & ſealer de noſtre grant ſeale, & envoier au dit Chapitre par aucun Clerk de noſtre Chancellerie ſuffiſant qui ſoit charge deſuire cele buſoigne deper nous vers l'Eveſque & le Chapitre avantditz. Don ſouz noſtre prive ſeal a *Cardoill* le 24 jour de *May*, l'an de noſtre regne 35. Ibidem.

EDward par la grace de Dieu Roy *Dengleterre*, Seigneur *Dirlande*, & Ducs *Daquitaine*, al honurable pere en Dieu *R.* par la meiſme grace Eveſque de *Londres* noſtre Chanceller, ſaluz. Come pur la devotion que nous avons a Seint *Wolſtan* de *Wyreceſtre* eons grantez & donez congie tant come en nous eſt, a noz chiers en Dieu Priour & Covent de *Wyreceſtre* **quil peuſſent appropzier a eux l'Egliſe de** *Lyndrugg*, de la Diociſe de *Hereford*, la quele eſt de lavoieſon des ditz Priour & Covent, ſi toſt come elle voidera per la mort ou per le reſignement de celi qui la tient ore, a aver & tenir en propres oeps a eux & a lor ſucceſſors a touz jours, pur encreſtre lor Covent de trois Moignes, & pur trover deus Cierges perpetuelment ardantz devant leſiertre du dit corps Seint: Vous mandoms que a meiſmes ceux Priour & Covent de ceſt noſtre grant & congie facez aver lettres ſouz noſtre grant ſeal en due formes, quites du fee de meiſme le ſeal que a nous en appartient. Don ſouz noſtre prive ſeal a *Cardoill* le 24 jour de *May*, l'an de noſtre regne 35. Ibidem.

The King ordered by this Writ of Privy Seal, the grace and penſion he was by vertue of his Royal Prerogative to receive from the Abbot of *Merton* by reaſon of his new creation, to one of his Clerks.

EDwardus Dei gratia Rex *Angliæ*, Dominus *Hiberniæ*, & Dux *Aquitaniæ*, venerabili in Chriſto patri *R.* eadem gratia *London.* Epiſcopo Cancellario noſtro, ſalutem. **Quia gratiam uni de Clericis noſtris ratione novæ creationis fratris** *Willielmi de Brokesborn* **in Priorem Monaſterii beatæ** *Mariæ de Merton* **debitam, dilecto Clerico noſtro** *Rogero de Sheffold* **duximus concedendam:** Vobis mandamus, quod eidem *Rogero* literas ſub magno ſigillo noſtro dicto Priori & ejuſdem loci Conventui dirigendas inde habere **in forma debita faciatis.** Dat. ſub privato ſigillo noſtro apud *Karl.* 23 die *Maii*, anno regni noſtri 35. Ex Bundela Brevium de privato ſigillo An. 35 E. 1.

An. 35 E.1. What priority of preferments and promotions to Benefices the King granted by his Queens mediation to one of his Clerks, this Patent will inform us.

Pat. 35 E. 1. m. 25. intus. Pro Will. de Bevercots Cancellar. Scotiæ.

REX omnibus ad quos, &c. ſalutem. Sciatis quod ad inſtantiam *Margaretæ* Reginæ *Anglia* Conſortis noſtræ chariſſimæ, necnon & ob grata & laudabilia obſequia quæ dilectus Clericus noſter *Willielmus de Bevercots* Cancellarius noſter *Scotia* nobis à longis temporibus utiliter impendit, & adhuc jugiter impendere non deſiſtit, volumus & concedimus quod idem *Willielmus* in aſſecutione Eccleſiarum ſeu Præbendarum infra regnum noſtrum *Angl.* ad noſtram præſentationem ſeu collationem ſpectantium omnibus aliis præferatur, quouſque ipſe beneficium ſeu beneficia Eccleſiaſtica **cum cura vel ſine cura ad valentiam centum librarum per annum, ad præſentationem ſeu collationem noſtram in *Anglia* fuerit aſſecutus.** In cujus, &c. Teſte Rege apud *Karl.* 20 die *Martii.*

Per ipſum Regem nunc. W. Coventr. & Lichf. *Epiſc.*

The King out of his piety iſſued this Writ to the Freers Predicants, deſiring their fervent prayers to God for his bleſſing upon himſelf, his Queen, Children, Kingdom, and Affairs.

Clauſ. 35 E.1. m. 17. dorſo. De orando pro Rege & Regina, ac eorum liberis.

REX dilectis ſibi in Chriſto Magiſtro ordinis Fratrum Prædicatorum, ac diffinitoribus & fratribus univerſis in generali Capitulo ſuo apud *Argentem* in *Alemannia* in feſto *Pentecoſtes* proximo futur. conventuris, ſalutem & ſpiritu ſancto dirigi in agendis. **Inter cætera quæ fructum ſalutis reportare creditur hoc præcipue in ſpei noſtri fulcimentum accedit, quod nos aſſiduarum deprecationum juſtorum fulti præſidio divinam propitiationem facilius proſequemur. De vobis itaque ut noſtram ac Reginæ Conſortis noſtræ liberorumque noſtrorum ſalutem, necnon ſtatum proſperum regni noſtri, et expeditionem felicem negotiorum nobis incumbentium his diebus zelemini, plenam in Domino fiduciam optinentes,** devotionem veſtram affectuoſe requirimus & rogamus, **quatinus apud illum qui eſt vera ſalus, et qui temporalitatis et perpetuæ felicitatis tribuit largitatem,** (not to Saints or Angels) **nos, Reginam Conſortem noſtram, et liberos noſtros, ac ſtatum Regni noſtri devotæ ſupplicationis ſtudio commendetis, ipſius clementiam qui menſuræ termino non artatur ſuppliciter exorantes, ut ſic regnum temporale regere,** negotiaque noſtra prædicta expeditioni felici per ſuæ ſubventionis dexteram mancipare poſſimus, quod hoc ad laudem ſui nominis, & ad noſtrum regnique noſtri commodum cedere valeat & honorem, quodque nos poſt ſupremum vitæ noſtræ exitum, **in regno cœleſti partem hæreditariam aſſequamur.** Dat. apud *Laurecoſt* primo die *Decembris.*

K. *Edward* upon the death of his daughter *Joan* Counteſſe of *Glouceſter*, iſſued theſe enſuing Writs to all his Biſhops, and other Religious perſons, Clergymen, within their Dioceſſes to chaunt publick and private *Maſſes*, and make other *Prayers* for her ſoul.

Bundela Brevium de Privato Sigillo An. 35 E. 1. in Turri London.

E Dward par la grace de Dieu Roy *Dengleterre*, Seigneur *Dirlande*, & Ducs *Daquitaine*, al honurable pere en Dieu *R.* par la meiſme grace Eveſque de *Londres* noſtre Chancellier, ſaluz. Come *Johanne* noſtre chiere fille que fu Conteſſe de *Glouceſtre* ſoit a Dieu commandee, vous mandoms que per lettres de noſtre grant ſeal facez mander en bone forme & covenable a touz Prelatz auſi bien Erceveſque & Eveſques, come a Abbez & Priours, & as Chapitres des Egliſes Cathedrales & Collegieles, & as Univerſites, & as Freres des Ordres de Precheurs & de Meneurs, & as autres Religious de noſtre Roialme, **qil facent faire erequies et chanter meſſes ſollempnement, et autres privees meſſes, et autres oreiſons enpant eſpecialment por *l'arme de noſtre fille avantdite. Et meiſmes les lettres facez liverer a noſtre chier Clerk *William de Thornoſt* por envoier as lieux as queux elles ſerront eſcrites ſicome nous li avons mandez per noz lettres.** Don ſouz noſtre prive ſeal a *Cardoil* le primer jour de *Averill*, l'an de noſtre regne 35.

* l'alme.

REX

An. 35 *E.* 1.

REX venerabili in Chriſto Patri *R.* eadem gratia Epiſcopo *London.* ſalutem. Cum opus pium & apud Deum meritorium (as that blinde age deemed it) cenſeatur pro defunctis exorare, ut à peccatorum nexibus facilius liberentur; Deuſque omnium conditor, diſpoſitor et creator *Johannem* quondam Comitiſſam *Glouceſtr.* & *Hereford.* filiam noſtram cariſſimam ad ſe ab hoc ſeculo prout ſibi placuit evocaverit, quod vobis non ſine cordis amaritudine nunciamus; Vobis mandamus rogantes, quatinus animam præfatæ filiæ noſtræ à ſingulis Religioſis et aliis perſonis Eccleſiaſticis ſubditis veſtris per totam Civitatem & Dioceſim veſtras per Miſſarum ſollempnium decantaciones et alia opera pia faciatis Altiſſimo ſpecialiter commendari. T. Rege apud *Karl.* 6 die Maii.

Eodem modo ſcribitur to his other Biſhops.

Claus. 35 E 1. m. 9 corſo. De orando pro anima Jo. hanne quondam Comitiſſæ Glouc. filiæ Regis.

What Protections the King granted to thoſe imployed in his ſervice in the Court of *Rome*, and to their ſervants, with power to make Attornies, theſe Records will inform us.

THomas *de Berkele* qui in obſequium Regis per præceptum Regis proſecturus eſt ad Curiam *Romanam*, habet literas Regis de protectione, uſque ad feſtum *Omnium Sanctorum* prox. futurum duraturas, cum clauſula volumus, et exceptis, ſine illa clauſula & eciam querel. Preſ. &c. Teſte Rege apud *Karliolum* 27 die *Junii*.

Per breve de Privato Sigillo.

Pat. 35 E 1. m 7. vel 8. intus. De Protectione.

MAuricius *de Berkele*, *Willielmus de Wanton*, & *Willielmus de Gamage*, qui cum præfato *Thoma* in obſequium Regis, &c. proſecturi ſunt ad Curiam ſupradictam, habent conſimiles literas Regis de protectione. T. R. ut ſupra.

Per teſtimonium præfatæ Thomæ.

Ibidem.

ARualdus *de Cantilupo* Sanctæ *Romanæ* Eccleſiæ Cardinalis, Decanus Eccleſiæ Sancti *Pauli London*, qui de licencia Regis in partibus tranſmarinis moratur. habet literas Regis de General. Attorn. ſub nominibus *Gregorii de Falgnariis* & *Viſiani de Blancrafort* Clericorum in *Anglia*, duraturas per triennium Preſ. &c. T. R. apud *Karl.* 16 die *Maii*.

Ibid m 13. intus De Attornato.

The King imploying the Biſhop of *Worceſter* this year to the Court of *Rome*, he had this Writ to make Attornies during his abſence to proſecute his affairs.

W. *Wygorn.* Epiſcopus, qui in obſequium Regis per præceptum Regis proſecturus eſt ad Curiam *Romanam*, habet literas Regis de Attorn. ſub nominibus Magiſtri *Johannis de Caleys* & *Ricardi de Bikerton*, durat. uſque ad feſtum *Omnium Sanctorum* prox. futur. &c. Teſte Rege apud *Karliolum* 27 die *Junii*. Dupp.

Pat. 35 E. 1. m. 4. vel 5. intus. De Attorn.

REX dilecto & fideli ſuo *Henrico de Cobham*, Conſtabulario Caſtri ſui *Dover.* & Cuſtodi Quinque Portuum, ſalutem. Cum mittimus venerabilem Patrem *W. Wygorn.* Epiſcopum, & dilectum & fidelem noſtrum *Thomam de Garkelley* in nuncium noſtrum ad Curiam Romanam. Vobis mandamus, quod eiſdem Epiſcopo & *Thomæ* pro ſe & familiis, ac equis, herneſiis ſuis in Portu noſtro *Dovorr.* feſtinum et ſecurum Paſſagium habere faciatis, ipſum Epiſcopum & *Thomam*, cum familiis, equis & herneſiis ſuis ibidem abſque impedimento tranſfretare permittentes, Statuto noſtro de Moneta ſeu Argenti in maſſa extra regnum noſtrum non ducend. non obſtante, Teſte Rege apud *Karliolum* 28 die *Junii*.

Memb. 6 intus. Pro W. Epiſcopo Wygorn.

The King writing to the Company of *Florentine* Merchants and Uſurers, who farmed his Cuſtomes, to furniſh his *Embaſſadors* ſent to the Popes Court with one thouſand pounds *ſterling*, which others delayed to pay them; he thereupon ſent them this Patent to allow it to them in their Account of the Cuſtomes, which they had in their hands.

An. 31 E 1.

Pat. 35 E 1. m. 17. dorso. Pro Mercatoribus de Societate Friscobaldorum de Florentia.

REX dilectis Mercatoribus suis *Emerico de Friscobald* & sociis suis Mercatoribus de Societate *Friscobaldorum* de *Florentia*, salutem. Cum nuper Venerabiles Patres *Walterum Coventr.* & *Lychf.* & *Willielm. Wygorn.* Episcopos, ac dilectos et fideles nostros *Henr. de Lacy* Com. *Lincoln.* *Hugonem le Despenser*, *Ottonem de Grandisono*, & *Amaneuum* Dominum *le Bretto*, & quosdam alios nuncios nostros ad Dominum Summum Pontificem usque *Lugdunum* pro arduis negotiis nos tangentibus transmittentes, injunxerimus vobis, quod vobis de pecunia provideritis unde nobis tam pro expeditione negotiorum nostrorum prædictorum, quam pro expensis nunciorum eorundem serpitium facere posletis: Ac vos pro servitio hujusmodi nobis faciendo Mercatoribus de Societate *Pullicum* & *Rembertinorum* de *Florentia* mille libras sterlingorum recipiendas in Curia *Romana* liberaveritis, idemque Mercatores vobis ibidem solvere distulerunt summam pecuniæ suprædictam; volentes ut erga Mercatores recuperare possitis pecuniam antedictam, concedimus vobis pro nobis et hæredibus nostris, quod cum nos præfatis Mercatoribus de Societate *Pullicum* & *Rembertinorum* in mille libris sterlingorum per nostras patentes Literas teneamur; vos pro illis mille libris quas ipsis ut præmittitur liberastis, mille libras de exitibus Custumæ nostræ Lanarum, Coriorum & Pellium Lanutarum in manibus vestris ex commissione nostra existentes provenientibus, recipiatis ad opus vestrum. Et nos vos inde in compoto vestro ad Scaccarium nostrum de exitibus prædictis allocationem habere faciemus. Et recipiatis à dictis Mercatoribus de Societate *Pullicum* & *Rembertinorum* Literas nostras prædictas, et Literas ipsorum de acquietancia solutionem dictæ pecuniæ testificantes. In cujus, &c. Teste Rege apud *Karliolum* 4 die *Aprilis*.

Per ipsum Regem nunc. Thesaur.

The King issued this Writ for payment of monyes borrowed from the Merchants of *Florence* out of the Dismes granted him by Pope *Boniface* from the Clergy of *Ireland*.

Clauſ. 35 E 1. m. 16. intus. Pro Mercatoribus de Societate Spinorum de Florencia.

REX dilecto Clerico suo *Ricardo de Bereford* Thes. suo *Hibern.* salutem. Cum teneamur *Matthæo Clarissimi*, *Gerardo Hugonis*, & sociis suis Mercatoribus de Societate *Spinorum* de *Florencia* in quingentis et quinquaginta marcis sterlingorum quæ eis aretro sunt de mille marcis in quibus eis tenebamur de mutuo, quod idem Mercatores bonæ memoriæ *Waltero de Wynterburn* Sanctæ Romanæ Ecclesiæ nuper Presbytero Cardinali, de mandato nostro fecerunt, et de quibus mille marcis prædicti Mercatores quadringentas et quinquaginta marcas in *Hibernia* de denar. provenientibus de Decima Clero *Hibern.* per felicis recordationis Dominum *B.* nuper Papam octabum de assensu nostro imposita receperunt, & literas nostras obligator. quas de dictis mille marcis prius habuerunt nobis in Cancellaria nostra *Angl.* aliàs liberarunt: Volentes præfatis Mercatoribus de prædictis quingentis et quinquaginta marcis ad plenum satisfacere, ut teneamur: Vobis mandamus, quod de pecunia proveniente de Decima nobis a Clero *Hibern.* jam concessa; quam quidem pecuniam in Thesauriam nostram sub custodia vestra ad opus nostrum liberari mandavimus, prædictas quingentas & quinquaginta marcas præfatis Mercatoribus. seu *Guidoni Bertaldi*, *Hug. Paganelli*, & *Gentil Reginaldi* Sociis & Mercatoribus de Societate prædicta, vel ubi eorum, aut eorundem seu unius ipsorum Attornato fine dilatione aliqua liberetis; Recipientes ab eis literas nostras, per quos eis in prædictis quingentis et quinquaginta marcis tenemur, necnon literas ipsorum Mercatorum, vel unius eorum pro se & sociis suis patentes receptionem dictarum quingentarum & quinquaginta marcarum testificantes; Et nos vobis de eisdem quingentis et quinquaginta marcis cum eas sic liberaveritis debitam allocacionem in vestro compoto habere faciemus. Teste Rege apud *Laurecest*, 10 die *Decembris*. *Per Consilium.*

What forms of Acquittances the King granted to the Subcollectors of the Dismes granted to him both by Pope *Boniface* the 8. and afterwards by Pope *Clement* the 5. these Records will inform us.

REX

An. 31 *E.* 1.

REX Omnibus ad quos, &c. ſalutem. Sciatis, quod dilectus Clericus noſter *Johannes de Drokenesford* Cuſtos Garderobæ noſtræ recepit in eadem Garderoba ad opus noſtrum de dilectis nobis in Chriſto Abbate et Conventu beatæ *Mariæ Eborum* ſubcollectoribus Decimæ Clero *Angliæ*, per felicis recordacionis Dominum *B.* nuper Papam octavum de aſſenſu noſtro impoſitæ per tres annos, per Epiſcopum *London.* & Magiſtrum *Bartholomæum de Ferentino* Canonicum *London.* dictæ Decimæ principales Collectores in Dioc. *Eborum* deputat. de arreragiis ejuſdem Decimæ ſexaginta & quinque ſolidos, & quatuor denarios, de dicta Decima proveni-entes, et nos de porcione ejuſdem Decimæ, juxta conceſſionem dicti Summi Pontificis contingentes, per manum Magiſtri *Johannis Fraunceys* nuper Cuſtodis Spiritualitatis Archiepiſcopatus *Eborum* ſolventis denarios illos in Garderoba prædicta viceſimo quarto die *Octobris* anno regni noſtri triceſimo tercio, videlicet pro Priore *Marton* pro Eccleſia de *Hoton* quinquaginta & tres ſolidos et quatuor denarios, et pro Perſona Eccleſiæ de *Burgh waleys* duodecim ſolidos. De quibus quidem ſexaginta et quinque ſolidis et quatuor denariis, dictos Abbatem & Conventum ac ſucceſſ. ſuos tenore præſencium quietamus, et ipſos erga Summum Pontificem ac prædictos principales Collectores et alios quoſcumque indempnes promittimus conſervare. In cujus, &c. T. R. apud *Karliolum* 20 die *Marcii*.

Pat. 35 E. 1. m. 25. in Ced Literæ Acquietanciæ pro dive ſis ſubcollectoribus Decimæ.

Per billam de Scaccario.

Conſimiles literas Acquietanciæ habent ſuſcripti de diverſis pecuniarum ſummis, videlicet,

ABbas & Conventus de *Farneus* ſubcollectores, &c. in Dioc. *Eborum* de Centum & treſdecim ſolidis & tribus denariis per manus Archiepiſcopi *Eborum*, qui dictam pecuniam de mandato Regis levavit, videlicet de Eccleſia de *Melſonby* viginti & unum ſolid. et tres denar. de Eccleſia de *Burton* quatuor libras, & de Eccleſia de *Quyntington* duodecim ſolidos de dicta Decima provenientes, &c. In cujus, &c. Teſte Rege apud *Holm ceſtram* 9. die *Julii*.

Per billam prædicti Johannis.

Ibidem.

ABbas & Conventus de *Cokerſand* de octo libris, ſex ſolidis, & octo denar. per manus Archiepiſcopi *Eborum*, &c. videlicet de Eccleſiæ de *Bethum* ſex libras, et de Eccleſia de *Barton* quadraginta & ſex ſolidos & octo denar. de dicta Decima, &c. In cujus, &c. Teſte ut ſupra.

Ibidem.

REX Omnibus ad quos, &c. ſalutem. Sciatis, quod venerabilis pater *J. Karl.* Epiſcopus, & dilectus Clericus noſter *Johannes de Sandale* Cancellarius *Dublin.* venerabilibus patribus *J. Lincoln.* & *R. London.* Epiſcopis, principalibus Collectoribus Decimæ Clero *Angliæ*, *Walliæ*, *Hiberniæ* & *Scotiæ* per Dominum *Clementem* divina providencia Papam quintum per biennium impoſitæ et nobis conceſſæ, ſubcollectores in terra noſtra *Scotiæ* deputati, ſolverunt in Garderoba noſtra de denar. ejuſdem Decimæ in dicta terra *Scotiæ* collectæ, Mille ducentas viginti et tres libras, ſex ſolid. et octo denar. De quibus quidem Mille ducentis viginti et tribus libris, ſex ſolidis, et octo denar. dictos Subcollectores tenore præſencium quietamus, et ipſos et ſucceſſores ſuos, ac eorum Eccleſias, erga dictum Summum Pontificem et alios quoſcumque indempnes promittimus conſervare. In cujus, &c. apud *Kyrcandres* tercio Idus *Julii*.

Per breve de Privato Sigillo.

The King iſſued this Writ to apprehend the perſons, and ſeiſe the moneyes of ſome forged Collectors of monies, for the reparation of the Church and Shrine of St. *John* of *Beverley*.

REX Omnibus Vicecomitibus & Ballivis ac cæteris fidelibus ſuis ad quos præſentes literæ pervenerint, ſalutem. Ex gravi querela Capituli *Beverlaci* accepimus, quod quidam propriæ honeſtatis inmemores, per diverſas partes *Angliæ*, *Walliæ* & *Hiberniæ* diſcurrentes, et ſe nuncios et procuratores ipſius Capituli falſo confingentes, pecuniam, animalia, legata et alia bona ad opus fabricæ et cap-

Pat. 35 E. 1. dorſo. m. 22. Pro Capitulo Beverlaci.

ſulæ

An. 35 *E.* 1. ſulæ beati *Johannis Beverlaci* petunt et recipiunt a diverſis, et ea non in uſus fabricæ & capſulæ prædictarum, ſed in uſus proprios illicite et inhoneſte converterunt, in dicti Capituli fraudem, ac complecionis fabricæ Eccleſiæ et capſulæ prædictarum retardacionem manifeſtam: Volentes igitur hujuſmodi fraudi et maliciæ modis quibus convenit obviare; Vobis mandamus firmiter injungentes, quod ubicumque aliquos inveneritis in ballivis veſtris confingentes ſe procuratores dicti Capituli ad præmiſſa ſuper hiis literas teſtimoniales ejuſdem Capituli non habentes, ipſos ſine dilatione areſtari et detineri faciatis, donec de ſtatu & converſatione eorundem vobis conſtiterit evidenter. Proviſo, quod pecunia ac alia bona apud eos inventa, vel penes alios nomine ſuo depoſita, quæ ipſos nomine Capituli prædicti ad opus prædictum vobis conſtiterit collegiſſe, veris procuratoribus prædicti Capituli in hac parte, vel eorum nunciis literas ſuas ſuper hoc exhibentibus totaliter liberentur. Et ſi qui forſitan literas Regias datam præſencium præcedentes ſuper recommendacione vel admiſſione ipſorum ad hujuſmodi elemoſinas colligendas ipſorum procuratorum teſtimonium legitimum non habentes, eiſdem literis de cætero minime pareatis. Teſte Rege apud *Karl.* 20 die *Marcii.*

The Abbot of *Salley* and his Monks being taken upon a *Capias Excommunicatum*, were bayled upon their Appeal, upon condition, that if the Sentence was not revoked by the Popes delegates, they ſhould render themſelves to priſon, or elſe their Manucaptors ſhould be impriſoned.

Clauſ. 35 E 1. m. 16. Pro Adam de Oſgoteby & Abbate de Salley.

MEmorandum, quod *Johannes de Hoveden* Abbas de *Sallay*, *Johannes de Eton*, & *Willielmus de Osbalton*, Monachi ejuſdem Domus, qui ad denunciationem venerabilis patris *W. Eborum* Archiepiſcopi tanquam excommunicati & claves Eccleſiæ contempnentes, capti fuerant & impriſonati ad inſtanciam et proſecutionem Domini *Adæ de Oſgoteby* Rectoris Eccleſiæ de *Geyrgrave*, invenerunt in Cancellaria manucaptores ſubſcriptos, qui ipſos Abbatem et Monachos manuceperunt in forma quæ ſequitur; *videlicet*, quod ipſi manucaptores habebunt corpora prædictorum Abbatis & Monachorum in Cancellaria infra tres ſeptimanas à tempore præmunicionis ex parte Regis eis faciendæ, niſi conſtiterit Domino Cancellario quod ſententiæ Excommunicationum promulgatæ in dictos Abbatem et Monachos ad inſtanciam prædicti Domini *Adæ* per prædictum Archiepiſcopum, pro eo, quod rei judicatæ non paruerunt, quarum prætextu capti fuerant & impriſonati, poſt appellacionem per ipſos ad ſedem Apoſtolicam interpoſitam, per Judices quos idem Abbas impetrabit, ſuper appellacione ſua, videlicet Magiſtros *Henricum de Benyngworthe*, *Robertum de Lacy*, & *Robertum de Pikeringgs* Canonicos Eccleſiæ *Lincoln.* revocatæ fuerint virtute appellationis prædictæ. Et ſi prædicti manucaptores corpora prædictorum Abbatis & Monachorum in dicta Cancellaria non habuerint, ut eſt dictum, ſint ipſi in eadem pœna de impriſonamento. Et ſi conſtare poſſit eidem Cancellario, quod dictæ excommunicationum ſententiæ virtute appellacionis prædictæ per prædictos Judices delegatos fuerint revocatæ, extunc quieti ſint manucaptores prædicti; et idem Abbas habeat breve Regis pro ſe et Monachis ſuis prædictis deliberandis. Nomina verò manucaptorum prædictorum, videlicet, *Johannes Galun*, *Willielmus de Walington*, *Adam de Thornton* de Com. *Northumbr.* *Johannes Comvile de Herewode*, *Johannes de Thornhill*, *Robertus de Pogthorp*, *Simon de Driffeld*, *Thomas de Roſdon*, *Henr. de Plumpton*, *Nicholaus Tempeſt*, *Thomas de Pontefracto* de Com. *Eborum*, & *Andreas Rigge* de Com. *Lincoln.*

The King at the Petition of the Biſhop of *Landaffe*, iſſued this Writ to aſcertain the bounds of ſeveral pariſhes within the Foreſt of *Dean*, the extraparochial Tithes of the Aſſarts in which Foreſt he had formerly appropriated to maintain a Chantry in the Church of *Newton*, and for the augmentation of the over-ſmall revenues of that Biſhoprick.

Pat. 35 E 1. m. 19. Pro J. Landavenſi Epiſcopo.

REX dilectis et fidelibus ſuis *Waltero de Glouc.* Eſcaetori ſuo ultra *Trentam*, & *Johanni de Acton*, ſalutem. Monſtravit nobis venerabilis pater *J. Landavenſis* Epiſcopus per peticionem ſuam coram nobis & Conſilio noſtra exhibitam, quod

cum

cum nos nuper ad emendationem Epiſcopatus *Landavenſis* qui nimis exilis dinoſcitur, & in ſubvencionem ſuſtentacionis cujuſdam Capellani divina pro anima noſtra & animabus progenitorum noſtrorum ſingulis diebus celebrantis, & imperpetuum celebraturi in Eccleſia *Omnium Sanctorum* de la *Neulond* infra Foreſtam noſtram de *Dene*, quam præfatus Epiſcopus appropriatam ſibi et ſucceſſoribus ſuis tenet, conceſſerimus eidem Epiſcopo per literas noſtras Patentes pro nobis et hæredibus noſtris, quod ipſe et ſucceſſor. ſui Epiſcopi *Land.* omnes Decimas de aſſartis noſtris infra foreſtam prædictam de novo aſſartatis et aſſartandis provenientes percipiant et habeant, tanquam ad Eccleſiam ſuam de *Neulond* prædictam imperpetuum pertinentes, dum tamen aſſarta illa ſint extra limites parochiæ cujuſcunque, prout in literis noſtris prædictis plenius continetur: Decanus et Capitulum *Heriford*, Perſonæ Eccleſiæ de *Lydenye*, Magiſter *Willielmus de Kyngeſcote* Perſona Eccleſiæ de *Weſtbury* ſuper *Sabrinam*, *Johannes* Perſona Eccleſiæ de *Ruardyn*, *Radulphus de Habehale* Perſona Eccleſiæ de *Bykenore Engleis*, *Johannes* Perſona Eccleſiæ de *Staunton*, *Henr.* Perſona Eccleſiæ de *magna Dene*, & *Adam* Perſona Eccleſiæ de *Aure*, aſſerentes aſſarta et dominica prædicta infra limites parochiarum Eccleſiarum ſuarum prædictarum quæ de noſtro patronatu non exiſtunt, præfatum Epiſcopum ſuper receptione Decimarum de aſſartis provenienciuum antedictis, verum multipliciter et perturbant, dictaſque Decimas ſibi et Eccleſiis ſuis prædictis uſurpare nituntur, in enervacionem et adnullacionem conceſſionis noſtræ prædictæ, dictique Epiſcopi præjudicium et diſpendium manifeſtum; Propter quod idem Epiſcopus nobis cum inſtancia ſupplicavit, ut exprimere & declarare velimus, quæ aſſarta intelligimus eſſe extra limites parochiæ cujuſcumque in foreſta noſtra prædicta, et inter aſſarta illa et parochias aliorum poni præcipere certas metas: Ita quod prædictus Epiſcopus Decimas de hujuſmodi aſſartis provenientes, juxta formam conceſſionis noſtræ prædictæ, abſque impedimento ſeu calumpnia cujuſcumque percipere valeat et habere. Nos igitur precibus ejuſdem Epiſcopi in hac parte favorabiliter annuentes, Aſſignavimus vos ad inquirendum per ſacramentum Foreſtariorum et Viridariorum foreſtæ noſtræ prædictæ, ac aliorum proborum et legalium hominum partium prædictarum in dicto negocio minime ſuſpectorum, per quos, &c. in præſencia prædictorum Decani et Capituli, *Willielmi*, *Johannis*, *Radulphi*, *Johannis*, *Henrici* et *Adæ*, ad hoc per vos præmuniendorum ſi intereſſe voluerint, quæ ſunt illa dominica et aſſarta noſtra de quibus conceſſimus Decimam, ut præmittitur, Epiſcopo memorato, et quæ ſunt et eſſe conſueverunt metæ et bundæ inter parochias Eccleſiarum prædictarum, ac dominica et aſſarta noſtra prædicta. Et ideo vobis mandamus, quod ad aſſarta et dominica illa, de quibus decimam prædicto Epiſcopo conceſſimus, ut prædictum eſt, perſonaliter accedentes, inquiſicionem prædictam ad certos dies & loca quos ad hoc provideritis, faciatis in forma prædicta. Mandavimus enim dilecto et fideli noſtro *Hugoni le Deſpenſer* Juſtic. Foreſtæ noſtræ ultra *Trentam*, vel ejus locum tenenti, quod de Viridariis et Foreſtariis Foreſtæ noſtræ de *Dene* ſupradictæ, & ſimiliter Vic. noſtro *Glouc.* quod de aliis probis et legalibus hominibus de Com. prædicto in dicto negocio non ſuſpectis, tot et tales ad certos dies & loca quos eis ſcire facietis venire faciant coram vobis, per quos, &c. et inquiſicionem inde, &c. Theſ. et Baronibus noſtris de Scaccario à die Sancti *Johannis Baptiſtæ* in 15 dies prox. futur. ſub ſigillis veſtris et ſigillis eorum, per quos facta fuerit mittatis, et hoc breve, ut ipſi ulterius inde faciant, quod de jure fuerit faciendum. In cujus rei, &c. T. R. apud *Karliolum* 6. die *Maii*.

Per Petitionem retornatam de Conſ. *An.* 35 E 1.

What elections and confirmations of Archbiſhops and Biſhops were made this year in *Ireland* by the Kings Letters Patents and Licenſes; theſe Records thus relate.

REX dilecto ſibi in Chriſto -- Decano & Capitulo *Duacen.* ſalutem. Accedens ad nos dilectus nobis in Chriſto *Johannes Okerwolan* Concanonicus veſter, cum literis patentibus Capituli veſtri nobis ex parte veſtra humiliter ſupplicavit, quod cum Eccleſia veſtra prædicta per mortem bonæ memoriæ *L.* nuper Epiſcopi illius loci paſtoris ſit ſolacio deſtituta, alium vobis eligendi in Epiſcopum licenciam vobis concedere dignaremur: Nos igitur precibus veſtris in hac parte favorabiliter

Pat. 35 E 1. m. 29. vel 30 intus. De licencia eligendi & temporalibus reſtauendis in Hibern.

An 35 *E.* 1. favorabiliter inclinati, licenciam illam vobis duximus concedendam; Mandantes, quod talem, &c. nobiſque fidelis exiſtit. In cujus, &c. T. R. apud *Lavercoſt* primo die *Marcii*.

Per breve de Privato Sigillo.

Ibidem. REX dilecto & fideli ſuo *Johanni Wogan* Juſtic. ſuo *Hibern.* ſalutem. Cum dilecti nobis in Chriſto Decanus & Capitulum *Dunecn.* nobis per literas ſuas patentes ſignificaverint, quod Eccleſia ſua prædicta per mortem bonæ memoriæ *L.* nuper Epiſcopi illius loci paſtoris eſt ſolatio deſtituta, ſupplicantes nobis, quod licentiam ſibi alium eligendi in Epiſcopum eiſdem concedere dignaremur, ac nos eorum precibus in hac parte favorabiliter inclinati, **licentiam illam eis duximus concedendam**; mandantes eiſdem Decano & Capitulo, quod talem, *&c.* fidelis exiſtat. Nos eorundem Decani & Capituli laboribus & expenſis in hac parte parcere volentes iſta vice, conceſſimus eis, *&c.* Ita tamen, *&c.* In cujus, *&c.* T. R. apud *Lavercoſt* primo die *Marcii*.

Per breve de Privato Sigillo.

Pat. 35 E. 1. m. 46. intus. De licentia eligendi. *Johannes de Balſham* Canonicus Eccleſiæ Sanctæ *Trinitatis Dublin.* & *Nicholaus de Kynton* Canonicus Eccleſiæ Sancti *Patrici Dublin.* nunciantes Regi mortem *Richardi de Feringes* nuper Archiepiſcopi locorum prædictorum, **habent literas Regis de licentia eligendi**. In cujus, *&c.* Teſte Rege apud *Lavercoſt* 26 die *Novembris*.

Per breve de Privato Sigillo.

* The Annals of Ireland, p. 164. The Church of *Dublin* in *Ireland* becoming void by the death of * *Richard Feringes* their Archbiſhop, the King granting them this licenſe upon their petition to elect a new Archbiſhop, thereupon the Dean and Chapter of St. *Patrick's* Cathedral Church in *Ireland*, elected *Richard de Havering* for their Archbiſhop, which they ſignified to the King by their Letters without preſenting him to the King; but the Prior and Covent of St. *Trinity* in *Dublin* elected *Nicholas le Botelar*, whom they preſented perſonally to the King with their certificate of his Election; whereupon the King referred the buſineſſe concerning this Election to his Treaſurer and Counſil to examine, and certifie him how to proceed therein, ſince they both ought to have joyned in the Election, and not to ſever, as theſe Records atteſt.

In Parliamento An. 35 E. 1. See Ryley his Placita Parl. p. 357, 358. ROY a noz ſoiaux le honurable pere en Dieu *W.* par meſme la grace Eveſque de *Ceſtre* noſtre Treſorier, & as autres de noſtre Conſeil a *Cardoill*, ſalutz. Endroit de la buſoigne, que touch leſlection de Lereveſque de *Dyvelin* por quei le porter de ces lettres eſt venuz a nous, oveſque les lettres du Chapitre de l'Égliſe de Seint *Patrik* a *Dyvelin*; Vous mandoms, que meiſmes les lettres veues & examines entre vous, en cez conſail & aviſement, & nous facez ſaver ſur ce vous aviz, & ce qe vous enſemblera qe ſoit a faire. Don ſur noſtre prive ſeal a *Laurecoſt* le 20 jour de *Feverer*, l'an de noſtre regne 35.

Tenor dictarum Literarum Clauſarum ſequitur in hac verba.

EXcellentiſſimo Principi & Domino ſuo reverendo Domino *Edwardo* Dei gratia illuſtri Regi *Angliæ*, Domino *Hiberniæ*, & Duci *Aquitaniæ*, ſui in omnibus ſubjecti, humiles & devoti, Decanus & Capitulum Eccleſiæ ſuæ Cathedral. Sancti *Patricii Dublin.* ſi placet, ſalutem cum ſubjectione, reverentia & honore: Quia vacante Eccleſia *Dublin.* per mortem bonæ memoriæ *Richardi Dublin.* Archiepiſcopi, ac ejus corpore tradito ſepulturæ, petitaque licentia eligendi futurum Pontificem **a veſtra Majeſtate et optenta**, dieque ſtatuto ad eligend. concorditer omnes Canonici præſentes Eccleſiæ ſupradictæ, Magiſtrum *Richardum de Havering* Eccleſiæ Sancti *Patricii* prædictæ Præcentorem Clericum veſtrum eligimus in Archiepiſcopum *Dublin.* & Paſtorem, Priore & Conventu Sanctæ *Trinitatis Dublin.* Dominum *Nicholaum le Botelar*, fratrem viz. *Edmundi le Botelar*, eligentibus, Nunciosque noſtros eidem noſtro Electo per literas noſtras direximus pro conſenſu ſuo eidem Electioni, unde veſtram Celſitudinem humiliter duximus & devotè deprecandam,

candam, precibus & obſequiis quibus poſſimus & valemus, **quatinus noſtro Electo, quem utilem vobis et Eccleſiæ veſtræ prædictæ** veraciter intendimus, adjutorium impendere dignemini & favorem. Conſervetur veſtra dominatio Eccleſiæ & Regni regimini per tempora proſpera & diuturna. Dat. *Dublin.* die *Mercurii* prox. ante feſtum Sanctorum *Fabiani* & *Sebaſtiani* Anno Domini 1306. *An.* 35 E. 1.

Item Rex miſit aliud breve Theſaur. & aliis de Conſilio ſuo, in hæc verba.

EDward par la grace de Dieu, *&c.* A noz foiaux & loiaux le honurable pere en Dieu *W.* par la meiſme grace Eveſque de *Ceſtre* noſtre Treſorier, & as autres de noſtre Conſeil a *Cardoill*, ſalutz. Endroit de la buſoigne, que touche leſlection Lerceveſque de *Dyvelin*, par quel *Hugh de Sutton* & *William de Clifford* Chanoigns de l'Egliſe de la *Trinity* a *Dyvelin* ſont venuz a nous, oveſque les lettres du Chapitre de meiſme l'Egliſe; Vous mandoms, que meiſme les lettres veues & examines dentre vous, en cez conſail & aviſament, & nous facez ſaver ſur ceo voz avis, & ce qe vous enſemblera qui ſoit a fair. Don ſouz noſtre prive ſeal a *Laurecoſt* le 20 jour de *Feverer*, l'an de noſtre regne 35. Ibidem.

Tenor dictarum Literarum Clauſarum ſequitur in hæc verba.

EXcellentiſſimo Domino ſuo, Domino *Edwardo* Dei gratia illuſtri Regi *Angliæ*, Domino *Hiberniæ*, & Duci *Aquitaniæ*, ſui humiles & devoti frater *Henricus le Warr* de *Briſtoll*, Prior Eccleſiæ Cathedral. Sanctæ *Trinitatis Dublin.* & ejuſdem loci Conventus, ſalutem in eo qui dat ſalutem Regibus, cum omni qua convenit reverentia pariter & honore. Domino *Richardo* bonæ memoriæ quondam Archiepiſcopo *Dublin.* viam univerſæ carnis nuper ingreſſo, **et conceſſa nobis a veſtra Majeſtate licentia eligendi**, nos voluntate unanimi & conſenſu Dominum *Nicholaum le Botelar* virum providum & diſcretum, pro pace & tranquillitate terræ veſtræ *Hiberniæ* præ cæteris utilem ac neceſſarium, latorem præſentium elegimus in Archiepiſcopum & Paſtorem, **eundem vero veſtræ Regiæ præſentamus Celſitudini**, devotis precibus ſupplicando, **quatinus prædictæ electioni Regium aſſenſum liberaliter impendentes, literas veſtras ſuper hoc Summo Pontifici dirigere dignemini.** Valeat & vigeat veſtra Regia poteſtas in proſperitate votiva pro Reipublicæ regimine pariter & ſalute. Dat. *Dublin.* in Octabis Sancti *Hillarii*, anno regni veſtri triceſimo quinto.

Et ſuper hoc Theſaur. reſcripſit Domino Regi in hac verba.

SIre endreit de leſlection dont vous nous avez maundé, Sire il ne covient mie reſcriure a ore, pur ce que la ou les deus Chapitres deuſſent eſcrure a vous per lour lettres overtes, & preſenter lour eſlit, ſi neſcrit forſque le Chapitre de Seint *Patrik*, & ceo per lettres cloſes, & onſtre ceo il ne preſentent mie lour eſlit perſonaument, ſi come ad eſlee accouſtome.

In concluſion * Mr. *Richard Haverin* was approved by the King, and enjoyed the Archbiſhoprick *almoſt 5. years by Apoſtolical diſpenſation.* * The Annals of Ireland, p. 164.

The Biſhop of *Murray* in *Scotland*, a Rebel and Enemy to King *Edward* the 1. adhering to *Robert de Brus* the Uſurper; and aſſented to the murder of *John Comyn* in the Church of *Dunfres*, for which he and others were excommunicated by Pope *Clement*, flying out of *Scotland* into the *Orcades*; the King thereupon writ this Letter to the King of *Norway*, not to permit any of his Subjects in that *Iſland* to harbour him, or any Rebels and Traytors of *Scotland*, but to arreſt and ſend them to him in ſafe cuſtody, by reaſon of the antient amity between them; and in the mean time to enjoyn all his Subjects to avoid his company, as an Excommunicate perſon.

MAgnifico Principi Domino *H.* Dei gratia Regi *Norwag.* illuſtri, amico ſuo chariſſimo; *Edwardus* eadem gratia Rex *Angliæ*, *&c.* ſalutem cum dilectione Clauſ 35 E. 1. m. 12 dorſo. Pro Rege.

An. 35 E. I. lectione ſincera. Inter veſtros progenitores & noſtros *Norwag.* & *Angl.* quondam Reges, ac vos & nos ſubſequenter mutua dilectio & bona concordia tòtis retroactis temporibus extiterunt, quas ſemper continuari cupimus, quantum ad nos attinet & foveri. **Cum igitur Epiſcopus de** *Moravia* **inimicus et rebellis noſter, qui neci nobilis viri** *Johannis Comyn* **nuper in Eccleſia Fratrum Minorum de** *Dunfres* **in** *Scotia* **proditionaliter interfecti nequiter aſſenſum præbuit, quamobrem excommunicationis vinculo una cum fautoribus et receptatoribus ſuis, ac communicantibus cum eodem, ſicut alii quicunque qui dicto facinori et ſacrilegio conſenſerunt, per Dominum noſtrum Dominum Summum Pontificem innodatur,** per aliquos de Subditis veſtris in Inſula *Orkadie* receptetur, veſtram amicitiam (de qua gerimus fiduciam pleniorem) affectuoſè requirimus & rogamus, **quatinus præfatum Epiſcopum qui dicta nequitia non contentus, ſed pejora prioribus accumulans** *Roberto de Brus* **proditori et capitali inimico noſtro adhæſit, populum noſtrum terræ noſtræ** *Scotiæ* **ad inſurgendum contra nos una cum proditore prædicto pro viribus procurando: præcipientes, ſi placet, per corpus ſuum celeriter arreſtari, ipſum ad nos velitis ſub ſalva cuſtodia quamcito hanc modo poteritis deſtinare; et ſi forte aliqui alii de inimicis et rebellibus noſtris ad dictam Inſulam, vel ad partes regni veſtri voluerint declinare, ipſos ibidem receptari, ſicut nos diligitis minimè permittatis.** Et vos in hoc facto taliter habere curetis, quod ſuper hoc poſſimus veſtræ dilectionis conſtantiam facti evidentiam experiri, quodque vobis teneamur ex hac cauſa ad conſimilia vel majora. **Cæterùm ut ſententia excommunicationis prædicta vobis plenius innoteſcat. Et ut vos et gentes veſtræ communionem prædicti Epiſcopi, et ſuorum complicum, ac aliorum inimicorum et rebellium noſtrorum eo citius et libentius evitaretis, tenorem bullæ Apoſtolicæ ſuper prælatione ſententiæ memoratæ factæ, vobis mittimus publica manu ſcriptum:** Quicquid autem ad hanc noſtram inſtantiam, tàm de præfato Epiſcopo quàm etiam de aliis inimicis & rebellibus noſtris ſi quos ad partes veſtras declinare contigerit facere proponitis nobis reſcribere velitis per præſentium portitorem. Dat. apud *Lynſtock* 6 die *Marcii*.

* Tho. Walſingham Hiſt. Angl. p. 65, 66, 67. Ypodigma, p. 98. Mat. Weſtm. p. 405, 406. Henry de Knyghton, Polychronicon, Fabian, Caxton, Polydor Virgil, Holinſhed, Grafton, Stow, Speed, Daniel, Baker, and others in the laſt year of K. Edward I.

This year, * *poſt Paſcha Robertus de Brus*, who uſurped the Crown of *Scotland*, *auctо jam ſuo exercitu, congreſſus cum* Aymero de Valencia, *ipſum compulit in fugam, paucis de his qui erant cum eo peremptis. Infra triduum etiam ſequens fugavit Comitem* Glovernix, *multiſque hinc inde occiſis, ipſum obſedit in Caſtro de* Are, *quouſque per exercitum à Rege miſſum fuit obſidio diſſoluta. Ex tunc autem in ſequentibus cum* Anglis *fugit ad loca paluſtria & nemoroſa, in quibus latibula quærentem, comprehendere minimè potuerunt.* Upon the ſad tidings of theſe diſaſters, *Tunc Rex* Edwardus *miſſis per* Angliam *nunciis præcepit ſub gravi pœna, ut omnes qui ei debebant ſervitium parati eſſent apud* Carleolum *infra tres ſeptimanas poſt feſtum Sancti* Johannis Baptiſtæ. *Interea Rex grandævus vexari cepit diſſenteria, & quia jam deſperabat de vita diuturna miſit ad filium,* ut maturaret audire patris extrema colloquia. *Quem inter cætera* **miſericordem ſore monebat, et juſtum et affabilem univerſis, conſtantem in dictis et factis, familiarem bonis, et præcipuè miſeris miſericordiam impartiri.** *Deinde præcepit,* **ne poſt mortem ſuam feſtinaret ad Coronam** Angliæ **ſuſcipiendam, donec paternas injurias in Scotos honorifice vindicaſſet, ſed moraretur in partibus, et aſſumeret ſecum oſſa paterna in aliquo vaſe recluſa, quæ ſecum faceret deportari, donec totam** Scotiam **pervagaſſet, et omnes ſuperaſſet adverſarios vel cœpiſſet.** Quoniam (*inquit*) nullus te poterit ſuperare, dum oſſa mea tecum feceris deportari. *Præcepit etiam, ut fratres ſuos* Thomam & Edmundum *diligeret & foveret, quorum uni,* Thomæ *videlicet, dederat Comitatum* Cornubiæ, Edmundo *vero Comitatum* Mareſchalli. *Præterea monuit, ut matrem ſuam* Margaretam *Reginam tanquam bonus filius coleret & amaret, juſſit etiam ſub interminatione maledictionis ſuæ, ne* Petrum de Gaverſton *communi decreto exiliatum, ſine communi favore præſumeret revocare.* **Intimavit ei quoque, quod crucem ſuſcepiſſet pro negotio** Terræ Sanctæ, **quam propoſuit perſonaliter adiviſſe, ſed turbatus per molitiones** Roberti de Brus **nobas et varias, impeditus fuit a propoſito, et bellum in** Scotiam **transferre coactus eſt, omiſſo negotio memorato.** *Triginta* (*inquit*) **et duo millia librarum argenti præparavi ad exhibendum ſepties viginti Militibus honorifice in** Terra Sancta **cum ſua familia, quia mihi non datur votum perficere**

in

in perſona ꝓpꝛia, qui coꝛ meum illuc deferent et reponent. Quod cum ſecum depoꝛtaverint ſpero in Deo meo, omnia illis ꝓſpera ſucceſſura. Pꝛæcipio, *ait igitur diſtrictè*, ſub pœna maledictionis paternæ, ne dicta pecunia in alios uſus expendatur. Sed filius Regis patre defuncto nihil hoꝛum complere voluit. (As his Father, Pope *Boniface* 8. and *Clement* 4. beſtowed none of the vaſt ſums of money they impoſed, collected, levyed for relief of the *Holy Land*, to that uſe during their lives, but converted it to other uſes, to the great deluſion and abuſe of thoſe from whom they extorted it with greateſt rigour, by all ſorts of Eccleſiaſtical cenſures and Temporal proceſſe, as the premiſes abundantly evidence.) *An.* 35 *E.* 1.

Cum Rex Edwardus *præmiſſis monitis, filium inſtruxiſſet & de ſua poſtrema voluntate plenius docuiſſet, miſit eum in* Angliam, *ut ſecundum ea quæ à Rege audiret* Franciæ, *proficiſceretur ad connubium cum ejuſdem filia contrahendum. Pro qua cauſa parum ante in* Angliam *miſſus fuerat quidam Cardinalis, dictus* Petrus Hiſpanus, ut pacta nuptialia confirmaret. *Poſt deceſſum filii, capit Rex pront ante vexari diſſenteria, movit nihilominus de* Carleolo, *quinto nonas* Junii, *parvis dietis verſus* Scotiam *proficiſcens. Pridie verò nonas* Julii *venit ad* * Burgum *ſuper* Sandes, *ubi invaleſcente morbo, die craſtina, ſcilicet feria ſexta, præſenti vita valefaciens, dies ſuos in bono, & annos ſuos in* Angliam *conſummavit. Regnavit autem annis triginta quatuor, menſibus ſeptem, diebus viginti uno, complevitque ætatis ſuæ annos ſexaginta octo & dies viginti.* Of whom the premiſed Hiſtorians render us this character.

* Rot. Finium An. 35 E. 1. m. 1. intus.

* *Fuerat autem in armis ſtrenuus, bellicoſus etiam & victorioſus; totam* Angliam *de manu* Simonis de Monteforti *& eidem adherentium Comitum & Baronum acquiſivit;* Walliam *de manu* Lewellini *in ſuos uſus accepit;* Aquitaniam *quoque de manu Regis* Franciæ *ſapienter extorſit;* Scotiam *ſæpius ſubjugavit, ſed ea capta per* Robertum le Brus *ipſe in lecto mortis jacens, ex magnanimitate cordis, juſſit corpus ſuum ibi remanere inſepultum, & deferri in exercitu donec tota* Scotia *eſſet finaliter ſubjugata, de quo quidam ſic ſcripſit:*

+ Mat. Weſtm. Walſingham, Polychronicon, Polydor Virgil, Fabian, Grafton, Holinſhed, Speed, Daniel, Baker, in his Life.

Dum viguit Rex, & valuit tua magna poteſtas,
Fraus latuit, pax magna fuit, regnavit honeſtas.

Poſt Principis prædicti deceſſum, venerabilis pater Dominus Petrus Hiſpanus *Cardinalis,* (who continued in *England* to collect his Procurations) *& Clerus* Angliæ, *cunctique regni Nobiles qui intereſſe poterant, obviam corpori undique occurrerunt* ſolemnes ꝓceſſiones, *ad quas venerat,* per Eccleſias faciendo. *Requievit autem corpus venerabile inhumatum in Eccleſia Canonicorum de* Waltham *uſque in diem ſepultura ſua, ſcilicet per ſexdecim ſeptimanas,* per quod tempus ex mandato Executoꝛum Regis illuc deſtinati ſunt de ſingulis magnis Monaſteriis vicinis in circuitu hebdomadatim ſex Monachi ſeu Canonici, vel alii Religioſi, qui circa coꝛpus vigilias facerent et exequias ſolemniter continuarent, non ſine gravibus laboꝛibus et expenſis. Nec cuiquam licebat recedere donec arbitrio Executoꝛum licentiatus fuiſſet. Cardinalis autem (according to the abſurd ſuperſtition of that ſottiſh age) indulſit veniam unius anni omnibus dicentibus oꝛationem Dominicam cum ſalutatione Angelica ꝓo anima dicti Regis; (to which end neither of them had or could have the leaſt relation or efficacy.) *Cumque à feſto tranſlationis Sancti* Thomæ *Martyris uſque ad feſtum Apoſtolorum* Simonis *& Judæ jacuiſſet inhumatum corpus regium, tandem ipſo die Apoſtolorum apud* Weſtm. *eſt ſepultum, patre venerabili* Antonio *Patriarcha* Jeroſolymitano *& Dunelmenſi Epiſcopo miſſam celebrante, & extremas exequias faciente.*

FINIS.

A
SUPPLEMENTAL APPENDIX
to the Reign of King *Edward* the I.

Courteous Readers; Having ſome Vacant time the laſt *Summer Vacation* to peruſe all the *Bundles of Writs* and other *Records* long interred in Duſt and Cobwebs in a Confuſed Heap in the *White Tower*, ſo farr as to ſeparate thoſe of moſt uſe during the reign of King *Edward* the 1. from his Predeceſſors and Succeſſors, and tranſcribing thoſe relating to my preſent *Hiſtorical Vindication*; before I could compleat that painfull, troubleſom, ſordid work, which none elſe would undertake, or aſſiſt me in, near 25. years of his reign in this *Tome* were finiſhed at the Preſſe. Upon which account, I thought fit to annex all ſuch *Writs of Prohibition*, *Epiſtles*, *Bulls*, and other *Records* relating to thoſe years, pertinent to My Hiſtorical Vindication, which I have ſince diſcovered, as a *Supplemental Appendix* thereunto, in a Chronological Order, referring each of them to their proper places, to which their expreſſe dates or other circumſtances where the dates are wanting, direct me; together with the pages, lines where they may be moſt properly *inſerted* in the next Edition.

An. 3 *E.* 1.

Here, p. 159. l. 11. after *Succeſſors*, inſert.] In a ſmall Bundle of King *Edward* the 1. his Letters in the *White Tower* writ to the Emperor of *Germany* and others on the behalf of his Brother-in-law the King of *Caſtle*, I find this Epiſtle of his directed to Pope *Gregory* the 10. imploring his favour and ſpeedy Juſtice in the conſervation of his right in the *Roman Empire*, by his mediation on his behalf.

In Bundela Literarum, &c. Regis in Turri London. An. 3 E 1.

SEreniſſimo in Chriſto Patri & Domino, Domino *G.* divinâ Providentiâ ſacroſanctæ *Romanæ* Eccleſiæ Summo Pontifici, *&c. Edwardus* eadem gratiâ Rex *Angliæ*, *&c.* pedum oſcula beatorum. Preces illas Sanctitati veſtræ cum fiducia deſtinamus, quæ juſtitiam comitem non relinquunt, et a juris tramite non diſcordant, ſperantes firmiter ut eas benignitate paternâ ad exauditionis gratæ januam admittatis. Ea propter Dominationem veſtram quanta poſſumus affectione rogamus, quatinus ſereniſſimum Principem & ſororium noſtrum chariſſimum, Regem *Caſtellæ* illuſtrem, paternæ dilectionis brachiis amplectentes, jus ſuum, quod in *Romano* Imperio habere dinoſcitur, illeſum ſibi conſervare, ac ſuper eo reddere celeris et ſalvabilis complementum juſtitiæ noſtrorum precantium interventu: ut per hæc Sanctitati veſtræ ſuetius aſtringamur ad omnia quæ veſtris ſanctis affectibus poſſint aut debeant complacere, & Rex idem apud vos ſibi ſentiat preces noſtras in ſua juſtitia profuiſſe. Conſervet, *&c.* Teſte meipſo apud *Weſtm.* 4 die *Maii* Anno regni noſtri tertio.

Bundela Brevium An. 3 E. 1. in Turri London.

Ibid. l. 26. after *Julii*, adde] I found this Writ to the Juſtices of the Common Bench, that *Magiſter Hoſpitalis Sancti* Lazari *de* Burton, ſhould make an Attorney in loquela ſuo Attachiam. *coram Juſticiariis de Banco, inter ipſum Magiſtrum & Simonem Perſonam Eccleſiæ de* Horton, *de eo, quod idem* Simon ſecutus fuit plac. in Curia Chriſtianitatis de Advocatione quartæ partis Eccleſiæ de *Golby*, contra Prohibitionem noſtram. *Teſte meipſo apud* Weſtm. 9 *die* Maii, *Anno Regni noſtri* 3.

Here, p. 160. l. 11. after *tercio*, adde] Earl *Warren* having incenſed the King and his Counſil againſt the Archbiſhop of *Canterbury*, for his contempt againſt the King and his Royal authority, in refuſing to abſolve ſome of the Earls Miniſters excom-

excommunicated by him as was ſuggeſted, but in truth by his predeceſſor, upon the Kings Writ and command; he thereupon ſent this Letter to the King, to ſatisfie him of the truth of the caſe, and why he could not abſolve him, intending to give him further ſatisfaction therein by word of mouth. *An.* 3 *E* 1.

REverendiſſimo Domino ſuo, & in Chriſto dilectiſſimo, Domino *E.* Dei gratia Regi *Angliæ*, Dom. *Hiberniæ*, & Duci *Aquit.* Sanctorum minimus, frater *R. de Kylewardeby*, ſalutem, ſoſpitatem, et proſperitatem continuam. Excellentiæ veſtræ mandatum per Dominum *Stephanum de Peneceſtr.* ſuſcepi apud *Racnlur.* feriâ tertiâ Aſſumptionis beatæ *Mariæ*, per quod evidenter intellexi, quod Comes *Warren.* & ſui, vos et Conſilium veſtrum contra me ſategerit perturbare, (ignorantes cauſam quare) contra me et *Cantuar.* Eccleſiam injuſtiſſimè commoventur. Petiviſtis (Domine mi) quod ſententiam quam tuli in Miniſtros dicti Comitis, revocem, et a querela, contra ipſos concepta, ſuperſedeam, et contra ipſum Comitem aut ſuos nihil attemptem, uſque ad Parliamentum; videor enim et judico Regiam dignitatem veſtram contemnere, et quod veſtris Prohibitionibus diſſimulo obedire. Iſta, ni fallor, fuerint mihi ex parte veſtræ Excellentiæ propoſita, quibus ſuppliciter ſicut Domini mei verbis reſpondeo; *Quod nullam in dictum Comitem vel ſuos quatinus Miniſtri ſui, ſententiam (promulgavi)* nec contra veſtram adhuc aliquid feci Prohibitionem; ſed pro reverentia veſtra ſtatui in hoc ſuperſedere, donec vobiſcum colloquium habuero, *ſi hoc conceſſerit Rex æternus.* Quid autem egerim contra quoſdam dicti Comitis miniſteriales, inevitabili neceſſitate compulſus, vobis fidenter expono; *viz.* quod quandam ſententiam Excommunicationis in quoſdam ejus Miniſtros a prædeceſſore meo nominatim exprefſos latam, multis monitionibus et expectatione pluſquam biennali interpoſitis, *antequam mihi de hac materia ſcriberetis*, mandavi publice denunciari. Ita quod ſic per ſententiam Prædeceſſoris excommunicati denuncientur. Illud, Domine mi, cum conſcientia bona revocare non poſſum; tum quia ſubditi mei ſunt, et rite ligati ſunt, tum quia populus eis communicat cum ſuo periculo; tum quia propriam et aliorum damnationem contemnunt, claves Eccleſiæ contemnendo; quorum nullum, niſi cum proprio periculo, potero ſuſtinere. Expreſſi vobis facti mei veritatem, de cæteris differens, donec (ſi Deus voluerit) veſtro frui colloquio mihi detur. Denique devotè ſupplico, quod non ſitis mihi formidini, qui, ſecundum ſpem meam et veſtrum debitum, mihi debebetis eſſe clypeus et tutamen. *Satellites enim Comitis jugiter veſtra terunt limina, & Milites & Conſiliarios veſtros fautores habent*, (*ut dicitur*) qui facilitèr formidant vos contra veſtrum ſacerdotem ſatagunt provocare; *quod tamen nec volo de omnibus intelligi, nec pro certa veritate haberi.* Veſtram igitur flagito protectionem; cui me, meos, et mea ſubmitto. Valeat, &c. Dat. die & loco prædictis. Bundela Literarum & Brevium in Turri London, An. 3 E. 1.

The Prior and Covent of the greater Monaſtery of *Turon* in *France*, being diſpoſſeſſed by two of his Rebellious Monks of the Priories of *Newport Paynell*, and *Trinity* in *Yorke* (belonging to that Monaſtery) againſt his will, for which he had publikely excommunicated them, and for which they were condemned upon their Appeal by ſentence from the Court of *Rome*, and yet detained their poſſeſſions from him, ſent this humble Supplication to King *Edward* the 1. as the Soveraign Protector and Buckler of the Church, that by his Regal power and the Lawes of the Land, they might be reduced to obedience, ſince their Eccleſiaſtical cenſures were ineffectual to reclaim them.

EXcellentiſſimo Domino *E.* Dei gratia illuſtriſſimo ac victorioſiſſimo Regi *Angliæ*, frater *Stephanus* permiſſione divina Majoris Monaſterii *Turonen.* Miniſter humilis, ſalutem, &c. Cum frater *Reginaldus de Bernwalle* & *Ajmo* noſtri Majorum Monaſt. Monachi, contra voluntatem noſtram, Prioratus noſtros de *Neuport Payenel* & *Trinitatis Eborum* detinentes occupatos, videlicet dictus *Reginaldus* Prioratum de *Neuport*, & dictus *Ajmo* Prioratum Sanctæ *Trinitatis Eborum*, diu ex authoritate noſtra fuerint excommunicati, eorum contumacia et inobedientia exigentibus; ſalutis ſuæ immemores, dictam Excommunicationis ſententiam per biennium et amplius ſuſtinuerint, et adhuc tanquam iniquitatis et inobedientiæ filii, In eadem Bundela, An. 3 E. 1.

An. 3 *E.* I. filii, in eadem Excommunicatione perſeverent, animis induratis; quanquam in Curia *Romana* in appellationis ſuæ cauſa frivola et injuſta authoritate Apoſtolica nobis ſint finaliter condemnati, Majeſtatis veſtræ Regiæ excellentiam in juris ſubſidium requirimus in Domino, ac devote rogamus, quatinus præfatos *Rogerum* & *Aymonem* de prædictis Prioratibus Regiæ poteſtatis Clypeo expelli veſtri gratia faciatis. Ita quod per veſtræ Majeſtatis Regiæ potentiam ad gremium noſtri Monaſterii et debitam obedientiam redire cogantur, ac ſuæ abſolutionis beneficium obtenturi. Valeat, &c. Dat. apud Majus Monaſterium 3. Idus *Februarii*, Anno Domini 1274.

Bundela Brevium & Literarum in Turri London, An. 3 E 1.

EXcellentiſſimo Principi Domino *E.* Dei gratia Regi *Anglorum* illuſtri; fratres Capituli Majoris Monaſterii *Turonenſis*, & *Stephanus* divina permiſſione eorum Miniſter humilis, ſalutem, &c. Memores piæ devotionis ac devotæ pietatis quas inclytæ recordationis Progenitores veſtri Reges *Anglia* ſuis temporibus erga noſtrum Monaſterium habuerunt, ipſum amplis redditibus affluenter dotando, magnaque ac decora in ipſo ædificia conſtruendo; in quibus nos pro benefactorum noſtrorum ſalute, ac pro veſtra tranquillitate debote orantes, die noctuque Domino famulamur; optamus ac ſperamus in Domino, ſua in vobis exuberante gratia, nos habere paternæ devotionis hæredem, ac in conſervatione libertatum & beneficiorum nobis ab eiſdem Progenitoribus noſtris collatorum præcipuum defenſorem. Verum cum nos quoſdam Prioratus in regno veſtro, apud *Eboracen.* videlicet, & apud *Neuport Paynel* ex pia largitione dictorum Progenitorum veſtrorum à longinquis temporibus obtinuerimus pacificè ac quietè; quidam de Monachis noſtris in ipſis Prioratibus commorantes, maligno ducti conſilio, contra nos ſe in omnem inobedientiam erexerunt; nihilque obedientiæ reſervantes, ſic in reprobum ſenſum ducti ſunt, quod ſalutis ſuæ ac profeſſionis nobis factæ immemores, aſſociatis ſibi in ſua nequitia complicibus, conantur pro viribus ſuis a noſtra obedientia et ſubjectione eoſdem ſubtrahere Priores, quanquam juſtitia prævalente jus noſtrum in Curia *Romana* per diffinitivam ſententiam fuerit declaratum dictis Monachis cum ſuis fautoribus, nobis ſententialiter condemnatis. Inde eſt quod cum eadem ſententia Apoſtolica abſque defenſionis noſtræ præſidio executioni debitæ nequeat demandari (neither the Popes or Priors Sentences and Excommunications having then any legal force in *England*, upon which a *Capias Excommunicatum* could be ſerved) ad veſtræ Celſitudinis clementiam recurrentes, veſtræ Magnificentiæ pedibus proboluti devotiſſime ſupplicamus, quatinus ex innata vobis immenſæ largitatis clementiâ dignemini benigno oculo ac favorabili præſidio noſtri Monaſterii tanto occaſui providere, dilectiſque nobis in Chriſto fratribus, *Simoni* & *Guydoni*, exhibitoribus præſentium, quos in ipſis Prioratibus deſtinamus Priores, velitis veſtræ defenſionis præſidio aſſiſtere, ac ipſos contra adverſariorum noſtrorum maliciam & potentiam per vos & veſtros Magnificentiæ veſtræ Clypeo in ipſis Prioratibus defenſare: Neç ſinat poteſtas veſtra Regia Monaſterium veſtrum, quod affectuosè dilexerunt patres veſtri ſub felici curſu temporis veſtri malignorum violentiis ſubjacere; ut proinde Deum & beatum *Martinum* Patronum noſtrum habeatis in præmium, noſque imperpetuum ad orationes aſſiduas & devotas. Valeat, &c. Dat. apud Majus Monaſterium die Lunæ poſt *Circundaverunt me*, Anno Domini 1274.

This *Stephen* and his Convent procured Letters to the King from divers Great perſons in *Foreign parts*, to the ſame effect, I ſhall cite only that of *John* Duke of *Britain* to the King, filed together in the ſame Bundle.

Ibidem.

EXcellentiſſimo Principi Domino *E.* Dei gratia Regi *Angl.* illuſtri, &c. *Johannes* Dux *Britanniæ*, ſalutem, et paratam ad ipſius beneplacita voluntatem. Quanto gratioſum animum veſtrum ad juſtitiam conſervandam et malignorum nequitiam reprimendam cognovimus propenſiorem, tanto fiducialius pro amicis noſtris præcipuè et religioſis viris pro conſervandis juribus et libertatibus ſuis veſtrum Regale præſidium duximus implorandum. Cum igitur, ex parte chariſſimorum nobis in Chriſto, Religioſorum virorum, Abbatis & Conventus Majoris Monaſterii *Tur.* intellexerimus ſe ex pia largitione Progenitorum veſtrorum Regum

gum *Anglie* duos Prioratus in regno veſtro, *viz.* apud *Neuport Paynell* & apud Sanctam *Trinitatem Eboracen.* ab antiquo obtinuiſſe pacificè & quietè, ac quoſdam Monachos ipſius Monaſterii profeſſos, aſſociatis ſibi complicibus, per ſuam malitiam dictos Prioratus, contra voluntatem dictorum Abbatis et Conventus, a tempore defectionis *S. Montisfortis* violenter occupaſſe; et adhuc occupatos detinere proponunt: quanquam jus ipſorum Religioſorum deductum in judicio in Curia Domini Papæ nuper in Conſiſtio *Lugdunenſi* per ipſum Dominum Papam contra dictos Monachos ad alios adverſarios fuerit finaliter declaratum, prout per literam Papalem ſuper hoc confectam et bullatam apparet (ut aſſeritur) evidenter: ac hujuſmodi ſententia Apoſtolica non poſſit (ut dicitur) propter adverſariorum potentiam executioni debitæ demandari. Excellentiæ veſtræ magnificentiam attentius requirimus et rogamus eo affectu quo poſſumus ampliori, quatinus amore Dei, et zelo Juſtitiæ, noſtræque interceſſionis obtentu, dictos Abbatem & Conventum (quos ſpeciali amore proſequimur) faciatis in ſuis juribus ſuſtineri, defenſionis veſtræ præſidio & ſervari; ac Monachos, quos dicti Religioſi ad dictos Prioratus deſtinant moraturos contra adverſariorum potentiam & violentiam Magnificentiæ veſtræ clypeo defendatis, ut proinde Deum habeatis in præmium, ipſique Religioſi preces noſtras erga clementiam veſtram ſibi ſentiant profuturas. Conſervet, &c. Dat. *Pariſiis* die *Lunæ* poſt Dominicam quâ cantatur *Reminiſci*, Anno Domini 1274. *An.* 3 *E.* 1.

Here, p. 164. l. 23. after *tercio*, inſert] The Biſhop of *Norwich* (notwithſtanding this Compoſition and award of the King made between the Biſhop and the Citizens) refuſing to abſolve them from the Interdict denounced againſt them, thereupon they exhibited this Petition againſt him to the King for relief.

CO monſtrent les Burgoys de *Norwyz* a lur Seignur le Roy, e a ſon Conſeil, ke ſi com lur Seignur le Roy, manda par la lettre al Eſtwesk de *Norwic* e luy pria kil releſat le enterdit ke il ad pupplie ſur les genz le Roy e ſa Cyte de *Norwyz*, e le Eſtwesk pur le mandement lur Seignur le Roy, ne pur ſa priere rien ne a releſe, dunt les genz le Roy e ſa Cyte ſunt en point de perir ſi lur Seignur le Roy ne eit pite de eus, e ke il pur ſa duce mercy voile mettre autre remedye de ſa grace. Bundela Petit. & Literarum, An. 3 E 1. in Turri London

Here, p. 173. l. 48. after *Januar.* adde] King *Edward* having thus conferred the Archdeaconry of *Dublin* on *William de Salines* during the vacancy of the Archbiſhoprick, the Prior and Covent of St. *Trinity* in *Dublin*, and Chapter of *Dari*, oppoſing his Eccleſiaſtical Juriſdiction, in derogation of the Kings Crown and dignity, and offering violence to his Clerks; he thereupon denounced a ſentence of major excommunication againſt them, and prayed the aſſiſtance of the Kings ſecular arm againſt them, to ſuppreſſe their inſolency,

ISTud eſt obſtaculum quod ponunt Prior & Conventus Sanctæ *Trinitatis Dublinenſis*, una cum Capitulis *Darenſi* & *Lechlinenſi* ſedibus eorundem vacantibus contra Regem, quod licet Rex poſſit conferre Præbendis Eccleſiæ *Dublinenſis* ſede vacante, dicunt tamen, quod ſpiritualitates et præcipue ſpiritualitatem Archidiaconatui anneram conferre non poteſt, quanquam manifeſtum et apud omnes ſit notorium, quod ad Archidiaconatum *Dublin.* ſede vacante juriſdictio et omnimoda ſpiritualitas totius Archiepiſcopatus ſuffraganeorum et aliorum omnium ſubditorum a tempore cujus memoria non exiſtit ſpectare conſuevit, & prædeceſſores Archidiaconi qui modo eſt uſque nunc in poſſeſſione pacifica omnium prædictorum continua non interrupta exſtiterunt; et quamquam omnia præcedencia notoria ſint et liquida, præfati tamen Prior & Conventus Sanctæ *Trinitatis Willielmo de Salines* ex collacione Regia Archidiacono exiſtenti, in præjudicium juris Regii reſiſtere non deſiſtunt, in Clericos ejuſdem Domini *Willielmi* Archidiaconi auſu nephario irruentes, ſententiam excommunicationis majoris auctoritate præfati Archidiaconi in ipſos latam minime metuentes, et indurato animo per 40 dies et amplius clabes Eccleſiæ contemptendo ſuſtinentes, in Domini Regis dedecus et exhæredacionem manifeſtam; ſuper quo præfatus Archidiaconus conſilium Domi- In eadem Bundela.

ni

ni Regis requirit auxilium brachii ſecularis contra hujuſmodi invocando. *Bis irrotulatur.*

An. 4 E. 1. Bundela Brevium, &c. in Turri Lond. An. 4 E. 1.

Page 177. l. 21. after *Octobris*, inſert.] In the Bundles of Writs in the *White Tower*, An. 4 E. 1. I found theſe ſeveral Original Writs of *Prohibition* for ſuits in Court Chriſtian in the Dioceſſe and County of *Lincoln*, for *goods*, *Advowſon*, and *Lay-fee*, of which they had no Juriſdiction; whereof take this Breviate. *Vic.* Linc. Richardus de Bulchan, Richardus Stoner, & Alicia *quæ fuit uxor* Roberti de Carmayles, *verſ. Magiſtr.* Petrum Orger, quare tenuit; & Thomam de Graham & Ceciliam *uxorem ejus*, quare ſecuti ſunt placitum in Curia Chriſtianitatis de bonis et catallis ipſarum, quæ non ſunt de Teſtamento, &c. contra Prohibitionem. *T. Rege apud* Linc. 7 *die* April. *Vic.* Linc. Johanna *quæ fuit uxor* Will. *de* North Elkinton *verſ. Magiſtr.* Antonium de Seureſtorp, quare tenuit: *et* Henric. *Vicar. Eccleſiæ de* Elkynton, quare ſecutus eſt conſim. plac. *T. apud* Kenyngton 14 *die* April. *Vic.* Linc. Alanus *fil.* Clementis de Butterwyke, *verſ.* Robertum *Vicar. Eccleſiæ de* Mitterton, quare ſecutus eſt conſim. plac. *T. apud* Weſtm. 8 *die* Maii. *Vic.* Linc. Robertus de Newton & Willielmus de Barthorp *verſ.* Jacobum de Pant, quare ſecutus eſt conſim. plac. *T. apud* Weſtm. 8 *die* Jun. *Vic.* Linc. Alanus *fil.* Willielmi *verſ. Mag.* Clementem *perſonam Eccleſiæ de* Leke, & Walterum le Chapleyn, quare ſecuti ſunt conſim. plac. *T. apud* Weſtm. 20 *die* Julii. *Vic.* Linc. Richardus de Grey *verſ.* Laurentium Peche, quare ſecutus eſt conſim. plac. *T. apud* Clareddon 10 Sept. *Vic.* Linc. Johannes Faldetape *verſ.* Henric. *Decanum de* Staunford, quare tenuit: *et* Henric. le Luminor. *de* Linc. quare ſecutus eſt conſim. plac. *T. apud* Langele 7 *die* Octobr. *Vic.* Linc. *Vicarius de* Herdeley, *verſ. fratrem* Robertum de Thirrnell & *fratrem* Thomam de la Quyſine, quare ſecuti ſunt conſimile plac. *T. apud* Weſtm. 2 Novembr. *Vic.* Linc. Richardus Piſh, & Petrus de Bernalby, *verſ.* Willielmum de Newerke, quare tenuit, & Elizabetham M. quare ſecut. eſt conſim. plac. *T. in* Turri London 24 *die* Novembr. *An. r. n.* 4. *Vic.* Linc. Philippus de Keyma, *verſ. Mag.* Willielmum *Decanum Chriſtianitatis* Linc. & *Magiſt.* Petrum Ormer, quare tenuerunt placitum in Curia Chriſtianitatis de Advocatione tertiæ partis Eccleſiæ de Madrugham contra Prohibitionem: Et Johannem de Wydrington *Canonicum Eccleſiæ Sanctæ Mariæ de* Lincoln, quare ſecutus eſt idem placitum in eadem Cur. &c. *T. apud* Weſtm. 8 *die* Junii. *Vic.* Linc. Philippus de Keyma *verſ. Magiſt.* Johannem de Wydington, quare ſecutus eſt placit. in Curia Chriſtianitatis de Advocatione Eccleſiæ de Croaton, contr. &c. *T. ap.* Weſtm. 8 *die* Junii. *Vic.* Linc. Alicia *filia* Egidii de Lurretur. *verſ. Magiſt.* Willielmum de *Novo Caſtro* Decanum *Lincoln.* quare tenuit plac. in Curia Chriſtianitatis de Laico feodo ipſius Alic. in Linc. contra Prohibitionem. *T. apud* Turrim London 18 *die* Julii. *Vic.* Linc. Philippus de Keyma *verſus prædict.* Johannem de Wydrington *Canonicum*, &c. quare ſecutus eſt placit. in Curia Chriſtianitatis de Capella de *Creketon*, contr. Prohibitionem noſtram. *Teſte meipſo apud* Lincoln. 7 *die* Auguſti, *Anno regni noſtri quarto.* All theſe Prohibitions in this one year iſſued to the Sheriff of *Lincoln* only, (to omit thoſe to other Counties) ſo vexatious were the Biſhop of that Dioceſſe and his under Officers, to the Kings Subjects there, and ſo incroaching upon his Royal Crown, Dignity, and temporal Courts.

Page 179. l. 55. after *Novembris*, inſert.] In a bundle of Letters, Certificates and Writs I met with in the *White Tower*, An. 4 E. 1. I found this Taxation of the Temporal goods of the Abbot of *Reading* towards the Quindiſme then granted to the King, by whith you may diſcern the prices of Cattel and Corn in that age.

Anno 4 E. 1. *Wiltes ſſ.*

TAxatio bonorum temporalium & mobilium Abbatis de *Rading.* facta per præceptum Domini Regis apud *Wichebir.* coram Vic. *Willielmo Gereberd*, & aliis viris fidedignis, & coram *Radulpho de Wokingham* Ballivo dicti Abbatis de *Wichebir.* & per *Thomam de Ponte*, & *Eliam de Guldeford*, *Thomam le Ride*, *Radulphum le Frie*, *Johannem Martin*, *Ricardum le Jonge*, *Galfridum Wunning*, *Thomam Andreu*, *Johannem Ad-portum*, *Johannem le Webbe*, *Robertum le Carter*, & Johannem qui dicunt ſuper Sacramentum ſuum, quod dictus Abbas habuit in bonis apud *Wichebir.*

Wichebir. die quo Quintadecima Domino Regi fuit conceſſa, *viz.* duos Affr. maſcul. apprec. ad 9. *ſol.* prec. Affr. 4 *s.* 6 *d.* Item 24 boves appreciatos ad 7 *l.* & 12 *s.* prec. 8 bov. 8 *s.* prec. aliorum 8 bov. 6 *s.* & prec. 8 bov. 5 *s.* Item 6 vaccas appreciatas ad 27 *s.* unde precium 3 vac. 5 *s.* & prec. aliarum 3 vac. 4 *s.* Item duos boviculos maſc. apprec. ad 6 *s.* Item 3 boviculos fem. apprec. ad 6 *s.* Item unum vitulum apprec. ad 12 *d.* Item 10 porc. ſuperannates apprec. ad 13 *s.* 4 *d.* prec. porc. 16 *d.* Item 15 Hogg. porc. de dim. anno apprec. ad 12 *s.* 6 *d.* prec. Hogg. 10 *d.* Item 200 Mutton. apprec. ad 10 *l.* pret. Mutton 12 *d.* Item 300 oves maſcul. apprec. ad 12 *l.* 10 *s.* prec. ovis 10 *d.* Item 150 Hogg. apprec. ad 5 *l.* prec. Hogg. 8 *d.* Item 20 quarter. frumenti ad 4 *l.* 10 *s.* prec. quarter 4 *s.* 6 *d.* Item 30 quarter. Ordei apprec. ad 4 *l.* 10 *s.* prec. quarter. 3 *s.* Item 20 quarter. Aven. apprec. ad 40 *s.* prec. quarter 2 *s.* Item 3 quarter. piſarum, &c. apprec. ad 9 *s.* prec. quarter. 3 *s.* — *Summa total.* 50 *l.* 05 *s.* 10 *d.* *An.* 4 *E.* 1.

Page 185. l. 11. after *December*, inſert.] King *Edward* in purſuit of his Writs and Commiſſion to ſeiſe the goods of all [a] *Uſurers*, ſeiſed the goods and chattels of one *Reginald* a Citizen of *Caſſal* in *Ireland* in *London*, as being a Uſurer, and likewiſe ſued the Archbiſhop of *Caſſal* for other of his goods; who thereupon petitioned the King, affirming that he died a good Chriſtian, being abſolved from *Uſury* by the Pope before his death, that he deviſed his goods by his Will, and thereupon deſired not to be vexed for them, adding other requeſts thereunto.

[a] See Here, p. 192, 193.

In Bundela Petit. &c in Turri London, An. 4 E. 1.

Supplicat Domino ſuo Regi Archiepiſcopus *Caſſellen.* quod non detur amplius pro bonis *Reginaldi Maccotir*, quondam Clerici & Civis *Caſſellen.* ibidem malè interfecti, qui mortuus fuit ut fidelis Chriſtianus, & de omnibus bonis ſuis diu ante mortem ſuum condidit teſtamentum, & petuntur ab eo ratione, quod dicunt eum aliquando fuiſſe uſurarium, et qualitercunque hoc eſſet dictum vel factum, diu ante mortem ad mandatam Domini Papæ ſatisfecit, et ſic deſiit eſſe Uſurarius et ſuum ſtatum recuperavit, quod paratus eſt dicere *Caſſellen.*

Item, Supplicat quod Quadringintæ libr. in quibus tenebatur dictus *Reginaldus* Domino Regi per literas ſuas Patentes, ut dicitur, *viz.* ducentæ libr. de preſto, & aliæ ducentæ in quibus tenebatur pro lana empta à Domino *Alano la Suche* tunc Juſticiar. *Hybernia*, non petantur, ex quo idem *Reginaldus* dictas quadringentas libras in domo Domini *Johannis de Gyſort London* integrè perſolvit, & ſimiliter hoc petit inquiſitionem fidelium Mercatorum *Hiberniæ*, & etiamſi non ſolviſſet, Dominus Rex cepit de bonis ejuſdem *Reginaldi Briſtollia* mille & trecentas Marcas poſt mortem ipſius *Reginaldi*, de qua pecunia pro Deo executoribus ipſius pro voluntate ſua reſpondeat Dominus ſuus Rex, ut voluntas defuncti adimpleatur, et in hoc Deo placebit.

Item, ſupplicat idem Archiepiſcopus, quod non erigatur priſona in Civitate ſua *Caſſ.* quam ten. Eccleſia *Caſſ.* à ſua fundatione in puram & perpetuam Elemoſinam, ſine aliqua exactione ſeculari, & ſimiliter hoc habet confirmationes illuſtrium Regum *Angliæ*, viz. Dominorum *Henr.* & *Johannis*, quarum tenorem ob reverentiam crucifixi ſibi et Eccleſiæ ſuæ ſupplicat obſervari.

Item, cum idem Archiepiſcopus eſſet attachiatus, pro eo quod quandam particulam parochiæ valentem tres Marc. cuidam Canonico *Caſſ.* contuliſſet, ſecundum quod antea duobus vel tribus aliis Canonicis conferre conſuevit, & quidam alius aſſerens illam particulam ad ſuam ſpectare Eccleſiam, inquiſitionem Laicalem in abſentia dicti Archiepiſcopi dicto Canonico rei poſſeſſore non vocato procuravit, quare dictus Archiepiſcopus occaſione dictarum trium Marcatarum ad Centum libr. eſt amerciatus; unde ſupplicat quatinus ſimiliter ad hoc ſalubre adhibeatur remedium.

Item, humiliter ſupplicat, ut ſimiliter his & aliis quæ tangunt coronam, coram Domino ſuo Rege & Conſilio ſuo benignam habeat audientiam, maxime cum ad preces Domini ſui Regis in Curia *Romana* nullum petiit remedium ſuper grabaminibus ſibi et Eccleſiæ ſuæ illatis, ſed ſimpliciter confidens literis Regalibus, necnon et dictis nobilium diſcretorum et venerabilium nunciorum ſollempnium per Dominum ſuum Regem ad Concilium generale miſſorum.

Et ut videatur cum effectu aliquem petere pro tenore prædictarum Cartarum illuſtrium

An. 4 E. 1. illuſtrium Regum *Anglie* ſibi, Eccleſiæ ſuæ et ſucceſſoribus ſuis imperpetuum tenendo, et per novam confirmationem Domini ſui Regis impoſterum pacificè obſervanda, dabit Archiepiſcopus Quercus.

The King upon this Archbiſhops Petition ſent a Writ to his Chief Juſtice of *Ireland*, to inquire by an Inqueſt of 12 Jurors, whether it would be to the damage of the Archbiſhop, for the King in his own fee to erect a priſon in *Caſſel*, or not? which he delivering to him in the preſence of the Counſil with his own hand, the Chief Juſtice cauſed a Jury to be impannelled, who found upon Oath, that it was no damage at all to the Archbiſhop, but a benefit to him, the King and the whole Country, to erect a priſon there, upon receit whereof, the King commanded a Priſon to be there built; At which this inſolent undutifull Archbiſhop was ſo inraged, that he denounced a ſentence of Excommunication againſt the Chief Juſtice, the Kings Eſcheator, the Popes Chaplain, and all others, except the King, Queen, and their Children, who were ayding, aſſiſting, or adviſing in the erection of this Priſon, and likewiſe interdicted his whole Dioceſſe and Province, in high prejudice and contempt of the Kings Crown and Royal dignity, to the great diſturbance of the Peace of *Ireland*; and withall ſent his Proctors to *Rome* to procure the Popes ratification of this his Excommunication and Interdict, till the Priſon were demoliſhed. To prevent which, the Chief Juſtice and Popes Chaplein appealed againſt this Sentence and Interdict to the Pope, certifying the Chancellor, Biſhop of *Bath* and *Wells*, of theſe proceedings, and adviſing him to ſend Proctors ſpeedily to *Rome*, to prevent his dangerous proceedings and deſigns againſt the King, as this Letter of the Popes Chaplain to the Chancellor (which I found in the *White Tower* Chappel) will at large inform us.

* Bundela Brevium & Literarum An. 4 E. 1. in Turri Lond.

*REverentiſſimo in Chriſto Patri, & Domino ſuo (ſi placet) cariſſimo, Domino *R.* Dei gratia *Bathon.* & *Wellen.* Epiſcopo, ſuus humilis & devotus *From. le Brun*, Domini Papæ Capellanus, ſalutem, & quicquid poteſt & poterit obſequii, reverentiæ & honoris. Uſus & neceſſitas hoc inducunt, ut vel ad Dominos amicos ut conſulant, vel ad medicos ut curent confugiant vulnerati. Ea profecto ratione venerandæ Paternitati veſtræ duxi non ſine cordis anguſtia referenda ea, quæ per Archiepiſcopum *Caſſalen.* in Regiæ dignitatis grabiſſimam læſionem, et etiam in Domini Juſticiarii Capitalis, et omnium aliorum qui ſunt de Conſilio Domini Regis, diſpendium non modicum et gravamen, ſunt hîc dirtus enormiter attemptata. Sanè veſtram Paternitatem creditur non latere, qualiter præfatus Archiepiſcopus, cum jam ultimo eſſet in *Anglia*, à Domino Rege quaſdam literas impetrabit, directas Domino *Galfrido de Geymull* Juſticiario *Hiberniæ*, et (ſi benè percolo) continentes, ut idem Juſticiarius inquireret, *utrum eſſet ad nocumentum et dampnum ipſius Archiepiſcopi & Eccleſiæ ſuæ* Caſſalenſis, *vel non, ſi Priſona Domini Regis per Dominum* Jacobum de Audelegh *tunc Juſticiarium* Hiberniæ *inchoata ſuper Laicum feodum ipſius Domini Regis in Villa de* Caſſal. *perficeretur?* Quas quidem literas cum prædictus Archiepiſcopus præfato Juſticiario in Scaccario *Dublin.* omnibus de Conſilio tunc præſentibus, liberaſſet propria manu ſua, idem Juſticiarius Domini ſui mandatis obtemperans, prædictam Inquiſitionem, juxta quod habuit in mandatis, fieri fecit per totius Patriæ fidedigniores, & omni exceptione majores; per quam compertum fuit, quod nullum foret nocumentum Dei dampnum ipſi Archiepiſcopo vel Eccleſiæ ſuæ prædictæ, ſi perficeretur Priſona prædicta; ſed quod ejuſdem Priſonæ conſtructio potius cederet ad commodum ipſius Archiepiſcopi et Eccleſiæ ſuæ, et ad profectum et bonum patriæ totius Terræ non modicum. Cum autem idem Dominus Juſticiarius ipſam Inquiſitionem ſub Sigillo ſuo ipſo Domino Regi miſiſſet, et idem Dominus Rex ea audita et intellecta eidem Juſticiario ſuo literatorie remandaſſet, quod eidem Priſonem levari et perfici faceret, ac idem Juſticiarius mandatum illius cenſentiæ executioni debitæ commendaſſet, præfatus Archiepiſcopus cenſuram conſtructionis Priſonæ prædictæ ultimis ſtragis furoribus in præfatum Dominum Juſticiarium, Magiſtrum *J. de Sandford* Cancellarium, et in me, nemine (exceptis tantummodo ipſo Domino Rege, et Domina Regina, ac eorum liberis) in omnes illos qui ad ipſam Priſonem conſtruendam auſpicium, conſilium et auxilium præbuerunt, excommunicationis

nis

nis ſententiam fulminavit; et (quod deterius eſt et gravius) ſuam Diœceſim interdicto ſuppoſuit, decrevitque eidem interdicto cæteras Diœceſes totius ſuæ Provinciæ ſupponendas. Unde cum ab ipſis ſententiis erroneis, et etiam errorem intolerabilem continentibus, antequam latæ fuerant, pro ſtatu Domini Regis, et etiam pro ſtatu ipſius Juſticiarii ſui et omnium aliorum familiarium et miniſtralium ſuorum, necnon pro ſtatu populi ad ſedem Apoſtolicam fuerit appellatum. Placeat Sanctitati veſtræ, ut cum Clericus & Procurator, quem præfatus Dominus Juſticiarius ex parte Domini Regis pro appellatione prædicta proſequenda ad Curiam *Romanam* deſtinare proponit, ad ipſius Domini Regis præſentiam et veſtram accederit, tale conſilium in præmiſſis procuretis apponi, quod ipſius Archiepiſcopi tam præſumptuoſum et deteſtabile factum non tranſeat impunitum. Nulli ſiquidem dubium, quin idem Archiepiſcopus, quoad dixerit, præfato Domino Regi et omnibus ſuis, ac toti terræ ſuæ *Hibernia* inferre non deſiſtet dampna et diſpendia quantumcunque machinari poterit gravioria, ni in hoc facto ſuccumbere videatur. Cæterum quia præfatus Archiepiſcopus ſtatim poſtquam tulerat ſententias ſuprædictas, ad impetrandam earum confirmationem, ad Curiam *Romanam* ſuos Procuratores et Nuncios deſtinavit, multum expediret, quod Procuratores Domini Regis in eadem Curia eſſent per ipſum Dominum Regem ſuper hoc cum omni feſtinantia præmoniti; ne hujuſmodi confirmatio abſque contradictione tranſiret. Pro Deo iſtud negotium, quod arduiſſimum in *Hibernia* reputatur, tanto diligentius ipſi Domino Regi exponere dignemini, ipſum animantes ut illud exequi faciat cum effectu, quanto majus dampnum et dedecus ipſi Domino Regi et ſuis perpendere poteritis imminere, ſi præfatus Archiepiſcopus ſuum propoſitum in hac parte valeat adimplere, quod Deus avertat. Vix ſiquidem, ut multi referunt, accidit, quin hujuſmodi Interdictum grave diſcidium ſubſequatur, de quo non mediocriter eſt timendum cum jam nonnulli tam *Anglici* quam *Hiberniei* occaſione ipſius Interdicti ad malefaciendum efficiantur, ut dicitur proniores. Valeat Paternitas veſtra in Domino per tempora longiora. *An.* 4 E. 1.

Page 176. l. 7. after *tertio*, adde] Pope *Gregory* the 10. dying at *Arretium*, Anno 1275. **poſt cujus tranſitum* Petrus de Tarenteſia *de ordine Fratrum Prædicatorum* Lugdunen. *electus Cardinalis*, *poſtea* Oſtienſis *in Summum Pontificem electus eſt, & appellatus eſt* Innocentius quintus. *Factus autem Papa ſedit menſibus* 5. *diebus duobus, moritur* Romæ, *& in Eccleſia* Lateranenſi *ſepelitur*. This Pope immediately after his conſecration, ſent a Letter to King *Edward* the 1. to acquaint him with the manner of his Election, and excite him with melliſluous words to the ayd of the *Holy Land*, as this elegant complemental Epiſtle of the Kings in anſwer thereunto, directed to him, (which I met with in a bundle of Letters and Writs in the *White Tower*) informs us.

* Mat. Weſtm. An. 1276. p 364. Tho. Walſingham Hiſt. Angl. An. 1277. p. 6. See Platina, Onuphrius, Stella, Barnes, Balæus, Opmeerus, Laertius Cherubinus in vita ejus.

SAnctiſſimo patri ac Domino chariſſimo, Domino *Innocentio*, Sacroſanctæ *Romanæ* Eccleſiæ divinâ providentiâ Summo Pontifici, *Edwardus* Rex *Anglia*, &c. humilis ejus ſervus, ad beatorum pedum oſcula ſe devotum. Receptis nuper ſacris veſtris literis, ex earum tenore præſenſi, ex ore Apoſtolicæ ſanctitatis, ex ——— et habundantia eximiæ dulcedinis diſtillaſſe; dum de ſede Magnitudinis veſtræ ad me humilem filium, atoma tantæ devotionis perflante ——— meum Auſtro veſtræ benignitatis effluxit; eo quod in auribus noſtris fuit & eſt vox ſalutationis Apoſtolicæ, non ſolum mihi, ſed & univerſali Eccleſiæ, Regibus et Regnis omnibus, gaudii magni materiam nunciantis. Ipſe * ——— Rex Regum & Dominus Dominantium ſua providentia, quæ in ſui diſpoſitione non fallitur, ſuo precioſo ſanguine ſanctam Catholicam fundans Eccleſiam, ne in ea fides et clarum lumen tepeſceret aut tenebreſceret, perſonam veſtram, tanquam lampadem oleo ſacræ doctrinæ & converſationis ſanctiſſimæ, omnique venuſtate refertam in ejus lacuna ſublimiori conſtituit, ut igne divinæ charitatis accenſa, non diutius lucernæ ipſius claritas ſub minoris ſtatus modio celaretur abdita; ſed ut luceat omnibus qui in domo ſunt, poneretur ſuper candelabrum luminata. De cujus ſublimatione, quam feciſſe firmiter creditur ille, qui facit mirabilia magna ſolus, ſi non abſque terrore miremini, non eſt mirum. Tamen quia per ipſius electionis veſtræ ſeriem, quam

Bundela Literarum & Brevium in Turri London. An. 4 E. 1.

* (enim)

An. 4 E 1. quam mihi tam lucidè veſtra ſanctitas dignata eſt intimare, ipſum Dominum in vobis ——— apparet lucidius, non timendum creditur quin perficiat qui ſic cepit. Nec eſt vel leviter ſuſpicandum, quin operi manuum ſuarum dexteram porrigat ille, qui ——————— dictæ electionis proceſſu, in quo fratrum abſentia, fatiſque longa diſtantia difficultatem non modicam communi hominum minabatur judicio, ipſo eorum corda efficaciter tangente, & lumen accendente ſenſibus, qui olim ſuper diſcipulos in igneis linguis apparens exterius, fecit interius corda flammantia, qui ——————— in eodem loco pariter congregati, vos cum fratribus veſtris, quibus id ſtatus ſuarum perſonarum indulſit, adunavit corporibus, & cordibus conunivit. Ipſi ſiquidem propter hæc & alia mirabilia ſua, benedictio, & claritas, & ſapientia & gratiarum actio ſpecialis, honor, virtus, & fortitudo in ſæcula ſeculorum; qui vos Pontificem ex hominibus aſſumptum apud Deum pro hominibus ſuper homines conſtituit, & ſuper *Syon* montis **ſancti ejus apicem ſublimavit.** Super eo nimirum, quod **veſtræ ſanctitatis** lingua ſuis non adhæſit faucibus, quin potius in ſuæ lætitiæ principio *Jeruſolymæ* præponeret; graves ipſius calamitatis ærumnas, non abſque compaſſionis aculeis interius corde meditans & verbis affectuoſiſſimis proponens exterius, cordis compaſſione afficior, & affectus exulto. Hinc ejuſdem **Terræ Sanctæ**, quam Dominus noſter *Jeſus Chriſtus* ſanguine conſecravit, miſerias & ærumnas ——————— vero veſtræ bonæ voluntatis & affectionis circa liberationem ipſius ——————— attendens: Sperans firmiter, quod cum tam bonum opus vobis in voluntate ſit, ex divino adjutorio erit in perfectione votiva. Ad ſubveniendum autem illi **pro meæ parvitatis viribus, veſtra profecto dulcis excitatio, me commovens, ſolito amplius animavit, et deſiderium meum circa ipſius ſubſidium aliquando verſatum, ex melliſluis veſtræ ſanctitatis eloquiis,** quæ meis & omnium fidelium faucibus quam dulcia ſunt, quotidianum ſuſcepit incrementum. Maximè cum veſtræ ſuperexcellens dignatio Sanctitatis tanto ſtudioſius continuis & efficacibus ſit gratiarum actionibus proſequenda, quanto Apoſtolica Cedrus alta *Libani* in ſalutationis & ſuæ charitatis ſinus apertionis meæ parvitatis Yſopo ſe inclinans, ac deferre proponens eidem, ad ſuæ largitatis gremium me invitat recurrere, non abſque ſpe promovendorum mei regiminis commodorum. Cui quia ad modicum regratiari non ſufficio, **ad pedes Sanctitatis ipſius corpus met affectum provolvens,** hujuſmodi gratias refero, quantas poſſum.

* Tho. Walſingham Hiſt. Angl. Anno 1277. p. 6. Mat. Weſtm. An. 1276. p. 364. See Platina, Stella, Onuphrius, Creſpin, Balæus, Barns, Opmeerus, Laertius Cherubinus in vita ejus.

Upon this Popes deceaſe, * *Eodem anno ſucceſſit* Adrianus *quintus natione* Januenſis, *dictus ante* Octobonus, *qui tituli Sancti* Adriani *Diaconus Cardinalis, à Papa* Clemente *quarto Legatus in* Angliam *miſſus fuerat. Hic Papa factus, ſtatim Conſtitutionem quam Papa* Gregorius *decimus fecerat, de incluſione Cardinalium pro electione Summi Pontificis, ſuſpendit, proponens eam aliter ordinare. Sed morte praeventus Conſtitutionem ſuſpenſam reliquit, ſedit vero menſibus duobus Papa.*

Page 188. l. 12. after *will*, inſert] I found in the *white Tower* a particular Precept of this Archbiſhop ſent to *William* Archbiſhop of *York*, (ſomewhat torn and decayed) injoyning him and his Suffragans by the Kings command, to denounce a publick ſentence of Excommunication againſt *Lewellin* Prince of *Wales*, for his rebellions againſt the King, invaſions and murders, as he and his Suffragans had excommunicated them in his Province of *Canterbury*; together with a relation in *French* of his miſdemeanors and rebellions, and the reſolution of the King and his Parliament to conquer him by force of Armes. I ſhall only preſent you with the Archbiſhops Precept.

a See Johan. de Aton Conſtit. legit f. 121 W. Lyndewode Provinc. l. 5 f. 249, 250. Spelman. Concil. Tom. 2. p. 159.

VEnerabili in Chriſto Patri Domino *W.* Dei gratia *Eboracen.* Archiepiſcopo ſuus in eodem Chriſto frater *Robertus Cantuarienſis* Archiepiſcopus, totius *Anglia* Primas, quicquid ſibi ——————— Tenore præſentium notum facimus, quod cum dudum in Provinciali Concilio *Cantuar.* (præſidente tunc felicis recordationis *Stephano* quondam *Cantuarienſi* Archiepiſcopo) apud [a] *Oxon* celebrato, provida deliberatione & communi aſſenſu Sanctorum Patrum Epiſcoporum Suffraganeorum ſuorum, & Cleri Provinciæ *Cantuar.* ſtatuto ſuper hoc edito, lata fuerit majoris excommunicationis ſententia in omnes illos qui jura Domini Regis *Anglia* injuſte detinere contendunt, ac pacem et tranquillitatem ejuſdem Domini

minj Regis et regni ſui injuriose perturbare præſumunt, ac eadem ſententia per bonæ memoriæ [b] *Bonifacium* prædeceſſorem noſtrum & ſuffraganeos ſuos, Concilio poſtea apud *Lambeth* convocato, & iterum in [c] Aula *Weſtm.* pluries ſolempniter iunobata fuerit, necnon et authoritate ſedis Apoſtolicæ ſpecialiter confirmata. Nos cum quibuſdam Suffraganeis noſtris (apud ——————) exiſtentibus, & aliorum abſentium Procuratoribus citra proximum præteritum feſtum S. *Martini* Yemal. quia ipſa no—————— auribus ſingulorum acclamabat, quod Nobilis vir *Lewelinus* filius *Griffini* Princeps *Wallia*, tanquam famæ ſuæ prodigus, (& ſalutis) ſententiam hujuſmodi parvipendens, homagium et fidelitatem quæ [d] prædeceſſores ſui Principes *Wallia Angliæ* Regibus —————— (et [e] ipſe) egregiæ memoriæ Domino [f] *H.* Regi *Angliæ* prius fecerat, ac Domino noſtro *Edwardo* nunc Regi *Angliæ* illuſtri facere debuit et debet inpræſenti, exquiſitis occaſionibus facere detractat, ad hoc diebus et locis competentibus, oblato ſibi ad cautelam ſalvo et ſecuro conductu, pluries legitime monitus et citatus, in hoc jus ipſius Regis temere retinere contendens; pacem inſuper et tranquillitatem ipſius Domini Regis et regni ſui per ſe et ſuos perturbare præſumſit, ſicut notoria ſtrages plurimorum, deprædationes rerum, incendia domorum et innumera damnorum genera teſtantur apertè: per quæ ipſum in ſententias hujuſmodi non ambigitur damnabiliter incidiſſe, habito (tractatu diligenti, &) de ſalute ipſius Principis ſollicite cogitantes, de conſilio eorundem Suffraganeorum noſtrorum, & cum eiſdem præfatum *Lewelinum*, —— nunciis ſolemnibus ad ipſum propter hoc ſpecialiter deſtinatis, in præfatas excommunicationis ſententias taliter incidiſſe decernentes, (ipſum) monuimus, quod infra quindecim dies a tempore monitionis hujuſmodi de præmiſſis ſatisfaceret, et ab incepta perturbatione (deprædationibus) et moleſtia deſiſtendo, ſuos ab hujuſmodi præſumptionibus refrænaret; alioquin extunc contra ipſos aſperius procedentes—— exceſſibus eorundem id exposcentibus. Porrò nunciis ipſis apud *Famnas*, ubi Princeps ille cum ſuis Proceribus Curiam ſuam tunc tenebat, accedentibus, & ſui adventus cauſam ipſius Principis familiaribus & Miniſtris ſerio exponentibus, idem Princeps offenſam ſuperaddens offenſis, Nuncios ipſos, non ſine noſtro contemptu, ad ſe aditum habere non permiſit, et monita noſtra ſalubria per ſuos ſibi plene nunciata animo contemnens indurato, hactenus ad ſatisfactionem venire non curavit, per ſex ſeptimanas & amplius favore benivolo patienter expiatus, ſed ſemper pejora prioribus addens, de die in diem quantum poteſt manus aggravat ad delicta: Propter quæ convocatis iterum Suffraganeis noſtris, et habito ſuper hujuſmodi contemptu —————— ipſius Principis et ſuorum excеſſibus et offenſis tractatu pleniori; quia creſcente ipſorum contumacia pariter et offenſa, creſcere (debet & pœna;) eorundem Suffraganeorum noſtrorum unanimi conſilio et aſſenſu extitit probiſum et ordinatum, quod unuſquiſque Suffraganeorum prædictorum (in Cathedralibus) et aliis Collegiatis et Parochialibus Eccleſiis ſuæ Civitatis et Dioceſis dictum *Lewelinum* Principem *Wallia* in præfatas excommunicationis ſententias (innodatum) nominatim taliter excommunicatum eſſe denunciaret, pulſatis Campanis, accenſis Candelis. Conſiliarios inſuper ſuos et (omnes alios conſilium) vel auxilium eidem Principi, in ſua rebellione perſeverantes, ſcienter impendentes in præmiſſis, niſi infra menſem (reſipuerint, &) ab ipſius conſilio conſenſu et auxilio ſe ſubtraxerint, pari ſententia et cum eadem ſolempnitate publice innodatos denunciaret ipſos, quos contra monitionem hujuſmodi extunc ſibi adhærere, et conſilium, conſenſum vel auxilium ſibi impendere conſtiterit in præmiſſis, publice et ſolemniter excommunicatos denuntiaret nominatim. Quam quidem ſententiæ denunciationem in Dioceſi noſtra nuper per noſtros fieri mandavimus cum effectu; Undè cum per præfatum Dominum *Edwardum* Regem noſtrum ſereniſſimum nuper per ſuas literas nobis nuper directas ſpecialiter rogati, ut in iſtius (ſententiæ) executionem vehemum implorem auxilium et ſubamen; ac nos et nos, quibus Eccleſiarum et animarum cura incumbit, ibi ſoltius voluntatem —————— ſuſcipere teneamur, ubi ipſius *Lewellini* rebellio periculoſius exardeſcit, et in prædicti Domini Regis injuriam in poſterum arroganter —————— exurgens ſuſcitia prævenire et ſubvertat, ut ſic pax et quies cæteris præparetur: Paternitatem veſtram rogamus et requirimus, quatinus (Literarum) dicti Domini Regi illuſtriſſimi vobis in hac parte porrectarum, ac noſtrarum præfatum *Lewelinum*

An. 4 *E.* 1.

b See Spelmanni Concil. Tom. 2. p. 309.

c See Here, p. 796, 797.

d See Here, Tom. 2. p. 234. 260, 261, 608, 609, 610, 621, 622.

e Mat. Paris, An. 1264. p. 973. Matth. Weſtm. An. 1267. p. 347.

f Mat. Weſt. An. 1275, 1276, p. 364, 365. Tho. Walſingham Hiſt. Angl. p. 5, 6, 7.

An. 4 E. 1. **linum per totam veſtram Dioceſim et Provinciam** (in præfatæ excommunicationis) **ſententiam incidiſſe, et nominatim taliter excommunicatum eſſe, ſi placet, denuncietis, et denunciari faciatis in forma memorata. Præſens negotium taliter impleturi, qualiter a nobis in caſu conſimili vobis fieri velletis.** Dat. apud *Northſtock* 3 Kal. *Martii*, Anno Domini 1276.

After which follows a Declaration in *French* of the Kings antient right to *Wales*, the Homage, Fealty, and ſervices due unto him for it, his former demand of them from *Lewellin*, his refuſal to perform them, or appear at the Kings Parliament upon ſummons, his acts of Hoſtility and Rebellion, his contempts of the recited admonitions and Excommunications of the Archbiſhops and their Suffragans, and diſobedience both to the Church and King; whereupon the King, Prelates, and Nobles aſſembled in Parliament, reſolved to raiſe an Army and reduce him to obedience; which was accordingly executed, the King taking his Caſtles, and waſting his Mannors, Country with fire and ſword. Whereupon, * *circa Natale Domini* Lewellinus *acceſſit ad Regem*, **miſericordiam, non judicium petiturus. Accepit ergo homagium et fidelitatem de potentioribus** Wallenſium **Rex** Edwardus, *eorum Principem* Lewellinum *uſque* Weſtmonaſterium *ſecum ducens, à quo quinquaginta millia marcarum recepit pro manibus, & pacto firmato de mille marcis ſingulis annis ad Scaccarium* Weſtmonaſterii *perſolvendis pro Inſula de* Angleſeia, *& pro parte* Snaudunæ, *vocalem Principem* **diligenter inſtructum**, *ad partes eaſdem redire permiſit; ſucceſſores ſuos* **Principatus nomine, ſententialiter ſemper privans**, *alias terras* Walliæ, *quas nuper adquiſierat, ſibi & ſucceſſoribus ſuis* Anglorum *Regibus reſervans.*

*Mat. Weſtm. Anno 1277. p. 365, 366.

The Kings Bayliff in *Vaſcoin* injuring the Archbiſhop of *Bourdeaux*, in ſeiſing the Goods of the Church during the vacancy, he thereupon ſent this Letter of complaint againſt him to King *Edward*, to right the Church, according to his Royal duty, proteſting his loyalty to him therein.

Bundela Literarum & Brevium in Turri London. An. 4 E. 1.

EXcellentiſſimo Principi Domino *Edwardo* Dei gratia illuſtriſſimo Regi *Angliæ, &c.* ——— miſeratione divina Archiepiſcopus *Burdegal.* ſalutem in eo in quo Reges regnant. Bonæ ac recolendæ memoriæ ſereniſſimus Rex *H.* Dominus noſter Pater veſter, nos inter ſuos domeſticos multâ prærogativâ præcipui amoris extollens, muneribus, gratiis, & beneficiis multipliciter honoravit ——— ——— dilectionis. Veſtra majeſtas Regia ſui gratia imitatrix circa promotionem noſtram dignata eſt adhibere aſſiduam opem & operam efficaces ——— minus ſolito ad præſens egemus, ut nobis ſemper affit in conſervatione Privilegiorum, Libertatum & Jurium ——— Eccleſiæ *Burdeg.* nobis commiſſæ, rejectis per vos novitatibus per Dominum *Laschaam de Thenays* Sen. veſtrum, & alios Ballivos veſtros in *Vaſconia* introductis, in noſtri & Eccleſiæ noſtræ *Burdeg.* præjudicium & gravamen: & nichilominus facta ſatisfactione congrua ratione bonorum Archiepiſcopalium (ſede *Burdeg.* vacante) ——— ſuper quo, ut ad componendum certam perſonam mitteremus, veſtra benigna clementia nobis ſcripſit. Quare veſtræ Regiæ Majeſtati quantas valemus grates, ad quas tam non ſufficimus, referentes humiles & devotas, ſupplicamus nullo ſupplicandi genere præteriviſſe, ——— per præſentes literas, quæ per dictum ſocium noſtrum Magiſtrum *Johannem Girardi* Canonicum Sancti *Severini Burdeg.* earum portitorum, quatinus eidem placeat, pro dictis bonis minus juſte perceptis, nobis & Eccleſiæ noſtræ *Burdeg.* condignam emendam facere; & indempnitati noſtræ & Eccleſiæ ſuper hiis & indebitis novitatibus per veſtros impoſitis ——— in poſterum more regio providere. **Non enim decet Majeſtatem Regiam, quod Dei et veſtri adjutorio nobis commiſſa *Burdeg.* Eccleſia temporibus noſtris patiatur, (maxime in ſuis libertatibus) aliquam læſionem.** Non attendentes ad verba aliqua iniquorum qui de nobis libenter vobis ſine cauſa ſiniſtra plurima nunciarent. Scientes & certitudine indubitata tenentes, **quod nos honorem veſtrum zelamus ex corde, et jura veſtra integra conſervare; et ad hæc et exaltationem veſtri nominis exponeremus ingenti veſtrorum corpus et bona omnia quæ habemus.** Et ſuper hiis & aliis, quæ veſtræ Celſitudini Regiæ prædictus ſocius noſter oretenus explicabit, indubiè velitis, ſi placeat, tanquam nobis, quod vobis placuerit, nobis fiducialiter injungatis. Perſonam veſtram conſervet Dominus, *&c.*

How

How turbulent the Clergymen in *Gascony* and *Aquen* were this year, and how they slew the Mayor of *Aquen* who would have suppressed their tumult, this certificate to King *Edward* will inform us. *An.* 4 *E.* 1.

IMmensæ Excellentiæ vestræ significat *Willielmus Remundi Denfrances* Civis *Aquensis*, quod cum in *Aquensi* Civitate **inter Clericos magna esset discordia**, Seneschallus *Vasconiæ* sua propria voluntate statuit, **quod omnes laici essent sub incurremento corporum et bonorum, qui de dicta discordia se intromiserint**: Et cum quadam die Major *Aquensis*, **volens sepetare brigam dictorum Clericorum fuerit interfectus**, & de ipsius morte in villa magnus fuerit rumor, & inter plures ad hujusmodi locum venientes, *Petrus de Frances* frater dicti *Willielmi Remundi*, tanquam ille cui more dicti Majoris multum sibi specialius displicuit, accessit ad locum ubi ipsum mortuum fuisse, **non tamen ad intromittendum de briga prædicta Clericorum**. Post hæc autem dictus *Petrus* timens sibi occasione statuti prædicti, non occasione alterius accessus, se ab amicis suis absentavit, de cujus absentia dictus *Willielmus Remundi* & merito multum dolet. Quare vestræ piæ dominationi humiliter supplicat, quatinus à inclito Rege procurare dignemini, ut non obstante statuto prædicto dicto fratri suo miserando hujusmodi adventum remittat; cum dictus *Petrus* à nemine sit accusatus de hujusmodi eventu, & sit paratus juxta fores & consuetudines patriæ omnibus stare juri; & cum Inquisitio facta fuerit per Præpositum *Aquensem*, & per ipsam Inquisitionem dictus *Petrus* de superius narratis non fuerit accusatus nec inculpatus. In eadem Bundela An. 4 E. 1. in Turri London.

In the same bundle I met with this Certificate of the Bishop of *Durham* to King *Edward*, of the contest between the Priors and Covents of *Pontefract* and *Bretton* about the Election of the Prior of *Bretton*, and of the Popes definitive sentence given therein, committed to the Bishop of *Durham* to put in execution, and how he had executed it accordingly.

EXcellentissimo Principi Domino suo, Domino *E.* Dei gratia illustri Regi *Anglia*, &c. *E.* ejusdem permissione Episcopus *Dunelmensis*, salutem, & prosperos ad vota successus, in eo per quem Reges regnant & Principes dominantur. Quia pium est veritati testimonium perhibere, vestræ Regiæ Majestati notum facimus per præsentes, quod olim inter Priorem & Conventum de *Pontefracto* ex parte una, & Priorem & Conventum de *Bretton* ex altera, **cujam Summus Pontifex super jure eligendi Priorem in ipso Prioratu de *Bretton*, orta materia contentionis, tandem pro Monachis de *Bretton* diffinitivæ sententiæ per Dominum Summum Pontificem fuit lata, in executionis ——— & Dunelm.** Episcopis sub alternatione propriis nominibus non expressis existit demandata; cujus authoritate prædecessor noster per præfatum Priorem de *Pontefracto* & quosdam certas personas de ipso Conventu præmissis monitionibus excommunicabit, eo quod parere mandatis Apostolicis contempserunt. In qua quidem sententia adhuc hamiabiliter perseverant, nec ultra prosequi potest, eo quod dictus Prior de *Pontefracto* et complices sui fratrem *Willielmum de Rybale* Procuratorem Prioratus de *Bretton* ceperint, et ipsum extra regnum *Angliæ* transmiserunt, carcerali custodiæ manciparunt; qui à carcere liberatus, ergo nos instanter infirmat, quod prædecessori nostro per literas Apostolicas fuerat mandatum, et ab eodem efficaciter inchoatum, ad finem perducere, et reformationem finis Apostolicæ curaremus; præsertim, cum dignitati nostræ executio commissa fuerat, non personæ. Nos hæc mandata Apostolica reverenter obedire volentes in omnibus ut tenemur, discretis viris Archidiacono *Eborum* & Magistro *Alano de Essingwald*, divisim, mandavimus, ut ipsi mandatum Apostolicum, et ea, quæ in ipso continebantur, diligenter exequerentur; qui personam fratrem *Willielmum de Rybale*, Procuratorem dicti Prioratus de *Bretton*, in possessionem domus de *Bretton* cum pertinentiis authoritate Apostolica immerunt, contradictores et rebelles excommunicationis sententia compescentes. Et sic præfatus frater *Willielmus* authoritate Apostolica dictam domum tenet et possidet, juxta tenorem sententiæ Domini Papæ et executionis ejusdem nobis plenius demonstratæ; per quam quidem sententiam In eadem Bundela An. 4 E. 1. in Turri London.

DE

An. 4 *E.* 1. de proceſſu et (negotii prædicti) progreſſu vobis liquere poterit manifeſte. Valeat, *&c.* Dat. apud *Fenwyk* 13 Kal. *Julii*, Anno Domini 1276.

In the ſame Bundle I found this complaint of the Subprior and Covent of *Winchester* to the King, of the manifold injuries and oppreſſions done to them by the Biſhop, appealing to him for relief and juſtice therein, as their Founder, Patron, and Soveraign Judge.

An 4 E. 1. in Turri London.

EXcellentiſſimo Principi Domino *E.* Dei gratia illuſtri Regi *Angliæ*, Domino *Hibern. &c.* ſui humiles & devoti Supprior & Conventus *Wintonienſis* Eccleſiæ, devotarum orationum ſuffragia, cum omni reverentia & honore. Cum *Wintonienſis* Eccleſia, quæ progenitorum veſtrorum illuſtrium Regum *Anglia* beatorum largitionibus habundanter fundata eſſe dinoſcitur, ac ſpeciali privilegiorum prærogativa exiterit inſignita, adeo diebus iſtis crebris tunſionibus ac continuis calamitatibus depreſſa fuerit et collapſa, quod propter hoc ad veſtrum patrocinium recurrere cogitur, iterato ob ingruentiam miſeriarum ſuarum et improbitatem Epiſcopi ſui plus debito in ipſam ſævientis, in tantum quod præſenti hebdomada, quæ omnibus Chriſticolis ob gratiam Sancti Spiritus celebris tam jure poſt quam fori libera debuit eſſe et quieta, in prædictam Eccleſiam non erubuit deſævire; ſtatum ejuſdem tam in temporalibus quam in ſpiritualibus turbando, et etiam in deterius ſubvertendo: quod conſicitur ab ipſo Epiſcopo eſſe factum, quia ad veſtrum tutamen jamdudum pro ſuis oppreſſionibus ab ipſa Eccleſia eſt convolatum. Quapropter, rogamus illuſtrem Magnificentiam veſtram lacrimis et gemitibus cordis profluentibus, quod in hiis afflictionibus et oppreſſionibus intolerabilibus Eccleſiæ veſtræ ſubvenire dignetur Regia veſtra authoritas circumſpecta; et, ſi placet, quod concepiſtis liberaliter in affectu, reducere velitis ad effectum: Valeat digniſſima Excellentia veſtra per tempora longiora. Datum in Capitulo noſtro *Winton.* die Sabbati in vigilia Sanctæ Trinitatis.

In the ſame Bundle, I found this Certificate of the Abbot of *Waltham*, appointed Conſervator by the Pope of the Priviledges of the Abbey and Monks of St. *Albans*, of his Excommunication in a ſummary way of certain perſons who had defamed the Abbot and Monks, in obedience to the Popes command, for which obedience he beſeecheth the King, that he would do nothing to the prejudice of the Churches Liberties, which he ought to defend, and that he might ſuffer no prejudice for his proceedings herein.

Bundela Literarum, &c. in Turri Lond. An. 4 E. 1.

EXcellentiſſimo Domino ſuo, Domino *Edwardo* Dei gratia, &c. ſuus ſemper humilis & devotus R. proviſione divina, humilis Miniſter Eccleſiæ Sanctæ *Crucis* de *Waltham*, ſalutem in *Jeſu Chriſto*, ac potenter & glorioſe victoriam. Magnifice Domine, pro conſtanti ſciatis, ſi placet, quod nos per Summum Pontificem Conſervatores Privilegiorum Religioſis viris Abbati et Conventui de Sancto *Albano* a ſede Apoſtolica indultorum, in virtute ſanctæ obedientiæ, et ſub pœna Excommunicationis ſumus deputati. Quare dictos Religioſos ſecundum tenorem Privilegiorum ſuorum, ne notam inobedientiæ, perjurii et irregularitatis incurrere (quod abſit) videamur, tenemur defendere et tueri. Cum ergo *Johannes le Altmonger*, et *Robertus Colhopper* de Sancto *Albano* dictum Abbatem de Sancto *Albano* & plures de Conventu ejuſdem loci, verbis probrioſis et ſcandalis non modicis apud Bonos et graves enormiter et publice diffamarunt, et ſtatum eorundem perperam denigrarunt, ſecundum quod coram nobis ſummarie et legitime extitit probatum juris ordine obſervato: licet ——— ſolempnitas et judicialis indago in talibus conſervationibus obſervare non eſt neceſſe, ſecundum quod ſanctorum Patrum voluntinſitum & ſacroſanctæ edocent ſanctiones, ſententiam Excommunicationis monitionibus canonicis præmiſſis ferimus fulminare. Unde unus eorum, videlicet *Robertus Colhopper*, culpabilem ſe ſentiens in hac parte, reum ſe confitens, nuper cum lacrimis & humilitate veniam petiit, & ſecundum qualitatem et quantitatem ſui delicti dictis Religioſis plenarie ſatisfecit. In cujus rei teſtimonium cuidam Scripto per eundem *Robertum* confecto Sigillum ſuum appoſuit, & teſtibus ad hoc vocatis ad majorem iſtius rei evidentiam, Sigilla quatuor legalium hominum

hominum apponi procuravit. Unde reverende & magnifice Domine, pro honore filii Dei, et sanctæ matris Ecclesiæ, (vobis supplico) contra obedientiam nobis injunctam aliquod præcipere non velitis, per quod jus Ecclesiasticum retardetur, et super inobedientiæ redargui possumus et merito puniri; quod pro certo scimus vos non velle; qui jura Ecclesiastica illæsa jugiter nitimini conservare, et statum omnium secundum merita eorum Regia clementia secundum tramitem Justitiæ intenditis salvare. Valeat, &c. *An.* 4 *E.* 1.

In the same Bundle I found this Letter of Mr. *Kilwardby* to the Chancellor on the behalf of *Helias* the Jew, who had excommunicated another Jew for several Crimes, who indeavoured that the Kings Lay Judges might hear, reverse and judge of that sentence of Excommunication, which he desired the Chancellor and King to prevent, and that the Bishop of the Diocesse only might do it, for the reasons therein expressed.

REverendo Patri Domino *Bathon.* suus *Kilwardeby*, quicquid sibi. Magister *Helias* Judæus, quem inter cæteros Judæos melioris inveni voluntatis, & magis faventem vobis, intimavit mihi, quidam Judæus, quem pro delictis suis multiplicibus excommunicabit, curiam Regiam nititur decipere, ut sic super Magistrum *Heliam* devolvat calumpniam, tanquam minus rite ipsum excommunicavit; ut sic a Laicis Christianis judicetur de excommunicatione. Magister *Helias* petiit sibi auxilium à me, si quid possem in hac parte. Ego autem nesciens ipsum in quo possim adjuvare, nisi interpellando Dominum nostrum Regem, supplico vobis ex animo, quatenus Dominum nostrum ex parte vestra & mea interpellare velitis, quatinus dictum Magistrum *Heliam* sententiam Excommunicationis, quam in suos subjectos tulerit, absque Christianorum examinatione permittat prosequi, ut solebat; vel si omnino voluerit quod Christiani causam excommunicationis a Magistro *Helia* latæ examinent, hoc ipsum Diocesano committat inquirendum. Audivi enim quod juste excommunicatus est ille *Cok Hagyn* a Magistro *Helia* pro criminibus falsitatis, deceptionis et nequitiæ multiplicis, pro quibus etiam Christianus rite excommunicaretur. Valeat, &c. Dat. apud *South Malling Ferr.* Scripsi vobis hæc, quia credo, quod fideliter agetis pro eo, & rogo Dominum Regem, quod velit audire in hac parte & exaudire. In Bundela Literarum, &c. Regis in Turri London. An. 4 E 1.

By which we may discern how unwilling the Clergy were that the Kings temporal Judges or Laymen, should examine or judge of any Excommunications denounced against others by Jewes or Christians, that they alone might use and abuse it at their pleasure, to the injury and vexation both of Jews and Christians without redresse.

Page 177. l. 14. after *mand.* insert.] In the Bundles of Writs in the *White Tower* this year, I found these Writs, Attachments, *Probibitions*, for Suits in Ecclesiastical Courts, both within and out of the Realm. *An.* 5 *E.* 1.

Thomas le Camvil & Elizabetha *uxor ejus*, (by the Kings Writ) constitute Hugonem de Drew, & Willielmum de Drew *Attornat. suos in loquela contra* Egidium *Officialem Archidiac.* Derby & Willielmum de Oterwell, qui attach. sunt, quare tenuerunt plac. in Curia Christianitatis, de Catal. &c. quæ non sunt de Testamento, &c. *et* Osbertum *Vicarium Ecclesiæ de* Merston, quare secutus est idem placitum contra Prohibitionem nostram. *T. ap.* Evesham, 21 *die* Jan. Bundela Brevium in Turri London, An. 5 E. 1.

EDwardus Dei gratia Rex *Angliæ*, &c. dilectis et fidelibus suis Magistro *Regin. de Seyton* et sociis suis Justiciariis de Banco salutem. Cum dudum per nostras literas prohibuerimus *Beatrici* Reginæ *Alemann.* ne *Edmundum* Comitem *Cornubiæ* traheret in placitum in Curia Christianitatis de catallis et debitis aliquibus; et vos similiter ex parte nostra in plena Curia nostra id idem prohibueritis. Ipsa eadem Regina spretis nostra et vestra Prohibitionibus in hac parte, præfatum Comitem postea traxit in placitum, ut accepimus, super catallis et debitis in Curia Christianitatis, et Comitem memoratum extra regnum nostrum in causam trahi procurat, in nostri Juris præjudicium, et Regiæ dignitatis læsionem manifestam. Et ideo vobis mandamus, quod placitum Attachiamenti quod est coram vobis per Ibidem.

An. 5 *E.* 1. breve noſtrum inter prædictum Comitem & Reginam memoratam taliter maturetis, ut dicta Regina iſtud placitum contra prædict. Comitem, vel alium conſimilem quod ulterius attemptare non præſumat. Teſte meipſo apud *Wodeſtoke*, 4 die *Septemb.* Anno regni noſtri quinto.

In eadem Bundela. EDwardus Dei gratia, &c. Vic. *Suff.* ſalutem. Præcipimus tibi, quod non omittas propter Libertatem Sancti *Edmundi*, ſed diſtringas Magiſtrum *Robertum de Frillawe* Decanum de Arcubus *London.* per omnes terras et catalla ſua in Balliva tua, ita quod nec ipſe, nec aliquis per ipſum ad ea manum apponet, donec aliud à nobis inde habueris preceptum. Et quod de exitibus eorundem nobis reſpondeas Et quod habeas corpus ejus coram Juſtic. noſtris apud *Salop.* à die *Paſcha* in 15. dies, ad reſpond. *Willielmo de Chervill*, de placito, quare tenuit placitum in Curia Chriſtianitatis de catallis et debitis quæ non ſunt de Teſtamento vel Patrimonio contra Prohibitionem noſtram, ut dicit. Et ad audiendum judicium ſuum de pluribus defaltis, &c. Teſte *R. de Seyton* apud *Salop.* 13 die *Novembris*, Anno regni noſtri quinto.

The like *Diſtringas* iſſued Vic. *Eſſex* verſ. *Aliciam* fil. *Adæ de Thucker*, quare ſecuta eſt conſtm. plac. in Curia Chriſtianitatis, contra Prohibitionem, &c. T. *R. de Seyton* apud *Weſtm.* 3 die *Decemb.* An. regni noſtri 5.

Plac. circa An. 5 E. 1. Leyc. In a fragment of Plea Rolls of *Trinity* Term, Anno 5 E 1. as I conjecture, (the year and term being putrified.) *Præceptum fuit Vic. quod venire faceret hîc ad hunc diem duodecim, &c. de viſ. de* Frolleſworth, &c. *et qui nec* Alic. *qua fuit uxor* Radulphi Danvers, *nec* Johannem de Campanya *Perſonam Eccleſiæ de* Thurleſton *aliqua affinitate*, &c. *ad recogn. &c. ſi prædictus* Johannes ſecutus fuit placitum in Curia Chriſtianitatis de Advocatione quartæ partis Eccleſiæ de Frolleſworth, contra Prohibitionem, &c. *ſicut prædicta* Alicia *dicit, vel non? ſicut prædictus* Johannes *dicit, quia tamen*, &c. *Et Vic. nichil inde fecit, ſed mandat, quod Breve adeo tardè venit, &c. Ideo ſicut prius, præceptum eſt Vicecom. quod venire faciat hîc à die Sancti* Michaelis *in quindecim dies, duodecim*, &c. *per quos*, &c. *& qui nec*, &c. *Quia tam*, &c. *Et unde*, &c.

In a Bundle of Writs in the *White Tower* this year, I found this memorable Letter of King *Edward* the 1. to his Chief Juſtice in *Ireland*, in anſwer to his, conſenting to the aboliſhing of the deteſtable and unjuſt *Iriſh* Lawes there, and eſtabliſhing the *Engliſh* Lawes, by adviſe of the beſt and major part of the Nobility, Prelates and Commonalty of *Ireland*, for which they profered to give the King 8000 Marks for his Royal aſſent thereto, who ordered the Chief Juſtice to ſcrue them up to a greater ſum, and alſo to furniſh him with a certain number of able Souldiers, for this his conceſſion.

Bundela Literarum & Brevium An. 5 E. 1. in Turri London. EDwardus Dei gratia Rex *Angliæ*, Dominus *Hibernie*, & Dux *Aquitania*, dilecto & fideli ſuo *Roberto de Uffford*, Juſticiario ſuo *Hibernia*, ſalutem. Super melioratione ſtatus & pacis in terra noſtra *Hibernia*, de qua per veſtras literas nobis nuper ſignificaſtis, lætamur & gaudemus quamplurimum; & diligentiam veſtram valdè commendantes in hac parte, ſperamus (ope Dei) quod ea quæ ibidem laudabiliter hactenus inchoaſtis, quantum in vobis eſt, fœlicius et virilius continuabitis in futurum. Cæterum de eo, quod Communitas *Hyberniæ* octo millia marcarum nobis offert pro hoc, quod eis Leges *Anglicanas* in terra prædicta utendas concedamus, ſcire vos volumus, quod nos, pro eo quod Leges quibus utuntur *Hyberniei*, Deo deteſtabiles exiſtunt, et omni juri diſſonant, adeoquod Leges cenſeri non debeant; habito ſuper hoc cum Conſilio noſtro tractatu diligenti & deliberatione pleniori, nobis et Conſilio noſtro ſatis videtur expediens, eiſdem utendas concedere Leges *Anglicanas*. Dum tamen in hoc populi, vel ſaltem Prælatorum et Magnatum terræ illius qui bonæ voluntatis exiſtunt, communis conſenſus uniformiter intercurrat. Quapropter vobis mandamus, quod, habito cum ipſis inde tractatu, et examinatis diligenter in hac parte voluntatibus Populi, Prælatorum, et Magnatum bonæ voluntatis exiſtentium, et concordato inter vos et ipſos de altiori ſine pecuniæ ad quem attingere poteritis, nobis ea de cauſa perſolvendæ

vendæ de conſenſu omnium vel ſaltem majoris et ſanioris partis eorundem, prout induſtriæ veſtræ ad honorem noſtrum et commodum magis expedire videbitur, ſuper præmiſſis nomine noſtro componatis cum eiſdem. Ita tamen, quod homines pedites bonos et fortes uſque ad certum numerum, de quo cum ipſis convenire poteritis, nobis una vice tantum habere faciant, paratos ad nos venire, cum pro eis duxerimus demandandum. *Ann.* 5 & 6 Edw. 1.

The King intending to ſend Mr. *Andrew Sapit* his Proctor, formerly employed by his Father and him, to the Court of *Rome* about the Affairs of the Realm, iſſued this Writ to the Chancellor, to advance ſuch a ſumm of Money to him for this employment before his departure out of the Realm as ſhould be for his honour, and to adviſe with his Treaſurer and others concerning it; which ſumm upon their Certificate ſhould be delivered.

EDWARD par la grace de Dieu Roy *Dengleterre*, Seigneur *Dirlaund*, et Ducs *Daquit*. A l'onerable piere en Dieu, *J.* par la meſme grace Eveſqe de *Winceſtre* noſtre Chauncelier, ſalutz. Nous avoms reſceu et bien entenduz les lettres queles vous nous avez envoiez, per les queles vous nous avez eſcrit coment Meſtre *Andreu Sapit* noſtre Procreour en la Court le *Rome*, et qi ſe ad bien et loialment portes tant en le ſervice veſtre tres-Seigneur et piere, qe Dieux aſſoill, come en le noſtre evanceant noz buſoignes, et les buſoignes de noſtre Roialme eſt aler procheinement vers les partyes de la dite Court, et qil ſerroit noſtre honeur, quil feuſt regardez per nous d'aume ſome covenable pur la ſuſtenaunce, avaunt ſon depertir du noſtre dit Roialme. Si vous feſoms a ſaver, qe il nous pleſt, qe il ſoit regardez covenablement et ſolonc veſtre diſcretion; et vous mandoms qe appellez a vous ceux qe vous veres, qe ſoient a ſe appeller ordeniez outre; et qe vou ſemble qe nous lui purroms deneir et honour de nous qant ore. Et de la ſome qeſt iſſint acordez per vous, et les autres facez briefs ſous noſtre Grant Seal as Treſorier et Chamberliens de noſtre Eſch. du lui ent faire le paiment. Significantz a nous pur voz lettres la ſome qe nous lui avoms iſſint donez, e vous ent farroms aver garant ſouz noſtre Privie Seal, a *Clarjndon* le 29 jour de *Nov.* lan de noſtre regne 5. Anno 5. E. 1. in Turri Loud.

Page 201. l. 16. after *of them*, adde] In the Bundle of Original Writs and Retorns in the *White Tower Chappel*, Anno 6 E. 1. I diſcovered theſe ſeven Writs of *Prohibition*, to prohibit the holding and proſecuting Suits in Courts Chriſtian for Chattles and Debts, not of Teſtament or Matrimony, which I ſhall abbreviate. *Rex Vic.* Midd. Robertus de Wauden & Willielmus de Wauden, *verſ.* Richardum *Abbatem* Weſtm. & *Fratrem* Richardum *Archidiac.* Weſtm. **quare ſecuti ſunt plac. in Curia Chriſtianitatis de bonis et catallis, quæ non ſunt, &c. contra Prohibitionem noſtram.** *T. R. apud* Turrim London. 6 *die* Jan. *An. r. n. ſexto. Vic.* Bucks. *quod capias* Nicholaum de Beceſdene *Officialem Archidiac.* Bucks. & *eum ſalvo cuſtodias, & habeas corpus ejus coram Juſticiariis noſtris, &c. ad reſpondend.* Roberto de Corne & Sibillæ *uxori ejus*, **quare tenuit** (conſimile) **plac. in Curia Chriſtianitatis**, *&c. T.* Rad. Seyton *apud* Weſtm. 19 *die* Jan. *Vic.* London. Robertus de Colothont *verſ.* Gregorium de Karewent *Decanum de Arcubus* London. **quare tenuit**; & *verſ.* Johannem de Rughate *Capellanum*, **quare ſecutus eſt** (conſimile) **placitum.** *T. R. apud* Turrim London. 24 *die* Febr. *Vic.* Hereford. Margareta Pagun *verſ. Priorem de* Korſewell, **quare ſecutus eſt** (conſimile) **placitum.** *T. R. apud* Lennymton 26 *die* Marcii. *Vic.* London. Johannes de Onefeld, & Johanna *qua fuit uxor* Johannis le Bret, *verſ. Magiſtr.* Gregorium de Karewent *Decanum de Arcubus* London. **quare tenuit**; & *verſ.* Willielmum May, **quare ſecutus eſt** (conſimile) **placitum.** *T. R. apud* Cavel. 10 *die* April. *Vic.* Linc. *quod ponat per ſalvos plegios, &c.* R. *Epiſcopum* Linc. *quod habeat Magiſtr.* Henricum Neuwerk *Clericum ſuum, ad reſpondend.* Johanni *fil.* Nicholai, **quare ſecutus eſt** (conſimile) **placitum.** *T.* R. de Seyton *apud* Weſtm. 24 *die* Maii. *Quod diſtringat* Johannem de Blanknay *per omnes terras, &c. quare ipſe ſimul cum* Willielmo *filio ejus* **ſecutus eſt** (conſimile) **placitum.** *T.* T. de Weyland *apud* Weſtm. 15 *die* Novembr. *An. r. n. ſexto.* *An.* 6 E. 1. Bundela Brevium in Turri Lond. An. 6. E. 1.

An. 6 *E.* 1. Page 223. l. 4. after *Priviledges*, inſert] In a Bundle of Writs, Letters and Privy Seals I diſcovered in the *White Tower Chappel*, Anno 6 E. 1. (ſeven years before the Statute of *Weſtminſter* 2. ch. 5.) I found theſe two memorable Writs, aſſerting, Firſt, That by the Law and Cuſtom of the Realm in that age, no *lapſe* incurred againſt Patrons of Churches after Incumbents deaths, untill after ſix months from the day they had notice thereof, and not from the very day of their deaths. 2ly. That the ſix months, or half year, was to be computed by *ſix Kalendar months*, not 28. dayes to the month, as the Canons and Prelates would interpret it. 3ly. That the Biſhops refuſal to admit a Clerk upon a Judgement given in the Kings Court for the Patron, upon a pretence of a *lapſe* by the Canon Law, was againſt the Law and Cuſtom of the Realm, yea a manifeſt prejudice to, and contempt againſt the Kings Crown and Dignity. 4ly. That Archbiſhops ought to be moſt zealous ſupporters, not underminers and contemners of the Laws and Cuſtoms of the Realm, and the Kings Royal Dignity.

Brevia Regis An. 6 E 1. in Turri Lond.

Edwardus Dei gratia Rex, *&c.* venerabili in Chriſto patri *W.* eadem gratia *Ebor.* Archiepiſcopo *Anglia* Primati, ſalutem. Literas veſtras nuper recepimus, continentes, quod voluntati brevis noſtri de judicio, vobis pro Comitiſſa *Albemarl.* directi, ſuper Advocatione Eccleſiæ de *Briggeham* veſtræ juriſdictionis, adquieſcere non poteſtis juxta jura, eo quod antequam ad vos prædictum breve perveniſſet, Commiſſarius generalis Archidiaconi *Richemund.* (infra cujus Archidiaconatum Eccleſia exiſtit antedicta) intelligens, **tempus conferendi prædicto Archidiacono Domino ſuo, tanquam loci Ordinario, eſſe authoritate Concilii devolutum, prædictam Eccleſiam Magiſtro** *Rogero de Merton* **contulit vice ſua**; ob quod præſentatum prædictæ Comitiſſæ (præfato *Rogero*, qui eſt memoratam Eccleſiam taliter aſſecutus, judicialiter non amoto, ut videtur) **admittere non poteſtis nec debetis.** Quibus intellectis, **et habito ſuper hoc cum** * **Conſilio tractatu, perpendimus evidenter, prætatum Commiſſarium ad collationem ipſius Eccleſiæ contra juſtitiam et officii ſui debitum** *præceſſiſſe*, **et vos, prædictos Archidiaconum et Commiſſarium executionem Judicii prædicti indebite deferre et impedire; maxime, cum prædicta Comitiſſa, dictæ Eccleſiæ Patrona, quam citius Eccleſiam illam vacare credebat, Clericum ſuum vobis præſentaſſet ad eandem, et infra tempus ſemeſtre a die notitiæ ſuæ vacationis ejuſdem Eccleſiæ præſentationem ſuam ad ipſam Eccleſiam in Curia noſtra per conſiderationem ejuſdem Curiæ recuperaſſet**; cum inſuper eidem Comitiſſæ per vos aut prædictum Archidiaconum vel Commiſſarium **de vacatione prædicta unquam aliquid denunciatum fuiſſet, licet ad vos vel ad ipſos priuſquam ad ipſam Comitiſſam inde certitudo pertenieſſet: propter quod eidem Comitiſſæ tempus in hac parte labi, ſeu prædicto Archidiacono, vel ejus Commiſſario, jus Eccleſiam illam taliter conferendi non potuit devolvi.** Unde, cum Eccleſia prædicta per vos & veſtros ſubditos ſic incumbretur, & executio judicii prædicti per vos & ipſos contra legem et conſuetudinem regni, in Regiæ dignitatis noſtræ præjudicium et contemptum manifeſtum taliter inferatur et impediatur, de quo miramur quamplurimum, præſertim cum vos juſtitiæ noſtræ, et eorum maxime quæ ad Coronam et Dignitatem noſtram pertinent, zelatores præcipuos reputemus; et, ut latis noſtis, quod ad judicia in Curia noſtra ſecundum legem et conſuetudinem Regni noſtri prædicti fruſtra procederetur, niſi eorundem in ſuo caſu debite fierent executores; Vobis conſulendo mandamus, quod cum præmiſſa manifeſta ſunt & notoria, Eccleſiam prædictam (prout ad hoc tenemini) deincumbari, et ea, quæ ſuper præmiſſis (juſtitiæ vel juris ordine non obſervato) per vos et ſubditos veſtros prædictos ſunt attemptata, corrigi, et executionem judicii prædicti ſine dilationis incommodo (judicio ſuo veſtri non expectato, cum id ad vos non pertinet in hac parte) fieri faciatis, juxta tenorem Brevis noſtri de judicio ſuprædicto, quod inde recepiſtis.

* Therefore this was the Reſolution both of the King and his Council upon mature advice.

Ibidem. Cum *Robertus de T.* nuper per quandam Aſſiſam ultimæ Præſentationis, quam per Breve noſtrum arram. verſus *C.* de Eccleſia de *B.* vacante, & ad ſuam præſentationem ſpectante, ut dicebat, advocationem illius Eccleſiæ diſrationaverit in Curia noſtra, & per Breve noſtrum de Judicio demum vobis obtinuerit demandari, quod ad præſentationem ſuam idoneam perſonam admitteretis ad Eccleſiam ſupradictam; **Vos**, (ut accepimus) **lapſis et computatis ſingulis diebus a morte Rectoris**

Rectoris Eccleſiæ illius, uſque ad numerum octies viginti et octo dierum continue ſequentium, quæ ſex menſes facere videntur; aſſerentes, collationem prædictæ Eccleſiæ, authoritate Concilii, ratione lapſus hujuſmodi ſemeſtris temporis, ad vos ea vice legitime fuiſſe devolutum, idoneam perſonam ad mandatum noſtrum prædictum et ad præſentationem prædicti *R.* admittere diſtuliſtis ad eandem; in ejuſdem *R.* præjudicium et exhæredationem manifeſtam. Nos igitur quia in vacationibus Eccleſiarum ſecundum legem et conſuetudinem hactenus obtentam et uſitatam in regno noſtro, hujuſmodi tempus ſemeſtre computari debet, non a die mortis Rectoris, ſed a die ſcientiæ Patroni uſque ad ſex menſes completos, non juxta numerum dierum ſingulorum, ſed juxta numerum ſex menſium, qui menſes in Kalendario computantur, eundem *R.* præſentatione ſua ad Eccleſiam illam indebite defraudari nolentes; Vobis mandamus, ſicut alias mandavimus, quod ad præſentationem prædicti *R.* idoneam perſonam admittere non differatis ad Eccleſiam ſuprædictam. Teſte, &c. *An.* 6 *E.* 1.

Theſe memorable Writs, moſt excellently explain the *tempus ſemeſtre* in the * *Statute of Weſtminſter* 2. ch. 5. (made 7. years after them) juſtifie the concurrent reſolution in *Catesbyes* Caſe, *Cookes* 6 Report, f. 62. Yea fully refute the common error of later times, that in caſes of Vacancy by death, the 6 moneths ſhall be computed from the day of the *Incumbents* death, not from the day of the Patrons firſt Notice thereof; which the Writ out of Juſtice *Walmeſlyes* Book in the reign of King *Edward* the 2d. recited in *Catesbyes* Caſe, (concurring with theſe here cited) doth likewiſe refell. * See here, p. 332, 333, 334.

In a Bundle of Petitions to the King, which I reſcued from rubbiſh in the *White Tower*, I found this Petition of the Dean of *Norwich* againſt the Conſtable of the Caſtle there, for prohibiting him to exerciſe his Juriſdiction in caſes of adultery and fornication within the fee of the Caſtle, which his predeceſſors exerciſed, and the Conſtables had in time of warre uſurped to themſelves, to the prejudice of the Churches Juriſdiction, and mens ſouls.

HEnricus Sampſon Decanus *Norwicen.* dicit & proponit, quod Decani dictæ Civitatis pleniam habebant Juriſdictionem Eccleſiaſticam in feodo Caſtri *Norwici*, uſque ad tempus guerræ Dominus *Philippus Marmyun* Conſtabularius Caſtri *Norwici* illam Juriſdictionem tempore guerræ occupabit, et fecit correctiones in Caſtro prædicto de adulteriis et fornicationibus, et certis criminibus. Vic. poſtea dixerunt, quod Dominus Rex eſt in poſſeſſione Juriſdictionis, nec permittunt Decanum debitas facere correctiones et adulterii et fornicarii de Civitate, quando impetuntur in feodo Caſtri immunitatem conſecuntur, in ſuarum periculum animarum, et Eccleſiaſticæ libertatis præjudicium: Unde petit remedium. Bundela Petitionum An 6 E 1. in Turri London.

In the ſame Bundle I met with this Complaint to the King by *Hugh Derby* Clerk, againſt the Biſhop of *Imalac* in *Ireland*, for caſting the Kings Letters in contempt to the ground, which he delivered him, to exempt himſelf from his perſonal reſidence in the ſaid Church, vexing, oppreſſing, and injuring them the more for the Kings Letters; before whom he prayed he might be ſummoned perſonally to appear, to anſwer theſe contempts.

EXponit Excellentiæ veſtræ *Hugo de Derby* Capellanus Domini *A. Beky* Rector Eccleſiæ de *Martherlath Imalacen.* Dioc. Quodcum vos literas veſtras deprecatorias ad Epiſcopum *Imalacen.* pluries mandaveritis, quod dictum Rectorem ob reverentiam veſtri recommendatum haberet, nec ipſum ad reſidendum compelleret in eadem Eccleſia faciendam, in qua perpetuum Vicarium habet Rector prædictus; Idem Epiſcopus literas veſtras ſibi nomine dicti Rectoris præſentatas projecit in terram; et dixit, quod propter prædictas literas ſuperbe et gravioſe ſibi irrogaret, et faceret irrogare; et multa alia ſtultitia in contemptum veſtri protulit manifeſtum. Et hiis non contentus, quendam Capellanum quibe quandam Capella a prædicta Eccleſia dependente auctoritate ordinaria amotus fuerat (juſtitia mediante) ad eandem Capellam intruſit, in prædicti Rectoris præjudicium et gravamen. Unde ſupplicat, ut ſuper hoc ſibi dignemini competens remedium adhibere, faciendo (ſi placet) Bundela Petitionum An. 6 E 1 in Turri London.

An. 6 E. 1. placet) dictum Epiſcopum coram vobis perſonaliter evocari, ſuper prædictis vobis ſufficienter reſponſur. maxime, cum prædictus Epiſcopus mandata veſtra contemnat, & dictus Rector paratum ſe offerat probare prædicta.

The King upon the Archbiſhop of *Ardmaths* Petition, iſſued theſe Writs to the Chief Juſtice of *Ireland*, to aſſign him Juſtices for the delivery and recovery of the rights of his Church, not to grieve him with amerciaments, and to do him ſpeedy Juſtice from month to month.

Bundela Petitionum, An. 6 E 1.

JUſtic. *Hiberniæ* ſalutem. Quia vobis injunximus, ut cum venerabilis pater Archiepiſcopus *Ardmath. Tbernia* Primas, Jura Eccleſiæ ſuæ proſequi aut defendere vellet, certos ſibi Juſticiarios aſſignaretis: Vobis mandamus firmiter injungentes, quatinus cum idem Archiepiſcopus, quem cum gratia et favore in ſuis agendis fovere deſideramus, coram vobis vel dictis Juſticiariis ſibi aſſignandis amerciari contigerit, ita ſibi ſitis propitii, quod in exactione amerciamentorum nullatenus ſe ſentiat gravatum; & quæ ab eo fuerint exigenda & accipienda, quouſq; à nobis ſpeciale receperitis mandatum, nullatenus exigi permittatis, &c. Et hoc idem Juſticiariis veſtris Itinerantibus necnon & ſibi aſſignand. præcipiatis. Dat. &c.

E. Illuſtr. Reg. *Angliæ* Primogen. Juſticiario ſuo *Hiberniæ*, vel ejus locum tenenti, ſalutem. Venerabilem patrem Archiepiſcopum *Ardmath. Hiberniæ* Primatem, pro noſtris viribus volentes à gravaminibus præſervare, et Eccleſiæ *Ardmath.* patrimonii et terrarum alienationem ſatis (ut aſſeritur) injuſtæ miſeriæ lacrimabili compatientes; Vobis mandamus firmiter injungentes, quatenus cum eundem Archiepiſcopum ſuo aut Eccleſiæ ſuæ nomine experire ſeu agere aut defendere contigerit, utiles ac neceſſarios ſibi Juſticiarios ac Judices aſſignetis, aſſignand. ſibi Juſticiariis dantes in mandatis nihilominus, ut celerem eidem Archiepiſcopo *Ardmath.* juſtitiam ſcilicet de menſe in menſem faciant, cum gratia & favore, providentes, quod in *Drocheda* vel alias loco competenti ſibi infra limites ſuæ provinciæ occaſione contentionis ortæ ipſum & Archiepiſcopum *Dublinenſem* et *Caſſalen.* Juſticiarios hujuſmodi ſibi aſſignetis. Valete. Dat. &c.

The particular Petitions of the Archbiſhop of *Ardmath* to the King on the behalf of his Church (in the ſame Bundle) were theſe enſuing.

In eadem Bundela Petit. in Turri London, An. 6 E. 1.

LIcet Eccleſia *Ardmath.* inter omnes Eccleſias *Hiberniæ* in rebus & poſſeſſionibus ac libertatibus, antiquis temporibus magis fuerit abundans; modo tamen per oppreſſiones malorum, ac per imperitiam quorundam Archiepiſcoporum ad tantam devenit paupertatem, quod qui pro tempore fuerit, vereundetur Archiepiſcopus nuncupari; propter quod etſi placitum detentoribus terrarum dictæ Eccleſiæ movere vellemus, timore tamen amerciamentorum Curiæ veſtræ hoc facere non audemus. Unde ſupplicamus Excellentiæ veſtræ, quatinus ſi contingat nos alios implacitare, vel ab aliis implacitari, & ſubcubuerimus, vel aliquo modo defaltam fecerimus, quod veſtra Dominatio certum amerciamentum nunc velit ſtatuere, ultra quod Juſticiarii veſtri à nobis nil exigere audeant; vel ſaltem eis mandetur, quod à nobis nil exigant, quouſque a vobis aliud receperint in mandatis, Cum facultates Eccleſiæ noſtræ in terra pacis hiis ad Centum libras ſe extendant. Forma vero gratiæ quam feciſtis Prædeceſſori noſtro hic pendet.

Item, cum quædam partes ſint *Hyberniæ*, ad quas niſi Crucem noſtram bajularemus, ſine præjudicio Juris Primatiæ Eccleſiæ *Ardmachanæ* accedere nullatenus poſſemus; qua de cauſa nullus prædeceſſorum noſtrorum ad illas partes uſque ad hæc tempora aliquo modo perſonaliter acceſſit, Veſtræ Dominationi ſupplicamus, quatenus mandetur Juſticiariis veſtris, quod non plus ad talia loca vocentur, quam vocaverunt prædeceſſores noſtros; Sed ad ea quæ ſine præjudicio dictæ Eccleſiæ accedere valemus in quibuſcunque negotiis ſeu cauſis perſonaliter velint vocare. Et ſciat Excellentia veſtra (Domine Rex) quod ad quemcunque locum minor nuntius Juſticiariorum veſtrorum nos ad commodum & honorem veſtrum vocaverit, dum tamen ſine præjudicio perpetuo Eccleſiæ noſtræ poſſimus accedere, libenter accedemus. Forma vero gratiæ quam feciſtis prædeceſſori noſtro circa hoc

hic

hic pendet, quam gratiam nos ſimiliter petimus nobis fieri (ſi placet) ad voluntatem Regis. An. 6 E. I.

Item, cum ante introitum *Anglicorum* in *Hyberniam*, Eccleſia *Ardmath* fuerit in poſſeſſione recipiendi Temporalia tempore vacationis omnium Epiſcopatuum Provinciæ *Ardmath*; & licet proceſſu temporis per incuriam & negligentiam quorundam Archiepiſcoporum, ballivi veſtri poſſeſſionem temporalium quorundam Epiſcopatuum ſic vacantium, in præjudicium Eccleſiæ noſtræ ſint ingreſſi; adhuc tamen Eccleſia noſtra *Ardmath.* eſt in poſſeſſione Temporalium quorundam Epiſcopatuum vacantium, in quorum poſſeſſione fuit dicta Eccleſia non ſolum ante ingreſſum *Anglicorum*, ſed poſt ingreſſum ipſorum uſque in hunc diem. Quare Excellentiæ veſtræ ſupplicamus, quatenus mandetur Juſticiariis veſtris, ne nos ſeu Eccleſiam noſtram ſaltim ſuper poſſeſſione noſtra in prædictis Eccleſiis, in quarum poſſeſſione fuerunt hactenus Prædeceſſores noſtri, & hodiè ſumus, moleſtent. Et ſciatis, Domine reverende, quod nos peteremus poſſeſſionem noſtram nobis reformari Eccleſiarum, videlicet quas nunc tempore vacationis quo ad temporalia poſſideris, ſi ſperaremus apud Excellentiam veſtram exaudiri. *R.* Quod Juſtic. ſe ad. *&c.*

Item, cum Theſaurarius veſter in *Hybernia* petat quædam amerciamenta à nobis quæ tempore trium Archiepiſcoporum prædeceſſorum noſtrorum nunquam fuerunt petita, nec ipſis viventibus (prout intellexerimus) extiterant taxata. Excellentiæ veſtræ ſupplicamus, quatinus mandetur Juſticiario veſtro vel ejus locum tenenti, quod à talium amerciamentorum exactione deſiſtat: vel ſaltim Dominatio veſtra de gratia ſpeciali nobis dicta amerciamenta velit remittere. *R.* Scribatur Juſtic. &c. Rex perdonat ei ea que non fuerunt taxata ſuper ſtitibus prædeceſſoribus ſuis, ita quod ea quæ tax. *&c.*

Item, cum Eccleſia noſtra *Ardmath* ab antiquis temporibus fuerit in poſſeſſione cujuſdam Libertatis in tenemento de Carmunfechi. quod dicitur *Wreck*; ac nunc Ballivi veſtri, licet raro talis caſus contingat, ſe intromittant: Excellentiæ veſtræ ſupplicamus, quatinus mandetur Juſticiariis veſtris, quod inquirant, ſi aliquis prædeceſſorum noſtrorum antiquitus habuit dictam Libertatem quæ dicitur *Wrek*; & ſi invenerint aliquem prædeceſſorum noſtrorum ipſam habuiſſe, nos permittant eadem libertate pacificè gaudere. *R.* Oſtendit Jus coram Juſtic. *Hybernia*, & —— Regem.

Item, cum nos quoddam Manerium in medio perverſæ gentis ſitum à quodam Milite ad opus Eccleſiæ noſtræ de novo emerimus, ac ibidem Caſtrum quoddam ad reſiſtendum malitiæ ejuſdem gentis fatis forte conſtituerimus, ratione cujus emptionis pax & concordia in tota marchia illa melius obſervatur; de quo manerio, licet nil valeret dicto Militi, tamen ſervitium et ſectam Comitatui veſtro facere tenebatur. Cum adhuc dictum manerium ad eadem teneatur; Vos rogamus quatenus dictam ſectam Comitatus cum ſervitio de gratia veſtra ſpeciali nobis & Eccleſiæ noſtræ velitis. *R.* Rex non poteſt relaxare, quia de Corona.

Quia univerſa placita de Catallis ſeu debitis, quæ Teſtamentum vel Patrimonium non contingunt et * Regia dignitate Curiæ Regiæ relinquuntur audienda et terminanda: eo prætextu placita de Debitis ſeu Catallis Patrimonium ſeu Teſtamentum contingentia, Rex et Princeps filius Eccleſiæ Chriſtianiſſimus et fidelis Curiæ Chriſtianitatis dimittere debet, Eccleſiæ libertatem illæſam conſervando, ut tenetur. Cum igitur Parochianus noſter *Philippus Marmium* de quibuſdam debitis et catallis quæ ſunt de matrimonio coram Baronibus de Scaccario ad inſtantiam Domini *Willielmi de Mortein* trahitur in placitum diis diebus; petimus, quod Rex eiſdem Baronibus reſcribat; quod ſi ita eſſe invenerint, tunc de placito illo ſe non intromittant, ſit ad Curiam Chriſtianitatis dimittant; vel ſaltem quod dictum placitum coram ipſo Rege ponì faciant; ut de conſilio ſuo, quid inde fieri debeat, ſtatuatur. To which no anſwer was given by the King. * *Nota.*

William Archbiſhop of *Rhoan* returning very weary and poor from the Church of *Rome*, where he had ſpent much money for his confirmation and conſecration, and being loth to croſſe the Seas to come perſonally to King *Edward* to make his Oath of Fealty to him, addreſſed his own Letters to him, with ſome other great perſons, to receive his Homage by a Proctor, or to ſend one to receive it at *Rhoan*, and

An. 6 *E.* 1. and to do it afterwards in perſon, when ever the King ſhould arive in *France*, that ſo he might receive his Temporalties; as theſe following Letters, which I found in a Bundle of Epiſtles and Writs in the *White Tower* inform us.

Bundelæ Brevium & Epiſtolarum in Turri London An. 6 E 1.

EXcellentiſſimo Domino ſuo, *Edwardo* Dei gratia illuſtri *Anglia* Regi, *Gulielmus* miſeratione divina *Rothomagenſis* Archiepiſcopus, ſalutem, &c. Quia gyrat animus in diverſa ſuppoſitus eodem tempore curis diverſorum neceſſariorum, fere æqualium, pro quorum uno corporis & rerum ſubjicitur periculo, pro alio autem rerum timet periculum & ſuperioris offenſam, ſciens, quod dum ad utrumque feſtinat, neutrum benè peragit, viam ſic hæſitanti oportet eligere tutiorem. Ideoque nos qui corporis et rerum timemus periculum, ſi pro faciendo Juramento fidelitatis Magnitudini veſtræ de terra quam a vobis tenemus, in *Anglia* nos oporteat transfretare, cum de nobo a Curia *Romana* ad Archiepiſcopatum noſtrum venerimus ſatis leſi, vias itinerandi difficiles et abruptas, et jura ac negotia noſtræ Diœceſis multum invenerimus intricata, ſicut plerunque in illis accidit, qui de nobo curam conſimilem amplectuntur: Undè ſine magno diſpendio, modo ad veſtram Magnitudinem accedere non valemus, pro dicto Juramento fidelitatis debite faciendo; præcipuè cum illuſtris *Francia* Rex ſit ad præſens in *Normannia* partibus; cum quo, novitatis hoc tempore, ſuper terris noſtriſque juribus, vacante noſtra *Rothomagenſi* Eccleſiâ indebitè occupatis tractare, & ipſius implorare ſubſidium nobis oportunum habemus. Mare etiam complexioni noſtræ contrarium, & ipſius abhorremus inundationes inſolitas, et periculum, quod patet in *Fannis*, cum à modo difficultatem & periculum exhibeat transfretanti. Quapropter manſuetudini Regiæ cauſam & audaciam ſumpſimus ſupplicandi, quatinus dictum juramentum fidelitatis, ad quod vobis tenemur ex debito, de ſpecialis benignitatis veſtræ gratia, et conſueti favoris intuitu, dignemini per Procuratores noſtros recipere, ad hoc ſpecialiter deſtinatos: Sciturí certiſſimus, quod quam cito mare *Anglicanum* vos transfretare contigerit ad quaſcunque partes *Franciæ* ſive *Gaſcoigna*, et auditis de tranſitu veſtro rumoribus, in inſtanti vobis obviam venimus, dictum fidelitatis juramentum, et alia, quæ regni *Anglia* conſuetudo ejuſdemque terræ qualitas exigit et conditio præſtaturi. Inſuper Magnitudinis veſtræ apertas recognitionis noſtræ tranſmittimus literas, per quas innoteſcimus, quod per factam nobis gratiam vobis veſtriſque ſucceſſoribus nullum præjudicium volumus generari; nec nobis et ſucceſſoribus noſtris quicquam præbere ſubſidium, quo minus teneamur ut ante præſtare ſuper fidelitate prædicta perſonaliter juramentum. Quæ tandem ſi ſic fieri Dominationi veſtræ non placeant, iterum Regiæ Celſitudini ſupplicamus cordis affectione qua poſſumus ampliori, quatinus unum de veſtris, Clericum aut Laicum in *Normanniam* aut in *Franciam*, ubi vobis citra mare placuerit, Regia Celſitudo tranſmittat, ad recipiendum a nobis, pro vobis et nomine veſtro, fidelitatis debitæ juramentum. Tantum de prædictis, obtentu noſtrorum precaminum facientes, ſi placet, quod in exauditione evidentis excuſationis noſtræ prædictæ, nobis & arduis noſtris neceſſitatibus, videamini conſuetæ benignitatis veſtræ gratia compati, & ut per hoc in poſterum ad effundendas orationes pro vobis Altiſſimo, & ad alia gratiarum obſequia teneamur. Valeat, &c. Dat. Anno Domini 1278. die *Mercurii* in feſto beati *Barth.* Apoſtoli.

In eadem Bundela, An. 6 E. 1.

SEreniſſimo Principi, Domino in Chriſto chariſſimo *E.* Dei gratia illuſtri Regi *Anglia*, *Matth.* miſeratione divina Eccleſiæ beati *Dionyſii* in *Franc.* Abbas humilis, ſalutem, &c. Quia multis afflictus moleſtiis, multis propulſatus injuriis, multiſque attenuatus curis, laboribus, et expenſis, venerandus & chariſſimus nobis pater in Chriſto *G.* Dei gratia Archiepiſcopus *Rothomagenſis*, ſub coppalis debilitatis imperio, a Curia noviter *Romana* reverſus, non ſine incommodo magno ad præſentiam Celſitudinis veſtræ, pro juramento fidelitatis, prout mozis eſt, vobis præſtando, perſonaliter accedere poſſet; maxime, cum procelloſas æquoris undas abhorreat in immenſum, ipſumque mare eidem ſuis minetur inſultibus; Excellentiam veſtram rogamus, quatinus compatientes eidem, et ergà ipſum benignitatis Regiæ prætendentes affectum, per procuratorem quem ad hos deſtinet ydoneum, vel coram Procuratore aliquo à vobis ad dictum Archiepiſcopum ad ejuſdem expenſas propias deſtinando, cui nomine veſtra fidelitatem juret prædictam,

tam,

tam, juramentum velitis recipere supradictum; quousque ad *Vasconia* partes vel *Francia* accedere vos contingat, quia tunc commodius se vestro conspectui præsentabit, dictum Juramentum personaliter subiturus. Valeat, &c. Dat. *Rothomag.* die Veneris post Assumptionem beatæ *Mariæ* Virginis. An. 6 E. 1.

A Treshaut et tresnoble Prince, son treschier et tresame Cousin *E.* per la grate de Dieu Roy de *Angleterre*, *Johanne* Contesse *D'alencon*, & de *Chastres*, salut, et verale amour et lui aparailliee a sa volente et a son pleisir. Sire come honeurable Pere en Jesu Crist, *Guil.* par la grace de Dieu Arceveſqe de *Roen* nostre especiel ami vous daie feire homage, et il redoute mout la mer, et meesmement pur ce qui est moul grevez et travailliez du lous voyage, que il a fet par lonc tens, et a *Rome* et a ailleurs: pur quoy il ne puet mie aler a vous en propre persone sanz grant peril de sun cors, et sour ce Jentens, que ma Dame la *Reine* vous prie per ſes lettres qe vous li vueilliez faire tel grace, que bous le debantdit homage vueilliez receivoir per son Procureur especiel en tel maniere, qe si toſt com li diz Arcevesqe nostre ante sauta que bous saies es parties de *France*, ou es parties de *Gascoigne*, ou que ce soit il ——— prez et apareilliez de vous feire homage en propre persone, si come il deura. Si vous pri Sire tant com je puis que ——— la priere ma Dame vueilliez acomplir et mettre a enure en ceste besoigne. Et tant en feites sil vous pleſt pur l'amour de lui et de moi, que nous vous en puissiens mercier et savoir grace, et que il aperceive que nos preres li aient valu envers vous. Nostre Sire vous gart. Donee a *Eſcampes* le *Vendredi* apres la Sant Pere entrant *Aoust.* Bundela Literarum & bravium, An 6 E. 1. in Turri London.

Ad eundem effectum ad Regem prædictum mittuntur literæ à *Margareta* Regina *Francia*. Dat. apud *Stampas* die Jovis post inventionem beati *Stephani*.

A Treshaut homme et tresnoble, et son treschier filg. *Edualt* par la grace de Dieu Roy *Dengleterre*, &c. *Jehane* par la meisme chele grace Roine de *Castele* et de *Lyon* Contesse de *Ponter*, &c. saluz, &c. Biaus nex comme je vous eusse autre foiz proie par mes letres de la bosoigne le Archeveſque de *Roen* dendroit l'omage quil vous doit faire, ke vous son homage vausissies rechevoir par Procureur, duskes a chon qe vous passer ies la mer, pour chon quil est greves de la voie de *Rome*, la ou il a molt en a faire et me fires vous en prie par ses letres devous prient, aut come je puis ke vous le proiere mon Seigneur et le nostre vueilles faire se vous faire se poes en nule maniere, sen faites tant qe il se puist aperthenoir que mes prieres li aient en aucune chose pour fice, et quil nous en puist merchier. Dieux soit avec vous. Ibidem.

In the same Bundle, I found this *Memorandum* entred concerning the Homage of *Alexander* King of *Scots* tendred to King *Edward*, and his adjourning of it to another time and place, because his Counsil were not present.

EDwardus Dei gratia, &c. Omnibus ad quos præsentes literæ pervenerint, salutem. Sciatis, quod cum egregius Princeps *Alexander* Rex *Scotiæ* illustris, die Dominica proxima ante festum beati *Lucæ* Evangelistæ, apud *Tenkbyr.* ad nostram præsentiam accessisset, et ibidem facere nobis homagium obtulisset, Nos illud ibidem recipere noluimus, cum tunc Concilium nostrum nobiscum minime haberemus. Sed prorogavimus sibi diem, usque ad *London.* ad dictum homagium faciendum. Unde volumus & concedimus, quod hujusmodi homagii in prædicta villa de *Tenkbyr.* nobis oblati denegata receptio, et ejusdem prorogatio apud *London.* faciendi, in dicti Regis hæredum suorum præjudicium non redundent. In cujus, &c. Teste meipso apud *Cuberle* 17 die *Octobris*, Anno regni nostri sexto. Ibidem.

That no Subject of this Realm could repair to *Rome* without the Kings special licenſe, even in case of conscience which concerned his Souls salvation, this Petition of the Archbishop of *York* will inform us.

EXcellentissimo Domino suo *E.* Dei gratia, &c. *W.* ejusdem permissione *Eboracensis* Archiepiscopus, *Angliæ* Primas, salutem, &c. Quia *Roberto de Bercley* injunximus, quod cum omni celeritate, intuitu salutis animæ suæ, iter arriperet versus Papam; ad ipsum dei suo Primario, super quibusdam excessibus et commissis absolutionis beneficium petiturus; Vestræ serenitatis zelum, quem ad prosperitatem animarum novimus vos habere, in Domino requirimus et rogamus, Ibidem.

An. 6 E. 1. mus, quatinus ipsius *Roberti* adeuntium negotium tam salubriter erectatum dignemini tuæ indignationis qualibet acceptare. Ita, si placet, quod ad Cingulum militiæ sistem quousque ipsum redire contigerit, sub tanta impotentia, nullatenus distringatur. Hæc autem Dominationi vestræ scribimus, instantius requisiti. Conservet, &c. Datum apud *Thorpe* Idus Septembris, An. Dom. 1278.

A

Page 214. l. 19. after *condemnaret*, insert.] In the same Bundle of Petitions, I met with this of the Prior of *Christchurch Canterbury* to the King, craving his Letter to the Popes Secretary, to promote the businesse of his Church, for which he then sent special Messengers to *Rome*, concerning the difference between them and the Archbishops Clerks.

Bundels Petitionum An. 6 E. 1 in Turri London.

EXcellentissimo Domino suo *E.* Dei gratia, &c. suus humilis & devotus, *Thomas* permissione divina, Prior Ecclesiæ Christi *Cantuar.* salutem, &c. Accedentibus ad nos apud *Cantuariam* in Vigilia beati *Bartholomæi* Apostoli Nunciis vestris, quas pro negotio Ecclesiæ nostræ ad Curiam *Romanam* transmisistis, super diversis prædictum negotium tangentibus nobiscum tractaverunt. Inter quæ tetigimus eis de Magistro *Benedicto de Anagnia*, Domini Papæ Notario, qui dixerunt nobis, quod nichil ei scripsistis pro negotio antedicto. Unde, cum Magister *B.* benevolus vester sit multum, ut intelleximus, ac etiam Domini Papæ Secretarius, et specialissimus vestræ Regiæ Excellentiæ, omni qua possumus affectione cordis humiliter supplicamus & devotè, quatenus literatoriis eidem mandare dignemini, ut nunciis vestris antedictis in agendis tuis consilium, auxilium præbeat, et favorem; & eandem literam præsentium portitori, si placet tradi præcipiatis, quam cum omni festinatione eisdem Nunciis vestris curabimus destinare. Valeat, &c.

A

On the other hand I found this Petition of the Archbishop to the King in favor of his Clerks, to stand as an indifferent Judge between both parties, till the Cause were heard and descided.

In eadem Bundela.

EXcellentissimo Domino suo, *E.* &c. *ut supra.* suorum Sacerdotum minimus frater *R. de Kylwardeby*, salutem, &c. Audito, quod discordia super jurisdictione et obedientiæ debito, inter Monachos Ecclesiæ Christi *Cantuar.* et quosdam Clericos per me promotos, ut jam exacta, est mea anima contristata. Clerici autem ipsi à me requirunt consilium destituti. Et quia solum interpellare possum ad vos, qui Archiepiscopatum jam tenetis, humiliter confugio, pro eis supplicans, ut cum ad Summum Pontificem pro statu suo appellaverint, vestra Regia potentia eis non deroget, donec vel per pacem vel per judicium constiterit, ad quos vel quem debeat jurisdictio hucusque tempore pertinere. Dico enim vobis in Christo, non desidero in hac parte, nisi quod unicuique tribuatur jus suum, & non opprimatur innocens per potentiam immodestam. Hoc unum vobis dico sicut Domino, quod non detis vos, qui judicatis terram, per favorem partis parti alteri adversari. Justitia enim hoc debet in medio stabilire donec partium disputatio terminetur. Valeat, &c.

In the same Bundle there is this Petition of this Archbishop to the King on the behalf of Mr. *Peter*, Gardian of the House of Scholars in *Oxford*, concerning lands then in question, given towards the Scholars maintenance.

Ibidem.

SEreniſſimo Principi & Domino *E.* Dei gratia Regi *Anglia* illustri, &c. Frater *Robertus Cantuariensis* Ecclesiæ Sacerdos indignus, salutem, &c. Quia sicut intellexi nobilem virum Comitem *Glovernia* ad quindenam *Paschæ* coram vobis, ubicunque fueritis in *Anglia*, super terris et tenementis ad sustentationem pauperum Scholarium *Oxon.* per bonæ memoriæ *Walterum* quondam *Roffensem* Episcopum assignatis, quas idem Comes tenet, vocari fecistis, Regiæ serenitati humili precum instantia supplico, quatinus Magistro *Petro* præsentium portitori, Custodi Domus Scholarium prædictorum, ex forma mandati in his quæ Dominationi vestræ exponet, pium præbere velitis auditum; Præcipientes (si placet) quod ipsius Petitio secundum Deum ad exauditionis gratiam admittatur. Ne per potestatem, procurationem, aut astutiam aliquorum, quod ad tam pios usus est assignatum,

contra

contra Juſtitiam ſuberabatur. Credo utique firmiter hoc eſſe vobis meritorium valde, vobique proinde condignam poſſe remunerationem ſperare à Chriſto. Valeat, &c. An. 6 E. 1.

Page 214. l. 48. after *ut ſupra*, adde. I found this Letter of King *Edward* to Pope *Nicholas* concerning the Monks of *Canterbury* unanimous election of his Chancellor *Burnel* for their Archbiſhop by his royal licenſe: wherein he highly extols his merits, fidelity, wiſdom, learning, and paſſionately deſired the Popes confirmation of him to this Mother Church, both for his own, and his kingdoms benefit, which he ſent by ſundry ſpecial Meſſengers to accompliſh.

I Tanner Lib. Bardeia Literarum Anno 6 E 1. in Turri London.

SAnctiſſimo in Chriſto Patri & Domino Domino *N.* divina Providentia ſacroſanctæ *Romanæ*, ac univerſalis Eccleſiæ Summo Pontifici, *Edwardus* Dei gratia Rex *Anglia*, &c. pedum oſcula, &c. Vacante nuper ſede *Cantuarienſis* Eccleſiæ per tranſlationem venerabilis patris *R.* dudum ipſius Eccleſiæ Archiepiſcopi in Epiſcopum *Portuen.* Prior & Conventus ejuſdem Eccleſiæ, à nobis (ut moris eſt) de proviſione Paſtoris viduatæ Eccleſiæ faciendâ petita licentia et optenta, ipſi convenientes in unum, & de ſubſtitutione dicti Paſtoris diverſis vicibus tractatu habito diligenti, demum ad perſonam venerabilis patris *Roberti Bathon. & Wellen.* Epiſcopi, Cancellarii noſtri, vota ſua unanimiter direxerunt, et ipſum in ſuum Archiepiſcopum et Paſtorem concorditer poſtularunt: præſentantes nobis decretum poſtulationis ipſius, et quod hujuſmodi poſtulationi noſtrum præberemus aſſenſum Regium, humiliter ſupplicantes. Nos igitur eorum juſtis ſupplicationibus inclinati, poſtulationem prædictæ, quam de perſona idonea inventimus canonice celebratam, aſſenſum noſtrum duximus tribuendum. Cumque nos (ſanctiſſime Pater et Domine) perſonam prædicti poſtulati inter omnes Prælatos et Clericos *Angliæ* cujuſdam ſpecialis amoris privilegio proſequamur, exigentibus ſuis meritis probitatis, et tranſlationem ipſius ad prædictam *Cantuar.* Eccleſiam (quam poſt ſacroſanctam *Romanam* Eccleſiam ſpecialem recognoſcimus matrem noſtram) pro fidelitatis ſuæ conſtantia, quam ad recolendæ memoriæ Dominum *H.* Regem *Angliæ* illuſtrem, genitorem noſtrum, et Nos, ac totam Eccleſiam *Anglicanam*, ſemper hactenus habuit incorruptam, et a qua nullo unquam tempore nubulo vel ſereno flecti potuit ſeu etiam deviare, benevolis et corde deſideriis affectamus; Sanctitati veſtræ, de qua plenam in Domino fiduciam obtinemus, tota mentis devotione, totaque cordis affectione humiliter ſupplicamus, quatenus probide conſiderantes (ſi placet) incrementa profectuum et honorum quæ tam ſpiritualiter quam temporaliter per tranſlationem ſæpefati poſtulati (viri quidem tam in temporalibus quam in ſpiritualibus circumſpecti, viri mitis, affabilis, et benigni; viri etiam miſericordiæ, manſuetudinis, caritatis et pacis) ne dum prædictæ *Cantuarien.* Eccleſiæ, immo etiam toti Regno noſtro poterunt, divina favente clementia, provenire; et conformantes in hac parte veſtram noſtris affectibus voluntatem (quod pro munere petimus) memoratum *Bathon. & Wellen.* Epiſcopum ad prædictam *Cantuarienſem* Eccleſiam, contemplatione noſtri, conſideratione profectuum et honorum prædictorum transferre dignemini, de gratia ſpeciali. Mittimus autem ad Sanctitatis veſtræ præſentiam dilectos & fideles noſtros *Franciſcum Accurſii* de *Bononia*, Juris Civilis profeſſorem, Conſiliarium familiarem, & Secretarium noſtrum, *Thomam* de *Sancto Vigore* Militem, Magiſtros *Henricum Huſee* & *Iterium de Engoliſmo* Clericos noſtros, præſentium portitores; veſtram Clementiam exorantes, quatinus eiſdem indubitatam fidem adhibere ſuper his, quæ ipſi ex parte noſtra communiter vel diviſim, in conſpectu veſtro, ſuper negotio poſtulationis prædictæ duxerint exponenda; et expoſita noſtri amoris intuitu, gratioſè dignetur veſtra Sanctitas exaudire. Nos enim qui perſonam veſtram in perſona ſæpedicti poſtulati reputabimus honorari, tam vobis quam veſtris propterea teneri volumus acrius obligati ad omnia quæ Dominationi veſtræ ſint placita, ac exaltationis Domus veſtræ et veſtrorum reſpiciant incrementum. Conſerver, &c. Dat. apud *Wyndeſore* decimo die *Julii*, Anno regni noſtri ſexto. But neither this Epiſtle, nor the Biſhops grand Merits or unanimous election could prevail with this uſurping Pope, who by his own Proviſion, without any election, thruſt his own Creature Freer *John Peckham* into this Archiepiſcopal See.

An. 6 E. 1. Page 223. l. 35. after, &c. adde.] The Freers *Carmelites* ſuggeſting to the King, that they had obtained an habitation, with certain tenements and poſſeſſions within the City of *Dublin*, where they intended to build a Church for the honour of God, and to recommend the quick and dead to him in their prayers; the King approving their deſign, iſſued a writ to his Chief Juſtice, to perſwade the Bayliff and all the Commonalty of *Dublin*, to permit them to build a Church and Cell there without any impediment; or elſe to certifie him their reaſons why they hindred them; whereupon they returned him the reaſons of their diſſent annexed to the Writ, both which I found in the *White Tower*.

In Turri London; Anno 6 E. 1. EDwardus Dei Gratia Rex *Angliæ*, Dominus *Hiberniæ*, Dux *Aquitaniæ*, dilecto & fideli ſuo *Roberto de Ufford* Juſtic. ſuo *Hiberniæ* ſalutem. Cum dilecti in Chriſto fratres de *Monte Carmeli* quandam placeam ſibi adquiſierint in Civitate *Dublin.* ex dono & conceſſione *Rogeri Oweyne* et quorundam aliorum tenementa & poſſeſſiones habencium in eadem Civitate inhabitand. & ibi quandam Eccleſiam conſtruere proponunt, quæ ad laudem Dei & ſui nominis divina celebrare, & tàm vivos quàm defunctos in ſuis orationum ſuffragiis apud Altiſſimum habere poſſunt recommendatos. Et idem *Rogerus* paratus ſit nos & alios quoſcunque de redditibus debitis de placea prædicta indempnes conſervare, & redditum illum nobis & ipſis, necnon & hæredibus noſtris & ipſorum alibi in Civitate prædicta de placea competenti, vel competentorum perpetuò percipiend. terminis debitis & conſuetis aſſignare. Nos ipſorum propoſitum in hac parte pio proſequentes affectu, Mandavimus Ballivis et toti Communitati *Dublin.* rogando ſpecialiter, quod fratres prædictos placeam prædictam inhabitare, et Eccleſiam ſuam in eadem liberè et abſq; impedimento conſtruere permittant in forma prædicta. Et ideo vobis mandamus, quod prædictos Ballivos et Communitatem ad hoc moneatis, & quantum poteritis efficacius inducatis ex parte noſtra; quod ſi fieri non permiſerint, ſeu permittere noluerint, tunc cauſam impedimenti ipſorum nobis diſtinctè et apertè ſub Sigillo veſtro ſignificetis. Teſte meipſo apud *Weſtm.* ſeptimo die *Novembris*, Anno regni noſtri ſexto.

His rationibus ſubſcriptis dicunt Cives Dublin. quod non expedit Domino Regi, nec Cibibus prædictis, quod Fratres de *Monte Carmeli* infra muros *Dublin.* commorentur.

IMprimis dicunt, quod dicta Civitas infra muros ſatis ſtricta eſt.

Item, ubi dicti fratres oſtendebant Domino Regi et Conſilio ſuo, quod *Rogerus Oweyne* contulit eiſdem quandam placeam ubi inhabitare volebant, minus inde dicebant, eo quod dictus *Rogerus* ibidem nunquam aliquam terram habuit, ſed emebant dictam terram de quodam *Daniele Clerico*, qui ratione dictæ terræ auxiliabatur cum dictis Civibus in tallag. & in aliis auxiliis ſicut cæteri Cives Civitatis.

Item, prædicti fratres duas vacuas placeas quæ captæ fuerunt in manum Domini Regis, et Civium prædictorum pro Arreragiis *Landgabuli*, ſibi appropriarunt, dictis Civibus ignorantibus et invitis, nulla ſolutione facta adhuc de dictis arreragiis.

Item, dicunt, quod manentes in dictis terris tenentur auxiliari cum dictis Civibus in tallagiis, vigiliis faciend. inde *Allewyter*, et pluribus aliis ad Civitatem pertinentibus, quod ſi ipſas terras hebuiſſent et in Sanctuarium poſuiſſent, hoc eſſet ad exhæredationem Domini Regis, et prædictorum omnium dampnum non modicum et grabamen.

Item dicunt, quod dictæ terræ pluribus caſibus Domino Regi et Civibus prædictis accedere poſſint in Eſcaetum, quod ſi ipſas habuiſſent ipſi in Sanctuarium tenerent, quod eſſet ad exhæredationem Domini Regis, et in præjudicium prædictorum Civium et dampnum non modicum et grabamen.

Item, dicti Cives habent de dictis terris placita et perquiſita; quare non expedit Domino Regi nec Cibibus quod prædictas terras optineant.

Dicunt, quod ſi Guerra communis exhibita fuerit, ſecundum quod nuper fuerat in *Lagen.* maximum periculum poſſit eminere Caſtro D. Regis & Civitati, eo quod pauci ſunt circummanentes Portam beatæ *Mariæ del Dam.* per quod Malivoli privatim

vatim infra domos ſuas intrare poſſint, & ſic maximum periculum Caſtro Domini Regis & Civitati poſſit eminere, ut ſupra. *An.* 6 *E* 1.

Item, Dicunt, quod ſi dicti fratres Eccleſiam ſuam ſuper dictis terris conſtruerent, et ibidem Sanctuarium feciſſent, maximum dampnum tam Domino Regi quam Civibus prædictis poſſit eminere, eo quod ſi feloues extra Caſtrum Domini Regis evaſiſſent, ſecundum quod ſæpius contigit, vel alii qui aliquam feloniam fecerint ibidem refugium habere poſſent; Et ſic oporteret dictis Civibus ibidem Vigilias facere, et ſi evaſiſſent, darent evaſionem, quod durum eſſet eiſdem Civibus, et ſic ponerentur in ſervitute, ubi modo ſint liberi.

Item dicunt iidem Cives, quod ſi conceſſum fuerit eiſdem fratribus ibidem inhabitare, quod intendunt omnes terras ibidem collaterales ſibi appropriare, et poſtea eas in Sanctuarium convertere, quod eſſet ad exheredationem Domini Regis et dampnum eorundem Civium non modicum et grabamen, et ſic ſibi appropriare tertiam partem totius Civitatis infra muros ex illa parte Villæ.

Item dicunt, quod Communitas nullo modo vult aſſentire quod ibidem inhabitent rationibus prædictis. *Such prejudicial and unwelcome gueſts did the Inhabitants of* Dublin, *even in that age deem theſe greedy Freers to their City, and the King himſelf.*

Page 131. l. 28. after *fratrum*, inſert.] I found this memorable Epiſtle and Complaint of the *Italian* Cardinals to King *Edward* in the *White Tower*, (not mentioned in any Hiſtorians to my remembrance) of the armed force, violence, murders, and plunder done unto ſome *Italians* and them by the *Gaſcoigners* when they were ſhut up in their Conclave in the City of *Carpencera* to elect a new Pope, after the death of *Clement* the 5. (An. 1272. 1 E. 1. omitted in its proper place) by the inſtigation of the Popes Nephews, to the great affront and diſhonor of the *Roman* See, Church, Court; imploring his aſſiſtance to avenge this injury, out of his zeal to the Church, if the peace of the Church which they endeavoured to maintain ſhould be thereby diſturbed. *An.* 1 *E.* 1.

SEreniſſimo Principi Amico chariſſimo Domino *Edwardo* Dei Gratia Regi *Anglia* Illuſtri. Miſeratione divina frater *Nicholaus Oſtien.* & *Belletren.* Epiſcopus, *Neapoleo* Sancti *Adriani*, *Gulielmus* Sancti *Nicholai* in Carcere *Tulliano*, *Franciſcus* Sanctæ *Mariæ* in *Coſmedin*, *Jacobus* & *Petrus de Columpna* Sanctæ *Romanæ* Eccleſiæ Diaconi Cardinales ſalutem, & felicibus in Domino ſucceſſibus habundare. Etſi ab univerſis et ſingulis Chriſtianæ fidei deteſtanda cultoribus pericula gravia, et ſcelerata flagitia præſumpta nuper in Curia, et crudeliter perpetrata per *Vaſcones*, in offenſam Dei, et Eccleſiæ *Romanæ* contemptum, grabemque concuſſionem ſtatus ipſius, niſi ſuperna ſibi dextera, qua *Petrum* in fluctibus ne mergeretur exeruit, ac etiam nobis quos de mortis eripuit faucibus abſtiniſſet; credamus ad aures veſtras per vulgaris famæ proloquium perveniſſe, neque geramus dubium audita facinora velut acuta jacula vehementer veſtra, ob zelum divini nominis et honorem etiam pupugiſſe præcordia: quia tamen interdum loci diſtantia facti variat veritatem, ipſam vobis puram et liquidam, nulla verborum fictione compoſitam veſtro conſpectui præſentamus. Et quidem dum nos et alii ejuſdem Eccleſiæ Cardinales, poſt obitum Domini *Clementis* Papæ 5. eſſemus in Epiſcopali Palatio Civitatis *Carpencoracen.* ad providendum Eccleſiæ Dei de futuro Summo Pontifice ſub uno Conclavi, & nos Cardinales *Italici* non querentes quæ noſtra ſunt, ſed quæ Dei, neglectis ſingularibus affectionibus reciprocis in noſipſos, peteremus hominem ad ſuſtentandas Columpnas Eccleſiæ, qui dictam Eccleſiam reformando dirigeret, eſſetque in hoc tantum omnis noſtra cura, omnis intencio, hic affectus ſubito *Vaſcones*, ſeu quod libram examinis ſub futuro Summo Pontifice teſte conſcientia formidarent, ſeu quod armorum violentia crederent hereditario jure Dei Sanctuarium poſſidere, et deliberato atque propoſito tamen ſub palliato colore deferendi videlicet corpus ejuſdem Papæ, in copioſa peditum et equitum armatorum multitudine convenerunt, et ſcelus quod mente conceperant producentes in actum, die 23. *Julii* arma ſumpſerunt bellica, et ſub ordinatione *Bertrandi de Goto* et *Raymundi Guillielmi* dicti Papæ Nepotum, Civitatem *Carpencoracen.* intrantes multos Curiales *Italicos* cum ſolum *Italici* reperirentur, ad mortem immaniter trucidarunt, et ſe ad predam convertentes et ſpolia, creſcente rabie, ac ad crudelia ferbeſcente furore in diverſis In Turri London, An. 1 E. 1.

An. 1 E. 1. diverſis Civitatis partibus incendia poſuerunt: Nec his contenti, plurium Cardinalium et nobis hoſpitia diverſis inſultibus, et injectis ignibus invadentes bella ibidem acerrima cum clangore tubarum hoſtiliter intulerunt. Invaleſcente tandem grabiori periculo, et horribili ſitu in captis Civitatis aëdibus, increſcente rumore multitudo *Vaſconum* armatorum hoſtium Conclavis obſidet, acclamando *moriantur, Cardinali Italici moriantur, Volumus Papam, volumus Papam*, et ipſis in hujuſmodi acclamatione frementibus, alia multitudo *Vaſconum* equitum armatorum placeam dicti Conclavis invaſit, ſimilibus circumdato Palatio vocibus acclamando. Nos vero prædicti Card. *Italici* circumſtepti tantis angustiis, et meri tam turpiter, tam crudeliter metuentes, cum omnia circa Conclave Armatorum multitudo teneret, neque publicus pateret egreſſus, tandem poſteriorem murum Palatii facto ibidem parvo foramine pro noſtra ſalute rupimus, et de *Carpenteracte* poſtmodum diſcedentes diſperſi, non ſine mortis periculo per loca diverſa ſecreſſimus, et per miſericordiam Dei quæ ſalvos nos reddidit, ad terras parentum Amicorum. Conſideret igitur veſtra Serenitas, quod ab ipſorum *Vaſconum* feritate non defuit, quin effuſo ſanguine principalium membrorum Eccleſiæ quæ benignis eos lactabit uberibus, ditabit, et complebit honoribus, ſtatum ejus confuſione perpetua et impreſſione confunderent, et Chriſtianum nomen infidelibus darent in deriſum, et fabulam, et opprobrium ſempiternum. Cæterum prætermiſſis omnibus quæ cum tantis injuriis paſſi ſumus nequaquam obſtantibus, nos pacem et unitatem Eccleſiæ petimus, ipſaſque ſummo conamine procuramus. Sed ſi ex aliena culpa procederet negotium, quod avertat Altiſſimus, ad rupturam, de veſtro erga Deum et Eccleſiam zelo certos nos reddimus, quod una noſtrum qui Dei honorem, et quod rectum eſt agimus, et pro juſtitia et veritate certamus, fides veſtra concurret. Et ſic per vos et alios Orthodoxæ fidei Profeſſores ipſi Domino Jeſu Chriſto et Eccleſiæ ſuæ in ſua cauſa favebitur, ſic promptis affectibus aſſiſtetur, quod et divino honori congruit, et eidem Eccleſiæ ſatisfiet. Dat. *Valentia* 10 die *Septembris*.

In Dorſo. Sereniſſimo Principi Domino *Edwardo* Dei Gratia Regi *Anglia* Illuſtri Amico chariſſimo.

An. 7 E. 1. In the Parliament of 7 E. 1. held at *Weſtminſter*, (the Memorials whereof I found in the *White Tower*, and reſcued from corruption and oblivion) I met with this memorable Attachment againſt the Prior and Covent of *Carliſle*, for electing a Biſhop without the Kings licenſe, and againſt his Prohibition, to his damage of ſixty thouſand pounds, and alſo forty thouſand pounds damage by their reelection.

Parl. apud Weſtm. poſt Paſch. An. 7 E 1. in Turri London.

PRior & Conventus *Karliol.* attach. fuit ad reſpondendum Regi, quare cum mortuo dudum *Roberto Karle* Epiſcopo per quoſdam Concanonicos ſuos licentiam eligendi, prout moris eſt, petiviſſent, et optinuiſſent. Et iidem Prior & Conventus *W. Eborum* Dec. de quo certa nota fuit Electione ſollempniter puplicata eligiſſent, iidem Prior et Conventus ipſo Decano electioni prædictæ diſſentiente, nulla licenc. petita nec optenta alium in Epiſcopum elegerunt, in prædicti Domini Regis et Coronæ præjudicium et gravamen, et ad dampnum Regis ſexaginta mille libvarum: Et quare cum per *Johannem de Vallibus* & *Thomam de Saxington* Juſticiarios Domini Regis, ex parte Regis eiſdem Priori et Conventui inhibitum fuiſſet, ne irrequiſito Rege re-eligerent, iidem nihilominus in contemptum Regis re-eligerunt, ad dampnum Regis quadraginta mille libvarum. Et Prior venit, & dicit, quod ipſe et Conventus ſuus non intellexerunt contemptum nec præjudicium Regi feciſſe, et quo primo licentiam habuerunt; et Electus ſuus electioni diſſentit, per quod res integra fuit, ut credunt, ſed ſi contemptus interfuit, ſubponunt ſe voluntati Regis, &c.

In the ſame Parliament, *John Derlyngton* made Archbiſhop of *Dublin* by the Popes proviſion, made his Fealty to King *Edward* for his Temporalties, in the preſence of the Popes Nuncio, thus entred on Record.

* See Here, p. 226.

*Die Jovis poſt feſtum Sancti *Marci* Evangeliſtæ, Frater *Johannes de Derlington*, de Ordine Prædicatorum, Electus *Dublin.* in præſentia Magiſtri Archidiaconis,

aconis, nuncii ſedis Apoſtolicæ, fecit fidelitatem Regi *Edwardo* & hæredibus ſuis Regibus *Angliæ* pro temporalibus *Dublin.* Archiepiſcopat. in hæc verba. *An. 7 E. 1.*

Ego frater Johannes de Derlington *Ordinis Prædicatorum*, de quo Dominus Papa prohibit Eccleſiæ *Dublin.* Juro inſpectis ſacroſanctis Evangeliis, quod *ego Domino* Edwardo *Regi Angliæ & hæredibus ſuis Regibus Angliæ fortalbonam fidem de vita et membris, et terreno honore, contra omnes Gentes. Et quod fideliter faciam ſervitium debitum & conſuetum de temporalibus dicti Archiepiſcopatus.*

Ecclictus *B.* qui perſonaliter venit, & fecit fidelitatem ut prædictum eſt, reddidit ei temporalia Archiepiſcopatus, prout moris eſt, & fieri conſuevit; & precepit quod haberet ſuper hoc brevia.

Page 240. l. 26. after *Septemb.* inſert.] In the broken Bundle of Writs An. 8 E. 1. in the *White Tower* Chappel, I diſcovered only theſe two Prohibitions for holding and proſecuting ſuits in Courts Chriſtian. Edwardus, &c. Martino de Caſtello *ſalutem.* Prohibemus, ne teneas placitum in Curia Chriſtianitatis de catallis vel debitis, *unde* Rolandus de Oyſtede *queritur* quod tu trahis eum in Curiam Chriſtianitatis, niſi catalla illa vel debita ſunt de Teſtamento vel Matrimonio, quia placita de Catal. et Debitis quæ non ſunt de Teſtamento vel Matrimonio ſpectant ad coronam et dignitatem noſtram. T. R. apud *Weſtm.* 16 die *Maii*, An. r. n. 8. *Rex Vic.* Linc. Robertus de Nuport *verſi* Julianum de Novo Caſtro *ſubtus* Lynam, *Perſonam Eccleſiæ S.* Pauli Linc, quare ſecutus eſt tale placitum; *& verſ.* Walterum de Thorrhawe, quare ſecutus eſt idem placitum. T. R. *apud* Weſt. 20 *die* Mali, *An. r. n.* 8. *An.* 8 *E.* 1. Bundela. Brevium in Turri London, An. 8 E 1.

How Popes by theſe proviſions, againſt the Lawes of God and the Realm conferred the Churches of Lay-patrons on *Romans* and aliens, interdicting them for ſundry years together, at the proſecution of the *Romans* intruded into them, from all divine ſervices and Gods Ordinances, to Gods diſhonour and prejudice of the peoples ſouls, and by what imperious commands their Nuncioes under pain of ſuſpention of Biſhops from their offices, injoyned our Biſhops to inſtitute theſe *Romans*, and put them into actual poſſeſſion of theſe Churches, and not to admit any others into them; and what courſe the King and his Counſil were adviſed to take, to prevent this execrable uſurpation, will appear by this Letter of *Ralph* Biſhop of *Carliol* to the Biſhop of *Bath* and *Wells* the Kings Chancellor Anno 8 E. 1. which I found in a Bundle of Letters, Writs and Privy Seals in the *White Tower*, worthy obſervation.

REverendo in Chriſto Patri, Domino & Amico ſuo chariſſimo Domino *R.* Dei gratia *Bathon. & Wellen.* Epiſcopo, Illuſtri Regis *Angliæ* Cancellar. *Radulphus* ejuſdem miſeratione *Karliolen.* Epiſcopus, ſalutis gratiam utriuſque. Inſtantias amicorum decet favorabiliter exaudiri, ſi abſque injuria et dampno parentis optato poterunt effectui mancipari. Avertas igitur veſtra reverenda paternitas, quid noſtra poſſibilitas optinet in negotiis contingentibus *Robertum de la Vane* Clericum, pro quo literatorie nos rogaſtis, ut ipſi per Dominum Regem ad Eccleſiam de *Kyrkebythore* noſtræ Diœceſis præſentato, precum veſtrarum intuitu, gratiam faceremus. Dicta ſiquidem Eccleſia per Dominum Papam Eccleſiaſtico ſuppoſita eſt interdicto; in qua, jam octo annis elapſis et plus, non celebrabantur divina, ad inſtantiam cujuſdam *Romani*, cui per Dominum Pontificem facta fuit proviſio de eadem, pro qua etiam ro vera, de obtinendo eandem, lata eſt ſententia in Curia *Romana*; cujus ſententiæ executor eſt Magiſter *Gofridus de Vezano*, qui nobis ſub pœna ſuſpenſionis ac noſtræ Officii executionis nuper indixit, ne quenquam præter proviſum ad dictam Eccleſiam, ad cujuſlibet præſentationem admittere curaremus. Injunxit inſuper præcipiendo, ut nos ſupradictum *Romanum* (quem *Stephanum Surdum* nominat) in corporalem poſſeſſionem Eccleſiæ memoratæ induceremus, ſeu indulti auctoritate Apoſtolica faceremus; aliquin in ſcriptis ad ingreſſum Eccleſiæ, et cujuſlibet Capellæ, et etiam ad officia non ſuſpendit: Hiis intellectis, quid in caſu conſimili faceretis, nobis (ſi placuerit) reſcribentes: et nos inventietis paratos veſtris obtemperare mandatis. Credimus firmiter expedire, ſi diſcretum Regis Conſilium ad hujuſmodi manus apponeret, cum ipſa Eccleſia eſt de patronatu Filiorum Laicorum, cum de hujuſmodi Eccleſiis non conſuevit Bundela Literarum & Petitionum An. 8 E 1. in Turri London.

An. 8 E. 1. * Nota. ſuebit ipſa Curia cuiquam aliqualiter prohibere; Si enim Rex ſcriberet Summo Pontifici, * quod prohibitiones de Eccleſiis quarum Laici ſunt Patroni, non conſueverunt fieri, et quod hujuſmodi prohibitiones ſuæ Cauſæ præjudiciales exiſtunt; credimus omnia revocari quæ circa Eccleſiam prædictam ſunt hactenus attemptata: aliquin Interdictum durabit in ea nullatenus revocatum, et preces amicorum (quod eſt dolendum) patientur repulſam. Ex gratia quoque veſtræ ſolitæ benignitatis, circa nos totiens exercitæ confidentes, devotè requirimus & rogamus, ne per mandatum Regium, aut veſtrum, cum emanare contingerint ad impoſſibilia non patiamini nos aſtringi. Valeat, &c. Dat. apud *Lanſtok* decimo ſeptimo Kalend. *Septemb.*

King *Edward* having declared his readineſſe and reſolution to reſieve the *Holy Land*, in a Letter ſent by Freer *Geoffry* Biſhop of *Ebron*, Vicar to the Patriarch of *Jeruſalem*, to the Patriarch, Templars, Hoſpitallers, and other Chriſtians there, he returned him this anſwer (which I found in the *White Tower*) how joyfully they received it, and of the preſent ſtate and affairs of the *Holy Land*, and *Tartars*.

In Turri London, Anno 8 E. 1. EXcellentiſſimo & Sereniſſimo Domino *Edwardo*, Illuſtri Dei gratia, Regi *Angliæ*, ſuo Domino ſpeciali, Frater *Gaufridus* de Ordine Prædicatorum, miſeratione divina *Ebron.* Epiſcopus, Reverendi Patris Domini *Helyæ*, divina providentia *Patriarchæ Jeroſolymitani* Vicarius, cum *Terræ Sanctæ* recommendatione, ſeipſum & felicis deſiderii complementum. Apicibus veſtræ Regiæ Majeſtatis honore condigno & debita devotione receptis, cum ſumma ſollicitudine in plena congregatione fidelium, Prælatis, et Religioſis viris Magiſtris ſacratum Domorum Militiæ Templi, et Hoſpitalis beati *Johannis Jeruſalem*, et aliis terræ hujus Proceribus, et Communitatum Noſtrarum publicatis, & vulgariter illis beato veſtro deſiderio & ſerenitatis Regiæ compaſſionis affectu, verbis inductivis & compatientibus tam ſalubri negotio pateſactis, eodem convocatorum omnium ignitæ veſtræ caritatis igniculo, et eructuaverunt communiter laudis ſolemnæ canticum Deo cœli, quod tanto Principi inſpiraverit devotionem negotii *Terræ Sanctæ*, et ultionem injuriarum *Jeſu Chriſti*, et ad liberationem *Terræ Sanctæ* de faucibus hoſtium Chriſti Celſitudinem veſtram miſericorditer excitabit. De rumoribus *Terræ Sanctæ* (quos felices deſideratis audire) eò quod totiens lætiores eſtis effecti, quotiens de Terra ipſa & ſtatu ejuſdem veſtris auribus inſonat rumor bonus) tenore præſentium innoteſcat Regiæ Majeſtati, quod cariſtia magna eſt in terra de blado, & modò valet modius 6 *l.* & timetur ne valeat 10 *l.* infra *Paſcha*; eò quod in *Armenia* & in *Cipro* eſt defectus & peſtilentia Locuſtarum, et propter guerram Regis *Caroli* de *Apulia* & *Sicilia* ſubſidium non ſperamus. Treuga, quæ eſt inter nos & *Saracenos*, non durat niſi uſque ad menſem *Martii*, & interim non tenent fidem quam promiſerunt: ſed multas injurias & moleſtias inferunt Chriſtianis. Inter *Acon* & *Tyrum* infra paucos dies 30 Chriſtianos in ſtrata publica occiderunt. De *Thartharis* rumores audivimus: nuper enim quendam nuncium miſerunt in *Acon*, & mandavit Princeps exercitus *Thartharorum*, quod ipſe eſt in *Thurtia* cum 50000 equitum, & totidem ad ſuum ſubſidium expectabat, & mandavit noſtris Magnatibus, quod veniant ad eum cum plenitudine poteſtatis, & quod ei cibaria et alia neceſſaria, in quantum valuerint, ſubminiſtrent, & placeat ei in cujus nutu cuncta ſubſiſtunt, in cujus ditione cuncta ſunt poſita, ut talia nova poſſitis audire, quod hoſtes Chriſtiani nominis confundantur, & ſancta fides exaltetur, & ſervi Dei inimicitias non timeant hoſtium Crucifixi, qui non ſecundum armorum potentiam, ſed prout ipſi placet, dat dignis victoriam. Non enim in multitudine exercitus victoria belli, ſed de cœlo victoria eſt. Ego Presbyter veſter humilis ſuper hujuſmodi apud Dominum ſuppliciter & humiliter intercedam, ut pro vita Regis & ſalute filiorum, me tandem et miſerabilis Terræ negotium Magnificentiæ veſtræ ſuppliciter recommendet, quem Deus conſervet incolumem regno ſuo per tempora longiora. Scriptum *Acon* quinto die *Octobris*.

In the ſame Bundle of Letters and Writs, I found this Letter of the Abbeſſe of *Font-Everard* to the Chancellor, for payment of the Arrears of the Almes belonging

longing to them, and other Debts from the Crown, for their ſupport, and encouragement in their prayers, devotions and Anniverſaries for the King and others in Foreign parts, and to procure the Kings daughter to be profeſſed therein. *An.* 8 E. 1.

REverendo in Chriſto patri ac Domino *R.* Dei gratia *Bathon.* & *Wellen.* Epiſcopo, illuſtri Regis *Angliæ* Cancellario, Domino & patri in Chriſto chariſſimo; Soror *Margareta* divina permiſſione *Fontis Ebraudy* humilis Abbatiſſa, pro ſalute ſpecialia precum ſuffragia devotarum. Cum nos ſpeciali affectione deſideremus ſcire pariter & audire (ſi placet) tam ſpiritualiter quam temporaliter, quod ad omne fœlicitatis & jocunditatis bonum actus & greſſus veſtri indiſſolubiliter annectantur, veſtram paternitatem affectuoſius deprecamur, quod ſuper hiis nos velitis efficere literatorie certiores, ut una gaudeamus vobiſcum in veſtris fœliciſſimis exultationibus & jocundis. Præterea in obedientia quam debemus Deo & homini pro nobis crucifixo & paſſo, vobis tanquam patri & Domino juramus & aſſertive promittimus bona fide, quod pro vita veſtra, ſalute & honore apud Deum devotas, crebras & continuas nocte dieque laudes porrigimus infinitas. Paternitatem veſtram venerandam in recompenſatione ſinceræ dilectionis & incomparabilis, quam apud Dominum Regem & ejus prædeceſſores ſemper & inceſſanter habuimus & habemus, pro ſpeciali munere deprecantes, quatinus ad noſtræ conſolationis pacem integraliter perimplendam, Deo & beatæ *Mariæ* Virgini in veſtro *Fontis Ebraudy* Monaſterio monachandam, de poſteritate Regali decorando religionem & ordinem, filiam Domini Regis procuretis offerri. Verum cum nos inter adverſa, quæ patimur ob defectum eleemoſinarum nobis in *Anglia*, in *Oleron* & apud *Burdegalis* à Principibus & Regibus *Angliæ* pro ſuæ ſalutis remedio conceſſarum, & apud *Mermande* varias rei familiaris indigentias habeamus; rogamus veſtram paternitatem, flexis genibus & compoſitis manibus, tanquam noſtrum refugium ſpeciale, quatinus de dictis eleemoſinis & earum arreragiis, & de decem libris ſterlingorum à defuncto Rege *Henrico* nobis conceſſis, **pro ſuo Anniverſario celebrando**, prout dilecti Procuratores noſtri, Procurator de *Grava* in *Anglia*, & Decanus in *Vaſconia*, ſeu alter eorum, vobis verbis (ſi placet) planius explicabunt, quorum dictis & eorum alterius fidem de gratia habeatis, nobis ſatisfieri procuretis. Tantum inde pro divina miſericordia facientes, quod pius bonorum omnium retributor hæc & alia bona nobis retribuat in æternum. Bene & diu valeat veſtra paternitas reverenda. Bundela Literarum & Brevium in Turri Lond. An. 8. E. 1.

Some perſons Apoſtatizing from the unity of the Chriſtian Faith, to Chriſts diſhonour, upon the Archbiſhops complaint the King iſſued a Writ to the Mayor and Sheriffs of *London* to apprehend them; who returning, that they were not within the Liberties of the City, but in the *Jewry*, under the cuſtody and power of the Conſtable of the *Tower*, the Archbiſhop writ this Letter to the Chancellor for a new Writ to the Mayor and Sheriffs, with a *non obſtante dicta libertate*, becauſe the Conſtable of the Tower was reported to favour and protect them.

VEnerabili in Chriſto patri *R.* Dei gratia *Bathon.* & *Wellin.* Epiſcopo, Frater *J.* permiſſione divina *Cantuar.* Eccleſiæ Miniſter humilis, totius, *&c.* ſalutem, *&c.* A memoria veſtra non credimus excidiſſe, qualiter dudum, **pro honore Domini *Jeſu Chriſti*, Domino Regi ſcripſimus contra quoſdam Apoſtatas, qui receſſerunt ab unitate Catholicæ fidei, captiones**: verum litera Domini Regis, quam nobis ſuper hoc veſtra gratia tranſmiſiſtis, non eſt effectum debitum conſecuta; pro eo, quod illi fidei inimici non ſunt in Balliva Majoris & Vic. *London.* quibus directa fuit, **ſed in Judaiſmo, ſub cuſtodia et poteſtate * Conſtabularii Turris, ubi ingredi non poſſunt, ut dicitur, ſine ſpeciali mandato faciente mentionem de hujus libertate**, ſicut patet in dorſo literæ Domini Regis prædictæ, quam vobis remittimus per præſentium portitorem. Quocirca fraternitatem veſtram, de qua plene confidimus, attentis precibus exoramus, **quatinus pro honore et reverentia fidei Chriſtianæ, prædictam literam cum adjectionibus neceſſariis, (quod videlicet non obſtante dicta libertate per Majorem et Vic. prædictos ubicunque in Civitate vel Suburbio *London.* inventi fuerint iſti Apoſtatæ capiantur, innovari debitis efficaciter præſtare: quia non eſſet tutum Conſtabulario Turris dictam** captionem Brevia Regis & Literæ Cancellariæ An. 8 & 9 E. 1 in Turri Lond.

* See Clauſ. 45 H. 3 part 1. m. 11. & the Second part of my ſhort Demurrer to the Jews long diſcontinued remitter into England, p. 50.

An. 8 E. 1. captionem committere, ſub cujus ſalvâ et protectione, ut intelleximus, prædicti Apoſtatæ defenduntur. Et ſi placet, tollatur de litera verbum illud *duduum*) quoniam nunc * eorum uxores ſunt ſicut prius. Valeat, &c.

* It ſeems the Apoſtates were married Prieſts who reſumed their wives.

The Archbiſhop of *Canterbury* intending to viſit the Kings Free-Chappel of *Stafford* in his Metropolitical Viſitation, againſt their Priviledges and the Kings Crown and Dignity, as Archbiſhop *Boniface* formerly did; the Townſmen and Chaplains of *Stafford* repaired to the King for the defence of their Liberties againſt his power, and procured this Certificate of Archbp. *Boniface* his proceedings, with their Appeal from him to the Pope, and a Prohibition from the King, to inhibit him to viſit or oppoſe them, which I found in a Bundle of Letters, Certificates and Writs in the White Tower.

Bundela Literarum & Brevium An. 8 E. 1. in Turri London.

IN Nomine Domini Amen. Hoc eſt exemplum unius literæ, ſigillatæ ſigillo venerabilis patris *Wigornienſis* Epiſcopi, quod quidem ſigillum erat oblongum, habens ymaginem impreſſam Epiſcopalem ſtantem, benedicentem cum dextra, & cum ſiniſtra retinentem baculum paſtoralem, & à latere ipſius ymaginis erat undique imago quaſi capitis, & ſubtus ipſius capitis ymaginem erant hinc & inde tria Lilia à quolibet latere deſignata, cujus circumferentes literæ ſic dicebant; ſcilicet, *Walteri* Dei gratia *Wigornienſis* Epiſcopi. Tenor autem ipſius literæ talis eſt: Univerſis Chriſti fidelibus præſentes literas inſpecturis vel audituris, *Walterus* miſeratione divina *Wigornienſis* Eccleſiæ Miniſter humilis, æternam in Domino ſalutem. Noverit univerſitas veſtra, nos literas venerabilis patris *Bonifacii* Dei gratia *Cantuarienſis* Archiepiſcopi, totius *Angliæ* Primatis, non cancellatas, non abolitas, nec in aliqua ſui parte vitiatas, inſpexiſſe in hæc verba. Excellentiſſimo patri ac Domino *Alexandro* divina providentia Summo Pontifici, *Bonifacius* Dei gratia *Cantuarienſis* Archiepiſcopus, totius *Angliæ* Primas, pedum oſcula beatorum. Noverit veſtræ ſanctitatis excellentia, quod cum ad Diocæſim *Coventrenſem* & *Litchfeld.* cauſa viſitationis faciendæ declinaſſem, inter Monaſteria & alias Eccleſias collegiatas ejuſdem Diocæſis, Eccleſiam beatæ *Mariæ Stafford.* Anno Dom. 1265. Kal. *Octobris* viſitavi, et in eadem viſitationis officium exercens inveni, quod Epiſcopus *Coventr.* & *Litchf.* & Archidiaconus *Stafford.* qui pro tempore fuerunt, omnimodam juriſdictionem Epiſcopalem et Archidiaconalem in populum et plebem et parochianos ſingulos dictæ Eccleſiæ et aliarum Eccleſiarum ſeu Capellarum eidem Eccleſiæ ſubjectarum exercere libere conſueverunt ab antiquo: quodque Decanus, Canonici, et Miniſtri prædictæ Eccleſiæ, juriſdictionem Epiſcopalem et Archidiaconalem in populum et plebem et parochianos ſuos uſurparunt, non ſine gravi periculo animarum, et ſcandalo plurimorum, ac in Eccleſiæ *Coventr.* & *Litchf.* præjudicium non modicum et gravamen. Ut igitur, quæ in eadem Eccleſia corrigenda inveni, per me reformarentur in melius, habitâ ſuper præmiſſis deliberatione plenâ, inhibui diſtrictius Canonicis et Miniſtris quos ibidem inveni, ſub pœna excommunicationis, ne de cætero impedire præſumerent, quominus dicti Epiſcopus et Archidiaconus, ac eorum ſucceſſores juriſdictionem Epiſcopalem et Archidiaconalem in populum et plebem et parochianos prælibatæ Eccleſiæ valeant exercere. Sane ex parte *Bogonis de Clare* Decani, Canonicorum & Miniſtrorum ejuſdem Eccleſiæ coram me propoſitum extitit, quod iidem privilegia exemptionis ab interdictione Epiſcopali et Archidiaconali, quæ perſonas ſuas habebant a ſede Apoſtolica ſibi dumum indulta; propter quod ſuper præmiſſis plenius deliberare volens, eiſdem terminum peremptorium a die Sancti *Michaelis* proximo futuro in unum menſem; videlicet, ſexto Kal. *Novembris*, ad exhibendum *London.* coram me dicta privilegia, ſi qua haberent, ad inſtantiam venerabilis patris *Rogeri* Dei gratia *Coventr.* & *Litchf.* Epiſcopi, & Magiſtri *Richardi* tunc Archidiaconi *Stafford.* aſſignavi; decernendo, quod ſi privilegia non exhiberent, ut extunc procederetur contra eoſdem, prout de jure fuerit procedendum. Partibus igitur coram me ipſo comparentibus *London.* ſexto Kal. *Novembris*, cum dicti Decanus, Canonici, & Miniſtri privilegia, quæ ſe habere proponebant, non exhiberent, eiſdem ex habundanti iterato terminum peremptorium ad exhibendum privilegia (ſi qua haberent) videlicet, quarto Idus *Februarii* legitimè aſſignavi. Quarto vero Idus *Febr.* continuato cum duobus diebus ſequentibus, comparuerunt

coram

coram me *Lamebeth* venerabilis frater *Rogerus* Dei gratia *Coventr. & Litchfeld.* Episcopus per Procuratorem legitimè constitutum, & Magister *Richardus* tunc Archid. *Stafford.* personaliter, ex parte una; *Bogo de Clare* Decanus, Canonici, & Ministri Ecclesiæ beatæ *Mariæ Stafford.* per Magistrum *Adam de Fileby* Procuratorem eorundem legitimè constitutum, ex altera. Cumque ex parte venerabilis patris *Coventrensis & Litchfeld.* Episcopi, & Archidiaconi *Stafford.* coram me, petitum esset instanter, ut dicti Decanus, Canonici, et Ministri privilegia eremptionis, quæ se habere proponebant, exhiberent; Procurator eorundem, privilegia non exhibens, appellavit sub hac forma. Quia vos, reverende pater, *Cantuarienſis* Archiepiscope, Decanum & Capitulum Ecclesiæ beatæ *Mariæ Stafford.* a vestra et omni ordinaria jurisdictione penitus eremptos coram vobis fecistis ad judicium evocari, suæ eremptionis privilegia exhibituros, ac moneri fecistis eosdem, ut jurisdictionem quam ex antiqua et approbata consuetudine in plebem et populum dicti Decanatus obtinent, Domino Episcopo *Coventr. & Litchfeld.* et Archidiacono *Stafford.* liberarent, et ipsos dicta jurisdictione libere uti permitterent, quamquam judicialiter non constiterit eandem jurisdictionem ad dictos Episcopum et Archidiaconum aliquatinus pertinere: Ego *Adam de Fileby* Subdecanus Ecclesiæ prædictæ, ac Procurator dictorum Decani & Capituli sentiens Dominos meos ex hoc indebite prægravari, sedem Apostolicam in scriptis appello, et Apostolos peto: appello etiam sedem prædictam prome et Dominis meis prædictis, ne vos aliquam sententiam excommunicationis, aut suspensionis, aut interdicti in nos vel Ministros aut Parochianos nostros, Mon. nostrum aut oratoria sedis Apostolicæ subdita, aut aliquid aliud factatis in præjudicium nostrum et sedis Apostolicæ, cui nos immediate subesse profitemur, et Apostolos peto et supplico, ut ob reverentiam sedis Apostolicæ appellationi meæ deferatis, et mihi nomine dictorum Dominorum meorum et partis adversæ in Curia Summi Pontificis diem assignetis. Venerabili ergo fratri *Coventr. & Litchfeld.* Episcopo, et Magistro *Richardo* Archidiacono *Stafford.* prædictam appellationem et supplicationem acceptantibus, ad postulationem eorundem et partis adversæ supplicationem ob reverentiam sedis Apostolicæ eidem appellationi reverenter duxi deferendum, præfigendo partibus terminum peremptorium, quo se vestræ sanctitatis conspectui representent in crastino Sancti *Michaelis* proximo futuro, sufficienter instructæ cum omnibus muniments, juribus et rationibus præmissum negotium tangentibus, paratæ in eodem negotio procedere, prout vestræ sanctitati visum fuerit expedire. In præmissorum autem testimonium has literas meas sanctitati vestræ transmitto. Conservet vos altissimus ad regimen Universalis Ecclesiæ Dei per tempora longissima. Dat. *Lambeth* 5 Non. *Martii* Anno Domini 1260. In cujus rei testimonium præsentibus literis sigillum nostrum fecimus apponi. Dat. apud *Fulham* 8 Kal. *Junii* Anno Domini 1261. Exemplatum, transcriptum, lectum, & ascultatum fuit hoc Instrumentum per me Notarium infrascriptum, *Viterbii* Anno Domini 1267. Indictione 10. 6 Idus *Junii*, Pontificatus Domini *Clementis* Papæ 4. anno 3. præsentibus Domino *Crescentio de Cave*, Magistro *Johanne de Stebe*, Domino *Nicholao Monacho*, & Domino *Jacobo de Anagna*, Capellanis venerabilis patris Domini *Richard.* S. *Ang.* Cardin.

An. 8 E. 1.

Et ego *Bonaspes Guyditii* de *Perusio*, Apostolicæ sedis authoritate Notarius, habens authoritatem Instrumenta & literas exemplandi & publicandi, ipsam literam originalem hujus Instrumenti sigillatam dicto sigillo vidi sanam & integram, non abolitam, nec in aliqua sui parte viciatam; & sicut in ea invemi, ita hic ut supra legitur, fideliter exemplavi & transcripsi, legi & ascultavi cum prædictis Dominis Capellanis, anno, mense, die prædictis, & hoc exemplum ac transcriptum in publicam formam derigens signo proprio roboravi in testimonium veritatis.

The Kings Letters and Prohibitions to the Archbishop, annexed to this Appeal in the same Bundle, run in this forme.

Edwardus, &c. Recepimus nuper literas vestras nobis directas, una cum quadam exemplificatione cujusdam literæ bonæ memoriæ *Bonifacii* quondam Archiepiscopi *Cantuarienſis* prædecessoris vestri, super visitatione vestra faciende in Capella nostra *Stafford.* et quibusdam aliis regalibus et liberis Capellis nostris in

Ibidem. An. 8 E 1.

An. 8 E. 1. Diœcesis *Covent. & Litchfeld.* Quarum literarum pluries audito tenore, et non ſine diligentia plenius intellecto, non dubitatur nobis, quod vos ad hujuſmodi diſtrictionem veſtrum in dictis Capellis noſtris faciendam, a nobis prius inde reſponſo certo non accepto, procedere debeatis. Et quia nos libertates et jura Eccleſiæ veſtræ *Cantuarienſis*, cujus patroni ſumus, quantum alius quicunque illæſa manutenere volumus et tueri, et non minus credibus quam ſperamus, quod vos regias libertates et jura, ad quæ conſervanda et defendenda etiam ſacramenti vinculum vos aſtringit, conſervare dudum penitus illibata: Veſtram diſcretionem officioſe requirimus et rogamus, quatinus ab hujuſmodi diſtrictionibus veſtris, quas facere propoſuiſtis in Capellis noſtris ſupradictis, uſque ad proximum Parliamentum noſtrum in quo perſonaliter interereſtis (dante Deo) deſiſtis æquanimiter abſtinere; ut tunc ex unanimi et mutuo conſenſu noſtro providerimus quid fieri debeat in præmiſſis.

Ibidem. *Edwardus, &c.* dilecto ſibi *Johanni de Kirkeby*, ſalutem. Vobis mandamus, quatinus viſis præſentibus unam literam ſigillo noſtro ſignatam, Vicecomiti *Stafford.* tranſmittatis, cujus tenor talis eſt. Quod hac inſtanti die *Veneris* in ſua propria perſona ad liberam Capellam noſtram de *Stafford.* adeat, et quod nullo modo permittat, quod Archiepiſcopus nec aliquis nomine ſuo in dictam Capellam habeat ingreſſum. Cæterum vobis mandamus, quatinus aliam literam conſimilem formam continentem, hominibus ejuſdem Villæ nomine noſtro tranſmitti faciatis. Præterea etiam earundem literarum, quem Magiſter *Tho. Bek* vobis liberare faciat firmiter injungat, quod ſit apud *Stafford.* hac inſtanti die *Veneris* hora prima, ſine mora ulteriori: Et quia ſigillum noſtrum proprium non habuimus confectis præſentibus, ſigillo Domini *Hugonis* fil. *Ottonis* eaſdem conſignavimus.

The Townſmens Petition to the King thus follows in the ſame Bundle.

Ibidem, in Turri Lond. An. 8 E. 1. EXcellentiſſimo Domino ſuo *E.* divina providentia Regi *Anglorum* illuſtri, devoti ſui Burgenſes *Stafford.* ſalutem & proſperos ad vota ſucceſſus. Recolentes ea quæ tempore claræ memoriæ Domini noſtri Regis *H.* patris veſtri, per Archiepiſcopum, Epiſcopum, et alios inferiores, in præjudicium liberæ Capellæ veſtræ beatæ *Mariæ Staffordiæ* minus debite attemptata fuerunt, ac timentes ea quæ his diebus per Dominum Archiepiſcopum *Cantuarienſem* communiuntur inferri prædictæ Capellæ veſtræ, Clericis ibidem Deo ſervientibus, et nobis, quos jam cœpit ſe citare fecit; Cogimur timore præteriti Cotidiani regiæ remedium implorare. Placeat igitur ſerenitati veſtræ noſtræ paupertatis exiſtio et nobis veſtris fidelibus et devotis ſcribere, utrum ſimul cum veſtris Clericis memorato Archiepiſcopo reſiſtere debemus, vel parere ejus; quod nunquam temporibus noſtris fieri vidimus, nec fieri poſſit abſque læſione Coronæ veſtræ et Regiæ dignitatis. Conſervet, &c.

William Wiskwane Archbiſhop of *York* about the ſame time, writ this Letter to *John de Kirkeby* a Prebend thereof, for the maintenance of his Juriſdiction to viſit the Hoſpital of St. *Nicholas* within that City, againſt the oppoſitions of the Mayor, Citizens, and a lewd Siſter thereof whom he had excommunicated.

Bundela Literarum & Brevium in Turri London, An. 8 E. 1. W. Permiſſione divina *Eboracenſis* Archiepiſcopus, *Angliæ* Primas, dilecto in Chriſto filio Domino *Johanni de Kirkeby* Canonico *Ebor.* amico noſtro ſpeciali, ſalutem, gratiam, & benedictionem. Cum diſtractio, cæcitas, et reſtagnatio ſeditioſæ beati *Nicholai Eboracenſis* et Fratrum loci ipſius, ritum regularem inibi agentium, ad nos pertineat ab antiquo, in cujus poſſeſſione, vel quaſi, prædeceſſores noſtri pacifice fuerunt et quieti; nobis iterum ſilium (qui vocationis inſtigebat) perſonaliter viſitantibus, non eſt ei, cum ſpatio et alii Cives *Ebor.* juriſdictioni Archiepiſcopali, non ſine fraudis commercio, ſingulis quaſi diebus illudentes, quantum ſuperbum ſuæ malitiæ ſtipulum, impetuoſum, imo (ut ſic loquamur) ſævum, ut dicitur, Calphurnium, (quem pro eo quod * in Fratres noſtros inſecit, nobis communicatum publice excommunicatum) voce excitantes ſtimularunt eundem, quod jam Dominum noſtrum Regem in ſumptibus

* It is more likely he laid violent hands, &c. on her.

ejundem

eorundem adire fuget ipſa, et ſic per improbitatem ſeu tumultuoſum clamorem ſuum, in noſtræ juriſdictionis præjudicium aliquo (quod abſit) præjudiciale reliter impetraret: et contra nos conſilio diabolico materiis ſcandalum ſuſcitaret. Verum quia nos & perſonam veſtram, prout novimus, zelo ſpecialis affectionis amplexati eſtis, ac jura Eccleſiæ *Eboruic*, cujus ubera lugetis, ſobere tenemini et protegere affectione filiali, hos requirimus, rogamus, et exhortamur, quatinus iſta ad animum revocantes, ejuſdem mulieris improbitati reſiſtatis, quod Eccleſia *Eboracenſis* gratitudinem in vobis optatam inveniat et ſperatam; ac nos veſtram in hac parte diligentiam merito commendemus. Valeat. Dat. apud *Burton* 7 Kalend. *Aprii*. Pont. noſtri Anno primo. *An.* 8 *E.* 1.

Page 251. l. 24. after *Junii*, inſert. The Biſhoprick of *Derry* in *Ireland* becomming voyd, and the Canons differing about the election choſe two Biſhops, who thereupon appealing to the Pope, before whom they were at laſt induced to ſurrender and quit their elections, he thereupon by his uſurped Authority and Proviſion conferred it on *Nicholas de Cuſack*, without the Kings privity or any election; whereupon *Cuſack* ſent this Letter, with the Popes certificate of his proviſion thereunto to the King, (which I found in the *White Tower*) deſiring him to reſtore the Temporalties thereof to his Proctor, and to take his Oath of Fealty in his ſtead, till his return from *Rome*, when he promiſed perſonally to make fealty to him.

EXcellentiſſimo Principi ac Domino Magnifico *E.* Dei gratia Regi *Angliæ*, &c. ſuus, ſi placet, frater *N. de Cuſack* de Ordine Fratrum Minorum, Dei gratia Eccleſiæ *Derenſ.* electus, licet humilis & indignus, corporis & animæ ſoſpitatem in eo qui Regibus dat ſalutem, cum omni reverentia & honore. Dudum vacante *Derenſi* Eccleſiæ Provinciæ *Dublinienſis*, Canonici ejuſdem Eccleſiæ ad electionem futuri Præſulis procedentes, duas electiones de duabus perſonis in eadem Eccleſia diſcorditer celebrarent. Quibus poſtmodum perſonis omni juri ſibi prætextu talium electionum forſitan competenti liberè ac ſponte renunciantibus, demum ſacroſanctæ *Romanæ* Eccleſiæ *Dominus Pontifex* de ſuæ plenitudine poteſtatis, eidem Eccleſiæ, de perſona mihi licet immerito nuper præviderit, necnon præfecerit in Paſtorem et Epiſcopum animarum, prout ex ipſius *Domini Pontificis* literis, (quas veſtræ Celſitudini audiendas tranſmitto per præſentium exhibitorem) evidenter vobis poterit elucere: Cum igitur veſtræ conſtet excellentiæ, conceſſo principali, concedi debet non immerito quod accedit, mihique nuper ex parte Domini Papæ ſtruitur & injungitur; ut ad ſuæ Sanctitatis præſentiam indilate perſonaliter accedam, ne dictum Eccleſiam ex diutina vacatione multipliciter collapſa, cujus curæ mihi jam impoſitæ et incumbit, ampliùs diſpendia patiatur; veſtræ Magnificentiæ precor pro me humiles quam attentas, quatinus præfatæ Eccleſiæ diu deſolatæ Regiæ pietatis clementia compatientes, *Magiſtro Hugoni de Fraxinis* exhibitori præſentium, procuratori et Commiſſario meo generali, ejuſdem Eccleſiæ temporalia, vice mea (ſi placet) reſtitui jubeatis; recipientes ab eodem nomine meo conſuetum fidelitatis vobis debitæ juramentum: quod ego (Domino concedente) cum de Curia *Romana* me redire contigerit, fidelitati veſtræ præſtabo, ſicut decet, humiliter et debite. Valeat, &c. Datum *Pariſ.* in feſto Sancti *Mathiæ* Apoſtoli, Anno Domini 1279. Anno 8 E 1. in Turri London.

I cannot finde that the King condeſconded to this his illegal proviſion and unreaſonable requeſt grounded thereon, both being ſo much againſt the Rights and Prerogatives of his Crown and Dignity.

Page 253. l. 22. after *Septembris*, inſert.] In a Bundle of Writs, Privy Seals, and Letters in the *White Tower*, An. 9 E. 1. I finde the ſame Writ in effect, with ſome little variation and tranſpoſition of words, and this Addition, after *increpare* in the cloze thereof; et ultionem debitam vobis opportuno tempore referare. *T. & ſic Patens*; which Writ was ſeconded by two others in the ſame Bundle; the firſt of them dated 28, and the later 30 *Septembris*, both in this form and ſtile. *An.* 9 *E.* 1.

EDwardus, &c. venerabilibus in Chriſto Patribus, *J.* eadem gratia *Cantuarienſi* Archiepiſcopo, totius *Angliæ* Primati, & omnibus Epiſcopis & aliis Prælatis in inſtanti

An. 9 *E.* 1. inſtanti Concilio apud *Lambethe* celebrando conventuris, ſalutem. Mandamus vobis, quod ſicut Baronias veſtras, quas de nobis tenetis, diligitis; nullo modo conſilium de aliquibus quæ ad Coronam noſtram pertinent, vel quæ perſonam noſtram, vel ſtatum noſtrum, vel ſtatum Conſilii noſtri contingunt, tenere; ſeu aliquod contra Coronam et dignitatem noſtram in eodem ſtatuere præſumatis; ſcituri pro certo, quod ſi feceritis, nos ad Baronias veſtras graviter capiemus. Teſte meipſo apud *Lyndeburſt*, 28 die *Sept.* Anno regni noſtri nono.

Bundelæ Brevium in Turri London, An. 9 E 1.

Page 269. l. 16. after *none*, adde.] In another Bundle of Writs in the *white Tower Chappel* the ſame year, I met with another Writ *Vic.* Nottingham, *quod diſtring.* Willielmum de Soverworth *per omnes terras, &c. ad reſpond.* Gervaſio *fil.* Hugonis de Haworth, *quare cum placita de* Tranſgreſſione *contr. pacem noſtram factis in regno noſtro*, ad Coronam noſtram et non ad alium in eodem regno pertinent, *idem* Willielmus *ſecutus eſt plac.* in Curia Chriſtianitatis de hujuſmodi Tranſgreſſionibus, in Coronæ et dignitatis noſtræ læſionem, et contra Prohibitionem noſtram, &c. *T.* J. de Meungham *ap.* Derby, 12 *die* Maii, *An. r. n.* 9. And with theſe enſuing Writs, *Vic.* Ebor. *quod diſtringas* Rogerum de Thureton *per omnes terras &c. et quod habeas corpus ejus coram Juſtic. &c. ad reſpond.* Euſtachio de Rert, quare ſecutus eſt placitum in Curia Chriſtianitatis de Laico feodo ipſius Euſtachii in Middleton, contra prohibitionem noſtram, *T.* J. de Vallibus *ap.* Derby, 4 *die* Maii, *An. r. n.* 9. *Vic.* Northampt. *Pone, &c.* Oliverum *Epiſc.* Linc. *&c. oſtenſur.* quare cum placita de catall. et debitis quæ non ſunt de, &c. ad Nos et Coronam et dignitatem noſtram, et non ad alium pertineant, idem Epiſcopus, &c. tenuit placitum in Curia Chriſtianitatis *de catallis & debitis Prioris Sancti* Johannis de Brakele, quæ non ſunt de, &c. contra Prohibitionem noſtram. *Ponetiam, &c.* Petronellam *quæ fuit uxor* Arnaldi le Gower, quare ſecuta eſt idem placitum, &c. *T. R. apud* Clarendon 28 *die* Maii, *An. r. n.* nono.

Page 274. l. 17. after *Anno nono*, inſert. In a Bundle of Writs under the Privy Seal, An. 9 *E.* 1. which I met with in the *White Tower*, I finde theſe two Writs iſſued to the Popes Delegates, prohibiting them to proceed, and to *Stephen de Surdo* not to proſecute a ſuit before the Popes Delegates concerning the right to an Advowſon of a Church, till the right thereof was firſt determined in and by the Kings temporal Court.

Bundela Brevium, Anno 9 E 1 in Turri London.

Edwardus, &c. Magiſtris *Giffredo* majori *Cameracenſ.* in *Anglia* commoranti, & *Johanni de Lak.* Sancti *Pauli Londen.* Eccleſiarum Canonicis, Judicibus a Domino Papa delegatis, ſalutem. Indicaverunt nobis *Iſabella* quondam uxor *Rogeri de Clifford* junioris, *Rogerus de Leyburne*, & *Iſolda* uxor ejus, quod cum *Johannes* filius *Griffini* teneat Eccleſiam Sancti *Michaelis de Kirkeby Thore*, cum Capellis et pertinentiis ſuis de advocatione ipſorum, *Stephanus* dictus *Surdus* Domini Papæ Capellanus, clamans dictam Eccleſiam cum Capellis et pertinentiis ſuis de advocatione Epiſcopi *Karlielenſis*, trahit eos inde in placitum coram vobis in Curia Chriſtianitatis. Quia vero manifeſtum eſt, quod prædicti *Iſabella*, *Rogerus* & *Iſolda* jacturam ſuæ advocationis incurrerent, ſi prædictus *Stephanus* in cauſa optineret; Vobis prohibemus, ne placitum illud teneatur in Curia Chriſtianitatis, donec diſcuſſum fuerit in Curia noſtra, ad quem illorum pertineat ejuſdem Eccleſiæ cum Capella et pertinentiis ſuis advocatio; quia placita de advocationibus Eccleſiarum ſpectant ad Coronam et dignitatem noſtram. Teſte, &c.

Fiat una litera Magiſtro *Giffrido* majori *Camer.* in *Angl.* commoranti, Judici a Domino Papa delegato.

Et conſimilis litera fiat Magiſtro *Johanni de Lak*, Canonico Sancti *Pauli London.* Judic. a Domino Papa delegato.

Ibidem, Anno 9 E 1.

Edwardus, &c. *Stephano* dicto *Surdo*, vel ejus Procuratori, ſalutem. Indicaverunt nobis *Iſabella*, &c. (*verbatim* as in the premiſed Writ.) Tu, clamans dictam Eccleſiam; cum Capellis & pertinentiis ſuis de advocatione Epiſcopi *Karliol.* trahis eos inde in placitum in Curia Chriſtianitatis. Quia vero manifeſtum eſt, quod prædicti *Iſabella*, *Rogerus* & *Iſolda*, jacturam ſuæ advocationis incurrerent,

rent, ſi tu in cauſa illa obtineres. Tibi prohibemus, ne placitum illud ſequaris in Curia Chriſtianitatis, donec diſcuſſum fuerit in Curia noſtra, ad quem illorum pertineat ejuſdem Eccleſiæ cum Capellis et pertinentiis ſuis Advocatio, quia, &c. *ut ſupra.* *An.* 9 E. 1.

Page 281. l. 19. after *Junii*, inſert.] Moreover King *Edward* the 1. in the 10th year of his reign, upon the complaint of Religious Houſes and Clergy men, iſſued ſeveral *Commiſſions* to his *Juſtices* to inquire of all purveyances and takings of horſes, carriages, goods, &c. of any Religious perſons, Clerks or others by his Miniſters, and of all injuries done unto them by them or any others againſt the *Statute of Weſtminſter* 1. 3 E. 1. c. 1. I finde a bundle of no leſſe then 17 *Inquiſitions* of this kinde in the *White Tower* returned into *Chancery* under the Inquiſitors Seals in the County of *Norfolk* alone, one whereof I ſhall only tranſcribe. *An.* 10 E. 1.

INquiſitio facta apud *Norwycum* die *Lunæ* in feſto S. *Marci* Evangel. Anno regni Regis *Edwardi* decimo, coram *Willielmo de Ormesby* & ſociis ſuis Juſticiariis Domini Regis aſſignat. per *Stephannum de Fundenk*, *Simonem de Boſco*, *Johannem Howard*, *Ricardum Attefeld*, *Walterum de Wilebourne*, *Ricardum Freman*, *Robertum Gege*, *Ricardum Foreſter*, *Edwardum de Lund*, *Simonem le Mareſcall*. *Johannem Pilecrowe*, & *Willielmum atte More*, Juratores; qui dicunt ſuper Sacramentum ſuum, quod Dominus *Nicholaus de Haſtingeſ* & *Willielmus Champanye* ſerviens ejuſdem, & *Willielmus Baroun* ceperunt, aſportaverunt, & abduxerunt de *Thoma* Vicario de *Giſſing*. &c. contra voluntatem ſuam, duos equos pretii 26 *s.* ad opus ejuſdem Domini *Nicholai*. Et de Miniſtris Domini Regis et aliis, qui Blada, Victualia, aut alia bona Prælatorum, Virorum Religioſorum, perſonarum Eccleſiaſticarum, Clericorum aut Laicorum, qui equos, bobes, carectas, naves aut batellos alicujus ad caringium faciendum ceperunt et aſportaverunt ſeu abduxerunt, contra voluntatem illorum quorum fuerunt, Nihil aliud poſſunt inquirere, vel eſſant qui malum damnum fecerunt Religioſis, vel aliis eorundem non conceſſerunt hoſpicium aut prandium aliquibus vel alia cauſa, pro eo, quod aliquis querebatur in Curia Regis vel qui Dominus et religioſ. ſuos aut aliorum equos, canes miſerunt, aut qui Vic. hoſpitarunt in aliquo loco plus quam cum quinque vel ſex equis contra formam Statuti; et qui fugarunt in parcis Religioſorum, ſeu piſcati fuerunt in Vivariis ſuis, &c. Dicunt, quod nihil ſciunt et nihil poſſunt inquirere. In cujus rei teſtimonium prædicti Juratores ſigilla ſua apposuerunt. In Bundel. Inquiſitionum An. 10 E. 1. in Turri London.

Moſt of the other Inquiſitions conclude; *Qui dicunt ſuper Sacramentum ſuum*, quod nullum ſciunt vel invenerunt culpabilem de prædictis articulis: So as it ſeems that Law was then very well obſerved, and the Clergy and Religious perſons had little cauſe of complaint.

Page 281. l. 19. after *them*, inſert.] This *Boves de Clare* purchaſed a Bull from the Pope extraordinarily prejudicial to the Kings Prerogative, which he produced in Court againſt Sir *John de Lovetot* Juſtice of the Kings Great Bench; the Judges and Barons of the Exchequer upon peruſal thereof, thought it the moſt pernicious and prejudicial Bull to the Crown that ever was procured: whereupon they referred the matter to the Kings own hand, and gave *Boves* a day to appear and anſwer his procuring of this Bull before them, that ſo they might in the mean time know the Kings and Chancellors pleaſure concerning it, as this Letter I found in the *White Tower* written to the Chancellor by the Judges informs us.

W*Ymburn*. Juſtices de Bank le Roy, ſaluz, e due reverence; Sachez Sire ke au moys de Seint *Michel* vint Sire *Boues de Clare* devant nus a *Salopebir* pur beſoignes ke il nous a fere. Ad quel jour vint Sire *Johan de Lovetot* Juſtice de grant bank, et mustra par les Conſeilers le Roy devant nus, ke le avantdit Sire *Boues* eut une Bulle purchace contre le ſe prejudice de la Corone noſtre Seignur le Roy, la quele il nus mustra entendre. E quant Sire *Boues* de ceo devant nus fu areſonne, il nus reſpondi, ke cele Bulle ne purchaſa pur le nostre, ne tint en la Curt de *Rome*, e del ours ke il dust il lessera a nostre Seignur le Roy, e il mustra e mist la buſoigne Bundeli Literarum & Brevium Anno 10 E. 1. in Turri London.

An. 10 E. 1. buſoigne tot en ly ſi il la deuſt ſeure ou nun. E le avantdit Bulle miſt enſy en boſtre meyn pur cele choſe ordeyner a la bolunte le Roy e le voſtre. E quant nus tele Bulle abium bene, nus le ſeymes muſtrer devant les Barons del Eſchekere e les Juſtices deu grant Wank noſtre Seignur le Roy. E ſu abiz a tuz, de cele Bulle ſu la plus præjudiciele de unkes ſu purchacee en ceſte terre de noſtre tens. E pur ceo Sire tut alegaſt le avantdit Sire *Boves* ke la choſe ſu miſe en les meins noſtre Seignur le Roy e en le voz, e ſi cum deſuz eſt dit, nus de olyum leſſer la ſupte noſtre Seygnur le Roy, en ly ann jour done debant nus as utabes del Seint *Martin* cum de jour en jour, par la bolunte noſtre Seygnur le Roy ſur ceſte choſe ſaver, e la voſtre, dunt ſi bos pleſt la bolunte noſtre Seygneur le Roy ſur ceſte choſe nus mandez.

The Jewiſh Converts being in great diſtreſſe, wanting cloathes and food in the houſe provided for them, by reaſon the penſions granted them by the King were not duly paid, *John de Dennys* Maſter of their houſe thereupon writ this Letter to the Chancellor, to procure the payment of their penſions; wherein he relates their fervent prayers for the King and kingdom, and the efficacy of prayers and alms, as well as of arms, in times of Warre, to procure victory over the Kings enemies.

Ex Bundela Literarum & Brevium in Turri London, Anno 10 E 1.

REverentiſſimo Domino ſuo, ſe totum ſemper humillimum & devotum. Dominacioni veſtræ ſupplico devocione qua poſſum, quatinus de Converſis veſtris *London.* qui jam fame pariter & frigore cruciantur, memoriam habere dignemini: præcipientes, ſi placet, quod breve Regium de porcione dictis Converſis ad ſuam ſuſtentacionem de Termino Sancti *Michaelis* proximo jam præterito à Domino noſtro Rege deputata, Theſ. & Camerariis de Scaccario ſine difficultatis incommodo dirigatur: licet enim multa Domino Regi et vobis hiis diebus incumbant in partibus iſtis, propter hoc tamen non ſunt omittenda ſi placet ex hac parte quæ ſpiritu Dei aguntur, et divino conſilio ſunt conceſſa. Quia non ſolum viribus hominum et virtute armorum, ſet elemoſinis et orationum ſuffragiis bella vincuntur et hoſtium fortitudo conteritur. Nec credo quod ſit locus in *Anglia* ubi ſaluberius fiant orationum et laudum ſacrificia pro Domino Rege et ſuis, quam in illa minima domo ſua et veſtra. Et nobit Deus, quod niſi eidem Converſis, ut dictum eſt, ſubbenitatur ad præſens, non reſtat niſi, quod abſit, in diſperſione ſua deficiant et cum confuſione mendicent, ſuper quibus credatis ſi placet *R.* Clerico meo, et *Johanni de Norwyco* Clerico et Converſo; quem noſtis præſencium portitoribus. Ego ad vos perſonaliter acceſſiſſem, ſi ſtatus corporis qui nondum ad tot viarum diſcrimina ſufficeret aliquatenus permiſiſſet, ſuper quo meam ſi placet habere velitis abſenciam excuſatam. Supplico inſuper Dominacioni veſtræ devocione qua poſſum quatinus literam Regiam deprecatoriam una cum veſtra, ſi placet, juxta tenorem quem vobis inde tranſmitto Domino *Norwycenſi* Epiſcopo dirigendam concedere dignemini michi veſtro. Valeat ſalus et proſperitas veſtra per tempora diuturna.

Dorſo. Domino *Bathon.* & *Wellen.* Epiſcopo Cancellario Domini Regis, per ſuum *J.* de Sancto *Dyoniſio.*

The King iſſued this Writ to his Chancellor for the appointing and conſecrating of a new Churchyard, to bury the dead of *Rotheland*, becauſe the old was not ſufficient, and for ſending Souldiers to him againſt the *Welſhmen.*

Ex eadem Bundela, An. 10 E 1.

EDwardus Dei gratia Rex *Angliæ*, Dominus *Hiberniæ*, & Dux *Aquitaniæ*, Venerabili in Chriſto Patri *R.* eadem gratia *Bathonienſi* & *Wellenſi* Epiſcopo Cancellario ſuo ſalutem. Quia venerabilis pater *J. Cantuarienſis* Archiepiſcopus nobis ſignificavit, quod Cimiterium Eccleſiæ de *Rotheland* non eſt competens aut ſufficiens pro ſepultura mortuorum ibidem; Vobis mandamus, quod aliquem locum competentem juxta Hoſpitale extra *Rotheland* aſſignari faciatis pro ſepultura, et eam ad hoc dedicari faciatis, prout dictus Archiepiſcopus et vos videbitis fore faciendum, & certificetis nos quando dictus Archiepiſcopus veniet ad nos apud *Din-*

by:

by: et quia quidam qui ituri ſunt ad *Angleſeye* ſunt adhuc apud *Rothelanum*; Vobis mandamus, quod ſignificetis quot & qui, & de numero peditum et equitum, & de eorum nominibus pro viribus nos cerciorare non omittatis. Dat. ſub privato Sigillo noſtro apud *Dinby* 27 die *Octobris*, Anno regni noſtri decimo. *An.* 10 *E.* 1.

The Conſtable of *Wyndeſor* Caſtle endeavouring to impoſe a new Oath of Fealty concerning Veniſon upon the Biſhop of *Wincheſters* Wodewards within the Foreſt of *Wyndeſore*, againſt the Liberties of his Church as he ſuggeſted, he thereupon writ this Letter to the Chancellor, to prohibit his proceedings therein.

D*Orſo*. Domino *R.* Dei gratia *Bathon.* & *Wellenſi* Epiſcopo. Venerabili in Chriſto Patri Domino *R.* Dei gratia *Bathon.* & *Wellen.* Epiſcopo, *J.* permiſſione ejuſdem *Wynton.* Epiſcopus ſalutem, in omnium ſalvatore. Poſtquam vobis ultimo ſcripſimus, rumor ad nos pervenit implacidus, quod Dominus *G. de Picheford* Conſtabularius de *Wyndeſor* nititur modis omnibus compellere Wodewardos noſtros de Manerio noſtro de *Weregrave* ad præſtandum fidelitatis Sacramentum de benacione Domini Regis fideliter cuſtodienda, in eluſionem noſtram & noſtræ Eccleſiæ *Wintonienſis*, quia tale Sacramentum a Wodewardis prædeceſſorum noſtrorum, nec etiam tempore vacationis hactenus non fuit præſtitum vel exactum: Placeat igitur venerandæ paternitati veſtræ dicto Domino *Galfrido* præcipere, ut a talibus nobis exactionibus penitus deſiſtat, et nos libertatibus noſtris quibus prædeceſſores noſtri hactenus pacifice uſi ſunt libere gaudere permittat, nullam nobis inferendo moleſtiam ſeu grabamen. Conſerbet vos Altiſſimus ad defenſionem ſuæ Eccleſiæ per tempora diuturna. Dat. apud *Bytern*, Non. *Novembris* Anno gratiæ 1282. Bundela Literarum & Brevium, de Privato Sigillo An 10 E. 1. in Turri London.

The newly elect Biſhop of *Miden* in *Ireland*, (preſented to and approved by the King) and his Clergy appealing to the Court of *Rome* againſt the Archbiſhop of *Ardmach*, by whom he was to be confirmed and conſecrated, both becauſe he was excommunicated by the Popes delegates, and had ſeveral wayes injured him and his Church, ſo as he could expect no juſtice from him, and becauſe he being an *Iriſhman* hated the *Engliſh*, deſired the Chancellors Letters to ſome Cardinals and the Kings Proctors at *Rome*, to promote and aſſiſt him in his affairs in that Court, as this Letter atteſts.

DOmino ſuo Reverendo ſuæ parvitatis obſequium Electus noſter *Midenſis* Magiſter *Thomas de* Sancto *Leodegario* lator præſencium venit ad Curiam cum literis Cleri *Midenſis* ad præſentandum ſe Domino Regi, et aſſenſum Regium electioni de ſe factæ, ut moris eſt, requirendum; et ad petendum ſimiliter literas ejuſdem Domini Regis Domino Papæ directas de eadem electione confirmando, pro eo quod Archiepiſcopus *Ardmacan.* a quo deberet confirmari, factus eſt inhabilis per ſententiam Excommunicationis dudum latam in ipſum per Judices delegatos, quam adhuc non intelligimus revocatam. Ab eodem etiam Archiepiſcopo ob injurias ab eodem nobis de novo illatas et grabamina plurima ad ſedem Apoſtolicam appellavimus, et ſunt Procuratores noſtri in Curia *Romana* ad impetrandum contra illum, unde tam Electo noſtro quam nobis debet in omnibus et ſingulis nos et Eccleſiam noſtram tangentibus merito ſuſpectus reputari; Scimus enim, quod abſque conſideracione juris vel racionis nos libenter grabaret, et Eccleſiæ noſtræ jura ſubverteret ſi poſſet: Scitis etiam, quod *Hibernici Anglicis* ſunt infeſti, et pacem illorum per fas et nefas turbare non deſinunt et quietem, neſciunt etiam qui præſunt cum modeſtia regere ſe, ſemper nituntur tyrannico dominatu ſuppeditare ſubjectos. Idcirco tam ego quam omnes & ſinguli de Clero noſtro pedibus veſtris provoluti Dominacioni veſtræ ſupplicamus obnixè, quatinus ſi placet contra adverſarii noſtri maliciam in adjutorium Electi noſtri et noſtrum erurgentes literas tam Regias quam veſtras Domino *A. de Eveſham* titulo Sancti *Laurencii* in *Lucina* Presbytero Cardinali, et aliis amicis veſtris et procuratoribus in Curia *Romana* dirigere dignemini, quod Electi et Cleri *Midenſis* negocia recommendata habentes illa promoveant, dirigant et defendant. Ignoſcatis nobis ſi placet quod Dominacioni veſtræ ita confidenter ſcribimus, quia videtur nobis quod ratione ſcæ- Ibidem.

An. 10 E. 1. deris inter vos et Eccleſiam *Midenſem* aliquando contracti pro eorundem Eccleſiæ & Cleri negociis promovendis ad vos confugere debeamus.

Dorſ. Domino ſuo *Baton.* & *Wellen.* Epiſcopo per *J. de Kanleg.*

How this Archbiſhop oppreſſed the Clergy of *Miden* after the Biſhops journey to *Rome* by the Kings licenſe to proſecute his Appeal, and likewiſe endeavoured to have his Temporalties ſeiſed, and granted to the Chief Juſtices brother, againſt Law and right, this Petition of his Clergy to the King in the ſame Bundle will inform us.

Ex Pundela Brevium & Literarum An. 10 E. 1. in Turri London.

EXcellentiſſimo Domino ſuo, Domino *E.* Dei gratia illuſtri Regi *Angliæ*, Domino *Hiberniæ*, & Duci *Aquitaniæ* ſui humiles et devoti Clerus *Midenſis* ſalutem, & de inimicis triumphum, cum augmento graciæ & virtutis. Regiam Majeſtatem veſtram latere non credimus qualiter defuncto bonæ memoriæ *Hugone* quondam Epiſcopo noſtro *Midenſi*, petita fuerat per nos a dominacione veſtra ut mozis eſt licencia alium eligendi, quâ optentâ elegimus virum literatum, honeſtum, in ſpiritualibus et temporalibus circumſpectum, Magiſtrum videlicet *Thomam de* Sancto *Leodegario* Archid. de *Lieul*, in Eccleſia *Midenſi*, qui ſe poſtmodum veſtris conſpectibus perſonaliter præſentavit, et cum gratia veſtra iter arripuit ad ſedem Apoſtolicam veniendi pro negociis ſuis quæ citra prædictam Curiam non poterant expediri; Pendente enim cauſa inter nos et Archiepiſcopum *Armacan.* coram Judicibus delegatis eatenus tempore electionis et confirmationis petendæ proceſſum fuerat coram eis, quod dictus Archiepiſcopus per eoſdem ſententia majoris excommunicationis extitit ingredatus, a quo nichilominus tempore debito petibit Electus noſter, et ſupplicabit humiliter et devote quod ad examinandam electionem, et eandem confirmand. habilem ſe facere dignaretur: quo renuente, appellabit idem Electus ad ſedem Apoſtolicam, et nos ſimiliter pro Jure noſtro. Jam vero idem Archiepiſcopus in excommunicatione prædicta dampnabiliter perſeverans, ad procuracionem Juſticiarii veſtri qui locum veſtrum tenet in *Hibernia*, ut ſic potencia vinceret qui de Jure ſuo merito diffidebat, prohibit ſuppoſito Eccleſiæ *Midenſi* contra Deum et Juſticiam de facto cum de Jure non poſſet, in contemptum Domini Papæ et veſtrum de fratre dicti Juſticiarii, quem pro captanda benivolencia veſtra et poſſeſſione temporalium optinendo ad Curiam veſtram intelleximus tranſiretiſſe. Verum quia * veſtrum eſt tueri Eccleſias, et illas maxime quæ ſunt in cuſtodia veſtra, et alium præter vos non habent defenſorem, cum timeamus et merito, quod ex hujuſmodi conceſſione Temporalium poſſet Eccleſiæ deſolacio et nobis diſpendium et periculum generari; Dominacionem veſtram quam ſemper hactenus juri conſonam et juſticiæ ſabentem cognovimus, debote et humiliter exoramus et obſecramus in Domino, quatinus ſi placet factum Electi noſtri et noſtrum juſta conſuetæ diſcrecionis veſtræ examine ponderemus, conceſſionem Temporalium donec negocium pendens in Curia *Romana* plenius terminatur in manu Regia dignemini ratinere ſuſpenſam; Inhibentes ſi placet, Juſticiario veſtro, ne occaſione facti prædicti quod ſuum reputamus, nos vel aliquem noſtrum grabet indebite vel moleſtet. Valeat Regia Majeſtas veſtra per tempora longiſſima. Dat. apud *Trum* die *Circumciſionis Domini*, Anno ab incarnacione ejuſdem, 1282.

* *Nota.*

Page 288. l. 25. after *ut ſupra*, inſert.] This Biſhop of *Chicheſter* being ſtandered to the Chancellor and others for his remiſſeneſs in collecting the *Quindiſm* and diſaffection to the King, engaged in the wars againſt the *Welſh*, ſent this Letter to the Chancellor, expreſſing his proceedings and diligence therein, with his cordial affection to, and prayers for his Majeſties proſperity and ſucceſſe.

Ex eadem Bundela Literarum, &c. An. 10 E. 1.

VEnerabili in Chriſto Patri ac Domino reverendo, Domino *R.* Dei gratia *Bathon.* & *Wellen.* Epiſcopo Domini Regis Cancellario, ſuus devotus *S.* eadem gratia *Cicestrenſis* Eccleſiæ Miniſter humilis, ſalutem & ſincere caritatis in Domino continuum incrementum. De ſtatu illuſtris Domini noſtri Domini *Edw.* Regis quem conſervet Altiſſimus, et de eventibus ſibi in *Wallia* contingentibus, et etiam de ſtatu veſtro, utinam proſpero aliquid certum ſi placet nobis ſignificare velitis, eo quod indifferentes & incerti multa locuntur incerta, per quæ frequenter

ſumus

ſumus territi & turbati, ſet recepto per vos ſuper hiis aliquo proſpero atque grato reficeremur gaudio magno valdè, pro quo Domino quicquid poteſt devocionis obſequium et oracionis ſuffragium jugiter facimus, & Deo propicio faciemus. Cæterum quia centum marcas ſterlingorum pro fine ſervicii noſtri Domino Regi debiti hiis diebus *Barrunc. Walter.* Civi & Mercatori *Lincan.* nuper *London.* fecimus numerari, prout per literas ejuſdem *B.* vobis poterit plenius apparere; Vos requirimus & rogamus, quatinus ſolita freti benignitate finalem acquietanciam ſuper ſolucione prædicta per literas Regias ſi placet, nos habere faciatis, ita quod ulterius non veniat in demanda ſicut literatoriè veſtri gratia nobis alias promiſiſtis. **De Quintadecima vero Domino Regi debita,** ſcitote quod treſcentas & quinquaginta marc. prædicto Mercatori *London.* fecimus numerari, per ejuſdem Quintædecimæ Collectores, & de arreragiis levandis **per omnem modum per quem poſſumus laboramus: Et quia quidam impedidi cenſuram eccleſiaſticam non verentur ad hujuſmodi bonorum Eccleſiaſticorum diſtractionem mandabimus jam procedi, ubi hujuſmodi ſolucio eſt aretro:** Et ſi quis malivolus aliud vobis dixerit in præmiſſis, ipſum ut mendacem nullatenus audiatis, quicquid enim ad Domini Regis commodum ſeu proficuum facere poterimus per Dei adjutorium faciemus. Cujus vitam & incolumitatem conſervet Altiſſimus, & donet ſibi tàm feliciter quàm potenter de hoſtibus reportare triumphum, ad ſui nominis gloriam & honorem, et regni tranquillitatem & pacem. Valeat Dominacio veſtra ſemper in Chriſto Jeſu & Virgine glorioſa. Dat. apud *Andingeburne* 16 Kal. *Decembris*, Anno Domini 1282. *An.* 10 *E.* 1.

Whiles King *Edward* was buſied in his Warrs againſt the *Welſh* and wanted monies, his Chancellor the Biſhop of *Bath* and *Wells* had this Letter ſent him by one of his officers concerning veins and pieces of ſilver diſcovered in his Lead Mines on *Meindep* near *Pridie*, which for its rarity I ſhall inſert.

SCiatis Domine, quod artifices veſtri inverunt optimam mineram plumbo ſuper *Meindep* juxta *Pridie* ex parte orientali, & quaſi abſque labore aperta ſuperficie terræ circa profunditatem quinque vel ſex pedum: Et quia artifices ſolent ut frequencius eſſe fures, **ſeperando in conflacione artificialiter argentum a plumbo, et argentum furtive furripere et collecta quantitate magna fugere tanquam fures,** artificium ſuum deſerendo, quod frequenter contigit ibidem temporibus retroactis, prout referunt viri antiqui, Ballivi veſtri, dictam mineram faciunt uſque ad Curiam veſtrum de *Woky* deportari, in cujus medio erecta fornace dicti artifices conflant illa mineralia ſub viſu aliquorum ad hoc deputatorum per veſtrum Seneſcallum. Et quia tàm Seneſcallus quàm Ballivus & dicti artifices æſtimant, **quod multum ſit de argento in illo plumbo propter albedinem ejus et ſonoritatem,** rogant vos, ſi placet, per me, quatinus aliquem bonum & fidum artificem de quo poſſunt omnino confidere faciatis ad eos tranſmitti, quam cicius de tali poteritis providere, vidi enim primam peciam plumbi ibi conflatam magni ponderis et quantitatis, **quæ quociens percutitur, fere reſonat ut argentum;** unde æſtimo cum aliis quod ſi fideliter exerceatur illud artificium quod ad veſtrum cedet et toti viciniæ commodum in immenſum: Et optento fideli artifice credo expediens quod ibi fiat conflacio ubi minera effoditur propter laborem deportandi tam ponderoſa ad loca remota, & ſe habet illa minera ſicut ſabulo ſive arena minuta. In eadem Bundela An. 10 E 1. in Turri Lond.

How Sodomitical and deteſtable the lives of ſome unmarried Clergymen were in that age, (particularly of one *Stephen Maul*) Rector of *Lokinton*,) will appear by this Letter of the Archbiſhop of *Yorke* to the then Chancellor.

VEnerabili in Chriſto Patri & amico expertiſſimo Domino *R.* Dei gratia *Bathon. & Wellen.* Epiſcopo, *W.* permiſſione ejuſdem *Eborum* Archiepiſcopus *Angliæ* Primas ſalutem et gloriam aſſequi Summi Patris. Sedulæ inſtanciæ veſtræ quam pro commenſali Clerico veſtro Magiſtro *Thoma de Seggeſfeld* reverenter recepimus votivè annuere cupimus quatenus poſſumus & favere; ſet ecce pater cum eidem Magiſtro aliunde ut intelleximus fuerit ſatisfactum, ſupervacua eſt peticio noſtro judicio quam nunc facit, præſertim, cum *Stephanus de Malo Lacu* quem In eadem Bundela, Anno 10 E. 1.

An. 10 *E.* 1. Rectorem de *Lokinton* in veſtris literis nominaſtis, fructus ejuſdem Eccleſiæ obligare non poſſit, ſeu aliquatenus alienare, pro eo quod enorme et innominabile vicium in excogitando terribile, ac in pronunciando abhominabile, contra quod inſurgunt leges eciam gentilium, quod natura abhorret deteſtabiliter et acculat, in quod armantur Jura, ac propter quod in filios diffidenciæ cecidit ira Dei, eum omni eccleſiaſtico beneficio excluſum reddit proh dolor, et indignum; veſtra itaque paternitas non miretur ſi de fructibus quos ille pſeudo-Rector vendicat diſponamus debite Jure noſtro. In ſpiritu tamen compaſſionis piiſſimæ ejuſdem ſaluti ſtudioſi ſubvenire decrevimus, in Magiſtri *Thomæ* Clerici veſtri præſenciam ſupradicti, licet vagus & profugus de biis poſtea non curaret. Porrò, cum idem *Stephanus* competens patrimonium quod habuit, præfato Magiſtro *Thomæ* in recompenſacionem debitorum quod potuit aſſignaverit, ut eſt notum, poſt ſatisfactionem hujuſmodi fruſtra ut præmiſimus veſter Clericus conqueritur memoratus. Cæterùm veſtræ paternitati placeat perdilectæ ſtatum veſtrum & Curiæ nobis per latorem præſencium reſcribere ad mutuæ recreacionis indicium & ſolamen. Scitis utique quod ad veſtra beneplacita promptiſſimum habebitis *Eboracenſis* Eccleſiæ Sacerdotem. Conſervet incolumitatem veſtram altiſſimus per tempora felicia & votiva. Dat. apud *Cawod* 3. Idus *Novembris*, Anno gratiæ 1282.

Page 285. l. 51. after *ſupra*, inſert.] In a bundle of Letters I found this Letter of the Archbiſhop to the Chancellor this year, concerning a Cedule found in the Prince of *Wales* his breeches, diſcovering the treachery of ſome of the *Engliſh* Nobility of the marches of *Wales* towards the King, complaining that ſome *Welſh* Prieſts were executed as Laymen were for their treachery, againſt the priviledges of the Church, which he deſired might be rectified, by his interceſſion for other *Welſh* Prieſts detained in priſon, relating likewiſe his Viſitation of his Dioceſſe, and praying Writs *de Excommunicato capiendo* againſt ſome Prieſts and others who oppoſed him in his Viſitation.

In eadem Bundela Literarum & Brevium in Turri London, An. 10 E. 1.

FRater *J.* permiſſione divina *Cantuarienſis* Eccleſiæ Miniſter humilis tocius *Angliæ* Primas, venerabili in Chriſto fratri Domino *R.* Dei gratia *Bathonienſi* & *Wellenſi* Epiſcopo ſalutem, & fraternæ dilectionis in Domino continuum incrementum. Quia quæ in Domini noſtri Regis dampnum et periculum fieri dinoſcuntur detegere debet fidelis quilibet et ea ſibi nullatenus occultare, noſque inter alios ipſius honorem et magnificenciam ad inimicorum inſidiis eſſe tutum intime affectamus, mittimus ad vos quandam cedulam præſentibus interclusam, obſcuram quidem verbis & fictis nominibus conceptam, cujus tranſcriptum quod habet Dominus *E. de Mortuo Mari* inventum fuit in bracali *L.* quondam Principis *Walliæ* una cum ſigillo ſuo parvo quod ſub ſalvo teneri facimus cuſtodia, Domino Regi ſi placuerit tranſmittend. Ex qua quidem Cedula ſatis conjicere poteſtis, quod quidam Magnates dicini *Wallenſibus*, ſive *Marchienſes*, ſive alii non ſatis ſunt Domini Regis beneplacitis uniformes, circa quod Dominum Regem efficiatis cautum ut expedit, ita tamen quod quantum in nobis et vobis eſt nullum periculum proveniat corporale, & de hoc ſollicitè caveatis. Ad hoc intelleximus, quod nonnulli Clerici apud *Rothelan.* in obprobrium Cleri et Eccleſiæ contemptum inter prædones et malefactores alios cotidie capitali ſententia puniuntur, quod ne de cætero fiat veſtræ ſollicitudinis ſtudium apponatis. Et certè dolemus valdè de Clericis illis qui manent in *Snaudonia* deſolati, quos libenter nobiſcum adduxiſſemus ad propria dum in partibus illis extitimus, ſi hoc clemenciæ Regiæ placuiſſet. Nec poterit ſe Dominus Rex excuſare ſaltem de favore, ſi de eis quod avertat Deus malè contingat, unde ſi quid pro eis ſciveritis aut obtinere poteritis, quod ad eorum liberacionem et ſecuritatem poſſit noſtram expediri ſcribatis nobis, & nos parati erimus pro eis ad inſtantibus periculis eruendis, ad honorem Dei quantum poterimus eciam corporaliter laborare. Præterea, ſunt quidam Dei et Eccleſiæ inimici quos nuper in *Exon.* Dioc. bilitantes juriſdictioni noſtræ et proceſſibus noſtris inbentimus multipliciter adverſantes, mandata noſtra et Eccleſiæ dampnabiliter contempnendo, propter quod meruerunt a nobis majoris excommunicationis ſententia innodari: Ne igitur de malicia ſua in contemptum Eccleſiaſticæ diſciplinæ valeant gloriari, aut alios ſuis perniciosis exemplis inficiant,

pro

pro capcione eorundem excommunicatorum, prout per nostram patentem literam petimus rescribatis, si placet. De benivolencia autem vestra quam ad nos geritis continue negocia nostra feliciter expediendo, fraternitati vestræ quantas valemus gratiarum rependimus actiones, parati semper vestris beneplacitis quantum secundum Deum possumus favorabiliter assentire. Valeat vestra fraternitas in Christo semper & Virgine gloriosa, nobis si quid apud nos fieri volueritis cum fiducia rescribentes. Si Dominus Rex velit habere transcriptum illud quod inventum fuit in bracali *Lewelini*, poterit ipsum habere à Domino *Eadmundo de Mortuo mari* qui custodit illud, cum sigillo privato ejusdem cum quibusdam aliis in eodem loco inventis, nec est periculum hæc Domino Regi insinuare, quia ad ejus præmunicionem tantùm agimus, faciat tamen ulterius quid sibi viderit expedire. An. 10 E. 1

The Archbishop of *Canterbury* having thereupon obtained a Writ *De excommunicato capiendo* against *William Boyhough* of the Diocesse of *Exeter* by his premised Letter, who had appealed to the Pope against his unjust Sentence against him, caused him to be attached and kept in iron chains, to prevent the prosecution of his Appeal against him; whereupon a Clerk of the Chancellors and the Bishop of *Exeter* writ these Letters to the Chancellor in his behalf for his enlargement to prosecute his appeal, which he seconded with another Letter to him on the behalf of others of his Clergy, whom he endeavoured to imprison in like manner, by his Certificates against them, for opposing his Jurisdiction and proceedings in his Visitation.

Suo Domino suus Clericus omnimodam reverentiam & honorem. Rogavit me multum instanter Dominus *P. Exoniensis* Episcopus, quod cum distante nuper Domino *J.* Archiepiscopo *Cantuariensi Exoniensem* Diocesim, idem Archiepiscopus excommunicaverit *Willielmum Bloyhough* Clericum, et ipsum quidem Ecclesiæ interdixerit, ita quod demum idem *Willielmus* ab hujusmodi gravamine sedem apostolicam appellavit, et super appellacione illa in Curia impetravit, sicut per bullam quam lator præsencium penes se habet, patere poterit intuenti, et Judices sui ipsum *Willielmum* ab illa sententia absolverint, sicut patet per literas dicti *Exoniensis* Episcopi hoc testificantes. Vicecomesque *Devon.* eundem *Willielmum* qui ad supplicationem prædicti Archiepiscopi captus et imprisonatus est in nimis dura prisona teneat in vinculis ferreis ad instantiam adversæ partis, et graves redempciones ab eo capit pro allebiacione prisonæ; ita quod idem *Willielmus* appellacionem suam prosequi non potest: Dominacionem vestram rogarem quod vos super hoc per breve Domini Regis remedium facere dignemini, ut deliberari possit a prisona, ac appellacionem suam prosequi. Maximè, cum à sentencia illa, sicut prædicitur, sit per suos Judices absolutus, set benè scitis quod ad supplicacionem hujusmodi Judicum delegatorum Curia non rescribit. Et quia æquitas & pietas vos movere debet in hac parte, placeat Dominacioni vestræ inde remedium concedere, & vestram præcipere voluntatem. Benè & diu valeat Dominacio vestra. In eadem Bundela, An. 10 E 1.

Reverendo in Christo Patri Domino & Benefactori præcipuo *R.* Dei gratia *Bathon.* & *Wellen.* Episcopo, suus *P.* miseratione ejusdem *Exoniensis* Sacerdos salutem, cum omni reverencia et honore. Quia adversarii nostri in odium nostri Magistrum *W. de Bloyhou* nobis specialem ad mandatum Domini *Cantuariensis* capi procurarunt injuste, sicut lator præsencium vobis si placet plenius ostendet, Dominacionem vestram attentè rogamus, quatinus ipsum faciatis sicut justum est liberari; Advertentes, si placet, quod non expedit Ecclesiæ *Anglicanæ* dictum Dominum *Cantuar.* habere ingressum, qui in vestros subditos benedicat indistincte, nec solebant sicut nec debebant, prout audivimus, captiones concedi ad mandatum ipsius Domini super alienos parochianos, super quod non credimus (dicebe) super captione prædicti Magistri a vestra conscientia aliquatenus emanasse. Bene valete. Dat. apud *Malesburgh* 7. Kal. *Januarii*, Anno Dom. 1282. Ibidem.

This Archbishop being very extravagant and oppressive in this his Visitation; and the King being informed, that he intended likewise to visit the Bishoprick and Church of *Hereford* during the vacancy thereof, being then in his hands, sent

An. 10 *E.* 1. ſent this Prohibition to him, not to act any thing in that Viſitation by himſelf or his Miniſters, to the prejudice of that See or Church.

Ex eadem Bundela Literarum & Breviarum de Privato ſigillo in Turri London.

Edwardus Dei gratia Rex *Angliæ*, Dominus *Hiberniæ*, & Dux *Aquitaniæ*, Venerabili in Chriſto Patri *J.* eadem gratia *Cantuarienſi* Archiepiſcopo, totius *Angl.* Primati, ſalutem. Quia datum eſt nobis intelligi, quod vos in Epiſcopatu *Hereford.* Viſitationem veſtram in debi facere proponitis, ſecundum quod ad officium dicitur pertinere; Nos pro eo quod Epiſcopatus ille per mortem bonæ memoriæ *Th.* nuper Epiſcopi ejuſdem loci vacans eſt et in manu noſtra, ea quæ ad Epiſcopatum illum pertinent, ut in libertatibus, juribus, et aliis illæſa conſervari volentes, paternitatem veſtram tota qua poſſumus affectione requirimus et rogamus, quatinus cum ſpiritualia Epiſcopatus illius quodammodo taliter ſint annexa, quod negocia utriuſque mutuo taliter in Viſitatione prædicta, ſi eam ibi ad præſens facere decreveritis provideatis amore noſtri, quod per eandem Viſitationem veſtram per vos aut miniſtros veſtros nichil fiat per quod Eccleſiæ prædictæ ſeu perſonis ejuſdem moleſtia fiat, ſeu præjudicium quoquo modo generetur. T. meipſo apud *Dynbigh* 24 die *Octobr*, Anno regni noſtri decimo.

He likewiſe ſent this Privy Seal to the Chancellor to grant the Dean and Chapter of *Hereford* a licenſe to elect a new Biſhop, and to iſſue the preceding Writ to the Archbiſhop under the Great Seal to the ſame effect with his premiſed Letter to him.

Ibidem.

Edwardus Dei gratia Rex *Angliæ*, &c. Venerabili in Chriſto Patri *R.* eadem gratia *Bathon.* & *Wellen.* Epiſcopo Cancellario ſuo ſalutem. Quia dilecti nobis in Chriſto Decanus & Capitulum *Hereford.* petierunt a nobis aſſenſum eligendi ſibi nobum paſtorem; Vobis mandamus, quod ſi litera eorum quam nobis deſtinaverint ex cauſa prædicta, quam vobis tranſmittimus inſpiciendam, debito modo ſit compoſita, tunc eis hujuſmodi aſſenſum noſtrum per literas noſtras patentes faciatis, prout aliàs conſimilibus in caſu conſimili fieri conſuevit. Et quia intelleximus, quod venerabilis pater *Cantuarienſis* Archiepiſcopus in viſitacione quam proponit ad præſens facere in Eccleſia prædicta intendit aliqua attemptare in præjudicium et grabamen ejuſdem; Vobis iterato mandamus, quatinus ibi preces noſtras per literas noſtras ſub magno ſigillo dirigatis decenciori et amicabiliori modo quo poteritis, ne procedat in dicta viſitacione ſua ad aliqua quæ dictæ Eccleſiæ poterunt nocere, vel temporibus futuris cedere in præjudicium. Dat. ſub Privato Sigillo noſtro apud *Dynbi* 24 die *Octobris*, Anno r. n. decimo.

Page 290. l. 12. after *per ſe*, inſert,] In a Bundle of Letters this year to the Chancellor, I finde this information given him by one of the Archbiſhops agents concerning the high contempts of all Eccleſiaſtical cenſures inflicted on ſeveral Rectors and Religious perſons, eſpecially the Hoſpitallers and Abbots exempt, and other Miniſters, for not paying their Quindiſms, to the Kings great loſſe and prejudice, preſcribing a way that the Sheriffs and Kings temporal Officers, not as ſuch, but as Servants and Aſſiſtants to the Church, might be empowred to threſh out and ſell the Corn in the barns of ſuch Rebels which they threſhed out or ſpent before the Biſhops and Collectors had ſequeſtred them for their Quindiſms.

Ex eadem Bundela Epiſtolarum, &c. Cancellario, An. 10 E. 1. in Turri London.

Collecta Domini Regis malè defalcabitur per totum regnum, niſi remedium per diſcretam induſtriam inde fiat. Collectores enim non poſſunt niſi excommunicare vel ſuſpendere non ſolvendes, vel fructus repertos in horreis ſequeſtrare: Prælati vero nichil vel parum habent ulterius quod faciant contra tales, ſet ſunt multi Eccleſiarum Rectores tam Religioſi quam Seculares qui hujuſmodi pœnas eccleſiaſticas non verentur, quales ſunt Hoſpitalarii et Templarii, Abbaciæ quamplures exemptæ, quæ per regnum habundant undique copioſe; Sunt eciam alii Rectores Nobiles ſanguine, quorum ſervientes ſeu miniſtri dedignantur de Collecta Domini Regis Collectoribus reſpondere; quidam eciam per præmeditatam aſtuciam faciunt blada ſua præpropere triturari ne decretum ſequeſtri ipſa

in

in bozreis comprehendat: quidam infatuate prodigalitate infenfati fructus Eccleſiarum ſuarum canino appetitu devorant antequam a ſolo toraliter ſeparentur, contra quos per Dominum meum Archiepiſcopum et Suffraganeos ſuos nichil penitus eſt prohibitum, nec etiam quod minus eſt prout æſtimo cogitatum, licet præceptis rebelles, et nonnulli de regno eis conſimiles retinere ſe Domini Regis pecuniam gloriantur, eo quod flimalis bindictæ Eccleſiaſticæ eos non pungit efficaciter pro delicto, et Dominus Rex qui magis ſolito indiget, ſicut ſcitis caret ſperato commodo pro defectu prohibenciæ in præmiſſis. Si vero Vicecomites hujus regni mandatum Domini Regis haberent ſpeciale, ut aſſiſterent Collectoribus quociens inventirentur Collectæ Domini Regis hujuſmodi fruſtratores, ad triturandum blada in bozreis rebellancium ſequeſtrata, ut hoc facerent, non tanquam Vicecomites, ſet tanquam Miniſtri Eccleſiæ per Eccleſiam convocati, negocium Domini Regis procederet proſpere cum effectu, et libertas Eccleſiæ per hanc viam nullatenus læderetur: unde ſi nondum aliud provifum fuerit de præmiſſis bonum eſſet celeriter præmiſſa aggredi ut videtur, et pro negocio ſcribere Epiſcopis hanc viam vel aliam quæ magis proficua videbitur; ita quod Eccleſiæ libertas læsi per hujuſmodi negocium non contingat, alioquin quod vos ſciatis Dominus Rex defraudabitur tercia parte et eo amplius proculdubio ſicut credo. *An.* 10 *E.* 1.

Page 292. l. 5. after *Octobris*, inſert.] About the ſame time I finde this Letter of the Biſhop of *London* to the Chancellor, complaining of the *Conſtable* of the *Tower*, for illegally ſeiſing a boats lading of Corn and proviſions for his houſe on the *Thames*, and carrying them hoſtilely into the *Tower*, and refuſing to reſtore them according to his verbal promiſe, for which he might have juſtly excommunicated him, but yet forbore to do it out of reverence to the King, becauſe he was his Servant, and praying his Letter and the Kings Writ to be directed to him for their reſtitution.

Ex eadem Fundela Epiſtolarum, &c. Anno 10 E. 1. in Turri London.

DOmino ſuo ſalutem. Afflictionem animi veſtri amariſſimam ego novi ex eis quæ penes vos & Chriſtianiſſimum Principem noſtrum nuper minus proſperè acciderunt, ex quo nos qui in partibus Auſtralibus converſantes veſtræ Dominacioni famulamur, vos — ſi placet infortunium hujuſmodi vobis vehementer nullatenus profundetis, ſet inde menti veſtræ ſpirituale ſolacium imprimat, eo quod amantiſſimus creator quos ſuos novit aliquando ut ipſos probet fortiter flagellat & mordaciſſime cruciatur, ut poſtquam inceperit ſuum flagellatum relevare & triſticiam ſuam in gaudium commutare, extunc flagellatus hujuſmodi pro collatâ ſibi gratia eo jocundius glorietur, quo prius fuerat duriori molestia contriſtatus: undè, amaſiſſime Domine, recogitetis quod contra ruinam exaltabitur cor, & quod corda inimicorum veſtrorum nunc propter adeptam victoriam ſunt non mediocriter exaltata, ex quo conſequens eſt proculdubio quod citò concident in ruinam. Cæterùm conqueror Deo & Domino Regi & vobis ſicut poſſum de Conſtabulario Turris *London*, qui cum feciſſem circa quindenam Sancti *Michaelis* traduci de *Cancia* per *Tamiſiam* ad ſuſtentacionem meam & familiæ meæ in quodam batello vigenti quarteria avenæ, & decem frumenti, & aliud ſtaurum michi neceſſarium in Domo mea *London*, videns batellum & ſciens per reſponſa famulorum meorum quod res mea fuerunt, fecit batellum ſub Turri arreſtari, & totum frumentum & avenam uſque ad noviſſimum granum capi per ſatelliteſ ſuos, & portari in Turrim hoſtiliter per rapinam. Et cum *Antonius de Bec* citò poſtmodum tranſitum fecerat per *London*, feci ipſum rogari per Clericos ſolempnes, quod daret dicto Conſtabulario in mandatis, quod michi reſtitueret bladum meum; Qui ſui gratiâ reſtitucionem michi fieri eidem vivâ voce præcepit curialiter & benignè, ſet poſt receſſum dicti Domini à *London*. pluries monitus per ſapientes homines & ſolempnes, ut reſtitueret michi meum & ſatisfaceret de commiſſo, aliud ex verbis ſuis quam verba probroſa & deriſoria non reporto. Et licet potuiſſem ipſum juſtè excommunicaſſe pro rapina, eo quod bona eccleſiaſtica fuerint de Eccleſia mea de *Cancia* deportata, quia tamen Miniſter Domini Regis eſt, dilexi, reverenciam faciens tanto Principi debitam ut decuit et debotam. Quocirca reverende Domine ſupplico vobis precibus genuflexis, quatinus per breve Domini Regis quod aliquantulum ipſum terreat michi dignemini remedium adhibere; & per veſtras

An. 10 *E.* 1. veſtras literas ſimiliter, ſi placet, ne in oppꝛobꝛium meum et Dominoꝛum meoꝛum ex quibus bos eſtis michi, ſi placet, pꝛopinquioꝛ in conſtructiane et in ſenſu de ſuis malicia ſe gaudeat commodum repoꝛtare. Et quia ſcio vos eſſe arduis negocia involutos, totum iſtud ſcribo Domino *Reymundo* Capellano veſtro ſi juxta vos inveniatur, rogans ipſum ſocialiter quod iſtud negocium nomine meo proſequatur, & tradat latori præſencium garcioni meo ſignatum quicquid impetrabile fuerit in præmiſſis. Valeat Paternitas veſtra per tempora proſpera & prolixa.

The Freers *Carmelites* conceiving their Order not to be ſufficiently eſtabliſhed by Pope *Gregory* in the Council of *Lyons*, and that their Order was like to ſink or ſuffer great prejudice by their enemies interpretation and wreſting of the Conſtitution of Pope *Gregory* the 10. in that Council, ſent King *Edward* this flattering Epiſtle, to engage him to uſe his powerful intereſt in, and mediation to the Pope and Court of *Rome* for the confirmation of their Order by a ſecond Letter, which he had in part effected by a former on their behalf, they having recourſe to him as their only Patron and refuge.

In eadem Bundela Literarum, &c. An. 10 E 1. in Turri London.

ILluſtriſſime Domine, Rex pietatis et miſeꝛicoꝛdiæ, ſolus in univeꝛſo climate oppꝛeſſoꝛum refugium et pauperum, regnans authonomatice et imperans in quiete; cujus Thronum formidat univerſa natio, colla ſibi ſubdens humiliter, vel deſiderans complacere; audire dignemini & exaudire pariter preces humillimas, Fratris *Petri* fratrum ordinis beatæ *Mariæ de Monte Carmeli* Prioris Generalis, devoti ſervi veſtri licet immeriti & indigni, quas pro ſe & toto ordine veſtræ illuſtri Regiæ Majeſtati offert flexis genibus in hunc modum. *Significat illuſtri veſtræ Regiæ Majeſtati, Frater* Petrus *Prior Generalis prædictus, quod cum Dominus* Gregorius *Papa decimus in Concilio* Lugdunenſi, *de Ordine ipſo duxerit ordinandum, quod ipſum in ſtatu ſuo manere concedebat, donec de ipſo aliter ordinaret; intendens, tam de ipſo Ordine, quam de aliis Ordinibus etiam non Mendicantibus, ordinare, prout ſaluti animarum ipſorum & ſtatui expedire videret:* Nihilominus tamen nonnulli Conſtitutionem pꝛædictam interpꝛetari ſatagunt gꝛaviteꝛ et extoꝛte, ſenſum ipſius debitum et intentum, Dei timoꝛe poſtpoſito, peꝛvertentes, in pꝛædictoꝛum Pꝛioꝛis ac totius Oꝛdinis læſionem, gꝛavamen et pꝛæjudicium, ac etiam maximum nocumentum; corda fidelium per hoc à devotione fratrum & Ordinis retrahentes. Verum cum in tetris nullus ſit Pꝛinceps vel Dominus ad cujus refugium et auxilium audeant vel valeant recurrere confidenter, niſi ad veſtram illuſtriſſimam et piiſſimam Regiam Majeſtatem; Supplicat, quatinus obtentu Dei & glorioſæ Virginis, Sacroſanctæ *Romanæ* Eccleſiæ Domino, Patri noſtro Summo Pontifici preces veſtras dirigere dignemini cum effectu, *quòd Conſtitutionem prædictam ſic declarare & interpretari dignetur, quod nota vaceillationis qua adverſus Ordinem conſurgit, ex ipſa omnino ſublatâ, Ordo ipſe robur obtineat priſtina firmitatis*; Ita quod omnes fratres ipſius Ordinis de captivatione ſua per vos redemptionem habentes (ut *Judæi* per *Moyſen*, & per *Chriſtum* populus *Chriſtianus* longè meliorem & etiam pleniorem) pro veſtra, ac liberoꝛum veſtꝛoꝛum, et totius regni veſtri optata pꝛoſperitate habenda perpetuo; necnon pꝛo animarum pꝛædeceſſoꝛum veſtꝛoꝛum pꝛopitiatione culparum, vel conregnantium pꝛæmiis cumulandis apud Deum et Virginem gloꝛioſam pꝛædictam (ad cujus laudem et gloꝛiam Oꝛdo ipſe in tranſmarinis partibus exꝛitit ſpecialiter inſtitutus) diebus ac noctibus habeatis ſedulos et ſupplices Oꝛatoꝛes. Deferentes nihilominus illuſtri veſtræ Regiæ Majeſtati gratiarum devotas quas poſſumus actiones, de prædicto Domino ſancto Summo Pontifici, qui preces veſtras Regias pro nobis & Ordine ſibi factas benignè recepit & favorabiliter acceptavit, juxta veſtrarum continentiam literarum: Et eodem modo & amplius, de venerabili patre noſtro, Domino *Ugone* Dei gratia Præsbytero Cardinali, (cujus laus & gloria ſuam decorat & nobilitat nationem) qui non ſolum preces veſtras, pro nobis & aliis ſibi factas, devotè reſpicit, ſed nutus exequitur ſedulò & intentè. Quo referente didicimus, quod obtinuiſſemus quod intendebamus ſpecialiter atque principaliter, ſi de prædicto & pro prædicto negotio preces direxiſſetis Domino ſancto Summo Pontifici ſpeciales. Quare & hac vice (Domine Rex piiſſimè) prædicto Domino Summo Pontifici ſic efficaciter pro prædicto Ordinis negotio ſpecialiter placeat ſcribere, quod relevatio

noſtra

noſtra vobis apud Deum et homines aſcribatur, et animæ veſtræ nihilominus pro tam pio opere corona jam in cœleſtibus ædibus fabricata, pretioſiſſimarum gemmarum ſuſcipiat incrementa; Cui ſancta & glorioſa Trinitas ſucceſſus tribuat proſperos & optatos, cum felici dierum longitudine, inimicorum reconciliatione gratiſſima atque pacifica, & inenarrabili lætitia amicorum. *An.* 10 *E.* 1.

The King upon receit of this their flattering Epiſtle, commanded Letters in his name to be writ and ſent to ſeveral Cardinals at *Rome*, to uſe their powerfull mediation with the Pope for the eſtabliſhment of their Order, though he writ not to the Pope himſelf at preſent, returning thanks to them for their conſtant prayers for him and his, and deſiring the continuance of them, with an account of the Letters he had writ to the Cardinals in their behalf.

SUis *W. de Odiham*, & *A. de Berton*, ſalutem. Scribatis amicabiliter per literas Regis Domino *E.* Epiſcopo *Tuſculano*, ſacroſanctæ *Romanæ* Eccleſiæ Cardinali, Domino *H.* titulo Sancti *Laurencii* in *Lucina* Presbytero Cardinali, Domino *J.* Sanctæ *Mariæ* in *Coſmydin* Diacono Cardinali, Domino *M.* Sanctæ *Mariæ* in *Portica* Diacono Cardinali, quod cum Dominus Papa poſt Concilium *Lugdun.* ſtatum fretrum de *Monte Carmeli*, quem Dominus Papa tunc in pendenti reliquit hactenus non firmaverit, placeat dictis Cardinalibus erga Dominum Papam efficaciter interponere partes ſuas, quo magis ſtatus dictorum fratrum priſtinus confirmetur. Scribatis eciam Priori Generali fratrum Ordinis prædicti qui Domino Regi per literas præſentibus intercluſas ſuper hoc ſupplicavit, quod Dominus noſter Rex prædictus multum regraciatur ei de precibus ſuis, quas continuo fratres prædicti pro ipſo, liberis et regno ſuo ad Dominum faciunt, et rogat quod jugiter in interceſſionibus ſuis de ipſo memoriam habeant ſpecialem, et mandetis eidem quod Rex ita ſcripſit Cardinalibus, ſet Domino Summo Pontifici ſuper hoc ſcribere ab aliquas cauſas diſtulit iſta vice. Dat. apud *Rothelan.* 16 die *Octobr.* Ibidem.

The inſolent uſurping Archbiſhop of *Canterbury* invading the Juriſdiction of the Church of *Hereford* notwithſtanding the Kings * premiſed Letters; thereupon *Thomas Cantilupe* the new elected Biſhop thereof, appealing to *Rome* againſt the Archbiſhops grievances, procured this Letter of recommendations to the Popes Notary, to give him all legal aſſiſtance in his Appeal and Cauſe; for which he took a coſtly journy to *Rome*. * Here, p. 1245, 1246.

EDwardus Dei gratia Rex *Angliæ*, Dominus *Hiberniæ*, & Dux *Aquitaniæ*, dilecto Clerico ſuo, Magiſtro *Angelo* Domini Papæ Notario, ſalutem. Cum venerabilis pater *Th. Herefordenſis* Epiſcopus, quem inter cæteros Prælatos regni noſtri generis nobilitas exornat, morum & vitæ venuſtas condecorat, & præeminenter attollit plurimum ſcientia literarum, pro quibuſdam juriſdictionibus Eccleſiæ ſuæ *Herefordenſis*, unde grabatur (ut dicitur) ab audientia venerabilis patris *J. Cantuarienſis* Archiepiſcopi ſedem Apoſtolicam appellaverit, et Appellationem illam in Curia *Romana* perſonaliter proſequi propoſuerit, et ſit merito tanto majoris laboris et gratiæ ſuffragiis attollendus, quanto in perſona ſua dona naturæ et gratiæ copulata elucescunt: Dilectionem veſtram eo cordis conatu quo poſſumus attente poſtulamus, quatinus ipſum et negotia ſua hujuſmodi noſtri rogatus obtentu habentes ſpecialius commendata, ei in negotiis illis, (quatenus jus permittit) auxilium et conſilium velitis impendere, ut ex hiis noſtris precibus fructum reportaſſe ſe ſentiat, & felicius fore ſe gaudeat expeditum. Dat. apud *Shireburn*, 15 die *Febr.* Anno regni noſtri decimo. Ex eadem Bundela Literarum, &c. in Turri London Anno 10 E. 1.

The Archdeacon of *London* and his Official endeavouring by their injurious proceſſe and Citations to take away and deprive the Hermitage of *Criplegate*, (being the Kings Free Chappel, alwayes exempt from their Juriſdiction) of their Liberties, priviledges and poſſeſſions; thereupon the Chaplain thereof made this Addreſſe to the Chancellor in the Kings abſence for relief therein, leſt this ſpark ſhould break forth into a publick flame.

An. 10 E. 1.

In eadem Bundela Literarum & Brevium in Turri London, Anno 10 E 1.

REverendo Patri in Chriſto Domino & benefactori ſuo præcipuo, Domino *P.* Dei gratia *Bathonienſi* Epiſcopo, ſuus pauperculus *Robertus* Capellanus literæ **Capellæ Domini noſtri Regis** juxta *Krypelgat.* & loci ejuſdem Heremita devotas orationes in Chriſto, cum reverentia tanto Patri & Domino genuflexa. Quia in hiis quæ ad conſervationem libertatis dictæ Capellæ Domini noſtri in ſua abſentia ad veſtram tuitionem & oportunum veſtrum conſilium eſt currendum; & præcipuè ubi celere remedium requiritur & optatur. Ad veſtram dominationem confidenter confugio, & lacrimabili quadam inſinuatione veſtræ Charitatis oculis repræſento, quod cum **Dominus Archidiaconus** *London.* et ejus **Officiales**, quorum juriſdictioni dicta libera **Capella Domini noſtri** vel ipſius **Rectores** et **Miniſtri**, a tempore cujus memoria non exiſtit, nullatenus ſubfuerunt, ad inſtantiam *Nicholai* Rectoris Sancti *Olavi de Mikewell London*, et etiam ex officio prædicto præcedentes, jura et libertates ipſius **Capellæ** auferre nituntur, et quaſi quadam ſubita proſecutione nefanda, ea, quæ per **Dominum noſtrum Regem** et anteceſſores ipſius antiquitus conſtituta fuerant, evellere fatagunt poſſeſſionem libertatis hujuſmodi injuriosis proceſſibus per ſe et alios multipliciter proſequendo. Placeat igitur Paternitati veſtræ aliquod remedium pro libertate prædicta et immunitate ejuſdem ſolita prudentia prohibere; ne forte ſcintilla hujuſmodi contra libertatem prædictæ **Capellæ** ſic ignita, tranſire poterit in flammam deſtructivam. Et licet dicta **Capella** inter alias **Domini Regis Capellas** minima videatur; hoc tamen ſi placet circa ipſius **Capellæ** libertatis obſervantiam proſecutioni prædictæ celere firmamentum pio intuitu prohibere velitis, ut ex hiis libertas dictæ **Capellæ** —— **Dei** et ipſius **Patroni** obſervetur indemnis. Pro quo meritum a Deo & ipſius patrono poſſitis & merito, &c. Conſerver, &c.

The King of *Caſtell* by his Meſſengers and Letters requiring Ayde from King *Edward* againſt the *Saracens*, he returned this anſwer thereunto, that by reaſon of his Warrs with the perfidious *Welſhmen* he could not poſſibly ayd him, complaining therein of the Popes delayes in anſwering his Embaſſy, to aſſign the Diſmes granted for that end to *Edmond* Earl of *Cornwall*, who reſolved to go perſonally the *Holy Land*.

In eadem Bundela, An. 10 E 1.

REgi *Caſtell.* ſalutem. Super ſtatus veſtri proſperitate, quam Deus augeat & conſervet, & quam venerabilis Pater *S. Gadicen.* Epiſcopus, & Magiſter *Galfridus de Everſhe*, veſter Notarius, & noſter Clericus, nuncii veſtri ad nos venientes, nobis apertiſſime retulerunt, lætianimo efficimur & jocundi; **et requiſitionem veſtram de ſubſidio vobis faciendo, ad** *Saracenos* **fidei Catholicæ contemptores, et inimicos Crucis Chriſti debellandos, audivimus diligenter.** Sed ecce per aliquot dies antequam nuncii veſtri prædicti ad nos venerunt, videlicet tempore *Paſſionis Dominicæ* quo *Judas* Dominum prodidit, proditores noſtri *Lewelinus* filius *Griffini*, & *David* frater ejus, qui erat familiarius noſter & Conſiliarius, cum ſuis *Wallenſibus*, qui etiam & quorum tota prioritas ſemper retroactis temporibus proditiones & guerras multiformes fecerunt noſtræ Prioritati & nobis, proditialiter contra nos inſurrexerunt, terras noſtras *Marchiæ* invadendo, fideles noſtros interficiendo, villas & oppida cremando, munitiones & Caſtra obſidendo & diruendo, adeo quod nos ex improviſo præoccupati in iſtis, ut novit Deus qui nihil ignorat, dolemus in animo vehementer ſuper eo, quod occaſione hujuſmodi vobis ad præſens non poſſumus facere Subſidium, ut vellemus. **Et licet Dominum Papam per dilectum Clericum noſtrum Magiſtrum** *Hugonem de Eveſham* **nuperrime rogaverimus, ut decimam Regni noſtri in Subſidium** *Terræ Sanctæ* **conceſſam et collectam,** *Edmundo* germano noſtro chariſſimo et Comitibæ ſuæ ſecum a terra noſtra proficiſcentis, **in ſubventionem expenſarum ſuarum in eundo verſus** *Terram* **ipſam, faceret aſſignari: Qui quidem Clericus noſter in proſequendo illud negotium ad Cardinalatus apicem (divina cooperante providentia) vocabatur; nondum tamen nobis conſtat, utrum idem Dominus Papa rogatum noſtrum prædictum exaudierit in toto vel in parte, per quod Nuncios noſtros ad Curiam** *Romanam* **cum literis noſtris de credentia (iterum) deſtinabimus, Domino concedente, qui in adventu nunciorum veſtrorum ad eandem Curiam perſonaliter intere-**

runt

runt in eadem, eundem ——— Patrem Dominum *O. Tuſculan.* Epiſcopum et prædictum Cardinalem ac alios amicos veſtros et noſtros in eadem Curia ſuper dicto negotio ſpecialiter ——— iidem Nuncii noſtri erga dictum Summum Pontificem, in quantum poterunt, cum exactiſſima diligentia inſtabunt. Super præmiſſis autem omnibus nuncii veſtri prædicti voluntatem noſtram & ſtatum noſtrum & chariſſimæ Conſortis noſtræ, liberorumque noſtrorum ac regni noſtri, vobis plenius referre poterunt viva voce. Dat. &c. *An.* 10 *E.* 1.

The Archdeacon of *Cheſter* moſt ingratefully endeavouring to vex and damnify his advancer * *Roger de Molend* Biſhop of *Coventry* and *Litchfield* all he could in ſeveral parts of *England*, not being able to effect his deſigns travelled to the Court of *Rome*, and troubled him there by all means he could; whereupon the Earl of *Cornwall* writ this Letter to the Chancellor to afford him all aſſiſtance poſſible to prevent his malice in that Court, where all things were carried by favour, Intereſt, and Money, not equity or juſtice.

* See Godwins Catalogue of Biſhops, p. 260.

CUM Magiſter *Jordanus* de *Wymburn.* Archidiaconus *Ceſtriæ*, qui venerabili Patri *R. Coventren.* & *Lichf.* Epiſcopo, conſanguineo noſtro chariſſimo per tempus non modicum deſervivit, & quem idem Epiſcopus à ſtatu ſatis debili ipſum ad dignitatis apicem, qua gaudet hiis temporibus feliciter promovit; damna diverſa et grabamina in variis locis regni noſtri aliquandiu, tanquam ingratitudinis filius, et qui contemptor promotoris procuraverit, in quantum potuit, eidem Epiſcopo fieri et inferri: ac idem Archidiaconus demum perpendens, ſe non poſſe hujuſmodi malivolentiæ ſuæ propoſitum in *Anglicanis* partibus adimplere, ad Curiam *Romanam* ſe tranſtulerit, his diebus; ibidem deteriorationem et diminutionem ſtatus promotoris ſui prædicti nitens (ut accepimus) totis viribus procurare. Nos quia dictus Epiſcopus in gradu conſanguinitatis, ut præmittitur, nos attingit, ipſum et negotia ſua deduci cupientes fælicius et tractari, Paternitatem veſtram ſincero corde requirimus & rogamus, quatenus ipſum Epiſcopum et negotia ſua habentes noſtri interventu rogaminis favorabiliter commendata, ad reprimendam et refrænandam maliciam prædicti Archidiaconi ſic conceptam, interponere velitis efficaciter partes veſtras, et vos eidem in proſecutione hujuſmodi malitiæ in Curia prædicta, modis quibus cautius et melius expedire videritis, cum effectu, ſi placet, opponentes; ut idem Epiſcopus harum precum noſtrarum ſuffultus adjutorio, uberioris favoris gratiam per effectum operis ſe ſentiat inveniſſe. In eadem Bundela, An. 10 E 1.

The Official of the Biſhop of *Hereford* injuriouſly ſuſpending and excommunicating the Gardian of the Manor of *Leominſter*, ſent thither by the Abbot and Covent of *Reading* of the Kings patronage, upon pretext that he was not preſented to and approved by the Biſhop, which was never done nor uſed; the King thereupon ſent this Letter to the Biſhop, then out of *England*, to ſuſpend all his proceedings till his return into *England*, when the King himſelf would compoſe the difference between them.

EDwardus, &c. Venerabili Patri in Chriſto Domino *Th. Herefordn.* Epiſcopo, ſalutem. Cum dilectus nobis in Chriſto Abbas *Radyng.* quendam de Monachis ſuis nuper ad cuſtodiam Manerii ſui de *Leominſter.* veſtræ Dioceſis deputaverit, ſicut ipſe & prædeceſſores ſui Abbates *Reading.* pro voluntate ſua hactenus facere conſueverunt, Officialis veſter prædictum Monachum, pro eo, quod vobis vel ſibi vice veſtra præſentatus non extiterit, multipliciter inquietat, et per ſuſpenſionis ſeu excommunicationis ſententias molestare non ceſſat; aſſerens, Cuſtodem hujuſmodi authoritate veſtra & præſentationem vobis factam de ipſo ibidem deputari debere; quod tamen fieri non debet, ne hactenus fieri conſuevit, ſicut nec de aliis hujuſmodi Cuſtodibus Maneriorum ſuorum, quos Abbates conſtituerunt pro ſuæ beneplacito voluntatis. Et quia Abbatia prædicta de fundatione Progenitorum noſtrorum Regum *Angliæ* & de prædicto Manerio et dono Regio ſpecialiter eſt dotata, propter quod de indempnitate Abbatis & Conventus ac Abbatiæ prædictæ, tam in ſe, quam in membris ſuis merito ſumus ſolliciti, attendentes, quod ex uſurpatione et inquietatione prædicta magna diſſentio et contentionis materia In eadem Bundla, An. 10 E. 1.

An. 10 E. 1. in utriuſque partis diſpendium poterunt ſuboziri: Paternitatem veſtram affectuoſe requirimus et rogamus, quatinus diam litibus et incommodis hujuſmodi prædæ ſollicitudine prædictos, Officiali veſtro dare velitis in mandatis, ut ipſe ab omni moleſtatione et inquietatione, noſtri contemplatione, deſiſtant, et prædictus Abbatem et Cuſtodem ipſius uſque ad reditum veſtrum in *Angliam* ſuper hac in pace dimittat. Nos enim extunc libenter volumus conſilium adhibere, qualiter hæc omnia pacificum et debitum, authore Domino, ſortiantur effectum. Teſte meipſo apud *Weſtm.* 2 die *Julii*, Anno regni noſtri nono.

Which Letter of the Kings was ſeconded with this of *John de Kirkeby* to the Chancellor on the Abbots behalf, informing him, that the King had prefixed a preciſe day to the Biſhop and Abbot in the Parliament to be held at *London*, that ſo by the adviſe of all his Counſil he might ſettle the differences between them according to Juſtice, which he doubted the Biſhop by reaſon of his journey to *Rome* would take no notice of, but ſtill proceed to injure the Abbot and his Guardian.

In eadem Bundela, An. 10 E. 1. SUO Domino *Johanni de Kirkeby* eandem quam ſibi ſalutem & dilectionem ſinceram. Meminimus Dominum Regem bis nuper ſcripſiſſe Domino *Herefordenſ.* Epiſcopo pro Domino Abbate *Radingenſ.* in forma præſentibus intercluſa: pro quo vos rogamus, quantumcunque poſſumus ſpecialius, quatinus negotium dicti Abbatis ſit vobis cordi in omnibus, ſicut noſtrum. Et quia ſuper contentionibus & controverſiis inter ipſos Epiſcopum & Abbatem, Dominus noſter Rex de voluntate ipſorum Epiſcopi & Abbatis, eiſdem præfixit diem præciſe in Parliamento ſuo *London.* proximo poſt *Paſch.* ut ipſe tunc de prohibentia totius Concilii ſui prædictas controverſias ex toto decideret et ſoluret; reddendo uniuſcuique eorum juſtitiæ complementum; Ac idem Epiſcopus, ſicut bene ſcitis, jam de licentia Domini Regis citra diem præfixum ad Curiam *Romanam* pro ſuis negotiis dirigit greſſus ſuos: et ex hoc præſumi poterit, quod idem Epiſcopus, non obſtante præfixione Domini Regis prædicta, aliquid velit contra ipſum Abbatem ſuper hujuſmodi controverſiis in Curia prædicta impetrare, Vellemus omni modo, quod omni diligentia & ſollicitudine totum dictum negotium Domino noſtro Regi exponeretis ſeriatim, quo modo, & ſub qua forma eidem Epiſcopo alias ſcripſit pro negotio memorato; et quomodo utrique eorum diem præfixit in Parliamento ſuo *Paſcha* ad ordinandum inter eos ad honorem Dei et commodum utriuſque; Ita quod neuter eorum alterum interim implacitaret, et quomodo jam pendente præfixione prædicta ad *Romanam* Curiam de ſua licentia eſt iturus; unde timet ſibi Abbas prædictus ne impetret in dicto negotio in dicta Curia aliquid contra eum; Unde inſtetis ad hoc omni modo, quod Rex ei ſcribat, rogando et inhibendo ſibi prohibendo, ne ipſe donec juſtitia ei defuerit coram ipſo aliquid contra ipſum Abbatem attemptet in Curia memorata: ſed quod omnia uſque adventum ſuum in *Angliam* in pace dimittat; maxime, cum id facere nequeat ullo modo, niſi ad detrimentum et ſubverſionem Elemoſinæ Domini Regis, et quodammodo contra Regiam dignitatem. Inſuper faciatis nobis habere tranſcriptum literæ Domini Regis, quam miſſurus eſt Rex Epiſcopo ſæpedicto, et eam nobis mittatis per præſentium portitorem. Iſtud negotium pro amore noſtro, quantum poteritis, maturetis, quoniam prædictus Epiſcopus de die in diem a partibus iſtis ſe elongat. Iccirco vos in earum literarum confectione, rigido & amicabili eloquio utamini, quantum poteritis, honeſtate in omnibus ſemper ſalva. Vale, &c.

How the Kings Juſtices *itinerans* were to attend in Parliament in that age, this Letter of theirs to the Chancellor for his directions therein (in the ſame Bundle) will inform us.

Ibidem. REverendo in Chriſto Patri, &c. Domino *R.* Dei gratia *Bathon.* & *Wellen.* Epiſcopo, Domini Regis Cancellario, devoti ſui *S. de Roff.* et ſocii ſui Juſticiarii Itinerantes in Comitatu *Devon.* ſalutem, cum omni reverentia et honore. Quia veraciter intendimus præſens iter *Devon.* ante *Paſch.* expedire, vos rogamus quatinus quam citius poteritis, nobis ſignificare velitis, in quo Comitatu adjornare debemus poſt *Paſcham*, et ad quem terminum, et ſi nos omnes venire debeamus

debeamus ad Parliamentum, attendentes (si placet) quod si nos omnes ibi venire debemus, tunc Comitatus *Cornubiæ* commodè ſummoneri non poterit ante Octabas vel Quindenam Sanctæ *Trinitatis*, propter brevitatem temporis inter Octabas *Paſch.* et Parliamentum, et propter iter longinquum inter *Cornub.* & *London.* et propter magnas in Parliamento, prout noſtis. Et ſi prorogare volueritis illud iter poſt feſtum Sancti *Michaelis*, multum faceretis pro toto Comitatu & pro nobis; Quia blada hoc anno defecerunt ibidem, & ſi veniamus ibidem in hac æſtate, macras genas reportabimus. Significetis nobis beneplacitum veſtrum (ſi placet) per præſentium portitorem. Valeat, &c. *An.* 10 *E.* 1.

The Sheriff of *Devon* not executing a *Capias Excommunicatum* againſt Sir *Warin*, for a Debt due from him to *Italian Merchants* upon the Archbiſhops *ſignificavit*, they thereupon writ this Letter to *John de Kirkeby* for his aſſiſtance for the due execution thereof upon a ſecond Writ, and puniſhing the Sheriff for not executing the firſt Writ.

MAgnæ diſcretionis et probitatis viro, Domino *Johanni de Kyrkeby*, *Baronci-nus Gualterii* & *Henricus de Podio*, aliique eorum ſocii Mercatores *Lucan.* ſalutem, &c. Noverit bene & veſtra diſcretio, qualiter literas captionis pro excommunicato ad Vicecomitem *Devon.* directas, quo *Warinum* Militem excommunicatum ad inſtantiam *Reginaldi Arnaldi*, & *Reginaldi* ſocii ſui conceſſiſtis, prout nobis conſtitit per literas reverendi Patris Domini Archiepiſcopi *Cantuarienſis*; quas literas Magiſtro *Alano de Barton* ſocio veſtro præſentatas per *Matthæum de Columbar.* idem Magiſter *Alanus* retinuit. Dictus etiam Vicecomes dum dictum excommunicatum per dictas literas captionis capere deberet, omiſſa forma literarum Domini Regis, dictum excommunicatum non cepit, ut mandabatur, ſed Bona ipſius attachiabit, in deluſionem Mandati Domini Regis, et damnum dicti *Reginaldi* non modicum et grabamen, ac etiam noſtrum. Quare amicitiam veſtram, de qua multum confidimus, deprecamur, quatinus literas de captione excommunicati prædicti, amore noſtri & intuitu, latori præſentium concedere velitis pro dicto *Reginaldo*, ad dictum Vicecomitem dirigendas: et pro eo, quod taliter dictum Mandatum exequi neglexit, quod juſtum fuerit contra eum faciatis. Nobis autem Tranſcriptum Brevis quod conceſſeritis, et Tranſcriptum Literarum dicti Domini Archiepiſcopi (ſi placet) tranſmittentes; Quoniam debitum, propter quod dictus Miles excommunicatus eſt, ad nos ſpectat. Si autem aliquid vultis nos vobis *London.* facturos, per latorem præſentium nobis reſcribatis; quia libenter faciemus quod veſtrum reſpiciat commodum & honorem. In eadem Bundela Literarum &c. An. 10 E. 1. in Turri London.

Page 290. l. 34. after *Maii*, inſert.] The like Protection and exemption from Purveyance was granted to the Prioreſſe of *Nunneton*, 8 die *Aprilis*, *Pat.* 10 *E.* 1. *m.* 15. With this to the Rector of *Arleye*.

REX omnibus Ballivis, Clericis, & Miniſtris ſuis, ad quos, &c. ſalutem. Licet providentias noſtras de bladis in diverſis regni noſtri Comitatibus fieri præceperimus, ad nos et ad Exercitum noſtrum *Wall.* ducendis; Nolumus tamen quod de bladis dilecti nobis *Reginaldi* Rectoris Eccleſiæ de *Arleye* in Comitatu *Warr.* aliquid capiatur contra voluntatem ſuam. Et ideo vobis mandamus, quod de bladis prædicti *Reginaldi*, ipſo invito, nihil capiatis. Et ſi quid inde contra voluntatem ſuam ceperitis, id ei ſine dilatione reſtituatis. In cujus, &c. duratur. uſque ad feſtum *Paſch.* proximo futurum. Teſte Rege apud *Stanley* viceſimo tertio die *April.* Pat. 10 E 1. membr. 15. Pro Reginaldo Rectore Eccleſiæ de Arleye.

The King by his royal Prerogative and Letters Patents granted the Deanery of *Salop* to *Nicholas de Aras*, commanding the Sheriff to put him into actual poſſeſſion thereof.

REX omnibus, &c. ſalutem. Sciatis quod dedimus & conceſſimus dilecto Clerico noſtro *Nicholao de Aras* Decanatum beatæ *Mariæ Salop.* cum pertinentiis, vacantem per reſignationem dilecti nobis in Chriſto *Willielmi de Devoria* nuper Decani ejuſdem loci, et ad noſtram donationem ſpectantem; Habendum & tenendum Pat. 10 E 1. m. 15. De Decanatu beatæ Mariæ Salop. dat.

An. 10 E. 1. tenendum eidem *Nicholao* ad totam vitam ſuam, eodem modo quo prædictus *Willielmus* Decanatum tenuit ſupradictum. In cujus, &c. Teſte Rege apud *Shireburn.* 18 die *Februarii.*

Et mandatum eſt Vicecom. *Salop.* quod eidem *Nicholao* **ſtallum in Choro et locum in Capitulo** (prout moris eſt) **aſſignet, et ſibi de Decanatu prædicto cum pertinentiis plenam ſeiſinam habere faciat.** Teſte ut ſupra.

The Biſhop of *Hereford* going to the Court of *Rome* by the Kings licenſe, procured this Protection from him.

Pat. 10 E. 1. m. 18. De Protectione.

Thomas Hereford. Epiſcopus, **qui de licentia Regis proficiſcitur eſt ad Curiam Romanam**, habet literas Regis de protectione patentes, duraturas uſque ad feſtum Sancti *Michaelis* proximo futurum, & ab eodem feſto uſque in unum annum proximo ſequentem completum; cum hac clauſula, **Volumus etiam**, &c. Præſent. &c. In cujus, &c. Teſte ut ſupra.

The King this year granted this Protection to the Abbot and Covent of *Meſſinden*, by reaſon of a murrain among their Cattle, and other loſſes.

Pat 10 E. 1. m. 21. Pro Abbate & Conventu de Meſſinden.

REX omnibus, &c. ſalutem. Cum dilecti nobis in Chriſto Abbas & Conventus de *Meſſinden.* per morinam ovium & equorum ſuorum, & aliis incommodis multimodis, quibus (ut pro certo intelleximus) ſupra modum prægravantur, adeo depauperantur, **quod terræ ſuæ pro magna parte jacent incultæ, et bladа ſua in eiſdem vehementer defecerunt**; & inſuper iidem Abbas & Conventus **Mercatoribus et aliis Creditoribus ſuis diverſis, in multimodis debitis teneantur; ad quorum ſolutionem et Domus ſuæ relevationem facultates ejuſdem Domus per magnum temporis ſpatium ſufficere non poſſent, abſque diſperſione Canonicorum Domus illius, vel ſeodorum ſuorum diſlapidatione, ſeu forte Domus ejuſdem ſubverſione totali, quod nollemus.** Nos imbecillitati ſtatus ipſorum compatientes, ne hujuſmodi diſcriminis aut depreſſionis periculum ipſis videatur imminere, Domum illam cum terris, redditibus, & omnibus poſſeſſionibus ac rebus aliis ad eandem Domum pertinentibus cepimus in protectionem & defenſionem noſtram ſpecialem; & Domum illam cum omnibus pertinentiis ſuis, dilectis & fidelibus noſtris *Henrico Huge* & *Waltero de Agmodeſham* commiſimus cuſtodiendam. Ita quod omnes exitus, redditus & proventus terrarum, reddituum & poſſeſſionum dictæ Domus, (ſalva rationabili ſuſtentatione prædictorum Abbatis & Conventus & hominum ſuorum) ad exonerationem debitorum ſuorum, & relevationem aliorum defectuum ejuſdem Domus reſerventur; & eiſdem exonerationi & relevationi per viſum aliquorum de diſcretioribus Domus ejuſdem, per adjutorium & conſilium prædictorum *Henrici* & *Walteri* (prout melius fieri poterit) applicentur. Nec volumus quod aliquis Vicecomes, Ballivus, ſeu Miniſter noſter, aut alius quicunque in Domo prædicta, aut grangiis ad eam ſpectantibus, quamdiu in cuſtodia prædictorum *Henrici* & *Walteri* fuerint hoſpitetur, ſine licentia ipſorum *Henrici* & *Walteri* ſpeciali. In cujus, &c. per quadrennium duratur. Teſte Rege apud *Weſtm.* 27 die *Novembris.*

The Kings Bayliff of the Iſle of *Gerneſey* by Lay-force againſt his duty, keeping *Peter de Valeys* out of poſſeſſion of the Church of St. *Peters le Port*, to which he was promoted and put in poſſeſſion by the Popes Proviſion, ſo as he could not exerciſe his Paſtoral duty therein, nor repair thereto by Land or Sea with ſafety; the King upon his Petition iſſued this memorable Writ on his behalf.

Pat. 10 E. 1, m. 22. De Inſulis de Gerneſ. & Geref.

REX dilecto & fideli ſuo *Ottoni de Grandiſono*, & ejus locum tenentibus in Inſulis de *Gerneſ.* & *Geref.* & aliis, ſalutem. Monſtravit nobis *Petrus de Valeys* Presbyter, quod cum eidem de Eccleſia Sancti *Petri in Portu* de *Gerneſ.* vacante, & ſpectante ad præſentationem Prioris de *Hermuil*, **auctoritate Apoſtolica provifum fuiſſet, ac per executores ſedis Apoſtolicæ ſibi datos poſſeſſionem ipſius Eccleſiæ canonice ſit adeptus**, Magiſter *Guillerimus de Sancto Remigio* Clericus, **qui ad eandem Eccleſiam per eundem Patronum ſe præſentatum aſſerit, eundem**

Præsby-

Presbyterum et suos per potentiam vestram multipliciter impedit et perturbat, ac propter minas et molestias ejusdem Magistri *Guillermi* tenentis Walliam in dictis Insulis, non est ausus ad dictam Ecclesiam accedere, nec ibidem residere; propter quod idem Presbyter indebitè vexatur quamplurimum & eadem Ecclesia obsequio debito defraudatur. Quare petit, quod nos impedimentum hujusmodi laicale amoveri, & securum sibi & suis in dictis Insulis, tàm in terra quàm in mari conductum præberi, necnon & attemptata, & bona ipsius Ecclesiæ occupata, & indebitè devastata per eandem potentiam, in præjudicium ipsius Presbyteri, in statum pristinum & debitum reduci faciamus. Unde cum sit æquitati dissonum, ut qui Ballivas seu loca nostra tenent, quos ad justitiam exercendam et tenendam loco nostri ponimus, ad injurias faciendas præsumant extendere manus suas: Vobis præcipiendo mandamus, quatenus eundem Presbyterum et suos per potestatem laicalem non permittatis indebite molestari, & eisdem securum in prædictis Insulis tàm in mari quàm in terra faciatis haberi conductum, & attemptata & occupata indebitè in præjudicium ejusdem Presbyteri per eandem potentiam in statum pristinum & debitum (mediante justitia) reducatis; ut in eadem Ecclesia possit (prout juris est) deservire, et animarum curam sibi commissam gerere, ut tenetur. Quod autem præcipimus, nullatenus infringere præsumatis; ne ab eodem Presbytero super hoc ad nos clamor reveniat iteratus. Teste Rege apud *Westm.* 23 die *Novembris*. *An.* 10 E. 1.

Page 297. l. 28. after *Novembris*, insert] Upon the death of the Bishop of *Midden* in *Ireland*, the King at the petition of the Clergy of that Diocess, granted this license for the Election of a New Bishop.

REX dilecto sibi in Christo Archidiacono & universitati Cleri *Midden.* salutem. Accedentes nuper ad nos Magister *Henricus de Oxon.* & *Johannes de Ketgham* socii vestri, cum literis prædictæ universitatis Cleri *Midden.* patentibus nobis ex parte vestra humiliter supplicarunt, ut cum Ecclesia *Midden.* per mortem *Hugonis Thachino* dudum Episcopi dicti loci, sit pastoris solatio destituta, vobis alium eligendi in Episcopum licentiam concedere dignaremur. Nos igitur precibus vestris favorabiliter inclinati in hac parte, licentiam illam vobis et ipsis duximus concedendam: Vobis mandantes, quod talem vobis in Episcopum assumatis, qui Deo devotus, regimini Ecclesiæ vestræ necessarius, nobisque et terræ nostræ *Hiberniæ* utilis et fidelis existat. In cujus, &c. Teste Rege apud *Dunamin.* 10 die *Martii*. Et duplicatur. Pat. 10 E. 1. m. 17. Hibr. De licentia eligend.

Page 293. l. 24. after *Augusti*, this should have been inserted] The principal causes inducing the King to receive this new Bishop of *Winchester* into his favour, and to restore his Temporalties of *Winchester* to him, (though at first he refused it, and was highly displeased with him) were the Popes Bull, these Letters of several Cardinals, and of the Archbishop of *Canterbury*, writ and sent to the King on his behalf, (the originals whereof I found filed in a Bundle of Letters and Writs in the *White Tower*) he needing then the Popes and Cardinals friendships, and so loath to exasperate them by putting him from his Temporalties and Bishoprick, as he might in justice have done.

EXcellenti & magnifico Principi amico charissimo Domino *E.* Dei gratia Regi *Angliæ* illustri, *Jacobus* miseratione divina Sanctæ *Mariæ* in *Cosmedyn* Diaconus Cardinalis, salutem in eo qui Regibus dat salutem. Licet spes nostra pro firma teneat, quod personas Ecclesiasticas et regni vestri Ecclesias favorabiliter fovebatis, tamen pro venerabili in Christo patri Domino *Johanne* Episcopo *Winton.* amico nostro, & ejus Ecclesia, Serenitatem Regiam duximus affectione plena rogand. quatinus ob divini nominis reverentiam nostrique præcaminis interventum, præfatum Episcopum ad Regalem præsentiam accedentem benigne recipere, et eum qui pro se ac sua Ecclesia præsidio vestræ favoris indigere dinoscitur in suis et ejusdem Ecclesiæ negotiis propensius recommendatum habere, ac opportunis præsidiis confovere velitis, ita quod a Deo meritum, et ab hominibus Ex Bundela Literarum & Petitionum An. 10 E. 1. in Turri London.

An. 10 E. 1. minibus proinde vobis proveniat nomen bonum. Dat. apud *Urbem Veterem* 13 Kal. *Julii.*

In eadem Buncla. EXcellenti & magnifico Principi Domino & amico chariſſimo *E.* Dei gratia Regi *Angliæ* illuſtri, *Hugo* ejuſdem miſeratione titulo Sancti *Laurentii* in *Lucina* Presbyter Cardinalis, ſalutem in eo cujus regni non erit finis, & paratam ad beneplacita voluntatem. Licet firmiſſimè teneamur vos clariſſimorum & Catholicorum progenitorum veſtrorum ſacris veſtigiis inherentes, **ad Sacroſanctam *Romanam* et Univerſalem Eccleſiam Dei, ejuſque Creaturas et Miniſtros gerere præcipuum dilectionis et devotionis affectum**, pro illis tamen quos nobis affectio ſpecialis aſtringit, & quibus clara merita ſuffragantur, **Regiam manſuetudinem præſumimus exorare, ſperantes, ut bis pro quibus preces effundimus apud clementiam Serenitatis Regiæ debeant aliqua ſpeciali prærogativa gaudere temporibus oppportunis.** Hinc eſt, quod pro venerabili patre Domino *Johanne* Dei gratia *Winton.* Epiſcopo, **qui per ſedem Apoſtolicam nuper propter ejus eminentem ſcientiam, vitam laudabilem, induſtriam circumſpectam, et alia multiplicis probitatis ſuæ merita meruit ad Pontificalis dignitatis apicem promoveri: Excellentiam Regiam affectuoſe requirimus et rogamus, quatinus ob Apoſtolicæ ſedis reverentiam et noſtra præcamina ipſum et Eccleſiam ſuam, ac jura ipſius recommendatos propenſius habitur. ſibi loco et tempore ope defenſionis, favoris et auxilii liberaliter aſſiſtatis. Ita quod memorati Epiſcopus et Eccleſia veſtri fulti præſidio tam ſpiritualibus quam temporalibus proficiant incrementis, et exinde vobis accreſcat meritum apud Deum:** Speramus enim & fiduciam habemus, **quod in commiſſo ſibi regimine erga Regalem Celſitudinem tam placide et tam devote ſe geret, quod veſtram ſibi gratiam nec immerito vendicabit. Bene et diu valeat veſtra Regalis Majeſtas. Si quid poſſumus quod vobis et veſtris ac regno cedat ad commodum et honorem, paratí ſumus et erimus quod dixerimus, id per nos et noſtros indefeſſa ſollicitudine, prout tenemur, pro viribus effectui manicipare.** Dat. apud *Urbem Veterem* Sabbato ante Nativitatem beati *Johannis Baptiſtæ.*

Ibidem. EXcellenti ac magnifico Principi Domino *Edwardo* Dei gratia Regi *Angliæ* illuſtri, Domino *Hibernia*, ac Duci *Aquitaniæ*, *Ordonius* miſeratione divina *Tuſculan.* Epiſcopus, ſalutem, **et promptam ad ejus beneplacita voluntatem.** Venerabilis pater Dominus *Johannes Winton.* Epiſcopus **a me inſtanter petiit, ut Celſitudini veſtræ noſtris ſupplicaremus literis, quod ipſum habere dignaremini commendatum.** Nos itaque ipſius precibus inclinati, Magnificentiæ veſtræ preces porrigimus ex affectu, **quatinus, ſi placet, ipſum habere dignemini, ac ſuam Eccleſiam propenſius commendatos.** Dat. apud *Urbem Veterem* 15 Kal. *Julii.*

Ibidem. EXcellenti Principi ſingulari Domino ſuo, Domino *E.* Regi *Angliæ* illuſtri, devotus magnificentiæ ſuæ Clericus *Berardus* de *Neapoli* proſperis habundare ſucceſſibus, & ſe ad mandata paratum. Venerabilis pater Dominus *Johannes* dictus de *Pontiſera*, **de novo per ſedem Apoſtolicam *Winton.* creatus Epiſcopus, veſtri commodi et honoris zelator hactenus**, ea in futurum majori proſequi, ut aſſerit, **zelo proponit**, propter quod ipſum & Eccleſiam ſibi commiſſam Serenitati Regiæ **cum fiducia recommendo; humiliter ſupplicans, quatinus eum et dictam Eccleſiam, ob Apoſtolicæ ſedis reverentiam (cujus ſe recognoſcit eſſe facturam) ſuæque probitatis obtentu clementer fovere dignemini et habere ſuis exigentibus meritis commendatos.** Magnificentiam veſtram in proſperitate conſervet Altiſſimus, & de bono in melius ſemper extollat. Dat. apud *Urbem Veterem* 20 die *Julii.*

Ibidem. EXcellentiſſimo & Magnifico Principi amico chariſſimo Domino *E.* Dei gratia Regi *Anglorum* illuſtri, *Matthæus* miſeratione divina Sanctæ *Mariæ* in *Portica* Diacon. Cardinal. ſalutem in eo per quem Reges regnant. **Cedit ad gloriam et honorificentiam Regiam ac magnificentiam Regni veſtri dum ejuſdem Regni Eccleſiis de illis perſonis interdum a ſede Apoſtolica provideatur, quæ de Regno eodem oriundæ Regnum ipſum natalis ſoli dulcedine propenſius diligunt et eo potius*** ——— **ac beneplacitis Regis facilius ſe conformant.** Cum igitur

* Mandatis.

vacante

vacante nuper *Wintonienſi* Eccleſia, per ſpontaneam renunciationem venerabilis viri Archidiaconi Eccleſiæ *Winton.* ipſius Eccleſiæ electi, Sanctiſſimus pater et Dominus, Dominus *M.* divina prouidentia Summus Pontifex, de ipſius Eccleſiæ prouiſione ſollicite cogitans, ac talem perſonam eidem Eccleſiæ præficere cupiens quæ vobis eſſet gratior et prædicto regno utilior et acceptior a ſubditis habeatur, ad venerabilem virum, antiquum ſeruum et amicum veſtrum Magiſtrum *Johannem de Pontiſera*, virum utique de potentibus *Angliæ* fidelibus veſtris ortum, multa literarum ſcientia præditum, et morum honeſtate decorum, virum quoque magni conſilii et probatæ virtutis, directis oculis ac concepta fiducia quod per eum tam Regno ipſi quam prædictæ Eccleſiæ prouideret, ipſum de Fratrum ſuorum Sacroſanctæ *Romanæ* Eccleſiæ Dominorum Cardinalium conſilio præfecerit in ipſius Eccleſiæ Epiſcopum et Paſtorem: Excellentiam Regiam duximus attente rogandam, quatinus Prouiſionem huiuſmodi gratam habentes, ipſamque utpote vobis votivam, et in noſtrum et Regium favorem Apoſtolicæ ſedis circumſpectione prouide factam, devotione qua decuit approbantes, Epiſcopum ipſum benigne et lætantur recipere, ac honorificentia debita proſequi pro dictæ ſedis reverentia et noſtrorum (præcaminum) interventu velitis. Firmam ſpem fiduciamque tenentes, quod ipſe Deo gratum, dictæ ſedi acceptabilem, (tàm ſpiritualibus quàm temporalibus) et eidem Eccleſiæ gratioſum ſe auctore Domino exhibebit, et devotum ac beneplacitum veſtræ Regali Majeſtati. *An.* 10 E. 1.

In dorſo. *Excellenti & magnifico Principi Domino* E. *Dei gratia Regi* Anglorum *illuſtri.*

EXcellenti Principi & amico chariſſimo Domino *E.* Dei gratia Regi *Angliæ* illuſtri, *Benedictus* miſeratione divina Sancti *Nicholai* in Carcere *Tullian.* Diacon. Cardinalis, ſalutem, cum honoris & gloriæ fœlicibus incrementis. Sedes Apoſtolica in quibuſlibet ſuis actibus cuncta præponderans, negotium Electionis factæ in *Winton.* Eccleſia cum multa maturitate diſcuſſit. Et tandem ex decentiæ debito contingente, quod abſoluta ipſa Eccleſia de huiuſmodi electione remanſit, * Dominus Papa et Domini Cardinales, ad perſonam venerabilis patris *Johannis Wintonienſis* Epiſcopi, virum altæ ſcientiæ, multi conſilii et maturitatis honeſtæ, ac Excellentiæ veſtræ devotum, oculos direxerunt. Speranteſ per hoc Deo et vobis merito complacere: quod quidem tanto vobis eſſe debet acceptius, quanto ipſum ſinceriorem percipimus exaltationis Regalium veſtrorum ſtelatorem. Nos autem virtutes quibus eum dotavit Altiſſimus, et ſinceritatem puræ devotionis quam ad perſonam veſtram et Domini Regis habere præcipimus attendentes, nec minus conſiderantes quantum actus Principum decorantur viris ſic fulgentibus circumſulti: (Veſtram Regiam) Excellentiam affectuoſe rogamus, quatinus eundem Epiſcopum ad ſpecialitatem veſtræ gratiæ admittentes, ſic eum et dictam Eccleſiam habere velitis affectu propitio commendatos, quod idem Epiſcopus et Eccleſia in Regia ſerenitate concreſcant, et vobis exinde apud Deum et homines laudis adveniat incrementum. In eadem Bundela, An. 10 E. 1.

* By their own uſurped Authority.

A Son treſchier Seigneur *Edward* par la grace de Dieu Roy *Dengleterre*, Seigneur *Dirlaunde*, Ducs *Daquitaigne*, Frere *Jan* par la ſuffiſtance Dieu Preſtre de *Canterbir*, Primat de tute *Engleterre*, ſaluz e graunt reverence. Sire nus vous requerum pur Dieu & pur ſa duce Mere, ke vous voilliez requiller en grace e en amur noſtre chier ami le Eveske de *Wincheſtre*, qui a noſtre eſtient eſt prudume, ſages, e leaus, e ad bone volente deſerbir a vous come a chier Seigneur, e de ceo ſumes nus certeynes. E ſachetz ſire ke nus vous empriums pur ceo ke nus quidums ke ço ſeit noſtre honeur e prium noſtre Seigneur *Jeſu Chriſt* keil nous doint ſere de ceo e tutes autres choſes ceo ke plus li pleſt. Sire dieus vous eit en ſa gard. Ceſt lettre fu eſcrite a *Wengeham* la Vaille Seint *Pierre* en gule Auſt. Ibidem.

In dorſo. *A noſtre Seigneur le Roy.*

Upon the receipt of all theſe importunate flattering Letters from theſe Cardinals and the Archbiſhop to the King, backed with large promiſes of their favour & aſſiſtance to him in his affairs, the King was content to be courted out of his Royal Prero-

An. 10 E. 1. gative, to approve and preferre a Biſhop duly elected by his ſpecial licenſe to this rich Biſhoprick, and to reſtore the Temporalties to this *John de Pontiſera*, intruded into it by the Popes and Cardinals Proviſion, whoſe favours and Letters on his behalf were purchaſed at no ſmall rates.

Beſides, theſe Cardinals recommended divers of their own Kinred and Friends to the Kings favour and ſervice, by ſeveral Epiſtles, the Originals whereof are filed in the ſame Bundle with thoſe for this Biſhop, ſome of which I ſhall preſent to your view.

Ex Bundela Brevium & Literarum Anno 10 E. 1 in Turri London.

EXcellenti ac Magnifico Principi Domino *Edwardo* Dei gratia Regi *Anglie* illuſtri, Domino *Hibernie*, ac Duci *Aquitanie*, *Ordonius* miſeratione divina *Tuſculanus* Epiſcopus, ſalutem & promptam ad ejus beneplacita voluntatem. Magnificentiam veſtram attentè requirimus & rogamus, quatinus *Georgium* Domicellum venerabilis patris Domini fratris *Jeronimi* Epiſcopi *Penestrini* amici noſtri chariſſimi, quem ad vos pro quibuſdam tranſmittit familiaribus negotiis, habere dignemini commendatum. Dat. apud *Urbem Veterem* 19 die *Junii*.

Ibidem.

MAgnifico & excellenti Principi Domino *Edwardo* Regi *Anglie* illuſtri, *Jacobus* miſeratione divina Sanctæ *Mariæ* in *via lata* Diacon. Cardinalis, ſalutem, et a qua ſunt jura Regnorum ſcelices ad vota ſucceſſus. Cum *Georgius* lator præſentium Familiaris & Domicellus venerabilis patris Domini *Jeronimi Penestrin.* Epiſcopi, ad conſpectum magnificentiæ Regalis accedat, Serenitatem Regiam deprecamur, quatinus ipſum intuitu dicti Domini ſui & precum contemplatione noſtrarum gratioſè recommendatum habere velit Regia Celſitudo.

In dorſo. *Regi* Angliæ *illuſtri.*

Ibidem.

EXcellentiſſimo Domino, Domino *E.* Dei gratia Regi *Anglie* illuſtri, *Hugo* miſeratione divina titulo Sancti *Laurentii* in *Lucina* Presbyter Cardinalis, ſalutem, & poſt fœlicem & longævam vitam ad cœleſtem patriam fœlicius pervenire. Venerabilis fratris noſtri Domini *J. Penestrini* Epiſcopi rogaminibus inclinati, pro *Georgio de Caſtro Raynaldi* Regiam Celſitudinem veſtram interpellare inducimur & movemur. Hinc eſt, quod cum dictus *G.* ad ſervientium magnificentiæ veſtræ affectu cupis intimo anelat; Regiam Excellentiam veſtram duximus exorandam, quatinus dictum *G.* ad ſervientium veſtræ præclaræ Majeſtati velitis admittere, et inter cæteros ſecundum merita collocare. Dat. apud *Urbem Veterem* 12 Kal. *Julii*, Pontificatus Domini *Martini* Papæ quarti anno ſecundo.

Ibidem.

EXcellentiſſimo Domino, Domino *E.* Dei gratia Regi *Anglie* illuſtri, Frater *Jeronimus* miſeratione divina *Penestrinus* Epiſcopus, ſalutem, & poſt fœlicem & longævam vitam præſentis ſæculi ad cœleſtem patriam fœlicius pervenire. Cum dilectus & charus nobis *Georgius de Caſtro Raynaldi* Familiaris noſter, audita fama veſtri nominis, & eam facto cognoverit dum per *Urbem Veterem* tranſitum hactenus faceretis, ad ſervientium Celſitudini veſtræ venire deſideret. Nos volentes ſuis exigentibus meritis apud Majeſtatem veſtram laudabile teſtimonium perhibere tenore præſentium, veſtræ magnificentiæ intimemus, quod ipſum invenimus legalem, curialem & induſtrium, unde ſi placuerit veſtræ Celſitudini ejus ſervitio uti, rogamus quatinus eundem noſtrorum interventu precaminum propenſius recommendatum habere velitis. Dat. apud *Urbem Veterem* 12 Kal. *Julii*, Pontificatus Domini *Martini* Papæ 4. anno ſecundo.

Ibidem.

ILluſtri & excellentiſſimo Domino, Domino *E.* Dei gratia Regi *Anglie*, *Comes* miſeratione divina Sanctorum *Petri* & *Marcellini* Presbyter Cardinalis, ſalutem, & poſt fœlicem & longævam vitam præſentis ſæculi ad cœleſtem patriam fœlicius pervenire. Quanto fiducialius Celſitudini Regiæ precamina noſtra porrigimus, quantoque Nobilem virum *Georgium de Caſtro Raynaldi* latorem præſentium morum ac virtutum elegantia inſignitum, Domicellum venerabilis in Chriſto patris Domini fratris *J. Penestrini* Epiſcopi affectione ſincera proſequimur; tanto affectuoſius & efficacius ea à magnificentia veſtra exaudiri rogamus, & iſta maximè

quæ

quæ pro cauſis ſpecialibus diriguntur. Sanè cum dictus *Georgius* ad ſerviendum Majeſtati veſtræ venire deſideret, Excellentiam & Celſitudinem veſtram affectuoſè rogamus, quatinus attendentes quod inter Cæſariæ laudis titulos quæ nomen Regnantis clarificat ſpecialiter in devotione extenſa diffuſius munifica liberalitas numeratur, prædictum *Georgium* ſic noſtri amoris intuitu noſtrorumque intervento precaminum habere velitis propenſius commendatum, quod exinde vobis ad omnia quæ Celſitudini veſtræ ac regno reputaretis accepta fortius obligamur; dictuſque *Georgius* interventionem noſtrorum precaminum quam pro ipſo munificentiæ veſtræ cum magna fiducia deſtinamus ſibi cenſeat largiflua profuiſſe. Dat. apud *Urbem Veterem* 13 Kalendas *Julii*, Pontificatus Domini *Martini* Papæ Quarti Anno ſecundo. An. 10 E. 1.

EXcellentiſſimo & Magnifico Principi Domino *E.* Dei Gratiâ Regi *Anglorum* Illuſtri, *Hugo* miſeratione divina titulo Sancti *Laurentii* in *Lucina* Presbyter Cardinalis, ſalutem, & in adverſis proſperos ad vota ſucceſſus. Celſitudinem veſtram credimus ſemper ad illa fore promptiſſimam quæ ſunt Deo placita et profectum reſpiciunt ſubjectorum: de hujuſmodi quidem credulitate procedit, quod à vobis audemus cum plena ſecuritate depoſcere quicquid pietatem dei juſtitiam cernitur revolere. Sanè veniens his diebus ad Apoſtolicam ſedem *Willielmus de Ippele* Clericus noſter caſum quendam, qui ſibi dudum in ſervitio acciderat, Pœnitentiario Domini Papæ humili confeſſione monſtravit, et agnoſcens culpam ubi culpa non eſt ſecum, petiit miſericorditer ſuper facto hujuſmodi diſpenſari; quia non omnium Pœnitentiariorum concors habet aſſertio, quod ipſe *Willielmus* ex facto hujuſmodi irregularitatis maculam non contraxit. Excellentiam Regiam ex intimo cordis affectu requirimus et rogamus, quatinus eidem *Willielmo* pietate ſolitâ compatientes erga Venerabilem Patrem *Londonien.* Epiſcopum inſtare velitis, ut Eccleſiam de *Alton. Londonien. Dioc.* quam magnificentia veſtra Regia ſibi contulit eidem reſtituat, qua ipſum idem Epiſcopus ſumpta occaſione ex facto prædicto, et quo nichil malè meruit, dicitur ſpoliaſſe. Conſervat Deus Majeſtatem veſtram Regiam per tempora diuturna, et rebellium veſtrorum colla conterat, detque vobis feliciter triumphare. Ibidem.

In the ſame Bundle of Epiſtles, I found this of *Ferrandus*, ſonne of the King of *Arragon* to King *Edward* on the behalf of a Merchant, informing him of the Popes comming to *Marſeilles*, of the revolt of 5. Cities in *Sicily* from King *Charles*, and ſlaughter of all the *French*.

ILluſtriſſimo & Victorioſiſſimo Principi Domino *Edwardo* Dei gratiâ Regi *Angliæ*; *Ferrandus* filius bonæ memoriæ Regis *Arragonum*, humile manuum oſculamentum. Sereniſſime Domine, de veſtra magnifica liberalitate confidens talia veſtræ Celſitudini ſupplicare præſumo, quæ meis meritis præſumere non auderem: hinc eſt quod cum *Bertrandus de Creſuels* Burgenſis *Montispeſſulani* uſum mercandi in partibus regni veſtri exerceat, cui ſuis meritis et ipſius probitate multimoda ſim multipliciter obligatus, per me illi de quorum Dominatione confido, veſtræ Regiæ Majeſtati humiliter ſupplico quantum poſſum, quatinus dictum *Bertrandum* velitis habere contemplatione mei ſpeciali gratiæ commendatum. Scio enim ipſum eſſe talem quod in his quæ veſtræ Dominationi placuerint conabitur eſſe gratus. Adhæc Domine noveritis, quod intellexi pro certo à quibuſdam Mercatoribus qui de novo venerunt de Curia, quod Papa pro certo in brevi veniet *Marſiliam*, qui etiam pro certo dixerunt mihi, quod 5. Civitates *Siciliæ* inſurrexerunt contra Regem *Carolum*, et interfecerunt omnes *Gallicos* habitantes in eis, alia non narrantur *Pariſius* digna referri. Vigeat vita veſtra in gratia Summi Regis. Dat. *Pariſius* 7 Kalend. *Junii*.

In Dorſo. Illuſtriſſimo & Victorioſiſſimo Principi Domino Regi *Angliæ*. Ex Bundela Literarum & Petitionum An. 10 E. 1. in Turri London.

In the ſame Bundle of Letters I found this Epiſtle of *Peter* King of *Aragon* to King *Edward* his kinſman, (ſome whereof being defaced, I have ſupplied in a parentheſis) concerning his Meſſages to, and Aydes of Diſmes demanded from the Pope againſt his Enemies, and his invitation by the *Sicilians* to

An. 10 *E.* 1. receive the kingdom of *Sicily*, with his proceedings therein; wherein he craved his adviſe and aſſiſtance.

In eadem Bundela, &c. An. 10 E 1. in Turri London.

(EXcellentiſſimo) & quamplurimum diligendo Domino *E.* Dei gratiâ Illuſtri Regi *Angliæ*, Domino *Yberniæ*, & Duci *Aquitaniæ*; *P.* per eandem gratiam Rex *Arragonum*, ſalutem, & ſinceræ devocionis affectum. Dilectioni Regiæ præſentibus intimetur, quod nobis ante receſſum noſtri viatici armatæ noſtræ videlicet in quo ſumus cum proponeremus illam ad Dei ſervitium facere (miſimus nuncium) noſtrum ad Summum Pontificem, ut nobis ſuper eodem (negotio) ſubſidium largiretur, quem idem nuncium dictus Summus Pontifex audita ſupplicatione noſtra, timens an ——— Regem *Sicilia* accedere ſui impenſione aliqua relegabit. Poſtmodum vero cum ——— in *Barberiam* ad locum videlicet ——— de *Altoyl*, ad exaltationem fidei Chriſtianæ ——— conſilio *Richerhominum* nobiſcum exiſtentium, deſtinavimus iterum ad dictum Summum Pontificem noſtrum nuncium, ſuper eo, videlicet, quod nobis in proſequendo facto per nos (inchoato) ſubveniret, nobis Decima per Eccleſiam in regno noſtra recepta, et concederet indulgentiam ——— nobis et illis qui nobiſcum eſſent, et etiam quod terram noſtram et ipſorum reciperet ſub protectione Eccleſiæ et commodo. Cui nuncio dictus Summus Pontifex fecit quandam dilatoriam impenſionem (diſſulitque) ſibi tradere literam. Cumque nos reſiſtemus inimicis fidei ut noſtrum erat propoſitum, ſi dicto Summo Pontifici complaceret, venerunt ad nos Nuncii quorundam locorum & Civitatum Regni *Sicilia*, exponentes nobis & ſupplicantes, quod ad Regnum ipſum accedentes, quia omnes *Siculi* unanimis et concordes nos in eorum Dominum invocabant; Nos ſiquidem advertentes, quod illud eſſet nobis et Dominationi noſtræ honorificum et utile, accedimus ad dictum Regnum *Sicilia* cum familia noſtra & ſtolo, ad habendum & impetrandum jus quod illuſtris & bona Conſors noſtra Domina Regina *Aragon.* & filii noſtri habent in eodem regno, & erit decus noſtrum & noſtrorum Domino perhibente. Cæterum cum ad gaudia convocentur quociens ſtatu noſtro nobis proſpero ——— Rogamus vos quatinus certificetis nos de ſalute in ſtatu veſtro quem ſemper voluimus proſperum & jocundum: Nichilominus reſervantes — quicquid ——— veſtri Diſcretioni ——— facto præmiſſo præmeditato & circumſpecto. Dat. apud *Altoyll*, &c.

The Biſhop of *Hereford*, the Kings Agent in the Court of *Rome*, ſent him this Letter of intelligence from thence concerning the Popes Wars that year, what Biſhops elections he nulled, confirmed, or cauſed the parties elected to reſign their elections to make way for his Proviſions to their Biſhopricks; what Biſhops he promoted to Biſhopricks by his own Proviſions, among others the * *forementioned* Biſhop of *Wincheſter*, and what good reception he found from the *Pope*, notwithſtanding the ſlanders raiſed againſt him.

*Here, p. 1255, 1256, 1257.

In eadem Bundela Literarum, &c. in Turri London An. 10 E. 1.

EXcellentiſſimo Principi & Domino ſuo præcipuo, Domino *Edwardo* Dei gratia Regi *Angliæ*, Domino *Hybernie*, & Duci *Aquitaniæ*; Suus *Tho.* ejuſdem permiſſione Eccleſiæ *Hereforden.* Miniſter humilis ſe ſemper cum voluntate parata ad omnia beneplacita & mandata. Ut de aliquibus jam actis et aliis pro relatis in *Romana* Curia vobis conſtet; Veſtræ Celſitudini præſentibus intimamus, quod Dominus Papa duplicem habet Guerram; unam contra illos de *Peruſa* et ſuos fautores, qui nituntur quoddam Caſtrum quod jam Centum Annis et amplius tenuit pacifice et poſſedit ſibi principaliter ſubjugare, illud obſidio blada et vineas exſterpando, ad quod Dominus Papa miſit exercitum valde magnum. Et aliud exercitum miſit ad *Ferlyn* contra Comitem de *Monte foſii*, ſecundum quod de hoc vobis ſcripſimus non eſt diu. Rex *Karolus* plenis manibus eſt in Ballivis, quia à Civitatibus *Tuſciæ* & aliarum partium querit adjutorium prout poteſt. Et quia terra illa quam debellare intendit, *ſcilicet* Siciliam, eſt de Dominio Papæ, idem Dominus miſit Dominum *Gerardum de Parma* Cardinalem Epiſcopum ad illam guerram pro viribus ſopiendam, loco Domini *Willielmi* Cardinal. *Gallici* ſubrogatus fuiſſet Amicus veſter Magiſter *Berardus de Neapole*, niſi unus Cardinalis ſimiliter Amicus veſter ei fortiter obſtitiſſet. Nono die *Junii* Dominus Papa no-

bem

bem electos in Epiſcopos expedivit, aliquos caſſando, aliquos confirmando, aliquos ad reſignationem per alios inducendo, et aliquibus prȝovidendo: inter quos prȝovidit Eccleſiæ *Leodien.* de fratre Comitis *Flandr.* et Electo *Leodien.* ſcilicet Domino *Willielmo de Navarina* prȝovidit de Præpoſitura de *Bruges*; Eccleſiæ vero *Wintonien.* poſt reſignationem Electi ab adverſariis prȝocuratam, de Magiſtro *Johanne de Pontiſſera* eſt prȝovisum, ſet in confectione præſentium illi prȝoȝi bono Electo, cui quaſi tota Curia compatitur, nulla prȝoviſio facta fuit. Poſthæc in Vigilia Sancti *Barnabæ* Apoſtoli venimus ad Curiam, et eadem die recepit nos Dominus Papa ad pedum et oȝis oſcula beatoȝum, non obſtantibus prȝocurationibus adverſariorum noſtrorum, qui nos excommunicatos foȝe Domino Papæ et fratribus Primitus ſuggeſſerunt, et datis ſuper hoc auditoȝibus prȝo nobis interlocutoȝiam prȝotulit ipſi Papæ, unde eo quod prȝimam interlocutoȝiam prȝo nobis habuimus per eundem nos et quamplurimi in Curia exiſtentes, gabiſi fuimus in immenſum. Populum ſui Regimini in proſperitate continua votiva omnipotens vos conſervet. Dat. apud *Urbem Veterem* 2. Idus *Junii*, Anno Domini 1282. *An.* 10 *E.* 1.

In the ſame Bundle of Letters and Petitions, I found this Epiſtle of *Rich. de Graveſend* Biſhop of *London* to K. *Edw.* the 1. in forraign parts, complaining againſt the Mayor and Citizens of *London*, for a Sacrilegious invaſion of the rights and poſſeſſions of the Church of St. *Pauls*, in procuring ſome ground adjoyning to the wall of the antient Churchyard thereunto belonging from the King by falſe ſuggeſtions, to be granted them to build houſes thereon, towards the repair and maintenance of *London* bridge; deſiring the King to ſuſpend his grant, and prohibit the buildings till his return, and a full hearing of the cauſe, or to grant him liberty to denounce Eccleſiaſtical cenſures againſt them as they deſerved, if they perſiſted therein, which he had till then forborn, out of his reverence to the King, and his grant made to them.

EXcellentiſſimo Domino ſuo, Domino *E.* Dei gratiâ Illuſtri Regi *Angliæ*, Domino *Hybernia*, & Duci *Aquitaniæ*, *R.* ejuſdem miſeratione *London.* Eccleſiæ Miniſter ſalutem, & proſperos ad vota ſucceſſus cum omni reverentia & honore. Eccleſia veſtra Sancti *Pauli London.* ad cujus regimen licet immeriti divina diſpoſitione vocamur, tàm veſtris quàm claræ memoriæ Progenitorum veſtrorum Regum *Angliæ* Deo & Eccleſiæ ſuæ Sanctæ Devotorum temporibus præteritis ejuſdem Regni vaſſalis prærogativam libertatis optinuit, & in ſuis juribus Regiæ protectionis cum favore munimentum: Verum licet loca quædam adjacentia muris Cimiterii Eccleſiæ memoȝatæ tumulandis Interdicti tempoȝe nobilium coȝpoȝibus decedentium ibidem antiquoȝum induſtria reſerbata fuiſſent, ſicut adhuc exiſtentes extra dictos muros tumuli veraciter atteſtantur, per quod etiam loca hujuſmodi ſacra ſeu religioſa cenſentur, ac magna pars Areæ extra muros ejuſdem ubi tumuli non apparent quàm olim ædificatam inhabitabant Clerici Eccleſiæ prænotatæ, ad jus & proprietatem ipſius pertineat; *Henr.* tamen *Wallenſis* Major Civitatis *London.* Curiæ veſtræ falſò ſuggerens, quod ſine alieni juris præjudicio ad augmentum redditus Pontis *London* in dictoȝum muroȝum Circuitu Domunculas vel Seldas poſſint conſtrui; & Majeſtate Regia taliter circumventa, Literas veſtras veſtrum exprimentes in hac parte conſenſum, ut dicitur, impetrans, propoſitum quod ad ſuggeſtionem iniqui ſpiritus jam concepit, nititur nequius conſummare: et licet ex cauſis præmiſſis & aliis congruis & legitimis quæ pro loco & tempore poterunt declarari, juri, libertati et poſſeſſioni Eccleſiæ noſtræ grave et intollerabile ꝺidentes prȝejudicium generari, tàm per nos quam per alios eundem Majorem & Cives *London.* ſibi adhærentes in præmiſſis moneri fecimus & frequenter induci, ut a prȝopoſito tam ſacrilego deſiſterent; & iidem ſpretis monitionibus hujuſmodi in præſumptione priſtina perdurantes, tanquam manifeſti perturbatoȝes Libertatum, et inbaſoȝes poſſeſſionum Eccleſiaſticarum ſoȝent non immerito animadverſione debita compeſcendi, ob veſtri tamen et Literarum veſtrarum quas ſuper hoc exhibent reverentiam, ab omni rigoȝe Eccleſiaſticæ diſciplinæ contra eos exercendæ hucuſque ceſſabimus, ſiducialiter ſperantes erga veſtram Clementiam in hoc conſequi remedium. Propter quod Majeſtati veſtræ attentius ſupplicamus, quatinus ne jus et libertas Eccleſiæ Ex Bundela Literarum & Petitionum, An. 10 E 1. in Turri London.

An. 10 E. 1. ſtræ veſtræ Sancti *Pauli*, per Majores et Cives prædictorum potentiam oppri-
mantur: Vobis pro ſtatu reipuplicæ agentibus in remotis ipſis præcipere velitis,
ut ſaltem a conſtructione domunculorum huſuſmodi omnino deſiſtant, donec ad
partes *London.* quod Deus proſpere et celeriter eventat redeatis, ut tunc de Eccle-
ſiæ veſtræ juſtitia, et adverſæ partis injuria coram vobis et veſtris diſcuſſio
plenior habeatur. Et quia ſicut Excellentia veſtra ſatis novit manifeſtas Eccle-
ſiæ Dei injurias et oppreſſiones diſſimulare quantum ad nos pertinet abſque or-
dinis noſtri non valemus periculo, quas ex officii debito tota reprimere diligentia
et virtute tenemur, veſtræ Clementiæ ea quæ poſſumus ſupplicamus inſtantia,
Nota. quatinus Dei contemplatione ſuſtinere velitis, ut dictos Majorem et Cives præ-
ſumptione prædicta per cenſuram Eccleſiaſticam compeſcere cum veſtra pace poſ-
ſimus, ſi illorum rebellio et præterbitas hoc requirant. Bene valeat veſtra Do-
minatio per tempora longiora. Dat. apud *Suthminſtre* 2 Kalendas *Auguſti*, Anno
Dom. 1282.

In the ſame Bundle of Letters, I found a tranſcript of Pope *Martins* Bull to the Prior of *Tonbridge*, concerning Sir *John Lovetot*, formerly printed, *p.* 280.

The Major, Provoſt, and Commonalty of *Roſcommon* in *Ireland* writ this Epiſtle to King *Edward*, concerning the readineſſe of the Prior and Covent of that place to exchange lands with the King for his and his Soldiers better accommodation and ſecurity, for which they were unjuſtly vexed by their Biſhop, againſt whoſe exceſſes they prayed ſpeedy relief.

Ex Bundela Literarum & Petitionum An. 10 E. 1. in Turri London.

ILluſtri Viro ac Domino ſuo Reverentiſſimo Domino *Edwardo* Dei gratia Regi *Anglia*, Domino *Hyberniæ*, & Comiti *Aquitania*, &c. *Martinus Legan.* Major, *Richardus de Oxonia* Præpoſitus, totaque Communitas Burgenſium novæ Villæ ſuæ de *Roſcomman* ſalutem, et tam debitam quam devotam ſuo Principi & Patrono, cum omnimoda humilitate reverentiam. Veſtræ Regiæ excellentiæ dignum duximus ſignificandum; qualiter Prior & Conventus Canonicorum Sancti *Commani* de *Roſcomman.* à principio primæ fundationis Caſtri veſtri apud *Roſcommon.* necnon & novæ Villæ veſtræ & Burgenſium veſtrorum in eadem Villa fuerunt, & adhuc ſunt nobis propitii & favorabiles ob veſtram reverentiam & honorem. Cum enim terras ſatis propinquas ad orandum propè Caſtrum veſtrum necnon et prope novam Villam veſtrum ibidem habere non poſſemus, ſed aliquantulum remotas in Dominico veſtro in quibus commodè orare propter multimodas guerras & propter inſultus *Hybernicorum* pacem aliquando non perfectè obſervantium ſimiliter habere non poſſemus, prædicti Prior & Conventus de Dominico ſuo proprio prope Caſtrum veſtram ſitum novæ Villæ veſtræ de *Roſcommun.* in qua commodè & quietè pacificè & honeſtè habitare poſſumus, necnon & quatuor Carucatas terræ de eodem ſuo Dominico prope idem Caſtrum ob veſtræ dignitatis reverentiam nobis in excambium gratanter & ſpontaneè, & ſine aliqua contradictione conceſſerunt terras remotiores in quibus ſine periculo habitare non poſſemus pro eiſdem in excambium recipientes, de quibus adhuc modicum habent commodum. Et quod prædicti Prior & Conventus quindecim Marcas ſterlingorum quas ſingulis annis pro ſitu Caſtri veſtri & novæ Villæ veſtræ, & lacu de *Lochnaven.* quod eſt prope Caſtrum veſtrum ibidem per manum Ballivi veſtri de *Roſcomman* à vobis recipere debuerunt, prædictas quindecim marcas vobis imperpetuum remiſerunt, propter quam remiſſionem ab Epiſcopo ſuo Diœceſano non modicum ſuſtinent jacturam et gravamen, et adhuc ſuſtinebunt, niſi per vos celeriter ſuper hoc eis remedium ſalubre tribuatur. Ipſe etiam Epiſcopus propter dictam cauſam onera impoſtabilia eis imponere, et illicitas exactiones ab eiſdem extorquere non formidat. Hæc et alia commoda et emolumenta quæ per dictum Priorem et ſuum Conventum antea ſuſcepimus, et adhuc ſuſcipere non deſinimus ad præſens vobis narrare non poſſumus. Quare veſtram Regiam Excellentiam de qua & in qua poſt Deum omnem habemus fiduciam, omni qua poſſumus devotione rogamus, quatinus tàm Divinæ pietatis intuitu, quàm precum noſtrarum interventu, quam prædictorum beneficiorum & commodorum a prædicto Priore et ſuo Conventu, Vobis et nobis ob reverentiam veſtri præſtitorum

rum

rum obtentu eiſdem Priori et Conventui in omnibus ſuis agendis, ſi placet, ſitis favorabiles & intenti, ita ut quæcunque à vobis cum juſtitia poſtulaverint cum fiducia valeant impetrare. Et hoc ſicut honorem veſtrum & profectum noſtrum ſalvare deſideratis effectui mancipare curetis. Valeat, vigeatque veſtra Regia excellentia per tempora longa.

Here p. 305. l. 29. after *ſecundo*, inſert] Notwithſtanding which Bull, King *Edward* the 1. declining and excuſing his perſonal voyage to the *Holy Land*, Pope *Martin* thereupon ſent this ſecond Bull to perſwade and excite him thereunto; the latter part whereof is quite putrified, and torn away from this exordium of it, (in the *White Tower*) which I can only preſent you with. *An.* 11 E. 1.

MARTINUS Epiſcopus ſervus ſervorum Dei, chariſſimo in Chriſto filio Regi *Anglie* illuſtri, ſalutem & Apoſtolicam benedictionem. **Magnum ad *Terra Sancta* negotium Regiæ devotionis affectum partius verbis extollimus, tanquam evidentia facti notorium, et cœleſtibus indiciis approbatum.** Siquidem latè patet, vel potius latius eminet qualiter nonnullis olim molientibus te accinctum magnificè ad ipſius terræ ſuccurſum ab aſſumpti ad hoc itineris proſecutione retrahere, illa tuum propoſitum conſtantia firmavit altiſſimus, ut velut abruptis diſſuadentium & diſſuaſionum retinaculis abſque cunctatione procederes, & ad terram eandem ſic perutilis advenires, qual——— neceſſitatibus divinitus in tempore parareris, cum talis ejuſdem tunc ſtatus ſeu verius caſus exiſteret, quod illud (proh dolor!) modicum quod de ipſa Chriſtianitati remanſit, à fidei hoſtibus infeſtius ſolito impetitum, ——————— tàm ad defenſionis conſtantiam quàm ad deditionis diſpendium & ignominiam diſponebat. Sed reſumpto de tuo & tuorum adventu fortitudinis ſpiritu, viriliter eiſdem hoſtibus reſtitit & adhuc ſuper ——— ——————————— tibi celitus illud evidens divinæ gratificationis inſigne dum te aſſaſini cujuſdam inſidiis animam tuam prodicioſè ——————— ——————— confoſſum ut mortem communi judicio minaretur, redemptioni humani ——————————————————— Nunc ergo fili chariſſime attentè ——————————————— Putaſne is in illius. *All the reſt is putrified.* In Turri London. An. 11 E. 1.

I found this Letter of King *Edward* in the *White Tower*, in anſwer to the Cardinal of St. *Laurence* his ſpecial friend, giving him an account how the Popes Merchants informed him of his deſign in * ſeiſing the Diſmes, and the paſſages in the Court of *Rome* concerning this affair, with ſome other particulars. * See p. 277, 278.

EDwardus Dei gratia Rex *Angliæ*, Dominus *Hiberniæ*, & Dux *Aquitaniæ*, venerabili in Chriſto patri amico ſuo fidiſſimo Domino *H.* eadem gratia titulo Sancti *Laurentii* in *Lucina* Presbytero, & Sacroſanctæ *Romanæ* & Univerſalis Eccleſiæ Cardinali, ſalutem, & mutuæ dilectionis continuum incrementum. Literas veſtras recepimus in principio continentes, quod minimè miraremur ſi elapſo temporis longo tractu de negotiis noſtris quæ vobis per Magiſtros *Robertum* Decanum *Ebor.* & *Johannem Clarell* nuncios noſtros fecimus liberari, nequiviſtis nobis aliquid intimare, dum impedimenta occurriſſent varia votis veſtris. Nec revera ſubeſſe cauſam conſpicimus admirandi; **cum ſciamus vos ſemper promptiſſimos ad ea nobis continua referenda quæ contingunt noſtrum commodum et honorem dicere, et quæ ſenſeritis nobis contraria vel adverſa.** Et ſuper negotio quod dictis nunciis commiſimus **in Curia procurandum, ſicut et in aliis omnibus quæ nos tangunt diligentiam veſtram habemus merito commendatam, et de ope et opera quas ipſis in dicto negotio præbuiſtis dilectioni veſtræ ad grates allegimus**; eo magis, quod de propoſitionibus quas dicti nuncii præviderant, ipſos ſuperfluis reſecatis, in recto tramite direxiſtis; & ſi alter ipſorum veſtræ reſecationis oblitus themæ præconceptum in omnibus ſequeretur * ——— circumſpectionem veſtram undique fecimus excuſatam, cum ſit difficile imprudentem, vel & ipſum qui ſolerciæ & ſagacitati propriæ * ——— ab hiis quæ in mente concepit revocare, facta etiam & propoſitiones hujuſmodi acceptas ferimus juxta proponendi modos & merita perſonarum. **Cæterum ſi quid nobis adverſum auribus Domini ſummi Pontificis** Ex Bundela Brevium & Literarum An. 11 E. 1. in Turri London.

* tamen.

* confidit.

An. 11 E. 1. tificis innotuerit his diebus ex relationibus Mercatorum, cavebimus cautius consilia communicare cum ipsis, et eisdem secreta nostra in posterum aperire. Nec revera unquam ex certa scientia fecimus inhiberi, ne de regno nostro pecunia Decimæ traheretur, nisi quod id fieri timebamus absque conscientia nostra, et præcepto Summi Pontificis speciali, per quod regnum nostrum ex facto hujusmodi tenetur aliqualiter obligatum. De Magistro siquidem *Andrea de Candulph*, quem in Advocatum nostrum in Curia recepistis, gratum habemus admodum quod fecistis: Volentes ipsum sicut alios Advocatos nostros in Curia juxta vestrum consilium retinere, & eidem literas nostras sicut aliis consuevimus, transmittemus quamcitius nobis rescripseritis, quantum consulitis de feodo sibi dari. De exilitate vero Ecclesiæ de *Bulwell* quam *Willielmo de Craven* Capellano vestro non est diu conferri fecimus penitentes, eidem de competenciori beneficio libenter curabimus providere cum viderimus opportunum. Ad hæc de rumoribus *Siciliæ* quos nobis vestris voluistis literis nunciare, & præsertim de omnibus aliis quæ scripsistis, vobis grates referimus & gratias speciales. Et de spe expeditionis nostri negotii ex vestri tenore mandati sumus quamplurimum recreati, nostræque non extitit intentionis hucusque partem petere Decimæ suprædictæ dum totum possemus consequi interdentibus amicorum. Rogantes attentè quatinus quæ bono inchoastis principio studeatis ad finem perducere præoptatum. Teste meipso apud *Rothelan.* 23 die *Novembris*, anno regni nostri undecimo.

What Prerogative the King then claimed from every new created Bishop, by reason of his Creation, to bestow a Pension upon some one of his Chaplains till he promoted him to a competent benefice, this Mandate to the Chancellor will inform us.

In eadem Bundela in Turri London. An. 11 E. 1.

Sllis *H. de Kend. W. de Odyham*, & *A. de Bertun*, salutem. Scribatis per breve Domini Regis Domino *Karl.* Episcopo, pro *Roberto de Icard* socio vestro, quod idem Episcopus de fructibus & aliis ad Ecclesiam de *Kirkeland* in Episcopatu suo spectantibus, quam idem Episcopus prædicto *Roberto* contulit, ratione gratiæ Domini Regis eidem *Roberto* concessæ de nova creatione ejusdem Episcopi, prædictam Ecclesiam quæ est de patronatu suo tueatur, donec lis mota inter ipsum Episcopum & Magistrum *Nicholaum de Berewys*, qui se dicit esse Rectorem ejusdem Ecclesiæ inde terminetur, vel quod prædictus Episcopus prædicto *Roberto* pensionem suam quam ad preces Regis prædicto *Roberto* concessit, de cætero solvat, & de prox. Ecclesia vacatura de collatione prædicti Episcopi quam ipse *Robertus* acceptaverit respiciat; & quod idem Episcopus tunc de prædicta Ecclesia faciat voluntatem suam. Quia Dominus Rex vult, quod prædictus *Robertus* gaudeat in pace collationem quam ad gratiam Regis habet aut habebit. Scribatis etiam Vic. *Northumbr.* per breve Domini Regis meliori modo quo poteritis, quod omnia bona quæ fuerunt *Willielmi de Midelton* defuncti, in Balliva sua capiat in manum Regis, & ea salvo sine distractione vel dilapidatione custodiat, donec Dominus Rex aliud inde præceperit. Scribatis etiam Thesaur. & Baronibus de Scaccario, quod Executores Testamenti Domini *Willielmi de Midelton*, de quorum nominibus dictus *Robertus* eis scire faciet, coram eis venire faciat ad respond. *Roberto de Scard* Executori Testamenti *Richardi de Midelton*, de bonis quæ fuerunt ipsius *Richardi*, quæ dictus *Willielmus* habuit die mortis suæ, prout videritis faciendum.

How ungratefull and injurious the Bishop of *Winton* (intruded by the Popes Provision) was to the Kings Clerks promoted to Livings during the vacancy, endeavouring to eject them out of their Benefices, this Letter to the Chancellor will inform us.

In eadem Bundela.

Domino suo reverendo, Domino R. Dei gratia *Bathon.* & *Wellen.* Episcopo, ac Cancellar. Domini Regis; suus *A. de Winton.* salutem, reverentiam & honorem. De futuris contingentibus prospiciens molestiam aut fatigationem posse imminere, dominationi vestræ supplicavi, quod literas Domini Regis pro *Hugone* fil. meo dirigend. ad Ecclesiam de *Chilterenumbe* in *Winton.* Dioc. per vos promoto, Episcopo ejusdem loci habere faceretis, ad indempnitatem & tuitionem

prædicti

prædicti fil. mei conſervandum; & vos michi mandaſtis, quod facultatem magni figilli Domini Regis tunc ad manus non habuiſtis, nec filium meum per Epiſcopum (prædictum) tunc gravari perpendiſtis, unde non fuit neceſſe ſibi tunc ſcribere, verumptamen prædicto Epiſcopo poſtea curam (animarum) habente per Officialem ſuum de pluribus articulis in ſua Dioc. fecit inquiſitiones, **et præcipue de Clericis in eadem per Dominum Regem promotis, quibus nullam gratiam facere proponit, objiciens prædicto filio meo, quod infra annum ſuæ admiſſionis ad beneficium prædictum ſecundum ſtatuta non fuit in Presbyterum ordinatus.** Et reſponſum fuit pro eo, quod ad primos ordines ſubſequentes poſt admiſſionem ad Eccleſiam prædictam, per defectum Epiſcopi Diocæſani, & pro defectu Archiepiſcopi, curam ſpiritualitatis ſede vacante habentis, procuravit literas dimiſſorias à cuſtode prædictæ ſpiritualitatis Epiſcopo *Sarum*, & tunc per eaſdem literas ordinatus fuit in Subdiaconum, & poſtea ad proximos ordines ſubſequentes per Archiepiſcopum in Diaconum. Conſequenter ante inſtitutionem Epiſcopi qui nunc eſt, nulli celebrati fuerint ordines, & Officialis dicti Epiſcopi dicebat, **quod rationes prædictæ prædicto filio meo nichil valere poſſunt, ſet bona Eccleſiaſtica in prædicto loco inventa ſequeſtravit, et in ſequeſtro tenet.** Ita quod filius meus in eodem loco non habet ubi capud ſuum poſſit reclinare. Et ſi filius meus ad ordines ſacros pro tam exili beneficio non eſſet aſtrictus minus ei condolerem. Hinc eſt, quod veſtram exoro dominationem devotè ſupplicans, quatinus per literas Domini Regis qui vobis mediantibus ipſum præſentavit, & maximè per literas veſtras ſignificetis, quid duxeritis in præmiſſis oportunum, **quia dictus Epiſcopus magis inquietat promotos per Dominum Regem ſede vacante, quam per alios quoſcunque patronos.** Mitto vobis literam prædicti filii mei quam michi miſit pro negotio prædicto, reverentiam veſtram rogans, quod ipſam audire velitis. Valeat dominatio veſtra ſemper in Domino. *An.* 11 E. 1.

Page 306. l. 6. after 1283. inſert] He likewiſe iſſued this Prohibition; *Rex, &c. Vic.* Dorſet. *quod capias* Hugonem de Heskerden, Richardum de Wynford *Capellanum*, Johannem de Cermiſtre *Capellanum*, *& habeas corpora, &c. ad reſpond. Nobis; quare cum placita de catallis & debitis, quæ non ſunt de Teſtamento, &c. ad Nos et Coronam et dignitatem noſtram, et non ad aliam in regno noſtro pertineant, iidem* H. R. *&* J. *una cum Magiſtro* Waltero de Gloceſter *Offic. Epiſc.* Sarum, *&c.* **tenuerunt placitum in Curia Chriſtianitatis de catallis et debitis Abbatis de** Burden, **quæ non ſunt, &c. in læſionem Coronæ et dignitatis noſtræ, et contra Prohibitionem noſtram.** *Teſte* H. de Dunton *apud* Salop. 8 *die* Febr. *Anno regni noſtri undecimo.* Bundela Brevium An. 11 E. 1 in Turri London.

Page 307. l. 7. after *Brumburgh*, inſert] In the ſame Bundle of Letters and Petitions to the Chancellor, I found this of the Mayor and Burgeſſes of *Oxford*, praying remedy againſt the Proctors and Scholars of the Univerſity, for puniſhing and excommunicating them for offences againſt the Aſſizes of bread, bear, and other victuals, belonging only to the King and his Miniſters.

Suo *W. de Odiham*, ſalutem. Mittimus vobis literas, quas nobis miſerunt Major & Burgenſes *Oxon.* mandantes, quod eis in hac parte debitum remedium fieri faciatis. Mandamus etiam, quod *Johannem de Tudemerſh* Vic. *Oxon.* fieri faciatis Abſolutiones juxta brevia Domini Regis & alia, quæ vobis ſuus nuntius oſtendet. Valeat. Dat. apud *Reshel.* 8 Kal. *Febr.* Ex Bundela Literarum & Petitionum Cancellario An. 11 E. 1. in Turri London.

Reverendo Domino ſuo, ac amico (ſi placet) Domino *R.* Dei gratia *Bathon. & Wellen.* Epiſcopo, ac Cancellar. Domini Regis, ſui devoti Major cæteriquæ Burgenſes *Oxon.* ſalutem, cum reverentia & honore. **Quia Procuratores et Magiſtri Univerſitatis** *Oxon.* **in præjudicium Domini Regis ſe intromiſerunt de Aſſiſis panis, cervifiæ, et aliorum victualium, quæ ad Dominum Regem et ad Miniſtros ſuos pertinent;** Dominationi veſtræ ſupplicamus, de qua indubitanter confidimus, **quatinus (ſi placet) ſuper hiis gravaminibus et injuriis, Domino Regi et nobis per prædictos Procuratores et Miniſtros illatis, remedium apponere velitis.** Scientes, quod in propriis perſonis noſtris ad Dominum Regem

An. 11 E. 1. vel ad vos acceſſiſſemus, niſi eſſet magna occupatio quam habemus circa pecuniam Domini Regis colligendam. **Prædicti etiam Procuratores et Magiſtri ſententiam Excommunicationis intulerunt in *Robertum de Wells* Ballivum noſtrum, eo quod panem per prædictos Procuratores et Miniſtros attachiatum, tanquam bonum et ſatis ponderantem.** Super quibus Domini Regis petimus auxilium. Valeat dominatio veſtra per tempora longiora.

What ſucceſſe this Petition had I finde not, the Proctors and Scholars proceedings herein being warranted by former Charters granted them by our Kings.

King *Edward* though he might by his own Prerogative Royal have annexed his Collegiate Church and Free-Chapel of *Boſcham*, (exempt from Ordinary Juriſdiction) within the Dioceſſe of the Biſhoprick of *Ciceſter*, to the Biſhoprick of *Exeter*, to which he united it; yet to avoid all future conteſts between the Biſhops, their Officers and Chaplains concerning it, petitioned the Pope, by his concurrent Authority to unite it to the Biſhoprick of *Exeter*.

Ex Bundela Epiſt. & Brevium An. 11 E 1. in Turri London.

SIgnificat Sanctitati veſtræ devotus filius veſter *Edwardus* Rex *Angliæ*, quod dudum eo veſtræ beatitudini intimante, quod licet Parochialis Eccleſia de *Boſcham*, quæ Collegiata exiſtit *Ciceſtren.* Dioceſis, **ſit Capella Regia**, utpote per progenitores ſuos fundata in Archidiaconatu *Ciceſtrenſi*, & dotata, ac Epiſcopus *Exonienſis*, qui eſt pro tempore Regius Capellanus, præſit eidem Eccleſiæ in collationibus Canonicatuum & Præbendarum, & in ——— corporali poſſeſſione ipſorum, ac quibuſdam aliis juribus ſpectantibus ad eandem; **et omnes liberæ Capellæ Regiæ in regno *Angliæ* conſiſtentes, ab omni poteſtate et juriſdictione quorundam Ordinariorum locorum ſint liberæ et exemptæ de conſuetudine approbata, et in poſſeſſione hujuſmodi libertatis et exemptionis exiſtant, prædicti Epiſcopus et Archidiaconus *Ciceſtrenſes*, in præjudicium libertatis et exemptionis hujuſmodi, et juris Regii diminutionem, dictam Epiſcopum *Exonienſem* et præbendarium ejuſdem Eccleſiæ de *Boſcham* Regium (ut prædicitur) Capellanum, ſuper dictis juribus, quo minus ipſis uti libere poſſit, multipliciter moleſtant et perturbant. Unde ſupplicat dictus Dominus Rex, quatinus authoritate Apoſtolica dignemini dictam Eccleſiam vel Capellam de *Boſcham*, cum Canonicis et perſonis Eccleſiaſticis prædictis Canonicatibus et Præbendis et annexis Eccleſiis et Capellis, et Miniſtris, Clero, et populo eorundem, ab omni juriſdictione ordinaria, et præcipue Archiepiſcopi *Cantuarienſis*, Epiſcopi et Archidiaconi *Ciceſtrenſium*, ab omne dubium amovendum, erimere et totaliter liberare; et juriſdictioni *Exonienſis* Epiſcopi (qui confert Canonicatus et Præbendas, et præterea (ut præmittitur) ſuus Capellanus ſpecialiter nuncupatur) et ſucceſſorum ſuorum, quantum ad utramque legem ——— communis videlicet et Dioceſanæ (nititur) ſubjicere.** Ita quod cultus divinus, & exceſſuum correctio non negligatur in ipſis, quodq; poſſit Clericos ipſius Eccleſiæ liberè ordinare, ac in Clero & populo ipſius Eccleſiæ, & in ipſâ Eccleſiâ ea quæ ſunt ordinis & Epiſcopalis officii jure ſuo exercere: eo quod Epiſcopus *Ciceſtrenſis* qui pro tempore fuerit, **in talibus exercendis ibidem ſe toxtalis difficilem exhibebit.** Et quod dictus *Exonienſis* Epiſcopus & ſucceſſores ſui, **ſaltem ſimilem juriſdictionem habeant in Eccleſia ſeu Capella prædicta, Eccleſiis annexis, et Capellis, Præbendis, Capellanis, Canonicis, Vicariis, Miniſtris, Clero, et populo eorundem, qualem habent alii Decani et Præpoſiti aliarum Capellarum ſuarum liberarum in regno et dominio ſuo conſtitutarum, de gratia ſpeciali et de plenitudine poteſtatis, ad ipſius Regis honoris augmentum. Non obſtantibus quibuſcunque pactis, compoſitionibus, controverſiis aut litibus inter prædictos Epiſcopos et Archidiaconum motis vel movendis occaſione prædicta, cum omnibus ——— non obſtantibus et clauſulis**; ac etiam cum executoribus & conſervatoribus opportunis.

He likewiſe petitioned that he might elect a diſcreet, approved perſon to be his Confeſſor, to whom he might reveal his ſecrets and be abſolved, and receive ghoſtly advice even in ſuch things wherein the See Apoſtolick was to be conſulted with, which he might have freely done without his licenſe.

Supplicat

SUpplicat Sanctitati veſtræ devotus filius veſter *Edwardus* Rex *Anglia*, quod Sanctitas veſtra indulgentiam ——— quarto Idus *Aprilis* Pontificatus veſtri anno primo, ut ipſe pro (ſalute animæ) ſuæ aliquem diſcretum probatum ſibi in Confeſſorem valeret eligere ——— cui ſecreta ſua pandere poſſet, & ab ipſo abſolvi, ——— ſibi prima ſalutari, **etiamſi talia forent, per quæ ſedes Apoſtolica foret** ——— **conſulenda.** Quare ſupplicat dictus *Edwardus*, quatinus in forma ſimili ——— **tempore futuro eligendi ſibi Confeſſorem aliquem concedere dignemini** ——— **facultatem.** *An.* 11 & 12 *Edw.* 1.

In eadem Bundela, An. 11 E. 1.

Page 317. l. 3. after *Julii*, inſert] King *Edward* ſent this Writ to the Archbiſhop of *Dublin*, in favour of the Biſhop elect of *Fern*, to appoint ſome of his Suffragans to conſecrate him in *Ireland*, to ſave his expenſes in repairing to him in *England*, his Biſhoprick being much waſted and impaired by the *Iriſh* Rebels.

EDwardus, &c. venerabili patri *J.* eadem gratia Archiepiſcopo *Dublin.* ſalutem. Quia dilecto nobis in Chriſto Domino *Richardo de Northampton* electo *Fernenſi* didicimus referente, quod vos contemplatione precum noſtrarum, quas pro eo alias vobis direximus, ipſum in ſua confirmatione favore amplioris gratiæ proſecuti fuiſtis; vobis exinde grates & gratias referimus ſpeciales. Et cum idem Electus, qui jam ad partes *Hiberniæ* eſt profectus, **abſque magnis laboribus et expenſis pro munere conſecrationis a vobis optinendo, reverti in *Angliam* non valeret, nec ipſe per totum annum jam inſtantem (ſicut didicimus) tantum de ſuo Epiſcopatu recipiet emolumentum, unde tam graves expenſæ poſſent provenire; præſertim cum ſtatus ejuſdem Epiſcopatus (ſicut ſcire vobis innotuit) per hoſtiles incurſus pacis noſtræ perturbatorum non mediocriter enervetur.** Nos indempnitati ipſius Electi, ſuis exigentibus meritis, proſpicere cupientes; Paternitatem veſtram rogamus & requirimus cum affectu, quatinus noſtris precibus & amore, **dicti Electi laboribus et expenſis in hac parte parcentes**, per literas veſtras aliquibus Suffraganeis veſtris demandare velitis, **ut ipſi vice et authoritate veſtra, eidem Electo in Eccleſia ſua (ſi placet) *Fernenſ.* munus conſecrationis impendant.** Pro quo vobis teneri volumus ad ſpecialium merita gratiarum. Teſte meipſo, &c. Ex Bundela Literarum & Brevium Cancellar. An. 11 E. 1. in Turri London.

Page 316. l. 35. after *ſupra*, inſert] The Monks of the Monaſtery of *Fiſcamp* in *Normandy*, immediately ſubject to the See of *Rome*, electing a New Abbot, whoſe election the Popes Legate confirmed, and receiving his Oath of Fealty to the Church of *Rome*, the Legate thereupon ſent this Inſtrument to King *Edward*, deſiring him to reſtore the Royalties of the Abby to him, which were ſeiſed into his hands during the vacancy. *An.* 12 E. 1.

EXcellentiſſimo Principi ac in Chriſto chariſſimo Domino *E.* Dei gratia Regi *Angliæ* illuſtri, *Johannes* ejuſdem miſeratione titulo Sanctæ *Cæciliæ* Presbyter Cardinalis, Apoſtolicæ ſedis Legatus, ſalutem in eo per quem Reges regnant & Principes dominantur. Ad fovendum in charitatis viſceribus Eccleſiarum ac Monaſteriorum Prælatos Serenitatem veſtram eo fiducialius noſtris precibus invitamus, quo in bonorum operum executione Celſitudinis Regalis affectum exiſtimamus magis promptum ac facilem invenire, maximè cum apud Deum cujus hujuſmodi ſunt miniſtri retributionis præmium, & apud homines laudis præconium vobis exinde acquirantur. Sane Monaſterio *Fiſcanen.* **ad *Romanam* Eccleſiam nullo medio pertinente**, ordinis Sancti ——— *Rothomagen.* Dioc. per obitum quondam *Richardi* Abbatis dicti Monaſterii, Paſtoris regimine deſtituto, Religioſi (& Monachi) ipſius Monaſterii vocatis omnibus qui voluerunt, debuerunt & potuerunt commodè intereſſe, **ad electionem celebrandam de futuro Abbate**, die ad hoc ſtatuta convenientes in unum, ac deliberantes in ipſius electionis negotio **per viam procedere compromiſſi.** Quinque ex eis (videlicet) *Gabrieli* Majori ejuſdem Monaſterii, ac *Thomæ de Ros* Prioratus Sancti *Martini* in boſco ad dictum Monaſterium immediatè ſpectant. Priori, & Religioſo viro *Guilielmo de Picot* Abbati tunc Ballivo, *Guilielmo Lebas* Suppriori, & *Petro Pitot* Granetario Monachis In Turri London. An. 12 E. 1.

An. 12 *E.* I. chis ipſius Monaſterii, providendi eidem Monaſterio de Abbate eo modo poteſtatem liberam conceſſerunt, ut quatuor ex dictis quinque quintum ex ſeipſis poſſent eligere, vel alium de dicto Conventu dummodo in talem ſcilicet alium ab eis omnes dicti quinque conſenſu unanimi concordarent, quodque prædicta poteſtas ſolummodo duraret uſque ad conſumptionem cujuſdam candelæ cereæ quæ accenſa extitit in Capitulo Monaſterii ſupradicti. Præmittentes quod pro ipſius Monaſterii Abbate haberent & tenerent de quo prædicti quinque vel quatuor ex eis, ut dictum eſt, ducerent eidem Monaſterio providendum. Præfati autem quinque ſecedentes in partem, ſuper proviſione hujuſmodi facienda diligentem tractatum ad invicem habuerunt, & demum quatuor ex eiſdem in prædictum *Gulielmum de Picot* unanimiter & concorditer conſenſerunt. Ac prædictus *Gabriel* ante præfatæ candelæ conſumptionem ex poteſtate ipſis quinque, ut præmittitur, à præfatis Conventu conceſſa, de mandato reliquarum trium Collegarum ſuorum vice ſua & eorundem Collegarum ac omnium de prædictis Conventu præfatum *Gulielmum de Picot* elegit in Abbatem Monaſterii memorati, dictuſque *G. de Picot* tandem ad inſtantiam dictorum Convent. hujuſmodi electioni conſenſit. Poſtmodum autem prædicti Conventus faciente nobis decretum electionis prædictæ per ſuos Procuratores & Nuncios ad nos propter hoc deſtinatos ſpecialiter præſentari nobis, **ut electionem confirmaremus eandem humiliter ſupplicarunt.** Nos igitur tam proceſſum ipſius electionis, quam perſonam electi examinavimus diligenter, & quia eandem electionem invenimus de perſona idonea canonicè celebratam, **illam authoritate qua fungimur duximus confirmandam:** Ipſum *G. de Picot* præfecimus eidem Monaſterio in Abbatem, ac ſubſequenter ab eo **prædictæ Romanæ Eccleſiæ nomine recepimus fidelitatis ſolitæ juramentum, ſecundum formam conſuetam ab eadem Romana Eccleſia in talibus obſervari: firma concepta fiducia,** quod cum dictus *G. de Picot* Abbas ſit vir ſufficientis ſcientiæ, providus & honeſtus, ac in ſpiritualibus & temporalibus circumſpectus, ac in executione adminiſtrationum ipſius Monaſterii ſuæ ſolicitudinis pro tempore commiſſarum dicatur laudabiliter ſe geſſiſſe, prædictum Monaſterium per ipſius Abbatis circumſpectionis induſtriam, Deo propitio, præſervabitur à noxiis & adverſis, Regularibus quoque inſtitutis proficiet, ac aliis ſpiritualiter & temporaliter grata ſuſcipiet incrementa. Cum itaque benigniſſime Princeps **ſit diſtutis opus Eccleſias et perſonas Eccleſiaſticas benigno favore proſequi, ac eos verbis et operibus pro Regis æterni gloria venerari:** Excellentiam veſtram Regiam rogamus & hortamur attentè, **quatinus eidem Abbati regalia quæ ratione eorundem bonorum præfati Monaſterii in regno veſtro conſiſtentium tempore vacationis ipſius Monaſterii, ob reverentiam Apoſtolicæ ſedis, et noſtra reverentia, prout hactenus conſuevit fieri concedentes alias,** ipſum & præfatum Monaſterium regimini ejus commiſſum habere dignemini propenſius commendatos. Ita quod dictus Abbas veſtræ Celſitudinis fultus auxilio in eodem regimine poſſit Deo propitio proſperari, ac vobis exinde à Deo perennis vitæ præmium, **et ab eadem ſede condigna proveniat actio gratiarum.** Dat. *Mayſell* Idus *Novemb.* Pontificatus Domini *Martini* Papæ 4.

Page 321. l. 1. before *The King*, inſert] About the ſame time Pope *Martin* the 4th. having confirmed the election of a New Abbot of *Eveſham*, ſent this Bull to King *Edward* to certifie him thereof, and deſire the reſtitution of his Temporalties, though he by his Bull committed the Temporalties as well as Spiritualties of the Monaſtery to him, in derogation of the Kings Prerogative, who had frequently excepted againſt ſuch clauſes, and cauſed both Biſhops and Abbots ſpecially to renounce them, before their Temporalties were reſtored.

An. 12 E. 1. in Turri London.

MARTINUS Epiſcopus ſervus ſervorum Dei, chariſſimo in Chriſto filio illuſtri Regi *Angliæ*, ſalutem & Apoſtolicam benedictionem. Dudum Monaſterio de *Eveſham* ad *Romanam* Eccleſiam nullo medio pertinente, ordinis Sancti *Benedicti*, *Wigorn.* Dioc. ——— dilecti filii Prior & Conventus ejuſdem Monaſterii certa die ad eligendum præfixa, vocatis omnibus qui voluerunt, debuerunt & potuerunt commodè intereſſe ——— per viam procedere compromiſſi, in dilectum filium *Johannem* Abbatem, tunc Cellararium ipſius Monaſterii, ac ſex alios ex ejuſdem Monaſterii ——— in

voto

voto compromittere curaverunt, conceſſa eis providendi hac vice de ſe vel aliis ejuſdem Monaſterii Monachis, per electionem canonicam vel poſtulationem concordem ipſi Monaſterio de Abbate ſeu ——— poteſtate, promittentes quod illum in ſuum & prædicti Monaſterii Abbatem reciperent & haberent quem iidem concorditer vel major pars eorum ducerent in Abbatem dicti Monaſterii ——— eligendum. Et tandem ſecedentibus illis in partem diverſis inter ſe tractatibus habitis, notiſque ſuis diligenti examinatione diſcuſſis, juxta formam hujuſmodi compromiſſi prædicti ſex in eundem *Johannem* unanimiter & concorditer conſenſerunt; & dilectus filius *Willielmus de Tywa* ipſius Monaſterii Monachus (qui de) prædictorum Compromiſſariorum numero exiſtebat, vice ſua & de collegarum ſuorum ac ſingulorum de dicto Conventu ſpeciali mandato & voluntate expreſſa, de *Johanne* prædicto providit eidem Monaſterio in Abbatem, & ipſum nichilominus elegit in Abbatem Monaſterii ſupradicti. Idemque *Johannes* ad inſtantiam Prioris & Conventus eorundem electioni hujuſmodi de ſe factæ conſenſit. Demum vero præfati Prior & Conventus præſentantes nobis per Procuratores ſuos ad hoc ſpecialiter conſtitutos, decretum ſuper hujuſmodi electione confectum, cum inſtantia petierunt, ut electionem (prædictam) admittere ſeu confirmare de benignitate ſedis Apoſtolicæ curaremus. Nos autem quia per diligentem examinationem electionis, & electæ perſonæ invenimus electionem eandem de prædicto *Johanne*, perſona utique idonea canonicè celebratam, eam de fratrum noſtrorum conſilio duximus confirmandam, ipſumque *Johannem* præfecimus ipſi Monaſterio in Abbatem, curam et adminiſtrationem illius in ſpiritualibus et temporalibus ſibi nichilominus committendo, ſubſequenter ei de noſtris manibus munere benedictionis impenſo; firma concepta fiducia quod dirigente Domino actus ſuos, præfatum Monaſterium per ſuæ circumſpectionis induſtriam proſpere dirigetur, & ſalubria dante Domino ſuſcipiet incrementa. Quocirca Celſitudinem Regiam veſtram rogamus, & hortamur affectu, quatenus eundem Abbatem & Monaſterium ſibi commiſſum habens pro noſtra et Apoſtolicæ Sedis reverentia propenſius commendatos, ſic te illi (benigni favoris auxilio) exhibeas, ac ipſum & præfatum Monaſterium tuæ benevolentiæ gratia proſequaris, ut ipſe regalibus fultus præſidiis prædicti Monaſterii regimen facilius & efficacius valeat exercere. Noſque ——— Magnificentiam Regiam dignis in Domino laudibus attollamus. Dat. apud *Urbem Veterem* 15 Kal. ——— Pontificatus noſtri Anno ——— *An.* 12 *E.* 1.

Page 332. l. 43. after *particular Cuſtom*, and before ſly. inſert. This is likewiſe contradicted by *Mich.* 34 E. 1. *Fitzh. Detinue* 60. *Paſch.* 17. and by the forms of ſundry Writs *De rationabili parte bonorum* in the Files of *Writs* and *Plea Rolls* in the *Tower*, during the reigns of King *Edward* the 1, and 2. I ſhall preſent you only with this one in the *Bundles of Writs*, Anno 15 E. 2. inſtead of many more. *An.* 13 *E.* 1.

Edwardus Dei gratia Rex *Angliæ*, Dominus *Hiberniæ*, & Dux *Aquitaniæ*, Vic. *Lincoln.* ſalutem. Si *Thomas* filius *Roberti Baliſon* & *Johannes* frater ejuſdem *Thomæ*, *Chriſtiana*, *Agnetes*, *Matilda*, & *Cecilia* ſorores ejuſdem *Johannis* fecerint te ſecurum de clamore ſuo proſequendo, tunc ſum. per bonos ſummonitores *Willielmum de Chuſt*, & *Iſabellam* quæ fuit uxor *Roberti Batiſon*, Executores *Roberti*, quod ſint coram Juſticiariis noſtris apud *Ebor.* à die Sanctæ *Trinitatis* in quindecim dies oſtenſuri, quare cum ſecundum Conſuetudinem REGNO NOSTRO hactenus optentam (therefore the conſtant antient Cuſtom of the whole Realm before and till that day, and ſo by conſequence ever ſince, not of ſome particular Countries only) pueri poſt mortem patrum ſuorum habere debeant rationabiles partes ſuas de bonis et catallis quæ fuerunt patrum ſuorum prædictorum; iidem *Willielmus* et *Iſabella* prætati *Thomæ*, *Johanni*, *Chriſtianæ*, *Agnetis*, *Matilda* et *Cicilia* rationabiles partes ſuas ad valorem ſexdecim librarum et decem ſolidorum de bonis et catallis quæ fuerunt *Roberti Mateſon* patris prædictorum *Thomæ*, *Johannis*, *Chriſtianæ*, *Agnetis*, *Matilda*, et *Cecilia* detinent minus juſte, et eas eis reddere contradicunt, in ipſorum *Thomæ*, *Johannis*, *Chriſtianæ*, *Agnetis*, *Matilda* et *Cecilia* diſpendium non modicum et gravamen, ET CONTRA CONSUETUDINEM PRÆDICTAM.

An. 12 E. 1. DICTAM. Et habeas ibi Summonitores, & hoc breve. T. meipso apud *Eborum* 17 die *Maii*, Anno regni noſtri 15.

Agreeable hereunto is the printed Reſolution, *Paſch.* 17 E. 2. *Fitzh.* Abridgement *Detinue* 58. Cum ſecundum Conſuetudinum [illegible] *le femme doit aver le tierce parte des* Chateux ſon Baron apres ſon mort, *et ſes enfauntz deſavauntz de autre tierce part*: And *Trin.* 1 E. 2. *Fitzh. Detinue* 56. which allegeth it to be *PER USAGE DE PAYS, & le Grand Charter voit, &c. Hil.* 17 E. 3. 9. *Fitz. Reſpond.* 15. 30 E. 3. 25. *Fitz. Detinue* 52. *Paſ.* 31 E. 3. *Fitz. Reſpond.* 6. *Par la CUSTOME de ROYALME.* And Sir *Robert Brooke* in his Abridgement, Tit. *De Ration. bile parte bonorum*, 1, 5, 6. concludes from *Glanvil*, *Fitzherberts Natura Brevium*, and all theſe Books, Que ceſt action de *Rationabili parte bonorum*, giſt per le Common Ley *PER TOUT LE ROYALME* pur feme et enfauntz vers l'executors le pere. *Et eſt admit, que ceo eſt LE CUSTOME DE ROYALME, & LE GENERAL CUSTOME DE ROYALME.*

If this Writ then lie againſt Executors by the premiſed ancient Lawes and by the Cuſtom of the Realme: then *à fortiori* againſt *Adminiſtrators*, who are obliged to diſtribute the ſurpluſage of the goods according to the Common Law; Therefore the Ordinary can have no legal authority to diſtribute them at his pleaſure to any pious or other uſes.

Page 341. l. 8. after 13 E. 1. adde.] Yea * Sir *Henry Spelman* a very learned *Antiquary*, eſpecially in Eccleſiaſtical affaires, after the Charter of King *Edward* the 2. *apud* Eboracum 24 *die menſis* Novembris, *Anno regni noſtri* Decimo, reciting and confirming his Anſwers to *Articuli Cleri* upon their Petitions to him, out of Sir *Robert Cottons* Manuſcript, ſubjoynes *Circumſpecte agatis*, as a Letter grounded thereon, and ſubſequent to it, *viz.*

* Conciliorum Tom 2. p 483, to 487. Ex Codice MS. in Bibl. Cottoniana, ſub effigie Othonis, A. 15. f. 136. & ex Regiſtro Reynolds, p. 76 b.

Litera, ſuper eandem Cartam Domini Regis (*Ed.* 2.) Juſticiariis et aliis Regis Miniſtris directa pro Prohibitione.

REX Juſticiariis, ſalutem. CIRCUMSPECTE AGATIS de Negocio tangente Epiſcopum *Norwycenſem*, et ejus Clerum, ſi placitum tenuerunt de his quæ merè ſpiritualia, *viz. &c. verbatim* as in the premiſed Writ of *Circumſpecte agatis*, (Here, p. 336.) Therefore by this ancient Manuſcript and Sir *Robert Cottons* Reſolution, it was only a *Letter* framed upon this Charter and *Articuli Cleri* to be ſent to the Kings Juſtices and Officers in or after the 10th. year of King *Edward* the 2. not extant nor enrolled in any Roll I can yet finde in the *Tower*; therefore not an actual Prohibition under the Kings great Seal; much leſſe *a publike Statute made in Parliament*, *An.* 13 E. 1. as Sir *Edward Cooke* and others moſt groſly miſtake. And that which confirms me farther in this opinion, is an antient Preſentment in Parchment, (without any year or date, made by a Jury of the County of *Norfolke* to the Kings Juſtices, about the 13 year of King *Edward* the 2. as I conjecture by the hand, and other Circumſtances) which I found in the *White Tower* Chappel, againſt the *Deans*, *Officials*, and *Clergy* of the Biſhop of *Norwich*, for ſeveral *encroachments upon the Kings Prerogative, Courts*, and *peoples Liberties*, in holding Plea of Treſpaſſes, Debts and other Temporal Cauſes, and impoſing Oaths, pecuniary mulcts, penalties, exactions on the people, and excommunicating them againſt Law.

DIcunt, quod cum *Semanus Kreye* de *Wryaingemagna* legavit ante Corpus ſuum quendam equum pretii 3 *s. Willielmus* Rector Eccleſiæ noluit prædictum equum recipere, quia prædictus defunctus habuit meliorem equum illum calumpniabit ut jus Eccleſiæ ſuæ, tandem propter timorem ſummonicionis ad Capitulum ſibi tradiderunt quondam equum pret. 6*s.* 8*d.* ſolid.

Item dicunt, quod prædictus *Willielmus* Rector Eccleſiæ de *Wryaingemagna* dum fuit Decanus, recepit de *Willielmo Goddard* & de *Beatrice Knyvet* pro fornicatione, 12 *d.*

Item dicunt, quod *Willielmus Kreye* de *Wryaingo* legavit ante Corpus ſuum veſturam

ſturam trium rodarum. Et Dominus *Gilbertus Peche* incontinenti poſt mortem ſuam aſportavit prædictum fratrem qui fuit ruſticus ſuus. Et prædictus Rector Eccleſiæ de *Wryainge* citare fecit coram ſeipſo *Alic. Kreye* Executorem ſuum quouſque ſatisfecit ei de quinque ſolidis. *An.* 12 *E.* 1.

Item dicunt, quod *Johannes de Fraveſham* Capellanus, implacitabit *Gilbertum Hidekote* de *Haverelle* ad Conſiſtor. *Norwyc.* quia dictus *Gilbertus* debet gaudere ſpelum prædicti *Johannis*, unde fecit finem cum prædicto *Johanne* antequam habere potuit pacem, dimid. Marc. et nihilominus dampnum unde habuit ad valenciam, 10 *s.*

Item dicunt, quod Magiſter *Henricus de Hargrave* tunc Offic. cepit de *Johanne* filio *Petri de Haverell*, quia probabit teſtamentum uxoris ſuæ coram Decano de *Clare*, 10 *s.*

Item dicunt, quod *Robertus de Geyſtone* Capellanus implacitabit prædictum *Johannem* filium *Petri* coram Magiſtro *Johanne de Ferriby* de placito roberiæ, et aliis tranſgreſſionibus, unde habuit dampnum ad valenciam 10 *s.*

Item dicunt, quod *Johannes de Fraveſham* Capellanus implacitavit, *Henr. Godinç* de *Haverell.* & *Godam* uxorem ejus de placito debiti et tranſgr. coram Magiſtro *T. le Gros*, Offic. ad Conſiſtor. *Norwyc.* unde dampnum habuit dimid Marc.

Item dicunt, quod *Radulphus de Chedgrave* citare fecit *Thomam Lenveys de Chedbery* de placito Conventionis ad Conſiſtor. *Norwicen.* et pro pace huſuſmodi cepit ab eo 5 *s.*

Item dicunt, quod *Johannes de le Bret* de *Wryainge* implacitabit *Willielmum Cochun* de eadem coram *Roberto* Vicar. de *Hovedone* tunc Decano, pro dampno facto in blado ſuo, unde dampnum habuit 60 *d.*

Item, idem *Robertus* Decanus recepit de *Willielmo Cochun* pro ſoznicatione, 12 *d.*

Item dicunt, quod *Robertus le Wakye* citare fecit coram *Roberto* Vicario de *Hovedone* tunc Decano, *Willielmum Cochun* & *Henr. Pipeſtrave* pro dampno facto in quodam boſco, et pacificaverunt cum Decano de 5 *s.*

Item dicunt, quod *Robertus de Ponte de Kedicane* legabit unam baccam Vicar. ante corpus ſuum precii, 5 *s.* Et *Willielmus Surmes* Magiſter *Thomas de Beek* noluit dictam baccam retinere, quia prædictus defunctus habuit meliorem; ſed ——— authorizare ſua propria, et quæſivit quandam baccam precii 7 *s.*

Item dicunt, quod Magiſter *Henricus de Hargrave* tunc Offic. cepit de *Barth. Gambour* pro ſoznicatione, 4 *s.* Et de *Galfrido* Clerico ſuo 12 *d.* Et *Robertus de Hovedon* tunc Decanus cepit de eodem *Barth.* pro illa Muliere, 2 *s.*

Item dicunt, quod *Johannes* Capellanus de *Faverſham* citare fecit *Radulphum Druri de Kedistone* coram Magiſtro *Richardo Guidot* Offic. et impoſuit et falſo ipſum verberabiſſe quendam Capellan. et ita ſatisfecit ei de 5 *s.* Et dictus Magiſter *Richardus* habuit 5 *s.*

Et dicunt, quod dictus *Robertus* Vicar. de *Hovedone* tunc Decanus, cepit de *Barth. Gambour* pro non veniend. ad ſummonitionem ſuam, 12 *d.*

Item, idem *Robertus* cepit de *Thoma Pipeſtrave* quod commedebat cum *Hamone Chevere*, quem dicebat ſe excommunicaſſe, 6 *d.*

Item, idem *Robertus* recepit de prædicto *Thoma* quia cariavit per diem feſtivalem *Sempl.* 6 *d.*

Item dicunt, quod *Richardus Gurdet* cepit de *Barth. Gambour* pro ſimplici ſoznicatione, 2 *s.*

Item dicunt, quod *Richardus Gurdet* Officialis voluit feciſſe *Johannem Rundell* de *Hovedone* * juraviſſe ad inquiſitionem ſuam, et idem *Johannes* noluit jurare ſine præcepto Domini Regis, et ideo Dominus *Richardus Gurdet* amerciabit ipſum ad dimidium Marc. et ipſum fecit excommunicare de die in diem, et ipſum citare fecit coram ſeipſo de Capitulo in Capitulum. Et prædictus *Johannes* (detulit ei) breve Domini Regis de prohibitione in Eccleſia de *Wyſbram*. Et dictus *Richardus* reſpond. ad prohibitionem prædictam in deſpectu Domini Regis dicendi erupt. et adhuc fecit excommunicari propter dimid. Marc. ad damnum ipſius *Johannis* 20 *s.* * *Nota.*

Dicunt, quod *Robertus* Rector Eccleſiæ de *Manefeld* citare fecit *Thomam Veyborith* ad Conſiſtor. *Norwici*, et coram *Roberto de Hovedon* Decano, de tranſgreſſionibus

An. 13 *E* 1. greſſionibus non tangentibus Patrimon. nec Teſtamentum, unde dampnum habuit ad valentiam 40 *s.*

Item dicunt, quod prædictus *Robertus* Rector Eccleſiæ de *Manesfield* cepit de *Matilda Marpelleſtumber* unam Vaccam injuſte, & quia dicta *Matilda* ſe conquerebatur ad Vicinos ſuos prædictus *Robertus* citare fecit ipſam coram *Roberto* Vicar. de *Hovedone* tunc Decano; ita quod amiſit verſus prædictos *Robertum* & *Robertum*, 7 *s.*

Dicunt, quod Magiſter *Henricus de Hargrave* tunc Offic. & *Galfridus de Brechenham* ceperunt injuſtè per ſumm. de *Roberto le Wite* de *Writham* 4 *s.* per procuramentum *Petri* Vicar. de *Dittone*, quia habuit prædictum *Robertum* in odium.

Dicunt, quod *Amic.* Uxor *Henrici Carpenter* de *Bernardſtone* fecit adulterium, et ſummonita fuit coram *Richardo Gurdet* tunc Offic. et non venit, ideo cepit ab eo ſex ſolidos.

Such were then the manifold extorſions, vexations, grievances, excommunications, oppreſſions and encroachments of theſe Deans, Officials, and Clergymen of the Biſhop of *Norwich*, who had little reaſon to proſecute this Letter of *Circumſpecte agatis* to the Kings Juſtices and Officers, which themſelves contrived, prepared, but the King never ratified under his Seal, for ought appears by any Record thereof I have ſeen after my beſt ſearch to find it.

Page 344. l. 8. after *Decembris*, theſe Writs ſhould have been printed. In the Bundle of Writs Anno 13 E 1. in the *White Tower*, theſe Prohibitions came to my hands. Edwardus, *&c. Venerabili in Chriſto Patri* R. Herefordenſi *Epiſcopo, &c.* ——— ——— *&c. quod venire fac. &c.* Walterum Plumer *Clericum veſtrum, ad reſpond.* Roberto Crumpe *de* Hereford, quare ſecutus eſt plac. in Curia Chriſtianitatis de catallis et debitis quæ non ſunt de Teſtamento, &c. contr. Prohibitionem. *Teſte* T. de *Weylond* ap. *Weſtm.* 24 *die* Junii, *An. r. n.* 13.

Ex Bundela Brevium & Literarum in Turri Lon-don, Anno 13 E 1.

Edwardus, &c. dilecto ſibi in Chriſto Abbati de *Hyda Wynton.* ſalutem. Sciatis quod dedimus vobis poteſtatem recipiendi Attornatos Magiſtri *Henrici de Prince*, quos coram vobis loco ſuo attornare voluerit ad lucrandum vel perdendum in loquela, quæ attachiata eſt coram Juſticiariis noſtris apud *Weſtm.* per breve noſtrum, inter ipſum *Henricum* et *Johannem de Grai*; de eo, quod idem *Henricus* ſecutus eſt placitum in Curia Chriſtianitatis, de catallis et debitis, quæ non ſunt de Teſtamento vel Patrimonio, contra Prohibitionem noſtram. Et ideo vobis mandamus, quod cum Attornatos illos receperitis, nobis de nominibus eorundem Attornatorum, ſub ſigillo veſtro, diſtinctè & apertè conſtare faciatis. Remittentes nobis hoc Breve. Teſte meipſo apud *Briſtoll*, 28 die *Decembris*, Anno regni noſtri 13.

Rex, &c. Breve de Attornato faciendo in conſimili placito, Petri Sturdis, *coram Juſtic. de Banco, verſ.* Aliciam Atte-Bathurſt. *T. meipſo apud* Wilton. 6 *die* Octobris. *An. r. n.* 13.

Page 344. l. 49. after *tercio decimo*, inſert.] Amongſt the neglected Records in the *White Tower*, I found theſe Letters Patents for a mariage agreed and ſworn between Prince *Edward* the Kings ſonne, and *Philip* daughter to the Earl of *Flanders*, and that he would never aſſent to any impeachment or Abſolution thereof either by the King of *France*, or by any Pope or Popes for the advancement of their own uſurped power, encreaſing their Treaſures, and ingratiating themſelves with Kings, Princes, and other great perſons, then ordinarily abſolving Kings and great perſons both from their Oaths, Marriage Contracts and agreements, by which they gained moſt of their *Antichriſtian Soveraigns* and *Dominion.*

Bundela Brevium, An. 13 E 1. in Turri London.

NOus *Edward* par la Grace de Dieu Rois *Dengleterre*, Ducs *Daquitaine*, & Sires *Dirlaunde*, Faiſons ſavoir a tous ke jadis nous feſimes a noble homme *G.* Conte de *Flandres*, & *Marchis de Naviere* covenentes de fere marriage enter *Edward* noſtre chier fil. à *Philippe* fille au dit Conte per covenentes ke ſunt contennes eus es Lettres ki ſour chou faites. Et pur chou ke haus Princes & Poiſcans

Poiſcans le Rois de *Fraunche* et ains et met impechement, et ke nous amous deſirous et volens lalloicanche et laimer de eions et des nos au dit Conte, & as ſieus. Nous avous promis et promettons au dit Conte loialment & en bone foi par le ſacrement feit en noſtre ame et en noſtre noun, et per noſtre commandement et en noſtre preſence ſour les ſains Evangiles touchiés corporelment, per procureurs, ke nous pur che faire pur nous en noſtre noun, meiſmes chet aſſavoir honourable peres en Dieu *Wauter* par le Grace de Dieu Eveske de *Dureſme*, *W.* par le meſme Grace Eveske de *Ceſtr.* e Monſieur *Hue le Deſpenſer*, le Sacrement ſi come le fait pur nous et en noſtre noun greant and approvant, ke ſe li dis marriages valoit avant, enſi ke covenenchiet eſt enter vo dit fil & *Philippe* devant nomee par l'empeachment deu Roi de *Franche* devantdit, ou per autre occaſion quele ke elle aveniſt, ou per le mort de le dit *Philippe*. Nous procurrons, purkacherons & ferons ke mariages ſe fera enter noſtre dit fil *Yſabell* fille au dit Conte de *Flaundres* a telles obligacions & telles covenentes ki fait ſtater den marriage de noſtre fil & *Philippe* deſuſdis, & de che purkacherons nous en bone foi avoit le Conte devantdit, ou ſerons purkachier diſpenſation ſi meſtiers en eſt, et tele he in conneera ne nepaecherons per nous ne per autrui, ne empaech. ne ſerons nene conſentirons abſolution encontre ches choſez, ne autre empaechement d'Appoſtoille ne d'autrui, et ſi empetrei fuſt ou donei nous neu uſeroms mie ne neſoufairons he ou en uſe. Et a tout che faire & aem perlir, Nous obligons tout le noſtre e noſtre heir Roi *Dengleterre*, et tout le ſien entirement et renonchons quant à che pur nous et par nos dit heir a toutes les choſes entirement, par le queles nous ou nous heires deſuſdis porriems venir entre cette covenenches ſoit en tout ou encune partie. Et pur ſeureitie et teſmognage de ces choſes avous nous ches preſent Lettres fait ſaeler de noſtre ſael, ki faites furent, & donees l'an de Grace Mil deus Cens quatre vine & fayre, le an, &c. *An.* 13 *E.* 1.

Page 352. l. 43. after *miſſit*, inſert.] A few years before the Biſhops and Archdeacons of *Ireland* endeavoured by the power of the Biſhop of *Bath* and *Wells*, then L. Chancellor of *England*, to engroſſe all ſuits againſt Executors in the Kings Courts in *Ireland* into their own Eccleſiaſtical Courts, as being matter of Teſtament, not belonging to the Kings Courts, and a breach of their Eccleſiaſtical priviledges, as appears by complaint and petition of the Biſhop and Archdeacon of *Fern* to this Chancellor Anno 13 E. 1. (where it ſhould have been inſerted) againſt a Suit brought againſt the Archdeacon as an Executor, in the Kings Exchequer in *Dublin*.

VEnerabili Patri in Chriſto, & amico (ſi placet) chariſſimo, Domino *R.* Dei gratia *Bathon.* & *Wellenſi* Epiſcopo, *R.* miſeratione divina Eccleſiæ *Fernenſi* Miniſter humilis, ſalutem, & ſinceræ dilectionis conſtantiam cum orationum ſuffragiis. Cum vos libertatis Eccleſiaſticæ columnam agnoſcamus cæteris firmiorem, veſtram moneat Paternitatem, quod in partibus *Hiberniæ*, contra libertatem Eccleſiaſticam, inſolenter et noviter eſt ſuſcitatum, quod piæ paternitati veſtræ præſenti pagina referimus dolentes; videlicet, Quod, cum *Nicholaus*, Archidiaconus noſter *Fernen.* Executor Teſtamenti *Ada de Sancto Johanne*, de bonis ejuſdem defuncti, tanquam Executor, jamdudum diſponeret et miniſtraret, ut dicitur; quidam Miles *Willielmus Waſpayl*, nomine Domini *Waterfordenſis* Epiſcopi, Juſticiarii *Hiberniæ* ſpecialis, de mandato ipſius Domini Juſticiarii, et ejus patrocinio ſpecialiter confidens, et audaciam habens, quaterviginti et ſex libras argenti ab eodem Archidiacono noſtro exigit coram Baronibus de Scaccario Domini Regis *Dublin.* ipſum ibidem conveniendo per Breve de Scaccario, (cujus tranſcriptum vobis mittimus præſentibus incluſum) Qui, quamquam idem Archidiaconus per Attornatum ſuum coram eis allegaſſet, quod ſuper hujuſmodi re Teſtamentar. ibidem non debuiſſet reſpondere, ac per nos inſtanter petitum eſſet, quod cauſa illa ad noſtrum remitteretur examen, in eadem cauſa procefſerunt; compellendo ipſum Attornatum eidem *Willielmo* ibidem reſpondere de pecunia prædicta; quam idem *Willielmus* dicit ſe ſolviſſe *Reginaldo de Dene* per diſtrictionem Scaccarii prædicti; qui *Reginaldus de Dene* eſt in cuſtodia dicti Juſticiarii, & filiam ſororis ejuſdem Juſticiarii duxit in uxorem. Et cum hujuſmodi cauſa mere Brevia Regis, An. 13 E. 1.

An. 13 E. 1. ſit Teſtamentaria, et ad examen Eccleſiaſticum de jure debeat pertinere, ſicut veſtra nobit diſcretio, et nos ſemper parati fuerimus, et ſimus, de dicto Archidiacono noſtro, dicto Militi et aliis de ſe querelantibus plenam juſtitiam exhibere, ad libertatis Eccleſiaſticæ defenſionem et conſervationem, pro qua vos ſemper impendiſtis, ſummo (ſi placet) ſtudio remedium in præmiſſis providere dignamini. Prædicta vero cauſa inter ipſum Militem & dictum Archidiaconum, prout didicimus, in foro Eccleſiaſtico, coram Domino *Lechlin.* Epiſcopo, in cujus Dioceſi idem Miles dicit ipſum Archidiaconum de bonis dicti defuncti adminiſtraſſe, extitit alias usque ad ſententiæ diffinitivæ calculum ventilata, donec dicto Epiſcopo defuncto, per ipſius *Willielmi* negligentiam conquiebit. Unde intuitu Dei et Eccleſiæ, taliter in præmiſſis operari et providere veſtra diſcretio dignetur, ut Eccleſiaſtica libertas illæſa cuſtodiatur. Valeat pia Paternitas veſtra ſemper in Domino. Dat. feria ſecunda in Septiman. *Pentecoſt.* Anno gratiæ, 1285.

Supplicat vobis (Domine Cancellarie) *Nicholaus* Archidiaconus *Fermenſ.* (qui vetus eſt, & gravi infirmitate detentus) remedium ſibi fieri de quibuſdam injuriis, libertati Eccleſiaſticæ et ſibi factis; quod, cum quondam extitit Executor Teſtamenti *Adæ de Sancto Johanne* defuncti, & bona ejuſdem defuncti vice Executoris fideliter diſpoſuit & miniſtravit, & de Bonis & Catallis dictum Teſtamentum tangentibus finalem Compotum reddidit coram ſuo Dioceſano; ſuper hoc venit Dominus *Willielmus Waſpayl* Miles, ob favorem Juſticiarii *Hiberniæ*, et implacitat ipſum coram Baronibus de Scaccario *Dublin.* contra Legem et Juſtitiam, de quaterviginti & ſex libris Argenti, per quoddam Breve de viridi Cera, (quod dicitur *Venire fac.*) eo quod extitit Executor prædicti defuncti, deficut hujuſmodi placita Teſtamentum tangentia, coram eiſdem de jure non debent placitari; nec idem *Willielmus* Baro de Scaccario, nec Miniſter Domini Regis eſt. Et nichilominus ipſum cohartant ad reſpondendum coram ipſis de Debito prædicto. Quare petit, caritatis intuitu, remedium ſibi fieri.

The Chancellor writing to the Abbot and Covent of St. *Thomas* the *Martyr* by *Dublin* for a Corody for *Almeric de Deneford*, received this Negative Anſwer from them for the reaſons therein mentioned.

Bundela Literarum & Petitionum An. 13 E. 1. in Turri London.

VEnerabili in Chriſto Patri R, permiſſione divina *Bathon. & Wellenſi* Epiſcopo, Cancellario Domini Regis in *Anglia*, ſui ubique humiles & devoti Abbas & Conventus Domus S. *Thomæ Martyris* juxta *Dublin.* ſalutem, cum omni reverentia, obſequio & honore. Literas veſtras recepimus, quarum tenor talis eſt. *Viris Religioſis, & amicis ſuis in Domino kariſſimis, Abbati & Conventui Sancti* Thomæ Dublin. R. *permiſſione divina* Bathonienſis & Wellenſis *Epiſcopus, ſalutem, & mutuam in Domino charitatem. Licet precibus Regiis preces accumulare non perpendimus nos decere, nihilominus tamen pro* Almerico de Deneford (*de quo litera dicti Domini Regis deprecatoriæ tranſmittuntur*) *amicitiam veſtram requirimus & rogamus, quatinus rogatum illum eo libentius, quòd pro ipſo intercedimus, expletis; pro quo vobis ad grates ſpecialiter teneamur: Benè & din valeat*, &c. *Dat. apud* Abercon. *primo die* Septembris. Noverit ſancta Paternitas veſtra, quod velle & beneplacitum veſtrum in omnibus & per omnia pro viribus intendimus adimplere, ſed tamen ſupplicamus, quod non offendat Clementiam veſtram, ſi preces veſtras adhuc effectui non mancipavimus; pro eo, quod ad preces Regias & veſtras ſuſcepimus quendam *Cetum*, una cum Duce ſuo jam ſex annis elapſis, quorum intuitu ſumus aſtricti ad inveniendum eiſdem neceſſaria in victu & veſtitu omnibus diebus vitæ ſuæ: Et credimus pro certo, quod ſi Dominus Rex & vos illud ſciretis eo tempore quo dictæ preces a Curia Regia emanarunt, domum noſtram de aliis recipiendis non oneraretis; & maximè, cum ille qui nobis preces porrexerit pro dicto *Almerico*, teneatur eidem, equitate ſuadente, in neceſſariis providere, quia habet terras & tenementa ejuſdem, ex quibus poterat honeſtè ſuſtentari. Quare piæ Paternitati veſtræ precibus humilibus duximus ſupplicand. quatinus caritatis intuitu & ſanctæ Religionis optentu, his conſideratis, de receptione & admiſſione ejuſdem, domum noſtram ad præſens nullatenus gravare dignemini: conſiderantes, ſi placet, quod domus noſtra à Progenitoribus Domini Regis ſit fundata,

data, pluribus ex cauſis diverſimodè onerata & gravata, & in pluribus locis (ejuſdem poſſeſſionibus) **per incurſum malignorum enormiter deſtructa**; præterea non lateat Sanctam Paternitatem veſtram, quod nos ad preces Regias ſolvimus annuatim tres Marcas Argenti Domino *Richardo de Norhampton* Clerico ejuſdem, viginti annis elapſis & amplius, et adhuc ſolvimus eidem, **licet fuerit ad Epiſcopatum** *Fernenſ.* **promotus**, quod nobis videtur aliquantulum tedioſum; à qua pecuniæ ſolutione de cætero ſibi facienda, ſi ordo juris poſtulaverit, & veſtræ clementiæ placuerit, **deſideramus relevari.** Valeat Sancta Paternitas benè & diu in Domino. *An.* 13 *E.* 1.

The Abbot of the *Premonſtratenſes* writ this Letter to the King concerning his to them for the reformation of the Church of *Tarleha.*

SEreniſſimo ac Magnifico Domino *Edwardo* Dei gratia *Anglorum* Regi Illuſtri. *G.* Dei patientia *Præmonſtrat.* Abbas, et Abbatum ejuſdem Ordinis Capitulum Generale, illam quam Rex omnium Regum Dominus Regibus dat ſalutem. Serenitati veſtræ gratias quantaſcunque poſſumus referimus, ſuper eo, quod tanquam piæ religionis Zelator, ſtatum Eccleſiæ de *Tarleha* miſerabilem & exilem à malitia inhabitantium in ea multis inſolentiis deformatam, & in ſalſuginem ſterilitatis converſam, petiiſtis tam ſollicite reformari; Significantes vobis, quod nos, de communi Conſilio & aſſenſu, ad regimen & reformationem operis, venerabilem virum fratrem *Simonem* quondam Abbatem Sancti *Quiritii* in *Apulea*, de *Angliæ* partibus oriundum, veſtramque habentem gratiam (ut dicitur) deſtinamus: Vobis humilitate, quâ poſſumus, ſupplicantes, quatenus eidem fratri ad relevationem & reformationem ipſius Eccleſiæ manum porrigere dignemini adjutricem, aliaſque ordinis noſtri Eccleſias, in noſtro conſiſtentes diſtrictu & ſpecialiter *Belloſanum* amplecti dignemini aliqua ſpecialitate favoris, Ordinis orationum reſpectu. Datum *Præmonſtraten.* in Capitulo Signali, Anno Domini 1284. Ex Pundela Brevium & Literarum. An. 13 E. 1. in Turri London.

The Freers Preachers at *Cadami* intending to meet in a general Chapter there, to adviſe of the repairing their Monaſtery, and redreſſe of their grievances, writ and ſent this gratulatory Epiſtle to King *Edward* the 1. as their Soveraign Lord, ſingular Patron and benefactor, imploring his aid, bounty, aſſiſtance herein, aſſuring him of their conſtant prayers to God for him and his.

EXcellentiſſimo Principi ac Domino Illuſtriſſimo Regi *Angl.* & Duci *Aquitan.* frater *Nicholaus* Fratrum Prædicatorum ordinis in loco *Cadamo* ſervus, totuſque ejuſdem loci Conventus humilis, ſalutem, & ex meritis terreni regiminis æterni regni gloriam promereri. **Quia naturæ et rationis conditor providit ab æterno per gradus ſibi congruos ſua ſapientia ordinavit, et jurta conditionem naturæ cujuſlibet omnibus ſic providit, quod tam in cœleſtibus quam terrenis gradus inferior a ſuperiore regimen continuum recipit et influxum, quare de plebe ſua ordinans Vos ad veſtri meriti et præmii cumulum ſub ſua conſtituit poteſtate, et ſuper maximam partem ſuæ familiæ, quam ad veſtri ſalutem et honorem adaugeat, Regem et Principem ſublimavit, donis naturalibus et gratuitis ſic dotavit, quod inſtincta rationis propriæ omnibus vobis ſubditis ſecundum quod cuique convenit providetis**: quod attendentes nos in loco veſtro poſiti multis gravati oneribus & diverſiis circumdati anguſtiis & oppreſſi, utpote qui ad recipiendum provinciale Capitulum, **quod debet in Conventu noſtro et veſtro in inſtanti feſto beati Dominici celebrari**; nec ad recipiendum habeamus Dormitorium, quia pro majori parte jam corruit & funditus eſt everſum, & de vitæ neceſſariis prædicto Capitulo providere non poſſimus adhuc conſilium invenire, **pro eo quod Barones terræ et Nobiles a quibus ſperebamus prædictum Capitulum procurari, ſublevari et honorari, ſunt et erunt, ut credimus,** in illuſtris Regis *Francia* negotiis occupati. Ex his & pluribus aliis quæ enarrare per ſingula eſſet longum, animo anxii & perplexi **veſtræ Regiæ Majeſtati in qua nobis ſingulare refugium eſt credimus et ſperamus, tanquam ad virum prudentiæ, patrem et Principem clementiæ neceſſitates noſtras iſtis præſentibus duximus exponendas, ſuper earum ſublevatione** In eadem Bundela, An. 13 E. 1. in Turri London.

An. 13 E. 1. humiliter preces effundere supplicando, quatinus tam pro reparatione dictæ Domus, quam pro honore dicti Capituli subportando iterato nobis pietatis intuitu vestra nobis dignetur nobilitas similiter cum clementia subvenire. Nobilis etiam Domina *Johanna* neptis vestra, & quondam Comitissa nostra, suæ largitatis manum aperiens annuatim nobis ad sublevationem victus & vestitus, suam eleemosinam faciebat, sicut dilecti in Christo nobis fratres scilicet *Bertrandus*, *Cornerii*, & *Ryssus*, quos ad vos misimus vobis exprimere poterunt viva voce, pro qua etiam per vos facienda proni corde & corpore supplicamus. Ita ut ille qui manum & cor hominis intuetur, ex hiis & aliis bonis quæ per vos Dominus fieri dederit, vobis in præsenti vitam cum salute augeat merita multiplicet, regnum amplificet, corroboret & confirmet, & æternæ mercedis præmium & gloriam vobis tribuat in futuro. Valeat in vobis Dominus *Jesus Christus*, qui conservet vos ad sui nominis gloriam & honorem, si nobis vestra nobilitas reverenda aliquid præcipere dignaretur, incontinenti parati essemus exequi & humiliter cum gaudio obedire. Dat. *Condomi* Dominica prima post Octabas *Paschæ*, Anno 1285.

Moreover the Abbot and general Chapter of the *Cistercian* Abbots, writ this gratulatory Letter to King *Edward*, for all the favours received from him and his ancestors, especially for the impropriation of the Church of *Scardeburg*, conferred on them by their Charters for maintaining their general Chapter; complaining, that since the Freers Minors and Preachers entred into *Scardeburg* against their Charters, they did not receive above the third part of the profits they did before, desiring the King by his secular power to remove them thence, (so much did these Freers envy and undermine each other) and to renew their Charters; to effect which they certified him what Prayers and Masses their Chapter and Order did continually make to God for him, his Queen, Children, Realm.

In eadem Bundela, An. 13 E. 1.

EXcellentissimo Domino *Edwardo* divina magnificentia illustri Regi *Anglorum*, Frater *Johannes* dictus Abbas *Cistercii*, totusque Conventus Abbatum Capituli generalis, potentiam invincibilem, & quicquid potest apud Deum humilis & assidua deprecatio peccatorum. Sicut Regalis clementiæ Celsitudinem generosam in nullo diminuit sed commendat, cum se ad ima pauperum per piorum beneficiorum inclinat affluentiam liberalem, sic & ipsi pauperes præsumptuosi vel temerarii jure censeri non possunt, si sublimioribus scribendo principibus quos inter suos benefactores præcipuos recognoscunt, ad debitas & devotas gratiarum actiones assurgunt, ut juxta sapientiam *Salamonis* ad loca unde exeunt beneficiorum flumina dignis regratiationibus revertantur. Cum igitur ex proventibus Ecclesiæ de *Scardeburg*, quam de advocatione vestra, & ex dono progenitorum vestrorum in propios usus canonice possidemus, nostrum generale Capitulum quolibet anno consueverit sustentari per triduum nunc sustentetur in parte. Et ferè omnino sustentaretur, si proventus dictæ Ecclesiæ liberè & integrè possemus percipere, sicut in retroactis temporibus solebamus. Ingrati possemus merito judicari si nostrum generale Capitulum sine vestri memoria (quod nunquam factum extitit) pertransiret, unde nos ingratitudinis vicium præcaventes, super hiis & aliis gratiis & beneficiis à magnificentia vestra nostro ordini collatis, ad gratiarum actiones Excellentiæ vestræ dignum duximus assurgendum. Exorantes supplicter Regem Regum, in cujus manu sunt omnium Regum corda, ut personam vestram, et amicos vestros, et regnum vestrum in honore et bona pace stabilat et confirmet, et actus vestros dirigat in suæ beneplacito voluntatis. Et quia super perceptione proventuum prælatæ Ecclesiæ per ingressus Prædicatorum et Minorum in Villa de *Scardeburg*, contra tenorem Chartarum prædecessorum vestrorum, et Apostolicas inhibitiones quamplurimum perturbamur; in tantum quod ubi solebamus percipere tribunam procurationem nostri Capituli generalis, vix processu temporis sicut experimento cotidiano videmus per unum diem dictum generale Capitulum poterit sustentari, ad vos tanquam ad patronum habemus recurrere: Excellentiam vestram humiliter exorantes, ut factum prædecessorum vestrorum sicut vestr. interest proseqentes, quod contra Chartas et Prohibitiones Regias factum est faciatis per potestatem Regiam annullari, et donationem prælatæ Ecclesiæ à vestris progenitoribus nobis factæ dignemini per Chartas Regias confirmare.

firmare. Inſuper cum per ſtatutum veſtrum, ne Religioſi propria feoda ſeu aliena ingrediantur, adeo ſit deteriorata noſtra conditio, quod terras quæ ſunt de dote & feodo Eccleſiæ ſupradictæ, alieni cum ipſas vendi contingit quam pluries nobis invitis occupant; nos verò contra juſtitiam intrare proprium feodum prohibemur, ſtrenuitatem veſtram humiliter deprecamur, quatinus mandare dignemini Ballivis veſtris de *Scardeburg*, quod non obſtante præfato ſtatuto **permittant nos intrare terras quæ ſunt de feodo Eccleſiæ ſupradictæ.** De Comite vero de *Warenna* qui per octo annos & amplius ſpoliavit nos decem marchis qui nobis debentur annuatim in nundinis *Stanford*, pluries ſtrenuitati veſtræ ſcripſimus, & vos ei ſuper hoc veſtras direxiſtis literas, & nos noſtras, ipſe verò ſemper Monachis noſtris aſſignat terminos, ſed nil ſolvit, **unde ſi placet remedium congruum per poteſtatem Regiam ſuper hoc apponatis. Nos verò licet univerſitas ordinis in orationibus ſuis cotidie veſtri memoriam faciat, tamen pro perſona veſtra, uxore veſtra, ac liberis veſtris, et pro tranquillitate regni veſtri in noſtro generali Capitulo orationes injunximus ſpeciales, videlicet tres Miſſas, unam de Spiritu Sancto, aliam de beata Virgine, et aliam de Sancta Cruce celebrandas a ſingulis Sacerdotibus ordinis univerſi.** Vigeat veſtra dominatio per tempora longiora. Dat. apud *Ciſtercium* die feſto Exaltationis Sanctæ Crucis tempore Capituli generalis. *An.* 13 & 14 *Edw.* 1.

EXcellentiſſimo Domino & in Chriſto ſibi ſpecialiter honorando Domino *E.* Dei gratia *Anglorum* Regi, Frater *Thomas* dictus Abbas *Ciſtertii*, ſalutem & quicquid poteſt apud Deum, *&c. ut ſupra, uſque ibi* revertantur; *& tunc ſic*, Hinc eſt, quod cum nos latorem præſentium fratrem R. Monachum Domus noſtræ ad veſtram præſentiam pro negotio Eccleſiæ noſtræ de *Scardeburg* deſtinemus, veſtram Majeſtatem quam à veſtris progenitoribus, qui noſtri præcipui benefactores fuerunt, in nullo bono ſcimus eſſe degenerem devotiſſimè ſalutamus: Ad veſtrum commodum & honorem quicquid ſumus & poſſumus humiliter præſentantes. Rogantes affectuoſius veſtram Regiam Majeſtatem, quatinus prædicto Monacho noſtro ſublimitatem veſtram benignitate ſolita velitis in dicto negotio favorabilem exhibere. Bene & feliciter valeat veſtra Regia Celſitudo. Ibidem.

Page 367. l. 33. after *Maii*, adde.] In the Bundle of Writs in the *White Tower*, *An.* 14 E. 1. theſe Prohibitions for Suits in Courts Chriſtian come to my view. *An.* 14 E. 1.

Edwardus, *&c.* Petro de Rotheresfeld; *Dedimus vobis poteſtatem recipiendi Attornat.* Agnetis Bakun, *&c. in loquela quæ eſt coram Juſtic. noſtris de Banco per Breve noſtrum, inter prædict.* Agnetam *& Magiſtr.* Johannem de Crancumbe *&* Mauricium Sampſon, *de eo, quod idem* Johannes **tenuit placitum in Curia Chriſtianitatis de catallis et debitis quæ non ſunt, &c.** *Et de eo, quod idem* Mauricius **ſecutus eſt idem plac. in eadem Curia contr. Prohibit. noſtram.** *T. meipſo apud* Weſtm. 10 *die* Febr. *An. r. n.* 14. *Conſimile Breve pro* Rogero de Blane, and two more, *verſ.* Rogerum Thurſtanton, *&* Rogerum *& Magiſtr.* Willielmum de Eſchaby *&* Rogerum *Vic. Eccleſia de* Sherewyne, **quare tenuerunt plac. in Curia Chriſtianitatis de catallis, &c.** and 4. others, **quare ſecuti ſunt, &c.** *T.* Edmundo *Com.* Cornub. *&c. apud* Weſtm. 12 *die* Octobr. *An. r. n.* 13. *Ibidem.* Edwardus, &c. *Vic.* Stafford, &c. *Pone, &c.* Willielmo de Sancto Edruſpho, *quod ſit coram Juſtic. noſtris, &c. oſtenſurus* **quare cum placita de catallis et debitis quæ non ſunt de Teſtamento vel Patrimonio, ad Nos et ad Coronam et dignitatem noſtram, et non ad alium pertineant in regno noſtro, &c. ipſe ſecutus eſt plac. in Curia Chriſtianitatis de catallis et debitis Abbatis de** *Salop.* **quæ non ſunt de, &c. in læſionem coronæ et dignitatis noſtræ, et contra prohibitionem noſtram.** *T.* Edm. *Com.* Cornubiæ, *&c. apud* Weſtm. 28 *die* Julii, *An. r. n.* 14. *Conſimile Breve Juſtic. Itinerantibus in Com.* Norff. *by* Adam de Muſtroyl, *et* Hamo *et* Joceus *filejus, et* Baldinus de Mereford, *verſ. Magiſtr.* Johannem de Walmote *et* Willielmum *Vicar. Eccleſia de* Hunſtanton, *coram Juſtic. noſtris de* Banco, *quod idem* Johannes *et* Willielmus *traxerunt ipſos* **in placitum in Curia Chriſtianitatis de catallis, &c. quæ non ſunt, &c.** *quæ cepit dilationem, &c. Vobis mandamus, quod ad loquelam illam audiend. & terminand. cum celeritate quaſecundum legem & conſuetudinem regni noſtri poteritis, procedatis.* Bundela Brevium in Turri London, An. 14 E. 1.

Teſte

An. 14 E. 1. *Teſte* Edmundo *Com.* Cornub. *Conſanguineo noſtro apud* Weſtmonaſter. *Anno regni noſtri* 14.

In the ſame Bundle, I finde a Writ *de Cautione admittenda* directed *Vic.* Devon. and an *Aliàs Vic.* Kanc. *ex parte* Willielmi Bloyour *et* Walteri de Lyn, excommunicated by *John* Archbiſhop of *Canterbury*, who refuſed to abſolve them, *licet frequenter obtulerunt idoneam cautionem de parendo mandatis Eccleſia in forma juris*; commanding him to repair to the Archbiſhop and induce him to abſolve them, and to return his anſwer, *diſtinctè et apertè nobis ſine dilacione*, ut quod noſtrum eſt in hac parte ulterius exequi faciamus. *Teſte* E. *Com.* Cornub. &c. 7 *die* Octobris, *Anno regni noſtri* 14.

Page 353. l. 14. after *Septembris*, inſert.] In a Bundle of Writs this year from the King to the Earl of *Cornwall* his Lieutenant, I found this Writ enabling the Earl to receive the Fealty of the Biſhop of *Ely*, and reſtore his Temporalties, out of his ſpecial favour to him.

Bundela Brevium & Literarum de Annis 14, &c. E 1. in Turri London.

Edwardus Dei gratia Rex *Angliæ*, Dominus *Hiberniæ*, & Dux *Aquitaniæ*, dilecto Conſanguineo & fideli ſuo *Edmundo* Comiti *Cornub.* tenenti locum ſuum in *Anglia*, ſalutem. Cum electioni nuper factæ in Eccleſia Cathedrali *Elyen.* de dilecto Clerico noſtro *Johanne de Kyrkeby* in Epiſcopum ejuſdem loci Regium aſſenſum adhibuerimus et favorem; Volentes eidem pro diutino & laudabili ſervicio quod nobis impendit & impendet in futurum uberiorem gratiam impartiri; Vobis mandamus, quod cum electionem illam a Venerabili patre *Cantuarienſi* Archiepiſcopo confirmari contigerit, fidelitatem ejuſdem Electi noſtro nomine recipiatis, et temporalia Epiſcopatus ejuſdem, prout moris eſt, poſt fidelitatem captam ſibi reſtituatis. Teſte meipſo apud *Moretf* in *Brye*, nono die *Aug.* Anno regni noſtri quarto decimo.

Dorſo. Expeditum eſt.

The like Writ I finde for the reſtitution of the Temporalties to the Abbot elect of *Ramſey* after his election confirmed, with a ſpecial proviſion that he ſhould receive Letters Patents both from the Covent and Abbot elect, That this his extraordinary ſpecial grace ſhould not turn to the prejudice of him or his Succeſſors in time to come.

Ibidem.

Edwardus Dei gratia Rex *Angliæ*, Dominus *Hiberniæ*, & Dux *Aquitaniæ*, dilecto Conſanguineo & fideli ſuo *Edmundo* Comiti *Cornubiæ* locum ſuum tenenti in *Angl.* ſalutem. Cum nos electioni nuper factæ in Eccleſia de *Rameſey* de fratre *Johanne de Sautre* Monacho dictæ domus in Abbatem loci ejuſdem Regium adhibentes aſſenſum & favorem, ſignificaverimus venerabili in Chriſto Patri *O. Lincolnienſi* Epiſcopo, ut quod ſuum eſt in hac parte exequatur; Nos uberiorem gratiam prædicto Electo, quatenus ſine Regiæ dignitatis præjudicio fieri poterit, facere volentes, Vobis mandamus, quod ſi dictam electionem de eo confirmari contigerit, tunc receptis literis patentibus prædicti Epiſcopi de electione illa confirmata vice noſtra, et accepto ab eodem Electo Sacramento fidelitatis nobis debitæ, noſtro nomine, prout moris eſt in regno noſtro, eidem Clerico temporalia Domus ſuæ (ſalvis nobis exitibus ſeu fine temporalium eorundem) reſtituatis. Proviſo tamen, quod literas patentes Capituli Eccleſiæ de *Rameſey* habeatis, quod præterto illius gratiæ nichil juris vendicare poſſit in poſterum ad conſimilem gratiam vacante Eccleſia ſua optinendam, per quod * nobis vel hæred. noſtris futuris temporibus præjudicium valeat generari, et quod dictus Electus ſimiliter per literas ſuas patentes profiteatur, ſe gratiam hujuſmodi ex noſtra liberalitate recepiſſe. In cujus rei teſtimonium has literas noſtras fieri fecimus Patentes. Teſte meipſo apud *Pariſ.* 6 die *Julii*, Anno regni noſtri quartodecimo.

Dorſo. Expeditum eſt. Dictæ literæ patentes reſident in Cancellaria.

* Moſt of the Popes, Prelates, Clergies Uſurpations on the Crown ariſing from our Kings ſpecial Indulgences, & new favours, which were drawn by them into preſident when once granted or connived at.

* Danix, l. 7. c. 24. p. 167.

This year as * *Albertus Krantzius* informs us, *Ericus* King of *Denmark*, *cum nihil foris hoſtile experiretur ſuorum impetum evitare non potuit: Nam domeſtici ejus (incertum quibus ex cauſis) conſpirantes in eum hoſtiliter conſoderunt, & cum jam deeſſet quod foris cum laude peragerent, verſi in caput ſuum, Regem, pro quo mori omnes oportebat, ipſi ad mortem provexerunt:* King *Edward* being informed of this deteſta-

ble

ble fact, which concerned him and all Christian Princes to revenge, issued this Writ to the Earl of *Cornwall* to permit all Souldiers and other his subjects to assist the Earl of *Salisbury* Embassador from the King of *Norway*, to bring these murderers to Justice. *An.* 14 *E.* 1.

EDwardus Dei gratia Rex *Angliæ*, Dominus *Hiberniæ*, & Dux *Aquitaniæ*, dilecto Consanguineo & fideli suo *Edmundo* Comiti *Cornubiæ*, Regni *Angliæ* custodi salutem. Alias nostris temporibus inaudita in Regem quondam *Daciæ* egregii Principis, affinis et amici nostri carissimi *E.* Regis *Norwegiæ* avum, per germanos ipsius Regis *Daciæ* fratres perpetrati flagitium nobis per ipsius Regis *Norwegiæ* literas et Nuncium intimatum, cepit nostro pectori incutiit; Nam juxta illud, Bundela Literarum, &c. in Turri London An. 14 E 1.

Felix quem faciunt aliena pericula cautum. Et illud,
Nam tua res agitur paries dum proximus ardet.

Detestabilitas hujusmodi facinoris est omnibus Principibus et Nobilibus in exemplum, et omnes debent assurgere ad vindictam. Et ideo vobis mandamus, quod omnibus illis de regno nostro Militibus et aliis qui cum nobili viro *Olivero de Monte Spine* Comite *Sarisburgh* ipsius Regis *Norwegiæ* Nuncio, in ejusdem Regis subsidium ire voluerint, præsentis dicte nostra licenciam et liberum commeatum. Teste meipso apud *Paris.* 22 die Junii, Anno regni nostri quartodecimo.

Dorso. Expedietum est. Licenciam habuerunt juxta istud mandatum ad eorum periculum.

The King likewise sent this Letter under his Privy Seal to his Lieutenant of *England* in favour of the Abbot of *Westminster*, which Church he fostered and protected with extraordinary fervor, for the reasons therein expressed.

EDwardus Dei gratia Rex *Angliæ*, Dominus *Hiberniæ*, & Dux *Aquitaniæ*, dilecto & fideli suo *Edmundo* Comiti *Cornub.* Consanguineo nostro karissimo salutem. Licet loca religiosa singula regni nostri fovere, diligere ac protegere teneamur, et prærogativa tamen præeminentiæ specialis Abbaciam *Westm.* in qua beati *Edwardi Confessoris* beatorum reliquiæ recondantur, et genitoris nostri ac liberorum nostrorum corpora sunt humata, et quæ omnium Capellarum nostrarum est domina et magistra, pluris dilectionis affectibus amplexamur. Ea propter fratrem *Walterum de Wenlok* Abbatem loci prædicti & ipsam Abbaciam similiter vobis recommendamus, ex corde, volentes quod Abbati vel Abbaciæ prædictis nullam permittatis inferri molestiam vel gravamen. Et si aliquos reperire poteritis eis in aliquo nocere volentes, ipsos et ipsorum conatus viriliter compescatis, quociens per ipsum Abbatem, vel aliquos seu aliquem de Abbacia prædicta fueritis requisiti. Teste meipso apud *Paris.* 28 die *Julii*, anno regni nostri quartodecimo. Ibidem.

The Clergy of the Province of *York* and Bishoprick of *Durham* upon the Kings request to them, to assist him with an ayde of monies to carry on his last warr against the *Welsh*, which they then promised, but soon after failed to perform; when as those of the Province of *Canterbury* who were more backward then they to promise, had really given him an ayde; the King thereupon sent this Letter to the new Archbishop to induce his Clergy to make good their promise.

EDwardus Dei gratia Rex *Angliæ*, Dominus *Hiberniæ*, & Dux *Aquitaniæ*, Venerabili in Christo Patri, *J.* Dei gratia *Eborum* Archiepiscopo, *Angliæ* Primati salutem. Adhuc credimus memoriter vos tenere, quod nos nuper in ultima expeditione nostra *Walliæ* vocatis regni nostri negotia prosequentes, venerabilem Patrem *Cantuariensem* Archiepiscopum & Suffragineos & Clerum totius Provinciæ suæ per nostros nuncios speciales, nectum bonæ memoriæ *Eborum* Archiepiscopum prædecessorem vestrum, & Episcopos *Dunelmensem* & *Karliolensem*, & vestrum & ipsorum Clerum per venerabilem patrem *Anton.* nunc Episcopum, tunc Archidiaconum *Dunelmensem* duximus requirendos, ut cum ad tantarum onera expensarum quarum requirebat negotium antedictum nostræ non sufficerent facultates, Ibidem.

An. 14 E. 1. tates, ipſi quorum ſicut cæterorum regni noſtri negocium agebamus, nobis ad ſuppoztandum eadem omnia liberaliter ſubvenirunt. Et licet veſtræ Civitatis et Dioc. et Provinciæ Clerus promiſſum habundanter quod petibimus ſe facturos, ipſi tamen hoc facere poſtmodum non curarunt; unde contigit, quod Clerus *Cantuar.* Provinciæ, qui in promiſſione inventus fuerat valde durus, in reddendo promiſſum extitit liberalis, et Clerus veſter qui dictis noſtris verbaliter annuit pa[illegible]ta dixit, quod promiſeras poſtmodum ſolvere voluit alio modo. Quocirca vos rogamus, quatinus habito colloquio cum Clero veſtro, eundem ad ſolvendum nobis quod gratis promiſit, cum nos in ea libertatem pro qua promiſſio facta fuit, modis quibus expedire videritis inducatis; ſicut enim bonum a principio gratuitum ſore dinoſcitur, ſic inducit ingratitudinem facta promiſſio non ſerbata. Teſte meipſo apud *Semoys* 8 die *Auguſti*, anno regni noſtri quarto decimo.

Dorſo. Epiſcopo *Dunelm.* & Archidiacono *Richem.* ſcribitur, quod cum Rex de promiſſione ſibi facta per Clerum Civitatis et Provinciæ *Eborum* ipſis procurantibus nullum hucuſque commodum reportavit, quod ipſi faciant quod illud quod promiſſum extitit impleatur.

The Monaſtery of the *Vale* of St. *Mary* in *Snowdon* in *Wales* being burnt with fire, the Biſhop of *Bangor* made this Certificate of its antiquity, Charters of endowments by *Welſh* Princes confirmed by Popes Bulls, and former hoſpitality; and granted 40 dayes indulgence of the penance enjoyned to all who ſhould contribute towards the rebuilding thereof.

Ex Bundela Brevium & Literarum, An. 14 E 1. in Turri London.

UNiverſis Chriſti fidelibus has literas viſuris vel audituris, *Anianus* permiſſione divina *Bangorens.* Eccleſiæ Miniſter humilis, ſalutem æternam in Domino. Noveritis nos vidiſſe Cartas varias diverſorum Principum Priori & Conventui de *Valle* beatæ *Mariæ de Snaudonia*, videlicet Chartam *Lewelini* magni ſuper totam terram *Kyndewewit. de Rennant*; & Chartam *Lewelini* filii *Griffini* ſuper omnes terras filiorum *Ithael de Penard*; & Chartam *Lewelini* filii *Griffini* ſuper totam tertam hominum de *Trehan* apud *Kenynheind* & *Lecheiaur*; & Chartam Domini *Owen* ſuper totam villam quæ vocatur *Treſ Theyrd* apud *Kynind Meney*; & Chartam Domini *Lewelini* filii *Griffini* ſuper totam terram illam & locum de *Bethellert*; & Chartam Domini *David* ſuper totam terram *Tegwaret* ſub *Guerr de Pennant*; & Chartam Domini *David* ſuper totam terram quam habuerit *Jorberd Vab yrefeynt* & *Freraul* apud *Epennant*. Et ſuper dictis terris vidimus Literas Papales confirmatorias Bullatas non cancellatas, non abolitas, nec in aliqua parte viciatas. Ad hæc ſciant univerſi, quod dicta domus beatæ *Mariæ*, ſenior domus religioſa eſt de tota *Wallia*, excepta Inſula Sanctorum *Bardigeya*, & melioris hoſpitalitatis & communioris indigentibus & tranſeuntibus *Anglicis* & *Walenſibus* de *Anglia* & *Weſtwallia* tranſeuntibus ad *Norwallium*, & de *Hibernia* & *Norwallia* euntibus ad *Angliam*. Sed in damnum non modicum & defectum communem omnium, dicta Domus incendio caſuali penitus deſtructa, licet hoſpitalitatis tempore maximam pateretur ruinam, per tamen Regem pium Catholicum liberalem, Dei gratia Dominum *Edwardum* ad plenum fuiſſet reſtaurata. Et quia pium eſt oppreſſis & afflictis ſubvenire; Nos de Dei miſericordia, et de interceſſione ejuſdem Genetricis, et omnium ſanctorum ſuffragiis confidentes, omnibus benefactoribus dictæ domus undicunque ſubvenientibus, qui de bonis a Deo collatis pias eleemoſynas vel fabores contulerunt, 40 dies de injuncta ſibi pœnitentia miſericorditer relaxamus, dum ſint vere conviti et confeſſi. In cujus, &c. Dat. apud *Matſyllan* in Octabis *Annunciationis* beatæ *Mariæ*, Anno Domini 1286.

Page 360. l. 10. after *Maii*, inſert.] The King having occaſion to borrow 6000*l.* ſterling more, of the monies raiſed in *England* for the uſe of the *Holy Land* from the Popes *Nuncio*, who put it into ſome *Italian* Merchants hands, who gave bond to pay it to the Nuncio within one moneth after demand, thereupon the King gave them this Counterſecurity for their indempnity.

Ibidem. EDwardus Dei gratia, &c. Omnibus ad quos, &c. ſalutem. Sciatis, quod cum vir diſcretus Magiſter *Geffridus de Vrsano* Canonicus *Cameracen.* Camerar Domini

Domini Papæ Clericus, & ejuſdem in *Anglia* Nuncius, ac Decimæ in ſubſidium *Terræ Sanctæ* conceſſæ Collector in regno *Anglia* a ſede Apoſtolica deputatus, ſex millia librarum Sterlingorum de pecunia ejuſdem Decimæ in regno noſtro collectæ, penes *Garuncium Gualteri, Richardum Guydicion.* & ſocios ſuos Cives & Mercatores *Lucanen.* de ſocietate *Ricardorum* depoſuerit; ſolvenda eidem vel ejus mandato, et abſque difficultate aliqua liberanda per Mercatores eoſdem, infra menſem a tempore quo ſuper hoc fuerint requiſiti: Nos pro Mercatoribus ipſis manucapimus quod eadem pecuniam dicto Magiſtro *Giffrido* vel ſuo certo mandato, ſicut inter ipſos convenit, bona fide perſolvent: Noſque promittimus, quod in defectum eorum ad ſolutionem totius pecuniæ ejuſdem teneri volumus; et ad hoc nos et bona noſtra tenore præſentium obligamus. In cujus, &c. Teſte meipſo apud *Somerton* 16 die *Septembris*, anno regni noſtri 14. *An.* 14 *E* 1

Page 361. l. 55. after *Aprilis*, adde.] In a Bundle of Writs, Recogniſances and Letters in the *White Tower*, anno 14 E 1. I found the like Obligation of the Abbot and Covent of *Waltham*, made to the Popes Nuncio and Collector of the Diſme given to the *Holy Land*, for 300 marks of good new ſterling money depoſited in their hands for the uſe of the Church of *Rome*, which they obliged and ſecured to pay in the ſame words and form, as the Abbot and Covent of St. *Edmunds* were obliged, with the Kings warranty to them to ſee it ſatisfied, if not payd to him at the day: *Teſte Rege apud* Weſtm. 25 *die* Aprilis. the King by the Popes order and their aſſents receiving the monyes from them for his own uſe, they being only his Soreties for the repayment thereof to the Church of *Rome*. In eadem Bundela, An. 10 E. 1. in Turri Lond.

The Biſhop of *Hereford's* Official by the Cuſtom of the Country taking off the Seals from all private perſons Wills proved before him, as unknown to many, and ſetting his Officials Seal to them, the Citizens, Governours, and Gardian of *London* refuſing to allow a Will ſo proved before them for an houſe in *London*, becauſe the Teſtators ſeal was not to it, the Biſhop writ thus to the Chancellor to relieve the Legatee in this caſe by the Kings Writ to them.

REverendo in Chriſto Patri, Domino *R.* Dei gratia *Bathon.* & *Wellen.* Epiſcopo, *Richardus* eadem permiſſione *Herefordenſis* Eccleſiæ Miniſter, ſalutem & fraternam in Domino charitatem. Pater, quia conſuetudo approbata in noſtra Diœceſi hoc habet, quod Teſtamentis ſingulorum privatorum coram Officiali noſtro, probatis, quia ſigilla eorum pluribus exiſtunt incognita, idem Officialis noſter demptis ſigillis eorundem, ſigillum Officialis *Herefordenſis* talibus Teſtamentis apponit in teſtimonium veritatis. Et quia hujuſmodi conſuetudo in Teſtamento *Johannis de Hiſpannia* in noſtra Dioceſi decedentis, qui in Civitate *London.* domos quaſdam habuit, quas Magiſtro *Henrico de Reygate* in Teſtamento ſuo reliquit, obſervata extiterat, Cives, Poteſtates, et Cuſtos *London.* dictum Teſtamentum ſeu Legatum, ut intelleximus, impedunt et perturbant, quia Sigillum Teſtatoris appenſum dicto Teſtamento nullatenus invenerunt, cum tamen Sigillum Officialitatis noſtræ fuerat illis appenſum. Quocirca Paternitatem veſtram affectuoſe requirimus & rogamus, quatinus dicto Legatario per breve Domini noſtri Regis, Cuſtodi & Poteſtatibus *London.* tranſmittendo, velletis favorabiliter ſubvenire, ut ſua conſuetudine non obſtante, dum tamen veritas voluntatis Teſtatoris eidem appareat, in præmiſſis non impediant ultimam defuncti voluntatem. Conſervet, &c. Dat. apud *Kenſyngton* die Sancti *Marci* Evangeliſtæ, Anno Domini 1286. Ex Bundela Literarum & Petitionum Cancellario Angl. An. 14 E. 1. in Turri London.

Upon complaint of the Biſhop of *Norwich*, that *Richard de Boyland* by colour of the Kings Commiſſion had done ſome unjuſt things againſt his Clerks, the King referred the examination thereof to his Lieutenant, commanding him perſonally to repair to the parts of *Norfolke*, and hear and examine all parties concerned, and to order *Boyland* to act nothing but with adviſe of his fellow Juſtices.

Edwardus Dei gratia Rex *Anglia*, Dominus *Hibernia*, & Dux *Aquitania*, dilecto Conſanguineo & fideli ſuo *Edmundo* Comiti *Cornubia*, tenenti locum ſuum Ibidem.

An. 14 & 15 E. 1.

in eodem regno, ſalutem. Cum injunxiſſemus dilecto & fideli noſtro *Richardo de Boylaund* aliqua tangentia Clericos de Epiſcopatu *Norwicenſi*, & poſtea nobis ſuper hoc ex parte venerabilis patris * *W. Norwicenſis* Epiſcopi ſit oſtenſa, quod idem *Richardus* aliqua fecit indebite ſeu injuſte: Nobis mandamus, quod aſſumpto vobiſcum aliquo de Juſtic. noſtris, ad partes *Norff.* perſonaliter accedatis, et vocato prædicto *Richardo* coram vobis, in præſentia ejuſdem examinetis grauamina quæ prædictus Epiſcopus vobis monſtrabit, et quæ ipſum *Richardum* aſſerit perpetraſſe, et rationes utriuſque partis audientes, ſi inveneritis quod idem *Richardus* quicquam indebite vel injuſte fecerit in hac parte, et quod non deberet feciſſe, idem emendari et recte dirigi faciatis. Præcipientes eidem, quod a talibus faciendis deſiſtat, et in rebus aliis vos conſilium et aſſenſum ſectatum (nostrum ſine dilatione procedat, ſicut eidem injunximus in hac parte. Nolumus enim, quod negotium illud dilationem capiat aliqualem. Dat. ſub privato ſigillo noſtro *Pariſ.* 15 die *Jun.* Anno regni noſtri 14.

* See before p. 336, 337, to 342, 1270, 1271.

Dorſo. Expeditum eſt. Comes per iſtud mandatum aſſumpſit ſecum Theſ. & majorem partem Juſtic. & perſonaliter adivit *Norwicum*, et inſtitiam fieri fecit.

An. 15 E. 1.

Rundeia Brev. An. 14 & 15 E 1 in Turri London.

In the Bundles of Writs in the *White Tower An.* 15 E. 1. I diſcovered theſe Writs and Prohibitions to ſtay Suits in Courts Chriſtian not belonging to them.

A Writ to make an Attorny, in a Suit depending before the Kings Juſtices *de Banco inter Nos &* Johannem de Godebe, *de eo quod idem* Johannes *in loquela coram Juſtic. per breve noſtrum, &c.* ſecutus eſt plac. in Curia Chriſtianitatis de catallis et debitis *Magiſtri* Willielmi de Paxton *Capellani*, *& in loquela, &c. per aliud breve noſtrum inter ipſum* Johannem *Decanum Eccleſia Sancti* Andreæ Wellen. *&* Johannem de Uvedale *Chivaler, de debito* 10 *librarum quod idem Decanus à prædicto* Johanne *exigit. Teſte meipſo apud* Pontefreit *ſuper* Tamiſiam 20 *die* Novembr. *An. r. n.* 15. Edwardus, *&c. Vic.* Northampt. *Pone, &c.* Willielmum *Perſonam Eccleſ. de* Shertoft, *quod ſit, &c. oſtenſur.* quare cum placita de catall. *&c.* quæ non ſunt, *&c.* ad nos et coronam et dignitatem noſtram, et non ad alium pertineant in regno noſtro, *&c.* ſecutus eſt placitum in Curia Chriſtianitatis de catallis et debitis Nicholai *Perſona Eccleſia de* Herdwyke, quæ non ſunt, *&c.* in læſionem coronæ et dignitatis noſtræ, et contra Prohibitionem noſtram. *Teſte* Edm. *Com.* Cornub. *apud* Weſtm. 12 *die* Febr. *An. r. n.* 15. Edwardus, *&c. Vic.* Dorſet. *Præcipimus tibi, quod diſtringas Magiſtr.* Willielmum Shirlock *Perſonam Eccleſ. de* Winterborn Stibilone, *per omnes terras, &c.* quare ſecutus eſt plac. *&c.* de catallis, *&c.* quæ non ſunt, *&c. Teſte* Th. de Weyland *apud* Weſtm. 20 *die* Junii, *An. r. n.* 15. Edwardus, *&c. Vic.* Surr. *Quod venire fac.* 12. *tam Milites quam alios, &c. qui nec* Johannem Philip *de* Croydone, *nec* Johannem *Archiepiſcopum* Cantuar. *Magiſtr.* Adam de Hates, & Thomam *Vicar. Eccleſ. de* Croydone, *aliqua affinitate attingunt, ad recognoſcend. ſuper ſacramenta ſua ſi prædict. Archiepiſcopus &* Adam unquam tenuerunt plac. in Curia Chriſtian. de quadam barca ipſius Johannis, contra Prohibitionem, *&c. ſicut prædict.* Johannes *dicit, vel non, ſicut prædict. Archiepiſcopus*, Adam & Thomas *dicunt. Quia, &c. Et habeas ibi nomina Juratorum & hoc breve. Teſte* W. de, *&c. apud* Weſtm. 26 *die* Junii, *An. r. n.* 15. Edwardus, *&c. Vic.* Surr. Arnaldus de Heyward *verſ.* Johannem *Archiepiſc.* Cantuar. quare ſecutus eſt plac. in Curia Chriſtianitatis de catallis, *&c.* quæ non ſunt, *&c. Teſte* Edm. *Com.* Cornub. *apud* Weſtm. 8 *die* Sept. *An. r. n.* 15. Edwardus, *&c. Vic.* Dorſet. Rogerus de Stapelford *verſ.* Richardum le Paſtour, quare ſecutus eſt (conſimile) placitum, *&c. Teſte* (ut ſupra) 20 *die* Januar. *Vic.* Stafford. Richardus de Leges *verſ. Magiſtr.* Stephanum de Codenore, *& Magiſtr.* Petrum de Clyve, quare ſecuti ſunt placitum in Curia Chriſtianitatis de laica feodo ipſius Richardi, contra Prohibitionem noſtram. *Teſte* Edm. *Com.* Cornub. *apud* Weſtm. 3 *die* Julii, *An. r. n.* 15.

In the Plea Rolls of the ſame year I found theſe Attachments, for ſuing and holding Pleas in Courts Chriſtian againſt the Kings Prohibitions.

Placita Termino Paſchæ An. 15 E. 1.

GErvaſius de Aldermannebir. *attach. fuit ad reſpondendum* Hamoni de Valoynes, quare traxit eum in placitum in Curia Chriſtianitatis de debitis, quæ non ſunt de Teſtamento, *&c.* contra Prohibitionem, *&c. Et unde idem* Hamo *quæritur,*

ritur, quod praditus Gervasius **implacitavit eum** *coram Decano de* Suwerc *& conjuditibus, de domibus quas* Hamo *pater ipsius* Hamonis *asportasse debuit de* Cristeshall, *& de quibusdam Jocalibus, & de* 100 l. *Et unde deterioratus & dampnum habet ad valentiam* 20 *marcarum. Et ideo producit sectam, &c.* *An.* 15 E. 1.

Et Gervasius *venit & defendit contra ipsum & sectam,* **quod nunquam post Prohibitionem nec ante traxit eum in placitum de debitis, quæ non sunt de Testamento vel Patrimonio,** *set verum vult dicere. Quidam* Rogerus de Sumery *dedit terram de* Cristeshall *&* 100 l. *in denariis in* **maritagio** Hamoni *patri ipsius* Hamonis *cum* Agnete *filia sua. Et postea processu temporis celebrato inter eosdem* Hamonem *&* Agnetam **divorcio, reddidit idem** Hamo **eidem** Agnete **terram illam ut maritagium suum.** *Et quia non habuit denarios ad manum unde solveret praditos denarios,* **obligavit se et hæredes suos ad solvendum eidem** Agneti 20 l. **singulis annis, donec prædictæ** 100 l. **plenius solverentur, per Chartam quam profert et hæc hoc testatur.** *Et postea venit ipse* Gervasius *& desponsavit dictam* Agnetem, *& vixerunt simul per longum tempus, & postea in extremis fecit ipsa praditum* Gervasium *virum suum Executorem testamenti sui, simul cum aliis, & ad executionem illam faciendam, & ad debita perquirenda, & specialiter ad debitum istud perquirendum, & ut inde disponeret sicut de aliis secundum quod viderent expedire. Et unde dicit, quod petit denarios illos ex causa testamentaria, & non alio modo. Et inquisiti per quantum tempus ipsa* Agnes *vixisset* **postquam divorcium factum fuit,** *dicunt quod bene per* 30 *annos. Et* Gervasius *dicit quod per* 20 *annos.*

Et Hamo *venit & petit judicium de sicut ipsa* Agnes *vixit per magnum tempus post divorcium per* 30 *annos & nichil unquam petiit de debito illo* **quamdiu vixit, nec ab ea, nec a patre suo, nec a** Thoma **fratre suo, qui per** 5. **annos fuit in seisina totius hæreditatis patris sui. Et petit judicium, si ipsa potuit legare, et in testamento relinquere debitum, quod non fuit cognitum in vita sua, et quod ipsa unquam petiit in vita sua.**

Et quoniam praditus Gervasius *nichil ostendit, quod praditta* Agnes *aliquid peteret de praditto* Hamone, *nec* Thoma *filio suo, nec de isto* Hamone *dum vixit, & vixit per tantum tempus. Et si ipsa in vita sua petiisset debitum illud,* **non potuit legare clameum suum ad placitandum in Curia Christianitatis cum ipsa si viveret non posset petere debitum illud alibi quam in Curia Domini Regis. Consideratum est, quod** Hamo **eat inde quietus; Et prohibitum** Gervasio, **quod de cætero non sequatur in Curia Christianitatis.**

RObertus *Prior de* Werkesslop *attach. fuit ad respondendum* Adæ de Cretelang, **quare secutus est placitum in Curia Christianitatis de laico feodo ipsius** Adæ **in** Hurst, *&c. Et unde idem* Adam *queritur,* **quod cum ipse distringeret feodum suum, quod Prior tenet pro laicali servicio per captionem ipsius Prioris; Idem Prior statim excommunicat eum, et eum vexat et gravat in Curia Christianitatis; unde deterioratus est,** *&c.* Plac. Term. Pasch. An 15 E. 1. in Turri Londoti.

Et Prior venit & dicit, quod non debet ei respondere, **quia** * **excommunicatus est, et ei sicut excommunicato** ——— *Et inde profert literas Domini* Coventrensis *Episcopi patentes: Et in quibus continetur, quod* Willielmus *quondam Archid.* Derb. **excommunicavit prædictum** Adam **meritis suis exigentibus. Et quoniam constat ei de excommunicatione, et non de absolutione, misit literas Justic. patentes.** *Et* Adam *nichil ostendit de ejus absolutione. Et ideo Prior inde sine die, &* Adam *faciat se absolvi.* * Littleton sect. 201. Cooks 4 Institutes, f. 133, 134.

The most remarkable Writs of Prohibition and Attachment this year, are those which concern *Bogo de Clare*, presented by the King to the Treasurership of the Cathedral of *York*, who yet was vexed, excommunicated, his Churches and the fruits thereof sequestred, interdicted by the Archbishop of *York*, against the Kings Prohibitions and Writs, for which he was convened before the Kings Counsil, as these Writs inform us.

EDwardus Dei gratia Rex *Angliæ, &c.* dilecto Consanguineo & fideli suo *Edmundo* Comiti *Cornubiæ*, tenenti locum suum in *Angliæ*, salutem. Cum nuper sede *Eboracensis* Ecclesiæ vacante, & in manu nostra existente, contulimus dilecto Clerico nostro *Bogoni de Clare* Thesaurariam illius Ecclesiæ tunc vacantem; ac (ut intelleximus) Archiepiscopus *Eboracensis* qui nunc est, **super eadem ip-** Brevia Regis in Turri London. An. 15 E. 1.

An. 15 E. 1. ſum gravet multipliciter et moleſtet, fructus ad ipſum pertinentes violenter aſportari faciendo; & nos eidem Archiepiſcopo ſcripſerimus, ut a talibus gravaminibus ceſſet et deſiſtat, et ablata ſeu ſpoliata per ipſum et ſuos reſtitui faciat indilate: Vobis mandamus, quod ſi illa facere recuſaverit, vos et cæteri de Conſilio noſtro in *Anglia* commorantes, vocatis dicto Archiepiſcopo (& *Bogone*) oppoꝛtunum conſilium ſuper hoc apponatis. Teſte meipſo apud *Acton*, 27 die *Novembris*, Anno regni noſtri 15.

Ibidem. EDwardus Dei gratia Rex *Angl. &c.* Venerabili in Chriſto patri *J.* eadem gratia Archiepiſcopo *Ebor. Angliæ* Primati, ſalutem. Cum nuper advocatione Eccleſiæ vacante, & in cuſtodia noſtra exiſtente, dederimus & conceſſerimus dilecto Clerico noſtro *Bogoni de Clare* Theſaurariam ejuſdem Eccleſiæ tunc vacantem, & ad donationem noſtram ratione vacationis prædictæ ſpectantem, & idem *Bogo* in plenam & pacificam poſſeſſionem Theſaurariæ prædict. de mandato noſtro inductus fuit. Et vos jam, ſicut ex quorundam relatu intelleximus, poſtquam ad partes tranſmarinas arripimus iter noſtrum, eundem *Bogonem* ſuper poſſeſſione ſua Theſaurariæ prædictæ indebite perturbantes, et Eccleſias eidem Theſaurariæ annexas Interdicto ſupponentes, Excommunicationis ſententiam in eundem *Bogonem* et ſuos Miniſtros Theſaurariæ prædictæ voluntarie fulminantes, et fructus ſuos ejuſdem Theſaurariæ aſportari, et ipſum in præmiſſis multipliciter inquietari feceritis, in noſtri juris læſionem, et dictæ conceſſionis noſtræ enervationem, et noſtri contemptum manifeſtum. Propter quod vobis amicabiliter ſcripſimus, ut a talibus gravaminibus ceſſaretis ſeu deſiſteretis, et ablata ſeu ſpoliata per vos et veſtros reſtitui, et Excommunicationes et Interdicta per vos in hac parte lata revocari faceretis indilate; cui ſcripturæ noſtræ ſeu mandato noſtro in nullo obtemperare ſeu parere hactenus curaſti, imo multo infeſtationem veſtram erga prædictum Clericum noſtrum ardentius continuaſti, de quo behementius admiramus, (ſuch was his tranſcendent malice, obſtinacy and contempt.) Nos nolentes præmiſſa, ſi taliter in noſtri juris præjudicium fuerint attemptata, relinquere impunita, vobis mandamus, quod in propria perſona veſtra coram dilecto Conſanguineo et fideli noſtro *Edmundo* Comite *Cornubiæ* locum noſtrum in *Anglia* tenente, et cæteris de Conſilio noſtro ſuis apud *Weſtm.* in Octab. Purificationis beatæ *Mariæ*, ad reſpondend. nobis de præmiſſis, et ad faciend. et recipiend. ulterius ex noſtra parte, quod Curia noſtra noſtro nomine inde duxerit ordinandum. Et habeas ibi hoc breve. Teſte prædicto Comite *Cornub.* Conſanguineo noſtro apud *Weſtm.* 28 die *Jan.* Anno regni noſtri 15.

Ibidem. EDwardus Dei gratia Rex *Angliæ*, *&c.* eidem Archiepiſcopo *Ebor.* ſalutem. Cum ſuper eo quod vos dilectum Clericum noſtrum *Bogonem de Clare* ſuper poſſeſſione ſua Theſaurariæ Eccleſiæ veſtræ, quam ſibi dudum vacante Eccleſia prædicta contulimus, in noſtri et ipſius præjudicium non modicum inquietaſtis Eccleſias eidem Theſaurariæ annexas, ſuppoſi facientes interdicto, et excommunicationis ſententias in præfatum *Bogonem* et Miniſtros ſuos Theſaurariæ prædictæ fulminari procurantes, et fructus ſuos ejuſdem Theſaurariæ aſportari facientes; vobis nuper mandaverimus, quod in Octabis Purificationis beatæ *Mariæ* proximo præteritis, eſſetis apud *Weſtm.* coram dilecto Conſanguineo & fideli noſtro *Edmundo* Comite *Cornubiæ*, ad reſpondendum nobis ſuper gravaminibus et infeſtationibus prædictis, et ad faciendum et recipiendum inde juſtitiæ complementum: ac vos tàm per nuncium quàm per literas veſtras nobis ſignificaveritis, quod propter loci diſtantiam & temporis brevitatem, ad diem ibidem venire non potuiſtis: Supplicantes nobis cum omni inſtantia, quod perſonam veſtram ex cauſis prædictis ad diem illum haberemus excuſatam: Nos perſonæ veſtræ, licet eam in hoc facto grabare poſſemus, deferre volentes, dederimus vobis diem ſuper hiis, videlicet, à die Paſchæ in unum menſem, ut tunc ſitis apud *Weſtm.* coram præfato Conſanguineo noſtro, ad reſpondendum nobis ſuper gravaminibus et infeſtationibus prædictis; vobis mandamus ſtrictius injungentes, quod ſequeſtra, interdicta, excommunicationis ſententias, et alias cohibitiones Eccleſiaſticas, quæ occaſione contentionis et diſcordiæ inter vos et præfatum *Bogonem* quocunque modo habitarum, in noſtri juris præjudicium, et prædictæ collationis noſtræ enervationem

tionem

tionem prælata sunt sibe facta, omnino relaxari procuretis; fructus et bona sua capta seu recepta, sibi sine dilatione restituentes; et corpora, quæ extra locum sacrum occasione prædicta sunt humata, in loco sacro sepeliri faciatis. Et hoc super conservatione Baroniæ vestræ, et omnium quæ de nobis tenetis in regno nostro, nullatenus omittatis. Nos insuper dilecto & fideli nostro *Johanni de Lythegreyos* Seneschallo vestro injunximus, vobis referenda viva voce. Et habeatis ibi vobiscum hoc breve. Teste præfato Comite *Cornubiæ* Consanguineo nostro apud *Westm.* 13 die *Febr.* Anno regni nostri 15. An. 15 E. I.

EDwardus Dei gratia Rex *Angliæ*, &c. Vicecomiti *Ebor.* salutem. Cum nuper sede *Eboracensis* Ecclesiæ vacante, & in custodia nostra existente, dederimus & concesserimus dilecto Clerico nostro *Bogoni de Clare* Thesaurariam ejusdem Ecclesiæ tunc vacantem, & ad donationem nostram ratione vacationis Archiepiscopatus prædicti spectantem; & idem *Bogo* in plenam & pacificam possessionem Thesaurariæ prædictæ inductus fuerit, ut est moris; ac venerabilis pater *J.* Archiepiscopus *Ebor.* jam (sicut ex quorundam relatu intelleximus, postquam ad partes transmarinas arripuimus iter nostrum) eundem *Bogonem* super possessione sua Thesaurariæ prædictæ indebite perturbans, Ecclesias eidem Thesaurariæ annexas Interdicto supponens, Excommunicationis sententias in eundem *Bogonem* et suos Ministros Thesaurariæ prædictæ voluntarie fulminaverit, et ipsum in præmissis multipliciter inquietare fecerit, in nostri juris læsionem, et dictæ concessionis nostræ enervationem, et nostri contemptum manifestum: Propter quod eidem Archiepiscopo amicabiliter scripsimus, ut a talibus gravaminibus cessaret seu desisteret, et Excommunicationes et Interdicta per ipsum in hac parte lata, revocari faceret indilate; cujusmodi scripturæ nostræ seu mandato nostro in hac parte in nullo obtemperare seu parere hactenus curavit, imo inchoatam infestationem suam erga prædictum Clericum nostrum ardentius continuavit, de quo vehementius admiramur: Nos nolentes præmissa, si taliter in nostri præjudicium fuerint attemptata, relinquere impunita, tibi præcipimus, sicut alias tibi præcepimus, quod præfatum Archiepiscopum attachiari facias, ita quod eum habeas coram dilecto Consanguineo et fideli nostro *Edmundo* Comite *Cornubiæ*, locum nostrum tenente in *Anglia*, et cæteris de Consilio nostro, apud *Westm.* à die Paschæ in unum mensem, ad respondendum nobis de præmissis, et ad faciendum et recipiendum ulterius in hac parte, quod Curia nostra nomine nostro duxerit ordinandum. Et unde tu mandasti præfatis Comiti et Concilio nostro, quod Breve nostrum quod tibi venit de attachiando prædictum Archiepiscopum, quod esset coram præfatis Comite et Consilio nostro in Octabis Purificationis beatæ *Mariæ* proximo præteritis, adeo tarde tibi venit, quod illud exequi non potuisti. Et habeas ibi hoc breve. Teste *R. de Hengham* apud *Westm.* 13 die *Februarii*, Anno regni nostri 15. Ibidem.

The like Writ *verbatim* issued to the Sheriff of *Buckingham*, with the same date and *Teste*, against *Oliver* Bishop of *Lincoln*, who had Interdicted all the Churches belonging to the Treasurership in his Diocesse, fulminated an Excommunication against *Bogo*, and vexed him in the same manner as the Archbishop had done. And this Writ to the Kings Lieutenant.

EDwardus Dei gratia Rex *Angliæ*, &c. dilecto Consanguineo & fideli suo *Edmundo* Comiti *Cornubiæ*, tenenti locum suum in *Anglia*, salutem. Quia datum est nobis intelligi, quod super gravaminibus et molestiis quæ dilectus Clericus noster *Bogo de Clare* venerabilem patrem *J.* Archiepiscopum *Ebor.* de Thesauraria *Ebor.* quam eidem *Bogoni* contulimus sibi asseruit, in nostræ collationis præjudicium intulisse, dedistis diem eidem Archiepiscopo coram vobis apud *Westm.* à die Paschæ proximo præterito in unum mensem, ad respondendum nobis de gravaminibus et molestiis supradictis; mandando præfato Archiepiscopo, ut sequestra, interdicta, excommunicationum sententias, et alias coherciones Ecclesiasticas contra prædictum *Bogonem* occasione hujusmodi facta seu lata omnino relaxet, et hoc sub pœna forisfacturæ Baroniæ suæ, et omnium quæ de nobis tenet in regno nostro nequaquam omittat; nos licet jura nostra per vos et alios conservari Ibidem.

An. 15 E. 1. ſerbari belimus illæſa, nolentes tamen aliis ſuper jure ſibi debito injuriam aliquam irrogari, Vobis mandamus, quatinus convocato ad diem Conſilio noſtro, et habita ſuper negocio illo deliberacione melliori, in eodem negocio taliter procedatis, quod jus noſtrum ſit ſalvum in omnibus, et neutra parcium contra juſticiam ſenciat ſe grabatam, per quod ad querelam ullius vobis quicquam imputare poſſimus ad culpam. Teſte meipſo apud *Burdeg.* 18 die *April*, Anno regni noſtri quintodecimo.

The Archbiſhop after he had put in Sureties to appear before the Council endorſed on the Writ, to prevent the ſtorm and penalties threatned to him by theſe Writs, for theſe his high contempts and extravagances, was enforced at laſt to obey the Kings commands, and make his peace with *Bogo de Clare*, before the cauſe came to be heard before the Kings Counſil, as theſe inderſements on three of theſe Writs inform us, Concordati ſunt prædicti Archiepiſcopus et *Bogo*. *Archiepiſcopus vocatus fuit in Curiam*, et concordatus eſt cum *Bogone de Clare*. Habuerunt diem coram Concilio, et poſtea concordati ſunt.

Philip de Staunton being elected Biſhop of *Landaff*, and his election certified to the King by the Archdeacon and others under their own Seals, but not under the Common Seal of the Chapter, kept from them by the practiſe of *Bogo de Clare* Chancellor of that Church, who oppoſed the election; he repairing therewith to the King in *France*, the King though he approved his perſon, yet he refuſed to confirm his election, becauſe not certified under the Chapters Seal; whereupon the Chancellor ſent this Letter to the Earl of *Cornwall* concerning this buſineſſe, and the Kings Writ to redreſſe this fraudulent practiſe, and ſave the expence of a ſecond journey to him, to grant a Writ to the Archbiſhop to confirm him, then to receive his Oath of Fealty, and reſtore his temporalties with all expedition.

In eadem Bundela, An. 15 E. 1. in Turri London.

NObili viro Domino & amico ſuo, kariſſimo Domino *Edmundo* Comiti *Cornubiæ*, tenenti locum Domini noſtri Regis in *Anglia*; *R.* permiſſione divina *Bathon.* & *Wellen.* Eccleſiarum Miniſter ſalutem, et paratam ad beneplacita voluntatem. Ex tenore literarum veſtrarum quas vobis remittimus perpendimus evidenter, qualiter vir providus & diſcretus Magiſter *Philippus de Staunton* Præcentor *Wellenſis*, Clericus noſter & ſocius perdilectus, Electus extiterit in Epiſcopum *Landavenſem*, Domino *Bogone de Clare* nullatinus permittente literas Domino Regi mittendas ſuper electione hujuſmodi communi ſigillo Capituli conſignari, ſet Electores Magiſtri *Philippi* prædicti præmiſſas literas Domino noſtro Regi, ut præmiſſum tranſmittendas ſuis ſigillis propriis conſignarunt, quibus eidem Domino noſtro porrectis perſonam Electam protinus acceptavit; ſet licet eidem literas veſtras prætactas nobis tranſmiſſas facti ſeriem continentes miſerimus, eo quod procul ab invicem diſtabamus, quia tamen ſibi directæ non fuerant nominatim, et quia ſigillum commune Capituli appoſitum non extitit literis ſibi miſſis, nec ei conſtitit de impedimento per Dominum *Bogonem* oppoſito, niſi per literas non ſibi ſet nobis tranſmiſſas, conſenſum ſuum Electioni prædictæ difficult adhibere, eum vobis committens qui habetis noticiam et experienciam hujus facti. Cum igitur aſſenſus ille totaliter in manibus veſtris exiſtat, ſicut in literis Regiis poteritis intueri, ſinceritatem veſtram quantumcumque valemus ſerbencius exoramus, quatinus memoratum Magiſtrum *Philippum* quoad Regii conſenſus articulum et literas Regis ſuper illo Domino *Cant.* Archiepiſcopo dirigendas, nernon confirmacionis munere affecuto, quoad reſtitutionem temporalium, juxta mandatum Regium vobis inde directum, celeriter abſque dilacionis incommodo expedire velitis, eo libencius et liberius quod de præmiſſis omnibus vobis conſtat ac notoria et manifeſta exiſtunt quaſi in auribus ſingulorum: Si autem dictus Magiſter *Philippus* perſonaliter ad præſenciam veſtram non venerit, quæſumus ut ipſius nuncium ad vos ſuo nomine venientem expediatis, celeriter & benignè literas neceſſarias ſibi fieri facientes, ex quo enim Dominus noſter approbavit ſuam perſonam, non eſt neceſſaria ipſius perſonalis præſencia coram vobis. Bene & diu valete. Dat. *Burdegale* 2 Idus *Septembr.*

Edwardus

An. 15 *E.* 1.

Ibidem.

Edwardus Dei gratia Rex *Angliæ*, Dominus *Hiberniæ*, & Dux *Aquitaniæ*, dilecto Conſanguineo & fideli ſuo *Edmundo* Comiti *Cornubiæ*, tenenti locum ſuum in eodem regno. Cum Magiſter *Philippus de Staunton* Præcentor *Wellenſis*, ad nos venerit, & nobis præſentaverit quaſdam literas ex parte Archidiaconi & Capituli Eccleſiæ *Landavenſis*, ſuper electione de ipſo facta in Epiſcopum ejuſdem loci ſigillis Archidiaconi memorati, Præcentoris & quorundam aliorum Canonicorum ejuſdem Eccleſiæ ſigillatas, ſicut per inſpectionem literarum illarum quas vobis mittimus, plenè poteritis intueri. Nos literis illis inſpectis, pro eo quod commune ſigillum Capituli non fuit appenſum, eiſdem licet bene perſonam acceptemus electam, et ipſum regimini prædictæ Eccleſiæ idoneam reputemus, pro ipſo etiam faceremus libenter quicquid ſine præjudicio noſtri et libertatum noſtrarum optentarum hucuſque facere bono modo poſſemus, electioni de ipſo factæ noluimus aſſentire, nec eidem pro conſuetudine qua uſi ſumus concedere literas de conſenſu; Set quia idem Magiſter *Philippus* nobis dedit intelligi, quod ipſe et alii Canonici Electores ſui non potuerunt ſigillum illud habere commune impediente *Bogone de Clare* Cancellario prædictæ Eccleſiæ, qui idem ſigillum in cuſtodia ſua habuit, et electioni prædictæ ſe apposuit minus juſte, et noluimus quod prædicta Eccleſia per fraudem aut malitiam diu deſtituatur paſtore et regimine quod deceret; Vobis mandamus, quod viſis præſentibus, vocatis & aſſumptis vobiſcum venerabili patre *J. Elienſi* Epiſcopo Theſ. noſtro, cui ſuper hoc ſcribimus, & aliis de Conſilio noſtro quos contigerit eſſe præſentes, literas ſupradictas quæ ex parte dictorum Archidiaconi & Capituli nobis miſſæ fuerunt, quaſque vobis mittimus, & intellecta de proceſſu electionis prædictæ et tocius facti plenius veritate, gratiam quam prædicto Electo quoad aſſenſum electionis ejuſdem, poſſemus vel deberemus de conſilio veſtro facere in hoc caſu, dicte noſtro faciatis eidem; Ita quod per machinationem aut malitiam alicujus ipſius Electio non turbetur aut contra juſticiam differatur. Cum autem Archiepiſcopus electionem confirmaverit ſupradictam, volumus & mandamus, quod Electum ipſum taliter confirmatum, ad ſacramentum fidelitatis nobis debitæ admittatis, et temporalia Epiſcopatus prædicti reſtitui faciatis eidem, ad quod non oporteat ipſum pro negocio electionis ejuſdem ad nos iterato reverti: In tantum etiam feſtinetis negocium, quod Electus ipſe de curſu temporis vel de alio quocumque damnum aliquod non incurrat, ſeu periculum in hac parte. Teſte meipſo *Aquis* ſeptimo die *Septemb.* anno regni noſtri quintodecimo.

There being a difference between the Biſhop and Dean of Chapter of *Yorke*, whereby the peace was likely to be diſturbed by the Major and Citizens lay-force and interpoſition therein; the King thereupon iſſued this prohibition to them no wayes to intermeddle in this controverſie between them.

Brevium & Literarum de An. 14, 15, &c. E. 1. in Turri London.

Edwardus Dei gratia Rex *Angliæ*, Dominus *Hiberniæ*, & Dux *Aquitaniæ*; dilecto Conſanguineo & fideli ſuo *Edmundo* Comiti *Cornubiæ* tenenti locum ſuum in eodem Regno ſalutem. Quia accepimus, quod diſſencio eſt ſuborta inter venerabilem Patrem *J. Eborum* Archiepiſcopum ex parte una, & Decanum & Capitulum ejuſdem loci ex altera; et nollemus quod per diſſencionem hujuſmodi pax aliqualiter turbaretur; attendentes quod prædicti Decanus & Capitulum ex conjecturis aliquibus veriſimiliter ſibi timent, ne per vim laicam, utpote per Majorem & Cives *Eborum*, aut alios ad procurationem partis adverſæ oppreſſiones & gravamina aliqua paciantur; Vobis mandamus, quatinus Majori & Civibus ſupradictis firmiter inhiberi faciatis, ne de contencionibus inter prædictos Archiepiſcopum et Decanum et Capitulum ſuſcitatis in aliquo ſe intromittant, ſeu partem alterutram ſuper contencionibus hujuſmodi foveant, per quod pax noſtra aliquatinus infringatur, ſeu tranquillitas Eccleſiæ ſupradictæ in perſonis aut rebus aliqualiter conturbetur. Dat. ſub Privato Sigillo noſtro *Aquis* 12 die *Septemb.* anno regni noſtri quinto decimo.

Dorſo. Edmond Comte de *Cornewaill*, a Sire *William* de *Hamelton* ſaluz. Nous vous prioms qe vous furniſez le maundement noſtre Seygneur le Roy ſolone la tenure de ceſtre lettre. E pur ceo que nous fuiſmes au park de *Wyndeſoner* avenous,

An. 15 E. 1. nous, cosines si lavoms enselee du seel nostre chiere Cosine Madame *Alyanor* fielle au Roy et garden cestre lettre.

The Archdeacon of *Colchester* and his Official fraudulently entring into the Church of *Christensall* belonging to the Kings free Chappel of St. *Martins le Grand*, exempt from all Ordinary Jurisdiction, and there holding a Visitation, and exacting a procuration forit, interdicting the Church and seising the goods thereof for not paying it, contrary to the Kings protection to the Dean then with him in *France*; thereupon the King issued this Writ to examine the matter, and to imprison the said Offenders, if the Information were found true, till further Order, to deterr others from the like contempts, during his absence.

Bundela Brevium in Turri London, An. 15 E. 1.

Edwardus Dei gratia Rex *Anglie*, Dominus *Hibernie*, & Dux *Aquitanie*, dilecto Consanguineo & fideli suo *Edmundo* Comiti *Cornubie* locum suum tenenti in eodem regno salutem. Ex parte dilecti et fidelis nostri Magistri *Willelmi de Luda* Decani Sancti *Martini magni London.* nobis est ostensum graviter conquerendo, quod licet Ecclesia Sancti *Martini* prædicta quam habet ex collatione nostra sit libera Capella nostra, et tam in capite quam in membris, utpote personis, Prædendis, Ecclesiis et Capellis annexis ab omni jurisdictione ordinaria exempta, et ipsum Decanum cum nuper nobiscum iter arriperet extra regnum nostrum, homines, terras, res, redditus et omnes possessiones suas in protectionem et defensionem nostram specialiter suscepissemus; omnibus & singulis inhibendo, ne ei injuriam, molestiam, dampnum vel grabamen inferrent: Nichilominus Magister *Egidius Fillol* Archidiaconus *Colcestr.* et Magister *Simon de la Neylond* Officialis ejusdem, cum quibusdam aliis fautoribus et complicibus suis nuper Decano nostro nobiscum in remotis agente, ad Ecclesiam de *Cristensball* quæ est prædenda liberæ Capellæ nostræ prædictæ, et ab omni jurisdictione ordinaria eadem ratione exempta, et jurisdictioni ipsius Decani duntaxat subjecta, personaliter accedentes tanquam ad missam audiendam in ea, et postfacto dixerunt se fecisse visitationem ibidem, et deinde post paucos dies transmisso per eos ad eandem Prædendam Decano de *Neuport*, pro habenda procuratione vi visitationis prædictæ, Ecclesiam ejusdem Prædendæ, cum ipsorum de hujusmodi procuratione solvenda non pareretur mandatis, per eundem Decanum supposuerunt Ecclesiastico interdicto, et adhuc non contenti præmissis, manus ad deteriora mittentes, calicem et missale ejusdem Ecclesiæ per dictum Decanum de *Neuport* et summonitorem ejusdem violenter de eadem Ecclesia asportari fecerunt; et nichilominus idem Archidiaconus ad Domos dictæ Prædendæ postea clam veniens, bona ibidem inventa auctoritate propria et de facto quamquam de jure non posset temere sequestravit, in nostri et dicti Decani nostri libertatum et jurium læsionem et præjudicium non modicum, ac in nostri contemptum, contra protectionem et pacem nostram. Et quia ex præmissis turbamur nimirum et plurimum commovemur, nec contemptum hujusmodi relinquere volumus impunitum, vobis firmiter injungendo mandamus, quod si vobis constare possit ita esse, tunc prædictos Archidiaconum, Officialem, Decanum de *Neuport*, et summonitorem, et alios complices et fautores quos reos et culpabiles inveneritis de hoc facto, et præcipue Archidiaconum ipsum si factum illud advocaverit, sine dilatione capi faciatis, et in prisona nostra salvo custodiri, ita quod non deliberentur ab ea donec id vobis mandaverimus sub privato sigillo nostro. Tantum super hoc facientes, quod alii timorem habeant contra nos aut nostros nobis absentibus consimiliter aut aliter delinquendi. Dat. sub eodem sigillo nostro apud *Paland.* 18 die *Maii*, anno regni nostri quintodecimo.

Dorso. Manucaptus est usque adventum Regis, ut Rex tunc inde ordinet quod fuerit faciendum.

The King issued this Writ to his Lieutenant, to execute a Judgement given for the Archbishop of *Canterbury* concerning the Advowson of the Priory of St. *Martins* in *Dover*, and if any found themselves grieved therewith, he would hear and relieve them upon his return into *England*.

Edwardus

An. 15 E. 1.

In eadem Bundela.

EDwardus Dei gratia Rex *Angliæ*, Dominus *Hiberniæ*, & Dux *Aquitaniæ*, dilecto Conſanguineo & fideli ſuo *Edmundo* Comiti *Cornubiæ*, tenenti locum ſuum in *Anglia*, ſalutem. Auditis Magiſtro *Martino de Hampton* Clerico venerabilis patris *J. Cantuarienſis* Archiepiſcopi, ac Monachis Sancti *Martini Dovor* ad nos miſſis, & proceſſibus & judiciis coram Juſtic. noſtris ſuper advocatione Prioratus Sancti *Martini Dovor.* & quibuſdam aliis dictam advocationem tangentibus, primo pro nobis, & ſubſequenter pro prædicto *Cantuar.* Archiepiſcopo habitis atque datis pleniùs intellectis; Vobis mandamus, quod judicium pro prædicto Archiepiſcopo ſuper dicta advocatione per Juſtic. noſtros datum demandare executioni debitæ, et ſerbientem in eodem Prioratu cum judicium ſuper advocatione prædicta datum, pro nobis extitit poſitum, amoveri ſine dilationis obſtaculo faciatis. Si vero aliqua parcium prædictarum in dictis judiciis ſenſerit ſe gravatam, illud cum ad partes *Angliæ* venerimus oſtendere poterit coram nobis, et nos quod juſtum fuerit ſuper hoc fieri faciemus. Teſte meipſo apud *Blankeford* 11 die *Junii*, Anno regni noſtri quintodecimo.

Upon the Prior and Covents Petition of *Chriſt-church* in *Canterbury*, the King iſſued this ſecond Writ concerning the Advowſon and Priory of the ſaid St. *Martins Dover*.

Ib.

EDwardus Dei gratia Rex *Angliæ*, Dominus *Hiberniæ*, & Dux *Aquitaniæ*, dilecto Conſanguineo & fideli ſuo *Edmundo* Comiti *Cornubiæ*, tenenti locum ſuum in *Angl.* ſalutem. Accedens ad præſentiam noſtram *Walterus de Chilindene* Monachus Eccleſiæ Chriſti *Cantuar.* ex parte Prioris & Conventus loci ejuſdem cum literas Prioris ſui, nobis expoſuit, quod licet à tempore bonæ memoriæ *Theobaldi* quondam *Cantuarienſis* Archiepiſcopi Eccleſia eorum *Cantuar.* in poſſeſſione pacifica extitiſſet, quod nullus præficeretur in Priorem Eccleſiæ Sancti *Martini Dovorr.* niſi de Eccleſia *Cantuar.* prædicta, nec aliquis Monachorum *Dovor.* alibi profiteretur niſi in eadem *Cantuar.* Eccleſia: quodque nullus Monachorum *Dovor.* præſentaretur ad ordines niſi per Priorem & Conventum Eccleſiæ Chriſti *Cantuar.* ſupradictæ; venerabilis tamen pater *J. Cantuarienſis* Archiepiſcopus, prætextu cujuſdam proceſſus inter nos et ipſum ſuper advocatione Prioratus prædicti *Dovor.* nuper in noſtra Curia ventilati, dictos Priorem et Conventum Eccleſiæ Chriſti *Cantuar.* præfata poſſeſſione, vel quaſi omnium prædictorum ſpoliare molitur, conniventibus et conſencientibus Monachis Prioratus *Dovor.* ſupradictis: Quare nobis idem frater *Walterus* nomine Eccleſiæ Chriſti *Cantuar.* prædictæ humiliter ſupplicavit, ut in hac parte ipſi Eccleſiæ providere de oportuno remedio curaremus: Sanè cum mandaverimus vobis nuper ut toto conſilio noſtro ad invicem congregato examinaretis diligenter proceſſum inter nos et ſupradictum Archiepiſcopum ventilatum ſuper advocatione ipſius Prioratus *Dovor.* ac ulterius faceretis quod juſticia ſuaderet, prout in literis noſtris prædictis plenius continetur: Ac Prior & Conventus Eccleſiæ Chriſti *Cantuar.* ſua intereſſe aſſerant in hac parte, & ſe debere admitti in examinatione proceſſus hujuſmodi ad proponendum pro Eccleſiæ ſuæ jure quod viderint proponendum; Vobis mandamus, quatinus facta denunciatione dicto Priori *Cantuar.* ſeu alias eo vocato legitimè quod prædicti proceſſus examinacioni interſit ſi ſibi viderit expedire, ipſum prout fuerit Juri conſonum audiatis; ac ulterius faciatis quod de jure fuerit faciendum quantum ad nos pertinet vel ad Curiæ noſtræ forum. Teſte meipſo apud *Burdegalam* 23 die *Januarii*, anno regni noſtri quintodecimo.

Dorſo. Iſtud tangit factum *Radulphi de Hengham* quod per iſtud breve recitatum fuit coram toto Conſilio, & factum prædicti *Radulphi* approbatum, prout idem *Radulphus* paratus eſt docere coram Rege.

The Archbiſhop of *Canterbury* complaining againſt the Earl of *Cornwall* the Kings Lieutenant, of injuries done to his Clerks at *Mayleſtan* by ſome of the Kings Officers, for which he could have no juſtice, to the prejudice and diſhonour of the Church; the King thereupon iſſued this Letter under his Privy Seal to hear and

determine the buſineſſe, ſo as to do the Archbiſhop and Church right, and that his Crown and Dignity might receive no prejudice thereby.

In eadem Bundis Brevium & Literarum, Anno 15 E 1.

Edward par la grace de Dieu Roy *Dengleterre*, Seygnor *Dyrlaunde*, & Duk *D'aquit.* a ſon chier Coſyn et Feal *Edmound* Counte de *Cornewaille* ſon leu tenant ſaluz. Come Larceveſque de *Canterbir* ſe ſoit pleint a nous en defaute de vous, que ni pioez entendre por la guerre de *Gales* auſi come il diſt, de un graunt treſpas que feu fait nagueres a ſes Clers a *Maydneſtan* par nos Miniſtres, auſi come vous poez voir par ſa moſtrance, que nous vous envoioms, & jaſoit ce que il nous priſe molt, ſi noz genz eiont fait nule choſe contre Seinte Egliſe, que fere ne deuſſent, nous ne eioms en poair de mettre amendement de la nous eſtoioms endreit de tele monſtrance ne de cele pleinte par molt de reſons, nous vous mandoms que entendue la monſtrance Lerceveſque, & apellez noz genz de qui il ſe pleint, facez cele choſe adreſcer ſaunz nul delai, ſi toſt come vous i potres entendre. E metez i tiel amendent, que ſoit al honour de Dieu et de Seinte Egliſe, et al honour de nous: E ſi vous trouez que choſe ſoit fete en prejudice de nous ou de la Cozonne feites le autreſi adzeſcer et amender ſolom ce que vous verrez que ſoit a fere, iſſint que il ne nous ne cobegne puis par defaut de vous mettre la meyn quant nous vendzoms en pays. Donne noſtre ſeel prive a *Migroun* le 22 jour *Sept.* l'an de noſtre regne quinzime.

Edmund Earl of *Cornwall* being informed that the Pope by his proviſion had conferred the Prebendary of *Farindon* in the Church of *Sarum*, falling void by the death of Cardinal *Ancherus*, upon another in the Court of *Rome*, and iſſued a Mandate to the Dean and Chapter of *Sarum* to inſtitute him therein; he thereupon ſent this precept to the *Chancellor*, to iſſue a Prohibition to them, not to inſtall him, to preſerve the Kings right againſt tyrannical uſurpation, to whom the ſaid Prebendary belonged by reaſon of the vacancy of the Biſhoprick; and likewiſe to command the Gardian of the Temporalties and Spiritualties not to permit any to intrude himſelf into it.

Ibidem.

Edmundus Comes *Cornubiæ*, dilecto ſibi amico Domino *W. de Hamelton* ſalutem, & dilectionem ſinceram. Recepimus his diebus rumores certos apud *Berkamſted*, quod Dominus *Ancherus* Cardinalis nuper in fata deceſſit; unde collatio Prebendæ de *Farendon* quam in Eccleſia *Sarum* tenuit, ad Dominum noſtrum Regem, ratione ejuſdem Eccleſiæ *Sarum* vacantis, & in manu ſua exiſtentis, pertinet hac vice, quia (licet) Papa de beneficiis in Curia *Romana* vacantibus per Dominum Papam conferend. ipſum Dominum Regem, ſicut nec alios Laicos attare non poteſt; Dicitur tamen, quod Papa Prebendam ipſam in Curia *Romana* jam contulit: et quod Decano et Capitulo *Sarum* mandabitur infra Breve, quod ipſum inſtallari faciant, et in poſſeſſionem Prebendæ induci: Unde ad conſervandum jus Regis, qui abſens in remotis partibus, et de his forſan ignarus, jure ſuo ita tempeſtive uti non poterit in conferendo; Vobis mandamus, quod Decano et Capitulo *Sarum* mandetis per breve Domini Regis et diſtricte inhibeatis, ne in ipſius Domini Regis et juris ſui prejudicium quenquam admittant, inſtallent, ſeu in poſſeſſionem Prebendæ ipſius indutant, ſeu induri faciant quoquo modo. Similiter & Cuſtodi Epiſcopatus *Sar.* ex parte Domini Regis, quod Cuſtodiam apponi faciat in Prebenda ipſa, ne aliquis intrudatur, vel ſe intrudat, et eam occupet; quia difficilius erit ipſum ejicere, et etiam in Eccleſia *Sarum*, ne forte ibidem ſubito per aliquem inſtalletur, et occupet locum Canoniæ. Formam quidem Inhibitionis faciendæ, Decano et Capitulo faciendæ, prout videbatur corrigendam, et diſtrictius faciendam, vobis mittimus præſentibus inclusam. Præmiſſa fiant ſtatim biſis præſentibus absque mora dispendio. Datum apud *Berkhamſtede* 28 die *Decembr.* Anno regni Domini noſtri Regis Quintodecimo.

Ibidem.

REX Decano & Capitulo *Sarr.* ſalutem. Cum Collatio Prebendarum vacantium in Eccleſiis Cathedralibus regni noſtri, dum Eccleſiæ ipſæ Paſtoribus ſuis vidnatæ ſub cuſtodia noſtra conſiſtunt, ad dignitatem noſtram Regiam, et non ad alium pertinere noſcantur; ut nos et Progenitores et Antecceſſo-

res

res noſtri in poſſeſſione hujus juris fuerimus a tempore quo non extat memoria. Et quia Præbenda de *Farendon* in Eccleſia veſtra *Sarum*, quæ vacans eſt et ſub cuſtodia noſtra conſiſtit ad præſens, per mortem Domini *Ancheri* Cardinalis vacare dicitur; Nobis et cuilibet veſtrum inhibemus, ne in præjudicium juris noſtri, Præbendam ipſam cuiquam conferatis, nec ad mandatum cujuſcunque quenquam admittatis ad eandem vel inſtalletis, aut in poſſeſſionem ejuſdem inducatis, ſeu quicquam aliud attemptetis, quod in præjudicium juris noſtri quomodolibet redundare poſſit in hac parte, donec de obitu Cardinalis prædicti plenius certiorati, prout ad nos pertinet ordinaverimus de eadem alicui perſonæ idoneæ aſſignanda. Teſte, &c. *An.* 15 E. 1.

SUis ſpecialiſſimis Dominis *W. de Hamelton*, & *W. de Odyham*, ſalutem & dilectionem ſinceram. Miramur & admiramur quod aliqui de regno *Angliæ*, pro hujuſmodi quæ ſunt de jure communi, & quibus utuntur in eodem regno, ſecundum legem et conſuetudinem regni ejuſdem, ad nos pro defectu remedii refugium ſive acceſſum in partibus tranſmarinis habere debeat; & maximè pro *Richardo de Bedeford*, qui pro communi remedio cujuſdam Prohibitionis habendæ ad nos pridie acceſſum habuit. Quapropter vos rogamus, quod ſuper hoc & aliis conſimilibus pro hujuſmodi vitandis laboribus remedium de Cancellaria provideri & faciatis, ſicut de conſuetudine dictæ Cancellariæ fieri conſuevit temporibus retroactis. Bene valeat, Dat. apud *Melon* ſuper *Genetam* 3 Non. *Auguſti*. Ibidem.

The Biſhop of *Lincoln* excommunicating the Prior and Covent of *Neuport Paynel*, a Member of, and ſubject to the Greater Monaſtery of *Turon*, exempt from all Epiſcopal Juriſdiction, and ſubject immediately to the *Pope* alone, for oppoſing his Juriſdiction, and endeavouring to impriſon them after their Appeal to *Rome*, to hinder them to proſecute their Appeal; the King upon complaint thereof ſent this Writ of Privy Seal to the Earl of *Cornwall* his Lieutenant, to call both parties before him, and if this their exemption from the Biſhops Juriſdiction ſhould appear, then to ſtay and ſuperſede the Writ of *Capias Excommunicatum*, and the execution thereof againſt them.

EDwardus Dei gratia Rex *Angliæ*, Dominus *Hiberniæ*, & Dux *Aquitaniæ*, dilecto Conſanguineo & fideli ſuo *Edmundo* Comiti *Cornubiæ*, tenenti locum ſuum in eodem regno, ſalutem. Conqueſti ſunt nobis in Chriſto dilecti Abbas & Conventus Majoris Monaſterii *Turon.* quod cum ipſi per privilegia ſibi ab Apoſtolica ſede conceſſa, tam in capite quam in membris ab omni Juriſdictione ordinaria ſunt exempti, et prædictæ ſedi duntaxat ſubjecti, venerabilis tamen pater *O. Lincoln.* Epiſcopus aſſerens, ſe habere Juriſdictionem in Priorem et Monachos beatæ *Mariæ* de *Neuport Paynel*, qui quidem Prioratus ſubeſt Abbatiæ prædictæ, & eſt membrum ejuſdem, in ipſos Priorem et Monachos ſententiam Excommunicationis cum ei propter eremptionem hujuſmodi non curaverint obedire, de facto licet de jure non poſſet, indebite fulminavit, et nititur invocato ſecundum conſuetudinem regni noſtri brachii noſtri ſecularis auxilio, prædictos Priorem et Monachos per captionem corporum, quamquam ab eo ad ſedem Apoſtolicam appellaverint, ad petendum nichilominus ab ipſo abſolutionis beneficium coartare, ſicque iidem Monachi ſolo Priore relicto metu captionis hujuſmodi ad Abbatiam prædictam reverſi Prioratum deſeruerunt prædictum, loco divino taliter obſequio deſolato. Et quia præfatos Priorem & Monachos in juribus & poſſeſſionibus ſuis, ſicut & cæteros regni noſtri, præſertim ob reverentiam ſedis Apoſtolicæ fovere tenemur, et quatenus defendere ab injuriis et oppreſſionibus aliorum; Vobis mandamus, quod vocato coram vobis præfato Epiſcopo, & auditis querelis & rationibus quas pro parte prædictorum Abbatis & Conventus, ac Prioris & Monachorum illorum proponi contigerit coram vobis, ſi per exhibitionem et inſpectionem privilegiorum quæ ipſi aſſerunt ſe habere, non obſtantibus rationibus quas idem Epiſcopus pro ſe proponit, vobis poſſit liquere quod Epiſcopus ipſe injuſte proceſſerit contra ipſos, tunc eundem Epiſcopum a moleſtiis et inquietationibus hujuſmodi deſiſtere faciatis, et quid inde inveneritis, quidque ſuper hoc feceritis nobis celeriter reſcribatis, non permittentes quod ad procurationem Ex Bundela Brevium & Literarum de privato ſigillo An. 15 E. 1. in Turri Lond.

prælati Epiſcopi breve noſtrum de captione contra prælatos Priorem et Conventum a Cancellaria noſtra ſibi non exeat per cauſa prædicta, et breve noſtrum ſi jam exierit ——— contrarium revocantes, donec per hos certificati fuerimus de præmiſſis, et aliud a nobis ſuper hoc receperitis in mandatis. Teſte meipſo apud *Marmak* juxta *Burdegal.* 22 die *Junii*, Anno regni noſtri 15.

An. 16 E. 1. In the Bundles of Writs in the *White Tower* An. 16 E. 1. I found theſe Writs of Prohibition for holding Pleas in Courts Chriſtian.

Brevia Regis, An. 16 E. 1. in Turri London. EDwardus *Dei gratia Rex* Angliæ, *&c. Vic.* Hereford. *ſalutem*, *Si* Henricus *filius* Philippi *fil.* Radulphi de Lemenyſtr. *fecerit te ſecurum*, *&c. tunc pone per vadium & ſalvos plegios* Hugonem le Cotyller *de* Lemenyſtr. *quod ſit coram Juſtic. noſtris apud* Weſtm. *in Octabis Sanctæ* Trinitatis, *oſtenſur.* quare ſecutus eſt placitum in Curia Chriſtianitatis de catallis et debitis, quæ non ſunt de Teſtamento vel Matrimonio, contra Prohibitionem noſtram. *Et habeas*, *&c. Teſte* Edmundo *Comite* Cornubiæ *Conſanguineo noſtro apud* Weſtm. 14 *die* Aprilis, *Anno regni noſtri* 16.

Dorſ. *Pleg. de proſ.* Philippus de Blythelowe, Rogerus de Lonteley.
Pleg. Hugo le Cotyller, Hugo le Carpenter, Walterus Akand.

Ibidem. EDwardus *Dei gratia Rex* Angliæ, *&c. Vic.* Hereford. *ſalutem.* *Si* Johannes Pychard *de* Stredewy *fecerit te ſecurum*, *&c. tunc pone*, *&c. Magiſtrum* Richardum Leneband *Offic. Epiſcopi* Hereford. *quod ſit coram Juſtic. noſtris apud* Weſtm. *à die Sancti* Michaelis *in unum menſem*, *oſtenſur.* quare tenuit placitum in Curia Chriſtianitatis de advocatione Capellæ de Brumbey, contra Prohibitionem noſtram. *Pone etiam per vadium & ſalvos plegios* Reſinn ab Howel, *quod tunc ſit ibi oſtenſurus*, quare ſecutus eſt idem placitum in eadem Curia, contra Prohibitionem noſtram. *Et habeas ibi*, *&c. Teſte* Edmundo *Comite* Cornubiæ *Conſanguineo noſtro apud* Weſtm. 27 *die* Auguſti, *Anno regni noſtri* 16.

Dorſ. *Plegii* Roger de Dorſinton, Johannes de Ken.
Magiſter Richardus *Offic. Clericus eſt*, *non habens laicum feodum ubi poſſit diſtringi*

Ibidem. EDwardus *Dei gratia Rex* Angliæ, *&c. Vic.* Hereford. *ſalutem.* *Si* Robertus le Parthemyner *fecerit te ſecurum*, *&c. tunc pone*, *&c.* Nicholaum de Reygate, *quod ſit coram Juſtic. noſtris apud* Weſtm. *à die Sancti* Hillarii *in* 15. *dies*, *oſtenſur.* quare ſecutus eſt placitum in Curia Chriſtianitatis de catallis et debitis, quæ non ſunt de Teſtamento vel Matrimonio, contra Prohibitionem noſtram. *Et habeas ibi*, *&c. Teſte* Edmundo *Comite* Cornubiæ *Conſanguineo noſtro apud* Weſtm. 27 *die* Octobris, *Anno regni noſtri* 16.

Dorſ. *Pleg. de proſ.* Rigin. Plumet, Henr. le Perthimener.
Nicholaus de Reygate *Clericus eſt*, *non habens laicum feodum ubi poſſit diſtringi.*

Ibidem. EDwardus *Dei gratia Rex* Angliæ, *&c. Si* Richardus de Leges *fecerit te ſecurum*, *&c. tunc pone per vadium & ſalvos plegios Magiſtrum* Stephanum de Codano, *quod ſit coram Juſtic. noſtris*, *&c. oſtenſur.* quare tenuit placitum in Curia Chriſtianitatis de laica feodo ipſius Richardi in Rodbaldeſton, contra Prohibitionem noſtram, *&c. Teſte* Edmundo *Comite* Cornubiæ *Conſanguineo noſtro apud* Weſtm. 15 *die* Novembr. *Anno regni noſtri* 16.

There being a Suit between the Biſhop of *Ely* and a Prior and Covent of the Kings foundation, about certain poſſeſſions, the King referred it to his Lieutenant and others of his Counſil to hear and determine it, by this Writ of Privy Seal.

Ex Bundela Brevium & Literarum, An. 16 E 1. in Turri London. EDwardus Dei gratia Rex *Angliæ*, Dominus *Hiberniæ*, & Dux *Aquitaniæ*, dilecto Conſanguineo & fideli ſuo *Edmundo* Comite *Cornubiæ*, tenenti locum ſuum in *Angl.* ſalutem. Quia intelleximus quod dilecti nobis in Chriſto Prior & Conventus de Valle beatæ *Mariæ* de *Radegelat*, ſuper quibuſdam poſſeſſionibus ſuis quæ per aliquos indebitè moleſtantur, & quod ſuper eodem negotio alias coram venerabili

patre

patre Epiſcopo *Elyen.* per modum placiti locutum extitit & tractatum. Nos pro eo quod Prioratus prædictus eſt de fundatione progenitorum noſtrorum Regum *Angl.* indempnitati Religioſorum eorundem eo favorabilius volentes proſpicere ut tenemur, petitionem ipſorum vobis tranſmittimus præſentibus intercluſam, Mandantes, quod vocato prædicto Epiſcopo et aliis diſcretis de Conſilio noſtro in *Angl.* exiſtentibus, quos tunc ibidem præſentes eſſe contigerit, et examinato in omnibus diligenter et perfecte negotio ſupradicto, taliter prævideatis et ordinetis, quod dictus Prior qui in partibus remotis ad nos venit, non ſine magnis laboribus & expenſis, indempnis, quatenus juſtè fieri poterit conſervetur. Et ſi fortaſſis idem negotium partes aliquas tangere cenſeatur, tunc vocatis partibus illis dictum negotium curetis modo juſto & debito terminare: Ne pro defectu exhibitionis juſtitiæ ad nos regreſſum habere Priorem oporteat ſupradictum. Teſte meipſo apud *Burgum Regina* in *Vaſconia* 7 die *Maii*, Anno regni noſtri ſextodecimo. *An.* 16 *E.* 1.

Dorſo. Idem Prior habuit brevia juxta caſum ſuum, & poſtea non eſt proſecutus.

Robert de Leyceſter Chaplain to *Hugh* Cardinal of St. *Laurence* in *Rome*, proſecuting a Suit in the Court of *Rome* againſt *Walter* of *Ponte Robert*, for the Church of *Matiffunt*, the King out of his affection to the Cardinal iſſued this Writ to his Lieutenant, not to moleſt, or ſuffer him to be moleſted for this illegal proſecution, ſo as he deſiſted from its proſecution, and ſhould not do or attempt any thing for the future to the prejudice of his Royal dignity.

Edwardus Dei gratia Rex *Angliæ*, Dominus *Hiberniæ*, & Dux *Aquitaniæ*, dilecto Conſanguineo & fideli ſuo *Edmundo* Comiti *Cornubiæ*, locum ſuum in *Angliæ* tenenti, ſalutem. Volentes ob affectionem quam erga bonæ memoriæ Dominum *Hugonem* titulo Sancti *Laurentii* in *Lucina* Sacroſanctæ *Romanæ* Eccleſiæ nuper Cardinalem habuimus, dilecto nobis *Roberto de Leyc.* Capellano qui prædicti Cardinalis dum vixit obſequiis intendebat, [illegible] facere ſpecialem; Vobis mandamus, quod eundem *Hugonem* occaſione [illegible]m placiti quod ipſe nuper ſecutus fuit, contra Magiſtrum *Walterum de Ponte Roberti* in Curia Romana ſuper Eccleſia de *Matiffunt*, non moleſtetis in aliquo ſeu gravetis, nec permittatis ab aliis moleſtari; dum tamen nichil de cætero faciat ſeu attemptet quod cedere cenſeri poſſit in præjudicium noſtræ Regiæ dignitatis. Teſte meipſo apud —— in *Vaſcon.* 11 die *Decemb.* Anno regni noſtri 16. In Bundela Brevium & Literarum, An. 16 E. 1. in Turri London.

John de Romeine Archbiſhop of *York* having undutifully miſdemeaned himſelf to the King after his advancement by him, againſt his own premiſed obligation, and contempt of his Prohibition, the King iſſued this Writ to ſeiſe his Temporalties, to deterre others from like attempts for the future.

Edward par la grace de Dieu Roy *Dengleterre*, &c. a ſon chier Couſyn & Feal *Eſmond* Counte de *Cornemayle*, ſon Lieutenaunt en *Engleterre*, ſaluz. Come nous euſſoms entendu, que Larceveſque de *Everwyk* ſe euſt pozte autrement vers nous, et devers noz Clercs, que fere ne deuſt, par quei nous vous manoms ſegurtes par Meſtre *Eude de Weſtmeſtier*, que vos le feiſſe deſtreindre par ſa temporaltie, tuant que il ſe euſt a feite a nous entierement de tiel manere de treſpaſſe, ſi il vos eſt pleis —— que il meſmes ſe eſt avaunt obligé a nous par ſes lettres patentes, par un treſpaſſe que il nous fiſt en deſpiſaunt noſtre Prohibition, et en ce que il avoit eſte deffeblelis noſtre Court, nous vous enbioms le tranſcripé de meſmes celes lettres, par ce que vous peuiſſez —— cele obligation fuire plus eſpreument vers lí, et vous mandoms, que vous facez tot ceo que pozit pur avauntir Ore devez —— nous vous avoms avaunt mouſtré par le dit Meſtre *Eude*. E tant eſpacez, que les autres Prelatz ne penſſent prendre eſtuple de nous fure, ne a nous, ne a noz Clercs, et que nous ne trouſſoms en vous nulle negligence ne nule defaute enbeit de —— E ce que vous en aurez fez ou beiez a fere, mandez nous haſtivement par vos lettres, et par le portour de ſes lettres ſuſdit. Don de ſoux noſtre ſeale prive au *Burgh le Roy* le quint jour de *Fevrer*, l'an de noſtre regne ſezime. In eadem Bundela, An. 16 E. 1.

Hereupon

An. 16 E. 1. Hereupon the Archbiſhop of *York* repairing to the King beyond the Sea to hear his cauſe, he remitted him to his Lieutenant and Counſil, before whom he had a day aſſigned to do him plenary juſtice, ſo as to ſecure his own honour and juſtice, according to juſtice and the Law of the Land, and in the mean time to reſtore his Temporalties and Goods ſeiſed till the hearing.

In eadem Bundela An. 16 E. 1. in Turri London.

E*Dwardus* Dei gratia Rex *Angliæ*, *&c.* dilecto Conſanguineo & fideli ſuo *Edmundo* Comiti *Cornubiæ*, tenenti locum ſuum in eodem regno, ſalutem. Quia licet Archiepiſcopus *Ebor.* ad nos venerit, et ſuper tranſgreſſionibus ſibi impoſitis ſe optulerit voluntati noſtræ et gratiæ totaliter ſubmittendum, ipſum tamen ad vos duximus remittendum, pro eo quod ſicut intellerimus, ſuper eiſdem tranſgreſſionibus diem habuit coram vobis et Conſilio noſtro ibidem a die *Paſche* in unum menſem; Vobis mandamus, quod ſuper negotio illo verſus præfatum Archiepiſcopum taliter procedatis, quod plena juſtitia inde fiat, prout ad honorem et ſalvamentum Regiæ dignitatis noſtræ, ſecundum leges et conſuetudines regni ejuſdem viderittis faciendum. Dat. ſub privato ſigillo noſtro apud *Burgum Regine* 24 die *April.* Anno regni noſtri 16.

Ibidem.

E*Dward* par la grace de Dieu Roy *Dengleterre*, Seigneur *Dirlaunde*, & Duc *Daquitaine*, a ſon chier Couſyn & Feal *Eſmond* Counte de *Cornewaylle*, tenant ſon lieu en meſme le Royaume, ſaluz. Come nous vous euſſoms maunde par Meſtre *Eude de Weſtmeſtier*, & autrefoiz par noz lettres que vous feiſſe deſtreindre Larcevesque de *Everwyk* par ſa temporaunte, poz aconus treſpaſſe que il nous avoit fait, et vous ſur ce le ajourniſſez devaunt vous et noſtre Conſail, a reſpoundre a nous ſicome reſon ſerreit, et il puis ſoit venuz a nous, et poz avoir noſtre grace et noſtre bienvoillance nous eit promis et ſe ſoit obligé par ſa lettre, la quele nous avoms, que il nous amendera, et celes choſes tot a noſtre volente en quant que a nous en apent, nous vous mandoms, que ſi vous avez rien fait prendre en noſtre mayn de la temporaunte [illegible] dit Arcevesque par mandement que nous vous eneioms fait, ou de ſes [illegible], ou de les Chateaus que vous len li faces rendre et deliverer tot enterement quant que en eſt pris en noſtre meyns, et del enjournement que il a devaunt vous et devaunt noſtre Conſail par la reſon avauntdite nen faicez plus mes faites ceſſer ceu piet, et ne ſuffrez mie que il ſoit plus greve des ore mes par ceſte encheſon. Donees de noſtre ſeale prive a *Burdeaus* le 24 jour de *May*, l'an de noſtre regne ſezime.

Reginald de Grey detaining the Tithe of Lead Mines in *Wales* from the Biſhop of *Bangor*, to whom they were proved to be due by cuſtome and depoſitions, againſt ſeveral Letters of the King to pay them; the Biſhop thereupon in the Kings abſence addreſſed himſelf to the Earl of *Cornwall* the Kings Lieutenant, for juſtice againſt him herein, in this form.

Bundela Brevium de Privato ſigillo, An. 16 E. 1. in Turri London.

EXcellenti viro ac Nobili Domino *Edmundo* Comiti *Cornubiæ*, locum Domini Regis in *Anglia* tenenti, *Amanus* permiſſione divina *Bangorenſi* Eccleſiæ Miniſter humilis, Domini Regis Capellanus in *Wallia*, ſalutem, &c. Licet Dominus Rex ſæpe et ſæpius ſcripſit Domino *R. de Grey*, quod faceret nobis habere decimas Plumbiſodiarum de *Thegeygl*, quod facere minimè curavit, licet coram eo inquiſitio apud *Recolan.* fuiſſet per duodecim homines majores juratos de *Thegeygl*, & pro jure noſtro depoſuiſſent ad plenum. Et idem Dominus *R. de Grey* ſubtraxit nobis juſtitiæ complementum. Quare recurſum habuimus ad Dominum Regem propter defectum juſtitiæ, qui vobis ſcripſit pro nobis & jure noſtro: Quare vos rogamus & requirimus, ſicut zelator veritatis eſtis & juſtitiæ defenſor, quatinus manum veſtram auxiliatricem et adjutricem pro nobis porrigere dignemini; ita quod Eccleſia *Bangoren.* non cedat a jure ſuo, quominus poſſit gaudere decimis Plumbiſodiarum de *Thegeygl*, ſicut conſuevit temporibus retroactis *Lewellini* magni & *David* filii ejus, & *Lewellini* filii *Griffini*, & Domini *Henrici* Regis, & aliorum Regum & Principum *Walliæ*; non obſtante quod Abbas de *Valle Regali* recepit aliquam partem tempore guerræ, quam adhuc tenet. Valeat, &c.

Pope

Pope *Urban* the 4th. by his uſurped Papal power and proviſion conferring a Penſion of 30 marks by the year on a Cardinals Nephew out of the Church of *Sylendon* in *Lincolnſhire*, which the Rector refuſed to pay for 10 years ſpace, though his goods and Church were obliged to pay it, the Cardinals Nephew ſuing for it in the Court of *Rome*, the King granted an Inhibition thereupon to the Rector to pay it, and to the Nephews Proctor to proceed in his ſuit to recover it, as prejudicial to his Crown: whereupon he procured theſe enſuing Letters to the King from the Biſhop, Univerſity, and Scholars of *Bononia* for his favour and aſſiſtance in the revoking of his Inhibition, and for the recovery of the arrears of this penſion from the Parſon of the Church. *An.* 16 *E* 1.

SEreniſſimo & Illuſtriſſimo Regi & Domino ſuo Domino *Eodoardo* Dei gratia Regi *Anglie*; *Octavianus* miſeracione divina *Bononienſis* Epiſcopus ſalutem, & felicitatis optatæ ac gloriæ complementum. Excellentiæ veſtræ Regalis liberalitas & antiqua benevolencia quæ inter bonæ memoriæ Dominum *O.* Sanctæ *Mariæ in via lata* Diaconum Cardinalem patruum noſtrum, & veſtram magnificenciam ſincerè viguit, plena fiducia nos inducunt, ut ad ſtrenuitatis veſtræ promtuarium pro noſtris & noſtrorum negociis ſecurâ conſcientia recurramus, ſperantes apud vos oportunam graciam promeri. Nepos felicis recordacionis Dominus *O.* Sanctæ *Mariæ in via lata* Diaconi Cardinalis patrui noſtri, recipere debeat à Magiſtro *Radulpho* Rectore Eccleſiæ de *Sylindon Linceln.* Dioc. penſionem annuam triginta marcharum ſterlingorum per literas Apoſtolicas ſanctiſſimi patris Domini *Urbani* Papæ quarti, et pro dicta penſione annua dicto noſtro conſanguineo de jure debita ſint eidem data et reddita ipſius Eccleſiæ obligata, et jam ceſſaverit idem Rector per decem annos a ſolucione penſionis prædictæ, et ad inſtanciam dicti Rectoris, per mandatum veſtrum Regium facta ſit inhibicio executori literarum Apoſtolicarum ipſi conceſſa, ſuper aſſecucione pacifica penſionis prædictæ ut in hujuſmodi negocio procedere non præſumat, necnon et procuratoribus prædicti noſtri Conſanguinei ex præcepto veſtro Regio inhibitum ſit, ne ipſum negocium dictæ penſionis proſequi audeant contra Rectorem Eccleſiæ memoratæ, in grave præjudicium ejuſdem noſtri conſanguinei et non modicum detrimentum; ita quod ubi favore Regalis excellenciæ juſticia debuit reflorere, deperire ad ſuggeſtionem falſitatis irremediabiliter videatur. Magnificenciæ veſtræ Regali ſupplicamus affectu quo poſſum ampliori, quatinus intuitu dilectionis et devocionis quam Dominus *O.* Cardinalis præfatus patruus noſter ad vos et ad domum *Angliæ* ſemper ſinceritate habuit, et contemplacione noſtri et illorum de domo noſtra *Ubaldinorum* veſtrorum devotorum procuratores dicti noſtri Conſanguinei, nepotis Domini *O.* Cardinalis patrui noſtri ſuper dicta penſione obtinenda pacifice, quando ad vos et Curiam veſtram Regiam recurſum habuerint dignemini habere favorabiliter commendatos, inhibicione facta de veſtro mandato executori literarum apoſtolicarum ſuper dicta penſione ne procederet in negocio, et procuratoribus dicti noſtri Conſanguinei ne proſequerentur ipſum negocium, de benignitate Regia revocantes, ita quod ex favore veſtræ Regalis clemenciæ conſanguineus noſter memoratus, et procuratores ejus penſionem annuam Triginta marcarum ſibi de jure debitam aſſequi pacifice mereantur, et nos cum omni domo noſtra ſimus proinde vobis propenſius devoti et aſtricti ad obſequioſa merita graciarum. Dat. *Bononia* 13 die *Aprilis*. Ex bundela Brevium & Literarum, An. 16 E. 1. in Turri London.

GLorioſiſſimo Domino *Edwardo* illuſtriſſimo *Angl.* Regi, *Odo de Caſali* Ordinarius in Eccleſia majori *Mediolanenſi*, & Lego Cornhonicus Comes, Rectores univerſitatis Scolarium tam in Civili quam Canonica Jure in *Bononia* Civitate ſtudencium, ipſaque Univerſitas tota, Collegium et Scolares cum perpetua recommendacione ſui ipſius. Habet certum profeſſio Chriſtiana quæ ſanctæ ſanctionis imperio profitetur, quod eſt *Bononiæ* Civitas alumpna Scolarium & Mater rudibus volentibus eruditi, per *Theodoſium Ceſarem* ſpecialis ſtudii muneribus adoptata. Nam humanæ leges hic militant, & compeſcentes arbitrii libertatem, concedunt honeſtum, contrarium ſacius prohibentes. Huc ergo Scolares et Clerici contemptis terrarum mariſque periculis undecumque profecti, ut gaudeant poſt laborum vigilias diviciis diſciplinæ tanquam infantes ſinu Civitatis ipſius materno recipiuntur affectu Ibidem.

An. 16 E. 1. affectu & bajulati à *Bononienſibus* Civibus tamquam fratres ab ipſa infanciæ, uſque ad ſtudii *Gades* in virilis tandem ſcienciæ robur evadunt. Meritis itaque Cives reputamus fratres noſtros patres & Dominos, in eorum paſſionibus compacientes illos, et in doloribus condolentes, in quibus dilectionis qualitas——— Sane nobilem virum Dominum *Bonifacium de Langlano Bononiæ* Canonicum, nepotem dictæ recordacionis Domini *Octaviani* Sanctæ *Mariæ in via latâ* Diaconi Cardinalis, in detencione penſionis annuæ Triginta marcharum ſterlingorum eidem debitæ in Eccleſia de *Syntlingdon Lincolnienſis* Dioc. per diſcretum virum Dominum *Radulphum de Hyngan* familiarem veſtrum potentem et harum ipſius nobilis narracione percepimus ——— juſticiam moleſtari. In cujus moleſtacione ſuorum meritorum exigentia loquentes ſub Chriſti teſtimonio plurimum conturbamur, cum illum præ cæteris *Bononiæ* Civibus ad Univerſitatis noſtræ omniumque noſtrum ſingulariter honores & commoda ſuper impendimus expeditam, ſitque ejus liberalitas tam induſtris et induſtria liberalis, quod ejus opera ſuos notos ad placitura quæque alliciunt & conformant. Quamobrem, amantiſſime Princeps, præfatus familiaris veſter hæc ſub veſtri licet ignorantis fortitudine brachii perficere creditur à pluribus Majeſtati veſtræ, de qua plenè confidimus, quantum valemus devotiſſimè ſupplicamus, quatinus Juſticiam quam indeſinenter coluiſſe dicimini de more ſubito diligentes, delictis eundem Dominum *Radulphum* inducere, ſique in eo turpis quævis obſtinacio fuerit, velut bonazi veſtro congruat efficaciter cogere ad ſatisfactionem memoratæ penſionis pactitæ dicto nobili exhibendam, tam pro præterito quam futuro, ita quod eidem de illo nullam coram Deo vel hominibus remaneat Jus querelæ, præſertim cum ſibi non præſtent ſui læſionem honoris, quinimo et veſtri, ut cum reverencia veſtra loquamur et infamiam dici poſſint. Porro penes vos intercedere debent pro dicto *Bononienſi* Cive multarum impendia graciarum quas Scolares & Clerici omneſque veſtri regnicolæ tranſeuntes, videntibus nobis in Civitate *Bononiæ* cotidie recipiunt affluenter, & antiquæ devocionis & reverenciæ ſpecialis memoria quam Cives *Bononiæ* totumque commune ad vos & prædeceſſores veſtros ferventem habent, & ſemper habuiſſe feruntur, in quos revera quicquid ſuo Civi fuerit exhibitum transfundetur. Ex noſtra verò parte à quibus nulla præviavere ſervicia, nichil pro noſtrarum exaudicione precum allegare valemus, niſi quod à majeſtate veſtra, quam famoſæ liberalitatis exaltat præconium, de prædictis donum gratiſſimum et ſpecialem graciam imploramus, non offerentes nos vobis quæ veſtri ſumus & eſſe volumus fideles devoti & perpetui debitores. Dat. *Bonon.* 12 Kal. *Maii*, primæ Indictionis.

The King hereupon ſent theſe Letters with the Cardinal Nephews Petition to to the Earl of *Cornwall*, to deſire him to adviſe with his Treaſurer how to ſatisfie the Biſhops, Cardinals, and Univerſities requeſt, who thereupon made an agreement between the parties, as this Record informs us.

Ibidem. EDwardus Dei gratia Rex *Angliæ*, Dominus *Hiberniæ*, & Dux *Aquitaniæ*, dilecto Conſanguineo & fideli ſuo *Edmundo* Comiti *Cornubiæ*, tenenti locum ſuum in eodem Regno ſalutem. Peticionem quam Venerabilis pater & amicus noſter kariſſimus Dominus *Matthæus* Dei gratia Sanctæ *Mariæ* in *Portica* Diaconus Cardinalis pro *Neapoleone* conſobrino ſuo Canonico *Lincoln.* nobis tranſmiſit, vobis mittimus præſentibus intercluſam. Et quia merita Cardinalis prædicti, qui nobis extitit ſemper gratus apud nos in hiis quæ poſſumus gratiam & favorem expoſcunt; Vobis mandamus, quod habita ſuper hoc deliberatione cum Venerabili patre *J. Elyenſi* Epiſcopo Theſaurario noſtro, cui transcriptum peticionis deſtinamus ejuſdem, dicto *Neapoleoni* de petitione prædicta curetis celeriùs juris remedio quo poteritis ſubdente; ita quod ipſe inſtancium Cardinalis prædicti ſibi ſentiat ut appetimus profuiſſe. Et hoc nullatenus omittatis. Dat ſub privato Sigillo noſtro apud *Burgum Reginæ* primo die *Maii*, Anno regni noſtri ſextodecimo.

Dorſo. Concordati ſunt.

In

Page 347. l. 1. before *What*, inſert.] In the Bundles of Writs and Plea Rolls in the *White Tower* Anno 17 E 1. there are theſe Prohibitions to ſtay the holding and proſecuting ſuits in Courts Chriſtian. *An.* 17 *E.* 1.

EDwardus, *&c. Vic.* Staff. Johannes de Colewich *verſ.* Robertum *Archidiac.* Ceſtr. **quare tenuit placitum in Curia Chriſtianitatis de Advocatione Eccleſiæ de Colwych, contra prohibitionem.** *T.* Edm. *Com.* Cornub. *apud* Weſtm. 28 *die* Maii, *An. r. n.* 17. *Conſimile Breve* between the ſame perſons for the ſame cauſe. *Teſte ut ſupra*, 12 *die* Junii. Bundela Brevium in Turri London, An. 17 E. 1.

JObannes de Marchian *et* Willielmus de Ergate *per Attorn. ſuum optulit ſe, &c. verſ.* — de Clavyle *perſonam Eccleſiæ de* Almychelegh *de placito*, **quare ſecutus eſt placitum in Curia Chriſtianitatis de catallis et debitis quæ non ſunt de Teſtamento vel Patrimonio contra prohibitionem noſtram, &c.** *Et ipſe non venit, et præceptum fuit Vic. quod attachiaret eum quod ſit, &c. ad hunc diem. Et Vic. nichil inde fecit, ſed mandavit, quod prædictus* Walterus *Clericus eſt & non habet Laicum feodum per quod poteſt attachiari. Et teſtatum eſt quod habet ſuffic. in* Alnelegh *per quod poteſt attach. Ideo ſicut prius præceptum eſt, quod ſit in Octabis Sancti* Martini, &c. Placita Octabis Sanctæ Trin. An. 17 E. 1. in Turri Lond. Eſſex.

EDwardus *Dei gratia, Rex, &c. Vic.* Hereford. *ſalutem. Præcipimus tibi, ſicut aliàs tibi præcepimus, quod ponas per vadium & ſalvos pleg.* Reſum ap Howel, *quod ſit coram Juſticiariis noſtris apud* Weſtm. *in Craſtino* Purificationis *beatæ* Mariæ, *ad reſpondend.* Johanni Bychard *de placito*, **quare ſecutus eſt placitum in Curia Chriſtianitatis de Advocatione Eccleſiæ de Brunlegh contra prohibitionem noſtram, ut dicitur.** *Et tu ipſe tunc ſis ibi, auditurus judicium tuum de hoc, quod Præceptum noſtrum prius inde tibi directum non es executus, ſicut tibi præceptum fuit. Et habeas ibi nomina pleg. & hoc breve. Teſte* E. de Weyland *apud* Weſtm. 24 *die* Novembris, *anno regni noſtri decimo ſeptimo.* Ibidem.

There ariſing certain differences between the Biſhop of *Lincoln* and the Univerſity, Chancellor and Scholars of *Oxford* concerning Juriſdictions; the King to preſerve the Peace of the Univerſity, ſummoned the Biſhop to appear in the next Parliament: wherein he would decide all differences between them by advice of his Council, commanding him to deſiſt from all proceedings therein in the mean time, by this Writ.

Edwardus **Dei** gratia Rex *Angliæ*, Dominus *Hiberniæ*, & Dux *Aquitaniæ*, Venerabili in Chriſto Patri *O.* eadem gratia Epiſcopo *Lincoln.* ſalutem. Cum aliàs ad inſtanciam noſtram quæſtiones quas erga Cancellarium & Magiſtros Univerſitatis *Oxon.* **ſuper diverſis Juriſdictionibus ſuſcitatis, poſuiſſetis in reſpectum** uſque ad quindenam Sancti *Michaelis*, niſi interim in *Angliam* veniſſemus, committendo uſque ad eundem terminum **Cancellario Univerſitatis prædictæ officium quod gerebat:** Nos qui paci & tranquillitati Univerſitatis prædictæ proſpicere volumus, ut tenemur; Vos rogamus, quatinus omnes quæſtiones et contenciones **quas erga Cancellarium et Magiſtros eoſdem mobitis ſuper juriſdictionibus quibuſcumque adhuc reſpectuare velitis, donec in proximo Parliamento noſtro, auditis rationibus et petitionibus veſtris et defenſionibus Univerſitatis prædictæ, quæ habita privilegiis anteceſſorum noſtrorum et poſſeſſione diutina contra vos aſſerit ſe munitam, quæſtiones et contenciones hujuſmodi noſtro mediante Conſilio ſedari valeant et fine debito terminari, et vos eidem Parliamento perſonaliter intereſſitis, vel ſufficientem Attornatum pro vobis mittatis, ad faciendum et recipiendum quod idem negocium exigit vel requirit, nichil in dampnum aut præjudicium Univerſitatis prædictæ aliquatenus interim attemptantes.** Teſte meipſo apud *Burgum* ultimo die *Septembris*, Anno regni noſtri decimo ſeptimo. Bundela Brevium in Turri London, An. 17 E. 1. in

The Pope at King *Edwards* requeſt, with the aſſent of his Cardinals, conſtituting his kinſman *Henry* Biſhop of *Burdeaux*, as he had ſignified to the King by his Letter; the King thereupon returned this gratulatory Anſwer to him, promiſing

An. 17 *E.* I. miſing the aſſiſtance of all his Officers in *Burdeaux* and *Gaſcoigne* to promote his affairs upon all occaſions.

In eadem Bundela, An. 17 E. I. in Turri London.

Edwardus Dei gratia Rex *Anglie*, Dominus *Hibernie*, & Dux *Aquitanie*; Venerabili viro caroque ſuo Conſanguineo, Domino *Henrico Burdegalenſi*, Eccleſiæ Dei providencia Electo, ſalutem. Lætati ſumus in hiis quæ veſtra nuper dilectio nobis ſcripſit, quod Sanctæ *Romanæ* Eccleſiæ Summus Pontifex, aſſencientibus ſuis Cardinalibus, dictæ *Burdegalenſi* Eccleſiæ conſtituit vos paſtorem, pro quo facto tempore ſibi grates referre tenemur & volumus multiformes. Gaudemus ſiquidem in viſceribus noſtri cordis, quod tam laudabili tamque votivo experimento comperimus ipſam *Romanam* Eccleſiam foze zelatricem noſtri generis et honozis. Sanè pro eo quod honorificenciam veſtram nobis in præmiſſis aſcribitis voſq; tam liberaliter recommendatis, & veſtra ad noſtræ voluntatis beneplacita, gratias vobis in præſenti rependimus, et rependemus uberius pro viribus in futurum. Mandamus ad rogatum veſtrum dilecto conſanguineo et fideli noſtro *Laurencio de Broun*, Tenenti locum noſtrum in Ducatu prædicto, & Seneſcallo noſtro Ducatus ejuſdem, ac Conſtabulario Caſtri noſtri *Burdegal.* quos Officiales terræ noſtræ *Vaſconia* conſtituimus pociores, quod ipſi vobis ſe exhibeant in agendis veſtris omnibus propicios favorabiles & benignos, voſque & veſtra ſpecialiter habeant recommendata, in quantum ſibi congruere videbitur noſtris utrinque ſtatui & honori. Utinam amiciſſime proſperetur taliter ſtatus veſter, quod exinde Altiſſimo & Eccleſiæ ſuæ ſanctæ proveniat laus & honor omnium. Dominus vos conſervet. Dat. apud *Colecceſtr.* Idus *Septembris*, an. regni noſtri decimo ſeptimo.

In a Bundle of Certificates and Significavits I found in the *White Tower* Anno 17 & 18 E. I. among ſundry others, I ſhall preſent you with theſe, praying the aid of the Kings power againſt Excommunicated perſons, evidencing the inſufficiency of the Biſhops Eccleſiaſtical cenſures, and the Soveraign power, duty of the King to ayd and aſſiſt their imbecility by his Supream authority over the Clergy as well as Laity.

Bundela Literarum & Certificationum Ann. 17 & 18 E I. in Turri London.

Excellentiſſimo Domino ſuo *E.* Dei gratia Regi *Angl. &c.* ——— *Cycestrenſis* Epiſcopus, ſalutem. Excellentiæ veſtræ, cujus eſt Sponſam Chriſti in ſuis juribus et libertate tueri, et in gladio punire juſtitiæ quos in ipſius Eccleſiæ injuriam, oppzobzium et contemptum inbenerit machinantes; præſentibus innoteſcat, quod frater *Radulphus de Baldach*, Canonicus de *Begeham*, prædictæ *Cyceſtren.* Diocæſis, eſt per nos excommunicationis ſententia authoritate ordinaria innodatus. In qua ſordeſcens per quadraginta dies & amplius, adhuc perſeverare indurato animo non formidat, Claves Eccleſiæ damnabiliter contemnendo, in animæ ſuæ periculum & ſcandalum plurimorum. Cum igitur ultra non habeat Eccleſia quod faciat in hac parte, Veſtræ Celſitudini Regiæ ſupplicamus, quatinus juxta regni veſtri Conſuetudinem contra dictum excommunicatum extendere dignemini bzachium ſeculare; ut quem timoz Dei a malo non revocat, cozpozalis pœna cohibeat a peccato. Dat. 4 Cal. *Decembr.* Anno 1289.

Ibidem.

Excellentiſſimo Domino ſuo, *&c. A. Dunolmenſis* Epiſcopus ſalutem, *&c.* Reverendæ Dominationi veſtræ notificamus per præſentes, quod *Willielmus de Harnham* Clericus, Parochianus noſter, propter ſuam manifeſtam contumaciam & offenſam, per nos, authoritate ordinaria, ſententia majozis excommunicationis inbolbitur; ipſam ſententiam per quadraginta dies ſuſtinuit, et adhuc animo ſuſtinet indurato, Claves Eccleſiæ damnabiliter contemnendo. Quare Serenitati veſtræ ſupplicamus humiliter, quatinus ad præterbitatem dicti excommunicati repzimendam, literas veſtras (ſi placet) concedere dignemini (prout Conſuetudo obtinet regni veſtri) ut, quod minus valet Dei Eccleſia in hac parte, Regiæ debotionis potentia ſuppleatur. Conſervet, &c. Dat. *Londen.* 16 Kal. *Junii*, Anno ut ſupra.

Page 427. l. 11. after *complaints*, inſert] The Prior of *Lucone* being unjuſtly ſpoiled and deprived of the Priory by the Abbot of *Cluny*, and afterwards upon his Appeal

Appeal reſtored to it by certain Statutes made in the Court of *Rome*, the ſucceeding Abbot writ this Letter to King *Edward*, to put him into poſſeſſion of the Priory, and defend him therein by his ſecular arme. *An.* 17 & 18 E. 1.

EXcellentiſſimo Domino ſuo *Edwardo* Dei gratia Regi *Anglia*, &c. Frater *Guilielmus* miſeratione divina *Cluniacenſis* Eccleſiæ Miniſter humilis, ſalutem, &c. **Cum per quædam ſtatuta in Romana Curia nuper edita,** venerabili & chariſſimo fratri noſtro *Petro de Cuneraco* Monacho noſtro, Prioratus de *Leucone* (quo per bonæ memoriæ *Yvonem* quondam *Cluniacen.* Abbatem, prædeceſſorem noſtrum, fuerat ſpoliatus) adjudicatus fuerit, ſitque in virtute **et authoritate dictorum ſtatutorum** eidem fratri *Petro* de dicto Prioratu de *Leucona* **reſtitutio facienda**: Excellentiam veſtram attentiſſimè imploramus, quatinus eundem fratrem *Petrum*, aut ejus Procuratorem latorem præſentium pro ipſo, **in poſſeſſionem dicti Prioratus inducî faciat corporalem**; ipſumque inductum Magnitudinis veſtræ brachium manuteneat & defendat. Præfatum autem Priorem, virum probitate & honeſtate fulgentem, ac Prioratum de *Leucona* Celſitudo veſtra recommendatum taliter habere dignetur in gratiam & favorem, **quod nos et Ordo** (noſter) **jugiter pro vobis in orationibus vigeat**, & per hoc bonum fœlix & proſperum recipiatis augmentum. Valeat, &c. Dat. *Clun.* 4 Kal. *Maii*, Anno Domini 1290. In Bundela Literarum & Brevium An. 18 E. 1. in Turri Lond.

Page 432. l. 27. after *ut ſupra*, inſert] The Certificate of his Election I finde filed in a Bundle of Certificates, Letters and Writs in the *White Tower* An. 18 E. 1.

EIdem Regi; Prior & Conventus *Elyen.* ſalutem, &c. Ad præſentandum ſerenitati veſtræ Magiſtrum *Willielmum de Luda* Decanum S. *Martini Magni London.* Clericum veſtrum, quem in Paſtorem & Epiſcopum noſtrum **canonice eligimus**; dilectos confratres noſtros *Clementem de Thetford*, *Willielmum de Bregham*, & *Robertum de Swaffam*, conjunctim & diviſim tenore præſentium deſtinamus. Veſtræ clementiæ humiliter ſupplicantes & devotè, **quatinus ipſum Electum noſtrum gratioſe admittere dignemini.** In hujus, &c. Dat. apud *Elien.* in Capitulo noſtro in craſtino Aſcentionis Domini, Anno ut ſupra. Bundela Certificat. & Literarum, An. 18 E. 1. in Turri London.

Page 436. l. 8. after *evidence*, theſe Records ſhould have been inſerted.

EXcellentiſſimo Domino, *&c.* Decanus & Capitulum *Caſſalen.* ſalutem, *&c.* Dominationi veſtræ præſentibus literis intimamus, quod felicis recordationis Domino *David* quondam noſtro Archiepiſcopo viam univerſæ carnis ingreſſo, & conceſſa **a veſtra Serenitate Regia licentia eligendi**; Nos unanimi voluntate & conſenſu virum providum & diſcretum, Eccleſiæ noſtræ utilem & neceſſarium, vobis & regno veſtro fidelem, Magiſtrum *Stephanum* Archid. *Glendelacenſem* in Eccleſia *Dublinenſi*, noſtræ Eccleſiæ Canonicum, latorem præſentium **nobis eligimus in Archiepiſcopum et Paſtorem.** Hinc eſt, quod eundem Electum noſtrum præſentamus **veſtræ Regiæ Celſitudini**, devotis precibus ſupplicando, quatinus prædictæ electioni noſtræ **Regium aſſenſum liberaliter impendentes**, literas veſtras ſuper hoc Domino noſtro Summo Pontifici (ſi placet) dirigere dignemini. Valeat, *&c.* Dat. *Caſſ.* in Vigil. Omnium Sanctorum, Anno 1289. Ibidem.

EXcellentiſſimo Domino, *&c.* Decanus & Capitulum *Oſſoren.* ſalutem, *&c.* Serenitati veſtræ præſentibus literis intimamus, quod fœlicis recordationis *Rogerus* quondam Epiſcopus noſter viam eſt univerſæ carnis ingreſſus. Ne autem Eccleſia noſtra diutius remaneat Paſtoris ſolatio deſtituta, ad vos dirigimus dilectum Canonicum noſtrum *Nicholaum* filium *Richardi*, Præcentorem Eccleſiæ noſtræ, latorem præſentium; Celſitudini Regiæ ſupplicantes, **quatinus eligendi licentiam nobis liberaliter concedatis.** Valeat, &c. Dat. in Vigilia Aſſumptionis beatæ *Mariæ* Virginis, Anno 1289. Ibidem.

EXcellentiſſimo Domino, *&c.* Archiepiſcopus *Armachanus*, ſalutem, *&c.* Cum poſt mortem Domini *Milonis* bonæ memoriæ quondam *Ardakadenſ.* Epiſcopi, idem Epiſcopatus tanto tempore vacaviſſet, **quod per negligentiam ejuſdem** Ibidem.

An. 18 E. 1. loci Capitulo præfati Episcopatus *Ardakadensis* ab eo jure metropolitico fuerat devolut. (wherein this Archbishop was much mistaken, no lapse in such cases incurring against the King by their default,) ac nos de persona Magistri *Matthæi de Ardach.* ejusdem loci Canonici, eidem *Ardakaden.* Ecclesiæ præfuturum in Episcopum et Pastorem. Excellentiam vestram devotè requirimus & attentè rogamus, quatinus temporalia ejusdem Episcopatus (quæ, novit Deus, satis sunt exilia) sibi, si placet, concedere dignemini. Datum die Lunæ proximo post festum S. *Martini* Anno 1289.

I cannot finde that the Archbishop had any fruit of this his request, and Usurpation upon the Kings Right and Title, by this pretence of lapse incurred.

In Bundela Petitionum, &c. in Turri London. An. 18 E. 1. EXcellentissimo Principi Domino suo, Domino *Edwardo* Dei gratia Regi *Angl.* &c. sui humiles & devoti Frater *Radulphus* Prior Domus Sancti *Thomæ* Martyris juxta *Dublin.* & ejusdem loci devotus Conventus, seipsos cum orationibus, &c. Cum Monasterium nostrum per resignationem venerabilis patris Fratris *Willelmi* dicti *Wallens.* quondam Abbatis nostri, propter senium & alias causas certas factam, nuper in manus venerabilis patris Domini J. Dei gratia *Dublinensis* Archiepiscopi, Pastoris sit ad præsens solatio destituta: Excellentiæ vestræ Regiæ devotis precibus supplicamus, quatinus dilectis fratribus nostris *Henrico de Alta Ripa*, & *Adæ le Barun*, ad vos ex parte nostra venientibus, super nostris oppressionibus variis & gravaminibus nobis à diversis factis, credere velitis, & remedium congruum adhibere; nobisque licentiam concedere dignemini, de alio nobis Pastore providendi. Quia nobis licentia de solita liberalitate vestra concessa, nihilominus adhuc vobis humiliter & devotè supplicamus exorantes, quatinus divinæ pietatis obtentu, et * pretiosi sanguinis beati *Thomæ* Martyris effusione, propter maximum periculum, diarum dilerimina, necnon et nimiæ moræ dispendia, quæ nobis imminere possent, hujusmodi gratiam nobis ad præsens facietis, ut electioni nostræ per Justiciarium vestrum *Hiberniæ* confirmatæ Regiam liberaliter impendatis, et eadem Electione per Metropolitanum nostrum confirmata, possessionem bonorum nostrorum, mobilium et immobilium, una cum perceptis quæ tempore vacationis in manu vestra sunt, per Justiciarium vestrum seu Ballivos vestros *Hiberniæ* nobis restitui factatis. In cujus rei testimonium has literas nostras vobis transmittimus patentes. Dominus conservet, &c. Dat. in Monasterio in festo Nativitatis beatæ Virginis, Anno regni vestri 18.

* Note the blasphemy.

Ibidem. EXcellentissimo Domino suo, Domino *Edwardo* Dei gratia Regi *Angl.* &c. Decanus & Capitulum *Duacensis* Ecclesiæ, salutem, &c. Quia per mortem venerabilis patris nostri Domini *David* Episcopi nostri *Duacensis* nuper defuncti, dicta Ecclesia nostra *Duacensis* Pastoris solatio destituta dinoscitur, & vestræ Regiæ Majestatis assensus ad providend. ipsi Ecclesiæ viduatæ de Pastore de jure et consuetudine est requirendus; Quare vestræ Regiæ Celsitudini humiliter & devotè supplicamus, quatinus ex vestra Regia liberalitate et munificentia, sicut moris et consuetudinis est, per *Nicholaum* Canonicum nostrum latorem præsentium, hac vice vestrum Regimen (si placet) nobis præbentis assensum, et latorem Pontificem licentiam eligendi, ne propter moram vestræ Regiæ licentiæ præfatæ Ecclesia *Duacensis* in temporalibus & spiritualibus (quod absit) detrimentum patiatur. In cujus, &c. Dat. 13 Kal. *Julii*, Anno ut supra.

Which license they obtaining, and electing a Bishop thereby, they made this Certificate thereof to the King.

Ibidem. EXcellentissimo Domino suo, Domino *Edwardo* Dei gratia Regi *Angl.* &c. L. Decanus totumque Capitulum Ecclesiæ *Duacen.* salutem, &c. Ecclesia *Duacen.* vacante per mortem felicis recordationis Domini *David* nostri Episcopi *Duacen.* nos convenientes in unum, pias a forsitan vestra Regia licentia eligendi petita pariter et obtenta, invocata Spiritus Sancti gratia, virum religiosum & discretum fratrem *Laurentium* Abbatem de *Cellenbory*, ordinis *Cistercien.* *Tuamen.* Diocæsis, præsentium portitorem, vobis et terræ vestræ *Hiberniæ* semper fidelem, nobis unanimiter et concorditer postulavimus in Episcopum et Pastorem; firmam spem hinc inde tenentes, quod Deo opitulante, & vestra Majestate favente, per ejus industriam & circumspectionem, tanquam aurum in fornace probatum

probatum, Eccleſia noſtra *Duacen.* vltra hactenus paupertatis depreſſa, juribus necnon et poſſeſſionibus multipliciter ſpoliata, celeri relevatione et proſperitate gaudebit. Quocirca veſtræ Regiæ Celſitudini devotè & humiliter ſupplicamus, quatinus poſtulatis noſtris Regium veſtrum aſſenſum tignanter liberaliter impartiri. Literas veſtras pro ejus confirmatione venerabili patri Domino *Willielmo* Dei gratia Archiepiſcopo *Tuamenſi*, & Metropolitano noſtro, divinæ charitatis intuitu, ſi complacet, reſcribendo. In quorum, &c. Valeat, &c. Dat. in Eccleſia noſtra *Duacen.* 29 die *Junii*, Anno gratiæ 1290. An. 18 E. 1.

The Biſhop of *Aliden* informing the King, that ſome of his Officers and Bayliffs of Liberties within his Dioceſſe, publickly inhibited any perſons to appear before him, his Ordinaries, Officials or Commiſſaries, when they made their accuſtomed Inquiſitions concerning mens ſins, and that no Layman defamed of any crime ſhould purge himſelf before them, but only with his own hand, to the great prejudice of his Eccleſiaſtical Juriſdiction and Government; the King thereupon iſſued this Writ to his Chief Juſtice of *Ireland*, to revoke ſuch Inhibitions.

REX Juſtic. ſuo *Hibern.* vel ejus locum tenenti, ſalutem. Ex inſinuatione venerabilis patris *Thomæ Midenſis* Epiſcopi nuper nobis innotuit, quod quidam Miniſtri veſtri *Hiberniæ* et quarundam libertatum ibidem Balliui fecerunt publice inhiberi in Epiſcopatu *Midenſi*, Ne aliqui Laici Epiſcopatus ejuſdem coram ſuis Ordinariis vocati comparerent cum contigerit ipſos Ordinarios, Officiales aut Commiſſarios eorundem ſuas ſuper peccatis inquiſitiones facere conſuetas, et ne aliquis Laicus ejuſdem Diœceſ. ſuper peccato aliquo diffamatus, niſi ſola ſua manu præmiſſa coram Ordinariis antedictis ſe purget, in ipſius Epiſcopi et libertatis Eccleſiaſticæ præjudicium non modicum et grauamen: Nos igitur nolentes Deo et Eccleſiæ ſuæ injuriam fieri in hac parte, vobis mandamus ſtrictè præcipientes, quod ſi ita eſt, prædictas inhibitiones faciatis celeriter et modo debito revocari, nec hujuſmodi inhibitiones indebitas in præjudicium Dei et Eccleſiæ ſuæ contra juſtitiam ulterius fieri permittatis. Volumus etenim quod Epiſcopus et Ordinarii cæteri ſuppraniti, prout ipſi et prædeceſſores ſui facere conſueverant in hac parte, libere ſint juriſdictione abſque veſtrarum cujuſpiam indebita moleſtatione utantur. Taliter vos in præmiſſis habentes, quod nos ſuper his ſolicitari non oporteat iterato. Teſte Rege apud *Weſtm.* 19 die *Julii*. Clauſ. 18 E. 1. m. 7. dorſo. Pro Epiſcopo Middenſi, de Juriſdictione ſua.

Page 440. l. 43. after *Libertas*, inſert] A Monk of *Bynedon* turning an Apoſtate, the Abbot certified it to the King, and thereupon thus petitioned for a Writ *de Apoſtata capiendo* againſt him.

EIdem Regi *Edwardo*, Frater *Willielmus* dictus Abbas de *Bynedonia*, reverentiam, &c. Quum quidam dictus *Johannes de Wynfreud* diu in ordine noſtro profeſſus, ſpretis ordine & habitu vagabundus exiſtit, in damnationem propriam et ſcandalum plurimorum; Majeſtati veſtræ humiliter ſupplico quantum poſſum, quatinus ſolita clementia, qua ſemper ordinem noſtrum diligitis & foveus, eum præcipiatis per Vicecomitem *Dorſ.* arreſtari, & fratribus noſtris tradi, qui ſaluti animæ ſuæ prouideant ſecundum Ordinis noſtri diſciplinam. Valeat, &c. Dat. *Bynedon* in Octabis Nativitatis beati *Johannis Baptiſtæ*, Anno ut ſupra. In Bundela Petitionum, &c. in Turri London. An. 18 E. 1.

Placita apud Weſtm. *coram* Johanne de Metingham *& ſociis ſuis Juſtic. de Banco, de Termino Sancti* Michaelis, *anno regni Regis* Edwardi *decimo nono, incipiente anno decimo*, (Thorp) afford us theſe Actions brought for holding and proſecuting Suits in Courts Chriſtian againſt the Kings Prohibitions.

NIcholaus de Segrave *ſenior, per Attorn. ſuum optulit ſe 4 die verſus Magiſtrum* Robertum le Wavaſur, & Galfridum de Sricheley, *de placito quare tenuerunt placitum in Curia Chriſtianitatis de invocatione quartæ partis Eccleſiæ de Reggemorth, contra Prohibitionem, &c. Et verſus Magiſtrum* Robertum de Twewelby, *de placito quare tenuit ſ. placitum in eadem Curia, contra Prohibitionem, &c. Et ipſi qui venerunt. Et præceptum fuit Vic. quod attach. eos, &c.* Adhuc de Quindena Sancti Martini. Noting.

Et

An. 18 E. 1. *Et Vic. nichil inde fecit. Et mandavit, quod pradicti* le Wavasur & Galfridus *Clerici ſunt, & non habent laicum feodum in Balliva ſua per quod attach. poſſunt. Ideo mandatum eſt Epiſcopo* Ebor. **quod venire facíet eos** *hic à die* Paſchæ *in tres ſeptimanas. Et de pradicto Magiſtro* Roberto de Twewelby *mandavit, quod non eſt inventus, nec aliquid habet in Balliva ſua per quod poteſt attach. Ideo præceptum eſt Vic. quod capiat eum ſi inventus, &c. Ita quod habeat corpus ejus ad pradictum terminum, &c. Et unde Vic. &c.*

Ibidem. Adhuc de craſtino Animarum. Anno 18 E. 1. in Turri London.

Gilbertus, *&c. attachiatus fuit ad reſpondendum* Johanni de Romeneye, & Katherinæ *uxori ejus, de placito* **quare ſecutus fuit placitum in Curia Chriſtianitatis de catallis et debitis, quæ non ſunt de Teſtamento vel Patrimonio, contra Prohibitionem,** *&c. Et unde queritur, quod pradictus* Gilbertus *die* Martis *proxima ante diem Dominicam in* Ramis Palmarum, *anno Regis nunc decimo octavo, apud Villam de* ——— *in forgia* Alexandri le Mareſchal *impoſuit ipſis* Johanni & Katherinæ *latrocinium, & vocaſſet ipſos latrones,* **et ſuper hoc traxit ipſos in placitum in Curia Chriſtianitatis coram Archidiacono de Sancto Albano.** *Et idem* Johannes & Katherina *die* Mercurii *proxima ſequen. in Eccleſia Abbathiæ de* Sancto Albano, *in præſentia* Thomæ Beneyt, Johannis Paulyn, Milonis Le——, & Willielmi le Smerekerver, *porrexiſſent eidem* Gilberto **Regiam Prohibitionem, ne prædictum placitum ulterius ſequeretur, ſuam** Gilbertus *ſpreta Prohibitione illa nichilominus, ſecutus eſt placitum illud in Curia Chriſtianitatis: Ita quod fecit ipſos** Johannem & Katherinam **ab ingreſſu Eccleſiæ ſuſpendi, et poſtea excommunicari;** *unde dicunt,* **quod deteriorati ſunt, et dampnum habent ad valenciam quadraginta ſolidorum.** *Et inde producunt ſectam.*

Et Gilbertus *per attorn. ſuum venit & defendit vim & injuriam quando, &c. Et bene defendit, quod ipſe nunquam ſecutus fuit pradictum placitum* **contra prædictam Prohibitionem,** *&c. Et de hoc ponit ſe ſuper patriam. Et* Johannes & Katherina *ſimiliter. Ideo præceptum eſt Vic. quod venire fac. &c. per quos, &c. Et qui nec, &c. Niſi Juſtic. ad aſſiſas cap. aſſignati prius, &c.*

Ibidem. Berk.

——— *per attorn. ſuum optulit ſe 4 die verſus* Johannem del Parlur, *de placito* **quare ſecutus fuit placitum in Curia Chriſtianitatis de catallis et debitis, quæ non ſunt de Teſtamento vel Patrimonio, contra Prohibitionem,** *&c. Et ipſe non venit. Et plures fecit defaltas. Ita quod præceptum fuit Vic. quod diſtringeret, &c. Et Vic. nichil inde fecit. Et mandavit, quod non habet terras nec tenement. &c. per quæ poteſt diſtringi. Et teſtatum eſt, &c. quod habet terras & tenement. in Com.* Berk. *per quæ, &c. Ideo præceptum eſt Vic.* Berk. *quod diſtr. eum per omnes terras, &c. Et quod habeat corpus ejus hic ad præfatum terminum, &c. Et unde Vic. mand. &c. Et teſtatum, &c.*

Ibidem. Heref.

Frater Radulphus de Barnburgh *Abbas de* Sancto Albano *attach. fuit ad reſpondendum* Waltero Spereman, *de placito* **quare ſecutus eſt placitum in Curia Chriſtianitatis de catallis et debitis, quæ non ſunt de Teſtamento vel Patrimonio, contra Prohibitionem,** *&c. Et unde queritur, quod cum prædictus* **Abbas traxiſſet ipſum in placitum in Curia Chriſtianitatis, coram** *Fratre* Willielmo de Parys *Archidiacono de* Sancto Albano, **de catallis quæ non fuerunt de Teſtamento vel Patrimonio.** *Et idem* Walterus *die Dominica proxima ante Purificationem beatæ* Mariæ, *anno Regis nunc decimo octavo, in præſentia* Thomæ le Peyntour, & Hugonis le Peyntour, *& aliorum in Eccleſia Conventuali de* Sancto Albano *porrexiſſet eidem Abbati* **Regiam Prohibitionem, ne prædictum placitum ſequeretur in prædicta Curia Chriſtianitatis. Idem Abbas ſpreta Regia Prohibitione, ſecutus fuit placitum prædictum in Curia Chriſtianitatis quousque idem** Walterus **ad ſectam ipſius Abbatis fuit ab ingreſſu Eccleſiæ ſuſpensus, et poſtea excommunicatus; unde deterioratus eſt, et dampnum habet ad valentiam Centum ſolidorum.** *Et inde produxit ſectam.*

Et prædictus Radulphus *per attornatum ſuum venit & defendit vim & injuriam quando, &c. Et bene defendit,* quod nunquam ſecutus fuit prædictum placitum de catallis et debitis quæ non ſunt de Teſtamento vel Patrimonio, contra Prohibitionem, *&c. Et de hoc ponit ſe ſuper patriam. Et* Walterus *ſimiliter. Ideo*

præceptum

præceptum eſt Vic. quod venire fac. hîc in Octabis Sanctæ Hillarii 12. *&c. per quos &c. Et qui nec, &c. ad recognoſcendum in forma prædicta, &c. Quia tam, &c.* An. 20 & 22 E. 1.

Page 454. l. 5. adde. I ſuppoſe this *Report* was grounded upon this Certificate made to the King by the Judges of the Kings Bench, and Barons of the Exchequer about the 20 year of King *Edward* the 1. (as I conjecture) the Original whereof I found in a Bundle of Writs and Certificates returned into the *Chancery*, which I reſcued from rubbiſh in the *White Tower*; wherein they inform the King of a Bull purchaſed from the Court of *Rome* by *Boves de Clare*, againſt *John de Lovetot*, *as the moſt prejudicial Bull that ever was purchaſed or brought into the Land in their time*: For which Sir *Boves* being queſtioned before them, *wholly referred himſelf into the Kings hands and pleaſure, to whoſe preſence they thereupon adjourned him there to attend from day to day.* What the contents of this Bull were, they did not certifie, ſince the Bull it ſelf was tranſmitted to the *Chancellor*. Moſt probably it was this very Bull which theſe *Law-books* mention to be adjudged *Treaſon*, and the procurer of it ordered by the King *to be drawn and hanged as a Traytor.*

A Noble Prince & lour treſcher Signeur Sire *Edward* par la grace de Dieu Roy *D'angleterre*, Seygnur de *Ireland*, e Duke de *Aquitayne*, les ſoens *Rauf de Hengham*, *Nicole de Stapelton*, e *Wauter de Wymburn* ſes Juſtices de ſon Banky, ſalut e due reverence. Saches Sire kee au moys de Sayne *Michel* vint Sire *Boves de Clare* devant nous a *Salopebyrs* pur buſaignes kil out aſere; au quel jour vint Sire *Johan de Lovetot* veſtre Juſtice de Banky, e par ſes amurs munſtra devant nus, que lavantdit Sire *Boves* ont une Bulle purchaſe contre ly en prejudice de voſtre Cozone la quele il nous monſtra embulle dunt nus bos emeuns le tranſcript. E grant Sire *Boves* de ceo devant nus fu a reſume il aus reſpondi, que celle Bulle fu purchaſe per les ſoens que ſunt en la Curt de *Rome*, del voſtre hel li vint il bos apozta, e les nos muſtra e miſt la beſoigne tut en vos, ſil la duſt fire ou nun, e labant diſt Bulle miſt en la main veſtre Chanceller kil en ozdenaſt a voſtre volente. E quant nus cele Bulle auyam buez, nus la fapmes muſtrer devant vos Barons de voſtre Eſchebere, e les Juſtices de voſtre grant Banky, e fu abis a tut, de celle Bulle fu la plus prejudicieles ke unkes fuſt purchace en voſtre tens, de noſtre tens; e pur ceo Sire tut allegaſt labant diſt Sire *Boves* ke la choſe fuſt miſt en voz mains a voſtre volunte ſi com deſtys eſt dit, nus del tut ne aſcun leſſer voſtre fuyte en ly aucun jur done devant vus as optabes del Seint *Martin*, cum de jour en jour par voſtre volonte ſaver, d'qune ſi vos pleſt voſtre volunte ſur ceſte choſe nus mander. Bundela Literarum, &c An. 20 E. 1. in Turri London.

King *Edward* out of his devotion to that Archtraytor *Thomas Becket* upon the Petition of the Prior and Covent of *Chriſtchurch* Monaſtery in *Canterbury*, granted them this new Charter, confirming unto them the forfeitures and amerciaments of all their Tenants goods condemned, or flying, before any of his Juſtices; which I found in a Bundle of Writs of Privy Seal and Petitions in the *White Tower* Chappel. *An.* 22 E. 1.

Edwardus Dei gratia Rex *Angliæ*, Dominus *Hiberniæ*, & Dux *Aquitaniæ*, Archiepiſcopis, &c. Sciatis quod licet dilecti nobis in Chriſto Prior & Conventus Eccleſiæ Chriſti *Cantuarienſis*, à tempore cujus memoria non exiſtit, perceperunt & habuerunt amerciamenta omnium hominum et tenentium ſuorum, et catalla omnium hominum et tenentium ſuorum felonum dampnatorum et fugitivorum, in quibuſcunque Curiis infra regnum noſtrum homines et tenentes illi amerciati et catalla hujuſmodi amerciata fuerant temper hucuſque, abſque dono vel conceſſione aliqua a nobis ſeu progenitoribus noſtris, quondam Regibus *Angliæ*, inde habita vel obtenta. Ne tamen dicti Prior & Conventus ex hujuſmodi perceptione onerari, inquietari, vel occaſionari à quocunque valeant in futurum, ob reverentiam beati *Thomæ* Martyris, et devotionem quam erga eundem ſanctum gerimus et habemus, volentes eiſdem Priori & Conventui gratiam facere, et eorum ſecuritati in hoc ex Regia munificentiâ ſpecialiter providere; Volumus, concedimus, & hac Charta noſtra confirmavimus pro nobis & hæredibus noſtris præfatis Bundela Brevium & Petitionum Anno 22 E 1. in Turri London.

An. 22 E. 1. tis Priori & Conventui, quod ipſi et eorum ſucceſſores habeant et percipiant de cætero Amerciamenta omnium hominum et tenentium ſuorum, et Catalla omnium hominum et tenentium ſuorum felonum damnatorum, et fugitivorum, eorum quibuscunque Juſticiariis et Miniſtris noſtris et hæredum noſtrorum et aliorum quorumcunque infra regnum noſtrum homines et tenentes illos amerciari, et Catalla hujuſmodi ex quibuſcunque delictis et cauſis adjudicari contigerit. Ita quod Juſticiarii, Vicecomites, & Miniſtri noſtri quicunque vel hæredum noſtrorum, coram quibus dicti homines et tenentes amerciati fuerint in futurum, extractas de Amerciamentis illis dictis Priori et Conventui et eorum ſucceſſoribus ſtatim liberent, poſtquam Amerciamenta illa taxata fuerint, per eoſdem Priorem et Conventum et ſucceſſores ſuos et miniſtros eorundem levand. per extractas illas abſq; occaſione vel impedimento noſtri et hæredum noſtrorum; & ita quod cum aliquis hominum & tenentium ſuorum pro delicto aliquo vitam vel membrum amittere debeat, vel fugam fecerit, & judicio ſtare noluerit, vel qualitercumque deliquerit, per quod Catalla ſua perdere debeat, in quacumque Curia noſtra & hæredum noſtrorum ſeu aliorum, ubi de eo juſtitia fieri debeat, Liceat ipſis Priori & Conventui & eorum Miniſtris ſine impedimento vel contradictione noſtri & hæredum noſtrorum, Vicecomitum, Ballivorum & Miniſtrorum noſtrorum quorumcunque aut aliorum, ponere ſe in ſeiſina de Catallis prædictis in quibuſcunque Caſibus, in quibus Ballivi noſtri vel hæredum noſtrorum, ſi Catalla illa ad nos vel hæredes noſtros pertinerent, ea in manus noſtras vel manus hæredum noſtrorum poſſent vel deberent capere vel ſeiſire. Et ita quod nullus Juſticiarius ſeu Miniſter noſter vel hæredum noſtrorum ſeu alterum de Catallis hujuſmodi, quin dicti Prior & Conventus & eorum Miniſtri, ea habere et in ſeiſinam eorundem ſe ponere poſſint, ut prædictum eſt, ſe intromittat ſine licentia & voluntate ipſorum Prioris & Conventus & ſucceſſorum ſuorum imperpetuum. Quare volumus & firmiter præcipimus, &c. ſicut prædictum eſt: Hiis teſtibus, venerabilibus Patribus, *A Dunolmen. W. Elien, J. Karliolen,* & *W. Bathon.* & *Wellen.* Epiſcopis; *Edmundo* fratre noſtro, *Willielmo de Valentia* Avunculo noſtro, *Edmundo* Com. *Cornubiæ* Conſanguineo noſtro, *Henrico de Lacy* Com. *Lincoln. Roberto Tibetot, Gilberto de Thornton, Waltero de Thornton, Waltero de Bello Campo, Johanne de Metingham, Roberto de Hertford, Rogero de Brabazun* & aliis. Dat. per manum noſtram apud *Weſtm.* 13 die *Junii*, Anno regni noſtri 22. Thus did theſe greedy Priors and Monks encroach the Royalties and Prerogatives of the Kings and Crown of *England*, to the diminution both of their grandeur and revenues.

In the ſame Bundle of Writs and Petitions, I met with this Petition of the Archdeacon of *Canterbury*, reciting a Prohibition of the Kings directed to him, not to viſit the Church of St. *Martyns* in *Dover* being his Free Chappel, nor yet the Churches or Chappels thereunto belonging, and petitioning for a revocation thereof, being againſt his ancient right.

Ibidem. A Noſtre Seignour le Roy, e a ſoun Conſeil prie *Simoun de Cowynge* Erchediaqne Lercheveſque de *Canterbiry*; qe cum toutes ſes Predeceſſours Erchediaqnes del Egliſe e de Lercheveſqe de *Caunterbire*, e li du temps dount memoire ne Court, aient eſte ſeiſis de uſer Juriſdictioun ordineire cum Miniſtres Lercheveſqe avantdiſt, en totes les Egliſes curtes appurtenaunz a la Chapele S. *Martin de Douvre* en la diſpoſition Lercheveſque qui ore eſt, e ſes Predeceſſours del temps avauntdiſt eſteaunz, taunt qe le Mekardi prochein apres le feſt ſeint *Martyn* l'an del regne le Roy qi ore eſt treſime, qe noſtre Seignour le Roy manda par ſa prohibition au diſt Erchidiakne, e a ſes Miniſtres, e les defendi, qe eux ne uſaſſent Juriſdiction ordineire en la Franche Chapele le Roy de ſeint *Martin de Douvre*, ou en les Egliſes en cele Chapele appendaunz; par reſon de quele Prohibition le dit *Simoun* e ſes Miniſtres de uſer Juriſdictioun ordineire en les Egliſes curtes les queles il but de la collation de Roy, al honeur e la reverence le diſt noſtre Seignur le Roy, e de ſoun Commandement ſount ſurſis, taunt qil pluſt a noſtre Seignur le Roy a ſoun Counſeil demander une revocatioun de la Prohibition avauntdiſte, ſi-lonc les paroles contenuz en ceſte Petition par paroles qe ſe ſuent. *Edwardus* Dei gratia, *&c.* Archidiaconus *Cantuar.* vel ejus Officiali, ſalutem. *Quia accepimus,*

pimus, quod quoddam breve nostrum prohibitorium super immunitate et exemptione Ecclesiæ de S. *Martini Dover.* conceptum, et vobis directum, ne Jurisdictionem ordinariam in Ecclesia prædicta, seu Prædendis, Ecclesiis, aut Capellis ad (eam) spectantibus, in præjudicium immunitatis et exemptionis prædictarum exerceretis, *a Cancellaria nostra surrepticiè ob aliquos defectus ex eadem (ut dicitur) emanavit. Vobis mandamus, quod Breve prædictum habeatis in Cancellaria nostra, vel illud sub Sigillo vestro ibidem mittatis, & hoc Breve, ut, eo inspecto, ulterius inde fiat quod de jure fuerit faciendum. Teste meipso apud* Westm. 3. *die* Augusti, *Anno regni nostri quintodecimo.* Euncore surseent. Plaist au dist nostre Seignur le Roy e soun Counsail de ordeiner pur lestat del Eglise de *Caunterbire*, de graunter Erchediake de *Canterbire* qi oze est, qil pute user tel estat, cum li e ses Predecessours Erchediagnes Ministres del Eglise e de Lerchevesque de *Canterbire* unt use la en arere. *An.* 22 E. 1.

In the same Bundle of Writs and Petitions, there is this memorable Petition of the Prior and Covent of St. *Martyns* in *Dover* to King *Edward* the 2. and his Council, reciting a Judgement given for King *Edward* the 1. his father, against the Archbishop of *Canterbury* for abusing his power, contrary to the Charters of that Priory, and against the usurpations and encroachments of the Prior & Covent of *Trinity* in *Canterbury*, against whom they prayed relief, and restitution to their antient Privileges, against their restless oppressions and vexations, according to that Judgement.

A Nostre Seigniour le Roy *Dengleterre*, & a sun Conseil, mostrount sez devouz Chapeleyns Priour & Convent de sa Eglise de S. *Martyn de Doure*, Com *Henry* jadis Roy *Dengleterre* Progenitour nostre Seignour le Roy qui ore est, que Dieu gard, dona sa dite Eglise de Seint *Martin de Douvre*, ove totes les appurtenaunces ausi fraunchement, com il la tynt a *Thebaud* adounk Erceveſque de *Cantenbire*, & a ses successours Erceveſques, en certein fourme qe le dit Erceveſque fest ordre de Moigne en la dite Eglise, solonc la Reule S. *Beneyt* a vivre, perdurablement adurer, e qe james autre sey entremeyst, mes qe le dit Erceveſque & les Erceveſques de *Cant.* avenir. Apres quel establissement del dit ordre, solonc la fourme susdite, le dit *Thibaud* ordeina, qe en checune voidance de la Priorite de *Douvre* fust fait un Moigne de la *Trinite de Cant.* Prior a la dite Eglise de *Douvre*, & remuable a la volunte du dit Prior de la *Trinite*: issint en cel temps le dit Priour de la *Trinite* usurpa et acrocha a lui et sa Seigneury touz les poinz qe apendeient a les Moignes de la dite Priorite de *Douvre*; Cestassavoir, prælectioun de Priour, com sus est dite, profession, et examination des Cleres qe dussent estre resceu a lur abit en la dite Priorite de *Douvre*, et autres oppressions et grebaunces et blemissements encountre la fourme e la volunte du primer foundeur, en grant errisement et prejudice de la dite Eglise S. *Martin de Douvre* et a les persones ileoseqes demouranz, dount nostre Seignour le Roi *Edward* pere nostre Seignour le Roi qe ore est, qe Die gard, veiaunt les oppressions et blemissements a sa fraunche Chapele & a les Moignes ileoseqes demouranz estre fait grevouses & meyns dreiturels en une voidance de la Priorite de *Douvre*, le Roy porta sun bref de droit devers le Priour de la Trinite qe ore est, et recevera labourie devers lui de la dite Eglise de Seint *Martin*, et le dit Priour soriuge pur toutes jours compirrt plus pleinement par record et proces de ceo fait en le Court nostre Seignour le Roi. E coment qe ceo Jugement oghsta le dit Priour del avorie avantdite, le dit Priour apres la mort Erceveſque de *Canterbire* myst chalench a clame, demaundant obedience manuele et autres subjections du dit Priour & Moignes de *Douvre*. E pur ce quil ne firunt point, com faire ne devoient, il les fist estumencher et autres duresses grevances, et apres la mort del Priour en cel temps, le dit Priour de la *Trinite*, clama prælection de Priour ileoseqes com avaunt fist, et destourba les ditz Moignes de *Douvre* deinz aunz et demi e plus qil ne poient avoir Priour de leur com avant avoient. Taunt qe nostre Seignour le Roy qe ore est, qe Dieu gard, de pyte meu qe la destruction des ses Moignes de *Douvre*, commanda par son bref de la Chancelerie, qil surseist et cessat des grevances et de demandes tortsinouses qe il fist a sa Fraunche Chapele de *Douvre* et a les Moignes ileoseqes demourantz, encontre la Jugement et la gard de sa Court, et de

Rundeia Brevium & Petitionum Anno 22 E. 1. in Turri Londin. See Monasticon Anglicanum, Tom. 2. p. 1, 2, &c.

An. 22 & 24 E. 1. ſa defence. E pur ce qe le dit Prior ceſſer ne voilleit, noſtre Seignur le Roy qe ore eſt, porte ſun Brefe de treſpas devers lui, et en ſa Court le arrena, ou le dit Priour deſclama prefection de Prior, proceſſioun, examination, obediences, et totes maneres autres choſes ſolom ceo qil ſunt contenuz en le dit proces, qe rien ne clama ne cleyme, ne de rien fu coupable; et de ceo ſe myſt el en bon pays, et fuſt atteint a la ſuite noſtre Seignur le Roy a ſes damages de Deus mille livres. E outre ceo fuſt comande en Jugement, quil repellaſt ſentences et totes maneres des grebances comence le dit Pley entre les dits Moignes et le Priour de la *Trinite*. Des quey totes choſes rien ad fait, mes de jour en jour procure le mal as dites Moignes de *Douvre*, et met deſtourbance, et par loung temps ad mys, qe le dit Priour et Convent de *Douvre* ne pount reſceivre nul Clerk a lur abit, ne poent puis le temps Lercevesque *Robert*. Dount noſtre Seigour le Roy pur lui et pur les almes des ſes Auncestres perdent et ount perdeu tout le fruiſt et profiſt en Meſſes, ezeyſtouns, et en autres bienfaitz qe apendez a religioun, qe deuſſent aver eſte faitz en le mes temps de deus Coventz, de queu nombre par mort et par maladie faut a poi lun Covent, en grant erriſement del profiſt ſuſdite et amenuſement del divine ſervise Dieu, et en grant evoytement del charche des dits Moignes hoeſtes deſerbauntz. Par quei prient a noſtre Seignur le Roy et a ſon Conſeil ſes ditz poueres Chapleins Priour et Covent de *Douvre* pur Dieu & pur ſeinte charite, qe devers le dit Priour de la *Trinite* de ſun conteſt et de ſa desobeyſance et grebance faites voille remedie ordeiner, qe les dits Moignes puiſſunt aprez en peis bivre et le mieus Dieu ſervir. E deſicom noſtre Seignur le Roy ad fait reſtitution de ſa Egliſe Seint *Martin de Douvre*, ove totes les apurtenances al Erceveſqe de *Cant.* de ſa eſpeciale grace al derrein Parlement a *Loundres*, compiert par la Chartre regiſtree en la Chauncellerie, qil pleiſe al dit Erceveſqe ſolom la forme & le purport de la dite Chartre ſes ditz Moignes de *Douvre*, e mever et faire, a que le dit Erceveſqe voudra ſouffrir & congie doner, qe le dit Priour & Convent de *Douvre* puiſſint reſceivre Clercs a lur Abeye, tant qe a plein noumbre come il furoms chaz, chez al comencement de lur Ordre al evoytement del Serbice Dieu, et en allegiances des ——— noſtre Seignur le Roy, et des Roys qe ſunt avenir.

Dorſ. Quia conſtat *Conſilio*, quod nullus debet ſe intromittere de Prioratu S. *Martini Doverr.* neque in Spiritualibus neque in Temporalibus, niſi ſolus Archiepiſcopus *Cant.* & hoc per Chartas Regum, &c. Et quod Dominus Rex nunc, pro eo, quod Prior *Cantuar.* intromiſit ſe de Spiritualibus dicti Prioratus *Dover.* ipſum Priorem coram ipſo Rege ſuper hoc implacitabit, in quo placito compertum fuit, quod idem Prior ſe de huiuſmodi ibidem intromiſit ubi non debuit, ad damnum Regis, &c. Per quod conſideratum eſt per Cur. Regis, quod ipſe Prior omnia in hac parte per ipſum attemptata faciat indilate revocari. Ideo proſequatur coram Juſticiariis Regis ubi placitum fuit, quod Prior *Cantuar.* revocet omnia attemptata iuxta tenorem conſiderationis predicte, et habeat ibi Proceſſum ſuum pro Rege, vel faciat venire Recordum inde in Cancellaria, et proſequatur verſus Priorem *Cant.* per Breve originalis, prout pro Rege melius videbitur faciendum, &c.

An. 24 E. 1. Page 644. l. 21. after *continetur*, inſert.] In another Bundle of Writs in the *Tower*, I found this Writ at the Kings ſuit.

Bundela Brevium in Turri London, An. 24 E. 1.

EDwardus, *&c. Pone, &c.* Wilhelmum de Byſucham, *quod ſit coram Juſtic. noſtris, &c. oſtenſurus quare*, cum placita de Catallis et Debitis quæ non ſunt de Teſtamento vel Matrimonio ad nos et ad Coronam et dignitatem noſtram, et non ad alium pertineant in regno noſtro, idem *Wilhelmus* ſecutus eſt plac. in Curia Chriſtianitatis de Catallis et Debitis *Henrici de Donn* Capellano, quæ non ſunt de Teſtamento vel Matrimonio, in læſionem Coronæ et Dignitatis noſtræ, et contra Prohibitionem noſtram. Et habeas, &c. *Teſte me ipſo apud* Weſtm. 3 *die* Decemb. *An. r. n.* 24. Brom.

* See Hornes Mirror des Juſtices, cap. 2. ſect. 13.

How vexatious the Prieſts, Biſhops and their Officers were to the Kings Subjects in that age, in excommunicating them at their pleaſures, unleſſe they gave them what

what they pleaſed, and ſubmitted to their wills and pleaſures, this memorable Petition of *Fyne* the Wife of one *Burgeys* to the King, againſt the Biſhop of *Lincoln* and others (which I found in the *white Tower*) will inform us. *An.* 24 *E.* 1.

AU Seigneur le Roi, monſtre *Fyne* que fuſt la feme *Rauf Burgeys* de *Herlingſton*, que come ele ſoit veugle & del age de quatre vintez & dyz ans, *Johan Picard* Clerke que ad eyde maintenance & comfort Leveſque de *Nichol* & de Commiſſaries ad taunt travaile la dite *Fyne* per cenſures de Seint Egliſe, et ele ad mys en contumacies, tanque les avantdits Eveſque et *Johan* la ount reput a lour volunte, et puis la ount eſcomenge enſemblement (one ſon fitz) *Johan* que tout ſon temps ad demurrer en *Loundres* en la Diocſe le Erceveſque de *Canterbirs*, enſemblement one ſes ——— le dit *Johan* lad puis manuſſer de bye et membye, pur ce que ele ne voet doner a le avantdit *Johan* tant que il voet demander ——— per quei la dite *Fyne* ne poet demurrer ne vider ſur ſes terres demeſne, eins eſt ſui a *Loundres*. Supplie lavauntdits *Fyne*, que les dits Eveſque et *Johan* ſoient commandez de ſurſes de tiels extoſtions, et quil pleiſe a noſtre dit Seigneur le Roi mander (ſon briefe al eux) et faire covenable puniſſement, a fin que doz lieges gentz puiſſent vider de lours bieus ſanz eſtre (deſtreuyer) per extoſtions ſuldits. An. 24 E. 1. in Turri London.

I pretermit all other Records and Writs of leſſe moment relating to our *Church-affairs*, or the Soveraignty of our Kings therein; to their *grants of Tithes of Veniſon* in their *Foreſts* to ſeveral *Biſhops*, *Abbots*, *Monks*, (who loved their *bellies* and *feaſting* better then *faſting*) and of other *Tithes* by their **Charters* to them; and of their *Juriſdiction* in caſes of Tithes; or to Popes, our Prelates, and their Officers manifold invaſions upon the Crown, and peoples Liberties, during the Reign of K. *Edward* the 1. with his, his Parliaments, Nobles, Commons, Counſils, Judges oppoſitions againſt them, thus epitomized, recited, juſtified in and by the Parliament of 24 *H.* 8. chap. 12. (intituled, *An Act that Appeals in ſuch caſes as hath been uſed to be purſued to the* See *of* ROME, *ſhall not be from henceforth uſed but within this Realm*) wherewith I ſhall cloze up this *Appendix* and *Tome*.

* See Cart. 5 Johan. Regis m. 8. Cart 6 Johan. m 12. Cl. 14 Johan. m. 4 Pat. 1 H. 3. pars 1. m. 1. Cl. 4 H. 3 m. 4. & dorſ. 13, 16. Cl. 5 H 3. m. 6. 14. Cl. 6 H. 3. m 6. Cl. 7 H 3 pars 2. m. 6. Cl. 9 H. 3. m 9. 11. Cl. 10 H. 3. dorſ 14. Pat. 10 H. 3 dorſ. 9 Cl. 11 H 3. pars 2 m 8. dorſ 10. Pat. 11 H. 3 pars 1. m. 6. Cl. 12 H. 3. dorſ. 10. Pat. 14 H. 3. m. 4. Cl. 17 H. 3. m. 4, 5, 11. Cl. 18 H. 3. m. 10, 33. Cl. 20 H. 3. m. 3, 19. & dorſ. 10, 33. Pat. 20 H. 3. m. 24. Cl. 21 H. 3. m. 5, 13, 15. Cl. 24 H. 3 m. 2, 20. Cl. 25 H. 3. m. 15. Cl. 27 H 3. m. 3. Cl. 30 H 3. dorſ. 14. Cl. 32 H. 3. dorſ. 33. Pat. 1 E. 1. pars 1. dorſ. 32. Cl. 2 E. 1. m. 15. & dorſ. 2. Pat 13 E 1. m. 6. Cl. 21 E. 1. m 13. Cl. 22 E. 1. m. 4 Cl. 26 E. 1. m 8. Cl. 28 E. 1. m. 11. Cl. 32 E. 1. dorſ. 5. Cl. 33 E. 1. m. 5.

WHere by divers ſundry old autentike Hiſtories and Chronicles, it is manifeſtly declared and expreſſed, THAT THIS REALM OF *ENGLAND* IS AN IMPIRE, and ſo hath been accepted in the World, governed by ONE SUPREME HEAD AND KING, having the Dignity and Regal Eſtate of the IMPERIAL CROWN of the ſame; Unto whom a body politike, compact of all ſorts and degrees of people, divided in termes and by names of Spiritualty and Temporalty, been bounden and owen to bear, next to God, a natural and humble obedience: He being alſo furniſhed and furniſhed by the goodneſſe and ſufferance of Almighty God, WITH PLENARY, WHOLE AND INTIRE POWER, PREEMINENCE, AUCTORITY AND JURISDICTION, TO RENDER AND YEELD JUSTICE AND FINAL DETERMINATION TO ALL MANNER OF FOLKE RESIAUNTS OR SUBJECTS WITHIN THIS HIS REALM, IN ALL CAUSES, MATTERS, DEBATES AND CONTENTIONS HAPPENING TO OCCURRE, INSURGE OR BEGIN WITHIN THE LIMITS THEREOF, WITHOUT RESTRAINT OR PROVOCATION TO ANY FOREIN PRINCES OR POTENTATES IN THE WORLD, *&c.* The Kings moſt Noble Progenitours, and the Nobility and Commons of this Realm at divers and ſundry Parliaments, as well in the time of King Edward the Firſt, &c. as in other Noble Kings of this Realm, made ſundry Ordinances, Laws, Statutes, and Proviſions, for the entire and ſure conſervation of the Prerogatives, Liberties, and Preheminences of the Imperial Crown of this Realm, and of the Juriſdiction ſpiritual and temporal of the ſame, to keep it from the annoyance as well of the See of Rome, as from the authority of other Soveraign Potentates attempting the diminution or violation thereof, as often and from time to time as any ſuch annoyance or attempt might be known or eſpied. All which the premiſed Statutes, Edicts, Writs and Records in this *Tome* abundantly evidence.

FINIS.

To the Reader.

FOr thy easier, speedier investigation and survey of all Matters comprised in this *Third Tome*, I have thought fit to make 14. several *Tables* to it, in an Alphabetical and Chronological method, according to the subject matter.

The 1. Of the *Authors* cited, explained, rectified, or refuted in this *Tome*.

The 2. Of the *Abbies, Abbots, Abbesses, Priories, Priors, Nunneries, Religious Houses* and *Orders* therein mentioned, and what concerns them.

The 3. Of all our *English* and *Welsh*; The 4. Of all our *Irish*; The 5. Of some *French, Scottish*, and Foreign *Archbishops, Bishops*; And of their respective Elections, Confirmations, Successions, Actions, Contumacies, Schisms, Treasons, Deaths, and what else concerns them, or the Temporalties, Priviledges of their *Bishopricks* or *Dioceses*. Which will make some usefull Additions to *Francis Godwins* Catalogue of English Bishops, and Sir *James Wares* his Treatise, *De Præsulibus Hybernia*.

The 6. Of the *English, Welsh, Irish, Scottish*, and other *Archdeacons, Deans* and *Chapters* herein mentioned, and the matters relating to them.

The 7. Of our *English*, and other *Dukes, Earls* herein named, and what concerns them.

The 8. Of the Names of the respective *Chancellors, Treasurers, Justices*, and other State Officers in *England, Ireland, France, Scotland*, and what relates unto them, herein.

The 9. Of the Names of *Barons, Knights*, and other persons of Note or Imployment of the *English* or other *Nations*, and matters concerning them; usefull for all *Heralds*.

The 10. Of sundry *Popes*; The 11. Of *Cardinals*; The 12. Of *Legates, Nuncios*, and other *Agents* of *Rome* herein mentioned; with their Elections, Successions, Actions, Bulls, Epistles, Negotiations, Dismes, Constitutions, Extortions, Rapines, Usurpations, Schisms, Treasons, Vices, Deaths. Which will supply sundry defects, omissions in *Platina, Onuphrius, Baleus, Pallavicinus, Ciaconius*, and others, *De Vitis Pontificum Romanorum*, and *Laurius Cherubinus* his *Bullarium Romanum*.

The 13. Of the Names of *Castles, Cities, Churches, Chapels, Corporations, Parishes, Places* herein mentioned, and things relating to them; usefull for their Owners, Patrons, Inhabitants.

The 14. Of our *English, French, Scottish, Irish*, and other *Kings, Emperors, Princes, Queens, Kingdoms, Countries, Islands*, their *Successions, Reigns, Progresses, Epistles, Laws, Edicts, Treaties, Leagues, Marriages, Wars, Deaths*, and all *Affairs, Suits, Prohibitions, Debates, Parliaments* preceding, *Synods, Councils*, chief Matters of *Law, Peace, War, Church-Government, Ecclesiastical* or *State-Affairs* contained in this *Tome*. Which will rectifie some mistakes, and supply many omissions and defects in our *English Historians, Annalists, Statutes, Law-books*.